

#### 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., August 8, 2019

CHAIR Steve Manos Lake Elsinore

VICE CHAIR Russell Betts Desert Hot Springs

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 Lerron St, 14th Floor Riverside, CA 92501 (951) 955-5132

www.rcaluc.org

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

#### BANNING AIRPORT

3.1 ZAP1034BA19 – AT&T Wireless (Representative: Smartlink, LLC) – City of Banning Case Nos. CUP19-8004 (Conditional Use Permit), DR19-7005 (Design Review). A proposal to establish a 70 foot tall "monopine" wireless communications facility with a 960 square foot equipment shelter area on 2.18 acres located northerly of Ramsey Street, easterly of Phillips Street, southerly of Williams Street and westerly of Hathaway Street (Airport Compatibility Zones C & D of the Banning Municipal Airport Influence Area). Staff Planner: Paul Rull at (951) 955-6893, or e-mail at prull@rivco.org

Staff Recommendation: CONDITIONALLY CONSISTENT

#### PALM SPRINGS INTERNATIONAL AIRPORT

3.2 ZAP1076PS19 – Desert Springs Finance, LLC (Representative: William Spencer) – City of Cathedral City Case Nos. GPA18-003 (General Plan Amendment), CZ18-002 (Change of Zone), CUP18-024 (Conditional Use Permit), TTM37745 (Tentative Tract Map). A proposal to establish a 110 unit multi-family condominium complex with amenities on 7.06 acres, involving a Conditional Use Permit and a Tentative Tract Map, located at the southerly terminus of Landau Boulevard, southerly of Ramon Road, easterly of the Whitewater River/Coachella Valley Stormwater Channel, westerly of Banff Way, and northwesterly of Creekside Apartments. The applicant also proposes amending the City's General Plan designation of the site from Medium Density Residential to High Density Residential and changing the site's zoning from R2 Multiple Family Residential District to R3 Multiple Family Residential District (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

#### 4.0 **ADMINISTRATIVE ITEMS**

- 4.1 Director's Approvals
- 4.2 ALUC Commissioner Recusals
- 4.3 Commission Request for Notification of Off-Field Landings
- 4.4 The FAA Glare Policy
- 5.0 <u>APPROVAL OF MINUTES</u> July 11, 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:** August 8, 2019

CASE NUMBER: ZAP1034BA19 - AT&T Wireless (Representative:

Smartlink, LLC)

**APPROVING JURISDICTION:** City of Banning

**JURISDICTION CASE NOS:** CUP19-8004 (Conditional Use Permit), DR19-7005 (Design

Review)

MAJOR ISSUES: None

RECOMMENDATION: Staff recommends that the Conditional Use Permit and Design Review be found <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 establish a 70 foot tall monopine wireless communications facility with a 960 square foot equipment shelter on 2.18 acres.

**PROJECT LOCATION:** The site is located northerly of Ramsey Street, easterly of Phillips Street, southerly of Williams Street, and westerly of Hathaway Street, in the City of Banning, approximately 1,682 feet westerly of the westerly terminus of Runway 8-26 at Banning Municipal Airport.

**LAND USE PLAN:** 2004 Banning Municipal Airport Land Use Compatibility Plan, as amended in 2016

a. Airport Influence Area: Banning Municipal Airport

b. Land Use Policy: Compatibility Zones C & D

c. Noise Levels: Below 55 CNEL from aircraft.

#### **BACKGROUND:**

Non-Residential Intensity: The site is located in Airport Compatibility Zones C and D of the Banning Municipal Airport Influence Area; however, the actual wireless communication facility is

located entirely within Compatibility Zone C, which restricts non-residential intensity to an average of 75 people per acre and 150 people in any given single-acre area. The proposed project is an unmanned wireless facility with no onsite occupancy.

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

Noise: The Banning Municipal Airport Land Use Compatibility Plan depicts the site as being located outside the 55 CNEL aircraft noise contour. The project does not propose any uses that would be sensitive to noise, and, therefore, would not require special measures to mitigate aircraft-generated noise.

Part 77: The elevation of Runway 8-26 at its westerly terminus is 2,212 feet above mean sea level (2212 AMSL). At a distance of approximately 1,682 feet from the runway to the site, Federal Aviation Administration Obstruction Evaluation Service (FAA OES) review would be required for any structures with top of roof exceeding 2,228 feet AMSL. The site's elevation is 2,281 feet AMSL and the proposed structure height is 70 feet, for a top point elevation of 2,351 feet AMSL. Therefore, review by the FAA OES is required. Submittal to the FAAOES was made, and Aeronautical Study Number 2019-AWP-7842-OE has been 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.

Open Area: The site is located within Compatibility Zones C and D of the Banning Municipal Airport Influence Area, which requires projects 10 acres or larger to designate 20% of project area for Zone C and 10% for Zone D 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.

#### **CONDITIONS:**

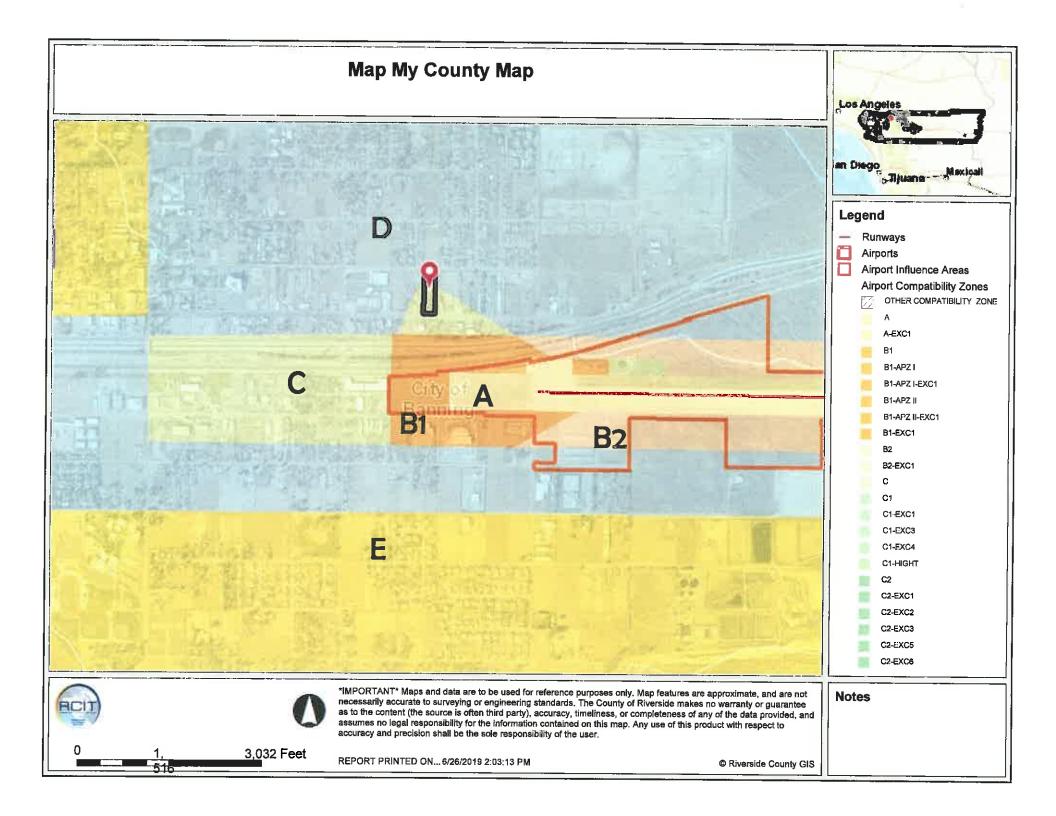
- 1. Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.
- 2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
  - (a) Any use or activity which would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

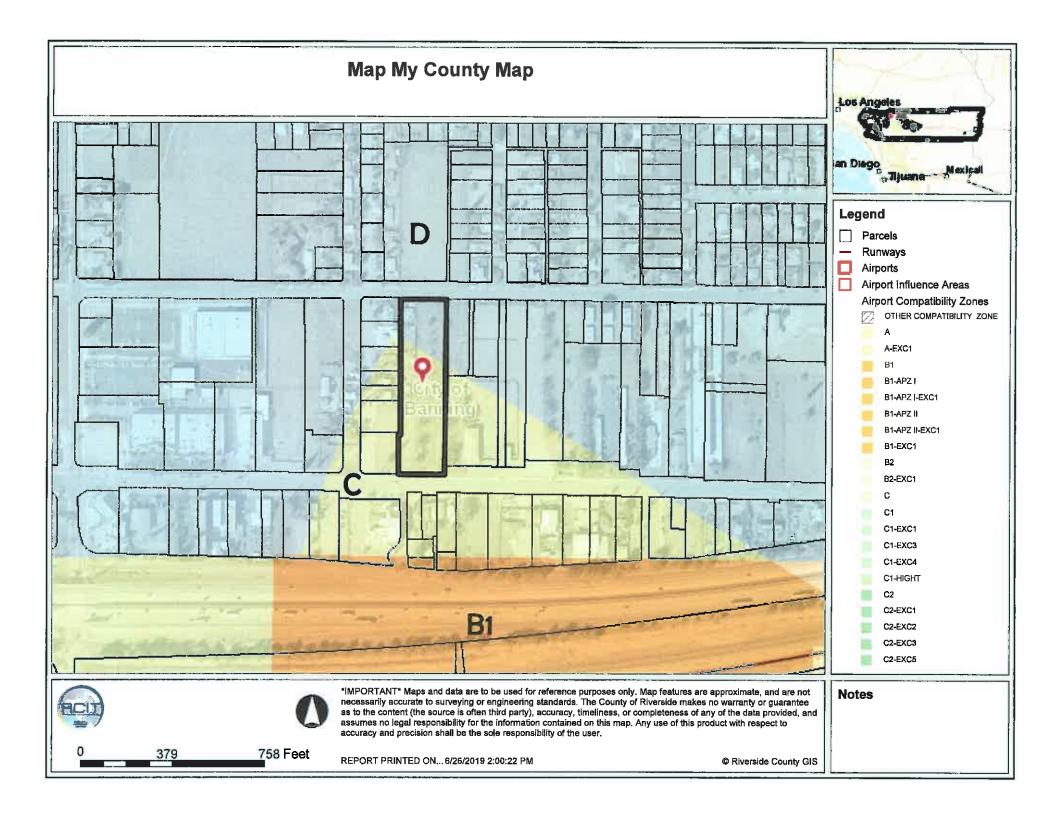
- (c) Any use or activity which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, composting operations, production of cereal 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) Children's schools, day care centers, libraries, hospitals, and nursing homes.
- 3. The attached notice shall be given to all prospective purchasers and/or tenants of the property, and shall be recorded as a deed notice.

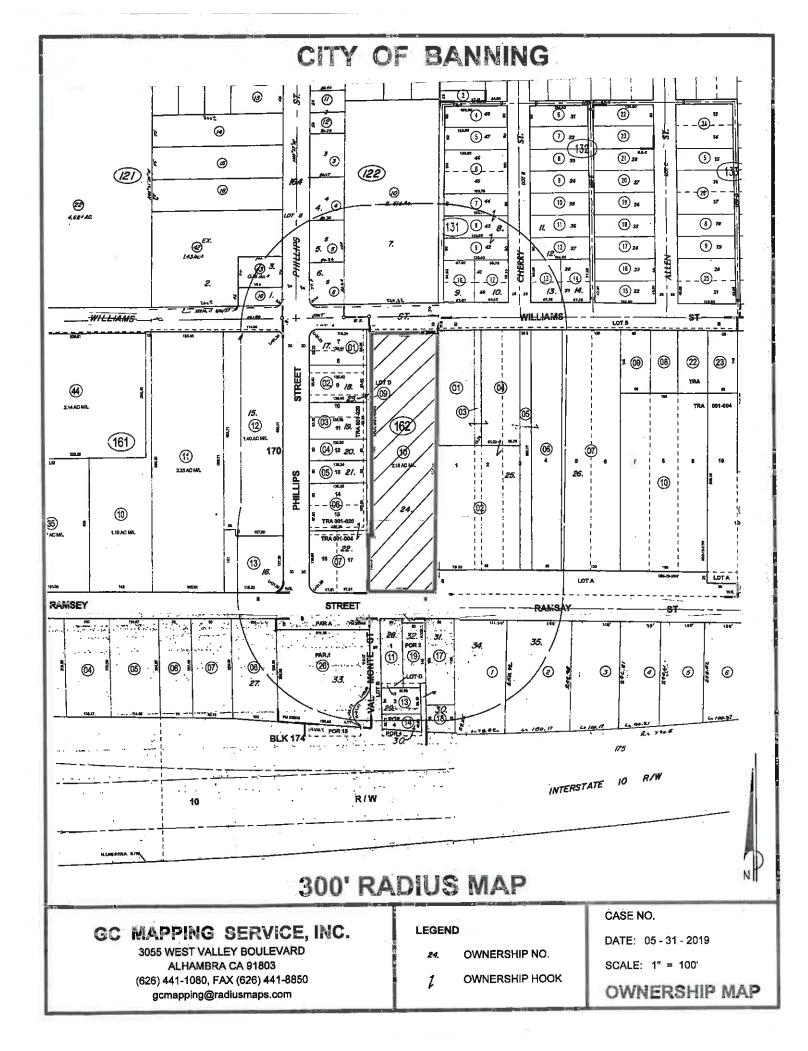
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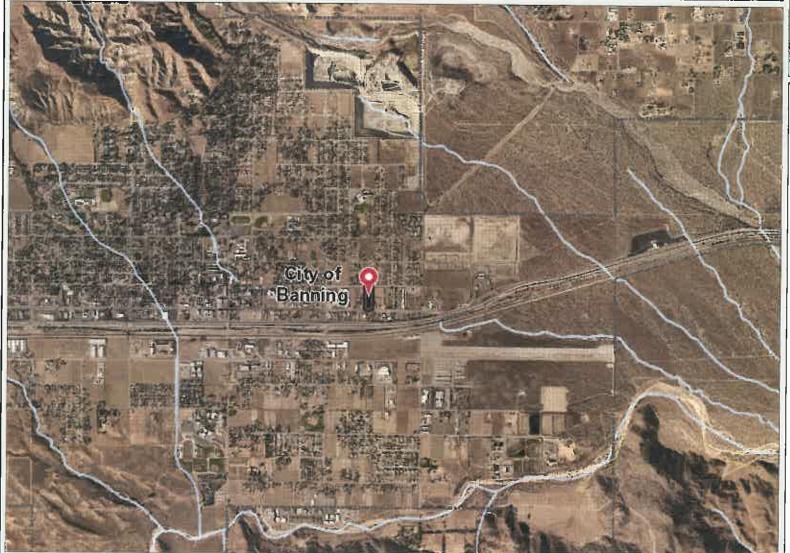
# NOTICE OF AIRPORT IN VICINITY

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)











#### Legend

Blueline Streams

City Areas

World Street Map



0

\*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, 6,064 Feet

REPORT PRINTED ON... 6/26/2019 2:04:03 PM

C Riverside County GIS

**Notes** 





#### 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.

1,516 Feet

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Notes





#### Legend

- Parcels
  - Blueline Streams
- iiii 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.

758 Feet 379

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**Notes** 

C Riverside County GIS

#### **CODE COMPLIANCE**

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   7. COUNTY COASTAL ZONE LAND USE
- ACUPTED JOSE NEC.

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#### **PROJECT TEAM**

CLIENT REPRESENTATIVE JE. SUME 300 CITY STATE ZIP: CONTACT: PHONE EMAIL:

ZONING

SITE ACQUISITION

SNARTLINK, ILC S200 FRAINE AVENUE, SUITE 200 NEWFORT BEACH , CA 92050 WILL KAZIMI (R21) 665-8227 COMPANY: ADDRESS: CITY.STATEZIP:

ENGINEER

COMPANY: ADDRESS: CITY, STATE, ZIF CONTACT. CASA INDUSTRIES, INC. 8928 PICNEER BLVD. #105 SANTA FE SPRINGS, CA 90870 JULIUS SANTIAGO

RF ENGINEER

CONSTRUCTION MANAGER

BECHTEL COMMUNICATIONS, INC. 16808 ARMSTRONG AVENUE SLITE 225 RONVANDERMA (714) 345-2851

ATT PROJECT MANAGER

ATAT 9073 ADAMS RIVERSIDE, CA 2004 BOB STURTE, WIT (714) 473-7286 rs145869#Leon

<u>APPLICANT</u> COMPANY ATAT
ADDRESS: 30/3 ADMS
CITY,STATE ZIP: RIVERSIDE, CA 2000
CONTACT: BOB STURTEVANT
PHONE: (74)-473-228
PMAIL: MISSERS

#### SITE INFORMATION

#### APPLICANT/LESSEE



#### PROPERTY OWNER

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GROUND ELEVATION: 2281, F.AMSL ABOVE GROUND LEVEL: 641-182-010-4 AREA OF CONSTRUCTION 960 SQ. FT. ZONING/JURISOICTION: CITY OF BANNING CURRENT ZONING BP - SLUSINESS PARI

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KRYSTAL PERIEZ CRUZ
JON CORONA - BUSINESS MANAGER FOR KRYSTAL CRUZ
1300 E RAMSEY STREET
BANNING CA 8220
(809) 703-1318

#### **DRIVING DIRECTIONS**

**VICINITY MAP** 

#### DIRECTIONS FROM ATA-T OFFICE:

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#### **LEGAL DESCRIPTION**

SEE SURVEY FOR LEGAL DESCRIPTION



Your world. Delivered

SITE NUMBER: CSL04820 - NSB

FA#: 11553757 USID#: 259139

SITE NAME: CRUZ TIRE SHOP

1233 E RAMSEY STREET. BANNING, CA 92220 RIVERSIDE COUNTY

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# **APPROVALS**

**LOCAL MAP** 

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS IS AUTHORIZE THE SUBCONTRACTION TO PROCEED WITH THE CONSTRUCTION DESCRIBED. DISCIPLINE SIGNATURE DATE ATAT RE ENGINEER: TAT OPERATIONS: RTE ACQUISMON CONSTRUCTION MANAG ROPERTY CWNER ZONING VENDOR

#### **GENERAL CONTRACTOR NOTES**

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PROJECT MANAGER

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#### **GENERAL NOTES**

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MARTIENANCE. THE PROJECT WILL NOT REGILT IN ANY GRUNICAN TO STURRANCE OF EFFECT ON DEVIAGE, NO SANSTAY SEMBER SERVICE, FOTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SORVICE, FOTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SORVICE STORYOGED.

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A-2	EQUIPMENT/MITERIA PLAN AND ANTENNA/MILI SCHEDULE
A-2	ELEXATIONS
A-4	ELEMITIONS
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**DRAWING INDEX** 



THE REFORMATION CONTINUED IN THIS SET OF DRAWING IS PROPRIETALLY & CONFIDENTIAL TO ATAIT WHILESS NY USE OR CINCLOSURE DITHER THAN AS IT RELATES TO ATAC WIRELESS IS STRICTLY PROHIBITED



3300 IRVINE AVENUE, SUITE 300 NEWPORT BEACH, CA 92890 TEL: (949) 387-1275 FAX: (949) 387-1275



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NOT TO BE USED FOR CONSTRUCTION

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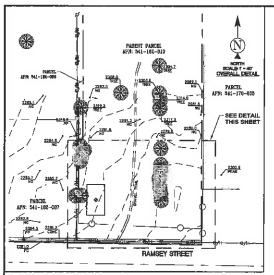
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RAMSEY STREET

ambit consulting SOUTHERN AVE. TEMPE, AZ 85282 PH. (480) 659-4072



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CSL04820

1233 RAMSEY STREET BANNING, CA 92220

> SHEET TITLE SITE SURVEY

SHEET NUMBER

LS-1

#### SURVEY DATE 05/04/2019

BASIS OF BEARING
BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE
PLANE NADAS COORDINATE SYSTEM CALIFORNIA STATE
PLANE COORDINATE ZONE SIX, DETERMINED BY GPS
OBSERVATIONS.

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FLOOD ZONE
THIS PROJECT APPEARS TO BE LOCATED WITHIN FLOOD
ZONE "X". ACCORDING TO FEDERAL EMERGENER
MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP(S). MAP ID #06065C0838G, DATED 8/28/2008

#### UTILITY NOTES

STRETCH DOES NOT GUARANTEE THAT ALL UTLINES ARE SHOWN ON THEIR LOCATIONS ARE DEFINITE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVICE OFF TO CONTRACT BLUE STREAM AND ANY OTHER WIND, VED AGRADES TO LOCATE ALL UTLINES PRIOR TO CONSTRUCTION, REMOVAL, REJUCATION AND/OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTION.

SURVEYOR'S NOTES SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE ISSUED.

THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.

ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES.

CONTOURS DERIVED FROM DIRECT FIELD DESERVATIONS AND FOLLOWS THE CURRENT NATIONAL MAP STANDARDS FOR VERTICAL ACCURACY.

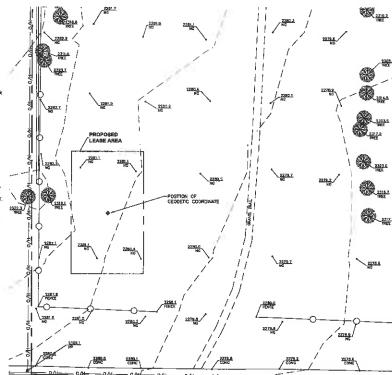
LESSOR'S LEGAL DESCRIPTION
THAT PORTION OF BLOOK 170 OF BANNING COLONY LAND, IN
THE CITY OF BANNING, COUNTY OR INVESTIGE, STATE OF CAR
CALLED A. AS STATE OF COLONY PROPERTY OF CARLED A. AS STATE OF

EXCEPTING THEREFROM THE NORTHERLY 30 FEET GRANTED TO THE CITY OF BANNING FOR HIGHWAY PURPOSES BY DEED RECORDED AUGUST 10, 1937 IN BOOK 344, PAGE 48 OF OFFICIAL RECORDS, REVERSIDE COUNTY.

ALSO EXCEPTING THEREFROM ANY PORTION THEREOF INCLUDED IN RAMSEY STREET ON THE SOUTH.

