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> John Guerin Paul Rull Barbara Santos

County Administrative Center 4080 Lemon St, 14th Floor Riverside, CA 92501 (951) 955-5132

www.rcaluc.org

# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY AGENDA

Riverside County Administrative Center 4080 Lemon Street, 1st Floor Board Chambers Riverside, California

Thursday 9:30 A.M., June 13, 2019

NOTE: If you wish to speak, please complete a "SPEAKER IDENTIFICATION FORM" and give it to the Secretary. The purpose of the public hearing is to allow interested parties to express their concerns. Comments shall be limited to 5 minutes and to matters relevant to the item under consideration. Please do not repeat information already given. If you have no additional information, but wish to be on record, simply give your name and address and state that you agree with the previous speaker(s). Also please be aware that the indicated staff recommendation shown below may differ from that presented to the Commission during the public hearing.

Non-exempt materials related to an item on this agenda submitted to the Airport Land Use Commission or its staff after distribution of the agenda packet are available for public inspection in the Airport Land Use Commission's office located at 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, CA 92501 during normal business hours.

Live Streaming of the meeting will be available during the meeting on our website at www.rcaluc.org.

In compliance with the Americans with Disabilities Act, if any accommodations are needed, please contact Barbara Santos at (951) 955-5132 or E-mail at <a href="mailto:basantos@rivco.org">basantos@rivco.org</a>. Request should be made at least 48 hours or as soon as possible prior to the scheduled meeting.

### 1.0 INTRODUCTIONS

- 1.1 CALL TO ORDER
- 1.2 SALUTE TO FLAG
- 1.3 ROLL CALL

2.0 PUBLIC HEARING: CONTINUED ITEMS

None

3.0 PUBLIC HEARING: NEW ITEMS

# MARCH AIR RESERVE BASE

3.1 ZAP1366MA19 – T-Mobile (Representative: Coastal Business Group) – County of Riverside Case No. PPT180010 (Plot Plan). A proposal to construct a 50 foot tall mono-tree wireless communication facility with a 400 square foot equipment shelter area on 1.98 acres located on the northwest corner of Haines Street and Oleander Avenue in the unincorporated community of Mead Valley (Airport Compatibility Zone C2 of the March Air Reserve Base/Inland Port Airport Influence Area). Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rivco.org

Staff Recommendation: CONDITIONALLY CONSISTENT

### MARCH AIR RESERVE BASE

3.2 ZAP1364MA19 – RD Moval, LLC (Representative: Jonathan Zane) – City of Moreno Valley Case No. PEN19-0052 (Conditional Use Permit). A proposal to establish a commercial cannabis dispensary within an existing 2,379 square foot building with an address of 21820 Alessandro Boulevard, located on the north side of Alessandro Boulevard, westerly of Day Street, and easterly of Old 215 Frontage Road and I-215. The proposed cannabis dispensary will occupy one of three existing buildings on the 0.9-acre property (Assessor's Parcel Number 263-220-015), with the other two buildings being not part of the project scope. No new building construction is proposed (Airport Compatibility Zone B1-APZ-II of the March Air Reserve Base/Inland Port Airport Influence Area). Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rivco.org

Staff Recommendation: CONSISTENT

# PALM SPRINGS INTERNATIONAL AIRPORT

3.3 ZAP1073PS19 – Tower Energy (Representative: RCE Consultants) – City of Cathedral City Case Nos. SPA87-26C (Specific Plan Amendment), CUP19-002 (Conditional Use Permit). A proposal to establish a gas station facility with a 5,056 square foot convenience store and 12 fueling stations on 1.74 acres, located on the northwest corner of Date Palm Drive and Ortega Road. The applicant also proposes amending Specific Plan No. 87-26B text deleting 'convenience market' use from the list of prohibited uses within the Specific Plan (Airport Compatibility Zone D of the Palm Springs International Airport Influence Area). Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rivco.org

Staff Recommendation: CONSISTENT

3.4 ZAP1075PS19 - Desert Hot Springs Wind, LLC/Terra-Gen Development Company, LLC (Representative: Armand Anselmo) – City Planning Case Nos. CUP 01-18 (Conditional Use Permit) and VAR 01-18 (Variance). "Desert Hot Springs Wind Repowering Project": A proposal to decommission and remove 69 existing commercial wind turbines and install 4 new commercial wind turbines with a maximum height of 499 feet above ground level on 161.61 acres (the southwest quarter of Section 31, Township 2 South, Range 4 East, also identifiable as Assessor's Parcel Number 667-160-001) of mountainous terrain located northerly of the unincorporated community of Painted Hills, westerly of State Highway Route 62, northerly of Avenue 16, and easterly of Windhaven Road. Each turbine would have a generating capacity between 2.0 megawatts (MW) and 4.2 MW. A laydown yard, new temporary and permanent internal roads, and connection to 12-kilovolt (kV) electrical collection lines are also anticipated. ALUC review is required due to the proposed turbines being greater than 200 feet in height. (Not in an Airport Influence Area. Closest airport: Palm Springs International Airport). Staff Planner: John Guerin at (951) 955-0982, or email at jquerin@rivco.org

Staff Recommendation: CONSISTENT

### **BERMUDA DUNES AIRPORT**

3.5 ZAP1079BD19 – La Paloma Homes (Representative: Egan Civil, Inc.) – County of Riverside Case Nos. CZ1900007 (Change of Zone), TTM37735 (Tentative Tract Map). A proposal to divide 3.70 gross acres into 17 single family residential lots, and change the zoning of the site from Controlled Development Areas (W-2) to General Residential (R-3-6,000), located westerly of Hopewell Avenue, northerly of Port Royal Avenue, easterly of Hermitage Drive, and southerly of Aerodrome Avenue (Airport Compatibility Zone D of the Bermuda Dunes Airport Influence Area). Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rivco.org

<u>Staff Recommendation</u>: CONSISTENT (Change of Zone); CONDITIONALLY CONSISTENT (Tract Map)

# FRENCH VALLEY AIRPORT

3.6 ZAP1090FV19 – AVA Property Investments, LLC (Representative: Benjamin J. Stables, PEC West, Inc.) – County of Riverside Case Nos. PP26346 (Plot Plan) and PM37398 (Tentative Parcel Map). PP26346 is a proposal to construct a five-building commercial retail center with a combined gross floor area of 56,700 square feet on approximately 7.3 acres located on the easterly side of Winchester Road (State Highway Route 79), westerly of Sky Canyon Road (extended southerly) and northerly of Willows Avenue in the unincorporated community of French Valley. The development would include a 31,900 square foot grocery store, a 10,000 square foot retail building, a 7,500 square foot tire shop/service center, a 3,000 square foot restaurant with drive-through, and a 4,300 square foot car wash structure. PM37398 is a proposal to divide the site into five parcels, so that each building would be located on a separate parcel. (Compatibility Zone D of the French Valley Airport Influence Area). Staff Planner: John Guerin at (951) 955-0982, or e-mail at jquerin@rivco.org

Staff Recommendation: CONSISTENT

ZAP1083FV18 – Pierer Immoreal North America, LLC (Representative: CASC Engineering and Consulting) – County of Riverside Case No. PPT180022 (Plot Plan). A proposal to revise the original KTM project that was accepted by the Commission on November 8, 2018, the new proposal is to construct a two-story 47,675 square foot KTM headquarters office building, a 60,860 square foot motorsport research building, a 17,917 square foot warehouse building, a 20,696 square foot outdoor semi-truck parking area, and an outdoor 8,602 square foot maintenance area, on 19.57 acres (development footprint) of a 56.95-acre site, located northerly of Borel Road, easterly of Winchester Road Highway 79, westerly of Sky Canyon Road, and southerly of Sparkman Way (Airport Compatibility Zones B2 and D of the French Valley Airport Influence Area). Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rivco.org

Staff Recommendation: CONDITIONALLY CONSISTENT

# JACQUELINE COCHRAN REGIONAL AIRPORT

3.8 ZAP1046TH19 - Kohl Ranch Company, LLC "Thermal Beach Club" (Representative: Melissa Perez, Albert A. Webb Associates) - County of Riverside Planning Case Nos. TTM 37269 (Tentative Tract Map) and PP 180037 (Plot Plan). Tentative Tract Map No. 37269 is a proposal to divide 239 acres within two existing parcels with a total area of 307.12 acres located southerly of 64th Avenue, easterly of Tyler Street, northerly of 66th Avenue, and westerly of Polk Street into 210 residential lots that will accommodate 326 dwelling units. All of the lots will have a net area not exceeding 8,712 square feet (0.2 acre). 128 lots will accommodate individual single-family residences. accommodate duplexes (two unit structures). 17 lots will accommodate four-unit structures (four-plexes). Additional lots will accommodate a surf lagoon, village area with clubhouse buildings, reservoir, and drainage areas. Plot Plan No. 180037 is a proposal to establish a surf lagoon with wave making capabilities on 21 acres and to develop a clubhouse village area consisting of four buildings with a combined gross floor area of 42,000 square feet. Anticipated uses of the clubhouse buildings include a restaurant, kitchen facilities, bar, spa, exercise facilities, swimming pool, deck, retail uses, and administration. The project is proposed under the name "Thermal Beach Club" (Compatibility Zones D and E of the Jacqueline Cochran Regional Airport Influence Area). Staff Planner: John Guerin at (951) 955-0982, or e-mail at jguerin@rivco.org

Staff Recommendation: DISCUSS AND CONTINUE

### **REGIONAL**

3.9 ZAP1035RG19 - City of Riverside (Representative: Jarrod Coleman) - City Planning Case Nos. P19-0054 (General Plan Amendment) and P19-0057 (Zoning Ordinance Amendment). P19-0054 is a proposal to amend the Land Use and Urban Design Element of the City's General Plan so as to broaden the range of zoning classifications considered to be consistent with the various General Plan land use designations, involving amendments to Table LU-5 Consistency Matrix, inclusion of two new tables (Table LU-6 Consistency Quick Check and Table LU-7 Consistency Criteria), and amendments to the descriptions of various land use designations and of the process for determination of General Plan consistency. Among nonresidential zones, Commercial Retail (CR) and Commercial General (CG) zoning would be considered consistent with the Commercial Regional Center, Office, Business/Office Park, Industrial, Mixed Use-Village, and Mixed Use-Urban designations, as well as the Commercial designation. The Commercial Retail zone would also be considered consistent with the Mixed Use-Neighborhood designation. The Office (O) zone would be considered consistent with the Business/Office Park and Public Facilities and Institutional Uses designations. as well as the Office designation. P19-0057 would amend Chapter 19.090 of the City's Zoning Code by identifying the steps to determine General Plan consistency utilizing Tables LU-5, LU-6, and LU-7. (Citywide). Staff Planner: John Guerin at (951) 955-0982, or e-mail at jguerin@rivco.org

Staff Recommendation: CONSISTENT

# 4.0 ADMINISTRATIVE ITEMS

- 4.1 Director's Approvals
- 4.2 Notification: Upcoming Election of Commission Officers
- 4.3 Off-Field Landing: March Air Reserve Base/Inland Port Airport Influence Area, May 16, 2019

# 5.0 APPROVAL OF MINUTES

May 9, 2019

# 6.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

# 7.0 **COMMISSIONER'S COMMENTS**

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# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

# STAFF REPORT

**AGENDA ITEM:** 

3.1

**HEARING DATE:** 

June 13, 2019

CASE NUMBER:

ZAP1366MA19 - T-Mobile (Representative: Coastal

Business Group)

APPROVING JURISDICTION:

County of Riverside

**JURISDICTION CASE NO:** 

PPT180010 (Plot Plan)

**MAJOR ISSUES:** 

None

RECOMMENDATION: Staff recommends that the Commission find the proposed Plot Plan <u>CONDITIONALLY CONSISTENT</u>, subject to the conditions included herein, and such additional conditions as may be required by the Federal Aviation Administration Obstruction Evaluation Service.

**PROJECT DESCRIPTION**: The applicant proposes to construct a 50 foot tall mono-tree wireless communication facility with a 400 square foot equipment shelter on 1.98 acres.

**PROJECT LOCATION:** The site is located on the northwest corner of Haines Street and Oleander Avenue, within the unincorporated community of Mead Valley, approximately 12,300 feet southwesterly of the southerly end of Runway 14-32 at March Air Reserve Base.

LAND USE PLAN: 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan

a. Airport Influence Area:

March Air Reserve Base

b. Land Use Policy:

Zone C2

c. Noise Levels:

below 60 CNEL from aircraft

# **BACKGROUND:**

Non-Residential Intensity: Pursuant to the Airport Land Use Compatibility Plan for the March Air Reserve Base/Inland Port Airport, the site is located within Compatibility Zone C2. Zone C2 criteria restrict non-residential intensity to 200 people per acre, and 500 people per single acre. The proposed project is an unmanned wireless facility with no onsite occupancy.

Staff Report Page 2 of 3

<u>Prohibited and Discouraged Uses:</u> The applicant does not propose any uses prohibited or discouraged in Compatibility Zone C2.

Noise: The March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan depicts the site as being outside the 60 CNEL range from aircraft noise. No habitable building is proposed at this time, and therefore, no special noise attenuation measures are required.

Part 77: The elevation of Runway 14-32 at its southerly terminus is 1,488 feet above mean sea level (1,535 feet AMSL). At a distance of approximately 12,300 feet from the runway to the site, Federal Aviation Administration (FAA) review would be required for any structures with top point exceeding 1,611 feet AMSL. The site elevation is approximately 1,683 feet AMSL. Given the proposed structure height of 50 feet, the top point elevation would be 1,733 feet AMSL. Therefore, review of the structure by the FAA Obstruction Evaluation Service is required. The applicant has submitted Form 7460-1, and FAA OES has assigned Aeronautical Study No. 2019-AWP-5172-OE to this project. Its status is currently a "work in progress".

Open Area: None of the Compatibility Zones for the March Air Reserve Base/Inland Port ALUCP require open area specifically.

# **CONDITIONS:**

- 1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
- 2. The following uses/activities are not included in the proposed project and shall be prohibited at this site: in accordance with Note A on Table 4 of the Mead Valley Area Plan.
  - (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.

- 3. The following uses/activities are specifically prohibited at this location: trash transfer stations that are open on one or more sides; recycling centers containing putrescible wastes; construction and demolition debris facilities; wastewater management facilities; incinerators; noise-sensitive outdoor nonresidential uses; and hazards to flight. Children's schools are discouraged.
- 4. The following uses/activities are not included in the proposed project, but, if they were to be proposed through a subsequent use permit or plot plan, would require subsequent Airport Land Use Commission review:
  - Restaurants and other eating establishments; day care centers; health and exercise centers; churches, temples, or other uses primarily for religious worship; theaters.
- 5. The attached notice shall be given to all prospective purchasers of the property and lessees of the facility, and shall be recorded as a deed notice.
- 6. Any proposed detention basins on the site (including water quality management basins) 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 detention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
- 7. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.

Y:\AIRPORT CASE FILES\March\ZAP1366MA19\ZAP1366MA19sr.doc

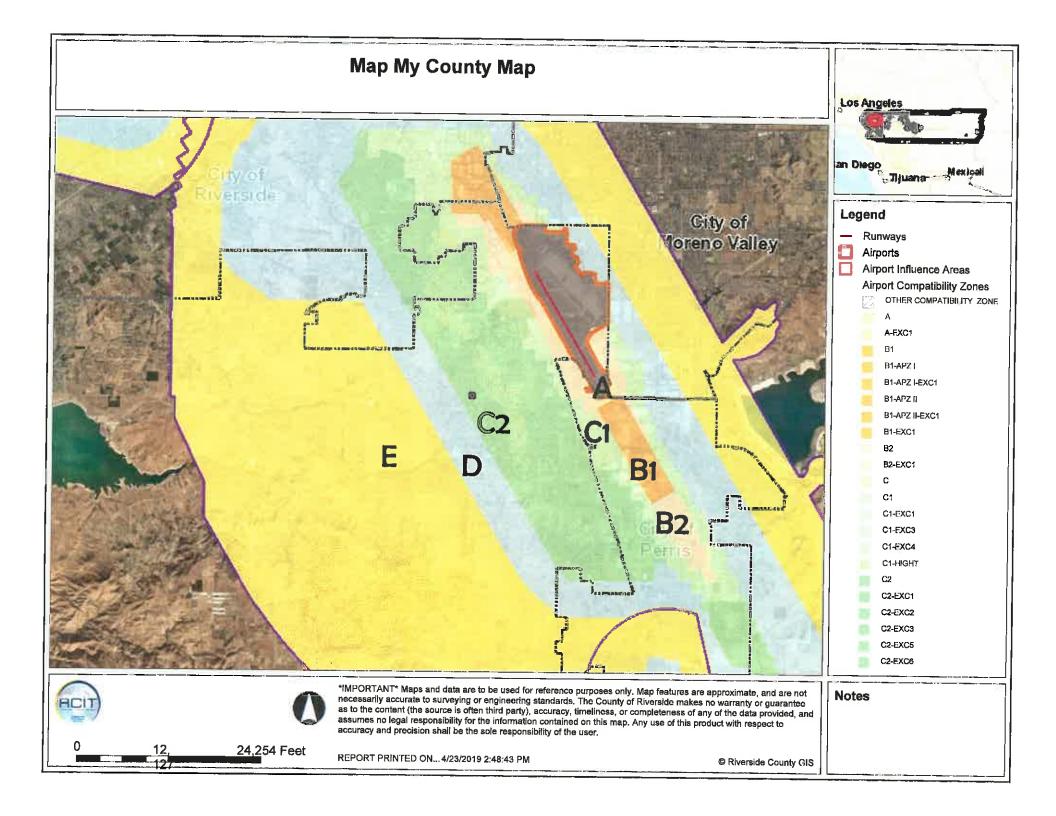
# NOTICE OF AIRPORT IN VICINITY

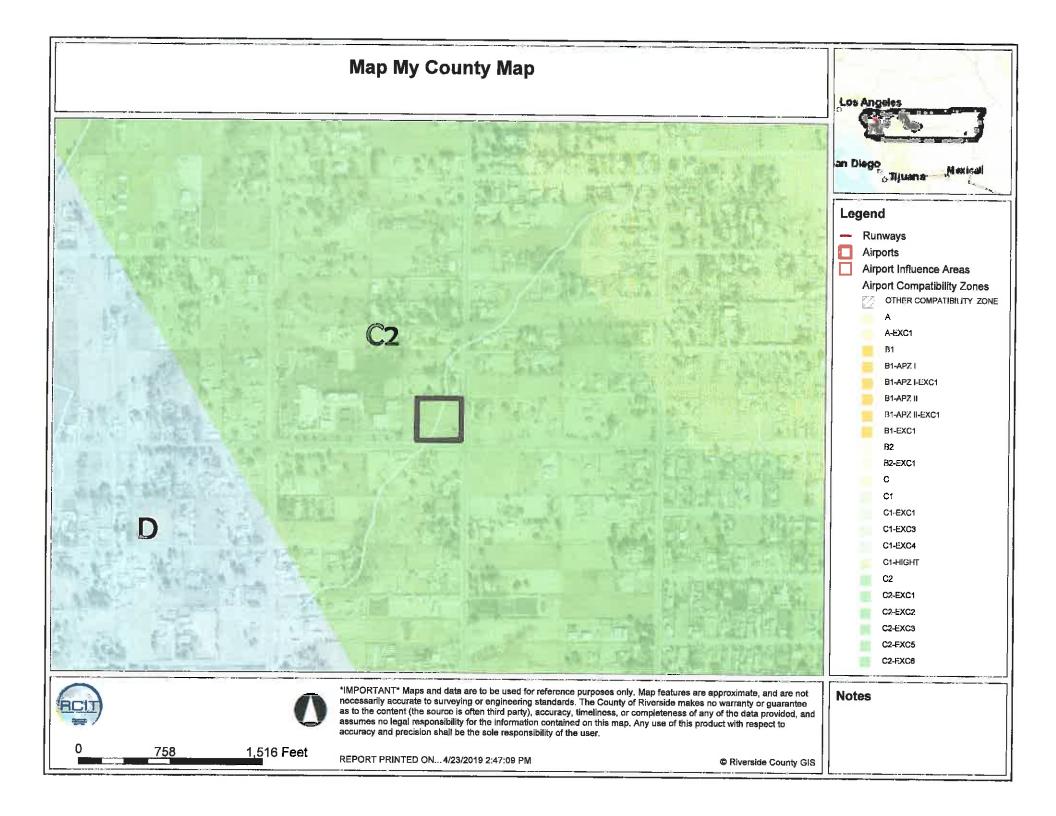
This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)

SEE INSET AT RIGHT

Base map source: County of Riverside 2013

Prepared by Mead & Hunt, Inc. (June 2013)









# Legend

Blueline Streams

City Areas
World Street Map





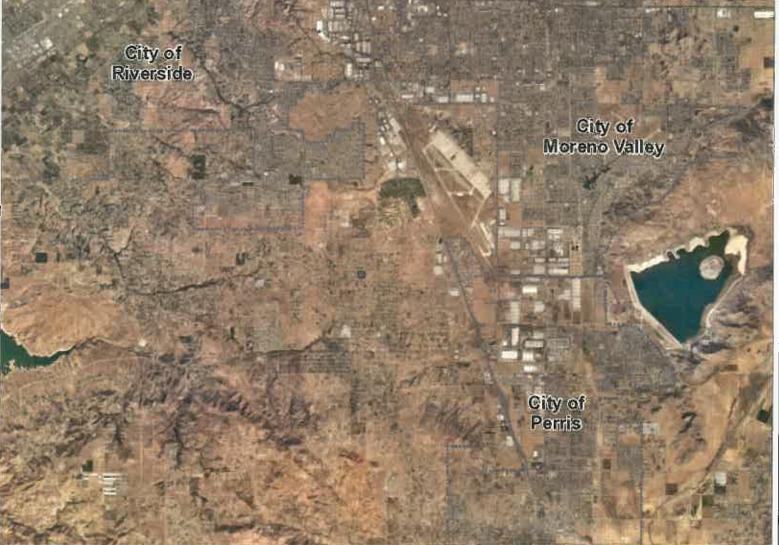
\*IMPORTANT\* Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

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# Legend

City Areas
World Street Map





24,254 Feet

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12

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# Legend

Blueline Streams

::: City Areas

World Street Map





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6,064 Feet

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# Legend

**Blueline Streams** 

City Areas

World Street Map





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1,516 Feet

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# Legend

- Parcels
  Blueline Streams
  City Areas
  - City Areas World Street Map





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<u>189</u> 379 Feet

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SITE TYPE: MONOPINE

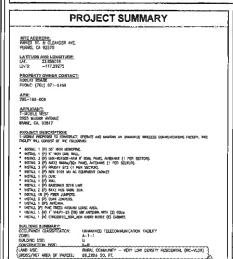
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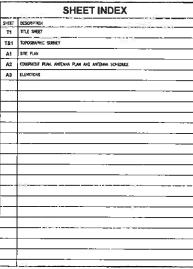
COUNTY:

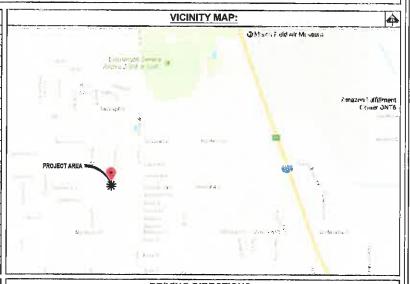
**PERRIS** 

RIVERSIDE

JURISDICTION: CITY OF PERRIS







#### **CONSULTING TEAM**

SAC / ZONING:
COASTM, BUSINESS CROUP, INC.
24310 MOULTON PINY, SUITE O \$1009
LOGINA HILLS, CA 22837
CONTACT: CHICK SUITEINEISS
PHONE: (949) 336–1550
EMAL: COUNDERSONS
EMAL: CHICK SUITEINS
EMAL: COUNDERSONS
EMAL

ARCHITECTURAL/ENGINEERING
CASA INDUSTRIES, INC.
10530 REJOON 57, 5482
LDS ALAIMON 57, 5482
LDS ALAIMON 50, 50720
CDM/ACT: LUS CHADONA
PARAMON 5720 6572—5510

#### APPROVALS:

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS AND MUTHORIZE THE CONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED MERBIL ALL CONSTRUCTION DOCUMENTS ARE SUBJECT TO REDIEM BY THE LOCAL BUILDING DEPARTMENT AND ANY CHANGES AN ADDICUMENTS THEY MAY BEFORE.

	PRINT NAME	SIGNATURE	DATE
LANDLORD			
DEVELOP. HOW			
CONST. MGR			_
PROJ. MOR			
ZOHING MOR			_
RF ENGINEER	_		
SAC REP.			
FOPS			

#### **DRIVING DIRECTIONS:**

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#### **APPLICABLE CODES:**

2016 CALIFORNA TITLE 24 2016 CALIFORNA FIRE CODE 2016 CALIFORNA ENERGY CODE 2018 CALIFORNIA PLUMBING CODE
 2016 CALIFORNIA MECHANICAL COD
 2016 CALIFORNIA ELECTRICAL COD



E94448

**OLEANDER RAW LAND** 

CORNER OF GLEANDER AVE AND HAINES ST PERRIS, CALIFORNIA 82570 RIVERSIDE COUNTY

CURRENT ISSUE DATE:

03-26-2019

SSUED FOR: ZONING

DESCRIPTION: REV.: DATE: D3-26-19 REVISED PER NEW MW SOW 6 02-14-19 REVISED ZDs PER MW A REMSED ZDa PER 06-01-18 A 02-16-18 REVISED 20s PER 12-15-17 100% ZDs REVISED PER SURVEY 11-09-17 PLANS PREPARED BY:



CONSULTANT



DRAWN BY: CHK.: APV.

ENOT CONSTRUCTION

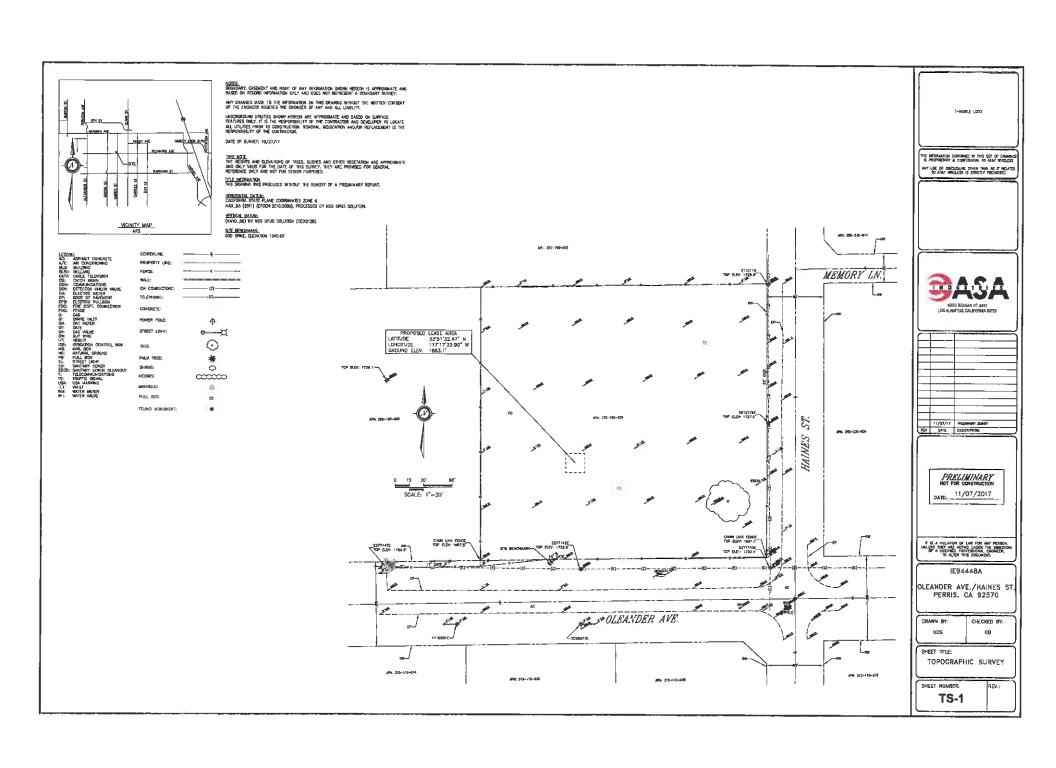
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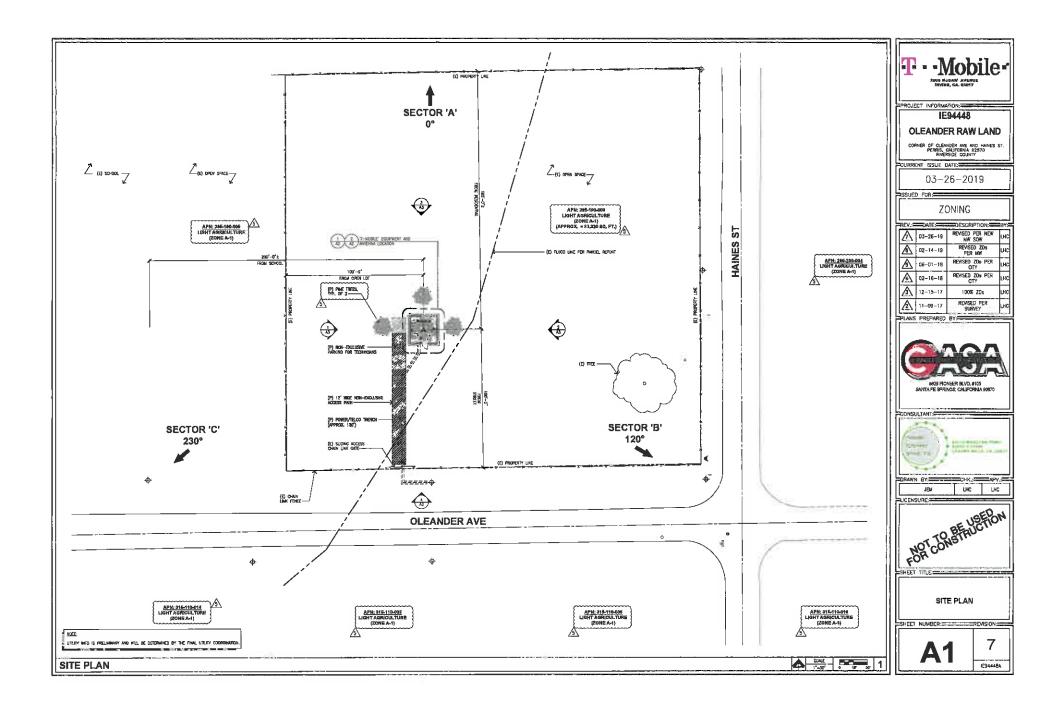
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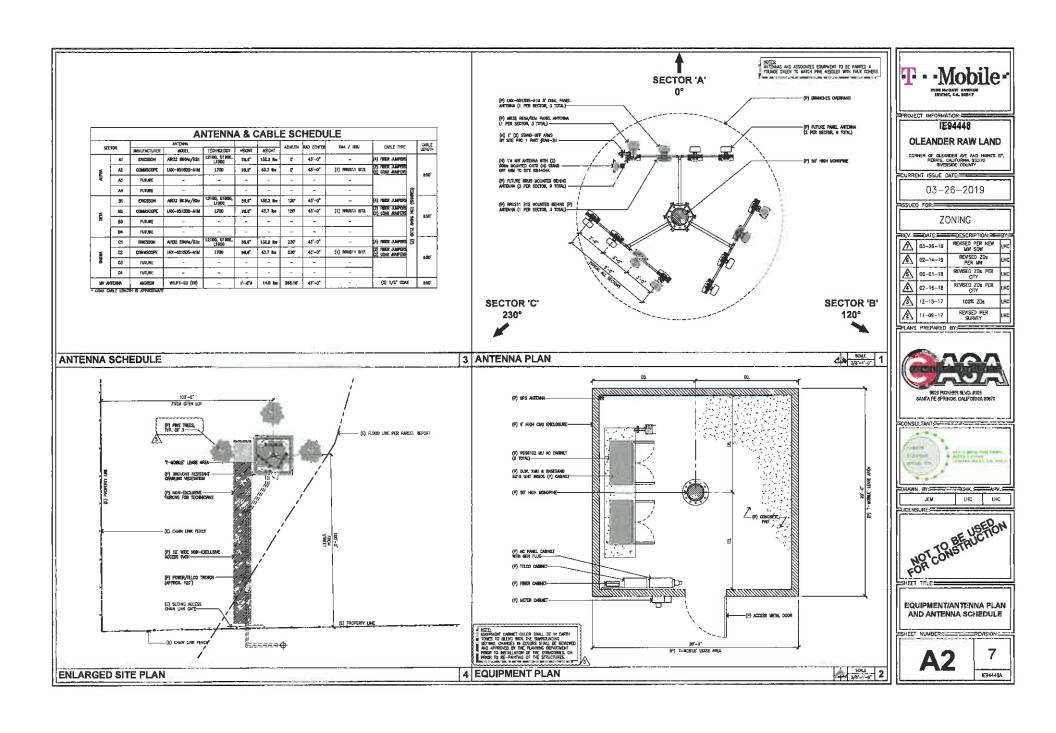
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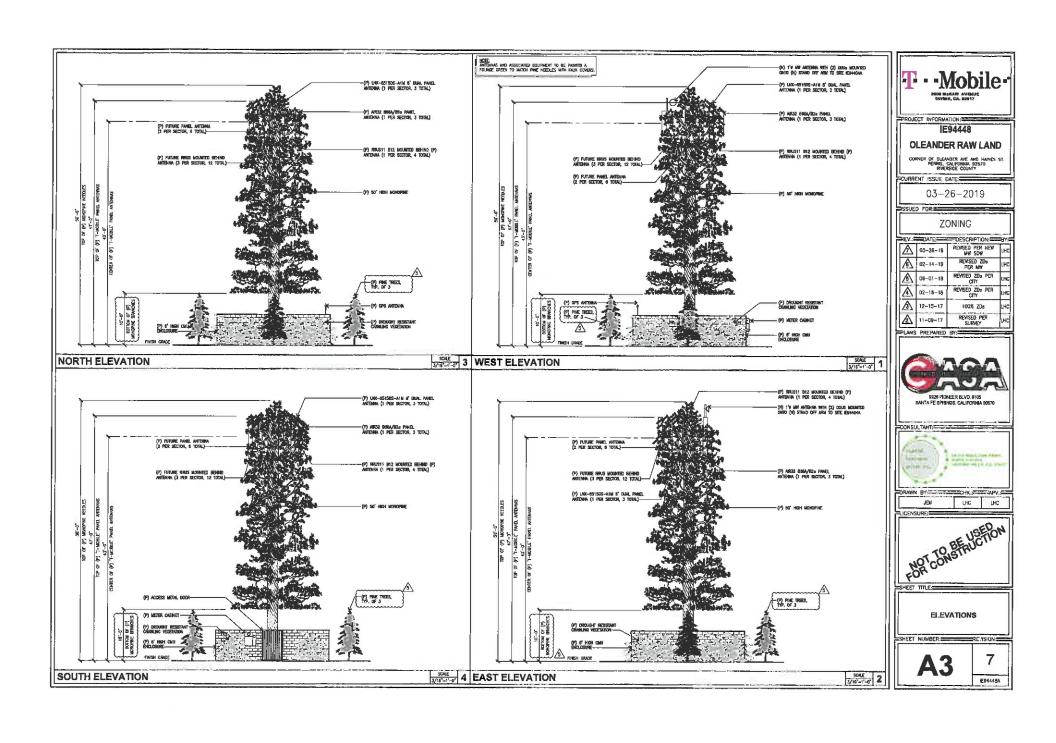
IE94448A

REVISION:









# NOTICE OF PUBLIC HEARING RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. For more information please contact <u>ALUC Planner Paul Rull at (951) 955-6893</u>. The ALUC holds hearings for local discretionary permits within the Airport Influence Area, reviewing for aeronautical safety, noise and obstructions. ALUC reviews a proposed plan or project solely to determine whether it is consistent with the applicable Airport Land Use Compatibility Plan.

The County of Riverside Planning Department may hold hearings on this item and should be contacted on non-ALUC issues. For more information please contact County of Riverside Planner Mr. Gabriel Villalobos at (951) 955-6184.

The proposed project application may be viewed and written comments may be submitted at the Riverside County Administrative Center, 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, California 92501, Monday through Thursday from 8:00 a.m. to 5:00 p.m., and by prescheduled appointment on Fridays from 9:00 a.m. to 5:00 p.m.

PLACE OF HEARING: Riverside County Administration Center

4080 Lemon Street, 1st Floor Board Chambers

Riverside California

DATE OF HEARING: June 13, 2019

TIME OF HEARING: 9:30 A.M.

CASE DESCRIPTION:

ZAP1366MA19 – T-Mobile (Representative: Coastal Business Group) – County of Riverside Case No. PPT180010 (Plot Plan). A proposal to construct a 50 foot tall mono-tree wireless communication facility with a 400 square foot equipment shelter area on 1.98 acres located on the northwest corner of Haines Street and Oleander Avenue in the unincorporated community of Mead Valley (Airport Compatibility Zone C2 of the March Air Reserve Base/Inland Port Airport Influence Area).



# **APPLICATION FOR MAJOR LAND USE ACTION REVIEW**

	ER: ZAP 1366MAIQ DATE SUBM			
APPLICANT / REPRESI	ENTATIVE / PROPERTY OWNER CONTACT INFORMATION			
Applicant I MODILE		Phone Number (949) 336-1550		
Mailing Address	3257 E. Guasti Ave., Ontario, CA 91761	Email		
		csaunders@coastalbusinessgr		
Representative	Coastal Business Group (Chuck Saunders)	Phone Number (760) 271-6189		
Mailing Address	24310 Moulton Pkwy, Suite O #1009	- Holle Ruttiber 1 /		
Mailing Address	Laguna Hills, CA 92637-3306	csaunders@coastalbusinesso		
Property Owner	Douglas Jones	Phone Number (760) 235-7712		
Mailing Address	899 Tamarisk Rd., Palm Springs, CA 92262	Email djones12@gmail.com		
Maining Address		Email 1,0110012 0 g. mail 100111		
LOCAL JURISDICTION	AGENCY			
Local Agency Name	Riverside County	Phone Number (951) 955-6184		
Staff Contact	Gabriel Villalobos	Phone Number (951) 955-6184 Email gvillalo@rivco.org		
Mailing Address	68700 Avenida Laio Guerrero	Case Type		
	Cathederal City, CA 92234	☐ General Plan / Specific Plan Amendment ☐ Zoning Ordinance Amendment		
Local Agency Project No	PPT180010	Subdivision Parcel Map / Tentative Tract Use Permit Site Plan Review/Plot Plan Other		
PROJECT LOCATION				
	pap showing the relationship of the project site to the airport boundary and lunwa	ys		
Ollegi Addiess	laines St. & Oleander Ave.			
	Perris, CA 92570	· · · · · · · · · · · · · · · · · · ·		
Assessor's Parcel No.	95-190-009	Gross Parcel Size		
Subdivision Name		Nearest Airport — and distance from		
Lot Number		Airport		
PROJECT DESCRIPTION	N			
If applicable, attach a detailed include additional project desc	site plan showing ground elevations, the location of structures, open spaces and cription data as needed	d water bodies, and the heights of structures and trees,		
. ' '	Currently Raw land			
_				

Riverside County Airport Land Use Commission, County Administrative Center, 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, CA 92501, Phone: 951-955-5132 Fax: 951-955-5177 Website: <a href="https://www.rcaluc.org">www.rcaluc.org</a>

	Proposed Land Use (describe)	To install a wireless te	lecommunicatio	ns tacility.				
			<u>-</u>					
	For Residential Uses	Number of Parcels or Units on Site (exclude secondary units)						
	For Other Land Uses	Hours of Operation						
	(See Appendix C)	Number of People on Site Maximum Number						
		Method of Calculation						
		·		1684"				
	Height Data	Site Elevation (above mean sea le	evel)	50'			f	
		Height of buildings or structures (	from the ground)				f	
	Flight Hazards	Does the project involve any char				Yes		
		confusing lights, glare, smoke, or	other electrical or visual	hazards to aircraft flight?		No		
		If yes, describe						
1								
A	tions 659	Failure of an applicant P40 to 65948 inclusive, of Val of actions, regulations	the California G					
E	submittal	TIME: Estimated time f . Estimated time for "cor to the next available com	nmission level re	view" is approximately				
C	. SUBMIS	SION PACKAGE:						
	1, , , , , ,	Completed ALUC Applica	tion Form					
		ALUC fee payment						
		Plans Package (24x36 folded) (site plans, floor plans, building elevations, landscaping						
	4	plans, grading plans, sub	division maps)					
		Plans Package (8.5x11) ( grading plans, subdivisior						
		CD with digital files of the		ulitatice/GPA/SPA lexi	IIIa	p amenu	ments)	
		Vicinity Map (8.5x11)	plane (pai)					
		Detailed project description	on					
		Local jurisdiction project t						
		Gummed address labels f	for applicant/repre	sentative/property owr	er/l	ocal juris	diction	
		planner Gummed address labels (	of all currounding	nronarty owners within	2 2	inn foot r	adius of	
		the project site. If more stamped envelopes (size is scheduled for a publi	than 100 proper #10) with ALUC	ty owners are involved return address (only r	d, p	olease pi	rovide pre-	

# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

# STAFF REPORT

AGENDA ITEM: 3.2

**HEARING DATE:** June 13, 2019

CASE NUMBER: ZAP1364MA19 - RD Moval, LLC (Representatives:

Jonathan Zane and Rick Jackson)

**APPROVING JURISDICTION:** City of Moreno Valley

**JURISDICTION CASE NO:** PEN19-0052 (Conditional Use Permit)

MAJOR ISSUES: None

RECOMMENDATION: Staff recommends that the Commission find the proposed Conditional Use Permit <u>CONSISTENT</u>, based on the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, subject to the conditions included herein.

**PROJECT DESCRIPTION**: A proposal to establish a commercial cannabis dispensary within an existing 2,379 square foot building on a 0.9-acre property (Assessor's Parcel Number 263-220-015). The proposed cannabis dispensary will occupy one of three existing buildings on-site, with the other two buildings not being part of the project scope. No new building construction is proposed.

**PROJECT LOCATION:** The building with an address of 21820 Alessandro Boulevard is located on the north side of Alessandro Boulevard, westerly of Day Street and easterly of Old 215 Frontage Road and I-215, within the City of Moreno Valley, approximately 7,222 feet northwesterly of the northerly end of Runway 14-32 at March Air Reserve Base.

LAND USE PLAN: 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility

Plan ("2014 March ALUCP")

a. Airport Influence Area: March Air Reserve Base

b. Land Use Policy: Zone B1-APZ-II

c. Noise Levels: 60-70 CNEL from aircraft

# **BACKGROUND:**

Non-Residential Average Land Use Intensity: Pursuant to the Airport Land Use Compatibility Plan for the March Air Reserve Base/Inland Port Airport, the site is located within Compatibility Zone B1-APZ-II. Zone B1-APZ-II limits average intensity to 50 people per acre. With a parcel size of 0.9

Staff Report Page 2 of 5

acre, the maximum allowance for this site is 45 people.

Pursuant to Additional Compatibility Policy 2.4(e) of the 2014 March ALUCP, the following rate was used to calculate the occupancy for the proposed project:

• Retail – 1 person/115 square feet.

The project proposes to utilize 2,379 square feet (existing Building 1) as a retail commercial cannabis dispensary, accommodating 21 people. Considered separately, this would result in an average intensity of 23 people per acre, which is consistent with the Compatibility Zone B1-APZ-II criterion of 50.

Currently operating within Building 1 is an auto parts retail store; therefore, the proposed cannabis use is not expected to increase on-site occupancy or intensity. The other two buildings on the property have a combined floor area of 4,700 square feet. However, they pre-date the adoption of the March ALUCP. This project does not change occupancy of the other two buildings.

A second method for determining total occupancy involves multiplying the number of parking spaces provided or required (whichever is greater) by average vehicle occupancy (assumed to be 1.5 persons per vehicle in the absence of more precise data). Based on the total number of existing parking spaces for all three buildings (21), the total occupancy would be estimated at 32 people for an average acre intensity of 36 people per acre, which is consistent with the Compatibility Zone B1-APZ-II criterion of 50.

Non-Residential Single-Acre Land Use Intensity: Compatibility Zones B1-APZ-II limit maximum single-acre intensity to 100 people. However, this level is not applicable to this site, which is only 0.9 acre in area.

Based on the site plan provided, the 2,379 square feet retail Building 1 would have a total occupancy of 21 people, which is consistent with the B1-APZ-II maximum allowance of 45 persons.

March Air Reserve Base/United States Air Force Input: Given that the project site is located in Zone B1-APZ-II of the northerly runway at March Air Reserve Base, the March Air Reserve Base staff was notified of the project and sent a package of plans for their review. As of the time this staff report was prepared, we were still awaiting comments from the Air Force regarding this project.

The 2018 Airport Installation Compatible Use Zones (AICUZ) study identifies the project site as located within Accident Potential Zone II (APZ-II). Appendix A of the AICUZ provides Land Use Compatibility Tables for the APZs, which cite "retail trade" as a permitted use in APZ II (and prohibited use in the Clear Zone [CZ]).

The AICUZ and Air Force Instruction 32-7063 dated December 18, 2015, which addresses Air Force policies on Land Use Compatibility in accordance with Department of Defense Instruction (DoDI)

Staff Report Page 3 of 5

No. 4165.57, identifies restrictions in intensity limits in APZ-II to a maximum of 50 people in any given acre. In this situation, due to the parcel size, the Air Force limit and the ALUCP limit are the same (50 per acre; 45 for this site). The project's occupancy of 21 people would be consistent with the Air Force Instruction.

<u>Prohibited and Discouraged Uses:</u> The applicant does not propose any uses prohibited or discouraged in Compatibility Zone B1-APZ II. Retail trade is compatible within Accident Potential Zones II pursuant to the 2018 Air Installation Compatible Use Zone (AICUZ) study disseminated by the United States Air Force. Retail trade is also compatible pursuant to Department of Defense Instruction (DODI) No. 4165.57.

Noise: The March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan depicts the site as being in an area between 60-70 CNEL range from aircraft noise. The applicant proposes to utilize an existing building.

Part 77: The elevation of Runway 14-32 at its northerly terminus is 1,535 feet above mean sea level (1,535 feet AMSL). At a distance of approximately 7,222 feet feet from the runway to the closest parcel within the site, Federal Aviation Administration (FAA) review would be required for any structures with top of roof exceeding 1,607 feet AMSL. The site elevation is approximately 1,544 feet AMSL, with an existing building height of 12 feet, resulting in a top point elevation of 1,556 feet AMSL. No new construction of buildings or structures are proposed. Therefore, review of buildings by the FAA Obstruction Evaluation Service is not required.

Open Area: None of the Compatibility Zones for the March Air Reserve Base/Inland Port ALUCP require open area specifically. However, new development within Compatibility Zone B1-APZ-II is limited to a maximum lot coverage of 50%. No new building construction is proposed. The existing buildings constitute a 17% lot coverage.

# **CONDITIONS:**

- 1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
- 2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
  - (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, 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, skilled nursing and care facilities, congregate care facilities, hotels/motels, restaurants, places of assembly (including churches and theaters), buildings with more than 3 aboveground habitable floors, noise sensitive outdoor nonresidential uses, critical community infrastructure facilities and hazards to flight.
- (f) Any other uses not permitted in Accident Potential Zone II pursuant to DoDI 4165.57.
- 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 of the property and tenants of the buildings.
- 5. Any proposed detention basins on the site (including water quality management basins) 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 detention basins 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. Landscaping in and around the detention basin(s) shall not include trees that produce seeds, fruits, or berries.
- 6. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave

# Staff Report Page 5 of 5

transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.

- 7. The project does not propose rooftop solar panels at this time. However, if the project were to propose solar rooftop panels in the future, the applicant/developer shall prepare a solar glare study that analyzes glare impacts, and this study shall be reviewed by the Airport Land Use Commission and March Air Reserve Base.
- 8. Any increase in building area or change in use will require review by the Airport Land Use Commission. In addition, this project shall not store, process or manufacture hazardous materials without review and approval by the Airport Land Use Commission.

Y:\AIRPORT CASE FILES\March\ZAP1364MA19\ZAP1364MA19sr.doc

# NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)

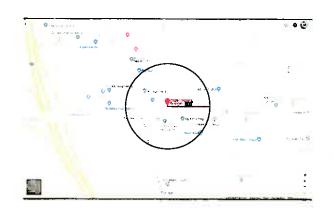
SEE INSET AT RIGHT

Prepared by Mead & Hunt, Inc. (June 2013)

**Compatibility Map** 

March Air Reserve Base / Inland Port Airport

Base map source: County of Riverside 2013





### SCHOOL DISTRICT

SCHOOL DISTRICT:

MORENO WALLEY UNIFIED SCHOOL DISTRICT 25434 ALESSANDRO BLAD. MORENO WALLEY, CA 92553

#### **3 NEAREST SCHOOLS**

PACIFIC WEW CHARTER SCHOOL 22895 ALESSANDRO BLVO. MORENO VALLEY, CA 92553 1 MILE (±5,280 FT.)

MORED VALLEY HICH SCHOOL 25300 COTONNOOD AVE, MORENO VALLEY, CA 1.3 MILE (±6,865 FT)

TOWNGATE ELEMENTARY SCHOOL 22480 DRACEA AVE., MORENO WALLEY, CA 92553 1.4 MILE (±7,382 FT.)

### **NEAREST LIQUOR STORE**

CHARLES LIQUORS 21840 ALESSANDRO BLVD, MORENO VALLEY, CA 92553 .02 MILE (±116 FT.)

"ZONING IS OC AND VERIFIED THERE ARE NO SENSITIVE USES WITHIN A BOD' PADAIS\*

VICINITY MAP

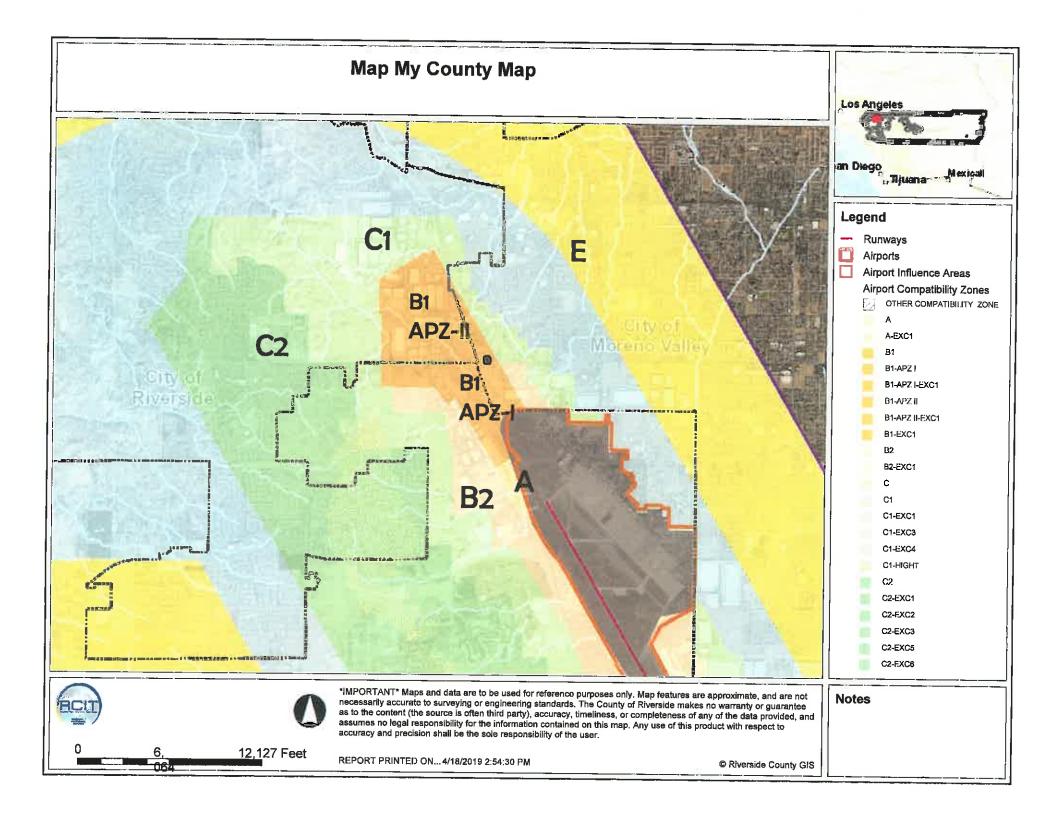
REVISIONS DATE: CANNABIS DIS

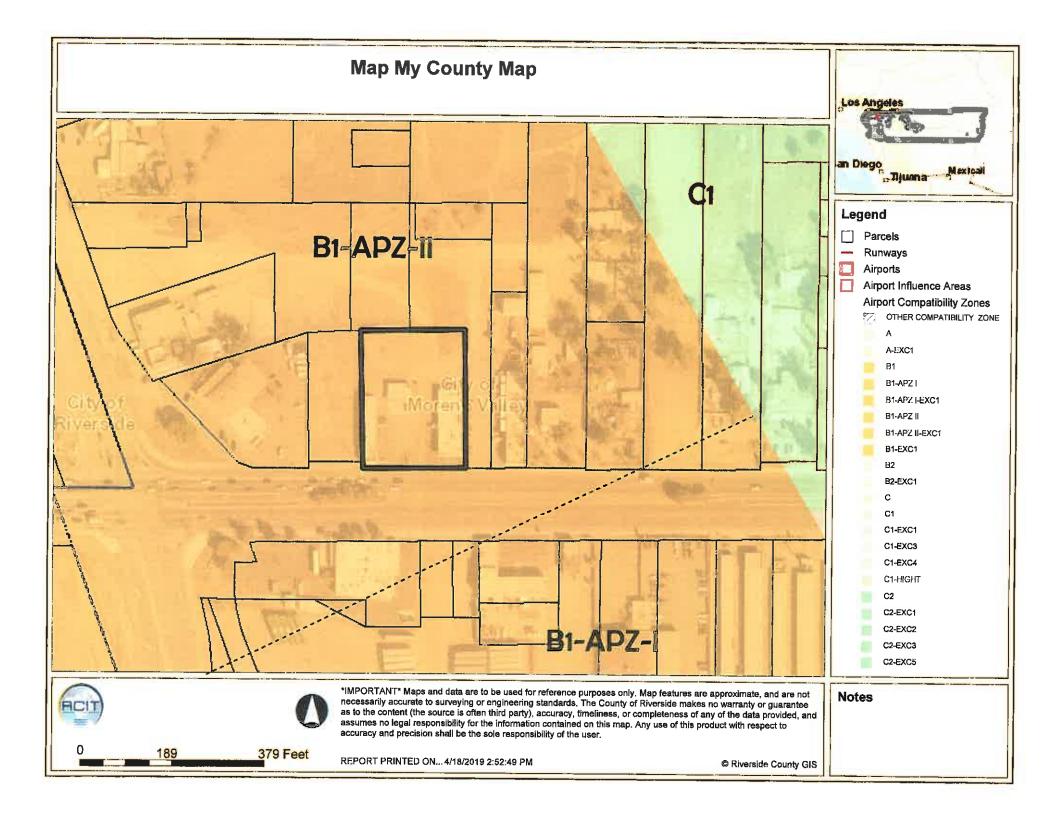


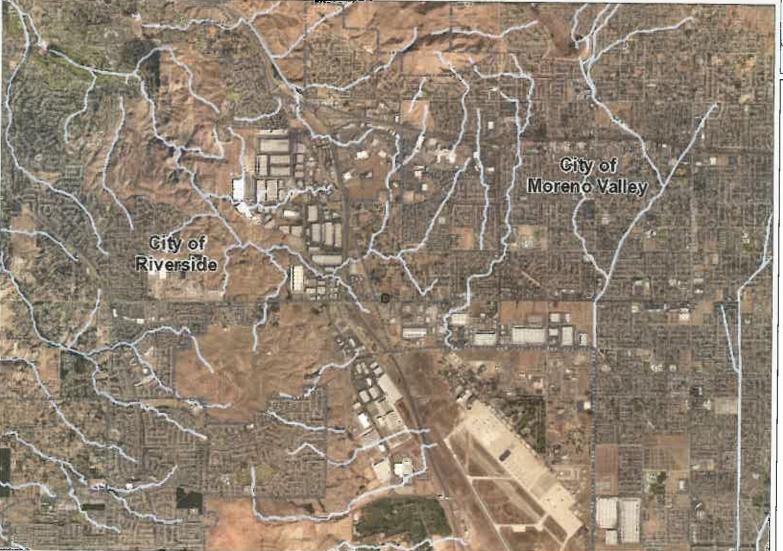
SCALE:

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SHEET:









# Legend

**Blueline Streams** 

City Areas

World Street Map



\*IMPORTANT\* Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

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#### Legend

Blueline Streams

City Areas

World Street Map





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1, 3,032 Feet

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#### Legend

Parcels **Blueline Streams** City Areas World Street Map





758 Feet

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#### Legend

Parcels
Blueline Streams
City Areas
World Street Map





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189 379 Feet

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#### Legend

- Parcels Blueline Streams
- City Areas World Street Map



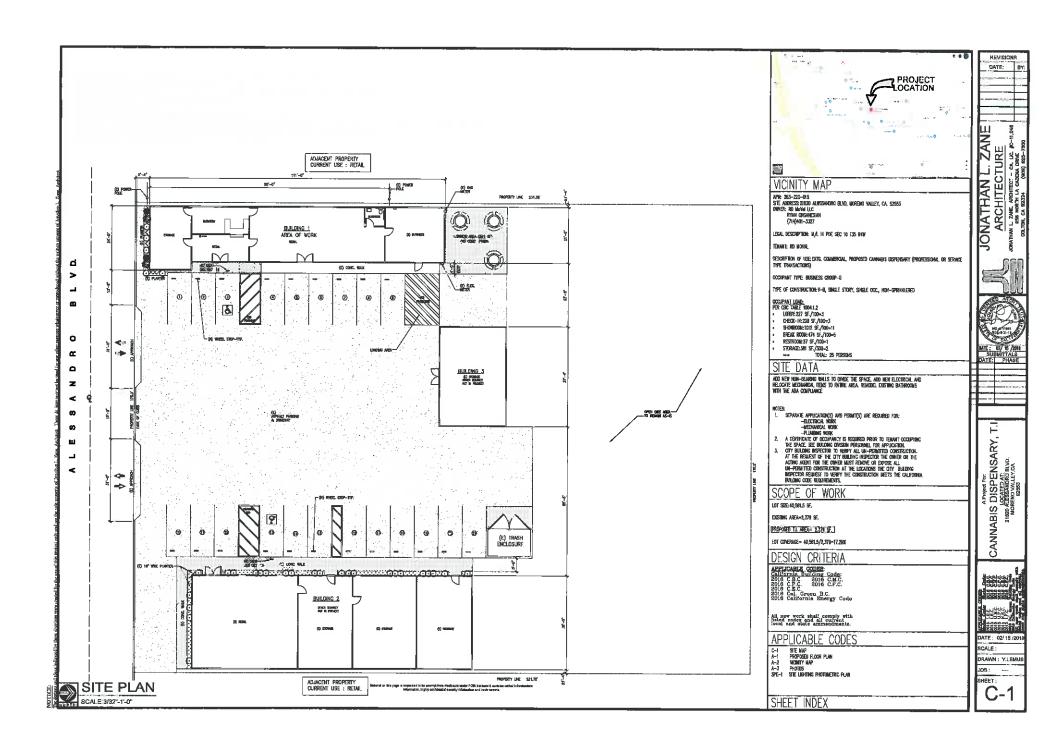


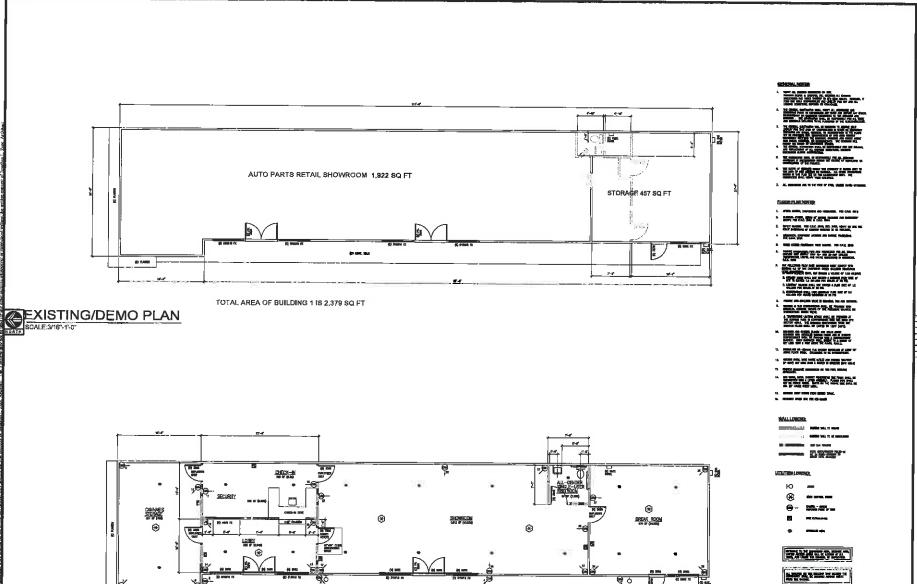
\*IMPORTANT\* Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

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PROPOSED FLOOR PLAN

REVISIONS DATE:

JONATHAN L. ZANE ARCHITECTURE

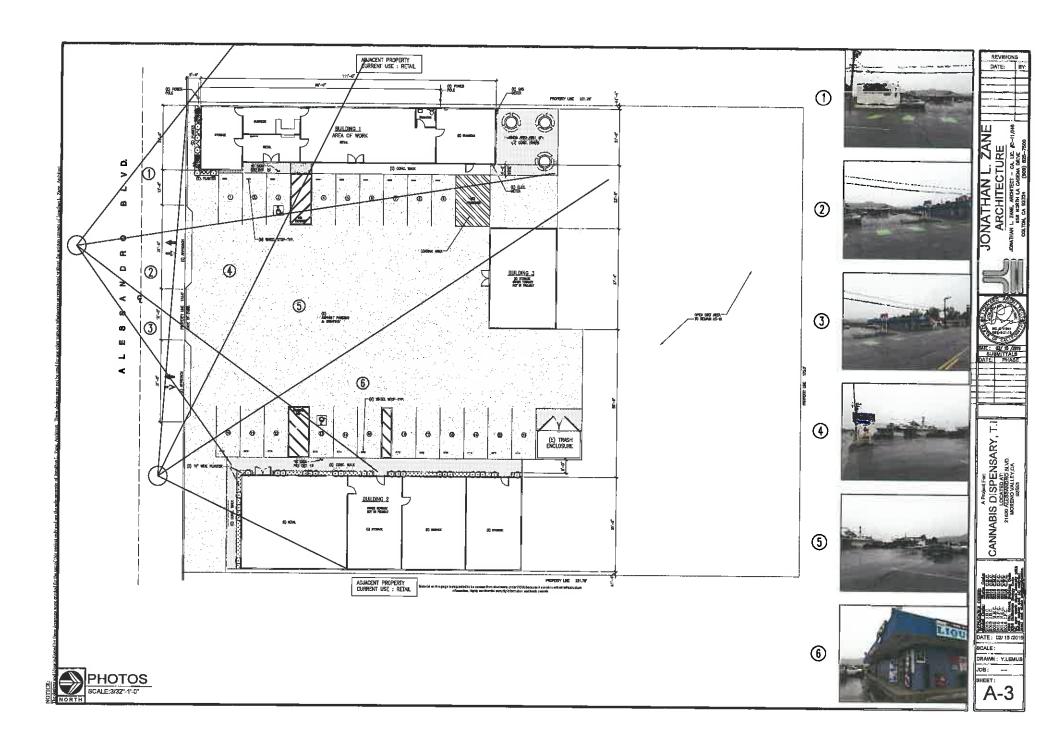


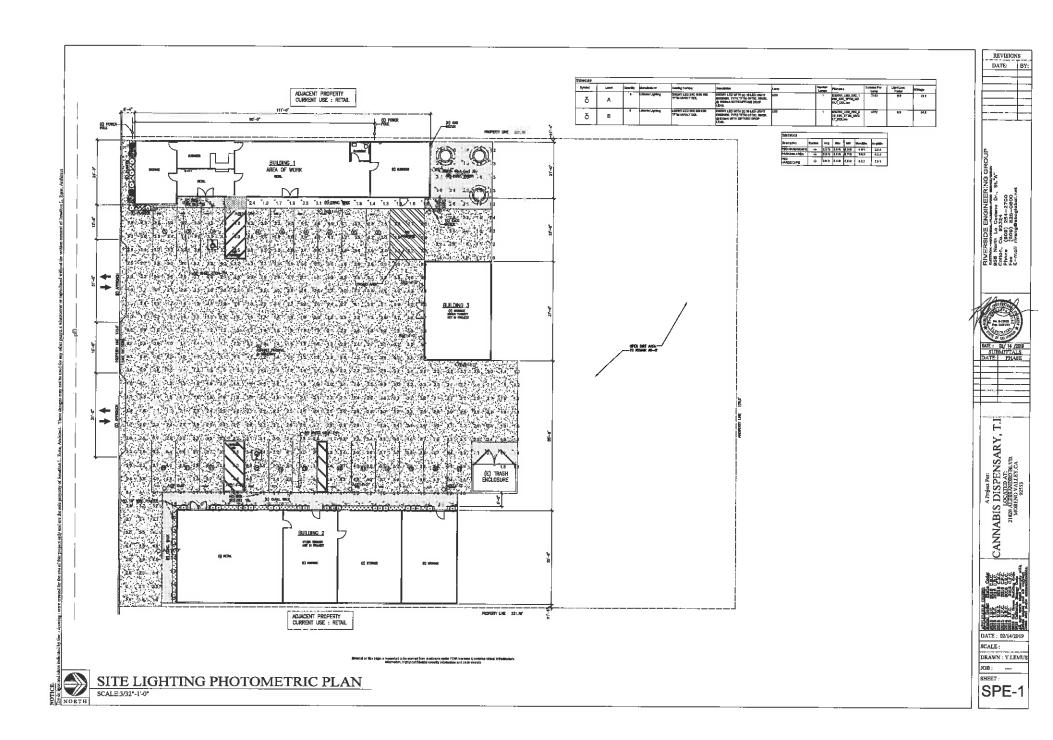
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# NOTICE OF PUBLIC HEARING RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. For more information please contact <u>ALUC Planner Paul Rull at (951) 955-6893</u>. The ALUC holds hearings for local discretionary permits within the Airport Influence Area, reviewing for aeronautical safety, noise and obstructions. ALUC reviews a proposed plan or project solely to determine whether it is consistent with the applicable Airport Land Use Compatibility Plan.

The City of Moreno Valley Planning Department may hold hearings on this item and should be contacted on non-ALUC issues. For more information please contact City of Moreno Valley Planner Mr. Jerry Guarracino at (951) 413-3206.

The proposed project application may be viewed and written comments may be submitted at the Riverside County Administrative Center, 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, California 92501, Monday through Thursday from 8:00 a.m. to 5:00 p.m., and by prescheduled appointment on Fridays from 9:00 a.m. to 5:00 p.m.

PLACE OF HEARING: Riverside County Administration Center

4080 Lemon Street, 1st Floor Board Chambers

Riverside California

DATE OF HEARING: June 13, 2019

TIME OF HEARING: 9:30 A.M.

CASE DESCRIPTION:

ZAP1364MA19 – RD Moval, LLC (Representative: Jonathan Zane) – City of Moreno Valley Case No. PEN19-0052 (Conditional Use Permit). A proposal to establish a commercial cannabis dispensary within an existing 2,379 square foot building with an address of 21820 Alessandro Boulevard, located on the north side of Alessandro Boulevard, westerly of Day Street, and easterly of Old 215 Frontage Road and I-215. The proposed cannabis dispensary will occupy one of three existing buildings on the 0.9-acre property (Assessor's Parcel Number 263-220-015), with the other two buildings being not part of the project scope. No new building construction is proposed (Airport Compatibility Zone B1-APZ-II of the March Air Reserve Base/Inland Port Airport Influence Area).



# RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

#### APPLICATION FOR MAJOR LAND USE ACTION REVIEW ALUC CASE NUMBER: ZAP 1364 MA 19 April 15,2019 DATE SUBMITTED: APPLICANT / REPRESENTATIVE / PROPERTY OWNER CONTACT INFORMATION Applicant Phone Number 951-236-6958 Mailing Address TRAILHEAD PT. RICK@complianeequyscom PA VALLEY, CA 92509 Representative ZANE - ARCHITECT Phone Number Mailing Address Zane @ roadrunner 100 m **Property Owner** HAY E DO Mone Number Mailing Address PALM SPRINGS. CA LOCAL JURISDICTION AGENCY Local Agency Name CITY OF MORIENO VAILEY Phone Number Staff Contact GUARRACINO **Mailing Address** 77 FREDERICK STREET General Plan / Specific Plan Amendment MORENO VALLEY, CA Zoning Ordinance Amendment PO BOX 88005 Subdivision Parcel Map / Tentative Tract Local Agency Project No 🗷 Use Permit PEN 19-0052 Site Plan Review/Plot Plan Other PROJECT LOCATION Attach an accurately scaled map showing the relationship of the project site to the airport boundary and runways <u>820 ALESSANDRO BLVD</u> Street Address MORENO VALLEY, CA 92553-8203 Assessor's Parcel No. 263-220-015 193 AC Gross Parcel Size **Subdivision Name** Nearest Airport and MARCH distance from Air-Lot Number APZZ port PROJECT DESCRIPTION If applicable, attach a detailed site plan showing ground elevations, the location of structures, open spaces and water bodies, and the heights of structures and trees; include additional project description data as needed **Existing Land Use** (describe)

COM

	(describe)	Number of Parcels or Units on Site (exclude secondary units) Hours of Operation Number of People on Site Maximum Number Method of Calculation			
	For Residential Uses For Other Land Uses (See Appendix C)				
	Height Data	Site Elevation (above mean sea level)  Height of buildings or structures (from the ground)		12 PT	ft.
	Flight Hazards	Does the project involve any characteristics which could create electrical interference, confusing lights, glare, smoke, or other electrical or visual hazards to aircraft flight?  No  If yes, describe			
A.	65940 to 6	Failure of an applicar 65948 inclusive, of the regulations, or permit	California Government C	adequate information pursua ode, MAY constitute grounds	ant to Sections for disapproval
B.	<b>REVIEW TIME:</b> Estimated time for "staff level review" is approximately 30 days from date of submittal Estimated time for "commission level review" is approximately 45 days from date of submittal to the next available commission hearing meeting.				
C.	SUBMISSION PACKAGE:				
	<ol> <li>Completed ALUC Application Form ✓</li> <li>ALUC fee payment ✓</li> <li>Plans Package (24x36 folded) (site plans, floor plans, building elevations, ✓</li> <li>grading plans, subdivision maps)</li> <li>Plans Package (8.5x11) (site plans, floor plans, building elevations, ✓</li> </ol>				

grading plans, subdivision maps, zoning ordinance/GPA/SPA text/map amendments)

3. . . . . Gummed address labels for applicant/representative/property owner/local jurisdiction

3. . . . . . Gummed address labels of all surrounding property owners within a 300 foot radius of the project site. (Only required if the project is scheduled for a public hearing

CONVERT EXISTING PETAIL

Proposed Land Use

ALLESANDRO

11170

1. . . . . CD with digital files of the plans (pdf) J

1..... Local jurisdiction project transmittal

Commission meeting)

1..... Vicinity Map (8.5x11) 🗸 1..... Detailed project description

planner

# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

#### STAFF REPORT

**AGENDA ITEM:** 

3.3

**HEARING DATE:** 

June 13, 2019

**CASE NUMBER:** 

ZAP1073PS19 - Tower Energy (Representative: RCE

Consultants)

APPROVING JURISDICTION:

City of Cathedral City

JURISDICTION CASE NO:

SPA87-26C (Specific Plan Amendment), CUP19-002

(Conditional Use Permit)

**MAJOR ISSUES:** 

None

RECOMMENDATION: Staff recommends that the Commission find the proposed Specific Plan Amendment <u>CONSISTENT</u> with the 2005 Palm Springs International Airport Land Use Compatibility Plan, and find the proposed Conditional Use Permit <u>CONSISTENT</u>, subject to the conditions included herein.

**PROJECT DESCRIPTION**: A proposal to establish a gas station facility with a 5,056 square foot convenience store and 12 fueling stations on 1.74 acres. The property is located within Specific Plan No. 87-26B, which lists "convenience market" as a prohibited use. Therefore, the applicant also proposes amending the text of Specific Plan No. 87-26B by deleting "convenience market" use from the list of prohibited uses within the Specific Plan boundary.

**PROJECT LOCATION:** The site is located on the northwest corner of Date Palm Drive and Ortega Road, within the City of Cathedral City, approximately 12,383 feet southeasterly of the southerly end of Runway 13L-31R at Palm Springs International Airport.

LAND USE PLAN: 2005 Palm Springs International Airport Land Use Compatibility Plan

a. Airport Influence Area:

Palm Springs International Airport

b. Land Use Policy:

Compatibility Zone D

c. Noise Levels:

Below 60 CNEL from aircraft noise

#### **BACKGROUND:**

Non-Residential Average Intensity: Pursuant to the Airport Land Use Compatibility Plan for Palm Springs International Airport, the site is located within Compatibility Zone D. Non-residential intensity in Compatibility Zone D is restricted to an average intensity of 100 people per acre.

The "Building Code Method" for calculating intensity utilizes "minimum floor area per occupant" criteria from the Building Code as a factor in projecting intensity. Pursuant to Appendix C, Table C-1, of the Riverside County Airport Land Use Compatibility Plan, the following intensities were utilized for the project:

• retail area – 1 person per 60 square feet.

The proposed project includes a 5,056 square foot convenience building and 12 fueling pumps, accommodating 102 people, resulting in an average intensity of 59 people per acre, which is consistent with the Compatibility Zone D average acre criterion of 100.

A second method for determining total occupancy involves multiplying the number of parking spaces provided or required (whichever is greater) by average vehicle occupancy (assumed to be 1.5 persons per standard vehicle). Based on the number of provided parking spaces (24 spaces), the total occupancy would be estimated at 36 people. This total occupancy results in an average intensity of 21 people per gross acre, which is consistent with the Compatibility Zone D average acre criterion of 100.

Non-Residential Single-Acre Intensity: As previously noted, the proposed building is located within Compatibility Zone D, which restricts non-residential intensity to 300 people in any given single acre. However, as the site is less than 3 acres in area, the maximum allowable intensity is (100 X acreage), or 174.

Based on the site plan provided and the occupancies as previously noted, the proposed improvements consisting of a 5,056 square foot convenience building and 12 fueling pumps are located within a single-acre area and accommodate a maximum of 102 people, which is consistent with the Compatibility Zone D maximum allowable intensity of 174 for this site.

<u>Prohibited and Discouraged Uses:</u> The applicant does not propose any new use specifically prohibited or discouraged in Compatibility Zone D of the Palm Springs International Airport Influence Area.

<u>Noise:</u> The Palm Springs Airport Land Use Compatibility Plan depicts the site as being in an area below 60 CNEL from aircraft. Therefore, special measures to mitigate aircraft-generated noise would not be required.

<u>Part 77</u>: The elevation of Runway 13L-31R at its southerly terminus is 404.4 feet above mean sea level (AMSL). At a distance of approximately 12,383 feet from the runway to the project, Federal Aviation Administration (FAA) review would be required for any structures with a top point elevation exceeding 519.3 feet AMSL. The project's finished floor elevation is 344 feet AMSL and the proposed structure height is 26 feet, for a top point elevation of 370 feet AMSL (lower than the runway elevation). Therefore, review by the FAA Obstruction Evaluation Service for height/elevation reasons is not required.

Open Area: Compatibility Zone D requires 10% of the land area within major projects (10 acres or larger) be set aside as open area that could potentially serve as emergency landing areas. The proposed project is 1.74 acres in area, so open area is not required.

#### **CONDITIONS:**

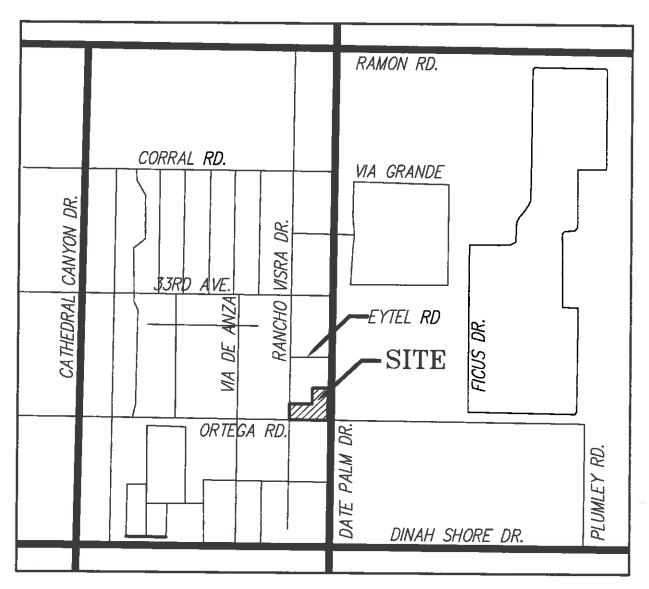
- 1. Any new outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
- 2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
  - (a) 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, 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.

- 3. The attached notice shall be given to all prospective purchasers, lessees, and/or tenants of the property, and shall be recorded as a deed notice.
- 4. Any new detention basin(s) 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 detention 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.
- 5. The evaluated project consists of a 5,056 square foot convenience store building and 12 fueling pumps. Any increase in building area or change in use to assembly occupancies will require an amended review by the Airport Land Use Commission.

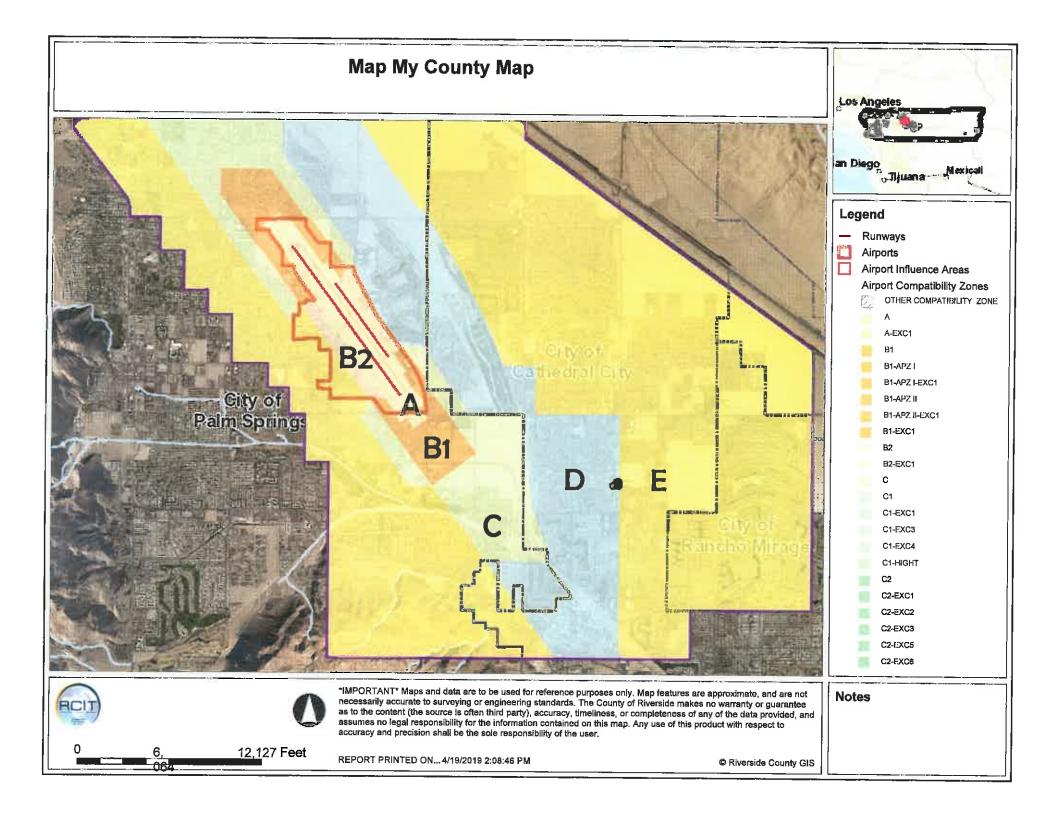
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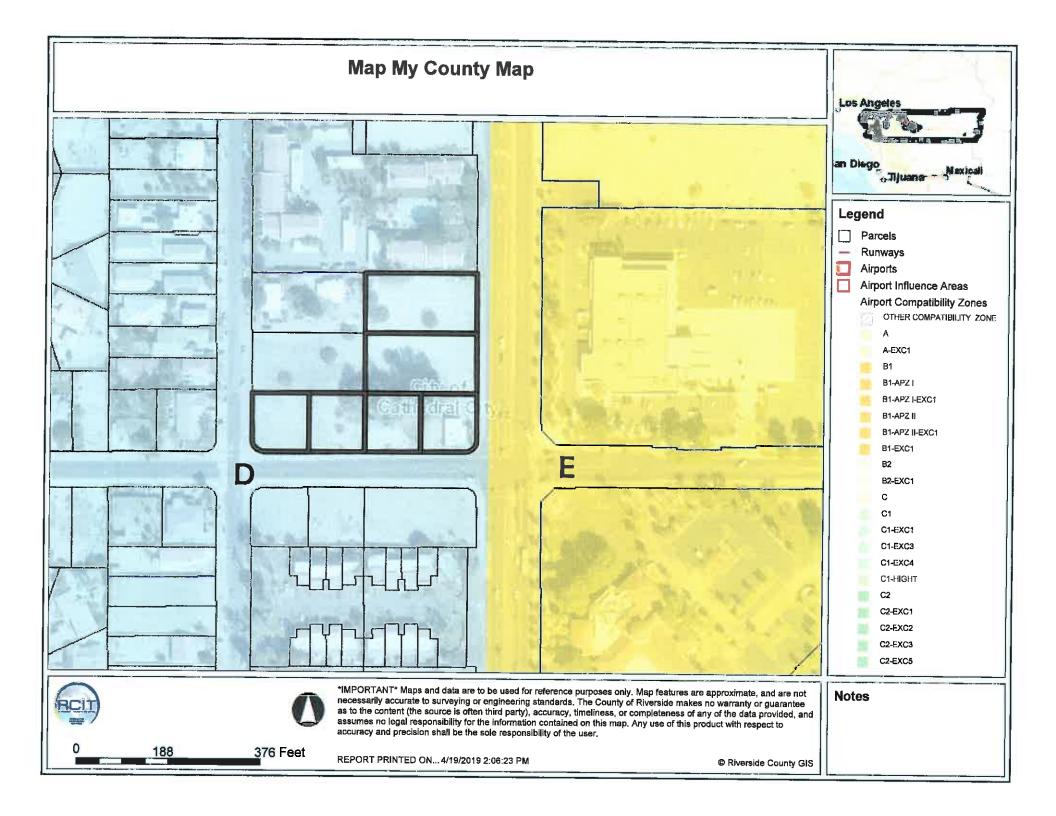
# NOTICE OF AIRPORT IN VICINITY

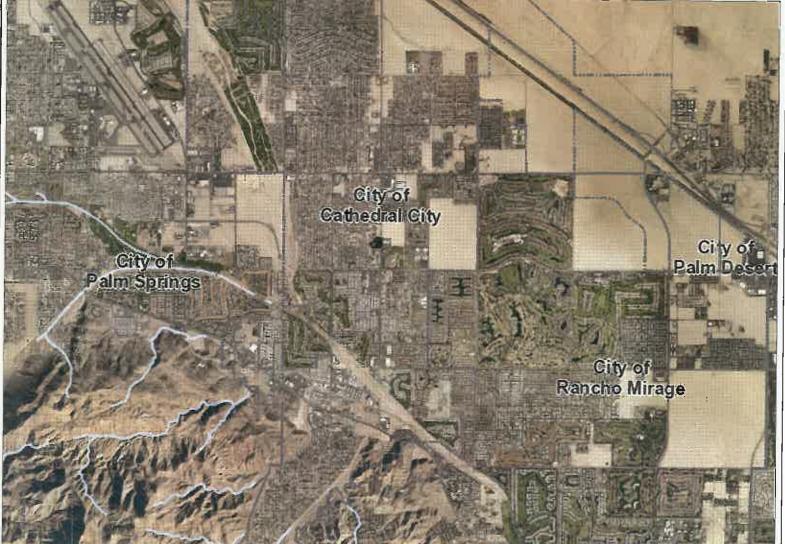
This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)



VICINITY MAP
NO SCALE









#### Legend

**Blueline Streams** City Areas World Street Map





\*IMPORTANT\* Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

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**Notes** 

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#### Legend

**Blueline Streams** 

City Areas

World Street Map



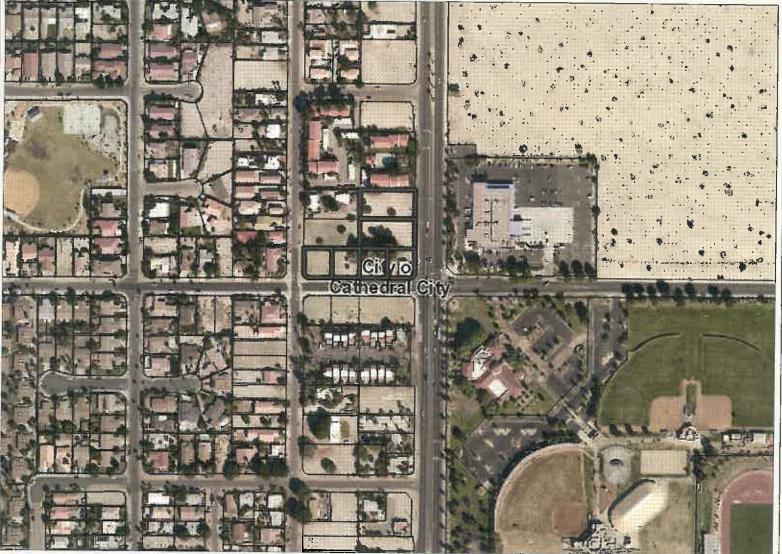


\*IMPORTANT\* Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

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#### Legend

- Parcels Blueline Streams
- City Areas World Street Map





758 Feet

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#### Legend

- Parcels Blueline Streams
- ::: City Areas World Street Map





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58 87-26

## ORDINANCE NO. 640

#### SPECIFIC PLAN AMENDMENT 87-26B

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY, CALIFORNIA, AMENDING SPECIFIC PLAN AMENDMENT NO. 87-26Å AS SHOWN BELOW:

WHEREAS, the City Council of the City of Cathedral City (the "City Council") desires to enhance the appearance of the City by encouraging attractive developments that protect property values and the general welfare of the community; and

WHEREAS, Specific Plan 87-26 was adopted by the City Council by Ordinance Number 260 on June 14, 1989; and

WHEREAS, Specific Plan 87-26A was amended by the City Council by Ordinance Number 360 in June 17, 1992; and

WHEREAS, Specific Plan 87-26A was amended by the City Council by Ordinance Number 633 in December 13, 2006; and

WHEREAS, on January 17, 2006, the Planning Commission conducted a Public Hearing and recommended the allowance of additional architectural styles, the ability to obtain approval of live/work units subject to a Conditional Use Permit, and to increase the density of live/work units for properties located in the following areas:

- North of Corral Road to a point 235 feet south of Ramon Road for properties that have frontage on Rancho Vista Drive that are between Date Palm Drive and Rancho Vista Drive; and
- South of Corral Road to a point approximately 384 feet north of Dinah Shore Drive for properties located between Date Palm Drive and Rancho Vista Drive; and

WHEREAS, said application has been submitted to the City of Cathedral City for consideration by the City Council for decision after a duly noticed public meeting was held on January 17, 2007; and

WHEREAS, amending the residential development standards in Specific Plan 87-26A to is consistent and harmonious with the City's existing and intended development environment within the Specific Plan area and throughout the City; and





WHEREAS, the City Council finds and determines that officially amending Specific Plan 87-26A by Ordinance is important to preserve the public health, safety, and welfare of all residents and visitors of the City.

Section 1. Official Specific Plan Map.

The Official Specific Plan Map of the City of Cathedral City is hereby amended pursuant to Exhibit A for SPECIFIC PLAN AMENDMENT NO. 87-26B.

Section 2. Official Specific Plan Text.

The text of the Specific Plan is hereby repealed and replaced by the amended text in Exhibit B for SPECIFIC PLAN AMENDMENT NO. 87-26B

Section 2. Severability.

If any Section of this Ordinance shall be deemed to be unconstitutional or otherwise Invalid, the validity of the remaining section, subsection and clauses shall not be affected thereby.

#### Section 3. Repeal of Conflicting Provisions.

All of the provisions of the Cathedral City Municipal Code, Specific Plantext, and Zoning Ordinance as heretofore adopted by the City of Cathedral City that are in conflict with the provisions of this Ordinance are hereby repealed.

#### Section 4. Effective Date.

This Ordinance shall take effect thirty (30) days after its second reading by the City Council.

Section 5. Posting.

The City Clerk shall, within 15 days after passage of this Ordinance, cause it to be posted in at least three (3) designated public places; shall certify to the adoption and posting of this Ordinance; and shall cause this Ordinance and its certification, together with proof of posting, to be entered in the Book of Ordinances of this City.

[THIS AREA LEFT INTENTIONALLY BLANK]



The foregoing Ordinance was approved and adopted at a meeting of the City Council held on the 14th day in the month of February 2007 by the following vote:

Ayes: 5
Noes: 4
Abstain: 4
Absent: 4

athleen J. DeRosa

ATTEST:

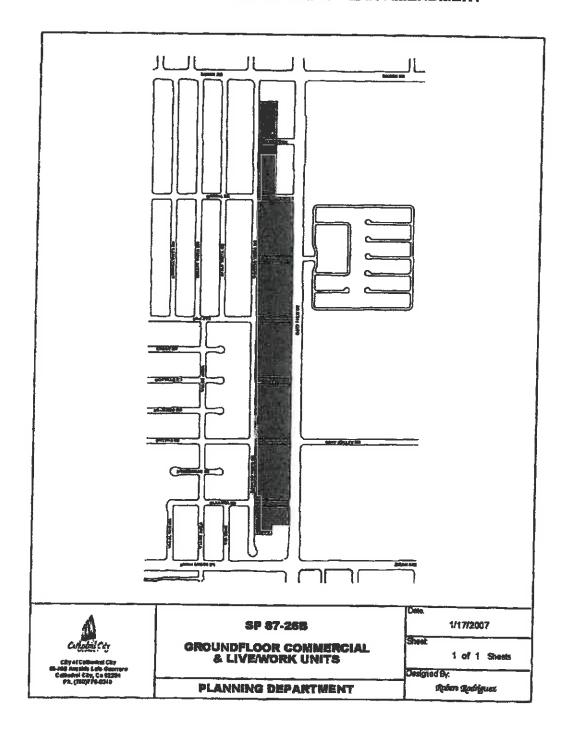
Pat Hammers, City Clerk

APPROVED AS TO FORM:

Charles Green City Attorney APPROVED AS TO CONTENT:

Donald Bradley City Manager

# EXHIBIT 'A' AREA OF PROPOSED SPECIFIC PLAN AMENDMENT





## EXHIBIT 'B' TEXT OF PROPOSED SPECIFIC PLAN AMENDMENT

Specific Plan 87-26 June 14, 1989 Amended November 15, 2006 Amended February 14, 2007

#### PROJECT LOCATION

The Specific Plan area, consisting of approximately 42 acres, is located on the westerly side of Date Palm Drive, north of Dinah Shore Drive, south of Ramon Road and east of Rancho Vista Drive (see attached Vicinity Map).

#### SPECIFIC PLAN STATE LAW COMPLIANCE

This Specific Plan has been prepared pursuant to the provisions of Sections 65450 through 65453 of the California Government Code and includes all the required components except for the following:

Energy Solid Waste Disposal

Energy: This component is not included in the Specific Plan since the Plan area and surrounding areas are largely developed. All energy facilities required to serve the subject area have been planned for and are available. Permitted development within the Specific Plan area will not call for any substantial upgrading of existing facilities.

Solid Waste Disposal: This component is not addressed because the City of Cathedral City contracts trash services from Burntec and sewer service from Coachella Valley Water District. Private septic systems are serviced by private companies. All disposal sites are located outside the limits of Cathedral City. These services will continue throughout the city and are currently available to the Specific Plan area. Detailed analysis of solid waste disposal system and trash enclosures will be studied during development review.

The adoption of a specific plan constitutes a project under the California Environmental Quality Act and therefore an Environmental Assessment will accompany this report.



#### GENERAL PLAN COMPLIANCE

This Specific Plan is based on the Cathedral City General Plan and its goals, objectives and policies. The Specific Plan will serve as an implementation tool for the General Plan and work in conjunction and as a supplement to all other City codes including the Zoning Ordinance. General Plan Land Use policy and applicable zoning standards will remain the guide for land use development.

GOAL A To stimulate changes in land use of existing nonconforming uses and to allow mixed land use in appropriate areas to foster development. Also, to allow for changes without adversely affecting existing uses.

OBJECTIVE To create standards which facilitate individual development interests and provide a unified concept while protecting the nature of the residential area by limiting certain commercial uses.

OBJECTIVE To allow various housing types as permitted in the R2-B (Multiple Family Residential with Bonus Density Overlay) zone within areas zoned for commercial development.

GOAL B To enhance traffic safety by minimizing direct access to Date Palm Drive, Dinah Shore Drive and Rancho Vista Drive.

OBJECTIVE To provide an access alternative through common drives and access ways.

OBJECTIVE To require reciprocal access and common parking lot arrangements for all commercial properties when individual lots or groups of lots develop.

GOAL C To encourage better planned development which is in scale with Date Palm Drive as major corridor.

OBJECTIVE To encourage owners to consolidate lots of record or assemble parcels through acquisitions into larger parcels to maximize development potential and provide a practical design solution for this area

GOAL D To encourage innovative design approaches along Date Palm Drive and Dinah Shore Drive, two major corridors into the City.

OBJECTIVE To provide an architectural theme for commercial and multiple family projects which compliment the style of housing occurring in the neighborhood.

OBJECTIVE To provide development standards which facilitate quality planned development of both commercial and residential uses.

GOAL E To encourage the use of innovative designs in the Date Palm Corridor that incorporate both residential and commercial land uses.

OBJECTIVE To provide opportunity for mixed use development that incorporate both commercial and residential land uses in the same building to facilitate more flexible land uses.

OBJECTIVE To provide opportunity for live/work units that will facilitate home based businesses that will seamlessly fit into residential development.

The following are the development conditions that will implement the above mentioned goals and objectives:

#### General:

1. The site shall consist of one Planning Units as depicted in Exhibit A, dated May 31, November 1, 2006. The base zones is:

#### PCC (Planned Community Commercial)

- 2.Uses permitted and/or conditionally permitted in the R2-B Zone shall be limited to the Specific Plan Area north of Corral Street that have frontage on Rancho Vista Drive or south of Corral Street and a point to the south approximately 384 feet north of Dinah Shore Drive (which excludes the Walgreens Parcel which is 680-482-022) except as otherwise specified herein and subject to the following Development Standards:
  - a. A Conditional Use Permit shall be required for all residential development including any mixed use development which includes residential within the Specific Plan area; and
  - b. All residential development in the Specific Plan area shall comply with the requirements of the Multiple Family Residential District (R2) and Density Bonus (B) Development Standards unless otherwise specified herein; and

- c. All residential development shall provide the required sound insulation in exterior walls, doors, windows and required ventilation systems in order to comply with the requirements for residential land uses as required in the Noise Element of the General Plan; and
- d. All residential development shall provide at least one common recreational amenity on the project site which may include, but not be limited to a, pool, clubhouse, tennis court, spa, pedestrian garden, or courtyard of adequate size and configuration or similar amenity to promote social activity; and
- e. Residential land uses at R2-B density may be permitted above ground level commercial land uses subject to a Conditional Use Permit and the following criteria:
  - (1. Ground level commercial land uses shall only be as permitted or conditionally permitted in the Mixed Use Commercial (MXC) zone;
  - (2. Parking shall be provided pursuant to R2-B standards for residential and Section 9.58 of the City Zoning Ordinance for commercial standards. A parking structure utilizing shared parking arrangements may be approved in lieu of R2-B garage standards. A parking study shall be required pursuant to Section 9.58.060 if shared parking is proposed.
  - (3. Maximum lot coverage and setbacks shall comply with the requirements as set forth in the PCC Zone.
  - (4. Maximum height shall be 36 feet as required in the PCC Zone.
  - (5. Exterior living space in the form of open space, patios, balconies and/or terraces shall be provided for all residential land uses. Each dwelling shall provide a minimum exterior living space of 80 square feet per dwelling unit and at least 5 feet in depth. Exterior living space above commercial land

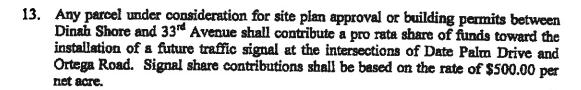
uses shall be subject to the commercial provisions of the City Noise Element.

- Permitted residential densities shall be as (6. prescribed in the R-2 Zoning District (Section 9.16.050 B, C, and D) except that lots less than 31,350 square feet, based on legal lots of record, shall have no greater than one unit per 4,800 square feet of lot All Developments with live/work and/or first-floor commercial components may provide densities based on the R-2 Zoning District's Density for the pro rata share of lot that is devoted to live/work and the remainder shall meet the applicable density required by this Section. fraction of a unit of the pro rata share of different densities can be added together but any fraction remaining after the sum cannot be rounded up.
- (7. All mixed use projects shall have separate entrances for both the residential and commercial portions of the project. There shall be no internal access between the commercial and residential land uses.
- 3. Any transient occupancy use such as a hotel, motel, inn or lodging facility as permitted or conditionally permitted in the PCC zone shall provide at least one active, common, recreational amenity on the project site which may include, but not necessarily limited to a pool, clubhouse, tennis court, spa, or similar amenity.
- 4. The following uses are prohibited within the Specific Plan area.
  - Automotive, truck and/or recreational vehicle sales
  - Automotive repair and/or service
  - Automobile service stations
  - Mobile home, RV, and other similar vehicle sales and/or service
  - Fast food restaurants, drive-thru restaurants
  - Bars and cocktail lounges (except when in conjunction with a restaurant of greater than 1,800 feet of customer service area dedicated to dining)
  - Senvenience Markets/Liquor stores.
  - Any other similar use that is oriented to vehicle sales and service or to high customer concentrations.
  - Large family day care homes

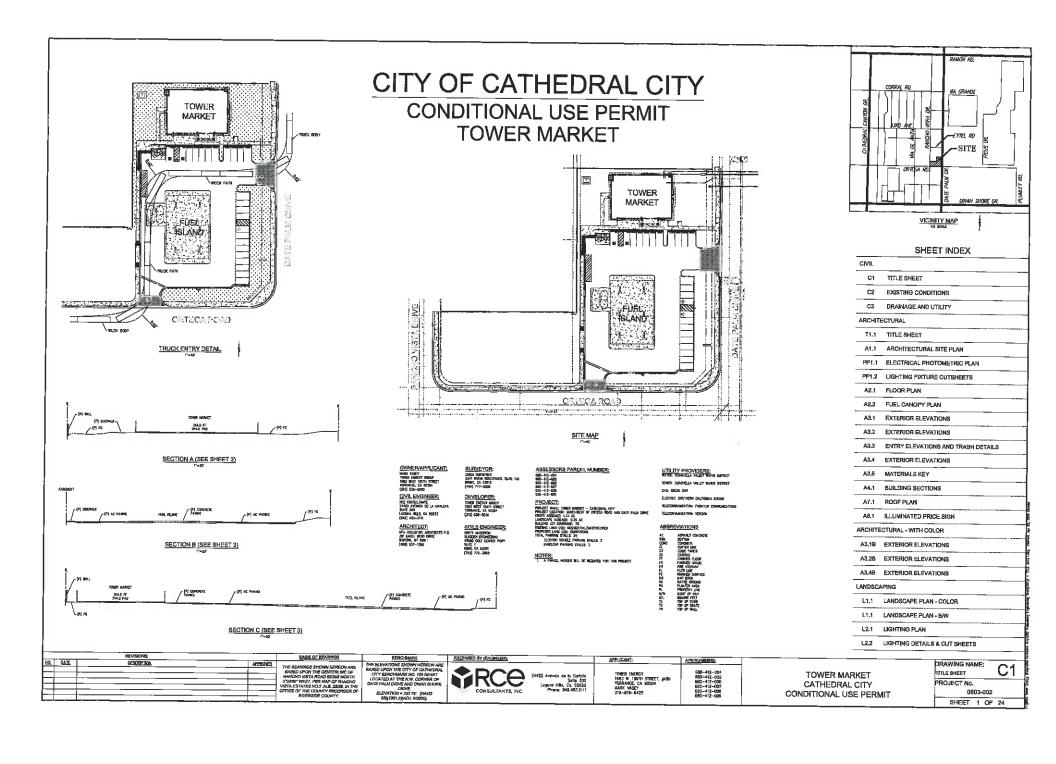
- One-family dwellings
- Small family day-care homes in one and two-family dwellings only

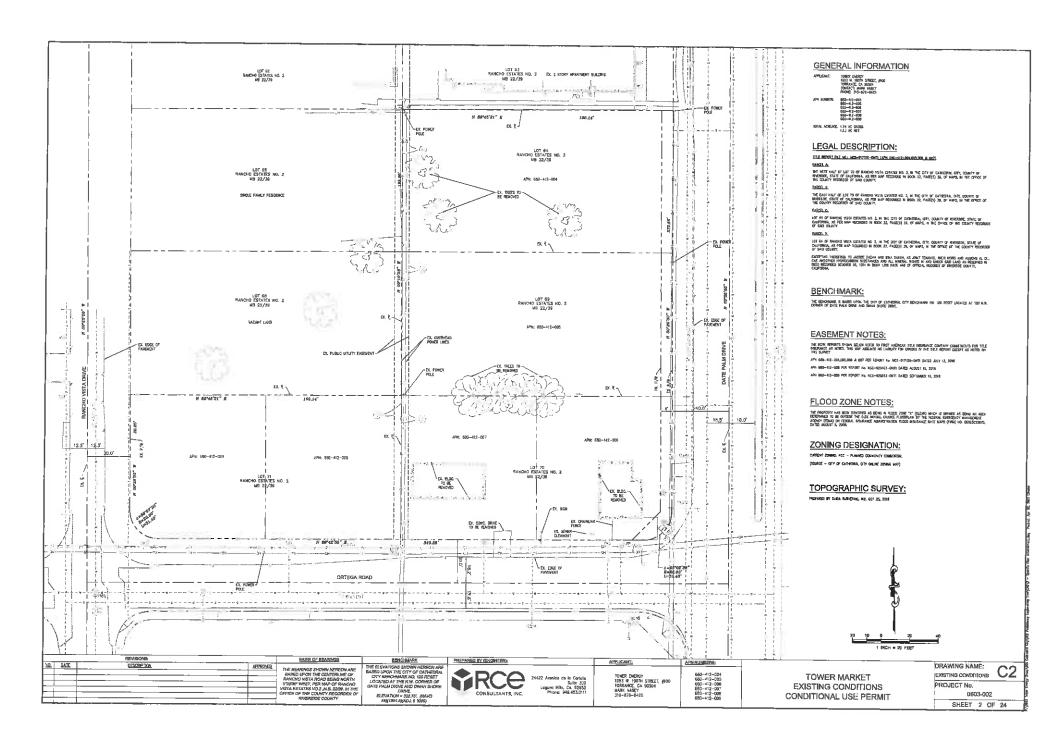
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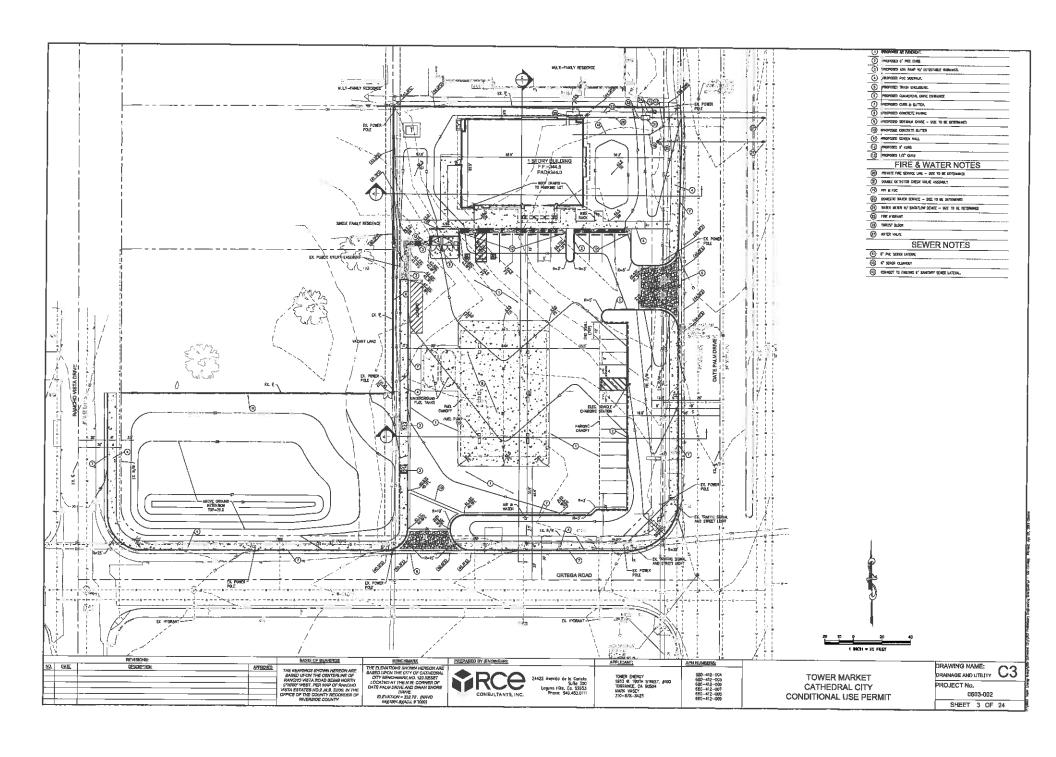
- Day-care center
- Mobile home park
- 5. Where a commercial use has frontage on Rancho Vista Drive, a minimum five foot high masonry wall shall be constructed along the Rancho Vista frontage 7 feet from the property line, except where building orientation creates a buffer by eliminating activity on that side of the project. The 7-foot wall setback shall be maintained as a planter and contain: an irrigation system and landscape material sufficient to screen commercial activity as approved by the Architectural Review Committee.
- 6. The designated alignment of Date Palm Drive shall be dedicated based on the City General Plan or as amended by the City. In addition, all necessary street improvements and widenings shall be guaranteed to the satisfaction of the City Engineer prior to the issuance of building permits.
- 7. Each parcel shall be limited to a single access drive from Date Palm Drive except no access shall be permitted to Date Palm Drive where access is available to a side street or via a reciprocal access drive. Any improvement to an existing development requiring design review and/or Conditional Use Permit shall also require reevaluation of Date Palm access and existing driveways.
- 8. Any commercial property, or mixed use residential project, having Rancho Vista Drive frontage shall be limited to a single access drive from Rancho Vista. The drive shall be a maximum of 16 feet wide, limited to employee, and customer or resident access only, and designed so as to be prohibitive for or to greatly discourage delivery truck access.
- 9. All corner lots on Date Palm Drive shall take access from side streets or common accessways unless this condition is prohibitive to any access.
- 10. The setback from Date Palm Drive and/or Dinah shore Drive shall be a minimum of 25 feet from curb face. Said setback area shall be landscaped except where driveway approaches are permitted to cross.
- 11. The minimum spacing between access driveways on Date Palm Drive and Dinah Shore Drive shall be 200 feet, and no access will be allowed within 200 feet of Date Palm Drive/Dinah Shore Drive corner unless this condition is prohibitive to any access.
- 12. At time of development of any property, reciprocal public street access provisions shall be offered which state that common street access shall be constructed at the interior lot line so as to be shared by adjacent future development. This condition shall apply only when adjacent property(ies) are undeveloped or when previous development has planned for reciprocal access.



- 14. The overall architectural style of the project shall consist of a California Spanish or Desert Modern architectural motifs. The California Spanish theme shall include architectural features such as: Architectural plant-ons, wing walls, arches, sloped concrete tile roofs, heaving beam trim or patio trellis work, heavy textured stucco exterior walls or walls of heavy textured masonry (slumpstone or split-face concrete block). The Desert Modern theme should include features such as simple geometric forms, non-textured stucco or block exterior, minimal ormentation, large glass windows, deep overhangs, flat low pitced or angular roofs, and stone veneers
- 15. All commercial buildings shall contain covered pedestrian arcades for the front yards facing any public right-of-way and/or private parking lot.
- 16. Commercial signage shall not be permitted along the frontage of Rancho Vista Drive. Wall signage shall only be permitted at the ground level.
- 17. Live/work uses shall be allowed within the Specific Plan area and comply with Zoning Ordinance provisions as follows:
  - a. Definition described in Section 9.08.020.
  - b. Conditional Uses per Section 9.25.030
  - c. Parking requirements of Section 9.25.90.
  - d. All live/work units shall have the same tenant in both the commercial and residential portions of the project.
- 18. Residential Yard Requirements: Pursuant to Section 9.16.70, the following may be utilized to vary the building frontage (i.e. massing) along front and rear yard setbacks:
  - a. An encroachment of up to three feet may be allowed for the front and rear yard setbacks if limited to 33% of the total frontage and the overall average setback is fifteen feet or greater.
  - b. Garage vehicular doors may not face the street within the encroachment.







# TOWER MARKET 956

Cathedral City, California March, 2019

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GENERAL NOTES

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### DEFERRED SUBMITTALS

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A. CAR PARKING SHADE STRUCTURE





SCHEMATIC PERSPECTIVE

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BIGFORK, HT SESSI
NICK FULLERTON
FHORE: 406-637-3416

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34422 AVENDA DE LA CARLOTA
SUITE 300
LAGANA HILLA, CA. 12853
RICH CLÂRK
PHONE: 943-453-0111 MCI CONSTRUCTION CC. 83-146 KYLE DRIVE NDIO, CL. 9009 JOHN OLSON PHONE: 160-155-8/06

H84 DESIGN GROUP. P.O. 80X 10490 PALM DESERT, C4 1255 CHICK SHEP-ERDEON PHONE 140-341-85 FAX 160-111-855

ELECTRICAL:

PALM DESERT, CA 5000 PERNANDO RODRIGUEZ PHONE: 160-340-5005

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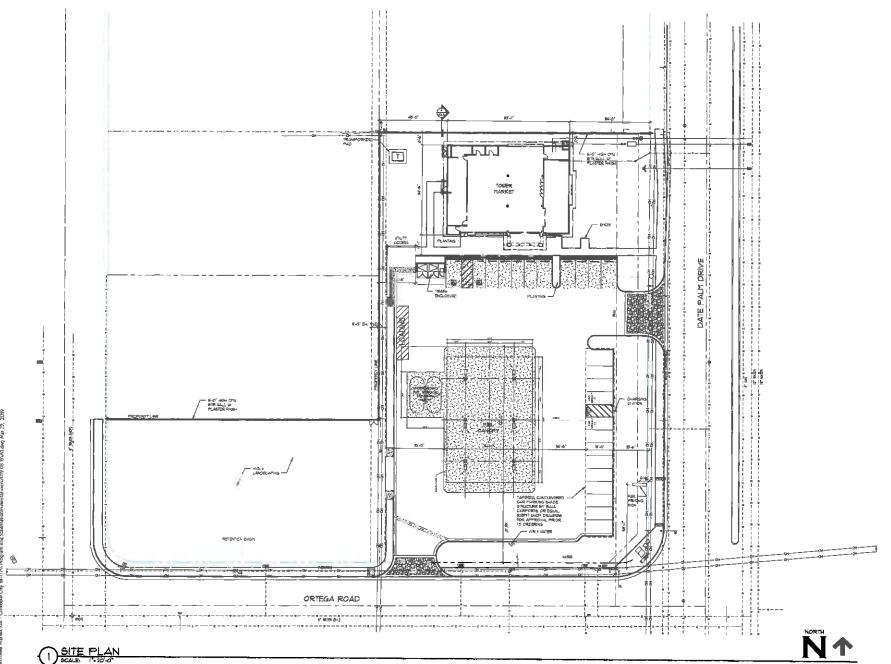
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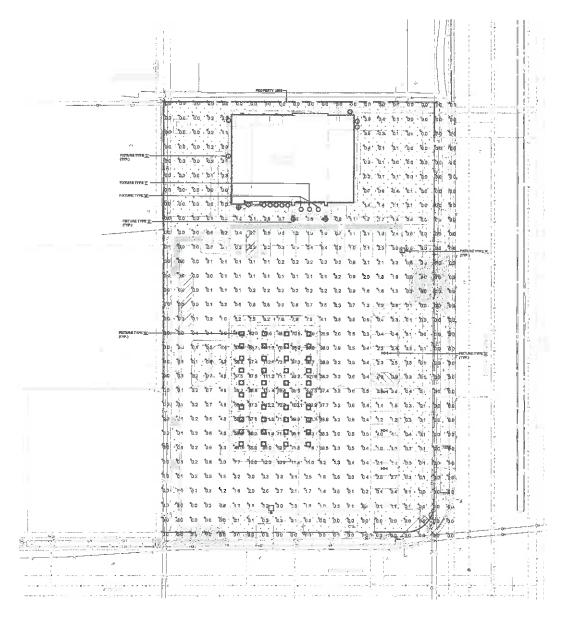
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TOWER MARKET STORE #956

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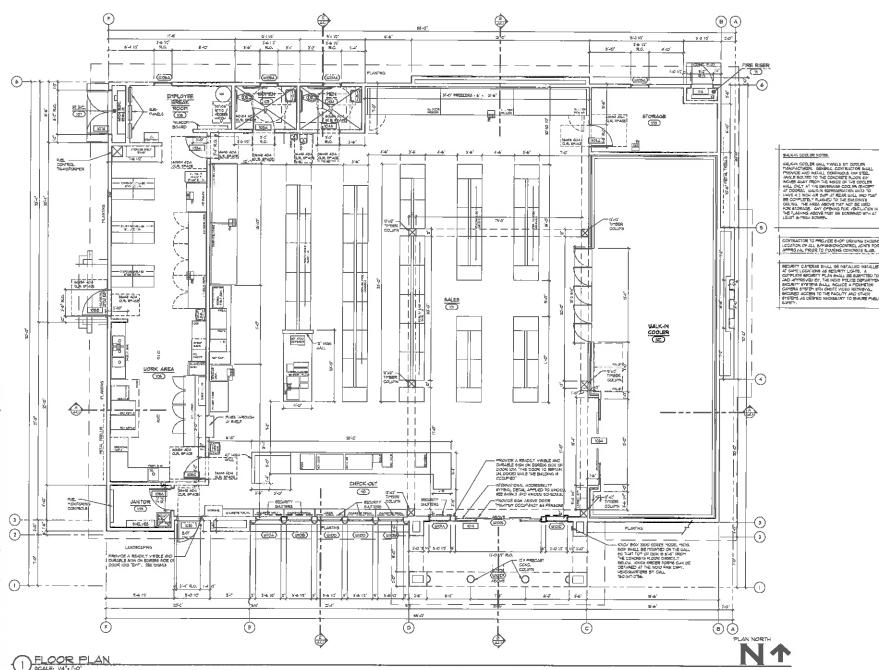


ELECTRICAL PHOTOMETRIC PLAN

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ELECTRICAL PHOTOMETRIC PLAN











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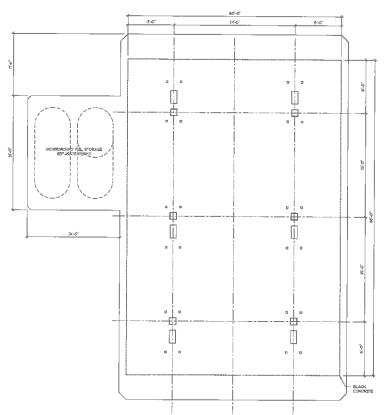
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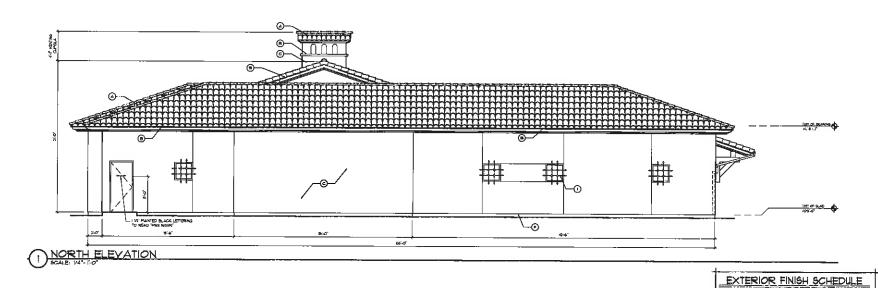
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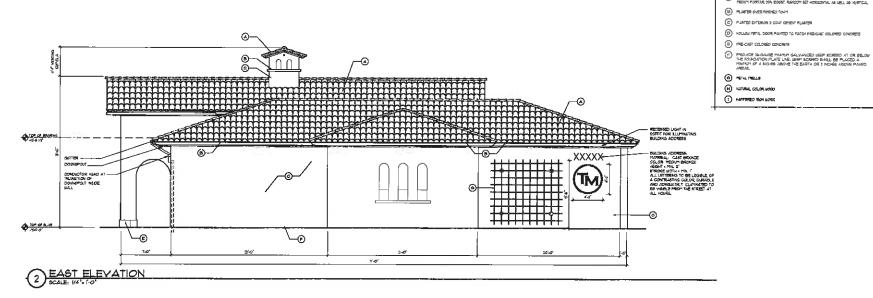
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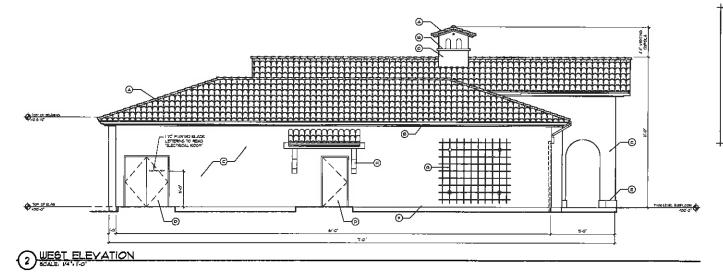












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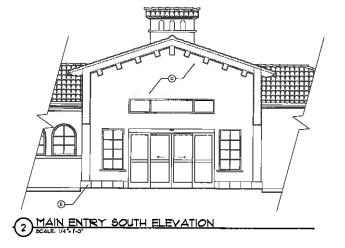
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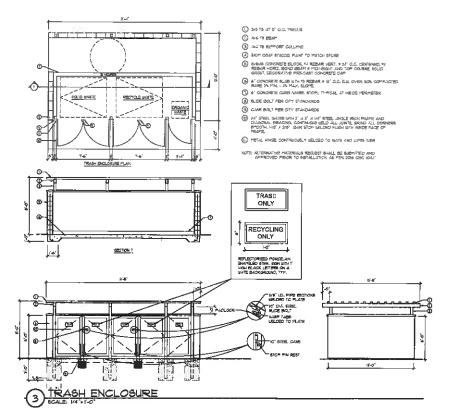
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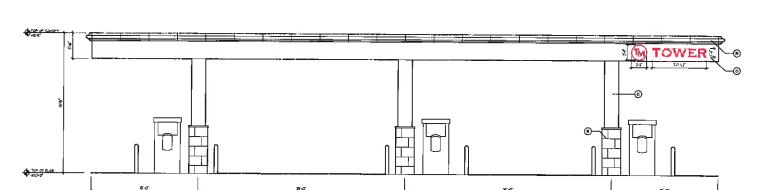
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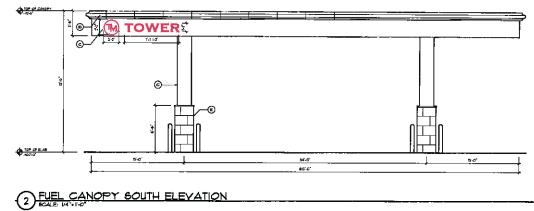
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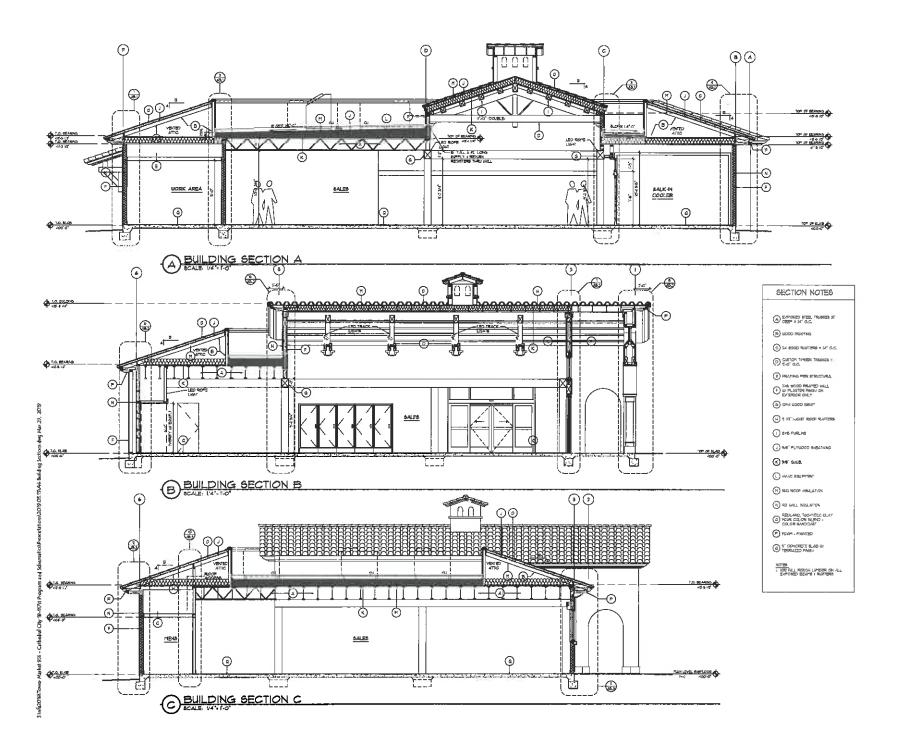
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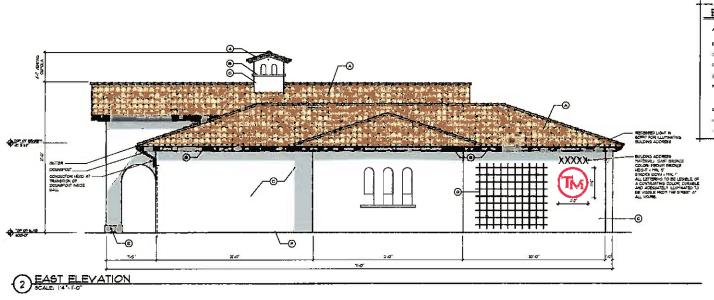
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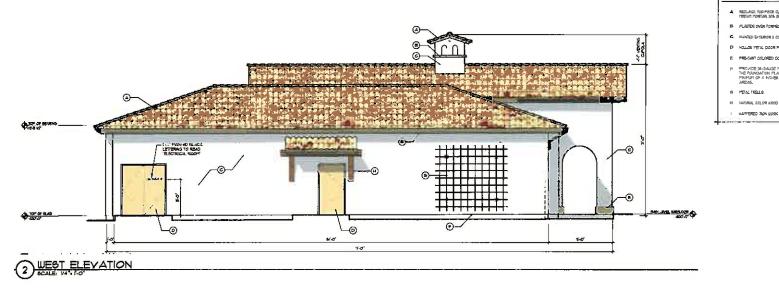
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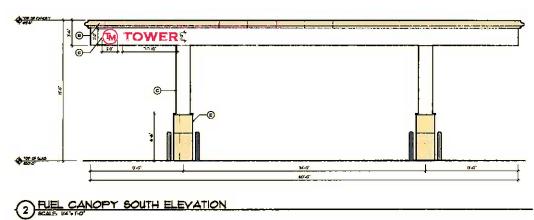
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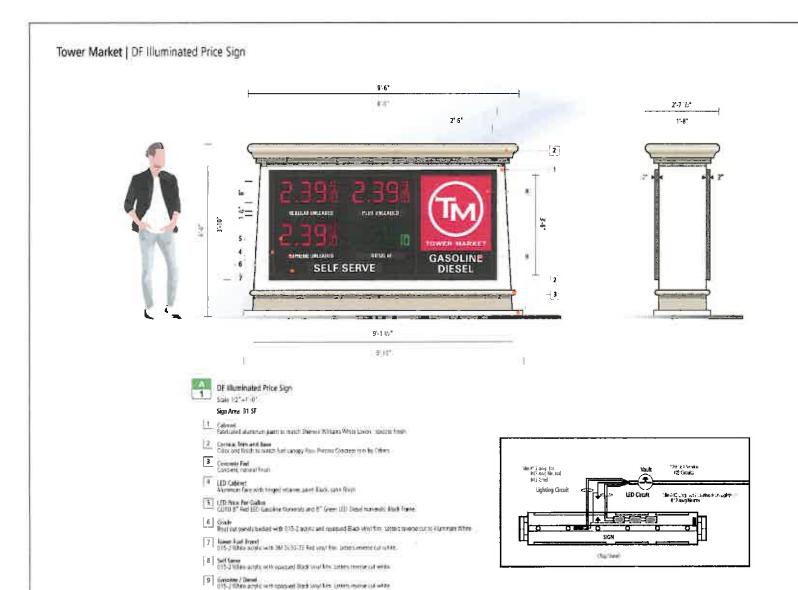


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2959 Academy Way

Tel 800, 927, 4762

Fax 916, 927, 2414

www.pacificneon.com

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Project.