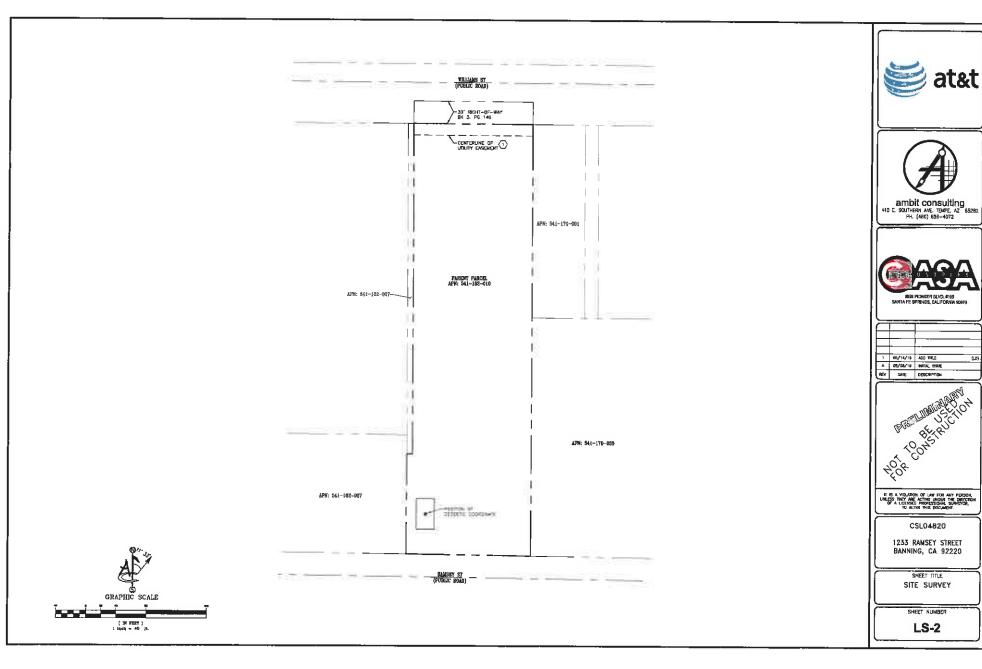
SURVEYOR'S NOTES
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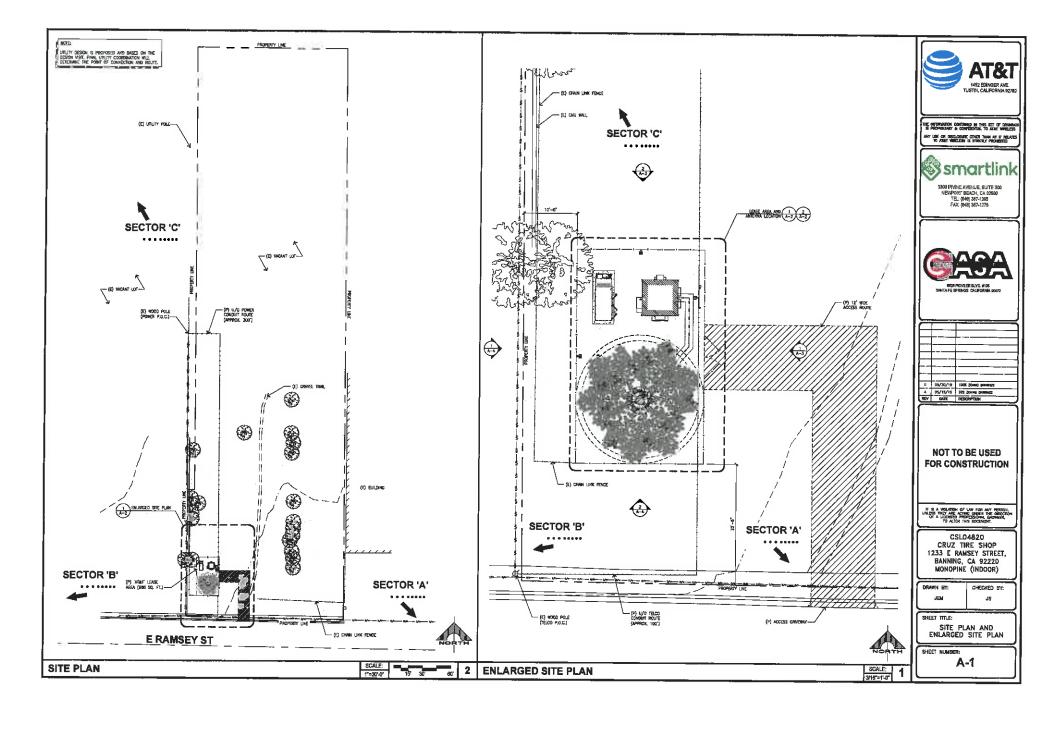
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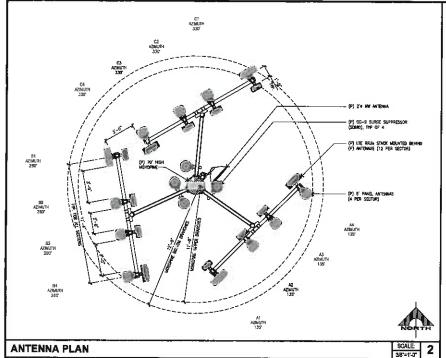










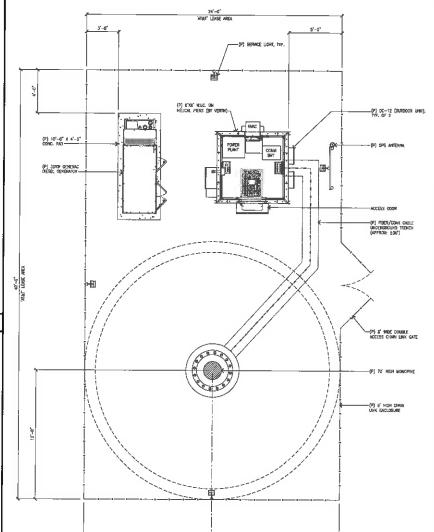


SECTION		PROPOSED	AKT	2004	ANTÉNHA	RAC	TRAVSMS	SKIN UMES (LENGTH FT +/-)
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×	AI	LTE	65' EN PANEL ANTENNA	6'	135	51'-0'	c12"	+/- 90'
SECTOR	AZ	LVE	ST BW PANEL	8'	135*	61'-0"	<12"	+/- 90'
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₹	м	(TE	BE DIT PANEL ANTEMINA	8"	135*	61"-0"	<12'	+/- 90'
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Š	83	UE	65' ON PAICEL ANTENNA	8.	560,	61'-0"	<12°	+/- 80
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œ	C1	UE	MITENDA	8,	330	61'-Q'	<12'	+/- 90"
SECTOR.	C2	LTE	ANTENNA ANTENNA	8.	SOUT	B1'-0	<12"	+/- 90"
ŧ	다	LTE	BS' BW PANEL	5'	330	61'-0"	<12	+/- 10
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	MENDLE MANA CHILZ (MITZ)						
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	-1015	TOUS OF UK DOWN	INIU LIANII	(DESTANCE FROM ANTENNA)	ABOVE	BELOW	SIX
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SECTION	A2	UP.	3	<iž'< td=""><td>18"</td><td>8"</td><td>6.</td></iž'<>	18"	8"	6.
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₹	#	UP.	3	<12"	18"	8,	4.
	Bi	UP.	3	<12"	18"	F.	8"
SECTOR	82	UP.	3	<12	18"	8"	5
¥14	H)	<b>1</b>	3	<12"	18"	6"	8"
•	84	UP	,	<12'	18"	9.	8"
8	Çî	UP .	. 3	<12'	18"	В*	8"
SECTOR	E2	UP.	3	<12"	18"	8.	9.
CHEEN	C3 -	UP	3	<12"	16"	6,	6,
5	04	UP PU	3	<12°	18"	6,	8"

**ANTENNA AND RRU SCHEDULE** 

TOTAL ATAT LEASE AREA - 960 SO. FT. 3 LEASE AREA PLAN





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A SEC	01/15/19 DATE	ANY NAME INCOMES
(00)	DATE	DESCRIPTION

NOT TO BE USED FOR CONSTRUCTION

IT IS A WOLATION OF USE FOR MY PERSON, NLESS THEY ARE ACTING UNIQUE THE DIRECTIO OF A UCENSED PROFESSIONAL ENGINEER, TO AUTRE THIS COCCAMENT.

CSL04820 CRUZ TIRE SHOP 1233 E RAMSEY STREET, BANNING, CA 92220 MONOPINE (INDOOR)

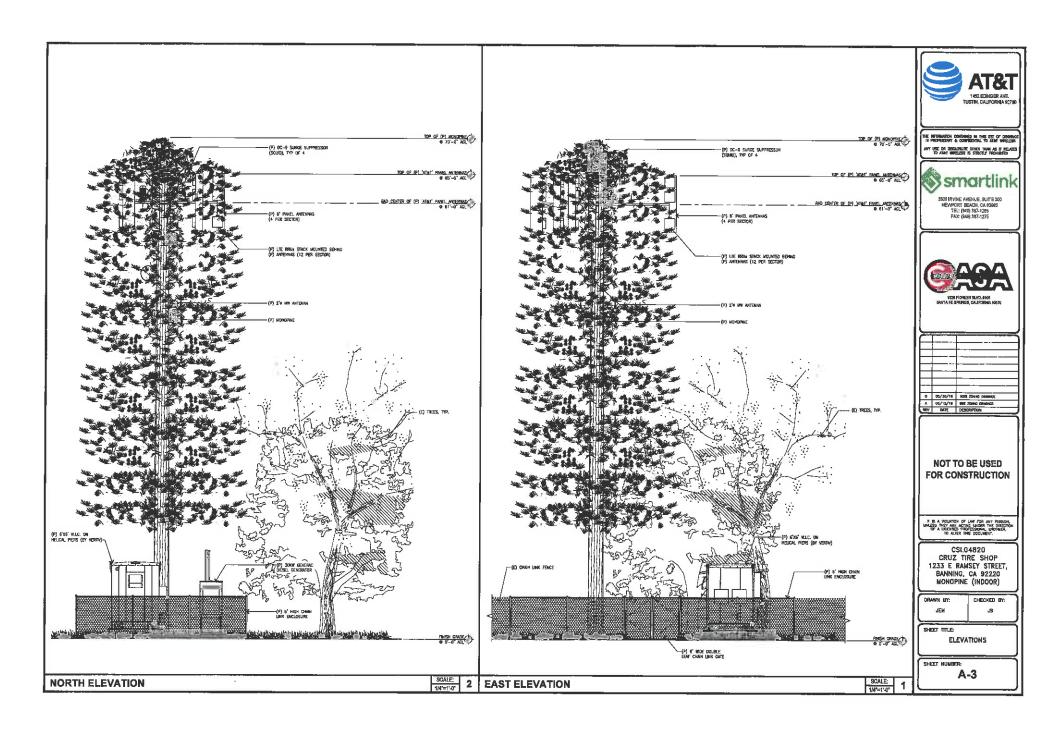
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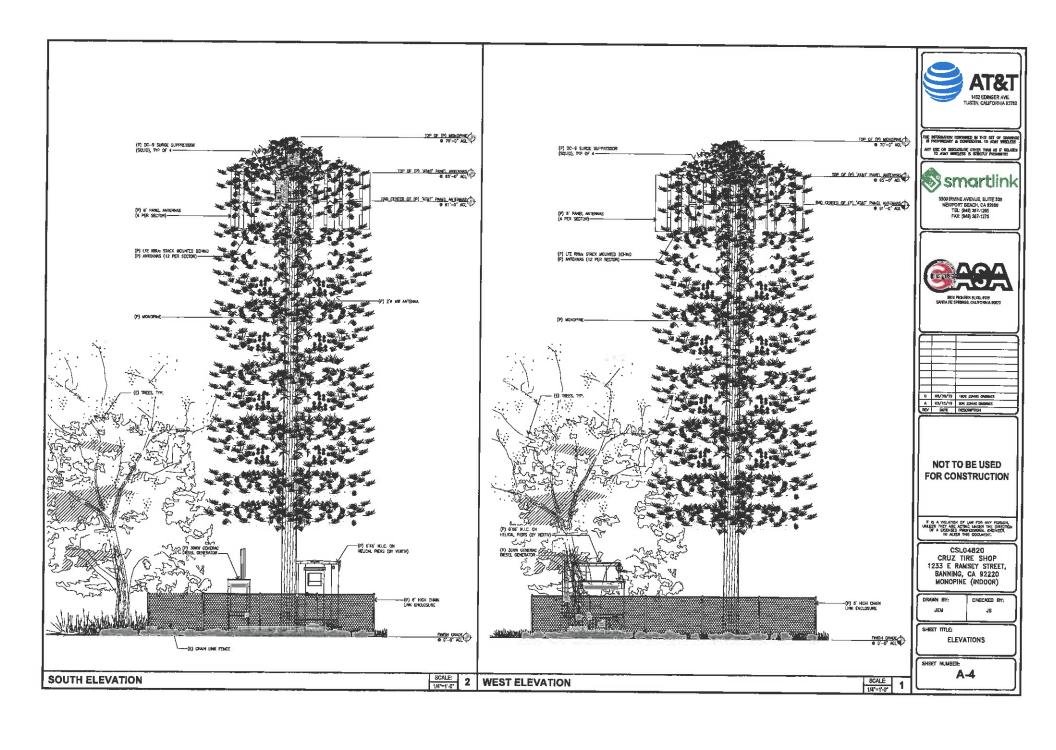
SHEET TITLE:

EQUIPMENT/ANTENNA PLAN & ANTENNA/RRU SCHEDULE

SHEET NUMBER:

A-2 SCALE: 3/8"=1-0"





## 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 Banning Planning Department will hold hearings on this item and should be contacted on non-ALUC issues. For more information please contact City of Banning Planner Ms. Sonia Pierce at (951) 922-3152.

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: August 8, 2019

TIME OF HEARING: 9:30 A.M.

CASE DESCRIPTION:

ZAP1034BA19 – AT&T Wireless (Representative: Smartlink, LLC) – City of Banning Case Nos. CUP19-8004 (Conditional Use Permit), DR19-7005 (Design Review). A proposal to establish a 70 foot tall "monopine" wireless communications facility with a 960 square foot equipment shelter area on 2.18 acres located northerly of Ramsey Street, easterly of Phillips Street, southerly of Williams Street and westerly of Hathaway Street (Airport Compatibility Zones C & D of the Banning Municipal Airport Influence Area).



# RIVERSIDE COUNTY

### **AIRPORT LAND USE COMMISSION**

ALUC CASE NUMB	ER: 2010348419 DATE	SUBMITTED: 6 19 19	
APPLICANT / REPRESE	ENTATIVE / PROPERTY OWNER CONTACT INFORMATION		
Applicant	AT&T Wireless	Phone Number 7	714-473-7268
Mailing Address	1452 Edinger Ave	Email rs1458@a	11 11 1 1 1 1 1
	Tustin, CA 92780		
Representative	Willy Kazimi	Phone Number	925-699-2227
Mailing Address	8219 Calle Nueva		i@smartlinkilc.com
	San Diego, CA 92126		
Property Owner	Krystal Perez Cruz	Phone Number	909-703-1316
Mailing Address	1300 E Ramsey St.	Email	
	Banning, CA 92220		
LOCAL JURISDICTION A	IGENCY		
	City of Banning	<del> </del>	951-922-3125
Staff Contact	SOMA PIERCE	Email	
Staff Contact	SONA PIERCE 99 E Ramsey St.	Case Type CUP &	Design Review
	SOMA PIERCE	Email  Case Type CUP &  ☐ General Plan / Spei	Design Review
Staff Contact Mailing Address	99 E Ramsey St. Banning, CA 92220	Email  Case Type CUP &  General Plan / Specification of Current Curren	Design Review
Staff Contact Mailing Address	99 E Ramsey St. Banning, CA 92220	Email  Case Type CUP &  General Plan / Special Plan / Special Plan / Special Plan / Special Plan / Subdivision Parcel  Use Permit	Design Review cific Plan Amendment Amendment Map / Tentative Tract
Staff Contact Mailing Address	99 E Ramsey St. Banning, CA 92220	Email  Case Type CUP &  General Plan / Specification of Current Curren	Design Review cific Plan Amendment Amendment Map / Tentative Tract
Staff Contact Mailing Address  Local Agency Project No  PROJECT LOCATION	SOMA PIERCE 99 E Ramsey St. Banning, CA 92220  CUP 19 - 3004  DR 14 - 7005	Email  Case Type CUP &  General Plan / Spei Zoning Ordinance / Subdivision Parcel Use Permit Site Plan Review/Pl	Design Review cific Plan Amendment Amendment Map / Tentative Tract
Staff Contact Mailing Address  Local Agency Project No  PROJECT LOCATION  Attach an accurately scaled	SONA PIERCE 99 E Ramsey St. Banning, CA 92220  CUP 19 - 3004  DR19 - 7005  map showing the relationship of the project site to the airport boun	Email  Case Type CUP &  General Plan / Spei Zoning Ordinance / Subdivision Parcel Use Permit Site Plan Review/Pl	Design Review cific Plan Amendment Amendment Map / Tentative Tract
Staff Contact Mailing Address  Local Agency Project No  PROJECT LOCATION	Sonia Pierce  99 E Ramsey St.  Banning, CA 92220  CUP 19 - 3004  DR 14 - 7005  map showing the relationship of the project site to the airport boun  1165 E Ramsey St.	Email  Case Type CUP &  General Plan / Spei Zoning Ordinance / Subdivision Parcel Use Permit Site Plan Review/Pl	Design Review cific Plan Amendment Amendment Map / Tentative Tract
Staff Contact Mailing Address  Local Agency Project No  PROJECT LOCATION Attach an accurately scaled  Street Address	99 E Ramsey St.  Banning, CA 92220  CUP 19- 3004  DR 19- 7005  map showing the relationship of the project site to the airport boun  1165 E Ramsey St.  Banning, CA 92220	Email  Case Type CUP &  General Plan / Special Coning Ordinance A Subdivision Parcel III Use Permit  Site Plan Review/Pi  Other	Design Review cific Plan Amendment Amendment Map / Tentative Tract lot Plan
Staff Contact Mailing Address  Local Agency Project No  PROJECT LOCATION Attach an accurately scaled  Street Address  Assessor's Parcel No.	Sonia Pierce  99 E Ramsey St.  Banning, CA 92220  CUP 19 - 3004  DR 14 - 7005  map showing the relationship of the project site to the airport boun  1165 E Ramsey St.	Email  Case Type CUP &  General Plan / Special Control	Design Review cific Plan Amendment Amendment Map / Tentative Tract
Staff Contact Mailing Address  Local Agency Project No  PROJECT LOCATION Attach an accurately scaled  Street Address	99 E Ramsey St.  Banning, CA 92220  CUP 19- 3004  DR 19- 7005  map showing the relationship of the project site to the airport boun  1165 E Ramsey St.  Banning, CA 92220	Email  Case Type CUP &  General Plan / Special Coning Ordinance A Subdivision Parcel III Use Permit  Site Plan Review/Pi  Other	Design Review cific Plan Amendment Amendment Map / Tentative Tract lot Plan
Staff Contact Mailing Address  Local Agency Project No  PROJECT LOCATION Attach an accurately scaled  Street Address  Assessor's Parcel No. Subdivision Name	99 E Ramsey St.  Banning, CA 92220  CUP 19- 3004  DR 19- 7005  map showing the relationship of the project site to the airport boun  1165 E Ramsey St.  Banning, CA 92220	Email  Case Type CUP &  General Plan / Special Coning Ordinance / Subdivision Parcel I  Use Permit Site Plan Review/Pl  Other  Gross Parcel Size Nearest Airport and distance from Air-	Design Review cific Plan Amendment Amendment Map / Tentative Tract lot Plan  2.18 Acres
Staff Contact Mailing Address  Local Agency Project No  PROJECT LOCATION Attach an accurately scaled  Street Address  Assessor's Parcel No. Subdivision Name Lot Number  PROJECT DESCRIPTION	99 E Ramsey St.  Banning, CA 92220  CUP 19- 3004  DR 14-7005  map showing the relationship of the project site to the airport bound 1165 E Ramsey St.  Banning, CA 92220  541-162-010-4	Email  Case Type CUP &  General Plan / Special Control	Design Review cific Plan Amendment Amendment Map / Tentative Tract lot Plan  2.18 Acres  Banning Muni - 1.4

Proposed Land Use (describe)					
			<u> </u>		
For Residential Uses	Number of Parcels or Units on Site (	· •			
For Other Land Uses	Hours of Operation 24/7 - Un		<del></del>		
(See Appendix C)	Number of People on Site 0  Method of Calculation	Maximum Number 0 Unmanned wireless cell facility			
	Method of Calculation	Official fied wifeless cell facility	<del></del> -		
Height Data	Site Flourism Inhove moon on Jave	B	2281.1		===
ricignt Data	Site Elevation (above mean sea leve Height of buildings or structures (fro	•		tealth tree is 70'	ft.
-	<del></del>			tealth tree is 70	ft
Flight Hazards	Does the project involve any charac confusing lights, glare, smoke, or ot	teristics which could create electrical interfe her electrical or visual hazards to aircraft flig	rence, ht?	Yes No	
	If yes, describe				
	<del></del>	·····		<del></del>	
			<del></del>	<del></del>	
65940 to 6 of actions,  REVIEW 1  Estimated next availa	5948 inclusive, of the Cal regulations, or permits.  **IME: Estimated time for "	o submit complete or adequa ifornia Government Code, MA staff level review" is approximately 45 meeting.	Y constitut atelv 30 da	e grounds for disap	proval
1, Al 1 Pl gr 1 Pl 1 Cl 1 Vi 1 Do 1 Lo 3 Gl	ading plans, subdivision ans Package (8.5x11) (si ading plans, subdivision of the positive distribution of the positive distribution of the positive distribution project description ocal jurisdiction project traummed address labels for anner	ied) (site plans, floor plans, bu maps) ite plans, floor plans, building maps, zoning ordinance/GPA/ plans (pdf) ansmittal r applicant/representative/pro	elevations, /SPA text/n	nap amendments) er/local jurisdiction	
th	ummed address labels of e project site. (Only requ ommission meeting)	all surrounding property owner uired if the project is schedu	ers within a I <b>led for a</b> p	i 300 foot radius of public hearing	•

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# COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

#### STAFF REPORT

AGENDA ITEM: 3.2

**HEARING DATE:** August 8, 2019

CASE NUMBER: ZAP1076PS19 - Desert Springs Finance, LLC

(Representative: William Spencer)

APPROVING JURISDICTION: City of Cathedral City

JURISDICTION CASE NO: GPA18-003 (General Plan Amendment), CZ18-002 (Change

of Zone), CUP18-024 (Conditional Use Permit), TTM37745

(Tentative Tract Map)

MAJOR ISSUES: None

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

**PROJECT DESCRIPTION**: A proposal to establish a 110 dwelling unit multi-family condominium complex with amenities on 7.06 acres, involving a Conditional Use Permit and a Tentative Tract Map. The applicant also proposes amending the City's General Plan designation of the site from Medium Density Residential to High Density Residential and changing the site's zoning from R2 Multiple Family Residential District to R3 Multiple Family Residential District.

**PROJECT LOCATION:** The site is located at the southerly terminus of Landau Boulevard, southerly of Ramon Road, easterly of the Whitewater River/Coachella Valley Stormwater Channel, westerly of Banff Way, and northwesterly of Creekside Apartments, within the City of Cathedral City, approximately 6,700 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:**

Residential Density: Pursuant to the Palm Springs International Airport Land Use Compatibility Plan, the project site is located within Compatibility Zone D, where Additional Compatibility Policy #2.3 restricts residential densities to either 0.2 dwelling units per acre or above 3.0 dwelling units per acre. The project proposes 110 condominium units on 7.06 acres, which results in an overall density of 16 dwelling units per acre, which is consistent with Zone D residential density criteria.

Non-Residential Intensity: Pursuant to the Palm Springs International Airport Land Use Compatibility Plan, the project site is located within Compatibility Zone D, which restricts non-residential intensity to an average of 100 people per acre and a maximum of 300 people in any given single acre. The project proposes a 2,435 square foot pool, a 1,330 square foot outdoor barbeque area, a 3,600 square foot gym, a 1,080 square foot party room, and a 2,880 square foot of storage area, which would accommodate an occupancy of 291 people, resulting in an average intensity of 41 people per acre, and a single acre intensity of 291 people, both of which are consistent with the Compatibility Zone D intensity criteria.

<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.

Noise: 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.

Part 77: The elevation of Runway 13L-31R at its southerly terminus is 404.4 feet above mean sea level (AMSL). At a distance of approximately 6,700 feet from the runway to the project, Federal Aviation Administration (FAA) review would be required for any structures with a top point elevation exceeding 462.5 feet AMSL. The project's finished floor elevation is 354 feet AMSL and the proposed structure height is 35 feet, for a top point elevation of 389 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 7.06 acres in area, so open area is not required.

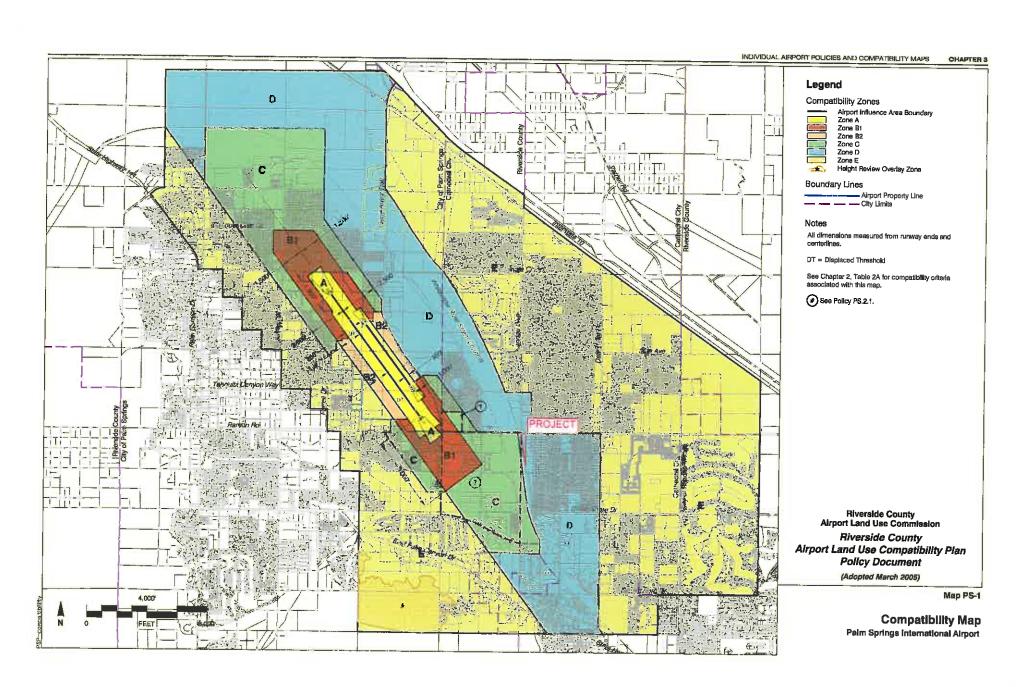
General Plan Amendment/Zone Change: The proposed High Density Residential General Plan designation and R3 Multiple Family Residential District zoning would be as, or more consistent, with the Compatibility Plan than the existing designation, as long as the project is consistent with the underlying compatibility criteria.

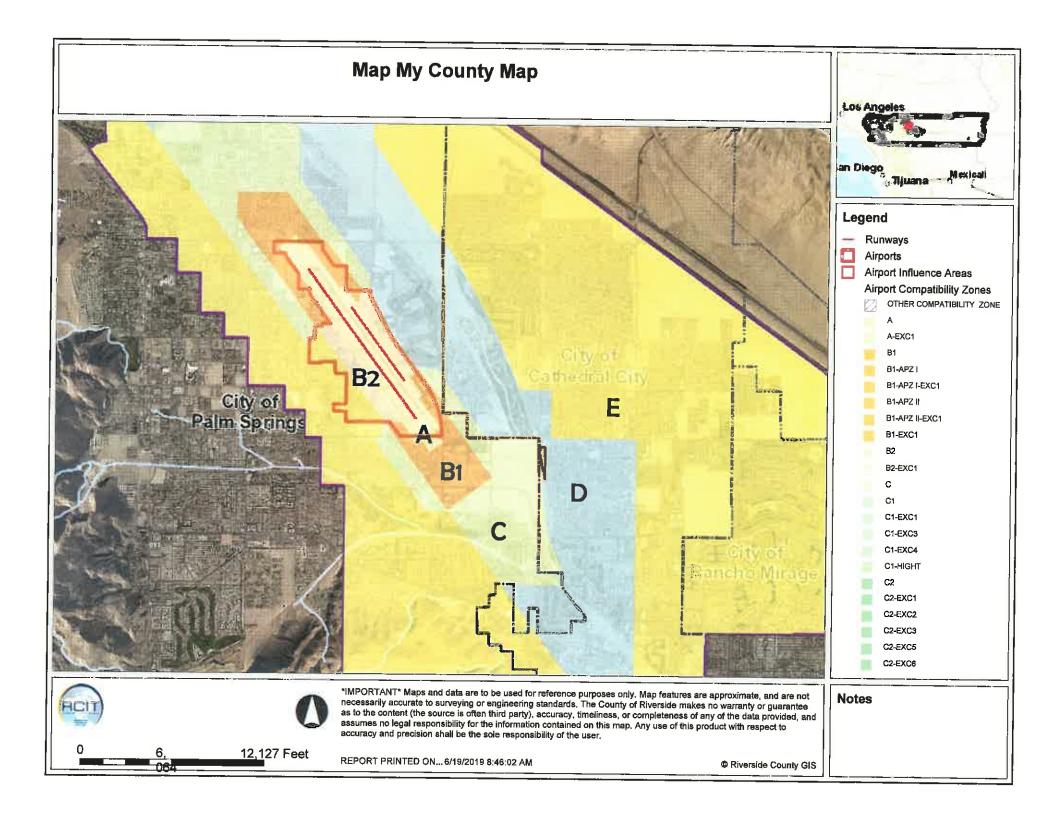
#### **CONDITIONS:**

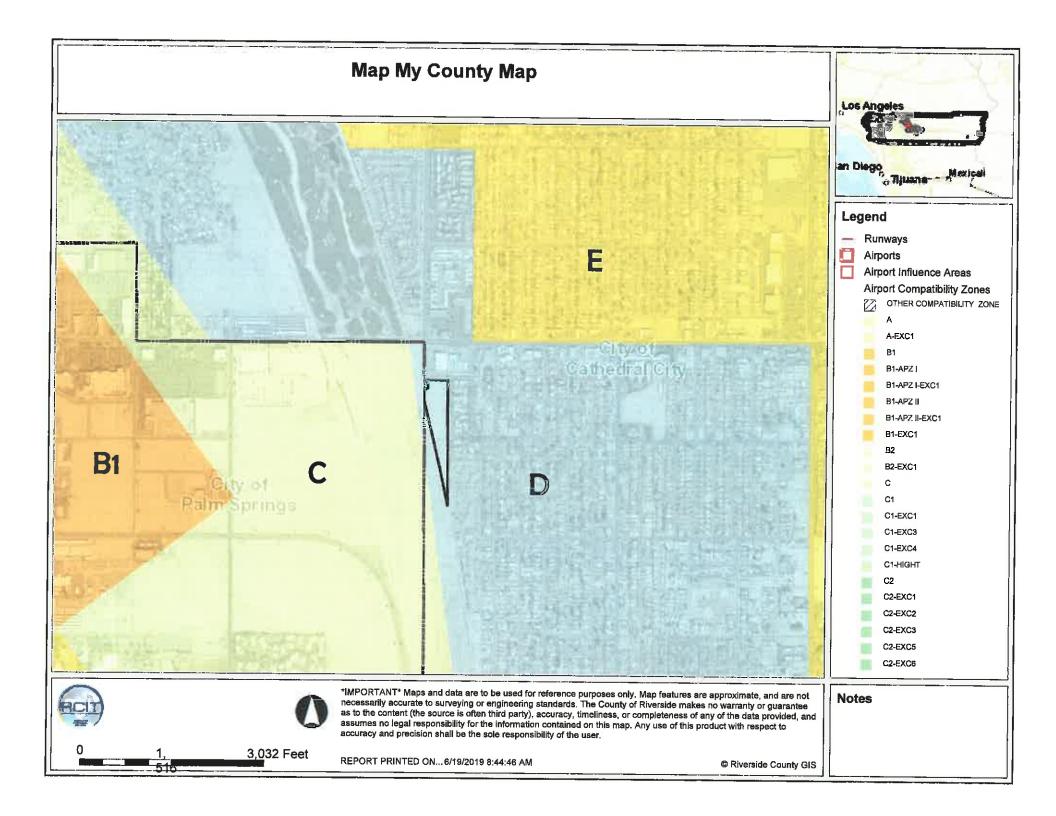
- 1. Any new outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
- 2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
  - (a) 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 amenities consists of a 2,435 square foot pool, a 1,330 square foot outdoor barbeque area, a 3,600 square foot gym, a 1,080 square foot party room, and a 2,880 square foot of storage area. Any increase in building area or change in use to assembly occupancies will require an amended review by the Airport Land Use Commission.

# 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)











#### Legend

**Blueline Streams** 

City Areas
World Street Map





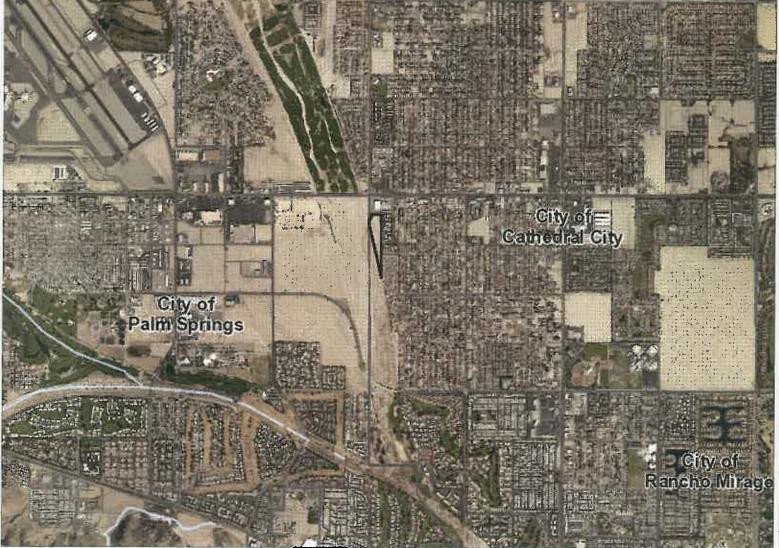
\*IMPORTANT\* Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, 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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C Riverside County GIS

Notes





#### Legend

**Blueline Streams** City Areas World Street Map





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6,064 Feet

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Notes

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#### Legend

**Blueline Streams** 

iiii City Areas

World Street Map





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Notes





#### Legend

Blueline Streams
City Areas

World Street Map

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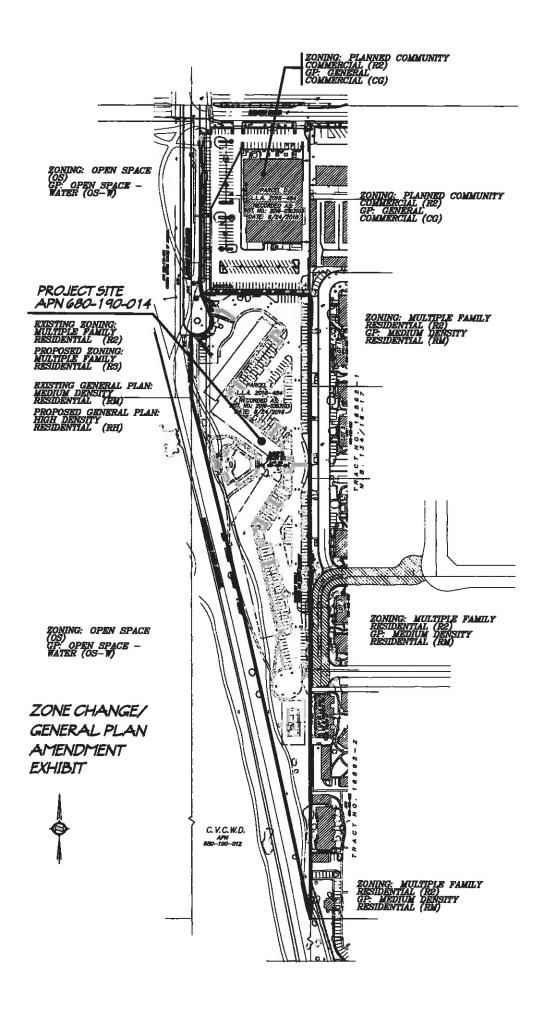
\*iMPORTANT\* Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, 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** 

758 1,516 Feet

Riverside County GIS



PALM CITY 110 ACTIVE ADULTS LUXURY CONDOMINIUMS

### **DESERT SPRINGS FINANCE L.L.C. DEVELOPER**

LANDAU BLVD. CATHEDRAL CITY, CA



#### UTILITIES WATER: SEWER: GAS: ELECTRICAL CABLE: TRASH:

S AND	BUILDING SERVICES
	COACHELA VALLEY WATER DETRICT. PH. 760, 398, 2661
	CITY OF CATHEDRAL CITY. PH. 740, 770, 0349
	THE GAS COMPANY, PH. 909. 335. 7415
Ŀ	SOUTHERN CALEDBON PH. 760, 202,4286
	SPECTRUM FH. 760, 202,4286
	BURTEC 76-100 EDOM HILL ROAD PH. 740, 949,2113

BL	ΠL	DING AND L	INIT TYPES	
			LIVING AREA	PATIO
UNITS A	57	TYPICAL UNIT A:	1,600 SQ. FT.	109 SO. FT
UNITS B	14	TYPICALUNITB:	2,000 SQ. FT.	176 SQ. FT
UNITS C	36	TYPICAL UNIT C:	1,200 BO.FT.	129 &CL FT.
PH. W1	1	TYPICAL UNIT .	2,823 BQ FT.	175 SQ. FT.
PH.E2	1	TYPICALUNIT ;	2,835 &C. FT.	235 BQ. FT
PH.E1	1	TYPICAL UNIT	2,828 8Q FT.	235 SQ. FT.
PH.W2	1	TYPICAL UNIT .	2,780 80. FT.	308 SQ. FT
UNITS TOTAL:	119	TOTAL LIVING AREA	171,468 SQL FT	13,846 SQ. FT.
ALL UNITS ARE	PR	OVIDE WITH PRIVATE P	ATIOS	

PRIST PLOOR CONDOMINIUMS AREA (22);	28,538 SO. FT
GYM AREA.	3,800 SQ FT
FIRST FLOOR WALKWAY AND STAIRCASE AREA:	
4 GARAGES AREA:	1,880 SQ. FT
FIRST FLOOR TOTAL AREA:	62,438.05 80. FT
SECOND FLOOR CONDUMINIUMS AREA (43):	
SECOND FLOOR WALKINGY AND STAIRCASE AREA	14,247 SQ. FT
SECOND FLOOR ASSEMBLY AREA:	7,430 BQ. FT
SECOND FLOOR TOTAL AREA:	85,877 SQ FT
THIRD FLOOR CONDOMINIUMS AREA (43):	59,600 SQ. FT
	11,296 SD FT.
THIRD FLOOR WALKWAY AND STARGASE AREA:	
THIRD FLOOR TOTAL AREA	87,617 SQ. FT
POOLAREA COMMONAREA (OPEN SPACE).	14,078 8Q FT
PARKING TABULATION,	
COVERED PARKING AREA STALLS (BUILDINGS)	54 SPACES
COVERED PARKING OUTSIDE:	76 SPACES
COT ERED PARKING COMPACT:	97 SPACES
PARKING AREA STALLS	55 SPACES
PARKING ADA STALLS	13 SPACES
TOTAL PARKING STAILS	276 SPACES

GENERAL INFORMATION		
OWNER:	DESERT SPRINGS FINANCE LLC.	
LEGAL DESCRIPTION: BUILDING TYPE: PROJECT ADDRESS:	A.P.N.: 680-190-037 Perceded Bot VPc. 9 (A.P. 2023 B.C. Cappor (rame): 5 - 500 for A. Percedia Robe, VA. SPRINKLERED LANDAU BLVD, CA 92244	
AREA TABULATIONS: TOTAL SITE :	7 OF AC. 100,0 %	

VICINITY PLAN		
SING LOCATION  Pol SPRINGS  pennings		

SHEET INDEX		
CB	COVER SHEET	
R.1	PROJECT VIEWS	
R2	PROJECT VIEWS	
P.1	PRELIMINARY BITE PLAN	
P.2	UNITS PLOOR PLAN	
6.9	FIRST LEVEL PLOOR PLAN	
8.4	SECOND LEVEL FLOOR PLAN	
81	THRUD LEVEL FLOOR PLAN	
P.4	BUILDING 1 BLEVATION AND FLOOR PLAN	
P.5	BUILDING 2 ELEVATION AND PLOOR PLAN	
P.6	BUILDING 3 ELEVATION AND PLOOR PLAN	
P.7	BUILDING 4 SLEVATION AND FLOOR PLAN	
P.a	BUILDING & ELEVATION AND FLCIOR PLAN	
P.a	COMPLEX ENTRY QUARD-HOUSE	
L 1	PRELIMINARY LANDSCAPE	
L2	PRELIMINARY LANDSCAPE	
LS	PRELIMINARY LANDSCAPE	
<b>G1</b>	PRELIMINARY GRADING PLAN	
02	PRELIMINARY GRADING PLAN	

#### WKS **ARCHITECTS** WILLIAM K, SPENCER

PRINCIPAL ARCHITECT

71-946 Eleanora Lane Rancho Mirage, CA, 9227 EL 818-903-0099

OWNER

**DESERT SPRINGS** FINANCIAL L.L,C,

MURRAY ALTMAN MGR,

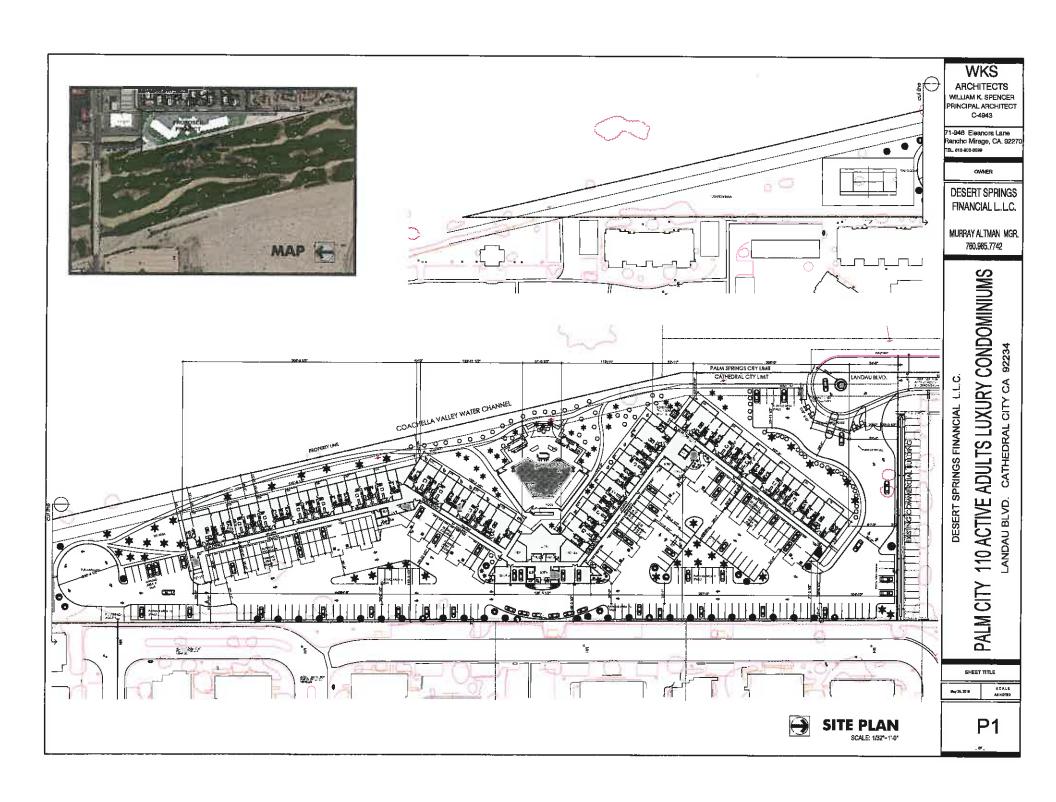
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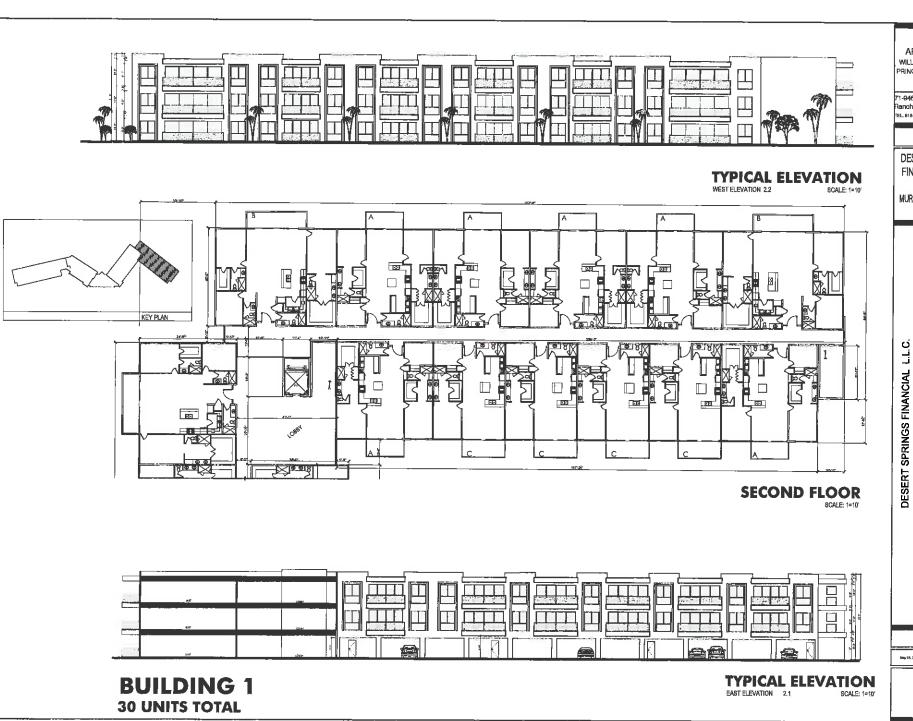
PALM CITY 110 ACTIVE ADULTS LUXURY CONDOMINIUMS DESERT SPRINGS FINANCIAL L.L.C.

CATHEDRAL CITY CA 92234

SHEET TITLE

CS





WKS

**ARCHITECTS** WILLIAM K. SPENCER PRINCIPAL ARCHITECT C-4943

1-946 Eleanora Lane Rancho Mirage, CA. 92270 TEL. 618-903-3088

OWNER

**DESERT SPRINGS** FINANCIAL L.L.C.

MURRAY ALTMAN MGR.

760.985,7742

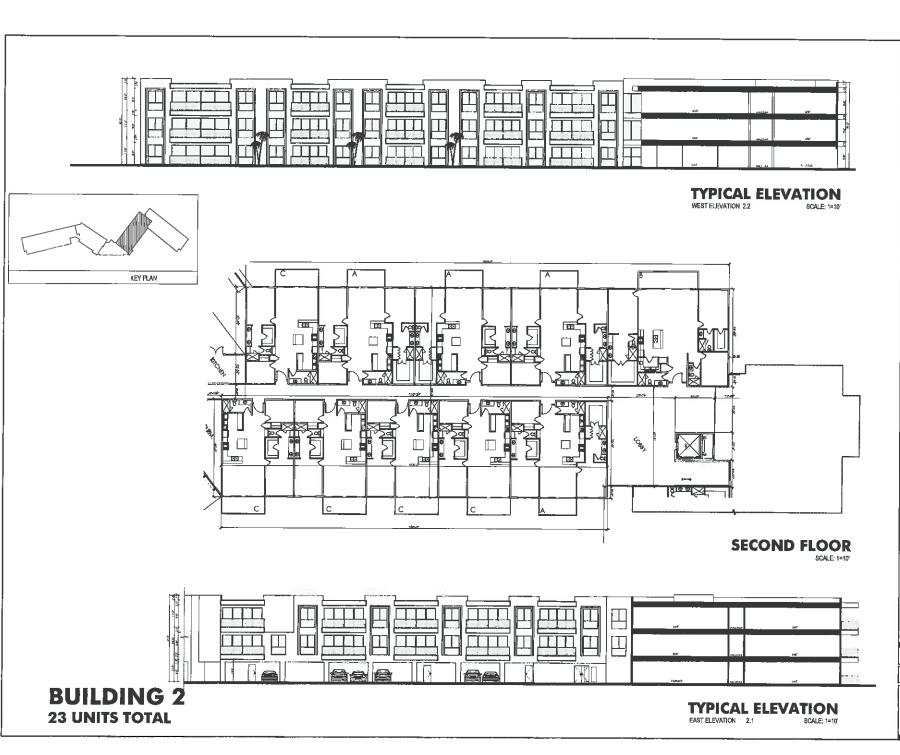
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110 ACTIVE ADULTS LUXURY CONDOMINIUMS CATHEDRAL CITY CA LANDAU BLVD.

SHEET TITLE

PALM CITY

SCALE ASNOTED



WKS

ARCHITECTS
WILLIAM K. SPENCER
PRINCIPAL ARCHITECT
C-4943

71-946 Eleanora Lane Rencho Mirage, CA. 92270

OWNER

DESERT SPRINGS FINANCIAL L.L.C.

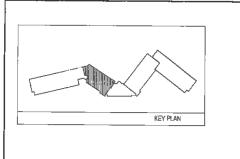
MURRAY ALTMAN MGR, 760,985,7742

DESERT SPRINGS FINANCIAL L.L.C.
110 ACTIVE ADULTS LUXURY CONDOMINIUMS
LANDAU BLVD. CATHEDRAL CITY CA 92234

SHEET TITLE

PALM CITY

Way 38, 2019 AS A L E



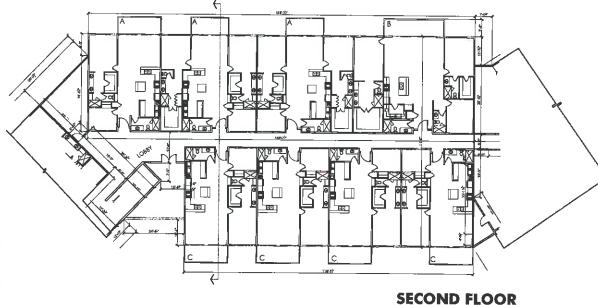


WEST ELEVATION 2.2

SCALE: 1=10'







#### TYP. SECTION

SCALE: 1=10'



**BUILDING 3 18 UNITS TOTAL** 

**TYPICAL ELEVATION** 

EAST ELEVATION 2.1

SCALE: 1=10'

SCALF; 1=10"

#### WKS

**ARCHITECTS** WILLIAM K. SPENCER PRINCIPAL ARCHITECT C-4943

71-946 Eleanora Lane Rancho Mirage, CA, 9227 TEL 818-903-3089

OWNER

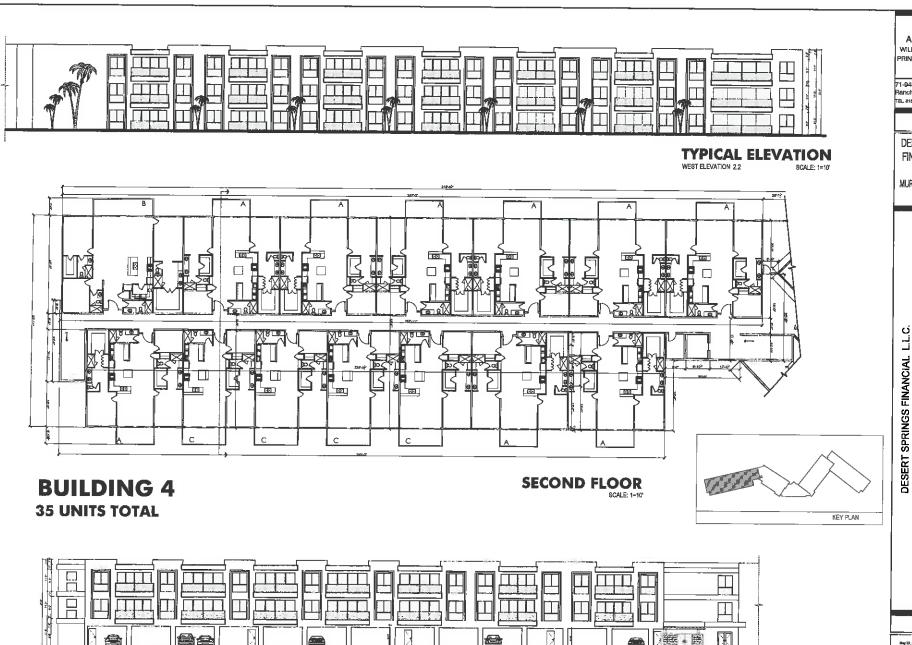
**DESERT SPRINGS** FINANCIAL L.LC.