Tower Market #956

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Drawn By: Bruce Heller

Date: 12,10.18

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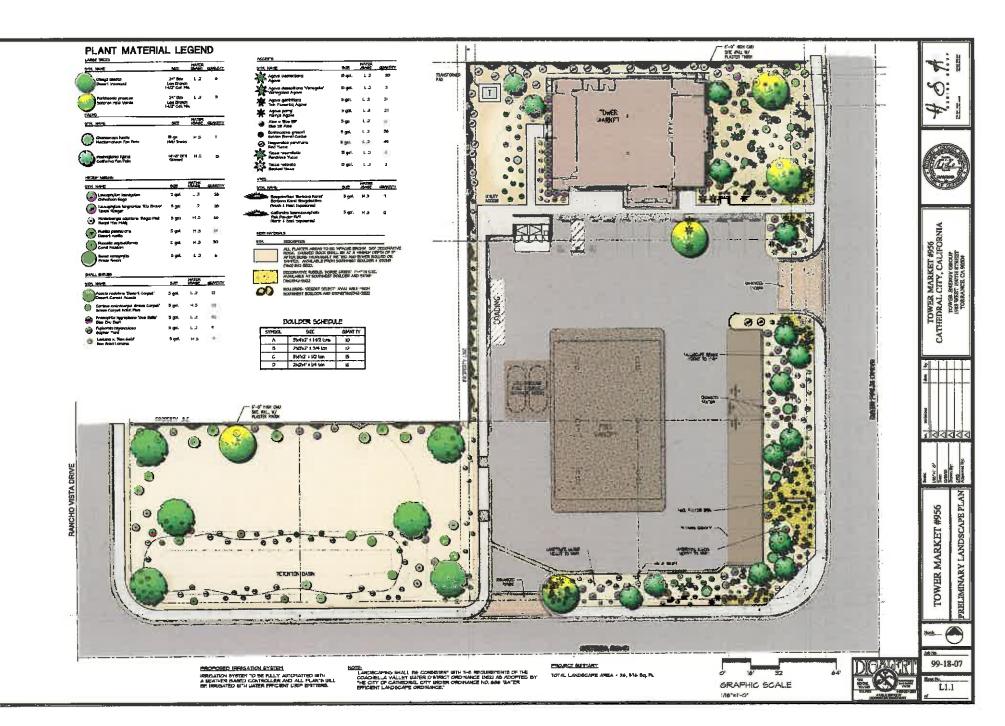
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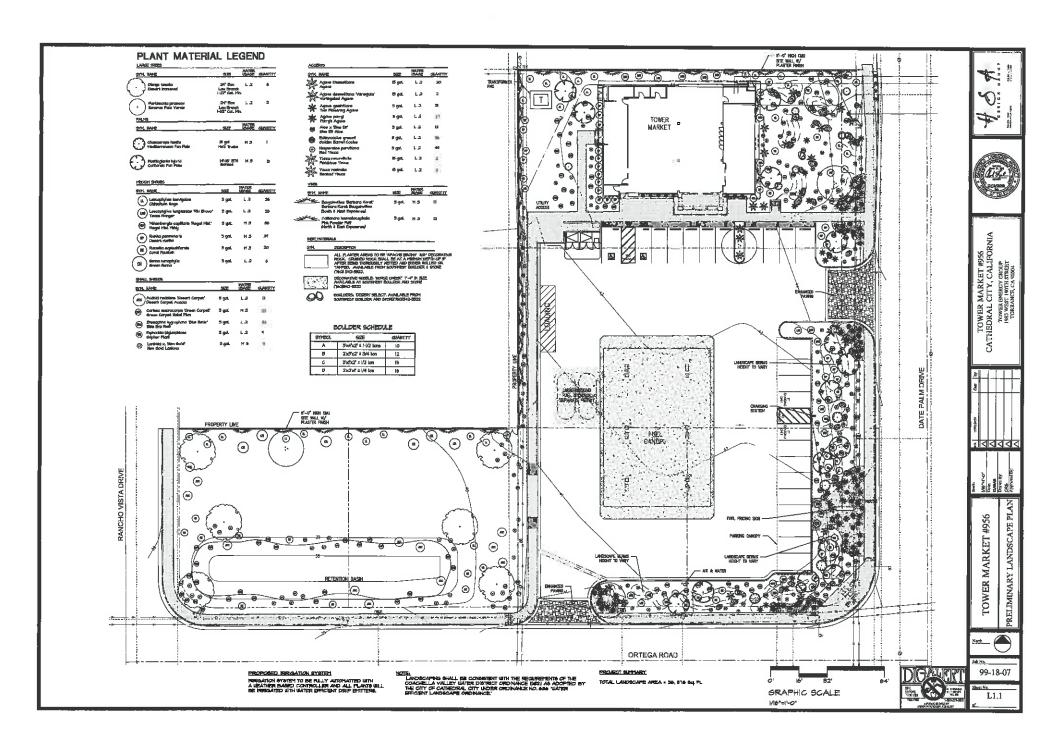
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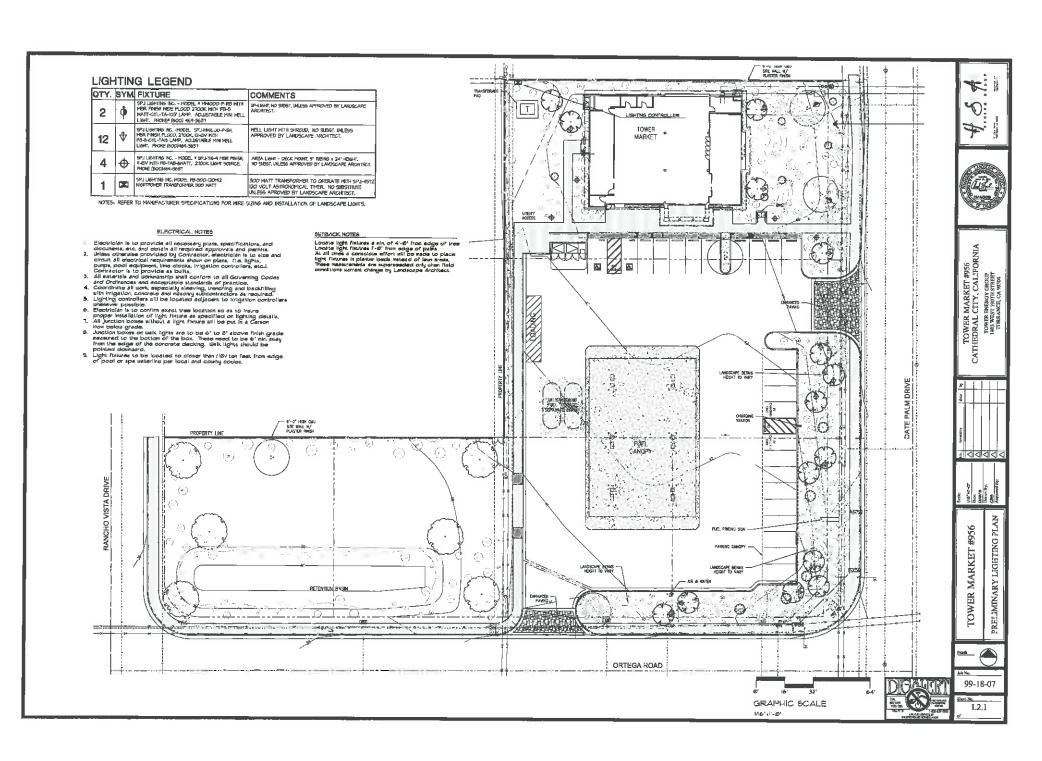
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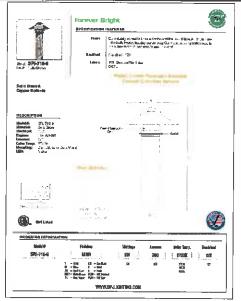
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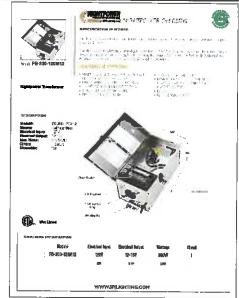
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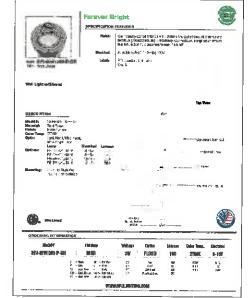














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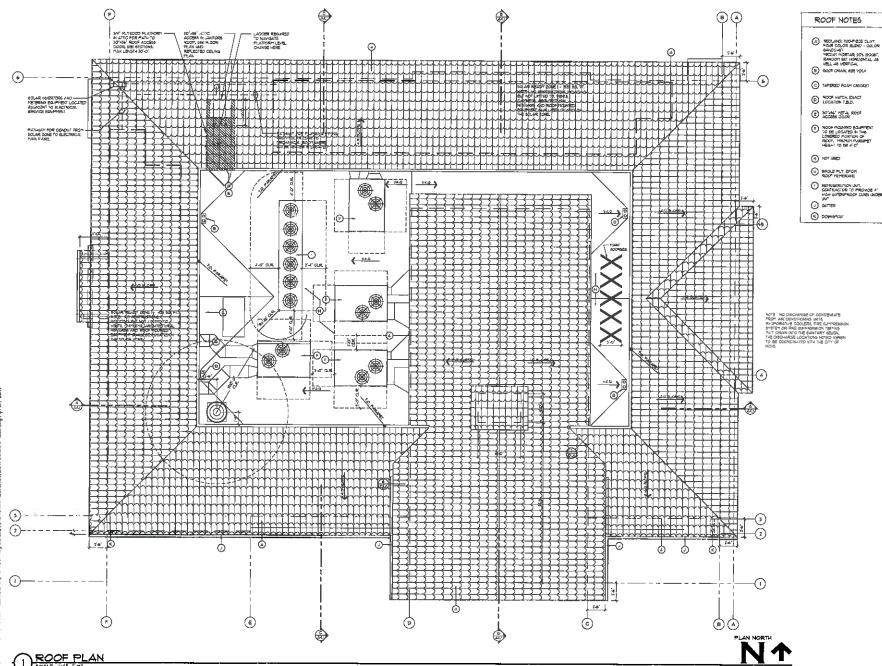


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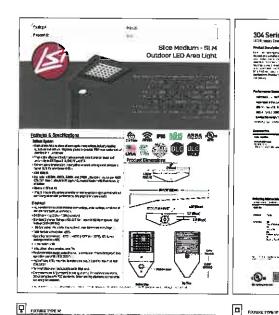
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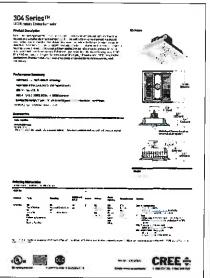
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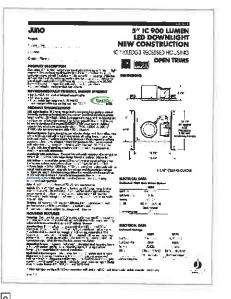
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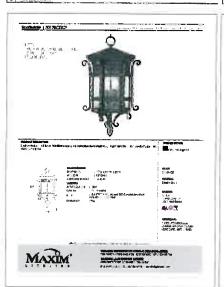


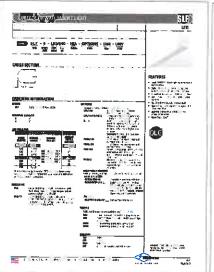


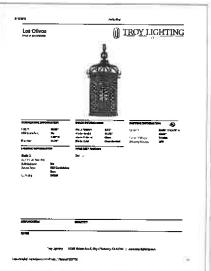




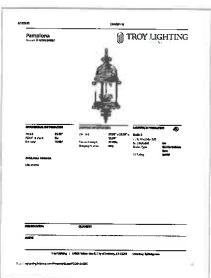








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# NOTICE OF PUBLIC HEARING RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. For more information please contact <u>ALUC Planner Paul Rull at (951) 955-6893</u>. The ALUC holds hearings for local discretionary permits within the Airport Influence Area, reviewing for aeronautical safety, noise and obstructions. ALUC reviews a proposed plan or project solely to determine whether it is consistent with the applicable Airport Land Use Compatibility Plan.

The City of Cathedral City Planning Department will hold hearings on this item and should be contacted on non-ALUC issues. For more information please contact City of Cathedral City Planner Mr. Robert Rodriguez at (760) 770-0340.

The proposed project application may be viewed and written comments may be submitted at the Riverside County Administrative Center, 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, California 92501, Monday through Thursday from 8:00 a.m. to 5:00 p.m., and by prescheduled appointment on Fridays from 9:00 a.m. to 5:00 p.m.

PLACE OF HEARING: Riverside County Administration Center

4080 Lemon Street, 1st Floor Board Chambers

Riverside California

DATE OF HEARING: June 13, 2019

TIME OF HEARING: 9:30 A.M.

CASE DESCRIPTION:

ZAP1073PS19 – Tower Energy (Representative: RCE Consultants) – City of Cathedral City Case Nos. SPA87-26C (Specific Plan Amendment), CUP19-002 (Conditional Use Permit). A proposal to establish a gas station facility with a 5,056 square foot convenience store and 12 fueling stations on 1.74 acres, located on the northwest corner of Date Palm Drive and Ortega Road. The applicant also proposes amending Specific Plan No. 87-26B text deleting 'convenience market' use from the list of prohibited uses within the Specific Plan (Airport Compatibility Zone D of the Palm Springs International Airport Influence Area).



# RIVERSIDE COUNTY

# **AIRPORT LAND USE COMMISSION**

APPLICATION FOR MAJOR LAND USE ACTION REVIEW					
ALUC CASE NUMBE	R: ZAP 1073 PS19 DATE SUBMITTE	D: 4-18-19			
APPLICANT / REPRESEN	NTATIVE / PROPERTY OWNER CONTACT INFORMATION	-			
Applicant	Tower Energy / Mark Vasey	Phone Number (	310) 878-8425		
Mailing Address	1983 W. 190th Street, #100	Email m@tetm.	Email m@tetm.com		
	Torrance, CA 90504				
Representative	RCE Consultants / Christian Kesler	Phone Number (	949) 453-0111 🖈 🛚		
Mailing Address	24422 Avenida de la Carlota		rceconsult.com		
	Laguna Hills, CA 92653				
Property Owner	Tower Energy / Mark Vasey	Phone Number (	310) 878-8425		
Mailing Address	1983 W. 190th Street, #100	Email m@tetm.			
	Torrance, CA 90504				
LOCAL JURISDICTION A	GENCY				
Local Agency Name	Cathedral City Planning Department	Phone Number (	760) 770-0340		
Staff Contact	Robert Rodriguez		@cathedralcity.gov		
Mailing Address	68700 Avendia Lalo Guerrero	Case Type			
	Cathedral City, CA 92234	General Plan / Spec			
		🖳 Subdivision Parcel I	Zoning Ordinance Amendment Subdivision Parcel Map / Tentative Tract		
Local Agency Project No	CUP 19-002 & SPA 87-26C		Use Permit		
		Other	OCTION		
PROJECT LOCATION					
Attach an accurately scaled (	map showing the relationship of the project site to the airport boundary and runwa	rys			
Street Address	Northwest corner of Ortega Road and Date Palm Drive				
	Cathedral City, CA 92234				
Assessor's Parcel No.	680-412-004/005/006/007/008/009	Gross Parcel Size	1.74 acres		
Subdivision Name	Rancho Vista Estates	Nearest Airport and distance from Air-	Palm Spring Int.		
Lot Number	69, 70 & 71	port	2.4 miles		
PROJECT DESCRIPTION					
if applicable, attach a detaile tional project description dat	d site plan showing ground elevations, the location of structures, open spaces and a as needed	water bodies, and the heights of struc	tures and trees; include addi-		
Existing Land Use	Two existing structures - abandoned				
(describe)					

1						
Proposed Land Use (describe)	Fueling station and Tower Market convenience store					
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For Residential Uses	Number of Parcels or Units on Situ	a (aveluda secondary units)			_	
For Other Land Uses	Number of Parcels or Units on Site (exclude secondary units)  Hours of Operation 5 AM to 11 PM					
(See Appendix C)	Number of People on Site	Maximum Number 33 people per acre a	verage	•		
(see the citem of	Method of Calculation	California Building Code - see attach				
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Height Data	Site Elevation (above mean sea le	· — — — — — — — — — — — — — — — — — — —	<u> </u>	344.5 25.08	ft.	
	Height of buildings or structures (	from the ground)		23.06	ft.	
Flight Hazards		acteristics which could create electrical interference, other electrical or visual hazards to aircraft flight?	Yes			
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65940 to 6 of actions  REVIEW  Estimated next availa	55948 inclusive, of the Ca , regulations, or permits. FIME: Estimated time for time for "commission leadle commission hearing FION PACKAGE:	<u>-</u>	itute grounds fo	r disappro	oval ittal.	
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# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

# STAFF REPORT

**AGENDA ITEM:** 

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**HEARING DATE:** 

June 13, 2019

**CASE NUMBER:** 

ZAP1075PS19 - Desert Hot Springs Wind, LLC/Terra-Gen

Development Company, LLC (Representative: Armand

Anselmo)

APPROVING JURISDICTION:

City of Desert Hot Springs

**JURISDICTION CASE NO.:** 

CUP No. 01-18 (Conditional Use Permit), VAR No. 01-18

(Variance)

MAJOR ISSUES: None.

RECOMMENDATION: Staff recommends that the proposed Conditional Use Permit and Variance be found <u>CONSISTENT</u> with the 2004 Riverside County Airport Land Use Compatibility Plan.

PROJECT DESCRIPTION: The applicant proposes to decommission and remove 69 existing commercial wind turbines (wind energy conversion systems, abbreviated as "WECS") and install 4 new commercial wind turbines with a maximum height of 499 feet above ground level with a per turbine energy generating capacity between 2.0 megawatts (MW) and 4.2 MW on 161.61 acres. Also proposed are associated equipment such as a laydown yard, construction of new temporary and permanent internal roads, and connection to 12-kilovolt (kV) underground/overhead electrical collection lines. A variance is also requested in order to allow for structures greater than 200 feet in height. Wind turbine heights are measured at top of blade in the "twelve o'clock position".

**PROJECT LOCATION:** The project is located in mountainous terrain northerly of the unincorporated community of Painted Hills, northerly of Avenue 16, and easterly of Windhaven Road and specifically constitutes the southwest quarter of Section 31, Township 2 South, Range 4 East (Assessor's Parcel Number 667-160-001).

The project site is not located within an existing Airport Influence Area, as it lies approximately 9 miles northwesterly of the northwesterly terminus of the primary runway (Runway 13R-31L) at Palm Springs International Airport and 14 miles northeasterly of the easterly terminus of the runway at Banning Municipal Airport, but the project comes before the Airport Land Use Commission because of its inclusion of structures exceeding 200 feet in height.

**BACKGROUND:** As stated in Section 1.5.3.c of the Countywide Policies of the Riverside County Airport Land Use Compatibility Plan, "any proposal for construction or alteration of a structure (including antennas) taller than 200 feet above the ground level at the site" requires referral to the Airport Land Use Commission for a determination of consistency with the Commission's Plan prior

to approval by the local jurisdiction. Such facilities also require notification to the FAA pursuant to Part 77, Paragraph 77.13. The Riverside County Airport Land Use Compatibility Plan (RCALUCP) Policy Document, adopted on October 14, 2004, does not articulate specific procedures or criteria to evaluate such facilities by the Airport Land Use Commission.

As such, the determination by FAA's Obstruction Evaluation Service (FAA OES) is pivotal in providing a basis for the ALUC's decision on such a facility. The applicant submitted Form 7460-1, and FAA OES assigned Aeronautical Study Nos. 2018-WTW-12513-OE through 2018-WTW-12516-OE to this project. "Determination of No Hazard to Air Navigation" letters were issued for each of the four proposed wind turbines on January 31, 2019.

The project description indicates that a meteorological (MET) tower (309 feet in height) is also proposed in conjunction with this application, but its precise location has not yet been determined, and this tower is not included in the above-referenced FAA OES determination letters. Therefore, the staff recommendation is based on the project scope minus this MET tower. Consequently, recommended conditions for this project specify that any proposed MET towers exceeding 200 feet in height will require a separate ALUC application, review, and determination, along with a complete FAA determination of no hazard letter.

# **CONDITIONS:**

- 1. The proposed wind turbines ("WECS") shall not generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- 2. Rotor blades shall utilize a flat or matte (non-glossy) finish so as to minimize the reflection of sunlight towards an aircraft engaged in an initial straight climb during takeoff or towards an aircraft engaged in a straight final approach toward a landing at an airport.
- 3. The WECS and any accessory uses shall not generate smoke or water vapor and shall be designed so as not to attract large concentrations of birds.
- 4. The combined height of each WECS and its foundation shall not exceed 499 feet above ground level (AGL).
- 5. This project has been evaluated by Airport Land Use Commission (ALUC) and the Federal Aviation Administration (FAA) for four (4) wind turbines only (T-1 through T-4). Any increase in number, height, or change in location of the turbines, or any proposal for new structures taller than 200 feet from ground level, will require subsequent submittal to, and review by, the ALUC and FAA. No meteorological towers 200 feet or greater in height are included in this determination.
- 6. The Federal Aviation Administration has conducted aeronautical studies of each proposed wind turbine (Aeronautical Study Nos. 2018-WTW-12513-OE through 2018-WTW-12516-OE) and has specified that each of these structures shall be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights Chapters 4, 12, & 13 (Turbines), unless superseded by

subsequent FAA determination(s) in writing.

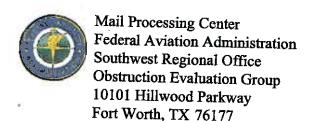
- In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of a least one light at each level. The use of NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.
- 8. Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as normal operation is restored, notify the same number.
- 9. The maximum top point elevations specified below 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.

Turbine Number	Maximum Feet Above Mean Sea Level (AMSL)
Turbine 1	2,307
Turbine 2	2,307
Turbine 3	2,323
Turbine 4	2,285

- 10. Temporary construction equipment used during actual construction of the structures shall not exceed 499 feet in height and a maximum elevation (above mean sea level) not to exceed the above turbine table above, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
- 11. Within five (5) days after construction 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 <a href="https://oeaaa.faa.gov">https://oeaaa.faa.gov</a> for instructions.) This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the structure.
- 12. To the maximum extent possible, in compliance with FAA guidelines regarding lighting, mitigation measures shall be incorporated into the project that would minimize light pollution to the people on the ground.

Staff Report Page 4 of 4

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Issued Date: 01/31/2019

Robert Skaggs
Desert Hot Springs Wind, LLC
11455 El Camino Real
Suite 160
San Diego, CA 92130

# \*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\*

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:

Wind Turbine T1

Location: Latitude:

Desert Hot Springs, CA 33-57-06.96N NAD 83

Longitude:

116-36-33.95W

Heights:

1808 feet site elevation (SE)

499 feet above ground level (AGL)

2307 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

At least 10 days prior to start of construction (7460-2, Part 1)

X Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

# See attachment for additional condition(s) or information.

This determination expires on 07/31/2020 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.

(b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. This determination is valid for coordinates within one (1) second latitude/longitude and up to the approved AMSL height listed above (provided the AGL height does not exceed 499 feet). If a certified 1A or 2C accuracy survey was required to mitigate an adverse effect, any change in coordinates or increase in height will require a new certified accuracy survey and may require a new aeronautical study.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. All information from submission of Supplemental Notice (7460-2 Part 2) will be considered the final data (including heights) for this structure. Any future construction or alteration, including but not limited to changes in heights, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (816) 329-2523, or steve.phillips@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-WTW-12513-OE.

Signature Control No: 381824718-395002584 Steve Phillips Specialist

(DNE-WT)

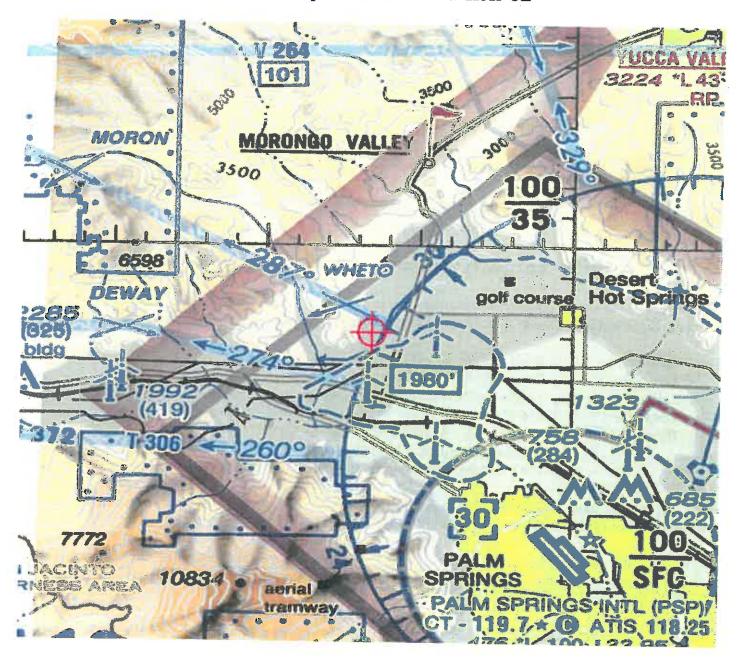
Attachment(s)
Additional Information
Map(s)

# Additional information for ASN 2018-WTW-12513-OE

Aeronautical study indicates that the turbines will be within the radar line of sight for the Palm Springs (PSP) Airport Surveillance Radar (ASR-9) facility. They could cause unwanted primary targets (clutter) and primary-only target drops in the immediate vicinity of the wind turbines. Also, tracked primary-only targets could diverge from the aircraft path and follow wind turbines, when the aircraft is over or near the turbines. However, this would not cause an unacceptable adverse impact on Air Traffic Control operations at this time.

NOTE: A recommendation for white paint/synchronized red lights will be made for all turbines until such time as the proponent confirms that the layout is final (no changes, no additions, no removals) and all turbines can and will be built at their determined location and height. At that time, the proponent may contact this office and request a re-evaluation of the marking and lighting recommendations for the turbines within this project and a portion of the turbines may qualify for the removal of the lighting recommendation.

# Sectional Map for ASN 2018-WTW-12513-OE





Mail Processing Center Federal Aviation Administration Southwest Regional Office Obstruction Evaluation Group 10101 Hillwood Parkway Fort Worth, TX 76177

Issued Date: 01/31/2019

Robert Skaggs
Desert Hot Springs Wind, LLC
11455 El Camino Real
Suite 160
San Diego, CA 92130

# \*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\*

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:

Wind Turbine T2

Location:

Desert Hot Springs, CA 33-57-01.67N NAD 83

Latitude: Longitude:

116-36-33.43W

Heights:

1808 feet site elevation (SE)

499 feet above ground level (AGL)

2307 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

At least 10 days prior to start of construction (7460-2, Part 1)

X Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 07/31/2020 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.

(b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. This determination is valid for coordinates within one (1) second latitude/longitude and up to the approved AMSL height listed above (provided the AGL height does not exceed 499 feet). If a certified 1A or 2C accuracy survey was required to mitigate an adverse effect, any change in coordinates or increase in height will require a new certified accuracy survey and may require a new aeronautical study.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. All information from submission of Supplemental Notice (7460-2 Part 2) will be considered the final data (including heights) for this structure. Any future construction or alteration, including but not limited to changes in heights, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (816) 329-2523, or steve.phillips@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-WTW-12514-OE.

Signature Control No: 381824719-395002585

(DNE-WT)

Steve Phillips Specialist

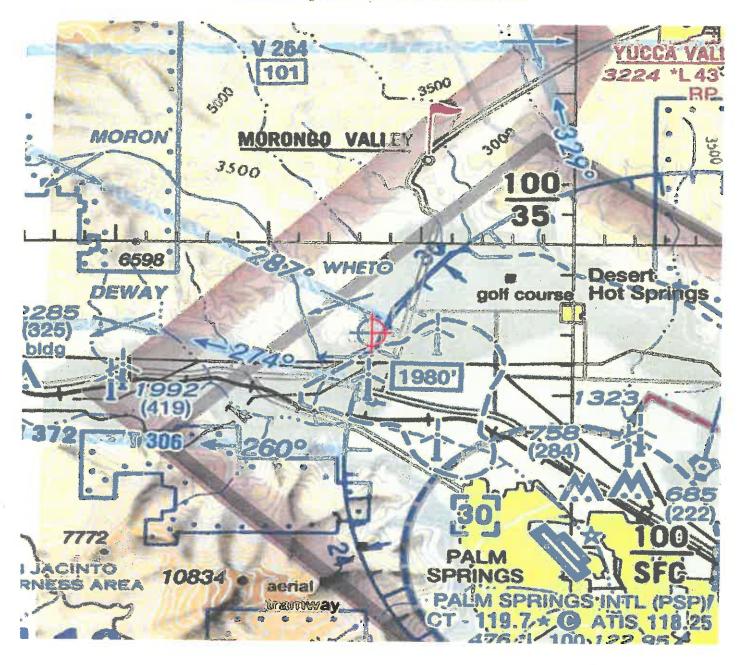
Attachment(s)
Additional Information
Map(s)

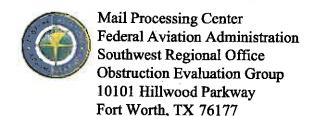
#### Additional information for ASN 2018-WTW-12514-OE

Aeronautical study indicates that the turbines will be within the radar line of sight for the Palm Springs (PSP) Airport Surveillance Radar (ASR-9) facility. They could cause unwanted primary targets (clutter) and primary-only target drops in the immediate vicinity of the wind turbines. Also, tracked primary-only targets could diverge from the aircraft path and follow wind turbines, when the aircraft is over or near the turbines. However, this would not cause an unacceptable adverse impact on Air Traffic Control operations at this time.

NOTE: A recommendation for white paint/synchronized red lights will be made for all turbines until such time as the proponent confirms that the layout is final (no changes, no additions, no removals) and all turbines can and will be built at their determined location and height. At that time, the proponent may contact this office and request a re-evaluation of the marking and lighting recommendations for the turbines within this project and a portion of the turbines may qualify for the removal of the lighting recommendation.

#### Sectional Map for ASN 2018-WTW-12514-OE





Issued Date: 01/31/2019

Robert Skaggs
Desert Hot Springs Wind, LLC
11455 El Camino Real
Suite 160
San Diego, CA 92130

#### \*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\*

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:

Wind Turbine T3

Location:

Desert Hot Springs, CA 33-56-56.24N NAD 83

Latitude: Longitude:

116-36-34.81W ·

Heights:

1824 feet site elevation (SE)

499 feet above ground level (AGL)

2323 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights = Chapters 4,12&13(Turbines).

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

·	At least 10 days prior to start of construction (7460-2, Part 1)
X	Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

#### See attachment for additional condition(s) or information.

This determination expires on 07/31/2020 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.

(b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. This determination is valid for coordinates within one (1) second latitude/longitude and up to the approved AMSL height listed above (provided the AGL height does not exceed 499 feet). If a certified 1A or 2C accuracy survey was required to mitigate an adverse effect, any change in coordinates or increase in height will require a new certified accuracy survey and may require a new aeronautical study.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. All information from submission of Supplemental Notice (7460-2 Part 2) will be considered the final data (including heights) for this structure. Any future construction or alteration, including but not limited to changes in heights, requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (816) 329-2523, or steve.phillips@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-WTW-12515-OE.

Signature Control No: 381824720-395002586 Steve Phillips

(DNE-WT)

Steve Phillips
Specialist

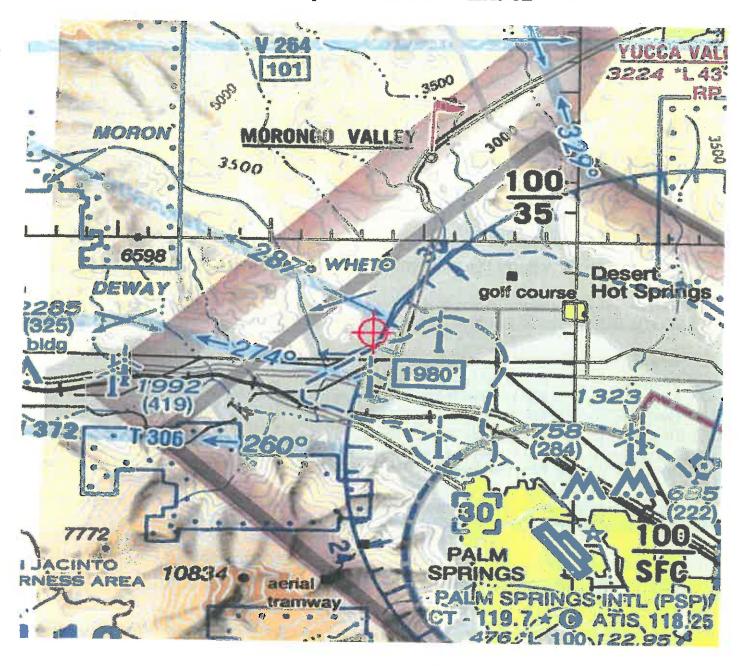
Attachment(s)
Additional Information
Map(s)

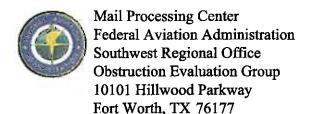
#### Additional information for ASN 2018-WTW-12515-OE

Aeronautical study indicates that the turbines will be within the radar line of sight for the Palm Springs (PSP) Airport Surveillance Radar (ASR-9) facility. They could cause unwanted primary targets (clutter) and primary-only target drops in the immediate vicinity of the wind turbines. Also, tracked primary-only targets could diverge from the aircraft path and follow wind turbines, when the aircraft is over or near the turbines. However, this would not cause an unacceptable adverse impact on Air Traffic Control operations at this time.

NOTE: A recommendation for white paint/synchronized red lights will be made for all turbines until such time as the proponent confirms that the layout is final (no changes, no additions, no removals) and all turbines can and will be built at their determined location and height. At that time, the proponent may contact this office and request a re-evaluation of the marking and lighting recommendations for the turbines within this project and a portion of the turbines may qualify for the removal of the lighting recommendation.

# Sectional Map for ASN 2018-WTW-12515-OE





Issued Date: 01/31/2019

Robert Skaggs
Desert Hot Springs Wind, LLC
11455 El Camino Real
Suite 160
San Diego, CA 92130

#### \*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\*

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:

Wind Turbine T4

Location:

Desert Hot Springs, CA 33-56-50.79N NAD 83

Latitude: Longitude:

116-36-33.58W

Heights:

1786 feet site elevation (SE)

499 feet above ground level (AGL)

2285 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

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	At least 10 days prior to start of construction (7460-2, Part 1)
X	Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 07/31/2020 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.

(b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

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This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (816) 329-2523, or steve.phillips@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-WTW-12516-OE.

Signature Control No: 381824721-395002583

(DNE-WT)

Steve Phillips Specialist

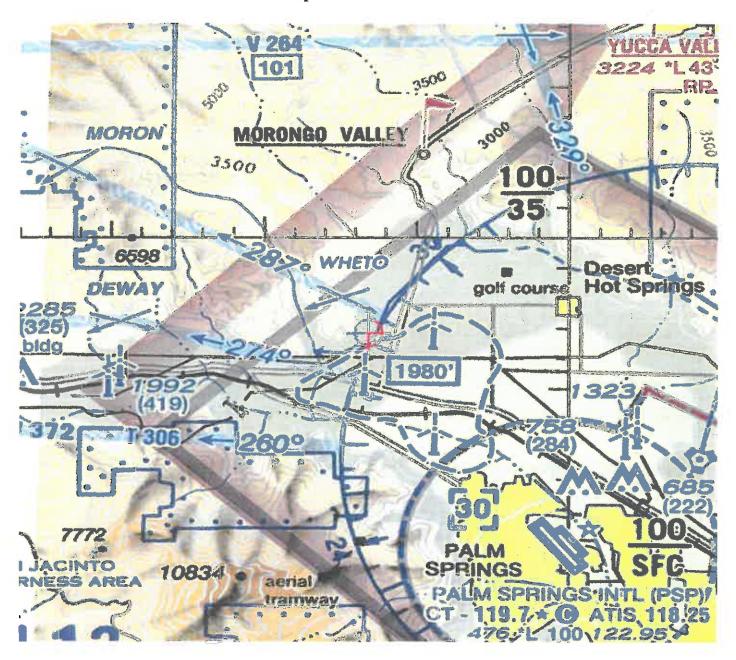
Attachment(s)
Additional Information
Map(s)

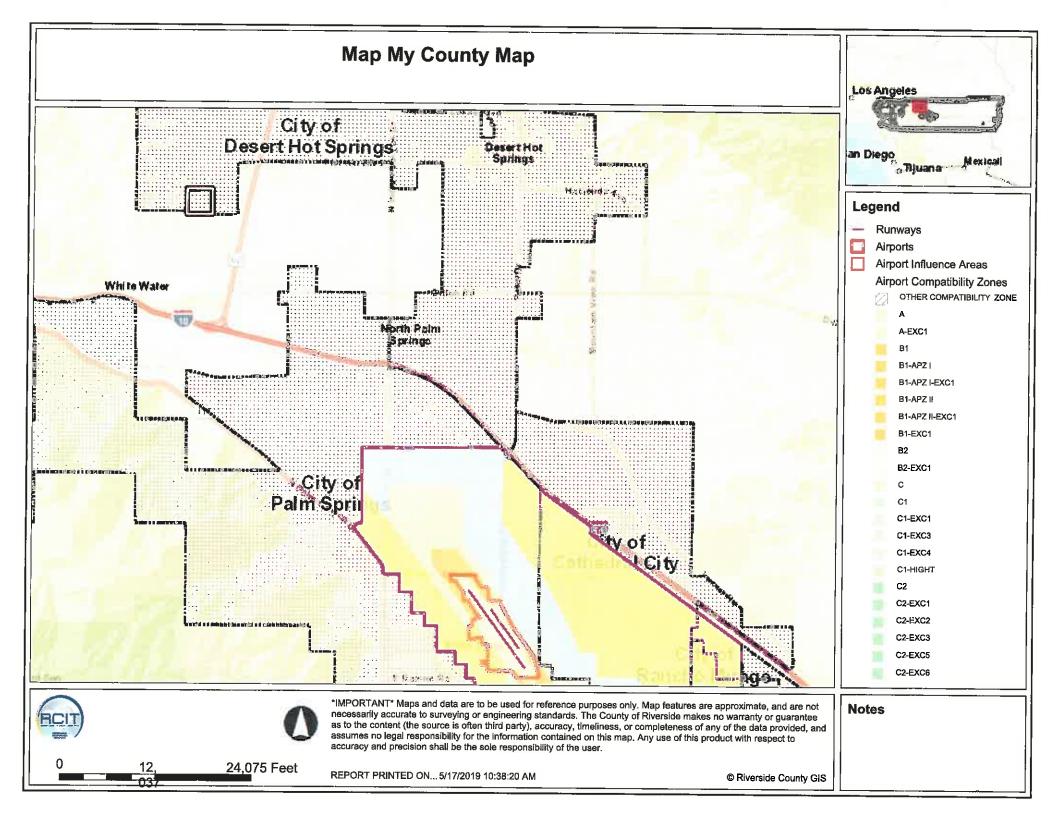
#### Additional information for ASN 2018-WTW-12516-OE

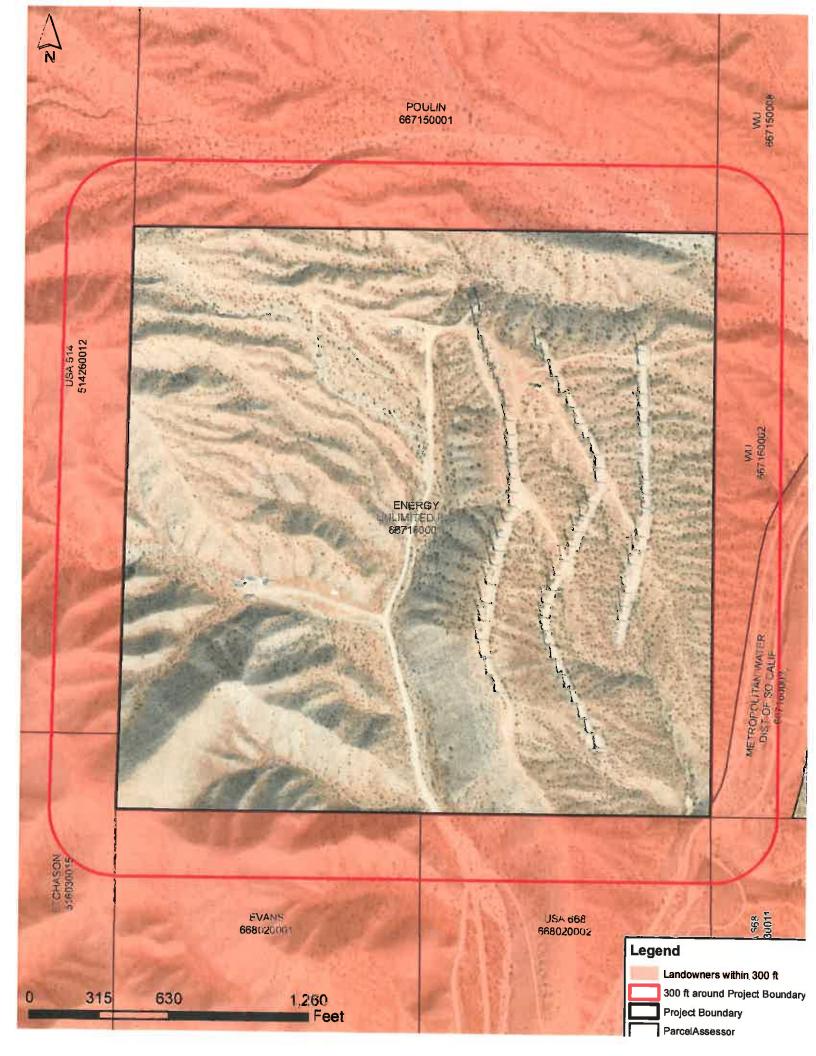
Aeronautical study indicates that the turbines will be within the radar line of sight for the Palm Springs (PSP) Airport Surveillance Radar (ASR-9) facility. They could cause unwanted primary targets (clutter) and primary-only target drops in the immediate vicinity of the wind turbines. Also, tracked primary-only targets could diverge from the aircraft path and follow wind turbines, when the aircraft is over or near the turbines. However, this would not cause an unacceptable adverse impact on Air Traffic Control operations at this time.

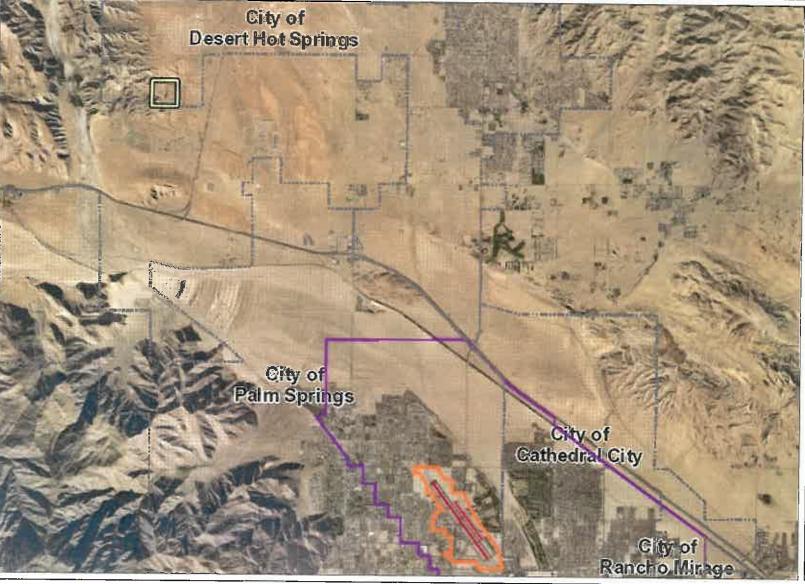
NOTE: A recommendation for white paint/synchronized red lights will be made for all turbines until such time as the proponent confirms that the layout is final (no changes, no additions, no removals) and all turbines can and will be built at their determined location and height. At that time, the proponent may contact this office and request a re-evaluation of the marking and lighting recommendations for the turbines within this project and a portion of the turbines may qualify for the removal of the lighting recommendation.

#### Sectional Map for ASN 2018-WTW-12516-OE











#### Legend

Runways

Airports

Airport Influence Areas

City Areas

World Street Map





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12, 24,075 Feet

REPORT PRINTED ON... 5/17/2019 10:37:01 AM

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Notes





#### Legend

- Runways

Airports

Airport Influence Areas

City Areas

World Street Map





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0 6, 12,037 Feet

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**Notes** 



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#### Legend

- Runways
- Airports
- Airport Influence Areas
   County Centerline Names
- County Centerlines
- City Areas
  World Street Map

Notes



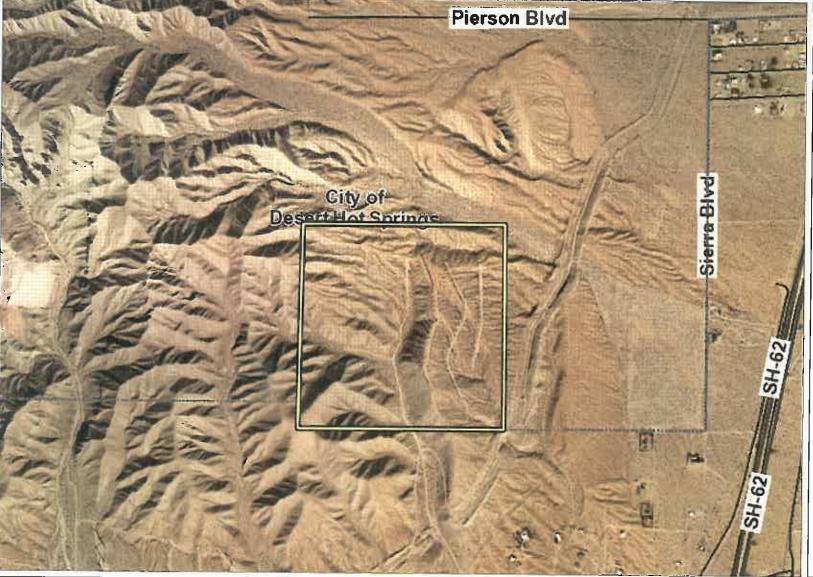


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3, 6,019 Feet

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#### Legend

- Runways
- Airports
- Airport Influence Areas County Centerline Names
- County Centerlines
  - City Areas
  - World Street Map





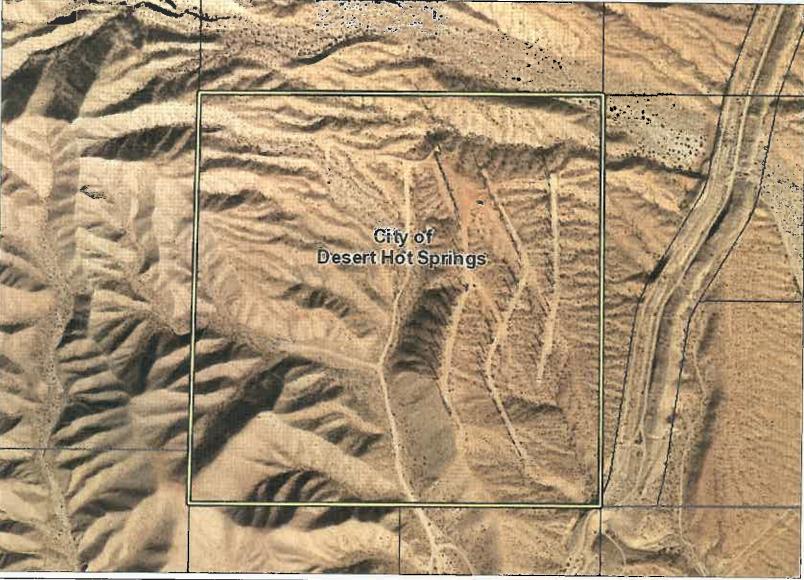
\*IMPORTANT\* Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

3,009 Feet

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**Notes** 





#### Legend

- Parcels
- Runways
- Airports
- Airport Influence Areas
  County Centerline Names
- County Centerlines
- City Areas
  World Street Map





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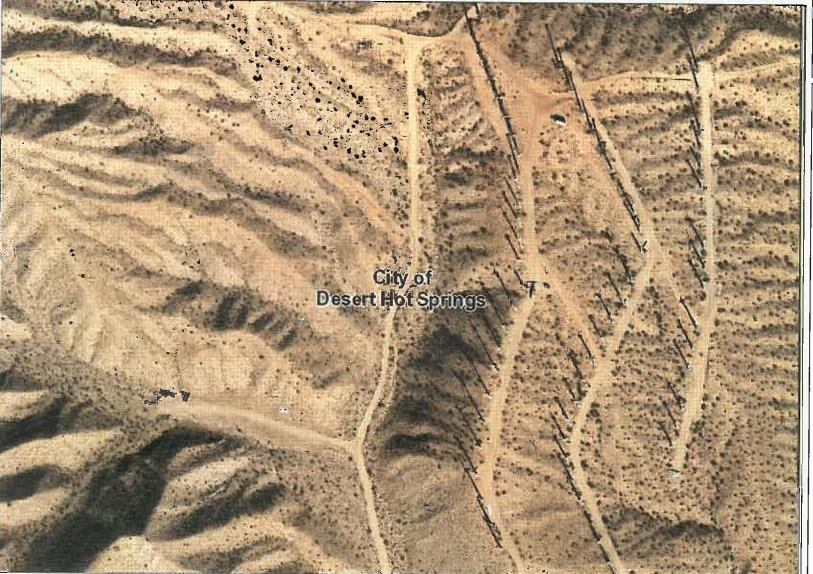
Notes

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1,505 Feet

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#### Legend

- Parcels
- Runways
- Airports
- Airport Influence Areas County Centerline Names
- **County Centerlines**
- City Areas

World Street Map





752 Feet

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**Notes** 

# **Attachment A: Project Description**

Desert Hot Springs Wind, LLC (Applicant) proposes to construct the Desert Hot Springs Wind Energy Repowering Project (Project) located in the City of Desert Hot Springs (City), California. The Project is immediately bounded by undeveloped land to the north, south, and west and Municipal Water District facilities to the east. Downtown Desert Hot Springs is located approximately 6 miles east of the Project site, and the Interstate (I-) 10/State Route (SR-) 62 interchange is located approximately 2.2 miles to the south. The Project site supports an existing wind farm and is an excellent location for generating electrical power from wind based on the strong predictable wind resource.

## **Project Overview**

The Project comprises the following components and activities:

- Decommission and remove the approximately 69 existing, antiquated turbines from the Project site.
- Install up to 4 new wind turbines and related infrastructure with a per-turbine generating capacity of between 2.0 megawatts (MW) and 4.2 MW on land within the City's "I-E" (Industrial-Scale Energy Production) zone, which allows for WECS on a conditionally permitted basis.
- Install one new meteorological (met) tower, up to 309 feet tall, to support the power curve testing and operations of the wind development.
- Installation of wind turbine and met tower foundations and erection of the wind turbines and met tower.
- Construct pad areas for individual turbines and met towers to accommodate cranes and heavy equipment needed for turbine and met tower installation.
- Construct an approximately 4-acre, temporary laydown yard for use during the decommissioning of existing turbines and the construction of the Project.
- Temporarily widen and improve portions of the existing internal road system.
- Construct new temporary and permanent roads outside of the existing road system footprint
  to accommodate cranes and heavy equipment needed for turbine and met tower
  installations and access to the proposed turbine and met tower foundations. Temporary new
  roads and existing roads that would not be used by the Project would be restored after the
  construction phase and permanent new roads will be reduced to a width of 16 feet.
- Connection to an existing substation (Southern California Edison Venwind substation located on Assessor Parcel Number 516-030-014) through either a new underground

collection line or an existing Southern California Edison 12-kilovolt overhead collection line.

Decommission and remove the new wind turbines at the end of their useful life cycle.

## **Project Positive Impacts**

The Project would have a net positive environmental impact for the following reasons:

- The overall development intensity and visual "clutter" within the Project site would decrease as a result of the proposed repowering given that the approximately 69 existing turbines would be replaced by only 4 new turbines, which equates to a 1-to-17 (new-to-existing) replacement ratio.
- The Project would generate significantly more energy than the existing turbines operating on the Project site, which, due to their age and technology, are more inefficient and less reliable than the new turbines.
- No new buildings would be constructed, and to the greatest extent feasible, new construction would be limited to existing disturbed and developed areas, minimizing plant and wildlife impacts.
- New, modern turbines have lower turbine rotational speeds. This, in combination with higher rotor height and greater spacing distances, would allow more visibility to avian species and increases avoidance potential.
- Fewer turbines with a wider spacing would allow for more avian passage between the turbines, eliminating the existing wind turbine wall.

## **Project Components**

The Project would consist of up to 4, three-bladed, upwind, horizontal-axis wind turbines ranging from 2.0 MW to 4.2 MW in nameplate capacity per turbine. Each wind turbine would be mounted on a concrete pedestal supported by a permanent concrete foundation. Each turbine would include four main physical components that would be assembled and erected during construction: the tower, the nacelle, the hub, and the three blades. Other main turbine components include the turbine foundation, transformer, and safety features.

The turbine towers consist of three to five (depending on make, model and overall height) prefabricated tubular steel sections that are tapered from base to top. The Project would use turbine towers up to 94 meters (309 feet) in height. The nacelle houses equipment, including the gearbox, the electrical generator, and control equipment. It also supports the turbine blades and hub. A yaw system keeps the turbine pointed into the wind to maximize energy capture. A wind vane and anemometer are mounted at the rear of the nacelle to signal the controller with wind speed and direction information. The three turbine blades and hub make up the rotor. The rotor is connected to the gearbox housed in the nacelle. This system powers the wind turbine. The Project would use turbines with rotor diameters of up to 130 meters (427 feet). The total height of any Project wind turbine as measured from the turbine base to the top of turbine blade in the twelve o'clock position would not exceed 152 meters (500 feet). Figure 1, Typical Wind Turbine Dimensions, provides a schematic illustration of a proposed turbine.

The wind turbines would be grouped in rows and would be connected by a network of collection lines that may be partially or entirely underground. Turbines would be arranged within the row in accordance with applicable industry siting recommendations for optimum energy production and minimal land disturbance.

To promote visual continuity, all turbine structures would use uniform light-gray or off-white colors and matte finishes in conformance with FAA requirements. No reflective surfaces, logos, or markings would be used.

Tip Height: Up to 500 ft Hub Height: Up to 309 ft Rotor Diameter: Up to 427 ft

Figure 1
Typical Wind Turbine Dimensions

One new met tower would be erected within the Project site to monitor and document wind conditions and contribute to the Project's wind turbine power curve testing campaign which would occur prior to commercial operations. The exact locations where the met tower would be erected within the Project site shall be determined once the wind turbine model type has been finalized and siting discussions with the wind turbine vendor and wind resource consultants have been settled. Met tower siting is typically not determined until late in the development process. The tower would be up to 309 feet high and would be equipped with applicable FAA-compliant marking or lighting for aviation safety. The tower may be a free-standing lattice tower constructed atop a concrete foundation or it may be a guyed-lattice tower constructed atop a relatively smaller, concrete foundation. The tower would reside within the Project boundary, amongst the taller wind turbines.

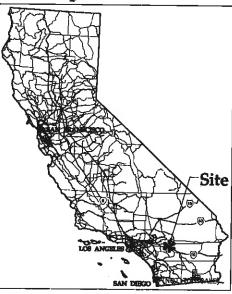
## **Project Operations and Maintenance**

Operations and maintenance (O&M) activities for the Project would remain similar to the O&M activities conducted for the existing facility. Regularly scheduled maintenance of the Project would generally include lubrication of mechanical parts, cleaning of blades, and changing of fluids, performed in conformity with the manufacturer's guidelines. Occasionally, major overhauls or component replacements would be required, necessitating use of cranes or other equipment similar to that used during construction. Maintenance personnel would be onsite on a regular basis to service turbines, replace parts, and perform other maintenance duties.

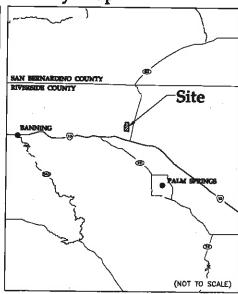
# Issued for Permitting Plans

Wind Turbines, Access Roads, Drainage and Erosion Control Desert Hot Springs Wind Project Desert Hot Springs, California

State Map



Vicinity Map



	Sheet List Table
Sheet Number	Sheet Title
1	Cover
2	Existing Conditions
3	Overall Site Plan
4	Ingress-Egress Plan
5	Construction Details
6	Construction Details
7	Construction Details
8	Civil Site Plan
9	CIVII Site Plan
10	Civil Site Plan T-1, T-2, T-3, T-4
11	Grading Plan
12	Grading Plan
13	Grading Plan
14	Grading Plan

Westwood

Present (952) 637-6160 7598 Anagram Orec (952) 697-6822 KidesPirans, MV 657-8 (959-958) February (959-958)

 Designation
 APP

 Contract
 700

 Designation
 APP

A 12/27/17 ISSUED FOR PERMITTING

B 01/05/18 SSUED FOR PERMITTING

C 01/05/18 SSUED FOR PERMITTING

Proposed for

Decert Hot Synings Wind, LLC 1812 II Camiro Real, Suite 370 San Diago, CA 92180

Desert Hot Springs Wind Project

Desert Hot Springs, California

Cover

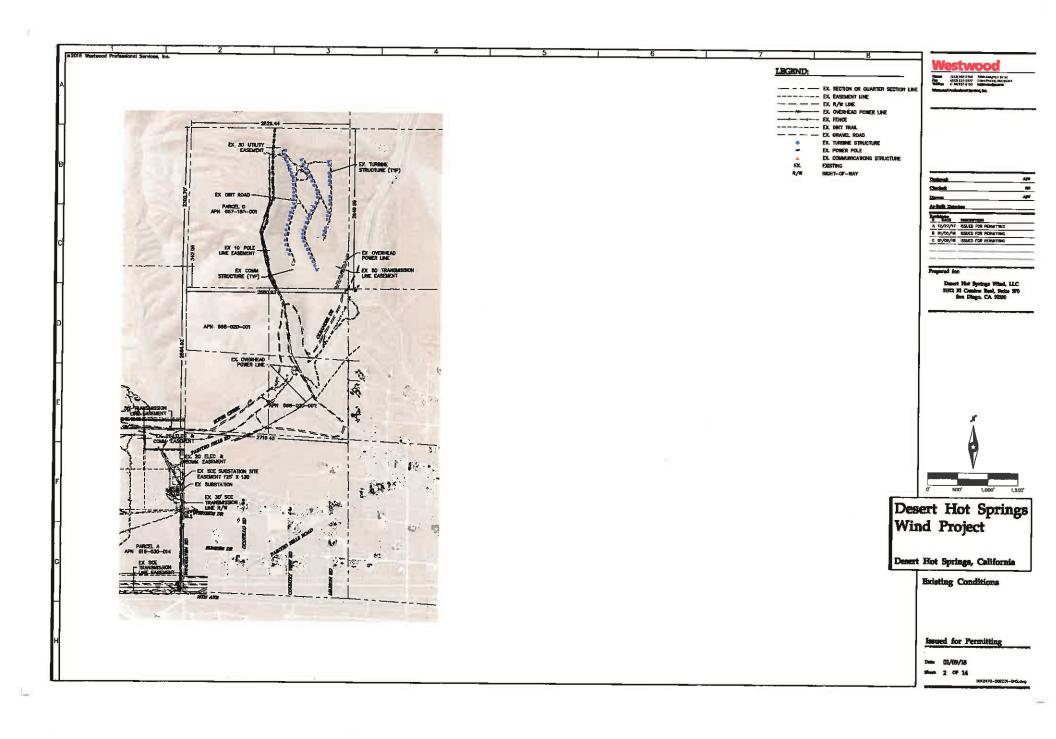
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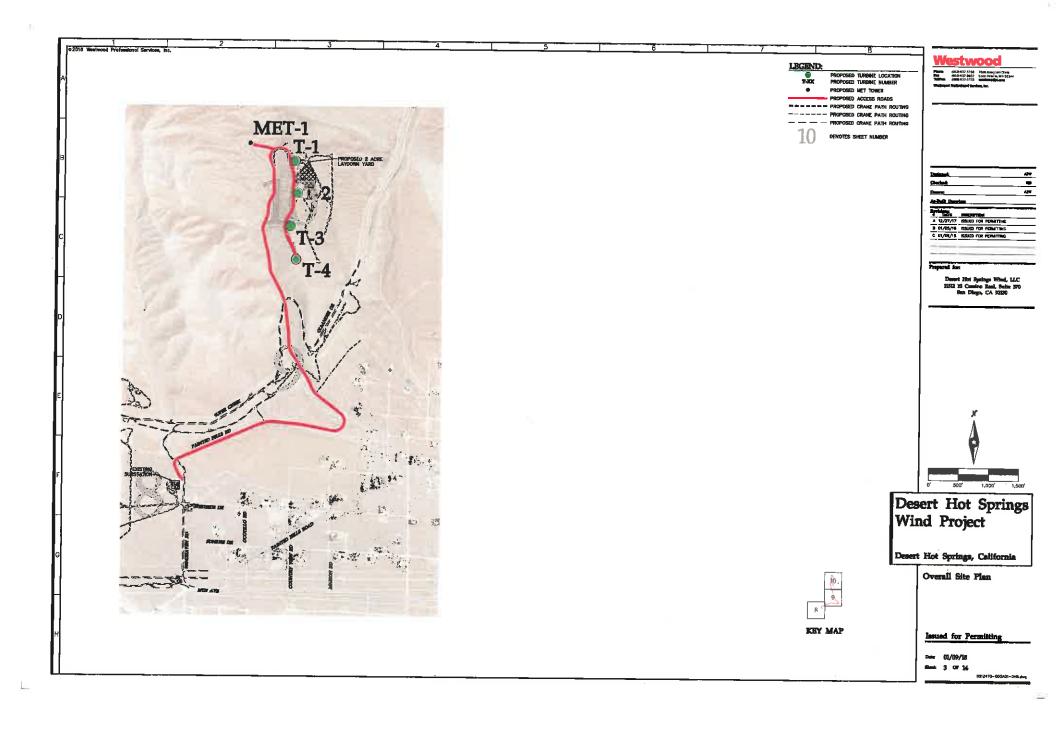
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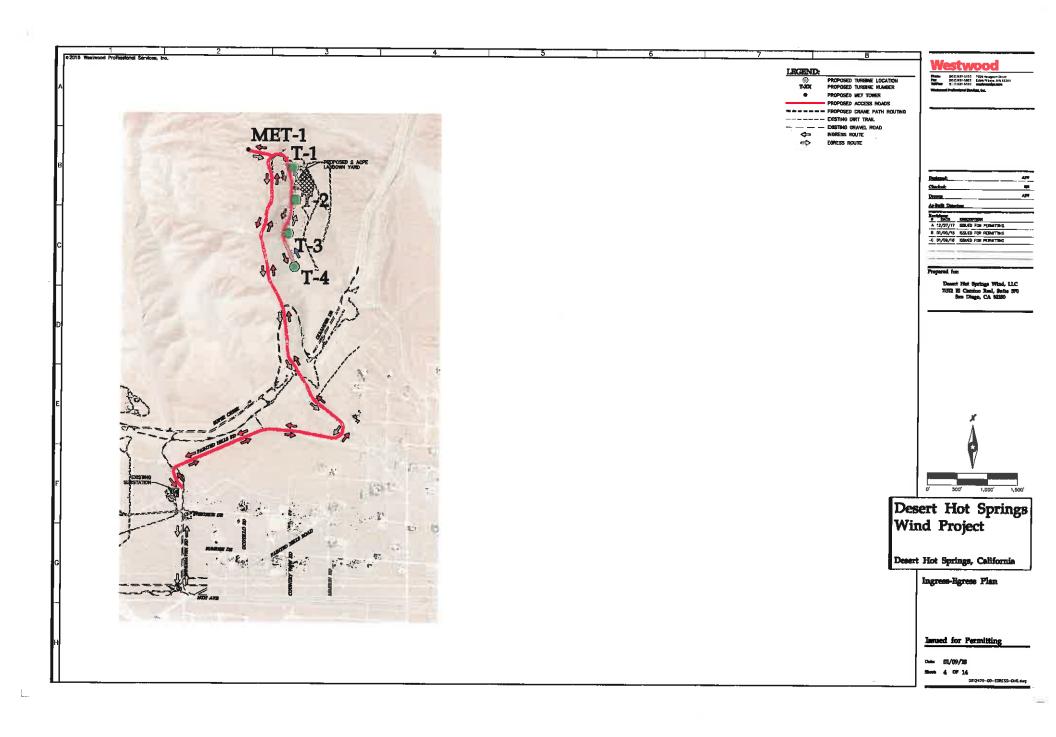
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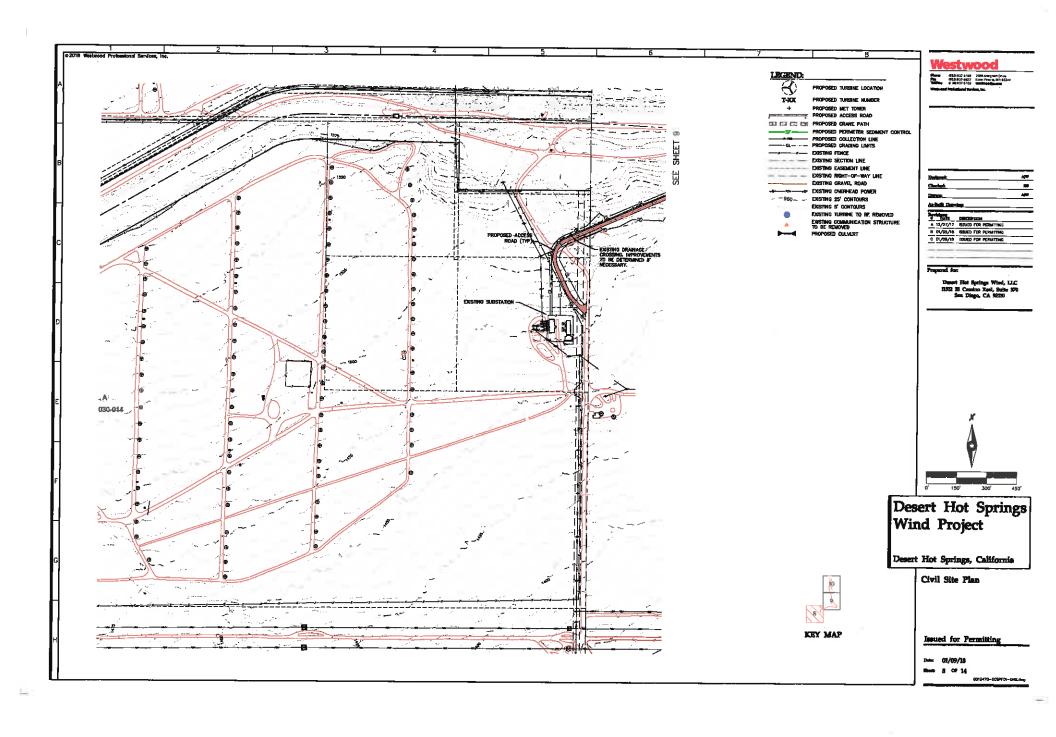
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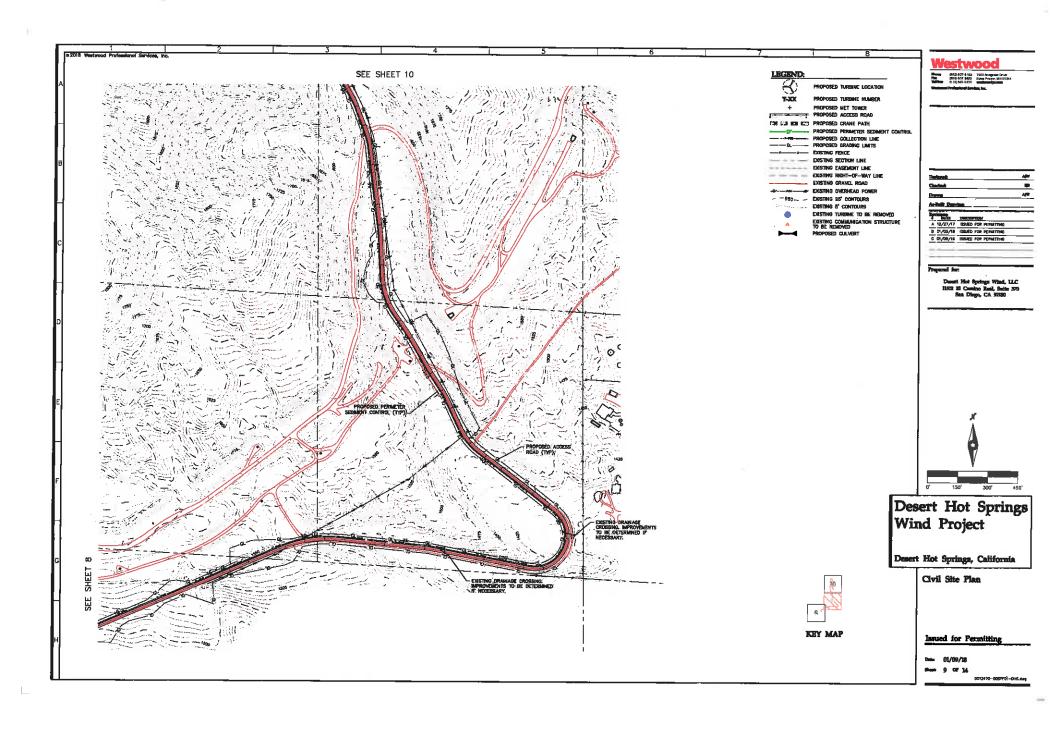
TITLE	COMPANY	HAME	CONTACT NUMBER
APPLICANT	DESERT HOT SPRINGS WIND, LLC	ROB SKAPOS	858-764-3737
PROJECT MANAGER	NESTWOOD PROFESSIONAL SERVICES	STEVE BATTAQUA	952-906-7405
ENORMEEN OF RECORD	WESTWOOD PROFESSIONAL SERVICES	CHRIS CARDA	952-908-7459
CONTRACTOR	x	×	×
LOCAL AGENCY			<del> </del>
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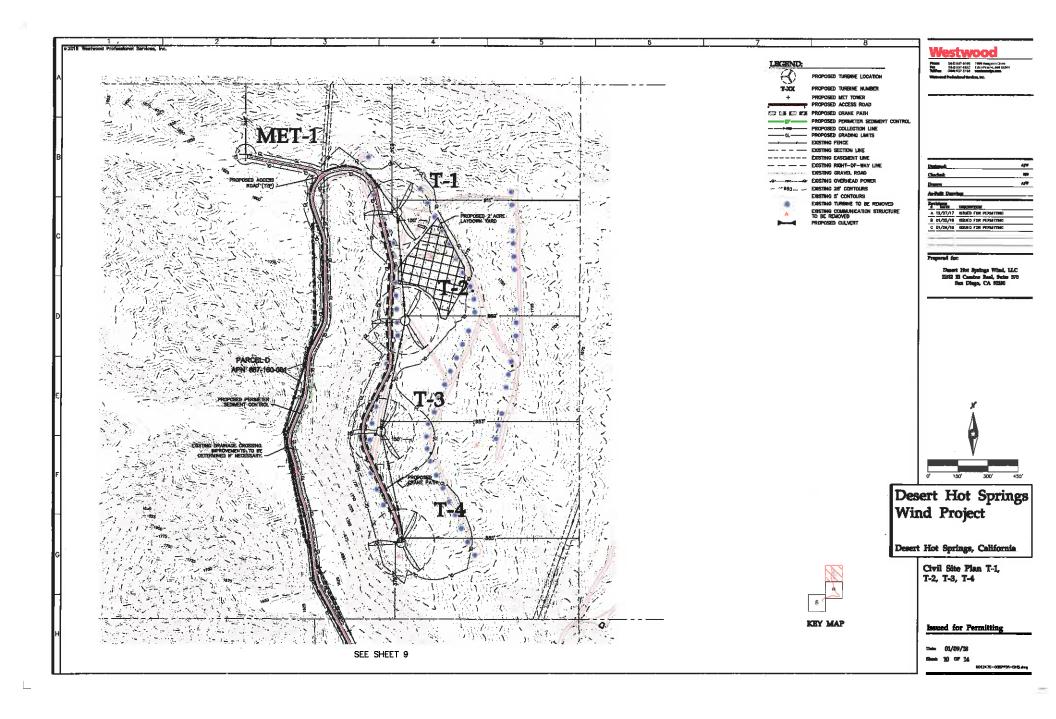


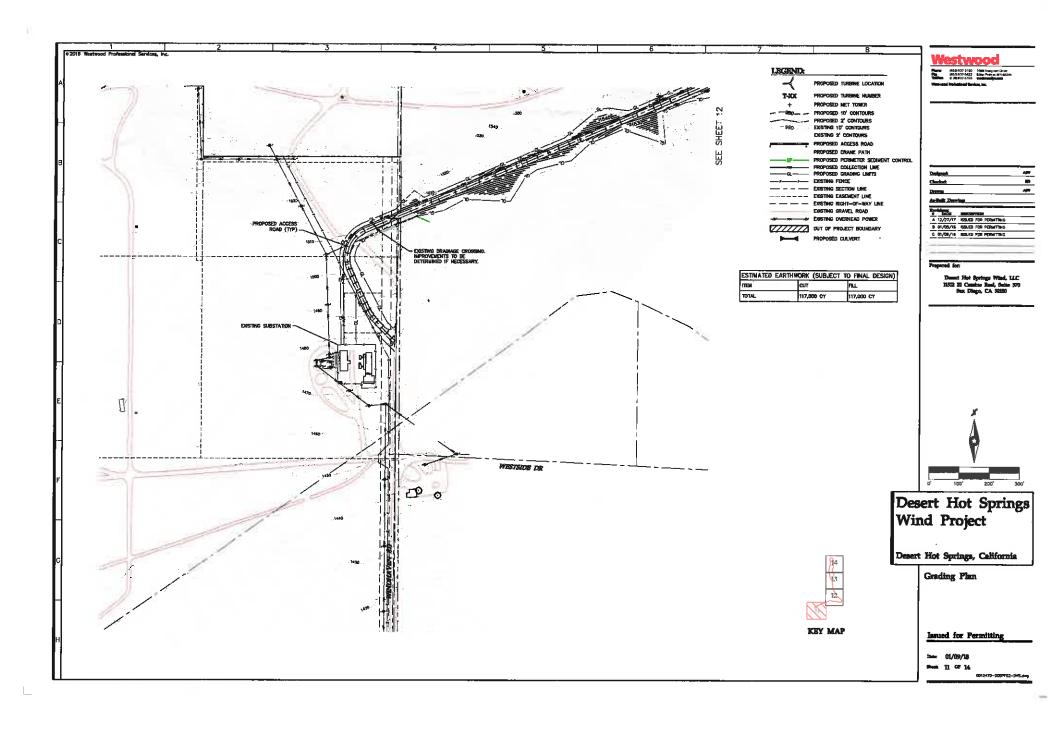


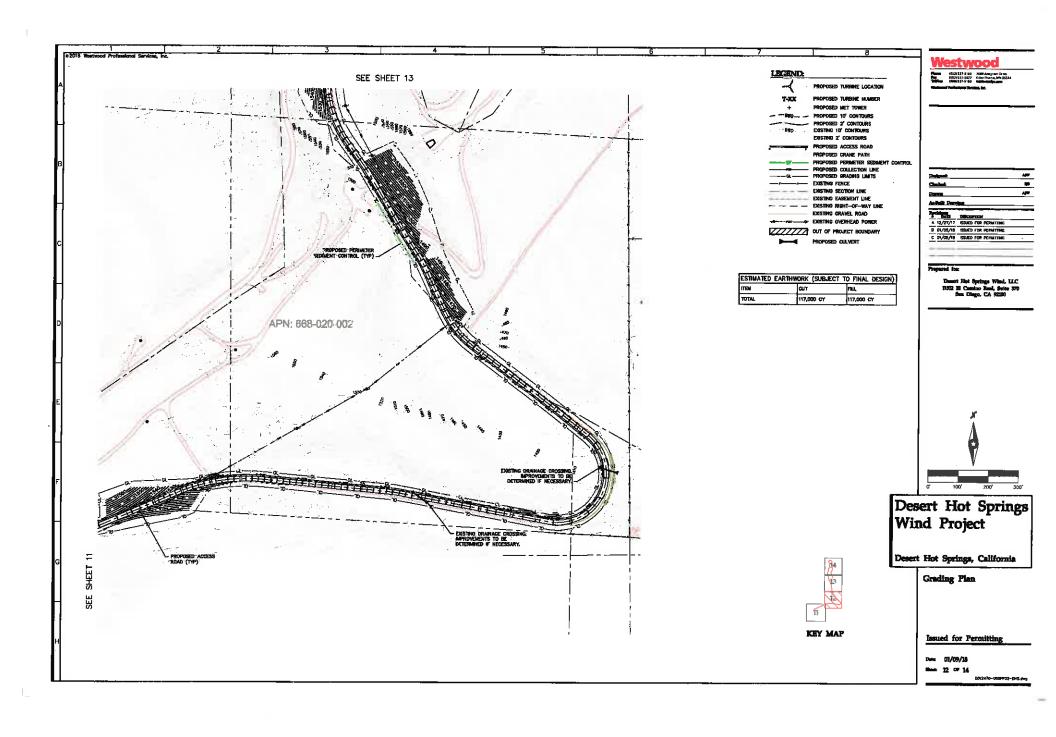


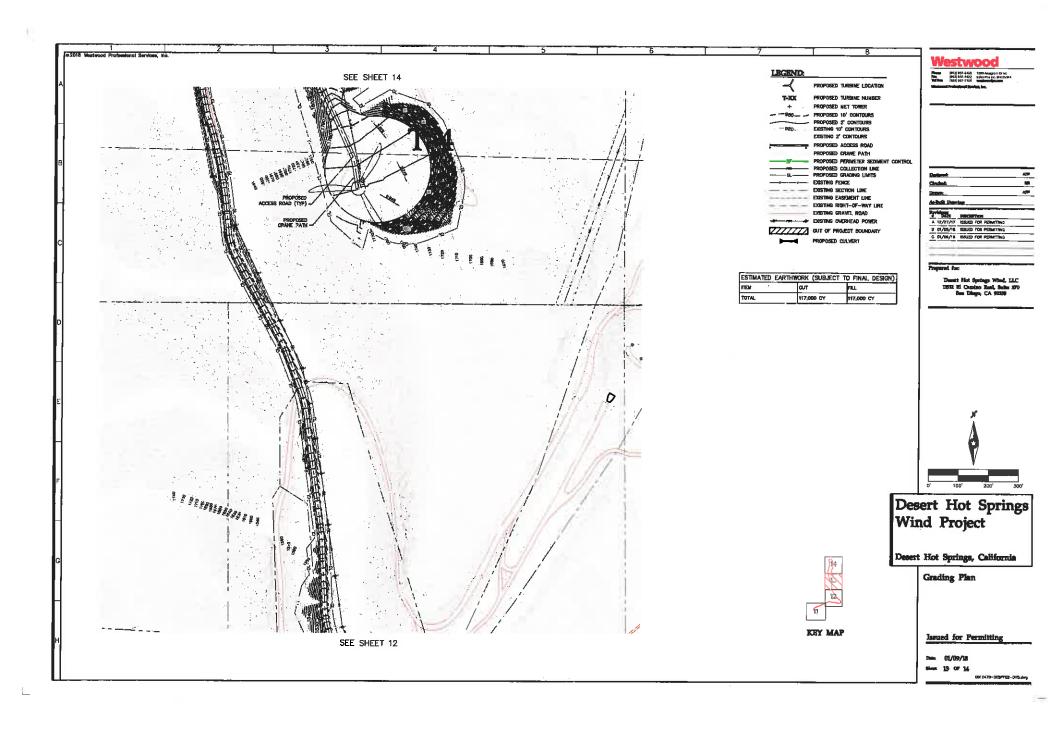


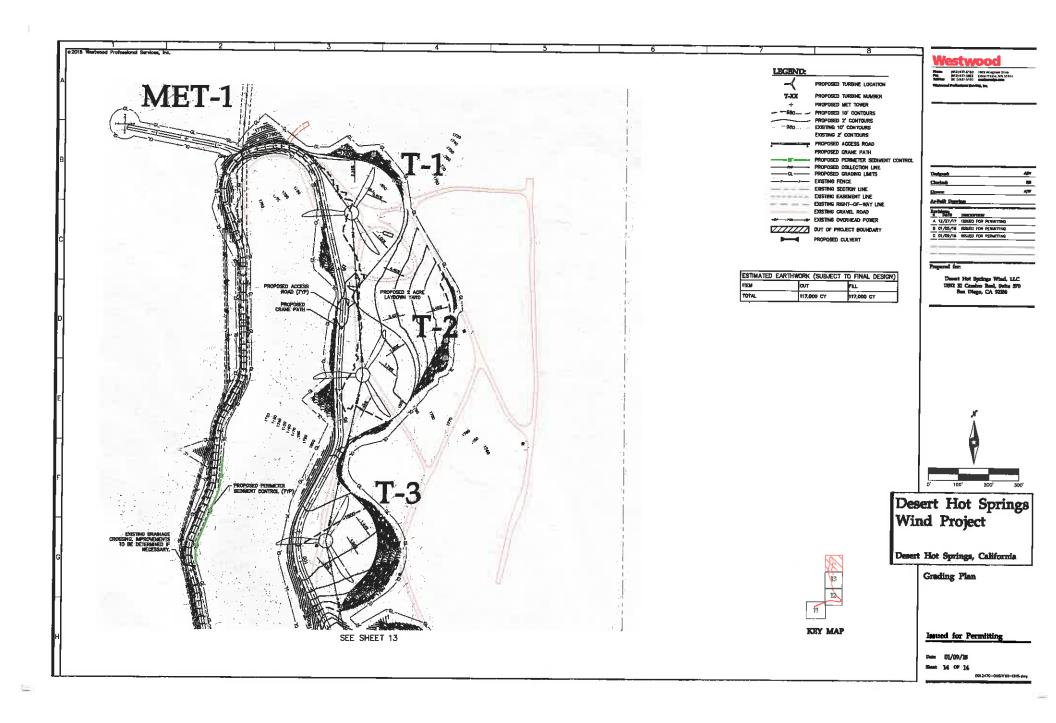


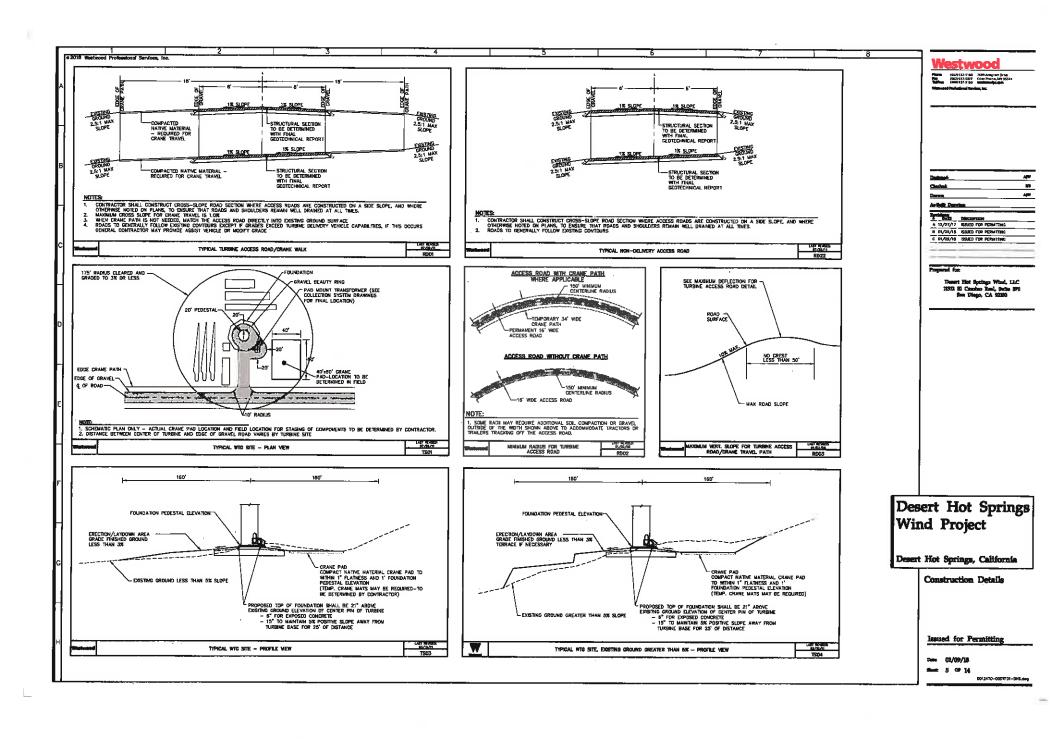


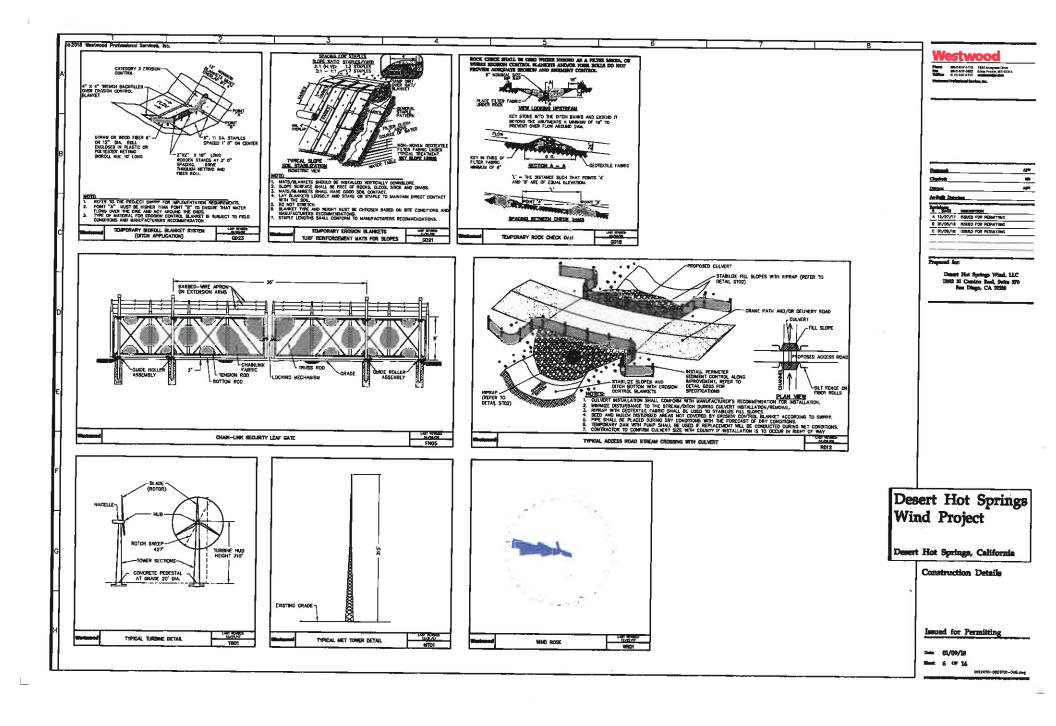


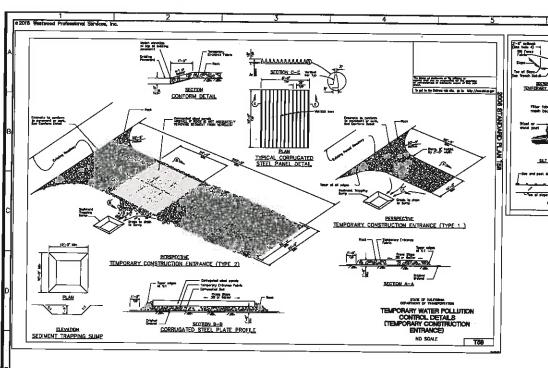


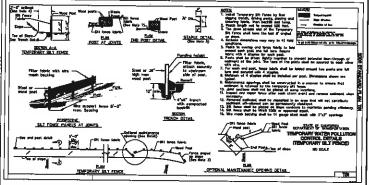










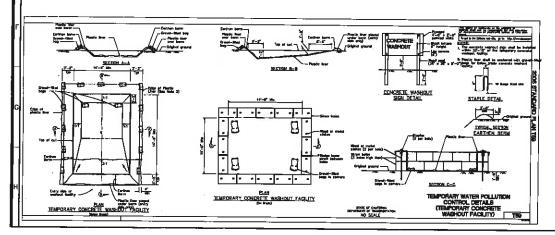


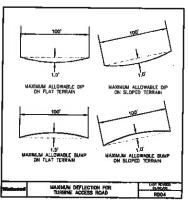
#### Westwood

Prepared for

Desert Hot Springs Wind, LLC 1982 El Cambro Real, Suits 370 Sea Diago, CA 92150

C 01/09/18 ISSUED FOR PERMITTING





#### Desert Hot Springs Wind Project

Desert Hot Springs, California

Construction Details

Issued for Permitting

Date: 01/09/18

0012470-000TFD1-0HS

# NOTICE OF PUBLIC HEARING RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. For more information please contact ALUC Planner John Guerin at (951) 955-0982. The ALUC holds hearings for local discretionary permits within the Airport Influence Area, reviewing for aeronautical safety, noise and obstructions. ALUC reviews a proposed plan or project solely to determine whether it is consistent with the applicable Airport Land Use Compatibility Plan.

The City of Desert Hot Springs may hold hearings on this item and should be contacted on non-ALUC issues. For more information please contact City of Desert Hot Springs Planner Mr. Scott Taschner at (760) 329-6411, ext. 256.

The proposed project application may be viewed and written comments may be submitted at the Riverside County Administrative Center, 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, California 92501, Monday through Thursday from 8:00 a.m. to 5:00 p.m., and by prescheduled appointment on Fridays from 9:00 a.m. to 5:00 p.m.

PLACE OF HEARING: Riverside County Administration Center

4080 Lemon Street, 1st Floor Board Chambers

Riverside California

DATE OF HEARING: June 13, 2019

TIME OF HEARING: 9:30 A.M.

CASE DESCRIPTION:

ZAP1075PS19 — Desert Hot Springs Wind, LLC/Terra-Gen Development Company, LLC (Representative: Armand Anselmo) — City Planning Case Nos. CUP 01-18 (Conditional Use Permit) and VAR 01-18 (Variance). "Desert Hot Springs Wind Repowering Project": A proposal to decommission and remove 69 existing commercial wind turbines and install 4 new commercial wind turbines with a maximum height of 499 feet above ground level on 161.61 acres (the southwest quarter of Section 31, Township 2 South, Range 4 East, also identifiable as Assessor's Parcel Number 667-160-001) of mountainous terrain located northerly of the unincorporated community of Painted Hills, westerly of State Highway Route 62, northerly of Avenue 16, and easterly of Windhaven Road. Each turbine would have a generating capacity between 2.0 megawatts (MW) and 4.2 MW. A laydown yard, new temporary and permanent internal roads, and connection to 12-kilovolt (kV) electrical collection lines are also anticipated. ALUC review is required due to the proposed turbines being greater than 200 feet in height. (Not in an Airport Influence Area. Closest airport: Palm Springs International Airport)



## RIVERSIDE COUNTY

**AIRPORT LAND USE COMMISSION** 

#### APPLICATION FOR MAJOR LAND USE ACTION REVIE ALUC CASE NUMBER: ZAP 1075 PS19 DATE SUBMITTED: APPLICANT / REPRESENTATIVE / PROPERTY OWNER CONTACT INFORMATION Desert Hot Springs Wind, LLC Phone Number 760-697-2544 Applicant 11455 El Camino Real, Suite 160 Email aanselmo@terra-gen.com Mailing Address San Diego, CA 92130 Armand Anselmo Phone Number 760-697-2544 Representative 11455 El Camino Real, Suite 160 Mailing Address Email aanselmo@terra-gen.com San Diego, CA 92130 EUI Affiliate, LLC Property Owner **Phone Number** Mailing Address Email LOCAL JURISDICTION AGENCY City of Desert Hot Springs Phone Number 760-329-6411 Local Agency Name Email staschner@cityofdhs.org Scott Taschner, Principal City Planner Staff Contact Mailing Address Case Type CUP & Variance 11-999 Palm Dr. General Plan / Specific Plan Amendment Desert Hot Springs, CA 92240 Zoning Ordinance Amendment Subdivision Parcel Map / Tentative Tract Local Agency Project No. Use Permit Conditional Use Permit (CUP No. 01-18) Site Plan Review/Plot Plan Variance (VAR No. 01-18) Other **PROJECT LOCATION** Attach an accurately scaled map showing the relationship of the project site to the airport boundary and runways Street Address North of I-10, West of SR-62, South of Pierson Blvd, East of Super Creek Mine Assessor's Parcel No. 667-160-001 160 acres **Gross Parcel Size** Nearest Airport N/A Subdivision Name and distance from N/A Lot Number Palm Springs Int'l Airport **PROJECT DESCRIPTION** If applicable, attach a detailed site plan showing ground elevations, the location of structures, open spaces and water bodies, and the heights of structures and trees; include additional project description data as needed **Existing Land Use** The site is currently used as an operating wind energy power plant (describe)

Proposed Land Use (describe)	See attached Project Description							
(describe)								
	·							,e
	·		<u> </u>					
For Residential Uses	Number of Parcels or Units on \$ Hours of Operation 24 hours		units)					
For Other Land Uses	-	<del></del>						
(See Appendix C)	Number of People on Site +/-5	Maximum Number	<u>+/-10</u>					
	Method of Calculation	The site currently has	between 5-10 er	nployees on-si	ite for	O&M p	urposes.	
	•	The new project would	ld maintain this n	umber of empl	oyees			÷
Height Data	Site Elevation (above mean sea	l level)	,	Between 177	0-181	5		ft.
	Height of buildings or structures (from the ground)			Up to 499		ft.		
Flight Hazards	Does the project involve any characteristics confusing lights, glare, smoke, of the yes, describe	aracteristics which could or other electrical or visua	create electrical in al hazards to aircre	nterference, aft flight?	•	Yes No	Serv	
							-	

- A. NOTICE: Failure of an applicant to submit complete or adequate information pursuant to Sections 65940 to 65948 inclusive, of the California Government Code, MAY constitute grounds for disapproval of actions, regulations, or permits.
- B. REVIEW TIME: Estimated time for "staff level review" is approximately 30 days from date of submittal. Estimated time for "commission level review" is approximately 45 days from date of submittal to the next available commission hearing meeting.
- C. SUBMISSION PACKAGE:
  - 1..... Completed ALUC Application Form
  - 1..... ALUC fee payment
  - 1..... Plans Package (24x36 folded) (site plans, floor plans, building elevations, landscaping plans, grading plans, subdivision maps)
  - 1..... Plans Package (8.5x11) (site plans, floor plans, building elevations, landscaping plans, grading plans, subdivision maps, zoning ordinance/GPA/SPA text/map amendments)
  - 1..... CD with digital files of the plans (pdf)
  - 1..... Vicinity Map (8.5x11)
  - 1. . . . . Detailed project description
  - 1. ......... Local jurisdiction project transmittal
  - 3. . . . . Gummed address labels for applicant/representative/property owner/local jurisdiction planner
  - 3..... Gummed address labels of all surrounding property owners within a 300 foot radius of the project site. If more than 100 property owners are involved, please provide prestamped envelopes (size #10) with ALUC return address (only required if the project is scheduled for a public hearing Commission meeting)

#### Desert Hot Springs Wind, LLC 11455 El Camino Real, Suite 160 San Diego, CA 92130 760-697-2544

#### 4/18/2019

Mr. Paul Rull ALUC Urban Regional Planner IV Riverside County Airport Land Use Commission 4080 Lemon Street, 14<sup>th</sup> Floor Riverside, CA 92501 (951) 955-6893

#### Dear Paul:

Please find enclosed our application package for Major Land Use Action Review for the proposed Desert Hot Springs Wind Energy Repowering Project. This package contains:

- One completed ALUC Application Form
- A check in the amount of \$1,331.00 for the ALUC fee
- One set of Plans Package, printed on 24 x 36 paper
- One set of Plans Package, printed on 8.5 x 11 paper
- One vicinity map, printed on 8.5 x 11 paper
- One detailed project description, printed on 8.5 x 11 paper
- One Initial Case Transmittal letter from the City of Desert Hot Springs
- One map identifying the property owners within a 300-foot radius of the Project site
- One thumb drive containing all of the above documents
- Copy of FAA Obstruction Evaluation Determinations of No Hazard to Air Navigation
- Three sets of gummed address labels for:
  - o Project Property Owners
  - o Project Applicant/Representative
  - o City of Desert Hot Springs Planner
- Three sets of gummed address labels for all surrounding property owners within a 300-foot radius of the Project site

Sincerely,

**Armand Anselmo** 

**Desert Hot Springs Wind, LLC** 

aanselmo@terra-gen.com

(760) 697-2544

Enc.

# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

#### STAFF REPORT

AGENDA ITEM: 3.5

**HEARING DATE:** June 13, 2019

CASE NUMBER: ZAP1079BD19 – La Paloma Homes (Representative: Egan

Civil, Inc.)

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO: CZ1900007 (Change of Zone), TTM37735 (Tentative Tract

Map)

MAJOR ISSUES: The proposed project results in a density of 4.6 dwelling units per gross acre. However, if the project's density is calculated by net acreage (excluding dedication for the right-of-way of Hopewell Avenue), pursuant to Resolution No. 05-104 (approved by the Commission in December, 2005), the resulting density is 5.1 dwelling units per acre, which is consistent with the Compatibility Zone D density criteria.

RECOMMENDATION: Staff recommends that the Commission find the proposed Change of Zone <u>CONSISTENT</u> with the 2004 Bermuda Dunes Airport Land Use Compatibility Plan, and find the proposed Tentative Tract Map <u>CONDITIONALLY CONSISTENT</u>, subject to the conditions included herein, and such additional conditions as may be required by the Federal Aviation Administration Obstruction Evaluation Service.

**PROJECT DESCRIPTION**: The applicant proposes to divide 3.70 gross acres (3.31 net acres) into 17 single family residential lots, and change the zoning of the site from Controlled Development Areas (W-2) to General Residential (R-3-6,000).

**PROJECT LOCATION:** The site is located westerly of Hopewell Avenue, northerly of Port Royal Avenue, easterly of Hermitage Drive, and southerly of Aerodrome Avenue, approximately 1,361 feet southwesterly of Runway 10-28 at Bermuda Dunes Airport.

LAND USE PLAN: 2004 Bermuda Dunes Airport Land Use Compatibility Plan

a. Airport Influence Area: Bermuda Dunes Airport

b. Land Use Policy: Compatibility Zone D

c. Noise Levels: 55 - 60 CNEL contour

#### **BACKGROUND:**

Residential Density: Pursuant to the 2004 Bermuda Dunes Airport Land Use Compatibility Plan, the project site is located within Compatibility Zone D which restricts residential density to either 0.2 dwelling units per acre or above 5.0 dwelling units per acre. The proposed project of 17 single family residential lots on 3.70 gross acres results in a density of 4.6 dwelling units per acre, which is inconsistent with the Zone D residential criterion (although each proposed lot is less than 0.2 acres in size).

Pursuant to 2005 Resolution 05-104, the Commission unanimously approved the usage of net acreage in the density calculation for projects in Zone D. (Airport Land Use Compatibility Plans that have not otherwise been amended since their adoption in 2004 do not specifically include this as an Additional Compatibility Policy, but this provision is applicable to all of the Plans adopted in 2004). ALUC Case No. RG-05-103 proposed utilizing net acreage rather than gross acreage as a basis on which compliance with the high density option in Zone D is calculated, and that net acreage was defined as follows:

"Net Acreage: For the purposes of this Compatibility Plan, the net acreage of a project equals the overall developable area of the project site exclusive of permanently dedicated open lands (as defined in Policy 4.2.4) or other open space required for environmental purposes. In most cases, particularly those involving relatively small project sites, the net acreage of a project will be the same as the size of the parcel or parcels to be developed."

It is staff's position that the term "overall developable area" does not include area that the applicable local jurisdiction requires to be dedicated for perimeter roadways. The net acreage of the proposed development, excluding the street half-width right-of-way for Hopewell Avenue, is 3.32 acres, resulting in a density of 5.1 dwelling units per acre, which is consistent with the Zone D residential criterion.

<u>Prohibited and Discouraged Uses:</u> The applicant does not propose any uses specifically prohibited or discouraged in Compatibility Zone D of the Bermuda Dunes Airport Influence Area.

Noise: The site is located within the 55-60 CNEL contour range from aircraft noise. The single family residences would be affected by aircraft generated noise. However, standard construction is normally considered to provide for a 15 dB reduction from exterior noise levels. A condition is recommended to incorporate noise attenuation measures into the design of the single family residences to such extent as may be required to ensure that interior noise levels from aircraft operations are at or below 45 CNEL.

<u>Part 77</u>: The elevation of Runway 10-28 at its westerly terminus is approximately 73 feet above mean sea level (AMSL). At a distance of approximately 1,361 feet from the runway, FAA review would be required for any structures with top of roof exceeding 86.61 feet AMSL. The project's site

elevation is approximately 91 feet AMSL, and the maximum height of the proposed structures is 24 feet, for a maximum top point elevation of 115 feet AMSL. Therefore, Federal Aviation Administration (FAA) obstruction evaluation review for height/elevation reasons is required. The applicant has submitted Form 7460-1, and FAA OES has assigned Aeronautical Study No. 2019-AWP-4858-OE to this project. Its status is currently a "work in progress".

Open Area: The site is located within Compatibility Zone D of the Bermuda Dunes Airport Influence Area, which requires projects 10 acres or larger to designate 10% of project area as ALUC qualifying open area that could potentially serve as emergency landing areas. Since the overall project size is less than 10 acres, the open area requirement is not applicable to this project.

<u>Change of Zone</u>: The proposed Change of Zone (changing the zoning from Controlled Development Areas to General Residential) increases the potential density of the site. The existing zoning does not allow for densities that are consistent with the upper range of Compatibility Zone D.

#### **CONDITIONS:**

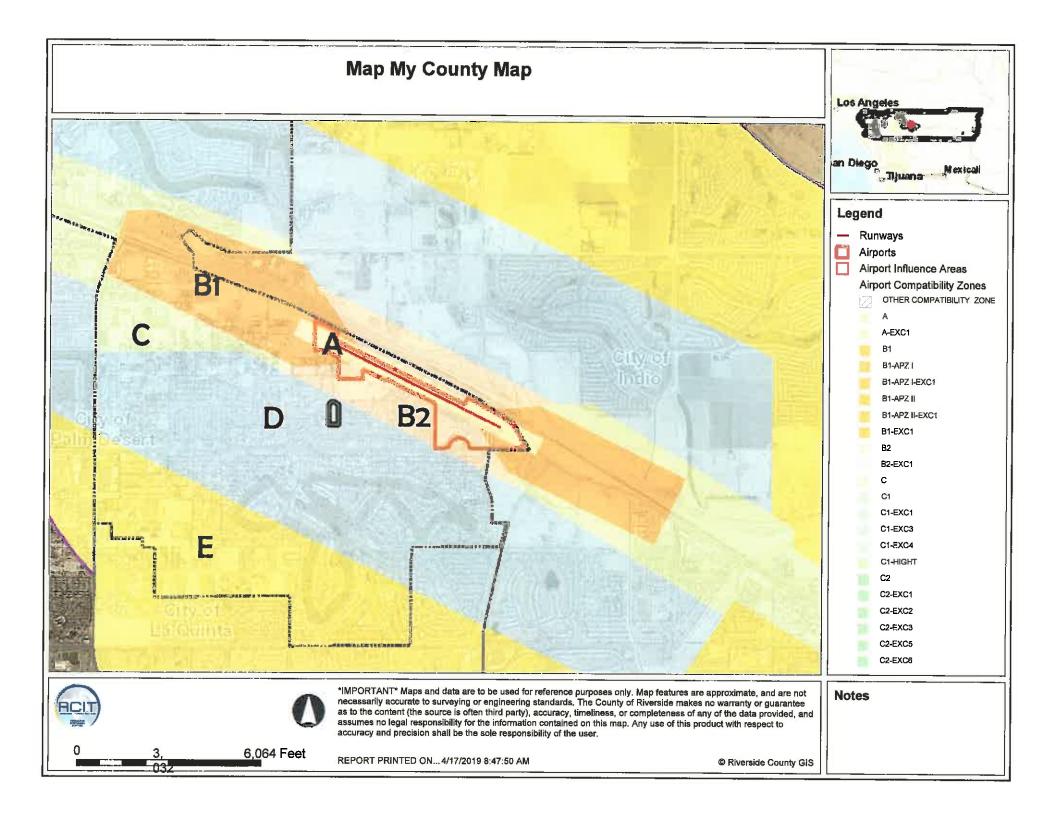
- 1. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
- 2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
  - (a) Any use or activity which would 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 or activity 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 or activity 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, composting operations, production of cereal grains, sunflower, and row crops, 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.

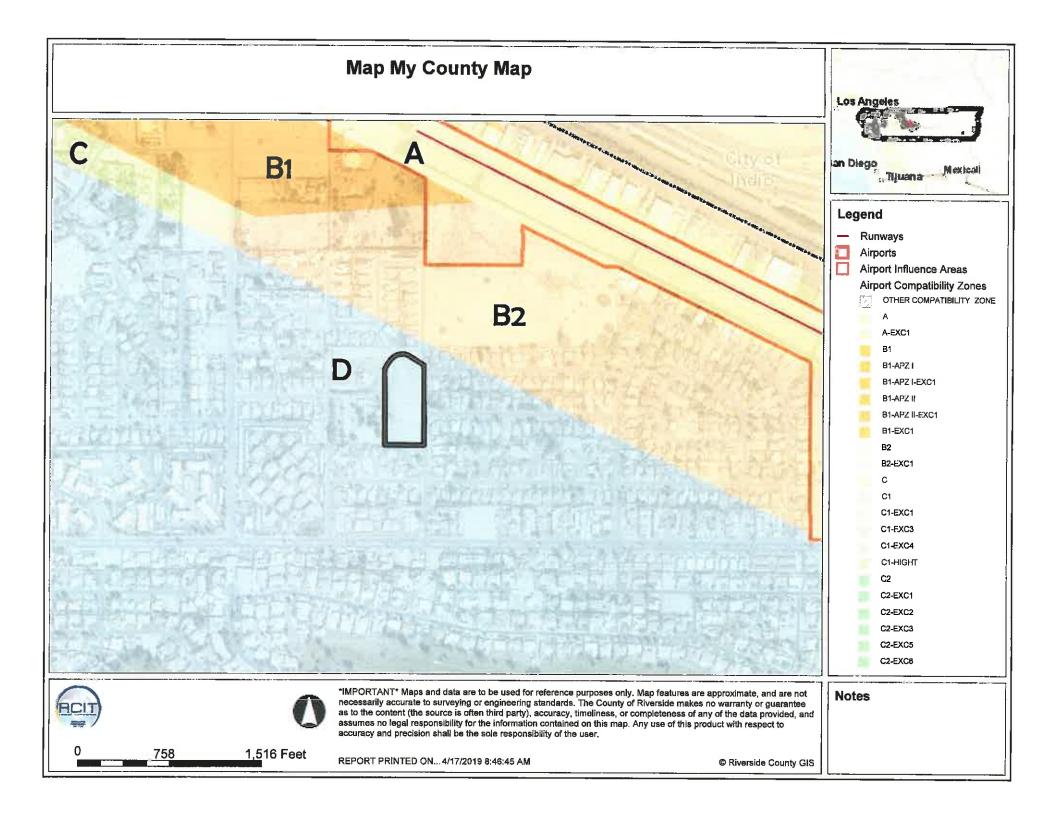
- (e) Highly noise-sensitive outdoor nonresidential uses.
- 3. The attached notice shall be given to all prospective purchasers of the proposed lots and tenants of the homes built thereon, and shall be recorded as a deed notice.
- 4. Any ground-level or aboveground water detention basin or facilities 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 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.
- 5. Noise attenuation measures shall be incorporated into the design of the single family residences, to the extent such measures are necessary to ensure that interior noise levels from aircraft operations are at or below 45 CNEL.

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# NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)





## **Map My County Map**





#### Legend

**Blueline Streams** 

City Areas

World Street Map



\*IMPORTANT\* Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

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Notes

1, 3,032 Feet

Riverside County GIS

## **Map My County Map**





#### Legend

Blueline Streams

City Areas

World Street Map





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1,516 Feet

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**Notes** 

C Riverside County GIS

### **Map My County Map**





#### Legend

- Parcels
  Blueline Streams
- City Areas
  World Street Map





\*IMPORTANT\* Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

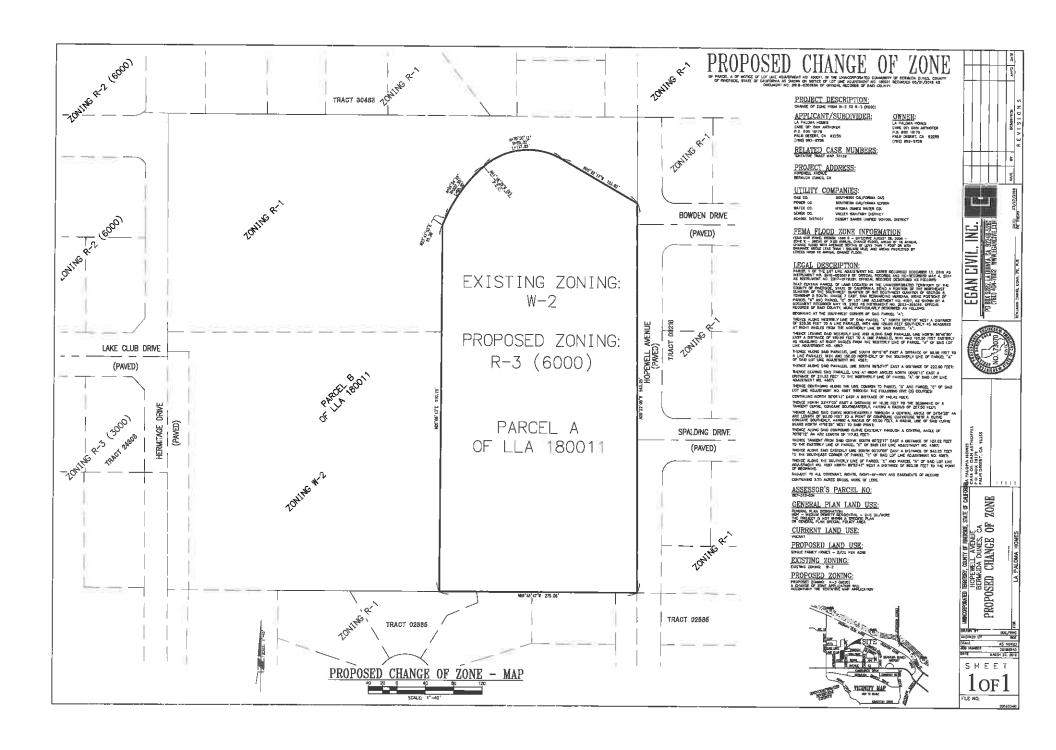
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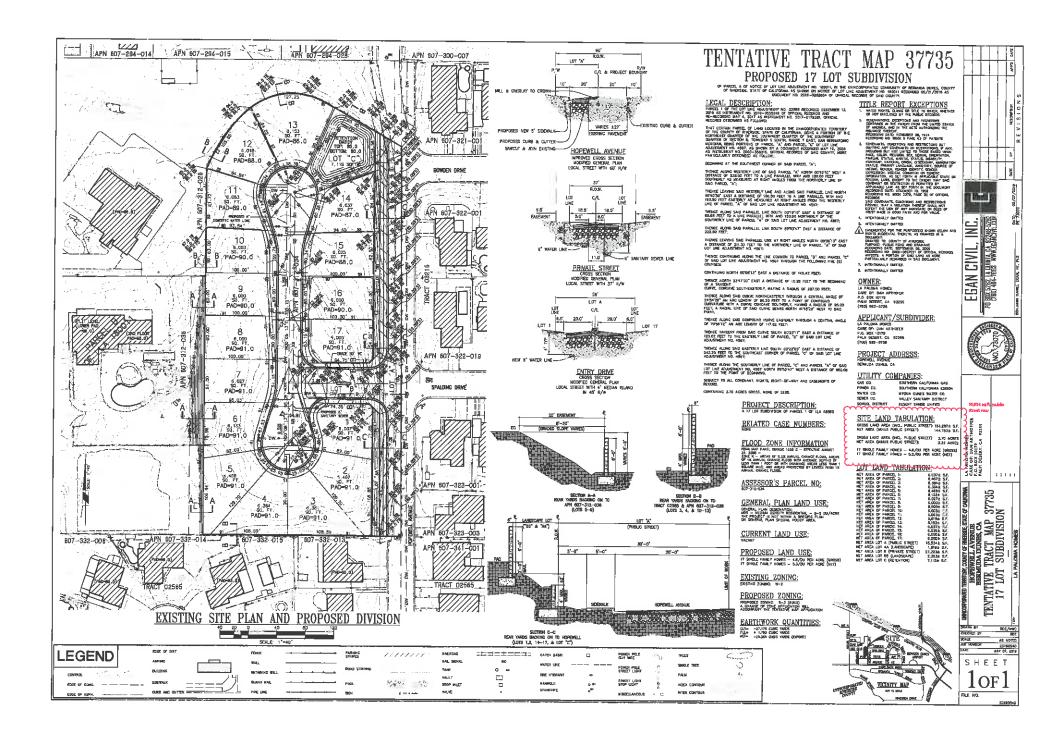
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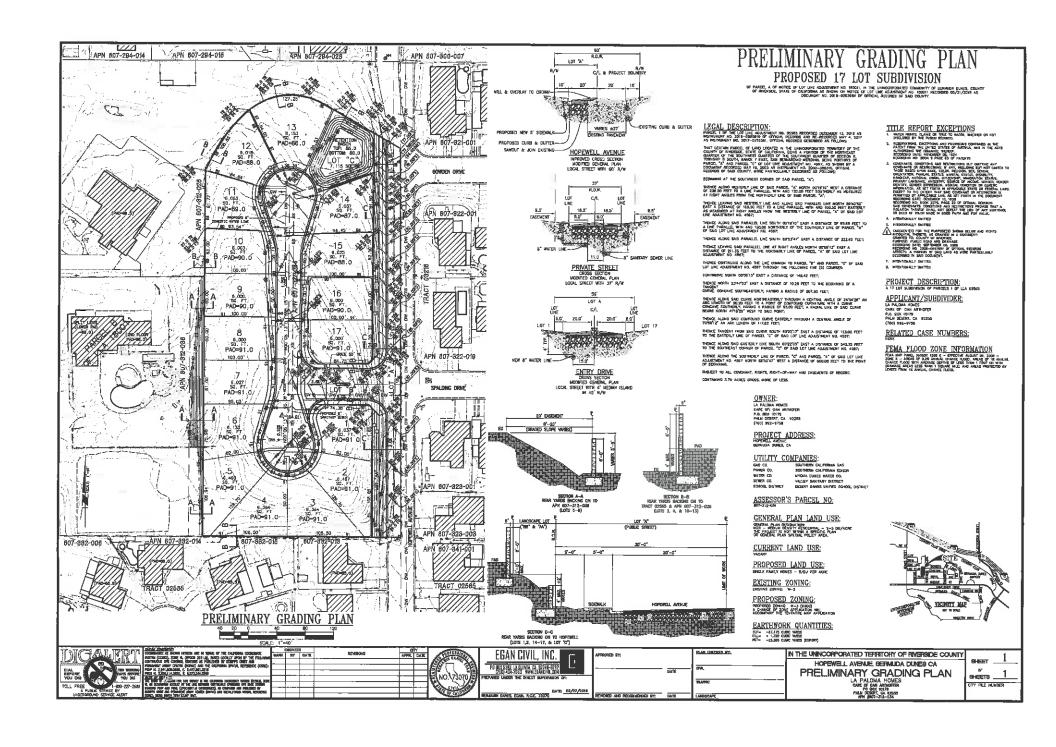
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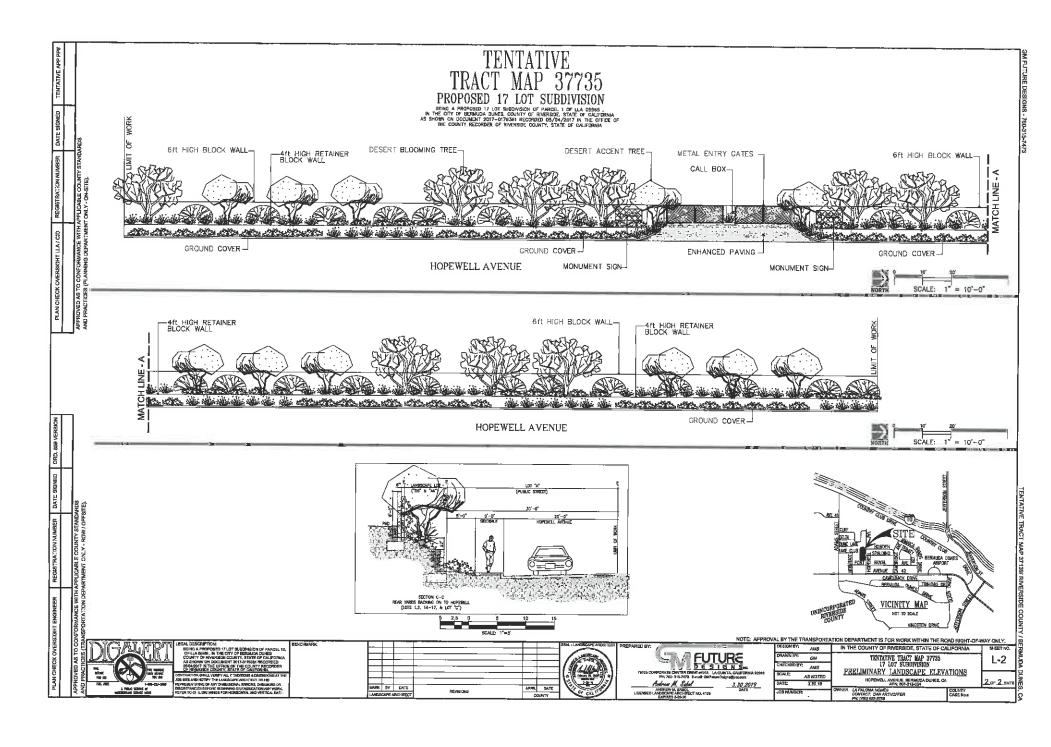
**Notes** 

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## NOTICE OF PUBLIC HEARING RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. For more information please contact <u>ALUC Planner Paul Rull at (951) 955-6893</u>. The ALUC holds hearings for local discretionary permits within the Airport Influence Area, reviewing for aeronautical safety, noise and obstructions. ALUC reviews a proposed plan or project solely to determine whether it is consistent with the applicable Airport Land Use Compatibility Plan.

The County of Riverside Planning Department will hold hearings on this item and should be contacted on non-ALUC issues. For more information please contact County of Riverside Planner Mr. Jay Olivas at (760) 863-7050.

The proposed project application may be viewed and written comments may be submitted at the Riverside County Administrative Center, 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, California 92501, Monday through Thursday from 8:00 a.m. to 5:00 p.m., and by prescheduled appointment on Fridays from 9:00 a.m. to 5:00 p.m.

PLACE OF HEARING: Riverside County Administration Center

4080 Lemon Street, 1st Floor Board Chambers

Riverside California

DATE OF HEARING: June 13, 2019

TIME OF HEARING: 9:30 A.M.

CASE DESCRIPTION:

<u>ZAP1079BD19 – La Paloma Homes (Representative: Egan Civil, Inc.)</u> – County of Riverside Case Nos. CZ1900007 (Change of Zone), TTM37735 (Tentative Tract Map). A proposal to divide 3.70 gross acres into 17 single family residential lots, and change the zoning of the site from Controlled Development Areas (W-2) to General Residential (R-3-6,000), located westerly of Hopewell Avenue, northerly of Port Royal Avenue, easterly of Hermitage Drive, and southerly of Aerodrome Avenue (Airport Compatibility Zone D of the Bermuda Dunes Airport Influence Area).



## RIVERSIDE COUNTY

## **AIRPORT LAND USE COMMISSION**

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6.0

APPLI	CATION FOR MAJOR LAND USE	<b>ACTION REVIEW</b>		
ALUC CASE NUMBER	ZAP 1079 BO19 DATE SUBMITTED:	4-16-19		
APPLICANT / REPRESENT	TATIVE / PROPERTY OWNER CONTACT INFORMATION			
Applicant	La Paloma Homes - Care of Dan Arthofer	Phone Number 760/992-9758		
Mailing Address	P.O. Box 10179	Email lapalomahomes@dc.rr.com		
	Palm Desert, CA 92255			
	In Delegand Horney, Cons of Mark House of Canal Constitution			
Representative	La Paioma Homes - Care of Mark Howard	1 2000		
Mailing Address	P.O. Box 10179 P.O. Box 5282	Email howmark22@aol.com		
	Palm Desert, CA 92255	48-5284		
Property Owner	La Palorna Homes - Care of Dan Arthofer	Phone Number 760/992-9758		
Mailing Address	P.O. Box 10179	Emaîl lapalomahomes@dc.rr.com		
	Palm Desert, CA 92255	Zijidi.		
LOCAL JURISDICTION AG	ENCY			
Local Agency Name	County of Riverside	Phone Number (760) 863-7050		
Staff Contact	Jay Olivas / Ken Baez	Emaîl jolivas@rivco.org		
Mailing Address	77-588 Et Duna Court, Suite H	Case Type Tentative Tract / Change of Zone		
	Palm Desert, CA 92211	General Plan / Specific Plan Amendment  Tooling Ordinance Amendment		
		Subdivision Parcel Map / Tentative Tract		
Local Agency Project No	Tentative Tract 37735 - TTM 37735	☐ Use Permit ☐☐ Site Plan Review/Plot Plan		
	CZ 1900007 CEQ 19031	Other		
PROJECT LOCATION				
	ap showing the relationship of the project site to the airport boundary and runways			
Street Address	West side of Hopewell Avenue and and Spalding Drive			
	Bermuda Dunes, CA			
Assessor's Parcel No.	607-312-034	Gross Parcel Size 3.70 acres		
-	Tentative Tract 37735	Nearest Airport and distance from Air-		
Lot Number	Parcel "A" of LLA 180011 Rec. 5/21/2018 as Doc. #2018-0202684	port Bermuda Dunes - 1/4 mile		
tional project description data	site plan showing ground elevations, the location of structures, open spaces and water boo as needed Vacant Undeveloped Property	dies, and the heights of structures and trees; include addi-		
_				

Proposed Land Use (describe)	Single Family Res	idential - 5 DU per acre - 17 lots			
For Residential Uses For Other Land Uses	Number of Parcels or Hours of Operation	Units on Site (exclude secondary units)	17		
(See Appendix C)	Number of People on Method of Calculati				
Height Data	Site Elevation (above mean sea level)		91.0	ft.	
	Height of buildings or structures (from the ground)		24	ft.	
Flight Hazards	Does the project involve any characteristics which could create electrical interference, confusing lights, glare, smoke, or other electrical or visual hazards to aircraft flight?				
	If yes, describe	None		•	
<del></del>	<del></del>				

- A. NOTICE: Failure of an applicant to submit complete or adequate information pursuant to Sections 65940 to 65948 inclusive, of the California Government Code, MAY constitute grounds for disapproval of actions, regulations, or permits.
- B. REVIEW TIME: Estimated time for "staff level review" is approximately 30 days from date of submittal. Estimated time for "commission level review" is approximately 45 days from date of submittal to the next available commission hearing meeting.
- C. SUBMISSION PACKAGE:
  - 1..... Completed ALUC Application Form
  - 1. . . . . ALUC fee payment
  - 1..... Plans Package (24x36 folded) (site plans, floor plans, building elevations, grading plans, subdivision maps)
  - 1. . . . . Plans Package (8.5x11) (site plans, floor plans, building elevations, grading plans, subdivision maps, zoning ordinance/GPA/SPA text/map amendments)
  - 1..... CD with digital files of the plans (pdf)
  - 1..... Vicinity Map (8.5x11)
  - 1.... Detailed project description
  - 1..... Local jurisdiction project transmittal
  - 3. . . . . Gummed address labels for applicant/representative/property owner/local jurisdiction planner
  - 3. . . . . Gummed address labels of all surrounding property owners within a 300 foot radius of the project site. (Only required if the project is scheduled for a public hearing Commission meeting)

# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

#### STAFF REPORT

AGENDA ITEM: 3.6

HEARING DATE: June 13, 2019

CASE NUMBER: ZAP1090FV19 - AVA Property Investments, LLC

(Representative: Benjamin J. Stables, PEC West, Inc.)

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO: PP26346 (Plot Plan) and PM37398 (Tentative Parcel Map)

MAJOR ISSUES: If the restaurant building consists entirely of dining area, the allowable total intensity for the lot on which it is situated could be exceeded. However, if the dining area is limited to 60 percent of this building, with 40 percent kitchen space, the project will comply with applicable nonresidential intensity criteria.

The project includes a bioretention area that is greater than 100 feet in length and greater than 50 feet in width. Bioretention areas are not recommended in the vicinity of airports due to the potential that such areas could provide food, water, and shelter for hazardous wildlife. Pursuant to the brochure titled "Airports, Wildlife and Stormwater Management" prepared by Mead & Hunt at the direction of ALUC staff, such basins are potentially suitable in Compatibility Zone D only if less than 30 feet in length and width and if "vegetation is selected to discourage hazardous wildlife and reviewed by a qualified biologist."

RECOMMENDATION: Staff recommends that the proposed Plot Plan and Tentative Parcel Map be found <u>CONSISTENT</u> with the 2007 French Valley Airport Land Use Compatibility Plan, as amended in 2011, subject to the conditions included herein.

**PROJECT DESCRIPTION**: Plot Plan No. 26346 is a proposal to construct a five-building commercial retail center with a combined gross floor area of 56,700 square feet on approximately 7.3 acres (Assessor's Parcel Numbers 920-120-034 and 920-120-035). The development would include a 31,900 square foot grocery store, a 10,000 square foot retail building, a 7,500 square foot tire shop/service center, a 3,000 square foot restaurant with drive-through, and a 4,300 square foot car wash structure. Tentative Parcel Map No. 37398 proposes to divide the site into five parcels, so that each building would be located on a separate parcel.

**PROJECT LOCATION:** The site is located on the easterly side of Winchester Road (State Highway Route 79), westerly of Sky Canyon Road, and northerly of Willows Avenue, approximately 6,732 feet southerly of the southerly terminus of Runway 18-36 at French Valley Airport.

Staff Report Page 2 of 6

LAND USE PLAN: 2007 French Valley Airport Land Use Compatibility Plan, as amended in 2011

a. Airport Influence Area: French Valley Airport

b. Land Use Policy: Airport Compatibility Zone D

c. Noise Levels: Less than 55 CNEL from aircraft

#### **BACKGROUND:**

Non-Residential Average Land Use Intensity: Pursuant to the French Valley Airport Land Use Compatibility Plan (ALUCP), the site is located within Compatibility Zone D. The County's Map My County GIS program indicates a total area of 7.15 acres for this site. The French Valley ALUCP permits 150 persons per acre in Compatibility Zone D. Based on the above numbers, a total occupancy of 1,072 persons is permissible at this site.

Pursuant to Appendix C, Table C-1, of the Riverside County Airport Land Use Compatibility Plan and the Additional Compatibility Policies included within the French Valley ALUCP, the following rates were used to calculate occupancy for the proposed buildings:

- Restaurant 1 person per 15 square feet (dining area), 1 person per 200 square feet (commercial kitchen),
- Retail (may include sales of food, but not dining area) 1 person per 115 square feet,
- Non-Food Retail (tires, car wash, etc.) 1 person per 170 square feet

The project proposes a total of 56,700 square feet of building area, which includes 41,900 square feet of retail area, 11,800 square feet of non-food retail, and 3,000 square feet of restaurant area. If the retail area is unrestricted in terms of type of goods sold and the restaurant area consisted entirely of dining area, the proposed buildings would accommodate 667 people, resulting in an average intensity of 93 persons per acre, which is consistent with the Compatibility Zone D intensity limit of 150 persons per acre.

The project intensity may also be considered using the Parking Space Method. The project proposes 306 parking spaces. If we assume 1.5 persons per vehicle, this would translate into an overall occupancy of 459 persons, resulting in an average intensity of 64 persons per acre, which would be clearly within the allowable range.

However, the applicant is also proposing a parcel map that would divide the property so as to establish separate lots for each building. Thus, each building would have to meet the intensity criteria for its individual lot.

Parcel 1 accommodating the car wash building (Building 5: 4,133 square feet) is listed as having an area of 1.49 acres. The total person allowance is 223 persons (1.49 x 150). The car wash building

Staff Report Page 3 of 6

would be expected to accommodate 24 persons at a non-food retail occupancy level of one person per 170 square feet. Even if converted to general retail, this expected number would be 35 persons. Therefore, this parcel meets the intensity criteria.

Parcel 2 accommodating the 10,000 square foot speculative retail building (Building 2, with tenants unknown at this time) is listed as having an area of 1.18 acres. The total person allowance is 177 persons (1.18 x 150). A 10,000 square foot retail building would be expected to accommodate 87 persons at a general retail occupancy level of one person per 115 square feet, which would meet the intensity criteria. In today's market, it may be noted that eating and drinking places are occupying increasing shares of multi-tenant buildings in shopping centers. Given the 177-person allowance, up to 1,500 square feet within this building can be allocated to dining uses (e.g., ice cream/yogurt shop, juice bar, etc.), with the remaining 8,500 square feet available for non-dining retail uses. A condition is included limiting dining uses in Building 2 to a maximum of 1,500 square feet.

Parcel 3 accommodating the 31,900 square foot grocery store (Building 1) is listed as having an area of 2.74 acres. The total person allowance is 411 persons (2.74 x 150). The grocery store would be expected to accommodate 277 persons at a general retail occupancy level of one person per 115 square feet, which would meet the intensity criteria. Conceivably 1,500 square feet of dining area could be allowed as an accessory activity within the grocery store without exceeding the allowance for this parcel.

Parcel 4 accommodating the 3,000 square foot restaurant (Building 4) with drive-through is listed as having an area of 1.24 acres. The total person allowance is 186 persons (1.24 x 150). A 3,000 square foot restaurant consisting entirely of dining area would be expected to accommodate 200 persons, which would exceed the allowance of 186 persons. The drive-thru with a 12-car queue would add an additional 18 persons, raising the site total to 204. However, it is unrealistic to expect that a restaurant would consist entirely of dining area. If we assume that the restaurant consists of 2,400 square feet of dining area and 600 square feet of commercial kitchen area, this would reduce the intensity within the building to 163 persons (2400 divided by 15, plus 600 divided by 200). Adding the drive-thru intensity of 18 would result in a total occupancy of 181, which would be consistent with the allowance of 186. A condition is included limiting dining area in Building 4 to a maximum of 2,400 square feet.

Parcel 5 accommodating the 7,027 square foot Building 3 – envisioned as a tire store/auto service center – is listed as having an area of 0.66 acre. The prorated person allowance is 99 persons (0.66 x 150). The tire store building would be expected to accommodate 41 persons at a non-food retail occupancy level of one person per 170 square feet. Even if converted to general retail at one person per 115 square feet, the expected occupancy would be 61 persons. Therefore, this parcel meets the intensity criteria.

In summary, this project meets both the overall average intensity and lot-by-lot intensity criteria, with reasonable limits on dining area.

Staff Report Page 4 of 6

Non-Residential Single-Acre Land Use Intensity: Pursuant to the French Valley ALUCP, single-acre intensities are limited to 450 persons in any given acre area within Compatibility Zone D. While average intensity considers the intensity in comparison to the overall acreage of a project site or of a specific parcel, single-acre intensity is measured by determining how many people would be present within any given 210-foot-by-210-foot area within a site. So this is affected not simply by the occupancy of any individual building, but also by the distance between buildings and building orientation.

As to this project, the buildings are widely spaced, such that Buildings 1, 2, and 5 are on separate acres, with no single-acre area including portions of two or more buildings. A single-acre area can be drawn that includes the restaurant (Building 4) with a portion of Building 3 (the proposed tire store), but even that single-acre would have an intensity less than 300, as does the single-acre including the grocery store (accommodating 277 persons). Therefore, the proposed single-acre intensities are consistent with Compatibility Zone D intensity limits.

<u>Prohibited and Discouraged Uses:</u> The applicant does not propose any uses specifically prohibited or discouraged in Compatibility Zone D. (Children's schools, hospitals, and nursing homes are among the uses discouraged in Compatibility Zone D.)

Noise: The French Valley ALUCP depicts the site as being in an area outside the 55 CNEL airport noise contour. As a commercial use not sensitive to noise (and considering typical anticipated building construction noise attenuation of approximately 20 dBA), the buildings would not require special measures to mitigate aircraft-generated noise.

<u>Part 77</u>: The elevation of Runway 18-36 at its southerly terminus is 1,330 feet above mean sea level (1,347 feet AMSL). At a distance of approximately 6,732 feet from the runway to the closest parcel within the site, Federal Aviation Administration (FAA) review would be required for any structures with top of roof exceeding 1,397 feet AMSL. The finished floor elevations for the proposed buildings range from 1,099 feet to 1,109 feet AMSL. With a maximum building height of 35 feet, the top point elevation would be 1,144 feet AMSL – almost 200 feet lower than the runway elevation. Therefore, review of buildings by the FAA Obstruction Evaluation Service was not required.

Open Area: Compatibility Zone D requires 10% open area for projects at least 10 acres in size. This project site is 7.3 acres in area and, therefore, is not subject to open area requirements.

Hazards to Flight: Land use practices that attract or sustain hazardous wildlife populations on or near airports significantly increase the potential of Bird Aircraft Strike Hazards (BASH). The FAA strongly recommends that storm water management systems located within 5,000 or 10,000 feet of the Airport Operations Area, depending on the type of aircraft, be designed and operated so as not to create above-ground standing water. To facilitate the control of hazardous wildlife, the FAA recommends the use of steep-sided, rip-rap lined, narrow, linearly shaped water detention basins. All vegetation in and around detention basins that provide food or cover for hazardous wildlife should be eliminated. (FAA Advisory Circular 5200-33B)

The project includes a bioretention area that is greater than 100 feet in length and greater than 50 feet in width. Bioretention areas are not recommended in the vicinity of airports due to the potential that such areas could provide food, water, and shelter for hazardous wildlife. Pursuant to the brochure titled "Airports, Wildlife and Stormwater Management" prepared by Mead & Hunt at the direction of ALUC staff, such basins are potentially suitable in Compatibility Zone D only if less than 30 feet in length and width and if "vegetation is selected to discourage hazardous wildlife and reviewed by a qualified biologist."

#### **CONDITIONS:**

- 1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky, and shall comply with the requirements of Riverside County Ordinance No. 655, as applicable. Outdoor lighting shall be downward facing.
- 2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
  - (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, 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, hospitals, skilled nursing and care facilities, highly noise sensitive outdoor nonresidential uses, and hazards to flight.
- 3. The attached notice shall be provided to all prospective purchasers of the proposed parcels and tenants or lessees of the buildings, and shall be recorded as a deed notice prior to or in

conjunction with recordation of the final parcel map. In the event that the Office of the Riverside County Assessor-Clerk-Recorder declines to record said notice, the text of the notice shall be included on the Environmental Constraint Sheet (ECS) of the final parcel map, if an ECS is otherwise required.

4. Any ground-level or aboveground water detention basin or facilities shall be designed and maintained for a maximum 48-hour detention period after the design storm and remain totally dry between rainfalls. Vegetation around such facilities that would provide food or cover for birds would be incompatible with airport operations and shall not be utilized in project landscaping. Trees shall be spaced to prevent contiguous canopy, when mature. Trees and bushes shall not produce fruit, seeds, or berries.

Landscaping in the detention basin, if not rip-rap, should be in accordance with the guidance provided in ALUC "LANDSCAPING NEAR AIRPORTS" brochure, and the "AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT" brochure available at RCALUC.ORG which list acceptable plants from Riverside County Landscaping Guide or other alternative landscaping as may be recommended by a qualified wildlife hazard biologist.

- 5. The dining/seating area within Building 4 (restaurant) shall be limited to 2,400 square feet (maximum 80 percent of gross floor area).
- 6. Any dining/seating area of eating and drinking places in Buildings 1 and 2 shall be limited to a maximum of 1,500 square feet per building.
- 7. No restaurant uses shall be permitted in Building 3.
- 8. Building 1 shall be limited to general retail (including food-related retail) uses, along with accessory office and storage activities. Use of more than 1,500 square feet within Building 1 for assembly uses (such as churches, theaters, gymnasiums, fitness centers, and auditoriums) or any use where the Building Code permits occupancy at levels greater than one person per 30 square feet is prohibited.

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# NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)



Adaptive measures such as liners, a concrete pasin, and overhead wire grid can make extended detention strategies less attractive to nazardous wildlife.



Infiltration basins with rock bottoms are less attractive to birds because they mask water and do not provide vegetation.



Vegetated bioswales improve water quality and prevent water accumulation. However, dense and tall vegetation may be attractive to hazardous wildlife.

#### STORMWATER BEST MANAGEMENT PRACTICES

Riverside County and its incorporated cities require water quality/stormwater management controls for development and redevelopment projects. The Riverside Conservation District has prepared a separate Water Quality Management Plan for each watershed in the County that identifies treatment control Best Management Practices (BMPs) for improving water quality and managing stormwater volumes/flows following the design storm (i.e., 24-hour storm). Structural BMPs identified in Riverside County guidance and their compatibility within the AIA are summarized in Table 1.

#### ADDITIONAL RESOURCES/MORE INFORMATION:

- Riverside County Flood Control and Water Conservation District, Water Quality Management Webpage. Available at: http:// rcflood.org/npdes.
- FAA Advisory Circular 150/5200-33, "Wildlife Hazard Attractants On and Near Airports": https://www.faa.gov/documentlibrary/media/advisory\_circular/150-5200-338/150-5200-33b.pdf.
- Airport Cooperative Research Program, Balancing Airport Stormwater and Bird Hazard Management: https://www.nap.edu/login.php?action=guest&record\_id=22216.

#### Table 2. Recommended Measures to Reduce Wildlife Attraction Associated with Stormwater BMPs

BMIP Chargarenshi

#### Exposed Surface Water

- Especially attractive to waterfowl, shorebirds, and flocking birds.
- Provides source for drinking and nest building.
- More attractive when constructed near other open water features or pends.

#### Reconstructional Design Measure

- Reduce availability by providing 48hour drawdown following a design storm (i.e., 24-hour storm).
- Cover using bird balls.
- Consider earth-bottom culverts, French drains, trench covers, and underground storage options.
- Avoid within 8 km (5 miles) of other open water features or facilities.

#### Vegetation and Landscaping

- Provides food.
- Tall vegetation provides shelter and nesting opportunities.
- Diverse vegetation attracts more diverse wildlife.
- Eliminate vegetation (concrete banks, steep slopes, etc.).
- If necessary, provide a monoculture or decreased diversity.
- Never use species that provide a food source (seeds, berries, nuts, and drupes).
- Provide regular maintenance to prevent seeding and shelter.

#### Aspect/Geometry

 Slopes can provide opportunities for nesting and loafing.

#### Avoid or reduce available shoreline:

- Implement narrow, linear trenches rather than open water or regular circles as pond shapes.
- Créate steep slopes (<3:1).</li>
- Avoid irregular shapes for basins.
- Avoid vegetation.

#### WHAT YOU CAN DO:

Airport operators, developers and communities must work together to manage stormwater in the airport vicinity to reduce hazards to air travelers and the public while addressing site-specific challenges.

- Identify whether your project is near an airport and in an AIA or critical area. (http://www.rcaluc.org/Plans/New-Compatibility-Plan)
- Work with the airport operator, ALUC, and city/county staff to identify an acceptable water quality management strategy.
- Contact the applicable airport to review your stormwater plans or request plan review by a FAA-qualified wildlife biologist. The form is available at: <a href="http://www.rcaluc.org/Portals/0/PDFGeneral/form/Wildlife%20Attractants%20-%20FAA%20Review.pdf">http://www.rcaluc.org/Portals/0/PDFGeneral/form/Wildlife%20Attractants%20-%20FAA%20Review.pdf</a>.

# AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT

## GUIDANCE FOR PROPOSED PROJECTS IN AN AIRPORT INFLUENCE AREA

Riverside County includes diverse topography and is home to three watersheds and a portion of the Salton Sea, an important stop along the Pacific Flyway for migrating bird species. The County's arid climate makes water quality management and water conservation paramount.

The County is also the home to Palm Springs International Airport, 12 public use general aviation airports, and the March Air Reserve Base, whose operations can be challenged by the presence of hazardous wildlife such as raptors, water-fowl, doves/pigeons, guills, flocking birds, and mammals (coyote and deer). Since 1990, more than 150 wildlife strikes with aircraft have accurred in Riverside County, some of which have led to substantial aircraft damage. Most strikes occur at low altitude (less than 3,500 feet above runway height). Much of the geographic area associated with these altitudes coincides with an Airport Influence Area (AIA) as defined in the Riverside County Airport Land Use Compatibility Plan (ALUCP).

#### AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT

The Federal Aviation Administration (FAA) identifies stormwater management facilities on and near airports as one of the greatest attractants to hazardous wildlife. Many species are attracted to open water features and associated vegetation that affers water, food, and shelter. The FAA warns against the construction of new open water bodies or mitigation sites within 10,000 feet of aircraft movement areas and within 5 miles of approach/departure surfaces (FAA Advisory Circular 150/5200-33B).



Remains of an owl ingested by an aircraft engine.





has focused on Low-Impact Development (LID), which includes techniques to filter, store and retain runoff on-site. LID BMPs retain runoff to optimize infiltration/recharge, and many promote the use of vegetation to provide for the uptake of pollutants. Although LID BMPs can provide environmental, economic and community benefits, they can retain open water for prolonged periods and attract hazardous wildlife. Many LID BMPs are incompatible with aircraft operations and must be considered with caution within the AIA.

Aviation-Specific Stormwater Management. FAA acknowledges that project-related BMPs must consider many non-aviation factors, such as soil types, space requirements, maintenance, constructability, etc. United States Department of Agriculture (USDA) and FAA have identified specific design characteristics that should be considered during BMP design and incorporated to make most BMPs less attractive to wildlife (Table 2).

#### **ADAPTIVE MEASURES**

When open water detention ponds must be used within the AIA, the ponds may be equipped with bird balls, floating covers, nets, or overhead wires to cover open water and discourage use by hazardous wildlife. For example, concrete basins are unlikely to attract wildlife, and pond liners can prevent the development of hydrophytic vegetation. These technologies must be used with caution and only in areas with controlled access.



Infiltration trenches detain water for brief periods. This trench at Seattle-Tacoma Airport includes vegetation appropriate for an airport environment.



Bioretention facilities can provide food and shelte for potentially hazardous wildlife, but may be suitable with modification.

	Management Practices (BMPs) and port influence Area (AIA)
ISMAN P	Comparbility within the AIA
hillmoon venches Recommended	Simple because indication occursions belowing to indistripce  Vagelation must be selected and levelined by a FAA-bublified Arabot Villatina maza disclogisticuolified brologisticuolified brologisticuolified.
Permeable Povement Recommended	Does not include water storage. Appropriate to parking tots and after point if a faces that are not high-traffic areas.
Harrest and Use (RVVH) Recommended	Suitable as long as were remained in enclosed in enclosed
Sand Filter Basics Recoirmended	Designed nach se standing in oter is treated through an indendrain system.
Vegetared Filter Strans and Vegetated Swales Recommended	Designate necause restner bird? invalves ponded viater. However vegetation must be selected to discoulage nazardous wild the and reviewed by a qualified backget.
Water Quality Inlets Recommended	Des rable accause mey do not provide panded write: Associated registrion must be serected to discourage nazardous addite and reviewed by a pealined brong st
Infiltration Basins Not recommended without Modification. Suitable only if design addresses wildlife hazards	<ul> <li>Unsuitable in ALUCP Compatibility Zone A.</li> <li>Suitable in Zones B and C with appropriate modifications, such as: Drawdown within 48 hours or manufactured cover to prevent view and availability of open water; and absence of landscape or landscaping approved by a qualified biologist.</li> </ul>
	<ul><li>Steep slopes (steeper than 3:1).</li></ul>
Bioretention Facilities Not Recommended without Modification (also known as rain gardens bioretention	Although bioretention can mask open water, BMP is not recommended for airports based on its potential to provide food, water, and shelter for hazardous wildlife.
basins, infiltration basins, landscaped filter basins)	Unsuitable in Compatibility Zone A.
tanasaspaa tiila. Baality	Potentially suitable in Zones B and C only when small in size (e.g., parking islands, site entrances, planter boxes, etc.) and when vegetation is selected to discourage hazardous wildlife and reviewed by a qualified biologist.
	Potentially suitable in Zones D and E when basin is less than 30 feet in length/width; and vegeta- tion is selected to discourage hazardous wildlife and reviewed by a qualified biologist.
Long den bekompenben op 1981 bekommende die	• On the same resemble to the same of the



Small bioretention facilities that provide sparse vegetation may be suitable in an aviation environment.





Extended detention basins are frequently used to serve both water quality management and to provide amenities. These basins hold water and would not be appropriate within an AIA because of the open water.



Sand filter at the base of the bioswale promotes infiltration.



Porous pavements allow water to infiltrate to a soil layer below the surface.

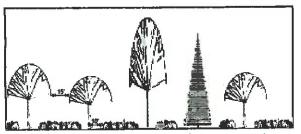


Figure 1. Selection of shrubs should be a mix of deciduous and coniferous species with no more than 50 percent evergreen species.

\*\*Iant Selection, Irrigation, and Wildlife Management. Riverside County equires landscaping for proposed development and redevelopment projects, and it is also committed to the use of native and drought-tolerant plants to reduce landscape-related water use. The County of Riverside Builde to California Friendly provides a lengthy plant palette to help andscape architects, planners, and the public select pant materials that will reduce water use in accordance with local and state goals: <a href="https://calina.org/Portals/7/dacuments/landscaping\_guidelines/Guide\_ia\_Calillania\_Friendly\_Landscaping.pdt">https://calillania\_Friendly\_Landscaping.pdt</a>.

Many of the plants on the "County of Riverside California Friendly Plant List" could attract potentially hazardous wildlife species. **Table 2** provides a reduced species list, nearly all of which were excerpted from the Friendly Plant List, but are less likely to support potentially hazardous wildlife. Project sponsors should use this list for projects within an AIA.

The list is not meant to be exhaustive, and other species may be appropriate based on the project location or other project-related circumstances. Sponsors who wish to propose plant materials that are not included in Table 1 will need to demonstrate to the ALUC that proposed species will be unlikely to attract hazardous wildlife to the AIA.

**General Guidelines.** Other factors can affect wildlife behavior. Landscaping can provide a food source, opportunities for shelter, nesting and perching. Proposed landscaping can help to discourage wildlife through the application of the following guidelines summarized below and described in **Table 1**.

- Close the Restaurant Do not use plant material that produce a food source, such as edible fruit, seeds, berries, drupes, or palatable forage for grazing wildlife. When possible, select a non-fruiting variety or male cultivar.
- No Vacancyl Avoid densely branched or foliated trees; they provide ideal nesting habitat and shelter.
- Prevent Loitering! Select tree species that exhibit a vertical branching structure to minimize nesting and perching opportunities (Figure 1).

#### Table 1. Design Guidance for Plant Waterials

#### Avoid/Prevent Contiguous Canopy

- 1. Prevent overlapping crown structures. Contiguous crowns can provide safe passage for wildlife. Provide sufficient distance between plants to ensure that at least 15 feet of open space will remain between mature crowns (Figure 1).
- 2. Prevent homogenous canopy types and tree height. Variable canopy height will reduce thermal cover and protection from predators.
- Provide significant variation between the type of canopy and height of the species, both at planting and at maturity.
- Provide no more than 20% evergreen species on site, and never plant evergreens in mass or adjacent to each other.

#### Limit Coverage

Limit the amount of cover and avoid massing to prevent the creation of habitat for birds or small mammals.

- Mix deciduous, herbaceous, and evergreen species.
- Do not plant species in mass. At a minimum, provide sufficient spacing to equal the width of each species at maturity. Avoid species with the potential to creep near shrubs (Figure 2).
- Provide at least 10 feet between trees and other species greater than 1 foot in height.

#### Prevent the natural succession of landscape!

Groundcover plays a transitional role between shrubs, grasses, and trees, and this succession creates an ideal habitat for diverse wildlife (see Figure 2).

- Provide a buffer and sharp edges between groundcover, turf, shrubs and trees, using hardscape or mulching.
- 2. When possible, use alternative groundcovers, such as decorative paving and hardscapes instead of planted groundcover/turf.
- 3. The use of groundcover/turf may be impractical or undesirable based on irrigation needs or site-specific conditions. Consider using the following:
- Artificial turf in place of groundcover, which can reduce maintenance and eliminate irrigation needs (Figure 2A).
- Porous concrete to cover smaller areas (Figure 2B).
- Permeable pavers to provide visual interest while promoting drainage (Figure 2C).

#### Limit Coverage

ERROUND COVERATIONS

Limit the amount of cover and avoid massing to prevent the creation of habitat for birds or small mammals.

- Do not use vines to create overhead canopy or to cover structures.
- Do not plant vines to grow on the trunk or branches of trees.
- Minimize vines to areas of 5 feet or less in width. Vines require considerably more maintenance than other plant materials.

#### Acceptable plants from the Riverside County Landscaping Guide







California



Deer Grass



Society Garlic

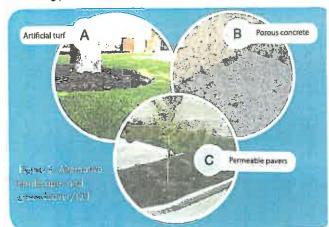
#### LANDSCAPING NEAR AIRPORTS:

Special Considerations for Preventing or Reducing Wildlife Hazards to Aircraft

landscaping makes a visual statement that helps to define a sense of space by complementing architectural designs and contributing to an attractive, inviting facility in some cases, a landscaping plan can be used to restore previously disturbed areas. However, such landscape plans are not always appropriate near airports.

Wildlife can pose hazards to aircraft operations, and more than 15C wildlife strikes have been recorded at Riverside County. The Riverside County Airport Land Use Commission (ALUC) prepared this guidance for the preparation of landscape designs to support FAA's efforts to reduce wildlife hazards to aircraft. This guidance should be considered for projects within the Airport Influence Area (AIA) for Riverside County Airports. The following landscape guidance was developed by planners, landscape architects and biologists to help design professionals, airport staff, and other County departments and agencies promote sustainable landscaping while minimizing wildlife hazards at Riverside County's public-use airports.

Discouraging Hazardous Wildlife. Plant selections, density, and the configuration of proposed landscaping can influence wildlife use and behavior. Landscaping that provides a food source, perching habitat, nesting opportunities, or shelter can attract raptors, flocking birds, mammals and their prey, resulting in subsequent risks to aviators and the traveling public.





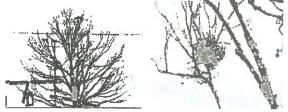






Acceptable.

The trees above have a vertical branching structure that minimizes perching and nesting opportunities.



Not acceptable.

Exomples of trees that are attractive to birds because of horizontal branching structure.



Not acceptable.

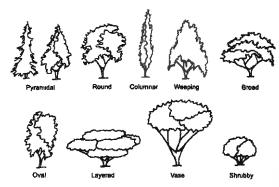
Trees, shrubs and plants that produce wildlife edible fruit and seeds should be avoided.

9	semillacieno	Commen denses	Maring at	žmaskum:
	Cercis accidentalis	Western Redbud	VL: 1, 2, L: 3,4	2-24
	Olea europaea 'Swan Hill'	Fruitless Olive	GL: 1,2; L: 3, 4, M: 5,6	8,9; 11-24
	Pinus spp.	Pine, various species	Varies by species	Varies by species
	Rhus lancea	African Sumac	L: 1-4; M: 5-6	8-9; 12-24
	Robinia neomexicana*	Desert Locust	L: 1-4; M: 5-6	2-3, 7-11, 14, 18-24
	Robinia x ambgua	Locust	L: 1-4; M: 5-6	2-24
•	Ulmus parvifolia	Chinese Elm	M: 1-6	3-24
	Aloysia triphylla	Lemon Verbena	L: 1-6	9-10;12-21
	Cistus spp.	Rockrose	L: 1-6	6-9, 14-24
	Dalea pulchra	Bush Dalea	L:6	12,13
	Encella farinosa	Brittlebush	VL:3; L:3-6	
	Gravellia Noelli	Noel's Grevellia	L: 1-4; M: 6	
	Justicia californica	Chuparosa	M: 1,6; VL: 3; L: 4-5	
	Langana camara	Busn lantana	L: 1-4; M: 6	
	Lavendula spp.	Lavender	L: 105; M: 5-6	2-24; varies
	Nandina domestica species	Heavenly Bamboo	L: 1-4; M: 5-6	
	Rosmarinus officinalis 'Tuscan Blue'	Tuscan Blue Rosemary	L: 1-4; M: 5-6	
	Salvia greggia	Autumn sage	L: 1-4; M: 5-6	
-7249	Artemisia pycnocephala	Sandhill Sage	VL:1	
	Oenothera caespitasa	White Evening Primrose	L: 1-2, 3-5	103,7-14, 18-21
	Oenothera stubbei	Baja Evening Primrose	L:1-6	10-13
	Penstemon baccharifolious	Del Rio	L: 4-6	10-13
8	Trachelospermum jasminoides	Star Jasmine	M:1-6	8024
	Zauschneria californica	California Fuchsia	L: 1,2,4; VL: 3; M.5-6	2011, 14-24
	Cortaderia dioica [syn. C. selloana]	Pampass Grass	N/A	N/A
	Festuca spp.	Fescue	Varies by Species	Varies by Species
e.	Zoysia 'Victoria'	Zoylsia Grass	60% of ETO	8-9, 12-24
,	Agave species	Agave	L: 1-4, 6	10, 12-24 (Varies)
	Aloe species	Aloe	L: 1-4, 6	8-9, 12-24
	Chondropetalum Itectorum	Cape Rush	H:1; M:3	8-9, 12-24
(3.17) (ACA)	Dasylirion species	Desert Spoon	VL: 1, 4-6	10-24
	Deschampsia caespitosa	Tufted Hair Grass	L: 1-4	2-24
	Festuca (ovina) glauca	· Blue Fescue	L: 1-2; M:3-6	1-24
	Dietes bicolar	Fortnight Lily		VL:1, L:3-6
	Echinocactus grusonii	Golden Barrel Cactus	VL:1-2, L: 3-4, 6	12-24
	Fouquieria splendens	Octillio	L; 1, 4-6; VL: 3	10-13, 18-20
	Hesperaloe parviflora	Red / Yellow Yucca	VL:3, L: 4-6	2b, 3, 7-16, 18-24
	Muhlenbergia rigens	Deer Grass	L: 1,3; M: 2, 4-6	4-24
	Opuntia species	Prickly Pear, Cholla	VL: 1-3; L: 4-6	Varies by Species
	Penstemon parryi	Parry's Beardtongue	L:1-6	10-13
	Penstemon superbus	Superb Beardtongue	L: 1-6	10-13
	Tulbaghia violacea	Society garlic	M:1-4, 6	13-24
ı	Yucca species	Yucca	L:1-6	Varies by Species

103122 Adesphilications from the strategy compressing compressing



Not recommended are trees that overlap, allowing birds to move safely from tree to tree without exposure to the weather or predators.



Trees approved for planting should have varied canopy types and varied heights, both at time of planting and at maturity. A combination of the styles illustrated above is recommended.



# Advisory Circular

Federal Aviation Administration

Subject: HAZARDOUS WILDLIFE ATTRACTANTS ON OR NEAR

**AIRPORTS** 

Date: 8/28/2007

AC No: 150/5200-33B

Initiated by: AAS-300

Change:

- 1. PURPOSE. This Advisory Circular (AC) provides guidance on certain land uses that have the potential to attract hazardous wildlife on or near public-use airports. It also discusses airport development projects (including airport construction, expansion, and renovation) affecting aircraft movement near hazardous wildlife attractants. Appendix 1 provides definitions of terms used in this AC.
- 2. APPLICABILITY. The Federal Aviation Administration (FAA) recommends that public-use airport operators implement the standards and practices contained in this AC. The holders of Airport Operating Certificates issued under Title 14, Code of Federal Regulations (CFR), Part 139, Certification of Airports, Subpart D (Part 139), may use the standards, practices, and recommendations contained in this AC to comply with the wildlife hazard management requirements of Part 139. Airports that have received Federal grant-in-aid assistance must use these standards. The FAA also recommends the guidance in this AC for land-use planners, operators of non-certificated airports, and developers of projects, facilities, and activities on or near airports.
- 3. CANCELLATION. This AC cancels AC 150/5200-33A, *Hazardous Wildlife Attractants on or near Airports*, dated July 27, 2004.
- **4. PRINCIPAL CHANGES.** This AC contains the following major changes, which are marked with vertical bars in the margin:
  - a. Technical changes to paragraph references.
  - b. Wording on storm water detention ponds.
  - c. Deleted paragraph 4-3.b, Additional Coordination.
- 5. BACKGROUND. Information about the risks posed to aircraft by certain wildlife species has increased a great deal in recent years. Improved reporting, studies, documentation, and statistics clearly show that aircraft collisions with birds and other wildlife are a serious economic and public safety problem. While many species of wildlife can pose a threat to aircraft safety, they are not equally hazardous. Table 1

ranks the wildlife groups commonly involved in damaging strikes in the United States according to their relative hazard to aircraft. The ranking is based on the 47,212 records in the FAA National Wildlife Strike Database for the years 1990 through 2003. These hazard rankings, in conjunction with site-specific Wildlife Hazards Assessments (WHA), will help airport operators determine the relative abundance and use patterns of wildlife species and help focus hazardous wildlife management efforts on those species most likely to cause problems at an airport.

Most public-use airports have large tracts of open, undeveloped land that provide added margins of safety and noise mitigation. These areas can also present potential hazards to aviation if they encourage wildlife to enter an airport's approach or departure airspace or air operations area (AOA). Constructed or natural areas—such as poorly drained locations, detention/retention ponds, roosting habitats on buildings, landscaping, odorcausing rotting organic matter (putrescible waste) disposal operations, wastewater treatment plants, agricultural or aquaculture activities, surface mining, or wetlands—can provide wildlife with ideal locations for feeding, loafing, reproduction, and escape. Even small facilities, such as fast food restaurants, taxicab staging areas, rental car facilities, aircraft viewing areas, and public parks, can produce substantial attractions for hazardous wildlife.

During the past century, wildlife-aircraft strikes have resulted in the loss of hundreds of lives worldwide, as well as billions of dollars in aircraft damage. Hazardous wildlife attractants on and near airports can jeopardize future airport expansion, making proper community land-use planning essential. This AC provides airport operators and those parties with whom they cooperate with the guidance they need to assess and address potentially hazardous wildlife attractants when locating new facilities and implementing certain land-use practices on or near public-use airports.

6. MEMORANDUM OF AGREEMENT BETWEEN FEDERAL RESOURCE AGENCIES. The FAA, the U.S. Air Force, the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, and the U.S. Department of Agriculture - Wildlife Services signed a Memorandum of Agreement (MOA) in July 2003 to acknowledge their respective missions in protecting aviation from wildlife hazards. Through the MOA, the agencies established procedures necessary to coordinate their missions to address more effectively existing and future environmental conditions contributing to collisions between wildlife and aircraft (wildlife strikes) throughout the United States. These efforts are intended to minimize wildlife risks to aviation and human safety while protecting the Nation's valuable environmental resources.

DAVID L. BENNETT

Director, Office of Airport Safety

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and Standards

Table 1. Ranking of 25 species groups as to relative hazard to aircraft (1=most hazardous) based on three criteria (damage, major damage, and effect-on-flight), a composite ranking based on all three rankings, and a relative hazard score. Data were derived from the FAA National Wildlife Strike Database, January 1990–April 2003.

	Ranking by criteria				
Species group	Damage⁴	Major damage⁵	Effect on flight <sup>6</sup>	Composite ranking <sup>2</sup>	Relative hazard score <sup>3</sup>
Deer	1	1	1	1	100
Vultures	2	2	2	2	64
Geese	3	3	6	3	55
Cormorants/pelicans	4	5	3	4	54
Cranes	7	6	4	5	47
Eagles	6	9	7	6	41
Ducks	5	8	10	7	39
Osprey	8	4	8	8	39
Turkey/pheasants	9	7	11	9	33
Herons	11	14	9	10	27
Hawks (buteos)	10	12	12	11	25
Gulls	12	11	13	12	24
Rock pigeon	13	10	14	13	23
Owis	14	13	20	14	23
H. lark/s. bunting	18	15	15	15	17
Crows/ravens	15	16	16	16	16
Coyote	16	19	5	17	14
Mourning dove	17	17	17	18	14
Shorebirds	19	21	18	19	10
Blackbirds/starling	20	22	19	20	10
American kestrel	21	18	21	21	9
Meadowlarks	22	20	22	22	7
Swallows	24	23	24	23	4
Sparrows	25	24	23	24	4
Nighthawks	23	25	25	25	1

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<sup>&</sup>lt;sup>1</sup> Excerpted from the Special Report for the FAA, "Ranking the Hazard Level of Wildlife Species to Civil Aviation in the USA: Update #1, July 2, 2003". Refer to this report for additional explanations of criteria and method of ranking.

<sup>&</sup>lt;sup>2</sup> Relative rank of each species group was compared with every other group for the three variables, placing the species group with the greatest hazard rank for  $\geq 2$  of the 3 variables above the next highest ranked group, then proceeding down the list.

<sup>&</sup>lt;sup>3</sup> Percentage values, from Tables 3 and 4 in Footnote 1 of the *Special Report*, for the three criteria were summed and scaled down from 100, with 100 as the score for the species group with the maximum summed values and the greatest potential hazard to aircraft.

<sup>&</sup>lt;sup>4</sup> Aircraft incurred at least some damage (destroyed, substantial, minor, or unknown) from strike.

<sup>&</sup>lt;sup>5</sup> Aircraft incurred damage or structural failure, which adversely affected the structure strength, performance, or flight characteristics, and which would normally require major repair or replacement of the affected component, or the damage sustained makes it inadvisable to restore aircraft to airworthy condition.

<sup>&</sup>lt;sup>6</sup> Aborted takeoff, engine shutdown, precautionary landing, or other.

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#### SECTION 1.

## GENERAL SEPARATION CRITERIA FOR HAZARDOUS WILDLIFE ATTRACTANTS ON OR NEAR AIRPORTS.

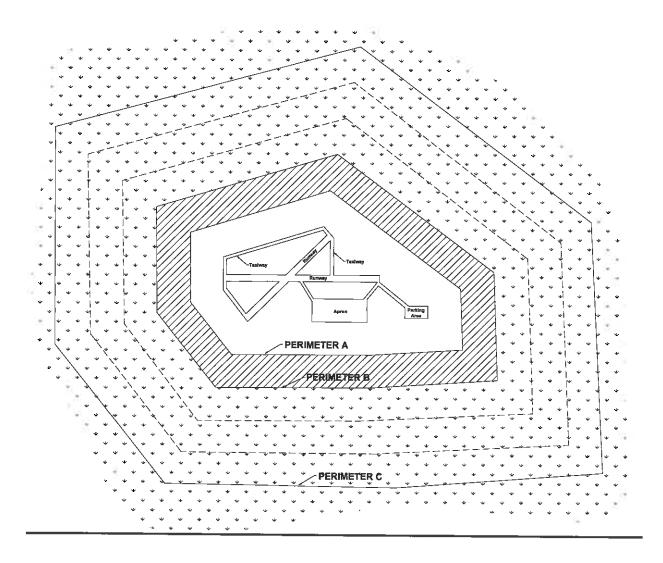
1-1. INTRODUCTION. When considering proposed land uses, airport operators, local planners, and developers must take into account whether the proposed land uses, including new development projects, will increase wildlife hazards. Land-use practices that attract or sustain hazardous wildlife populations on or near airports can significantly increase the potential for wildlife strikes.

The FAA recommends the minimum separation criteria outlined below for land-use practices that attract hazardous wildlife to the vicinity of airports. Please note that FAA criteria include land uses that cause movement of hazardous wildlife onto, into, or across the airport's approach or departure airspace or air operations area (AOA). (See the discussion of the synergistic effects of surrounding land uses in Section 2-8 of this AC.)

The basis for the separation criteria contained in this section can be found in existing FAA regulations. The separation distances are based on (1) flight patterns of piston-powered aircraft and turbine-powered aircraft, (2) the altitude at which most strikes happen (78 percent occur under 1,000 feet and 90 percent occur under 3,000 feet above ground level), and (3) National Transportation Safety Board (NTSB) recommendations.

- 1-2. AIRPORTS SERVING PISTON-POWERED AIRCRAFT. Airports that do not sell Jet-A fuel normally serve piston-powered aircraft. Notwithstanding more stringent requirements for specific land uses, the FAA recommends a separation distance of 5,000 feet at these airports for any of the hazardous wildlife attractants mentioned in Section 2 or for new airport development projects meant to accommodate aircraft movement. This distance is to be maintained between an airport's AOA and the hazardous wildlife attractant. Figure 1 depicts this separation distance measured from the nearest aircraft operations areas.
- 1-3. AIRPORTS SERVING TURBINE-POWERED AIRCRAFT. Airports selling Jet-A fuel normally serve turbine-powered aircraft. Notwithstanding more stringent requirements for specific land uses, the FAA recommends a separation distance of 10,000 feet at these airports for any of the hazardous wildlife attractants mentioned in Section 2 or for new airport development projects meant to accommodate aircraft movement. This distance is to be maintained between an airport's AOA and the hazardous wildlife attractant. Figure 1 depicts this separation distance from the nearest aircraft movement areas.
- 1-4. PROTECTION OF APPROACH, DEPARTURE, AND CIRCLING AIRSPACE. For all airports, the FAA recommends a distance of 5 statute miles between the farthest edge of the airport's AOA and the hazardous wildlife attractant if the attractant could cause hazardous wildlife movement into or across the approach or departure airspace.

Figure 1. Separation distances within which hazardous wildlife attractants should be avoided, eliminated, or mitigated.



PERIMETER A: For airports serving piston-powered aircraft, hazardous wildlife attractants must be 5,000 feet from the nearest air operations area.

PERIMETER B: For airports serving turbine-powered aircraft, hazardous wildlife attractants must be 10,000 feet from the nearest air operations area.

PERIMETER C: 5-mile range to protect approach, departure and circling airspace.

#### **SECTION 2.**

#### LAND-USE PRACTICES ON OR NEAR AIRPORTS THAT POTENTIALLY ATTRACT **HAZARDOUS WILDLIFE.**

GENERAL. The wildlife species and the size of the populations attracted to the airport environment vary considerably, depending on several factors, including land-use practices on or near the airport. This section discusses land-use practices having the potential to attract hazardous wildlife and threaten aviation safety. In addition to the specific considerations outlined below, airport operators should refer to Wildlife Hazard Management at Airports, prepared by FAA and U.S. Department of Agriculture (USDA) staff. (This manual is available in English, Spanish, and French. It can be viewed and downloaded free of charge from the FAA's wildlife hazard mitigation web site: http://wildlife-mitigation.tc.FAA.gov.). And, Prevention and Control of Wildlife Damage. compiled by the University of Nebraska Cooperative Extension Division. (This manual is available online in a periodically updated version at:

ianrwww.unl.edu/wildlife/solutions/handbook/.)

- 2-2. WASTE DISPOSAL OPERATIONS. Municipal solid waste landfills (MSWLF) are known to attract large numbers of hazardous wildlife, particularly birds. Because of this, these operations, when located within the separations identified in the siting criteria in Sections 1-2 through 1-4, are considered incompatible with safe airport operations.
- a. Siting for new municipal solid waste landfills subject to AIR 21. Section 503 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (Public Law 106-181) (AIR 21) prohibits the construction or establishment of a new MSWLF within 6 statute miles of certain public-use airports. prohibitions apply, both the airport and the landfill must meet the very specific conditions described below. These restrictions do not apply to airports or landfills located within the state of Alaska.

The airport must (1) have received a Federal grant(s) under 49 U.S.C. § 47101, et. seq.; (2) be under control of a public agency; (3) serve some scheduled air carrier operations conducted in aircraft with less than 60 seats; and (4) have total annual enplanements consisting of at least 51 percent of scheduled air carrier enplanements conducted in aircraft with less than 60 passenger seats.

The proposed MSWLF must (1) be within 6 miles of the airport, as measured from airport property line to MSWLF property line, and (2) have started construction or establishment on or after April 5, 2001. Public Law 106-181 only limits the construction or establishment of some new MSWLF. It does not limit the expansion. either vertical or horizontal, of existing landfills.

NOTE: Consult the most recent version of AC 150/5200-34, Construction or Establishment of Landfills Near Public Airports, for a more detailed discussion of these restrictions.

b. Siting for new MSWLF not subject to AIR 21. If an airport and MSWLF do not meet the restrictions of Public Law 106-181, the FAA recommends against locating MSWLF within the separation distances identified in Sections 1-2 through 1-4. The separation distances should be measured from the closest point of the airport's AOA to the closest planned MSWLF cell.

- c. Considerations for existing waste disposal facilities within the limits of separation criteria. The FAA recommends against airport development projects that would increase the number of aircraft operations or accommodate larger or faster aircraft near MSWLF operations located within the separations identified in Sections 1-2 through 1-4. In addition, in accordance with 40 CFR 258.10, owners or operators of existing MSWLF units that are located within the separations listed in Sections 1-2 through 1-4 must demonstrate that the unit is designed and operated so it does not pose a bird hazard to aircraft. (See Section 4-2(b) of this AC for a discussion of this demonstration requirement.)
- d. Enclosed trash transfer stations. Enclosed waste-handling facilities that receive garbage behind closed doors; process it via compaction, incineration, or similar manner; and remove all residue by enclosed vehicles generally are compatible with safe airport operations, provided they are not located on airport property or within the Runway Protection Zone (RPZ). These facilities should not handle or store putrescible waste outside or in a partially enclosed structure accessible to hazardous wildlife. Trash transfer facilities that are open on one or more sides; that store uncovered quantities of municipal solid waste outside, even if only for a short time; that use semi-trailers that leak or have trash clinging to the outside; or that do not control odors by ventilation and filtration systems (odor masking is not acceptable) do not meet the FAA's definition of fully enclosed trash transfer stations. The FAA considers these facilities incompatible with safe airport operations if they are located closer than the separation distances specified in Sections 1-2 through 1-4.
- e. Composting operations on or near airport property. Composting operations that accept only yard waste (e.g., leaves, lawn clippings, or branches) generally do not attract hazardous wildlife. Sewage sludge, woodchips, and similar material are not municipal solid wastes and may be used as compost bulking agents. The compost, however, must never include food or other municipal solid waste. Composting operations should not be located on airport property. Off-airport property composting operations should be located no closer than the greater of the following distances: 1,200 feet from any AOA or the distance called for by airport design requirements (see AC 150/5300-13, Airport Design). This spacing should prevent material, personnel, or equipment from penetrating any Object Free Area (OFA), Obstacle Free Zone (OFZ), Threshold Siting Surface (TSS), or Clearway. Airport operators should monitor composting operations located in proximity to the airport to ensure that steam or thermal rise does not adversely affect air traffic. On-airport disposal of compost by-products should not be conducted for the reasons stated in 2-3f.

f. Underwater waste discharges. The FAA recommends against the underwater discharge of any food waste (e.g., fish processing offal) within the separations identified in Sections 1-2 through 1-4 because it could attract scavenging hazardous wildlife.

- g. Recycling centers. Recycling centers that accept previously sorted non-food items, such as glass, newspaper, cardboard, or aluminum, are, in most cases, not attractive to hazardous wildlife and are acceptable.
- h. Construction and demolition (C&D) debris facilities. C&D landfills do not generally attract hazardous wildlife and are acceptable if maintained in an orderly manner, admit no putrescible waste, and are not co-located with other waste disposal operations. However, C&D landfills have similar visual and operational characteristics to putrescible waste disposal sites. When co-located with putrescible waste disposal operations, C&D landfills are more likely to attract hazardous wildlife because of the similarities between these disposal facilities. Therefore, a C&D landfill co-located with another waste disposal operation should be located outside of the separations identified in Sections 1-2 through 1-4.
- i. Fly ash disposal. The incinerated residue from resource recovery power/heat-generating facilities that are fired by municipal solid waste, coal, or wood is generally not a wildlife attractant because it no longer contains putrescible matter. Landfills accepting only fly ash are generally not considered to be wildlife attractants and are acceptable as long as they are maintained in an orderly manner, admit no putrescible waste of any kind, and are not co-located with other disposal operations that attract hazardous wildlife.

Since varying degrees of waste consumption are associated with general incineration (not resource recovery power/heat-generating facilities), the FAA considers the ash from general incinerators a regular waste disposal by-product and, therefore, a hazardous wildlife attractant if disposed of within the separation criteria outlined in Sections 1-2 through 1-4.

- 2-3. WATER MANAGEMENT FACILITIES. Drinking water intake and treatment facilities, storm water and wastewater treatment facilities, associated retention and settling ponds, ponds built for recreational use, and ponds that result from mining activities often attract large numbers of potentially hazardous wildlife. To prevent wildlife hazards, land-use developers and airport operators may need to develop management plans, in compliance with local and state regulations, to support the operation of storm water management facilities on or near all public-use airports to ensure a safe airport environment.
- a. Existing storm water management facilities. On-airport storm water management facilities allow the quick removal of surface water, including discharges related to aircraft deicing, from impervious surfaces, such as pavement and terminal/hangar building roofs. Existing on-airport detention ponds collect storm water, protect water quality, and control runoff. Because they slowly release water

after storms, they create standing bodies of water that can attract hazardous wildlife. Where the airport has developed a Wildlife Hazard Management Plan (WHMP) in accordance with Part 139, the FAA requires immediate correction of any wildlife hazards arising from existing storm water facilities located on or near airports, using appropriate wildlife hazard mitigation techniques. Airport operators should develop measures to minimize hazardous wildlife attraction in consultation with a wildlife damage management biologist.

Where possible, airport operators should modify storm water detention ponds to allow a maximum 48-hour detention period for the design storm. The FAA recommends that airport operators avoid or remove retention ponds and detention ponds featuring dead storage to eliminate standing water. Detention basins should remain totally dry between rainfalls. Where constant flow of water is anticipated through the basin, or where any portion of the basin bottom may remain wet, the detention facility should include a concrete or paved pad and/or ditch/swale in the bottom to prevent vegetation that may provide nesting habitat.

When it is not possible to drain a large detention pond completely, airport operators may use physical barriers, such as bird balls, wires grids, pillows, or netting, to deter birds and other hazardous wildlife. When physical barriers are used, airport operators must evaluate their use and ensure they will not adversely affect water rescue. Before installing any physical barriers over detention ponds on Part 139 airports, airport operators must get approval from the appropriate FAA Regional Airports Division Office.

The FAA recommends that airport operators encourage off-airport storm water treatment facility operators to incorporate appropriate wildlife hazard mitigation techniques into storm water treatment facility operating practices when their facility is located within the separation criteria specified in Sections 1-2 through 1-4.

b. New storm water management facilities. The FAA strongly recommends that offairport storm water management systems located within the separations identified in Sections 1-2 through 1-4 be designed and operated so as not to create aboveground standing water. Stormwater detention ponds should be designed, engineered, constructed, and maintained for a maximum 48-hour detention period after the design storm and remain completely dry between storms. To facilitate the control of hazardous wildlife, the FAA recommends the use of steep-sided, rip-rap lined, narrow, linearly shaped water detention basins. When it is not possible to place these ponds away from an airport's AOA, airport operators should use physical barriers, such as bird balls, wires grids, pillows, or netting, to prevent access of hazardous wildlife to open water and minimize aircraft-wildlife interactions. When physical barriers are used, airport operators must evaluate their use and ensure they will not adversely affect water rescue. Before installing any physical barriers over detention ponds on Part 139 airports, airport operators must get approval from the appropriate FAA Regional Airports Division Office. All vegetation in or around detention basins that provide food or cover for hazardous wildlife should be eliminated. If soil conditions and other requirements allow, the FAA encourages

the use of underground storm water infiltration systems, such as French drains or buried rock fields, because they are less attractive to wildlife.

- c. Existing wastewater treatment facilities. The FAA strongly recommends that airport operators immediately correct any wildlife hazards arising from existing wastewater treatment facilities located on or near the airport. Where required, a WHMP developed in accordance with Part 139 will outline appropriate wildlife hazard mitigation techniques. Accordingly, airport operators should encourage wastewater treatment facility operators to incorporate measures, developed in consultation with a wildlife damage management biologist, to minimize hazardous wildlife attractants. Airport operators should also encourage those wastewater treatment facility operators to incorporate these mitigation techniques into their standard operating practices. In addition, airport operators should consider the existence of wastewater treatment facilities when evaluating proposed sites for new airport development projects and avoid such sites when practicable.
- d. New wastewater treatment facilities. The FAA strongly recommends against the construction of new wastewater treatment facilities or associated settling ponds within the separations identified in Sections 1-2 through 1-4. Appendix 1 defines wastewater treatment facility as "any devices and/or systems used to store, treat, recycle, or reclaim municipal sewage or liquid industrial wastes." The definition includes any pretreatment involving the reduction of the amount of pollutants or the elimination of pollutants prior to introducing such pollutants into a publicly owned treatment works (wastewater treatment facility). During the site-location analysis for wastewater treatment facilities, developers should consider the potential to attract hazardous wildlife if an airport is in the vicinity of the proposed site, and airport operators should voice their opposition to such facilities if they are in proximity to the airport.
- e. Artificial marshes. In warmer climates, wastewater treatment facilities sometimes employ artificial marshes and use submergent and emergent aquatic vegetation as natural filters. These artificial marshes may be used by some species of flocking birds, such as blackbirds and waterfowl, for breeding or roosting activities. The FAA strongly recommends against establishing artificial marshes within the separations identified in Sections 1-2 through 1-4.
- f. Wastewater discharge and sludge disposal. The FAA recommends against the discharge of wastewater or sludge on airport property because it may improve soil moisture and quality on unpaved areas and lead to improved turf growth that can be an attractive food source for many species of animals. Also, the turf requires more frequent mowing, which in turn may mutilate or flush insects or small animals and produce straw, both of which can attract hazardous wildlife. In addition, the improved turf may attract grazing wildlife, such as deer and geese. Problems may also occur when discharges saturate unpaved airport areas. The resultant soft, muddy conditions can severely restrict or prevent emergency vehicles from reaching accident sites in a timely manner.

**2-4. WETLANDS**. Wetlands provide a variety of functions and can be regulated by local, state, and Federal laws. Normally, wetlands are attractive to many types of wildlife, including many which rank high on the list of hazardous wildlife species (Table 1).

**NOTE:** If questions exist as to whether an area qualifies as a wetland, contact the local division of the U.S. Army Corps of Engineers, the Natural Resources Conservation Service, or a wetland consultant qualified to delineate wetlands.

- a. Existing wetlands on or near airport property. If wetlands are located on or near airport property, airport operators should be alert to any wildlife use or habitat changes in these areas that could affect safe aircraft operations. At public-use airports, the FAA recommends immediately correcting, in cooperation with local, state, and Federal regulatory agencies, any wildlife hazards arising from existing wetlands located on or near airports. Where required, a WHMP will outline appropriate wildlife hazard mitigation techniques. Accordingly, airport operators should develop measures to minimize hazardous wildlife attraction in consultation with a wildlife damage management biologist.
- b. New airport development. Whenever possible, the FAA recommends locating new airports using the separations from wetlands identified in Sections 1-2 through 1-4. Where alternative sites are not practicable, or when airport operators are expanding an existing airport into or near wetlands, a wildlife damage management biologist, in consultation with the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, and the state wildlife management agency should evaluate the wildlife hazards and prepare a WHMP that indicates methods of minimizing the hazards.
- c. Mitigation for wetland impacts from airport projects. Wetland mitigation may be necessary when unavoidable wetland disturbances result from new airport development projects or projects required to correct wildlife hazards from wetlands. Wetland mitigation must be designed so it does not create a wildlife hazard. The FAA recommends that wetland mitigation projects that may attract hazardous wildlife be sited outside of the separations identified in Sections 1-2 through 1-4.
  - (1) Onsite mitigation of wetland functions. The FAA may consider exceptions to locating mitigation activities outside the separations identified in Sections 1-2 through 1-4 if the affected wetlands provide unique ecological functions, such as critical habitat for threatened or endangered species or ground water recharge, which cannot be replicated when moved to a different location. Using existing airport property is sometimes the only feasible way to achieve the mitigation ratios mandated in regulatory orders and/or settlement agreements with the resource agencies. Conservation easements are an additional means of providing mitigation for project impacts. Typically the airport operator continues to own the property, and an easement is created stipulating that the property will be maintained as habitat for state or Federally listed species.

Mitigation must not inhibit the airport operator's ability to effectively control hazardous wildlife on or near the mitigation site or effectively maintain other aspects of safe airport operations. Enhancing such mitigation areas to attract hazardous wildlife must be avoided. The FAA will review any onsite mitigation proposals to determine compatibility with safe airport operations. A wildlife damage management biologist should evaluate any wetland mitigation projects that are needed to protect unique wetland functions and that must be located in the separation criteria in Sections 1-2 through 1-4 before the mitigation is implemented. A WHMP should be developed to reduce the wildlife hazards.

- (2) Offsite mitigation of wetland functions. The FAA recommends that wetland mitigation projects that may attract hazardous wildlife be sited outside of the separations identified in Sections 1-2 through 1-4 unless they provide unique functions that must remain onsite (see 2-4c(1)). Agencies that regulate impacts to or around wetlands recognize that it may be necessary to split wetland functions in mitigation schemes. Therefore, regulatory agencies may, under certain circumstances, allow portions of mitigation to take place in different locations.
- (3) Mitigation banking. Wetland mitigation banking is the creation or restoration of wetlands in order to provide mitigation credits that can be used to offset permitted wetland losses. Mitigation banking benefits wetland resources by providing advance replacement for permitted wetland losses; consolidating small projects into larger, better-designed and managed units; and encouraging integration of wetland mitigation projects with watershed planning. This last benefit is most helpful for airport projects, as wetland impacts mitigated outside of the separations identified in Sections 1-2 through 1-4 can still be located within the same watershed. Wetland mitigation banks meeting the separation criteria offer an ecologically sound approach to mitigation in these situations. Airport operators should work with local watershed management agencies or organizations to develop mitigation banking for wetland impacts on airport property.
- 2-5. DREDGE SPOIL CONTAINMENT AREAS. The FAA recommends against locating dredge spoil containment areas (also known as Confined Disposal Facilities) within the separations identified in Sections 1-2 through 1-4 if the containment area or the spoils contain material that would attract hazardous wildlife.
- 2-6. AGRICULTURAL ACTIVITIES. Because most, if not all, agricultural crops can attract hazardous wildlife during some phase of production, the FAA recommends against the used of airport property for agricultural production, including hay crops, within the separations identified in Sections 1-2 through 1-4. If the airport has no financial alternative to agricultural crops to produce income necessary to maintain the viability of the airport, then the airport shall follow the crop distance guidelines listed in the table titled "Minimum Distances between Certain Airport Features and Any On-Airport Agricultural Crops" found in AC 150/5300-13, *Airport Design*, Appendix 17. The cost of wildlife control and potential accidents should be weighed against the income produced by the on-airport crops when deciding whether to allow crops on the airport.

a. Livestock production. Confined livestock operations (i.e., feedlots, dairy operations, hog or chicken production facilities, or egg laying operations) often attract flocking birds, such as starlings, that pose a hazard to aviation. Therefore, The FAA recommends against such facilities within the separations identified in Sections 1-2 through 1-4. Any livestock operation within these separations should have a program developed to reduce the attractiveness of the site to species that are hazardous to aviation safety. Free-ranging livestock must not be grazed on airport property because the animals may wander onto the AOA. Furthermore, livestock feed, water, and manure may attract birds.

- b. Aquaculture. Aquaculture activities (i.e. catfish or trout production) conducted outside of fully enclosed buildings are inherently attractive to a wide variety of birds. Existing aquaculture facilities/activities within the separations listed in Sections 1-2 through 1-4 must have a program developed to reduce the attractiveness of the sites to species that are hazardous to aviation safety. Airport operators should also oppose the establishment of new aquaculture facilities/activities within the separations listed in Sections 1-2 through 1-4.
- c. Alternative uses of agricultural land. Some airports are surrounded by vast areas of farmed land within the distances specified in Sections 1-2 through 1-4. Seasonal uses of agricultural land for activities such as hunting can create a hazardous wildlife situation. In some areas, farmers will rent their land for hunting purposes. Rice farmers, for example, flood their land during waterfowl hunting season and obtain additional revenue by renting out duck blinds. The duck hunters then use decoys and call in hundreds, if not thousands, of birds, creating a tremendous threat to aircraft safety. A wildlife damage management biologist should review, in coordination with local farmers and producers, these types of seasonal land uses and incorporate them into the WHMP.

## 2-7. GOLF COURSES, LANDSCAPING AND OTHER LAND-USE CONSIDERATIONS.

- a. Golf courses. The large grassy areas and open water found on most golf courses are attractive to hazardous wildlife, particularly Canada geese and some species of gulls. These species can pose a threat to aviation safety. The FAA recommends against construction of new golf courses within the separations identified in Sections 1-2 through 1-4. Existing golf courses located within these separations must develop a program to reduce the attractiveness of the sites to species that are hazardous to aviation safety. Airport operators should ensure these golf courses are monitored on a continuing basis for the presence of hazardous wildlife. If hazardous wildlife is detected, corrective actions should be immediately implemented.
- b. Landscaping and landscape maintenance. Depending on its geographic location, landscaping can attract hazardous wildlife. The FAA recommends that airport operators approach landscaping with caution and confine it to airport areas not associated with aircraft movements. A wildlife damage management biologist should review all landscaping plans. Airport operators should also monitor all landscaped areas on a continuing basis for the presence of hazardous wildlife. If

hazardous wildlife is detected, corrective actions should be immediately implemented.

Turf grass areas can be highly attractive to a variety of hazardous wildlife species. Research conducted by the USDA Wildlife Services' National Wildlife Research Center has shown that no one grass management regime will deter all species of hazardous wildlife in all situations. In cooperation with wildlife damage management biologist, airport operators should develop airport turf grass management plans on a prescription basis, depending on the airport's geographic locations and the type of hazardous wildlife likely to frequent the airport

Airport operators should ensure that plant varieties attractive to hazardous wildlife are not used on the airport. Disturbed areas or areas in need of re-vegetating should not be planted with seed mixtures containing millet or any other large-seed producing grass. For airport property already planted with seed mixtures containing millet, rye grass, or other large-seed producing grasses, the FAA recommends disking, plowing, or another suitable agricultural practice to prevent plant maturation and seed head production. Plantings should follow the specific recommendations for grass management and seed and plant selection made by the State University Cooperative Extension Service, the local office of Wildlife Services, or a qualified wildlife damage management biologist. Airport operators should also consider developing and implementing a preferred/prohibited plant species list, reviewed by a wildlife damage management biologist, which has been designed for the geographic location to reduce the attractiveness to hazardous wildlife for landscaping airport property.

- c. Airports surrounded by wildlife habitat. The FAA recommends that operators of airports surrounded by woodlands, water, or wetlands refer to Section 2.4 of this AC. Operators of such airports should provide for a Wildlife Hazard Assessment (WHA) conducted by a wildlife damage management biologist. This WHA is the first step in preparing a WHMP, where required.
- d. Other hazardous wildlife attractants. Other specific land uses or activities (e.g., sport or commercial fishing, shellfish harvesting, etc.), perhaps unique to certain regions of the country, have the potential to attract hazardous wildlife. Regardless of the source of the attraction, when hazardous wildlife is noted on a public-use airport, airport operators must take prompt remedial action(s) to protect aviation safety.
- 2-8. SYNERGISTIC EFFECTS OF SURROUNDING LAND USES. There may be circumstances where two (or more) different land uses that would not, by themselves, be considered hazardous wildlife attractants or that are located outside of the separations identified in Sections 1-2 through 1-4 that are in such an alignment with the airport as to create a wildlife corridor directly through the airport and/or surrounding airspace. An example of this situation may involve a lake located outside of the separation criteria on the east side of an airport and a large hayfield on the west side of an airport, land uses that together could create a flyway for Canada geese directly across the airspace of the airport. There are numerous examples of such situations;

therefore, airport operators and the wildlife damage management biologist must consider the entire surrounding landscape and community when developing the WHMP.

#### **SECTION 3.**

PROCEDURES FOR WILDLIFE HAZARD MANAGEMENT BY OPERATORS OF PUBLIC-USE AIRPORTS.

- **3.1. INTRODUCTION.** In recognition of the increased risk of serious aircraft damage or the loss of human life that can result from a wildlife strike, the FAA may require the development of a Wildlife Hazard Management Plan (WHMP) when specific triggering events occur on or near the airport. Part 139.337 discusses the specific events that trigger a Wildlife Hazard Assessment (WHA) and the specific issues that a WHMP must address for FAA approval and inclusion in an Airport Certification Manual.
- 3.2. COORDINATION WITH USDA WILDLIFE SERVICES OR OTHER QUALIFIED WILDLIFE DAMAGE MANAGEMENT BIOLOGISTS. The FAA will use the Wildlife Hazard Assessment (WHA) conducted in accordance with Part 139 to determine if the airport needs a WHMP. Therefore, persons having the education, training, and expertise necessary to assess wildlife hazards must conduct the WHA. The airport operator may look to Wildlife Services or to qualified private consultants to conduct the WHA. When the services of a wildlife damage management biologist are required, the FAA recommends that land-use developers or airport operators contact a consultant specializing in wildlife damage management or the appropriate state director of Wildlife Services.

**NOTE:** Telephone numbers for the respective USDA Wildlife Services state offices can be obtained by contacting USDA Wildlife Services Operational Support Staff, 4700 River Road, Unit 87, Riverdale, MD, 20737-1234, Telephone (301) 734-7921, Fax (301) 734-5157 (http://www.aphis.usda.gov/ws/).

3-3. WILDLIFE HAZARD MANAGEMENT AT AIRPORTS: A MANUAL FOR AIRPORT PERSONNEL. This manual, prepared by FAA and USDA Wildlife Services staff, contains a compilation of information to assist airport personnel in the development, implementation, and evaluation of WHMPs at airports. The manual includes specific information on the nature of wildlife strikes, legal authority, regulations, wildlife management techniques, WHAs, WHMPs, and sources of help and information. The manual is available in three languages: English, Spanish, and French. It can be viewed and downloaded free of charge from the FAA's wildlife hazard mitigation web site: <a href="http://wildlife-mitigation.tc.FAA.gov/">http://wildlife-mitigation.tc.FAA.gov/</a>. This manual only provides a starting point for addressing wildlife hazard issues at airports. Hazardous wildlife management is a complex discipline and conditions vary widely across the United States. Therefore, qualified wildlife damage management biologists must direct the development of a WHMP and the implementation of management actions by airport personnel.

There are many other resources complementary to this manual for use in developing and implementing WHMPs. Several are listed in the manual's bibliography.

3-4. WILDLIFE HAZARD ASSESSMENTS, TITLE 14, CODE OF FEDERAL REGULATIONS, PART 139. Part 139.337(b) requires airport operators to conduct a Wildlife Hazard Assessment (WHA) when certain events occur on or near the airport.

Part 139.337 (c) provides specific guidance as to what facts must be addressed in a WHA.

3-5. WILDLIFE HAZARD MANAGEMENT PLAN (WHMP). The FAA will consider the results of the WHA, along with the aeronautical activity at the airport and the views of the airport operator and airport users, in determining whether a formal WHMP is needed, in accordance with Part 139.337. If the FAA determines that a WHMP is needed, the airport operator must formulate and implement a WHMP, using the WHA as the basis for the plan.

The goal of an airport's Wildlife Hazard Management Plan is to minimize the risk to aviation safety, airport structures or equipment, or human health posed by populations of hazardous wildlife on and around the airport.

The WHMP must identify hazardous wildlife attractants on or near the airport and the appropriate wildlife damage management techniques to minimize the wildlife hazard. It must also prioritize the management measures.

**3-6. LOCAL COORDINATION.** The establishment of a Wildlife Hazards Working Group (WHWG) will facilitate the communication, cooperation, and coordination of the airport and its surrounding community necessary to ensure the effectiveness of the WHMP. The cooperation of the airport community is also necessary when new projects are considered. Whether on or off the airport, the input from all involved parties must be considered when a potentially hazardous wildlife attractant is being proposed. Airport operators should also incorporate public education activities with the local coordination efforts because some activities in the vicinity of your airport, while harmless under normal leisure conditions, can attract wildlife and present a danger to aircraft. For example, if public trails are planned near wetlands or in parks adjoining airport property, the public should know that feeding birds and other wildlife in the area may pose a risk to aircraft.

Airport operators should work with local and regional planning and zoning boards so as to be aware of proposed land-use changes, or modification of existing land uses, that could create hazardous wildlife attractants within the separations identified in Sections 1-2 through 1-4. Pay particular attention to proposed land uses involving creation or expansion of waste water treatment facilities, development of wetland mitigation sites, or development or expansion of dredge spoil containment areas. At the very least, airport operators must ensure they are on the notification list of the local planning board or equivalent review entity for all communities located within 5 miles of the airport, so they will receive notification of any proposed project and have the opportunity to review it for attractiveness to hazardous wildlife.

3-7 COORDINATION/NOTIFICATION OF AIRMEN OF WILDLIFE HAZARDS. If an existing land-use practice creates a wildlife hazard and the land-use practice or wildlife hazard cannot be immediately eliminated, airport operators must issue a Notice to Airmen (NOTAM) and encourage the land-owner or manager to take steps to control the wildlife hazard and minimize further attraction.

#### **SECTION 4.**

FAA NOTIFICATION AND REVIEW OF PROPOSED LAND-USE PRACTICE CHANGES IN THE VICINITY OF PUBLIC-USE AIRPORTS

## 4-1. FAA REVIEW OF PROPOSED LAND-USE PRACTICE CHANGES IN THE VICINITY OF PUBLIC-USE AIRPORTS.

- a. The FAA discourages the development of waste disposal and other facilities, discussed in Section 2, located within the 5,000/10,000-foot criteria specified in Sections 1-2 through 1-4.
- b. For projects that are located outside the 5,000/10,000-foot criteria but within 5 statute miles of the airport's AOA, the FAA may review development plans, proposed land-use changes, operational changes, or wetland mitigation plans to determine if such changes present potential wildlife hazards to aircraft operations. The FAA considers sensitive airport areas as those that lie under or next to approach or departure airspace. This brief examination should indicate if further investigation is warranted.
- c. Where a wildlife damage management biologist has conducted a further study to evaluate a site's compatibility with airport operations, the FAA may use the study results to make a determination.

#### 4-2. WASTE MANAGEMENT FACILITIES.

a. Notification of new/expanded project proposal. Section 503 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (Public Law 106-181) limits the construction or establishment of new MSWLF within 6 statute miles of certain public-use airports, when both the airport and the landfill meet very specific conditions. See Section 2-2 of this AC and AC 150/5200-34 for a more detailed discussion of these restrictions.

The Environmental Protection Agency (EPA) requires any MSWLF operator proposing a new or expanded waste disposal operation within 5 statute miles of a runway end to notify the appropriate FAA Regional Airports Division Office and the airport operator of the proposal (40 CFR 258, *Criteria for Municipal Solid Waste Landfills*, Section 258.10, *Airport Safety*). The EPA also requires owners or operators of new MSWLF units, or lateral expansions of existing MSWLF units, that are located within 10,000 feet of any airport runway end used by turbojet aircraft, or within 5,000 feet of any airport runway end used only by piston-type aircraft, to demonstrate successfully that such units are not hazards to aircraft. (See 4-2.b below.)

When new or expanded MSWLF are being proposed near airports, MSWLF operators must notify the airport operator and the FAA of the proposal as early as possible pursuant to 40 CFR 258.

b. Waste handling facilities within separations identified in Sections 1-2 through 1-4. To claim successfully that a waste-handling facility sited within the separations identified in Sections 1-2 through 1-4 does not attract hazardous wildlife and does not threaten aviation, the developer must establish convincingly that the facility will not handle putrescible material other than that as outlined in 2-2.d. The FAA strongly recommends against any facility other than that as outlined in 2-2.d (enclosed transfer stations). The FAA will use this information to determine if the facility will be a hazard to aviation.

- c. Putrescible-Waste Facilities. In their effort to satisfy the EPA requirement, some putrescible-waste facility proponents may offer to undertake experimental measures to demonstrate that their proposed facility will not be a hazard to aircraft. To date, no such facility has been able to demonstrate an ability to reduce and sustain hazardous wildlife to levels that existed before the putrescible-waste landfill began operating. For this reason, demonstrations of experimental wildlife control measures may not be conducted within the separation identified in Sections 1-2 through 1-4.
- 4-3. OTHER LAND-USE PRACTICE CHANGES. As a matter of policy, the FAA encourages operators of public-use airports who become aware of proposed land use practice changes that may attract hazardous wildlife within 5 statute miles of their airports to promptly notify the FAA. The FAA also encourages proponents of such land use changes to notify the FAA as early in the planning process as possible. Advanced notice affords the FAA an opportunity (1) to evaluate the effect of a particular land-use change on aviation safety and (2) to support efforts by the airport sponsor to restrict the use of land next to or near the airport to uses that are compatible with the airport.

The airport operator, project proponent, or land-use operator may use FAA Form 7460-1, *Notice of Proposed Construction or Alteration*, or other suitable documents similar to FAA Form 7460-1 to notify the appropriate FAA Regional Airports Division Office. Project proponents can contact the appropriate FAA Regional Airports Division Office for assistance with the notification process.

It is helpful if the notification includes a 15-minute quadrangle map of the area identifying the location of the proposed activity. The land-use operator or project proponent should also forward specific details of the proposed land-use change or operational change or expansion. In the case of solid waste landfills, the information should include the type of waste to be handled, how the waste will be processed, and final disposal methods.

a. Airports that have received Federal grant-in-aid assistance. Airports that have received Federal grant-in-aid assistance are required by their grant assurances to take appropriate actions to restrict the use of land next to or near the airport to uses that are compatible with normal airport operations. The FAA recommends that airport operators to the extent practicable oppose off-airport land-use changes or practices within the separations identified in Sections 1-2 through 1-4 that may attract hazardous wildlife. Failure to do so may lead to noncompliance with applicable grant assurances. The FAA will not approve the placement of airport

development projects pertaining to aircraft movement in the vicinity of hazardous wildlife attractants without appropriate mitigating measures. Increasing the intensity of wildlife control efforts is not a substitute for eliminating or reducing a proposed wildlife hazard. Airport operators should identify hazardous wildlife attractants and any associated wildlife hazards during any planning process for new airport development projects.

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#### APPENDIX 1. DEFINITIONS OF TERMS USED IN THIS ADVISORY CIRCULAR.

1. GENERAL. This appendix provides definitions of terms used throughout this AC.

- Air operations area. Any area of an airport used or intended to be used for landing, takeoff, or surface maneuvering of aircraft. An air operations area includes such paved areas or unpaved areas that are used or intended to be used for the unobstructed movement of aircraft in addition to its associated runway, taxiways, or apron.
- 2. Airport operator. The operator (private or public) or sponsor of a public-use airport.
- 3. Approach or departure airspace. The airspace, within 5 statute miles of an airport, through which aircraft move during landing or takeoff.
- **4. Bird balls.** High-density plastic floating balls that can be used to cover ponds and prevent birds from using the sites.
- 5. Certificate holder. The holder of an Airport Operating Certificate issued under Title 14, Code of Federal Regulations, Part 139.
- 6. Construct a new MSWLF. To begin to excavate, grade land, or raise structures to prepare a municipal solid waste landfill as permitted by the appropriate regulatory or permitting agency.
- 7. **Detention ponds.** Storm water management ponds that hold storm water for short periods of time, a few hours to a few days.
- 8. Establish a new MSWLF. When the first load of putrescible waste is received on-site for placement in a prepared municipal solid waste landfill.
- 9. Fly ash. The fine, sand-like residue resulting from the complete incineration of an organic fuel source. Fly ash typically results from the combustion of coal or waste used to operate a power generating plant.
- **10. General aviation aircraft.** Any civil aviation aircraft not operating under 14 CFR Part 119, Certification: Air Carriers and Commercial Operators.
- 11. Hazardous wildlife. Species of wildlife (birds, mammals, reptiles), including feral animals and domesticated animals not under control, that are associated with aircraft strike problems, are capable of causing structural damage to airport facilities, or act as attractants to other wildlife that pose a strike hazard
- 12. Municipal Solid Waste Landfill (MSWLF). A publicly or privately owned discrete area of land or an excavation that receives household waste and that is not a land application unit, surface impoundment, injection well, or waste pile, as those terms are defined under 40 CFR § 257.2. An MSWLF may receive

other types wastes, such as commercial solid waste, non-hazardous sludge, small-quantity generator waste, and industrial solid waste, as defined under 40 CFR § 258.2. An MSWLF can consist of either a stand alone unit or several cells that receive household waste.

- 13. New MSWLF. A municipal solid waste landfill that was established or constructed after April 5, 2001.
- 14. Piston-powered aircraft. Fixed-wing aircraft powered by piston engines.
- 15. Piston-use airport. Any airport that does not sell Jet-A fuel for fixed-wing turbine-powered aircraft, and primarily serves fixed-wing, piston-powered aircraft. Incidental use of the airport by turbine-powered, fixed-wing aircraft would not affect this designation. However, such aircraft should not be based at the airport.
- **16.** Public agency. A State or political subdivision of a State, a tax-supported organization, or an Indian tribe or pueblo (49 U.S.C. § 47102(19)).
- 17. Public airport. An airport used or intended to be used for public purposes that is under the control of a public agency; and of which the area used or intended to be used for landing, taking off, or surface maneuvering of aircraft is publicly owned (49 U.S.C. § 47102(20)).
- 18. Public-use airport. An airport used or intended to be used for public purposes, and of which the area used or intended to be used for landing, taking off, or surface maneuvering of aircraft may be under the control of a public agency or privately owned and used for public purposes (49 U.S.C. § 47102(21)).
- 19. Putrescible waste. Solid waste that contains organic matter capable of being decomposed by micro-organisms and of such a character and proportion as to be capable of attracting or providing food for birds (40 CFR §257.3-8).
- 20. Putrescible-waste disposal operation. Landfills, garbage dumps, underwater waste discharges, or similar facilities where activities include processing, burying, storing, or otherwise disposing of putrescible material, trash, and refuse.
- 21. Retention ponds. Storm water management ponds that hold water for several months.
- 22. Runway protection zone (RPZ). An area off the runway end to enhance the protection of people and property on the ground (see AC 150/5300-13). The dimensions of this zone vary with the airport design, aircraft, type of operation, and visibility minimum.
- 23. Scheduled air carrier operation. Any common carriage passenger-carrying operation for compensation or hire conducted by an air carrier or commercial

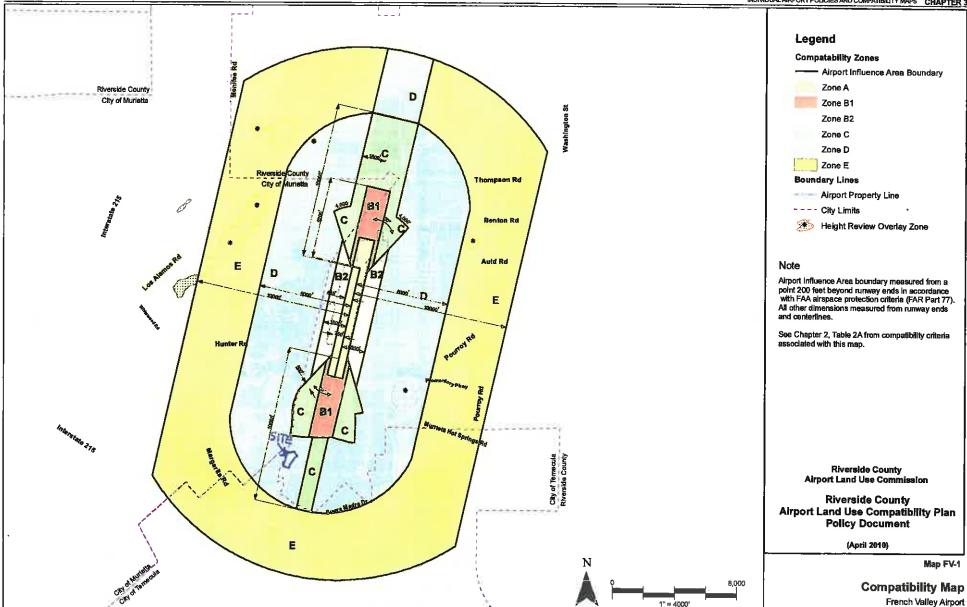
operator for which the air carrier, commercial operator, or their representative offers in advance the departure location, departure time, and arrival location. It does not include any operation that is conducted as a supplemental operation under 14 CFR Part 119 or as a public charter operation under 14 CFR Part 380 (14 CFR § 119.3).

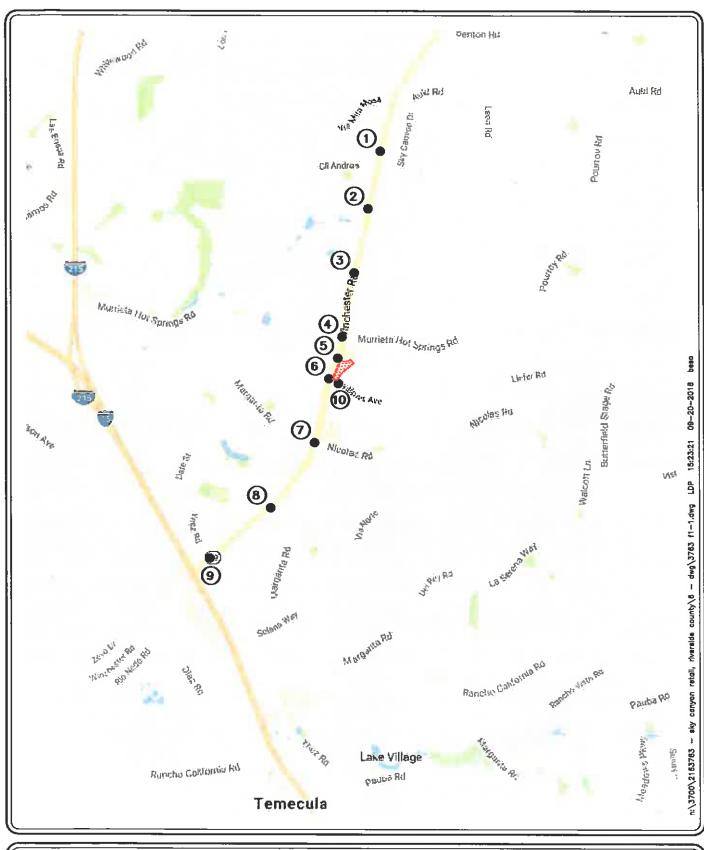
- 24. Sewage sludge. Any solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes, but is not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment process; and a material derived from sewage sludge. Sewage does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works. (40 CFR 257.2)
- 25. Sludge. Any solid, semi-solid, or liquid waste generated form a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility or any other such waste having similar characteristics and effect. (40 CFR 257.2)
- 26. Solid waste. Any garbage, refuse, sludge, from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded material, including, solid liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include solid or dissolved materials in domestic sewage, or solid or dissolved material in irrigation return flows or industrial discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended (86 Stat. 880), or source, special nuclear, or by product material as defined by the Atomic Energy Act of 1954, as amended, (68 Stat. 923). (40 CFR 257.2)
- **27. Turbine-powered aircraft.** Aircraft powered by turbine engines including turbojets and turboprops but excluding turbo-shaft rotary-wing aircraft.
- 28. Turbine-use airport. Any airport that sells Jet-A fuel for fixed-wing turbine-powered aircraft.
- 29. Wastewater treatment facility. Any devices and/or systems used to store, treat, recycle, or reclaim municipal sewage or liquid industrial wastes, including Publicly Owned Treatment Works (POTW), as defined by Section 212 of the Federal Water Pollution Control Act (P.L. 92-500) as amended by the Clean Water Act of 1977 (P.L. 95-576) and the Water Quality Act of 1987 (P.L. 100-4). This definition includes any pretreatment involving the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. (See 40 CFR Section 403.3 (q), (r), & (s)).

30. Wildlife. Any wild animal, including without limitation any wild mammal, bird, reptile, fish, amphibian, mollusk, crustacean, arthropod, coelenterate, or other invertebrate, including any part, product, egg, or offspring thereof (50 CFR 10.12, Taking, Possession, Transportation, Sale, Purchase, Barter, Exportation, and Importation of Wildlife and Plants). As used in this AC, wildlife includes feral animals and domestic animals out of the control of their owners (14 CFR Part 139, Certification of Airports).

- 31. Wildlife attractants. Any human-made structure, land-use practice, or human-made or natural geographic feature that can attract or sustain hazardous wildlife within the landing or departure airspace or the airport's AOA. These attractants can include architectural features, landscaping, waste disposal sites, wastewater treatment facilities, agricultural or aquaculture activities, surface mining, or wetlands.
- **32. Wildlife hazard.** A potential for a damaging aircraft collision with wildlife on or near an airport.
- 33. Wildlife strike. A wildlife strike is deemed to have occurred when:
  - a. A pilot reports striking 1 or more birds or other wildlife;
  - **b.** Aircraft maintenance personnel identify aircraft damage as having been caused by a wildlife strike;
  - **c.** Personnel on the ground report seeing an aircraft strike 1 or more birds or other wildlife;
  - d. Bird or other wildlife remains, whether in whole or in part, are found within 200 feet of a runway centerline, unless another reason for the animal's death is identified;
  - e. The animal's presence on the airport had a significant negative effect on a flight (i.e., aborted takeoff, aborted landing, high-speed emergency stop, aircraft left pavement area to avoid collision with animal) (Transport Canada, Airports Group, *Wildlife Control Procedures Manual*, Technical Publication 11500E, 1994).

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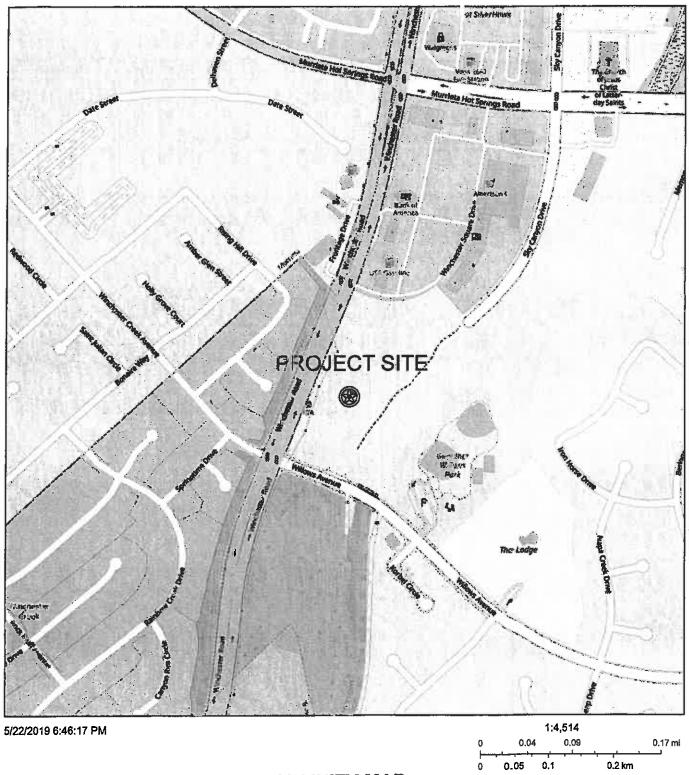
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= STUDY INTERSECTION
= PROJECT SITE

## FIGURE 1-1

VICINITY MAP
SKY CANYON RETAIL, RIVERSIDE COUNTY

## Vicinity Map

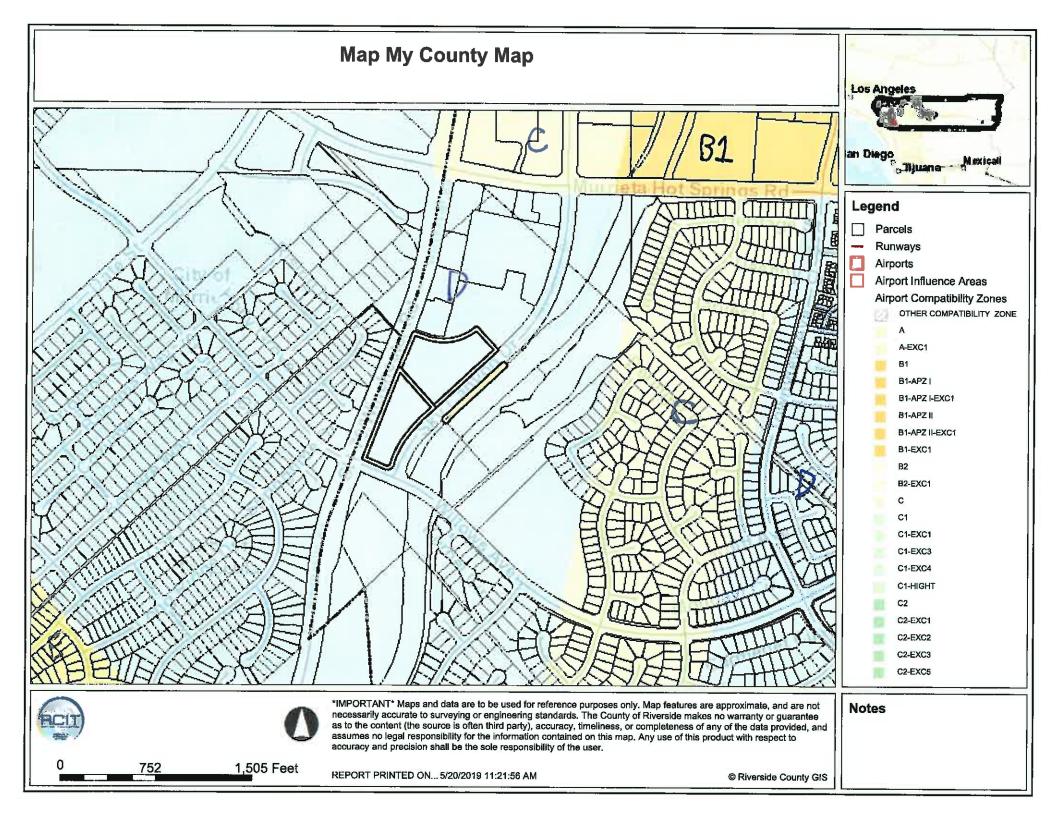


#### **VICINITY MAP**

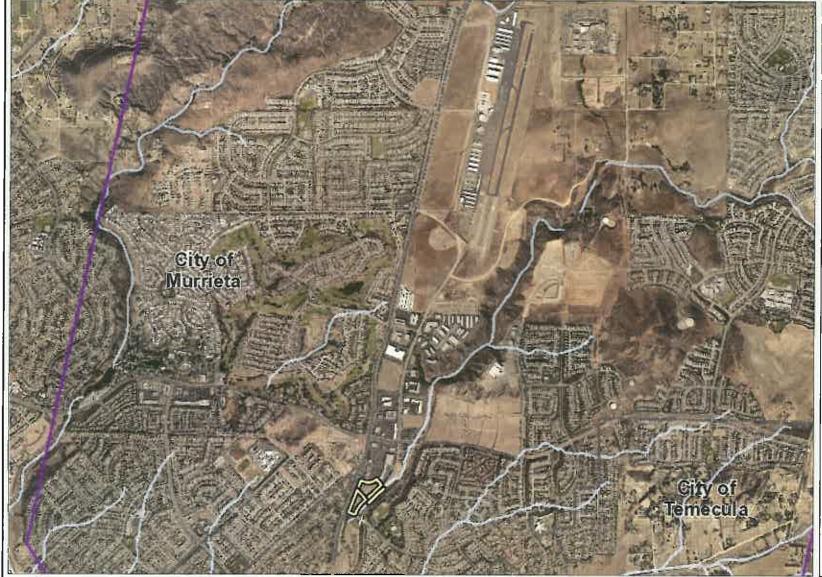
SITE: N/E CORNER OF WINCHESTER RD & WILLOWS AVE

## GC MAPPING SERVICE, INC. 3055 WEST VALLEY BOULEVARD

3055 WEST VALLEY BOULEVARD ALHAMBRA CA 91803 (626) 441-1080, FAX (626) 441-8850 GCMAPPING@RADIUSMAPS.COM



### **Map My County Map**





#### Legend

Airport Influence Areas
County Centerline Names
Blueline Streams
City Areas
World Street Map





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Notes

## **Map My County Map**





#### Legend

- Airport Influence Areas
  Blueline Streams
- City Areas
  World Street Map

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Notes

# **Map My County Map**





# Legend

- Parcels
- Airport Influence Areas Blueline Streams
- City Areas
- World Street Map



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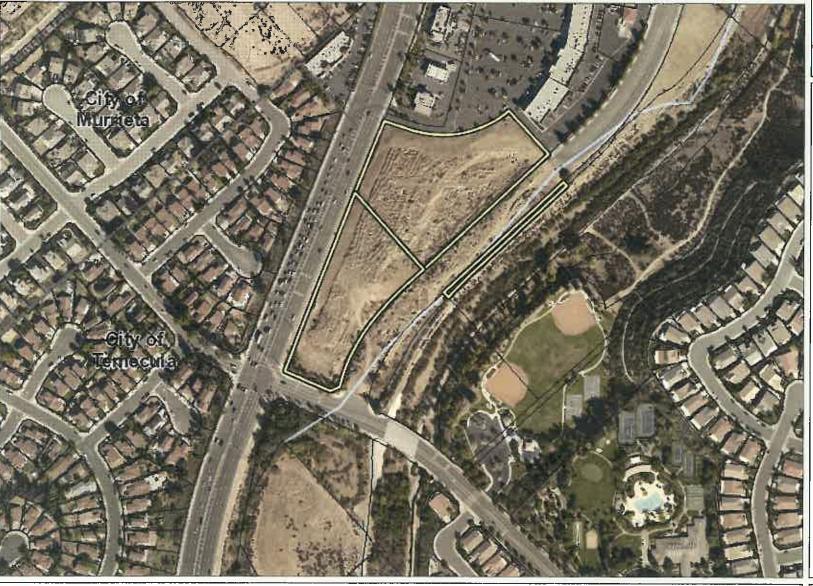
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# **Map My County Map**





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Blueline Streams

City Areas

World Street Map





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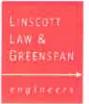
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SOURCE: GOOGLE KEY

PROJECT SITE

# FIGURE 2-1

EXISTING SITE AERIAL

SKY CANYON RETAIL, RIVERSIDE COUNTY

# **Map My County Map**





# Legend

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Airport Influence Areas
Blueline Streams

: City Areas

World Street Map

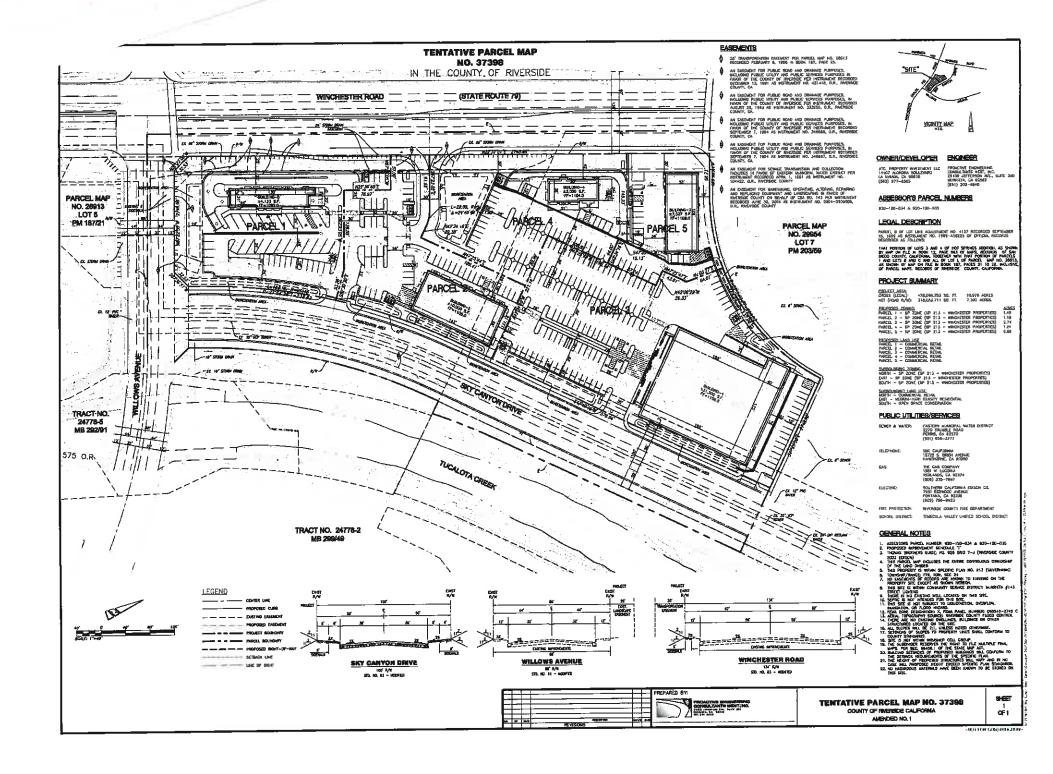


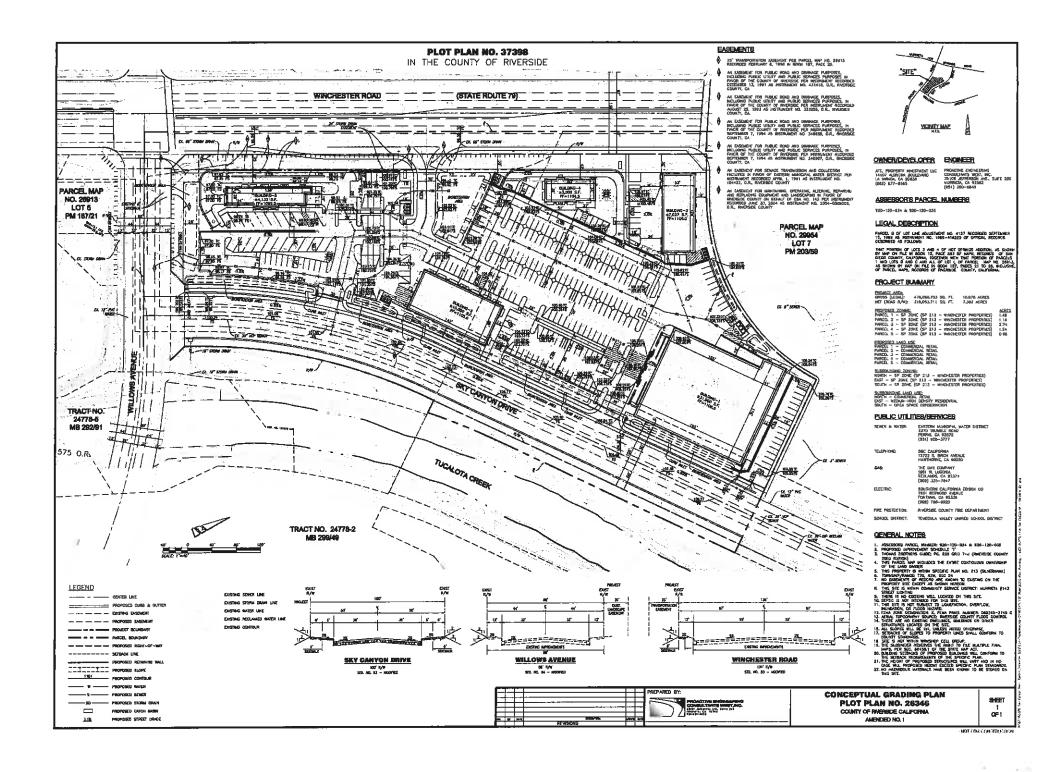


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# SKY CANYON RETAIL CENTER

# N.E.C. WINCHESTER ROAD & WILLOWS AVENUE **TEMECULA, CALIFORNIA** MAY 24, 2018

CLIENT

ATV, Property Investment LLC 14407 Alondra Boulevard La Mirada, California 90638 T: (562) 977-8565 Contact: Ara Tchaghlassian

ARCHITECT

**McKently Malak Architects** 35 Hugus Alley, Suite 200 Pasadena, CA 91103 T; 626 583.8346

CIVIL ENGINEER Proactive Engineering & Consultants West, Inc. 25109 Jefferson Avenue, Suite 200 Murrieta, CA 92582 T: (951) 200-6859 Contact, Renjamin J, Stables III

LANDSCAPE ARCHITECT

**BMLA Landscape Architecture** 310 North Joy Street Corona, CA 92879 T: 951,737,1124 Contact Andrew Neubauer

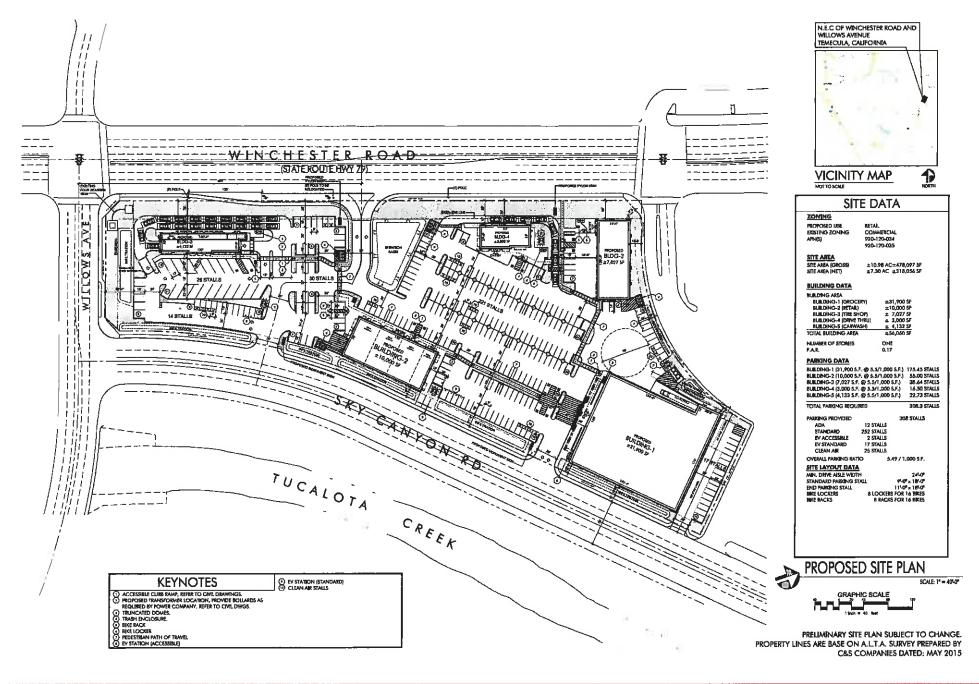
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SITE PLAN

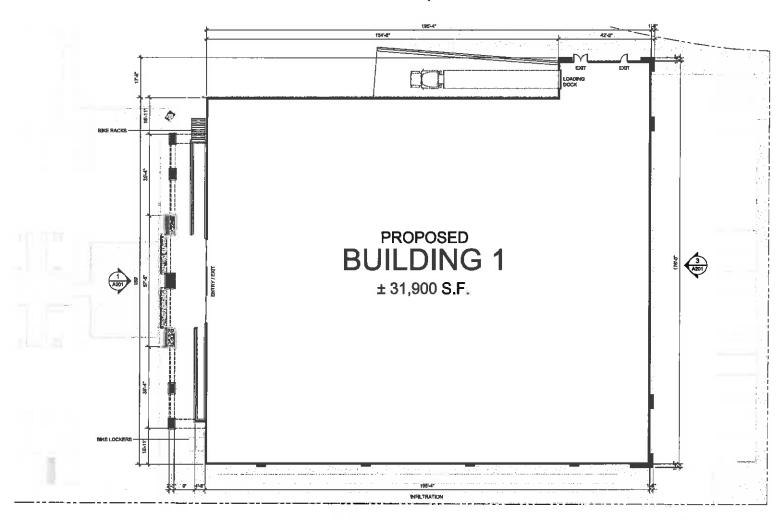




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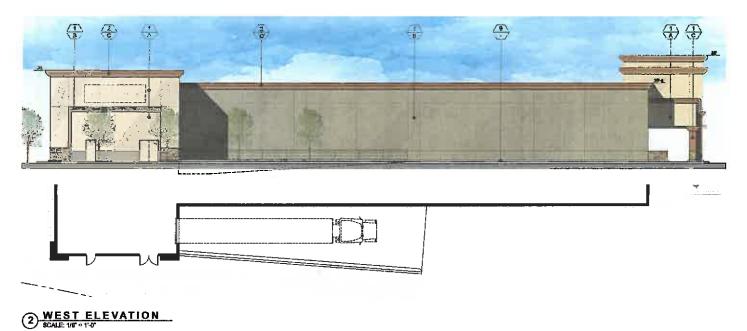




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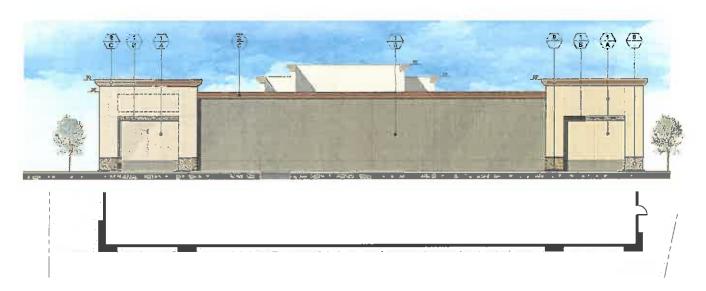
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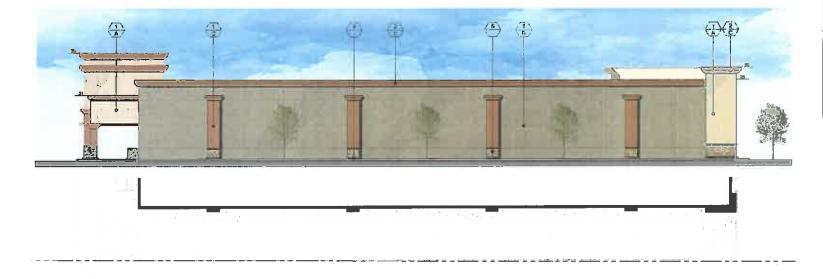
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PRELIMINARY SUBJECT TO CHANGE

La Mirada, California 90638





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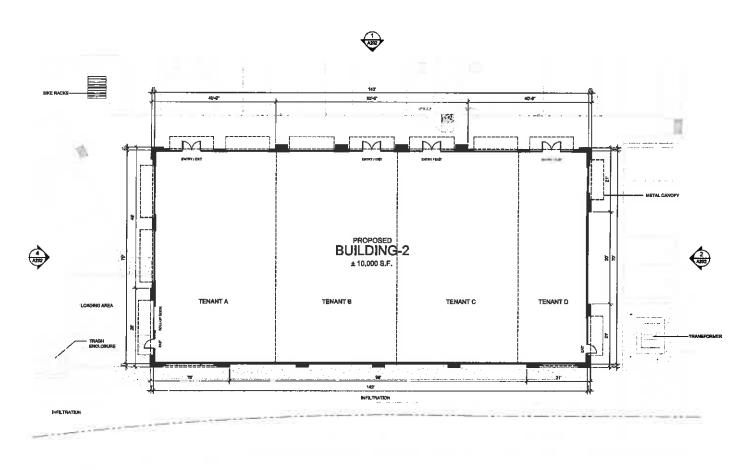
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BUILDING-1
PRELIMINARY SUBJECT TO CHANGE

La Mirada, California 90638



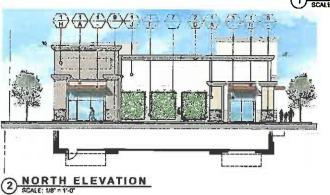




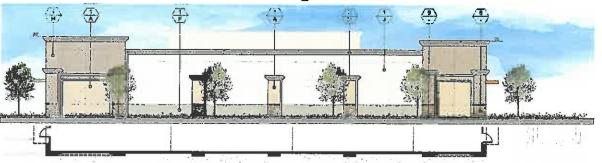


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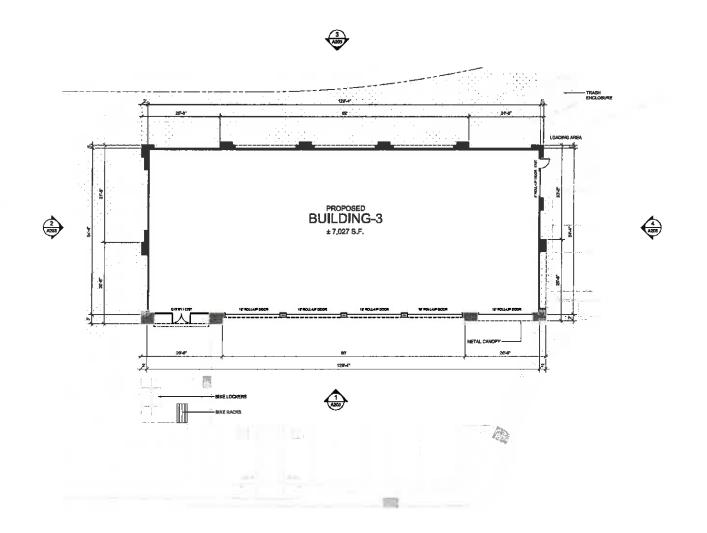
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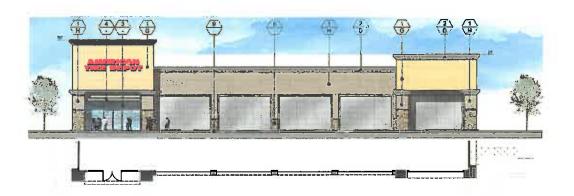
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BUILDING-2 PRELIMINARY SUBJECT TO CHANGE





BUILDING-3
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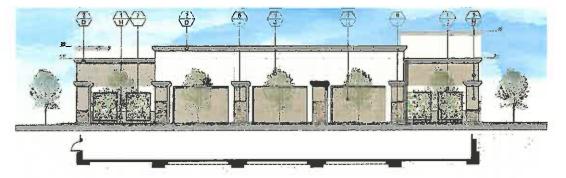
# SOUTH ELEVATION





WEST ELEVATION
SCALE: 1/8" = 1'-0"

4 EAST ELEVATION SCALE: 1/8" = 1/40"



3 NORTH ELEVATION SCALE: 1/8" = 1'-0"

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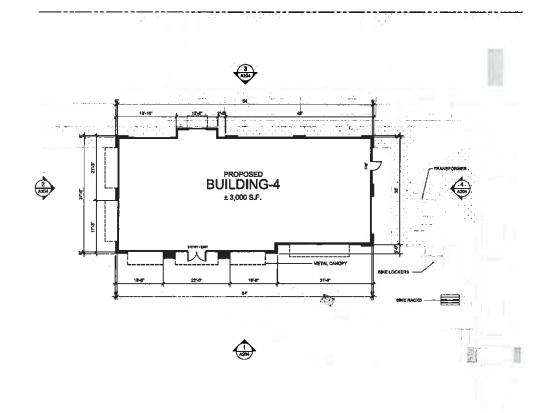
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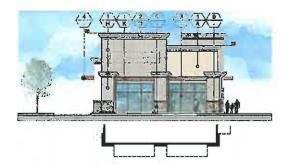
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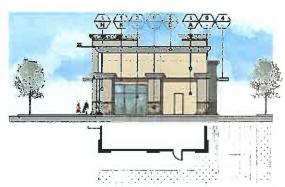


BUILDING-4
PRELIMINARY SUBJECT TO CHANGE





SOUTH ELEVATION



NORTH ELEVATION
SCALE 1/8" = 1'-0"



3 WEST ELEVATION
SCALE: 1/8" = 1"-0"

BUILDING-4
PRELIMINARY SUBJECT TO CHANGE

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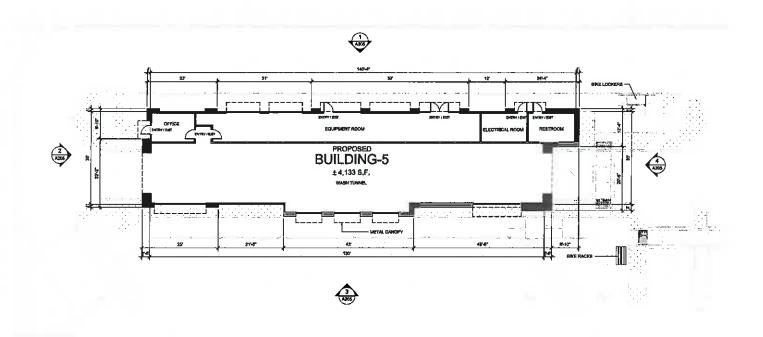
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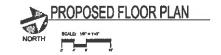
DOCUMENT A 174 ADMINISTRATE INTO BENEAMOR

(I) HOT LINES





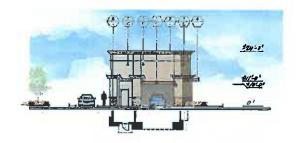




BUILDING-5
PRELIMINARY SUBJECT TO CHANGE



1 WEST ELEVATION
SCALE: 3/37 = 1'-0"





SOUTH ELEVATION BCALE: 3/37 = 110





3 EAST ELEVATION
SCALE: 3/32" = 1'-0"

FINISH KEYNOTES

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(4)

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BY NEW CONSTRUCTION

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BUILDING-5
PRELIMINARY SUBJECT TO CHANGE

La Mirada, California 90638



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PAINT: DE 6178 BOUTIQUE BEIGE BY: DAIRN EDWARDS



PAINT: SW 7542 NATURES. BY: SHERWIN WILLIAMS



METAL CANOPY
FINISH: PAINTED STEELTLIBE BY: NEW CONSTRUCTION



WALL TRELUS
BY NEW CONSTRUCTION



BY: DUNT: DE 6223 WEATHER BOARD BY: DUNN EDWARDS



PAUNT: SW 7692 CUPOI A YELLOW By: Sherwin Williams



STUCCO HHISH: SAND FINISH BY: LA HABRA STUCCO

CORNICE FINISH: SAND FINISH BY, LA HABBA STUCCO



BY: STANBRELLA



B WALL SCONCE MODEL: TURIN COLOR: BLACK BY: ECLIPSE LIGHTING



PAINT: DEA 164 AUTUMN BARK BY: DUNN FORWARDS



PAINT: SW 7018 DOVETAIL BY: SHERWIN WILLIAMS



PAINT: SW 7548 PORTICO BY: SHERWIN WILLIAMS

PAINT: SW 7569 STUCCO 8Y: SHERWIN WILLIAMS





6 STONE VENEER
MODEL: COUNTRY LEDGESTONE COLOR: CARAMEL BY: CULTURED STONE



ONORETE CURB COLOR: MATURAL CONCRETE

PAINT: SW 7095 AESTHETICWHITE BY: SHERWIN WILLIAMS

PAINT: SW 7710 BRANDY WINE BY: SHERWIN WILLIAMS

BY: NEW CONSTRUCTION

PRELIMINARY SUBJECT TO CHANGE

La Mirada, California 90638

# NOTICE OF PUBLIC HEARING RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. For more information please contact <u>ALUC Planner John Guerin at (951) 955-0982</u>. The ALUC holds hearings for local discretionary permits within the Airport Influence Area, reviewing for aeronautical safety, noise and obstructions. ALUC reviews a proposed plan or project solely to determine whether it is consistent with the applicable Airport Land Use Compatibility Plan.

The Riverside County Planning Department may hold hearings on this item and should be contacted on non-ALUC issues. For more information please contact County of Riverside Planner Ms. Dionne Harris at (951) 955-6836.

The proposed project application may be viewed and written comments may be submitted at the Riverside County Administrative Center, 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, California 92501, Monday through Thursday from 8:00 a.m. to 5:00 p.m., and by prescheduled appointment on Fridays from 9:00 a.m. to 5:00 p.m.

PLACE OF HEARING:

**Riverside County Administration Center** 

4080 Lemon Street, 1st Floor Board Chambers

Riverside California

DATE OF HEARING:

June 13, 2019

TIME OF HEARING:

9:30 A.M.

CASE DESCRIPTION:

ZAP1090FV19 – AVA Property Investments, LLC (Representative: Benjamin J. Stables, PEC West, Inc.) – County of Riverside Case Nos. PP26346 (Plot Plan) and PM37398 (Tentative Parcel Map). PP26346 is a proposal to construct a five-building commercial retail center with a combined gross floor area of 56,700 square feet on approximately 7.3 acres located on the easterly side of Winchester Road (State Highway Route 79), westerly of Sky Canyon Road (extended southerly) and northerly of Willows Avenue in the unincorporated community of French Valley. The development would include a 31,900 square foot grocery store, a 10,000 square foot retail building, a 7,500 square foot tire shop/service center, a 3,000 square foot restaurant with drive-through, and a 4,300 square foot car wash structure. PM37398 is a proposal to divide the site into five parcels, so that each building would be located on a separate parcel. (Compatibility Zone D of the French Valley Airport Influence Area).



# RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



APPLICATION FOR IVIAJOR LAND USE ACTION REVIEW						
ALUC CASE NUMBE	ER: ZAP1090FV19 DATE SU	JBMITTED: May 1,2019				
APPLICANT / REPRESENTATIVE / PROPERTY OWNER CONTACT INFORMATION						
Applicant Mailing Address	AVA Property Investments, LLC	Phone Number 562-977-8565				
	14407 Alondra Blvd.	Email peggy@atvtireinc.com				
	La Mirada, CA 90638					
Representative	PEC West, Inc.	Phone Number 951-972-7963				
Mailing Address	25109 Jefferson Ave., Suite 200	Email jays@pecwest.com				
	Murrieta, CA 92562					
Property Owner	AVA Property Investments, LLC	Phone Number 562-977-8565				
Mailing Address	14407 Alondra Blvd.	Email peggy@atvtireinc.com				
	La Mirada, CA 90638					
LOCAL JURISDICTION AGENCY						
Local Agency Name	County of Riverside	Phone Number 951-955-6836				
Staff Contact	Dionne Harris	Email dharris@rivco.org				
Mailing Address	4080 Lemon St 12th Flr	Case Type				
	Riverside, CA 92501	☐ General Plan / Specific Plan Amendment ☐ Zoning Ordinance Amendment				
		Subdivision Parcel Map / Tentative Tract				
Local Agency Project No	Plot Plan 26346 & TPM 37398	Use Permit  ■ Site Plan Review/Plot Plan				
		Other				
Pro grant on the state of						
PROJECT LOCATION	nap showing the relationship of the project site to the airport boundary and					
		runways				
Street Address N	orth east corner of Willows Ave. & Winchester Rd.	· · · · · · · · · · · · · · · · · · ·				
<u>.</u>	00 400 004 0 000 400 005					
/ ISSUES   Tall   1   1   1   1   1   1   1   1   1	20-120-034 & 920-120-035	Gross Parcel Size 10.98 Nearest Airport				
_	pecific Plan 213	and distance from				
Lot Number		Airport French Valley- 1.3 Mi.				
PROJECT DESCRIPTION If applicable, attach a detailed include additional project des	site plan showing ground elevations, the location of structures, open space	ces and water bodies, and the heights of structures and trees;				
Existing Land Use	Vacant, partially graded commercial / retail (Zoned					
_						
<u> </u>						

Proposed Land Use (describe)	Single Story Commercial / Retail  Grocery, Tire Store, Fast Food, Car Wash, Multi-tenant					
For Residential Uses	Number of Parcels or Units on Site (exclude secondary units)					
For Other Land Uses	Hours of Operation 6AM -					
(See Appendix C)	Number of People on Site	Maximum Number 462		<u> </u>		
	Method of Calculation	Parking Space Requirement				
Height Data	Site Elevation (above mean s	ea level)	1,108		ft.	
	Height of buildings or structure	es (from the ground)	35		ft.	
Flight Hazards	Does the project involve any characteristics which could create electrical interference,					
	confusing lights, glare, smoke, or other electrical or visual hazards to aircraft flight?			□ No		
	If yes, describe		11			

- A. NOTICE: Failure of an applicant to submit complete or adequate information pursuant to Sections 65940 to 65948 inclusive, of the California Government Code, MAY constitute grounds for disapproval of actions, regulations, or permits.
- B. REVIEW TIME: Estimated time for "staff level review" is approximately 30 days from date of submittal. Estimated time for "commission level review" is approximately 45 days from date of submittal to the next available commission hearing meeting.
- C. SUBMISSION PACKAGE:
  - 1. . . . . Completed ALUC Application Form
  - 1..... ALUC fee payment
  - 1..... Plans Package (24x36 folded) (site plans, floor plans, building elevations, landscaping plans, grading plans, subdivision maps)
  - 1. . . . Plans Package (8.5x11) (site plans, floor plans, building elevations, landscaping plans, grading plans, subdivision maps, zoning ordinance/GPA/SPA text/map amendments)
  - 1..... CD with digital files of the plans (pdf)
  - 1..... Vicinity Map (8.5x11)
  - 1.... Detailed project description
  - 1..... Local jurisdiction project transmittal
  - 3. . . . . Gummed address labels for applicant/representative/property owner/local jurisdiction planner
  - 3. . . . . Gummed address labels of all surrounding property owners within a 300 foot radius of the project site (only required if the project is scheduled for a public hearing Commission meeting). If more than 100 property owners are involved, please provide pre-stamped envelopes (size #10) with ALUC return address. \*

<sup>\*</sup> Projects involving heliports/helicopter landing sites will require additional noticing procedures.

# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

# STAFF REPORT

**AGENDA ITEM:** 

3.5 3.7

**HEARING DATE:** 

November 8, 2018 June 13, 2019

**CASE NUMBER:** 

ZAP1083FV18 - Pierer Immoreal North America, LLC

(Representative: CASC Engineering and Consulting)

APPROVING JURISDICTION:

Riverside County

**JURISDICTION CASE NO:** 

PPT180022 (Plot Plan)

**MAJOR ISSUES:** 

None

RECOMMENDATION: Staff recommends that the Commission find the Plot Plan <u>CONDITIONALLY CONSISTENT</u>, subject to the conditions included herein, and such additional conditions as may be required by the Federal Aviation Administration Obstruction Evaluation Service.

PROJECT DESCRIPTION: The applicant proposes to construct a two-story, 72,144 square foot KTM Headquarters office building with a separate 31,421 square foot storage warehouse area, and a 67,088 square foot motorsport research and development building with a separate 24,111 square foot covered truck parking area and 8,438 square foot covered truck wash area on 21.16 acres of a 56.95-acre site.

The applicant proposes to revise the original KTM project that was accepted by the Commission on November 8, 2018. The new proposal is to construct a two-story 47,675 square foot KTM headquarters office building, a 60,860 square foot motorsport research building, a 17,917 square foot warehouse building, a 20,696 square foot outdoor semi-truck parking area, and an outdoor 8,602 square foot maintenance area, on 19.57 acres (development footprint) of a 56.95-acre site

**PROJECT LOCATION:** The site is located northerly of Borel Road, easterly of Winchester Road (State Highway Route 79), westerly of Sky Canyon Road, and southerly of Sparkman Way, within the unincorporated community of French Valley, approximately 1,231 feet westerly of the southerly end of Runway 18-36 at French Valley Airport.

LAND USE PLAN: 2007 French Valley Airport Land Use Compatibility Plan, as amended in 2011

a. Airport Influence Area:

French Valley Airport

b. Land Use Policy: Zones B2 and D

c. Noise Levels: 55-65 CNEL

### **BACKGROUND:**

Non-Residential Average Land Use Intensity: Pursuant to the French Valley Airport Land Use Compatibility Plan, the project site is located within Compatibility Zones B2 and D. Zone B2 restricts average intensity to 100 people per acre, and Zone D restricts average intensity to 150 people per acre through French Valley Airport Compatibility Plan Policy 2.4. The project is located on 56.95 acres and is split between Zones B2 and D.

Pursuant to Appendix C, Table C-1, of the Riverside County Airport Land Use Compatibility Plan, and French Valley Airport Compatibility Plan Policy 2.5, the following rates were used to calculate the occupancy for the proposed buildings in Compatibility Zones B2 and D:

- office 1 person per 200 square feet;
- manufacturing 1 person per 200 square feet;
- conference room/reception area/break area 1 person per 15 square feet;
- vocation training room 1 person per 50 square feet;
- warehouse 1 person per 500 square feet; and
- storage 1 person per 300 square feet.

The proposed project includes (based on gross floor area) a two-story 72,144, square foot KTM Headquarters office building with a separate 31,421 square foot storage warehouse area, and a 67,088 square foot motorsport research and development building with a separate 24,111 square foot covered truck parking area and 8,438 square foot covered truck wash area on 21.16 acres of the 56.95-acre site, for a total occupancy of 908 people (based on net floor area a 25,292 square feet of manufacturing area, 6,688 square feet of conference room/break room/lobby area, 16,978 square feet of storage area [1st floor and mezzanine storage], 41,941 square feet of office area [1st floor and 2nd floor], 30,826 square feet of warehouse area, and 5 bay door areas for truck parking and washing area), and an average acre intensity of 16 people per acre for the entire 56.95 acre site (43 people per acre based on the 21.16-acre area only), which is consistent with the Compatibility Zone B2 criterion of 100 and the Compatibility Zone D criterion of 150.

The proposed project includes a two-story 47,675 square foot KTM headquarters office building, a 60,860 square foot motorsport research building, a 17,917 square foot warehouse building, a 20,696 square foot outdoor semi-truck parking area, and an outdoor 8,602 square foot maintenance area, for a total occupancy of 709 people (based on the total net floor area of the site including: 31,077 square feet of office area, 24,362 square feet of manufacturing area, 17,917 square feet of warehouse area, 13,939 square feet of storage area, 3,997 square feet of conference room/reception/break area, 3,199 square feet of vocation training room, and 13

outdoor entrance bays for truck parking and maintenance), and an average acre intensity of 12 people per acre for the entire 56.95 acre site (36 people per acre based on the 19.57 acre development footprint area), which is consistent with the Compatibility Zones B2 criterion of 100 and Compatibility Zone D criterion of 150.

The project site is split between Compatibility Zones B2 and D, with approximately 26.03 acres in Zone B2 and 24.62 acres in Zone D. The development footprint is on 16.14 19.57 acres, with 13.66 10.13 acres located in Zone B2 and 12.41 9.44 acres located in Zone D.

A breakdown of use by Compatibility Zone indicates that Zone B2 would accommodate 322 people in the motorsport research and development building, resulting in an average intensity of 12 people per acre for the entire site located in Zone B2, which is consistent with the Compatibility Zone B2 average acre intensity criterion of 100. (Even if the average acre intensity was calculated by the development footprint, it would result in 24 people per acre which is also consistent with the Zone B2 average acre intensity criteria of 100.) Zone D would accommodate 586 people in the KTM Headquarters office/warehouse building, resulting in an average intensity of 24 people per acre for the entire site located in Zone D, which is consistent with the Compatibility Zone D average acre intensity criterion of 150. (Even if the average acre intensity was calculated by the development footprint, it would result in 47 people per acre which is also consistent with the Zone D average acre intensity criterion of 150.)

A breakdown of use by Compatibility Zone indicates that Zone B2 would accommodate 339 people in the motorsport building, warehouse, and outdoor entrance bays for truck parking and maintenance, resulting in an average intensity of 13 people per acre for the entire site located in Zone B2, which is consistent with the Compatibility Zone B2 average acre intensity criterion of 100. (Even if the average acre intensity was calculated by the development footprint, it would result in 34 people per acre which is also consistent with the Zone B2 average acre intensity criterion of 100.) Zone D would accommodate 370 people in the KTM headquarters building, resulting in an average intensity of 15 people per acre for the entire site located in Zone D, which is consistent with the Compatibility Zone D average acre intensity criterion of 150. (Even if the average acre intensity was calculated by the development footprint, it would result in 39 people per acre which is also consistent with the Zone D average acre intensity criterion of 150).

A second method for determining total occupancy involves multiplying the number of parking spaces provided or required (whichever is greater) by average vehicle occupancy (assumed to be 1.5 persons per standard vehicle). Based on the number of standard parking spaces provided of 388 264 spaces, the total occupancy would be estimated at 582 396 people, resulting in an average intensity of 10 7 people per acre for the entire site, which is consistent with both the Zone B2 average criterion of 100 and the Zone D criterion of 150. (Even if the average acre intensity was calculated by the development footprint, it would result in 36 20 people per acre which is also consistent with both criteria.)

Staff Report Page 4 of 7

Non-Residential Single-Acre Land Use Intensity: Pursuant to the French Valley Airport Land Use Compatibility Plan, the project site is located within Compatibility Zones B2 and D. Zone B2 restricts single acre intensity to a maximum of 200 people, and Zone D restricts single acre intensity to 450 people in the most intensely utilized acre, through French Valley Airport Compatibility Plan Policy 2.4.

Based on the site plan provided and the occupancies as previously noted, the single-acre intensities of concern would occur at within a portion of the motorsport research and development building in Compatibility Zone B2, and at entirely consist the KTM headquarters building in Compatibility Zone D.

The single acre intensity for the motorsport research and development building located entirely within Compatibility Zone B2 would include 10,628 square feet of manufacturing area, 11,939 square feet of office area, 3,534 square feet of storage area, and 1,128 square feet of break room and lobby area, accommodating a single acre occupancy of 200 people, which is consistent with the Compatibility Zone B2 criterion of 200.

The single acre intensity for the motorsport building located entirely within Compatibility Zone B2 would include 8,296 square feet of office area, 12,939 square feet of manufacturing area, 4,713 square feet of storage area, and 1,146 square feet of break room/lobby area, accommodating a single acre occupancy of 198 people, which is consistent with the Compatibility Zone B2 criterion of 200.

The single acre intensity for the KTM headquarters building located entirely within Compatibility Zone D would include 10,563 square feet of office area, 3,003 square feet of conference room area, and 30,826 square feet of warehouse area, accommodating a single acre occupancy of 315 people, which is consistent with the Compatibility Zone D criterion of 450.

The single acre intensity for the two-story KTM headquarters building located entirely within Compatibility Zone D would include 20,352 square feet of office area, 1,578 square feet of manufacturing area, 1,948 square feet of storage area, 2,851 square feet of conference room/lobby area, and 3,199 square feet of vocational training area, accommodating a single-acre occupancy of 370 people, which is consistent with the Compatibility Zone D criterion of 450.

<u>Prohibited and Discouraged Uses:</u> The applicant does not propose any uses prohibited or discouraged in Compatibility Zones B2 or D (children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, highly noise-sensitive outdoor non-residential uses, hazardous materials and hazards to flight).

Noise: The French Valley Compatibility Plan depicts the site as being located within the 55-65 CNEL contour range from aircraft noise. Office and industrial uses are identified as normally and marginally acceptable within the 55-65 CNEL contour range. The indoor sensitive uses like office

areas would be impacted by aircraft generated noise, and, therefore, staff is recommending a condition to incorporate noise attenuation measures into the design of these areas to such extent as may be required to ensure that interior noise levels from aircraft operations are at or below 45 CNEL.

Part 77: The elevation of Runway 18-36 at its southerly terminus is 1,340 feet above mean sea level (AMSL). At a distance of approximately 1,231 feet from the runway to the closest parcel within the site, Federal Aviation Administration (FAA) review would be required for any structures with top of roof exceeding 1,352.3 feet AMSL. The site's finished floor elevation is 1,327.5 feet AMSL. With a maximum building height of 29 feet, the top point elevation would be 1,356.5 feet. Therefore, review of buildings by the FAA Obstruction Evaluation Service (FAAOES) is required. Submittal to the FAAOES was made and Aeronautical Study Numbers 2018-AWP-15606-OE and 2018-AWP-15608-OE were assigned to this project. At the time of writing of this staff report, no determination has been made, but the study is in a "Work in Progress" status.

The elevation of Runway 18-36 at its southerly terminus is 1,340 feet above mean sea level (AMSL). At a distance of approximately 1,231 feet from the runway to the closest parcel within the site, Federal Aviation Administration (FAA) review would be required for any structures with top of roof exceeding 1,352.3 feet AMSL.

The original project's finished floor elevation was 1,327.5 feet AMSL. With a maximum building height of 29 feet, the top point elevation was 1,356.5 feet. Therefore, review of the buildings by the FAA Obstruction Evaluation Service (FAAOES) was required. The applicant submitted to the FAAOES and Aeronautical Study Numbers 2018-AWP-15606-OE (motorsport building) and 2018-AWP-15608-OE (headquarters building) were assigned to the project. The FAA OES issued "Determination of No Hazard to Air Navigation" letters dated November 1 and 2, 2018 for the motorsport building and headquarter building.

As part of the revised project, the applicant is proposing a new 26 feet tall warehouse building, and increasing the height of the headquarter building from 29 feet to 32 feet. The applicant has submitted new FAA applications for the warehouse and headquarters buildings (there are no changes to the motorsport building height, therefore the original FAA no hazard determination letter 2018-AWP-15606 is still valid), and new Aeronautical Study Numbers 2019-AWP-5214-OE (headquarters building) and 2019-AWP-5221-OE (warehouse building) were assigned. At the time the staff report was written, no determination has been made, but the study is in a "Work in Progress" status.

Open Area: As noted, the project site is split between Compatibility Zones B2 and D, with approximately 26.03 acres in Zone B2 and 24.62 acres in Zone D. The development footprint is on 21.16 acres, with 13.66 acres located in Zone B2 and 12.41 acres located in Zone D. Compatibility Zone D requires 10% (2.46 acres) of the land area within major projects (10 acres or larger) be set aside as open area that could potentially serve as emergency landing areas (Compatibility Zone B2 does not require any amount of open area due to its proximity to the actual runway.) The proposed revised project identifies 2.46 2.48 acres of ALUC eligible open areas in Zone D consisting of

driveway aisles and parking lot areas within the proposed development. The project is conditioned to maintain these areas consistent with ALUC open area requirements of 300 feet by 75 feet minimum shape, and prohibit obstructions greater than 4 feet in height that are at least 4 inches in diameter.

### **CONDITIONS:**

- 1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky and shall comply with the requirements of 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 French Valley Airport for review and comment. (Failure to comment within thirty days shall be considered to constitute acceptability on the part of the airport manager.)
- 2. The review of this Plot Plan is based on the proposed uses and activities noted in the project description. The following uses/activities are not included in the proposed project and shall be prohibited at this site, in accordance with Note A on Table 4 of the Southwest Area Plan.
  - (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.
- 3. Prior to issuance of building permits, the landowner shall convey an avigation easement to the County of Riverside as owner of French Valley Airport, or provide evidence that such easement (applicable to all of the properties in the project) has been previously conveyed. Contact the Riverside County Economic Development Agency Aviation Division at (951) 955-9722 for additional information.
- 4. The attached notice shall be provided to all prospective purchasers of the property and future tenants of the buildings thereon.

- 5. The following uses/activities are specifically prohibited at this location: trash transfer stations that are open on one or more sides; recycling centers containing putrescible wastes; construction and demolition debris facilities; wastewater management facilities; incinerators; children's schools; day care centers; libraries; hospitals; nursing homes and other skilled nursing and care facilities; places of worship or assemblies of people; noise-sensitive outdoor nonresidential uses; and hazards to flight.
- 6. Any proposed detention basins or facilities 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 detention basins 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. Landscaping in and around the detention basin(s) shall not include trees that produce seeds, fruits, or berries.
- 7. Any subsequent Conditional Use Permit, Plot Plan, or other permitting that would alter the use and occupancy of the currently proposed project shall require ALUC review.
- 8. Noise attenuation measures shall be incorporated into the design of the buildings, to the extent such measures are necessary to ensure that interior noise levels from aircraft operations are at or below 45 CNEL.
- 9. The ALUC open areas as shown on the site plan shall be devoid of obstacles/obstructions greater than 4 feet in height that are at least 4 inches in diameter, which includes parking light poles, walls, trash enclosures, and tall landscaping.
- 10. Prior to issuance of building permits for any building on this site, the permittee shall provide copies of a "Determination of No Hazard to Air Navigation" letter from the Federal Aviation Administration Obstruction Evaluation Service relating to that specific building or group of buildings to the Department of Building and Safety and to the Riverside County Airport Land Use Commission. The permittee shall comply with all requirements of such letter.
- 11. The project does not propose rooftop solar panels at this time. However, if the project were to propose solar rooftop panels in the future, the applicant/developer shall prepare a solar glare study that analyzes glare impacts, and this study shall be reviewed by the Airport Land Use Commission and Riverside County Economic Development Agency as owner and operator of French Valley Airport. In the event of any reasonable complaint about glare related to aircraft operations, the applicant shall agree to such specific mitigation measures as determined or requested by Riverside County Economic Development Agency.

# NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Issued Date: 11/02/2018

Cheryl Webb Pierer Immoreal North America 38429 Innovation Court Murrieta, CA 92563

### \*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\*

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Building Motorsport Building

Location: Murrieta, CA

Latitude: 33-34-16.56N NAD 83

Longitude: 117-08-00.90W

Heights: 1320 feet site elevation (SE)

28 feet above ground level (AGL)

1348 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

	At least 10 days prior to start of construction (7460-2, Part 1)	
_X_	Within 5 days after the construction reaches its greatest height (7460-2, Par	t 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 2.

This determination expires on 05/02/2020 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (424) 405-7643, or karen.mcdonald@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-AWP-15606-OE.

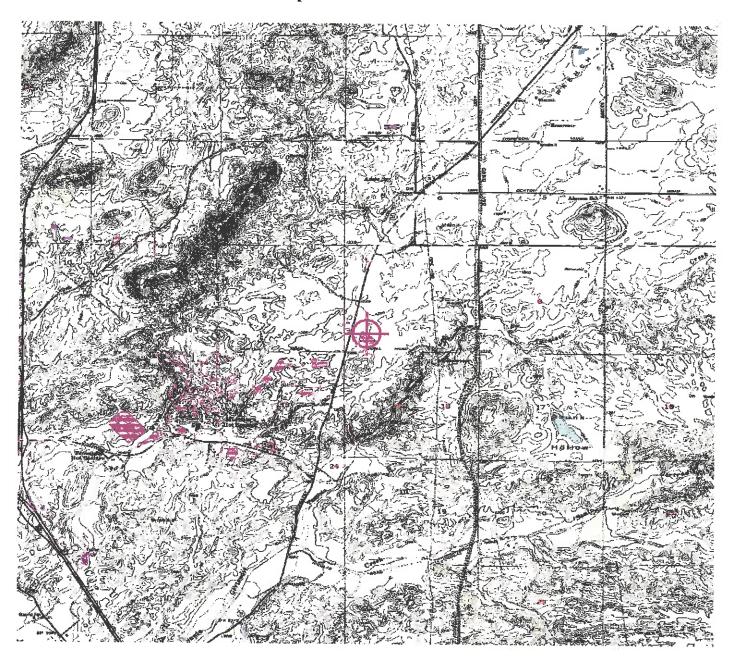
(DNE)

Signature Control No: 387146716-389141703

Karen McDonald Specialist

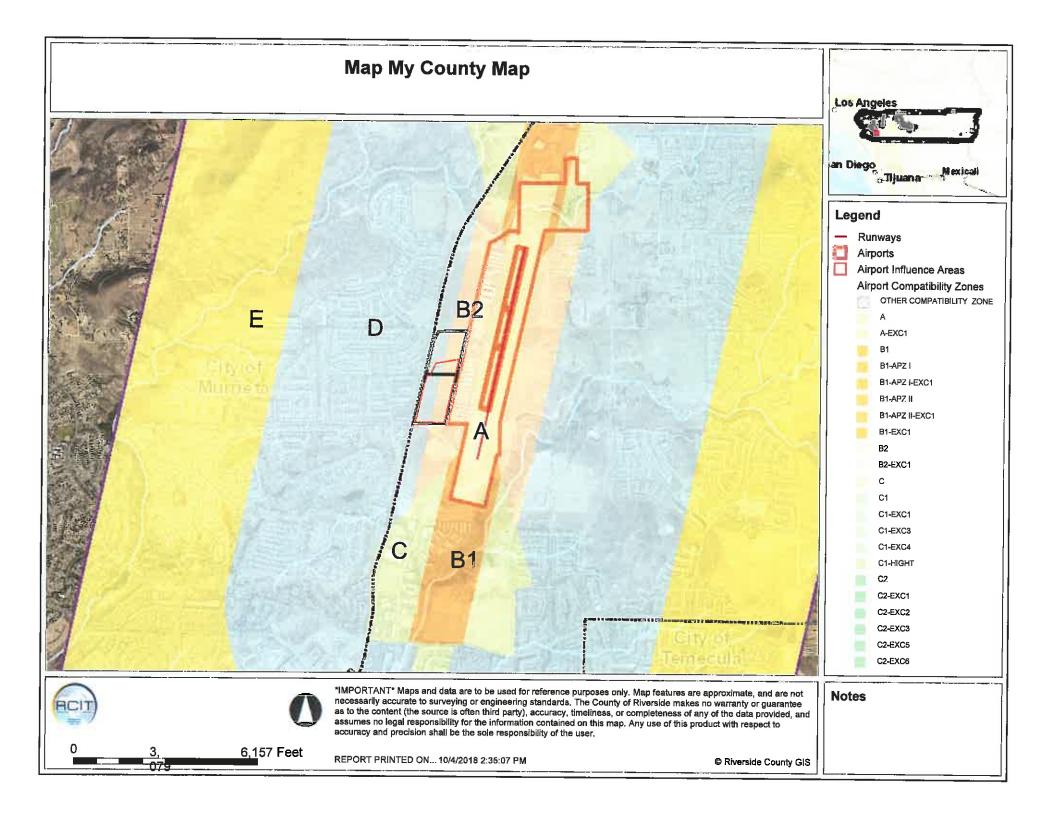
Attachment(s) Map(s)

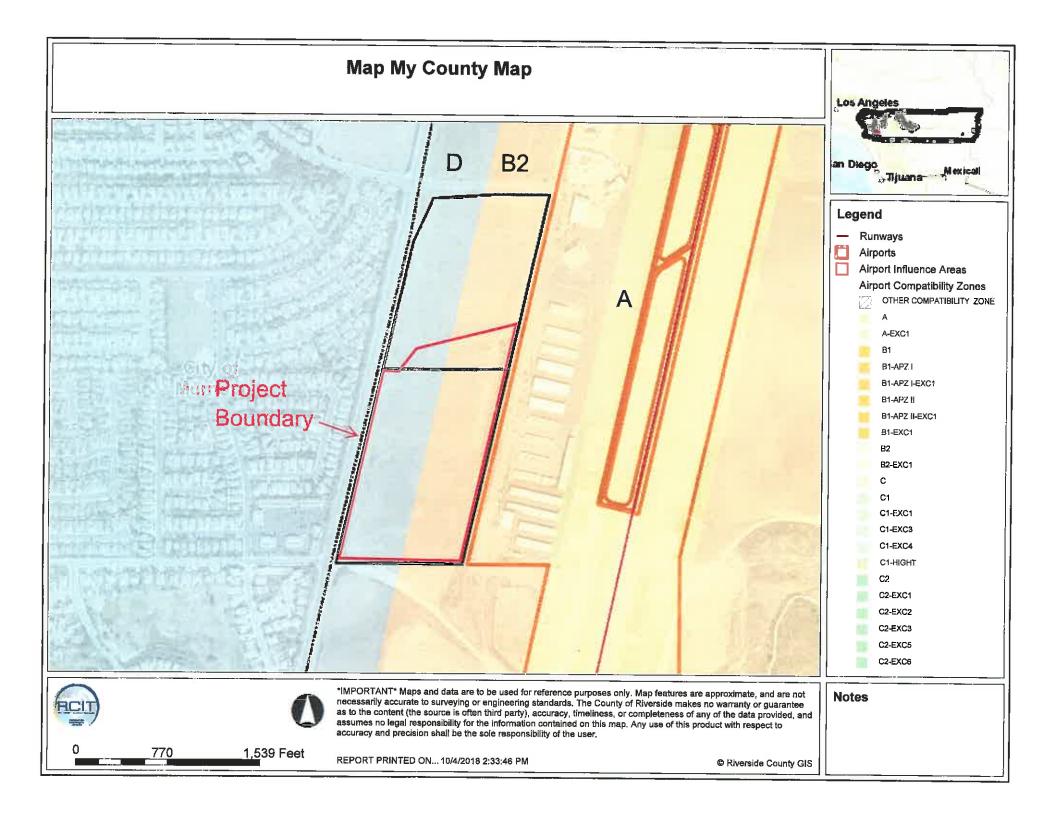
# TOPO Map for ASN 2018-AWP-15606-OE



1"= 4000"

French Valley Airport









#### Legend

**Blueline Streams** City Areas World Street Map





\*IMPORTANT\* Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

1,539 Feet

REPORT PRINTED ON... 10/4/2018 2:34:22 PM

**Notes** 

Riverside County GIS





#### Legend

Blueline Streams City Areas World Street Map

**Notes** 





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6,157 Feet

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C Riverside County GIS





#### Legend

**Blueline Streams** City Areas World Street Map





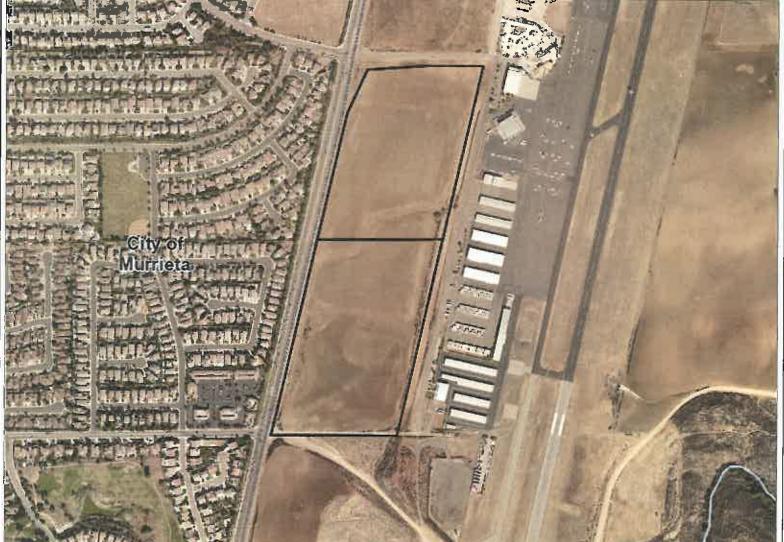
\*IMPORTANT\* Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

3,079 Feet

REPORT PRINTED ON... 10/4/2018 2:37:39 PM

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**Notes** 





#### Legend

Blueline Streams

City Areas

World Street Map





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\_\_\_\_

770

<u>1,5</u>39 Feet

REPORT PRINTED ON... 10/4/2018 2:38:03 PM

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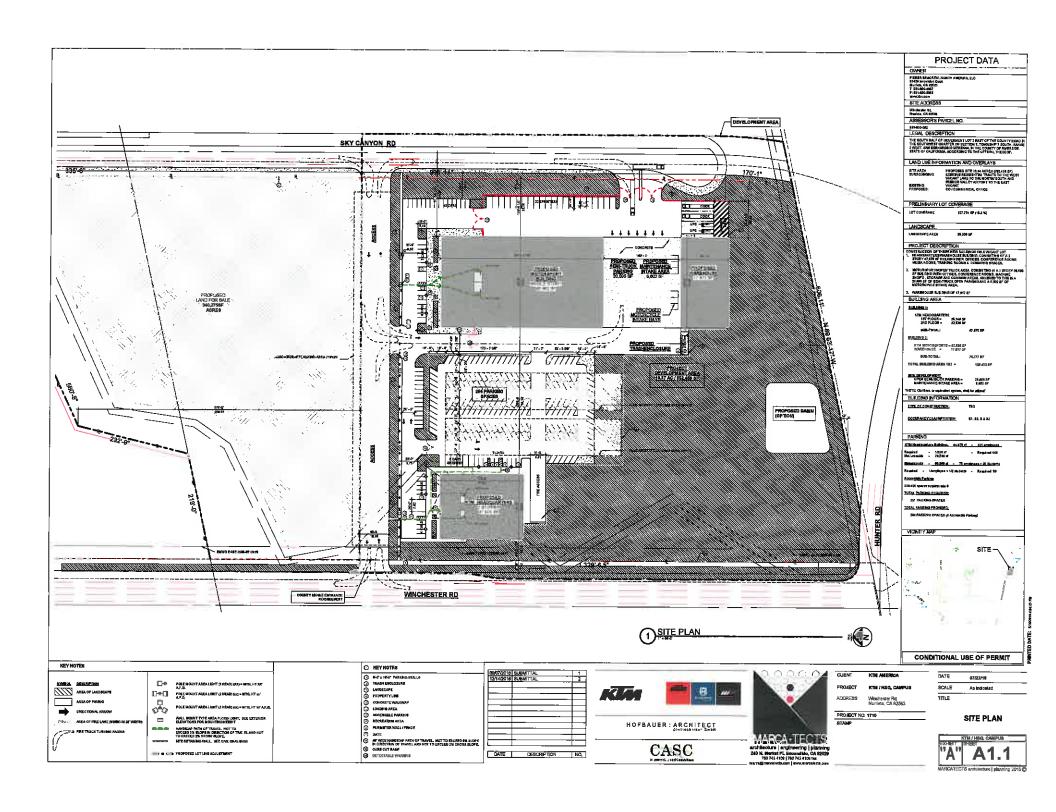
Notes

#### KTM HQ Campus (Approximately 19.87 acres of 56.95-acre total project site)

#### (Updated 05/20/2019)

	Avg./Single Acre Max	Total Acreage per Zone	Total Acreage per Zone (Southern Parcel only)	jper zone	Open Area Required	
ZONE B2	100/200	26.03	18.30	10.13	0	
ZONE D	150/450	24.62	13.37	9.44	2.46	
		50.65	31.67	19.57		

Airport Zone	Building	SF	Ratio	Total Building Occupancy	AVG ACRE	AVG ACRE/ZONE (Southern Parcel)	Total Acreage per Zone (Development Portion Only)	ACRE 1	ACRE 2	ACRE 3
	Motorsport									·
	manufacturing	22,784	200	114				65	49	
	office	10,725	200	54				41	12	
	storage	11,991	300	40		-		16		
	conference/break	_					····			
	room/lobby	1,146	15	76				76	o	
ZONE B2	Warehouse									
	Storage	17,917	500	36						36
	Truck Parking @ 7		_							
	entrances	22,678	1.5	11					11	11
	Truck Maintenance									
	Intake Area @ 6 bays	6,724	1.5	9					9	9
(d				339	13	19	33	198	105	55
(	KTM HQ				<del></del>			ACRE 1		
	office	20,352	200	102				102		
	storage	1,948	300					6		
ZONE D	Manufacturing	1,578	200	8				8		
AND D										-
	conference room, lobby	2,851	15	190				190		
	Vocational/Training									
	Rooms	3,199	50	64				64		
	Total				15	28	39			



KTM / HUSQVARNA
HEADQUARTERS
BUILDING

2 ELEVATION - KTM / HUSQVARNA HEADQUARTERS

Description of the control of the co

364'- 0" (MOTOR SPORTS BUILDING)

MOTORSPORTS BUILDING

DELEVATION - MOTORSPORTS AND WAREHOUSE BUILDING



CASC



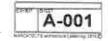
WAREHOUSE BUILDING

DATE 07/23/18

SCALE 1/18" = 1'-0"

TITLE

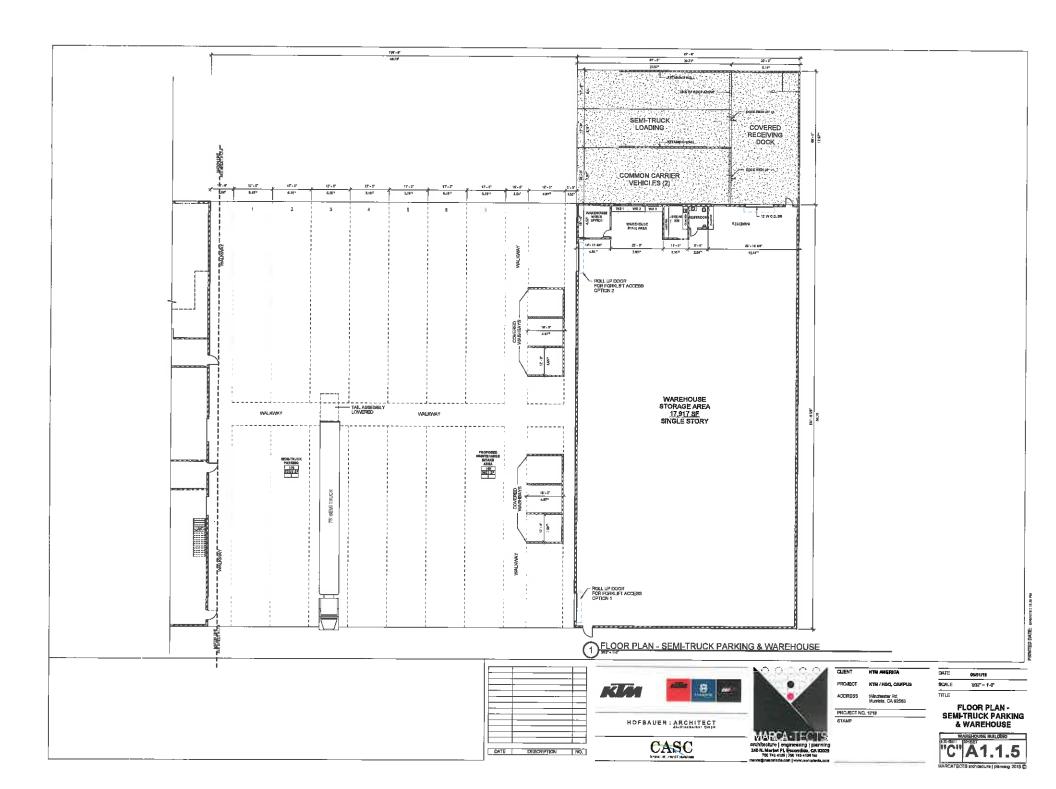
KTM / HUSQVARNA ELEVATIONS

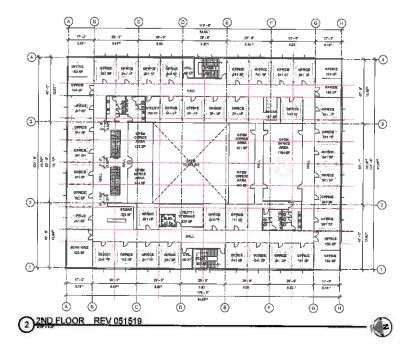


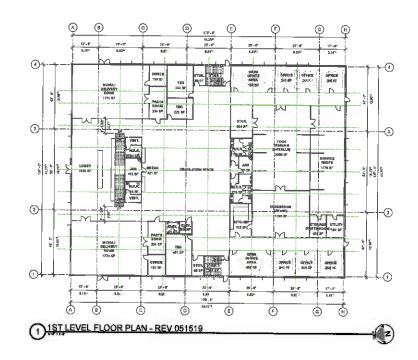


DATE DESCRIPTION NO.

CASC







1ST FLOOR = 25,145.67 SF 2ND FLOOR = 22,529.76 SF

TOTAL.= 47,675.43 SF

9CALE

PROJECT NO, 1719

FLOOR PLANS

05/01/2018

1/16" = 1'-0"

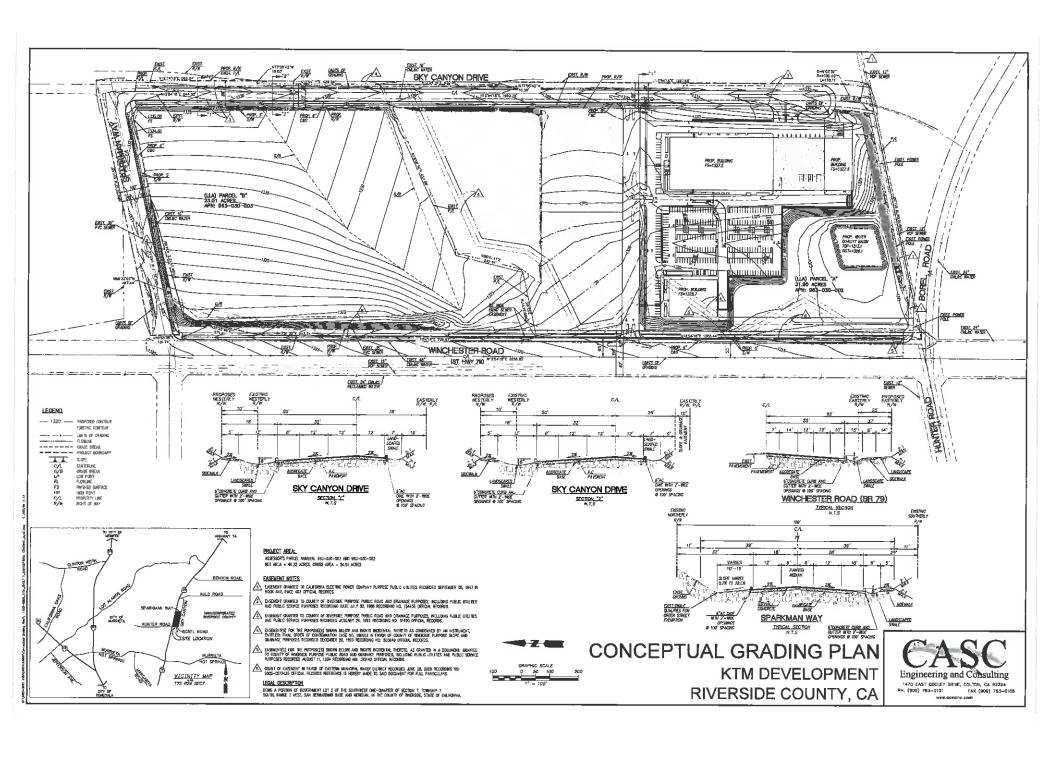


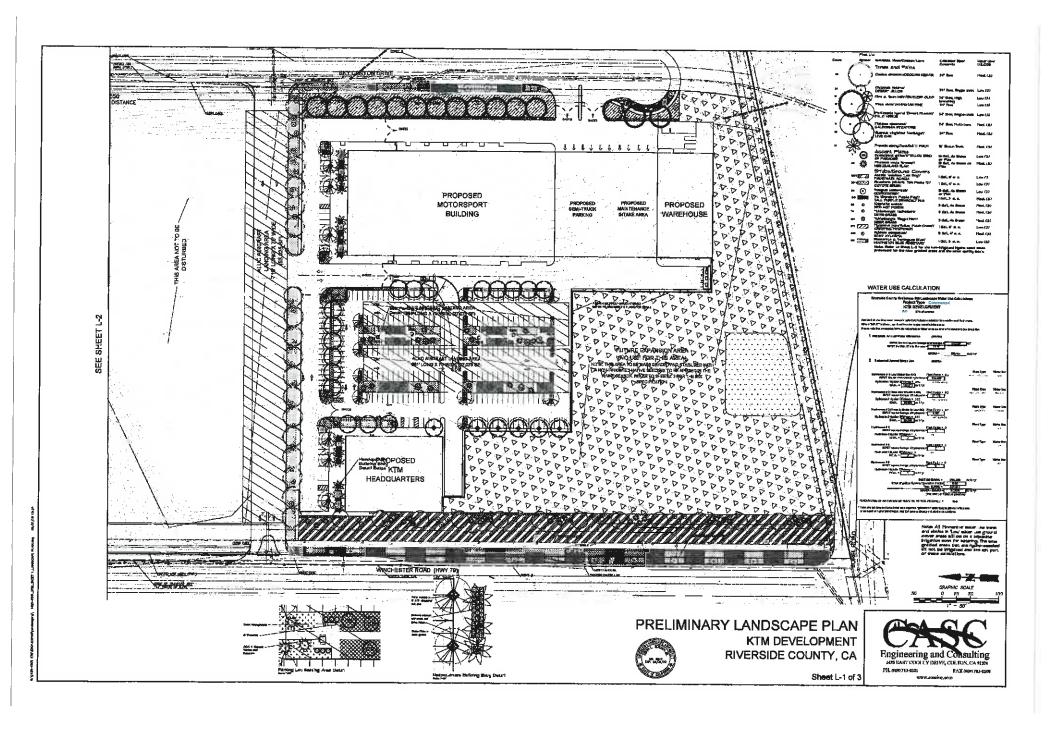
(0)

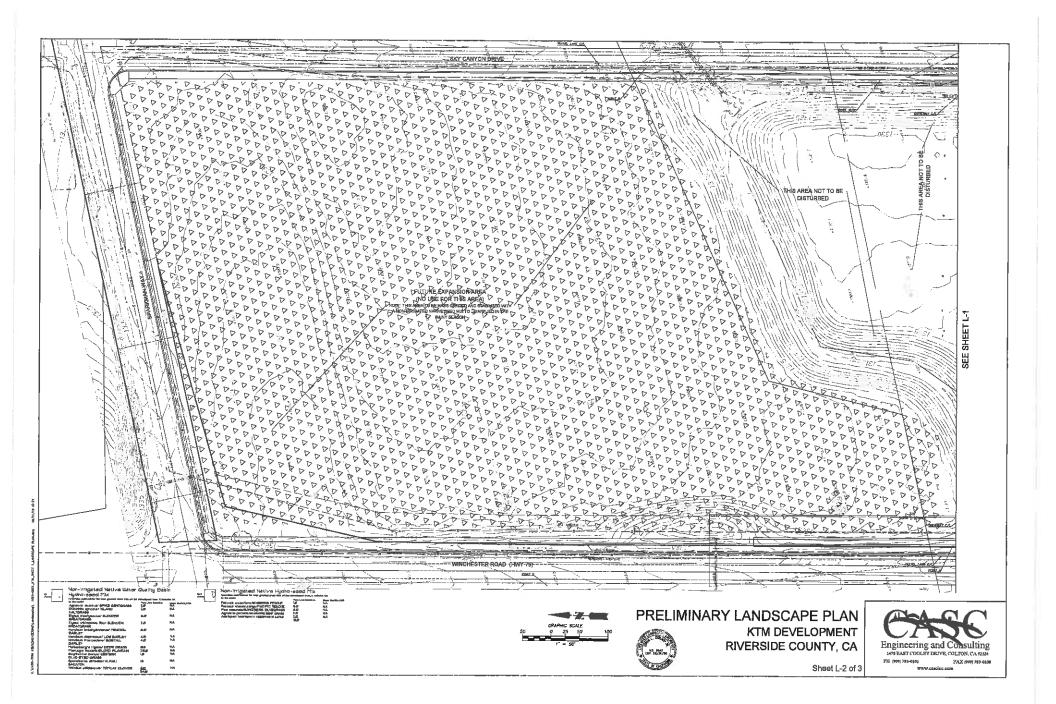


00 00









Parkinson a Desert Museum'/ PALO VEHICLE



Platanus racemosa/ California Sycamore

Trees & Palms

Phoenix dactylifera/

DATE PALM



Celdrus disociara/ DECOAR CEDAR



Munierbergia Indheimer 'Autumn Glaw'/DEEP GRASS



Kniptofia uverto/ RED HOT POKET



Shrubs &

Witherpergra capitars Regal Mit/ Deer Gross



Myoporum parvifolium 'Putah Creek'/PROSTRATE MYOPORUM

Xylosma congestum/ SHINY XYLOSMA



Lagerthoemia h. Natchez CRAFF MYRTLE

Quercus virginiana 'Heritage'/ LIVE OAK



Chicosis ineate/

Pinus oldarica/ AFGHAN PINE



Iris 'Grandma's Purple Flog'/ PURPLE BEARDED IRIS



Acacia redoiens "Low Boy"/ PROSTRATE ACACIA



Caesalpinia gilliesii/ YELLOW BIRD OF PARADISE



Phoreson lengx 'Bronze'/ NEW ZEALAND FLAX

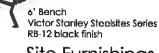
Accent **Plants** 



4' Bike Rack Victor Stanley Prairesites Series BK-4 black finish



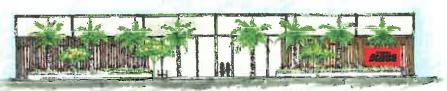
4 Square Bench-Table Victor Stanley Steelsites Series CRPR-4 bronze finish





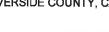


Trash Receptacle Victor Stanley Steelsites Series RSDC-36 black finish



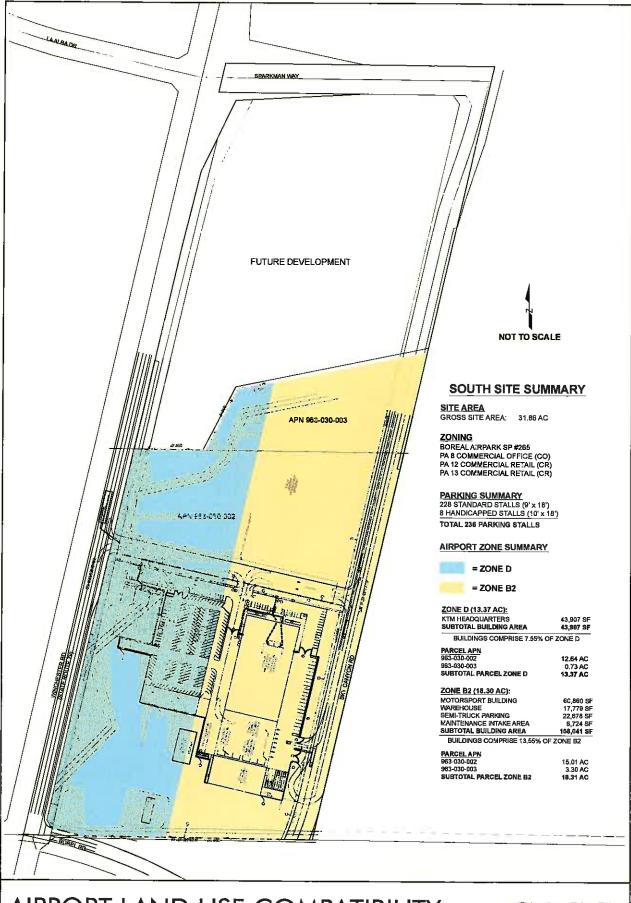
Motorsport Building Elevation





Sheet L-3 of 3



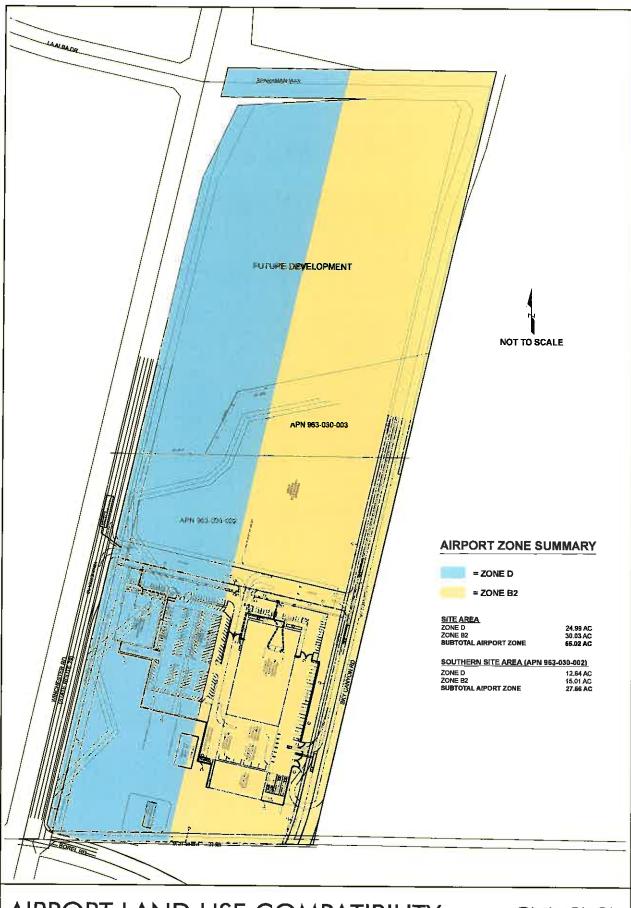


# AIRPORT LAND USE COMPATIBILITY

KTM MOTORSPORTS

FRENCH VALLEY - RIVERSIDE COUNTY, CALIFORNIA May 15, 2019





AIRPORT LAND USE COMPATIBILITY

KTM MOTORSPORTS

FRENCH VALLEY - RIVERSIDE COUNTY, CALIFORNIA May 15, 2019



# NOTICE OF PUBLIC HEARING RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. For more information please contact <u>ALUC Planner Paul Rull at (951) 955-6893</u>. The ALUC holds hearings for local discretionary permits within the Airport Influence Area, reviewing for aeronautical safety, noise and obstructions. ALUC reviews a proposed plan or project solely to determine whether it is consistent with the applicable Airport Land Use Compatibility Plan.

The County of Riverside Planning Department may hold hearings on this item and should be contacted on non-ALUC issues. For more information please contact County of Riverside Planner Mr. David Alvarez at (951) 955-5719.

The proposed project application may be viewed and written comments may be submitted at the Riverside County Administrative Center, 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, California 92501, Monday through Thursday from 8:00 a.m. to 5:00 p.m., and by prescheduled appointment on Fridays from 9:00 a.m. to 5:00 p.m.

PLACE OF HEARING: Riverside County Administration Center

4080 Lemon Street, 1st Floor Board Chambers

Riverside California

DATE OF HEARING: June 13, 2019

TIME OF HEARING: 9:30 A.M.

CASE DESCRIPTION:

ZAP1083FV18 – Pierer Immoreal North America, LLC (Representative: CASC Engineering and Consulting) – County of Riverside Case No. PPT180022 (Plot Plan). A proposal to revise the original KTM project that was accepted by the Commission on November 8, 2018, the new proposal is to construct a two-story 47,675 square foot KTM headquarters office building, a 60,860 square foot motorsport research building, a 17,917 square foot warehouse building, a 20,696 square foot outdoor semi-truck parking area, and an outdoor 8,602 square foot maintenance area, on 19.57 acres (development footprint) of a 56.95-acre site, located northerly of Borel Road, easterly of Winchester Road Highway 79, westerly of Sky Canyon Road, and southerly of Sparkman Way (Airport Compatibility Zones B2 and D of the French Valley Airport Influence Area).



# RIVELSIDE COUNTY AIRPORT LAND USE COMMISSION

# APPLICATION FOR MAJOR LAND USE ACTION REVIEW

ALUC CASE NUMBE	ER: ZAP 1083 FV18 DATE SUBMITTED:	3/26/19					
APPLICANT / REPRESE	NTATIVE / PROPERTY OWNER CONTACT INFORMATION						
Applicant	Pierer Immoreal North America, LLC (c/o Robin Gangruth)	Phone Number	(951) 600-8007 x4142				
Mailing Address	38429 Innovation Court		th@ktmnorthamerica.com				
	Murrieta, CA 92563						
Representative	CASC Engineering and Consulting (c/o Frank Coyle, Planning Director)	Phone Number	(909) 783-0101 x5370				
Mailing Address	1470 E. Cooley Drive		cascinc.com				
	Colton, CA 92324	Elimin7 Ganani introlli					
Property Owner	Pierer Immoreal North America, LLC (c/o John Hinz)	Phone Number	(951) 600-8007 x4142				
Mailing Address	38429 Innovation Court		th@ktmnorthamerica.com				
	Murrieta, CA 92563	63					
LOCAL JURISDICTION A	GENCY						
Local Agency Name	County of Riverside	Phone Number	(951) 955-5719				
Staff Contact	David Alvarez	Email daalvarez@rivco.org					
Mailing Address	4080 Lemon Street, 12th Floor	Case Type PLOT P	PLAN				
	P.O. Box 1409	General Plan / Spe	ecific Plan Amendment				
	Riverside, CA 92502	Zoning Ordinance Amendment Subdivision Parcel Map / Tentative Tract					
Local Agency Project No	PPT180022	☐ Use Permit					
		Plot Plan					
PROJECT LOCATION							
Attach an accurately scaled i	map showing the relationship of the project site to the airport boundary and runways						
Street Address	37662 & 37862 Winchester Road						
	Murrieta, CA						
Assessor's Parcel No.	963-030-002 and 963-030-003	Gross Parcel Size	56.95 (total site gross acreage)				
Subdivision Name	N/A	Nearest Airport and distance from Air-					
Lot Number	N/A	port	French Valley - directly adjacent to site				
PROJECT DESCRIPTION  If applicable, attach a detaile  tional project description date	d site plan showing ground elevations, the location of structures, open spaces and water bodie a as needed	es, and the heights of struc	ctures and trees; include addi-				
Existing Land Use	Project site consists of two adjacent parcels, which are both currently vacant. Existing Land use designation is						
(describe)	Commercial Office (CO) and Commercial Retail (CR) under the Borel Airpark Center Specific Plan.						
	French Valley Airport is directly adjacent east of the Project site.						

Proposed Land Use (describe)	The Project proposes a mixed-use development of up to approximately 203,202 s.f. of commercial office, warehouse storage, research & development, and covered truck parking and maintenance intake area.  The entire 56.95 acre site will be graded and planned for additional future development, with areas preserved													
								for mitigation pur						
								For Residential Uses	Number of Parcels	or Units on Sit	te (exclude secondary un	its)	N/A	
	For Other Land Uses	Hours of Operation Business Hours: 8 a.m 5 p.m. for Headquarters building and R&D building						-						
(See Appendix C)	Number of People o	n Site 908	Maximum Number	N/A										
	Method of Calculation Calculation based on California Building Code (see attached spreadsheet)						)							
Height Data	Site Elevation (above mean sea level)  Height of buildings or structures (from the ground)				1,325		ft.							
					29									
Flight Hazards	Does the project involve any characteristics which could create electrical interference, confusing lights, glare, smoke, or other electrical or visual hazards to aircraft flight?													
	If yes, describe	N/A												
			<u></u>											

- A. NOTICE: Failure of an applicant to submit complete or adequate information pursuant to Sections 65940 to 65948 inclusive, of the California Government Code, MAY constitute grounds for disapproval of actions, regulations, or permits.
- B. REVIEW TIME: Estimated time for "staff level review" is approximately 30 days from date of submittal. Estimated time for "commission level review" is approximately 45 days from date of submittal to the next available commission hearing meeting.
- C. SUBMISSION PACKAGE:
  - 1..... Completed ALUC Application Form
  - 1. . . . . ALUC fee payment
  - 1. . . . Plans Package (24x36 folded) (site plans, floor plans, building elevations, grading plans, subdivision maps)
  - 1.... Plans Package (8.5x11) (site plans, floor plans, building elevations, grading plans, subdivision maps, zoning ordinance/GPA/SPA text/map amendments)
  - 1. .... CD with digital files of the plans (pdf)
  - 1..... Vicinity Map (8.5x11)
  - 1. . . . Detailed project description
  - 1.... Local jurisdiction project transmittal
  - 3. . . . . Gummed address labels for applicant/representative/property owner/local jurisdiction planner
  - Gummed address labels of all surrounding property owners within a 300 foot radius of the project site. (Only required if the project is scheduled for a public hearing Commission meeting)

# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

#### STAFF REPORT

AGENDA ITEM: 3.8

**HEARING DATE:** June 13, 2019

CASE NUMBER: ZAP1046TH19 - Kohl Ranch Company, LLC "Thermal

Beach Club" (Representative: Melissa Perez, Albert A. Webb

Associates)

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO: TTM37269 (Tentative Tract Map); PP180037 (Plot Plan)

MAJOR ISSUES: The applicant is proposing a 21-acre surf lagoon and a reservoir, both of which would be permanent water bodies within an Airport Influence Area. The site is located 10,000 feet southerly of the runway along the extended runway centerline. An existing lake is located within a tentatively approved tract map that extends into the more northerly of the two Assessor's parcels included in this application. In order to address the concern of bird attraction, a qualified wildlife hazard biologist has prepared a report addressing potential measures to minimize this potential hazard to flight.

The overall density of the project is less than five dwelling units per acre. However, all of the proposed residential lots are less than 8,712 square feet (0.2 acre) in area. Pursuant to Additional Compatibility Policy 2.2 of the Jacqueline Cochran Regional Airport Land Use Compatibility Plan, projects located southerly of Avenue 64 are substantially consistent... with Zone D if the average residential lot size is 8,712 square feet (0.2 acre) or less, excluding common area, public facility, drainage basin, recreational, and open space lots.

As of the writing of this staff report, the applicant has not indicated locations that will be maintained as perpetual open areas to meet the Compatibility Zone D criterion requiring 10 percent open area.

RECOMMENDATION: Staff recommends that the Commission open the public hearing, consider public testimony, discuss the proposal, and <u>CONTINUE</u> its consideration of the proposed Tentative Tract Map and Plot Plan to its July11, 2019 meeting, in order to allow sufficient time for the Commissioners to review the wildlife hazard site visit and management plan and for the applicant team to provide amended exhibits depicting perpetually maintained open area at least equal to ten percent of the portion of the property in Compatibility Zone D.

**PROJECT DESCRIPTION:** Tentative Tract Map No. 37269 is a proposal to divide 239 acres within two existing parcels with a total area of 307.12 acres into 210 residential lots that will accommodate 326 dwelling units. All of the residential lots will have a net area not exceeding 8,712 square feet (0.2 acre). 128 lots will accommodate individual single-family residences. 65 lots will

Staff Report Page 2 of 8

accommodate duplexes (two unit structures). 17 lots will accommodate four-unit structures (four-plexes). (The applicant envisions maintaining the lots with two-unit and four-unit structures for rental or vacation rental purposes.) Additional lots will accommodate a surf lagoon, village area with clubhouse buildings, reservoir, and drainage areas.

Plot Plan No. 180037 is a proposal to establish a surf lagoon with wave making capabilities on 21 acres and to develop a clubhouse village area consisting of four buildings with a combined gross floor area of 42,000 square feet. Anticipated uses of the clubhouse buildings include a restaurant, kitchen facilities, bar, spa, exercise facilities, swimming pool, deck, retail uses, and administration.

The project is proposed under the name "Thermal Beach Club."

**PROJECT LOCATION:** The project site is located southerly of 64<sup>th</sup> Avenue, easterly of Tyler Street, northerly of 66<sup>th</sup> Avenue, and westerly of Polk Street and Fillmore Street in the unincorporated community of Thermal, approximately two miles southerly of the current southerly terminus of Runway 17-35 at Jacqueline Cochran Regional Airport.

LAND USE PLAN: 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan (last amended in 2006)

a. Airport Influence Area: Jacqueline Cochran Regional Airport
 b. Land Use Policy: Airport Compatibility Zones D and E

c. Noise Levels: Outside the 55 CNEL contour

#### **BACKGROUND:**

Residential Density: The project is primarily located in Compatibility Zone D of the Jacqueline Cochran Regional Airport Influence Area. The overall project density is less than two dwelling units per acre, which would normally be within the prohibited intermediate density range. However, Additional Compatibility Policy 2.2 of the Jacqueline Cochran Regional Airport Land Use Compatibility Plan ("JCRALUCP") specifies that:

"Projects located southerly of Avenue 64 shall be considered to be substantially consistent with the "higher intensity option" for Zone D if the average residential lot size (either the mean or median) is 8,712 square feet (0.2 acre) or less, excluding common area, public facility, drainage basin, recreational, and open space lots."

All of the residential lots are 8,712 square feet or less in net area; therefore, the proposed residential project is consistent with the density criteria of the JCRALUCP.

Non-Residential Average Land Use Intensity: Pursuant to the Jacqueline Cochran Regional Airport Land Use Compatibility Plan ("JCRALUCP"), the site is located within Compatibility Zone D. The proposed plot plan indicates a total area of 31.55 acres for the surf lagoon and the "village." The JCRALUCP permits 100 persons per acre in Compatibility Zone D. Based on the above numbers, a

total intensity occupancy of 3,155 persons is permissible at this site.

Pursuant to Appendix C, Table C-1, of the Riverside County Airport Land Use Compatibility Plan, using a 50 percent reduction for offices and retail uses, the following rates were used to calculate occupancy for the proposed buildings:

- Restaurant 1 person per 15 square feet (dining area), 1 person per 200 square feet (commercial kitchen)
- Bar 1 person per 15 square feet
- Pool deck, spa deck 1 person per 15 square feet
- Swimming pool, exercise room, lockers 1 person per 50 square feet
- Retail (may include sales of food, but not dining area) 1 person per 60 square feet (50 percent reduction from Building Code maximum)
- Spa 1 person per 100 square feet
- Offices/Administrative 1 person per 200 square feet (50 percent reduction from Building Code maximum)

The project proposes a total of 34,400 square feet of building area, which includes a 7,000 square foot spa, 5,600 square feet of restaurant dining area, a 5,000 square foot swimming pool, a 4,000 square foot exercise room, a 4,000 square foot locker room, 3,000 square feet of pool and spa deck area, 2,000 square feet of retail area, 2,000 square feet of bar area, and 800 square feet of restaurant kitchen area. These uses would be projected to accommodate 1,073 people, resulting in an average intensity of 34 persons per acre, which is consistent with the Compatibility Zone D intensity limit of 100 persons per acre. This would also allow for up to 2,082 persons to be utilizing the surf lagoon area at any given time.

The intensity of the "village" area may also be considered using the Parking Space Method. The project proposes 361 parking spaces. If we assume 1.5 persons per vehicle, this would translate into an overall occupancy of 542 persons, resulting in an average intensity of 17 persons per acre, which is also consistent with the Compatibility Zone D intensity limit of 100 persons per acre.

Non-Residential Single-Acre Land Use Intensity: Pursuant to Table 2A of the Countywide Policies of the Riverside County Airport Land Use Compatibility Plan, single-acre intensities are limited to 300 persons in any given acre area within Compatibility Zone D. (This number may be increased by up to 30 percent through use of up to seven risk-reduction design measures.) While average intensity considers the intensity in comparison to the overall acreage of a project site or of a specific parcel, single-acre intensity is measured by determining how many people would be present within any given 210-foot-by-210-foot area within a site. So this is affected not simply by the occupancy of any individual building, but also by the distance between buildings and building orientation.

As to this project, the buildings are widely spaced. Only small portions of Building 2 are located within the single-acre areas encompassing Buildings 1 and 4. The single-acre area including

Staff Report Page 4 of 8

Building 3, which includes 4,300 square feet of dining area, does not include portions of any other building. The single-acre area including all of Building 2 also does not include portions of any other buildings. The project designers were clearly aware of the ALUCP intensity limits and took great care to not exceed the limit of 300 persons in any given acre.

Building 1 has a floor area of 16,000 square feet, consisting of a 7,000 square foot spa, 1,000 square foot deck, 4,000 square foot exercise room, and 4,000 square foot locker room, accommodating a total of 297 persons. The portion of Building 2 within this single-acre is de minimis – less than 30 square feet, accommodating perhaps 2 persons at most. Therefore, this single-acre area would meet the intensity criterion not exceeding 300 persons.

Building 2 has a floor area of 8,000 square feet, consisting of a 5,000 square foot swimming pool, a 2,000 square foot deck, and a 1,000 square foot bar, accommodating a total of 300 persons. As no portion of any other building is included within the single-acre area including all of Building 2, this single-acre area would meet the intensity criterion not exceeding 300 persons.

Building 3 is envisioned as an event facility with a floor area of 5,900 square feet, consisting of 4,300 square feet of dining area, 1,000 square feet of administrative space (evaluated at one person per 200 square feet), and 600 square foot kitchen, accommodating 295 persons. As no portion of any other building is included within the single-acre area including all of Building 3, this single-acre area would meet the intensity criterion not exceeding 300 persons.

Building 4 is envisioned as a retail and restaurant building with a floor area of 4,500 square feet, consisting of 2,000 square feet of retail area (evaluated at one person per 60 square feet), 1,300 square feet of restaurant dining area, a 1,000 square foot bar, and 200 square feet of kitchen area, accommodating 188 persons. The single-acre area including all of Building 4 slightly overlaps into Building 2, but the area in Building 2 is de minimis — less than 30 square feet, accommodating 2 persons at the most. Therefore, this single-acre area would meet the intensity criterion not exceeding 300 persons.

<u>Prohibited and Discouraged Uses:</u> Highly noise-sensitive outdoor nonresidential uses and hazards to flight are prohibited uses within Compatibility Zone D, and children's schools are discouraged uses. An early version of the plot plan proposed an amphitheater within the "village" area, but this element was deleted in order for the project to comply with the Zone D single-acre intensity criteria. A report from Dr. Russell DeFusco of BASH, Incorporated has been prepared to assess whether the proposed water bodies would attract birds and thereby constitute a hazard to flight.

Noise: The site is located outside the 55 CNEL (Community Noise Equivalent Level) contour. Therefore, no special noise mitigation measures are required. Typical construction methods reduce noise levels by 20 dB(A), thus reducing average interior noise levels from aircraft to below 40 CNEL, which is acceptable for residential land uses.

PART 77: The elevation of Jacqueline Cochran Regional Airport's Runway 17-35 at its future

southerly terminus is -137.5 feet (137.5 feet below mean sea level). At a distance of two miles (10,560 feet), any structure with a top point elevation exceeding -31.9 feet (i.e., less than 31.9 feet below mean sea level) would require notice to, and review by, the Federal Aviation Administration Obstruction Evaluation Service (FAA OES). The highest pad elevation on-site is at -150.7 feet, and structures will not exceed a height of 42 feet, for a maximum top point elevation of -108.7 feet. Therefore, FAA OES review for height/elevation reasons was not required.

Open Area: Compatibility Zone D requires that 10% of area within major projects (10 acres or larger) be set aside as open land that could potentially serve as emergency landing areas. A significant portion of the area of the proposed project is located outside the individual lots, but is mostly comprised of open water areas that would remain open water on a regular basis.

The applicant team is presently in the process of assessing areas that could be utilized as ALUC-qualifying open area.

Bird Aircraft Strike Hazard (BASH) Concerns: The project includes a 21-acre surf lagoon and a 3.2-acre reservoir. These are intended to perpetually hold water – a feature that distinguishes them from stormwater detention basins. As a result, ALUC staff requested that a qualified wildlife hazard biologist review the proposed project. Since the proposed facilities do not yet exist, Principal Planner John Guerin advised project representatives that a Wildlife Hazard Site Visit would be sufficient for evaluation of the proposed project, rather than a full Wildlife Hazard Assessment (WHA) that requires 12 months of field studies in accordance with FAA guidelines. A site visit and management plan review was prepared by Dr. Russell DeFusco of BASH Incorporated in March, 2019.

#### Dr. DeFusco's report states as follows:

"A total of 7 wildlife strikes have been reported and documented in the FAA Wildlife Strike Database...for aircraft operating from TRM [Jacqueline Cochran Regional Airport]. All reported strikes occurred since 2002. Four of the seven strikes caused significant damage to the aircraft and are a high proportion of reported strikes when compared to other airports nationwide. One was caused by coyotes, one by a California Gull, and two by Canada geese..."

It should be noted that the adopted Specific Plan that includes this area had depicted a lake in this area extending easterly from the existing lake that had previously been approved as part of the residential development to the west of this project within the same Specific Plan. Dr. DeFusco concluded that the changes in the orientation and design of the lake and surrounding shoreline "would result in a decrease in potential attractiveness compared to the originally permitted plan." Mitigation measures include physical design of the water bodies, a comprehensive landscape plan, trash management, no wildlife feeding policies, and active harassment of birds or other wildlife using a variety of acoustic, visual, biological, and other dispersal techniques incorporated in a comprehensive, integrated Wildlife Mitigation/Management Plan for the property.

With regard to the design of the surf lagoon, Dr. DeFusco notes that the conceptual Specific Plan had depicted a lake with "a complex, convoluted shoreline with multiple coves and peninsulas [that] would have provided substantial shoreline cover for feeding and breeding areas for a variety of species. The ... elimination of all shoreline and emergent vegetation will significantly deter species that would have fed, bred, or taken shelter there. The high-tech water clarification system will essentially "sterilize" the water and virtually remove all organic matter that would otherwise form the base of a food chain that could have promoted zooplankton, macroinvertebrates, and the larger species that would feed on them....So long as the shoreline of the lagoon is maintained in sand or gravel and vegetation is prevented from growing along its margins, its attractiveness will remain minimal and will limit the possibility of introducing organic matter to the lagoon."

Dr. DeFusco also noted that a full 12-month Wildlife Hazard Assessment was completed by Jacqueline Cochran Regional Airport in 2017, but there was no documentation that such a study was conducted for the existing lake extending onto this property. Given his comments regarding the attractiveness of the existing lake to birds (although perhaps miniscule in comparison to the Salton Sea), this feature may have been a contributing factor to some of the wildlife strikes (excluding, of course, the one by coyotes). A review of ALUC minutes indicates that a case was submitted for review of a grading permit for a 23-acre lake in 2005 (Case No. TH-05-100), and that then-Executive Director Keith Downs prepared a staff report requesting a Wildlife Hazard Assessment, but the case was withdrawn prior to the March 2005 ALUC meeting.

Staff's focus in reviewing the current report is on the assessment of the effects of the proposed project, and the existing lake is now beyond ALUC's purview as an existing land use. However, should plans for the area to the west change in the future through a Specific Plan Amendment or as a result of expiration of the approved tentative map and filing of a new map, it may be appropriate to require a Wildlife Hazard Assessment of the lake at that time.

#### **CONDITIONS:**

- 1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
- 2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
  - (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 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.
- 3. The attached notice shall be provided to all prospective purchasers of the proposed parcels and tenants or lessees of the buildings, and shall be recorded as a deed notice prior to or in conjunction with recordation of the final tract map. In the event that the Office of the Riverside County Assessor-Clerk-Recorder declines to record said notice, the text of the notice shall be included on the Environmental Constraint Sheet (ECS) of the final tract map, if an ECS is otherwise required.
- 4. The shoreline of the surf lagoon shall be maintained in sand or gravel. No vegetation or landscaping shall be permitted along the margins of the shoreline.
- 5. Vegetation around the reservoir that would provide food or cover for birds would be incompatible with airport operations and shall not be utilized in project landscaping. Trees shall be spaced to prevent contiguous canopy, when mature. Trees and bushes shall not produce fruit, seeds, or berries.
  - Any landscaping around the reservoir shall be in accordance with the guidance provided in ALUC's "LANDSCAPING NEAR AIRPORTS" brochure, and the "AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT" brochure available at RCALUC.ORG which list acceptable plants from Riverside County Landscaping Guide, or other alternative landscaping as may be recommended by a qualified wildlife hazard biologist.
- 6. The reservoir to be used for the delivery and retention of canal water for recreational use in the surf lagoon shall be constructed with steep sides (minimum slope of 3:1), minimal surface area, and deep water and lined with concrete or other impervious materials to prevent vegetation growth along the margins.
- 7. The reservoir shall be completely covered at all times from top, sides, and bottom so as to prevent access by birds and other wildlife. The cover shall consist of 1" x 1" UV-protected

polypropylene mesh secured at ground level around the edges and suspended four feet above the edge elevation, on steel cables spaced not greater than 30 feet apart, as depicted on the attached exhibits. The suspension design is intended to allow for the sagging of the netting material without touching the surface of the waters, so that the material stays dry. The cables and netting material shall be maintained in operable condition (no gaps or tears) throughout the life of the permit, as long as the reservoir holds water or other liquid.

- 8. Club personnel responsible for maintenance of the lagoon and reservoir shall be trained and equipped to disperse birds that may attempt to access the waters through use of handheld sonic devices to be used only when birds are noted present or approaching, in order to "herd" them away from the facility.
- 9. In the event that any incidence of wildlife hazard affecting the safety of air navigation occurs as a result of the presence of the surf lagoon and/or reservoir on-site, upon notification to the airport operator (currently the Riverside County Economic Development Agency) of an incidence, the airport operator shall notify Kohl Ranch Company, LLC (or its successor(s)-in-interest) (hereafter referred to as "owner") in writing. Within 15 days of written notice, the owner shall be required to promptly take all measures necessary to eliminate such wildlife hazard, including, if necessary, the draining of the lagoon and/or emptying of the reservoir. An "incidence" includes any situation that results in an accident, incident, "nearmiss," or specific safety complaint regarding an in-flight experience to the airport operator or to federal, state, or county authorities responsible for the safety of air navigation. The owner shall work with the airport operator to prevent recurrence of the incidence. For each such incidence made known to the owner, the necessary remediation shall only be considered to have been fulfilled when the airport operator states in writing that the situation has been remediated to the airport owner's satisfaction.
- 10. The uses within Buildings 1 through 4 and the square footages of individual portions of those buildings shall comply with the chart included on Sheet 1 of the plot plan dated May 23, 2019. The maximum Building Code occupancy for any of these buildings shall not exceed 300 persons.

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### JC. JACQUELINE COCHRAN REGIONAL AIRPORT

#### JC.1 Compatibility Map Delineation

- 1.1 Airport Master Plan Status: The Riverside County Board of Supervisors approved a new master plan for Jacqueline Cochran (formerly Desert Resorts) Regional Airport in December 2004. The Jacqueline Cochran Regional Airport Compatibility Map on the following page is based upon the new master plan.
- 1.2 Airfield Configuration: The new airport master plan carries forward the recommendation from previous plans that the primary runway (17-35) be extended 1,500 feet southward to a total length of 10,000 feet. Establishment of a nonprecision instrument approach procedure to the north end of the runway and a precision instrument approach procedure to the south end are proposed in the master plan and reflected in the compatibility planning. No changes to the northwest/southeast runway are contemplated. Previous plans for a third runway that would have been aligned north/south 4,200 feet west of the existing primary runway have been deleted from the new master plan and are not represented in the Jacqueline Cochran Regional Airport Compatibility Map.
- 1.3 Airport Activity: Compatibility planning for Jacqueline Cochran Regional Airport looks beyond the 20-year activity forecast time horizon of the master plan. An ultimate activity level of 220,000 annual operations, double the 20-year projection in the master plan, is assumed for compatibility planning purposes. Current activity is approximately 65,000 operations per year.
- 1.4 Airport Influence Area: The Jacqueline Cochran Regional Airport influence area boundaries match the outer boundary of the FAR Part 77 conical surface for the airport with an extension to the south encompassing additional lands along the future precision instrument approach path.

### JC.2 Additional Compatibility Policies

- 2.1 Calculation of Residential Densities: Residential densities in Zone D shall be calculated on a "net" rather than "gross" basis. For the purposes of this Compatibility Plan, the net acreage of a project equals the overall developable area of the project site exclusive of permanently dedicated open lands (as defined in Policy 4.2.4) or other open space required for environmental purposes.
- 2.2 Maximum Average Residential Lot Size in Zone D Areas Southerly of Avenue 64: Projects located southerly of Avenue 64 shall be considered to be substantially consistent with the "higher intensity option" for Zone D if the average residential lot size (either the mean or median) is 8,712 square feet (0.2 acre) or less, excluding common area, public facility, drainage basin, recreational, and open space lots.

# Wildlife Hazard Site Visit and Management Plan Review

Thermal Beach Club Thermal, California March 2019



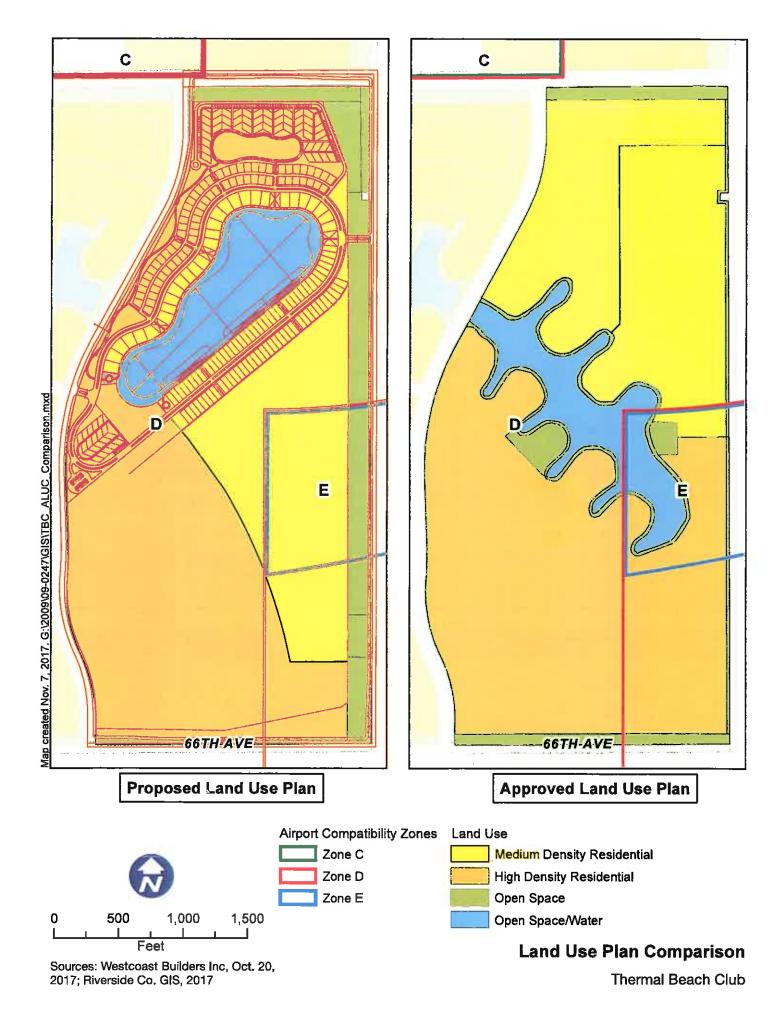
#### Prepared by:

Russell P. DeFusco, PhD, USAF (ret) BASH Incorporated 5010 Lanagan Street Colorado Springs, CO 80919 (719) 200-2252 BirdmanRuss@aol.com



#### **EXECUTIVE SUMMARY:**

The Thermal Beach Club project is part of the Kohl Ranch and lies approximately two miles south of the Jacqueline Cochrane Regional Airport in the unincorporated area of Thermal, Riverside County, California. The project will include residential housing and a lake with wave-making capabilities that will be used for recreational purposes. The County of Riverside Planning Department issued a permit for the site as originally proposed. Modifications to the planned lake prompted the County Airport Land Use Commission to request an evaluation of the final plans to determine if any hazards to aviation could be caused by wildlife that may be attracted to the site and recommendations for mitigation to minimize those hazards. Dr. DeFusco of BASH Inc. was contracted by Albert A. Webb Associates to conduct a Wildlife Hazard Site Visit in the manner described by the Federal Aviation Administration to evaluate the project and make recommendations for wildlife mitigation. Surveys of the property and surrounding areas were conducted in March 2019 to determine baseline habitat features as well as bird and other wildlife presence and their relative abundance. Species present in the area and their legal status were determined. Results indicated that the changes in the orientation and design of the lake would result in a decrease in potential attractiveness compared to the originally permitted plan. Mitigation measures directed at any wildlife would further diminish the potential attractiveness of the site. These measures include a comprehensive landscape plan, physical design of the water bodies, trash management, no wildlife feeding policies, and active harassment of birds or other wildlife using a variety of acoustic, visual, biological, and other dispersal techniques. Each of these are detailed for inclusion in a comprehensive, integrated Wildlife Mitigation/Management Plan for the property. Implementation of the plan by trained and equipped personnel as recommended will ensure bird and other wildlife risks to nearby aviation operations will be minimized if not eliminated at the project site.



# Wildlife Hazard Site Visit and Management Plan Review Thermal Beach Club Thermal, California March 2019

#### **Introduction**

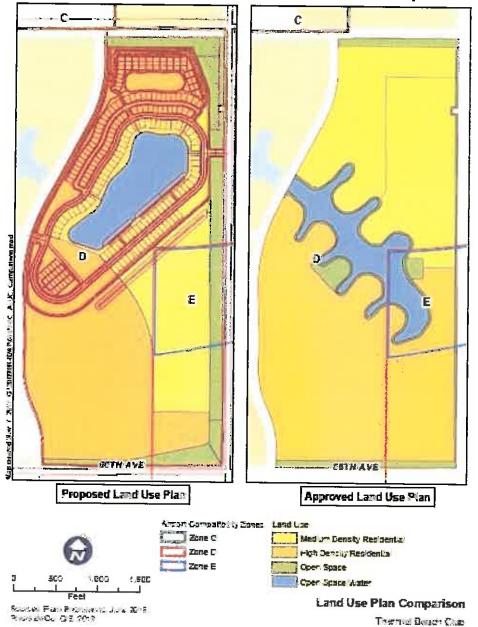
The Thermal Beach Club project is on a site that is part of the Kohl Ranch in Thermal, Riverside County, California. It lies approximately two miles south of the Jacqueline Cochrane Regional Airport (FAA identifier TRM) and as such must address any issues that could affect the safety of flight from the airport. The potential risks presented by wildlife with development of the site required consideration. The Thermal Beach Club lies within the Airport Influence Area (AIA) of TRM. Advisory guidance (see FAA 2007, CALTRANS 2011, ALUC 2018) and requirements of the permitting agency itself identify that waterbodies may be best suited elsewhere, However, the Riverside County Airport Land Use Commission (ALUC) issued conditions ultimately finding the Kohl Ranch consistent with the Jacqueline Cochran Regional Airport Land Use Plan. The County of Riverside Planning Department issued the Specific Plan 303, Amendment 4 permit to the Thermal Beach Club as presented (1999 and as variously amended through 2018). Whitestar Development has prepared a comprehensive Wildlife Mitigation/Management Plan to address the issue (see Appendix D). The ALUC requested an assessment of the plan and a review of wildlife hazards that could affect the flight operations at the nearby Jacqueline Cochrane Regional Airport. The ALUC approved a Wildlife Hazard Site Visit (WHSV) that could be performed over a single visit versus a full Wildlife Hazard Assessment (WHA) that requires 12 months of field studies in accordance with FAA guidelines. This document follows those guidelines as established in Federal Aviation Administration Advisory Circular (FAA AC) 150/5200-38: "Protocol for the Conduct and Review of Wildlife Hazard Site Visits, Wildlife Hazard Assessments, and Wildlife Hazard Management Plans" (FAA 2018). A full 12-month WHA was completed by the Jaqueline Cochrane Regional Airport under the same guidelines (TRM 2017). It is unknown whether the project underwent a similar assessment during the time it was originally proposed.

Dr. Russell DeFusco of BASH Incorporated was contracted by Albert A. Webb Associates to conduct the actual field work and prepare this report. The FAA requires anyone working on such projects on or in the vicinity of airports to be fully Qualified Airport Wildlife Biologists (QAWB) as specified in FAA AC 150/5200-36A "Qualifications for Wildlife Biologists Conducting Wildlife Hazard Assessments and Training Curriculums for Airport Personnel Involved in Controlling Wildlife Hazards on Airports" (FAA 2012). Dr. DeFusco is fully qualified under these provisions. The purpose of this assessment is to determine if the project could attract potentially hazardous wildlife that could adversely affect flight safety to nearby aircraft operations and to assist the developers in the implementation of wildlife management plan to ensure any potential hazards are mitigated.

1. Thermal Beach Club Site and Plans: The Thermal Beach Club project covers approximately 239 acres of vacant land within the Kohl Ranch Specific Plan No. 303 located in the unincorporated area of Thermal. Riverside County, California. Development plans include a private residential community of permanent and vacation homes and a clubhouse to provide amenities to residents. A key feature of the community is a 20 acre lake with wave-making capabilities that will enable inland surfing and other activities, along with a 3 acre reservoir to hold irrigation water. The adopted Specific Plan for the site included a lake with complex shoreline that was very similar to the adjacent Kohl Ranch property to the west of the current proposed project. The project was approved in its initial configuration in 1999. The current plan changes the orientation and purpose of the lagoon, with wave-making capabilities and water treatments added (see figure 1). The property lies approximately two miles south of the Jaqueline Cochrane Regional Airport with its boundary approximately 10,800 feet from the end of Runway 17. Because it falls within the Airport Land Use Compatibility Plan Zones D and E with the edge of the property just contacting Zone C, wildlife mitigation is necessary to ensure no adverse effects on flight safety at the nearby airport and to meet ALUC It should be noted that portion of the Project touching Zone C lies within the road right-of-way and only roadway improvements will be constructed; no vertical development will take place.

The current site is highly suitable to development of residences as it is nearly flat, with soils conducive to construction. The soils are highly saline and support some mixed native desert vegetation, but is primarily dominated by invasive tamarisk or salt cedar (*Tamarix ramosissima*). From a wildlife standpoint, the conditions are almost entirely benign as the habitat and sparse vegetation support very few species. Current conditions are not suitable for foraging and only provide marginal cover for some smaller songbirds and low densities of small mammals.

Figure 1. Thermal Beach Club Project Land Use Plan and Previously Approved Plan with TRM Airport Influence Area Zones Depicted.



2. Jacqueline Cochrane Regional Airport: The Jacqueline Cochrane Regional Airport (TRM) is an uncontrolled General Aviation airport open to the public and operates 24 hours a day. It has two runways; 17/35 and 12/30. It has several Fixed Based Operators (FBOs) including a jet training center. Forty four aircraft are based at the field including single engine aircraft, multi-engine aircraft, jet aircraft, helicopters, and ultralights. As of 2018, aircraft operations averaged 209 per day including 62% transient general aviation, 36% local general aviation, 1% military, and <1% air taxis (AirNav 2019). Aircraft operations have been increasing over the past several years and it is anticipated that this trend will continue in the future.

A total of 7 wildlife strikes have been reported and documented in the FAA Wildlife Strike Database (FAA 2019) for aircraft operating from TRM. All reported strikes occurred since 2002. Four of the seven strikes caused significant damage to the aircraft and are a high proportion of reported strikes when compared to other airports nationwide. One was caused by coyotes, one by a California Gull, and two by Canada Geese (see Appendix B). However, strike reporting rates for TRM are well below those observed for other airports of similar size and likely indicate a relatively lower risk compared to other locations, though it is unknown how many unreported strikes have been experienced there. Further, each of these strikes took place within the local area, including in the approach and departure airspace and one on the airport itself. It is not possible to determine the exact location of the strikes other than the one reported on landing roll at the airport. A brief interview with one of the lead instructor pilots at the jet training center indicated that bird strike risk is considered minimal by pilots operating from the airport.

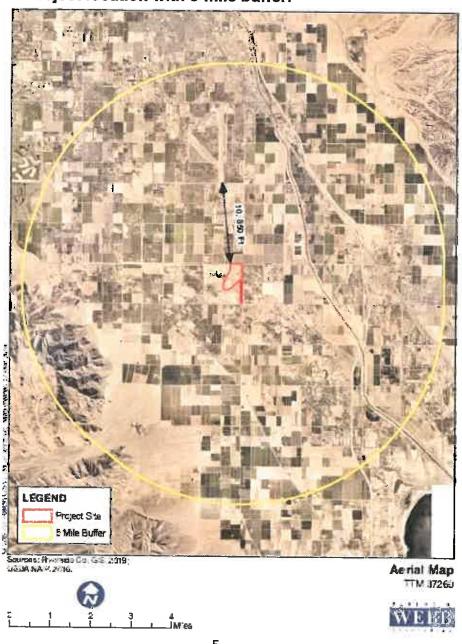
#### Site Visit Protocol

- 1. Document Review: Relevant documents were provided by Webb Associates and Whitestar Development for review and included Riverside County Planning Department permits, maps, extensive site plans, engineering design, landscaping plans, descriptions of the surf lagoon operation, a wildlife mitigation plan, and others. Additional documents were obtained from the Riverside County Airport Land Use Commission, the Airport, and through internet research on FAA, ALUC, and other sources. Review of documents was conducted prior to, during, and after the site visit to determine history, current conditions, and future plans for the site.
- 2. Site Visit: The Thermal Beach Club site and surrounding areas were visited by Dr. DeFusco on March 20-21, 2019. Timing of the visit was determined by scheduling and contracting timelines, but was fortuitous from a wildlife standpoint. While many of the larger birds such as waterfowl had already begun migrating, many still remained. Smaller songbirds were just beginning their spring migratory arrivals in the area and were representative of those passing through and resident in the vicinity of the project. Thus, a very good representation of avifauna in the area was present during the visit. Nevertheless, it must be emphasized that a short-term site visit cannot capture the full annual cycle of presence and abundance of species in the vicinity of the project and past experience and reliance on other data sources were necessary while conducting the review.

A tour of the project area and much of the Kohl Ranch was arranged by Mr. Tim Bradshaw and provided by Mr. Hector Rochin to begin the site survey. Unlimited access was granted for repeated unescorted visits to the facility during the survey period. Surveys of the surrounding areas were also

conducted to determine potential attractiveness to wildlife as the project will substantially alter the current environment. These surrounding area surveys were also essential as the project does not exist in a vacuum, but is part of a complex landscape that determines wildlife presence on a larger scale. Surveys focused on the immediate surrounding areas, primarily within five miles, but extended to the Salton Sea whose northern reaches are seven miles to the south and is the major landscape feature attracting a wide variety of species to, and passing through, the Coachella Valley. Other areas included the airport itself (only accessed in the public areas and viewed through perimeter fences), agricultural fields, suburban developments, recreational areas, and others potentially influencing wildlife presence in the valley. Also see Figure 2.

Figure 2. Project location with 5-mile buffer.



# Results and Findings

1. Species Observed: One hundred eleven species of birds, and thirteen species of mammals, or their sign, were observed during the two day site visit. It must be emphasized that these observations are only a fraction of the over 400 bird species and dozens of mammal species recorded and documented in other sources for the Coachella Valley. A full listing of species observed during this site visit is included in Appendix A. Mammals are only listed as they can be a potential source of prey for predatory or scavenging birds in the area, but do not pose a direct threat to aircraft at the project site and would only be so if on the airport property itself. Reptiles were not included as they pose no issues in the context of this report. Observed species include those found on the Thermal Beach Club project site and in the surrounding areas. The current habitat conditions at the project site are such that very few birds or other wildlife species were observed there. The vast majority of species were found in the surrounding areas where more suitable habitat occurred, but would indicate presence in the vicinity, including migratory birds that pass through and overwinter in the Coachella Valley. Special consideration was given to observations on lakes, ponds, canals, and other water sources in the area, including on the adjacent Kohl Ranch parcel to the west, as these could indicate the potential to attract birds and other wildlife to the Thermal Beach Club lagoon when constructed. As required for a qualifying WHSV, the federal and state status of listed species as a subset of the total observation list is included in Table 1. Of the total species observed, none were listed as Federally Threatened or Endangered. However, virtually all are protected under the Migratory Bird Treaty Act and several species observed are afforded additional state-level protections as detailed in the table. Of those on the state list, the Northern Harrier, Cooper's Hawk, Black-tailed Gnatcatcher, Loggerhead Shrike, and Round-tailed Ground Squirrel were observed on the Thermal Beach Club Property development site during the site visit.

# Table 1: Federal and State-Listed Species Status

Common Name	<u>Status</u>
Peregrine Falcon	Fully Protected State Species
Burrowing Owl	Species of Special Concern
Black-tailed Gnatcatcher	State Watch List
California Gull	State Watch List
Cooper's Hawk	State Watch List
Ferruginous Hawk	State Watch List
Savannah Sparrow	Species of Special Concern
Loggerhead Shrike	Species of Special Concern
Northern Harrier	Species of Special Concern
American Badger	Species of Special Concern
Round-tailed Ground Squirrel	Species of Special Concern

2. Water Bodies in the Vicinity of the Project: There are numerous water bodies in the vicinity of the Thermal Beach Club project. They range in size from small intermittent puddles following rain events to the enormous Salton Sea to the south. Rivers, irrigation canals, stormwater detention/retention ponds, recreational lakes, landscaping features, a sewage treatment plant, and others exist throughout the area. Of particular note, and where some effort was spent to observe over the course of the visit, is the approximately 20 acre lake on the adjacent Kohl Ranch property immediately to the west of the current project. The Riverside County ALUC produced a brochure entitled "Airports, Wildlife and Stormwater Management" (Undated a) with guidelines that can be referenced and adapted to minimize attractiveness of water features near airports and may be applied to this project.

By far the most significant water feature in the entire Coachella Valley is the Salton Sea. It is the major attraction and determines the migratory route for birds each fall and spring and holds many thousands of wintering birds each year. The wetlands along its margins are extremely important to migratory, over-wintering, and resident birds including those that are potentially hazardous to aircraft operations such as waterfowl, gulls, pelicans, waders, shorebirds, and others. The presence of the Thermal Beach Club development will have no impact on these large-scale movement patterns. However, the Salton Sea has undergone significant recession in the recent past following extended periods of drought. The wetlands on its margins are most significantly affected and has forced birds to find other suitable places to forage, breed, and shelter. In the long term, it is unknown whether continued receding water levels will cause birds to short stop their migrations or continue further south into Mexico and the Sea of Cortez, or whether some of these birds will find other local water sources to meet their requirements. Restoration of the Salton Sea to historic water levels is planned but the schedule for such is unknown. Most birds remain on, in, or very close to the Salton Sea once they establish there. However, during the site visit it was noted that several very large flocks of gulls (primarily Ringbilled Gulls) would leave the Sea and forage in the agricultural fields and seek fresh water in the nearby area. None of these flocks were specifically noted near the Thermal Beach Club property as most remained two or more miles south of there, but it is possible that they could do so with the presence of a new freshwater lake. If so, dispersal methods could be used as detailed in the management plan to encourage them to move on.

Other water features in the area variously attracted birds in generally small numbers. An overall observation is that the larger, shallower water bodies,

and those that supported emergent vegetation contained the most birds. Small, steep-sided, or lined detention structures and canals were least attractive. Ring-billed Gulls were observed in and around the sewage treatment plant to the east of the project. Birds observed in some of the agricultural and stormwater detention ponds included gulls of mixed species, waterfowl of mixed species, coots, grebes, herons, egrets, ibises, and others. In ponds that held some shoreline or emergent vegetation, flocking birds such as Great-tailed Grackles, and Red-winged Blackbirds were observed in small numbers. In these same areas, raptors such as hawks and vultures were noted, also in small numbers. Songbirds such as Blacktailed Gnatcatchers, Marsh and Bewick's Wrens, Verdins, Song Sparrows, Loggerhead Shrikes, and others were also noted in pondside vegetation, but these species are of no concern to aviation safety.

The lake on the adjacent Kohl Ranch property was surveyed at various times during the visit as it is closest to the project and of similar size. The convoluted shoreline and dense emergent vegetation makes this impoundment particularly attractive to birds. Birds observed on the lake included Northern Shovelers, Green-winged Teal, American Coots, Ringbilled Gulls, Great Egrets, and a Great Blue Heron. All were in relatively small numbers with the coots being most numerous. Turkey Vultures were observed soaring over the lake during late morning and mid-day hours. One Cooper's Hawk, one Northern Harrier, and two Red-tailed Hawks were also observed flying over the property and lake. Each of these species could be considered hazardous and indicate the potential attractiveness of the Beach Club lagoon if it were not to be mitigated. Small songbirds including those listed above from other such water features, as well a small numbers of Abert's Towhees, Black Phoebes, Common Yellowthroats, Orange-crowned Warblers, and European Starlings, were also noted on the lake margins, though none except the starlings would be of concern, and then only when present in dense flocks. It must be noted that the approved Thermal Beach Club plan includes a lake of similar dimensions and shape. However, the updated plan changes the orientation of the lake, eliminates the convoluted shoreline, eliminates the shoreline vegetation, and implements a high-tech water treatment regime. The change in orientation will have no effect whatsoever on its potential attractiveness, but all the other measures in and of themselves will have a deterrent effect and make the facility much less attractive than the adjacent property lake or of many of those in the surrounding area. Also important is the fact that there are numerous other water features in the surrounding area, as birds deterred or dispersed from

- the project site will have ample alternative sites in which to relocate. That would not be the case if this was the only available water in the area.
- 3. Agriculture in the Vicinity of the Project: There are a variety of agricultural activities in the vicinity of the Thermal Beach Club project, including on the Kohl Ranch itself. These range from date palms, to row crops, to small-scale livestock operations. Each of these attract a variety of wildlife species including birds that can be hazards to aviation. Nearly every stage of operations can attract wildlife of various species, including plowing and field preparation, planting, harvesting, and transportation. Birds such as grackles and starlings were noted in several fields, gulls in others, and geese and ducks in still others. Farmers and ranchers were noted taking various measures to deter wildlife from ripening fruit and other crops. No such agricultural activity will take place at the project site and the developers have no control over these outside operations. However, the presence of agriculture in the surrounding landscape, and associated water systems as noted above, do contribute significantly to the presence and abundance of birds and other wildlife in the area and elevates populations beyond the natural background that would otherwise occur in the absence of such operations. Birds might be attracted to the project from nearby agricultural fields and must be deterred or dispersed when that might occur.
- 4. Community Development in the Vicinity of the Project: There are several other community developments existing or planned in the area that can potentially affect local bird and other wildlife populations. Small-scale industry, suburban housing areas, and rural residences may attract birds to the structures themselves, but mostly due to landscaping features including non-native vegetation. Rock Pigeons, Eurasian Collared-Doves, European Starlings, House Sparrows, Common Ravens, American Crows, House Finches, and others were noted in such areas. In fact, the first four species listed are non-native and never occurred in the area prior to human settlement. Many other species would not occur in the absence of such landscaping and infrastructure. Any vegetation that produces food sources, shelter, or breeding sites can attract birds beyond those naturally present in the desert environment. Landscaping vegetation must be carefully selected in sensitive areas where airport operations may be affected. The Riverside County ALUC produced a brochure entitled "Landscaping Near Airports" (Undated b) that should be followed and will significantly assist in deterring birds and other wildlife that may be attracted to the project.

# Recommendations

- 1. Implement the Bird Mitigation/Management Plan: The Thermal Beach Club developers plan to implement a Bird Mitigation/Management Plan as introduced above and included in Appendix D. It is thorough, comprehensive, and will significantly reduce any potential risks posed by hazardous species for aircraft operating from the airport as well as address possible human health, safety, and economic issues for the community itself. It should be implemented in full. The following sections expand on the specific passive and active measures listed in the plan to ensure procedures follow industry-stand best management practices as the plan is implemented.
- 2. Passive Control Measures: Passive wildlife control measures are those that do not require the active participation of personnel once in place and on their own act to deter attractiveness. In general, these are grouped into habitat management, and exclusionary features and may include engineering design, construction, landscaping, and other physical features of the site. Overall, such provisions must be implemented for more active methods to be successful in the long term.
  - a. Physical Design and Management of the Surf Lagoon. The updated plans for the 20 acre surf lagoon changed the orientation of the impoundment within the property boundary, but as mentioned above and depicted in Figure 1, the orientation itself will have no impact on its potential attractiveness. However, the significant change in shape and function will definitely reduce its attractiveness. The original plans were for a complex, convoluted shoreline with multiple coves and peninsulas and would have provided substantial shoreline cover for feeding and breeding areas for a variety of species. The updated design eliminates those coves and peninsulas and creates a much more open structure that is less attractive to all species of interest. Additionally, the elimination of all shoreline and emergent vegetation will significantly deter species that would have fed, bred, or taken shelter there. The high-tech water clarification system will essentially "sterilize" the water and virtually remove all organic matter that would otherwise form the base of a food chain that could have promoted zooplankton, macroinvertebrates, and the larger species that would feed on them. Even without intentional introduction, fish and amphibians (and therefore birds and other wildlife that would feed upon them) would have eventually found their way into the original planned lake, but it is unlikely that they could be supported in the new facility with the treatment regime in place. So long as the shoreline of the lagoon is maintained in sand or gravel and vegetation is prevented from growing along its margins, its attractiveness will remain minimal and will limit the possibility of introducing organic matter to the lagoon. Where possible, segments

of the shoreline slope should also be maintained as steeply as possible to limit shallow water access along its margins. With all these provisions in place, the only remaining potential attractant will be the fresh water itself as all other resources will be virtually eliminated.

It is understood that there will be several full-time staff dedicated to daily maintenance of the lagoon. Maintenance of equipment, cleaning of debris, and other duties will keep them occupied for many hours each day. Their presence and activity will act as a deterrent to any potentially hazardous birds that may attempt to enter the lagoon, particularly if personnel are equipped with active dispersal techniques as further described below. Additionally, the wave making process itself will create substantial disturbance of the surface water and will also act as a deterrent. Finally, the presence of residents and patrons using the facility, so long as they are not actively or unintentionally feeding birds, will add another level of disturbance at the facility.

b. Physical Design and Management of the Irrigation Reservoir: In addition to the recreational surf lagoon described above, there will also be a three acre reservoir that will hold water to maintain the surf lagoon. It is presumed that there is no recreational purpose for the reservoir, so management techniques are not dependent on aesthetic conditions. The plan details measures to eliminate weeds and other organic matter that would attract birds and floating fountains to maintain movement to prevent water stagnation. Additionally, landscaping around the reservoir will be maintained to discourage use. These measures will definitely act as deterrents to birds that may be attracted to the structure. Other measures should be adapted to further reduce attractiveness. The reservoir should be constructed with steep sides (minimum slope of 3:1), minimal surface area, and deep water. Concrete or other impervious liners should be considered to prevent vegetation growth along the margins. Water can be optionally treated chemically to eliminate weed and algae formation using copper sulfate or other sterilants. If not possible or permitted for use, then other standard water quality measures can be employed. Active harassment measures (as described below) should be employed as needed at the reservoir, as in the surf lagoon itself. These measures taken together should prevent birds from being attracted to the reservoir, but the addition of a UV-protected polypropylene shade cloth cover appears to be an additional requirement added to the ALUC recommendations in their revised permit dated October 2013. There is no doubt that this would virtually eliminate any possibility that birds would be attracted to the reservoir and has the added benefit of reducing evaporative water loss. In general the guidelines detailed in the ALUC brochure entitled

- "Airports, Wildlife and Stormwater Management" should be followed (Undated a).
- c. Landscape Plans: The Bird Mitigation/Management Plan also specifies landscaping that would not attract birds to the property. It further stipulates that the Thermal Beach Club will be responsible for managing all landscaping and will ensure uniform compliance with guidelines established to prevent attracting nuisance birds. Selecting vegetation suitable for xeriscaped landscapes to ensure species adapted to local conditions and minimize necessity for irrigation is highly encouraged. Vegetation that produces seeds, fruits, or berries, or that will provide dense cover for nesting or roosting should be prohibited. The Riverside County ALUC published a brochure entitled "Landscaping Near Airports" (Undated b) that is an excellent resource in that it provides a suitable species list and general planting guidelines to limit birds and other wildlife. Following these guidelines and selecting vegetation species from the list will assure hazardous wildlife are minimized throughout the property.
- d. Trash and Food Management: Many birds can be attracted to trash or food intentionally or unintentionally provided them. Other wildlife such as coyotes, mesomammals, or feral pets may access and expose trash or food items left unattended or in unprotected conditions. It is imperative that all household or industrial trash on site that contains organic material or food items be contained and covered at all times. Dumpsters and household trash containers must have lids that remain closed and cannot be breeched or opened by birds or other wildlife. It is also imperative that the surf lagoon concession and patrons using the beach club do not intentionally feed birds anywhere on site. It is recommended that signs be prominently placed in strategic locations around the lagoon and that a no feeding policy be strictly enforced. These provisions should also be a mandatory inclusion in the project covenants governing residents and their guests.
- 3. Active Deterrent Measures: Each of the measures described above are passive measures that will deter birds without constant or purposeful intervention. It is recognized that passive measures alone may on occasion require active measures to supplement their effects. The Thermal Beach Club Bird Mitigation/Management Plan specifies options that can be used to reinforce passive deterrents as needed and as further detailed below. These should be used in combination, but are arranged somewhat in order of priority. Also see Cleary and Dickey 2010, Belant and Martin 2011, and DeFusco and Unangst 2015 for much more detailed discussion of all the techniques described.

- a. Trained and Equipped Personnel: As mentioned above, several maintenance personnel will regularly be present on site to clean and maintain the surf lagoon. The mere presence of these individuals will act as a deterrent to birds as will residents and others using the facility for recreational purposes. Ensure that staff are further trained and equipped to disperse birds that may attempt to access the facility. In addition to maintenance staff, it is understood that contracted wildlife management professionals may be used as needed to supplement local staff. These professionals may bring their own equipment and techniques to the program and diverse, innovative strategies are always encouraged to add to the options available on site.
- b. Sonic Devices: Most bird harassment programs rest on a foundation of active dispersal techniques employing a variety of pyrotechnic devices that produce loud sounds and explosive visuals. It is recognized that these devices cannot be used in highly populated or urban areas and are not recommended at this location due to human disturbance and potential fire hazards. Therefore, alternative harassment techniques are needed. For this project, it is recommended that long-range hailing devices be used. These are essentially high-tech "bullhorns" that project high decibel sound pressures in a focused beam using parabolic speakers. Sound attenuates and can be perceived outside the central beam, but unless in the beam itself, sound levels are fairly innocuous. Commercial versions of these devices are available in small, handheld applications and come with a variety of pre-programmed sounds specifically designed for bird dispersal. However, virtually any sound can be projected with these devices if desired. Generally, distress or alarm calls of the actual species targeted are most effective, though some species (such as waterfowl and raptors) do not possess these calls. Projected calls are effective over extreme ranges and have been tested at distances over one half mile. They are also effective on soaring raptors and other birds that may not respond to other standard techniques. Although there are likely others, two companies that produce these devices for bird control are the LRAD Corporation (for Long-Range Acoustic Device) (www.lrad.com) and Ultra Electronics Hyperspike (www.Ultra-Hyperspike.com). Each make a variety of models including small handheld versions suitable for this project. It is important to use these properly. They must only be used when birds are noted present or approaching the site, and then focused upon them to "herd" them away from the site. DO NOT USE CONTINUOUSLY in a static mount or orientation as habituation to the sounds will rapidly erode effectiveness and compromise all other methods

- c. Remote-controlled Devices: Remote controlled devices such as aerial drones or boats can be effectively used to disperse birds that may be out of reach by other means. Used in combination with sonic devices, the visual disturbance and the sound they themselves generate can be highly deterrent to potentially hazardous species. They are particularly effective on flocking species such as waterfowl, gulls, shorebirds, blackbirds, grackles, and starlings as they may cause panic in the flock and encourage their departure. It is imperative that coordination with the airport be established before considering aerial drones as they may be prohibited at certain altitudes and distances from any active airport. Frequency interference and the obvious threat of collisions must be addressed before implementing these devices. There should be no reason to use these against birds at this location at altitudes that would conflict with aircraft, but prior coordination and approval is necessary.
- d. Trained Dogs: The Bird Mitigation/Management Plan lists specifically trained dogs as an option and these can certainly be effective. Dogs are most effective on larger and flocking birds such as geese, ducks, and gulls. Any of these birds found on the lagoon shoreline can effectively be dispersed, but if they become habituated, they may only retreat to the deep water where other techniques must be on hand to finish the harassment program. Dogs can be expensive to obtain, train, and maintain and may require local volunteers or contractors to effectively implement.
- e. Trained Birds of Prey: The Bird Mitigation/Management Plan lists specifically trained hawks or falcons as an option and these, like dogs, can certainly be effective. Potentially hazardous birds have evolved to fear airborne predators and virtually never habituate to their presence. They are most effective against small to medium sized flocking birds such as ducks, gulls, blackbirds, grackles, and starlings. However, falconry has even more limitations than do dogs. They are more expensive to obtain, train, and maintain. They cannot fly during inclement weather, in fog, in rain, in very high winds, at night, after they have fed, or while they are moulting. They also require special permits to obtain and use by specially trained handlers. This option would certainly require contracted effort and if used, should only be a part of a larger program as a supplement to other, more standard methods. The Thermal Beach Club developers have used such a contractor and have experience at other locations that may be used here for both bird control and the educational benefits such a program would promote.
- f. Lasers: The Bird Mitigation/Management Plan lists laser conditioning as an option for bird harassment and dispersal. While lasers can be effective, there are some limitations. They are most

effective on roosting birds in low light conditions. Gulls and waterfowl have been effectively deterred from such locations. Other methods should work to prevent these conditions from developing, but if needed, lasers could be used to supplement more standard techniques to move roosting birds from ground-level sites. As with remote aerial drones, it is imperative that coordination with the airport be conducted before considering the use of lasers. It is a federal offense to use lasers near airports if elevated above the horizon, used to illuminate aircraft, or pointed in pilot's eyes. Therefore, it is not recommended that these be used at this location unless highly restricted in their application.

- g. Removal of Nests: Any nests that may be established on the property may be removed at any time when they are not actively occupied by brooding adults, eggs, chicks, or fledglings. Generally, nests are removed after nesting seasons to comply with federal and state law. Any active nests can only be removed under the conditions of specific permits, with the some exceptions granted for non-native species. Migratory Bird Treaty Act Federal Depredation Permits may be issued to deal with individual birds or their nests if they are found to compromise human health or safety and the Thermal Beach Club may consider obtaining these permits if other non-lethal methods fail.
- h. Lethal Control: While the intent of this overall bird control program is to rely on non-lethal methods and those are most effective in the long-run, there may be exceptional circumstances where lethal control may be required. Generally, and for this site in particular, lethal control measures are not recommended until all non-lethal options have been exhausted. However, on rare occasion, an individual or group of birds or other wildlife habituates to other methods and must be permanently removed. Should this situation arise at this project, a Federal (and applicable state) depredation permit may be considered. All species listed under the Migratory Bird Treaty Act require depredation permits to lethally remove. There are certain provisions and exceptions granted for some species such as resident Canada Geese, blackbirds, grackles, cowbirds, magpies, and crows, as well as non-native species such as Rock Pigeons. Hose Sparrows, European Starlings, and Eurasian Collared-Doves that may require consideration. Whitestar Development has outlined many of the requirements in their management plan and can further implement this option if necessary in the future. If all other provisions of the plan and as outlined in this report are implemented, it is not anticipated that lethal control will be needed at this site.

# Conclusion

This report summarized the findings of the site visit to determine presence and abundance of birds that might be potentially attracted to the Thermal Beach Club and the program to deter their presence to minimize adverse impacts in the local area. Overall, results of this WHSV indicate a generally moderate risk of bird strikes to aircraft operating from the Jacqueline Cochrane Regional Airport on the overall landscape level. However, the potential is recognized as there are a large number and diverse mix of species that annually migrate through the region and overwinter on the Salton Sea and in surrounding areas. Some of these birds will certainly be attracted to any water features in the area including at the Thermal Beach Club site. An aggressive Bird Mitigation/Management Plan has been developed for the project and includes engineering design, landscaping, passive, and active deterrent measures that will minimize if not eliminate the potential risks not only to aircraft, but to human health and safety as well. Implementing the plan would ensure any added potential risks would be negligible at best in the overall landscape as it currently exists. With the implementation of their plan, and the slight modifications suggested herein, the Thermal Beach Club should be highly successful at mitigating any possible issues at the site.

# Appendix A: Wildlife Observations in the Area Surrounding the Thermal Beach Club Property and Coachella Valley During the March 2019 WHSV\*

\*Note: These observations were made during the two day visit to the area on March 20-21, 2019 and are therefore not comprehensive. The list only represents a fraction of the over 400 species documented in the Coachella Valley and only during this seasonal timeframe. Other references should be used to supplement this list and more fully represent the presence and abundance of birds in the vicinity.

### Birds:

### Anseriformes - Waterfowl

Anatidae

**Snow Goose** Chen caerulescens Canada Goose Branta canadensis Blue-winged Teal Ánas discors Cinnamon Teal Anas cyanoptera Green-winged Teal Anas crecca Northern Shoveler Anas clypeata Gadwall Anas strepera American Wigeon Anas americana Mallard Anas platyrhynchos

Mallard

Northern Pintail

Redhead

Lesser Scaup

Bufflehead

Red-breasted Merganser

Ruddy Duck

Anas platyrhynchos

Anas acuta

Aythya americana

Aythya affinis

Bucephala albeola

Mergus serrator

Oxyura jamaicensis

# Pelicaniformes - Pelicans, Cormorants, and Ibises

Pelicanidae

American White Pelican Pelecanus erythrorhynchos

**Phalacrocoracidae** 

Double-crested Cormorant Phalacrocorax auritus

Threskionithidae

White-faced Ibis Plegadis falcinellus

Podicipediformes - Grebes

Podicipedidae

Pied-billed Grebe

Horned Grebe

Podilymbus podiceps

Podiceps auritus

Podiceps nigricollis

Western Grebe Aechmophorus occidentalis

Falconiformes - Vultures, Hawks, and Falcons

Cathartidae

Turkey Vulture Cathartes aura

Accipitridae

Northern Harrier Circus cyaneus
Cooper's Hawk Accipiter cooperii

Ferruginous Hawk Red-tailed Hawk

**Falconidae** 

**American Kestrel** 

Merlin

Peregrine Falcon

Buteo regalis Buteo jamaicensis

Falco sparverius Falco columbarius Falco peregrinus

Galliformes - Upland Game Birds

Odontophoridae Gambel's Quait

Callipepla gambelii

Ciconiiformes - Herons and Egrets

Ardeidae

**Black Crowned Night Heron** 

Great Egret
Great Blue Heron
Snowy Egret
Cattle Egret

Nycticorax nycticorax

Ardea alba Ardea herodias Egretta thula Bubulcus ibis

**Gruiformes - Cranes and Allies** 

Rallidae

American Coot Virginia Rail Fulica americana Rallus limicola

Charadriiformes - Shorebirds and Gulls

Recurvirostridae
Black-necked Stilt

American Avocet

Charadriidae

Black Bellied Plover Snowy Plover

Semipalmated Plover

Killdeer Scolopacidae

> Spotted Sandpiper Lesser Yellowlegs

Willet

Marbled Godwit Western Sandpiper Least Sandpiper

Dunlin

**Long-billed Dowitcher** 

Laridae

Bonaparte's Gull Herring Gull

Ring-billed Gull California Gull Yellow-footed Gull Caspian Tern

Forster's Tern

Himanoptus mexicanus Recurvirostra americana

Piuvialis squatarola Charadrius nivosus Charadrius semipalmatus

Charadrius vociferus

Actitis macularius Tringa flavipes

Catoptrophorus semipalmatus

Limosa fedoa Calidris mauri Calidris minutilla Calidris alpina

Limnodromus scolopaceus

Croicocephalus philadelphia

Larus argentatus Larus delawarensis Larus californicus Larus livens

Hydroprogne caspia

Sterna forsteri

Cuculiformes - Cuckoos and Roadrunners

Cuculidae

Greater Roadrunner Geococcyx californianus

Columbiformes - Pigeons and Doves

Columbidae Rock Pigeon

Rock Pigeon Columba livia

Eurasian Collared-Dove Streptopelia decaocto
Mourning Dove Zenaida macroura
White-winged Dove Zenaida asiatica
Common Ground Dove Columbina passerina

Strigiformes - Owls

Strigidae

Barn Owl Tyto alba

Great Horned Owl Bubo virginianus
Burrowing Owl Athene cunicularia

Caprimulgiformes - Nightiars

Caprimulgidae

Lesser Nighthawk Chordeiles acutipennis

Apodiformes - Swifts and Hummingbirds

Apodidae

White-throated Swift Aeronautes saxatalis

Trochilidae

Black-chinned Hummingbird Archilocus alexandri

Anna's Hummingbird Calypte anna
Costa's Hummingbird Calypte costae

Coraciformes - Kingfishers

**Alcedinidae** 

Belted Kingfisher Megaceryle alcvon

<u>Piciformes - Woodpeckers</u>

Picidae

Ladder-backed Woodpecker Dryobates scalaris

Passeriformes - Perching Birds

Tyrannidae

Western Kingbird Tyrannus verticalis
Black Phoebe Sayornis nigricans
Say's Phoebe Sayornis saya

Ptiliogonatidae

Phainopepla Phainopepla nitens

Hirundinidae

Barn Swallow Hirundo rustica
Tree Swallow Tachycineta bicolor

Northern Rough-winged Swallow Stelgidopteryx serripennis
Cliff Swallow Petrochelidon pyrrhonota

Corvidae

Common Raven American Crow

Alaudidae

**Horned Lark** 

Motacillidae

**American Pipit** 

Turdidae

Western Bluebird American Robin

Sturnidae

European Starling

Mimidae

Northern Mockingbird

Laniidae

Loggerhead Shrike

Remizidae Verdin Troglodytidae House Wren

Marsh Wren Bewick's Wren

Polioptilidae

**Black-tailed Gnatcatcher** 

Parulidae

Orange Crowned Warbler Common Yellowthroat Yellow-rumped Warbler

**Passerellidae** 

Abert's Towhee Savannah Sparrow White-crowned Sparrow

Song Sparrow

Passeridae

**House Sparrow** 

icteridae

Western Meadowlark Red-winged Blackbird Brewer's Blackbird Brown-headed Cowbird Great-tailed Grackle

Fringillidae

Lesser Goldfinch House Finch Corvus corax

Corvus brachyrhynchos

Eremophila alpestris

Anthus rubescens

Sialia mexicana Turdus migratorius

Sturnus vulgaris

Mimus polyglottos

Lanius Iudovicianus

Auriparus flaviceps

Troglodytes aedon Cistothorus palustris Thryomanes bewickii

Polioptila melanura

Vermivora celata Geothlypis trichas Setophaga coronata

Melozone aberti

Passercullus sandwichensis Zonotrichia leucophrys Melospiza melodia

Passer domesticus

Sturnella neglecta
Agelaius phoeniceus
Euphagus cyanocephalus
Molothrus ater

Quiscalus mexicanus

Spinus psaltria

Haemorhous mexicanus

### Mammals\*:

\*Note: No specific mammal surveys such as trapping were conducted as part of this WHSV. Mammals at the Thermal Beach Club would not constitute a direct hazard to aviation at the Jacqueline Airport and therefore were not a focus of this review. Mammal and mammal sign (tracks, scat, burrows, bones) were noted incidental to other surveys conducted. This list represents only a small portion of those found in the region and may be supplemented with other data.

### Carnivora

Canidae

Coyote **Domestic Dog** 

Felidae

**Feral Cat** 

Mephitidae

Striped Skunk

Mustelidae

Badger

Canis latrans Canis familiaris

Felis catus

Mephitis mephitis

Taxidea taxus

### Lagomorpha

Leporidae

**Desert Cottontail** Black-tailed Jackrabbit

Sylvilagus auduboni Lepus californicus

### Rodentia

Sciuridae

Round-tailed Ground Squirrel

Geomyidae

**Botta's Pocket Gopher** 

Cricetidae

California Mouse

**Bushy-tailed Wood Rat** 

Xerospermophilus tereticaudus

Thomomys bottae

Peromyscus californicus

Neotoma lepida

Appendix B: Wildlife Strikes Reported at the Jacqueline Cochrane Regional Airport (2002-present)

Date	Aircraft Type	Species	Time of Day	Damage
4/16/2002	Hawker 800	Unknown Medium	Day	None
2/22/2004	GulfAero IV	Canada Geese	Dawn	Substantial
3/27/2006	MU-300	CA Gull	Day	Substantial
10/17/2013	C-340	Geese	Night	Substantial
3/31/2017	C-550	Unknown Large	Day	None
4/20/2018	Citation Jet	Coyote	Unknown	Minor
10/26/2018	PA-28	Unknown Small	Day	None

Birds: Three reported to species level

Mammals: One reported to species level

Wildlife strikes not reported at a species level: Three

### Appendix C: References

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# Appendix D: Whitestar Development Wildlife Mitigation/Management Plan (a/o March 28, 2019).

# WHITESTAR DEVELOPMENT

# THERMAL BEACH CLUB

Bird Mitigation/Management Plan

### **Project**

Thermal Beach Club is located within the Kohl Ranch boundaries 2 -3 miles south of Jacqueline Cochran Airport. The project consists of 105 acres containing a private residential neighborhood surrounding one 3 acre reservoir and one 20 Acre surfing lagoon. Located immediately next to the Thermal Beach club project, and part of the Kohl Ranch, is an approximate 20 acre lake with no active bird mitigation plan.