MURRAY ALTMAN MGR, 760,985,7742

PALM CITY 110 ACTIVE ADULTS LUXURY CONDOMINIUMS CATHEDRAL CITY CA 92234 DESERT SPRINGS FINANCIAL L.L.C.

LANDAU BLVD.

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WKS

**ARCHITECTS** WILLIAM K. SPENCER PRINCIPAL ARCHITECT C-4943

71-946 Eleanora Lane Rancho Mirage, CA. 92270 TEL. 818-903-3099

OWNER

DESERT SPRINGS FINANCIAL L.L.C.

MURRAY ALTMAN MGR. 760.985,7742

CATHEDRAL CITY CA 92234

PALM CITY 110 ACTIVE ADULTS LUXURY CONDOMINIUMS

LANDAU BLVD.

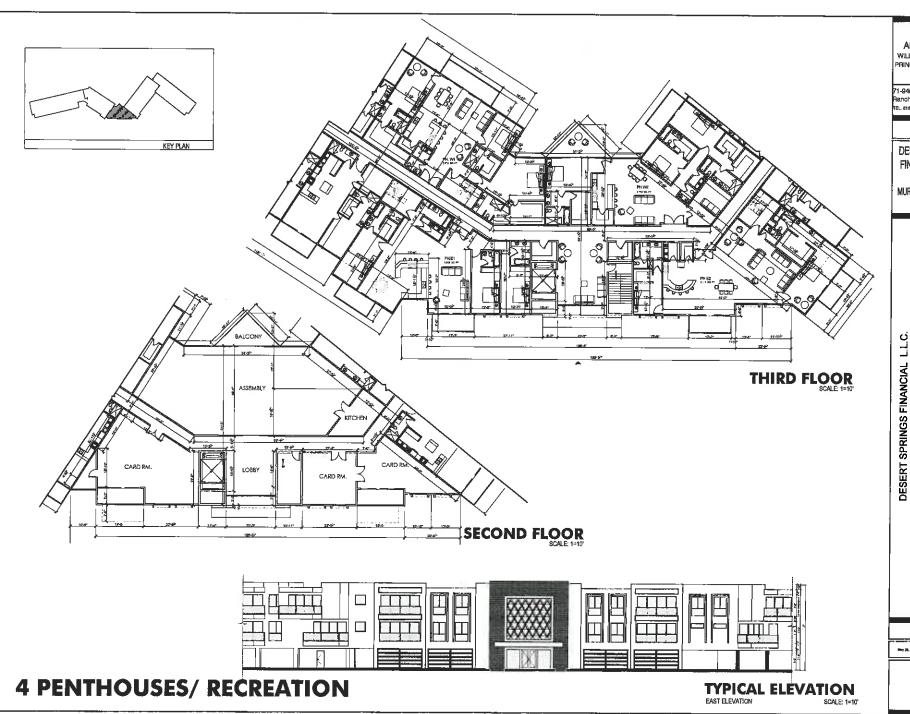
SHEET TITLE

SCALE

TYPICAL ELEVATION

EAST ELEVATION 2.1

SCALE: 1=101



WKS

**ARCHITECTS** 

WILLIAM K. SPENCER PRINCIPAL ARCHITECT C-4943

71-946 Eleanora Lane Rancho Mirage, CA. 92270 EL. 818-908-9099

OWNER

DESERT SPRINGS FINANCIAL L.L.C.

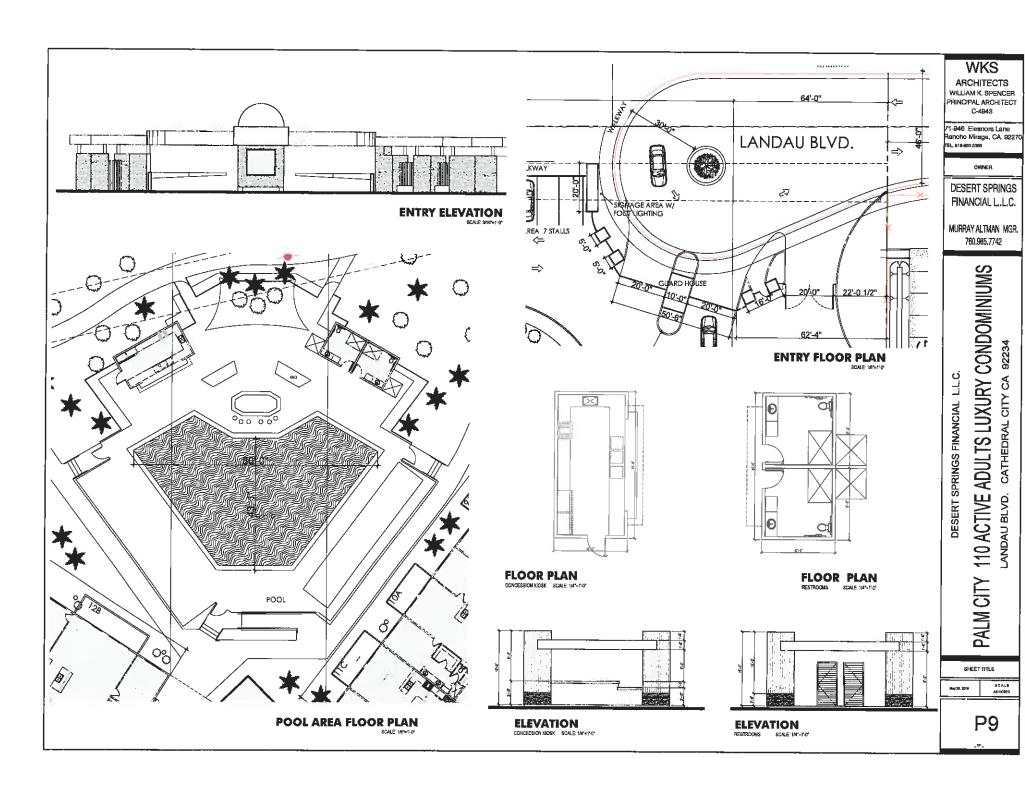
MURRAY ALTMAN MGR.

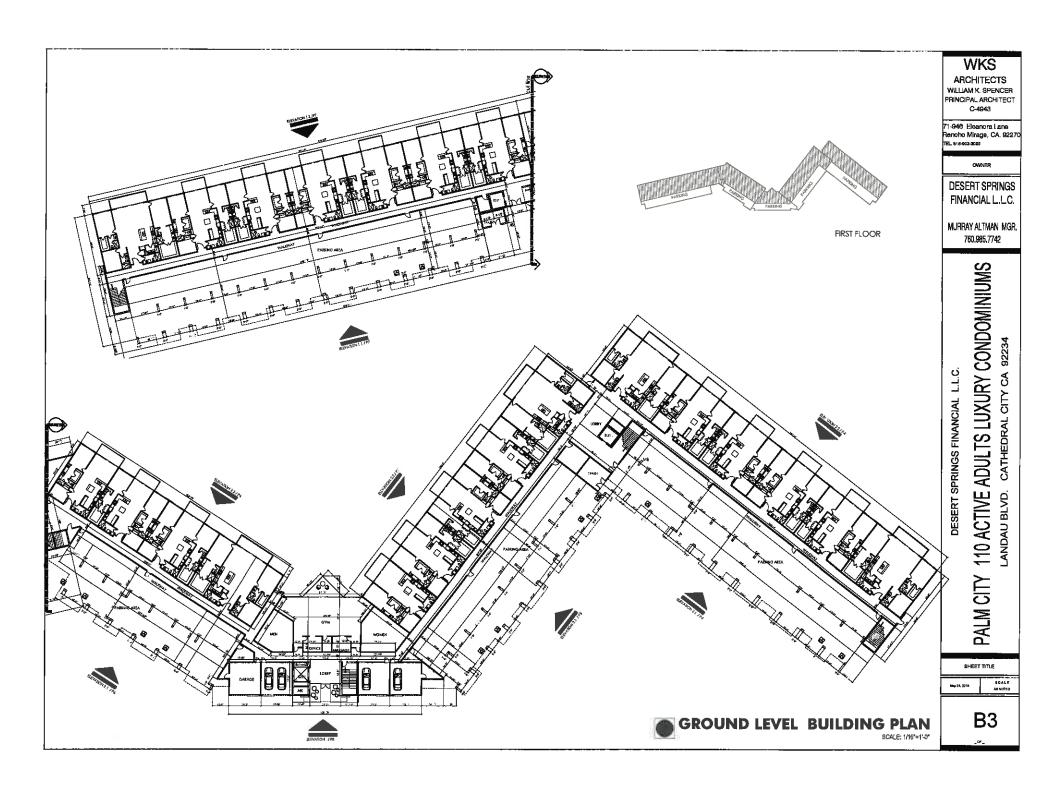
760.985.7742

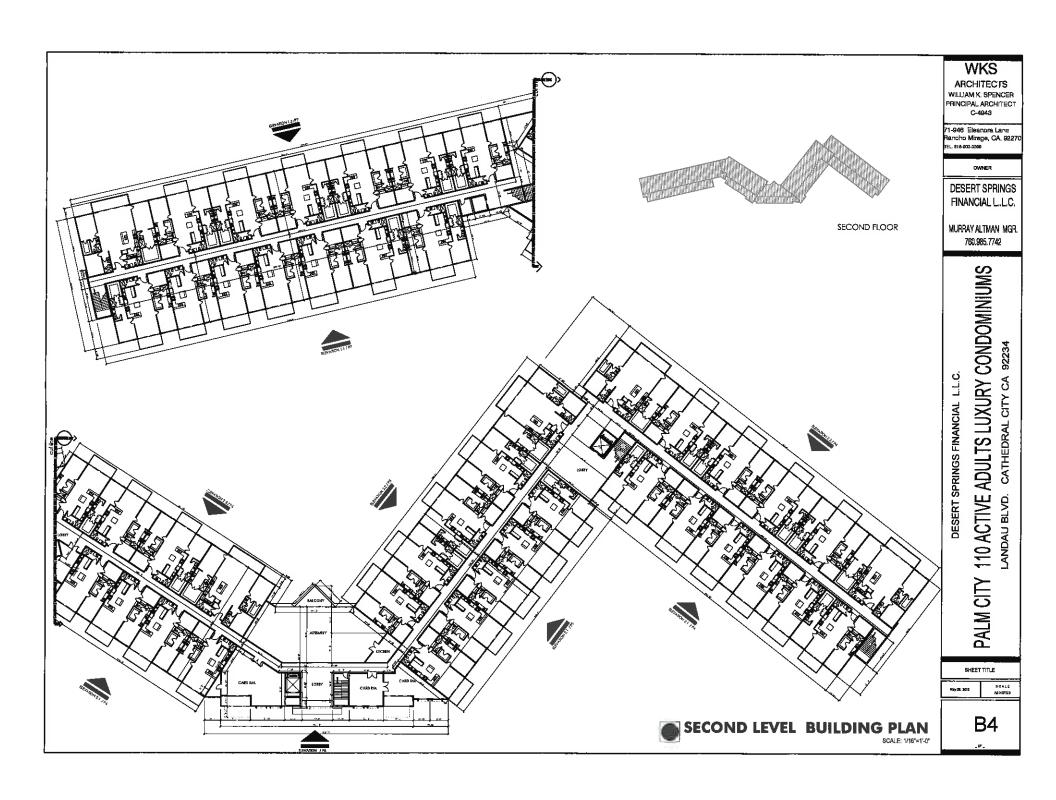
PALM CITY 110 ACTIVE ADULTS LUXURY CONDOMINIUMS Landau blvd. Cathedral City CA 92234

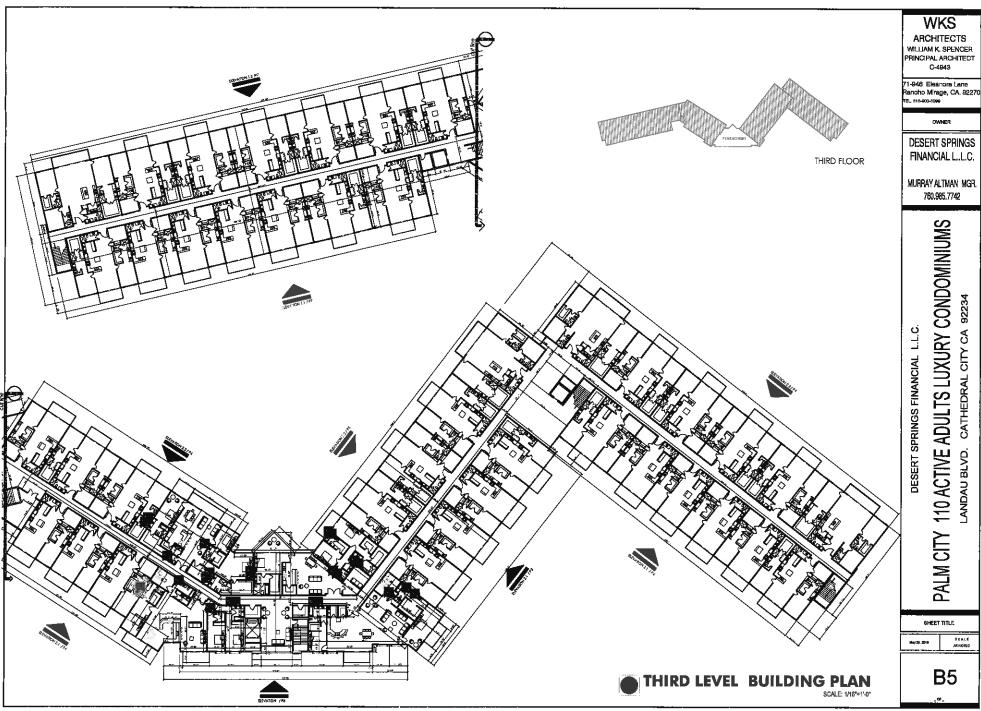
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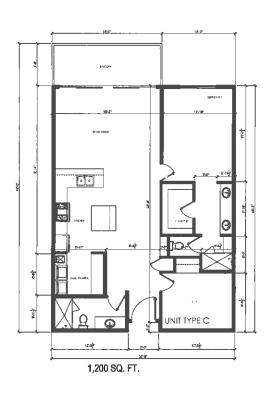
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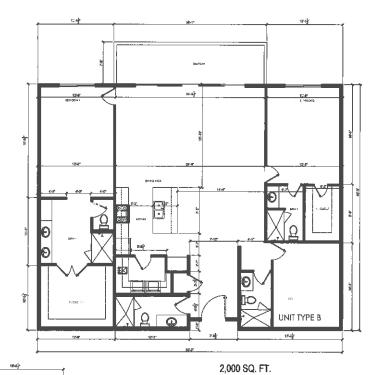


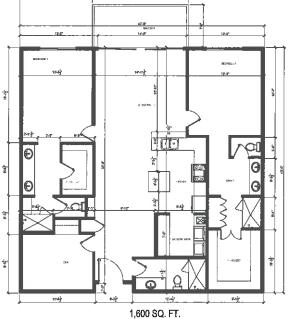


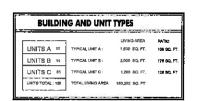












UNITS PLAN
SCALE: 1/4"=1"-0"

#### WKS

ARCHITECTS WILLIAM K. SPENCER PRINCIPAL ARCHITECT C-4943

71-946 Eleanora Lane Rancho Mirage, CA. 92270 TEL 818403-3099

CWNER

DESERT SPRINGS FINANCIAL L.L.C.

MURRAY ALTMAN MGR.

760.985.7742

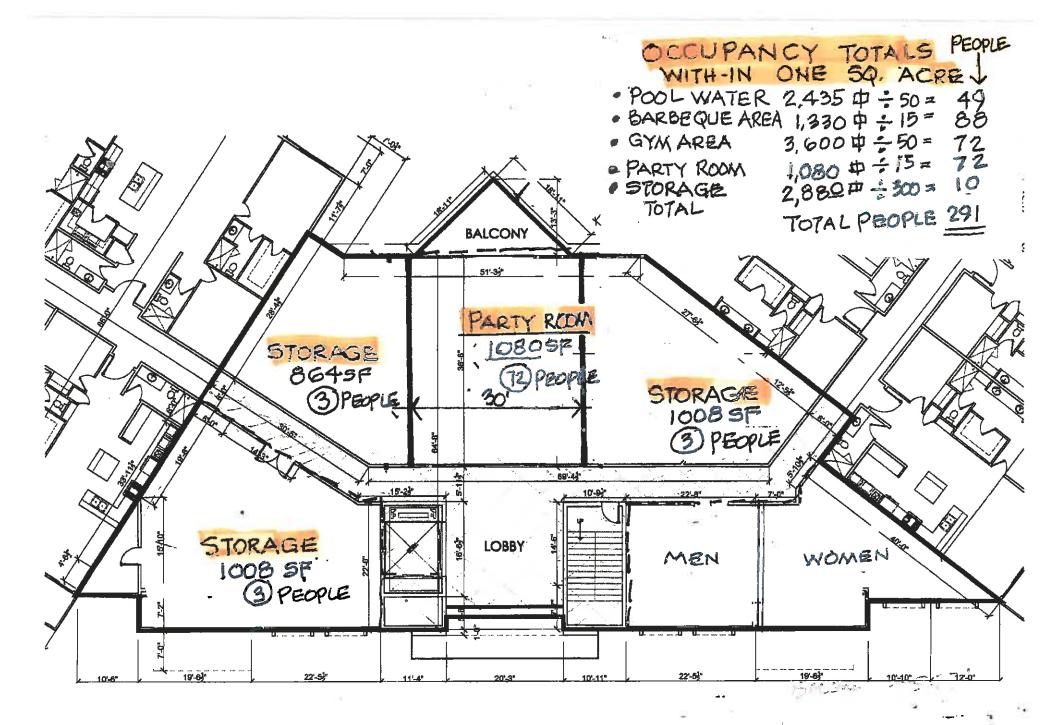
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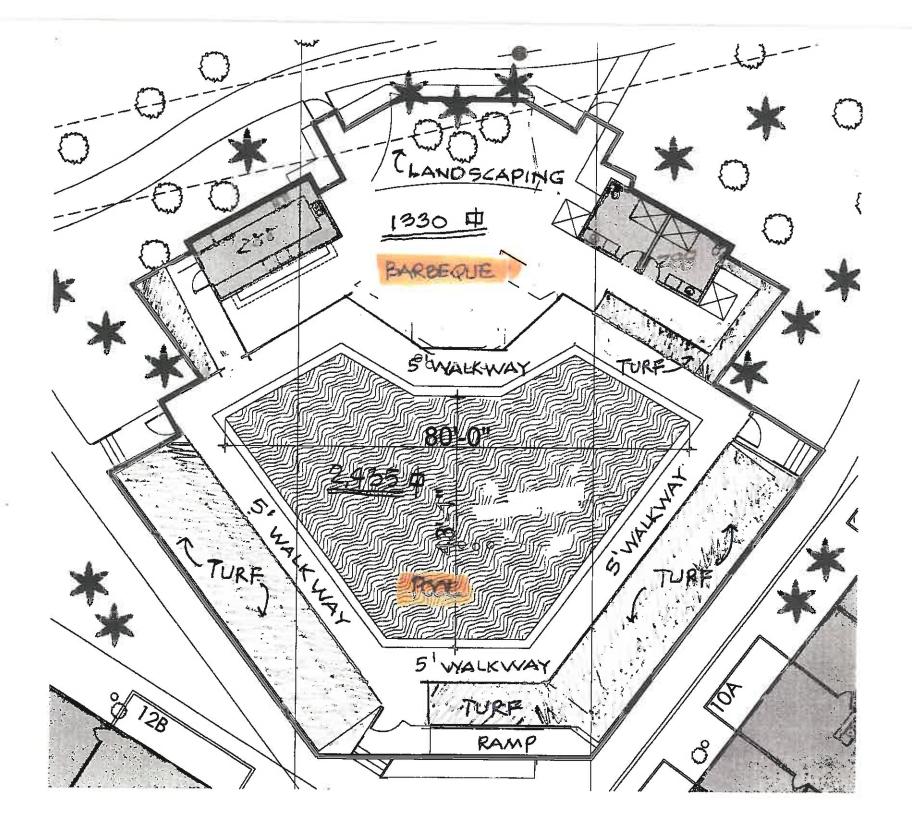
108 ACTIVE ADULTS LUXURY CONDOMINIUMS LANDAU BLVD. CATHEDRAL CITY CA 92234

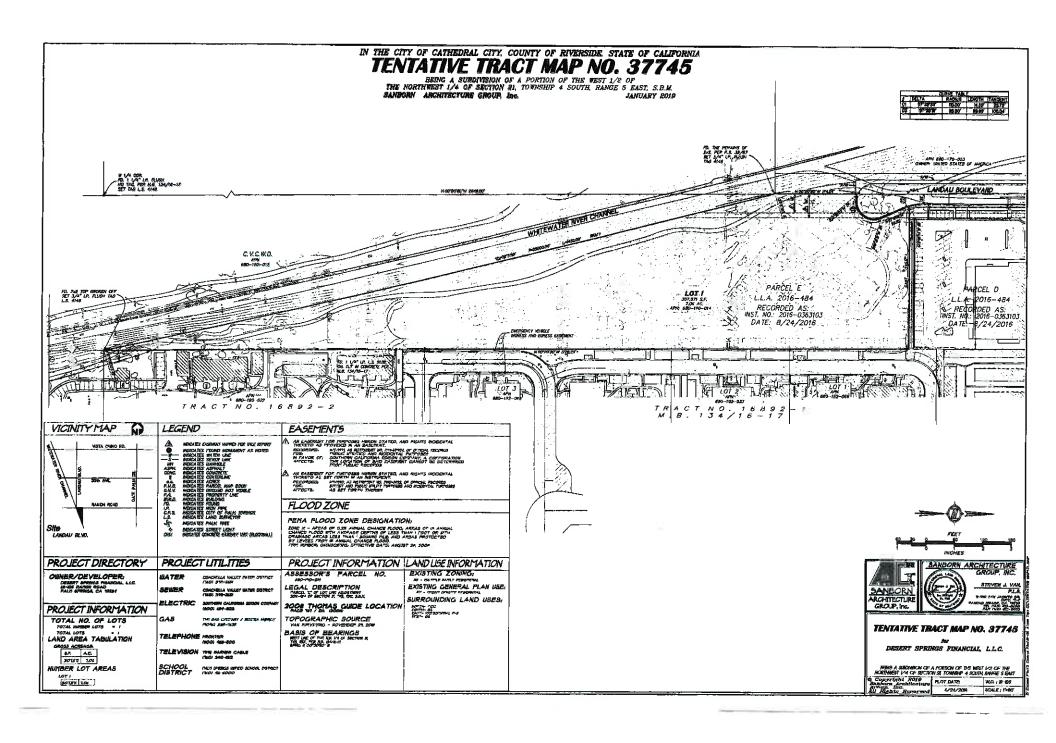
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May 27, 2010 SCALT
AS MOTED
AS MOTED

PALM CITY







# 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 Planner Ms. Brenda Ramirez at (760) 770-0330.

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: August 8, 2019

TIME OF HEARING: 9:30 A.M.

CASE DESCRIPTION:

ZAP1076PS19 – Desert Springs Finance, LLC (Representative: William Spencer) – City of Cathedral City Case Nos. GPA18-003 (General Plan Amendment), CZ18-002 (Change of Zone), CUP18-024 (Conditional Use Permit), TTM37745 (Tentative Tract Map). A proposal to establish a 110 unit multi-family condominium complex with amenities on 7.06 acres, involving a Conditional Use Permit and a Tentative Tract Map, located at the southerly terminus of Landau Boulevard, southerly of Ramon Road, easterly of the Whitewater River/Coachella Valley Stormwater Channel, westerly of Banff Way, and northwesterly of Creekside Apartments. The applicant also proposes amending the City's General Plan designation of the site from Medium Density Residential to High Density Residential and changing the site's zoning from R2 Multiple Family Residential District to R3 Multiple Family Residential District (Airport Compatibility Zone D of the Palm Springs International Airport Influence Area).



EN.

# RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

APPLICATION FOR MAJOR LAND USE ACTION REVIEW

- AFFL	ICATION FOR MINIOR LAND OSE ACTION REVIEW					
ALUC CASE NUMBE	R: ZAP 10769519 DATE SUBMITTED 6/4/2019_					
APPLICANT / REPRESE	NTATIVE / PROPERTY OWNER CONTACT INFORMATION					
Applicant Mailing Address	DESERT SPRINGS FINANCE ON PROPERTY TO 9857742 54885 INVERNESS WAY Email maltman 5820 a LAQUINTA CA. 92250	el <i>ico</i> r				
Representative Mailing Address	WILLIAM SPENCER Phone Number 818 9033099 71946 ELEANORA LANE Email WKSarch@gmail.a PACHO MIRAGE CA 92270	24				
Property Owner Mailing Address	SAME AS APPLICANT) Phone Number Email					
LOCAL JURISDICTION AGENCY						
Local Agency Name Staff Contact Mailing Address	CATHEDRAL CITY PLANNINGPhone Number 760 770 0339  BRENDA RAMIREZ Err ZECATH  68-700 AVENIDA LALD Case Type PM 30704 CIT  GUERRERO, CATHEDRAL CITY General Plan / Specific Plan Amendment	edra( Y,GO)				
Local Agency Project No	Zoning Ordinance Amendment  Subdivision Parcel Map / Tentative Tract  West Permit  GPA 18 - 003 / CZ 18 - 002 OP18 - 024 Site Plan Review/Plot Plan  Other					
PROJECT LOCATION LANDAU BLVD, CATHEDRAL CITY  Attach an occurately scaled map showing the relationship of the project site to the disport boundary and runways SEEVICINITY MAP						
Street Address	NHKHOWN					
Assessor's Parcel No. Subdivision Name Lot Number	680 - 190 - 637  **PALM CITY !! PM 30704  037  Gross Parcel Size Nearest Airport and distance from Airport					
PROJECT DESCRIPTION 10 LUXURY CONDOMINIUMS 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)	VACANT LAND					

_						
P	roposed Land Use	110 LUXURY CONDOMINIUMS				
	(describe)					
E	or Residential Uses	Number of Parcels or Units on Site (exclude secondary units) 10 UNI	15			
	or Other Land Uses	Hours of Operation				
- K	iee Appendix C)	Number of People on Site Maximum Number				
, ,	er repending	Method of Calculation				
	- 1		1510			
"	elght Data	Site Elevation (above mean sea level)	354.50 t			
L		Height of buildings or structures (from the ground)	39,00 ft			
Flight Hazards Does the project		Does the project involve any characteristics which could create electrical interference,	Yes			
İ		confusing lights, glare, smoke, or other electrical or visual hazards to aircraft flight?	No			
		If yes, describe				
1						
I						
١.		Failure of an applicant to submit complete or adequate inform				
		65948 inclusive, of the California Government Code, MAY constite, regulations, or permits.	lute grounds for disapprova			
	O actions	, regulations, or permita.				
) <u>.</u>	REVIEW	TIME: Estimated time for "staff level review" is approximately 30	days from date of submitta			
		I time for "commission level review" is approximately 45 days fr				
	<ul> <li>next avail</li> </ul>	able commission hearing meeting.				
	El District					
	SUBMISS	SION PACKAGE:				
	1 (	Completed ALUC Application Form				
		ALUC fee payment				
		Plans Package (24x36 folded) (site plans, floor plans, building ele	evations.			
		rading plans, subdivision maps)				

1..... Plans Package (8.5x11) (site plans, floor plans, building elevations,

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

1..... Local jurisdiction project transmittal

Commission meeting)

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

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

# RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

#### STAFF REPORT

#### **ADMINISTRATIVE ITEMS**

#### 4.1 <u>Director's Approvals.</u>

A. During the period of June 16, 2019 through July 15, 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 three non-legislative cases within Zones D and E of various Airport Influence Areas and issued determinations of consistency.

ZAP1016PV19 (Perris Valley Airport Influence Area, Zone D) pertains to City of Perris Case No. DPR-1800010 (Development Plan Review), a proposal to establish a 9,900 square foot cannabis processing building and four (4) 18,900 square foot greenhouse cultivation structures on 5.94 acres located on the northerly side of Mapes Road, westerly of Goetz Road and easterly of A Street. The site is located within Compatibility Zone D of the Perris Valley Airport Influence Area (as well as within Compatibility Zone E of the March Air Reserve Base/Inland Port Airport Influence Area). Within the portions of Compatibility Zone D southerly of Ellis Avenue in the Perris Valley Airport Influence Area, nonresidential intensity is limited to an average of 100 persons per acre and a maximum of 300 persons in any given single-acre area. The proposed buildings would cumulatively accommodate a total of 302 people (50 people in the cannabis processing building and 252 people in the four greenhouse buildings), resulting in an average intensity of 51 persons per acre and a single-acre intensity of 126 persons, both of which are consistent with Zone D intensity criteria. The nearest runway to the site is Runway 15-33 at Perris Valley Airport. The southerly terminus of this runway is located approximately 2,380 feet easterly of the project site. At this distance, given the runway elevation of 1,413 feet above mean sea level (AMSL), Federal Aviation Administration Obstruction Evaluation Service (FAA OES) review would be required for any new structures with top of roof exceeding 1,436 feet AMSL. The site has an existing maximum elevation of 1,424 feet AMSL. With a proposed building height of 18 feet, the resulting top point elevation is 1,442 feet AMSL. Therefore, FAA OES review for height/elevation reasons was required. The project applicant submitted Form 7460-1 to the FAA OES, and FAA OES assigned Aeronautical Study No. 2019-AWP-6374-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 June 18, 2019. The FAA OES conditions were incorporated into ALUC's conditions, and ALUC Director Simon Housman issued a determination of consistency for this project on June 27, 2019.

ZAP1077PS19 (Palm Springs International Airport Influence Area, Zone E) pertains to City of Cathedral City Case No. DR19-001 (Design Review), a proposal to construct a 4,340 square foot Denny's restaurant building on a 1.45-acre pad within an existing commercial center located at 67800 Vista Chino, on the northwest corner of Vista Chino and Landau Boulevard. The site is located within Airport Compatibility Zone E of the Palm Springs International Airport Influence Area, where non-residential intensity is not restricted. 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 10,600 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 501.5 feet AMSL. The

site's finished floor elevation is 421.8 feet AMSL, and the proposed building height is 22 feet, resulting in a top point elevation of 443.8 feet AMSL. Therefore, FAA OES review was not required. ALUC Director Simon Housman issued a determination of consistency for this project on June 27, 2019.

ZAP1373MA19 (March Air Reserve Base/Inland Port Airport Influence Area, Zone D) pertains to County of Riverside Case No. PM37397 (Tentative Parcel Map), a proposal to divide 5.47 gross acres located northerly of Costello Avenue, westerly of Brown Street, easterly of Alexander Street, and southerly of Oleander Avenue into four (4) residential lots. The site is located within Airport Compatibility Zone D of the March Air Reserve Base/Inland Port Airport Influence Area, where residential density is not restricted. The 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 14,700 feet from the runway to the project site, Federal Aviation Administration Obstruction Evaluation Service (FAA OES) review would be required for any structures with an elevation at top point exceeding 1,635 feet AMSL. The project site elevation is 1,660 feet AMSL. The parcel map depicts existing buildings, and no new structures are proposed at this time. Review by the FAA OES is not a prerequisite to land division, but will be required prior to construction of new buildings or any other structures on the parcels. A condition has been included requiring that the permittee obtain a "Determination of No Hazard to Air Navigation" letter from the FAA OES prior to issuance of building permits for any new structures on the property. ALUC Director Simon Housman issued a determination of consistency for this project on July 11, 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.

ZAP1091FV19 (City of Murrieta, Citywide, including portions within the French Valley Airport Influence Area) pertains to City of Murrieta Case No. DCA-2019-1923 (Ordinance Amendment), an amendment to the City's Development Code (Title 16 of the Murrieta Municipal Code) revising Section 16.20 relating to Density Bonuses. The new Section 16.20 focuses on permit processing requirements allowing for the density bonuses, incentives, concessions, and waivers mandated by Section 65915 of the California Government Code. It does not provide for any bonuses, incentives, or waivers in addition to those required by State law. The existing Section 16.20 already provided for the same levels of density bonuses as provided in State law, and the revised section simply refers to the State law as to the density bonus levels; therefore, this amendment does not result in an increase in residential density or non-residential intensity. As such, it has no impact on the safety of air navigation within the portions of the City of Murrieta within the French Valley Airport Influence Area. ALUC Director Simon Housman issued a determination of consistency for this project on July 11, 2019.

C. Additionally, as authorized pursuant to ALUC Resolution No. 2015-01, as extended by Resolution Nos. 2016-02 and 2018-02, ALUC Director Simon Housman reviewed one legislative case (with an associated non-legislative case) within Airport Compatibility Zone E of the March Air Reserve Base/Inland Port Airport Influence Areas and issued a determination of consistency.

ZAP1372MA19 pertains to City of Riverside Case Nos. P19-0321 (Rezone), a proposal to change the zoning of 4.19 acres located at 1751 Spruce Street (on the northerly side of Spruce Street, westerly of Chicago Avenue, and easterly of Interstate 215) from I-SP — General Industrial — Specific Plan (Hunter Business Park) Overlay Zones to I-BSR-SP — General Industrial — Business Support Retail — Specific Plan (Hunter Business Park) Overlay Zones, and P19-0322 (Conditional Use Permit), a proposal to establish a brewpub facility within an existing 15,300 square foot warehouse building on this property. (An associated Variance [Case No. P19-0324] proposes to reduce the number of parking spaces required for the project.) The site is

located within Compatibility Zone E of the March Air Reserve Base/Inland Port Airport Influence Area, where nonresidential intensity is not limited. Both the existing and proposed zoning are consistent with the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan. The site elevation is more than 600 feet lower than the elevation of March's Runway 14-32 at its northerly terminus, and the site is more than 29,300 feet from the runways at Riverside Municipal Airport. Flabob Airport is approximately 16,200 feet away, but as Flabob's runway does not exceed a length of 3,200 feet, the notice radius for that airport is only 10,000 feet, and the notice surface is evaluated on the basis of a 50:1 slope, rather than a 100:1 slope. Therefore, Federal Aviation Administration Obstruction Evaluation Service (FAA OES) review for height/elevation reasons was not required. A determination of consistency for this project was issued by ALUC Director Simon Housman on July 11, 2019.

#### **4.2** ALUC Commissioner Recusals

ALUC Counsel Raymond Mistica will provide an oral briefing to the Commissioners.

#### 4.3 Commission Request for Notification of Off-Field Landings

ALUC Director Simon Housman will provide a briefing for the Commission.

#### 4.4 The FAA Glare Policy

ALUC staff will provide a briefing to the Commissioners regarding the use of the FAA's Interim Glare Policy on ALUC solar cases.

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# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY



June 27, 2019

Ms. Mary Blais, Project Planner City of Perris Planning Division 101 N. D Street

CHAIR Steve Manos Lake Elsinore

Perris CA 92570-2200

VICE CHAIR Russell Betts **Desert Hot Springs**  RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW -DIRECTOR'S DETERMINATION

COMMISSIONERS

File No.:

APN:

Related File No.:

ZAP1016PV19

**Arthur Butler** Riverside DPR-1800010

John Lyon

330-080-006

Riverside

Dear Ms. Blais:

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

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 Perris Case No. DPR-1800010 (Development Plan Review), a proposal to establish a 9,900 square foot cannabis processing building, and four 18,900 square foot greenhouse cultivation structures on 5.94 gross acres, located on the northerly side of Mapes Road, westerly of Goetz Road and easterly of A Street.

The site is located within Compatibility Zone D of the Perris Valley Airport Influence Area and also within Compatibility Zone E of March Air Reserve Base/Inland Port Airport Influence Area. Within the portions of Compatibility Zone D southerly of Ellis Avenue in the Perris Valley Airport Influence Area, non-residential intensity is restricted to an average of 100 people per acre and a maximum of 300 people in any given single-acre area. Compatibility Zone E of March Air Reserve Base/Inland Port Airport Influence Area does not restrict non-residential intensity. The proposed buildings would cumulatively accommodate a total of a total of 302 people (50 people for the cannabis building and 252 people for the four greenhouse buildings), resulting in an average intensity of 51 persons per acre, and a single-acre intensity of 126 persons, both of which are consistent with Zone D intensity criteria.

www.rcaluc.org

The nearest runway to the site is Runway 15-33 at Perris Valley Airport. The southerly terminus of this runway is located approximately 2,380 feet easterly of the project site. At this distance, given the runway elevation of 1,413 feet above mean sea level (AMSL), Federal Aviation Administration (FAA) review would be required for any new structures with top of roof exceeding 1,436 feet AMSL. The site has an existing maximum elevation of approximately 1,424 feet above mean sea level, and a proposed building height of 18 feet, which results in a top point elevation of 1,442 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 2019-AWP-6374-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

# AIRPORT LAND USE COMMISSION

June 18, 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 2010/2011 Perris Valley Airport Land Use Compatibility Plan, and the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, provided that the City of Perris 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.
- The attached disclosure notice shall be provided to all potential purchasers, lessees, and/or tenants of the property, and shall be recorded as a deed notice.
- 5. 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.

#### AIRPORT LAND USE COMMISSION

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.

- 6. The Federal Aviation Administration has conducted an aeronautical study of the proposed project (Aeronautical Study No. 2019-AWP-6374-OE) and has determined that neither marking nor lighting of the structure(s) 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.
- 7. The proposed buildings shall not exceed a height of 18 feet above ground level and a maximum elevation at top point of 1,440 feet above mean sea level.
- 8. The maximum height and top point elevation specified above 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.
- 9. Temporary construction equipment used during actual construction of the structure(s) shall not exceed 18 feet in height and a maximum elevation of 1,440 feet above mean sea level, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
- 10. Within five (5) days after construction of any individual building 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 applicable structure(s).

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 No. 2019-AWP-6374-OE

#### **AIRPORT LAND USE COMMISSION**

cc: Kameron Abraham (applicant/property owner)

Medical Supply Plus, Inc. (fee-payer)

Pat Conatser, Airport Manager, Perris Valley Airport

Gary Gosliga, Airport Manager, March Inland Port Airport Authority

Daniel Rockholt, March Air Reserve Base

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 vou. Business & Professions Code Section 11010 (b)

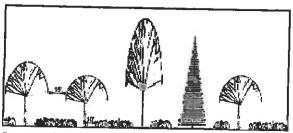


Figure 1. Selection of shrubs should be a mix of deciduous and coniferous species with no more than 50 percent evergreen species.

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\_to\_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 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 Materials

#### Avoid/Prevent Contiguous Canopy

- Prevent overlapping crown structures. Configuous 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).

- 1. 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











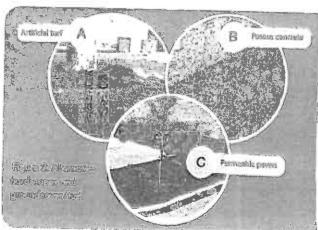
# LANDSCAPING NEAR AIRPORTS:

Special Considerations for Preventing or Reducing Wildlife Hazards to Aircraft

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

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

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

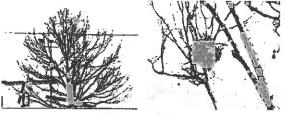






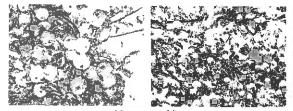


Acceptable.
The Irees above have a vertical branching structure that minimizes perching and nesting opportunities.



Not acceptable.

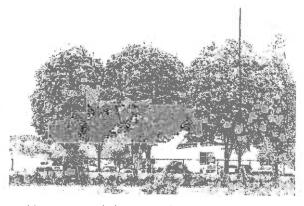
Examples of trees that are attractive to birds because of horizontal branching structure.



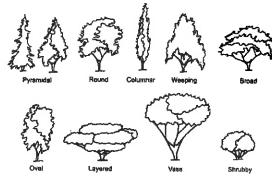
Not acceptable.

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

ABLES: Acceptable/Plants from Riverside County Landscaping Grides									
	Marific En-	Competiblism	With asternary 2	-americalnes					
	Cercis occidentalis	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					
WH.	Pinus spp.	Pine, various species	Varies by species	Varies by species					
8	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					
4	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					
e ()	Dalea pulchra	Bush Dalea	L:6	12,13					
	Encelia farinosa	Brittlebush	VL:3; L:3-6						
a.	Gravellia Noelli	Noel's Grevellia	L: 1-4; M: 6						
E	Justicia californica	Chuparosa	M: 1,6; VL: 3; L: 4-5	•					
Ä.	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						
	Artemisia pycnocephala	Sandhill Sage	VL:T						
ĕ	Oenothera caespitosa	White Evening Primrose	L: 1-2, 3-5	103,7-14, 18-21					
De	Oenothera stubbei	Baja Evening Primrose	L:1-6	10-13					
Ĭ,	Penstemon baccharifolious	Del Rio	L: 4-6	10-13					
6	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					
U	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	i: 1-4, 6	8-9, 12-24					
	Chondropetalum Itectorum	Cape Rush	H:1; M:3	8-9, 12-24					
	Dasylirion species	Desert Spoon	VL: 1, 4-6	10-24					
	Deschampsia caespitosa	Tufted Hair Grass	L: 1-4	2-24					
1	Festuca (ovina) glauca	Blue Fescue	L: 1-2; M:3-6	1-24					
냂	Dietes bicolar	Fortnight Lily		VL:1, L:3-6					
8	Echinocactus grusonii	Golden Barrel Cactus	VL:1-2, L: 3-4, 6	12-24					
Ů.	Fouquieria splendens	Octillio	L: 1, 4-6; VL: 3	10-13, 18-20					
ccentroryssi	Hesperaloe parviflora	Red / Yellow Yucca	VL:3, L: 4-6	2b, 3, 7-16, 18-24					
3	Muhlenbergia rigens	Deer Grass	L: 1,3; M: 2, 4-6	4.24					
	Opuntia species	Prickly Pear, Chotla	VL: 1-3; L: 4-6	Varies by Species					
	Penstemon parryi	Parry's Beardtongue	Ł:1-6	10-13					
	Penstemon superbus	Superb Beardtongue	L; 1-6	10-13					
Y 12	Tulbaghia violacea	Society garlic	M:1-4, 6	13-24					
	Yucca 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.



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

#### BMF Chierageansite

#### 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 48-hour 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.
- 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-
- 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.rcgluc.org/Portals/O/PDFGeneral/form/ Wildlife%20Attractants%20-%20FAA%20Review.pdf.

# AIRPORTS, WILDLIFE A.F. STORMWATER MANAC

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

Riverside County includes diverse topography and is from watersheds and a portion of the Sestion Sea, on important depositions the Pacific Flyway for migrating bird species. The County's and the migrating bird species. makes water quality management and water conservation

The County is also the home to Polin Spitings international Airpois. public use general aviation airports, and the March Ar Reserve Burn whose operations can be challenged by the presence of hazards. wildlife such as raptors, water-lawl, doves/pigeons, guils, floor 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 stikes occur at law altitude (less than 3,500 feet above runway height). Much of the geographic area associated with these altitudes coincides with as: 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 150/5200-33BL



Remains of an owlingested by an aircraft engine.



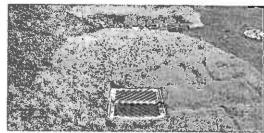


has focused on Low-Impact Development (LID), which includes techniques to filter, store and retain runoff on-site. LID BMPs retain runoff to optimize infiltration/recharge, and many promote the use of vegetation to provide for the uptake of pollutants. Although LID BMPs can provide environmental, economic 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.

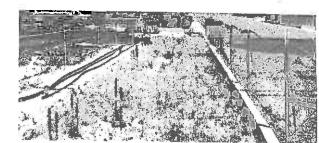


Infiltration trenches detain water for brief periods. This trench at Seattle-Tacoma Airport includes vegetation appropriate for an airport environment.

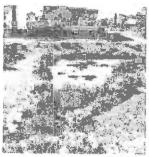


Bioretention facilities can provide food and shelter for potentially hazardous wildlife, but may be suitable with modification.

#### Fable 1. Structural Best Management Practices (BMPs hand Compatibility in an Airport Influence Area (AIA) BMR Companifolity within the Air-Infiltration trenches Suitable because water accumulates below Recommended Vegetation must be selected and reviewed by a FAA-qualified Airport Wildlife Hazard Biologisi (qualified biologist) to discourage wildlife Permeoble Povement Does not include water storage. Appropriate for Recommended partung lots and other paved surfaces that are not high-traffic areas. Harvest and Use IRWH Suttable as long as water is stored in enclosed Recommended Sand Filter Basins Desiruble because standing water is treated through an underdiein system. Recommended Vegetated Filter Strips Desirable because neither PMP involves panded and Vegetated Swales water However, vegetation must be selected to Recommended discourage hazardous wildlife and reviewed by a qualified biologisi Water Quality Inlets Desirable because they do not provide ponded Recommended water Associated vegetation must be selected to discourage hazardous wildlife and reviewed by a qualified 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 Modification (also known to provide food, water, and shelter for hazardous 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,

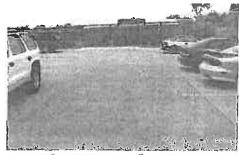




Extended detention basins are frequently used to serve both water quality management and to provide amenities. These basins hold water and would not be appropriate within an AIA because of the open water.



Sand filter at the base of the bioswale promotes infiltration.



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



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

Issued Date: 06/18/2019

Kameron Abraham Kameron Abraham 6088 Bounty Street San Diego, CA 92120

# \*\* 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 Manufacturing Metal Buildings

Location:

City of Perris, CA

Latitude:

33-45-30.00N NAD 83

Longitude:

117-13-35.00W

Heights:

1422 feet site elevation (SE)

18 feet above ground level (AGL)

1440 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 12/18/2020 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 2019-AWP-6374-OE.

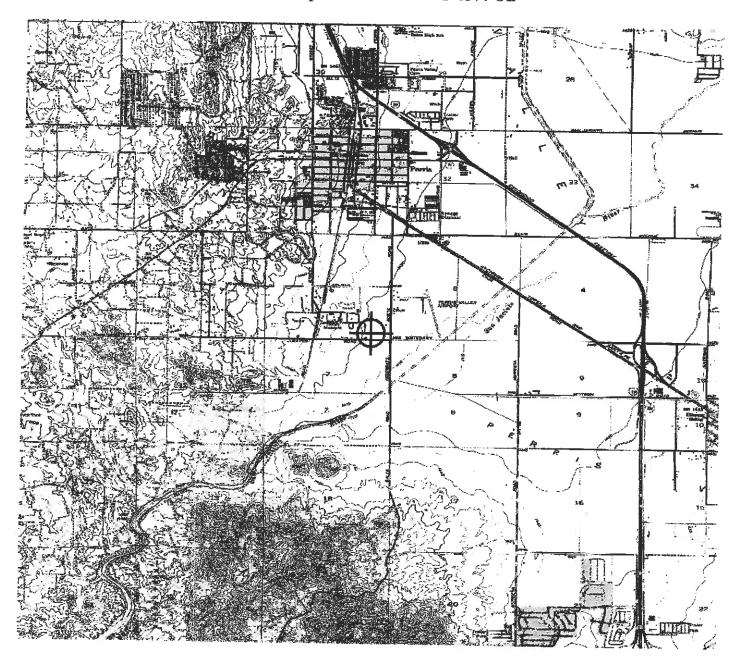
Signature Control No: 406946058-408807175

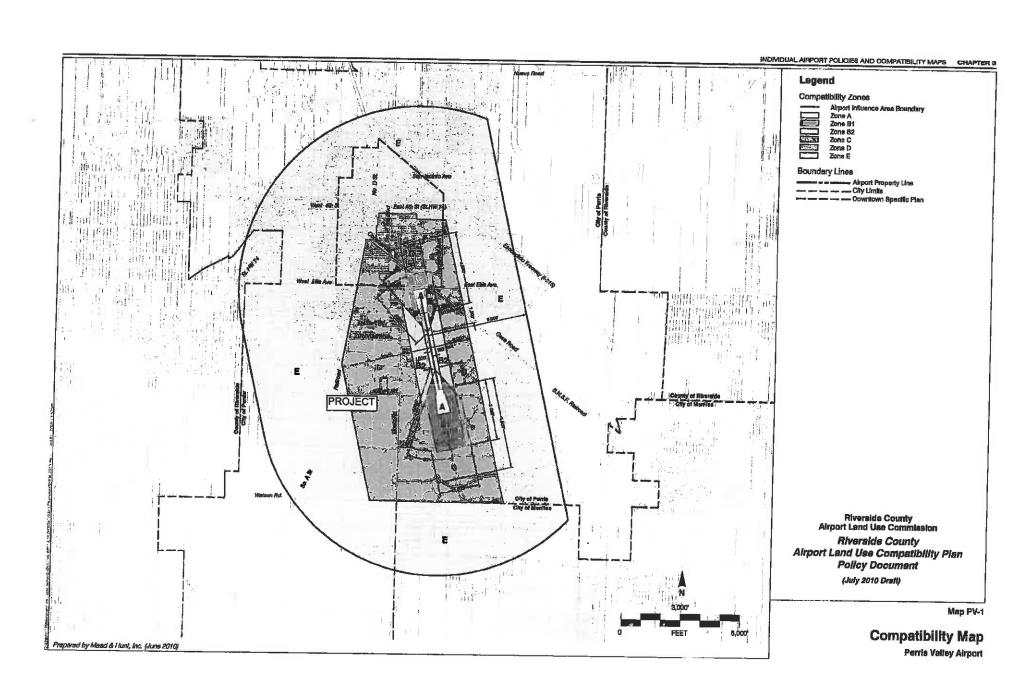
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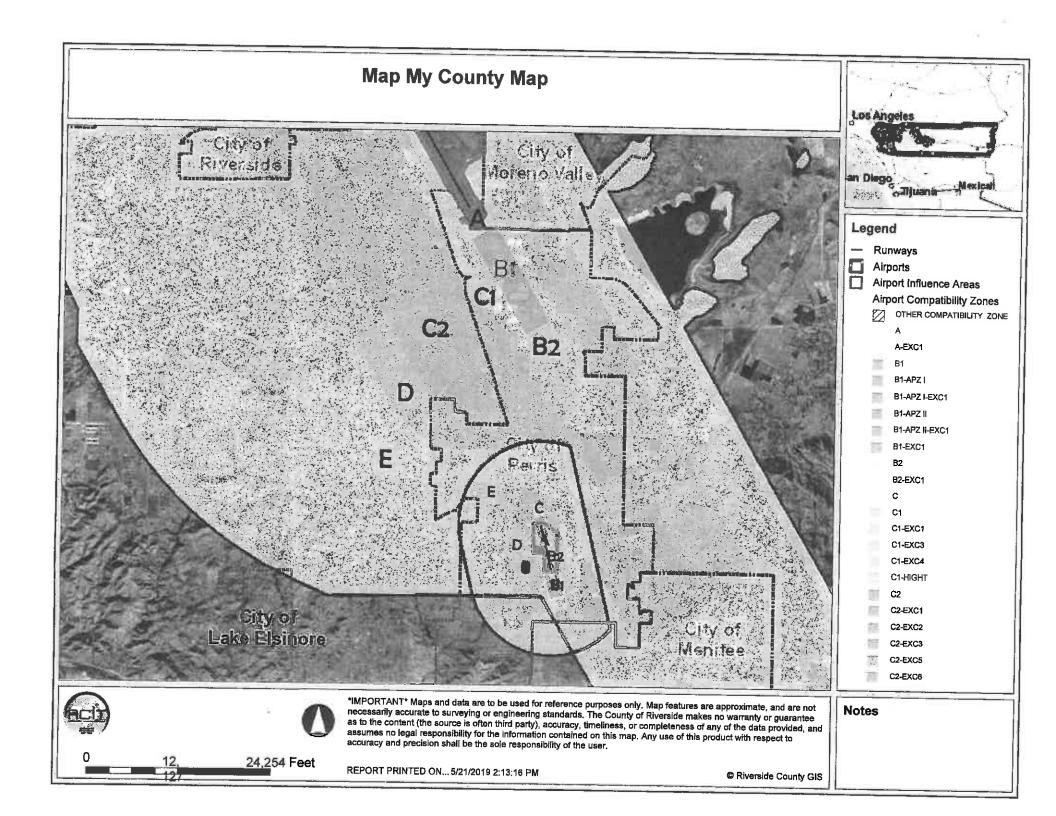
Karen McDonald Specialist