### **Major Components of Project**

- 3 Acre reservoir to be used for the delivery and retention of canal water for recreational use within the surf lagoon.
- 20 Acre Crystal Lagoon with surf technology. The surf lagoon will be used for recreational use by the residents and members of Thermal Beach Club. The lagoon will be capable of producing 6 waves per second with heights to seven feet.
- 105 Acres containing 362 Residential units ranging from 4-plexes to SFR's.
- All landscaping in common area and residential unit yards (both front and back) installed and maintained by Thermal Beach Club.
- Various private club amenities including clubhouse, pools, tennis, etc.

The project will create job opportunities for at least 150 people within the first two years.

# Purpose of Bird Mitigation/Management

The purpose of a Bird Mitigation/Abatement program is:

- To reduce threats to human health and safety
- To ensure the health and safety of the residents of Thermal Beach Club and the adjourning properties including Jacqueline Cochran Airport.
- To mitigate, as much as possible, the risk of bird strikes to aircraft on approach to and departure from Jacqueline Cochran Airport.
- To reduce damage to property
- To remove birds and or encourage birds to seek other locations more safe and desirable for their occupation.

Migratory Geese, due to their size, present the most danger to aircraft on approach to and departure from Jacqueline Cochran airport as well as potentially creating a health hazard to residents due to the large amounts of fecal matter that geese leave behind. A single goose can weigh 12 pounds, eat up to four pounds of grass per day and create about three pounds of fecal matter per day. The average flock of geese can range from 25 to 100 geese. Just 25 geese can eat 100 pounds of grass and leave 75 pounds of fecal matter per day or 525 pounds per week. A flock of 100 geese can eat 400 pounds of grass and leave 300 pounds of fecal matter per day or 2,100 pounds of fecal matter per week. These numbers equate to significant property damage and some serious health concerns due to potential disease.

# **Bird Mitigation/Deterrent Methods**

### Reservoir:

Treated to reduce and or eliminate weeds and all organic matter that attracts birds.

Floating fountains will be installed in resevoir to maintain water movement to prevent stagnation. Stagnation allows for growth of organic material.

Landscaping surrounding the lagoon will be maintained to discourage nesting.

### Crystal Lagoon/Surf Lagoon:

Lagoon utilizes water cleaning technology which eliminates all organic matter.

The crystal lagoon by its nature will not attract water fowl.

Surf Generation equipment will be generating waves from 1 to 7 feet in height.

Multiple people will be surfing and enjoying water based acitivities throughout the day.

The wave and watersports activities, in combination with the Crystal Lagoon, will create an environment that is unfriendly to birds/water fowl.

### Landscape Maintenance:

Landscaping throughout the entire property will be installed and maintained in a manner that will not allow nesting to start or provide food for migratory birds. Thermal Beach Club will be responsible for managing all landscaping, including all common area and the front and back yard landscaping of all residential units.

### Bird Mitigation / Goose Depredation Methods:

Bird Mitigation and Goose Depredation programs will follow all licensing requirements of the U.S. Fish & Wildlife Services and the California Department of Fish and Game. The program will utilize multiple methods of non-lethal abatement such as:

- Specially trained birds of prey Hawks and Falcons
- Specially trained dogs
- Remote controlled devices
- Laser Conditioning
- Removal of nests will be by permit and within the legal limits of such permit.

### Experience

Whitestar Development/Whitestar Management has managed many communities throughout Coachella Valley representing thousands of doors and many artificial/man-made lakes for more than a decade. This bird mitigation/abatement and goose depredation program has been implemented and is currently in use throughout our portfolio. The success of the program has been achieved by the combination of landscape management, lake water quality management, and the use of the specific non-lethal abatement methods described above.

### **Professional Abatement Experience**

Whitestar has contracted with Winged Solutions for the abatement of multiple species of birds, including geese for many years. Winged solutions is a specialist in non-lethal bird and goose abatement and is licensed by the U.S. Fish and Wildlife Services and the California Department of Fish and Game. Winged Solutions utilizes Hawks/Falcons, Lasers, dogs, and remote controlled devices to remove birds and keep birds away at all times. Winged solutions also keeps and active goose depredation permit with the US Fish and Wildlife Service and complies with all reporting requirements of the permit. The depredation permit is used only until such time that non-lethal methods can be established and implemented.

Existing Resort clients of Winged Solutions:

Renaissance Esmeralda

**Hyatt Grand Champions** 

Indian Wells Golf Resort.

### **Resident Benefits**

In addition to the health and safety benefits of bird abatement, the residents of Thermal Beach Club will have the unique opportunity of educational programs relating to the use of Hawks and Falcons in the bird mitigation program. Winged solutions frequently hosts educational events and demonstrations to residents of communities or guests of resorts which they serve which will enrichen the experience of the Thermal Beach Club residents and their children. Federal Law

Migratory birds are protected under four bilateral migratory bird treaties the United States entered into with Great Britain (for Canada in 1916 as amended in 1999), the United Mexican States (1936 as amended in 1972 and 1999), Japan (1972 as amended in 1974), and the Soviet Union (1978). Regulations allowing the take of migratory birds are authorized by the Migratory Bird Treaty Act (16 U.S.C. 703-711), and the Fish and Wildlife Improvement Act of 1978 (16 U.S.C. 712). The Migratory Bird Treaty Act (Act), which implements the above-mentioned treaties, provides that, subject to and to carry out the purposes of the treaties, the Secretary of the Interior is authorized and directed to determine when, to what extent, and by what means allowing hunting, killing, and other forms of taking of migratory birds, their nests, and eggs is compatible with the conventions.

On August 10, 2006, in the Federal Register (71 FR 45964), a final rule was published establishing regulations in 50 CFR parts 20 and 21 authorizing State wildlife agencies, private landowners, and airports to conduct (or allow) indirect and/or direct population control management activities, including the take of birds, on resident Canada goose populations.

It is the intention of the Thermal Beach Club bird mitigation program to use non-lethal methods of abatement for all species of birds that bring risks to the residents of Thermal Beach Club and to the surrounding properties including Jacqueline Cochran Airport. In the event that other abatement methods become necessary, all federal and state laws will be directly followed as it relates to the species of bird involved.

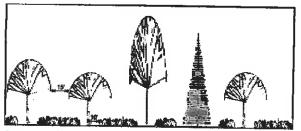


Figure 1. Selection of shrubs should be a mix of deciduous and coniferous species with no more than 50 percent evergreen species.

Plant Selection, Irrigation, and Wildlife Management. Riverside County requires landscaping for proposed development and redevelopment projects, and it is also committed to the use of native and drought-tolerant plants to reduce landscape-related water use. The County of Riverside Guide to California Friendly provides a lengthy plant palette to help landscape architects, planners, and the public select pant materials that will reduce water use in accordance with local and state goals: (http://rctlma.org/Portals/7/documents/landscaping\_guidelines/Guide\_io\_California\_Friendly\_Landscaping.pdf.)

Many of the plants on the "County of Riverside California Friendly Plant List" could attract potentially hazardous wildlife species. **Table 2** provides a reduced species list, nearly all of which were excerpted from the Friendly Plant List, but are less likely to support potentially hazardous wildlife. Project sponsors should use this list for projects within an AIA.

The list is not meant to be exhaustive, and other species may be appropriate based on the project location or other project-related circumstances. Sponsors who wish to propose plant materials that are not included in **Fable 1** will need to demonstrate to the ALUC that proposed species will be unlikely to attract hazardous wildlife to the AIA.

**Seneral Guidelines.** Other factors can affect wildlife behavior, andscaping can provide a food source, opportunities for shelter, nesting and perching. Proposed landscaping can help to discourage wildlife nrough the application of the following guidelines summarized below and described in **Table 1**.

- Close the Restaurant! Do not use plant material that produce a food source, such as edible fruit, seeds, berries, drupes, or palatable forage for grazing wildlife. When possible, select a non-fruiting variety or male cultivar.
- No Vacancy! Avoid densely branched or foliated trees; they provide ideal nesting habitat and shelter.
- Prevent Loitering 1 Select tree species that exhibit a vertical branching structure to minimize nesting and perching opportunities (Figure 1).



### Table II. Design Suldance for Francischerals

### Avoid/Prevent Contiguous Canopy

Prevent overlapping crown structures. Contiguous crowns can provide safe passage for wildlife. Provide sufficient distance between plants to ensure that at least 15 feet of open space will remain between mature crowns (Figure 1).

- Prevent homogenous canopy types and tree height. Variable canopy height will reduce thermal cover and protection from predators.
- Provide significant variation between the type of canopy and height of the species, both at planting and at maturity.
- Provide no more than 20% evergreen species on site, and never plant evergreens in mass or adjacent to each other.

### Limit Coverage

Limit the amount of cover and avoid massing to prevent the creation of habitat for birds or small mammals.

- Mix deciduous, herbaceous, and evergreen species.
- Do not plant species in mass. At a minimum, provide sufficient spacing to equal the width of each species at maturity. Avoid species with the potential to creep near shrubs (Figure 2).
- Provide at least 10 feet between trees and other species greater than 1 foot in height.

### Prevent the natural succession of landscape!

Groundcover plays a transitional role between shrubs, grasses, and trees, and this succession creates an ideal habitat for diverse wildlife (see Figure 2).

- Provide a buffer and sharp edges between groundcover, turf, shrubs and trees, using hardscape or mulching.
- 2. When possible, use alternative groundcovers, such as decorative paving and hardscapes instead of planted groundcover/turf.
- The use of groundcover/turf may be impractical or undesirable based on irrigation needs or site-specific conditions. Consider using the following:
- Artificial turf in place of groundcover, which can reduce maintenance and eliminate irrigation needs (Figure 2A).
- Porous concrete to cover smaller areas (Figure 2B).
- Permeable pavers to provide visual interest while promoting drainage (Figure 2C).

### Limit Coverage

Limit the amount of cover and avoid massing to prevent the creation of habitat for birds or small mammals.

- Do not use vines to create overhead canopy or to cover structures.
- Do not plant vines to grow on the trunk or branches of trees.
- Minimize vines to areas of 5 feet or less in width. Vines require considerably more maintenance than other plant materials.

Acceptable plants from the Riverside County Landscaping Guide



Chinese Elm



Heavenly





Deer Grass



Society Garlic

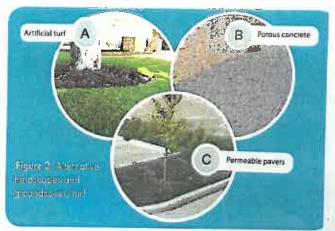
# LANDSCAPING NEAR AIRPORTS:

Special Considerations for Preventing or Reducing Wildlife Hazards to Aircraft

Landscaping makes a visual statement that helps to define a sense of space by complementing architectural designs and contributing to an attractive, inviting facility. In some cases, a landscaping plan can be used to restore previously disturbed areas. However, such landscape plans are not always appropriate near airports.

Wildlife can pose hazards to aircraft operations, and more than 15C wildlife strikes have been recorded at Riverside County. The Riverside County Airport Land Use Commission (ALUC) prepared this guidance for the preparation of landscape designs to support FAA's efforts to reduce wildlife hazards to aircraft. This guidance should be considered for projects within the Airport Influence Area (AIA) for Riverside County Airports. The following landscape guidance was developed by planners, landscape architects and biologists to help design professionals, airport staff, and other County departments and agencies promote sustainable landscaping while minimizing wildlife hazards at Riverside County's public-use airports.

Discouraging Hazardous Wildlife. Plant selections, density, and the configuration of proposed landscaping can influence wildlife use and behavior. Landscaping that pravides a food source, perching habitat, nesting opportunities, or shelter can attract raptors, flocking birds, mammals and their prey, resulting in subsequent risks to aviators and the traveling public.











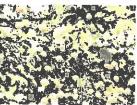
Acceptable.

The trees above have a vertical branching structure that minimizes perching and nesting apportunities.



Not acceptable. Examples of trees that are attractive to birds because of horizontal branching structure.





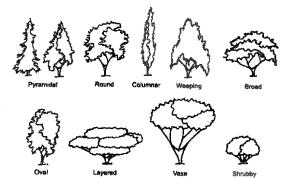
Not acceptable.

Trees, shrubs and plants that produce
wildlife edible fruit and seeds should be avoided.

TABLE I Association Florida from Magazinia Continue ascensessioning Course					
1		Mendichie	Settimonic Leave	Yes Michaelant C	Sometian States
T . E . I J		Cercis occidentalis	Western Redbud	VL. 1, 2, L 3,4	2-25
		Olea europaea 'Swan Hill'	Fruitless Olive	GL: 1,2; C: 3, 4, M: 5,6	8,9; 11-24
		Pinus spp.	Pine, various species	Varies by species	Varies by species
		Rhus lancea	African Sumac	L: 1-4; M: 5-6	8-9; 12-24
		Robinia neomexicana*	Desert Locust	L: 1-4; M: 5-6	2-3, 7-11, 14, 18-24
		Robinia x ambgua	Locust	L: 1-4; M: 5-6	2-24
		Ulmus parvifolia	Chinese Elm	M: 1-6	3-24
	Į	Aloysia triphylla	Lemon Verbena	- L: 1-6	9-10;12-21
B		Cistus spp.	Rockrose	L: 1-6	6-9, 14-24
ď.	ı	Dalea pulchra	Bush Dalea	L:6	12,13
ľ		Encelia farinosa	Brittlebush	₹ VL:3; L:3-6	
	Y	Gravellia Noelli	Noel's Grevellia	L: 1-4; M: 6	
*	-	Justicia californica	Chuparosa	M: 1,6; VL: 3; L: 4-5	**
F	1	Langana camara	Busn lantana	L: 1-4; M: 6	
ř		Lavendula spp.	Lavender	L: 105; M: 5-6	2-24; varies
В		Nandina domestica species	Heavenly Bamboo	L: 1-4; M: 5-6	
8	ŀ	Rosmarinus officinalis 'Tuscan Blue'	Tuscan Blue Rosemary	L: 1-4; M: 5-6	
		Salvia greggia	Autumn sage	L: 1-4; M: 5-6	
	-	Artemisia pycnocephala	Sandhill Sage	VL:1	
10	-	Oenothera caespitosa	White Evening Primrose	L: 1-2, 3-5	103,7-14, 18-21
	-	Oenothera stubbei	Baja Evening Primrose	L:1-6	10-13
	1	Penstemon baccharifolious	Del Rio	L: 4-6	10-13
Ť	į	Trachelospermum jasminoides	Star Jasmine	M:1-6	8024
	ĺ	Zauschneria californica	California Fuchsia	L: 1,2,4; VL: 3; M.5-6	2011, 14-24
		Cortaderia dioica [syn. C. selloana]	Pampass Grass	N/A	N/A
	1	Festuca spp.	Fescue	Varies by Species	Varies by Species
ŀ	-	Zoysia 'Victoria'	Zoylsia Grass	60% of ETO	8-9, 12-24
	Ī	Agave species	Agave	L: 1-4, 6	10, 12-24 (Varies)
	Ì.	Aloe species	Aloe	L: 1-4, 6	B-9, 12-24
	L	Chondropetalum Itectorum	Cape Rush	H:1; M:3	8-9, 12-24
	,	Dasylirion species	Desert Spoon	VL: 1, 4-6	10-24
20		Deschampsia caespitosa	Tufted Hair Grass	L: 1-4	2-24
٦	ŀ	Festuca (ovina) glauca	· Blue Fescue	L: 1-2; M:3-6	1-24
#	f,	Dietes bicolor	Fortnight Lily		VL:1, L:3-6
ŝ		Echinocactus grusonii	Golden Barrel Cactus	VL:1-2, L: 3-4, 6	12-24
5	1	Fouquieria splendens	Octillio	L: 1, 4-6; VL: 3	10-13, 18-20
Š	-	Hesperaloe parviflora	Red / Yellow Yucca	VL:3, L: 4-6	2b, 3, 7-16, 18-24
	1	Muhlenbergia rigens	Deer Grass	L: 1,3; M: 2, 4-6	4-24
		Opuntia species	Prickly Pear, Cholla	VL: 1-3; L: 4-6	Varies by Species
	1	Penstemon parryi	Parry's Beardtongue	1:1-6	10-13
	1	Penstemon superbus	Superb Beardtongue	L: 1-6	10-13
	1	Tulbaghia violacea	Society garlic	M:1-4, 6	13-24
	)	lucca species	Yucca	L:1-6	Varies by Species



Not recommended are trees that overlap, allowing birds to move safely from tree to tree without exposure to the weather or predators.



Trees approved for planting should have varied canopy types and varied heights, both at time of planting and at maturity. A combination of the styles illustrated above is recommended.



daptive measures such as liners, a concrete asin, and overhead wire grid can make dended detention strategies less attractive to azardous wildlife.



infiltration basins with rock bottoms are less attractive to birds because they mask water and do not provide vegetation.



water quality and prevent water accumulation. However, dense and tall vegetation may be attractive to hazardous wildlife.

### STORMWATER BEST MANAGEMENT PRACTICES

Riverside County and its incorporated cities require water quality/ stormwater management controls for development and redevelopment projects. The Riverside Conservation District has prepared a separate Water Quality Management Plan for each watershed in the County that identifies treatment control Best Management Practices (BMPs) for improving water quality and managing stormwater volumes/ flows following the design storm (i.e., 24-hour storm). Structural BMPs identified in Riverside County guidance and their compatibility within the AIA are summarized in Table 1.

### ADDITIONAL RESOURCES/MORE INFORMATION:

- Riverside County Flood Control and Water Conservation District, Water Quality Management Webpage. Available at: http:// reflood.org/nodes.
- FAA Advisory Circular 150/5200-33, "Wildlife Hazard Attractants On and Near Airports": https://www.faa.gov/ documentlibrary/media/advisory\_circular/150-5200-33B/150\_5200\_33b.pdf.
- Airport Cooperative Research Program, Balancing Airport Stormwater and Bird Hazard Management, https://www.nap. edu/login.php?action=guest&record\_id=22216.

### Table 2 Recommended Measures to Reduce Wildlife Attraction Associated with Stormwater BMPs

### **BMP** Characteristic

### Recommended Design Measure

### **Exposed Surface Water**

- Especially attractive to waterfowl, shorebirds. and flocking birds.
- Provides source for drinking and nest building.
- More attractive when constructed near other open water features or ponds.
- Reduce availability by providing 48hour drawdown following a design storm (i.e., 24-hour storm).
- Cover using bird balls.
- Consider earth-bottom culverts, French drains, trench covers, and underground storage options.
- Avoid within 8 km (5 miles) of other open water features or facilities.

# Vegetation and Landscaping Provides food.

- Tall vegetation provides shelter and nesting opportunities.
- Diverse vegetation attracts more diverse wildlife
- Eliminate vegetation (concrete banks, steep slopes, etc.).
- If necessary, provide a monoculture or decreased diversity.
- Never use species that provide a food source (seeds, berries, nuts, and drupes).
- Provide regular maintenance to prevent seeding and shelter.

### Aspect/Geometry

### Slopes can provide apportunities for nesting and loafing.

### Avoid or reduce available shareline:

- Implement narrow, linear trenches rather than open water or regular circles as pond shapes.
- Create steep slopes (<3:1).</li>
- Avoid irregular shapes for basins.
- Avoid vegetation.

### WHAT YOU CAN DO:

Airport operators, developers and communities must work together to manage stormwater in the airport vicinity to reduce hazards to air travelers and the public while addressing site-specific challenges.

- Identify whether your project is near an airport and in an AIA or critical area. (http://www.rcaluc.org/Plans/New-Compatibility-Plani.
- Work with the airport operator, ALUC, and city/county staff to identify an acceptable water quality management strategy.
- Contact the applicable airport to review your stormwater plans or request plan review by a FAA-qualified wildlife biologist. The form is available at: http://www.rcaluc.org/Portals/0/PDFGeneral/form/ Wildlife%2CAttractants%20-%20FAA%20Review.pdf.



# AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT

### GUIDANCE FOR PROPOSED PROJECTS IN AN AIRPORT INFLUENCE AREA

Riverside County includes diverse topography and is home to three watersheds and a portion of the Salton Sea, an important stop along the Pacific Flyway for migrating bird species. The County's arid climate makes water quality management and water conservation paramount.

The County is also the home to Palm Springs International Airport, 12 public use general aviation airports, and the March Air Reserve Base, whose operations can be challenged by the presence of hazardous wildlife such as raptors, water-fowl, doves/pigeons, gulls, flocking birds, and mammals (coyote and deer). Since 1990, more than 150 wildlife strikes with aircraft have occurred in Riverside County, some of which have led to substantial aircraft damage. Most strikes occur at low altitude (less than 3,500 feet above runway height). Much of the geographic area associated with these altitudes coincides with an Airport Influence Area (AIA) as defined in the Riverside County Airport Land Use Compatibility Plan (ALUCP).

### AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT

The Federal Aviation Administration (FAA) identifies stormwater management facilities on and near airports as one of the greatest attractants to hazardous wildlife Many species are attracted to open water features and associated vegetation that offers water, food, and shelter. The FAA warns against the construction of new open water bodies or mitigation sites within 10,000 feet of aircraft movement areas and within 5 miles of approach/departure surfaces (FAA Advisory Circular 150/5200-33B).



Remains of an owl ingested by an aircraft engine





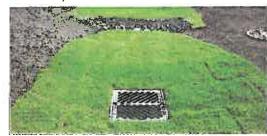


Low-Impact Development. In recent years, Riverside County has focused on Low-Impact Development (LID), which includes techniques to filter, store and retain runoff on-site. LID BMPs retain runoff to optimize infiltration/recharge, and many promote the use of vegetation to provide for the uptake of pollutants. Although LID BMPs can provide environmental, economic and community benefits, they can retain open water for prolonged periods and attract hazardous wildlife. Many LID BMPs are incompatible with aircraft operations and must be considered with caution within the AIA.

Aviation-Specific Stormwater Management. FAA acknowledges that project-related BMPs must consider many non-aviation factors, such as soil types, space requirements, maintenance, constructability, etc. United States Department of Agriculture (USDA) and FAA have identified specific design characteristics that should be considered during BMP design and incorporated to make most BMPs less attractive to wildlife (Table 2).

### **ADAPTIVE MEASURES**

When open water detention ponds must be used within the AIA, the ponds may be equipped with bird balls, floating covers, nets, or overhead wires to cover open water and discourage use by hazardous wildlife. For example, concrete basins are unlikely to attract wildlife, and pond liners can prevent the development of hydrophytic vegetation. These technologies must be used with caution and only in areas with controlled access.



Infiltration trenches detain water for brief periods. This trench at Seattle-Tacoma Airport includes vegetation appropriate for an airport environment.



Bioretention facilities can provide food and shelter for potentially hazardous wildlife, but may

### Toble 1. Structural Best Management Practices (BMPs) and Compatibility in an Airport Influence Area (AIA) Compatibility within the AlfA Infilmation trenches # Sintable because water accumulates below Recommended ground surface " Vegelation must be sescied and reverses by a FAA-punkting Auport Vitalite Hazard Biclosis calleline expression in the policy building Permeable Pavement Does not include water storage. Appropriate for parking lots and other parked a doces that are not Recommended high-raffic areas Harvest and Use IRWH] Suitable as long as water it stoled in enclosed Recommended Sand Filter Basins Destable because standing water is realed through Recommended an underdrom system Vegetated filter Strips Designie because reiner BMP involves ponded and Vegerated Swales water. However, vegetaron must be selected to Recommended discourage nazardous wildlife and levelyed by a audified bick out Water Quality Inlets Destrople pecause they do not plovide conded water Associated regulation must be selected Recommended to discourage cazardous wildlife and reviewed by a qualmed biologist Infiltration Basins Unsuitable in ALUCP Compatibility Zone A. Not recommended without Suitable in Zones B and C with appropriate Modification. modifications, such as: Drawdown within 48 Suitable only if design hours or manufactured cover to prevent view addresses wildlife hazards and availability of open water; and absence of landscape or landscaping approved by a qualified biologist. ■ Steep slopes (steeper than 3:1). Bioretention Facilities Although bioretention can mask open water, BMP is Not Recommended without not recommended for airports based on its potential to provide food, water, and shelter for hazardous Modification (also known as rain gardens bioretention wildlife. basins, infiltration basins, Unsuitable in Compatibility Zone A landscaped filter basins) Potentially suitable in Zones B and C only when small in size (e.g., parking islands, site entrances, planter boxes, etc.) and when vegetation is selected to discourage hazardous wildlife and reviewed by a qualified biologist. Potentially suitable in Zones D and E when basin is less than 30 feet in length/width; and vegetation is selected to discourage hazardous wildlife and reviewed by a qualified biologist.



Small bioretention facilities that provide sparse vegetation may be suitable in an aviation environment.





Extended detention basins are frequently used to serve both water quality management and to provide amenities. These basins hold water and would not be appropriate within an AIA because of the open water.



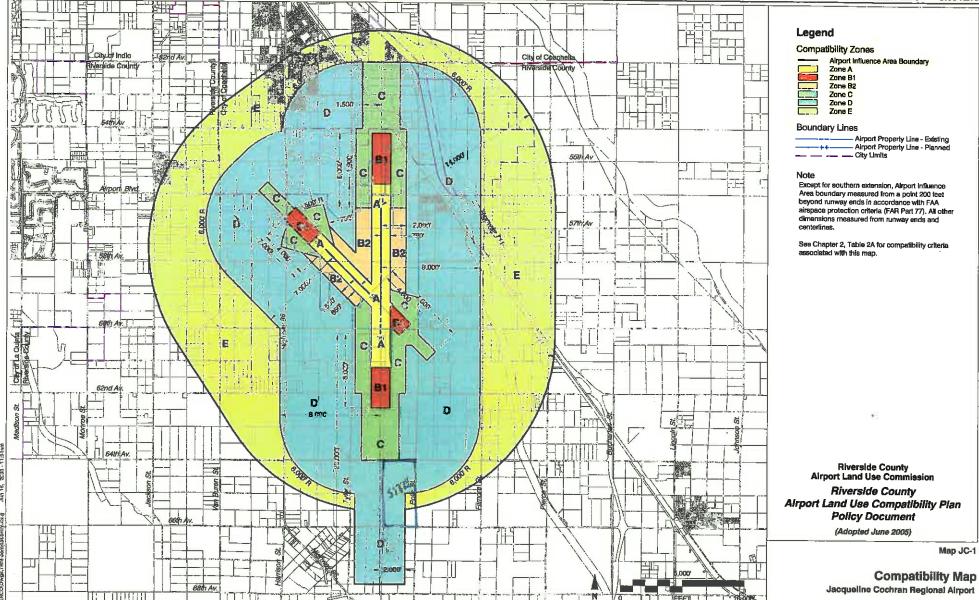
Sand filter at the base of the bioswale promotes infiltration.

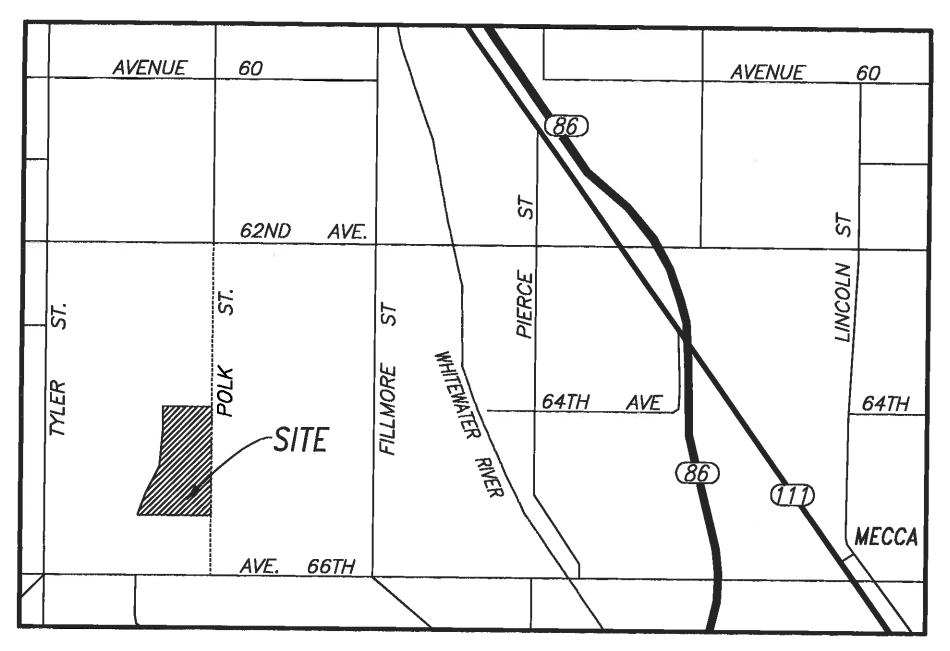


Porous pavements allow water to infiltrate to a soil layer below the surface.

# NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)





VICINITY MAP





### Legend

Blueline Streams

City Areas

World Street Map





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Notes





### Legend

County Centerline Names Blueline Streams

City Areas
World Street Map





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Los Angeles
an Diego
Tijuana

### Legend

County Centerline Names Blueline Streams

City Areas
World Street Map

**Notes** 

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### Legend

- Parcels
  County Centerline Names
  Blueline Streams
- City AreasWorld Street Map

**ACIT** 



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Notes

### **Project Description**

Thermal Beach Club - Lagoon and Clubhouse Village

The Thermal Beach Club proposes a private residential development, within the community of Thermal, on approximately 239 acres intended for use as vacation homes under TTM37269.

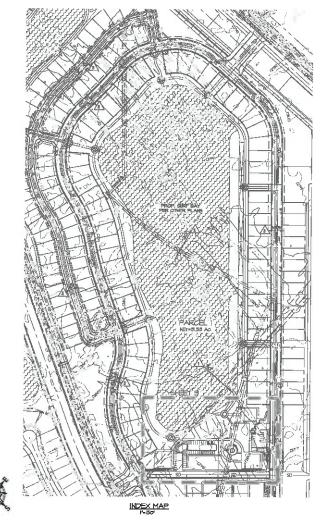
The proposed Plot Plan will allow for development and use of the 21 acre lagoon with wave making capabilities and approximately 42,000 square foot future clubhouse (village area). Only Thermal Beach Club residents, their families, and their guests will have access to the lagoon and surf. The clubhouse village area will consist of four buildings that will provide amenities including administration, retail, spa and exercise facilities, pool, deck, bar, restaurant, and kitchen facilities to serve the Thermal Beach Clubs residents and their guests. There may be some semi-public (non-commercial) events occurring from time to time. These events will consist of surfing demonstrations for Thermal Beach Club residents and their guests.

The lagoon contains water cleaning technology from Crystal Lagoons which allows the 20 acre lagoon to remain crystal clear and blue at all times. The lagoon's filtration and monitoring system and patented cleaning process uses 2 percent of the energy and 100 times less chemicals than is needed by conventional swimming pool filtration systems. The crystal lagoon uses up to 30 times less energy than a golf course and 50 percent less water than is required by a park of the same size. Additionally, the evaporation control film technology reduces water consumption and evaporation even further. The filtration system is powered by electricity and is located in an underground vault, similar to those used by golf courses and Homeowners associations throughout the desert. This allows for almost completely silent operation.

The surf system is an air pressure system that allows the creation of naturally occurring swells just as they occur in the ocean. The system uses commercial grade electric HVAC type fans to create the pressure changes in chambers that are necessary to create a swell mirroring the oceans natural swell. The system is powered by electricity and the fans are located in enclosed concrete chambers to control air pressure and sound levels.

### IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA PLOT PLAN NO. PPT 180037

LOCATED IN SECTION 9, T. 75, R SE, S.B.M.



LEGEND	
	PROPERTY LINE
	— EXISTING CERTERLINE
— ex v — — —	- EXISTING WATER LINE
	— EXISTING EASEMENT
50	— PROPOSED STORM DRAIN
	— PROPOSED SENER PER OTHERS
	- PROPOSED STORM DRAIN FER OTHERS
<del></del>	PROPOSED WATER PER OTHERS
	- PROPOSED IRRIGATION LINE FER OTHERS
	PROPOSED ADA PATH OF TRAVEL
3	PROP. CONC
	PROP. LANDSCAPE

### **ABBREVIATIONS**

CURB AND BUTTER CENTERLINE EXISTING IRRIGATION LINE RM RIGHT OF WAY STORM DRAIN SOUARE FLET SAR. SANITARY NEWS SIDENALK. MATER

### PROJECT DESCRIPTION

TENDAMENT DESCRIPTION.

THE THROUGH EACH CLES IS A PRIVATE RESIDENTIAL DEVELOPMENT MEMBER POR USE AS VACATION ROCKS. THESE MAY DE SONE SEMENALS CHICAGOMERICAL SCHOOL CONSIDER PRIVAT THE TO THE. THESE CHICAGOMERICAL SCHOOL CARBOT OF SIGNIFIAN DEVELOPMENT AND THE SEMENTS. THE DESCRIPTION AND THE SEMENTS. THE SEMENT THE THEORY AS SEMENTS. THE SEMENT THE THEORY AS SEMENTS. THE SEMENT THE THEORY AS SEMENTS. THE SEMENTS HAVE THE SEMENTS. THE SEMENTS HAVE THE SEMENTS. THE SEMENTS HAVE THE SEMENTS. THE SEMENTS HAVE ASCESSED TO BE CHICAGOMER SEMENTS. THERE FAMILIES AND THEIR SLEETS HILL MAY ACCESSED TO BE LEADON AND SEMENTS. THERE FAMILIES AND THEIR SLEETS HILL MAY ACCESSED TO BE LEADON AND SEMENTS.

### GENERAL INFORMATION

- THOMAS BROS. MAY BOOK PASE 5541 SRID. PS, PS, PS, 65, 66, AND ST.
  PROJECT IS MITHIN A SPECIFIC PLAN.
  PROJECT IS MITHIN A SPECIFIC PLAN.
  PROGRESS OF REJOCAL PAR PLOTTED HEREOM.
  PROGRESS OF REJOCAL PAR PLOTTED HEREOM.
  PROGRESS OF REJOCAL PROPERTY LIKE SHALL CONFORM TO OFFICIANCE 457
  STEPLACE OF JOURNET OF PROPERTY LIKE SHALL CONFORM TO OFFICIANCE 457

# 5. SETIMACES OF SLOPES TO PROPERTY LINE SHALL CONCORN TO ORDINANCE 491 6. JAMES SHOTHINI A SPECIAL STORES YOU. 7. OO SERBERY-ACE SETTIC SERVICE DISTRICTS. 8. OO DOSTINES STRUCTURES OF DEELLINES OF SITE. 8. OO DOSTINES STRUCTURES OF DEELLINES OF SITE. 10. LAND IS SUBJECT TO COMPETAN SERVICE OF FLOOD WARD. 10. LAND IS SUBJECT TO COMPETAN SERVICE OF FLOOD WARD. 10. LAND IS SUBJECT TO LONG FLOOD. 10. LAND IS SUBJECT T

### EASEMENT NOTES

- 50' MDE BASSHSKIT GRANIED TO THE COACHELLA VALLEY MATER DISTRICT TO BILLD AND HANTAN AN INDERSPRIAND PEPELINE IN THE DOCUMENT RECORDED LIKE 6, 1965 AS INSTRUMENT NO, 703-6.
- △ 20' MICE BASISTANT GRANTED TO THE COACHELLA VALLEY MATER DISTRICT TO BUILD AND MARTIAN AN INDERSECUED PIPELINE IN THE DOCUMENT RECORDED NOVEMBER 5, 2004 AS INSTRUMENT NO. 35-575TD FC OFFICIAL RECORDS.
- A PROPOSED PUBLIC VILLITY EASEMENT PER TIM 51264.



### OWNER/APPLICANT

KONL RANCH COMPANY, LLC 1092 SAN VIONTE BLYD, SUITE SIO LOB ANGELES, CA 40044 CONTACT. LEPF DINKIN PHONE: 510-216-1500

### ENGINEER

ALBERT A MESS ASSOCIATE STAG MCCRAY STREET RIVERSIDE, CA 42506 CONTACT. LEMITER MILLEN PHONE, 431-520-6041

### LAND USE

EXISTING LAND USE: VACANT EXISTING ZONING: SP

PROPOSED LAND USE: SP PROPOSED ZONINO: SP

### SCHOOL DISTRICT

COACHELLA VALLEY UNIPIED SCHOOL DISTRICT

### A.P.N. TSI-070-088

### AREA

PARCEL | 58,036 AC 9159 AC

### LEGAL DESCRIPTION

A PORTION OF THE NORTHEAST AND SOUTHEAST GUARTER OF SECTION 9, TOWERIP 1 SOUTH, RANGE 8 BAST, SAN REPRIABILITIES FASE AND MERICIAN.

### UTILITY PROVIDERS

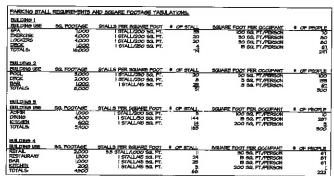
COACHELA VALLEY NATER DISTRIC COACHELA VALLEY NATER DISTRIC INTERIAL IRRIGATION DISTRICT SOUTHERN CALIFORNIA GAS COMPAN PRONTER SPECTION M HATER SEMER ELECTRICAL

### SHEET INDEX



<u> </u>	
Ė	
	NEA 2018
L	THERMAL BEACH
	COUNTY OF RIVERSID
1	PLOT PLAN NO, PPT 180
	TITLE GUIERT

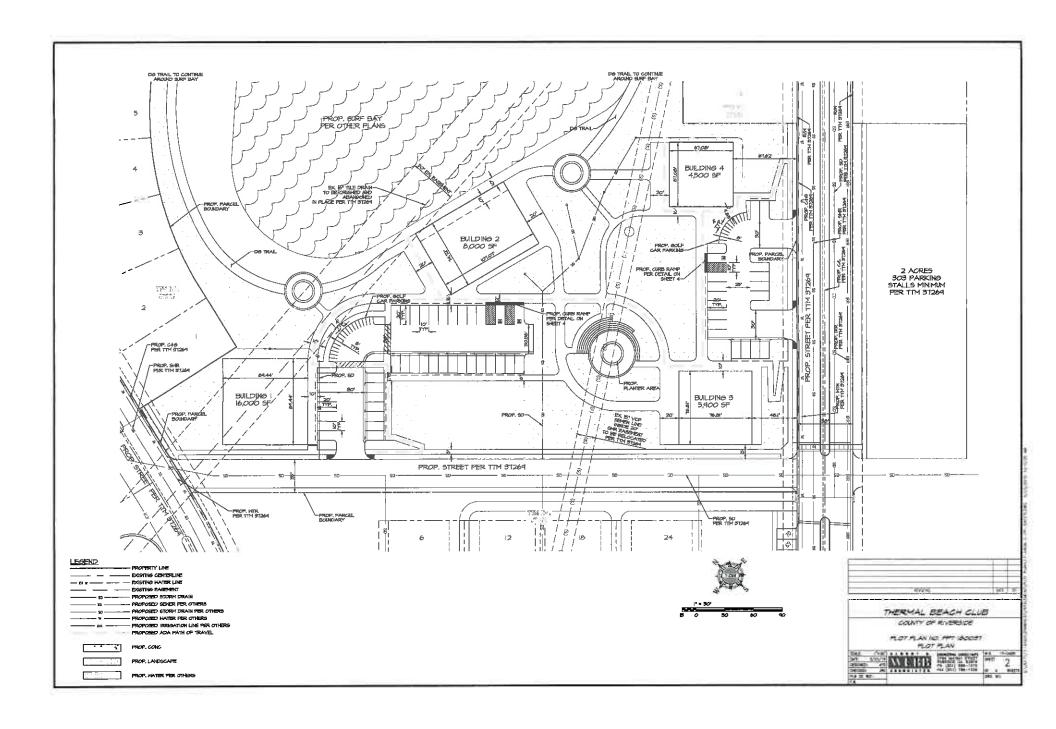
2057

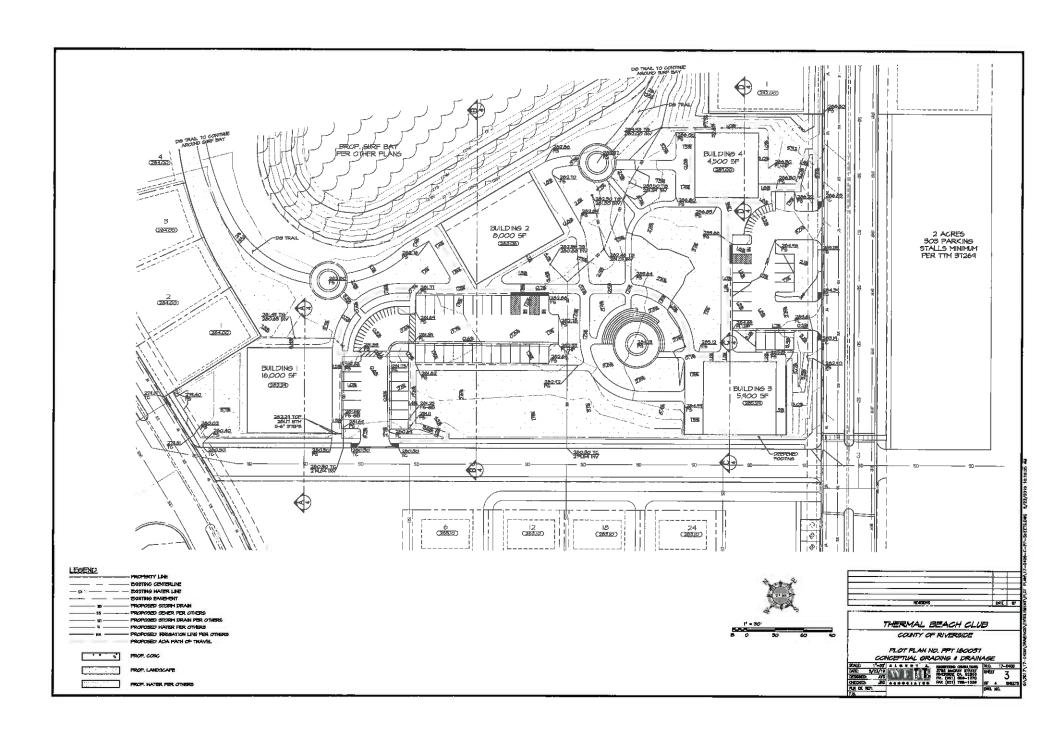


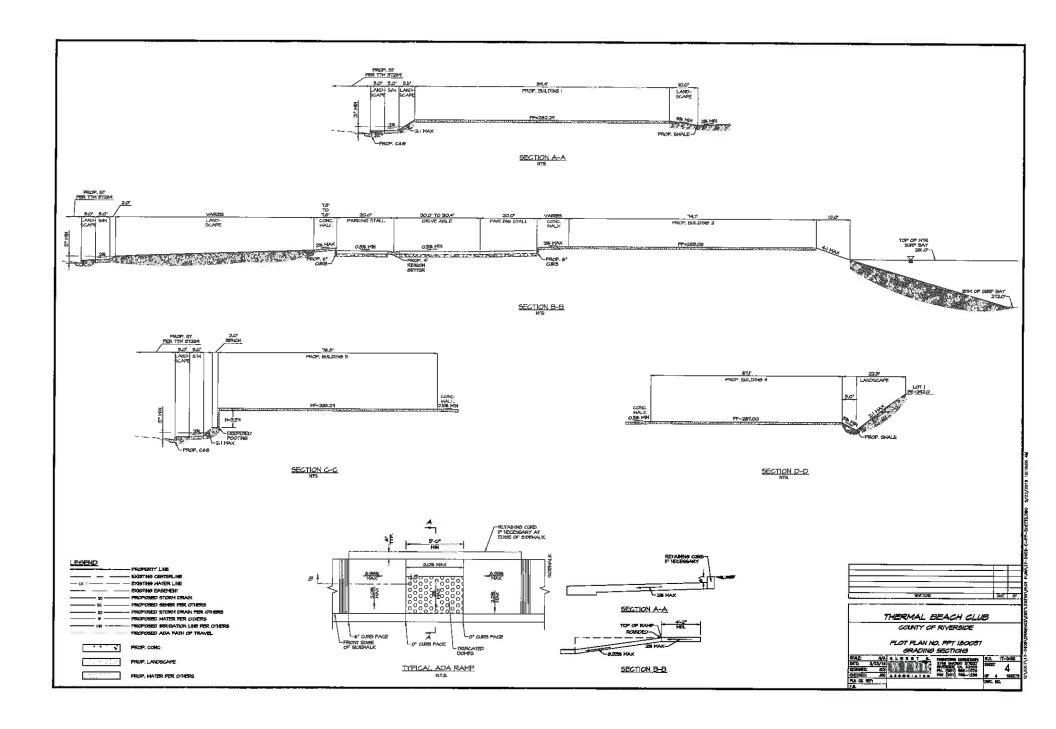
TOTAL SQUARE POOTAGE : 54,400 ST

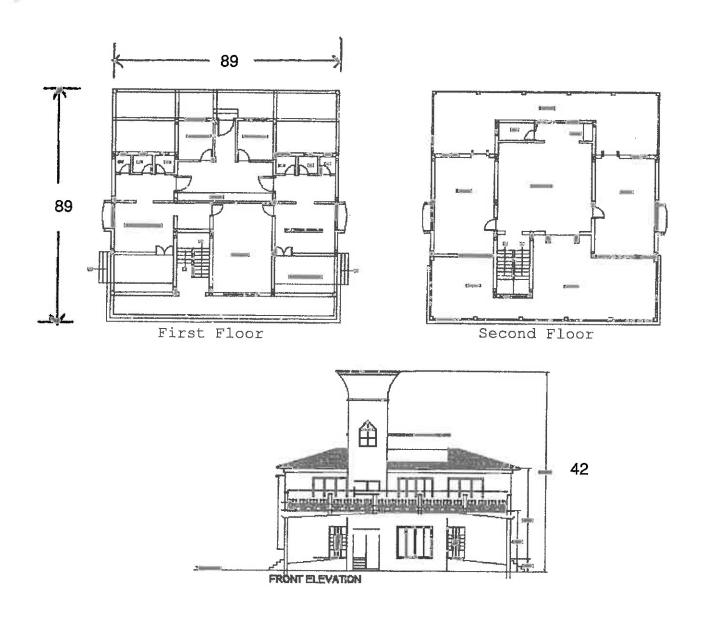
PARKING STALL TABILATION
PARKING STALLS REGISTED, SOI
PARKING STALLS PROVIDED, SOI
TOTAL PARKING STALLS PROVIDED, SOI
TOTAL PARKING STALLS PROVIDED, SAI

TOTAL NAMEER OF PEOPLE ( UN)

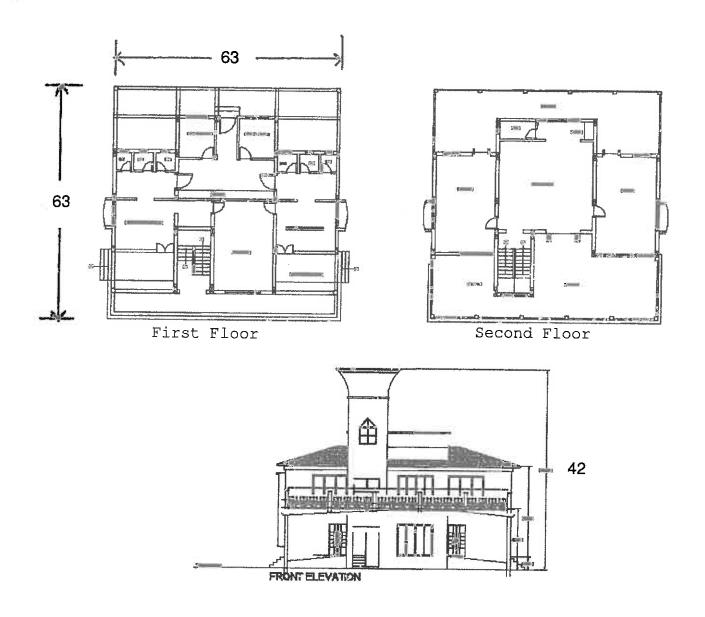




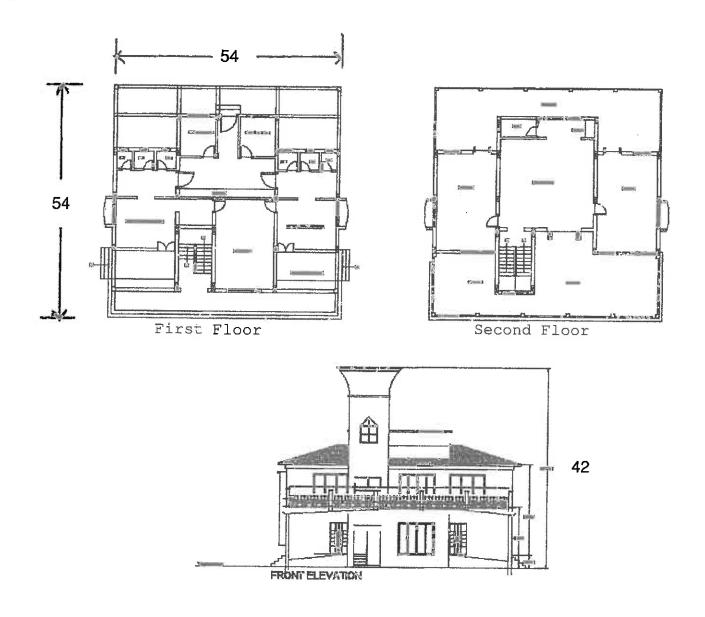




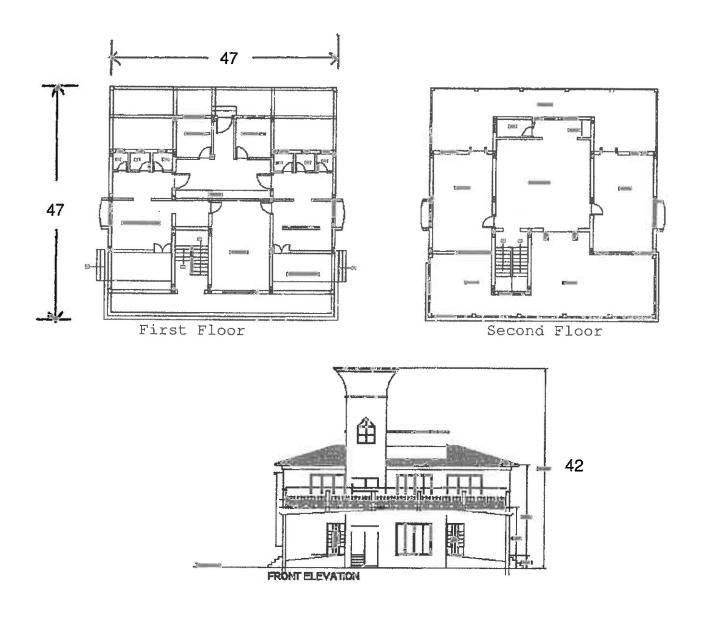
Building 1



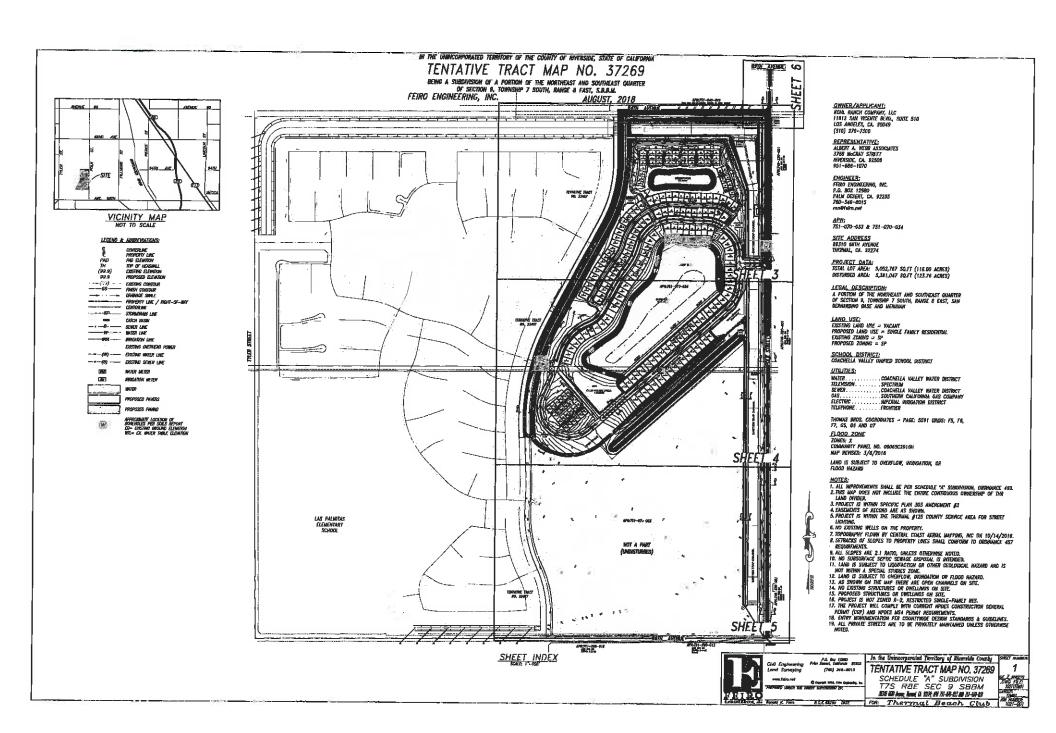
Building 2

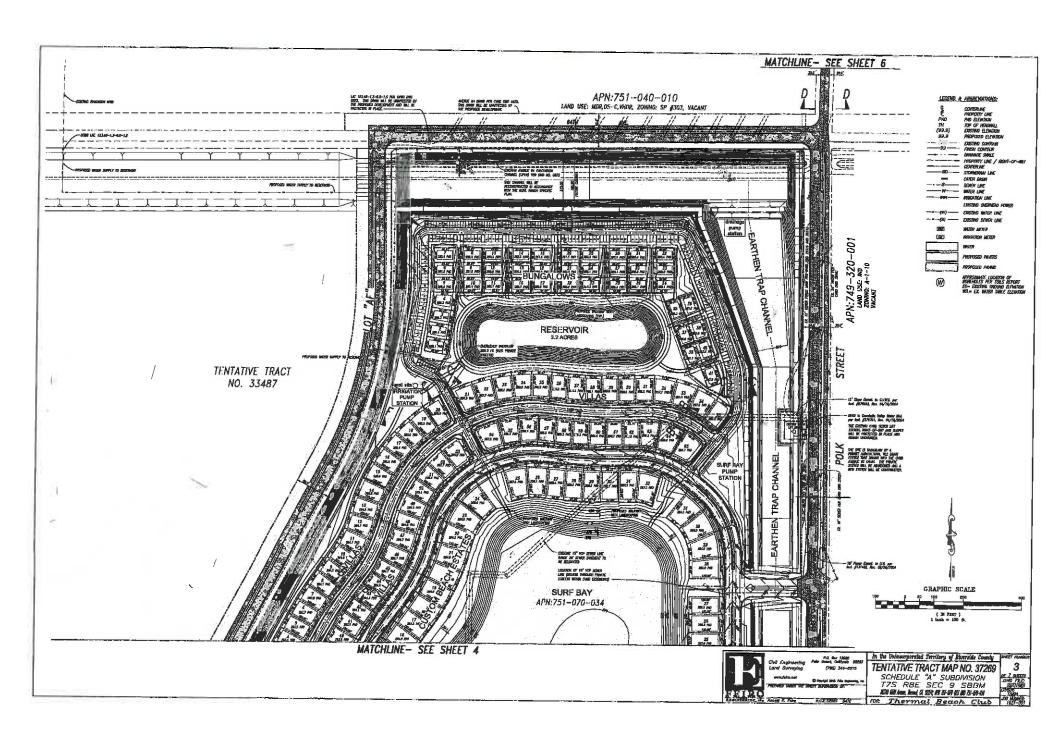


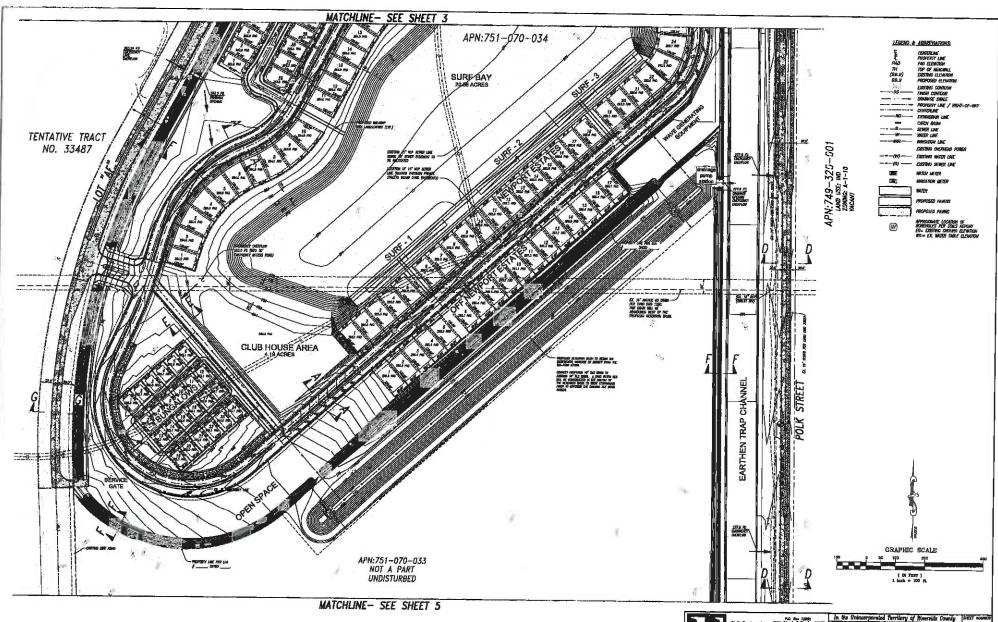
Building 3



Building 4

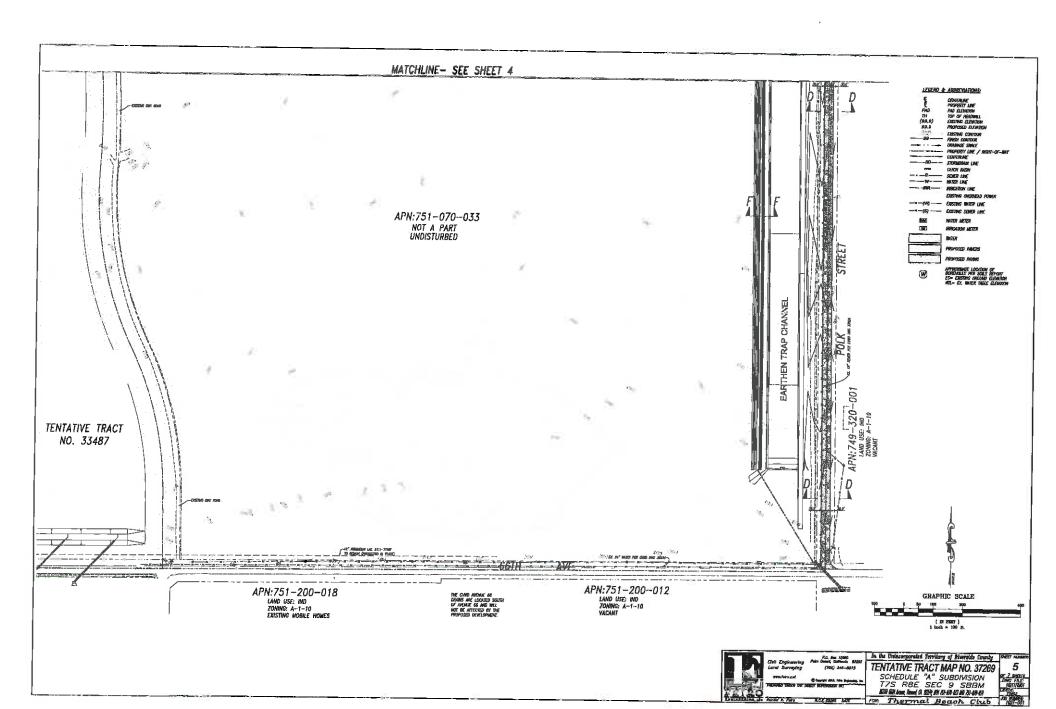






ivil Engineering Peth Dated, Colored 2 (760) 346-8011

TENTATIVE TRACT MAP NO. 37269
TENTATIVE TRACT MAP NO. 37269
SCHEDULE "4" SUBDIVISION
T75 R8E SEC 9 SBBM
斯爾斯·滕國(劉克斯斯斯斯斯科斯斯科科
T0% They mad Beach Club



LOT	AREA (SF)	USUABLE AREA (SF)	X USUABLE ARE
1	4000	4000	100%
2	4000	4000	100%
J	4000	4000	100%
4	4598	4317	94%
5	4156	3908	85%
8	4142	3893	94%
7	4142	4142	100%
8	4142	4142	100%
9	4142	3893	94%
10	4142	3693	94%
11	4142	4142	100%
12	4142	4142	100%
13	4142	4142	100X
14	4142	4142	100%
15	4142	3881	94%
16	4142	3893	94%
17	4142	4142	100%
18	4142	4142	100%
19	4142	3893	94%
20	4142	4142	100%
21	4142	3881	94%
22	4142	3893	94%
23	4142	3893	94%
24	4142	4142	100%
25	4142	4142	100%
26	4142	4142	100%
27	4142	4142	100%
28	4000	4000	100%
29	4000	4000	700X
30	4000	4000	100%
31	4000	4000	100%
32	4000	4000	100%
33	4000	4000	100%
34	4000	4000	100%
35	4000	4000	100%
36	4007	4007	100%
.37	4000	4000	100%
38	4000	4000	100%
39	4000	4000	100%
40	4000	4000	100%
41	4000	4000	100%

VILLAS-LOT AREA TABLE					
LOT #	AREA (SF)	USUABLE AREA (SF)	Z USTABLE AREA		
1	5232	5232	X001		
2	5477	5477	100%		
J	5500	5500	100%		
4	5500	5500	100%		
5	5500	5500	100%		
6	5672	5672	100%		
÷	5656	5656	100%		
-8	5656	5656			
	5520		100%		
		5520	100%		
10	5922	5922	100%		
11	6239	62.39	100%		
12	6239	6239	100%		
13	5822	5822	100X		
14	5839	5839	100%		
15	5896	5896	100%		
16	5896	5896	100%		
17	5896	5896	190%		
18	5896	5895	100%		
19	5896	5896	100%		
20	5993	5993	100%		
21	6501	6501	100%		
22	5445	5445	100%		
23	6445	6445			
			100%		
24	8445	8445	100%		
25	5840	5840	100%		
26	5840	5840	100%		
27	5754	5754	100%		
28	5754	5754	100%		
29	5754	5754	100%		
30	5754	5754	100%		
31	6359	6359	100%		
32	6812	6812	100%		
JJ	6812	6812	100%		
34	6812	6812	100%		
35	5754	5754	700X		
36	6176	6176	100%		
37	5500	4900	89%		
38	5500	5500			
39	5500	5500	100X		
40			100%		
	5632	5632	100%		
41	5679	5679	100%		
42	5679	5679	100%		
43	5516	5515	100%		
44	5312	5312	100%		
45	5911	1165	100%		
46	5911	5911	100%		
47	5911	5911	100%		
48	5534	5534	100%		
48	5760	5760	100X		
50	5760	5760	100%		
51	5760	5760	100%		
52	5760	5760	100%		
53	5736	5736	100%		
54	7530	7530	100%		
55	6382	6382			
56	6302		100%		
57		6382	100%		
	5978	5978	100%		
58	5738	5738	100%		
59	5738	5738	100%		
60	5738	5738	100%		
61	5738	5738	100%		
62	5715	5715	100%		
63	8782	6782	100%		
64	7822	7001	89%		

π <b>/</b>	AREA (SF)	USUABLE AREA (SF)	X USUABLE A
_1	7200	7200	100%
2	8173	8173	100%
3	8433	8433	100%
4	8433	8433	100%
5	BAJJ	8433	100%
6	8433	8433	100%
7	7211	7211	100%
8	8227	8227	100%
9	8353	8353	100%
10	8618	8618	100%
-11	7560	7580	100%
12	7560	7560	100%
13	7560	7560	100%
14	7666	7666	700%
15	8093	8093	100%
16	7991	7991	1002
17	7660	7660	100X
18	7871	7871	100%
19	7832	7832	100%
20	7832	7832	100%
21	7832	7632	100X
22	8116	8116	100%
23	8691	8591	100%
24	8676	8676	100%
25	8449	8449	100%
26	8134	8134	100%
27	7253	7253	100%
28	7349	7349	100%
29	7349	7349	100%
30	7295	7295	100%

LOT #	AREA (SF)	USUABLE AREA (SF)	X USUABLE ARE
1	7200	7200	100%
2	7200	7200	100%
3	7200	7200	100%
- 4	7200	7200	7001
5	7200	7200	100%
6	7200	7200	100%
7	7200	7200	100%
8	7200	7200	100X
9	7200	7200	100%
10	7200	7200	100%
11	7200	7200	100%
12	7200	7200	100x
13	7200	7200	100%
14	7200	7200	100%
15	7200	7200	100%
16	7200	7200	100%
17	7200	7200	100%
18	7200	7200	100%
19	7200	7200	100%
20	7200	7200	100%
21	7200	7200	100%
22	8313	8313	100%
23	8694	8594	100%
24	8710	8350	95%
25	8303	7782	93%
26	7440	7080	95%
27	7200	7200	100%
28	8115	8115	100x
29	8709	8709	100%
30	8711	8711	100%
31	8658	8658	100%

LOT 🧗	AREA (SF)	USUABLE AREA (SF)	% USUABLE AREA
. 1	7200	7200	100%
2	7200	7200	100%
3	7200	7200	100%
4	7200	7200	100%
5	7200	7200	100%
6	7200	7200	100%
7	7200	7200	100X
8	7200	7200	100%
8	7200	7200	100%
10	7200	7200	100%
11	7200	7200	100%
12	7200	7200	100X
13	7200	7200	100%
14	7200	7200	100%
15	7200	7200	100%
16	7200	7200	100%
17	7200	7200	100%

LOT #	AREA (SF)	USUABLE AREA (SF)	Z INNER F APE
1	4000	4000	100%
2	4000	4000	100X
3	4000	4000	100%
4	4000	4000	100%
5	4000	4000	100%
5	4000	4000	100%
7	4000	4000	100%
8	4000	4000	100%
9	4000	4000	100%
10	4000	4000	100%
11	4000	4000	100%
12	4000	4000	100%
13	4000	4000	100%
14	4000	4000	100%
15	4000	4000	100%
16	4000	4000	100%
17	4000	4000	100%
18	4000	4000	100%
19	4000	4000	100%
20	4000	4000	100%
21	4000	4000	100%
22	4000	4000	100%
23	4000	4000	100%
24	4000	4000	100%



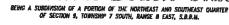
Crist Engineering And Sect Control State Con



In the Unincorporated Territory of Riverside County

# Preliminary Grading & Drainage Plan

Thermal Beach Club





#### PRELIMINARY EARTHWORK QUANTITIES:

RAW CUT = 450,227 C.Y.

COMPACTED FILL =
SHRINKAGE (20%) =
STRIPPING LOSS (0.08') =
SUBSIDENCE (0.20') = 725,057 C.Y. 145,011 C.Y.

SITE TOTAL: 486,487 C.Y. [ IMPORT ]

and the second second

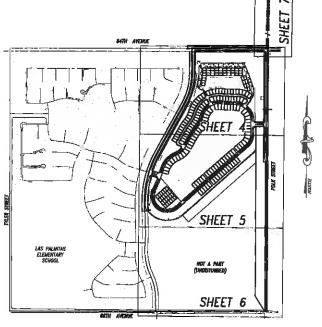
PROJECT MAKE Thermal Beach Club

IF YOU SEE DUST **COMING FROM** THIS PROJECT

BF YOU DO NOT GET A RESPONSEIN 1 HOUR, PLEASE CALL RIVERSIDE OD. AT (700) 427-0000 AND REPORT THE PERMIT & AND PHONE & ABOVE.

CALL

CALLA Q.M.D. AT 1480-CUT-SMOG (1400-200-70M)



SHEET INDEX

PRE-CONSTRUCTION METERIS NOTE:
A FWE-WARMANYM-CONSTRUCTION BETWEE AND SIX BEFREIDIN SIMIL DE ARBANICO FOR SIT HE SIX OFFICIALES HE WARMANYM-CONSTRUCTION BETWEE SIX DEPENDENT FOR ARBANICO FOR SIX HE SIX OFFICIALISM DE CONSTRUCTION BETWEE SIX BALLES BUT AREA BET LISTED IT, THE CONSIDERE THE AREA BUT ARE CONSIDERATION BUT AREA B

SDILS ENGINEER'S CERTIFICATION:

JAMES A STRUCTURE A LIGHTER CALIFORNIA CONTROL DESCRIPTION CONCERNO COLOCIA.

JAMES A LIGHT OF SALECTI EMPORTMENT A CONTROL DESCRIPTION COLOCIA.

HARDEN CALIFORNIA COLOR DESCRIPTION COLOR DESCRIPTION COLOCIA COLOR DESCRIPTION CO

DATRIEW J. COMPT. P.S. STARY CATE

NO WORK SHALL COLLEGE WITHIN ROAD RIGHT-OF-WAY (R/M) PRIOR TO ESSUANCE OF AN ENCROPHISH PERMIT BY THE

THE ENGINEER OF RECORD HAS EIGHLINTED THE DRAWINGE AND HAS DETERMINED THAT THE DRAWINGE ACROSS THE PROPERTY LINE DOES NOT DICEED THAT WHICH DIGITIO PROFE TO CRUCIAGO.

THE EMPMERY OF RECIPIO WHO PREPARED AND SIGNED THE CHANGE FLAN HIS HERPITED THAT THE PROPERTY DRAWNGE SISTEM IS CONSISTENT WITH THE MINIMAL DRAWNGE PATTERN OF THE SITE AND WELL NOT ADMENSILY AFFECT ADMICENT PROPERTIES.

SOUTH ORDERS HAS PRESIDED AND SHARED THE CHARGE FLAR HAS MERRED THAT THE THE THROUGHES HAS THE DIMBERS IS CONCESTED WITH THE STORM DOWN FLARS APPRIED OF LEARN TO SHARE WITH CHARGE FLORE CONCESTED THE THE STORM DOWN FLARS APPRIED DO DOWN MAY BE RESIDED THAT PRICING THE CONCESTED TO CHARGE OF THE THROUGH DOWN DOWNSHIPS OF THE PRICING THE STORM THE THROUGH DOWN THE THE THROUGH DOWN CONCESTED TO THE PRICING THE THROUGH DOWN THE THROUGH DIVIDE THE PROPERTY OF CONCESTED TO THE PRICING THE THROUGH DOWN THE THROUGH DIVIDE THE PROPERTY OF CONCESTED TO THE PRICING THE THROUGH DOWN THE THROUGH DIVIDE THE THROUGH DOWN TH

DWNER/APPLICANT: KOHL RAHCH COMPANY, LLC 11812 SAN VICENTE BLVD., SUITE 510 LOS ANGELES, CA. 90049 (310) 276-7300

REPRESENTATIVE; ALBERT A. WEBB ASSOCIATES 3788 MeCRAY STREET RIVERSIDE, CA. 32506 951-686-1070

ENGINEER: FEIRO ENGHEERING, INC. P.O. BOX 12980 r.u. eux 12980 PALM DESERT, CA. 92265 760-346-8015 ron@foiro.net

AFN: 751-070-033 & 751-070-034

SITE ADDRESS SUSTO SOTH AVENUE THERMAL, CA. 92274

PROJECT DAYA:
YOTAL LOT AREA: 5,052,767 SQ.FT (116.00 ACRES)
DISTURBED AREA: 5,391,047 SQ.FT (123.76 ACRES)

A PORTION OF THE HORTHEAST AND SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 7 SOUTH, RANGE 8 EAST, SAN BERNARDING BASE AND MERIDIAN

LAND USE: LAND USE × VACANT PROPOSED LAND USE × SWIFLE FAMILY RESIDENTIAL EXISTING ZONING × SP PROPOSED ZONING × SP

SCHOOL DISTRICT: COACHELLA VALLEY UNIFIED SCHOOL DISTRICT

UTILITIES: N SPECTRUM
CONCHELLA VALLEY WATER DISTRICT
SOUTHERN CALEFORNIA GAS COMPANY
MIPERIAL WRIGATION DISTRICT

FLOOD ZONE
ZONES: K
COMMUNITY PAMEL NO. 05065C2310H
MAP REVISED: 3/8/2018

LAND IS SUBJECT TO OVERFLOW, INLINOATION, OR FLOOD HAZARD

BASIS OF BEARINGS; SI OND HOWITH FOR CALFORMAN COORDINATES SYSTEM MADAY, ZONE & DAZDA FROM THE-STATION THERMAL RESET, NOMBRE, UZMAS AND MPGS STA. B CA. C.I.

COORDINATES AND DISTANCES ARE BISED ON GRID DIMENSIONS TO CREMIN GROUND DISTANCES MULTIFLY BY 1,00003117165. THE MICHAEL CONSINATION FACTOR. (AT PT. (24)

<u>RENCHARIE</u>
THE RENCHARIE USED FOR THIS PROJECT IS REPOSIDE COUNTY MAD 69 ORTHON THE SEC DEFENCE OF THE PROJECT HAS SEC MAD 69 ORTHON HAT MAD THE SEC DEFENCE OF THE PROJECT HAS SECNIFIED HAS SECNIFIED HAS SECNIFIED HAS S

SOURCE OF TOPOGRAPHY:
THE TOPOGRAPHY SHOWN HEREON INS GREATERS
BY AN ACRUL SUPPEY BY CENTRAL COAST ACRUL
MAPPIND INC. DATE OF PROTO: 10–14–18

RULE:
ALL HEWMANON ASSOCIATED WITH BURDINGS (INCLIDING
SCHOOLS AND THE ELEMINORS) IS FOR REFERENCE ONLY
AND THE APPROVING OF THESE GROWNS PLANS ON ANY
BICLUTE ANY PROPERTIES ASSOCIATED WITH BURDINGS.

AN ENCRONCINENT PERMIT ESTUED BY THE THE COUNTY TRANSPORTATION DEPARTMENT IS REQUIRED FOR ALL WORK BITHIN THE STREET WON'T OF WAY





Fig. 8cm /2006 Pates Charry, College, 92255

In the Unincorporated Territory of Riverside County Preliminary Grading & Drainage Plan SCHEDULE "A" SUBDIVISION T7S R8E SEC 9 SBBM ATH AN Arm, band 4. 松光 科 及一块 40 种 及一种 RECEIVE OUT FOR: Thermal Beach Club





PMIO FUGITIVE DUST MITIGATION PLAN NOTES!

1. DIFFIE STE SHALL BE PRE-HAUSED FOR 48 HOURS PRIOR TO CLEARING AND CAUSEMIC.

2. MEPTRI AND EXPORT MATERIA TO BE PRE-LAUSED PRIOR TO TRANSPORT AND COMPRED DURING IMMERIED DURING UNLAUDENG OR LOUBEN AT STE.

3. DURING GRANDE OPERITORIS, CONSTRUCTION OF THE HOUSE, SEXULATION OF UTULIES AND OTHER SITE NOTES, BLOWNE GRANDE OF SHALL BE CONTROLLED BY WAITEMAN INTEST, TO STEAM OF MATERIAL SITE NOTES, BLOWNE OUTS SHALL BE CONTROLLED BY WAITEMAN WAITEMAN FOR SHALL BY MATERIAL SHALL BE AND A SHALL BE MATERIAL SHALL BE CONTROLLED BY WAITEMAN WAITEMAN FOR MATERIAL SHALL BE MADERNED WAITEMAY THE CONTROL WHEN SHALL BY MASS MOVED IN A LIKE MADURY, TO FREVENT THE GLASSINGS OF VISIBLE DUST IN THE RAMOGREFIER EXCENSION DIFF. PROJECT ST. DUST IN THE ANACOSPHERE BETWON THE PROJECT STE.

4. WERN WIND ONLYS DICCED STALLES FOR HIND, CASE ALL ACTIVE GRADING DIFINATIONS, MAPILLARY ALL RECESSION COMPINED, MEASURES (MINTERNS, CHERCUS STARLESTROM, ETC.) TO MERICANT ALL RECESSIONS OF MISSELE DUST IN THE ANASOSPHERE ENCORN THE PROJECT STEE.

5. MANINAM RECORDS TO DOCUMENT HE DATES OF ACTION OPERATIONS, ALL APPLICABLE PROFINE DUST STARLES AND MANINAM PRECEDED THE A PERSON OF ANY AND ANASOMETRY DEPOSITED THE COUNTY PREPRESENTATIONS (MARKET STEEL AND ANASOMETRY ANASOMETRY AND ANASOMETRY HOURSEN, O DIET HANDED ONTO ADMICENT ROLOS SMALL BE MIMEDATERY WASHED OR SMEYT FROM THOSE ROADS. 7. PRICE TO MERRORIS, OR MICHA CONSTRUCTION AUTHORS: SCASE FOR MORE THAN TWO DAYS, DISTURBED ROMED SIMPLACES SHALL BE SPROY WITH MUSTER COMPANIEN A MORTING OF CHIEGOA. STANDLED ROLLIDO TO NOT LESS THAN 1/2011 THE CONCENTRATION REQUIRED TO MANUAL A STANDLED SAMPLE FOR A PERIOD OF SIX MONTHS. B. ACCEPTABLE CHEWOAL STABULZERS: SOIL SEMENT; ENMICONICERY, MAGNESIUM CHLORIDE; CALCIUM CHLORIDE; AREMAY D. LANDSCAPING SHALL BE INSTALLED AS SCION AS PRACTICAL. LINTIL SUCH TIME AS LANDSCAPING IS INSTALLED, DUST SHALL BE CONTROLLED BY WATERING. 10. A SIGN SHALL BE POSTED AT THE SITE IN A CONSPICUOUS LOCATION AND SHALL BE WASHE TO PASSING TRUPPE. THE POSTED SIGN SHALL MEET THE CRITERIA SHOWN ON THE DETAIL ATTACHED. SIGNS SHALL BE POSTED ON ACCORDANCE WITH DURDON AND SAFET DEPARTMENT FORM STANDED. 11. ALL PHIO MEASURES SHALL BE IN PLACE PRIOR TO COMMENCING ANY GRADING ACTIVITY ON SITE. 12. 24 HOUR EMERGENCY DUST CONTROL POINT OF CONTACT FOR CONTROLLING DUST ON THE SITE NAME (PRINTED): 24-HOUR TELEPHONE NO.: OWNER'S CERTIFICATION: I COMPLY DAY I HAVE READ THE PATO NOTES. I AGREE TO COMPLY WITH RIVERSIDE COUNTY OF MANUAL 74-11, AND ROLE 40.31, AND ALL TURNS OF THE CRAINING PERMIT I AUTHORIZED REPOSSIBLY FOR MERCENCH COUNTY TO INSPECT HOW THE PROPERTY FOR INSPECTION AND ARMADIST PART OF MERCENCH AND THE PROPERTY FOR INSPECT HAVE AND THE PROPERTY FOR INSPECT AND THE PROPERTY FOR ANY COUNTY FOR THE PROPERTY FOR ANY COUNTY FOR ANY COU

PRIVATE PROPEREY'S MOTE. TO CONTRACTOR:

Nº COSTRUZ AND LOCKOWN OF ANY MACROCINED OF THE MACROCINED OF THE MACROCINED OF THE MACROCINED OF THE SET OF THE ANALYSE PETERS. TO THE SETS OF ONE BODILESSES OF THE ANALYSE PETERS. TO THE SETS OF ONE BODILESSES OF THE ANALYSE PETERS. TO THE SETS OF ONE BODILESSES OF THE CONTRACTOR OF REQUIRED TO THE MACROCINED OF THE CONTRACTOR OF THE PROPERTY OF THE MACROCINED OF

OWNERS SIGNATURE:

OWNERS NAME PRINTED!

DATE: 24-HOUR TELEPHONE MUMBER:



#### NPDES: WHEN ONE ACRE OR MORE IS BEING DISTURBED.

MPDES: HYARI DHE AZRE OR MURE IS BEING UNSTYGNEN.

I CONSTRUCTION/SITE RESTORATION BEST HANDESBUT FRACTICES (BARS) FOR THE MANAGEMENT OF STORM MILEY AND HON-STUDMINDTH DESCHARGES SHALL BE CONSAMILED ON THE GRADINGTHE ESTIMATION FLAN MILEY AND HON-STUDMINDTH DESCHARGES SHALL BE CONSAMILED ON THE GRADINGTHE ESTIMATION FLAN MILEY STORM FOR THE STORM FLAN MILEY SHALL BE SHALL BE STORM FOR THE STORM FLAN MILEY SHALL BE SHALL BE SHALL BE SHALL BE ROUMED TO MINEYE ASSISTED.

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2. EROSION CONTROL BHERS SHALL BE BIPLEMENTED AND MAINTAINED TO MINIMIZE THE ENTRAHMENT OF SOR, IN RUNOFF FROM DISTURBED SOR, AREAS ON CONSTRUCTION/RESTURATION SITES. 3. SEDIMENT CONTROL BMPS SHALL BE IMPLEMENTED AND MAINTAINED TO MINIMIZE THE TRANSPORT OF SOIL FROM THE CONSTRUCTION/RESTORATION SITE.

4. GRADING SHALL BE PHASED TO LIMIT THE AMOUNT OF DISTURBED AREAS EXPOSED TO THE EXTENT FEASIBLE. 5. ANDS THE NEC CLEARD MY GRACE SHALL BE LIMITED TO ONLY THE PORTION OF THE SITE THAT IS NECESSARY FOR CONSTRUCTION REPORTANT STEEL SHALL BE LIMITED TO HORSELF THE STEEL SHALL BE LIMITED TO STEEL SHALL BE LIMITED TO

6. ONCE DISTURBED, SLOPES (TELEFORARY OR PERMANENT) SHALL BE STABLEZED IF THEY WALL NOT BE WIGHTED MITHIN 21 DAYS, OLDHING THE STORM SCASON, ALL SLOPES SHALL BE STABLEZED PRIOR TO A PREDICTED STORM EVENT. CONSTRUCTION/MESTGRATION SITES SHALL BE EVENGETATED AS PARTY AS FERSIVE AFTER SOC. DISTURBED

7. STOCKPILES OF SOR, SHALL BE PROPERLY CONTAINED TO ELBINATE OR REDUCE SEDIMENT TRANSPORT FROM THE SITE TO STREETS, DRAWAGE FACKITIES OR ADJACENT PROPERTIES WA RUNGEF, VEHICLE TRACKING, OR WHIO.

B. COUSTRUCTURY/RESTORATION SITES SHALL HE MANTHAND IN SIGN A CONSTITUTION/RESTORATION SITES SHALL HE MANTHAND IN SIGN A CONSTITUTION THAT A STORM DOES NOT CHRIST HE STORM DOES NOT CHRIST HE STORM DOES NOT CHRIST HE STORM CONSTITUTION ACTION TO THE STORM DOES NOT CHRIST HAVE STORM TO STORM

9. RUNOFF FROM EQUIPMENT AND VEHICLE WASHING SHALL BE CONTAINED AT CONSTRUCTION/RESTORATION SITE AND MUST NOT BE DISCHARGED TO RECEDING WINERS OF THE LOCAL STORM DRAW SYSTEM.

10. APPROPRIATE BUPS FOR CONSTRUCTION /SITE RESTORATION—RELATED MATERIALS, MASTES, SPILLS, OR RESIDUES SMALL BE MAPLEMENTED TO ELIMENTE OR REDUCE TRANSPORT FROM THE SITE TO STREETS, DRAMAGE FACEITIES OR AUDININES PROFEREDE BY MENO OR RIMOTE.

11. ALL CONSTRUCTION CONTRACTORS AND SUBCONTRACTOR PERSONNEL ARE TO BE MADE AWARE OF THE REQUIRED BMPS AND COOD HOUSENEEPING MEASURES FOR THE PROJECT SITE AND ANY ASSOCIATED CONSTRUCTION STRONG AREAS. 12. DOS-MEGNE, CHAIRMANTS (GOLDANINO) PROJECTS BY INDUSTRIES GOLDANINOS MANTENES ANT MAS DE MANTENES D

13. BMPS SHALL BE MARITAINED AT ALL TIMES, IN ADDITION, BMPS SHALL BE INSPECTED PRIOR TO PREDICTED STORM EVENTS AND FOLLOWING STURM EVENTS.

14. AT THE END OF EACH DAY OF CONSTRUCTION/SITE RESTORATION ACTIVITIES, ALL CONSTRUCTION DEBRIS AND WASTE MATERIALS SHALL BE COLLECTED AND PROPERLY DISPOSED OF IN TRASH OR RECYCLE BINS.

#### TEMPORARY EROSION CONTROL NOTES:

ASSESSMENT THROUGH LONGILLIM. MATERIA.

ARE RECORD FOR THE RESONANCE OF RECORD FOR GANDING OPERATIONS SCHEDULED FROM
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2 IN CASE OF AN EMERGENCY CALL

2. IN OSE OF AN EUROPORT CHAIL. SUPERMEST THE EROSSON COMPONE, WICH AND VERRY TO THE DEPARTMENT OF BILDING AND SUPERTY THE WORK WAS COMPLETED IN ACCORDANCE WITH THE POWER WAS COMPLETED IN ACCORDANCE WITH THE APPROACH TELEPHORY EDGES. HOW THE WORK WAS COMPLETED IN ACCORDANCE WITH THE SECRETARY OF SUPERIOR AND WORKERS FOR ANY OWNERS OF SUPERIOR AND SUPERIOR AND WORKERS FOR SUPERIOR AND SUPERIOR 8. AFTER A RAINSTORM, ALL SILT AND DEBRIS SHALL BE REMOVED FROM CHECK BERKS, SILT FENCES, AND DESIGNES BASINS ETC.

7. AT THE CONCLUSION OF EACH WORKING DAY GRADED AREAS AROUND THE PROJECT PERMETER SHALL DRAIN AWAY FROM THE FACE OF SLOPES.

B. THE BUILDING OFFICIAL RESERVES THE RIGHT TO MAKE CHANGES OF MODIFICATIONS TO THE TEMPORARY EROSION CONTROL PLAN AS DESIGNED NECESSARY.

## COUNTY OF RIVERSIDE BUILDING AND SAFETY DEPARTMENT GRADING NOTES

#### GENERAL:

ALL GRADING SHALL CONFORM TO THE 2013 CALIFORNIA BUILDING CODE CHAPTER 17, 18 & APPENDIX-J AS AMENDED BY GROWANCE 457.

- AS AMENDED BY OPENINGS GRADING BOUNDARIES AND ALL CONSERVATION AREAS, LEAST SEISTIME AREA (LSA)
  OCTOMBRED BY THE EMMINORMENTAL PROGRAMS DEPARTMENT (EPO) SHALL BE GLERRY DELINENTED AND
  STAKED IN THE FRELD PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION/ORDADING.
- 3. ALL WORK UNDER THIS PERMIT SHALL BE LIMITED TO WORK MITHIN THE PROPERTY UNES, ALL WORK WITHIN THE ROAD RIGHT-OFNIY MILL REQUIRE SEPARATE PLANS AND A SEPARATE REMEW-APPROVAL (PERMIT) FROM THE TRIMSPORTATION DEPORTMENT.
- 4. ALL GRADING SHALL BE DONE UNDER THE SUPERVISION OF A SOLIS ENGINEER IN COMPORMANCE WITH THE RECOMMENDATIONS OF THE PRELIMINARY SOLIS INVESTIGATION PREPARED OF SLAGGED EMPREEMENT.
- OF JAMES AND THE TO SUPPORT ARY SYMMETHERS SHALL COMPLY MITH SECTION 1801.5.6. PROJECTS WITHOUT A PERLAMBNY 30.6 STORY SHALL SHALLDE DETAILED SYNCHETHINS IN ACCORDANCE WITH SECTIONS AS PROJECT OF THE STATE OF THE
- 7. THE CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICE ALERT, TWO DAYS BEFORE DIGGING AT 1-800-422-4133.

#### E. PRIOR TO GRADING, A MEETING SHALL BE SCHEDULED WITH A RIVERSIDE COUNTY ENARCHMENTAL COMPUNIONE INSPECTION PRIOR TO COMMENCIENT OF GRADING OPERATIONS

#### CUT/FILL: B. MAJOMUM CUT AND FILL SLOPE = 2:1 (HORIZONTAL TO VERTICAL).

- A MONORMO LOU AND LEFT SUPER 2 (FORECANTAL TO VENTION).

  IN MOPILE SERVICE PLACED ON ENGINEER ORGANIC UNIT, THE GROUND HAS BEEN CLEARED OF WEEDS, THE COMMITTED OF THE PLACED ON THE LUTS (B-NORT MAKE AND ALL THE COMMITTED ON THE SENSE RECORD). CONTINUE OF THE COMMITTED ON THE SENSE RECORD OF THE COMMITTED ON THE SENSE RECORD OF THE COMMITTED ON THE SENSE RECORD OF THE SENSE RECORD OF THE THE COMMITTED ON THE SENSE RECORD OF THE SENSE AND THE COMMITTED ON THE SENSE AND THE
- THE SLOPE STABILITY FOR CUT AND FALL SLOPES OVER 3D FEET IN VERTICAL HEIGHT, OR CUT SLOPES STEEPER THAN 2:1 HAVE BEEN VERFIED WITH A FACTOR OF SAFETY OF AT LEAST 1.5.
- 12. NO ROCK OR SIMILAR IRREDUCIBLE MATERIAL WITH A MAISMAN DIMENSION CREATER THAN 12 INCHES SHALL BE BURBED OR PLACED IN FILLS CLOSER THAN 10 FEET TO THE FINISHED GROUP. DRAINAGE, EROSION / DUST CONTROL:
- 13. INAMAGE ACROSS PROPERTY UNES SHALL NOT LOCKED THAT WHICH DUSKED PRICE TO DIMONE, EPIZES OR CONCENTRATE DRAWNES SHALL SE CONTINUED ON SIZE OR RESECTED TO MY SPROMED SHALL SE CONTINUED ON SIZE OR RESECTED TO MY SPROMED SHALL SECTION OF MY STRONG SHALL S
- 14. PROVIDE A PAVED SLOPE INTERCEPTOR DRAIN ALONG THE TOP OF CUT SLOPES WHERE THE DRAININGE PATH IS GREATER THAN 40 FEET TOWARDS THE CUT SLOPE.
- 15. PROVIDE 5' WIDE BY 1' HIGH BERM ALOND THE TOP OF ALL FILL SLOPES STEEPER THAN 3:1 CHORIZONTAL
- 18. THE CAPITAND SIZENCE MANERATED ADMICROST TO THE HILLDING PERMEATION SMALL RE SECUED ABOVE FROM THE BURBON AT A SIZENCE OF FOR THAT SIZE THAN ONCE UNIT CHEMPION AT 20 WHITE MORROUGHOUS (5-PRECIAT SIZENC) FOR A MANAMAM DISTANCE OF TO PIET MACHINED PERPERIOGICALIES TO THE PIECE OF THE POLYMATION.
- 17. NO DESTRUCTION OF MATURAL WATER COURSES SHALL BE PERMITTED.
- 18. DURING ROUGH GRADING OPERATIONS AND PRIOR TO CONSTRUCTION OF PERMANENT DRAWINGE STRUCTURES, SHAPPORARY ORANIAGE CONTROL (SEST MANAGEMENT PRACTICES, BMPS) SHALL BE PROMDED TO PROVENT PONDING METER AND DIMANGE TO ADMISSION PROPERTIES.
- 19. DUST CONTROL SHALL BE CONTROLLED BY WATERING OR OTHER APPROVED METHODS.
- 20. FUGITIVE DUST CONTROL: CONSTRUCTION SITES SUBJECT TO PMIO FUGITIVE DUST MITIGATION SHALL COMPLY WITH AGNO RULE 403.1.
- ALL EXISTING DIADNAGE COURSES AND STORM DRAIN FACILITIES SHALL CONTINUE TO FLINCTION, PROTECTIVE MEASURES AND TEMPORARY DRAINING PROVISIONS MUST BE USED TO PROTECT ADJUMING PROPERTIES DURING BRADING OPERATIONS.
- QUENCE GRAINNE GERATIONS.

  2. FOR ALL SUPER STEEPER THAN A TO 1 (M/M). ALL SUPER SUM: TO DE GOSTION THAN 3 IN METICAL HEIGHT ARE REQUENT TO BE PLANTON WITH MA APPROVED GROUND-THOSE AND COUNTY AND APPROVED FOR THE CHARGE OF 12 OF CHETTE OR AS PROPEED BY IT WE CHARGE OF 12 OF CHETTE OR AS PROPED BY THE CHARGE OF 12 OF CHETTE OR AS PROPED BY THE CHARGE OF 12 OF CHETTE OR AS PROPED BY THE CHARGE OF 13 OF CHETTE OR AS PLANTON THAN THE PLANTON THAN PROPERTY SHEEPE NOT TO DECENT 17 ON CHARGE, ON THE SHEEPE HEIGHT OF CHETTE OF A COMMINION OF SHEEPE NOT TO DECENT OF CHETTE OF A COMMINION OF SHEEPE NOT TO DECENT OF CHETTE OF CHEMPART SHEEPE PLANTON SHOULD SHEEPE SHEEPE LYON COMPANY OF THE OFFICE OF CHEMPART AND READERSH STREET SHEEPE PLANTON SHEET SHEEPE SHADE WAS PROPEDED FOR CHEMPART AND READERSH SHADE SHEEPE SHADE WAS PROPEDED FOR CHEMPART AND READERSH SHADE SHADE WAS PLANTON SHADE OF CHEMPART SHEEPE PLANTON SHADE OF CHEMPART SHEEPE PLANTON SHADE OF CHEMPART SHEEPE PLANTON SHADE SHEEPE SHADE WAS PLANTON SHADE OF CHEMPART SHEEPE PLANTON SHADE SHEEPE SHADE WAS PROPEDED FOR CHEMPART AND READERSH SHEEPE SHADE WAS PROPEDED FOR CHEMPART AND PROPEDED SHADE WAS PROPEDED.

#### COMPLETION OF WORK

#### ROUGH GRADE

- 23. A REDISTRED DW. DIGINEER SIMIL PREPARE FINAL COMPORTION REPORT/DIMONG REPORT AND IT SHALL BE SUMMITTED TO THE DEPARTMENT OF BUILDING AND SETTY FOR REVIEW AND APPROVAL. THE REPORT SHALL INCLUDE BANDONE FORMATION DESIGN PROMICTIES (ALLINOMES SOL PRESENCE, ETC.), EXPANSION MICH (AND DESIGN ALTERNATIVES & 12 > 20), WATER SOLIMEE SULPRIE CONTENT, COMPOSITY AND PROJECTURE ASSENCES FTC.).
- 24. EXCEPT FOR NON-TRACT SINGLE RESIDENTIAL LG GRADING, THE COMPACTION REPORT SHALL INCLUDE THE SPECIAL HISPECTION VERIFICATIONS LISTED ON TABLE 1705.8 OF 2013 CBC.
- 25. THE COURTY OF INMERSIDE REQUIRES A LICENSED PROFESSIONAL ENGINEER TO SUBJET A WET SIGNED AND STAMPED ROUGH GRADING CERTIFICATION HIGHEST MIGHEST PAD FLEVATIONS PRIOR TO REQUESTING INSPECTION AND ISSUANCE OF THE BUILDING PERMIT.
- 28. FOLKET DAME DILLY PERSON DE MODIFICE PERSON. ALL ERLANDED INSPECTIONS AND APPROVIAL OF EARLY DESCRIPTION OF THE PERSON DE MODIFICATION OF THE PERSON DESCRIPTION OF THE CONTINUE OF (100 PERSONN) DE OTHER MEMOR OF SITE STABLEDATION APPROVED BY PARTICIALISMOSTIC COMPUTATION OF PASSON, PROFE OR RECEIVED A FOUND (SOUT) PERSON PROFESSOR DESCRIPTIONS. PRECISE COARS
- 27. A REGISTERED CAIL ENGINEER SHALL SUBMIT TO THE BUILDING AND SAFETY DEPARTMENT WRITTEN FINAL CERTIFICATION OF COMPLETION OF GRADING IN ACCORDANCE WITH THE APPROVED GRADING PLAN PRIOR TO THE REQUEST OF PRECESS GRADING DESPECTION.



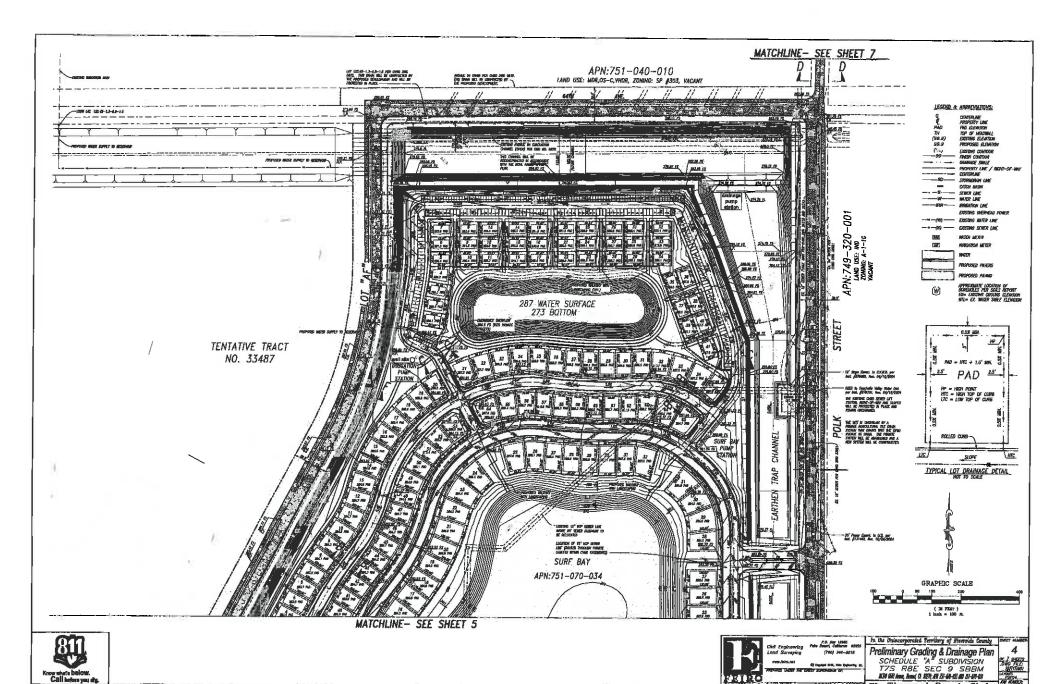


Civil Engineering Page Description 92288
Lond Surveying (760) 346–8016

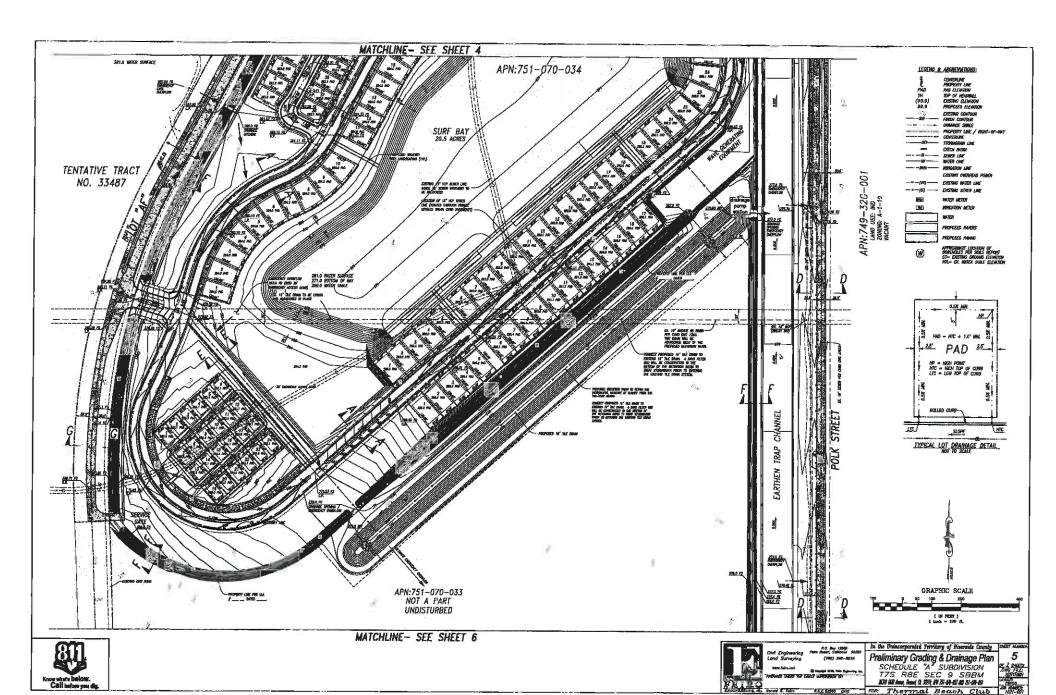
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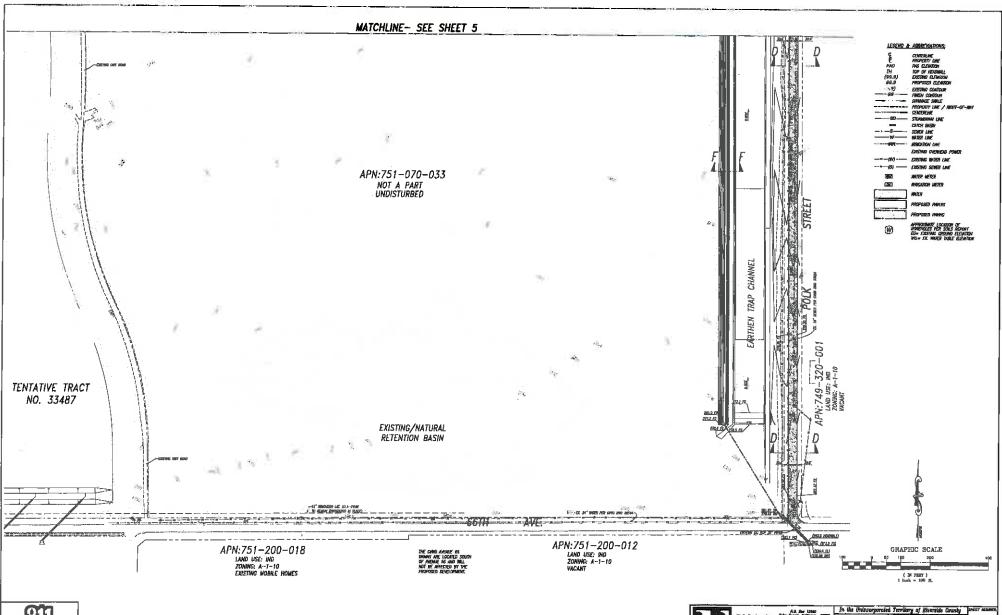
In the Unincorporated Ferritory of Riverside County Preliminary Grading & Drainage Plan SCHEDULE "A" SUBDIVISION T7S R8E SEC 9 SBBM KIN GOT AND, BONG O. SOR AN AN AN AN AN AN AN karass in FOR Thermal Beach Club





FOR Thermal Beach Club





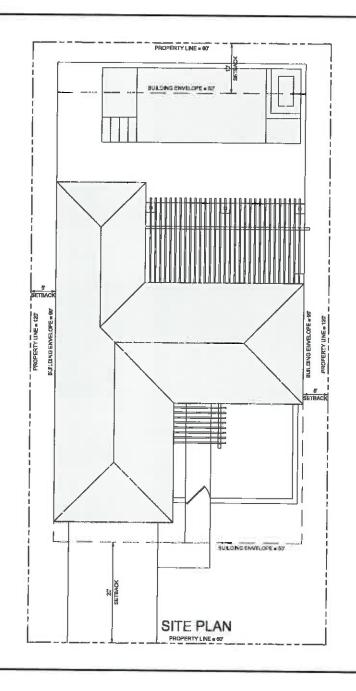


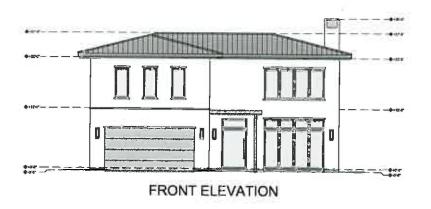


Preliminary Grading & Drainage Plan
SCHEDULE "A" SUBDIVISION
175 RBE SEC 9 SBBM
SW WILLIAM OR WAS AN AREA
FOR Thermal Beach Club

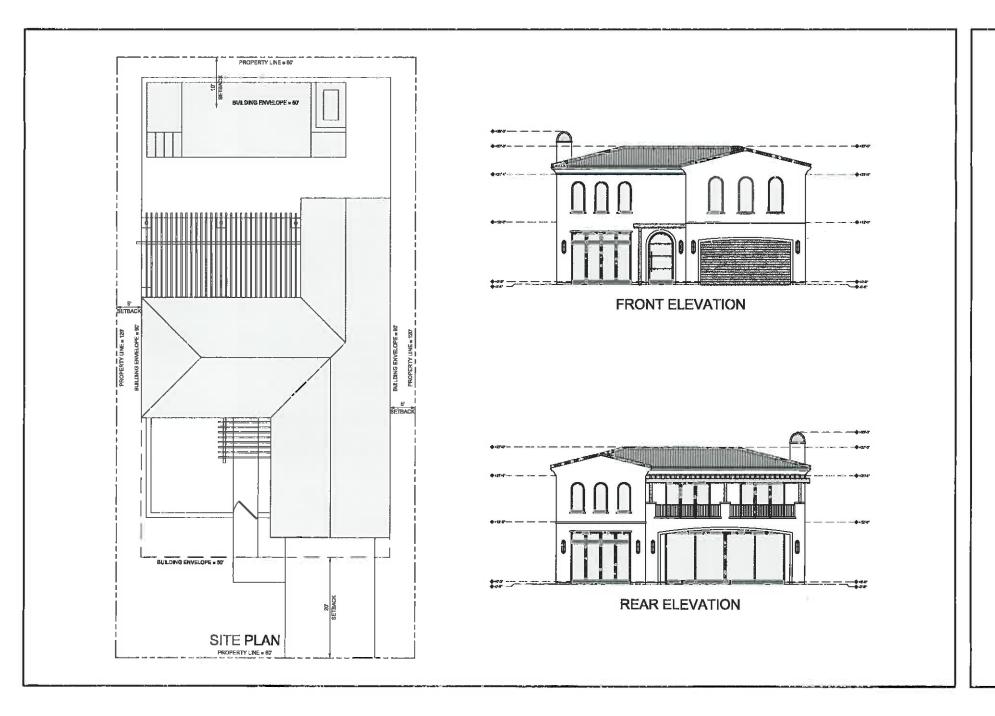


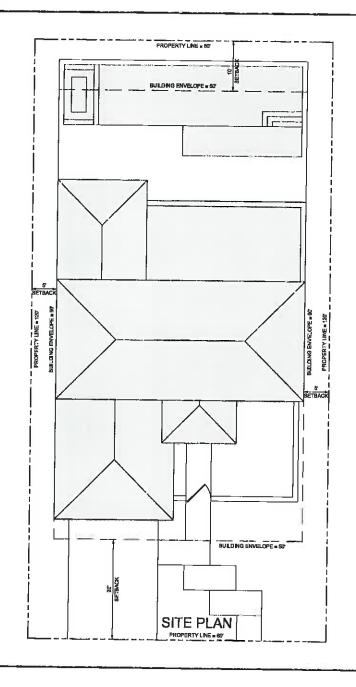
_	Units	2 Bedrooms	3 Bedrooms	4 Bedrooms	5 Bedrooms	Total Units	Max Occupancy
Beach Club Estates	32		10	19	3	32	
Projected Max Occupancy with Guest			58	154	30		241
	Units	2 Bedrooms	3 Bedrooms	4 Bedrooms	5 Bedrooms	Totals	
Newport Estates	31		9	19	3	31	
Projected Max Occupancy with Guest			56	149	30		235
	Units	2 Bedrooms	3 Bedrooms	4 Bedrooms	5 Bedrooms	Totals	
	65		32	33		65	
Projected Max Occupancy with Guest			192	260			452
	Units	2 Bedrooms	3 Bedrooms	4 Bedrooms	5 Bedrooms	Totals	
Residence Club	48	19	29		· · ·	48	
Projected Max Occupancy with Guest		77	173				250
	Units	2 Bedrooms	3 Bedrooms	4 Bedrooms	5 Bedrooms	Totals	
Bungalows North	82	33	49			82	
Projected Max Occupancy with Guest		131	295				426
	Units	2 Bedrooms	3 Bedrooms	4 Bedrooms	5 Bedrooms	Totals	
Off Newport Estates	68	27	41			68	
Projected Max Occupancy with Guest		109	245				354
7	otal Units						Max Occupancy with Guest
,							
Projected Max Occupancy with Guest	otal Units 326	109	245				





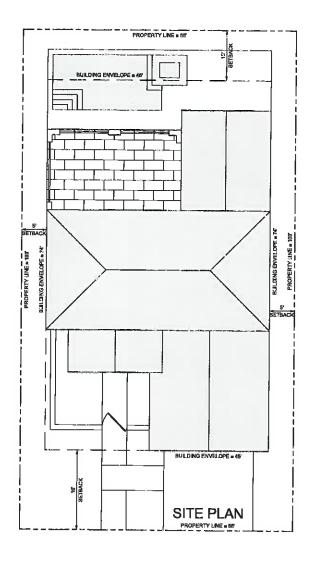


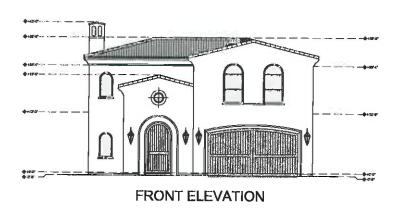




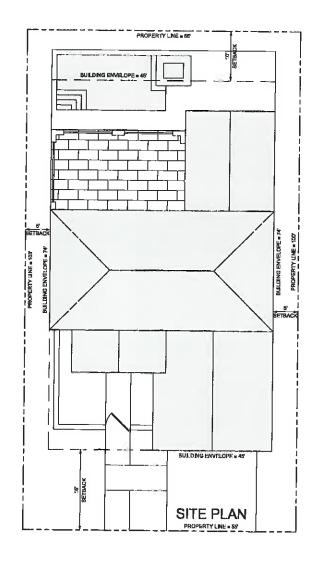


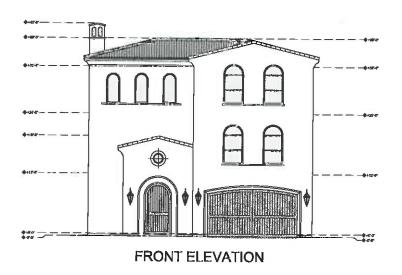




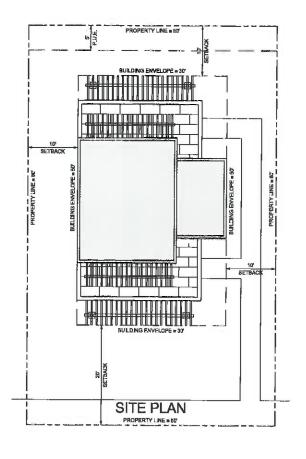


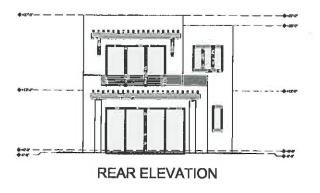


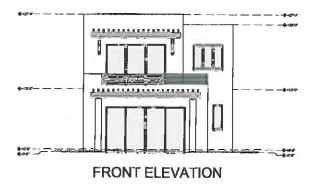












# NOTICE OF PUBLIC HEARING RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. For more information please contact <u>ALUC Planner John Guerin at (951) 955-0982</u>. The ALUC holds hearings for local discretionary permits within the Airport Influence Area, reviewing for aeronautical safety, noise and obstructions. ALUC reviews a proposed plan or project solely to determine whether it is consistent with the applicable Airport Land Use Compatibility Plan.

The Riverside County Planning Department may hold hearings on this item and should be contacted on non-ALUC issues. For more information please contact County of Riverside Planner Mr. Jason Killebrew at (951) 955-0314.

The proposed project application may be viewed and written comments may be submitted at the Riverside County Administrative Center, 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, California 92501, Monday through Thursday from 8:00 a.m. to 5:00 p.m., and by prescheduled appointment on Fridays from 9:00 a.m. to 5:00 p.m.

PLACE OF HEARING: Riverside County Administration Center

4080 Lemon Street, 1st Floor Board Chambers

Riverside California

DATE OF HEARING: June 13, 2019

TIME OF HEARING: 9:30 A.M.

CASE DESCRIPTION:

ZAP1046TH19 – Kohl Ranch Company, LLC "Thermal Beach Club" (Representative: Melissa Perez, Albert A. Webb Associates) – County of Riverside Planning Case Nos. TTM 37269 (Tentative Tract Map) and PP 180037 (Plot Plan). Tentative Tract Map No. 37269 is a proposal to divide 239 acres within two existing parcels with a total area of 307.12 acres located southerly of 64th Avenue, easterly of Tyler Street, northerly of 66th Avenue, and westerly of Polk Street into 210 residential lots that will accommodate 326 dwelling units. All of the lots will have a net area not exceeding 8,712 square feet (0.2 acre). 128 lots will accommodate individual single-family residences. 65 lots will accommodate duplexes (two unit structures). 17 lots will accommodate four-unit structures (four-plexes). Additional lots will accommodate a surf lagoon, village area with clubhouse buildings, reservoir, and drainage areas. Plot Plan No. 180037 is a proposal to establish a surf lagoon with wave making capabilities on 21 acres and to develop a clubhouse village area consisting of four buildings with a combined gross floor area of 42,000 square feet. Anticipated uses of the clubhouse buildings include a restaurant, kitchen facilities, bar, spa, exercise facilities, swimming pool, deck, retail uses, and administration. The project is proposed under the name "Thermal Beach Club" (Compatibility Zones D and E of the Jacqueline Cochran Regional Airport Influence Area).



# RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

## **APPLICATION FOR MAJOR LAND USE ACTION REVIEW**

JCRA DIELOUT

ALUC CASE NUMBE	r: ZAP 1046 TH 19 DATE SUBMITTE	D: April 23,2019
APPLICANT / REPRESE	NTATIVE / PROPERTY OWNER CONTACT INFORMATION	
Applicant	Kohl Ranch, LLC	Phone Number 310-276-7300
Mailing Address	11812 San Vicente Blvd., Suite 150	Email kohl.david@gmail.com
	Los Angeles, CA 90049	
Representative	Albert A WEBB Associates	Phone Number 951-686-1070
Mailing Address	3788 McCray Street	Email fayres hall@webbassociates.com
	Riverside, CA 92506	
Property Owner	Kohl Ranch, LLC	Phone Number 310-276-7300
Mailing Address	11812 San Vicente Blvd., Suite 150	Email kohl.david@gmail.com
	Los Angeles, CA 90049	
LOCAL JURISDICTION A	GENCY	
Local Agency Name	County of Riverside	Phone Number 951-955-0314
Staff Contact	Jason Killebrew	Email jkillebr@rivco.org
Mailing Address	4080 Lemon Street, 12th Floor	Case Type
	Riverside, CA 92501	General Plan / Specific Plan Amendment Zoning Ordinance Amendment Subdivision Parcel Map / Tentative Tract
Local Agency Project No	TTM 37269	☐ Use Permit
	PP 180037	⊠ Site Plan Review/Plot Plan     Other
PROJECT LOCATION	map showing the relationship of the project site to the airport boundary and runw	
Street Address	86310 66TH AVE	ays
Assessor's Parcel No.	751-070-033 & 751-070-034	Gross Parcel Size 239 acres
Subdivision Name	Thermal Beach Club TTM 37269	Nearest Airport and Jacqueline Cochrar
Lot Number	326 residential lots	distance from Air- Regional Airport port 6.2 miles
PROJECT DESCRIPTION  If applicable, attach a detaile tional project description dat	ed site plan showing ground elevations, the location of structures, open spaces and to as needed	water bodies, and the heights of structures and trees; include addi-
Existing Land Use	Vacant, SP	
(describe)		

<del></del>						
Proposed Land Use (describe)	Single family residential, SP					
(accertac)						
For Residential Uses	Number of Parcels or Units on Site (exclude secondary units)	326				
For Other Land Uses	Hours of Operation N/A					
(See Appendix C)	Number of People on Site Maximum Number N/A	<u> </u>				
	Method of Calculation					
			<del></del>			
Height Data	Site Elevation (above mean sea level)	290 +/-	ft.			
	Height of buildings or structures (from the ground)	42	ft.			
Flight Hazards	Does the project involve any characteristics which could create elec	ctrical interference,				
	confusing lights, glare, smoke, or other electrical or visual hazards to	to aircraft flight?				
	If yes, describe					
NOTICE:	Failure of an applicant to submit complete or	r adequate information pursua	nt to Sections			
of actions	65948 inclusive, of the California Government C , regulations, or permits.	code, MAY constitute grounds f	or disapproval			
OI GOLIOTIS	, regulations, or permits.					
REVIEW	TIME: Estimated time for "staff level review" is a	approximately 30 days from dat	e of submittal			
Estimated	time for "commission level review" is approxir	mately 45 days from date of si	ubmittal to the			
next avail	able commission hearing meeting.	-				
SHRMIS	SION PACKAGE:					
CODINIC	SION FACRAGE:					
1 0	Completed ALUC Application Form					
1 <i>F</i>	ALUC fee payment					
1 F	Plans Package (24v36 folded) (site plans, floor,	plans, building elevations.				
1 5	Plans Package (24x36 folded) (site plans, floor p					
1	rading plans, subdivision maps)					
1, , , , , , ,	rading plans, subdivision maps) Plans Package (8.5x11) (site plans, floor plans,	building elevations.	4.5			
1 V	prading plans, subdivision maps) Plans Package (8.5x11) (site plans, floor plans, prading plans, subdivision maps, zoning ordinan	building elevations.	ments)			
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3 G	prading plans, subdivision maps) Plans Package (8.5x11) (site plans, floor plans, prading plans, subdivision maps, zoning ordinant DD with digital files of the plans (pdf) Picinity Map (8.5x11) Petailed project description Pocal jurisdiction project transmittal Planner Planner Planner Planner	building elevations, nce/GPA/SPA text/map amend ative/property owner/local juris erty owners within a 300 foot ra	diction			
3 6 t	prading plans, subdivision maps) Plans Package (8.5x11) (site plans, floor plans, prading plans, subdivision maps, zoning ordinant DD with digital files of the plans (pdf) Picinity Map (8.5x11) Detailed project description Plans (pdf) Pocal jurisdiction project transmittal Planned address labels for applicant/represental	building elevations, nce/GPA/SPA text/map amend ative/property owner/local juris erty owners within a 300 foot ra	diction			

В.

C.

#### **ALBERT A. WEBB ASSOCIATES**

3788 McCRAY STREET, RIVERSIDE, CALIFORNIA 92506 TELEPHONE (951) 686-1070 FAX

www.webbassociates.com Email: haley.franco@webbassociates.com

ro: County of Riverside - Airport Land Use Commission

(RCALUC)

4080 Lemon Street, 14th Floor, Riverside, CA,

92501-3609

LETTER OF TRANSMITTAL

DATE:

W.O. NO.: 2017-0409

April 23, 2019

FILE NO.: 5273.0018

ATTENTION: Mr. John Guerin

RE: Thermal Beach Club - Plot Plan 180037 and Tentative Tract Map 37269 - ALUC 1st Review

TRANSMITTED:

VIA: Hand Delivered (951) 955-0982

One (1) Check No. 1548 for \$3,036.00 (\$1,515 for TM, \$1,331 for PP, \$190 for public hearing)

One (1) RCALUC Application

One (1) Email correspondence with John regarding fees and package dated 4/16/19

One (1) Initial Case Transmittal from Planning dated 1/2/2019

One (1) 8.5 x 11 Vicinity Map

One (1) Project Description

One (1) Wildlife Hazard Site Visit and Management Plan Review by Bash dated March 2019

One (1) Architectural Building Elevation & Floor Plan for Plot Plan (8.5x11)

One (1) Architectural Building Elevation & Floor Plan for Tentative Map (11x17)

One (1) Plot Plan 180037

One (1) Tentative Tract Map 37269

One (1) Preliminary Grading & Drainage Plan

One (1) 8.5 x 11 reduced set of the above listed items

Three (3) Gummed Address Labels - Applicant/Owner/Representative/Local Jurisdiction

Three (3) Gummed Address Labels - 300' Radius Property Owners

One (1) Disc with the above listed items in PDF

#### THESE ARE TRANSMITTED AS CHECKED BELOW

FOR APPROVAL

FOR YOUR USE

AS REQUESTED

FOR REVIEW AND COMMENT



OTHER:

#### **NOTES / COMMENTS:**

John.

Please find the enclosed ALUC submittal package for both TTM 37269 and PP 180037 for your initial review and comment. Should you have any questions, and when your review has been completed, please contact myself or Melissa Perez at 951-320-6007 or Melissa.perez@webbassociates.com.

Thank you, Haley

Haley Franco

Administrative Assistant I

#### HCF/HCF

IF ENCLOSURES ARE NOT AS NOTED, KINDLY NOTIFY US AT ONCE.

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### COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

#### STAFF REPORT

AGENDA ITEM: 3.9

**HEARING DATE:** June 13, 2019

CASE NUMBER: ZAP1035RG19 - City of Riverside (Representative: Jarrod

Coleman)

**APPROVING JURISDICTION:** City of Riverside

**JURISDICTION CASE NO:** P19-0054 (General Plan Amendment and P19-0057 (Zoning

Code Amendment)

MAJOR ISSUES: ALUC staff had a number of concerns with the initial proposal, but these have been resolved to staff's satisfaction.

#### RECOMMENDATIONS:

Staff recommends that the Commission open the public hearing, consider testimony, and find the proposed City of Riverside General Plan Amendment, as fully set forth in Attachment 1, and the accompanying proposed Zoning Code Amendment, <u>CONSISTENT</u> with the 2005 Riverside Municipal Airport Land Use Compatibility Plan, the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, and the 2004 Flabob Airport Land Use Compatibility Plan.

#### PROJECT DESCRIPTION:

The City of Riverside proposes to amend the Land Use and Urban Design Element of the City's General Plan so as to broaden the range of zoning classifications considered to be consistent with the various General Plan land use designations, involving amendments to Table LU-5 Consistency Matrix, inclusion of two new tables (Table LU-6 Consistency Quick Check and Table LU-7 Consistency Criteria), and amendments to the descriptions of various land use designations and of the process for determination of General Plan consistency. Among nonresidential zones, Commercial Retail (CR) and Commercial General (CG) zoning would be considered consistent with the Commercial Regional Center, Office, Business/Office Park, Industrial, Mixed Use – Village, and Mixed Use – Urban designations, as well as the Commercial designation. The Commercial Retail zone would also be considered consistent with the Mixed Use – Neighborhood designation. The Office (O) zone would be considered consistent with the Business/Office Park and Public Facilities and Institutional Uses designations, as well as the Office designation.

The City also proposes to amend Chapter 19.090 of the City's Zoning Code by identifying the steps

to determine General Plan consistency utilizing Tables LU-5, LU-6, and LU-7.

#### **BACKGROUND:**

ALUC staff expressed concerns regarding this proposal as initially submitted, due to the broadening of uses that would be allowed in land use designations within Compatibility Zones A, B1, B2, C, and D of the Riverside Municipal Airport Influence Area and Compatibility Zones B1-APZ II, B2, C1, and C2 of the March Air Reserve Base/Inland Port Airport Influence Area. As an example, considering the Business/Office Park designation that applies to most of the portion of the City north of March and westerly of Interstate 215, as well as considerable area in the vicinity of Riverside Municipal Airport that is not already occupied by residential tracts, this amendment would add the Commercial Retail (CR) and Commercial General (CG) zones to the list of zones considered to be consistent with the Business/Office Park designation. Retail stores, drug stores, and shopping centers up to five acres in size are permitted uses in these zoning classifications without need for conditional use permits. However, the intensity of these uses could potentially exceed ALUCP intensity limits within the above-referenced Compatibility Zones. A number of additional uses that are not permitted in the Business Manufacturing Park zone are conditionally permitted uses in the CR and CG zones, including assemblies of people - entertainment, assisted living and residential care facilities, pet shops, group housing with seven or more occupants, home improvement and hardware stores, hotels and motels, personal service establishments, recreational facilities, restaurants with drive-thru lanes, private schools, and emergency shelters, student housing, and supportive and transitional housing with seven or more occupants.

The proposed additional zones that would be determined to be consistent with the various City General Plan designations are as follows (only the added zones referenced here for brevity):

	General Plan Designation	Zoning Classification
•	Semi-Rural Residential (SRR)	RE (Residential Estate) R-1-½ acre
•	Low Density Residential (LDR)	RR (Rural Residential)
•	Medium-High Density Residential (MHDR)	R-1-7000
•	Commercial Regional Center (CRC)	CR (Commercial Retail) CG (Commercial General)
•	Office (O)	CR CG
•	Business/Office Park (B/OP)	CR

• Industrial (I)

CG
O (Office)
CR
CG

Public Facilities and Institutional Uses (PF)

Public Parks (P)
 All Zones

Additionally, the R-3-1500, R-3-2000, R-3-2500, R-3-3000, R-3-4000, R-4, CR, and CG zones, and the Neighborhood Commercial Overlay, would be added to the list of zones considered consistent with the Mixed Use – Urban and Mixed Use – Village designations, and the R-1-7000, R-1-8500, R-1-10500, R-1-13000, and CR zones, and the Neighborhood Commercial Overlay would be added to the list of zones considered consistent with the Mixed Use – Neighborhood designation.

As initially proposed, Table LU-6 would have provided for a determination of General Plan consistency for any use permitted pursuant to the zoning of the site, provided that the use is permitted or conditionally permitted in a zone that is consistent with the site's General Plan designation. ALUC staff has proposed, and the City has agreed to, an amendment to Table LU-6 to provide that, if the site is within an Airport Influence Area, additional analysis would be required. Specifically, the City would need to review the proposed use with regard to the 29 criteria listed in Table LU-7, including whether the project "supports and is consistent with the Airport Land Use Compatibility plan for the long term viability of airport facilities."

ALUC staff also expressed concern regarding the possibility that the person reading Table LU-5 may be led to believe that any property in a zone near the airport would be available for any of the uses permitted in the zones that would be added to the list of zones determined to be consistent with the General Plan designation applicable to the site, given that the City's General Plan has received determinations of consistency with Compatibility Plans. In order to reduce the potential for such misunderstanding, the City has agreed to ALUC staff's proposal to amend Table LU-5 to place a double asterisk (\*\*) next to the words Zone Symbol on each page of the table, and add a footnote on the final page stating as follows:

"\*\* Airport Land Use Compatibility Plan (ALUCP) – If proposed development is within an ALUCP Compatibility Zone, additional analysis is required to determine whether the proposal complies with ALUCP criteria. If the site is within an Airport Influence Area, some of the uses permitted or conditionally permitted in the City Zone(s) listed here may not be permissible or may be subject to additional restrictions on density or intensity. See Chapter 19.149 of the Riverside Municipal Code and the applicable ALUCP for additional information."

The City has included these provisions in the latest version of its General Plan Amendment text and tables ("Attachment 1"). Therefore, the revised amendment proposal is recommended for a finding

Staff Report Page 4 of 4

of consistency.

# **ATTACHMENT: 1**

# LAND USE DESIGNATIONS

The Land Use Policy Map (Figure LU-10 - Planning Area Boundaries) illustrates the various types and distribution of land uses planned for Riverside. The land uses classification system is presented in Table LU-3 (Land Use Designations) and includes twenty-four land use designations. These land use designations identify the types and nature of development allowed in particular locations depicted on the Land Use Map. These designations provide a spectrum of land use types and intensities, including several new categories intended to reduce urban sprawl and conserve public resources by focusing mixed-use and higher density residential development along key corridors and at designated activity centers. The land use designations put into concrete action the objectives and policies presented throughout this Land Use and Urban Design Element.

The Residential categories include nine designations that allow for a range of housing types and densities. The non-residential categories include two different intensities of commercial uses, areas for offices, business parks and industrial uses, all to promote a range of revenue-and employment-generating businesses and a more balanced community. Other non-residential designations include Agriculture, Public Facilities, Open Space/Natural Resources and Parks and Private Recreation.



#### Table LU-3 Land Use Designations

Land Use	Maximum du/acre <sup>(a)</sup> or FAR/acre <sup>(b)</sup>	Typical du/acre <sup>(a)</sup> or FAR/acre <sup>(b)</sup>	Maximum Population Density <sup>(c)</sup>	Primary Intent of Land Use Designations
Residential Land Uses			<u> </u>	
Agricultural/Rural Residential (A/RR)	0.20 du/acre	0.20 du/acre	0.6 persons/acre	Implement Proposition R and Measure C; allow for residential use on large agricultural and citrus parcels
Hillside Residential (HR)	0.50 du/acre; 0.63 du/acre w/PRD	0.50 du/acre	1.5 persons/acre 1.89 persons/acre w/PRD	Implement Proposition R and Measure C; allow for sensitive development of residential homes where slopes exceed 15%
Semi-Rural Residential (SRR)	2.1 du/acre 3.3 du/acre w/PRD	1.5 du/acre	6.3 persons/acre 9.9 persons/ acre w/PRD	Single family with emphasis on animal keeping
Very Low Density Residential (VLDR)	2.0 du/acre 3.2 du/acre w/PRD	1.5 du/acre	6 persons/acre 9.6 persons/ acre w/PRD	Single family, large lot residential
Low Density Residential (LDR)	4.1 du/acre 6 du/acre w/PRD	3 du/acre	12.3 persons/acre 18 persons/ acre w/PRD	Single family, large lot residential uses
Medium Density Residential (MDR)	6.2 du/acre; 8 du/acre w/PRD	5.5 du/acre	18.6 persons/acre 24 persons/ acre w/PRD	Single-family residential uses
Medium-High Density Residential (MHDR)	14.5 du/acre	12 du/acre	43.5 persons/acre	Single family, small lot residential uses
High Density Residential (HDR)	29 du/acre	20 du/acre	87 persons/acre	Multi-family, condominiums and apartments
Very High Density Residential (VHDR)	40 du/acre	30 du/acre	120 persons/acre	Multi-family, condominiums and apartments



#### Table LU-3 Land Use Designations

Land Use	Maximum du/acre <sup>(a)</sup> or FAR/acre <sup>(b)</sup>	Typical du/acre <sup>(a)</sup> or FAR/acre <sup>(b)</sup>	Maximum Population Density <sup>(c)</sup>	Primary Intent of Land Use Designations			
Commercial Land Uses							
Commercial (C)	0.50 FAR	0.30 FAR	N/A	Retail shops, services and other similar commercial development			
Commercial Regional Center (CRC)	0.50 FAR	0.25 FAR	N/A	Large, regionally serving retail, service and office uses			
Office (O)	1.0 FAR	.65 FAR	N/A	Office Uses			
Business/Office Park (B/OP)	1.50 FAR	1.15 FAR	N/A	Research/development and related flexible space; laboratories, offices; support commercial and light industrial uses			
Industrial (I)	0.60 FAR	0.40 FAR	N/A	Manufacturing and wholesaling; support commercial uses; limited large warehouse and distribution facilities only at specific locations			



#### Table LU-3 Land Use Designations

Land Use	Maximum du/acre <sup>(a)</sup> or FAR/acre <sup>(b)</sup>	Typical du/acre <sup>(a)</sup> or FAR/acre <sup>(b)</sup>	Maximum Population Density <sup>(c)</sup>	Primary Intent of Land Use Designations
Mixed Uses				
Downtown Specific Plan (DSP)	Various			Implementation of the Downtown Specific Plan
Orangecrest Specific Plan (OSP)	Various			Implementation of the Orangecrest Specific Plan
Mixed Use - Neighborhood (MU-N)	10 du/acre 1.0 FAR	5 du/acre .35 FAR	30 persons/acre	Neighborhood mixed-use; retail, office and residential uses. Horizontal integration as primary development pattern, with vertical integration encouraged; height 1-2 stories
Mixed Use - Village (MU-V)	30/40 du/acre <sup>(d)</sup> 2.5 FAR	20 du/acre 2.0 FAR	90/120 persons/acre	Village mixed-use: retail, office and residential uses in same building; horizontal integration as appropriate; 2-3 stories in height
Mixed Use - Urban (MU-U)	40/60 du/acre <sup>(d)</sup> 4.0 FAR	30 du/acre 2.0 FAR	120/180 persons/acre	Activity center/activity node mixed-use: retail, office and residential uses in same building or horizontal integration on same parcel; 3-4 stories in height; emphasis on entertainment, employment and student-oriented uses
Community Amenities and Support				
Agricultural (A)	0.20 du/acre	0.20 du/acre	.6 persons/acre	Agricultural production; incidental residential uses
Public Park (P)	N/A	N/A	N/A	Public parks and associated facilities



#### TABLE LU-3 LAND USE DESIGNATIONS

Land Use	Maximum du/acre <sup>(a)</sup> or FAR/acre <sup>(b)</sup>	Typical du/acre <sup>(a)</sup> or FAR/acre <sup>(b)</sup>	Maximum Population Density <sup>(c)</sup>	Primary Intent of Land Use Designations
Private Recreation (PR)	N/A	N/A	N/A	Provide opportunities for primarily outdoor recreation, such as golf courses, equestrian centers, amusement parks
Open Space/Natural Resources (OS)	N/A	N/A	N/A	Protection of natural resources, creeks, hillsides, arroyos and other sensitive areas
Public Facilities Institutional (PF)	1.0 FAR	0.20 FAR	N/A	Educational facilities, libraries, governmental uses, utilities and other community supportive functions

du = Dwelling Units FAR = Floor Area Ratio

#### Notes:

- a) Residential densities are based on gross acreage, which includes streets. Example: 500 dwelling units (du) on a total of 100 acres (streets included) is equal to 500 du ÷ 100 acres = 5 du/gross acre.
- b) The floor area ratio (FAR) is the area of the building or buildings on a site or lot divided by the area of the site or lot. Example: 20,000 square feet floor area ÷ 80,000 square feet of site area = a FAR of .25.
- c) Government Code Section 65302(a) requires a General Plan to state projected population for residential land uses. The intensities indicated here assume an average household size of 3.0 persons, per the Department of Finance.
- d) The higher residential densities are permissible under certain circumstances along Magnolia and University Avenues. See the description of Mixed Use-Village and Mixed Use Urban below for more information.



Most notably, the Land Use Map also includes three mixed-use land use categories, ranging from lowest intensity (Mixed Use-Neighborhood) to the highest intensity (Mixed Use-Urban) These categories are extremely important for achieving much of Riverside's vision of more vibrant activity centers, revitalization of underutilized areas and a reduction in sprawling development. All of the land use designations are described in greater detail below.

#### SINGLE-FAMILY RESIDENTIAL LAND USE DESIGNATIONS

#### Agricultural/Rural Residential (A/RR)

The Agricultural/Rural Residential designation is intended to provide for extremely low density residential uses (1 unit per 5 acres) so as to allow agricultural (particularly citrus) uses to continue. This designation is intended to further the intent of Proposition R and Measure C, which were approved by Riverside voters in 1979 and 1987, respectively. The designation is applied to two large areas within the City - most of the Arlington Heights Neighborhood and the northern portion of La Sierra Acres (Rancho La Sierra).

#### Hillside Residential (HR)

The Hillside Residential designation is designed to limit development of Riverside's ecologically sensitive and visually prominent hillside areas. This designation has been applied to most hillside areas where slopes exceed fifteen percent and allows a maximum residential intensity of 0.63 units per acre with a Planned Residential Development (PRD) permit. Per the intent of Proposition R and Measure C, this designation is applied to numerous hillside areas throughout the City; significant portions of La Sierra Hills, Alessandro Heights and Hawarden Hills are under this designation. Clustered development under a Planned Residential Development permit (PRD) is consistent with this designation.

#### Semi-Rural Residential (SRR)

This designation is applied in areas that have historically fostered largelot single family development while allowing enough space for animal keeping as an auxiliary use. A maximum density of 2.1 dwelling units per acre ensures that most properties have the capacity to accommodate one or more horses or other animals. This designation is primarily applied to the central portion of the La Sierra

Greater densities, up to a maximum of 3.3 dwelling units per acre, can be achieved with a Planned Residential Development Permit.



neighborhood and provides a lifestyle option unique for a City of Riverside's size.

#### **Very Low Density Residential (VLDR)**

The Very Low Density Residential provides a maximum residential density comparable to Semi-Rural Residential (2.0 dwelling units per acre) but is intended for areas where animal keeping is not foreseen.

#### **Low Density Residential (LDR)**

The Low Density Residential designation provides for the development of large lot single family homes at a maximum density of 4.1 dwelling units per acre and 6.0 dwelling units per acre, with a Planned Residential Development (PRD) permit. Lands in this designation are developed or to be developed with the full range of urban services available in the City.

#### Medium Density Residential (MDR)

The Medium Density Residential designation provides for the development of single-family homes, town houses and row houses. The designation allows a maximum of 6.2 dwelling units per acre, or up to 8.0 dwelling units per acre when associated with a Planned Residential Development (PRD) permit.

#### Medium-High Density Residential (MHDR)

The Medium-High Density Residential designation provides for the development of small-lot single family homes, town houses, row houses and permanent-style mobile home parks. Multi-family units, particularly condominiums and small apartments, are also allowable. This designation allows a maximum density of 14.5 dwelling units per acre.

ObjectiveLU-89:

Accommodate flexible design to provide for superior development in single family residential developments based upon good planning principles and to promote the general welfare of the neighborhood and maximum benefit to the environment.

Policy LU-89.1:

Permit the density transfer between land use designations within the same single family residential development as necessary to provide for superior development. As an example, but not necessarily limited to, such



transfers are desirable where density is transferred from steep, hillside land to flatter, less visually sensitive properties and where significantly less grading will result. In the case of such a density transfer, the overall maximum density shall not exceed that otherwise permitted by the General Plan designation(s) (see Titles 18 and 19 for further discussion on this topic).

#### MULTI-FAMILY RESIDENTIAL LAND USE DESIGNATIONS

#### High Density Residential (HDR)

The High Density Residential designation provides for the development of row houses, condominiums and apartments. Senior housing and multifamily clusters are also allowable. The designation allows a maximum of 29.0 dwelling units per acre.

#### **Very High Density Residential (VHDR)**

The Very High Density Residential designation provides for the development of row houses, condominiums and apartments. Student housing, senior housing and multifamily clusters are also allowable. The designation allows a maximum of 40.0 dwelling units per acre.

## COMMERCIAL AND INDUSTRIAL LAND USE DESIGNATIONS

#### Commercial (C)

The Commercial designation provides for retail, sales, service and office uses that serve multiple neighborhoods within the City. The majority of commercial land in Riverside is designated Commercial. The maximum development intensity is a floor-area ratio of 0.50.

#### Commercial Regional Center (CRC)

The Commercial Regional Center designation provides for large, regionally-serving retail, service and office uses but may include smaller retail or commercial uses. The Riverside Auto Center, Riverside Plaza, Town Centre and the Galleria at Tyler area are designated Commercial Regional Center. The maximum development intensity is a floor-area ratio of 0.50. The maximum allowable development intensity of Commercial Regional Center is equal to that of Commercial; lands in the Commercial Regional Center area are expresslymostly reserved for commercial enterprises that will draw customers

REVERSIDE GENERAL PLAN 2025 . AMENDED FEBRUARY 2018



from a much wider area and as such, typically have different access, parking, loading and related needs than a typically smaller Commercial development.

#### Office (O)

The Office land use designation provides space for a variety of different office uses, including general business and medical offices. Supportive retail and commercial uses, such as mailing centers, cafes and restaurants, would support the offices in this designation. The maximum development intensity is a floor-area ratio of 1.0.

#### **Business/Office Park (B/OP)**

The Business/Office Park designation provides for single or mixed light industrial uses that do not create nuisances due to odor, dust, noise or heavy truck traffic. Suitable uses include corporate and general business offices, supportive retail and commercial uses, research and development, light manufacturing, light industrial and small warehouse uses (up to 10,000 square feet per site). Although most business parks are controlled through deed restrictions or single ownership of multitenant space, business park standards can be applied to existing parcels in separate ownership. Common features of business parks are high quality design, building materials, landscaping and absence of nuisances. The maximum intensity of development is a floor-area ratio of 1.5.

#### Industrial (1)

The Industrial land use designation provides for uses such as large-scale building materials sales, light manufacturing, distribution, warehousing, supportive retail and commercial uses and wholesaling that would generally not be appropriate in more restrictive designations because of potential nuisance factors. The maximum intensity of development is a floor-area ratio of 0.6.

#### MIXED USE DESIGNATIONS

#### **Downtown Specific Plan (DSP)**

The City of Riverside adopted the Downtown Specific Plan in 2002. The Specific Plan includes a land use designation overlay that is based upon Downtown's identified districts. The Downtown Specific Plan includes a wide spectrum of allowable uses and intensities. Residential densities range from Medium to Very High, depending upon specific location. Office, commercial and public facilities uses, all in a wide range of allowable intensities, are also features of the Downtown Specific Plan.





#### **Orangecrest Specific Plan (OSP)**

The Orangecrest Specific Plan is established to create a diverse area where people live, shop and enjoy recreational facilities. Adopted in 1985, the plan includes low to medium density residential uses, interspersed with large areas of public park, public facilities/institutions and commercial uses.

#### Mixed Use-Neighborhood (MU-N)

The Mixed-Use Neighborhood designation provides for opportunities for primarily neighborhood-serving commercial uses with limited low-intensity residential uses in a mixed-use environment. This designation is intended to preserve the existing housing stock and residential character of neighborhoods while allowing for the development of new housing opportunities, fostering adaptive reuse of underutilized property and encouraging pedestrian-oriented retail and commercial and service uses. The focus of the development and design standards is on ensuring that new and infill development are distributed and designed in a manner sensitive in scale and design to the street environment and adjacent single-family residential areas. The maximum allowable intensity for the commercial component is 1.0 FAR; for any residential component, the maximum density is ten dwelling units per acre.

#### Mixed Use-Village (MU-V)

The Mixed-Use Village designation provides for medium to high-density residential development with retail, office and service uses primarily at the street level to facilitate a pedestrian environment. This designation is intended to encourage new housing opportunities, such as live/work units and residential over retail, which are proximate to commercial services and promote pedestrian activity. Plazas, courtyards, outdoor dining and other public gathering spaces and community amenities are strongly encouraged. The focus of the development and design standards is on landscaping and buffering techniques to provide transitions from developed commercial areas to lower density residential neighborhoods. The maximum allowable intensity for the commercial component is 2.5 FAR; for any residential component, the maximum density is thirty dwelling units per acre.

Higher residential densities are permissible for Mixed-Use Village projects that have the potential to serve as transit-oriented developments. Proposed projects within one-half of a mile of a transit stop along Magnolia or University Avenues may have a residential density of up to forty dwelling units per acre with a maximum total permissible FAR of 2.5.





#### Mixed Use-Urban (MU-U)

The Mixed-Use Urban Designation provides opportunities for primarily high-density residential development with commercial, office, institutional and business uses emphasizing retail, entertainment and student-oriented activities. Such development is intended to facilitate the grouping of innovative housing options with employment uses, entertainment activities and public gathering spaces and other community amenities. Well-functioning transit-oriented developments (or TODs) will typically need to be constructed to this higher intensity of development. The focus of the development and design standards is on ensuring large-scale mixed-use projects are functionally integrated through the relationships between location and types of uses and structures, the efficient use of land, optimal site planning and design elements. The maximum allowable intensity for the commercial component is 4.0 FAR; for any residential component, the maximum density is forty dwelling units per acre.

Higher residential densities are permissible for Mixed-Use Urban projects that have the potential to serve as transit-oriented developments. Proposed projects within one-half of a mile of a transit stop along Magnolia or University Avenues may have a residential density of up to sixty dwelling units per acre with a maximum total permissible FAR of 4.0.

#### COMMUNITY AMENITIES AND SUPPORT DESIGNATIONS

#### Agriculture (A)

The Agriculture designation provides lands for the managed production of natural resources and agricultural land intended to remain in production during the General Plan planning period. Incidental residential uses are permitted at a maximum density of 0.2 dwelling units per acre.

#### Public Parks (P)

The Public Parks designation is assigned to City, regional and state-owned park areas. Activity areas that may be developed include large multipurpose fields for community events and informal recreation, areas for active sports play, tot lots, picnic areas, multipurpose sports fields and courts, public golf courses, concessions, community event space, outdoor amphitheaters, nature study centers, maintenance/support facilities and caretaker facilities.



#### Private Recreation (PR)

The Private Recreation designation is applied to such areas as private golf courses, equestrian centers and amusement parks that provide opportunities for primarily outdoor recreation. Allowable uses are similar in nature to those permitted in public parks, but are not under the public domain.

#### **Open Space/Natural Resources (OS)**

The Open Space/Natural Resources designation provides lands, both private and public as shown on the Land Use Map, for the preservation of natural resources, hillsides and creeks; as well as open space for the protection of public health and safety, including floodways and stormwater retention areas.

#### **Public Facilities and Institutional Uses (PF)**

The Public Facilities and Institutional Uses designation provides for schools, hospitals, libraries, utilities, the municipal airport (precise uses for the airport property are defined in the Airport Master Plan), institutional offices (e.g., religious, educational, social or similar organizations), and government agencies. Religious assembly and day care uses may be allowed within this designation. Specific sites for public/semipublic uses are subject to discretionary approval under the Zoning Ordinance. The maximum intensity of development is a floorarea ratio of 1.0.

#### IMPLICATIONS OF LAND USE POLICY

The land use changes called for in this Land Use and Urban Design Element, will, if fully implemented by the City of Riverside, lead to population and housing increases within the City.

In 2003, the City of Riverside's population was estimated to be 274,071 by the California State Department of Finance. This population was housed in an estimated 90,511 housing units, yielding just over 3 people per household.

This General Plan introduces four new designations that will enable significant increases in housing and population to occur, but in a focused manner that makes more efficient use of existing urban infrastructure. The three new mixed-use designations (Mixed Use-Neighborhood, Mixed Use-Village and Mixed Use-Urban) along with the new Very High Density Residential designation, are intended to permit growth focused on infill areas along the City's major transportation corridors.





Siting mixed-use development, which can combine residential, commercial and office uses, along existing transportation corridors, affords tremendous opportunities to reduce dependency on the automobile and saves the City the cost of extending urban services into undeveloped areas.

The primary tools Riverside will use to implement land use policy are the Zoning Code (Title 19 of the Riverside Municipal Code) and the Subdivision Code (Title 18 of the Riverside Municipal Code). Table LU-4 indicates the amount of property designated in each land use category. Table LU-5 includes zoning designations that will help implement the General Plan objectives and policies and establishes consistency between the General Plan and Zoning Code. Table LU-6 ensures that any development proposal before the City, which is allowed in its adopted the zoning district, and its use has been assessed as consistent with that zonethe adopted General Plan land use designation. Table LU-7 includes specific criteria that can also be used to determine consistency for a development project. Each of the General Plan's applicable objectives and policies must be consistent for not applicable) for the project to be deemed consistent.





#### Table LU-4 Planned Land Uses

	Land Use Category	Net Acreage in the City	Percent of Total City Acres
A/RR	Agricultural/Rural Residential	5,116	11.7639%
HR	Hillside Residential	4,061	9.3380%
SRR	Semi-Rural Residential	1,227	2.8214%
VLDR	Very Low Density Residential	1,327	3.0513%
LDR	Low Density Residential	2,563	5.8934%
MDR	Medium Density Residential	10,877	25.0109%
MHDR	Medium High Density Residential	665	1.5291%
HDR	High Density Residential	856	1.9683%
VHDR	Very High Density Residential	108	0.2483%
Total Resid	dential	26,800	61.6248%
С	Commercial	1,415	3.2537%
CRC	Commercial Regional Center	228	0.5243%
0	Office	293	0.6737%
Total Com	mercial and Office	1,936	4.4517%
В/ОР	Business Office Park	3,953	9.0897%
<u> </u>	Industrial	582	1.3383%
Total Indu	strial/Office Park	4,535	10.4279%
DSP	Downtown Specific Plan	433	0.9957%
OSP	Orangecrest Specific Plan	7	0.0161%
Total Dow	ntown Specific Plan	440	1.0118%
MU-N	Mixed Use Neighborhood	68	0.1564%
MU-V	Mixed Use Village	490	1.1267%
MU-U	Mixed Use Urban	275	0.6323%
Total Mixe	d Use	833	1.9154%



## TABLE LU-4 PLANNED LAND USES

	Land Use Category	Net Acreage in the City	Percent of Total City Acres
Α	Agricultural	0	0.0000%
Р	Public Park	3,211	7.3835%
PR	Private Recreation	856	1.9683%
OS	Open Space/Natural Resources	931	2.1408%
PF	Public Facilities Institutional	3,947	9.0759%
RAT	Kangaroo Rat Habitat	0	0.0000%
Total Com	nmunity Amenities and Support	8,945	20.5684%
City Net T	otal <sup>(1)</sup>	43,489	100.0000%

Based upon the City's 2006 corporate limits.



		UTICIX			
General Plan Land Use Designation	GP Symbol	Zone** Symbol	Zoning Designation		
Single-Family Residential Land Use Designations					
Agricultural/Rural Residential (Max. 0.20 du/acre)	A/RR	RA-5	Residential Agriculture		
Hillside Residential (Max. 0.63 du/acre)	HR	RC	Residential Conservation		
Semi-Rural Residential (Max. 3.3 du/acre)	SRR	RR RE R-1-1/2 acre	Rural Residential Residential Estate R-1-1/2 acre - Single Family		
Very Low Density Residential (Max. 3.2 du/acre)	VLDR	RE R-1-1/2 acre	Residential Estate R-1-1/2 acre – Single Family		
Low Density Residential (Max. 6.0 du/acre)	LDR	RR RE R-1-1/2 acre R-1-13000 R-1-10500 CS	Rural Residential Residential Estate R-1-1/2 acre - Single Family R-1-13000 - Single Family R-1-10500 - Single Family Commercial Storage Overlay		
Medium Density Residential (Max. 8.0 du/acre)	MDR	RE R-1-1/2 acre R-1-13000 R-1-10500 R-1-8500 R- 1-7000 CS MH	Residential Estate R-1-1/2 acre – Single Family R-1-13000 – Single Family R-1-10500 – Single Family R-1-8500 – Single Family R-1-7000 – Single Family Commercial Storage Overlay Mobile Home Park		
Multi-Family R	Multi-Family Residential Land Use Designations				
Medium-High Density (Max. 14.5 du/acre)	MHDR	R-1-7000 R-3-4000 R-3-3000 CS	R-1-7000 Single Family R-3-4000 - Multi-family R-3-3000 - Multi-family Commercial Storage Overlay		



		MATKIX	
General Plan Land Use Designation	GP Symbol	Zone** Symbol	Zoning Designation
High Density Residential (Max. 29 du/acre)	HDR	R-3-4000 R-3-3000 R-3-2500 R-3-2000 R-3-1500 CS	R-3-4000 -Multi- family R-3-3000 - Multi-family R-3-2500 -Multi-family R-3- 2000 -Multi-family R- 3-1500 -Multi-family
Very High Density Residential (Max.40 du/acre)	VHDR	R-4	R-4 - Multi-family
Commercial an	d Industrial	Land Use Desi	gnations
Commercial (Max. 0.50 FAR/acre)	С	CR CG CS NC	Commercial Retail Commercial General Commercial Storage Overlay Neighborhood Commercial Overlay
Commercial Regional Center (Max. 0.50 FAR/acre)	CRC	CR CG CRC	Commercial Retail Commercial General Commercial Regional Center
Office (Max. 1.0 FAR/acre)	О	O CS CR CG	Office Commercial Storage Overlay Commercial Retail Commercial General
Business/Office Park (Max. 1.50 FAR/acre)	В/ОР	BMP AI CS CR CG	Business and Manufacturing Park Air Industrial Commercial Storage Overlay Commercial Retail Commercial General Office
Industrial (Max. 0.60 FAR/acre)	ľ	CS AIR CR CG	General Industrial Commercial Storage Overlay Airport Zone Commercial Retail Commercial General



General Plan Land Use Designation	GP Symbol	Zone** Symbol	Zoning Designation
	ixed Use Do	<u> </u>	
Downtown Specific Plan (Various du and FAR/acre)	DSP	DSP	Downtown Specific Plan
Orangecrest Specific Plan (Various du and FAR/acre)	OSP	OSP	Orangecrest Specific Plan
Mixed Use – Neighborhood (Max. 10 du/acre, 1.0 FAR/acre)	MU-N	MU-N R-1-13000 R-1-10500 R-1-8500 R-1-7000 CR NC	Mixed Use - Neighborhood R-1-13000 - Single Family R-1-10500 - Single Family R-1-8500 - Single Family R-1-7000 - Single Family Commercial Retail Neighborhood Commercial Overlay
Mixed Use – Village (Max. 30/40* du/acre, 2.5 FAR/acre)	MU-V	MU-V R-3-4000 R-3-3000 R-3-2500 R-3-2000 R-3-1500 R-4 CR CG NC	Mixed Use – Village R-3-4000 – Multi-family R-3-3000 – Multi-family R-3-2500 – Multi-family R-3-2000 – Multi-family R-3-1500 – Multi-family R-4 – Multi-family Commercial Retail Commercial General Neighborhood Commercial Overlay
Mixed Use – Urban (Max. 40/60* du/acre, 4.0 FAR/acre)	ми-и	MU-U R-3-4000 R-3-3000 R-3-2500 R-3-2000 R-3-1500 R-4 CR CG NC	Mixed Use – Urban R-3-4000 – Multi-family R-3-3000 – Multi-family R-3-2500 – Multi-family R-3-2000 – Multi-family R-3-1500 – Multi-family R-4 – Multi-family Commercial Retail Commercial General Neighborhood Commercial Overlay



General Plan Land Use Designation	GP Symbol	Zone** Symbol	Zoning Designation				
Community Ar	Community Amenities and Support Designations						
Agriculture (Max. 0.20 du/acre)  A RA-5 Residential Agriculture							
Public Parks	Р	PFAll Zones	Public Facilities				
Private Recreation	PR	All Zones per the Requireme nts of Title 19	Public Facilities				
Open Space/Natural Resources	OS	PF	Public Facilities				
Public Facilities and Institutional Uses (Max. 1.0 FAR/acre)	PF	PF AIR O	Public Facilities Airport Office				
All General Plan Land Use Designations		RWY AP X S SP WC	Railway Airport Protection Overlay Building Setback Overlay Story Overlay Specific Plan				

<sup>\*</sup>See Table LU-3 (Land Use Designations)

<sup>\*\*</sup> Airport Land Use Compatibility Plan (ALUCP) – If proposed development is within an ALUCP Compatibility zone, additional analysis is required to determine whether the proposal complies with ALUCP criteria. If the site is within an Airport Influence Area, some of the uses permitted or conditionally permitted in the City Zone(s) listed here may not be permissible or maybe subject to additional restrictions on density or intensity. See Chapter 19.149 of the Riverside Municipal Code and the applicable ALUCP for additional information.



## TABLE LU-6 CONSISTENCY QUICK CHECK

#	Quick Check Questions	Consistency Quick Check		
	Other Check Questions	Yes	No	
<u>1.</u>	Is the use permitted in the site's current zoning designation?	Go to Question 2	<u>Go to LU7 –</u> <u>Consistency Checklist</u>	
2.	Is the site located in an Airport Influence Area?	<u>Go to LU7 -</u> <u>Consistency Checklist</u>	Go to Question 3	
<del>1.</del> ,	Is the siteproposed use permitted or conditionally permitted in a zone that is consistent with the site's General Plan land use designation, per LU-5?	Consistent	Go to LU7 - Consistency Checklist	



	TABLE LU-7 <sup>1</sup>		· ·
	CONSISTENCY		
Co	CRITERIA CRITERIA		
	instancy creature	General Plan References	
The	Project		
1.	Adheres to and aligns with Smart Growth Principles	<u>Objectives</u>	<u>LU-8</u>
	The state of the s	<u>Policies</u>	<u>N/A</u>
2	Creates a landmark or gateway to the City that improves the character	<u>Objectives</u>	<u>LU-21</u>
2.	and identify of Riverside	Policies	<u>LU-21.1</u>
	Accommodates flevible design that yoults in any sign deviled		<u>LU-48.3</u>
3	Accommodates flexible design that results in superior development that goes beyond the required development standards	<u>Objectives</u>	LU-89
	Contributes to a high-quality, livable neighborhood that includes	<u>Policies</u>	<u>LU-89.1</u>
	maintained housing, public services, and open space	Objectives Policies	H-1
	Includes uses that will serve with surrounding neighborhoods while	Objectives	<u>N/A</u> LU-9
5	minimizing impacts	Policies	N//
		Objectives	<u>IN//</u> N//
5.	Uses land effectively by including compact building design, infill		<u>LU-8.1</u>
	development, and increased density	<u>Policies</u>	LU-8.2
	Provides for diverse housing types and affordability levels	Objectives	H-2
	Trovides for diverse flousing types and allordability levels	<u>Policies</u>	N/A
	Complements and serves existing residential areas	<u>Objectives</u>	N/A
•	Complements and serves existing residential areas	<u>Policies</u>	LU-9.7
		Objectives	N/A
			LU-48.3
_	Includes a mix of land uses on underutilized urban parcels	D 11 4	LU-48.6
		<u>Policies</u>	LU-67.
			LU-78.
	Includes pedestrian-oriented retail, restaurant, entertainment and	Objectives	N/A
0.	service uses to create activity nodes	Policies	LU-58,1
			<u>LU-75.3</u>
1.	Enhances and highlights historic sites along the "L" Corridor, including	<u>Objectives</u>	<u> </u>
4	landmark buildings/landscapes, cultural resources, and historic districts	<u>Policies</u>	<u>LU-12.3</u>
2.	Creates a commercial center with pedestrian and parking that includes	<u>Objectives</u>	<u> </u>
$\dashv$	unique building and landscape design across all parcels	Policies	LU-9.
3.	Provides bicycle and pedestrian usage along major parkways	<u>Objectives</u>	<u>N//</u>
$\dashv$	Supports alternating land uses along major arterials that support	<u>Policies</u>	<u>LU-11.3</u>
4.	"nodes" of commercial development at key locations	<u>Objectives</u>	<u>N//</u>
$\dashv$		<u>Policies</u>	<u>LU-9.6</u>
5.	Aligns with all applicable Corridor, Parkway, Neighborhood Plan, and	<u>Objectives</u>	<u>LU-30</u>
	Specific Plan objectives/policies	<u>Policies</u>	<u>LU-30.3</u>
_			<u>LU</u> -30.6



TABLE LU-7	
<u>CONSISTENC</u>	Y
CRITERIA	

	<u>CRITERIA</u>				
	Project	General Plan R	eferences		
		Objectives	<u>CCM-9</u> <u>CCM-11</u>		
<u>16.</u>	Promotes and supports public multi-modal transportation that connects activity centers in the region	<u>Policies</u>	CCM-9.1 CCM-9.5 CCM-9.6 CCM-9.7 CCM-9.8 CCM-9.9		
		<u>Objectives</u>	CCM-5		
<u>17.</u>	Implements regional and inter-jurisdictional transportation plans	<u>Policies</u>	CCM-5.1 CCM-5.2 CCM-5.5		
		<u>Objectives</u>	<u>CCM-12</u>		
<u>18.</u>	Facilitates the movement of goods while protecting existing residential neighborhoods from operations and rail service	<u>Policies</u>	CCM-12.1 CCM-12.2 CCM-12.3 CCM-12.4 CCM-12.5		
19.	Reduces vehicle miles traveled and daily peak hour vehicular trips	Objectives	N/A		
15.	reduces verificie filites daveled and daily peak floor verificular trips	Policies	CCM-6.1		
		<u>Objectives</u>	N/A		
<u>20.</u>	Incorporates bicycle racks and facilities and trails for both cyclists and pedestrians	<u>Policies</u>	LU-4.5 CCM-10.1 CCM-10.2		
		Objectives	N/A		
<u>21.</u>	Provides parking on-site while seeking opportunities for shared parking	<u>Policies</u>	CCM-13.1 CCM-13.4		
22.	Preserves and protects prominent ridgelines or hillsides	<u>Objectives</u>	<u>LU-3</u> <u>LU-4</u>		
		<u>Policies</u>	<u>LU-3.1</u> <u>LU-3.2</u>		
		<u>Objectives</u>	LU-5		
23.	Preserves and protects the natural integrity of Riverside's arroyos	<u>Policies</u>	LU-5.1 LU-5.2 LU-5.3 LU-5.4 LU-5.5		
		Objectives	LU-6		
<u>24.</u>	Preserves and protect existing agricultural lands, particularly within the greenbelt area	<u>Policies</u>	LU-6.1 LU-6.2 LU-6.3		

	TABLE LU-7  CONSISTENCY  CRITERIA		
	e Project	General Plan R	
<u>25.</u>	Preserves and protects native wildlife, plant habitats and endangered species	Objectives Policies	LU-6.4 LU-7 LU-7.1 LU-7.2
<u>26.</u>	Contributes to economic development and sustainability	Objectives Policies	<u>LU-7.3</u> <u>H-2</u> <u>N/A</u>
		Objectives	<u>LU-24</u> <u>LU-25</u>
27.	Increases the City's industrial land base in a logical and physically compatible location	Policies	<u>LU-24.1</u> <u>LU-24.2</u> <u>LU-24.3</u> LU-24.4
28.	Supports the long term viability of airport facilities by increasing	Objectives	<u>LU-23</u>
	business, retail, and corporate usage.	<u>Policies</u>	<u>LU-23.1</u>
<u>29.</u>	Supports and is consistent with the Airport Land Use Compatibility plan for the long term viability of airport facilities	Objectives Policies	<u>LU-22.3</u> LU-22.5
1	Industrial Uses in a Residential zone are not consistent Residential Uses in an Industrial Zone are not consistent		In W. Laborett

# City of Riverside SB 1333 Consistency Proposed Zoning Amendment Description

#### **ARTICLE IV - GENERAL ZONING PROVISIONS**

#### Chapter 19.090 - ESTABLISHMENT OF ZONES AND ADOPTION OF MAPS

- A. General. The City is divided into zones to allow for the orderly, planned development of the City and to implement the General Plan. There are three steps to determine consistency with the General Plan:
  - General Plan 2025 Table LU-5 (Zoning/General Plan Consistency Matrix) identifies General Plan land use designations and corresponding zones that have been determined as consistent; or
  - 2. If the zoning designation is not identified as consistent pursuant to Table LU-5 (Zoning/General Plan Consistency Matrix), then Table LU-6 (Consistency Quick Check) can be used to determine consistency when a use is allowed in its zone, and is allowed in another zone consistent with the site's General Plan designation; or
  - If the use does not meet the criteria of Table LU-6, then consistency can be determined by evaluating a proposed project pursuant to Table LU-7 (Consistency Criteria). All criteria must be found consistent or not applicable to determine consistency.

All zones shall be listed and appropriately designated on the official Zoning Map.

- B. Base zones. Every parcel shall have a base zone that establishes the primary type and intensity of land use permitted, along with development regulations for that particular type and intensity of land use.
- C. Overlay zones. An overlay zone supplements the base zone for the purpose of establishing special use or development regulations for a particular area in addition to the provisions of the underlying base zone. In the event of conflict between the base zone regulations and the overlay zone regulations, the provisions of the overlay zone shall apply.

(Ord. 6966 §1, 2007)

#### Chapter 19.780 - PLANNED RESIDENTIAL DEVELOPMENT PERMIT

#### 19.780.050 - Density and findings.

A. Benchmark density and findings for approval. Densities up to the densities shown in Table 19.780.050 B (PRD Benchmark and Bonus Densities) for the underlying zone in which the project is located may be approved with the granting of a Planned Residential Development Permit, provided that the Approving Authority determines, based on demonstrated evidence, the project complies with the following criteria and findings, and the intent, standards, and requirements of this chapter. Additional density up to the limit of the bonus density shown in Table 19.780.050.B may be considered if the project meets all the requirements stated in Section 19.780.050.E - Density Bonus for Superior Design.

Compliance with the following criteria shall be demonstrated for a proposed project to be approved, and the benchmark density to be granted. Failure to substantially meet or exceed all these standards shall result in disapproval of the project, or a lower density than the benchmark density.

- In all single-family residential zones, other than RA-5 and RC Zone:
  - The property is well served by public infrastructure;
  - b. The project enjoys good access to public services, including schools, shopping and public and semipublic facilities;
  - c. The site is located on streets capable of accommodating the anticipated traffic. A traffic study may be required to assess consistency with Policy CCM 2.3 of the General Plan to maintain LOS "D" or better on arterial streets or greater, except where LOS "E" has been designated as an acceptable standard;
  - d. The project complies with the purpose and standards of this chapter, demonstrates substantial compliance with the provisions of the Citywide Design and Sign Guidelines, and is in accordance with City Codes, which may include deviations by variances when required findings are made. Additional criteria used in evaluating the design of the project shall include, but shall not be limited to, the following:
    - Varied placement of buildings demonstrating sensitivity to the natural topographic features of the site;
    - ii. Relatively level land is set aside for active recreational pursuits;
    - iii. Open space is distributed on the site and accessible to all units
    - iv. An efficient circulation system consisting of both vehicular lanes and pedestrian walkways;
    - v. Sensitivity to surrounding community and attention to the edge conditions, creating areas of transition from surrounding existing development to the proposed development; and
    - vi. Where front porches are consistent with the style of the development, a minimum of two-thirds (() of the total units shall provide front porches; and
  - The project proposes development in an environmentally and topographically sensitive manner in order to minimize the impacts of development on adjacent properties, and is designed in a manner that is compatible with the adjacent and existing development in the vicinity;
  - f. The project provides amenities in compliance with this chapter, and that the amenities are consistent with the size and scale of the project, the project density, and neighborhood characteristics.

#### 2. In the RC Zone:

- Retention of unique natural features, including arroyos, hillsides and rock outcroppings, in natural open space areas consistent with the grading ordinance;
- Placement of buildings demonstrating sensitivity to the natural topographic and habitat features of the site, including clustering of homes in less sensitive and less steep locations in order to preserve such natural features and valuable natural open space, both for wildlife habitat and visual aesthetic purposes;
- Provision of other amenities consistent with the RC Zone and as deemed appropriate for the project;
- d. Provision that the development will not introduce non-native plants as defined by Table 6-2
  of the Multiple Species Habitat Conservation Plan (MSHCP) into the landscape adjacent to
  the City's arroyos in perpetuity;
- e. Maintenance and management of all open space easements by a single entity for the entire project with an appropriate natural open space management plan;

- f. Superior design of individual dwelling site plans and building architecture, including such features as porches and garages set back from the street in comparison to the house, and detailed four sided, building treatments. Many of the desirable features are found in the adopted Citywide Design and Sign Guidelines. The design of custom homes will be reviewed as individual homes are submitted for design review approval prior to building permit issuance;
- g. Sensitivity to impacts of the development on surrounding uses, including linkages to natural open space areas where appropriate; and
- h. Streets serving the development shall be capable of accommodating the anticipated traffic.
- B. Maximum density. The maximum density of a PRD project shall be consistent with this chapter, the underlying General Plan land use designation(s), any applicable Specific Plan(s), as well as Table 19.780.050.B below.

Table 19.780.050.B PRD Benchmark and Bonus Densities

Benchmark Density - Dwellings per Gross Acre <sup>(1)</sup>	Maximum Bonus Percent % (2)	Maximum Density with Bonus - Dwellings Per Gross Acre (1)(2)
0.5 <sup>(3)</sup>	25	0.63
3.0	10	3.3
3.0	10	3.3
7.3	10	8.0
6.3	10	6.9
5.5	10	6.0
4.8	10	5.3
3.0	10	3.3
	Dwellings per Gross Acre (1)  0.5 (3)  3.0  3.0  7.3  6.3  5.5  4.8	Dwellings per Gross Acre (1)         Bonus Percent % (2)           0.5 (3)         25           3.0         10           7.3         10           6.3         10           5.5         10           4.8         10

#### Notes:

- (1) Density per gross acre is calculated including new public and private streets.
- (2) This is the maximum density bonus and any bonus less than the maximum may be granted based on the degree to that the project meets the criteria specified in 19.780.050.A and B.
- (3) The actual benchmark density shall be determined by the preparation of a conventional subdivision map in conformance with the RC Zone standards to show the actual number of lots that could be achieved based on the average natural slope (ANS), as defined by 19.100.050.C.
- C. No PRD shall be granted approval if the project's base zone and General Plan land use designation are inconsistent, pursuant to General Plan Tables LU-5, <u>LU-6</u> and <u>LU-7</u>.

## NOTICE OF PUBLIC HEARING RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

A PUBLIC HEARING has been scheduled before the Riverside County Airport Land Use Commission (ALUC) to consider the application described below.

Any person may submit written comments to the ALUC before the hearing or may appear and be heard in support of or opposition to the project at the time of hearing. For more information please contact ALUC Planner John Guerin at (951) 955-0982. The ALUC holds hearings for local discretionary permits within the Airport Influence Area, reviewing for aeronautical safety, noise and obstructions. ALUC reviews a proposed plan or project solely to determine whether it is consistent with the applicable Airport Land Use Compatibility Plan.

The City of Riverside Planning Division will hold hearings on this item and should be contacted on non-ALUC issues. For more information please contact City of Riverside Planner Mr. Jarrod Coleman at (951) 826-5617.

The proposed project application may be viewed and written comments may be submitted at the Riverside County Administrative Center, 4080 Lemon Street, 14th Floor, Riverside, California 92501, Monday through Thursday from 8:00 a.m. to 5:00 p.m., and by prescheduled appointment on Fridays from 9:00 a.m. to 5:00 p.m.

PLACE OF HEARING: Riverside County Administration Center

4080 Lemon Street, 1st Floor Board Chambers

Riverside California

DATE OF HEARING: June 13, 2019

TIME OF HEARING: 9:30 A.M.

CASE DESCRIPTION:

ZAP1035RG19 - City of Riverside (Representative: Jarrod Coleman) - City Planning Case Nos. P19-0054 (General Plan Amendment) and P19-0057 (Zoning Ordinance Amendment). P19-0054 is a proposal to amend the Land Use and Urban Design Element of the City's General Plan so as to broaden the range of zoning classifications considered to be consistent with the various General Plan land use designations, involving amendments to Table LU-5 Consistency Matrix, inclusion of two new tables (Table LU-6 Consistency Quick Check and Table LU-7 Consistency Criteria), and amendments to the descriptions of various land use designations and of the process for determination of General Plan consistency. Among nonresidential zones, Commercial Retail (CR) and Commercial General (CG) zoning would be considered consistent with the Commercial Regional Center, Office, Business/Office Park, Industrial, Mixed Use-Village, and Mixed Use-Urban designations, as well as the Commercial designation. The Commercial Retail zone would also be considered consistent with the Mixed Use-Neighborhood designation. The Office (O) zone would be considered consistent with the Business/Office Park and Public Facilities and Institutional Uses designations, as well as the Office designation. P19-0057 would amend Chapter 19.090 of the City's Zoning Code by identifying the steps to determine General Plan consistency utilizing Tables LU-5, LU-6, and LU-7. (Citywide)



# RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

#### **APPLICATION FOR MAJOR LAND USE ACTION REVIEW**

ALUC CASE NUMBER	: <b>ZAP 1035 RG 19</b> DATE SUBMITTED: 03/	27/2019			
APPLICANT / REPRESENTATIVE / PROPERTY OWNER CONTACT INFORMATION					
Applicant	City of Riverside	Phone Number 951-826-5371			
Mailing Address	3900 Main Street	Email dmurray@riversideca.gov			
	Riverside, CA 92501				
Representative	David Murray	Phone Number 951-826-5371			
Mailing Address	3900 Main Street	Email dmurray@riversideca.gov			
	Riverside, CA 92501	_			
		#			
Property Owner	N/A	Phone Number			
Mailing Address		Email			
	<u> </u>				
LOCAL JURISDICTION AG	ENCY				
Local Agency Name	City of Riverside	Phone Number 951-826-5617			
Staff Contact	Jarrod Coleman, Associate Planner	Email jcoleman@riversideca.gov			
Mailing Address	3900 Main Street	Case Type			
	Riverside, CA 92501	General Plan / Specific Plan Amendment			
		Zoning Ordinance Amendment Subdivision Parcel Map / Tentative Tract			
Local Agency Project No	Planning Case No. P19-0054 General Plan Amendment	Use Permit			
	Planning Case No. P19-0057 Zoning Ordinance Amendment	Site Plan Review/Plot Plan Other			
PROJECT LOCATION					
	nap showing the relationship of the project site to the airport boundary and runways				
Street Address	The proposed citywide General Plan (GP) and Zoning Code amend	ment applies to all zones in the city			
Street Address	The project is not site-specific.	mont applied to all zoned in and dity.			
Assessor's Parcel No.	N/A	Gross Parcel Size N/A			
Subdivision Name	N/A	Nearest Airport and			
Lot Number	N/A	distance from Air- port N/A			
PROJECT DESCRIPTION					
If applicable, attach a detailed tional project description date	d site plan showing ground elevations, the location of structures, open spaces and water b a as needed	podies/and the heights of structures and trees; include addi-			
Existing Land Use	The City of Riverside is a Charter City, as authorized by the "home ru	le" provision of the California Constitution. Prior			
(describe)	to the adoption of SB 1333 on September 27, 2018, charter cities we	ere exempt from the statutory requirement that			
	GP, Specific Plans and Zoning Ordinances be consistent. SB1333 amended California Government Code related				
	to several sections of land use regulations and eliminated general pl	lan consistency exemption for Charter cities.			

Riverside County Airport Land Use Commission, County Administrative Center, 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, CA 92501, Phone: 951-955-5132 Fax: 951-955-5177 Website: <a href="https://www.rcafuc.org">www.rcafuc.org</a>

	If yes, describe	N/A					
Flight Hazards	Does the project involves confusing lights, glare,	e any chara smoke, or o	ecteristics which could creater electrical or visual l	eate electrica nazards to air	il interference, craft flight?	Yes No	
Height Data	Site Elevation (above n Height of buildings or s		•		N/A N/A		ft.
(See Appendix C)	Number of People on S Method of Calculation		Maximum Number N/A	N/A			
For Residential Uses For Other Land Uses	Number of Parceis or Hours of Operation	Units on Site	e (exclude secondary uni	ts)	N/A		
	No new development is proposed with this project.						
(describe)	A new process and specific criteria for evaluating and determining consistency is being established for properties currently identified as inconsistent (see attached Project Description).						
							Proposed Land Use

- A. NOTICE: Failure of an applicant to submit complete or adequate information pursuant to Sections 65940 to 65948 inclusive, of the California Government Code, MAY constitute grounds for disapproval of actions, regulations, or permits.
- B. REVIEW TIME: Estimated time for "staff level review" is approximately 30 days from date of submittal. Estimated time for "commission level review" is approximately 45 days from date of submittal to the next available commission hearing meeting.

#### C. SUBMISSION PACKAGE:

- 1. . . . . Completed ALUC Application Form
- 1..... ALUC fee payment
- 1..... Plans Package (24x36 folded) (site plans, floor plans, building elevations, grading plans, subdivision maps)
- 1. . . . . Plans Package (8.5x11) (site plans, floor plans, building elevations, grading plans, subdivision maps, zoning ordinance/GPA/SPA text/map amendments)
- 1..... CD with digital files of the plans (pdf)
- 1..... Vicinity Map (8.5x11)
- 1. . . . Detailed project description
- 1. . . . . Local jurisdiction project transmittal
- 3. . . . . Gummed address labels for applicant/representative/property owner/local jurisdiction planner
- 3. . . . . Gummed address labels of all surrounding property owners within a 300 foot radius of the project site. (Only required if the project is scheduled for a public hearing Commission meeting)

#### RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

#### STAFF REPORT

#### **ADMINISTRATIVE ITEMS**

#### 4.1 <u>Director's Approvals.</u>

A. During the period of April 16, 2019 through May 16, 2019, as authorized pursuant to Section 1.5.2(d) of the 2004 Riverside County Airport Land Use Compatibility Plan, ALUC Director Simon Housman reviewed five non-legislative cases within Zones D and E of various Airport Influence Areas and issued determinations of consistency.

ZAP1010CO19 (Corona Municipal Airport Influence Area, Zone D) pertains to City of Corona Case No. CUP2008-0011 (Conditional Use Permit), a proposal by the City's Public Works Department to establish a telecommunication tower with a height of 105 feet above grade level at the City's Water Reclamation Facility No. 1, located northerly of Railroad Street, easterly of King Circle, and southerly of Clearwater Road. The site is located within Compatibility Zone D of the Corona Municipal Airport Influence Area, where nonresidential intensity is limited to an average of 100 persons per acre and a maximum single-acre intensity of 300 persons. The proposed tower will be unmanned. The elevation of the project site exceeds the elevation of Runway 7-25 at Corona Municipal Airport at its westerly terminus by 63 feet at a distance of approximately 2,445 feet from the runway, and the tower would add an additional 105 feet, so the City was aware that review by the Federal Aviation Administration Obstruction Evaluation Service (FAA OES) was required and submitted Form 7460-1 to the FAA OES early in 2018, resulting in the issuance of a Determination of No Hazard to Air Navigation letter for Aeronautical Study No. 2018-AWP-5370-OE on March 2, 2018. The study revealed that the proposed structure would not exceed obstruction standards and would not be a hazard to air navigation, provided conditions are met. The City of Corona submitted its ALUC application on April 18, 2019. The FAA OES conditions were incorporated into the determination of consistency issued for this project by ALUC Director Simon Housman on April 25, 2019.

ZAP1076BD19 (Bermuda Dunes Executive Airport Influence Area, Zone D) pertains to County of Riverside Case No. 180035 (Plot Plan), a proposal to construct a triplex (residential structure containing three dwelling units), along with detached garage structures, on a 0.32-acre lot located on the southerly side of 42nd Avenue, easterly of its intersections with Adams Street and with Hermitage Drive, and westerly of its intersection with Hopewell Avenue. This application was received by ALUC staff on January 17, 2019. The site is located within Compatibility Zone D of the Bermuda Dunes Airport Influence Area, where residential density must be either (a) not exceeding one dwelling unit per five acres or (b) at least five dwelling units per acre (although the building of a single dwelling on a legal lot of record would also be allowed). The proposed project has a density of 9.3 dwelling units per acre, which is consistent with the latter Compatibility Zone D residential density criterion. The site is southerly of the middle section of Runway 10-28 at Bermuda Dunes Airport. It is closer to the westerly terminus (approximately 2,530 feet) than to the easterly terminus (approximately 4,300 feet), but, due to the lower elevation of the runway at its easterly terminus (39 feet above mean sea level [AMSL], in contrast to 73 feet AMSL at its westerly terminus), the easterly terminus is more critical in the determination of notice requirements at this location. At a distance of 4,300 feet from the easterly terminus of the runway, Federal Aviation Administration Obstruction Evaluation Service (FAA OES) review would be required for any structures with top of roof exceeding 82 feet AMSL. The finished floor elevation of the site is 80 feet AMSL, and the proposed structures with a

maximum height of 16.5 feet result in a top point elevation of 96.5 feet. Therefore, FAA OES review was required. The project applicant submitted Form 7460-1 to the FAA OES, and FAA OES assigned Aeronautical Study Number 2019-AWP-3758-OE to this proposal. The aeronautical study revealed that the proposed structure would not exceed obstruction standards and would not be a hazard to air navigation, provided conditions are met. Therefore, FAA OES issued a Determination of No Hazard to Air Navigation letter on May 2, 2019. The FAA OES conditions have been incorporated into ALUC's recommended conditions incorporated in elevation of Runway 14-32 at March Air Reserve Base/Inland Port Airport at its southerly terminus is approximately 1,488 feet above mean sea level (AMSL). At a distance of approximately 42,000 feet from the site to the nearest point on the runway, Federal Aviation Administration Obstruction Evaluation Service (FAA OES) review would be required for any structures with an elevation at top point exceeding 1,908 feet AMSL. The site's grade elevation is 2,068 feet AMSL, so any structure at this location would require FAA OES notice and review. The project applicant submitted Form 7460-1 to the FAA OES, and FAA OES assigned Aeronautical Study No. 2018-AWP-17940-OE to this proposal. The aeronautical study revealed that the proposed structure would not exceed obstruction standards and would not be a hazard to air navigation, provided conditions are met. Therefore, FAA OES issued a "Determination of No Hazard to Air Navigation" letter on May 2, 2019. The FAA OES conditions have been incorporated into the determination of consistency for this project issued by ALUC Director Simon Housman on May 6, 2019.

ZAP1365MA19 (March Air Reserve Base/Inland Port Airport Influence Area, Zone D) pertains to City of Moreno Valley Case No. PEN19-0073 (Plot Plan), a City-initiated proposal to establish a Civic Center Park and Amphitheater consisting of a 600-seat outdoor amphitheater and stage, open space recreation area, and a 360-vehicle parking lot on approximately 7 acres located at 14075 Frederick Street, southerly of Alessandro Boulevard, easterly of Veterans Way, and northerly of Calle San Juan de Los Lagos. The site is located within Compatibility Zone D of the March Air Reserve Base/Inland Port Airport Influence Area, where nonresidential intensity is not restricted. However, "amphitheaters" are a discouraged use in Zone D in locations below or near the principal arrival and departure flight tracks. Staff reviewed both the 2005 and 2018 Air Installation Compatible Use Zones (AICUZ) studies and determined that the site does not underlie any regularly used arrival or departure flight tracks. Therefore, the amphitheater would not be a discouraged use at this particular location. The elevation of Runway 14-32 at March Air Reserve Base/Inland Port Airport at its northerly terminus is approximately 1,535 feet above mean sea level (AMSL). At a distance of 6,263 feet from this site to the nearest point on the runway, Federal Aviation Administration Obstruction Evaluation Service (FAA OES) review would be required for any structures with an elevation at top point exceeding 1,597 feet AMSL. The site's elevation is 1,568 feet AMSL, and the highest proposed structure (amphitheater stage roof) is 25 feet, resulting in a top point elevation of 1,593 feet AMSL. Therefore, FAA OES review for height/elevation reasons was not required. However, a condition has been included limiting structure/building heights, including roof-mounted equipment, to a maximum of 29 feet and limiting top point elevation to 1,597 feet AMSL, unless a Determination of No Hazard to Air Navigation letter is issued for a higher top point elevation. ALUC Director Simon Housman issued a determination of consistency for this project on May 6, 2019.

ZAP1013BL19 (Blythe Airport Influence Area, Zone E) pertains to an alternate gen-tie realignment [Alt. 3A] for County of Riverside Case No. CUP3721 (Conditional Use Permit). Alternative 3A, if selected, would re-align a portion of the 33 gen-tie poles so that the eastern portion of its line would be located approximately 2,000 feet southerly and 900 feet westerly of the original gen-tie alignment (and further away from the Blythe Airport runways). This is an element of the overall Conditional Use Permit, which proposes construction and operation of a 25 megawatt (25 MW) photovoltaic solar energy production facility with associated improvements on a 160-acre property within the jurisdiction of the County of Riverside located

southerly of Interstate 10, easterly of the Wiley's Well Road interchange and westerly of the Mesa Drive interchange, and southwesterly of the unincorporated community of Mesa Verde/Nicholls Warm Springs. The 160-acre site, in turn, is part of a larger (approximately eight square mile) proposed 450 MW solar facility that is predominantly proposed on lands under the jurisdiction of the federal Bureau of Land Management (BLM). The 160-acre site is not located within an Airport Influence Area, but a portion of the gen-tie alignment is located in Compatibility Zone E of the Blythe Airport Influence Area, where hazards to flight are prohibited. The elevation of Runway 8-26 at Blythe Airport at its westerly terminus is approximately 396 feet above mean sea level (AMSL). The closest Alt. 3 gen-tie tower is 15,463.6 feet from the runway and has a top point elevation of 513.1 feet AMSL. The highest top point elevation of any alternate layout gen-tie tower within 20,000 feet of the runway is 556.4 feet AMSL and is located 19,691 feet from the runway. In both cases, the top point elevation does not exceed the levels requiring FAA review (550.6 feet AMSL at 15,463 feet, and 592.9 feet AMSL at 19,691 feet). Therefore, Federal Aviation Administration Obstruction Evaluation Service (FAA OES) review for height/elevation reasons was not required. The proposed realignment does not alter the findings of the glare analysis prepared for the solar photovoltaic facility, which was previously reviewed. ALUC Director Simon Housman issued a determination of consistency for this project on May 9, 2019.

ZAP1074PS19 (Palm Springs International Airport Influence Area, Zone E) pertains to City of Cathedral City Case No. CUP18-015 (Conditional Use Permit), a proposal to establish a 65-foot high mono-palm wireless communications facility with a 140 square foot equipment shelter area located on the northwest corner of Ramon Road and San Eljay Avenue. The site is located within Compatibility Zone E of the Palm Springs International Airport Influence Area, where non-residential intensity is not restricted. The proposed tower would be unmanned. The elevation of Runway 13R-31L at Palm Springs International Airport at its southerly terminus is approximately 395.5 feet above mean sea level (AMSL). At a distance of approximately 12,931 feet from the project property line to the runway, Federal Aviation Administration Obstruction Evaluation Service (FAA OES) review would be required for any structures with an elevation at top point exceeding 524.8 feet AMSL. The site elevation is 360 feet AMSL, and the proposed tower height is 65 feet, resulting in a maximum top point elevation of 425 feet AMSL. Therefore, review by the FAA OES for height/elevation reasons was not required. ALUC Director Simon Housman issued a determination of consistency for this project on May 16, 2019.

B. Additionally, ALUC Director Simon Housman reviewed one jurisdiction-initiated non-impact case pursuant to ALUC Resolution No. 2011-02 and issued a determination of consistency.

ZAP1036RG19 (Countywide unincorporated areas) pertains to County of Riverside Ordinance No. 555.20 (Ordinance Amendment), a proposal to amend County Ordinance No. 555 to be in accordance with updates and revisions made to state mining laws and regulations pursuant to the California Surface Mining and Reclamation Act (SMARA). The proposed revised ordinance does not amend allowable land uses or development standards in a manner that would affect residential densities or the intensity of nonresidential uses and does not introduce new uses into any zone or General Plan designation. Therefore, this amendment has no possibility for having an impact on the safety of air navigation or on the consistency/inconsistency status of the County's General Plan relative to any given Airport Land Use Compatibility Plan. ALUC Director Simon Housman issued a determination of consistency for this project on April 22, 2019.

4.2 <u>Notification: Upcoming Election of Commission Officers</u>

The Commission will be asked to select a Chair and Vice-Chair at its July 11 meeting.

4.3	Off-Field Landing: March Air Reserve Base/Inland Port Airport Influence Area, May 16, 2019
	Principal Planner Paul Rull will provide a briefing for the Commission.
Y:\ALU	JC\ALUC Administrative Items\ADmin Item 06-13-19.doc

## AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY



**CHAIR** 

Steve Manos

Lake Elsinore

April 25, 2019

Mr. Harald Luna, Project Planner

City of Corona Community Development Department - Planning Division

400 S. Vicentia Avenue

Corona CA 92882

VICE CHAIR Russell Betts Desert Hot Springs

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW – DIRECTOR'S DETERMINATION

COMMISSIONERS

Arthur Butler Riverside

John Lyon

Riverside

File No.:

ZAP1010CO19

Related File No.:

CUP2008-0011 (Conditional Use Permit)

APN:

101-110-002

Steven Stewart Palm Springs

Dear Mr. Luna:

Richard Stewart Moreno Valley

Gary Youmans Temecula

STAFF

Director Simon A. Housman

> John Guerin Paul Rull Barbara Santos

County Administrative Center 4080 Lemon St., 14th Floor. Riverside, CA 92501 (951) 955-5132

www.rcalucorg

Under the delegation of the Riverside County Airport Land Use Commission (ALUC) pursuant to Policy 1.5.2(d) of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan, staff reviewed City of Corona Case No. CUP2008-0011 (Conditional Use Permit), a proposal to establish a 105 foot tall telecommunication tower located at the City's Water Reclamation Facility No.1, northerly of Railroad Street, easterly of King Circle, and southerly of Clearwater Road.

The site is located within Airport Compatibility Zone D of the Corona Airport Influence Area (AIA). Zone D restricts non-residential intensity to 100 people per average acre and 300 people per single acre. The proposed telecommunication tower will not create any significant occupancy.

The elevation of Runway 7-25 at its existing westerly terminus is approximately 515 feet above mean sea level (AMSL). At a distance of approximately 2,445 feet from the runway, FAA review would be required for any structures with top of roof exceeding 539 feet AMSL. The elevation of the project site is 578 feet AMSL, and the proposed structure is 105 feet, for a maximum top point elevation of 683 feet AMSL. Therefore, Federal Aviation Administration (FAA) obstruction evaluation review for height/elevation reasons was required. The applicant submitted Form 7460-1 to the Federal Aviation Administration Obstruction Evaluation Service (FAA OES), and a Determination of No Hazard to Air Navigation letter for Aeronautical Study No. 2018-AWP-5370-OE was issued on March 2, 2018. The study revealed that the proposed structure would not exceed obstruction standards and would not be a hazard to air navigation provided conditions are met. These FAA OES conditions have been incorporated into this finding.

As ALUC Director, I hereby find the above-referenced project **CONSISTENT** with the 2004 Corona Airport Land Use Compatibility Plan, provided that the City of Corona applies the following recommended conditions:

**CONDITIONS:** 

#### AIRPORT LAND USE COMMISSION

- 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/activities are not included in the proposed project and shall be prohibited at this site:
  - (a) Any use or activity 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 or activity 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 or activity 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, composting operations, production of cereal grains, sunflower, and row crops, 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 attached notice shall be provided to all prospective purchasers of the property.
- 4. Any new detention basin(s) 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 detention 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.
- 5. The Federal Aviation Administration has conducted an aeronautical study of the proposed structure (Aeronautical Study No. 2018-AWP-5370-OE) and has 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 L Change 1 and shall be maintained in accordance therewith for the life of the project.
- 6. The maximum height of the proposed structure to top point shall not exceed 105 feet above ground level, and the maximum elevation at the top of the structure shall not exceed 683 feet above mean sea level.

#### AIRPORT LAND USE COMMISSION

- 7. 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 structure height or elevation shall not require further review by the Airport Land Use Commission.
- 8. Temporary construction equipment used during actual construction of the structure shall not exceed 105 feet in height and a maximum elevation of 683 feet above mean sea level, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
- 9. 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 <a href="https://oeaaa.faa.gov">https://oeaaa.faa.gov</a> for instructions.) This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the structure.

If you have any questions, please contact Paul Rull, ALUC Principal Planner at (951) 955-6893.

Sincerely,

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Simon A. Housman, ALUC Director

Attachment: Notice of Airport in Vicinity

Aeronautical Study Number No. 2018-AWP-5370-OE

cc: City of Corona Public Works, Tracy Martin (applicant/representative)

Curtis Showalter, Airport Manager, Corona Municipal Airport

**ALUC** Case File

Y:\AIRPORT CASE FILES\Corona\ZAP1010CO19\ZAP1010CO19.LTR.doc

# NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No. 2018-AWP-5370-OE Prior Study No. 2014-AWP-2241-OE

Issued Date: 03/02/2018

Raul Arevalo City of Corona DWP 755 Public Safety Way Corona, CA 92880

### \*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\*

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:

Antenna Tower WRF1 Tower

Location:

Corona, CA

Latitude:

33-53-26.93N NAD 83

Longitude:

117-36-28-23W

Heights:

578 feet site elevation (SE)

105 feet above ground level (AGL) 683 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

_x_'	At least 10 days prior to start of construction (7460-2, Part 1) Within 5 days after the construction reaches its greatest height (7460-2, Part 2)
	8 this in the same (7400-2, 1 at 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 1.

This determination expires on 09/02/2019 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (310) 725-6558, or ladonna.james@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-AWP-5370-OE.

Signature Control No: 356250910-358553156

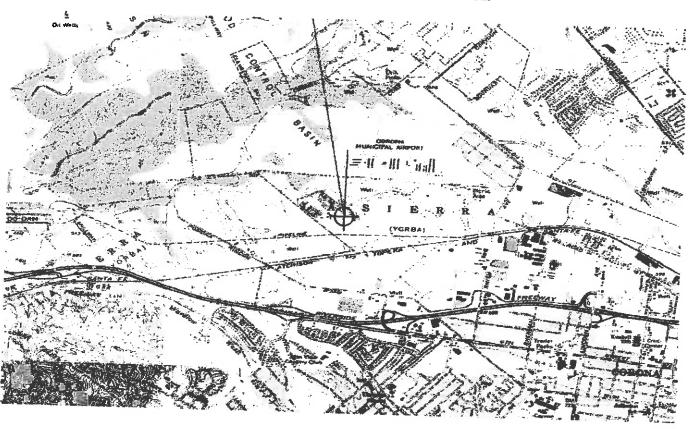
(DNE)

LaDonna James Technician

Attachment(s) Map(s)

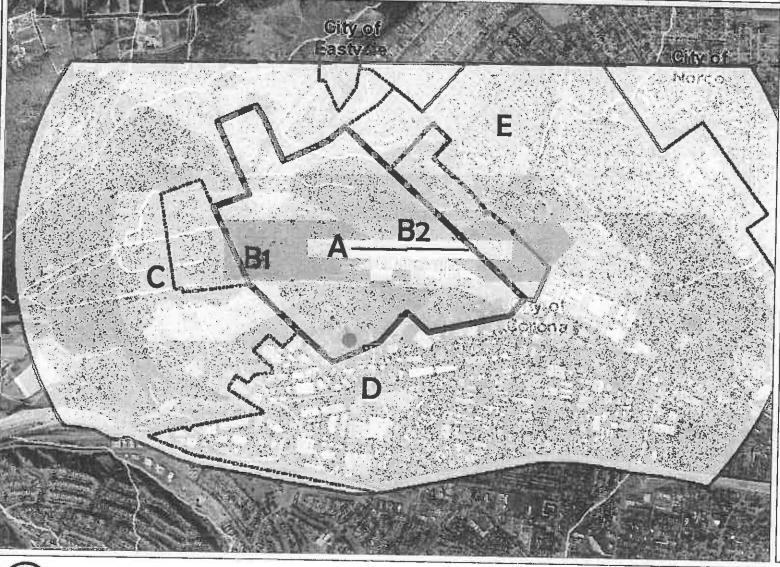
cc: FCC

## Verified Map for ASN 2018-AWP-5370-OE



Map CO-1

Compatibility Map
Corona Municipal Airport





#### Legend

- Runways
- Airports
- Airport Influence Areas
  Airport Compatibility Zones
  - OTHER COMPATIBILITY ZONE
    - ...
    - A-EXC1
    - B1
    - B1<del>-</del>APZ (
    - B1-APZ I-EXC1
    - B1-APZ II
    - B1-APZ II-EXC1
    - B1-FXC1
    - 01-15/01
    - B2
    - B2-EXC1
    - \_
  - C1
  - C1-EXC1
  - C1-EXC3
  - C1-EXC4
  - C1-HIGHT
  - \_
  - C2
    - C2-EXC1
  - C2-EXC2
  - C2-EXC3
  - C2-EXC5
  - C2-EXC6





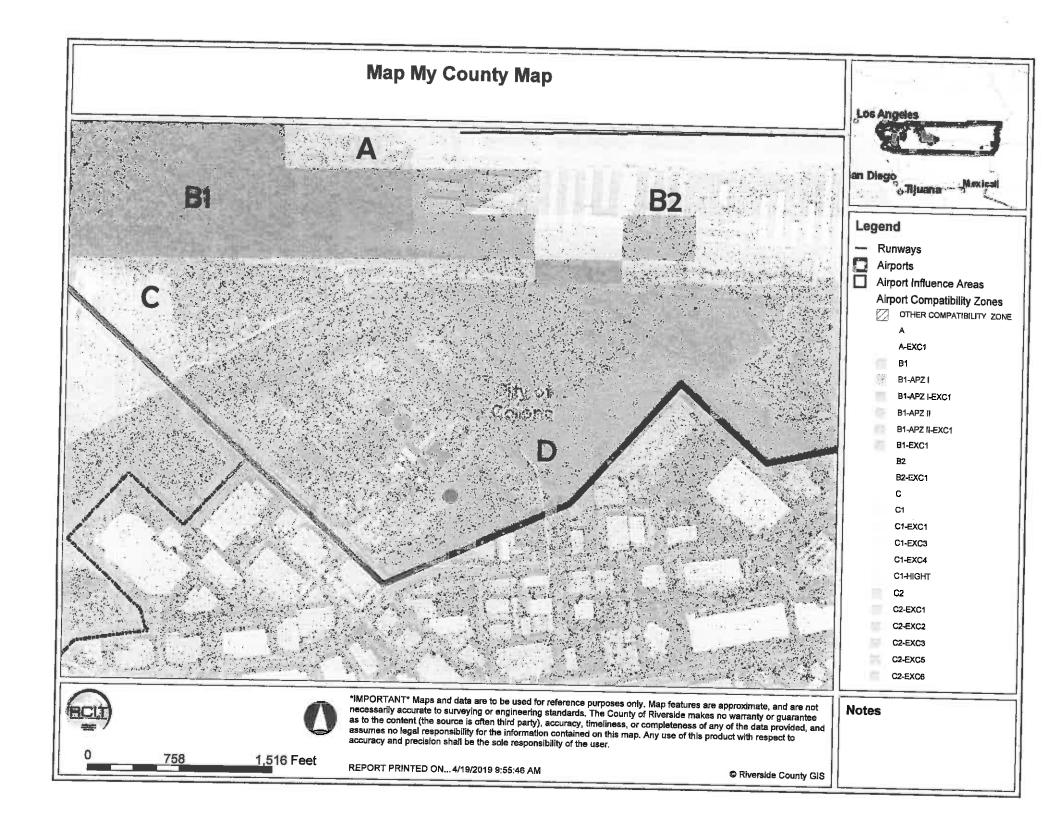


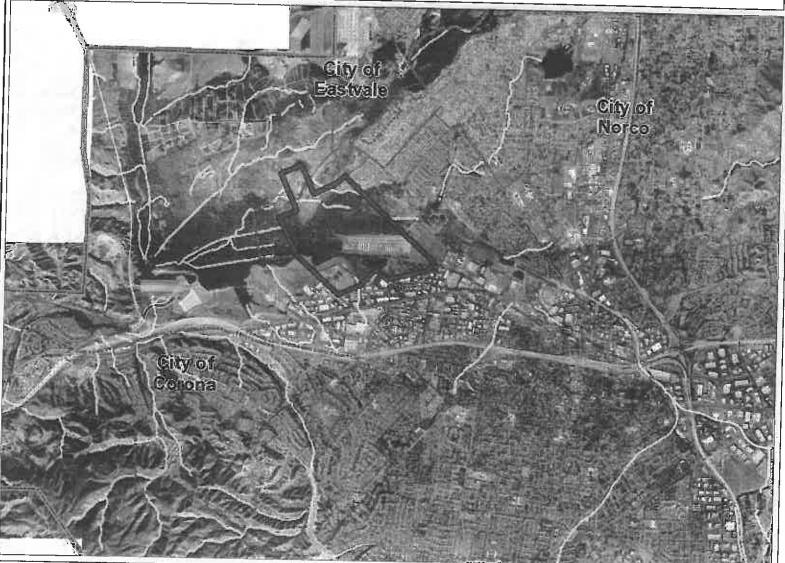
\*IMPORTANT\* Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

6,064 Feet

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Riverside County GIS







#### Legend

**Blueline Streams** iii City Areas World Street Map



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Notes

12,127 Feet

© Riverside County GIS





#### Legend

Blueline Streams

City Areas

World Street Map





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1, 3,032 Feet

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Riverside County GIS

Notes





#### Legend

Blueline Streams
City Areas
World Street Map





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758

1,516 Feet

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Notes

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#### Legend

- Parcels
  Blueline Streams
  City Areas
- World Street Map





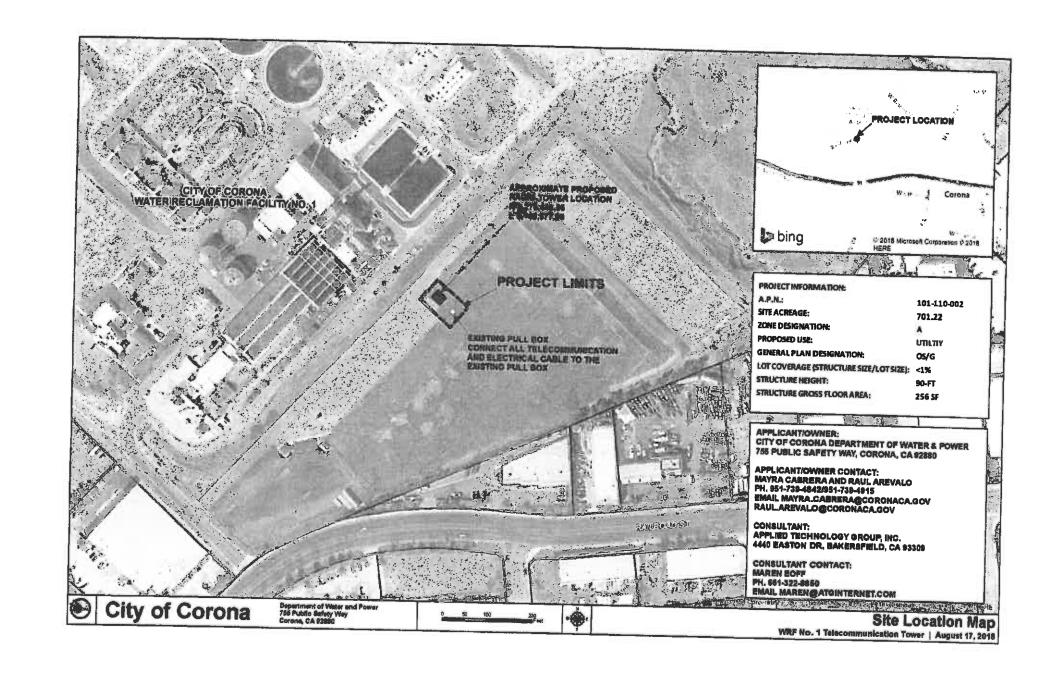
758 Feet

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**Notes** 

379

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Office: Fax: 951.736.2234 951.735.3786

# City of Corona Department of Water and Power "Protecting Public Health"

755 Public Safety Way Corona, CA 92880 – www.CoronaCa.gov

## **Detailed Project Description**

April 12, 2019

To Whom It May Concern,

City of Corona Department of Water and Power (DWP) is proposing to construct a 90-foot self-supporting telecommunication tower at the Water Reclamation Facility No. 1 (WRF 1) located at APN 101-110-002. The purpose of the new tower installation is to provide telecommunication to City facilities. Below details the characteristics of the tower and surrounding area.

## Proposed Land Use and Surrounding Uses

The existing land is used for the wastewater treatment (WRF 1), public park (Butterfiled Park) and the Corona Airport. The proposed land use is for a new telecommunication tower for the wastewater treatment facility and other City owned facilities. North of this property is a channel that leads to Prado Dam and the Santa Ana River. East, south and west of this property is light industrial.

## Site Design, Architecture and Material

The tower will be assembled of metal and equipped with antennas, microwave dishes, and a waveguide ladder.

### Parking and Access

Access to this site is available from Railroad Road and there is a large parking lot next to the proposed tower location.

#### <u>Landscaping</u>

There is no landscaping at this site.

## **Fencing**

The telecommunication tower will be installed in an area of the lot that is enclosed by a 6-ft tall chain link fence.

THE CITY OF

# CORONA, CALIFORNIA

DEPARTMENT OF WATER AND POWER

# WATER RECLAMATION FACILITY NO. 2 TELECOMMUNICATION TOWER

PROJECT NO. 2018-04 DECEMBER 2018



CITY COUNCIL

KAREN SPIEGEL, MAYOR

ELIGENE MONTANEZ, VICE MAYOR

DICK HALEY

RANDY FOX

TTOO2 VOZAL

CITY MANAGER

DARRELL TALBERT

CITY TREASURER
CHAD WILLARDSON



PROJECT SITE

TOLL ROAD

	CINCALITUM PIAN.
	INDEX OF DRAWINGS
SHEET NO.	DESCRIPTION
SHEET 1	T-1 COVER AND GENERAL NOTES
SHEET 2	T-2 INSPECTION AND GENERAL NOTES
SHEET 3	Z-1 TKD-90'-305K ZZ TONER ELEVATION
SHEET 4	Z-5 1KD-80, -302X ZZ 1DNEK EDIWOYLION
SHEET 5	Z-3 TKD-305X 20, ZECTION ASSEMBLY
2HBET 6	S-4 TKD-305X LEG YELDNENT
SHEET 7	Z-2 TKD-304X SO, ZECTION VZZENOTA
SHEET B	S-6 TKD-304X LEG WELDMENT
SHEET 9	S-7 TKO-303 20' SECTION ASSEMBLY
SHEET 10	TyeMicusiy Dell ECE-Cont 8-2
SHEET 11	Z-8 JKD-305X 50, ZECLIOK YZZEMBLA
SHEET 15	S-10 TKO-302X LEG VELOVENT
SHEET 13	Z-11 TKD-302SN 10" SECTION ASSEMBLY
SHEET (4	S-12 TKO-302SN 10" LEG MELDNENT
SHEET 15	S-13 TOP CAP ASSEMBLY
SHEET 18	S-14 MAST FLANGE ASSEMBLY
SHEET 17	S-15 OLIME LADDER ASSEMBLY
SHEET IB	S-16 WAYEGLITDE LADDER ASSEMBLY
SHEET 19	S-17 DESH HOUNT ASSEMBLY
SHEET 20	S-18 BGK-3 GROUNDING INSTALLATION

VICINITY MAP

EMERGENCY TELEPHONE MUNICIPAL

EMERGENICY

CURUM POLICE DEPARTMENT 911 DR (951) 736-23 CURUM F:RE DEPARTMENT 911 DR (951) 736-22 CURUM COMMITTY HOSPITAL (951) 736-43(3

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COPP DESCRIPTIONS MARKER - VALUE HOLDERY (95) 270-3801 DR (951) \$45-0016



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#### VOTES:

UNLESS OTHERWISE SPECIFIED

- I. THE GENERAL CONTRACTOR MUST VERIFY ALL DIMENSIONS, COMDITIONS AND ELEVATIONS BEFORE STARTING WORK, ALL DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE ENGINEER AND SHALL BE RESCLYED BEFORE PROCEEDING WITH THE WORK, ALL WORK SHALL BE PERFORMED IN A WORKHANLIKE MANMER IN ACCORDANCE WITH ACCORDANCE
- 2. MOTES AND DETAILS ON THESE DRAWINGS SHALL TAKE PRECEDENCE OVER THESE GENERAL NOTES.
- 3. THE DETAILS ON THESE DRAWINGS SHALL APPLY IN ALL
  CASES UNLESS SPECIFICALLY SHOWN DITHERWISE. WHERE NO
  DETAIL IS SHOWN, CONSTRUCTION SHALL BE AS SHOWN FOR
  SIMILAR WERK.
- 4. IT IS THE INTENTION OF THESE DRAWINGS TO SHOW THE COMPLETED INSTALLATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY BRACING, SHORING, TIES, FORWINGK, ETC. IN ACCORDIANCE WITH ALL NATIONAL, STATE, AND LOCAL DRIDINANCES, IT SAFELY EXELIFE ALL WORK AND SHALL BE RESPONSIBLE FOR SAME, ALL WORK SHALL BE IN ACCORDIANCE WITH LOCAL CODES.
- 5. THE CONTRACTOR SHALL USE ADEQUATE NUMBERS OF SKILLED YORKNEN WHO ARE THOROUGHLY TRAINED AND EMPRETENCED IN THE MECESSARY CRAFTS, AND WHO ARE COMPLETELY FAMILIAR WITH THE SPECIFIED REGUIREMENTS AND METHODS MEEDED FOR PROPER PERFORMANCE OF THE YORK.
- 6. CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES. CONSTRUCTION PRACTICES. CONSTRUCTION PRACTICES. CONSTRUCTION OF THE SILE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE DE CONSTRUCTION OF THE PROJECT, INCLIDING SAPETY OF ALL PERSONS AND PROFERTY, THAT THIS REGULIREDENT SHALL BE MORE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO MORMAL WITKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO INCENSITY AND ALL DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN COMMECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT.
- THE TOYER DESIGN DOES NOT INCLUDE STRESSES DUE TO ERECTION AND/OR TRANSPORTATION SINCE ERECTION EQUIPMENT AND METHODS ARE LINKNOWN.
- B. TOWER GROUNDING SHALL COMPLY WITH ALL LOCAL AND MATIONAL CODES. GROUNDING TO BE DONE BEFORE ERRECTION.
- 9. THE TOWER IS DESIGNED TO SUPPORT DNLY THE ANTENNAS AS SHOWN ON THE DRAWINGS. THE ENGINEER WILL NOT BE RESPONSIBLE FOR DIVERSITIESS CONDITIONS WHICH MAY DECUR DUE TO DEVIATIONS IN ANTENNA SLZES AND/OR LOCATIONS FROM THOSE SHOWN ON THE DRAWINGS.
- 10. ALL WORK SHALL COMPLY WITH DISHA SAFETY
  ENGUIREMENTS. PROCEDURES FOR THE PROTECTION OF
  EXCAVATIONS, EXISTING CONSTRUCTION AND UTILITIES
  SHALL BE ESTABLISHED PRIOR TO FOUNDATION
  INSTALLATION.
- II. ALL FACE WIGHTS ARE FROM CENTER LINE OF PIPE.
- 12. STEEL PIPE COMPORMS TO ASTM A53. PLATES, BAR, AND ANGLE COMPORT STO ASTM A56. STRUCTURAL TUBING COMPORAS TO ASTM A-513 clogo dom type 5. ALL WELDING COMPORAS TO ASTM A-518. CLORED COMPORAS TO ASTM A-121 EVENTION, ALL GALVANIZING COMPORTS TO ASTM A-123 AND A-153 FOR HARDWARE.
- 13. THIS PROJECT CONSISTS OF:

INSTALLING 90' SELF SUPPORT TOWER COMPLETE WITH FOLNDATION, ANTENNA MOUNT, CLIMB LADDER, WAVEGUIDE LADDER AND TOP CAPS.

# TKD-90'-305X SELF SUPPORT TOWER CITY OF CORONA, WRF #1

#### MATERIAL SPECIFICATION:

ZHAPEZ PIPE 22H ASTM A-53 GRADE B ASTM A500 GRADE B

GALVINIZED PER ASTN A123 AND 153

ALL ASTM A325 BOLTS ARE TO BE TEGRIFIED TO A SALG TEGRI CONDITION.

A SMUG TIGHT COMMITTION IS DEFINED AS THE TIGHTNESS THAT EXISTS THEN ALL PLIES IN A JOINT ARE IN FIRM CONTACT. THIS MAY BE ATTAINED BY A FRY IMPACTS OF AN IMPACT WRENCH OR THE FILL EFFORT OF A MAIN USING AN DODINARY SPON

REF.: "SPECIFICATION FOR ASTM A325 OR A490 BOLTS" MANUAL OF STEEL CONSTRUCTION. ALLOYABLE STRESS DESIGN. ATSC. 14TH EDITION, 2011. PAGE 16.2xi.

#### INSPECTION PROGRAM:

- I. ALL WELDING SHALL BE INSPECTED BY AN APPROVED TESTING AGENCY IN ACCESSIONS EITH THE ISE 2016. SUBNIT DISSECTOR BULL FICATION IN ACCESSIONE BY IN CER 2016 PRIOR TO DETAINING BUILDING PERMIT. SUBNIT INSPECTION REPORTS TO THE DEVELOPMENT DEPARTMENT, BUILDING AND SHETY SERVICE DIVISION PRIOR TO DECUPANCY.
- 2. ALL HIGH-STRENGTH BULTING SHALL BE INSPECTED BY AN APPROVED TESTING ALERCY IN ACCORDANCE WITH THE CRC 2016. SUCH INSPECTION MAY BE PREPURED BAS FOR PROTOCT BASIS. IN ASSERTING WITH THE REQUIREMENTS OF THE CRC 2016. SUMIT DISPECTOR BUILTIFICATIONS IN ACCORDANCE WITH CRC 2016 PRIOR TO DEPORT TO THE SUBJECT INSPECTION REPORTS TO THE CREVILEMENT SUBJECT INSPECTION REPORTS OF THE CREVILEMENT. BUILDING AND SERVICES DIVISION PRIOR TO DECUPARCY.
- 3. PROVIDE INSPECTION FOR ORILL-IN-PLACE PILES, CAISSONS OR PAD BY AN APPROVED TESTING AGENCY IN ACCORDANCE WITH THE COC 2015. SUBMIT HOSPECTOR DUAL FLOATIONS IN ACCORDANCE WITH GO 2016 PRIOR TO DESTANDING PERMIT. SUBMIT INSPECTION REPORTS TO THE DEVELOPMENT OPPARTMENT, BUILDING AND SAFETY SERVICES DIVISION PRIOR OCCUPANCY.

#### TOWER DESIGN LOADING

WIND LOAD: 2016 CBC 1609A.1.1, ASCET-16 BASIC WIND SPEED 102 NPH ANSI/TIA-222-H EXPOSSAGE C. STRUCTURE CLASS III

MEDIZIA-ZEET ERROCKIE CLASS III
FORDEREY CATEGORY | WITH A DEEST HEIGHT O'
FOUNDATION REACTIONS: SEARAID REST, AXIAL = 10 kips,
MOMENT= SI9 kip ft, LOAD COMBINATION 1.20 + 1.00

	LADOER IN	FORMATION	
ELEVATION	LOCATION	TYPE	MOLINTENG
D 10 90°	DUTSIDE FACE	LADOER	CHIME.

BNSINEER: TASHJIAN TOWERS CORP. KAR. K. TASHJIAN 2765 S. TENFERANCE AVE. FOMLER CA. 93625 WORK (559) 834-4307 NUBTLE (559) 284-9707 RCE #35542

TEST AGENCY:

SALEM ENGINEERING GROUP, INC.

4729 Y. JACQUELYN AVENUE

FRESNO, CA 93722

CHNTRACTOR

APPLIED TECHNOLOGY BROLP, INC. 4440 EASTON DRIVE BAKERSFIELD, CA 93309

MMEG.

CETY OF CORDNA

LOCATION:

yra= ∦i Corona, ca

APN: 101-110-002

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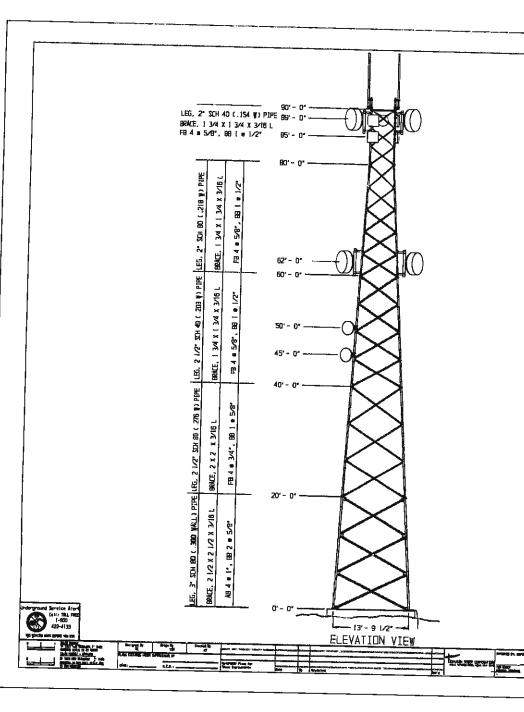
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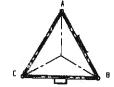
CITY OF CURDINA

NATER RECLAMATION FACILITY NO. 2
TO ECOMANICATION TOWER
JASPECTUS MO RESEAL NOTES

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		AA.	TENNA INFORMATIO	N		
mel (i)	ELEYATION	CTANLTIA	ART. TYPE	AZIM	PRILL & WALL	FINE SIZE
(XXX)	90'	3 EA.	DALL BATE WILESAM	NZA	2.0 St Fr	3 0 7/8"
<u>(X:X:)</u>	89.	2 EA.	4" HP MICRONAVE DISH	HZA	12.54 SD FT	2 # 7/8"
<u>(t)</u>	96'	1 EA.	2. NECKRANAVE GIZH	NZA	3.14 SD FT	I e 7/8
<u> </u>	BB*	2 EA.	PANEL ANTENNA	N/A	4.8 S0 FT	2 = 7/8"
$\bigcirc$	65'	2 FA.	PANEL ANTENNA	N/A	4.8 SQ FT	2 0 7/8"
@ - @	62"	2 EA.	4" HP MICRONAVE DISH	NZA	12.54 SD FT	2 0 7/8
(1)	50°	I EA.	2' NICRIMANE DISH	NZA	3.14 SQ FT	
(a)	45'	1 EA.	S. MICKENIANE DIZH	N/A	3.14 SD FT	I # 7/8*



PLAN VIEW

ing#	===	PART NO. HURNIPYING NO.	INFERCRATIFIE OR DESCRIPTION	
<del></del>	Bry	<u> </u>	AKC-302KB SC, ZECLIDN YZZEMBITA	
2			JKD-304X SO, ZECTION YZZENOCA	
-			1KD-303 SO, ZECLION YZZEHBYA	
<del>-</del>	- !	·	LKO-305X SO. ZECLTON Y22EMBTA	
5	_!	·	1KD-30 ( IO, ZECLIDH YZZENBTA	
-	3		MAST FLANCE ASSENBLY	
<del>-  </del>	3	ļ	TEP CAP ASSEMBLY	
		<del></del>	CLIME LYDDES YZZENETA	
9		<del></del>	WAYERLIDE LADDER ASSEMBLY	
10	3	<u> </u>	DISH MILMT ASSEMBLY	
	<del></del>	<u> </u>		
15	<u> </u>	<u> </u>	80K-3 GROUNDING KIT	

SCALE: 1" = 60°

PARTS\_LIST

PARTS\_LIST

CLTY OF CORTINA

WATER RECLAMATION FACULTY NO. 2

STORY FAC.

DESCRIPTION OF CORTINA

WATER RECLAMATION FACULTY NO. 2

STORY FAC.

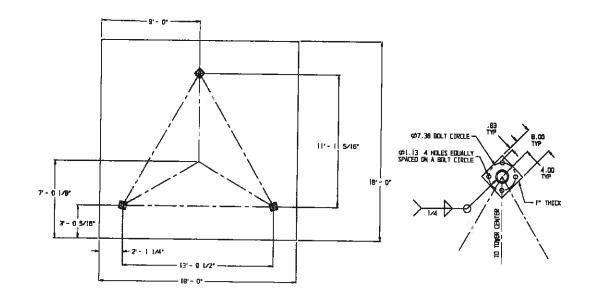
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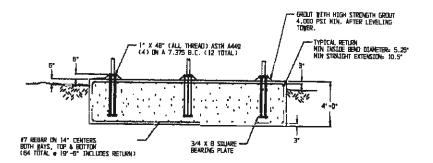
FACT OF THE CORTIN

#### GENERAL CONCRETE AND FOUNDATION NOTES:

- THE CONCRETE SHALL CONSIST OF 9.5 SACKS OF CEMENT PER CLUBIC VARID, 1" AGGEGATE MAXIMUM, AND 6.0 GALLONS OF WATER PER 94 LB SACK OF TYPE 2 CEMENT, FOR A MANIMUM COMPRESSIVE STRENGTH OF 3000 PSI AT 28 OAYS. THE SLUMP SHALL NOT EXCRED 4.5" PLUS OR MINUS. 25 19(19:5).
- FABRICATIONS DETAILS SHALL CONFORM TO THE A.C.I. MANUALS OF STANDARD PRACTICE.
- SPLICES IN REINFORCING STEEL SHALL BE LAPPED 40 DIAMETERS WININGM.
- ALL REBAR, ANCHOR BOLTS, BEARING PLATES AND OTHER MEMBERS OF THE FOLNDATIONS SHALL BE WELL SECURED PRIOR TO POLITING CONCRETE.
- 5. ALL CONCRETE SHALL HAVE STEEL TROWEL FINISH.
- 5. ANCHOR BOLTS TO BE ASTM A449 GALVANIZED.
- ALL REINFORCING STEEL SHALL HAVE A MINIMUM CONCRETE COVER OF 3" FOR SURFACES POLICED AGAINST EARTH AND 2" OF FORMED SURFACES EXPOSED TO GROUND OR YEATHER.
- 8. ALL WORK SHALL CONFORM TO THE 2016 CBC
- THE SOIL SHALL MEET OR EXCEED THE SOIL DESCRIBED THE GEOTECHNICAL INVESTIGATION PERFORMED BY SALEM ENGINEERING GROUP, PROLECT REPORT NO. 3-218-0463, DATED; JUNE 12, 2018.
- NO MELDING OF REBAR IS REQUIRED WITH THE EXCEPTION OF TACKING THE REBAR CAGE. NO SPECIAL INSPECTION IS REQUIRED.
- 11. THE BOTTOM OF THE EXCAVATION SHALL BE CLEAR AND FREE OF LODIES SOIL. SAFETY PRECAUTIONS SHALL BE LISED OF INSURE THE EXCAVATION PRESENTS NO HAZARDS TO DITHERS IF LEFT LONATTENDED.
- 12. THE FOOTTING SHALL PENETRATE AND BEAR LIPIDN
  RODX, ALL BADSFILL SQIL SHALL HAVE A NINTHAM
  IN PLACE DENSITY OF 90 2 OF THE MAXIFUM
  CRESITY AT DEPTINAM MOISTURE CONTENT ESTABLISHED BY
  ASTH-01557-70.
- REINFORCING STEEL SHALL MEET ASTN A515-76A GRADE 40 FOR #5 AND SMALLER AND GRADE 60 FOR #6 AND LARGER.

VC = 48 CLIBIC YARDS





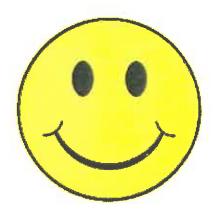
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SCALE: 1" = 30"

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Marte - with				Supplier Plant for		Periology	 				p.e	7 mm. r.L		 WATER RELLAMATION TELECOMALNICAT	FACILITY NO. 2	2-5	
			-					 				MEL W	D. Pales	 TKD-90'-305K 55 TD	HER FERADATION	B4. 141 R	

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# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY



Mr. Jay Olivas, Urban Regional Planner IV

Riverside County Planning Department 77-588 El Duna Court, Suite H

Palm Desert, CA 92211

VICE CHAIR Russell Betts Desert Hot Springs

CHAIR

Steve Manos Lake Elsinore

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW – DIRECTOR'S DETERMINATION

COMMISSIONERS

Arthur Butler Riverside

File No.:
Related File No.:

ZAP1076BD19 PPT180035 (Plot Plan)

e No.: PI

APN:

609-171-011

John Lyon Riverside

Steven Stewart Palm Springs

Dear Mr. Olivas:

Richard Stewart Moreno Valley

Gary Youmans

Under the delegation of the Riverside County Airport Land Use Commission (ALUC), staff reviewed Riverside County Case No. PP180035 (Plot Plan), a proposal to construct a 3-unit apartment triplex on a 0.32-acre lot located on the southerly side of 42<sup>nd</sup> Avenue, easterly of its intersections with Adams Street and with Hermitage Drive, and westerly of its intersection with Hopewell Avenue.

Temecula

STAFF

Director Simon A. Housman

> John Guerin Paul Rull Barbara Santos

County Administrative Center 4080 Lemon St., 14th Floor. Riverside, CA 92501 (951) 955-5132

www.rcaluc.org

The site is located within Airport Compatibility Zone D of the Bermuda Dunes Airport Influence Area (AIA), which restricts residential density to either below 0.2 dwelling units per acre or above 5.0 dwelling units per acre. The project proposes a 3-unit apartment triplex on 0.32 acres, resulting in a density of 9.4 dwelling units per acre which is consistent with the upper Compatibility Zone D residential density criterion.

The site is closer to the westerly terminus of Runway 10-28 at Bermuda Dunes Airport (approximately 2,530 feet) than to its easterly terminus (approximately 4,300 feet), but, due to the lower elevation of the runway at its easterly terminus (39 feet above mean sea level [AMSL], in contrast to 73 feet AMSL at the westerly terminus), the easterly terminus is more critical in the determination of notice requirements for this property located southerly of the runway. At a distance of approximately 4,300 feet from the runway, FAA review would be required for any structures with top of roof exceeding 82 feet AMSL. (The critical number at the westerly terminus would be 98 feet AMSL in this case.) The project finished floor elevation is 80 feet AMSL, and the maximum height of its proposed structures is 16.5 feet, for a maximum top point elevation of 96.5 feet AMSL. Therefore, Federal Aviation Administration (FAA) obstruction evaluation review for height/elevation reasons was required. The project applicant submitted Form 7460-1 to the FAA OES, and FAA OES assigned Aeronautical Study Number 2018-AWP-3758-OE to this proposal. The aeronautical study revealed that the proposed structure would not exceed obstruction standards and would not be a hazard to air navigation, provided conditions are met. Therefore, FAA OES issued a "Determination of No Hazard to Air Navigation" letter on May 2, 2019. The FAA OES conditions have been incorporated into ALUC's conditions listed below.

As ALUC Director, I hereby find the above-referenced project **CONSISTENT** with the 2004 Bermuda Dunes Airport Land Use Compatibility Plan, provided that the County of Riverside applies the following recommended conditions:

#### **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, and shall comply with the requirements of Riverside County Ordinance No. 655, as applicable.
- 2. The Plot Plan proposes the establishment of a residential triplex. The following uses are not included in the Plot Plan and shall be prohibited on this site, in accordance with Note 4 on Table 4 of the Western Coachella Valley Area Plan:
  - (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.
- The attached notice shall be provided to all potential purchasers of the property and tenants of the proposed building, and shall be recorded as a deed notice in the event of sale.
- 4. The Federal Aviation Administration has conducted an aeronautical study of the proposed building (Aeronautical Study No. 2019-AWP-3758-OE) and has 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 L Change 2 and shall be maintained in accordance therewith for the life of the project.
- 5. The maximum height of the proposed structure, including all roof-mounted appurtenances (if any), shall not exceed 16.5 feet above ground level, and the maximum elevation at the top of the structure shall not exceed 96.5 feet above mean sea level.

- 6. 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.
- 7. Temporary construction equipment used during actual construction of the structure shall not exceed 16 feet in height and a maximum elevation of 96 feet above mean sea level, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
- 8. 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 <a href="https://oeaaa.faa.gov">https://oeaaa.faa.gov</a> for instructions.) This requirement is also applicable in the event the project is abandoned.
- 9. No detention basins are depicted on the plans submitted to ALUC. Any detention basins installed 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.

If you have any questions, please contact Paul Rull, ALUC Principal Planner, at (951) 955-6893.

Sincerely,

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Simon A. Housman, ALUC Director

Attachments: Notice of Airport in Vicinity

Aeronautical Study Number: 2019-AWP-3758-OE

cc: Ricardo Aguilar (representative)

Juan Garcia and Amalia Reyes (property owners)

Ann Goodwyn, Airport Manager, Bermuda Dunes Executive Airport

ALUC Case File

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# NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)



Mail Processing Center Federal Aviation Administration Southwest Regional Office Obstruction Evaluation Group 10101 Hillwood Parkway Fort Worth, TX 76177

Issued Date: 05/02/2019

Ricardo Aguilar CADDworks, inc. 31475 Calle Helene Thousand Palms, CA 92276

## \*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\*

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:

**Building Triplex** 

Location:

Indio, CA

Latitude:

33-44-36.61N NAD 83

Longitude:

116-16-56.81W

Heights:

80 feet site elevation (SE)

16 feet above ground level (AGL) 96 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

	At least 10 days prior to start of construction (7460-2, Part 1)
_X_	Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 2.

This determination expires on 11/02/2020 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (424) 405-7642, or ladonna.james@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2019-AWP-3758-OE.

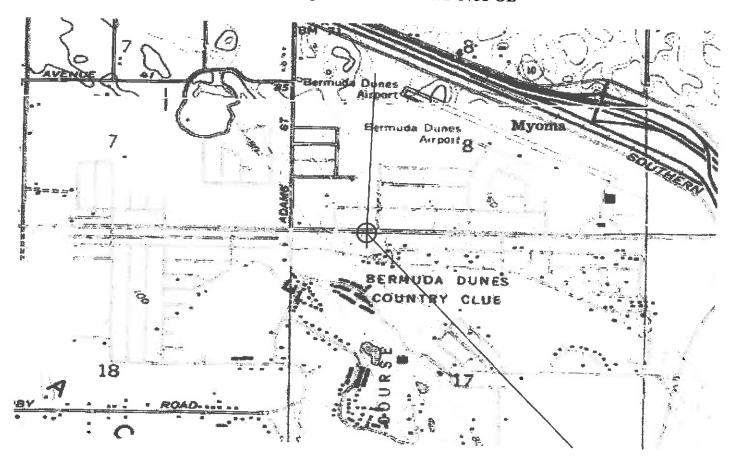
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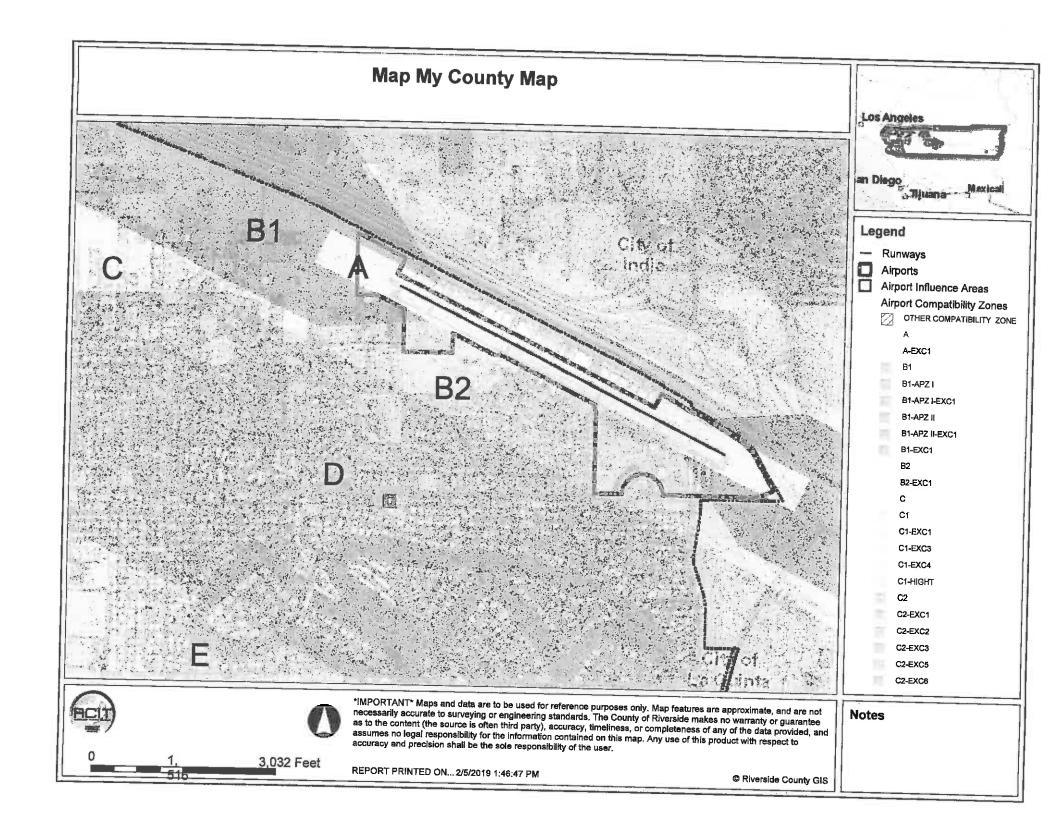
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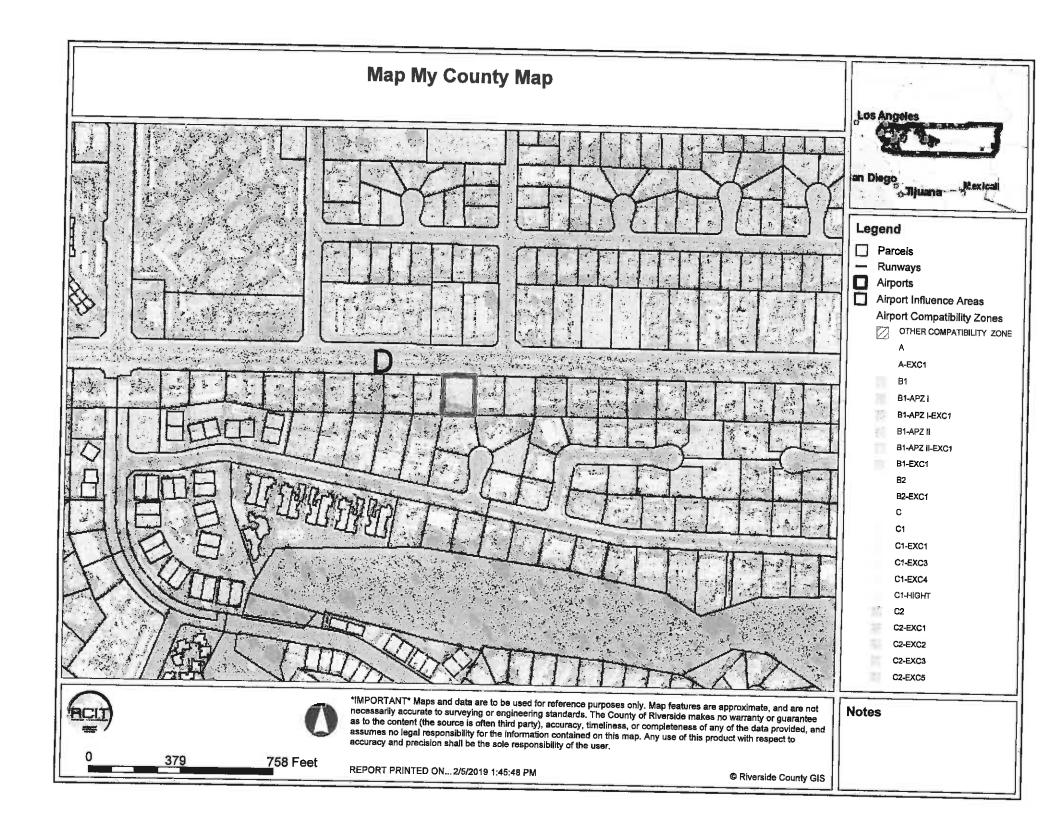
LaDonna James Technician

Attachment(s) Map(s)

# Verified Map for ASN 2019-AWP-3758-OE











#### Legend

Blueline Streams

City Areas World Street Map





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Notes





#### Legend

- Parcels
  Blueline Streams
- City Areas
  World Street Map





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C Riverside County GIS





#### Legend

- Parcels
  Blueline Streams
  - City Areas World Street Map





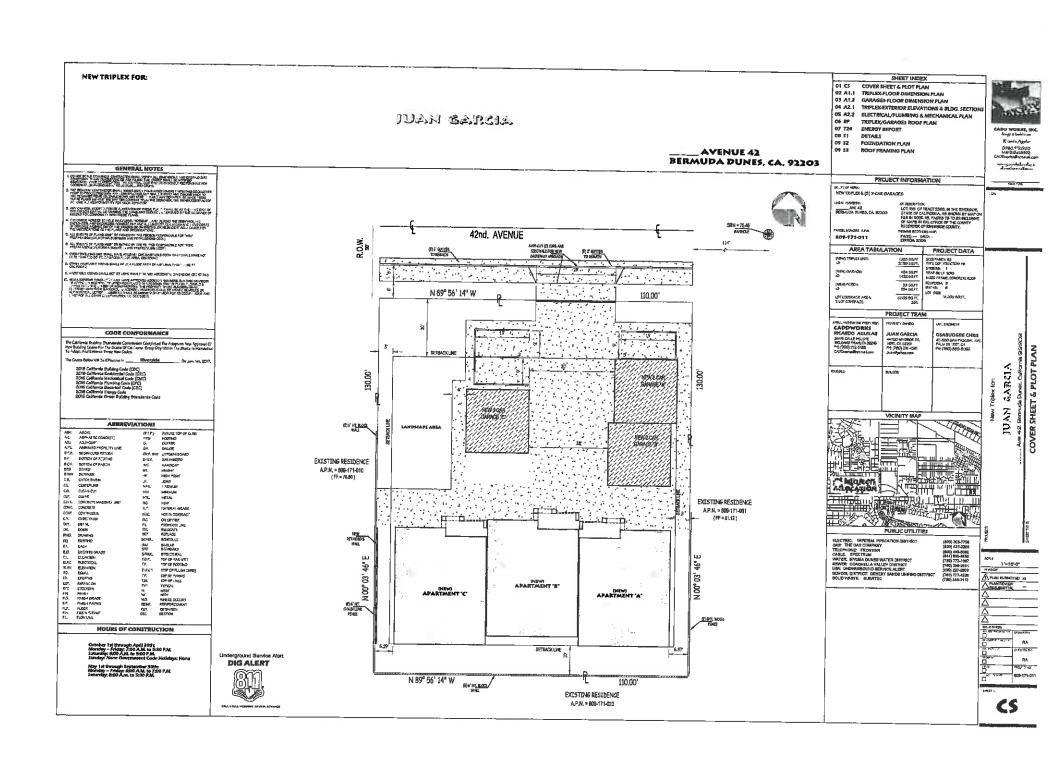
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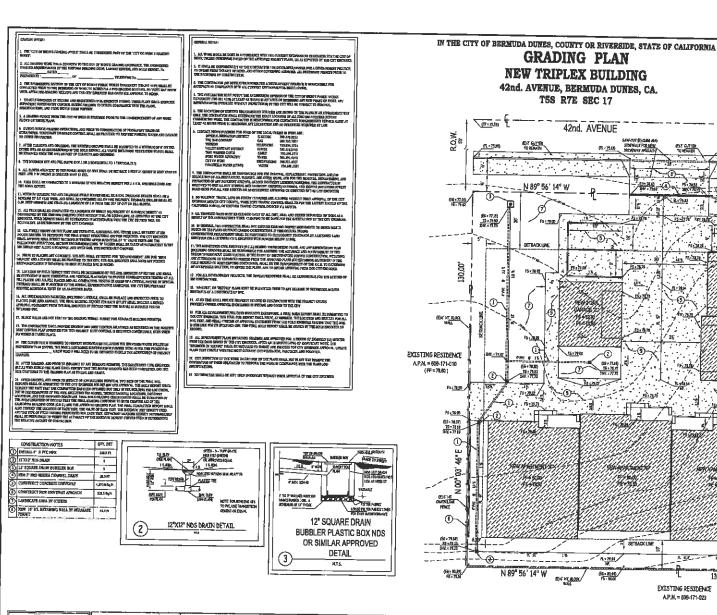
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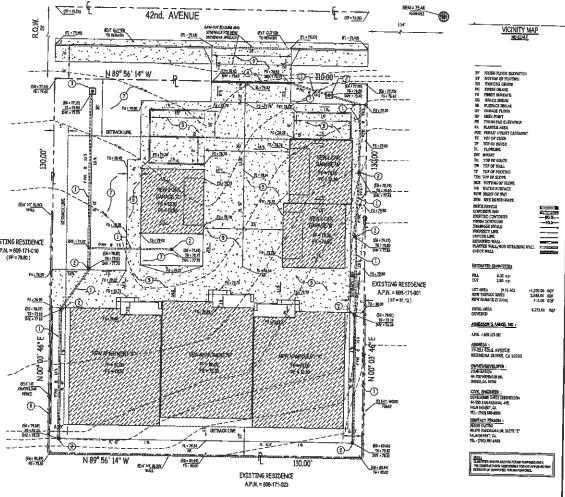
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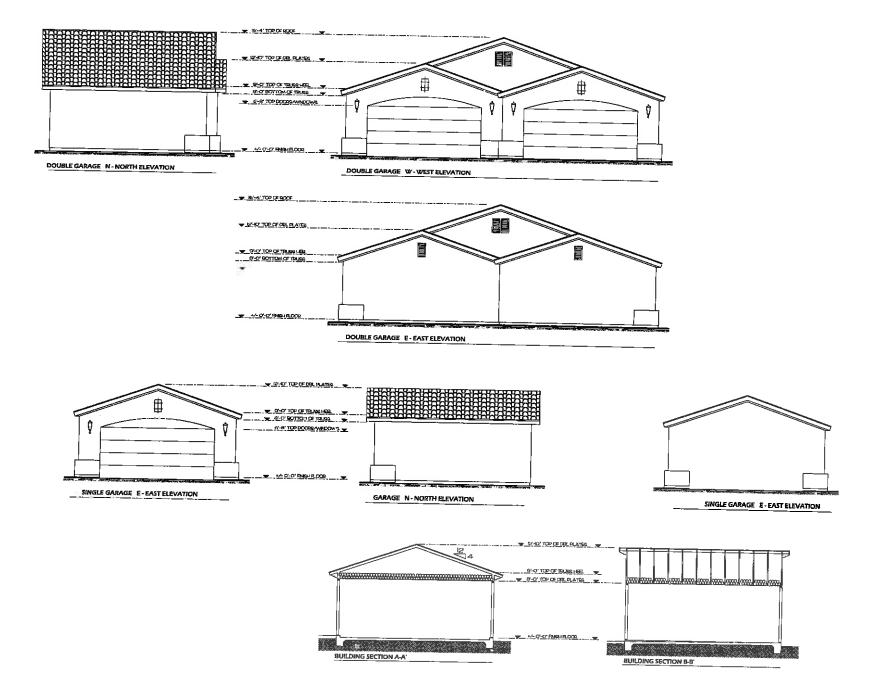
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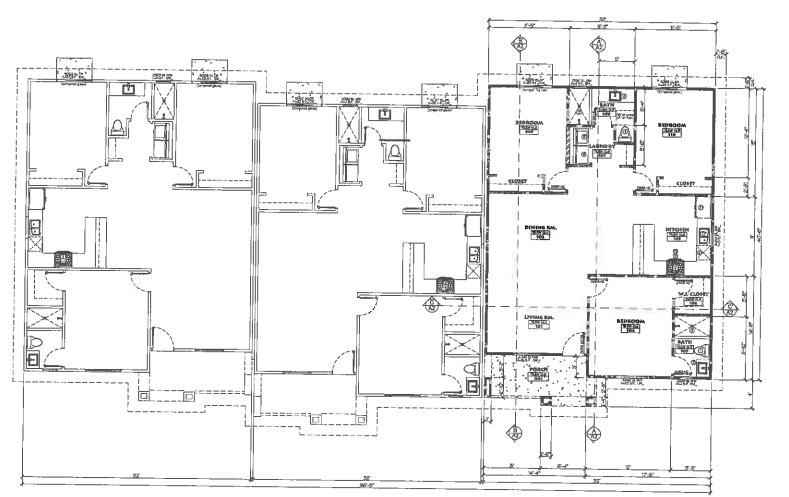




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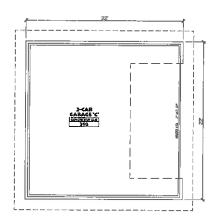
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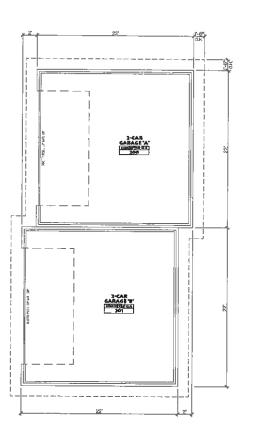
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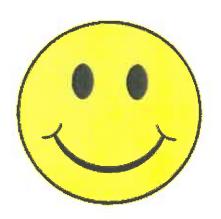






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GARAGES - FLOOR DIMENSION PLAN

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# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY



Mr. Chris Ormsby, Senior Planner City of Moreno Valley Community Development Department

CHAIR Steve Manos Lake Elsinore 14177 Frederick Street Moreno Valley CA 92552

VICE CHAIR Russell Betts Desert Hot Springs RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW – DIRECTOR'S DETERMINATION

COMMISSIONERS

File No.:

Related File No.:

ZAP1365MA19

Arthur Butler

PEN19-0073 (Plot Plan)

Riverside APN:

John Lyon

297-140-046 and -048

Riverside Steven Stewart Dear Mr. Ormsby:

Palm Springs

Richard Stewart

Moreno Valley

Gary Youmans Temecula Under the delegation of the Riverside County Airport Land Use Commission (ALUC) pursuant to Policy 1.5.2(d) of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan, staff reviewed City of Moreno Valley Case No. PEN19-0073 (Plot Plan), a proposal to establish a Civic Center Park and Amphitheater consisting of 600 seat outdoor amphitheater and stage, open space recreation area, and a 360 vehicle parking lot, on approximately 7.0 acres located at 14075 Frederick Street, southerly of Alessandro Boulevard, easterly of Veterans Way, and northerly of Calle San Juan de Los Lagos.