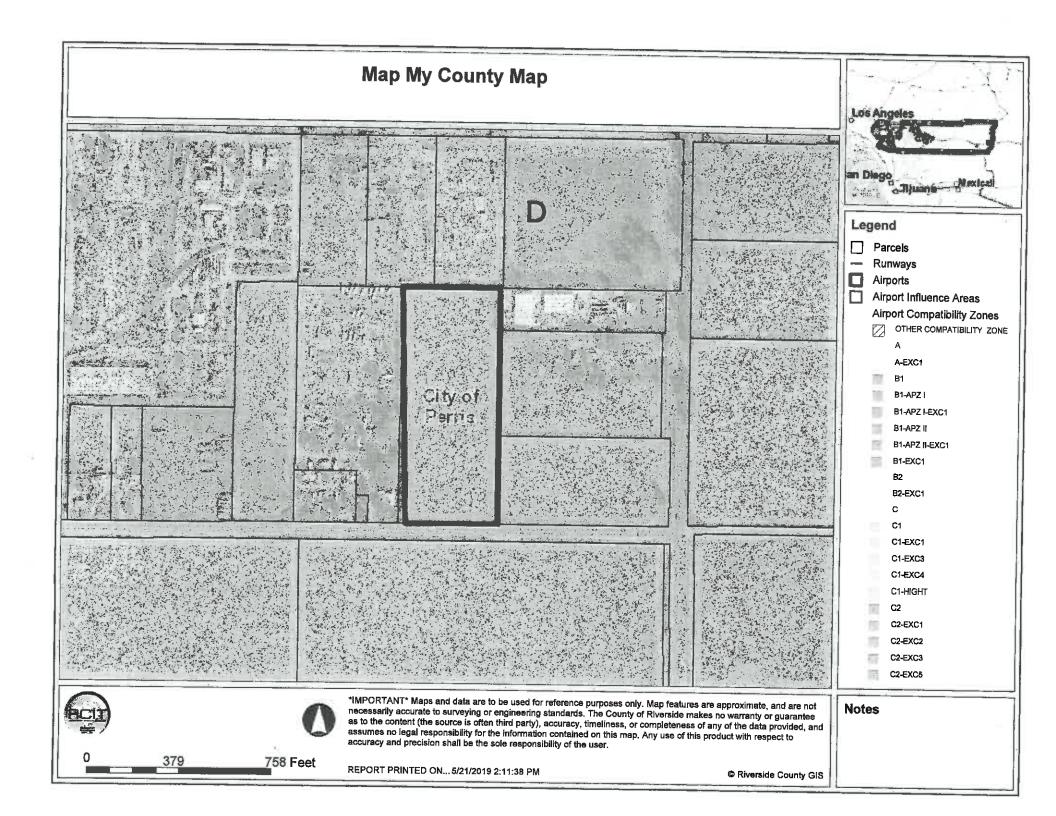
Attachment(s) Map(s)

# TOPO Map for ASN 2019-AWP-6374-OE













#### Legend

**Blueline Streams** 

City Areas

World Street Map





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6, 12,127 Feet

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Riverside County GIS





#### Legend

Blueline Streams
City Areas
World Street Map





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1, 3,032 Feet

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C Riverside County GIS





#### Legend

- Blueline Streams
- City Areas World Street Map



1,516 Feet

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C Riverside County GIS





#### Legend

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





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758 Feet

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#### MAPES ROAD CULTIVATION & PROCESSING FACILITY

PERRIS, CA

ASSESSORS PARCEL NO. 330-080-006

	DRAWING INDEX
SHEET NO.	SHEET DESCRIPTION
T-001	TITLE SHEET
AS-101	ARCHITECTURAL SITE PLAN
L-101	LANDSCAPE PLAN
A-101	FLOORPLAN
A-201	OFFICE BUILDING ELEVATIONS
A-202	GREEN HOUSE BLEVATIONS

#### CONCEPT FACILITY SITE PLAN SUBMITTAL APPLICATION

SITE PLAN REQUIREMENTS SUMMARY TABLE

MAPES ROAD

PROPOSED LAND USE

9,900 SF PROCESSING AND OPERATION BUILDING 1,9,00 SF GREENHOUSE CULTIVATION STRUCTURE
LESS THAN 400 SF OF ACCESSORY STRUCTURES
THE GENERAL USE IS FOR THE CULTIVATION, PROCESSING AND DISTRIBUTION OF

ADDRESS: VACANT LAND MAPES ROAD CITY OF PERRIS,

RIVERSIDE COUNTY, CALIFORNIA, 92570

APPLICANT: NAME: ACORESS:

KAMERON ABRAHAM

DESIGNER: GEORGE B WITTLER. ARCHITECT LICENSE C-8064

CONTACT NO.

360-509-2019 (CELL)

OWNER: ADDRESS:

KAMERON ABRAHAD 6088 BOUNTY 5T SAN DIEGO CA 92120 619-694-6389

LEGAL DESCRIPTION

THE LAND REPERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PERRIS, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND IS DESCRIBED AS

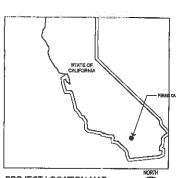
THAT PORTION OF THE SOUTHERLY 25 ACRES OF THE SOUTHEAST QUARTER OF THAT PORTION OF THE SOUTHERLY 25 ADRES OF THE SOUTHERST GUARTER OF THE SOUTHER COLUMETER OF SECTION 5, TOWNING SOUTH, RANGE SWEST, SAN BERWARDNO BASE AND MERDIAN, IN THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALLEYONAL, LYING BASE OF THE FOLLOWING DESCRIBED UND. BEGINNED UND. BEGINNED THE SOUTHERST OF SECTION INC. DISTANY 379,3 FEET SHIFTELY FROM THE SOUTHERST COURSED OF THE ADMICH STORY 379,3 FEET SOUTHERST VIS ACRES, TEXTED THE SOUTHERST VIN A STRANGET LUBE TO A POINT IN THE MORTHERST LORD FAIL OF SAND SOUTHERST VIS ACRES, DESCRIPTION THE SOUTHERST OF SAND SOUTHERST VIS ACRES, DESCRIPTION THE PROPERTY AND ADMINISTRATION OF SAND SOUTHERST VIS ACRES DESCRIPTING THE PROPERTY OF SAND SOUTHERS.

DESCRIPTION	RESPONSEMENTANCE
ASSESSOR'S PARCEL NUMBER	330-076 006
LOT (PARCEL) DIMENSIONS	NS AT 779 AS FEET
,,	EW AT 331.00 FRET
LOT (PARCEL) AREA	5.94 ACRES (256,787.6(2 SF)
LOT (PARCEL) PERCENT OF COVERAGE	47%
(MAXIMUM COVERAGE BY STRUCTURES AT 50%)	
SITE ZONING	GLGENERAL INDUSTRIAL
(GENERAL PLAN)	<del> </del>
DAMINUNDATION AREA	YES
EASEMENTS	NONE
ADJACENT PARKEL LAND LISES	G-GENERAL NOUSTROL
(GENERAL PLAN)	_
BUILDINGS	9,900 SF PROCESSING AND OPERATION BUILDING
	(507)(108)
	18,000 SF GREENHOUSE CULTAATION STRUCTURE (9010210)
PARKING	46 SPACES (EXCEEDS SECTION 19,69,035)
	AND ADDITIONAL PARALLEL PARKING IS
	AVAILABLE
(CITY OF PERRIS NON-RESIDENTIAL REGULATION FOR PARKING SECTION 19,89,090	S ADJACENT TO THE SITE ACCESS #FRE TRUCK LANES
HUR PARKING SECTION 19,89,030) I SPACE PER OFFICE	
SPACE PER 1000SF FOR FIRST 20,000SF SPACE PER 2000SF THERE AFTER	

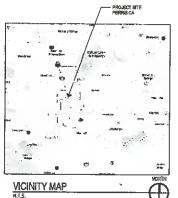
COMPANY SERVICE VEHICLES	6 DESIGNATED SPACE	
SETBACK DIMENSIONS	FRONT YARD AT 10 FT / ACTUAL	
(SECTION 19.44.030DEVELOPMENT CRITERIA)	60 FT.	
ŕ	SIDE YARD - NONE / ACTUAL 35 FT.	
	REAR YARO - NONE / ACTUAL WILL EXCEED NONE	
MAXIMANI STRUCTURE HEISHT (NOT TO EXCISED 50 FT.)	LESS THAN 18 FT.	
ADJACENT STREETS	20 FT WAXBILM	
ON SITE STREETS	NOIS:	
UTILITY PURVEYORS		
WATER	EASTERN MENICIPAL WATER DISTRICT	
SEWER:	NONE	
POWER:	EDISON ELECTRIC COMPANY	
COMMUNICATIONS	SEVERAL	
BUILDING EAVES	NONE	
BUILDING CANOPY	AT ENTRANCES TO MAN ENTRY	
HARDSCAPE (SIDE WALKS)	CONCRETE	
PAVING	ASPH4LY	
POWER POLES	NONE (UNDERGROUND)	
RECREATIONAL AREA	NONE	

#### PARCEL DETAILS

ADDRESS	TBD
LAND AREA	2586,749 SF
GENERAL PLAN	GI
ZONING	GI
PERRIS VALLEY AIRPORT	ZONE D
MARCH AIR RESERVE BASE	ZONE E
AIRPORT OVERLAY	ZONE R
FLOOD ZONE	AE
IN FEMA FLOOD ZONE	YES



PROJECT LOCATION MAP



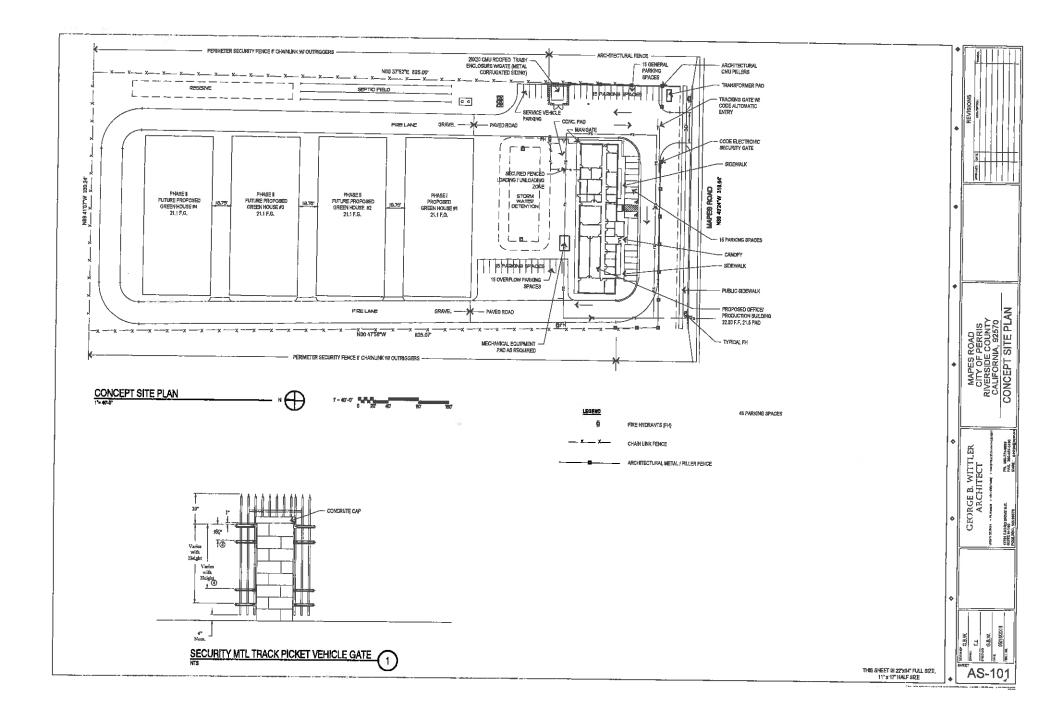


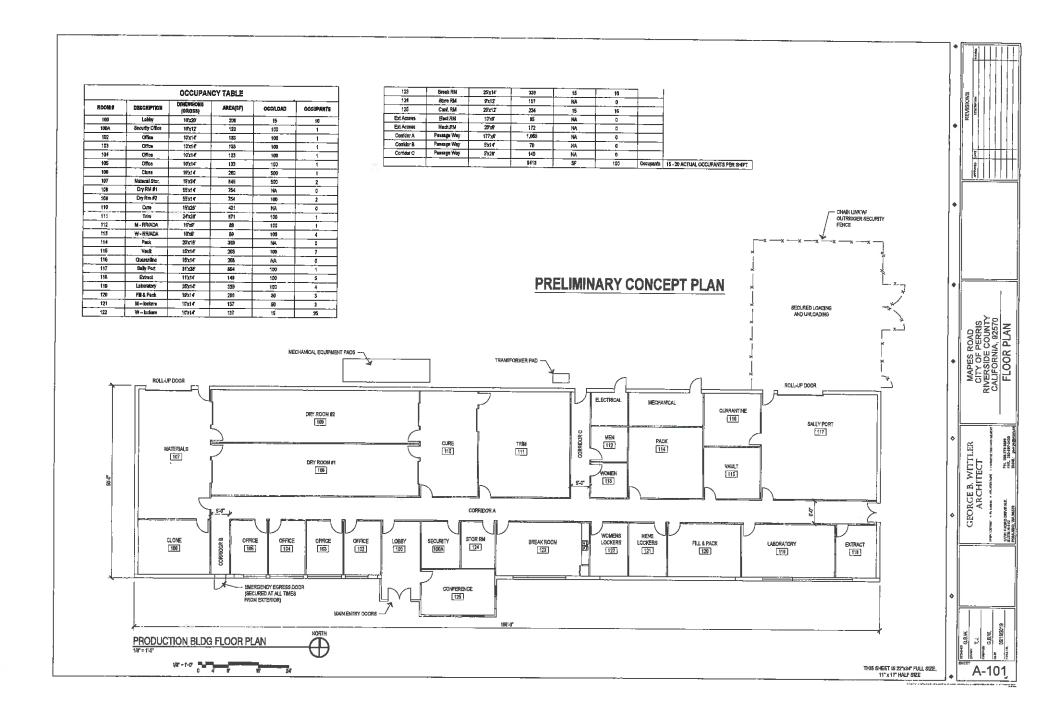
SITE MAP

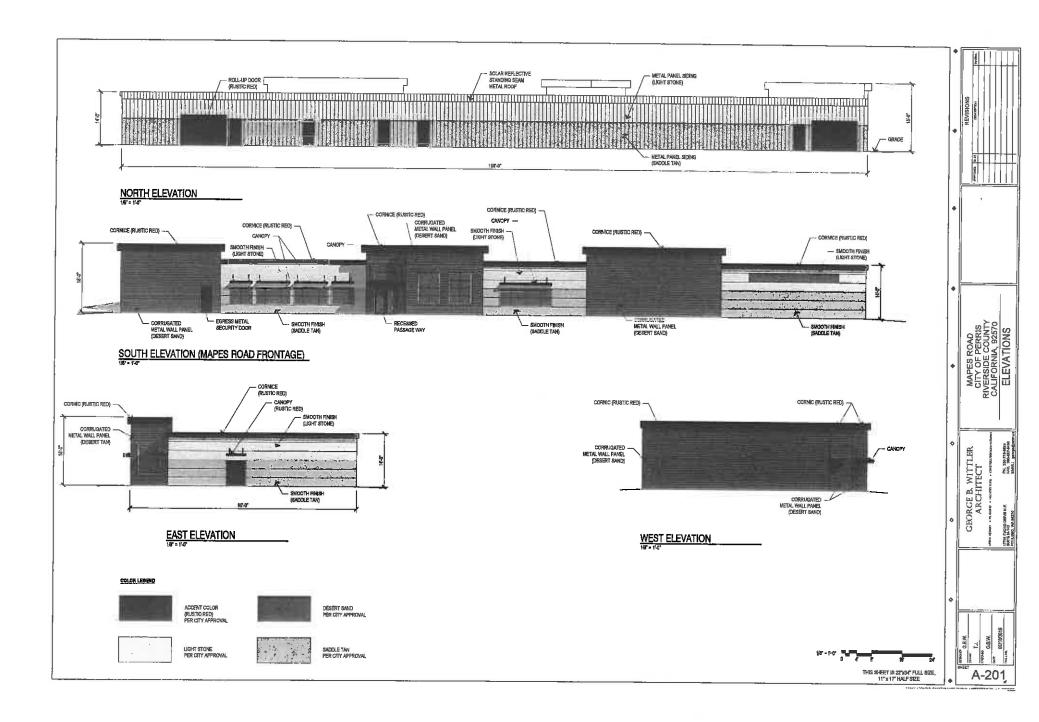
THIS SHEET IS 220(3) FULL SIZE.

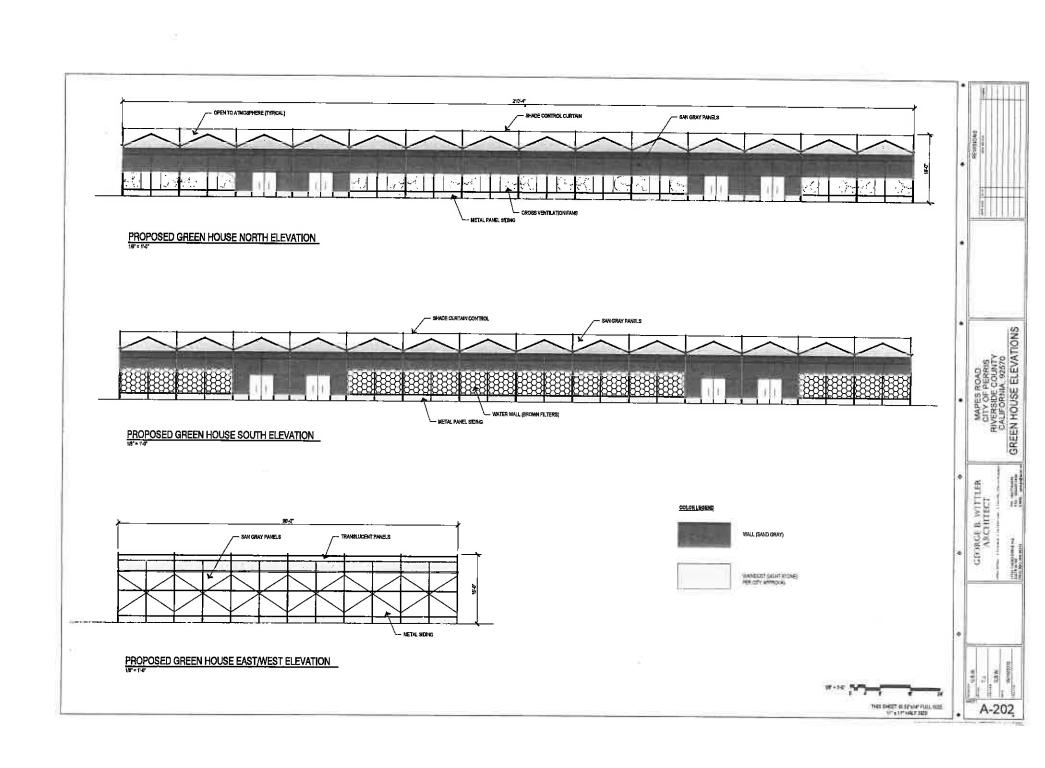
GEORGE B. WITTLER ARCHITECT EW. STATE NAME DRIVENE SUITE NAME POLA 2800, WA 15370

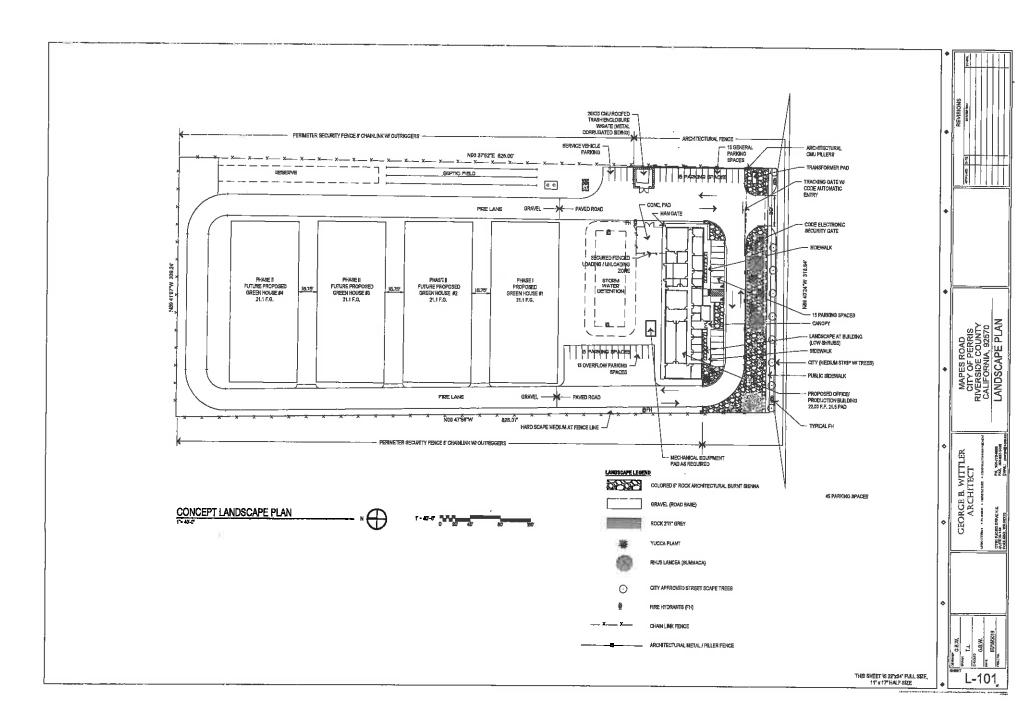
MAPES ROAD CITY OF PERRIS RIVERSIDE COUNTY CALIFORNIA, 92570 TITLE SHEET











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## AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY



June 27, 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

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW – DIRECTOR'S DETERMINATION

**COMMISSIONERS** 

Arthur Butler Riverside

**CHAIR** 

Steve Manos Lake Elsinore

File No.:

ZAP1077PS19

Related File No.:

DR19-001 (Design Review)

APN:

677-213-066

John Lyon Riverside

Steven Stewart Palm Springs

Richard Stewart Moreno Valley

Gary Youmans Temecula 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. DR19-001 (Design Review), a proposal to construct a 4,340 square foot Denny's restaurant building on a 1.45 acre pad within an existing commercial center, located at 67800 Vista Chino, on the northwest corner of Vista Chino and Landau Boulevard.

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 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 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 10,600 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 501.5 feet AMSL. The site's finished floor elevation is 421.8 feet AMSL, and the proposed building height is 22 feet, resulting in a maximum top point elevation of 443.8 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:**

1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.

- 2. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, 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: Legacy Food Group, Greg Gribble (applicant/property owner)
Architectronix, Inc., John Rix (representative)
BRE Throne Plaza Rio Vista, c/o Ryan LLC (listed property owner)
Thomas Nolan, Executive Director, Palm Springs International Airport ALUC Case File

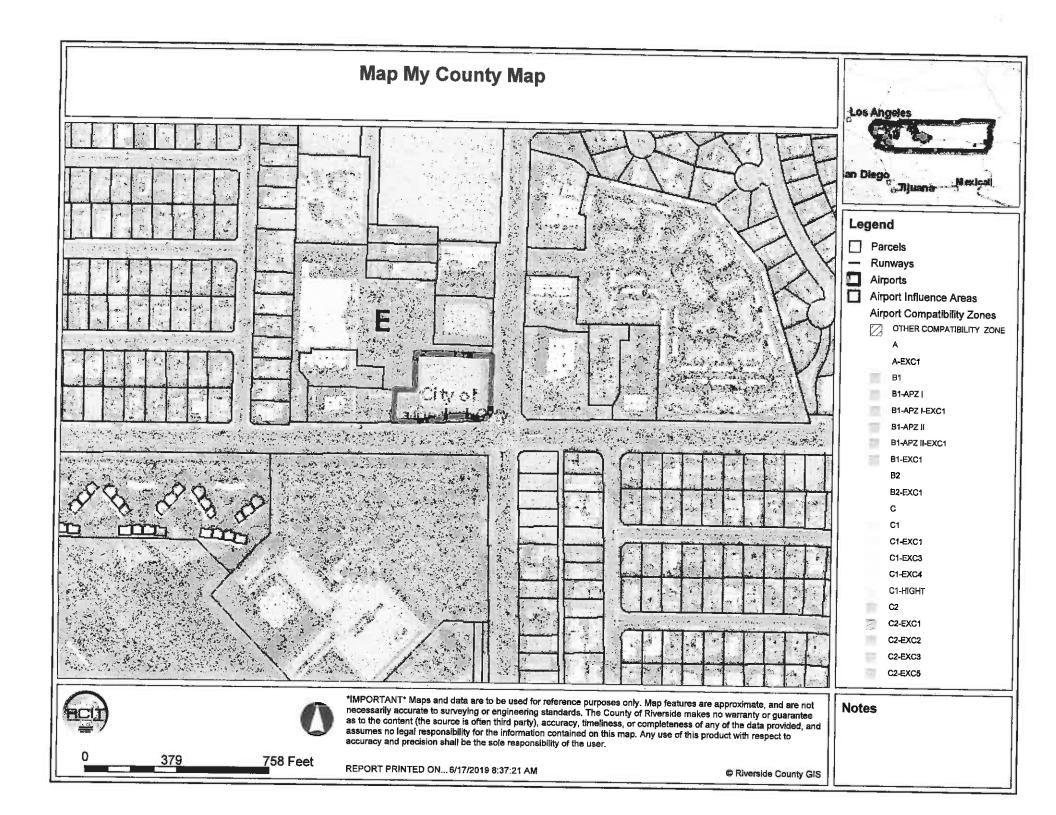
# NOTICE OF AIRPORT IN VICINITY

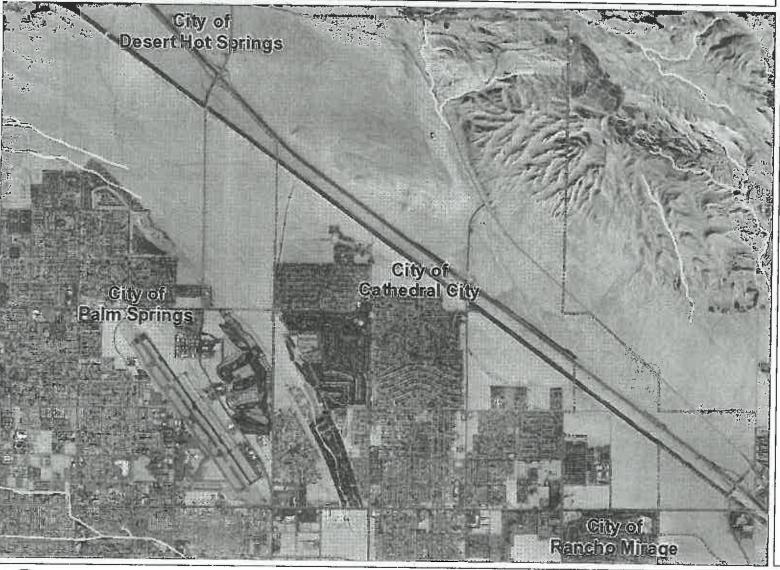
This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual 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)

## DENNY'S RESTAURANT VICINITY MAP - 67800 Vista Chino, Cathedral City, CA 92234 (Northwest corner of Vista Chino & Landau Blvd.)



#### **Map My County Map** Jijuana - Mexical Legend Runways Airports Airport Influence Areas Airport Compatibility Zones OTHER COMPATIBILITY ZONE A-EXC1 B1 B1-APZ I B1-APZ I-EXC1 B1-APZ N 81-APZ II-EXC1 B1-EXC1 B2-EXC1 C 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 **Notes** 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... 6/17/2019 8:38:34 AM © Riverside County GIS







#### Legend

Blueline Streams
City Areas
World Street Map

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6, 12,127 Feet

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Notes

© Riverside County GIS





#### Legend

Blueline Streams City Areas

World Street Map





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**Notes** 

Riverside County GIS





#### Legend

- Parcels
  Blueline Streams
- City Areas
  World Street Map





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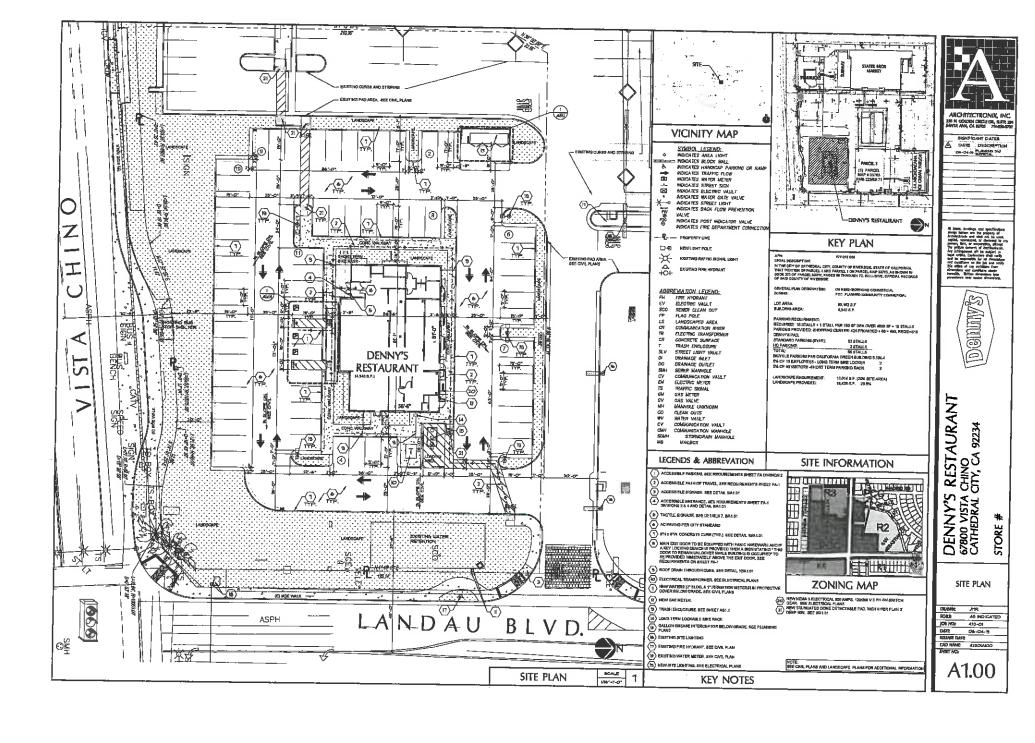
**Notes** 

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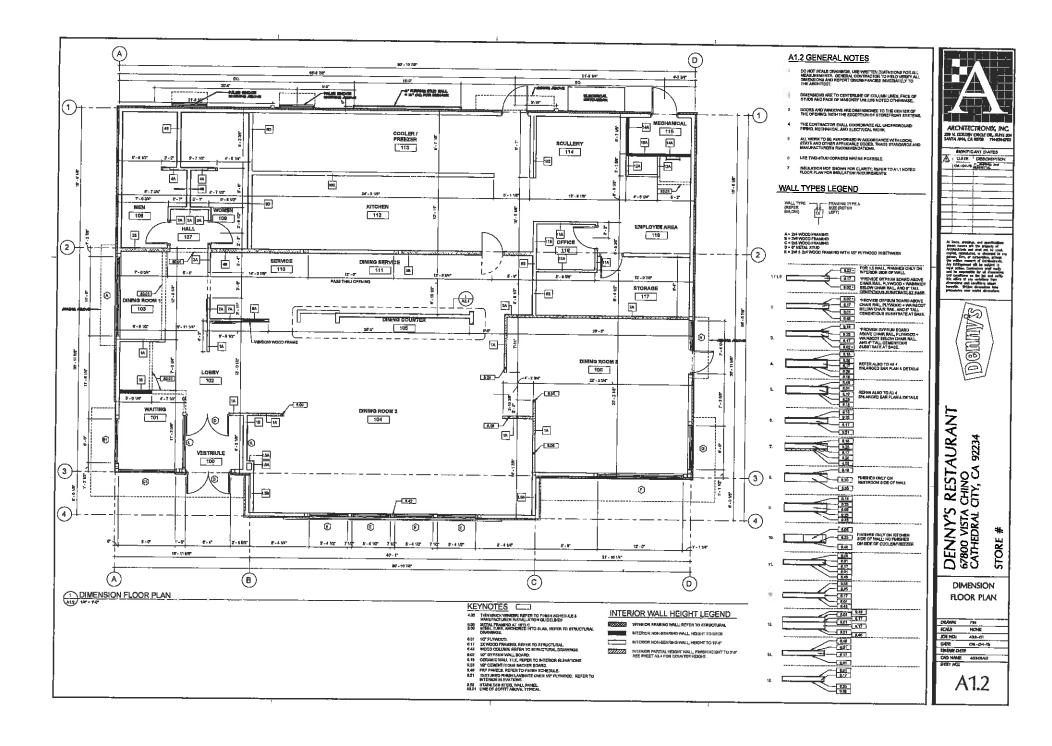
6/4/2019

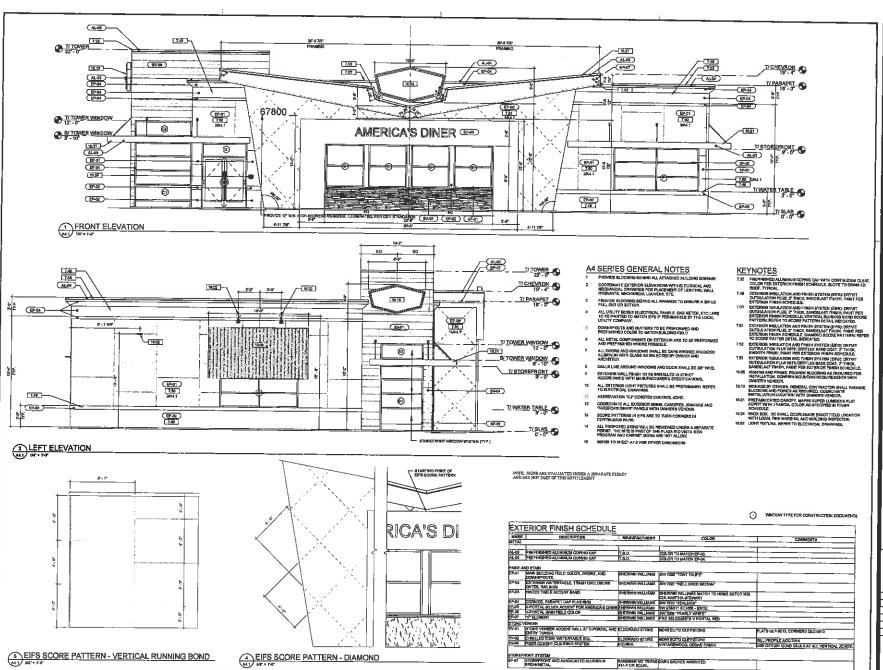
**DETAILED PROJECT DESCRIPTION:** 

DENNY'S RESTAURANT 67800 Vista Chino, Cathedral City, CA 92234 (Northwest corner of Vista Chino & Landau Blvd.)

APN#: 677-213 066

The project scope outlined in this set of documents includes a new 4,340 sq.ft. free standing Denny's restaurant to be located in Cathedral City, California. Site work includes installation of new pavement, parking and landscaping for the 63,162 sq.ft. lot. The proposed building is a wood framed structure with stone, exterior insulation finish, and metal panels on the exterior facades. The exterior signs, awnings, and interior finishes are per the Denny's prototype design standards. Parking provided for 66 parking stalls (63 standard + 3 accessible). The proposed building will be constructed of type V-B fully sprinklered building, with setbacks greater than 35 feet on side, rear and front property lines so no additional requirements needed for increase of floor areas.







ARCHITECTRONIX, INC.

MICHICATI DATES

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CO-OLIN DESCRIPTION

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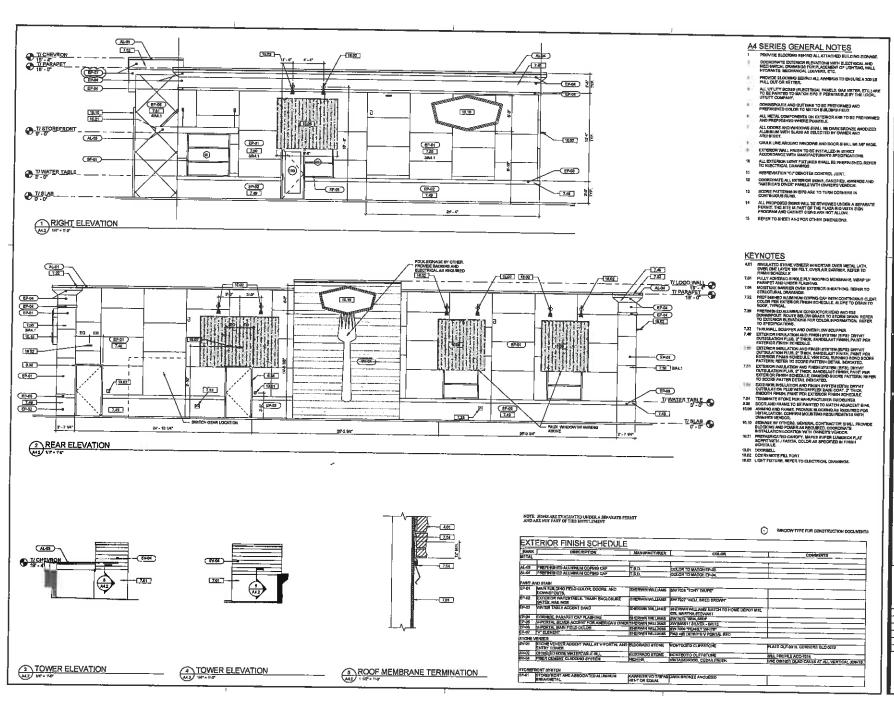


DENNY'S RESTAURANT 67800 VISTA CHINO CATHEDRAL CITY, CA 92234

> EXTERIOR ELEVATIONS

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ARCHITECTRONIX, INC. 80 N. OBUEN CRICE DE, SUIT 30 MITA ANA, CA 92788 74468-2783

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DENNY'S RESTAURANT 67800 VISTA CHINO CATHEDRAL CITY, CA 92234

EXTERIOR ELEVATIONS

STORE

DRAWNC PTN

BOULE AS NOTED

JOB NOZ 433-01

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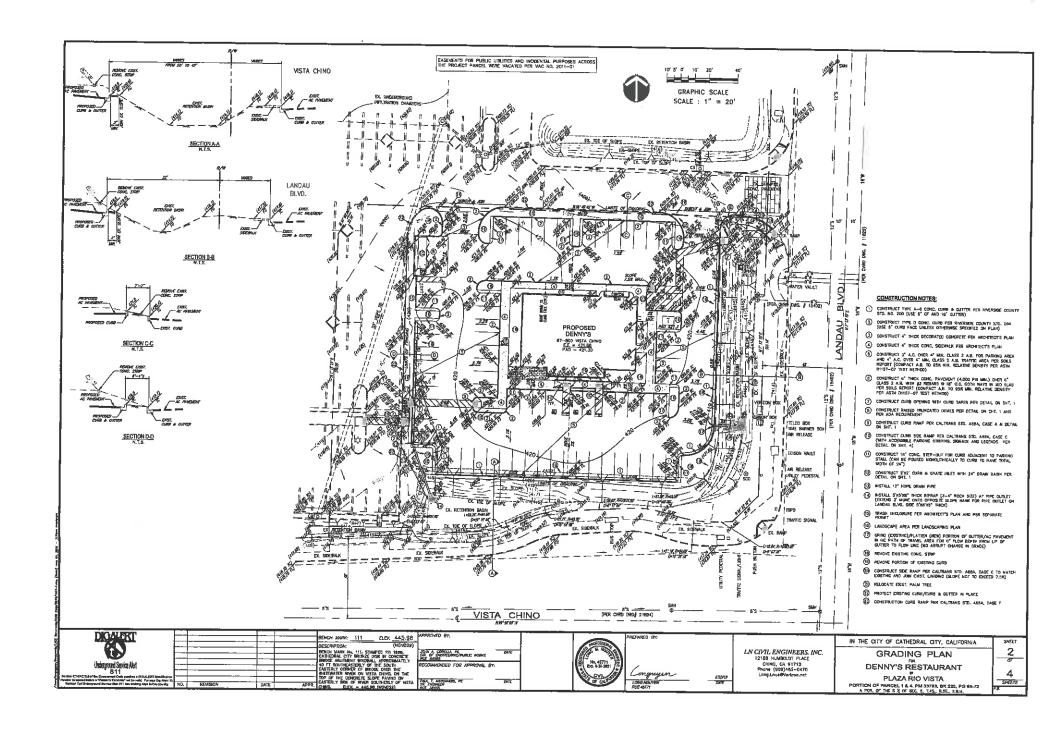
RELASE COUTS

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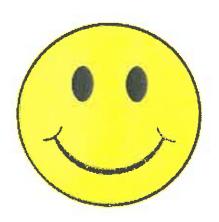
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FIRST NGZ

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## AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY



July 11, 2019

CHAIR Steve Manos Lake Elsinore Ms. Dionne Harris, Urban Regional Planner II County of Riverside Planning Department 4080 Lemon Street, 12<sup>th</sup> Floor

VICE CHAIR Russell Betts Desert Hot Springs Riverside CA 92501 (VIA HAND DELIVERY)

COMMISSIONERS

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW — DIRECTOR'S DETERMINATION

Arthur Butler Riverside

File No.:

ZAP1373MA19

John Lyon Riverside Related File No.: PM37397 (Tentative Parcel Map)

APN:

315-040-005

Steven Stewart Palm Springs

Dear Ms. Harris:

Richard Stewart Moreno Valley

wart

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 County of Riverside Case No. PM37397 (Tentative Parcel Map), a proposal to divide 5.47 gross acres located northerly of Costello Avenue, westerly of Brown Street, easterly of Alexander Street, and southerly of Oleander Avenue into four residential lots.

STAFF

Director

Director Simon A. Housman

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 of the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, residential density is not restricted.

John Guerin Paul Rull Barbara Santos

County Administrative Center 4080 Lemon St., 14th Roor. Riverside, CA 92501 (951) 955-5132 The 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 14,700 feet from the runway to the project, Federal Aviation Administration Obstruction Evaluation Services (FAA OES) review could be required for any structures with a top of roof exceeding 1,635 feet AMSL. The project site elevation is 1,660 feet AMSL, and the parcel map depicts existing buildings, although no new structures are proposed at this time. Review by the Federal Aviation Administration Obstruction Evaluation Services (FAA OES) is not a prerequisite to land division, but will be required prior to construction of new buildings or any other structures on the parcels. A condition has been included requiring that the permittee obtain a "Determination of No Hazard to Air Navigation" letter from the FAA OES prior to issuance of building permits for any new structures on the property.

www.rcaluc.org

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 County of Riverside applies the following recommended conditions:

#### AIRPORT LAND USE COMMISSION

- 1. Any new 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 1 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 attached notice shall be provided to all prospective purchasers of the proposed lots and tenants of any dwellings thereon, and shall be recorded as a deed notice prior to, or in conjunction with, recordation of the final 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.
- 5. The following uses 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; and hazards to flight.
- 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 transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.

#### AIRPORT LAND USE COMMISSION

7. Prior to issuance of building permits for any new structures, the permittee shall provide to the Riverside County Department of Building and Safety a "Determination of No Hazard to Air Navigation" letter from 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

cc: Manuel and Helen Lopez (applicants/landowners)

ACE Group Inc., Rod Arsalan (applicant's representative)

Gary Gosliga, Airport Manager, March Inland Port Airport Authority

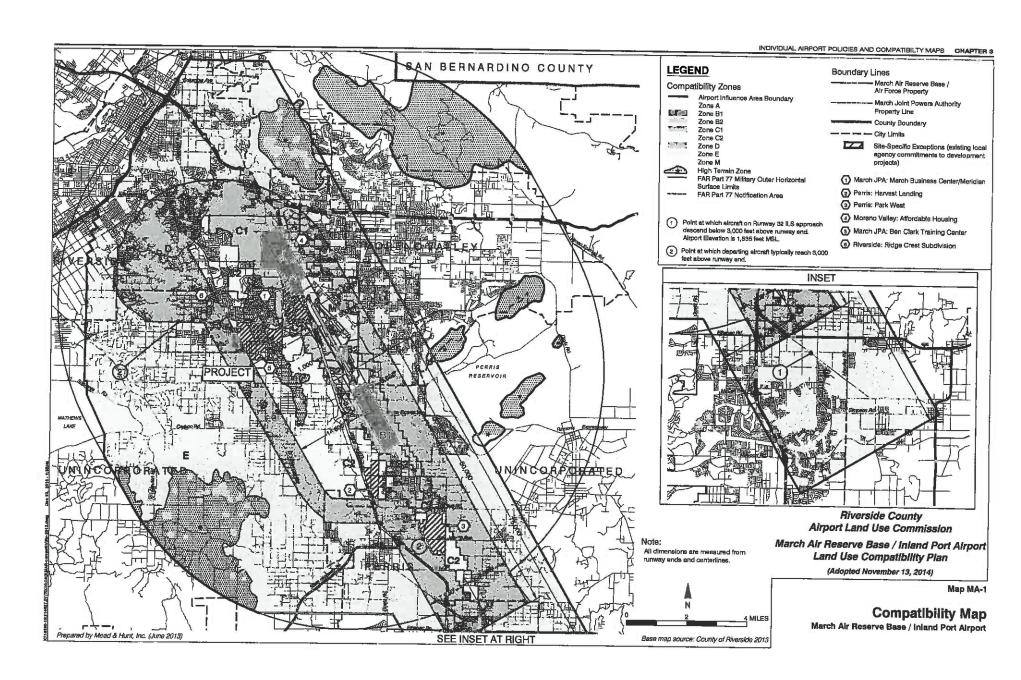
Daniel "Rock" Rockholt, March Air Reserve Base