**STAFF** 

Director Simon A. Housman

> John Guerin Paul Rull Barbara Santos

County Administrative Center 4080 Lemon St., 14th Floor. Riverside, CA 92501 (951) 955-5132 The site is located within Airport Compatibility Zone D of the March Air Reserve Base/Inland Port Airport Influence Area (AIA). Within Compatibility Zone D, nonresidential intensity is not restricted. It is identified that "amphitheaters" are a discouraged use in Zone D in locations below or near the principal arrival and departure flight tracks. According to the March Air Reserve Base 2018 Air Installations Compatible Use Zones (AICUZ) Study, the project's location is not located within any arrival or departure flight tracks, and therefore is not considered a discouraged use (similarly, the 2005 AICUZ document, which was used in the creation of the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, indicates that the project's location is not located within any arrival or departure flight track).

**www.rcaluc.org** 

The elevation of Runway 14-32 at March Air Reserve Base/Inland Port Airport is approximately 1,535 feet above mean sea level (AMSL) at its northerly terminus. At a distance of 6,263 feet from the project to the nearest point on the runway, Federal Aviation Administration Obstruction Evaluation Service (FAA OES) review would be required for any new structures with an elevation at top of roof exceeding 1,597 feet AMSL. The site's elevation is 1,568 feet AMSL, and tallest proposed structure (amphitheater roof) is 25 feet, resulting in a top point elevation of 1,593 feet AMSL. Therefore, OES review for height/elevation reasons is not required. A condition has been included limiting structure/building heights, including roof-mounted equipment, to 29 feet and top point elevation to 1,597 feet above mean sea level unless a "Determination of No Hazard to Air Navigation" is issued for a higher top point elevation.

#### AIRPORT LAND USE COMMISSION

As ALUC Director, I hereby find the above-referenced project **CONSISTENT** with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, provided that the City of Moreno Valley applies the following recommended conditions:

#### **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. Outdoor lighting shall be downward facing.
- 2. The following uses/activities are not included in the proposed project and shall be prohibited at this site.
  - (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, 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 attached notice shall be provided to all prospective purchasers of the property and tenants of the building.
- 4. Any new aboveground detention or water quality 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 detention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
- 5. Buildings/structures shall be limited to a maximum height of 29 feet and a maximum top point elevation of 1,597 feet above mean sea level unless a "Determination of No Hazard to Air Navigation" letter authorizing a higher top point elevation has been issued by the Federal Aviation Administration Obstruction Evaluation Service.

If you have any questions, please contact Paul Rull, ALUC Principal Planner, at (951) 955-6893.

Sincerely,

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Simon A. Housman, ALUC Director

Attachments: Notice of Airport in Vicinity

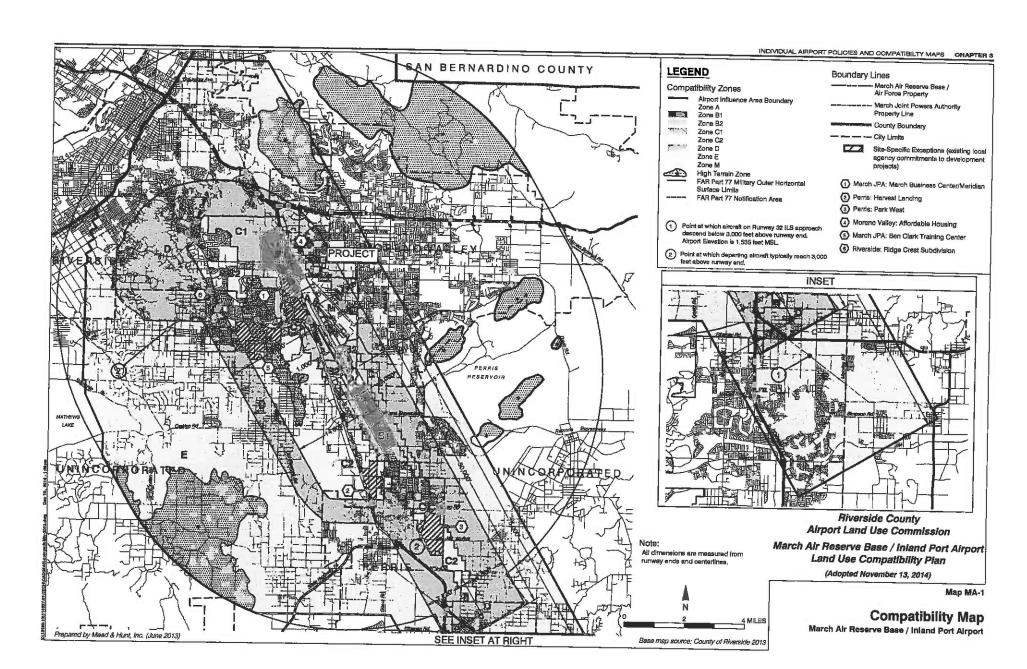
City of Moreno Valley Parks and Community Services Department (representative) cc:

Gary Gosliga, Airport Manager, March Inland Port Airport Authority

Daniel Rockholt, March Air Reserve Base

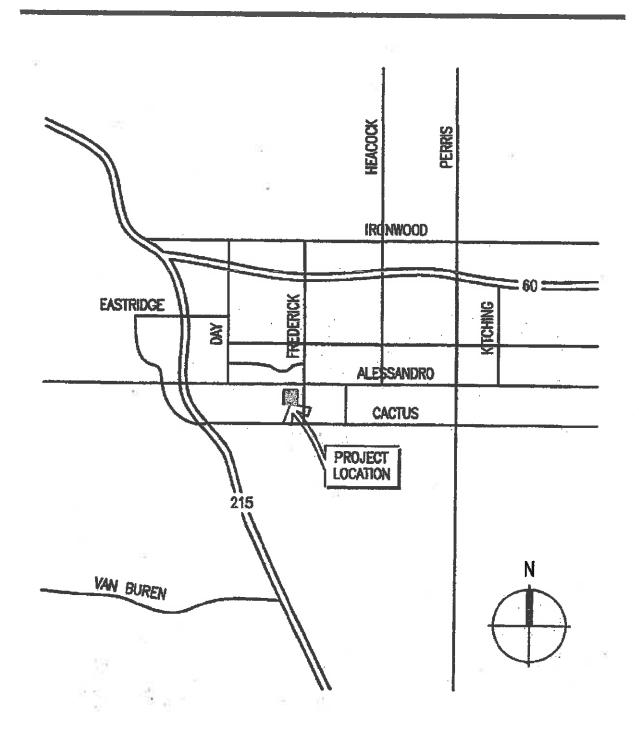
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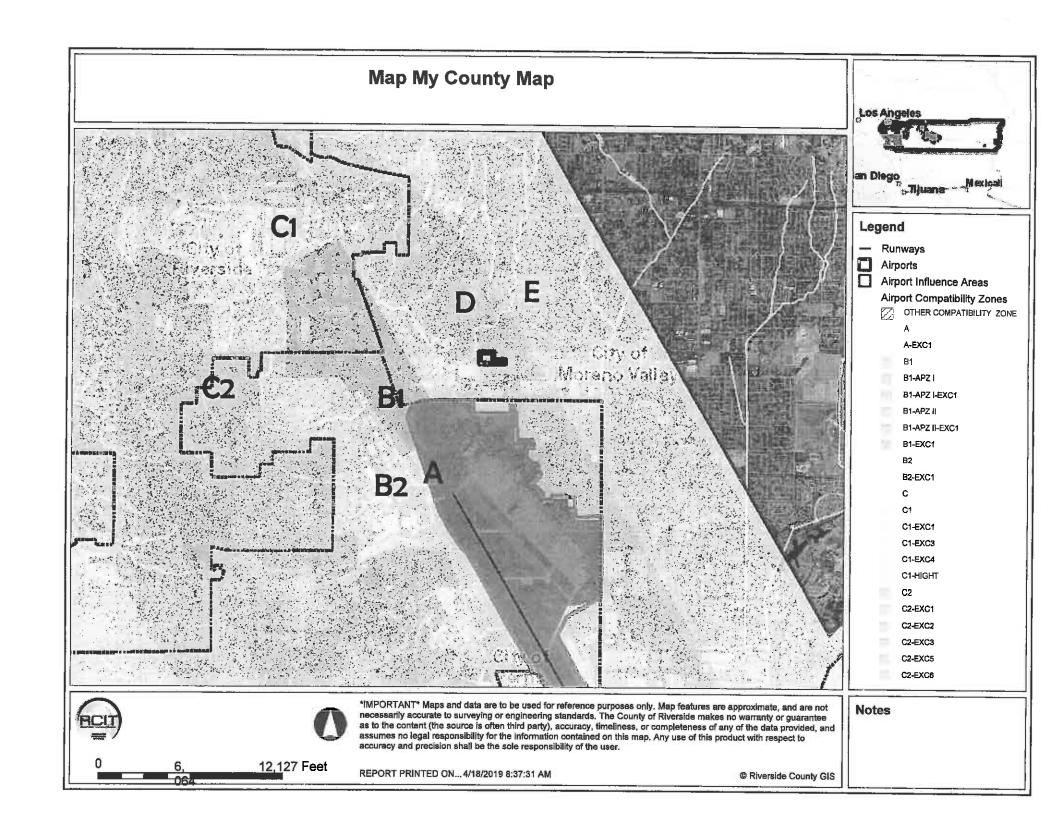
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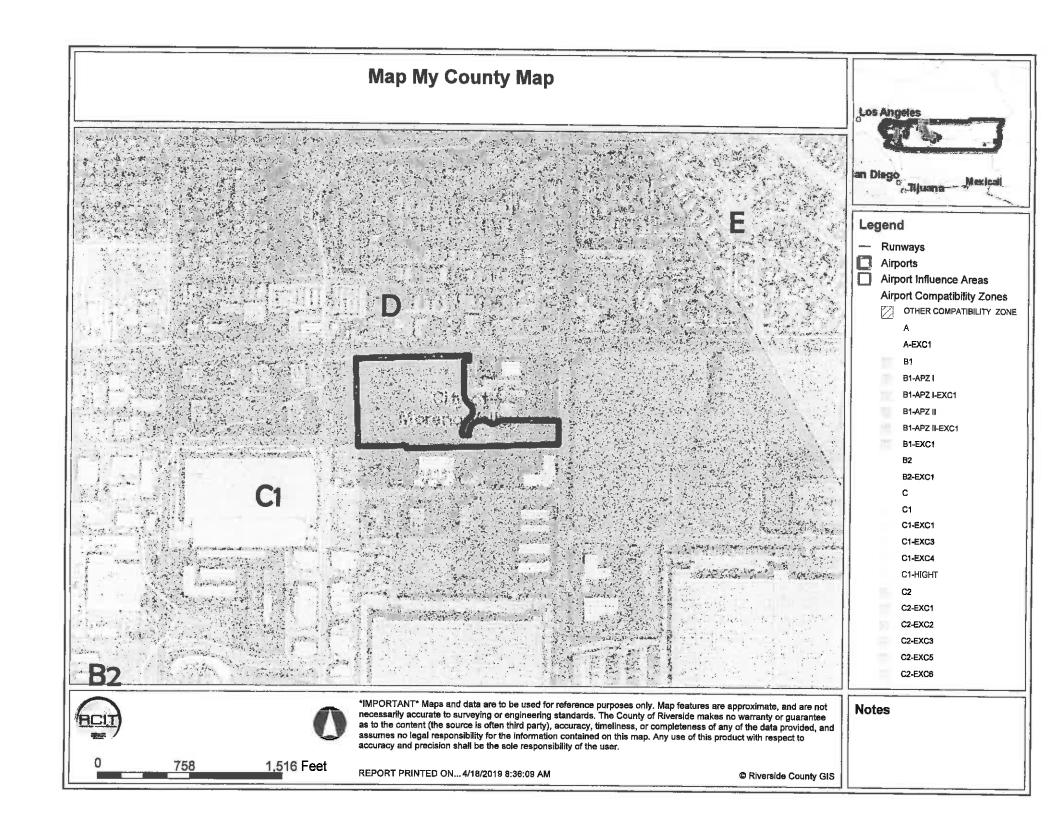


# **CIVIC CENTER PARK AND AMPHITHEATER**

# SITE MAP











#### Legend

Blueline Streams

City Areas

World Street Map





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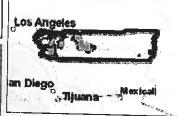
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Riverside County GIS

Notes





#### Legend

Blueline Streams

City Areas
World Street Map





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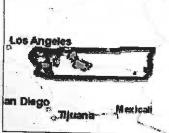
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Notes





#### Legend

Blueline Streams
City Areas

World Street Map





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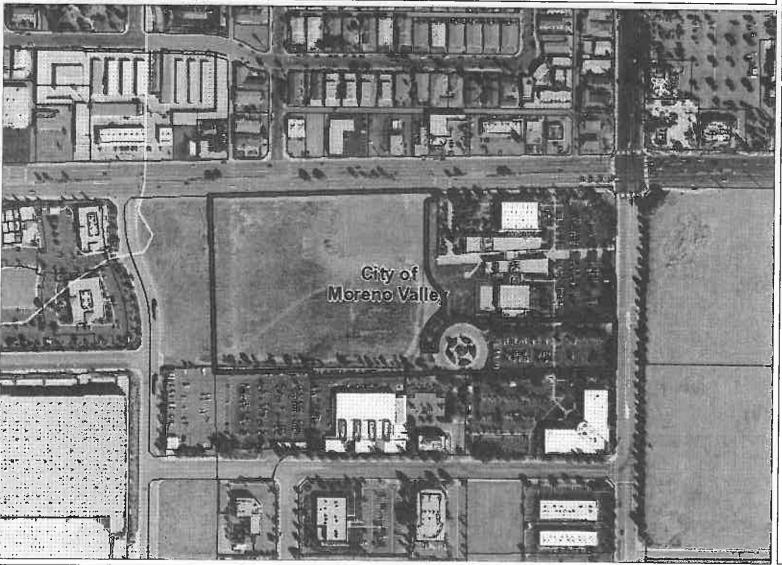
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#### Legend

- Parcels **Blueline Streams**
- City Areas World Street Map





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Notes

379

758 Feet

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#### Civic Center Amphitheater and Park Project Description

The Civic Center Amphitheater and Park project will consist of a 7- acre park featuring a 500-600 seat outdoor amphitheater with arched seating facing a raised stage platform on the City-owned vacant lot on the southeast corner of Veterans Way and Alessandro Boulevard, west of the CRC. The proposed project would also include a prefabricated restroom building and a parking lot with spaces for approximately 360 vehicles.

The Civic Center Amphitheater and Park venue will offer a superb setting for arts walks, concerts, performances, graduations, and festivals. It will also be the permanent location for the annual holiday tree lighting event. The Amphitheater will host many City programs and activities that currently take place on the grass area behind the Conference and Recreation Center (CRC), such as MoVal Movies & MoVal Rocks, Snow Day, the Farmer's Market, and the Day of the Dead. New events will be offered at the Amphitheater by the City, in partnership with our School Districts and by others interested in renting the facility.

The additional parking included in the project will add a multi-purpose amenity to the Civic Center plaza. It will support the Amphitheater while also providing capacity that has long been needed to support events and rentals that take place at the CRC. Presently, overflow parking (in an unpaved area) is used for large banquets, meetings, and events. The new parking lot will be illuminated with LED lighting and contain drought tolerant landscaping with shade trees. The parking lot will connect to the Conference and Recreation Center via an ADA compliant walkway. The additional parking lot will also provide opportunities for large events such as Farmer's Markets, car shows, food truck events, and other community and cultural events which have not previously had a convenient and accessible location within the City.

Construction of the Civic Center Amphitheater and Park project is fully consistent with *Momentum MoVal*, the City Council's strategic vision for Moreno Valley. This planning tool which holds valuable input from residents and stakeholders, emphasizes initiatives to enhance beautification, quality of life, infrastructure, and youth programs. The design of the stage and seating will accommodate cultural and recreational activities while complementing the architecture and flair of the existing Civic Center structures and environmentally sensitive landscape with additional green space. This outdoor venue will further strengthen cultural bonds in our community by bringing diverse groups together for programming such as youth performances, musicals, yoga, art exhibitions, and community concerts. This year-round venue will also support the Council's commitment to boost tourism and economic development within the City.

# **PROJECT L**

VICINITY MAP

### GEOTECH AND GEOLOGIST CERTIFICATION THIS GRADING PLAN HAS BEEN REVIEWED BY THE UPDERSHIED AND FOUND TO BE IN COMPORMANCE WITH THE RECOMBINEDATIONS AS OUTUNED IN THE FOLLOWING SALES AND SECLOGICAL REPORT FOR THIS PROJECT. SEPORT TITLE: PROPOSED MORENO VALLEY CINC CENTER AMPHITHEATER AND PARK PROJECT REPORT DATE: JANUARY 28, 2019 FIRM HALLE: GEOTEX, INC. GEOVECH JOAL EHOMEER DATE DIN.: SERBIG GEOLOGIST DATE

## **CITY OF MORENO VALLEY**

# **CIVIC CENTER PARK AND AMPHITHEATER**

14075 FREDERICK STREET

NDEX MAP

SEE SHEET VC-

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STEPHEN VENTURA MARCH 1, 2019

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PARKS AND COMMUNITY SERVICES

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REVIEW BY CITY STAFF

REVISION

**EARTHWORK** 

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PRECISE GRADING PLAN \_\_\_

PRECISE GRADING PLAN

PRECISE GRADING DETAILS ...

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STORM DRAM PLAN & PROFILE

TITLE SHEET\_

SC GAS COMPANY

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(200) 528-4535 (200) 427-2200

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(900) 227-2600

(251) 413-3140

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PAXX-XXXX OR PENXX-XXXX WQMP No. .... CITY OF MORENO VALLEY SAECT MIL 103-0037-3000-02

APN 297-140-046

C - 0.0TITLE SHEET CIVIC CENTER PARK AND AMPHITHEATER 14075 FREDERICK STREET

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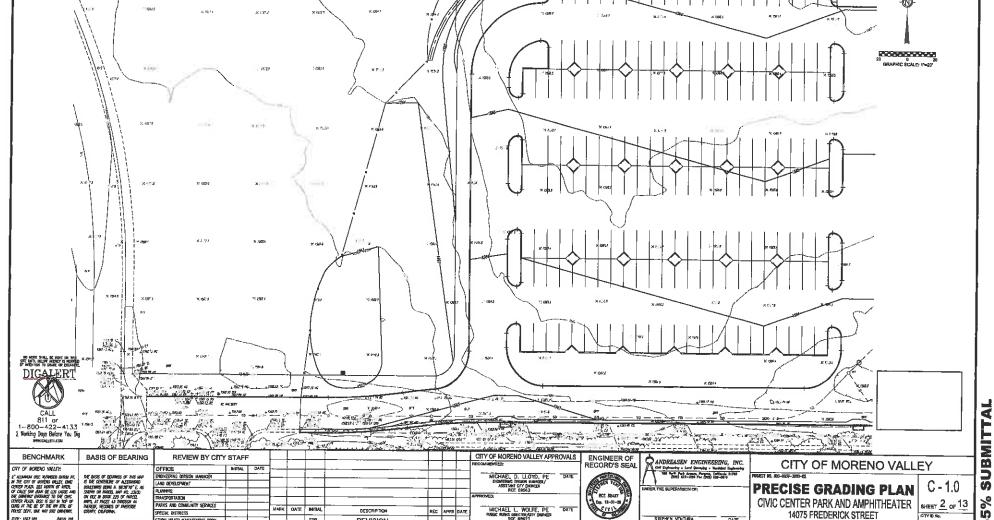
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DESCRIPTION

REVISION

REG APPR DATE

CITY ID No.

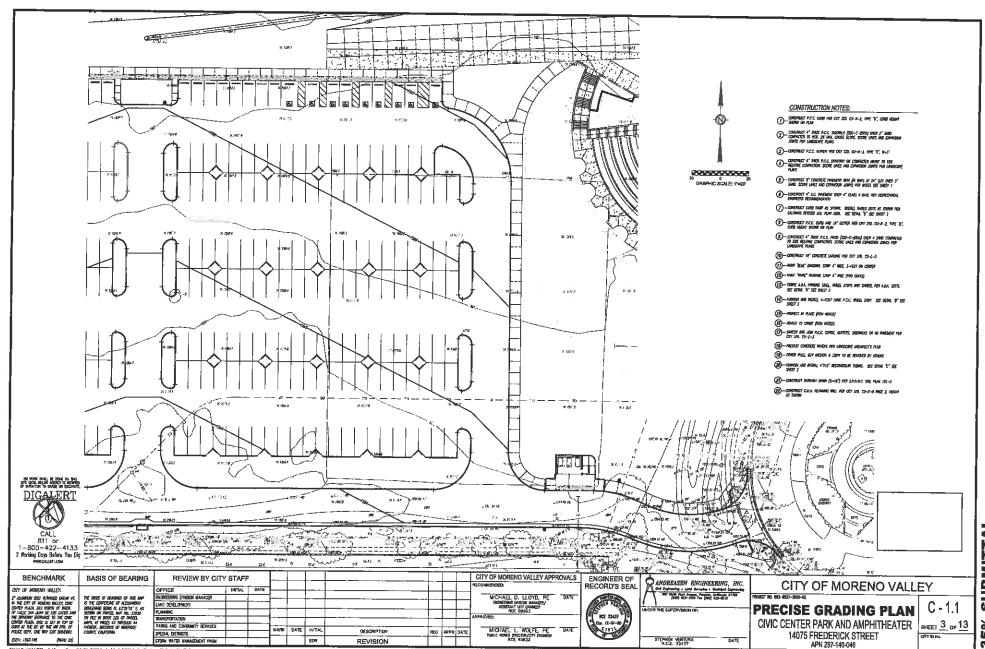
CIVIC CENTER PARK AND AMPHITHEATER

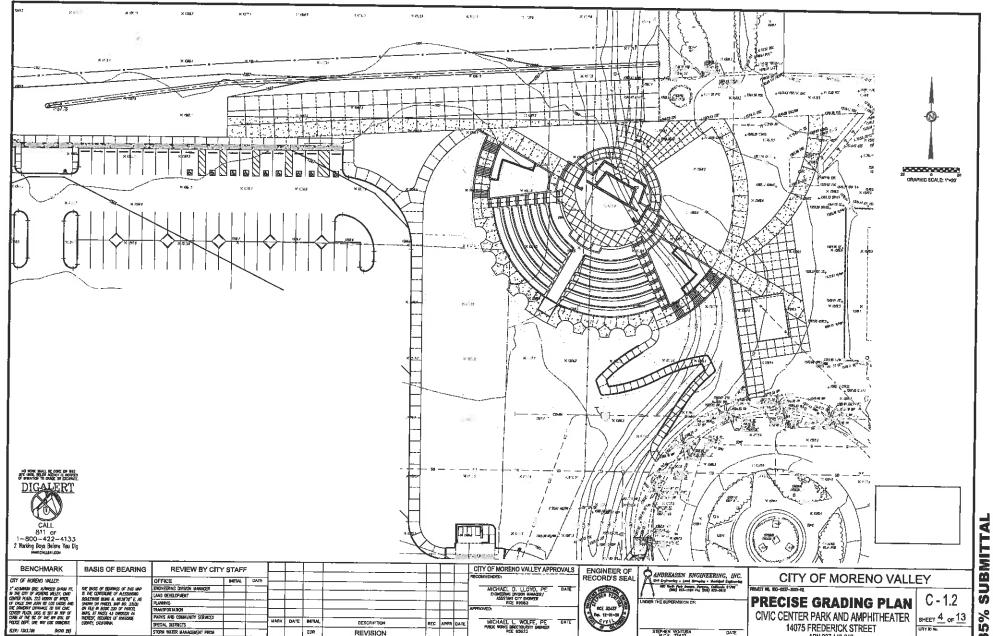
14075 FREDERICK STREET APN 297-140-046

STEPHEN VENTURA R.C.E. 32437

DATE

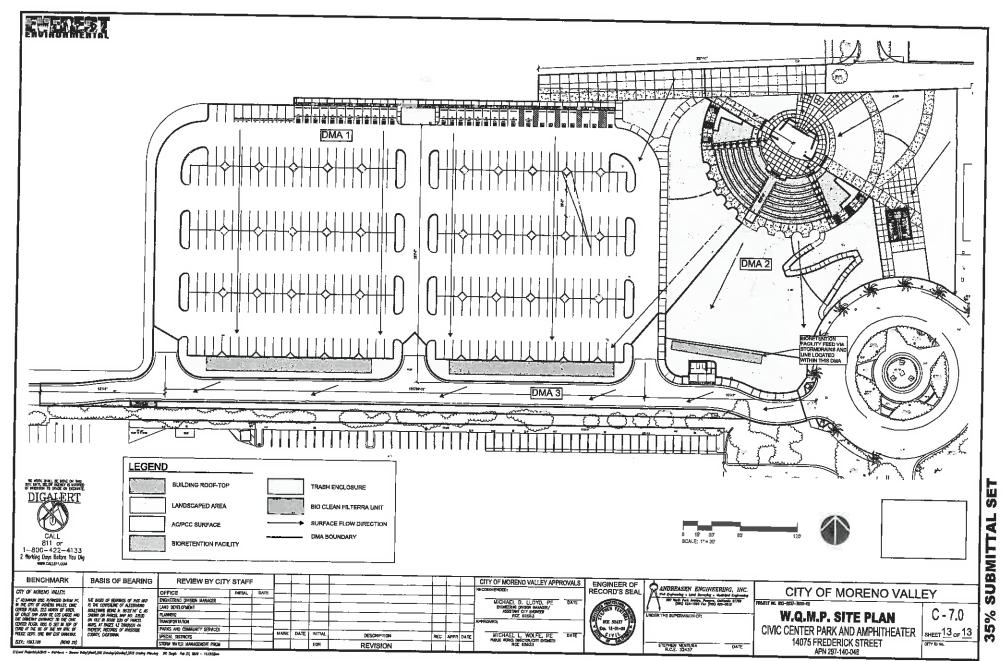
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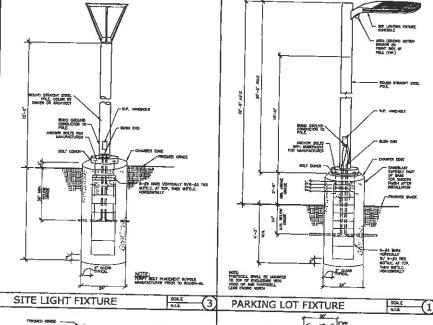
Clare Rojech AMIO - Arthur - those May Relief Design Couly Like Guilly Rocky | Di Sayo Feb 11, 2015 - 422 June

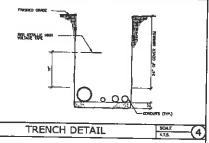
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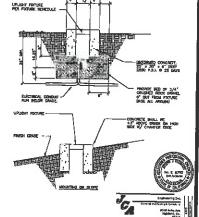


#### LIGHTING FIXTURE SCHEDULE

SESCRIPTION				WOLTS	WHIFACTURES CO	DATALOG Ø	MOUNTING
		NATE:	TMPE	Ь.			
(H)	SCHIOL OF RAL AT A BS DORTE BEAM SPEEDO	24	(E2) 4000K	277	LD. LIGHTING		SATE TOP
2H 40	3" ALLENBOUR TOP HANDIGUE W/ LED LESHING OH BOTTOM OF RAIL AT A 62 DORDE DEAN SPHENO	40	LIED 4000K	277	LO. LO.		PATENCRICED NATO TOP HANGRAS
(P)	PILITAR IN CRADE LES HALL SAGA MONUMENT LIGHT FRETURE	31	.00 3800k	zn	B.K. DGHTMO		SEM-FUSH IN
1P 130	SMALE HEAD LED. PARKING LOT FORTING WITH FORMAND THROW DOWNWARD MAD MICRORN SERVICES ENER CSD-A-WH-ASH-A-46K-LUL-EZ/ORD-SA FOLID 437-4661-237-01-0284-407054	130	USD 4000K	277	CHEE		SOL-O. LONCHELE OVSE
1PT 130	STATE MEAN LED, PARKING LOT PROVING WITH THE THREE CONTRIBUTION, MOTION SENSOR AND (1) THRESHOOD MAS ON PACE 9 15-6".  ONE 505-A-645-366-4-468-12,-52/000-0M	130	4000K	277	CHEX CHEX		ZZÍ-O' POLE ON 2'-E' CONCRETE BASE
2P 280	DOUGLE MEAN LEID, PARKAMIN LOT MORTUNE AT 180 DESTRESS WITH THE THREE DISTRIBUTION AND MITTION SPRINGE CREE 1804 - NOV NOV NOV NOV NO NOV NO NOV NO NOV NO NOV NO NOV NOV.	260	LED 4000K	zn	CHCL	164	20'-0' POLE ON X'-B' COMMENCE MAKE
3¢ 130	SMICE HOUSE LEG. PARKING LOT PATLANE WITH TYPE THREE OSTER SHOULD AND LANGUAGE SPECIAL OSES OSIGNAM MAN LANGUAGE LANGUAGE LANGUAGE OSES OSIGNAM MAN LANGUAGE LANGUAGE LANGUAGE OSES OSIGNAM MAN LANGUAGE LANGUAGE OSES OSIGNAM LANGUAGE LANGUAGE OSES OSIGNAM LANGUAGE LANGUAGE OSES OSIGNAM LANGUAGE OSES OSIGNAM LANGUAGE OSIGNAM LANGU	150	150 4000K	277	COMES.		20'-0" POLE ON 2'-6' COMORETE BASE
3PH 139	SNAC AS TWO EXCEPT WITH A BACKGOC HOUSE BARLD  ENEE CSC-A-Not-Bat-A-4CM-AL-REZ/CSC-DA-64G  FOLE: 401-4011-24-01-0009-467001	120	150 4000k	277	ONCE		20'-0" POLE ON 2'-0" CONCRETE BASE
**	DESCRIPTION FOR TOP LEG. WALKNEY FOCUME BY TYPE TWO DISTRIBUTION	70	1000K	277	URATING	_	12'-0" POLE ON 3'
<b>AW</b>	DECORATION FORT TOP C.E.O. WALKING PACTURE BY TYPE FIVE DISTRIBUTION	70	LED 4000K	277	CREE SOUTHING		12'-0" POLE DN 5" RANKED BASE
290E 78	DECEMBENCY POST FOR LEGA, WALMARY FEBRUARY W/ TYPE FINE DESIREMENTALY	70	L00 4900k	177	CREE LIGHTING		REPLACE EXTENS POST TOP FIXTURE
**\ **\	DECORATIVE POST TOP LEG. WALKING PIKTURE BY THE THREE DISTRIBUTION	76	4000K	277	CHEE		POLE ON 3'
70	DECORATING POST TOP LED, WALKING FORTURE W/ TYPE THREE DISTRIBUTION	70	150 49000K	207	CHEE DOMING	-	ROMACE EXISTING POST TOP PACTURE









BASIS OF MEARINGS BENCH MARK CITY OF MORENO VALLEY APPROVALS APPROVED BY DATE BY CITY TRAFFIC ENGINEES TONY HETHERMAN MAINTENANCE AND DEFENTIONS MANAGER TRAFFIC OPERATIONS APPR DATE SUPERVISOR EDECTOR OF PARKS AND COMMENTY SORVICES

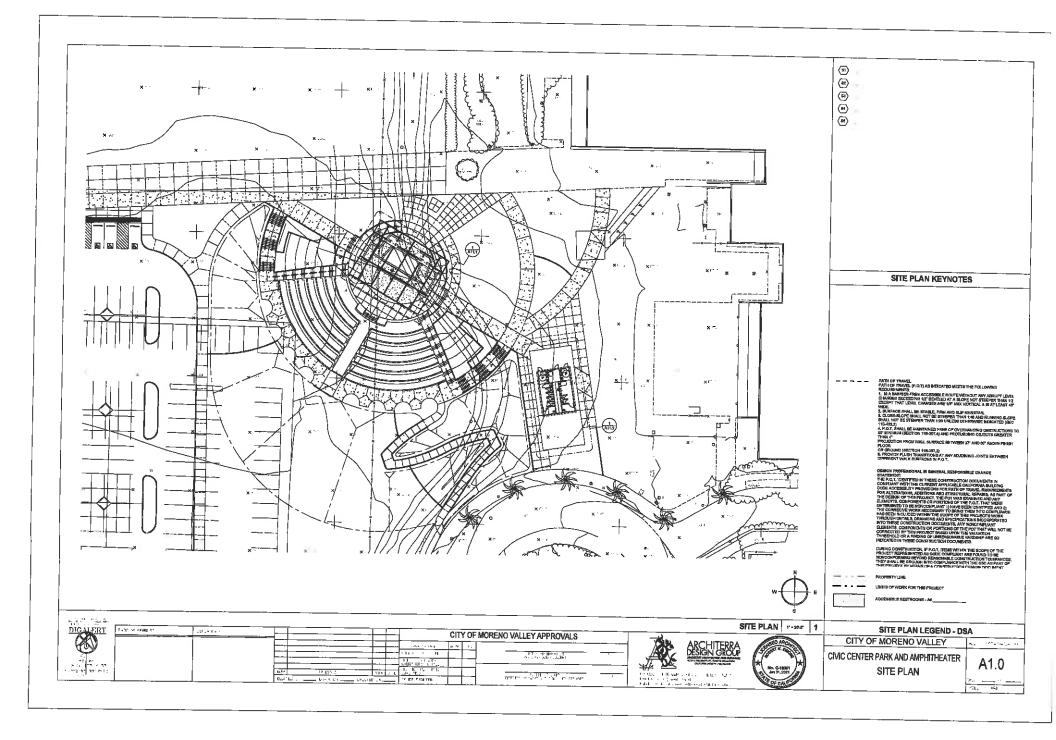


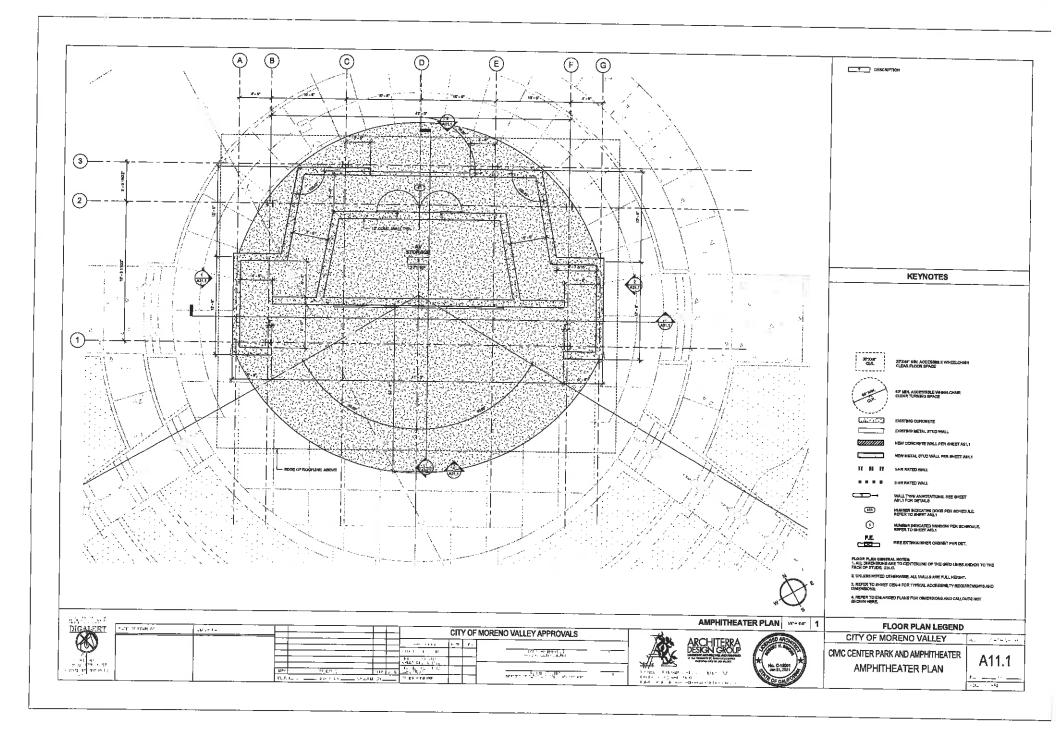


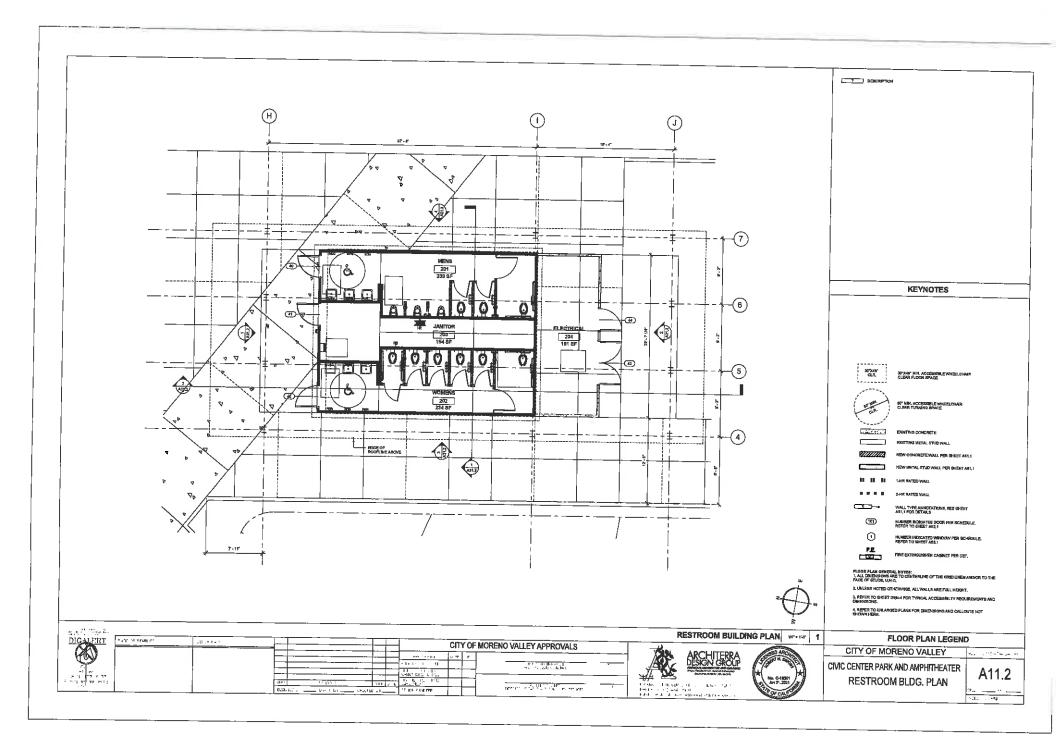
CITY OF MORENO VALLEY CIVIC CENTER PARK AND AMPHITHEATER 

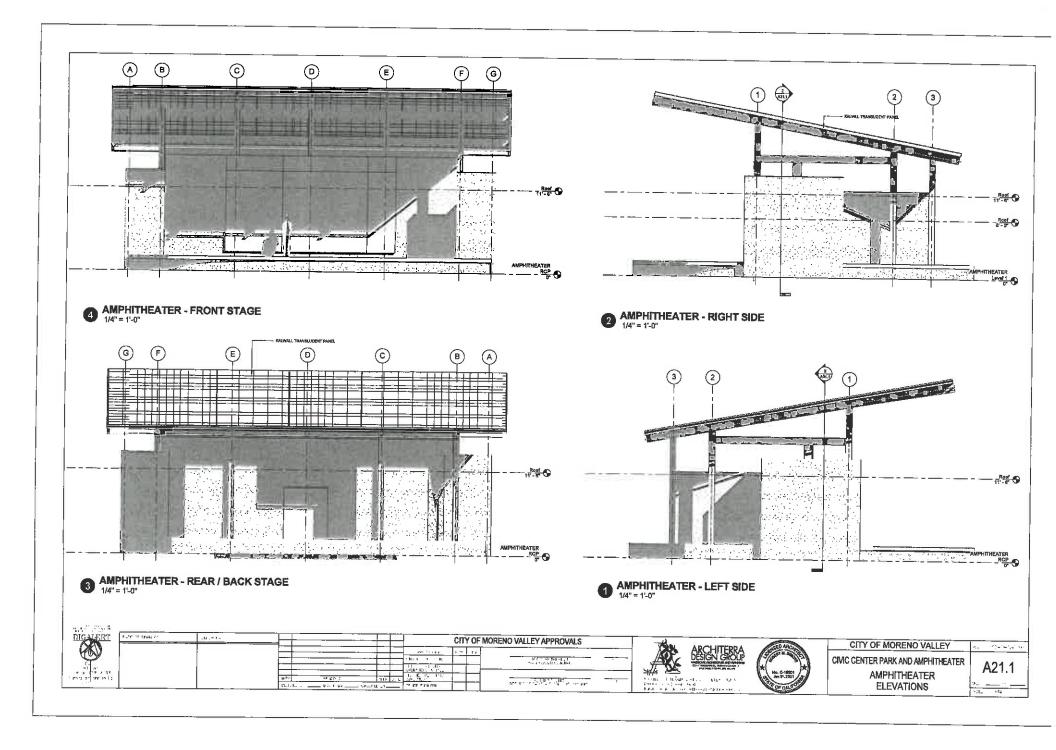
UP LIGHT FIXTURE

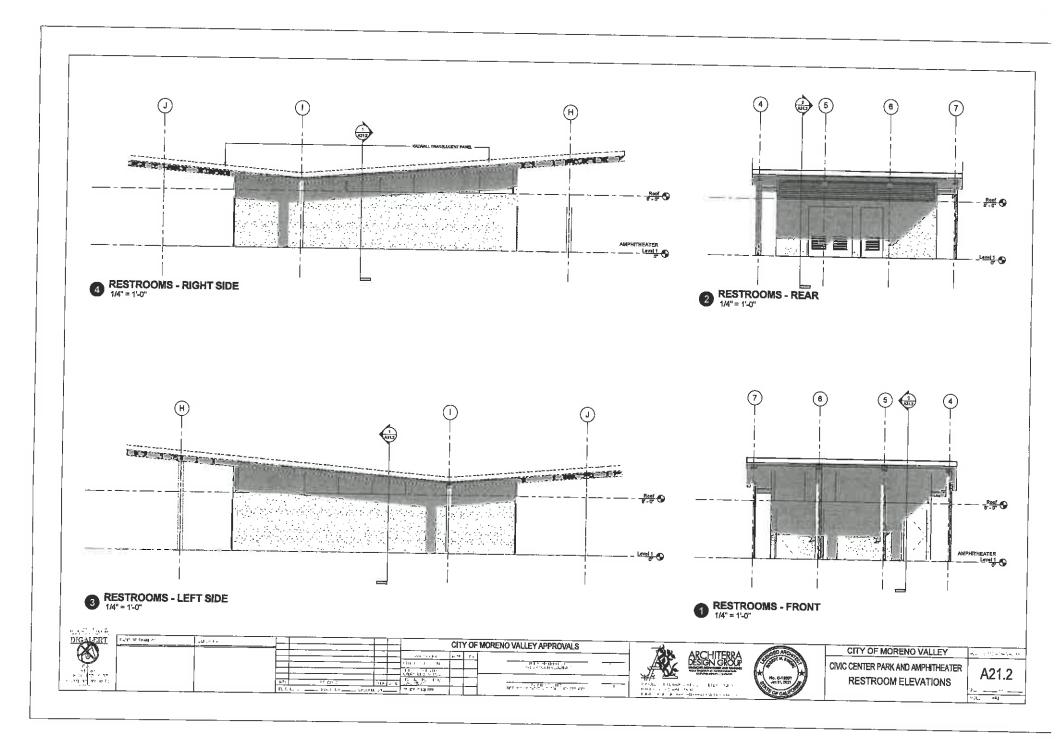
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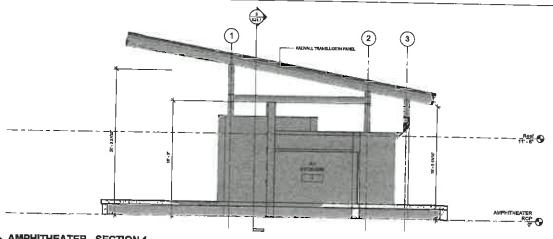




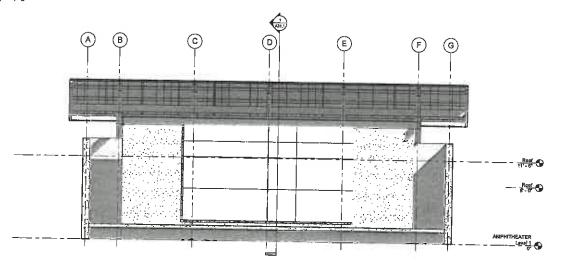








**1/4" = 1'-0" AMPHITHEATER - SECTION 1** 



2 AMPHITHEATER - SECTION 2

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(260)	
4	
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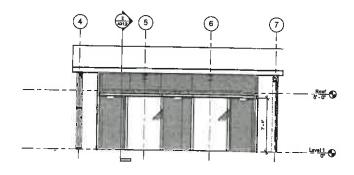




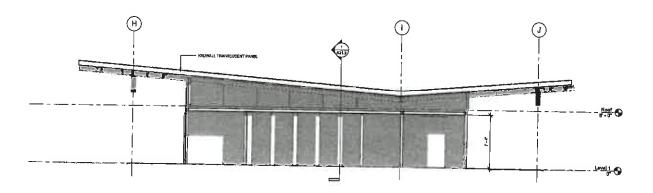
	CITY OF MORENO VALLEY
1	CIVIC CENTER PARK AND AMPHITHEATER
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AMPHITHEATER SECTIONS

AMPHITHEATER SECTIONS

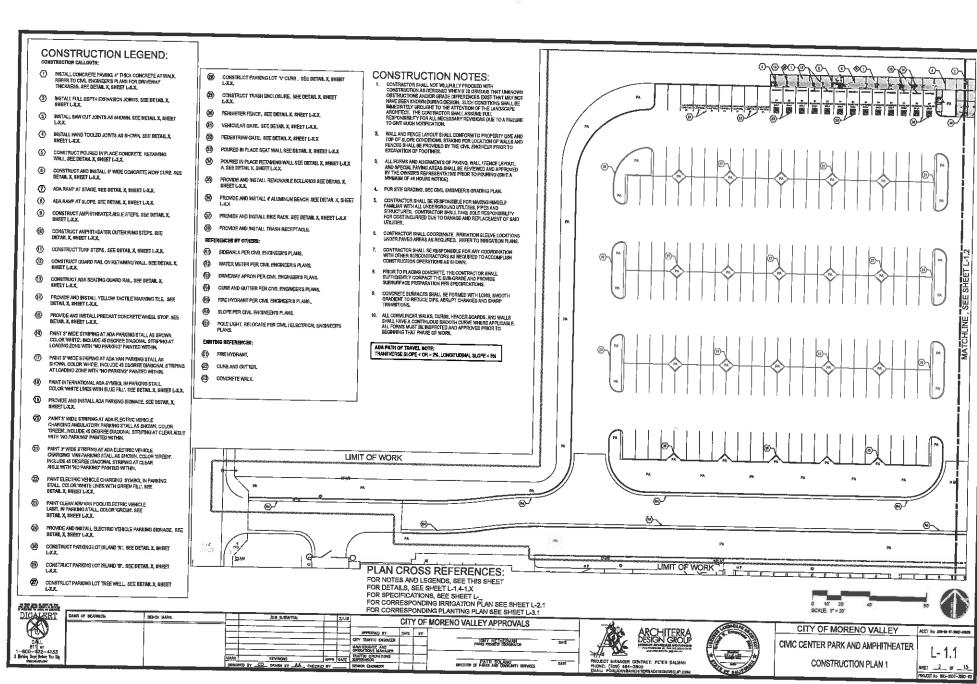


RESTROOM BLDG. - SECTION 1

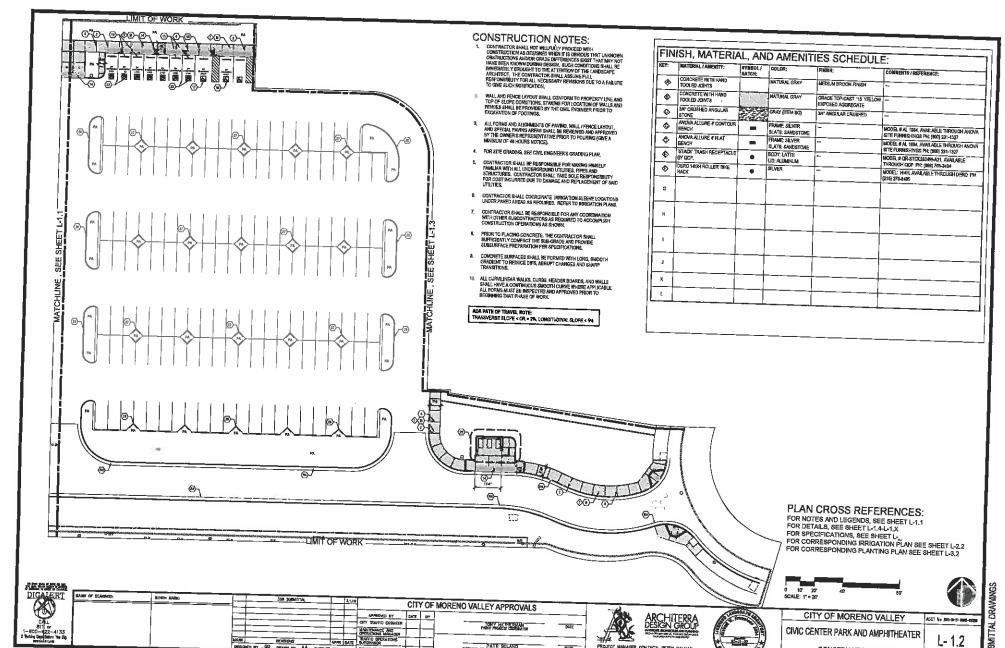


RESTROOM BLDG. - SECTION 2

DICALERT	CITY OF MORENO VALLEY APPROVALS	CITY OF MORENO VALLEY	es insense se
	SECTION INC.	CIVIC CENTER PARK AND AMPHITHEATER RESTROOM BLDG.	
	Mary   19 (20)	SECTIONS	90. — · · · · · · · · · · · · · · · · · ·



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DATE SOLAND DIRECTOR OF PARKE AND COMMUNITY SERVICES

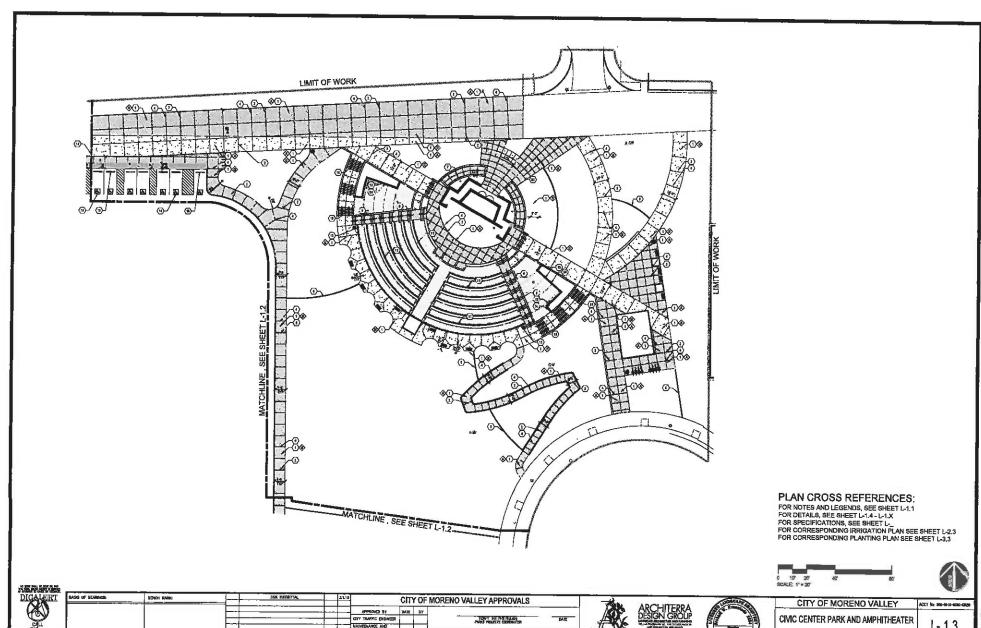
DATE

PROJECT MANAGER CONTACT: PETER DALMAN
PHONE (909) 484-2800
DATE PDALMANDARCHTERRADE SIGNOPONIE CO

SUBMIT

SMOET \_\_3\_\_ OF \_\_ PROJECT No. 503-0037-5000-02

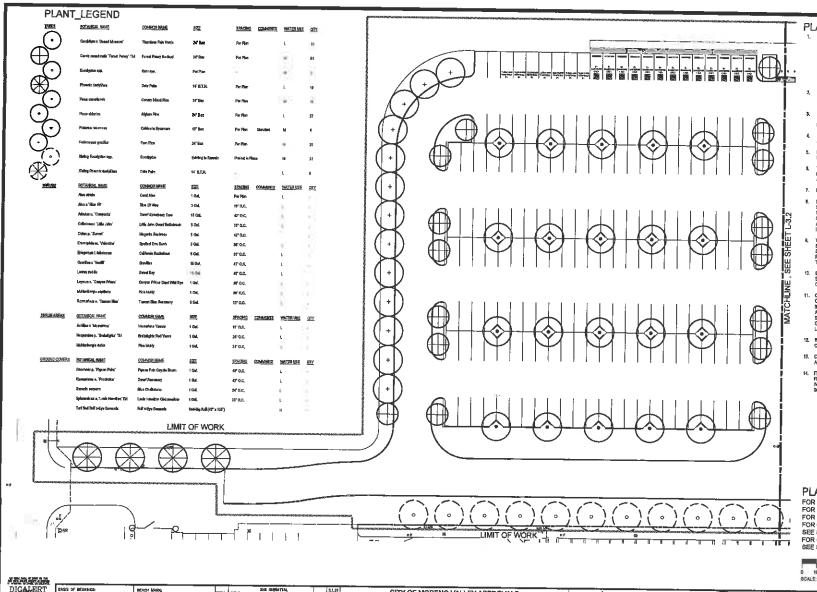
CONSTRUCTION PLAN 2



DESCRIPTION OF PARKS AND COMMUNITY SERVICES

35% SUBMITTAL DRAWINGS SMEET \_4 or \_15\_ PREJECT No. MIS-0037-5000-00

CONSTRUCTION PLAN 3



#### PLANTING NOTES:

- LAIN LINES IN OF IESS.

  SHERIBLAYOUT AS SHOWN ON PAIN INDICATES SHERIB MASSES,

  OMANTIES ARE AS SHOWN ON PAIR, ONCENTES CHACKING AS SHOWN ON

  LEGEBO, CORPITATION TO VERBEY CONTITIES BALGE AS SHOWN ON

  ADD ADDITIONAL PLANT MATERIAL, BY TO ADDITIONAL COST TO THE

  ADD ADDITIONAL PLANT MATERIAL, BY TO ADDITIONAL COST TO THE

  OWNERS PRECAUGHE TO MAINTHAIN SESSION MIXET DUE TO DISSTING SITE

  CONTITIONS NOT ATTICEPATED DURING DESIGN, LAYOUTER-ACID WILL

  BITHER BY THANGLAR OR IN BEACH AS SHOWN OF PLAN OR LEGEBO,

  LANDSCAPE ARCHITECT TO APPROVE FINAL LAYOUT IN FIELD PRIOR TO

  MISTALLATION.
- CONTRACTORS SHALL NOTIFY THE LANDSCAPE ARCHITECT OF SITE CONDITIONS WHICH PREVENT INSTALLATION PER PLANS AND SPECIFICATIONS.
- CONTRACTOR SHALL BE LIABLE FOR REMOVING AND RE-INSTALLING IRRICATION SCULPMENT, AND REPLANTING AREAS WHICH ARE NOT INSTALLED PER PLAN AND SPECIFICATIONS.
- REFER TO PLANTING SPECIFICATIONS FOR INSPECTION/CERTIFICATION
- IRRIGATION SYSTEM SHALL BE INSTALLED AND OPERATIONAL PRIOR TO INSTALLATION OF PLANT MATERIALS.
- TREES AND SHRUBS SHALL BE PLANTED AFTER CONCRETE PLACEMENT, BUT NOT BEFORE IRRIGATION COVERAGE TEST NO. 1 HAS BEEN APPROVED, (SEE SPECIFICATIONS).
- PLACE TREES BETWEEN IRRIGATION HEADS WHEREVER POSSIBLE.
- LANDSCAPE CONTRACTOR SHALL TAKE FOUR (4) SOIL SAMPLES FROM THE STEAT LOCATIONS APPROVED BY THE LANDSCAPE ARCHITECT. THE SAMPLES SHALL BE TAKEN AT A DEPTH OF 12 FAFER BROWNER GRADNER AND SUBMITTED TO AN APPROVED SOIL AND PLANT LABORATORY FOR AGRICAL TURK LATABLE IT YESTING. THE COST OF TESTING SHALL BE INCLUDED IN THE CONTRACTOR'S BID.
- THE RECOMMENDATIONS OF THE SOIL REPORT SHALL SUPERSEDE THE SOIL REPARATION AND BOCKFLL MAX RECEPTIONS (SEE SPECIFICATIONS, IN THE COMPRISON SHALL SUBMIT A COPY OF ALL SOILS REPORTS TO THE LUMBOCAPE ARCHITECT PRIOR TO MODIFICATION OF THESE STECHED/CINIONS.
- SHREDDED MULCH INSTALLATION: INSTALL SHREDDED MULCH IN ALL SHRUB AND GROUNDOOVER AREAS PER SPECIFICATIONS UNLESS OTHERWISE INDICATED ON PLANS.
- CONTRACTOR IS RESPONSIBLE FOR ALL REPARTS ANDOR REPLACEMENT OF ANY DAMAGED LANDSCAPE AREAS BEYOND THE LIMIT OF WORK. MICLURIAN REPARKA WAY REPROSENDING RESPONSIBLE BLOST, THAT IS A DIRECT RESULT OF THE LANDSCAPE CONSTRUCTION ANDOR HIS SISPLECTIFICATION, REPLACEMENT RESPONSIBLE PLANT CONTRACTOR OF DAMAGE AND AND AND ANY OF PLANTS, UNLESS OTHERWISE APPROVED BY THE LANDSCAPE AND AND ANY OF PLANTS, UNLESS OTHERWISE APPROVED BY THE LANDSCAPE AND AND ANY OF THE PLANT OF THE PLANT
- WHEREVER GROUNDCOVER AREAS ARE ADJACENT TO TURE INSTALL CONCRETE MOW STRIF OR HEADER BOARD AS INDICATED ON DRAWINGS.
- CLEAN-UP SHALL TAKE PLACE ON A DAILY BASIS LINLESS OTHERWISE
- IT IS THE CONTRACTOR'S PESPONSIBLITY TO MAINTAIN ALL GRADES AND FLOW LIVES AS SHOWN ON THE GRADING FLAW, WHERE SOO IS TO BE INSTALLED ON A SWALELTIE FINSH GRADE MUST BE ADJUSTED SO THE SOO DOES NOT RESTRICT THE FLOW.

#### SYMBOL LEGEND:

TREES SHRUBS

CALL-OUT SYMBOL CALL-OUT SIZE ---

#### PLAN CROSS REFERENCES:

FOR NOTES AND LEGENDS, SEE THIS SHEET FOR DETAILS, SEE SHEET L-3,4 FOR SPECIFICATIONS, SEE SHEET L-4.2 FOR CORRESPONDING CONSTRUCTION PLAN SEE SHEET L-1.1

FOR CORRESPONDING IRRIGATION PLAN SEE SHEET L-2.1





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	B11 or 1-800-422-4133
	1-800-422-4133 7 Yeshing Days Selbra Yes Dig

BENCH MARKS

CITY OF MORENO VALLEY APPROVALS APPROVED BY DATE BY TONY HETHERMAN MARITERANCE AND CHERATIONS LANGUAGE TRAFFIC OPERATIONS LANGUAGE RUPERVISOR DITECTOR OF PARKS AND CONFUNITY SERVICES





PROJECT MANAGER CONTACT: PETER DALMAN PHONE: (909) 484—2800 EMAIL: FOALMANGARCHITERRADESIGNOROUP.COM

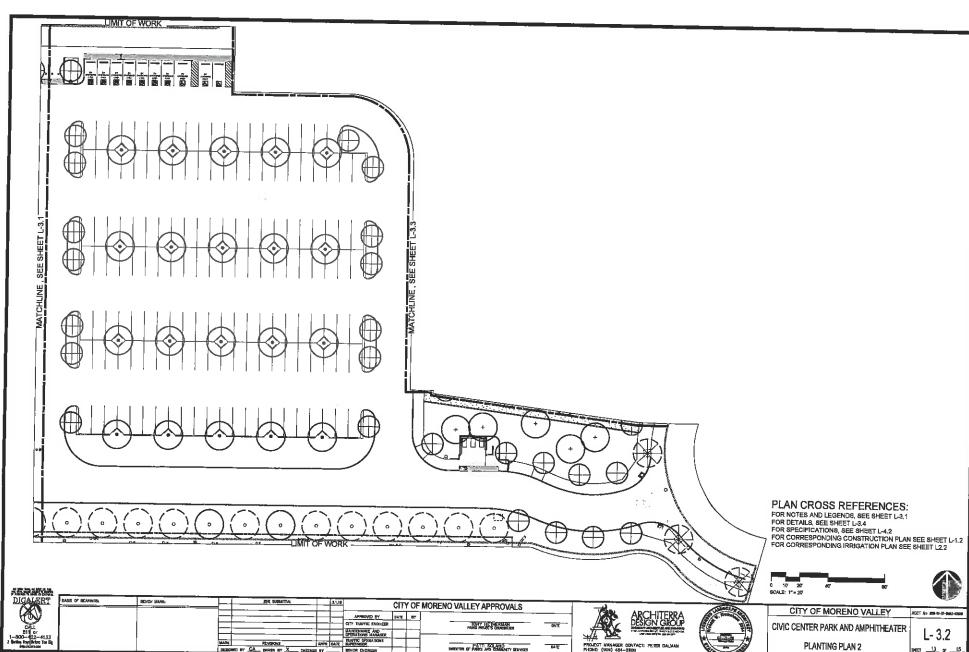


CITY OF MORENO VALLEY ACCT No SWO-99-51-MINE-EXCE

CIVIC CENTER PARK AND AMPHITHEATER

PLANTING PLAN 1

L-3.1 SMET 12 OF 15 PROJECT No. 803-0037-3000-02

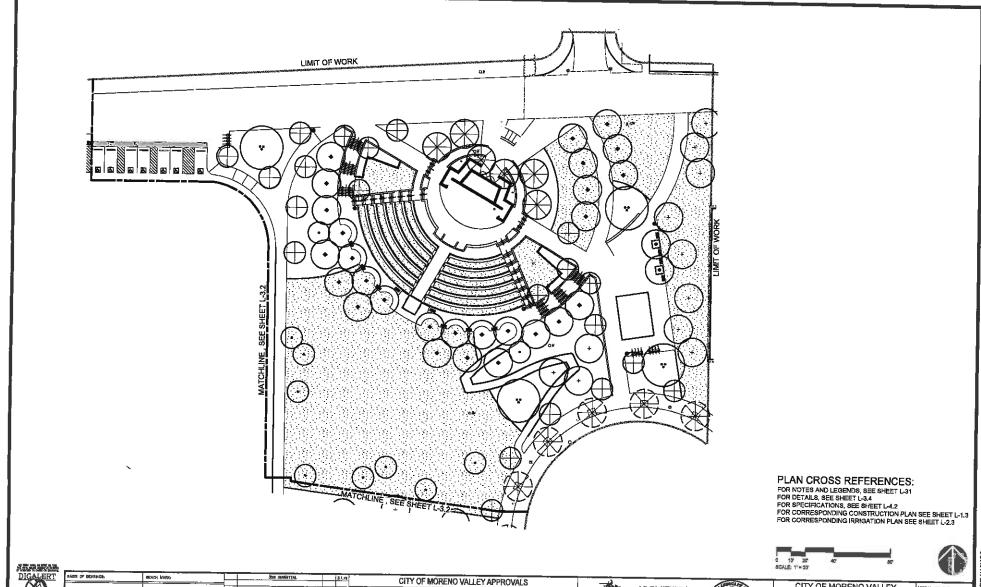


DIRECTOR OF PARKS AND COMMUNITY SERVICES

PROJECT MANAGER CONTACT: PETER DALMAN PHONE: (909) 484-2800 EMAIL: POALMANGARCHTERRADESIGNGROUP.COM

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PLANTING PLAN 2



BRECTOR OF PARKS AND COMMUNITY SORRIES

APROVED BY

OTY TRAFFIC ENGINEER

MAINTENANCY AND

CPERATORS MAINGER

TRAFFIC DEPENDING

APPR DATE SUPERVISOR

SHEET \_\_\_14\_\_ or \_\_\_15\_ PREJECT No. 803-0037-3000-03

ADCT No 1000-99-51-4000-0002

L-3.3

CITY OF MORENO VALLEY

CIVIC CENTER PARK AND AMPHITHEATER

PLANTING PLAN 3

35% SUBMITTAL DRAWINGS

# PAGE BREAK



## AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY



May 9, 2019

CHAIR Steve Manos Lake Elsinore

Mr. Russell Brady, Project Planner County of Riverside Planning Department 4080 Lemon Street, 12th Floor

**VICE CHAIR** Russell Betts **Desert Hot Springs** 

Riverside, CA 92501 [VIA HAND DELIVERY]

COMMISSIONERS

AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW -RE: DIRECTOR'S DETERMINATION

**Arthur Butler** Riverside

Riverside

File No.:

ZAP1013BL19

Related File No.: John Lyon

CUP03721 (Conditional Use Permit) Alternate Gen-Tie Line

Alignment [Alt 3A]

APN:

879-110-001

Steven Stewart Palm Springs

**Richard Stewart** Moreno Valley

**Gary Youmans** Temecula

STAFF

Director Simon A. Housman

> John Guerin Paul Rull Barbara Santos

County Administrative Center 4080 Lemon St., 146th Floor. Riverside, CA 92501 (951) 955-5132

Dear Mr. Brady:

Under the delegation of the Riverside County Airport Land Use Commission (ALUC) pursuant to Policy 1.5.2(d) of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan, staff reviewed an alternate gen-tie line realignment [Alt 3A] for CUP03721 (Conditional Use Permit), a proposal to re-align a portion of the project's 33 gen-tie poles so that the eastern portion of its line runs further south and west from the original gen-tie alignment, and further away from Blythe Airport runway, as part of the overall project (where no changes are proposed) to construct and operate a 25 megawatt (MW) photovoltaic solar facility with associated facilities on a 160-acre site under the jurisdiction of the County of Riverside located southerly of Interstate 10, easterly of the Wiley's Well Road interchange and westerly of the Mesa Drive interchange, and southwesterly of the unincorporated community of Mesa Verde/Nicholls Warm Springs. The 160-acre site is part of a larger (approximately eight square mile) proposed 450 MW solar facility under the jurisdiction of the Bureau of Land Management (BLM).

www.rcaluc.org

While the 160-acre site is not located within an Airport Influence Area (AIA), a portion of the alternate gen-tie line realignment is located in Compatibility Zone E of Blythe Airport Influence Area. Compatibility Zone E prohibits uses that are hazards to flight. The alternate gen-tie line realignment is approximately 2,000 feet south, and 900 feet west of the original gen-tie line alignment, and subsequently further away from the runway at Blythe Airport.

The elevation of Runway 8-26 at Blythe Airport at its westerly terminus is approximately 396 feet above mean sea level (396 feet AMSL). The proposed realignment of the gen-tie lines has moved further away from the airport, as well as reducing its height of all the poles to 125 feet (previously 135 feet). The closest alternate layout gen-tie tower to the airport is 15,463.6 feet from the runway and has a top point elevation of 513.1 feet AMSL. The highest top point elevation of any alternate layout gen-tie tower within 20,000 feet of the runway is 556.4 feet AMSL and is located 19,691 feet from the runway. In both cases, the top point elevation does not

exceed the levels requiring FAA review (550.6 feet AMSL at 15,463 feet, and 592.9 feet AMSL at 19,691 feet). Therefore, Federal Aviation Administration (FAA) obstruction evaluation review for height/elevation reasons was not required.

The proposed gen-tie line realignment would have no impact on the solar glare analysis that was previously done for the project (and is included in this determination). The solar glare potential was previously analyzed in the applicant's original solar glare study (solar panel arrays have not changed location) utilizing the Solar Glare Hazard Analysis Tool (SGHAT) which determined the potential for glare created by the project for approaches on runways 8, 26, 17, and 35, including an angled approach for runway 26. The analysis utilized a glide slope approach of 3.0 degrees and utilized both a fixed tilt solar position facing south with a 25 degree tilt and a single-axis tracking aligned north-south with a maximum total tracking of 90 degrees. The analysis concluded that some glare would occur on the approach to runway 35 for a fixed tilt type facility.

The glare that is projected to occur on the approach to runway 35 would be at 2.0 mile and 1.75 mile distances from the end of the runway and would be limited to a length of time as shown below:

#### 1 3/4 mile

- Late February to Mid March 5:20 p.m. to 5:50 p.m.
- Mid September to Mid October 5:00 p.m. to 5:45 p.m. (6:00 to 6:45 PDT)

#### 2 mile

- Late February to Mid April 5:00 p.m. to 6:00 p.m. (6:00 to 7:00 PDT)
- Late August to Mid October 5:00 p.m. to 5:45 p.m. (6:00 to 6:45 PDT)

No glare would occur closer than 1 mile from the runway. The analysis notes that the glare experienced at each of the distances and times noted above would result in a low potential for temporary after-image and would be beyond the 50 degree pilot field of vision. Based on FAA Interim Policy for FAA Review of Solar Energy System Projects on Federally Obligated Airports, low potential for temporary after-image is an acceptable level of impact for solar facilities located on airport property.

As ALUC Director, I hereby find that the above-referenced Conditional Use Permit with the Alt 3A gen-tie realignment remains **CONSISTENT** with the 2004 Blythe Municipal Airport Land Use Compatibility Plan, provided that the County of Riverside applies the following recommended conditions:

#### **CONDITIONS:**

- 1. Any new outdoor lighting that is installed within the 160-acre area shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
- 2. The determination of consistency relates specifically to the proposed project as described above. The following uses/activities are not included in the proposed project and shall be prohibited at this site, in accordance with Note A on Table 4 of the Palo Verde Area Plan:
  - (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 within one mile of the landing threshold.
- (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. In the event that any incidence of glint, glare, or flash affecting the safety of air navigation occurs as a result of project operation, upon notification to the airport operator of an incidence, the airport operator shall notify the project operator in writing. Within 30 days of written notice, the project operator shall be required to promptly take all measures necessary to eliminate such glint, glare, or flash. An "incidence" includes any situation that results in an accident, incident, "near-miss," or specific safety complaint regarding an in-flight experience to the airport operator or to federal, state, or county authorities responsible for the safety of air navigation. The project operator shall work with the airport operator to prevent recurrence of the incidence. Suggested measures may include. but are not limited to, reprogramming the alignment of the panels or covering them at the time of day when incidences of glare occur to diminish or eliminate the source of the glint, glare, or flash. For each such incidence made known to the project operator, the necessary remediation shall only be considered to have been fulfilled when the airport operator states in writing that the situation has been remediated to the airport operator's satisfaction.
- 4. In the event that any incidence of electrical interference affecting the safety of air navigation occurs as a result of project operation, upon notification to the airport operator of an incidence, the airport operator shall notify the project operator in writing. Within 30 days of written notice, the project operator shall be required to promptly take all measures necessary to eliminate such interference. An "incidence" includes any situation that results in an accident, incident, "near-miss," report by airport personnel, or specific safety complaint to the airport operator or to federal, state, or county authorities responsible for the safety of air navigation. The project operator shall work with the airport operator to prevent recurrence of the incidence. For each such incidence made known to the project operator, the necessary remediation shall only be considered to have been fulfilled when the airport operator states in writing that the situation has been remediated to the airport operator's satisfaction.

If you have any questions, please contact Paul Rull, ALUC Principal Planner at (951) 955-6893.

Sincerely,

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Simon A. Housman, ALUC Director

Desert Quartzite, LLC (applicant) cc:

First Solar Development, Inc. (representative/payee)

A-yuan Kao Chao (landowner)

Liliana Valle, Airports Manager, Riverside County EDA - Aviation Division

**ALUC Case File** 

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# NOTICE OF AIRPORT IN VICINITY

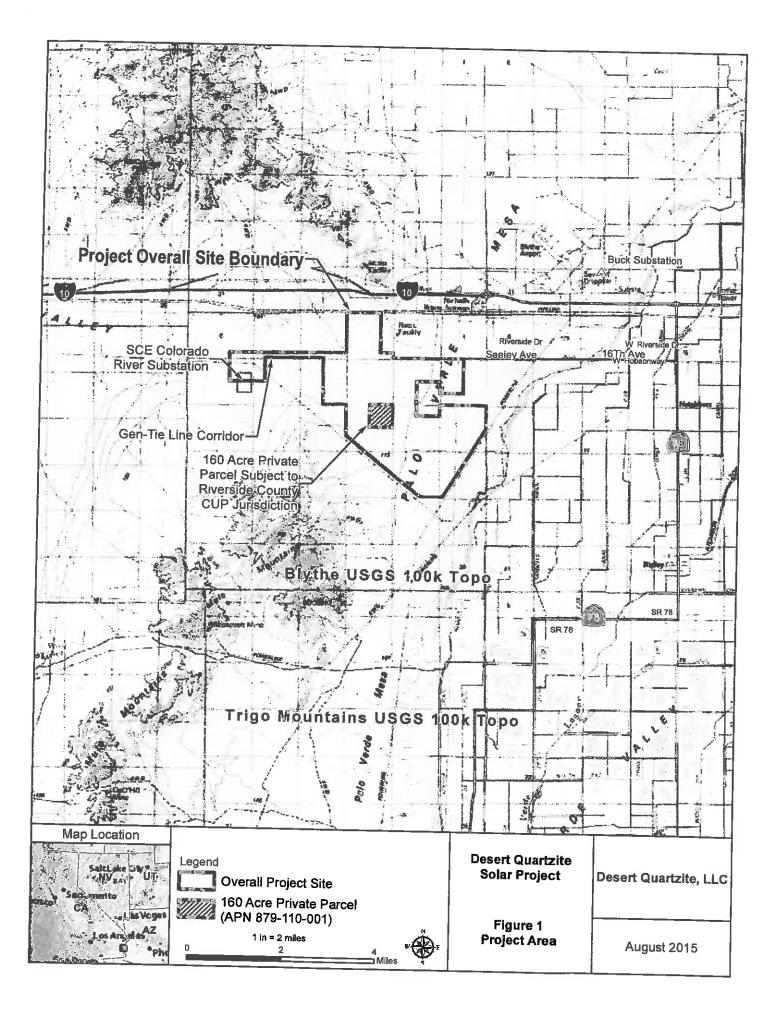
This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annovances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)

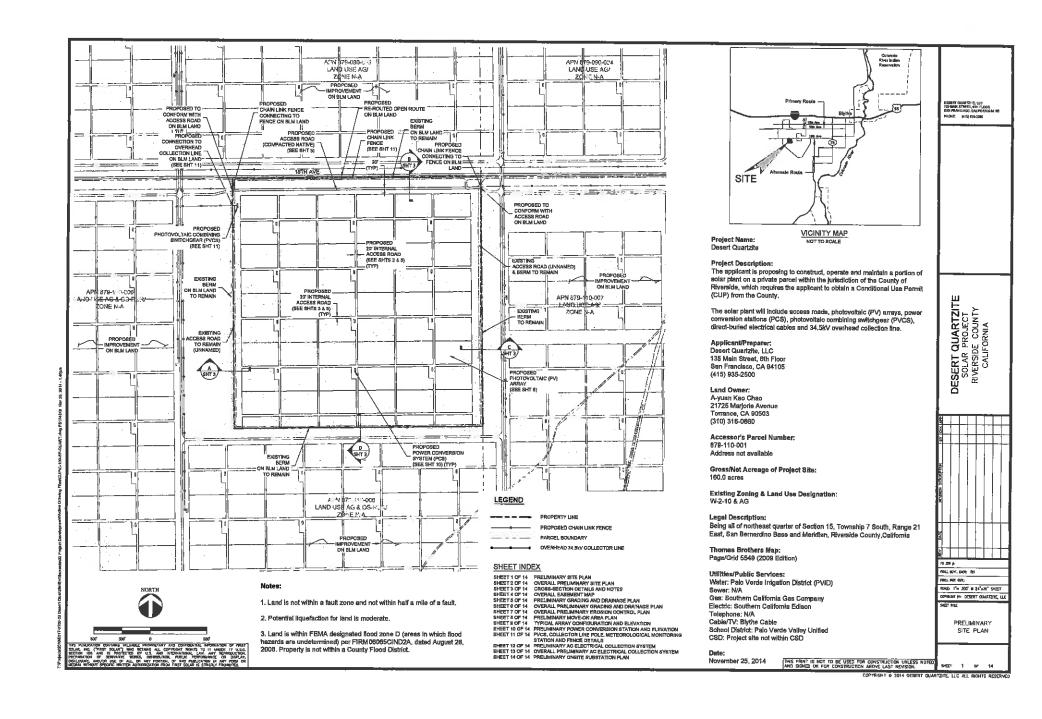
Alternate 230 kV Gen-Tie Structures. The Gen-Tie structures are proposed to be a maximum of 125-feet tall. Of the 33 alternate Gen-Tie structures shown on Figure 5, one of the Gen-Tie structures is located within Blythe Airport Compatibility Zone E and a total of 11 structures are located within 20,000 feet of the west end of Runway 8 (see Table 3). The distances from the applicable poles to the west end of Runway 8 are included in Table 3 along with the base ground elevation and the top of structure elevation for each structure. Within a 20,000-foot radius from the closest runway at the Blythe Airport, the structure with the highest elevation is Pole 26 with a top-of-pole elevation of 602 feet asl and at a distance of 27,863 feet from the west end of Runway 8. As shown on Figure 2 and the Preliminary Alternate Gen-Tie Line Plan (Figure 5), the alternate Gen-Tie line route would be located to the south of multiple other proposed and/or existing transmission lines (e.g., existing Blythe/McCoy, SCE 161 kV, and NRG Blythe 21 lines; and the proposed Blythe Mesa line) which are located closer to the Blythe Airport runways than the Desert Quartzite alternate Gen-Tie line route.

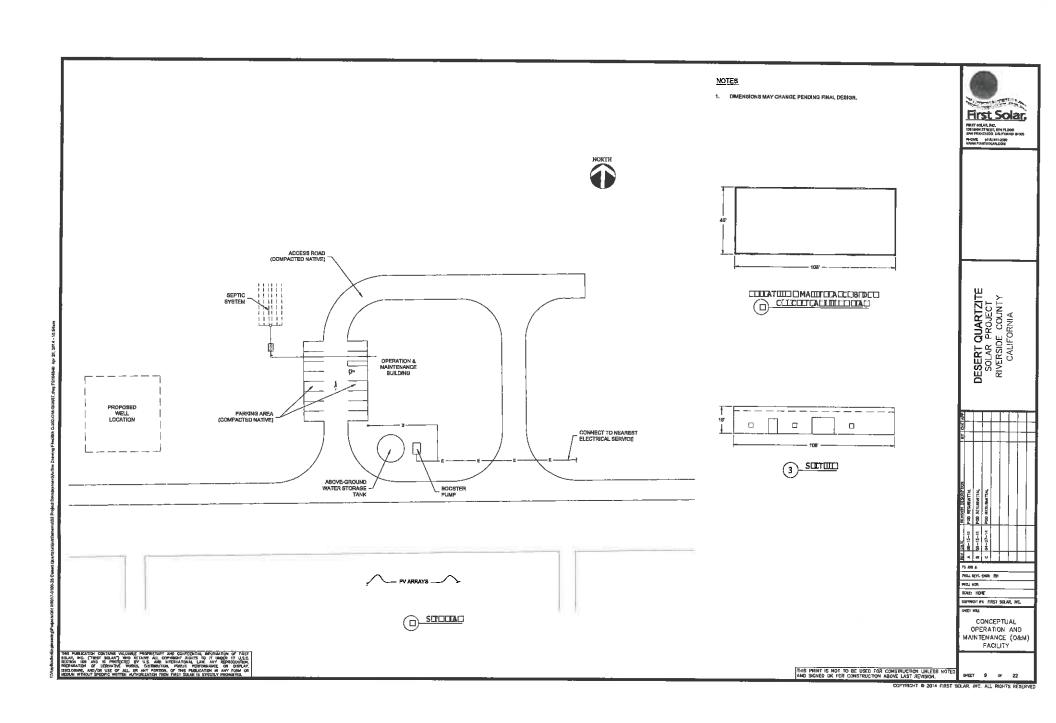
Albamata 220 lv o	Pole ID	Facility Maximum Height (feet)		Ground Elevation (feet asl)	Top Elevation (feet asl)	Airport Compatibility Zone	Distance to Nearest Airport Runway
Alternate 230 kV Gen-tie Line		125	2158673 76/7016008.97	388.1	513.1		15463.6
		125	2150665 08/7015299 16	3900	5150	NA	156869
		125	2158655 08/7014487:40	393.6	5185	NA	163965
		125	2158989.58/7013768.04	398 0	. 5280	MA.	16645.5
		125 125	2159235 57/7013024 81	406.0	531.0	NA.	169360
		125	2159531 56/7012281 58	412.6	537 6	NA.	172586
		125	2159827.55/7011538.35	416 2	541.2	NA	17611 7
		125	. 2160128.95/7010795.13	421.4	546.4	NA .	179935
		125	2160113 76/7010129 34	4243	549.3	NA .	18583.9
	11	125	2160103 97/7009463 56	428.2	553.2.	NA.	191343
		125	2160094 19/7008797.76	431.4	\$56.4	NA .	19691.9
	12 13	125	2160084.40/7008131.97	435.5	560.5	NA	20255.9
	13 14	125	2160074.61/7007466.18	440.6	565.6	NA	20724.4
	14 15	125	2160576.62/7007458.60	444.5	569.5	NA	20574.9
	16	125 125	2161078.62/7007451.03	446.0	571.0	NA	20208.1
	17	125	2161064.92/7006701.78	451.0	5 <b>76</b> .0	NA	20863.3
	18	125	2161049.96/7005883.55	455.0	580.0	NA	21585.8
	19	125	2161034.54/7005040.23	460.4	585.4	NΑ	22337.4
	20	125	2161018.89/7004184.62	461.5	586.5	NA	23106.4
	20 21	125	2161004.38/7003390.96	465.4	590.4	NA	23 <b>82</b> 5.1
	22	125	2160989.95/7002601.48	468.0	593.0	NA	24544.5
	23	125	2160976.32/7001856.19	472.0	597.0	NA	25227.5
	23 24	125	2160963.20/7001138.89	473.0	598.0	NA	25888.2
	25	125	2160950.73/7000456.46	476.0	601.0	NA	26519.4
	26	125	2160938.30/6999777.09	476.0	601.0	NA	27150.3
	2 <del>0</del> 27	125	2160924.33/6999012.93	477.0	602.0	NA	27862.6
	28	125	2160587.44/6999002.81	474.0	599.0	NA	28000.0
	29	125	2160408.35/6998997.43	475.0	600.0	NA	28074.3
	30	125	2160067.73/6998987.19	469.0	594.0	NA	28218.4
	31	125	2159539.97/6998971.33	467.0	592.0	NA	28448.2
	32	<b>12</b> 5	2159530.82/6998593.43	468.0	593.0	NA	28796.1
	33		2159525.25/6998363.46	464.0	589.0	NA	29008.1
	33	125	2159145.06/6998363.46	464.0	589.0	NA	29165.4

#### Note:

Shaded data are for poles within the 20,000 feet buffer from closest runway







## ATTACHMENT 1 SUPPLEMENTAL APPLICATION MATERIAL

This attachment supplements the information presented on the Application for Major Land Use Action Review (Application) form and presents additional information regarding the overall Desert Quartzite Solar Project (Project). The information included on the Application form is generally specific to the 160-acre private parcel (APN 879-110-001) that is addressed in the Conditional Use Permit (CUP) application that was submitted to Riverside County by Desert Quartzite, LLC on February 12, 2015 (CUP Number 3721). The 160-acre private parcel that is subject to Riverside County CUP jurisdiction is part of a larger Project that is located on surrounding lands administered by the U.S. Bureau of Land Management (BLM) that are not subject to Riverside County CUP jurisdiction. The supplemental information herein is presented for context and clarification regarding how the 160-acre private parcel relates to the overall Project.

The balance of this supplemental application material is organized according to the sections within the Application form. In addition, information on existing and proposed energy development in the general Project area relative to the Desert Quartzite Project site and Blythe Airport Zones is presented at the end of this Attachment 1.

## PROJECT LOCATION

## **Project Location Map**

Figure 1 (Project Area and Airport Zones) shows the location of the overall Project site, the 160-acre private parcel subject to Riverside County CUP jurisdiction, and the geographic relationship of the overall Project site and the 160-acre private parcel to the Blythe Airport runways and the associated Airport Compatibility Zones. As shown, the 160-acre private parcel is not located within any of the specified airport zones. The northeast portion of the overall Project site is within Airport Compatibility Zone E (least restrictive zone). The northeast portion of the 160-acre private parcel is located with a 20,000-foot radius of the closest Blythe Airport Runway (Runway 8) as shown on Figure 1.

## Assessor's Parcel Number (APN)

As indicated on the Application form and Figure 1, the 160-acre private parcel is located on APN 879-110-001-3. The balance of the overall Project site is located on lands administered by the BLM encompassing multiple APNs as shown and listed on Sheet 4 (Overall Easement Map) of Exhibit A (Site Plan Package) in the CUP Application. A copy of Sheet 4 is attached herein for reference. A legal description of the BLM-administered portion of the overall site is presented in Table 1.

## TABLE 1 LEGAL DESCRIPTION OF THE BLM LANDS PORTION OF THE PROJECT SITE AREA

	Township Range and Section
T 7S, R 21E	
Section 3	W1/2, W1/2E1/2, S1/2SE1/4SE1/4, Lots 4, 5, 6
Section 4	S1/2S1/2S1/2
Section 5	\$1/2\$1/2\$1/2
Section 6	S1/2S1/2SE1/4
Section 7	NE 1/4
Section 8	NW1/4NW1/4, SW1/4NW1/4
Section 9	E1/2
Section 10	AII
Section 11	N1/2, SW1/4
Section 12	NW1/4, N1/2SW1/4
Section 13	N1/2, SW1/4, W1/2SE1/4, All that area NW CA 08974
Section 14	S1/2NE1/4, W1/2, SE1/4
Section 15	NW1/4, N1/2SW1/4, SE1/4, All that area NE of CA 4163
Section 22	NE1/4NE1/4, All that area NE of CA 4163
Section 23	N1/2, NE1/4SW1/4, SE1/4, All that area NE of CA 4163
Section 24	N1/2NW1/4, SW1/4NW1/4, NW1/4SW1/4, All that area NW of CA 8974

## PROJECT DESCRIPTION

## **Existing Land Use**

## 160-acre Private Parcel

As discussed on the application form, the 160-acre private parcel is currently vacant, abandoned, agricultural land (previously jojoba farm). The private parcel is surrounded by existing berms on all four sides which are presumed to be associated with the former jojoba farm; the berms are located on adjacent BLM land.

## **BLM-Administered Lands Portion of Site**

The majority of the overall Project site is located on BLM-administered lands on a relatively flat area encompassing approximately 8 square miles on the Palo Verde Mesa area in eastern

# APPLICATION FOR MAJOR LAND USE ACTION REVIEW RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION DESERT QUARTZITE SOLAR PROJECT

Riverside County near Blythe, south of Interstate 10, and southwest of the Blythe Airport. The overall Project site currently consists primarily of undeveloped desert land. Several existing electrical power lines run parallel to and outside of the southwest and southeast borders of the overall Project site as shown on Figure 1 and Sheet 4 (attached). In addition, new power lines either under construction or proposed to support other renewable energy projects in the general Blythe area run in an east-west orientation through the northern portion of the overall Project site generally along 16<sup>th</sup> Avenue/Seeley Avenue and within the proposed Gen-Tie study corridor for the Desert Quartzite Solar Project (see Figure 2).

## **Proposed Land Use**

## 160-acre Private Parcel

As described in more detail in the CUP application, the proposed Project includes development of the 160-acre private parcel for solar photovoltaic (PV) energy production. A summary of proposed solar generation related facilities within the private 160-acre parcel follows:

- Approximately 27,000 feet of internal, 20-foot-wide access roads
- Approximately 2,850 feet of 6-foot tall chain link fence topped with 1.3 feet of 3-strand barbed wire (i.e., total height of approximately 7 feet)
- Approximately 15,450 typically 12-foot long driven-post foundations for the solar arrays
- Approximately 125 acres of solar array fields (maximum height of 13 feet) generating approximately 25 megawatts (MW) of electricity
- 12 Power Conversion System shelter facilities (maximum height of 12 feet)
- 1 Photovoltaic Combining Switchgear

A preliminary site plan specific to the 160-acre private parcel is presented on Sheet 1 (Preliminary Site Plan) of Exhibit A (Site Plan Package) in the CUP Application. A typical solar array configuration and elevation drawing is shown on Sheet 9 (Typical Array and Elevation) of Exhibit A (Site Plan Package) in the CUP Application. A floor plan and sectional views of a Power Conversion Station are shown on Sheet 10 (Power Conversion Station [PCS]) of Exhibit A (Site Plan Package) in the CUP Application. Copies of Sheets 1, 9, and 10 are attached herein for reference.

## **BLM-Administered Lands Portion of Site**

The overall proposed Project includes construction and operation of a 450 MW alternating current (AC) PV electric-generating project. The overall Project includes the Solar Facility, an On-Site Substation, and the approximately 3- to 4-mile-long on-site 230 kilovolt (kV) Gen-Tie Line. The Project proposes to interconnect to the regional transmission grid at Southern

California Edison's (SCE) Colorado River Substation (CRSS)(see Figure 1). The CRSS was completed in 2013 as part of system upgrades that are intended to serve several renewable energy projects in the region. The proposed 230 kV Gen-Tie Line would be located entirely on land administered by the BLM on the northern portion of the Project site and would be authorized as part of the BLM right-of-way (CACA 49397) grant. The Gen-Tie transmission structures are the tallest (maximum of 135 feet) components associated with the proposed Project. The overall Project site encompasses approximately 5,275 acres. The proposed solar facility would be constructed within an approximately 3,714-acre fenced portion of the overall Project site. A preliminary site layout for the overall Project, including the 160-acre private land portion, is presented on Sheet 2 (Overall Preliminary Site Plan) of Exhibit A (Site Plan Package) in the CUP Application. A copy of Sheet 2 is attached herein for reference. In addition, a preliminary alternate site layout is presented on Figure 3.

## Number of People on Site

As noted on the application form, the calculated maximum number of people on the 160-acre private parcel is 50. This number of people is for workers during the construction phase and was calculated based on the maximum number of construction workers for the overall project (810) prorated for the 160-acre private land parcel percentage of the planned fenced area (3,714 acres) of the overall site. During the operational phase of the Project, the workforce is estimated at approximately 5 for the overall Project and, with the exception of periodic operation, maintenance, and security activities on the private parcel, no workers will typically be present on the 160-acre private parcel. The Project Operations and Maintenance building is located along 16<sup>th</sup> Avenue/Seeley Avenue on BLM land as shown on Sheet 2 (Overall Preliminary Site Plan) of Exhibit A (Site Plan Package) in the CUP Application. A copy of Sheet 2 is attached herein for reference.

## **Height Data**

## 160-Acre Private Parcel

As noted on the application form, the height above ground of the tallest structure on the 160-acre private parcel is approximately 13 feet for the PV arrays at maximum height. With consideration of the highest base elevation above sea level (asl) (396 feet) on the 160-acre private parcel, the highest elevation of the PV arrays will be approximately 409 feet asl. This PV array height information for the private parcel is applicable to both the proposed and alternate site layouts. The 160-acre private parcel will be developed with PV arrays as part of the larger Project and is located well outside the Blythe Airport Compatibility Zone area. As shown on Figures 1 and 2, the northeast portion of the 160-acre private parcel is located within a 20,000-foot radius of Blythe Airport Runway 8.

## BLM-Administered Lands Portion of Overall Proposed Project Site

The tallest Project-related structures on the overall Project site are the Gen-Tie structures at a maximum of 135 feet in height above ground surface for both the proposed and alternate site layouts. No proposed Project-related 230 kV Gen-Tie structures are currently planned within the Blythe Airport Compatibility Zone area where Zone E encompasses the northeast portion of the overall site (see Figure 2). In addition, the proposed Project on-site substation is located outside the Blythe Airport Compatibility Zone Area (see Figure 2).

The tallest Project-related objects on the overall Project site within the Blythe Airport Compatibility Zone (Zone E) are several of the proposed 70-foot-tall, 34.5-kV collector poles distributed throughout the site. It should be noted that there are currently no proposed or alternate Project facilities in the northernmost portion of the Project site (Section 3, T 7S, R 21E) as shown on Figure 1 and Sheet 2 (Overall Preliminary Site Plan) of Exhibit A (Site Plan Package) in the CUP Application. A copy of Sheet 2 is attached herein for reference.

<u>Proposed On-Site Substation</u>. The location of the proposed on-site substation is shown on Figures 2 and 4. As shown on Figure 2, the proposed on-site substation is located outside of any Blythe Airport Compatibility Zones, but within a 20,000-foot radius of the closest Blythe Airport runway (Runway 8). The tallest structure at the proposed substation is planned to be 100-feet tall (maximum) and would be located at least 17,812 feet from the west end of Runway 8.

Proposed 230 kV Gen-Tie Structures. As described above, the Gen-Tie structures are proposed to be a maximum of 135-feet tall. None of the proposed Gen-Tie structures are located within any Blythe Airport Compatibility Zones (see Figure 2 and Table 2). As shown on Figure 4, there are 20 proposed 230 kV Gen-Tie structures along the approximately 2.8-mile-long proposed Gen-Tie route. Using the 20,000-foot distance criteria specified by the ALUC, five of these 20 are located within 20,000 feet of the west end of the closest Blythe Airport runway (Runway 8). The distances from the applicable poles to the west end of Runway 8 are included in Table 2 along with the base ground elevation and the top of structure elevation for each structure. Based on site survey data, the highest elevation of any proposed object on the overall Project site within 20,000 feet of the west end of Blythe Airport Runway 8 is approximately 574feet asl for a Gen-Tie monopole structure (Pole 5) located approximately 19,702 feet south-southwest from Runway 8 (see Figures 2 and 4). This height for Pole 5 is based on an approximate 439-foot base elevation plus 135-foot-tall Gen-Tie monopole structure (refer to Table 2). This location is approximately 0.5 mile to the west of the western extent of the mapped Blythe Airport Compatibility Zone E. As shown on Figure 2 and the Preliminary Proposed Gen-Tie Line Plan (Figure 4), the proposed Gen-Tie line route would be located to the south of multiple other proposed and/or existing transmission lines (e.g., existing Blythe/McCoy, SCE 161 kV, and NRG Blythe 21 lines; and the proposed Blythe Mesa line) which are located closer to the Blythe Airport runways than the Desert Quartzite proposed Gen-Tie line route.

## Alternate Project

Alternate Site Layout. An alternate site layout, involving a reduced Project development footprint relative to the proposed site layout to avoid potentially sensitive resources on the Project site is presented on Figure 3.

Alternate On-Site Substation. The location of the alternate on-site substation is shown on Figure 2, 3 and 5. As shown on Figure 2, the alternate on-site substation is located within Blythe Airport Compatibility Zone E, and within a 20,000-foot radius of the closest Blythe Airport runway (Runway 8). The tallest structure at the alternate substation is planned to be 100-feet tall (maximum) and would be located at least 14,283 feet from the west end of Runway 8.

Alternate 230 kV Gen-Tie Structures. The Gen-Tie structures are proposed to be a maximum of 135-feet tall. Of the 29 alternate Gen-Tie structures shown on Figure 5, eight of the Gen-Tie structures are located within Blythe Airport Compatibility Zone E and a total of 13 structures are located within 20,000 feet of the west end of Runway 8 (see Table 3). The distances from the applicable poles to the west end of Runway 8 are included in Table 3 along with the base ground elevation and the top of structure elevation for each structure. Within a 20,000-foot radius from the closest runway at the Blythe Airport, the structure with the highest elevation is Pole 84 with a top-of-pole elevation of 574 feet asl and at a distance of 19,577 feet from the west end of Runway 8. As shown on Figure 2 and the Preliminary Alternate Gen-Tie Line Plan (Figure 5), the alternate Gen-Tie line route would be located to the south of multiple other proposed and/or existing transmission lines (e.g., existing Blythe/McCoy, SCE 161 kV, and NRG Blythe 21 lines; and the proposed Blythe Mesa line) which are located closer to the Blythe Airport runways than the Desert Quartzite alternate Gen-Tie line route.

#### **CUMULATIVE ENERGY DEVELOPMENT**

As shown on Figure 2, there are multiple existing, proposed, and approved solar energy facilities and transmission lines in the general vicinity of the proposed Desert Quartzite Solar Project, including alternatives. Existing and proposed transmission lines by others traverse the northern portion of the Desert Quartzite Solar Project site as well as the western, southern, and eastern portions of the Blythe Airport Compatibility Zones as shown on Figure 2.

The proposed maximum 135-foot-tall Desert Quartzite Gen-Tie structures would be similar in character to other existing and proposed transmission lines in the vicinity of the proposed Gen-Tie route.

TABLE 2
HEIGHT DATA AND DISTANCES TO AIRPORT RUNWAYS
FOR PROPOSED DESERT QUARTZITE SOLAR PROJECT TALLEST STRUCTURES
WITHIN 20,000 FEET OF BLYTHE MUNICIPAL AIRPORT

Facility <sup>1</sup>	Pole ID <sup>2</sup>	Facility Maximum Height (feet)	State Plane Coordinates (Northing/Easting) <sup>2</sup>	Ground Elevation (feet asl)	Top Elevation (feet asl)	Airport Compatibility Zone <sup>1</sup>	Distance to Nearest Airport Runway
Proposed 230 kV Gen-Tie Line <sup>1</sup>	1	135	2160329.89/7011026.67	421.49	556.49	NA	17,833.7
	2	135	2160890.12/7011015.51	424.68	559.68	NA	17,503.9
	3	135	2160876.69/7010124.96	430.10	565.10	NA	18,235.5
	4	135	2160863.25/7009234.43	434.62	569.62	NA	18,980.7
	5	135	2160935.30/7008332.59	438.71	573.71	NA	19,702.4

NA = Not applicable.

asl = above sea level.

Refer to Figure 2 for general locations of Project facilities and relationship to Blythe Municipal Airport Compatibility Zones, and 20,000-foot radius from closest runway (west end of Runway 8) at Blythe Municipal Airport.

<sup>&</sup>lt;sup>2</sup> Refer to Figure 4 for Preliminary Proposed Gen-Tie Line Plan for locations of individual proposed Gen-Tie Line poles.

TABLE 3
HEIGHT DATA AND DISTANCES TO AIRPORT RUNWAYS
FOR ALTERNATE DESERT QUARTZITE SOLAR PROJECT FACILITIES
WITHIN 20,000 FEET OF BLYTHE MUNICIPAL AIRPOR

Facility¹	Pole ID <sup>2</sup>	Facility Maximum Height (feet)	State Plane Coordinates (Northing/Easting) <sup>2</sup>	Ground Elevation (feet asl)	Top Elevation (feet asl)	Airport Compatibility Zone <sup>1</sup>	Distance to Nearest Airport Runway
Alternate 230 kV Gen-Tie Line	72	125	2158673.76/7016008.97	388.1	513.1	E	15463.6
	73	125	2158665.08/7015299.16	390.0	515.0	NA	15886.9
	74	125	2158655.08/7014482.40	393.6	518.6	NA	16398.5
	75	125	2158939.58/7013768.04	398.0	523.0	NA	16645.6
	76	125	2159235.57/7013024.81	406.0	531.0	NA	16936.0
	77	125	2159531.56/7012281.58	412.6	537.6	NA	17258.6
	78	125	2159827.55/7011538.35	416.2	541.2	NA	17611.7
	79	125	2160123.55/7010795.13	421.4	546.4	NA	17993.5
	80	125	2160113.76/7010129.34	424.3	549.3	NA	18583.9
	81	125	2160103.97/7009463.55	428.2	553.2	NA	19134.3
	82	125	2160094.19/7008797.76	431.4	556.4	NA	19691.9

## ATTACHMENT 1 FIGURES AND SHEETS

The figures and sheets referenced in Attachment 1 are presented herein, as follows:

## **Figures**

Figure 1: Project Area and Airport Zones

Figure 2: Cumulative Energy Projects/Airport Zones Map

Figure 3: Alternate Site Layout

Figure 4: Preliminary Proposed Gen-Tie Line Plan

Figure 5: Preliminary Alternate Gen-Tie Line Plan

## Sheets

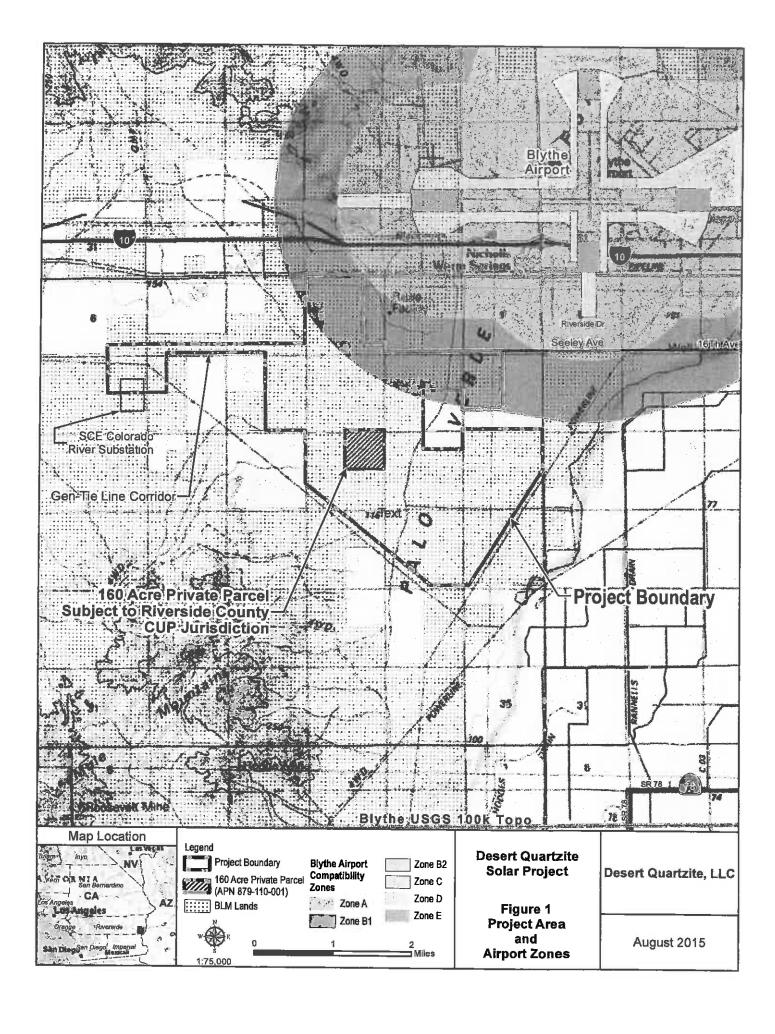
Sheet 1: Preliminary Site Plan (160 acre private parcel)

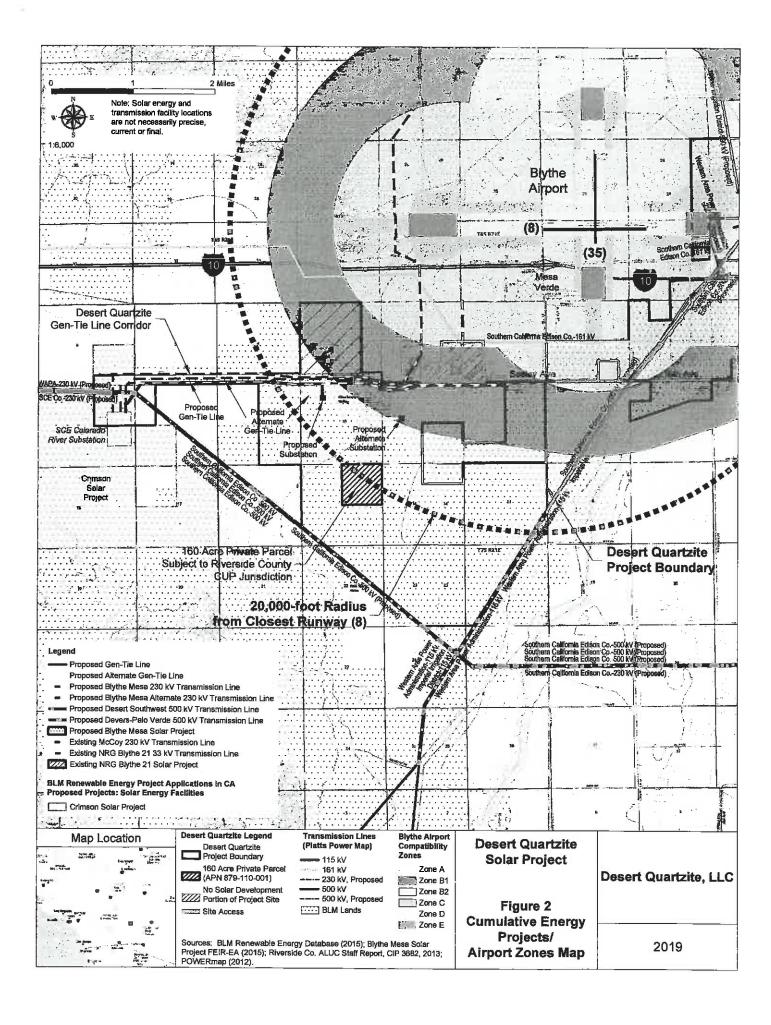
Sheet 2: Overall Preliminary Site Plan

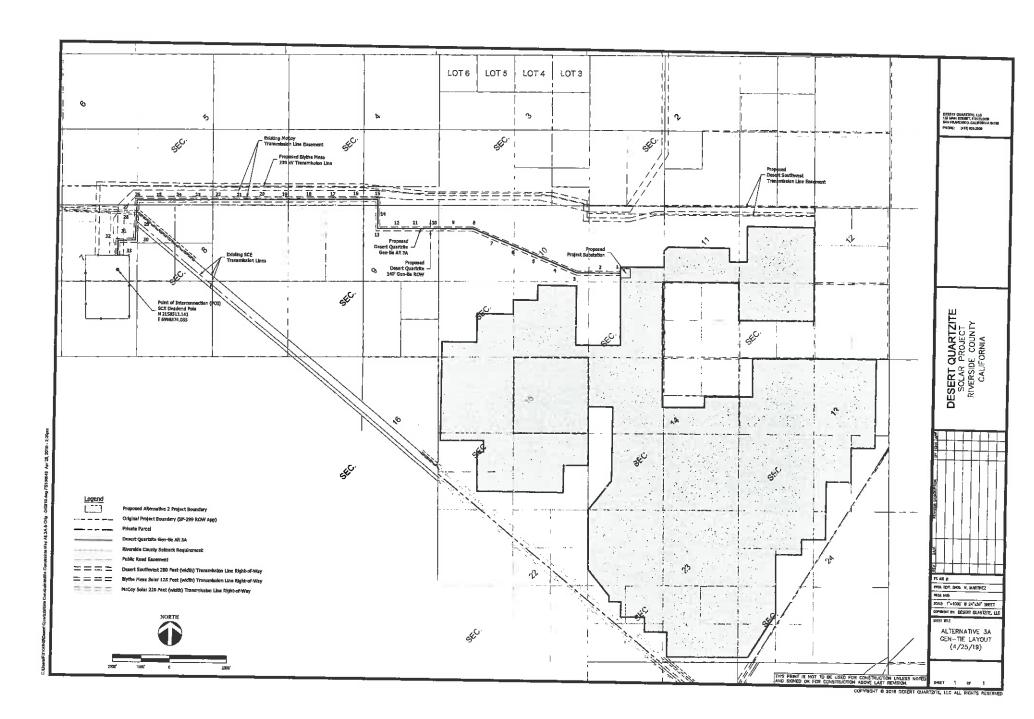
Sheet 4: Overall Easement Plan

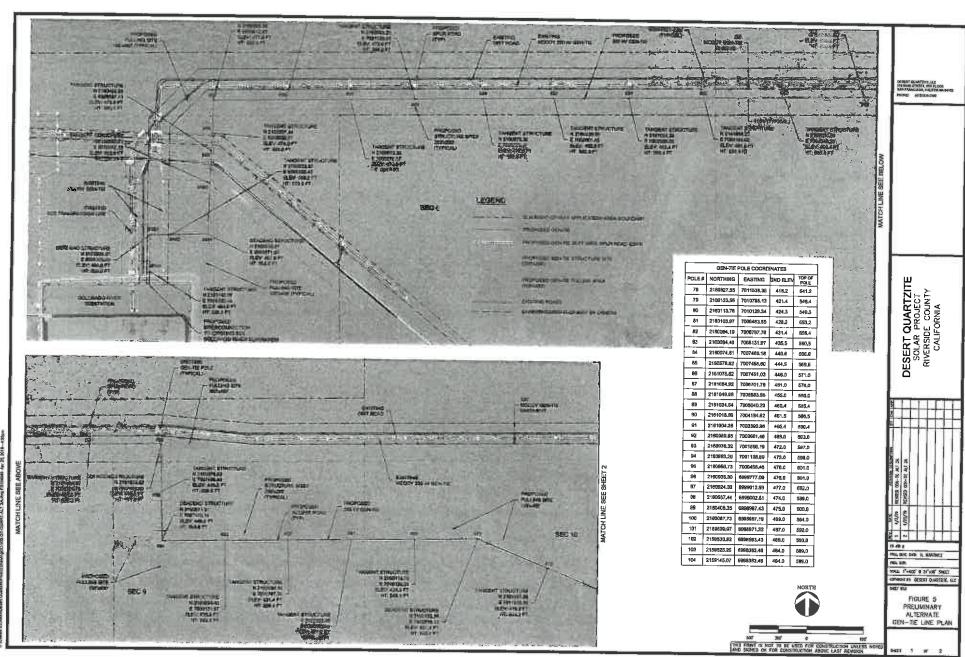
Sheet 9: Typical Array Configuration and Elevation

Sheet 10: Power Conversion Station (PCS)

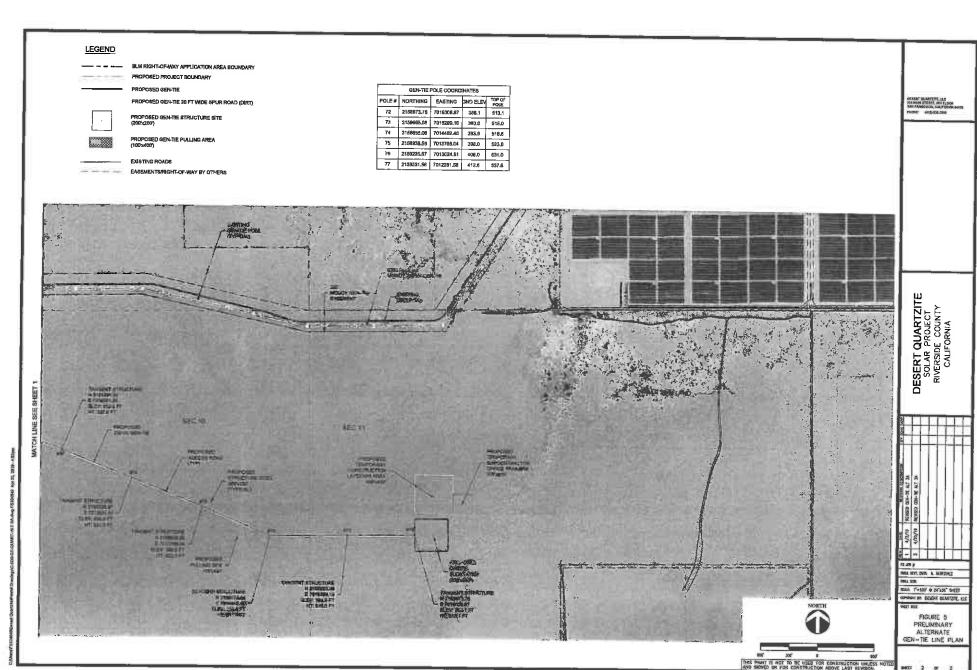




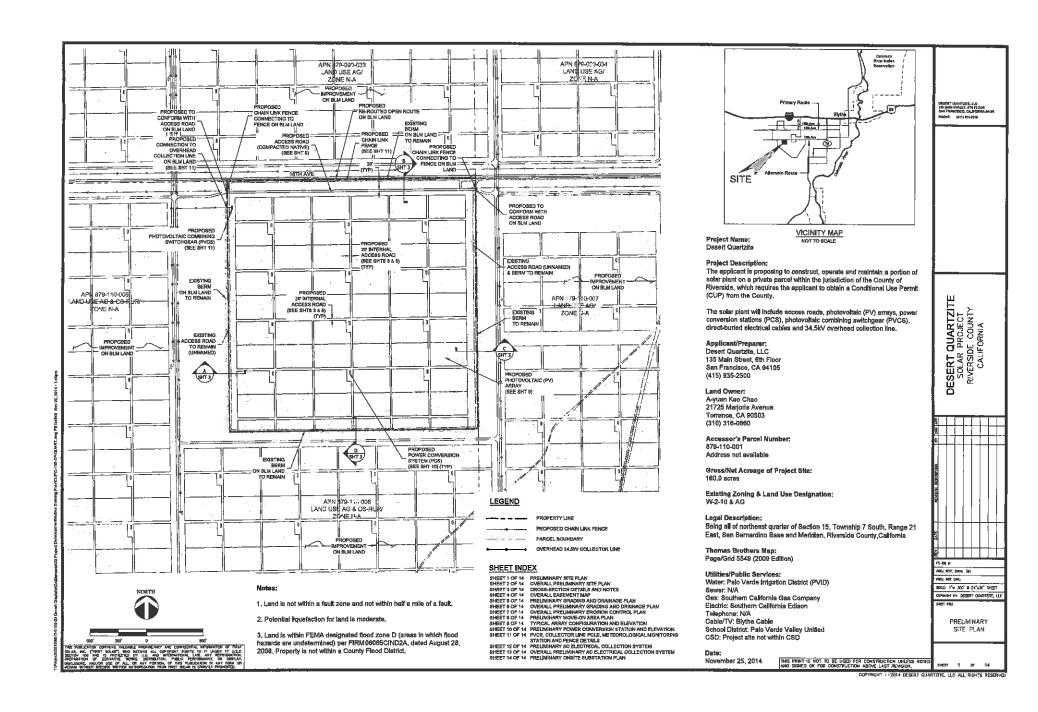


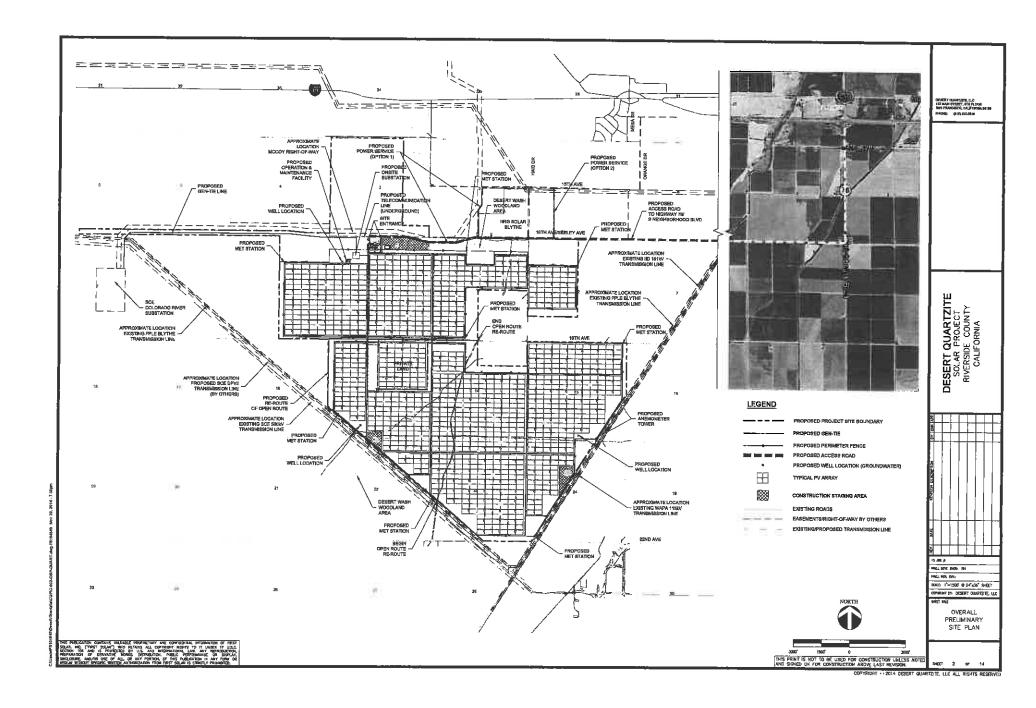


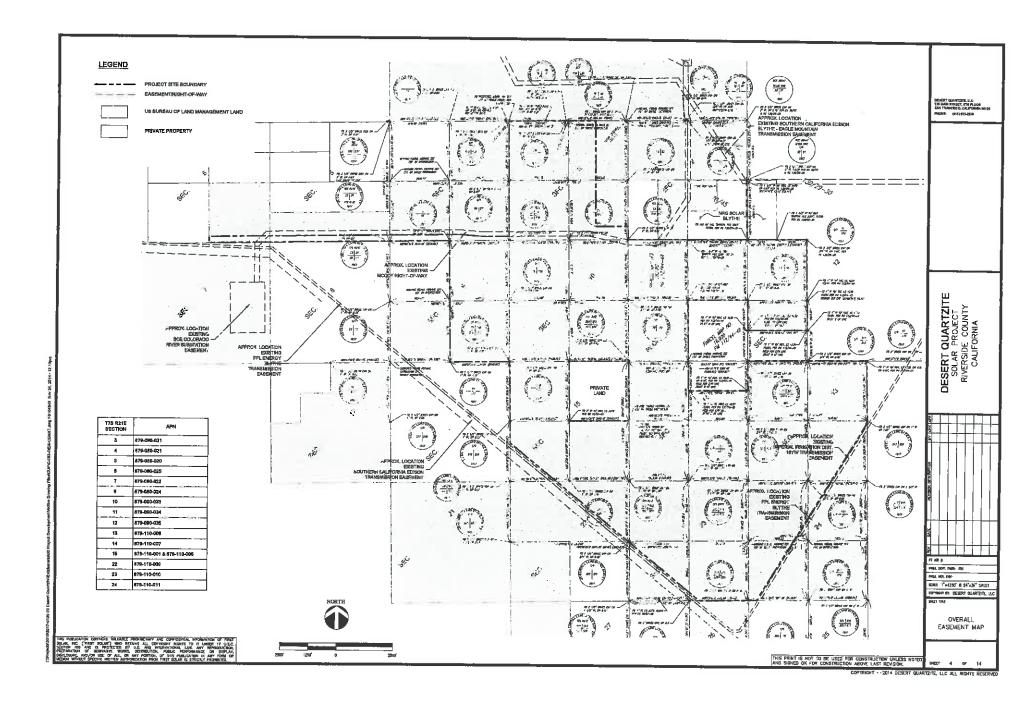
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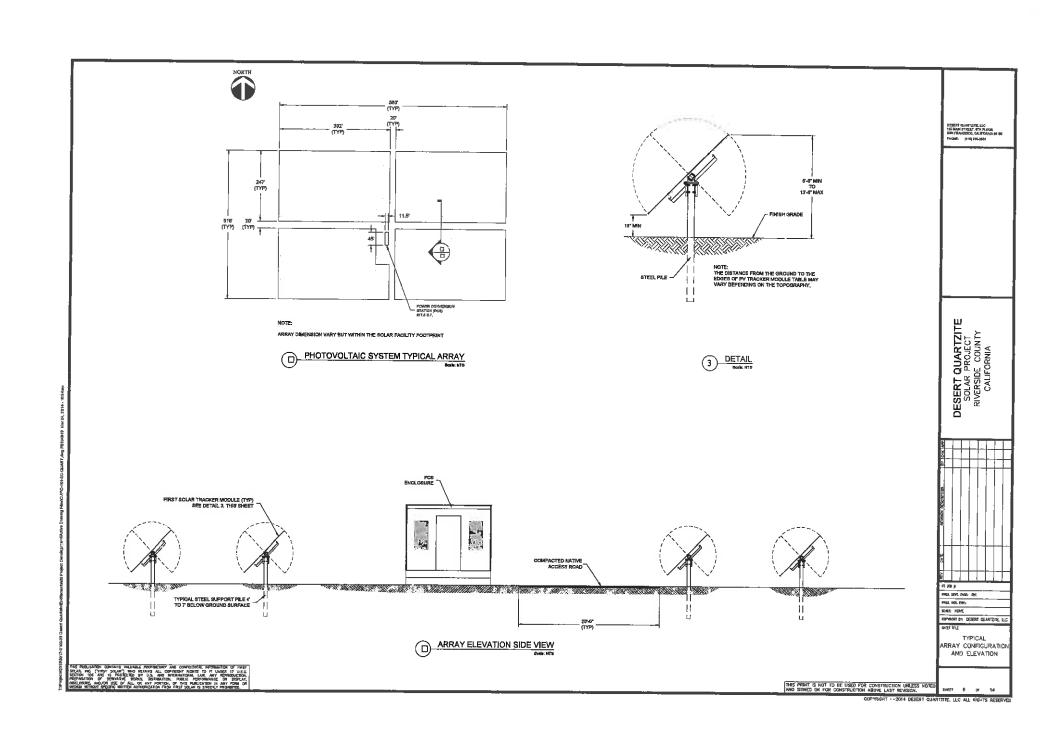


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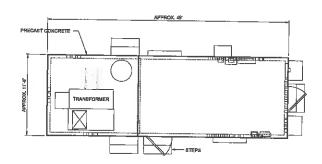




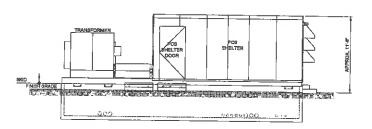
#### NOTES

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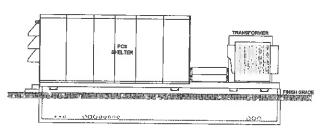
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DESERT QUARTZITE SOLAR PROJECT RIVERSIDE COUNTY CALIFORNIA

55 200 8 POWER CONVERSION STATION (PCS)

THIS PRINT IS NOT TO BE USED FOR CONSTRUCTION UNLESS NOTED AND SIGNED OK FOR CONSTRUCTION ABOVE LAST REVISION,

## **GLARE STUDY**

# FOR THE DESERT QUARTZITE SOLAR PROJECT RIVERSIDE COUNTY, CALIFORNIA

PURCHASE ORDER NO. 4800026507

## Prepared for:

## Desert Quartzite, LLC

A Wholly-owned Subsidiary of First Solar Development, Inc. 135 Main Street, 6<sup>th</sup> Floor San Francisco, CA 94105

## Prepared by:

URS (An AECOM Company)
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Portland, OR 97201
(503) 222-7200 ◆ Fax: (503) 250-4212

Project No. 60421652.28907634.10001

August 2015

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## GLARE STUDY DESERT QUARTZITE SOLAR PROJECT

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## 1.0 INTRODUCTION

This document describes results of the Glare Study conducted for the Desert Quartzite Solar Project (Project), located in eastern Riverside County near Blythe, California.

## 1.1 Project Background

The Project would include construction and operation of a 300-megawatt (MW) alternating current photovoltaic (PV) solar facility and an approximately 3-mile-long, 230-kilovolt (kV) generation-tie (gen-tie) line interconnection to the existing Southern California Edison (SCE) Colorado River Substation (CRSS). The solar array would be located within the approximately 2,613-acre fenced portion of the overall 5,245-acre Project site of which the gen-tie line study corridor occupies 445 acres. The Project site would be located approximately 2 miles southwest of the Blythe Municipal Airport and directly south-southwest of the existing NRG Blythe Solar Power Plant. Interstate 10 (I-10) runs east-west approximately 0.4 mile from the northern boundary of the Project site, and approximately 1.5 miles north of the closest extent of the portion of the Project site that is proposed to be developed with solar panels. The Project site location and the Applicant's proposed preliminary PV site layout are shown on Figure 1.

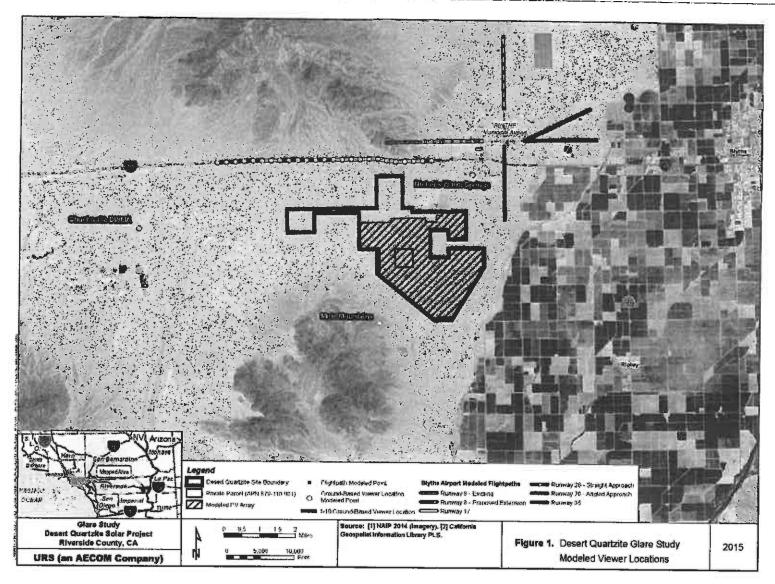
## 1.2 Purpose of Study

The purpose of the Glare Study is to identify potential glare impacts that could result from operation of the proposed solar array when viewed from common flight paths and specific ground-level locations. Specifically, the Glare Study addresses the following:

- Glare from the proposed solar array visible to:
  - Pilots upon their approach to Blythe Municipal Airport
  - Roadway travelers on I-10
  - Representative on-the-ground viewer locations in the Town of Nicholls Warm Springs/Mesa Verde, the Mule Mountains Area of Critical Environmental Concern (ACEC), and the Chuckwalla Desert Wildlife Management Area (DWMA)
- Timing and duration of visible glare
- Level of potential impact to the human eye from glare

## 1.3 PV Panels and Array Details

The Project will be constructed using cadmium telluride (CdTe) thin-film solar modules, or other PV modules, mounted on: single-axis, horizontal tracker structures; fixed-tilt mounting systems; or a combination thereof. Fixed-tilt arrays, which do not track the sun, would be



positioned in a south-facing orientation at a tilt between 20 and 25 degrees from horizontal (ground surface) to receive optimal solar energy throughout the year. The rows in each array would be oriented in an east-west direction. The maximum height for fixed-tilt arrays would be 13 feet above the ground surface. On the single-axis horizontal trackers, the PV modules would be mounted horizontally (not tilted to the south). Single-axis units would be arranged into north-to-south-oriented rows and would be powered by a drive motor to track the east-west path of the sun from a single axis over the course of the day. The tallest height of the single-axis horizontal tracker would be approximately 13 feet maximum above the ground surface. The tallest height would coincide with early morning and evening hours. Figure 2 provides a representative photograph of a single-axis, horizontal tracker PV panel array. Fixed-tilt panels would have a similar appearance, but do not rotate about an axis.

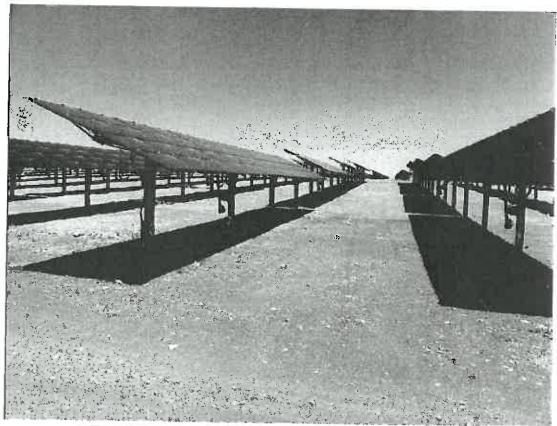


Figure 2 - Representative Horizontal Tracker PV Array

## 2.0 REGULATORY FRAMEWORK

The Federal Aviation Administration (FAA) has established an interim policy for proposals by sponsors of federally obligated airports to construct solar energy systems on airport property (78 FR 63276). The interim policy requires use of the Solar Glare Hazard Analysis Tool (SGHAT) for assessing glare-induced ocular impact. Solar energy systems that are

located on a non-federally obligated airport or located off airport property are not subject to this policy; however, they are strongly encouraged to consider the requirements established in the interim policy when siting the project. The Desert Quartzite Solar Project is not located on a federally obligated airport. However, Riverside County has requested the glare analysis be performed for the Project. The interim policy provides the following standards for measuring ocular impact of a proposed solar energy system:

- 1. No potential for glint or glare in the existing or planned Airport Traffic Control Tower (ATCT) cab, and,
- 2. No potential for glare or "low potential for after-image" along the final approach path for any existing landing threshold or future landing thresholds (including any planned interim phases of the landing thresholds) as shown on the current FAA-approved Airport Layout Plan (ALP). The final approach path is defined as two (2) miles from fifty (50) feet above the landing threshold using a standard three (3) degree glidepath. Ocular impact must be analyzed over the entire calendar year in one (1) minute intervals from when the sun rises above the horizon until the sun sets below the horizon.

## 3.0 METHODS

The SGHAT was used to perform the glare analysis. SGHAT is a web-based tool that employs Google Maps to assess when/where glare would occur and to classify the level of potential effects on the human eye from glare. The user enters the location and characteristics of the PV array into the model, and SGHAT uses Google Maps to determine the latitude, longitude, and elevation of the PV panels, which provides the necessary information for sun position and vector calculations. Model output for glare potential is organized into the following categories:

- Potential for permanent eye damage Permanent eye damage from retinal burn may occur.
- Potential for temporary after-image Within this range, glare could be intense enough to
  cause temporary after-image, or flash-blindness, the effect after viewing a camera flash in
  a dim room, for a period of at least one second. The intensity of the glare would be below
  the retinal burn threshold, and would not have potential for permanent eye damage (Ho et
  al. 2011).
- Low Potential for temporary after-image Glare could occur, but the intensity would be below the threshold for potential after-image, or flash-blindness.
- Glare beyond 50 degrees from pilot line of sight Glare could occur but it would not pose
  a safety risk to pilots. Research has concluded that glare occurring beyond 50 degrees

azimuthally from the pilot's line-of-sight does not pose safety risks to the pilot (Ho et al. 2014).

## 3.1 Model Input Parameters and Assumptions

User-defined input parameters for the SGHAT included data on viewer locations and PV arrays.

## 3.1.1 <u>Viewer Locations</u>

Viewer locations included both ground-based locations and flight paths. A description of each viewer location is provided below and shown on Figure 1.

3.1.1.1 Air-based Viewer Locations. Flight paths were modeled based on the four different runways at the Blythe Municipal Airport (Figure 1). Six landing approaches were modeled, including the proposed extension of Runway 8 and an alternate angled approach for Runway 26 at 25 degrees right of center (ALUC 2004). The SGHAT models flight paths as linear paths starting at the runway threshold and extending for 2 miles in the approach direction. The model automatically establishes points at ¼-mile increments along the 2-mile linear approach path, and glare is predicted for each of those points. Based on discussions with ALUC staff, it is understood that there is no Air Traffic Control Tower (ATCT) at the Blythe Municipal Airport (personal communication with John Guerin, Principal Planner at ALUC, on April 8, 2015). Therefore, no ATCT was modeled as a viewer location in this analysis.

Table 1 below summarizes each runway that was modeled and associated assumptions and input parameters.

TABLE 1
MODELED RUNWAY APPROACHES

Runway Approach	Approach Orientation	Runway Length (ft
8 - Existing	Eastbound approach	6,562
8 - Proposed extension	Eastbound approach	10,012
26 - Straight approach	Westbound approach	6,562
26 - Angled approach	Southwest-bound approach (25° offset from center)	6,562
17	Southbound	6,562
35	Northbound	6,562

<sup>1</sup> Marking on the runway that indicates the designated space for aircraft landing and takeoff.

The SGHAT flight path parameters used in the model are summarized below in Table 2.

TABLE 2 FLIGHT PATH USER INPUTS

Parameter	Value	Source	Description
Threshold crossing height	50 feet	Model default	Height above ground of aircraft as it crosses the threshold point.
Glide slope	3°	ALUC 2004	Angle, in degrees, of ascent/descent of aircraft along path.
Consider pilot visibility from cockpit	YES	Professional judgment	If "YES" is selected, the glare below the maximum downward viewing angle is ignored since this would not pose a safety hazard to the pilot.
Maximum downward viewing angle	30°	Model default	The angle below the horizon indicating the field of view of the pilot in the cockpit from the flight path observation points. Glare occurring below this field of view is ignored. Only used if "consider pilot visibility from cockpit" is checked.
Azimuthal viewing angle	180°	Model default	The horizontal angle clockwise and counter-clockwise from the front of the aircraft parallel with the horizon.  Glare occurring past this field of view is ignored. An azimuthal viewing angle of 180° means glare behind the aircraft can be seen (360° field of view).

3.1.1.2 Ground-based Viewer Locations. Ground-based viewer locations were established for four different viewing areas I-10, Town of Nicholls Warm Springs/Mesa Verde, the Mule Mountains ACEC, and the Chuckwalla DWMA. I-10 was considered to be a linear viewer platform. A 6-mile stretch of I-10 was analyzed, starting near the mid-point of the Project area, extending west for 6 miles. The model evaluated potential glare at points established at ¼-mile increments along the 6-mile stretch of interstate. Viewer height for the I-10 Viewer Location was assumed to be 4'-6" to estimate eye height of a motorist. A viewer eye height of 5'-6" was assumed for the remaining three ground-based viewer locations which were established to be representative locations for viewers from the town of Nicholls Warm Springs/Mesa Verde, the Mule Mountains ACEC, and the Chuckwalla DWMA. The model did not analyze I-10 to the east because topography and existing vegetation screen the site from view of motorists traveling toward the site from the east.

## 3.1.2 PV Array Parameters

PV Array parameters used for this Glare Study are defined as summarized in Table 3 below. Figure 1 displays the assumed worst-case geographic extent of the PV Array.

# TABLE 3 USER-DEFINED PV ARRAY PARAMETERS

Parameter	Value	Description	
Axis tracking	None and Single	"None" indicates a fixed-tilt panel and "Single" indicates a single-axis panel. Both axis tracking types (fixed-tilt and single axis) were modeled as different scenarios.	
Orientation of array (fixed-tilt panels only)	180°	Specifies the orientation of the array in degrees, measured clockwise from true north. Modules facing east would have an orientation of 90°, and modules facing south would have an orientation of 180°.	
Tilt of solar panels (fixed-tilt panels only)	25°	Specifies the tilt (elevation angle) of the modules in degrees, where 0° is facing up and 90° is facing horizontally.	
Tilt of tracking axis (single-axis tracking only)	0° Specifies the elevation angle of the tracking axis in degrees. A va 0° indicates the axis is parallel with flat ground while a value of 9 indicates the axis is perpendicular to flat ground. The panels rota the tracking axis. The tilt of the tracking axis is shown as β in Figure		
Orientation of tracking axis (single-axis tracking only)	180°	Specifies the orientation of the tracking axis in degrees, measured clockwise from true north. Panels facing south at solar noon would have an orientation of 180°. Note: if the tilt of the tracking axis is 0°, an orientation of the tracking axis of either 0° or 180° yields the same results.	
Offset angle of module	N/A	Specifies, in degrees, the vertical offset angle between the tracking a and the panel (if any). The offset angle of module is shown as $\mu$ in Figure 3.	
Maximum tracking angle	45°	The maximum angle the panel will rotate in both the clockwise and counterclockwise directions from the zenith (upward) position. A value of 45° indicates the panel can rotate a maximum of 45° E and 45°W, for a total of 90°.	
with incidence be calculated as a function of module surface		"YES" indicates that the reflectivity of the modules at each time step will be calculated as a function of module surface material and incidence angle between the panel normal and sun position.	
Module surface material	dule surface Smooth glass Specifies the type of material comprising the PV modules. The r		
Slope error	Correlate slope error to module surface type	This parameter specifies the amount of scatter that occurs from the PV module. Mirror-like surfaces that produce specular reflections will have a slope error closer to zero, while rough surfaces that produce more scattered (diffuse) reflections have higher slope errors. The model automatically selects slope error (or scatter) based on the module surface material.	

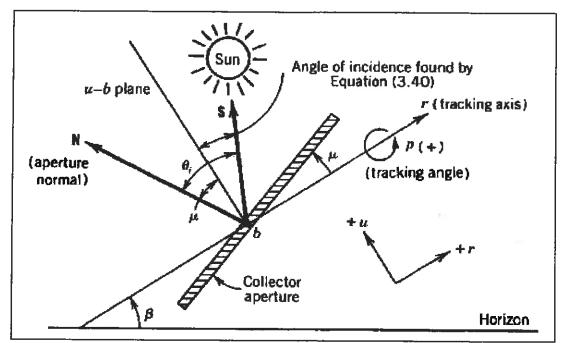


Figure 3 – Tilt of Tracking Axis ( $\beta$ ) and Offset Angle ( $\mu$ ) Source: Stine and Geyer 2001

## 3.1.3 Analysis Parameters

Table 4 summarizes the analysis default parameters applied to the SGHAT model.

## TABLE 4 ANALYSIS PARAMETERS

Parameter	Value	Description
Subtended angle of the sun	9.3 mrad (0.53°)	Angle formed by the sun relative to the location and position of the observer's eye.
Peak direct normal irradiance (DNI)	1000 W/m <sup>2</sup>	Maximum amount of solar power striking surface per unit area. DNI varies for each time step based on sun position.
Ocular transmission coefficient	0.5	Accounts for radiation that is absorbed in the eye before reaching the retina.
Pupil diameter	0.002 m	The size impacts the amount of light entering the eye and reaching the retina.
Eye focal length	0.017 m	Distance between the nodal point (where rays intersect in the eye) and the retina. This value is used to determine the projected image size on the retina for a given subtended angle of the glare source.
Time interval	1 minute	Time step for analysis.

## 3.2 Model Limitations

Below is a list of assumptions and limitations of the SGHAT (Ho et al. 2014).

- The software currently only applies to flat reflective surfaces.
- PV array single-axis tracking does not account for backtracking or the effects of panel shading and blocking.
- SGHAT does not rigorously represent the detailed geometry of a system; detailed
  features such as gaps between modules, variable height of the PV array, and support
  structures may impact actual glare results. However, model results have been validated
  against several systems, and the tool was found to accurately predict the occurrence and
  intensity of glare at different times and days of the year.
- SGHAT assumes that the PV array is aligned with a plane defined by the total heights of the coordinates outlined in the Google map.
- SGHAT does not consider obstacles (either man-made or natural) between the observation points and the prescribed solar installation that may obstruct observed glare, such as trees, hills, buildings, etc.
- The variable direct normal irradiance (DNI) feature (if selected) scales the user-prescribed peak DNI using a typical clear-day irradiance profile. This profile has a lower DNI in the mornings and evenings and a maximum at solar noon. The scaling uses a clear-day irradiance profile based on a normalized time relative to sunrise, solar noon, and sunset, which are prescribed by a sun-position algorithm and the latitude and longitude obtained from Google maps. The actual DNI on any given day can be affected by cloud cover, atmospheric attenuation, and other environmental factors.

## 4.0 MODEL RESULTS

The SGHAT model predicted that the Project, operated using fixed-tilt panels, would produce glare visible from several of the viewer locations that were selected for analysis. Glare was not predicted to occur for the Project at any of the analyzed viewer locations when operated using single-axis, horizontal tracker panels. Viewer locations that could be affected by glare include Runway 35, the Mule Mountains ACEC, and the Chuckwalla DWMA. Table 5 summarizes the results of the glare analysis. A discussion of the results is provided below for potentially affected viewer locations. Appendix A includes plots that display the potential for glare and its effects on the human eye that could be experienced at each of these potentially affected viewer locations.

# TABLE 5 GLARE RESULTS SUMMARY

	Predicted Glare		
Viewer Location	Fixed-tilt	Single-axis	
Air-based			
Runway 26 - Straight Approach	No glare	No glare	
Runway 26 - Angled Approach	No glare	No glare	
Runway 8 – Existing Layout	No glare	No glare	
Runway 8 – Proposed Runway Extension	No glare	No glare	
Runway 17	No glare	No glare	
Runway 35	Glare beyond 50 degrees from pilot line-of-sight	No glare	
Ground-based			
l <b>-</b> 10	No glare	No glare	
Town of Nicholls Warm Springs/ Mesa Verde	No glare	No glare	
Mule Mountains ACEC	Low potential for glare and temporary after-image	No glare	
Chuckwalla DWMA	Low potential for glare and temporary after-image	No glare	

## 4.1 Runway 35

Runway 35 is the only flight path for the Blythe Municipal Airport where glare was predicted under either modeling scenario. SGHAT predicted potential glare at 1.75 miles and 2.0 miles from the runway threshold when the Project is operated using fixed-tilt panels. At 1.75 miles, glare was only predicted beyond 50 degrees from pilot line-of-sight for up to 20 minutes per day, between the hours of 5:00 and 6:00 p.m. (1700–1800 during the months of March, September, and October. At 2.0 miles, the SGHAT predicted glare beyond 50 degrees from pilot line-of-sight for approximately one-half hour per day between the hours of 5:00 and 6:00 p.m. (1700–1800), during the months of February, March, April, August, September, and October. As discussed in Section 3.0, glare beyond 50 degrees from pilot line-of-sight would not pose a safety risk to the pilot. At both locations, glare was only predicted for operation of the Project using a fixed-tilt PV array.

### 4.2 Mule Mountains ACEC

The SGHAT predicted glare with low potential for temporary after-image visible from the Mule Mountains ACEC viewer location. As discussed in Section 3.0, "low potential for temporary after-image" indicates that glare could occur but would be below the threshold for both flash-blindness and retinal damage. Glare was predicted from mid-March to mid-

September for approximately one-half hour each day between the hours of 5:30 and 6:30 a.m. (0530-0630). Glare was only predicted for operation of the Project using fixed-tilt PV arrays.

### 4.3 Chuckwalla DWMA

The SGHAT predicted glare with low potential for temporary after-image visible from the Chuckwalla DWMA, meaning glare could occur but would be below the threshold for both flash-blindness and retinal damage. Glare was predicted for a total of 21 days during late-March and mid-September, for a few minutes per day. Glare was only predicted for operation of the Project using a fixed-tilt PV array.

# 5.0 DISCUSSION AND CONCLUSIONS

SGHAT did not predict glare at an intensity high enough to cause flash-blindness or permanent retinal damage from any viewer location. Additional discussion is provided below.

## 5.1 Single-axis Horizontal Trackers

No potential for Project-related glare associated with single-axis horizontal trackers was predicted by the SGHAT for any of the Blythe Municipal Airport flight paths or ground-based viewer locations that were analyzed.

### 5.2 Fixed-tilt Panels

Runway 35 was the only flight path at the Blythe Municipal Airport where glare associated with fixed-tilt panels was predicted. All predicted glare at Runway 35 was beyond 50 degrees from pilot line-of-sight. Research and flight simulator testing concludes that glare occurring beyond an azimuth angle of 50 degrees from the pilot's line-of-sight does not pose safety risks to the pilot (Ho et al. 2014). Therefore, the glare associated with the use of fixed-tilt panels at the Desert Quartzite Solar Project site is not expected to pose a safety risk to pilots approaching the Blythe Municipal Airport.

Glare with low potential for temporary afterimage was predicted for two representative ground-based viewer locations: the Mule Mountains ACEC and Chuckwalla DWMA. These viewer locations were modeled at the eye height of a person walking or standing and do not represent the eye height of vehicle operators. However, it is assumed that vehicle operators, including OHV operators, would experience the same level of glare from these locations. As discussed in Section 3.0, the level of glare predicted would be below the threshold for both flash-blindness and retinal damage.

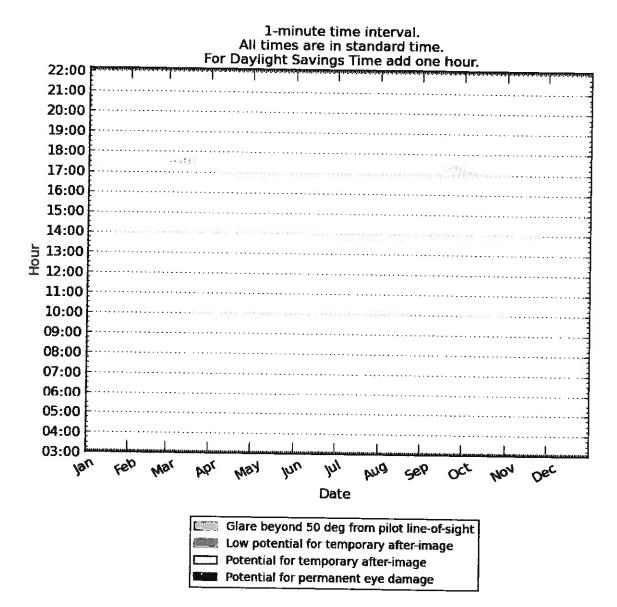
No glare potential was predicted for the selected 6-mile segment of I-10 or the representative location for Nicholls Warm Springs/Mesa Verde viewing areas.

# 6.0 REFERENCES

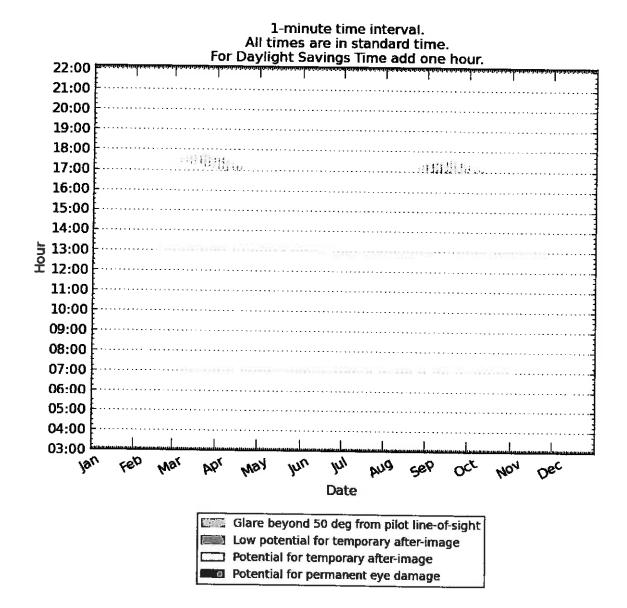
- Clifford K. Ho, Cianan A. Sims, Julius Yellowhair, and Evan Bush. 2014. Sandia National Laboratories. Solar Glare Analysis Tool (SGHAT) Technical Reference Manual.
- Clifford K. Ho, Cheryl M. Ghanbari, and Richard B. Driver. 2011. Concentrating Solar Technologies Department, Sandia National Laboratories. Methodology to Assess Potential Glint and Glare Hazards From Concentrating Solar Power Plants: Analytical Models and Experimental Validation.
- Riverside County Airport Land Use Commission (ALUC). 2004. Riverside County Airport Land Use Compatibility Plan. October 14.
- Stine, William B. and Geyer, Michael. 2001. Power from the Sun. Available at: http://www.powerfromthesun.net/book.html. Accessed May 2015.

# APPENDIX A GLARE PREDICTION PLOTS

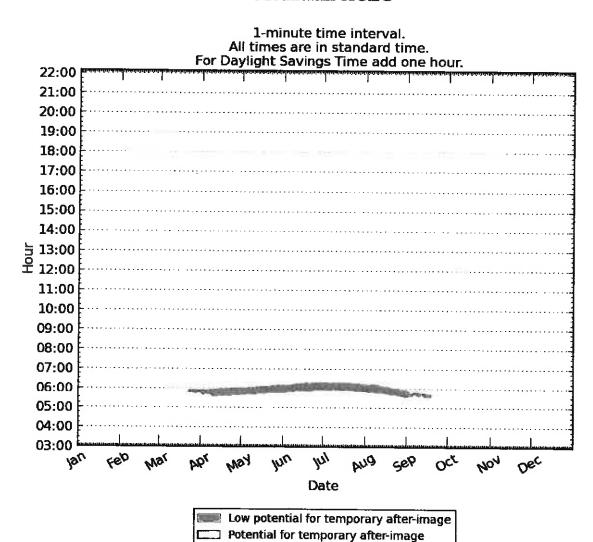
# Runway 35 at 1.75 Miles from Threshold



# Runway 35 at 2.0 Miles from Threshold

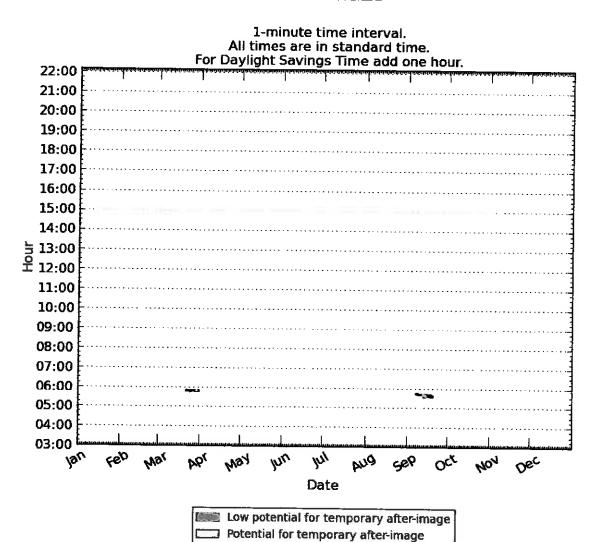


# **Mule Mountains ACEC**



Potential for permanent eye damage

## Chuckwalla DWMA



Potential for permanent eye damage

# PAGE BREAK



# AIRPORT LAND USE COMMISSION **RIVERSIDE COUNTY**



May 16, 2019

Ms. Melody Segura, Project Planner

City of Cathedral City Planning Department

68-700 Avenida Lalo Guerrero

Cathedral City, CA 92234

VICE CHAIR Russell Betts Desert Hot Springs

CHAIR

Steve Manos Lake Elsinore

> AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW-RE: DIRECTOR'S DETERMINATION

**COMMISSIONERS** 

**Arthur Butler** 

Riverside

John Lyon Riverside

Steven Stewart Palm Springs

**Richard Stewart** Moreno Valley

**Gary Youmans** Temecula

STAFF

Director Simon A. Housman

> John Guerin Paul Rull Barbara Santos

County Administrative Center 4080 Lemon St., 14th Floor Riverside, CA 92501 (951) 955-5132

www.rcaluc.org

File No.:

ZAP1074PS19

Related File No.: APN:

CUP18-015 (Conditional Use Permit)

670-212-006

Dear Ms. Segura:

Under the delegation of the Riverside County Airport Land Use Commission (ALUC) pursuant to ALUC's general delegation as per Policy 1.5.2(d) of the Countywide Policies of the 2004 Riverside County Airport Land Use Compatibility Plan, staff reviewed City of Cathedral City Case No. CUP18-015 (Conditional Use Permit), a proposal to establish a 65 foot tall mono-palm wireless communications facility with a 140 square foot equipment shelter area located on the northwest corner of Ramon Road and San Eljay Avenue.

The site is located within Airport Compatibility Zone E of the Palm Springs International Airport Influence Area (AIA). Within Compatibility Zone E of the Palm Springs International Airport Land Use Compatibility Plan, non-residential intensity is not restricted. The proposed telecommunication tower will not create any significant occupancy

The elevation of Runway 13R-31L at Palm Springs International Airport at its southerly terminus is approximately 395.5 feet above mean sea level (AMSL). At a distance of approximately 12,931 feet from the runway to the project property line, Federal Aviation Administration Obstruction Evaluation Service (FAA OES) review would be required for any structures with top of roof exceeding 524.8 feet AMSL. The site elevation is 360 feet AMSL, and the proposed building height is 65 feet, resulting in a maximum top point elevation of 425 feet AMSL. Therefore, review by the FAA OES was not required.

As ALUC Director, I hereby find the above-referenced project **CONSISTENT** with the 2005 Palm Springs Airport Land Use Compatibility Plan, provided that the City of Cathedral City applies the following recommended conditions:

### **CONDITIONS:**

Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of 1. 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, outdoor 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.
- 3. The attached "Notice of Airport in Vicinity" shall be provided to all potential purchasers of the property.
- 4. Any new detention 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 detention 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.

If you have any questions, please contact Paul Rull, ALUC Principal Planner, at (951) 955-6893.

Sincerely,

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Simon A. Housman, ALUC Director

Attachment: Notice of Airport in Vicinity

cc: T-Mobile (applicant)

Coastal Business Group, Chuck Saunders (representative)

Douglas Jones (property owner)

Thomas Nolan, Executive Director, Palm Springs International Airport

ALUC Case File

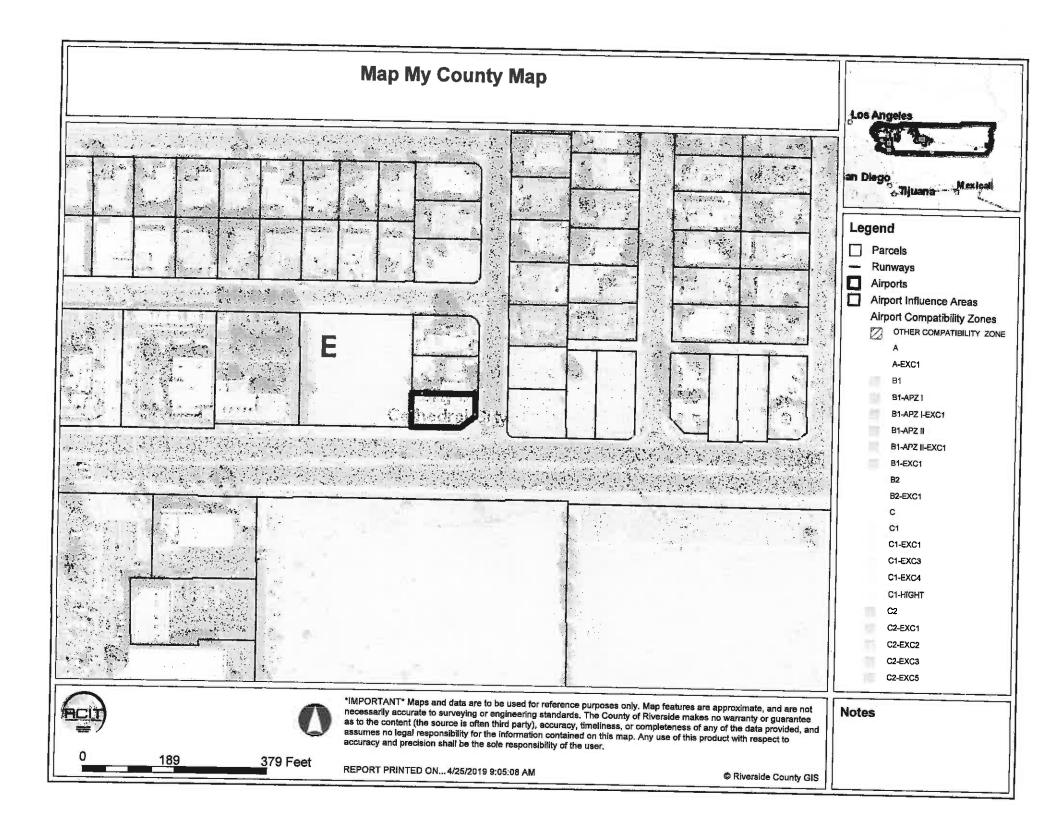
# NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)

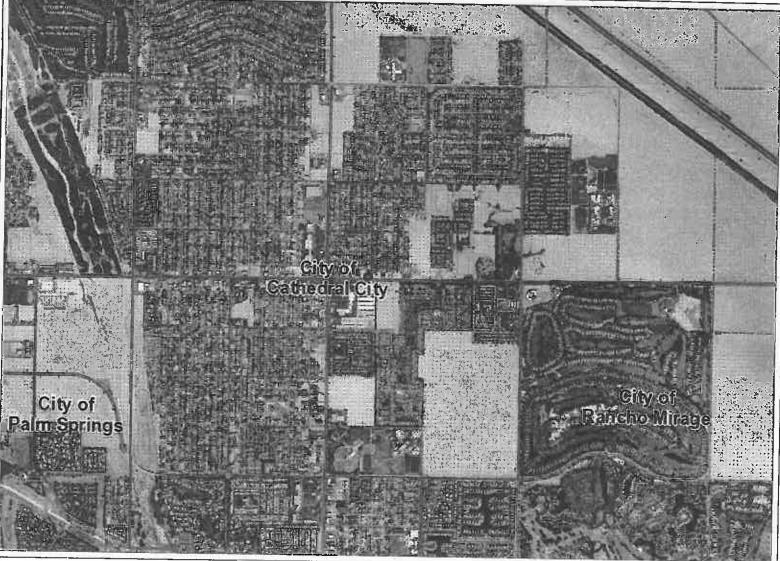
Palm Springs International Airport



# **Map My County Map** Mexical Legend Runways Airports Airport Influence Areas Airport Compatibility Zones OTHER COMPATIBILITY ZONE A-EXC1 81 B1-APZ I B1-APZ I-EXC1 B1-APZ II B1-APZ II-EXC1 B1-EXC1 ₿2 B2-EXC1 C1-EXC1 C1-EXC3 C1-EXC4 C1-HIGHT C2 C2-EXC1 C2-EXC2 C2-EXC3 C2-EXC5 C2-EXC6 \*IMPORTANT\* Maps and data are to be used for reference purposes only. Map features are approximate, and are not Notes necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. 12,127 Feet REPORT PRINTED ON... 4/25/2019 9:06:42 AM @ Riverside County GIS



# **Map My County Map**





### Legend

Blueline Streams City Areas World Street Map





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Notes

# **Map My County Map**





### Legend

Blueline Streams

City Areas

World Street Map





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1,516 Feet

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# **Map My County Map**



an Diego

### Legend

- Parcels
  Blueline Streams
- City Areas
  World Street Map





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Notes

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# T·Mobile·

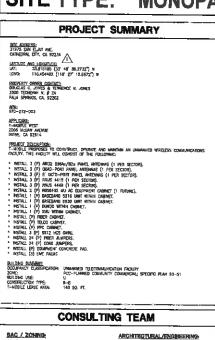
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SITE NAME: SAN ELJAY / RAMON

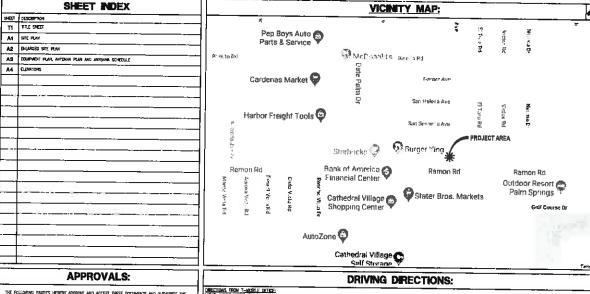
SITE TYPE: MONOPALM

CITY: COUNTY: CATHEDRAL CITY

**RIVERSIDE** 

JURISDICTION: CITY OF CATHEDRAL CITY





SCIONAL ASSUMPTION INC.
24340 MOULTON PRIVE, SUITE O \$7009
LADUM HILLS, CA \$2537
CONTACT: CRUCK SAUNDERS
PRIVE, (94) 3154-1550
EMAC: craunders@contabusinessgroup.nel

ARCHITECTURAL/FINDMEERING: CASA INDUSTRES, MC. 1926 POINTER BLVD. \$105 SANTA FE SPRINGS, CAUFORNIA \$0570 CONTROTO, LLIS CAPRONA PHONE: (502) 052-5130

FOP5

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CEVELOP. MCR			
CONST. WGR			
PROJ. MOR			
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#### APPLICABLE CODES:

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SAN ELJAY / RAMON

31975 SAN ELJAY AVENUE CATHEDRAL CITY, CAUFORNIA 92234 RIVERSIDE COUNTY

CURRENT ISSUE DATE:

03-26-2019

ZONING

DATE: DESCRIPTION: □

↑ 03-26-19 PLAN CHECK |

↑ 01-17-19 PLAN CHECK |

0 07-18-18 100X 20s |

B 07-03-18 REVISED LOCATION |

FEW ILL

A 06-21-18 900X 20s FOR ILL

PLANS PREPARED BY:



CONSULTANT:



WN BY: CHK: APV.:

PUC LHC LHC

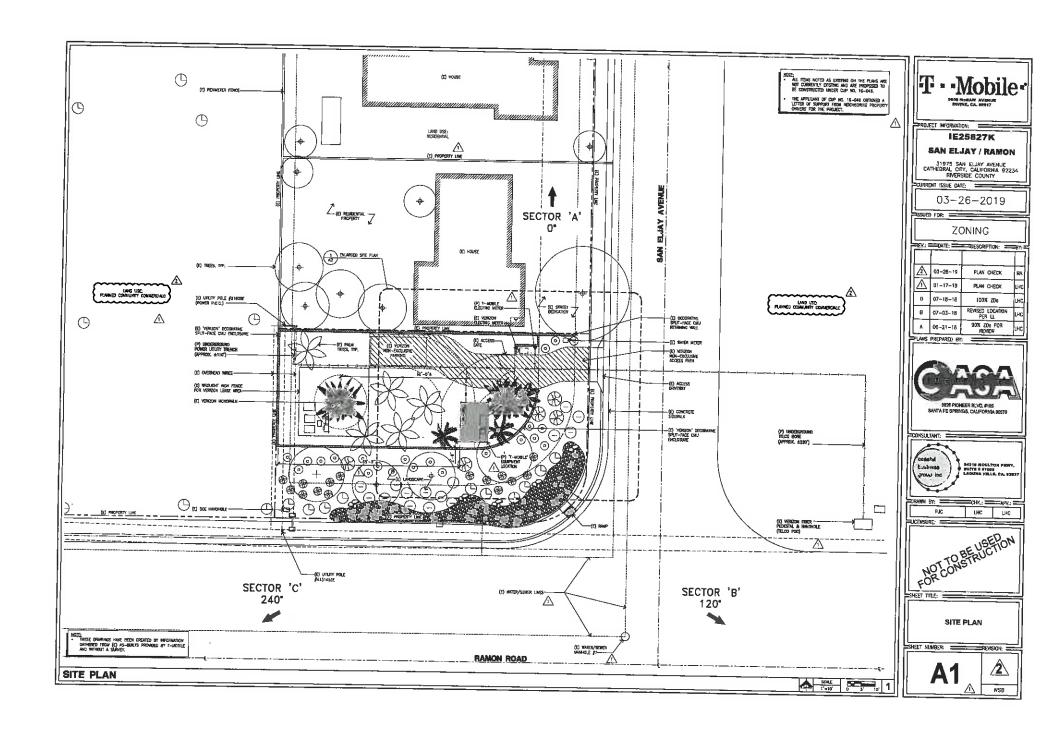
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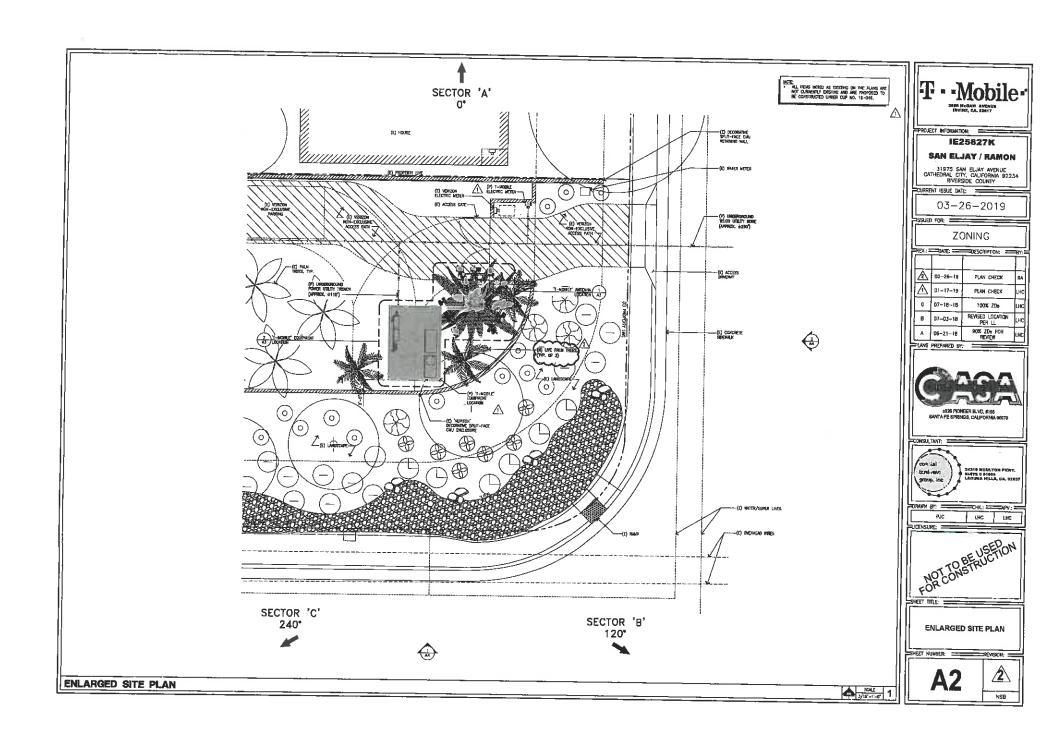
TITLE SHEET

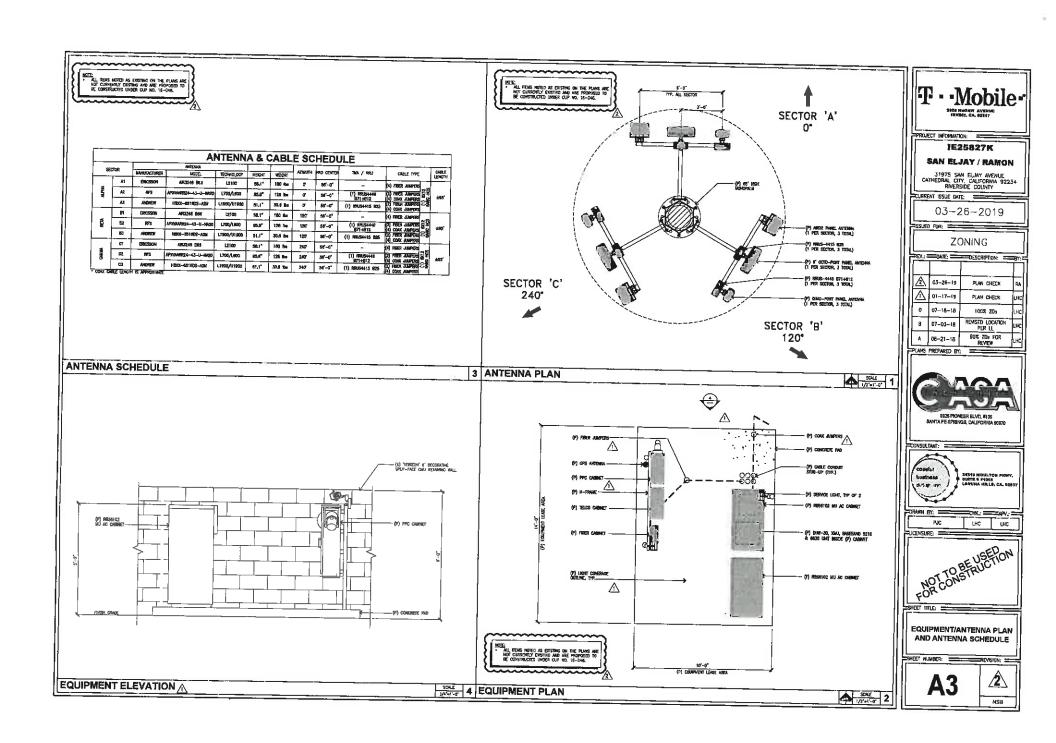
ET NUMBER: REVISION:

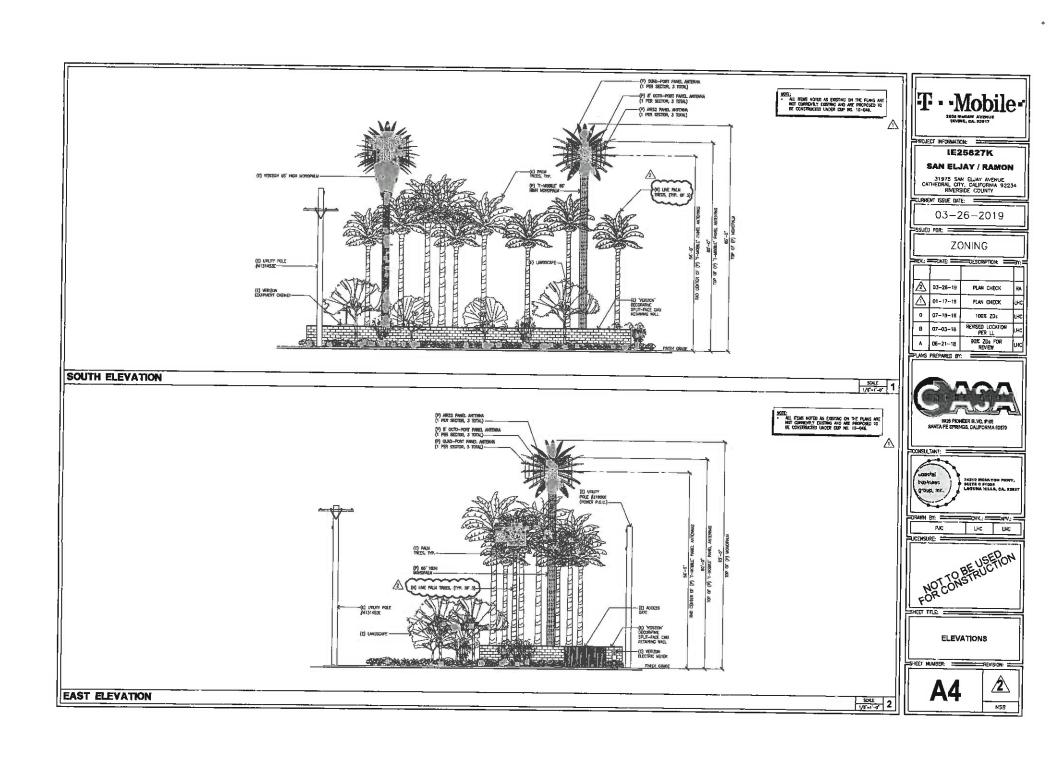
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# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY



**CHAIR** 

Steve Manos Lake Elsinore April 22, 2019

Mr. Dave Jones, County Geologist

County of Riverside Planning Department

4080 Lemon Street, 12th Floor

within the proposed amendment.

Riverside CA 92501

VICE CHAIR Russell Betts Desert Hot Springs

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW – DIRECTOR'S DETERMINATION

As authorized by the Riverside County Airport Land Use Commission (ALUC) pursuant to its Resolution No. 2011-02, as ALUC Director, I have reviewed County of Riverside Ordinance No.

555.20 (Ordinance Amendment), a proposal to amend existing County Ordinance No. 555.20

Mining Ordinance to comport with updates and revisions made to state mining laws and

regulations under State Mining and Reclamation Act. There are no development standard changes or changes to zoning land uses that would increase residential density or non-residential intensity

COMMISSIONERS

File No.:

ZAP1036RG19

Riverside Related File No.:

Ordinance No. 555.20 (Ordinance Amendment)

APN:

- Countywide

John Lyon Riverside

Dear Mr. Jones:

Steven Stewart Palm Springs

Richard Stewart Moreno Valley

Gary Youmans Temecula

STAFF

Director Simon A. Housman

> John Guerin Paul Ruil Barbara Santos

County Administrative Center 4080 Lerron St., 149 Floor. Riverside, CA 92501 (951) 955-5132 Therefore, this amendment has no possibility for having an impact on the safety of air navigation within airport influence areas located within the unincorporated areas of Riverside County.

As ALUC Director, I hereby find the above-referenced project **CONSISTENT** with all Riverside County Airport Land Use Compatibility Plans.

This determination of consistency relates to airport compatibility issues and does not necessarily constitute an endorsement of the proposed amendment.

www.rcaluc.org

If you have any questions, please contact Paul Rull, ALUC Principal Planner, at (951) 955-6893.

Sincerely,

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Simon A. Housman, ALUC Director

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1	<u>ORDINANCE NO. 555.20</u>			
2	AN ORDINANCE OF THE COUNTY OF RIVERSIDE			
3	AMENDING ORDINANCE NO. 555 IMPLEMENTING			
4	THE SURFACE MINING AND RECLAMATION ACT OF			
5	<u>1975</u>			
6				
7	The Board of Supervisors of the County of Riverside Ordains as Follows:			
8	Section 1. Ordinance No. 555 is amended in its entirety to read as follows:			
9	"ORDINANCE NO. 555			
10	AN ORDINANCE OF THE COUNTY OF RIVERSIDE			
11	IMPLEMENTING THE SURFACE MINING AND RECLAMATION			
12	<u>ACT OF 1975</u>			
13				
14	Section 1. FINDINGS. The Board of Supervisors hereby finds and declares that the			
15	extraction of minerals is essential to the continued economic well-being of the County of Riverside.			
16	Section 2. PURPOSE. The purpose of this ordinance is to regulate all surface mining			
17	operations in the unincorporated area of the County as authorized by The Surface Mining and Reclamation			
18	8 Act of 1975, to ensure that:			
19	A. The reclamation of mined lands will be carried out in such a way that the continued			
20	mining of minerals will be permitted;			
21	B. The adverse effects of surface mining operations will be prevented or minimized and			
22	that mined lands will be reclaimed to a useable condition which is readily adaptable			
23	for alternative land use;			
24	C. The production and conservation of minerals will be encouraged while giving			
25	consideration to values relating to recreation, watershed, wildlife, range and forage,			
26	and aesthetic enjoyment, and the residual hazards to the public health and safety will			
27	be eliminated;			
28	D. There is sufficient production and development of local mineral resources because			
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the production and development of local mineral resources:

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- G. Reclamation Plan. An Operator's plan for reclaiming the lands affected by his or her surface mining operations, as the term is defined in SMARA and the SMARA Regulations.
- H. Revised Permit. A request for a Substantial Deviation from an approved Permit or Reclamation Plan which does not change the basic concept or use allowed by the original approval and that meets the additional requirements set forth in Section 18 of this ordinance.
- I. <u>SMARA.</u> The California Surface Mining and Reclamation Act of 1975 (Pub. Resources Code, § 2710 et seq.).
- J. <u>SMARA Regulations.</u> The state regulations adopted in accordance with SMARA
   (Cal. Code Regs., tit. 14, § 3500 et seq.).
- K. <u>Substantial Conformance</u>. A proposed amendment to an approved Permit or Reclamation Plan that meets the additional requirements set forth in Section 18 of this ordinance.
- L. <u>Substantial Deviation</u>. A change or expansion to a surface mining operation as defined in Public Resources Code section 2735 that substantially affects the completion of the previously approved Reclamation Plan, or that changes the end use of the approved Reclamation Plan to the extent that the scope of the reclamation required for the surface mining operation is substantially changed.
- M. <u>Topsoil.</u> The upper part of the soil profile that is relatively rich in humus, which is technically known as the A-horizon of the soil profile.
- N. TLMA. The County Transportation and Land Management Agency.
- O. <u>Vested Right.</u> A right to conduct surface mining operations that existed lawfully before an intervening change in the law that would otherwise preclude those operations, or require a permit to conduct those operations, and that meets the requirements for vested rights set forth in Section 2776 of the Public Resources Code.
- Section 5. EXEMPTIONS AND EXCEPTIONS. The provisions of this ordinance do not apply to the exceptions and exemptions set forth in Public Resources Code section 2714.

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Section 6. PERMIT REQUIRED. Unless exempted by the provisions of Section 5 or Section 17, no person, firm, corporation or private association shall conduct surface mining operations in the unincorporated area of the County of Riverside without an approved Permit.

# Section 7. APPLICATION PROCESS.

- A. Prior to submitting an application for a Permit, the person, firm, corporation or private association seeking to obtain such Permit may comply with the preapplication review procedure described in Ordinance No. 752 to the extent that such procedure is applicable.
- All applications for a Permit, revised Permit, Substantial Conformance to a Permit, В. Interim Management Plan, Reclamation Plan, Revised Reclamation Plan, or Reclamation Plan Substantial Conformance shall be made in writing to the Assistant TLMA Director on the forms provided by the Planning Department with the appropriate filing fees and include a Project Description, a mining plan, and a Reclamation Plan. The application shall provide all information and data required by Section 2772 of the Public Resources Code, all information required by the SMARA Regulations, all information indicated in Sections 8 and 9 of this ordinance, all information indicated in the Planning Department's Application for Surface Mining Permit/Reclamation Plan, and such additional information as may be reasonably required by the Assistant TLMA Director. The time limitations for approving or denying a Permit, Interim Management Plan, Reclamation Plan, or Revised Reclamation Plan shall not begin to run until all procedures under CEQA have been completed. All applications for a stand-alone Reclamation Plan, associated vested mining operation, mining operation on federal property, or Countyoperated mining facility shall include a financial assurance cost estimate, an estimate of reclamation costs, all information and data required by Section 2772 of the Public Resources Code, all information required by the SMARA Regulations, all information indicated in Sections 8 and 9 of this ordinance, and such additional information as may be reasonably required by the Assistant TLMA Director.

- C. An application for a Permit for a new surface mining operation, or a Revised Permit for a physical expansion of an existing surface mining operation that proposes an expansion of more than ten (10) percent or other amount of expansion identified in any applicable Board policy, shall also include an application for a development agreement.
- D. Before approving or holding a public hearing concerning the Reclamation Plan, amendment to a Reclamation Plan, or financial assurances for a new Reclamation Plan or amendment to a Reclamation Plan, the County shall submit the financial assurance cost estimate and the Reclamation Plan or amendment to the Director for review pursuant to Public Resources Code sections 2772.1 and 2773.4(a). All documentation for that submission shall be submitted to the Director at one time. In making this submittal, the Assistant TLMA Director shall certify to the Director that the Reclamation Plan or amendment to the Reclamation Plan is in compliance with the applicable requirements of SMARA, the SMARA Regulations, and this ordinance and that the financial assurance cost estimate is adequate, complete, and consistent with SMARA, the SMARA Regulations, and this ordinance.
- E. Following receipt of the Director's comments concerning the Reclamation Plan, plan amendment, or financial assurance cost estimate in accordance with the applicable schedule set forth in Public Resources Code sections 2772.1(b) or 2773.4(c), the County shall, within a reasonable amount of time, prepare a written response describing the disposition of the major issues raised by the Director's comments, and shall submit the County's proposed response to the Director at least 30 days prior to the public hearing concerning the Reclamation Plan or plan amendment, or 30 days prior to the approval of financial assurance cost estimate. The County's response to the Director's comments shall describe how the County proposes to adopt the Director's comments to the Reclamation Plan, plan amendment, or financial assurance cost estimate. If the County does not propose to adopt the Director's comments, the County shall specify, in detail, why it proposes not to adopt the

### comments.

- 1. If the Director submits a written request for consultation on the financial assurance cost estimate in accordance with Public Resources Code section 2774.3(c), the County shall not approve the financial assurance cost estimate until after consulting with the Director. Such consultation shall occur no later than 30 days after the Director's request unless an alternate timeframe is mutually agreed upon by the Director, the County, and the Operator.
- The County shall give the Director at least 30 days' notice of the time, place, 2. and date of any hearing at which the financial assurance cost estimate is scheduled to be approved by the County. If no hearing is required, then the County shall provide 30 days' notice to the Director that it intends to approve the financial assurance cost estimate. Within 30 days of approving a financial assurance cost estimate, the County shall send to the Director its final response to the Director's comments.
- 3. The Assistant TLMA Director shall forward to the Operator copies of any written comments received and responses prepared by the County relating to the financial assurance cost estimate.
- $\mathbf{F}$ Upon completion of all procedures for review of an application, including but not limited to notification to the Director and response to the comments of the Director as provided in Sections 7.D. and 7.E., above, a public hearing will be held before the Planning Commission or Board of Supervisors, as hereinafter provided.
- Notwithstanding the above, or any other provision herein to the contrary, the Board G. of Supervisors reserves exclusively to itself the duty to investigate, hear, approve, conditionally approve or disapprove all Permits and Reclamation Plans including any modifications to said Permits and Reclamation Plans included as part of a fast track project as defined by Ordinance No. 348.
- Section 8. MINING PLAN. In addition to the requirements set forth in the County's Application for Surface Mining Permit, the mining plan shall, at a minimum:

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- A. Indicate the progression of all operations of the facility indicating anticipated time frames for each phase and the estimated life of the operation;
- B. Show the location of equipment, offices, stockpiles, settling ponds, interim drainage, machinery and wastedumps, parking, and areas to be mined;
- C. Indicate the progression of stripping and excavating through the use of cross sections, elevations and topographic maps and include a detailed description of how Topsoil will be recovered and protected for use in mine reclamation;
- Indicate the time lag between mining and reclamation and equipment siting and removal and/or relocation;
- E. Discuss the method of handling simultaneous excavation and reclamation if applicable;
- F. Show the location of all streams, roads, railroads, sewage disposal systems, water wells, and utility facilities within 500 feet of the site and the location of all proposed access roads to be constructed in conducting the surface mining operation;
- G. Indicate the type of and amount of mineral commodities to be removed, the amount of mining waste to be retained on the site and the amount of mining waste to be disposed offsite including the method and location of disposal of said mining waste; and
- H. Indicate the location and associated details of the required revegetation test plot or plots, specifying all revegetation success criteria, as appropriate.

Section 9. RECLAMATION PLAN. In addition to all other requirements, including those set forth in Public Resources Code section 2772 and California Code of Regulations, title 14, section 3502, the Reclamation Plan, at a minimum, shall:

- A. Indicate the methods to be used to reclaim the land.
- B. If phasing is proposed, include a detailed schedule of the sequence and timing of all stages of the reclamation.
- C. Describe the physical condition of the mine site upon the completion of all reclamation including the proposed uses or potential uses of the reclaimed site.

- D. Contain a map that delineates through the use of cross sections and elevations the physical characteristics of the land that will exist upon the conclusion of reclamation, as well as a topographic map showing the location of the reclaimed land.
- E. Describe the manner in which derelict machinery, mining waste and scraps will be removed from the mine site and how contaminants will be controlled.
- F. Describe the methods to be used to ensure that the mine site will contain stable waste piles and slopes.
- G. Describe how reclamation of the mine site may affect the future use of the site and surrounding area for mining purposes.
- H. Show that the proposed site in its final form will be, to the extent reasonable and practicable, revegetated for soil stabilization, free of drainage and erosion problems, coordinated with present and anticipated future land use, and compatible with the topography and general environment of surrounding property.
- I. Include all of the following, to the extent the required information or document is not already included in the mining plan and incorporated by reference in the Reclamation Plan:
  - The name and address of the Operator and the names and addresses of any persons designated by the Operator as an agent for the service of process;
  - 2. The anticipated quantity and type of materials for which the surface mining operation is to be conducted;
  - 3. The proposed dates for the initiation and termination of the surface mining operation;
  - 4. The maximum anticipated depth of the surface mining operation;
  - 5. The size and legal description of the lands that will be affected by the surface mining operation, a map that includes the boundaries and topographic details of the lands, a description of the general geology of the area, a detailed description of the geology of the area in which surface mining is to be conducted, the location of all streams, roads, railroads, and utility facilities

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within, or adjacent to, the lands, the location of all proposed access roads to be constructed in conducting the surface mining operation, and the names and addresses of the owners of all surface interests and mineral interests in the lands;

- 6. A description of, and a plan for, the type of surface mining to be employed, and a time schedule that will provide for the completion of surface mining on each segment of the mined lands so that reclamation can be initiated at the earliest possible time on those portions of the mined lands that will not be subject to further disturbance by the surface mining operation;
- 7. A description of the proposed use or potential uses of the mined lands after reclamation and evidence that all owners of a possessory interest in the land have been notified of the proposed use or potential uses;
- 8. A description of the manner in which reclamation, adequate for the proposed use or potential uses, will be accomplished, including both of the following:
  - A description of the manner in which contaminants will be controlled,
     and mining waste will be disposed; and
  - A description of the manner in which affected streambed channels and streambanks will be rehabilitated to a condition minimizing erosion and sedimentation will occur;
- 9. An assessment of the effect of implementation of the Reclamation Plan on future mining in the area;
- 10. A statement that the person submitting the Reclamation Plan accepts responsibility for reclaiming the mined lands in accordance with the Reclamation Plan; and
- Any other information required in the County's Application for Surface
   Mining Permit or by SMARA or the SMARA Regulations.
- J. Indicate, pursuant to California Code of Regulations, Title 14, section 3705(b), the location and associated details of the required revegetation test plot or plots,

specifying revegetation success criteria, as appropriate.

K. For gold, silver, copper or other metallic mineral operations that are located on or within one mile of any Native American sacred site and that are located in an area of special concern, as those terms are defined in Public Resources Code section 2773.3, the Reclamation Plan must contain commitments to backfill and grade all excavations to achieve the approximate original contours of the mined lands prior to mining and to grade all mined materials that are in excess of the materials that can be placed back into the excavated area, including, but not limited to, all overburden, spoil piles, and heap leach piles, over the project site to achieve the approximate original contours of the mined lands prior to mining.

Section 10. PUBLIC HEARINGS, NON-FAST TRACK PROJECTS. For projects other than fast track projects, a public hearing before the Planning Commission shall be held in accordance with the provisions set forth below to consider: the granting, suspension, or revocation of a Permit or Revised Permit; the approval of a Reclamation Plan or Reclamation Plan amendment; an Operator's financial capability of a performing reclamation; or abandonment of a surface mining operation without completing reclamation:

- A. Notice of the time, date and place of the public hearing, including a general description of the area and mining operation being considered, shall be given at least 10 days prior to the hearing by all of the following procedures:
  - 1. Mailing to all owners of real property which is located within 600 feet of the exterior boundaries of the proposed project, as such owners are shown on the last equalized assessment roll.
  - Mailing or delivering to the Operator and the owner of the subject real property or the owner's duly authorized agent.
  - 3. Publication once in a newspaper of general circulation in the County.
  - 4. The Assistant TLMA Director may require additional notice be given by posting in conspicuous places close to the property affected and may require notification to property owners along proposed local transportation routes.

- B. In addition to the notice required by the preceding paragraph, when the hearing concerns the approval of a Reclamation Plan or Reclamation Plan amendment, an Operator's financial capability of performing reclamation, or the abandonment of a surface mining operation without completing reclamation, the County shall give the Director at least 30 days' written notice of the time, place, and date of the public hearing. When the hearing concerns an Operator's financial capability of performing reclamation or the abandonment of a surface mining operation without completing reclamation, the County shall also give the Operator at least 30 days' written notice of the time, place, and date of the hearing.
- C. At the public hearing, the Planning Commission shall hear relevant testimony from interested persons and, within a reasonable time after the close of the hearing, make its decision, provided, however, that an application for a Permit shall not be granted unless that it complies with Section 12 herein and it is expressly subject to such conditions as are necessary to protect the health, safety or general welfare of the community.
- D. The decision of the Planning Commission and the reasons for the decision shall be reduced to writing and shall be filed by the Assistant TLMA Director with the Clerk of the Board of Supervisors, together with a report of the proceedings, not more than 30 days after the decision. A copy of the notice of the decision shall be mailed to the applicant and to any person who has made a written request for a copy of the decision. If the Planning Commission is unable to make a decision, that fact shall be filed with the Clerk of the Board in the same manner for reporting decisions and shall be considered as notice of denial of the application. The Clerk of the Board shall place the notice of the decision on the next agenda of the Board of Supervisors held 5 or more days after the Clerk receives the notice of the decision from the Assistant TLMA Director.
- E. The decision of the Planning Commission is considered final and no action by the Board of Supervisors is required unless: (1) the decision is regarding a Permit that

requires approval of a general plan amendment, a specific plan amendment, or a change of zone, in which case it shall be heard in accordance with the provisions of Ordinance No. 348 related to those legislative actions, and all of those procedural requirements and rights of appeal as set forth therein shall govern; (2) a development agreement is required under this ordinance or an applicable Board policy, in which case it shall be processed and heard concurrently with the Permit or Revised Permit and shall be heard in accordance with Board Resolution No. 2012-047 and the provisions of Ordinance No. 348 related to development agreements; (3) within 10 days after the notice of decision appears on the Board's agenda, the applicant or an interested person files an appeal, accompanied by the appropriate appeal filing fee in the amount set pursuant to Section 21 of this ordinance; or (4) unless the Board assumes jurisdiction by ordering the matter set for public hearing.

- F. If a timely appeal is filed or the Board assumes jurisdiction, the Clerk of the Board shall set the matter for public hearing before the Board not less than 13 nor more than 60 days thereafter, and shall give notice of the time and place of the hearing in the same manner as notice was given of the hearing before the Planning Commission.
- G. At the appeal hearing before the Board of Supervisors, the Board shall hear the matter de novo; however, the documents and the minutes of the hearing before the Planning Commission shall be a part of the Board's record at its hearing on the matter. The Board shall hear relevant testimony from interested persons and, within a reasonable time after the close of the hearing, make its decision sustaining, reversing or modifying the decision of the Planning Commission.

Section 11. PUBLIC HEARINGS, FAST TRACK PROJECTS. For Permits and Reclamation Plans that qualify as a fast track project as defined by Ordinance No. 348, a public hearing shall be held in accordance with the provisions of Ordinance No. 348 related to fast track projects. At the public hearing, the Board of Supervisors shall hear relevant testimony from interested persons and, within a reasonable time after the close of the hearing, make its decision, provided, however, that an application for a Permit shall not be granted unless that Permit is expressly subject to such conditions as are necessary

to protect the health, safety or general welfare of the community. The decision of the Board of Supervisors and the reasons for the decision shall be reduced to writing and a copy of the notice of the decision shall be mailed to the applicant and to any person who has made a written request for a copy of the decision. The decision of the Board of Supervisors shall be final.

Section 12. APPROVAL REQUIREMENTS. All decisions on Permits and Reclamation Plans shall be supported by findings. No Reclamation Plan shall be approved unless the finding is made that it substantially meets the applicable requirements of SMARA and this ordinance.

- A. No Permit shall be approved unless the following findings are made:
  - 1. The Permit substantially meets the applicable requirements of SMARA and this ordinance.
  - 2. The Permit is consistent with the General Plan and any applicable specific plan.
  - 3. The Permit will not be detrimental to the public health, safety or general welfare.
  - 4. The Permit complies with all requirements of law including all applicable County ordinances, policies and standards.

In addition to the conditions set forth in Sections 13 and 14 of this ordinance, a Permit shall be subject to all conditions necessary or convenient to assure that the use will satisfy the foregoing findings. As a condition of each Permit, an expiration date of the Permit may also be specified.

- B. For any Permit or Revised Permit that requires a development agreement under this ordinance or any applicable Board policy, no final approval shall be given unless the Board has, prior to or concurrently with that approval, also approved the development agreement. No new or expanded surface mining operation that requires a development agreement shall be allowed to begin until the development agreement is effective.
- C. Following the approval of a Reclamation Plan or an amendment to a Reclamation Plan, the County shall cause a "Notice of Reclamation Plan Approval" to be recorded

with the County Recorder in accordance with Public Resources Code section 2772.7. The notice shall include the language set forth in Public Resources Code section 2772.7 and state the name of the owner of record of the mining operation, identify the County as lead agency under SMARA for the operation, contain the acknowledged signature of the Assistant TLMA Director, and include any other information required under Public Resources Code section 2772.7.

- D. Within 30 days following the approval of a Reclamation Plan or amendment to a Reclamation Plan, the Assistant TLMA Director shall provide the Director notice of the approval.
- E. No later than 60 days after the approval of a Reclamation Plan or amendment to a Reclamation Plan, the Assistant TLMA Director shall provide to the Director certified copies of all maps, diagrams, or calculations, signed and sealed, and provide an official copy of the approved Reclamation Plan or amendment to a Reclamation Plan. The official copy shall incorporate all approved modifications to the Reclamation Plan or amendment to a Reclamation Plan and shall include an index showing any Permit conditions of approval or binding mitigation measures adopted pursuant to CEQA as required under Public Resources Code section 2772.1. Those conditions of approval and mitigation measures shall be included in an appendix to the Reclamation Plan or amendment to a Reclamation Plan and shall be considered part of the reclamation compliance requirements and subject to the annual inspection requirements.

Section 13. INSPECTIONS. As a condition of each Permit, annual inspections and reports of mining and reclamation activities shall be required of the Operator. Such inspections and reports shall comply with the following provisions:

A. The Assistant TLMA Director shall cause an inspection to be conducted in intervals of no more than 12 months to determine whether the surface mining operation is in compliance with SMARA and the surface mining operation's approved Permit; its approved Reclamation Plan; or, in the case of an idle mine, with its approved interim

management plan; and to determine whether the approved financial assurances are adequate to achieve reclamation in accordance with the approved Reclamation Plan. Said inspection shall be conducted under the supervision of a qualified individual with experience in land reclamation who meets the qualifications of Section 2774 of the Public Resources Code and California Code of Regulations, title 14, section 3504.5. The Operator shall be solely responsible for the reasonable cost of the inspection. All inspections shall be conducted using a form approved by the State Mining and Geology Board. The Assistant TLMA Director shall provide a notice of completion of inspection to the Director within 90 days of conducting the inspection. The notice shall contain a statement regarding the surface mining operation's compliance with SMARA and a copy of the completed inspection form, and shall specify, as applicable, all of the following:

- 1. Aspects of the surface mining operation, if any, that were found to be inconsistent with SMARA but were corrected before the submission of the inspection form to the Director;
- Aspects of the surface mining operation, if any, that were found to be inconsistent with SMARA but were not corrected before the submission of the inspection form to the Director;
- 3. A statement describing the County's intended response to any aspects of the surface mining operation found to be inconsistent with SMARA but that were not corrected before the submission of the inspection form to the Director; and
- 4. If the surface mining operation has a review of its Reclamation Plan, financial assurances, or interim management plan pending or an appeal pending before the State Mining and Geology Board or the County.
- B. Annually by July 1<sup>st</sup>, Operators shall submit to the Planning Department the documentation requested by the Planning Department to support its conducting the required annual mine inspection pursuant to Public Resources Code section 2774(b).

- C. Annually by July 1<sup>st</sup>, Operators shall submit an Operator's report pursuant to Public Resources Code section 2207(b). The Operator may request an inspection date on its annual Operator's report. If the Operator does not, or if the County is unable to cause the inspection of the surface mining operation on the date requested by the Operator, the County shall provide the Operator with a minimum of five days' written notice of a pending inspection, or within any lesser period agreed to by the Operator. New surface mining operations shall submit an initial report prior to commencement of operations.
- D. Annually by July 1st, Operators shall pay to the Planning Department a mine inspection fee in the amount set pursuant to Section 21 of this ordinance. In the case of late payment of the mine inspection fee, a penalty of not less than one hundred dollars (\$100) or 10 percent of the amount due, whichever is greater, plus interest at a rate of 1½ percent per month, computed from the delinquent date of the assessment until and including the date of payment, shall be assessed. Annual inspections shall occur regardless of the receipt of a mine inspection fee or late payment penalty.
- E. In addition to the Mine Inspection Fee, annually by July 1<sup>st</sup>, Operators shall also pay to the Planning Department a mine administrative fee in the amount set pursuant to Section 21 of this ordinance.
- F. Annually by July 1<sup>st</sup>, the County shall submit to the Director for each active or idle surface mining operation within the County's jurisdiction the following information:
  - 1. A copy of any Permit or Reclamation Plan amendment, as applicable;
  - 2. A statement that there have been no changes made during the previous year, as applicable;
  - 3. The date of each surface mining operation's last inspection; and
  - 4. The date of each surface mining operation's last financial assurance review.
- Section 14. FINANCIAL ASSURANCES. As a condition of each Permit, financial assurances to ensure reclamation is performed in accordance with the approved Reclamation Plan shall be required of the Operator as follows:

- A. Prior to the commencement of the surface mining operation, the Operator shall post with the Assistant TLMA Director a financial assurance. The financial assurance shall be one of the following:
  - 1. A bond or bonds executed by an admitted surety insurer as defined in Code of Civil Procedure section 995.120(a);
  - 2. An irrevocable letter of credit from one or more financial institutions subject to regulation by the state or federal government and pledging that the funds necessary to carry out the approved Reclamation Plan are on deposit and guaranteed for payment;
  - 3. A cash deposit to be deposited into a trust fund; or
  - Any other financial assurance specified by the State Mining and Geology Board pursuant to Section 2773.1(e) or Section 2773.1.5 of the Public Resources Code.
- B. The amount of the financial assurances shall be adequate to perform reclamation in accordance with the surface mining operation's approved Reclamation Plan. The amount of financial assurances required for any one year shall be reviewed and, if necessary, adjusted once each calendar year to account for new lands disturbed by surface mining operations, inflation, and reclamation of lands accomplished in accordance with the approved Reclamation Plan. Said adjustment shall be based upon an independent estimate prepared by a person experienced in estimating financial assurances or other qualified professional and shall be paid for by the Operator. An Operator shall be required to replace an approved financial assurance mechanism to bond for the reclamation of the surface mining operation only if the financial assurance cost estimate identifies a need to increase the amount of the financial assurance mechanism.
- C. Each financial assurance mechanism shall be made payable to the County and the Department of Conservation and shall remain in effect for the duration of the surface mining operation and any additional period until reclamation is completed.

- D. Within 30 days of completion of an annual inspection under Section 13 herein, the Operator shall provide an annual financial assurance cost estimate to the Assistant TLMA Director. If the annual inspection does not take place on the date requested by the Operator or on the date set by the County, the Operator shall provide the annual financial assurance cost estimate to the Assistant TLMA Director for review within 30 days of the applicable inspection date, unless the inspection occurs within that 30-day period, in which case the Operator shall provide the annual financial assurance cost estimate to the Assistant TLMA Director within 30 days of the date of the actual inspection.
- E. Within 60 days of receiving an annual financial assurance cost estimate, the Assistant TLMA Director shall deny the financial assurance cost estimate or shall submit the financial assurance cost estimate to the Director for review.
  - The Assistant TLMA Director may deny the financial assurance cost estimate
    on the basis that the financial assurance cost estimate is inadequate. The
    Assistant TLMA Director must specify the reasons for that determination.
  - 2. An Operator whose financial assurance cost estimate is denied shall have 30 days to appeal that denial to the State Mining and Geology Board pursuant to Public Resources Code section 2770(e) or to provide the Assistant TLMA Director with a revised financial assurance cost estimate incorporating the suggested changes for approval by the Assistant TLMA Director.
  - 3. When the financial assurance cost estimate is submitted to the Director for review, the Assistant TLMA Director shall also provide the Director with a determination that the annual financial assurance cost estimate submitted is adequate, complete, and consistent with SMARA and the SMARA Regulations. The Assistant TLMA Director shall submit all required documentation to the Director at one time. Within 30 days of receiving any written comments on the annual financial assurance cost estimate from the Director, the Assistant TLMA Director shall evaluate those comments and

provide the Director and the Operator with a proposed response. This proposed response must be submitted to the Director at least 30 days prior to the County's approval of the annual financial cost estimate and shall include either of the following:

- A description of how the County proposes to adopt the Director's comments on the annual financial assurance cost estimate, or
- b. A detailed description of the reasons why the County proposes not to adopt the Director's comments.
- 4. If the County proposes not to adopt the Director's comments concerning the financial assurance cost estimate, within 15 days of receipt of the County's written response, the Director may request in writing consultation with the County. If the Director timely requests such consultation, the County shall not approve the annual financial assurance cost estimate until after consulting with the Director. Such consultation shall occur not later than 30 days after the Director's request, unless an alternative timeframe is mutually agreed upon by the Director, Assistant TLMA Director, and Operator.
- 5. Within 60 days of receiving the Director's written comments, or of consultation pursuant to the preceding subsection, whichever is later, or the due date of the Director's written comments if none are received, the County shall approve or deny the Operator's financial assurance cost estimate.
- 6. The County shall give the Director at least 30 days' notice of the time, place, and date of the hearing at which the annual financial assurance cost estimate is scheduled to be approved by the County. If no hearing is required, the County shall provide 30 days' notice to the Director that it intends to approve the annual financial assurance cost estimate.
- 7. Within 30 days of the County's approval of the annual financial assurance cost estimate, the County shall send to the Director the County's final response to the Director's comments.

- The Assistant TLMA Director shall send to the Operator copies of any written comments received and all responses prepared by the County relating to the annual financial assurance cost estimate.
- F. Within 30 days of the County's approval of the financial assurance cost estimate, the Operator shall provide the Planning Department and the Director an appropriate financial assurance mechanism.
  - 1. Within 15 days of receiving a financial assurance mechanism, the Assistant TLMA Director and the Director shall review the financial assurance mechanism to determine if the type of mechanism, including the release instructions, meets the requirements of SMARA and this ordinance.
  - 2. The Assistant TLMA Director shall return to the Operator any financial assurance mechanism determined to be noncompliant with SMARA or this ordinance, with instructions on how to correct the type of financial assurance mechanism or the financial assurance mechanism's release instructions.
- G. If the Planning Commission, following a public hearing in accordance with the procedures set forth in Section 10 of this ordinance, determines that the Operator is financially incapable of completing reclamation in accordance with its approved Reclamation Plan or has abandoned its surface mining operation without completing reclamation, the Assistant TLMA Director shall:
  - Notify the Operator by personal service or certified mail that the County intends to take appropriate action to forfeit the financial assurance and specify the reasons for so doing.
  - 2. Proceed to take appropriate action to require forfeiture of the financial assurance.
  - 3. Use the proceeds from the forfeited financial assurance to conduct and complete reclamation in accordance with the approved Reclamation Plan. If the surface mining operation cannot be reclaimed in accordance with its approved Reclamation Plan, or the financial assurances are inadequate to

reclaim it in accordance with its approved Reclamation Plan, the County may use forfeited financial assurances to reclaim or remediate mining disturbances as appropriate for the site conditions as determined by the County and the Director. The Operator shall be responsible for the costs of conducting and completing reclamation in accordance with the approved Reclamation Plan, or an approved remediation plan developed pursuant to this subsection, that are in excess of the proceeds from the forfeited financial assurance.

- H. Upon completion of reclamation in accordance with the approved Reclamation Plan, and with written concurrence of the County and the Director, the financial assurance shall be released. Such written concurrence shall be forwarded to the Operator and the institutions providing or holding the financial assurance mechanism and shall state that reclamation has been completed in accordance with the approved Reclamation Plan.
- I. If a surface mining operation is sold or ownership is transferred to another person, the Operator shall comply with the requirements of Section 20 of this ordinance.

# Section 15. VIOLATIONS AND PENALTIES.

- A. If, after conducting the annual inspection required by Section 13 or otherwise confirmed by an inspection of the mining operation, the Assistant TLMA Director finds that the surface mining operation is not in compliance with the approved mining plan, the approved Reclamation Plan, any Permit conditions imposed by the County, the provisions of this ordinance, or SMARA, the Assistant TLMA Director may issue to the Operator a notice of violation, for a SMARA violation; a notice of permit violation, for a violation of permit conditions; or both. Any such notice shall be sent to the Operator by personal service or certified mail. A copy of such notice shall also be sent to the Director.
  - 1. A notice of violation or a notice of permit violation shall include both of the following:

- a. A description of the violation; and
- Actions the Operator must take to correct the violation.
- 2. If the Assistant TLMA Director or the Director determines that the time to correct the noticed violation will exceed 30 days, the County and the Operator may enter into a stipulated order to comply, which the Assistant TLMA Director is authorized to sign on behalf of the County, with a notice sent to the Director. Such stipulated order shall include a schedule and time for compliance that the Assistant TLMA Director has determined is reasonable after taking into account the actions and legal processes required to correct the violation.
- B. If, within 30 days of being served with a notice of violation or notice of permit violation, the Operator does not comply with it or commit to enter into a stipulated order, the Assistant TLMA Director may issue an order to comply. Any such order shall be sent by personal service or certified mail.
  - 1. The order to comply shall specify all of the following:
    - a. Which aspects of the surface mine's activities or operations are inconsistent with the Permit, approved Reclamation Plan, Permit conditions, the provisions of this ordinance, or SMARA;
    - b. The actions and legal processes required to correct the alleged violation; and
    - c. A time for compliance that the Assistant TLMA Director determines is reasonable, given the seriousness of the alleged violation and any good faith efforts to comply with applicable requirements. If the Operator does not have an approved Reclamation Plan, the order to comply may order the Operator to immediately cease all further mining activities.
  - 2. An order to comply shall take effect 30 days following the service of the order to comply unless within those 30 days the Operator appeals the order to

comply and requests a hearing before the Planning Commission.

- a. Such appeal shall be noticed and heard at a public hearing within 45 days of the filing of the appeal or a longer period as may be mutually agreed upon by the Operator and the Assistant TLMA Director. At such hearing, the Planning Commission shall hear all relevant testimony from interested persons and, after closing the public hearing, shall affirm, modify or set aside the order to comply issued by the Assistant TLMA Director.
- b. If the surface mining operation fails to comply with the order affirmed or modified by the Planning Commission, the Planning Commission may revoke or suspend the Operator's Permit in accordance with the procedures set forth in Section 10 of this ordinance, and all of the procedural requirements and rights of appeal as set forth therein shall govern the hearing.
- C. For an Operator who violates or fails to comply with the order to comply, who fails to submit an annual report, or who fails to pay annual fees, the Assistant TLMA Director shall impose an administrative penalty of not more than five thousand dollars (\$5,000) per day, assessed from the original date of noncompliance or from the date of the inspection when the violation was identified, at the discretion of the Assistant TLMA Director.
  - In determining the amount of the administrative penalty, the Assistant TLMA
     Director shall take into consideration the nature, circumstances, extent, and
     gravity of the violation or violations, any prior history of violations, the
     degree of culpability, economic savings, if any, resulting from the violation,
     and any other matters justice may require.
  - 2. The Assistant TLMA Director's order setting administrative penalties shall become effective upon issuance of the order, and payment shall be made to the County within 30 days, unless the Operator petitions the Board of

Supervisors as provided in paragraph 15.D. below. An order shall be served by personal service or by certified mail upon the Operator.

- D. An Operator may file a petition with the Board of Supervisors for review of the Assistant TLMA Director's order imposing an administrative penalty. If no such petition is filed within 30 days of the order, the order is final and is not subject to review by any court or agency.
  - 1. A petition for review can only be accepted for filing if it is timely, utilizes a County-approved form, and is accompanied by the required petition fee in the amount set pursuant to Section 21 of this ordinance.
  - 2. If the petition for review meets the standards set forth in this subsection, the Clerk of the Board shall set the matter for a public hearing before the Board of Supervisors to review the Assistant TLMA Director's order imposing an administrative penalty. The Operator shall be notified by either personal service or certified mail of the time, date, and place for the public hearing at which the Board of Supervisors shall review the Assistant TLMA Director's order imposing an administrative penalty. In reviewing said order, the record shall consist of the record before the Assistant TLMA Director and any other relevant evidence which, in the judgment of the Board of Supervisors, should be considered to effectuate and implement the policies of SMARA and this ordinance.
  - 3. The Board of Supervisors may affirm, modify, or set aside, in whole or in part, by its own order, any order of the Assistant TLMA Director imposing an administrative penalty. Any order of the Board of Supervisors shall be served by personal service or certified mail upon the Operator.
  - 4. The Board of Supervisor's order shall become effective upon its issuance unless the Operator files a timely petition for writ of mandate in the superior court. Such petition shall be timely only if filed within 30 days of the Board's issuance of the order. Payment of any administrative penalty that is specified

in the Board of Supervisor's order shall be made to the County within 30 days of service of the order whether or not a petition has been filed; however, the payment shall be held in an interest-bearing impound account pending resolution of a petition for writ of mandate if one has been filed. If no timely petition is filed, the Board of Supervisor's order shall not be subject to review by any court or agency.

- E. The procedures, remedies and additional penalties for violation of this ordinance and for recovery of costs related to enforcement are also provided for in Ordinance No. 725, which is incorporated herein by this reference. Penalties collected pursuant to this section shall not be used for purposes other than to cover the reasonable costs incurred by the County in implementing this ordinance, SMARA, or the SMARA Regulations.
- F. Whether or not administrative penalties have been imposed, the Planning Commission may revoke or suspend the Operator's Permit in accordance with the procedures set forth in Section 10 of this ordinance, and all of the procedural requirements and rights of appeal as set forth therein shall govern the hearing.
- G. If the Assistant TLMA Director determines that a surface mining operation is not in compliance with SMARA such that the surface mining operation presents an imminent and substantial endangerment to the public health or the environment, the Assistant TLMA Director may seek an order from the Superior Court of the County of Riverside or other court of competent jurisdiction enjoining that operation.

Section 16. USE. Any Permit that is granted shall be used within eight (8) years from the effective date thereof, or within the time limit set forth in the conditions of approval, and pursued diligently to completion; otherwise, such Permit shall be null and void. The term "used" shall mean the beginning of site disturbance and development as part of a surface mining operation that is authorized under this ordinance and applicable provisions of SMARA.

### Section 17. VESTED RIGHTS.

A. No person who has obtained a Vested Right to conduct surface mining operations

prior to January 1, 1976, shall be required to secure a Permit pursuant to the provisions of this ordinance as long as such Vested Right continues and no substantial change is made in that operation. A person shall be deemed to have such Vested Rights if, prior to January 1, 1976, he has, in good faith and in reliance upon a Permit or other authorization, if such Permit or other authorization was required, diligently commenced surface mining operations and incurred substantial liabilities for work and materials necessary therefor. Expenses incurred in obtaining the enactment of an ordinance in relation to a particular operation or the issuance of a Permit shall not be deemed liabilities for work or materials. Any substantial changes made in a surface mining operation subsequent to January 1, 1976, except in accordance with SMARA and California Code of Regulations, title 14, section 3951, shall require an approved Permit pursuant to this ordinance.

- B. If requested, a Vested Rights determination shall be made in accordance with the following:
  - 1. The Operator shall submit a written request with the Assistant TLMA Director for a Vested Rights determination. The request for determination shall include information pertinent to establishing the existence and scope of the Vested Right. Within 30 calendar days of deeming the request for determination complete, the Assistant TLMA Director shall set a public hearing before the Board of Supervisors and provide notice in accordance with the procedures set forth in Section 10 of this ordinance.
  - 2. A public hearing shall be held by the Board of Supervisors to consider the request for determination of a Vested Right, and, utilizing a preponderance of the evidence standard, the Board of Supervisors shall determine whether the Operator has demonstrated its claim for a Vested Right. The record before the Board of Supervisors shall consist of the written materials received by the Assistant TLMA Director, as well as any relevant written comments on the request for determination and any relevant testimony received at the

hearing. Written comments and oral testimony other than that related to demonstrating or delimiting the existence, nature, and scope of the claimed vested rights shall not be considered by the Board of Supervisors in making the Vested Rights determination.

- 3. Within 60 calendar days following the public hearing, the Board of Supervisors shall issue a written vested rights determination. The determination shall identify upon which specific property the Vested Right is established and the scope and nature of surface mining operations included within the established Vested Right. Not more than 30 days after the issuance of the determination, a copy of the Vested Rights determination shall be mailed to the applicant and to any person who has made a written request for a copy of the decision. The decision of the Board of Supervisors shall be final.
- A person who has obtained a Vested Right to conduct surface mining operations prior C. to January 1, 1976, shall submit to the Planning Department for approval by the Planning Commission a Reclamation Plan. This Reclamation Plan may cover some or all areas to which that Vested Right applies, but, at a minimum, it must cover: all of the areas to which a Vested Right has been found to apply on which active mining operations have been conducted after January 1, 1976, as well as the entirety of any area to which a Vested Right has been found to apply that is planned or reasonably anticipated to contain surface mining operations in the near future. A person who has obtained a Vested Right shall also submit the required documentation for a mine inspection to the Planning Department in the same manner and with the same frequency as those Operators required to obtain a Permit pursuant to this ordinance before commencing or expanding their operation. Absent an approved Reclamation Plan for any area to which a Vested Right applies that has been mined since January 1, 1976, including any area that is currently being mined, the continuation of the surface mining operation shall be prohibited until a Reclamation Plan is submitted

and approved. Nothing in this ordinance shall be construed as requiring the filing of a Reclamation Plan for, or the reclamation of, mined lands on which surface mining operations were conducted prior to, but not after, January 1, 1976. All Reclamation Plans submitted to the Planning Department for operations pursuant to a Vested Right that are conducted after January 1, 1976, shall be accompanied by the fee set pursuant to Section 21 of this ordinance for a Reclamation Plan for a vested surface mining operation conducted after January 1, 1976.

Section 18. APPLICATIONS FOR AMENDMENTS. A request for approval of an amendment to an approved Permit or Reclamation Plan shall be made in accordance with the provisions of this section. Under no circumstances shall any deviation from the approved Permit or Reclamation Plan be undertaken until the required amendment is approved by the County pursuant to all applicable sections of this ordinance. An amendment under this section means a request for a Revised Permit, Revised Reclamation Plan, or a determination of Substantial Conformance as further defined herein.

- A. Applications for a determination of Substantial Conformance, Revised Permit, or Revised Reclamation Plan shall be made in writing to the Assistant TLMA Director on forms provided by the Planning Department.
- B. Substantial Conformance means an amendment to an approved Permit or Reclamation Plan that:
  - 1. Is not a Substantial Deviation from the original approval;
  - Does not change the effects on surrounding property; and
  - Does not substantially impact the ability to perform the reclamation activities contemplated in the approved Reclamation Plan.
  - 4. A Substantial Conformance may include, but is not limited to, amendments related to upgrading existing facilities, amendments relating to compliance with the requirements of other public agencies, amendments necessary to comply with final conditions of approval, or amendments to lighting, parking, fencing or landscaping requirements, provided said amendments as determined by the Assistant TLMA Director will have no adverse effect upon

public health, safety or welfare and will not have a significant effect on the environment.

- C. Revised Permit means a request for a Substantial Deviation from an approved Permit or Reclamation Plan which does not change the basic concept or use allowed by the original approval. A Substantial Deviation includes, but is not limited to: any expansion in the permitted mining area, in an area of an approved Reclamation Plan, or in the maximum depth of mining or slope angle; changes to the original conditions of approval, including extensions to the overall life of the permitted use as set out in the approved Reclamation Plan; changes that would substantially affect the approved end use of the site as established in the Reclamation Plan; changes to the operation inconsistent with previously adopted environmental determinations; a significant increase in plant capacity; changes to or expansion of a surface mining operation that would result in significant adverse effects; and changes in the intensity of use as determined by the Assistant TLMA Director.
- D. Actions on applications for Substantial Conformance or Revised Permits shall be in accordance with the following procedures:
  - Substantial Conformance. The Assistant TLMA Director shall approve, conditionally approve or disapprove an application for Substantial Conformance within 30 days after accepting a completed application and give notice by mail of the decision, including any additional conditions of approval, to the applicant and any other person who has filed a written request for notice. The Assistant TLMA Director's determination shall be based upon the standards of this section, the standards set forth in this ordinance governing approval of the original Permit, and the conditions of approval applicable to the approved Permit. An application for Substantial Conformance shall not require a public hearing.
  - 2. Revised Permit. An application for a Revised Permit shall be approved, conditionally approved or disapproved in accordance with all the procedures,

requirements, and development standards applicable to an original Permit, including any requirements for public hearing, notice of hearing, and all rights of appeal.

- E. The approval of an application for Substantial Conformance or Revised Permit shall be valid until the expiration of the original Permit, unless an extension of time has been granted by an approved Revised Permit.
- F. Notwithstanding any provision herein to the contrary, an application for Substantial Conformance may be approved only if the proposed modification is exempt from the provisions of CEQA.

# Section 19. IDLE MINES.

- A. Within 90 days of a surface mining operation becoming idle, as defined in Section 2727.1 of the Public Resources Code, the Operator shall file with the Assistant TLMA Director the following:
  - 1. All information required under this ordinance for the filing of a new application for a Permit, unless this requirement is waived by the Assistant TLMA Director.
  - 2. A statement explaining that the surface mining operation is idle as defined in Section 2727.1 of the Public Resources Code.
  - 3. An interim management plan that includes the measures the Operator will implement to maintain the site in accordance with the approved Permit and the approved Reclamation Plan.
  - 4. A filing fee for review of the interim management plan as set pursuant to Section 21 of this ordinance.
  - 5. Such additional information as shall be required by the Assistant TLMA Director.
- B. Within 60 days of the receipt of the information required in Subsection A., above, the Assistant TLMA Director shall review and approve the interim management plan, provided the interim management plan complies with the requirements specified in

Subsection A, above, and SMARA, and shall give notice by mail of the approval to the Operator and any other person who has filed a written request for notice. Otherwise, the Assistant TLMA Director shall notify the Operator in writing of any deficiencies in the plan. The Operator shall have 30 days, or a longer period mutually agreed upon by the Operator and the Assistant TLMA Director, to submit a revised plan. The Assistant TLMA Director shall approve or deny the revised interim management plan within 60 days of receipt. If the Assistant TLMA Director denies the revised interim management plan, the Operator may appeal that action to the Board of Supervisors, which shall schedule a public hearing within 45 days of the filing of the appeal, or any longer period mutually agreed upon by the Operator and the Board of Supervisors. Review and approval of an interim management plan shall not be considered a "project" pursuant to CEQA, nor shall it require a public hearing.

- C. The interim management plan may remain in effect for a period not to exceed 5 years, at which time the Assistant TLMA Director shall do one of the following:
  - 1. Renew approval of the interim management plan for another period not to exceed 5 years, which may be renewed for one additional five-year renewal period at the expiration of the first five-year renewal period, if the Assistant TLMA Director finds that the Operator has fully complied with the provisions of the interim management plan.
  - 2. Require the Operator to commence reclamation in accordance with its approved Reclamation Plan.

The determination by the Assistant TLMA Director to extend the term of the interim management plan or to require reclamation shall not require a public hearing. If the surface mining operation is still idle after expiration of its interim management plan and the interim management plan has not been renewed, the surface mining operation shall immediately commence reclamation in accordance with its approved Reclamation Plan.

D. Any financial assurances required in conjunction with approval of the Permit shall

remain in effect during the period the surface mining operation is idle and until such time as reclamation is completed.

E. Unless review of an interim management plan is pending before the Assistant TLMA Director or the Board of Supervisors, or an appeal is pending before the Board of Supervisors, a surface mining operation which remains idle for over 1 year after becoming idle as defined in Section 2727.1 of the Public Resources Code, without obtaining approval of an interim management plan, shall be considered abandoned and the Operator shall commence and complete reclamation in accordance with the approved Reclamation Plan.

Section 20. TRANSFERS OF OWNERSHIP. Whenever any surface mining operation or portion of a surface mining operation subject to this ordinance is sold, assigned, conveyed, exchanged, or otherwise transferred, the successor in interest shall be bound by the provisions of this ordinance and shall notify the Assistant TLMA Director in writing of such transfer of ownership within 30 days of the transfer. Within 90 days of the sale or transfer of a surface mining operation, the new Operator shall submit, in accordance with Section 14 of this ordinance and SMARA, an appropriate financial assurance mechanism, which may be the existing mechanism if the existing mechanism is payable in the event of the new Operator's financial incapability or abandonment of the surface mining operation. Within 15 days of the sale or transfer of a surface mining operation, the new Operator shall sign a new statement of reclamation responsibility in accordance with Section 9 of this ordinance.

## Section 21. FEES.

A. The application fee for a Permit, revised Permit, revised Reclamation Plan, or standalone Reclamation Plan (including a Reclamation Plan for mining operations on BLM land, for mining operations owned or operated by the County Transportation Department, or for vested surface mining operations conducted after January 1, 1976) shall initially be in the amount of twenty-one thousand dollars (\$21,000). This application fee is a deposit-based fee to be used to cover the actual costs for the County to undertake the review of a proposed Permit, revised Permit, proposed Reclamation Plan, or Revised Reclamation Plan. This application fee supersedes the

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fees set forth in Ordinance No. 671 for a Surface Mining Permit fee, for a Revised Permit fee, and for Reclamation Plans Submitted for Vested Operations Conducted After January 1, 1976.

- The application fee for a Substantial Conformance to a Permit or Reclamation Plan В. shall initially be in the amount of five thousand dollars (\$5,000). This application fee is a deposit-based fee to be used to cover the actual costs for the County to undertake the review of the proposed Substantial Conformance. This application fee hereby supersedes any fee for a Substantial Conformance set forth in Ordinance No. 671.
- The application fee for review of an interim management plan shall be the same C. amount as the application fee for a Substantial Conformance to a Permit or Reclamation Plan, as set pursuant to this section.
- D. The appeal filing fee required under Section 10 of this ordinance and petition fee required under Section 15 of this ordinance shall each initially be in the amount of one thousand dollars (\$1,000). This appeal filing fee hereby supersedes the Appeal of Planning Commission Decision fee set forth in Ordinance No. 671.
- E. The mine inspection fee required under Section 13 of this ordinance shall initially be in the amount of three thousand five hundred dollars (\$3,500). The mine inspection fee is a deposit-based fee to be used to cover the actual costs for the County to undertake the annual inspection of a surface mining operation. This fee hereby supersedes the Special Inspection Permit fee set forth in Ordinance No. 671.
- F. The mine administrative fee required under Section 13 of this ordinance shall initially be in the amount of two thousand dollars (\$2,000). The mine administrative fee shall be used for the administration and implementation of SMARA and this ordinance, including staff training, interaction with State agencies, updating applicable County regulations, and general management of the SMARA program.
- G. The Board of Supervisors may adjust the amount of any of the fees set forth in this section by resolution. Any adjustment to such fees shall be considered at a regularly

scheduled Board of Supervisors meeting. Notice of the time, place, general description of the fee adjustment, and where related information and data is available for review shall be mailed at least fourteen (14) days prior to the meeting to any interested party who files a written request with the County for mailed notice related to fees. At least ten (10) days before the meeting, information related to the fee adjustment shall be made available to the public for review. Any resolution adopted by the Board of Supervisors making adjustments to any of the fees set forth in this section shall be posted at the Planning Department.

Section 22. SEVERABILITY. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance, it being expressly declared that this ordinance and each section, subsection, paragraph, sentence, clause and phrase thereof would have been adopted, irrespective of the fact that one or more other section, subsection, paragraph, sentence, clause or phrase be declared invalid or unconstitutional."

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1	inis ordinance shall take ei	fect sixty (60) days after its adoption.
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3	II BOA	RD OF SUPERVISORS OF THE COUNTY
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6	$ \begin{array}{c c}  & \text{By:} \\ \hline  & \text{ATTEST:} \end{array} $	Chairman, Board of Supervisors
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10	Deputy	
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12	(SEAL)	
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14	APPROVED AS TO FORM, 2019	
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16	By:	
17	MELISSA R. CUSHMAN Deputy County Counsel	
18		
19	ADOPTED: 8-9-77 (Eff.: 09/08/1977) AMENDED: 555.1 (Eff.: 05/31/1978)	
20	555.2 (Eff.: 08/03/1978) 555.3 (Eff.: 09/24/1980)	
21	555.4 (Eff.: 01/14/1980) 555.5 (Eff.: 01/21/1980)	
22	555.6 (Eff.: 07/01/1981) 555.7 (Eff.: 07/21/1982)	ļ
23	555.8 (Eff.: 06/29/1983) 555.9 (Eff.: 09/21/1983)	
24	555.10 (Eff.: 07/04/1985) 555.11 (Eff.: 06/01/1986)	
25	555.12 (Eff.: 03/12/1987)	
26	555.14 (Eff.: 07/30/1987)	
27	555.16 (Eff.: 04/27/1989)	
28	555.18 (Eff.: 08/12/1995)	
	555.19 (Eff.: 11/01/2012)	
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A regular scheduled meeting of the Airport Land Use Commission was held on May 9, 2019 at the Riverside County Administrative Center, Board Chambers.

**COMMISSIONERS PRESENT**: Steve Manos, Chair

Russell Betts, Vice Chair

Arthur Butler John Lyon Steven Stewart Richard Stewart

**COMMISSIONERS ABSENT:** Gary Youmans

STAFF PRESENT: Simon Housman, ALUC Director

John Guerin, Principal Planner Paul Rull, Principal Planner

Barbara Santos, ALUC Commission Secretary

Raymond Mistica, ALUC Counsel

OTHERS PRESENT: Deanna Elliano, City of Hemet

Raymond Polverini, Barker Logistics, LLC

I. AGENDA ITEM 3.1: ZAP1360MA19 — Barker Logistics, LLC/Orbis Real Estate Partners (Representative: Raymond Polverini — County of Riverside Case No. PPT190008 (Plot Plan). A proposal to construct a 694,540 square foot industrial manufacturing building with second floor mezzanine on 30.19 acres located on the northeast corner of Placentia Avenue and Patterson Avenue in the unincorporated community of Mead Valley (Airport Compatibility Zone C2 of the March Air Reserve Base/Inland Port Airport Influence Area). Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rivco.org

### II. MAJOR ISSUES

None

#### III. STAFF RECOMMENDATION

Staff recommends that the proposed Plot Plan be found <u>CONSISTENT</u>, subject to the conditions included herein.

### IV. PROJECT DESCRIPTION

The applicant proposes a 694,540 square foot industrial manufacturing building with second floor mezzanine on 30.19 acres.

#### CONDITIONS:

- 1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
- 2. The following uses/activities are not included in the proposed project and shall be prohibited at this site, in accordance with Note A on Table 4 of the Mead Valley Area Plan.
  - (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.
- 3. The following uses/activities are specifically prohibited at this location: trash transfer stations that are open on one or more sides; recycling centers containing putrescible wastes; construction and demolition debris facilities; wastewater management facilities; incinerators; noise-sensitive outdoor nonresidential uses; and hazards to flight. Children's schools are discouraged.
- 4. The following uses/activities are not included in the proposed project, but, if they were to be Page 2 of 15

proposed through a subsequent use permit or plot plan, would require subsequent Airport Land Use Commission review:

Restaurants and other eating establishments; day care centers; health and exercise centers; churches, temples, or other uses primarily for religious worship; theaters.

- 5. The attached notice shall be given to all prospective purchasers of the property and tenants of the building, and shall be recorded as a deed notice.
- 6. The proposed detention basins on the site (including water quality management basins) 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 detention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
- 7. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
- 8. 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.
- 9. This project has been evaluated for 684,540 square feet of manufacturing area, 5,000 square feet of first floor office area, and 5,000 square feet of second floor mezzanine office area. Any increase in building area or change in use other than for office, manufacturing, and/or warehousing uses will require an amended review by the Airport Land Use Commission.
- 10. The project does not propose rooftop solar panels at this time. However, if the project were to propose solar rooftop panels in the future, the applicant/developer shall prepare a solar glare study that analyzes glare impacts, and this study shall be reviewed by the Airport Land Use Commission and March Air Reserve Base.

### V. MEETING SUMMARY

The following staff presented the subject proposal:

Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rivco.org

The following spoke in favor of the project:

Raymond Polverini, Barker Logistics, LLC, 280 Newport Center Drive, Newport Beach, CA 92660

No one spoke in neutral or opposition to the project.

#### VI. ALUC COMMISSION ACTION

The ALUC by a unanimous vote of 6-0 found the project **CONSISTENT.** Absent: Commissioner Youmans

### VII. VIDEO

The entire discussion of this agenda item is available on video and live streamed on the day of the meeting. If you have any questions please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or e-mail at <a href="mailto:basantos@rivco.org">basantos@rivco.org</a>.

ITEM 3.1: TIME: 9:31 A.M.

I. AGENDA ITEM 3.2: ZAP1362MA19 – Newcastle/Val Verde LLC (Representative: T&B Planning, Inc.) – County of Riverside Case No. PPT190006 (Plot Plan). A proposal to construct a 290,242 square foot industrial manufacturing building with second floor mezzanine on 12.96 acres located on the northwest corner of Harvill Avenue and (Old) Cajalco Road in the unincorporated community of Mead Valley (Airport Compatibility Zone C2 of the March Air Reserve Base/Inland Port Airport Influence Area). Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rivco.org

#### II. MAJOR ISSUES

None

### III. STAFF RECOMMENDATION

Staff recommends that the proposed Plot Plan be found <u>CONSISTENT</u>, subject to the conditions included herein.

### IV. PROJECT DESCRIPTION

The applicant proposes to establish a 290,242 square foot industrial manufacturing building with second floor mezzanine on 12.96 acres.

#### **CONDITIONS:**

- 1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
- 2. The following uses/activities are not included in the proposed project and shall be prohibited at this site, in accordance with Note A on Table 4 of the Mead Valley Area Plan.
  - (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.
- 3. The following uses/activities are specifically prohibited at this location: trash transfer stations that are open on one or more sides; recycling centers containing putrescible wastes; construction and demolition debris facilities; wastewater management facilities; incinerators; noise-sensitive outdoor nonresidential uses; and hazards to flight. Children's schools are discouraged.
- 4. The following uses/activities are not included in the proposed project, but, if they were to be proposed through a subsequent use permit or plot plan, would require subsequent Airport Land Use Commission review:

Restaurants and other eating establishments; day care centers; health and exercise centers; churches, temples, or other uses primarily for religious worship; theaters.

- 5. The attached notice shall be given to all prospective purchasers of the property and tenants of the building, and shall be recorded as a deed notice.
- 6. The proposed detention basins on the site (including water quality management basins) 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 detention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
- 7. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
- 8. 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.
- 9. This project has been evaluated for 282,242 square feet of manufacturing area, 4,000 square feet of first floor office area, and 4,000 square feet of second floor mezzanine office area. Any increase in building area or change in use other than for office, manufacturing, and/or warehousing uses will require an amended review by the Airport Land Use Commission.
- 10. The project does not propose rooftop solar panels at this time. However, if the project were to propose solar rooftop panels in the future, the applicant/developer shall prepare a solar glare study that analyzes glare impacts, and this study shall be reviewed by the Airport Land Use Commission and March Air Reserve Base.
- 11. The maximum height of the building, including all roof-mounted equipment, if any, shall be limited to 55 feet, and the maximum top point elevation shall not exceed 1,573 feet above mean sea level unless a "Determination of No Hazard to Air Navigation" letter authorizing a higher top point elevation has been issued by the Federal Aviation Administration Obstruction Evaluation Service.

#### V. MEETING SUMMARY

The following staff presented the subject proposal:

Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rivco.org

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

### VI. ALUC COMMISSION ACTION

The ALUC by a unanimous vote of 6-0 found the project <u>CONSISTENT</u>. Absent: Commissioner Youmans

### VII. VIDEO

The entire discussion of this agenda item is available on video and live streamed on the day of the meeting. If you have any questions please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or e-mail at <a href="mailto:basantos@rivco.org">basantos@rivco.org</a>.

ITEM 3.2: TIME: 9:36 A.M.

I. AGENDA ITEM 3.3: ZAP1363MA19 – Newcastle/Harvill Logistics, LLC (Representative: T&B Planning, Inc.) – County of Riverside Case No. PPT190005 (Plot Plan). A proposal to construct a 345,006 square foot industrial manufacturing building on 16.86 acres located easterly of Harvill Avenue, westerly of Interstate 215 Freeway, southerly of Orange Avenue and northerly of Daytona Cove in the unincorporated community of Mead Valley (Airport Compatibility Zone C2 of the March Air Reserve Base/Inland Port Airport Influence Area). Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rivco.org

#### II. MAJOR ISSUES

None

#### III. STAFF RECOMMENDATION

Staff recommends that the proposed Plot Plan be found <u>CONSISTENT</u>, subject to the conditions included herein.

### IV. PROJECT DESCRIPTION

The applicant proposes to construct a 345,006 square foot industrial manufacturing building on 16.86 acres.

### **CONDITIONS:**

- Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
- 2. The following uses/activities are not included in the proposed project and shall be prohibited at this site, in accordance with Note A on Table 4 of the Mead Valley Area Plan.
  - (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.
- 3. The following uses/activities are specifically prohibited at this location: trash transfer stations that are open on one or more sides; recycling centers containing putrescible wastes; construction and demolition debris facilities; wastewater management facilities; incinerators; noise-sensitive outdoor nonresidential uses; and hazards to flight. Children's schools are discouraged.
- 4. The following uses/activities are not included in the proposed project, but, if they were to be proposed through a subsequent use permit or plot plan, would require subsequent Airport Land Page 8 of 15

Use Commission review:

Restaurants and other eating establishments; day care centers; health and exercise centers; churches, temples, or other uses primarily for religious worship; theaters.

- 5. The attached notice shall be given to all prospective purchasers of the property and tenants of the building, and shall be recorded as a deed notice.
- 6. The proposed detention basins on the site (including water quality management basins) 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 detention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
- 7 March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
- 8. 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.
- 9. This project has been evaluated for 337,006 square feet of manufacturing area and 8,000 square feet of office area. Any increase in building area or change in use other than for office, manufacturing, and/or warehousing uses will require an amended review by the Airport Land Use Commission.
- 10. The project does not propose rooftop solar panels at this time. However, if the project were to propose solar rooftop panels in the future, the applicant/developer shall prepare a solar glare study that analyzes glare impacts, and this study shall be reviewed by the Airport Land Use Commission and March Air Reserve Base.

### V. MEETING SUMMARY

The following staff presented the subject proposal:

Staff Planner: John Guerin at (951) 955-0982, or e-mail at jquerin@rivco.org

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

### VI. ALUC COMMISSION ACTION

The ALUC by a unanimous vote of 6-0 found the project **CONSISTENT**. Absent: Commissioner Youmans

#### VII. VIDEO

The entire discussion of this agenda item is available on video and Live Streamed on the day of the meeting. If you have any questions please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or e-mail at <a href="mailto:basantos@rivco.org">basantos@rivco.org</a>.

ITEM 3.3: TIME: 9:40 A.M.

I. AGENDA ITEM 3.4: ZAP1077BD19 – Allen Grant (Representative: Benjamin Egan) – County of Riverside Case Nos. PPT190007 (Plot Plan), PM37678 (Tentative Parcel Map). A proposal to establish a 46,800 square foot, 35-unit Recreational Vehicle garage facility with a condominium parcel map for each of the units on 2.77 acres located easterly of Berkey Drive, westerly of Washington Street, northerly of Varner Road, and southerly of Wildcat Drive (Airport Compatibility Zone C of the Bermuda Dunes Airport Influence Area). Staff Planner: Paul Rull at (951) 955-6893, or e-mail at <a href="mailto:prull@rivco.org">prull@rivco.org</a>

### II. MAJOR ISSUES

None

#### III. STAFF RECOMMENDATION

Staff recommends that the Plot Plan and Tentative Parcel Map be found <u>CONSISTENT</u>, subject to the conditions included herein.

### IV. PROJECT DESCRIPTION

The applicant proposes to establish a 46,800 square foot, 35-unit recreational vehicle/boat garage storage facility with a condominium parcel map for each of the units on 2.77 acres.

### **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/activities are not included in the proposed project and shall be prohibited at this site:
  - (a) Any use or activity 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 or activity 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 or activity 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 following uses/activities are specifically prohibited at this location: trash transfer stations that are open on one or more sides; recycling centers containing putrescible wastes; children's schools; daycare centers; libraries; hospitals; nursing homes.
- 4. The attached notice shall be given to all prospective purchasers and/or tenants of the property, and shall be recorded as a deed notice.

- 5. The proposed detention basins on the site (including water quality management basins) 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 detention basins that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
- 6. The project has been evaluated as 45,300 square feet of RV/boat garage storage area and 1,500 square feet of office area. Any increase in building area or conversion to any use other than storage or warehousing will require review by the Airport Land Use Commission.
- 7. Buildings shall be limited to a maximum height of 32.5 feet and a maximum top point elevation of 144.9 feet above mean sea level unless a "Determination of No Hazard to Air Navigation" letter authorizing a higher top point elevation has been issued by the Federal Aviation Administration Obstruction Evaluation Service.

#### V. MEETING SUMMARY

The following staff presented the subject proposal:

Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rivco.org

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

#### VI. ALUC COMMISSION ACTION

The ALUC by a unanimous vote of 6-0 found the project **CONSISTENT**. Absent: Commissioner Youmans

### VII. VIDEO

The entire discussion of this agenda item is available on video and Live Streamed on the day of the meeting. If you have any questions please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or e-mail at basantos@rivco.org.

ITEM 3.4 TIME: 9:43 A.M.

I. AGENDA ITEM 3.5: ZAP1060HR19 - City of Hemet (Representative: Ronald Running) — City Planning Case No. GPA 19-001 (General Plan Amendment). A proposal by the City of Hemet to amend the text of the Land Use, Public Safety, and Circulation Elements of its 2030 Hemet General Plan to: (1) reflect, and be in conformance with, the recently (2017) adopted Hemet-Ryan Airport Land Use Compatibility Plan ("Hemet-Ryan ALUCP"); (2) reflect the alignment of State Highway Route 79 adopted by the Riverside County Transportation Commission; and (3) recognize the elimination of Redevelopment Agencies pursuant to State legislation. The City is requesting a finding that the 2030 Hemet General Plan, as amended, is consistent with the Hemet-Ryan ALUCP. Such finding would enable the City to conduct airport compatibility reviews for most projects in the Airport Influence Area. (Citywide). Staff Planner: John Guerin at (951) 955-0982, or e-mail at iguerin@rivco.org

### II. MAJOR ISSUES

The proposed amendments to the City of Hemet's 2030 General Plan are consistent with the 2017 Hemet-Ryan Airport Land Use Compatibility Plan ("Hemet-Ryan ALUCP").

Additionally, the City's intent is to also obtain a finding that its entire 2030 General Plan, as amended, is consistent with the Hemet-Ryan ALUCP. Staff identified conflicts that needed to be resolved before staff could recommend such a determination. Specifically, some properties designated Business Park are partially within Compatibility Zone A, and some areas within Compatibility Zone C are designated Low Density Residential (2 to 5 dwelling units per acre). Ideally, this would be addressed by designating the areas within Compatibility Zone A outside airport grounds as Open Space and redesignating the Compatibility Zone C uncommitted areas for nonresidential uses. However, the City is not proposing any changes to the land use designations of individual properties as part of this amendment proposal.

Ultimately, the City agreed to include a table ("Table 2.5") based on Table 2A of the Countywide Policies, but incorporating the compatibility criteria of the Hemet-Ryan ALUCP, into the Land Use Element of its General Plan, and further agreed to a provision stating that "In the event of an inconsistency between Table 2.5 and other provisions of the General Plan, within the AIA this table will control."

### III. STAFF RECOMMENDATION

Staff recommends that the Commission find the proposed General Plan Amendment <u>CONSISTENT</u> with the Hemet-Ryan ALUCP.

Provided that Table 2.5 and the above proviso are added to the Land Use Element, staff recommends that the Commission make the additional finding that the entire 2030 Hemet General Plan, as amended, is <u>CONSISTENT</u> with the Hemet-Ryan ALUCP.

### **IV. PROJECT DESCRIPTION**

GPA 19-001 (General Plan Amendment) is a proposal to amend the text of the Land Use, Public Safety, and Circulation Elements of its 2030 Hemet General Plan to: (1) reflect, and be in conformance with, the recently (2017) adopted Hemet-Ryan Airport Land Use Compatibility Plan ("Hemet-Ryan ALUCP"); (2) reflect the alignment of State Highway Route 79 adopted by the Riverside County Transportation Commission; and (3) recognize the elimination of Redevelopment Agencies pursuant to State legislation.

### V. MEETING SUMMARY

The following staff presented the subject proposal:

Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rivco.org

The following spoke in favor of the project:

Deanna Elliano, City of Hemet, 445 E. Florida Ave., Hemet, CA

No one spoke in neutral or opposition to the project.

### VI. ALUC COMMISSION ACTION

The ALUC by a unanimous vote of 6-0 found the project **CONSISTENT**. Absent: Commissioner Youmans

### VII. VIDEO

The entire discussion of this agenda item is available on video and Live Streamed on the day of the meeting. If you have any questions please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or e-mail at <a href="mailto:basantos@rivco.org">basantos@rivco.org</a>.

ITEM 3.5: TIME: 9:48 A.M.

### I. AGENDA ITEM 3.6: Resolution No. 2019-02: Adoption of Special Meeting Fees

In order to meet statutory deadlines or project deadlines an applicant may request a special meeting. In order to recapture the cost of a special meeting the Commission added a special meeting fee of \$2,000.00 to its fee schedule.

#### II. MAJOR ISSUES

N/A

#### III. STAFF RECOMMENDATION

Staff recommends that the Commission adopt Resolution No. 2019-02.

#### IV. BACKGROUND

In order to reduce expenditures, staff has proposed an ALUC meeting calendar for the upcoming fiscal year that provides for a dark month (no regular meeting) in December 2019.

However, pursuant to the Public Utilities Code, ALUC is to make its determination on legislative items (general plan amendments, specific plans, specific plan amendments, zone changes, and ordinance amendments) within 60 days from the date of receipt of a complete application. In the event that there is no scheduled meeting within that 60-day period, this deadline could be missed.

As an alternative to a waiver of time limits, applicants would be offered the option of requesting a special meeting during the dark month. A special meeting fee of \$2,000 would be charged to the proponent of a project requesting the special meeting. This fee would be to cover the following expenses: Commissioner stipends, mileage, parking, and ALUC Director and County Counsel participation.

### V. MEETING SUMMARY

The following staff presented the subject proposal:

Staff Planner: John Guerin at (951) 955-0982, or e-mail at jquerin@rivco.org

No one spoke in favor, neutral or opposition to Resolution No. 2019-02

### VI. ALUC COMMISSION ACTION

The ALUC by a unanimous vote of 6-0 <u>Adopted</u> Resolution No. 2019-02. Absent: Commissioner Youmans

#### VII. VIDEO

The entire discussion of this agenda item is available on video and live streamed on the day of the meeting. If you have any questions please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or e-mail at <a href="mailto:basantos@rivco.org">basantos@rivco.org</a>.

ITEM 3.6: TIME: 10:04 A.M.

### I. 4.0 ADMINISTRATIVE ITEMS

4.1 Director's Approvals - Information Only

## 4.2 Speculative Nonresidential Multiple Buildings (4 or more) – Revision to Policy

Simon Housman, ALUC Director advised that the Commission make proposed changes to the Speculative Nonresidential Multiple Buildings policy. The ALUC by a unanimous vote of 6-0 approved staff's recommendation for revision to the policy.

### 4.3 Meeting Calendar for Fiscal Year 2019-2020

Simon Housman, ALUC Director, advised that in order to reduce expenditures, staff proposed a DARK month in December 2019. The ALUC by a unanimous vote of 6-0 approved staff's recommendation and will go DARK (no meeting) in December 2019. Absent: Youmans

### 4.4 Case Fee Study

Simon Housman, ALUC Director presented Power Point slides regarding fees taken in, and cost incurred, for the processing of ZAP cases received during the second half of calendar year 2018.

### II. 5.0 APPROVAL OF MINUTES

The ALUC by a unanimous vote of 6-0 approved the April 11, 2019 minutes. Absent: Youmans

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

Simon Housman, ALUC Director informed the Commission regarding the process of jurisdictions amending their General Plans in accordance with the California Airport Land Use Planning Handbook.

### IV. 7.0 COMMISSIONER'S COMMENTS

Russell Betts, ALUC Vice Chair announced the passing of council member Jim Hyatt, City of Calimesa who also served as an alternate for him on the Airport Land Use Commission. Steve Manos, ALUC Chair adjourned the meeting in honor of Mr. Hyatt.

### V. <u>8.0 ADJOURNMENT</u>

Steve Manos, Chair adjourned the meeting at 10:35 a.m. in honor of the passing of council member Jim Hyatt, City of Calimesa.

### VI. VIDEO

The entire discussion of this agenda item is available on video and live streamed on the day of the meeting. If you have any questions please contact Barbara Santos, ALUC Commission Secretary, at (951) 955-5132 or e-mail at <a href="mailto:basantos@rivco.org">basantos@rivco.org</a>.

ITEM 4.0: TIME: 10:14 A.M.