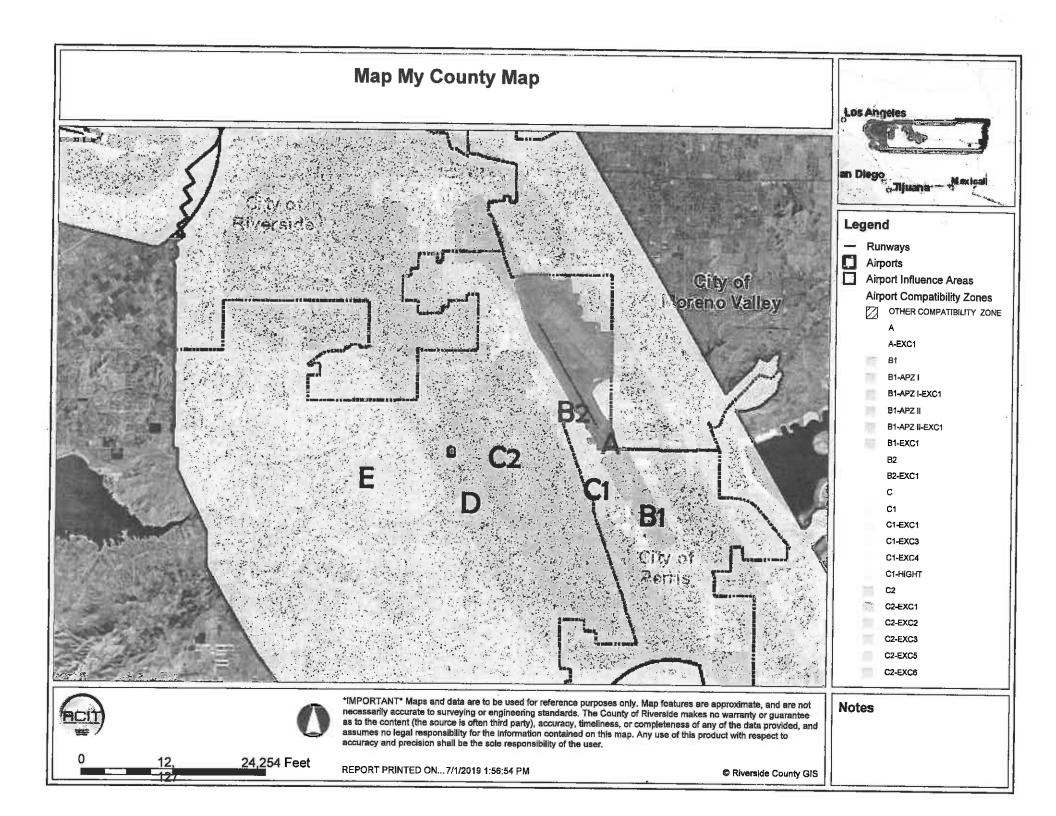
ALUC Case File

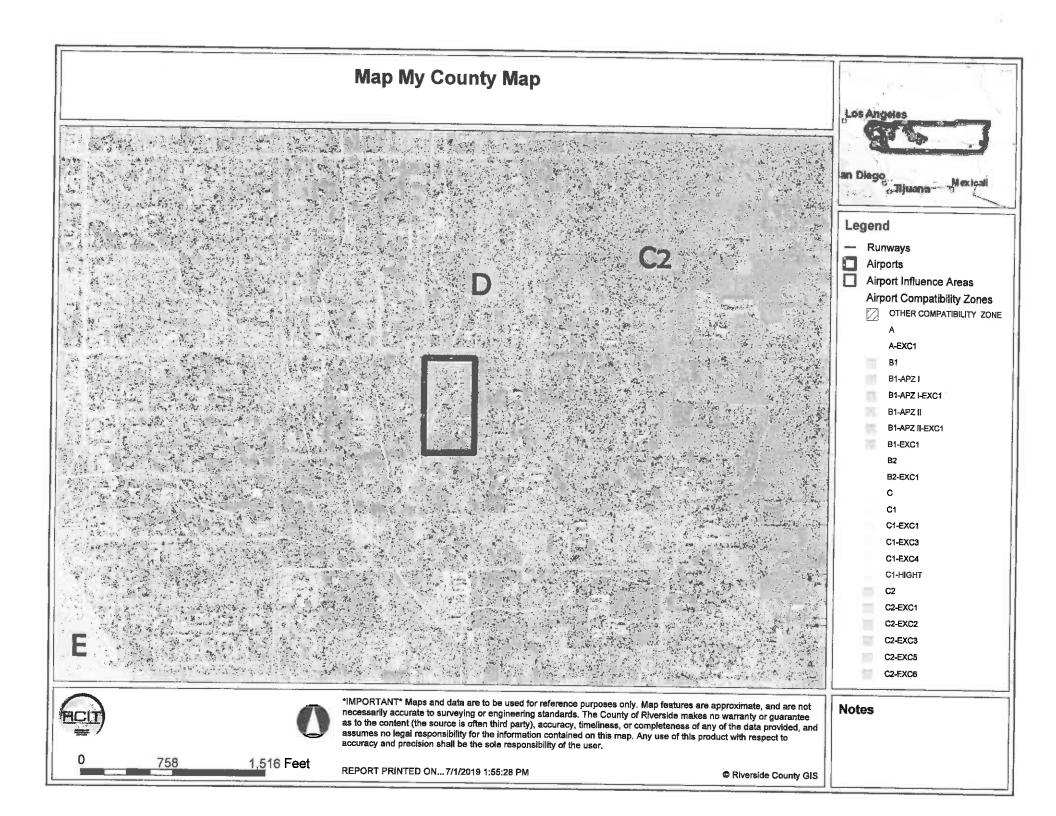
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# NOTICE OF AIRPORT IN VICINITY

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)











#### Legend

City Areas World Street Map





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Notes

24,254 Feet

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Riverside County GIS





### Legend

Blueline Streams City Areas

World Street Map





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3, 6,064 Feet

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Notes





### Legend

Blueline Streams
City Areas
World Street Map





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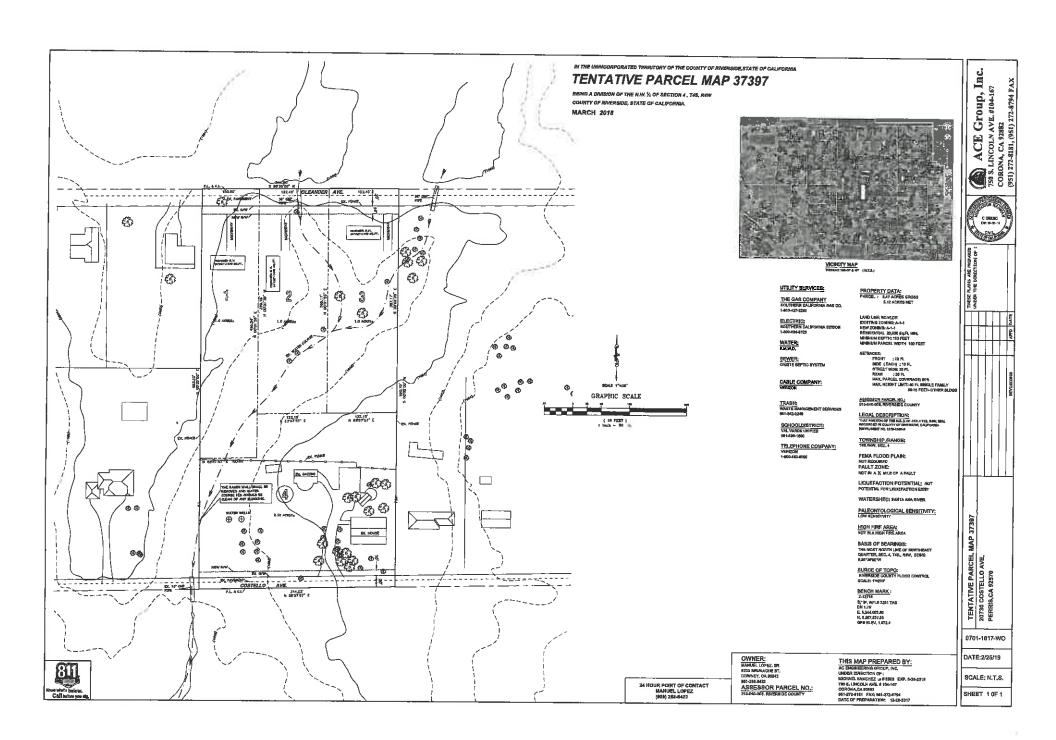
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Notes

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# ALUC

# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

July 11, 2019

CHAIR Steve Manos Lake Elsinore

Mr. Chris Tracy, Senior Planner

City of Murrieta Planning Department

VICE CHAIR Mu

1 Town Square Murrieta CA 92562

Desert Hot Springs
COMMISSIONERS

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW – DIRECTOR'S DETERMINATION

Riverside John Lyon Riverside

Arthur Butler

File No.:

ZAP1091FV19

Related File No.:

DCA-2019-1923 (Development Code Amendment)

APN:

Citywide

Richard Stewart Moreno Valley

Steven Stewart

Palm Springs

Dear Mr. Tracy:

Gary Youmans Temecula

STAFF

As authorized by the Riverside County Airport Land Use Commission (ALUC) pursuant to its Resolution No. 2011-02, as ALUC Director, I have reviewed City of Murrieta Case No. DCA-2019-1923 (Development Code Amendment), an amendment to the City's Development Code (Title 16 of the Murrieta Municipal Code) revising Section 16.20 relating to Density Bonuses. The new Section 16.20 focuses on permit processing requirements allowing for the density bonuses, incentives, concessions, and waivers mandated by Section 65915 of the California Government Code. It does not provide for any bonuses, incentives, or waivers in addition to those required by State law.

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 existing Section 16.20 already provided for the same levels of density bonuses as provided in State law, and the revised section simply refers to the State law as to the density bonus levels; therefore, this amendment does not result in an increase in residential density or non-residential intensity. As such, it has no possibility for having an impact on the safety of air navigation within the portions of the French Valley Airport Influence Area located within the City of Murrieta.

**AMMAGNICOL** 

As ALUC Director, I hereby find the above-referenced project **CONSISTENT** with the 2007 French Valley Airport Land Use Compatibility Plan, as amended in 2011.

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: Proposed Development Code Amendment

Y:\AIRPORT CASE FILES\French Valley\ZAP1091FV19\ZAP1091FV19.LTR.doc

ORDINANCE NO.:
----------------

## AN ORDINANCE (DCA 2019-1923) AMENDING TITLE 16, ARTICLE III, SECTION 16.20 OF THE MURRIETA MUNICIPAL CODE TO MAKE CITY CODE CONSISTENT WITH STATE DENSITY BONUS LAW.

SECTION 1. The City Council of the City of Murrieta does hereby finds and declares as follows:

WHEREAS, California Government Code Section 65915(a) requires that all cities adopt an ordinance that specifies how compliance with State Density Bonus Law will be implemented; and

WHEREAS, a hearing on the matter was duly noticed as provided in Development Code section 16.76.040 for the Planning Commission and held on June 26, 2019; and

WHEREAS, on July 16, 2019 the City of Murrieta City Council held a duly noticed public hearing on DCA 2019-1923 in compliance with Murrieta Development Code Section 16.76.040, at which time a staff report was presented and evidence in the record was provided to support the findings required by the Murrieta Development Code Section 16.58.080 as reflected in Planning Commission Resolution 2019-1923; and

WHEREAS, the City finds that the proposed amendments to the City's Municipal Code are exempt from environmental review pursuant to General Rule, Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines since there would be no possibility of a significant effect on the environment. The ordinance being considered specifies how the City will comply with and implement State density bonus law, and adoption is required pursuant to Government Code §65915(a). The bonuses, *incentives*, and waivers permitted by the ordinance are required by State law, and this ordinance does not permit any bonuses, *incentives*, or waivers other than those required by State law; and

WHEREAS, the City Council has considered the facts presented in the case, including the written and oral staff reports on the proposed Amendment (DCA 2019-1923), public testimony, written and oral evidence presented to the City Council, Planning Commission and the Planning Commission recommendation.

NOW, THEREFORE, the City Council of the City of Murrieta resolves as follows:

SECTION 2. Section 16.20 of the Murrieta Municipal Code is hereby repealed and replaced to read as follows:

### 16.20 Density Bonus Regulations.

### 16.20.010 Purpose.

The public good is served when there exists in a city, housing which is appropriate for the needs of and affordable to the public who reside within that city. There is in the City of Murrieta a need for housing affordable to various groups, such as lower income, moderate income and senior citizen households. Therefore, it is in the public interest for the City to promote the construction of such additional housing through the exercise of its powers and utilization of its resources to facilitate the development of quality housing affordable for these types of households.

- A. It is the purpose of this section to specify how compliance with Government Code Sections 65915, 65915.5, 65915.7, and 65917 ("State Density Bonus Law") will be implemented, as required by Government Code Section 65915(a).
- B. It is the purpose of this section to implement the goals, objectives and policies of the Housing Element of the City's General Plan.
- C. It is the purpose of this section to provide the implementing framework, as it relates to affordable housing density bonuses, and offer *concessions* and *incentives* for eligible housing developments which are consistent with the City's long-standing commitment to provide for affordable housing.

### 16.20.020 Definitions.

The definitions found in State Density Bonus Law shall apply to the terms contained in this subsection.

### 16.20.030 Applicability.

A housing development as defined in State Density Bonus Law shall be eligible for a density bonus and other regulatory incentives that are provided by State Density Bonus Law when the applicant seeks and agrees to provide low, very-low, senior or moderate income housing units or units intended to serve transitional foster youth, disabled veterans, homeless persons, and lower income students in the threshold amounts specified in State Density Bonus Law. A housing development includes only the residential component of a mixed use project. A commercial development as defined in subsection 16.20.100 shall be eligible for a commercial development bonus as provided in subsection 16.20.100.

The granting of a density bonus, *incentive* or *concession*, pursuant to this section, shall not be interpreted, in and of itself, to require a general plan amendment, development code amendment, zone change, other discretionary approval, or the waiver of a city ordinance or provisions of a city ordinance unrelated to development standards.

### 16.20.040 Application Requirements.

- A. Any applicant requesting a density bonus and any incentive(s), waiver(s), parking reductions, or commercial development bonus provided by State Density Bonus Law shall submit a density bonus report as described below concurrently with the filing of the planning application for the first discretionary permit required for the housing development, commercial development, or mixed-use development. The requests contained in the density bonus report shall be processed concurrently with the planning application. The applicant shall be informed whether the application is complete consistent with Government Code Section 65943.
- B. The density bonus report shall include the following minimum information:
  - Requested Density Bonus.
    - a. Summary table showing the maximum number of dwelling units permitted by the zoning and general plan excluding any density bonus units, proposed affordable units by income level, proposed bonus percentage, number of density bonus units proposed, total number of dwelling units proposed on the site, and resulting density in units per acre.
    - b. A tentative map and/or preliminary site plan, drawn to scale, showing the number and location of all proposed units, designating the location of proposed affordable units and density bonus units.
    - c. The zoning and general plan designations and assessor's parcel number(s) of the housing development site.
    - d. A description of all dwelling units existing on the site in the five-year period preceding the date of submittal of the application and identification of any units rented in the five-year period. If dwelling units on the site are currently rented, income and household size of all residents of currently occupied units, if known. If any dwelling units on the site were rented in the five-year period but are not currently rented, the income and household size of residents occupying dwelling units when the site contained the maximum number of dwelling units, if known.
    - e. Description of any recorded covenant, ordinance, or law applicable to the site that restricted rents to levels affordable to very low or lower income households in the five-year period preceding the date of submittal of the application.
    - f. If a density bonus is requested for a land donation, the location of the land to be dedicated, proof of site control, and reasonable documentation that each of the requirements included in Government Code Section 65915(g) can be met.
  - 2. Requested Concession(s) or Incentive(s).

In the event an application proposes concessions or incentives for a housing development pursuant to State Density Bonus Law, the density bonus report shall include the following minimum information for each incentive requested, shown on a site plan if appropriate:

- a. The City's usual development standard and the requested development standard or regulatory incentive.
- b. Except where mixed-use zoning is proposed as a concession or incentive, reasonable documentation to show that any requested incentive will result in identifiable and actual cost reductions to provide for affordable housing costs or rents.
- c. If approval of mixed use zoning is proposed, reasonable documentation that nonresidential land uses will reduce the cost of the housing development, that the nonresidential land uses are compatible with the housing development and the existing or planned development in the area where the proposed housing development will be located, and that mixed use zoning will provide for affordable housing costs or rents.

### Requested or Waiver(s).

In the event an application proposes waivers of development standards for a housing development pursuant to State Density Bonus Law, the density bonus report shall include the following minimum information for each waiver requested on each lot, shown on a site plan if appropriate:

- a. The City's usual development standard and the requested development standard.
- b. Reasonable documentation that the development standards for which a waiver is requested will have the effect of physically precluding the construction of a development at the densities or with the concessions or incentives permitted by Government Code Section 65915.

### 4. Requested Parking Reduction.

In the event an application proposes a parking reduction for a *housing development* pursuant to Government Code Section 65915(p), a table showing parking required by the zoning regulations, parking proposed under Section 65915(p), and reasonable documentation that the project is eligible for the requested parking reduction.

### 5. Child Care Facility.

If a density bonus or *incentive* is requested for a child care facility in a *housing development*, reasonable documentation that all of the requirements included in Government Code Section 65915(h) can be met.

### Condominium Conversion.

If a density bonus or *incentive* is requested for a condominium conversion, reasonable documentation that all of the requirements included in Government Code Section 65915.5 can be met.

### 7. Commercial Development Bonus.

If a commercial development bonus is requested for a commercial development, the application shall include the proposed partnered housing agreement and the proposed commercial development bonus, as defined in subsection 16.20.100, and reasonable documentation that each of the standards included in subparagraph 16.20.100.C has been met.

### 8. Fee.

Payment of any fee in an amount set by resolution of the City Council for staff time necessary to determine compliance of the Density Bonus Plan with State Density Bonus Law.

### 16.20.050 Density Bonus.

All calculations are rounded up for any fractional numeric value in determining the total number of units to be granted, including base density and bonus density, as well as, the resulting number of affordable units needed for a given density bonus project.

- A. If a housing development qualifies for a density bonus under more than one income category, or additionally as senior housing or as housing intended to serve transitional foster youth, disabled veterans, homeless persons, or lower income students, the applicant shall identify the categories under which the density bonus would be associated with and granted to. Density bonuses from more than one category can be combined up to maximum allowed under State Density Bonus law.
- B. The density bonus units shall not be included in determining the number of affordable units required to qualify a *housing development* for a density bonus pursuant to State Density Bonus Law.
- C. The applicant may elect to accept a lesser percentage of density bonus than the *housing development* is entitled to, or no density bonus, but no reduction will be permitted in the percentages of required affordable units contained in Government Code Section 65915(b), (c), and (f). Regardless of the number of affordable units, no *housing development* shall be entitled to a density bonus of more than what is authorized under State Density Bonus Law.

### 16.20.060 Incentives.

- A. Incentives include *incentives* and *concessions* as defined in State Density Bonus Law. The number of *incentives* that may be requested shall be based upon the number the applicant is entitled to pursuant to State Density Bonus Law.
- B. Nothing in this subsection requires the provision of direct financial *incentives* for the *housing* development, including, but not limited to, the provision of financial subsidies, publicly owned land, fee waivers, or waiver of dedication requirements. The City, at its sole discretion, may choose to provide such direct financial *incentives*.

### 16.20.070 Review Procedures

All requests for density bonuses, *incentives*, parking reductions, waivers, or *commercial development bonuses* shall be considered and acted upon by the approval body with authority to approve the development within the timelines prescribed by Government Code Sections 65950 et seq., with right of appeal to the City Council.

- A. Eligibility for Density Bonus, *Incentive(s)*, Parking Reduction, and/or Waiver(s) for a *Housing Development*. To ensure that an application for a *housing development* conforms with the provisions of State Density Bonus Law, the staff report presented to the decision-making body shall state whether the application conforms to the following requirements of state law as applicable:
  - The housing development provides the affordable units or senior housing required by State Density Bonus Law to be eligible for the density bonus and any incentives, parking reduction, or waivers requested, including the replacement of units rented or formerly rented to low and very low income households as required by Government Code Section 65915(c)(3).
  - 2. Any requested *incentive* will result in identifiable and actual cost reductions to provide for affordable housing costs or rents; except that, if a mixed-use development is requested, the application must instead meet all of the requirements of Government Code Section 65915(k)(2).
  - 3. The development standards for which a waiver is requested would have the effect of physically precluding the construction of a development at the densities or with the *concessions* or *incentives* permitted by Government Code Section 65915.
  - 4. The *housing development* is eligible for any requested parking reductions under Government Code Section 65915(p).
  - 5. If the density bonus is based all or in part on donation of land, all of the requirements included in Government Code Section 65915(g) have been met.
  - 6. If the density bonus or *incentive* is based all or in part on the inclusion of a child care facility, all of the requirements included in Government Code Section 65915(h) have been met.
  - 7. If the density bonus or *incentive* is based all or in part on the inclusion of affordable units as part of a condominium conversion, all of the requirements included in Government Code Section 65915.5 have been met.

- B. If a commercial development bonus is requested for a commercial development, the decision-making body shall make a finding that the development complies with all of the requirements of subparagraph 16.20.100.C, that the City has approved the partnered housing agreement, and that the commercial development bonus has been mutually agreed upon by the City and the commercial developer.
- C. The decision-making body shall grant an *incentive* requested by the applicant unless it makes a written finding, based upon substantial evidence, of any of the following:
  - The proposed incentive does not result in identifiable and actual cost reductions to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety code, or for affordable rents, as defined in Section 50053 of the Health and Safety Code; or
  - 2. The proposed incentive would be contrary to state or federal law; or
  - 3. The proposed incentive would have a specific, adverse impact upon public health or safety or the physical environment or on any real property that is listed in the California Register of Historic Resources, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the housing development unaffordable to low and moderate income households. For the purpose of this subsection, specific adverse impact means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards, policies, or conditions as they existed on the date that the application for the housing development was deemed complete.
- D. The decision-making body shall grant the waiver of development standards requested by the applicant unless it makes a written finding, based upon substantial evidence, of any of the following:
  - 1. The proposed waiver would be contrary to state or federal law; or
  - The proposed waiver would have an adverse impact on any real property listed in the California Register of Historic Resources; or
  - 3. The proposed waiver would have a specific, adverse impact upon public health or safety or the physical environment, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the housing development unaffordable to low and moderate income households. For the purpose of this subsection, specific adverse impact means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards, policies, or conditions as they existed on the date that the application for the housing development was deemed complete.
- E. If any density bonus, *incentive*, parking reduction, waiver, or *commercial development bonus* is approved pursuant to this chapter, the applicant shall enter into an *affordable housing agreement* or *senior housing agreement* with the City pursuant to subsection 16.20.080.

### 16.20.080 Affordable Housing Agreement and Senior Housing Agreement.

- A. Except where a density bonus, incentive, waiver, parking reduction, or commercial development bonus is provided for a market-rate senior housing development, the applicant shall enter into an affordable housing agreement with the City, in a form approved by the City Attorney, to be executed by the City Manager, to ensure that the requirements of this subsection are satisfied. The affordable housing agreement shall guarantee the affordability of the affordable units for a minimum of 55 years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program; shall identify the type, size and location of each affordable unit; and shall specify phasing of the affordable units in relation to the market-rate units.
- B. Where a density bonus, waiver, or parking reduction is provided for a market-rate senior housing development, the applicant shall enter into a restrictive covenant with the City, running with the land, in a form approved by the City Attorney, to be executed by the City Manager, to require that the housing development be operated as "housing for older persons" consistent with state and federal fair housing laws.
- C. The executed affordable housing agreement or senior housing agreement shall be recorded against the housing development prior to final or parcel map approval, or, where a map is not being processed, prior

to issuance of building permits for the *housing development*. The *affordable housing agreement* or *senior housing agreement* shall be binding on all future owners and successors in interest.

- D. The affordable housing agreement shall include, but not be limited to, the following:
  - The number of density bonus dwelling units granted;
  - 2. The number and type of affordable dwelling units
  - 3. The unit size(s) (square footage) of target dwelling units and the number of bedrooms per target dwelling unit;
  - 4. The proposed location of the affordable dwelling units;
  - 5. Schedule for production of affordable dwelling units;
  - 6. Incentives or concessions or waivers provided by the city;
  - 7. Where applicable, tenure and conditions governing the initial sale of the affordable units;
  - 8. Where applicable, tenure and conditions establishing rules and procedures for qualifying tenants, setting rental rates, filling vacancies, and operating and maintaining units for affordable rental dwelling units
  - 9. Marketing Plan; Publication and Notification of Availability of Affordable Units;
  - 10. Compliance with Federal and State Laws;
  - 11. Prohibition Against Discrimination;
  - 12. Indemnification;
  - 13. City's Right to Inspect Units and Documents;
  - 14. Remedies;
  - Attorney(s) Fees Provision.

### 16.20.090 Design and Quality.

- A. The City may not issue building permits for more than 50 percent of the market rate units until it has issued building permits for all of the affordable units, and the City may not approve any final inspections or certificates of occupancy for more than 50 percent of the market rate units until it has issued final inspections or certificates of occupancy for all of the affordable units.
- B. Affordable units shall be comparable in exterior appearance and overall quality of construction to marketrate units in the same housing development. Interior finishes and amenities may differ from those provided in the market rate units, but neither the workmanship nor the products may be of substandard or inferior quality as determined by the City.
- C. The number of bedrooms of the affordable units shall at least equal the minimum number of bedrooms of the market-rate units.

### 16.20.100 Commercial Density Bonus.

- A. The following definitions shall apply to Commercial Density Bonus:
  - 1. Commercial development means a development project for nonresidential uses.
  - Commercial development bonus means a modification of development standards mutually agreed upon by the City and a commercial developer and provided to a commercial development eligible for such a bonus under subparagraph 16.20.100.C. Examples of a commercial development bonus include an increase in floor area ratio, increased building height, or reduced parking.
  - 3. Partnered housing agreement means an agreement approved by the City between a commercial developer and a housing developer identifying how the commercial development will provide

housing available at affordable ownership cost or affordable rent consistent with subparagraph 16.20.100.C. A partnered housing agreement may consist of the formation of a partnership, limited liability company, corporation, or other entity recognized by the state in which the commercial developer and the housing developer are each partners, members, shareholders, or other participants, or a contract between the commercial developer and the housing developer for the development of both the commercial development and the housing development.

- B. When an applicant proposes to construct a *commercial development* and has entered into a *partnered housing agreement* approved by the City, the City shall grant a *commercial development bonus* mutually agreed upon by the developer and the City. The *commercial development bonus* shall not include a reduction or waiver of fees imposed on the *commercial development* to provide for affordable housing.
- C. The partnered housing agreement shall include all of the following provisions:
  - The housing development shall be located either: (A) on the site of the commercial development, or (B) on a site within the City that is within one-half mile of a major transit stop and is located in close proximity to public amenities, including schools and employment centers.
  - At least 30 percent of the total units in the housing development shall be made available at
    affordable ownership cost or affordable rent for low-income households, or at least 15 percent of
    the total units in the housing development shall be made available at affordable ownership cost or
    affordable rent for very low-income households.
  - 3. The commercial developer must agree either to directly build the affordable units; donate a site consistent with subparagraph (i) above for the affordable units; or make a cash payment to the housing developer for the affordable units.
- D. Any approved partnered housing agreement shall be described in the City's Housing Element annual report as required by Government Code Section 65915.7(k).

### 16.20.110 Interpretation.

If any portion of this subsection conflicts with State Density Bonus Law or other applicable state law, state law shall supersede this subsection. Any ambiguities in this section shall be interpreted to be consistent with State Density Bonus Law.

### **SECTION 3. EFFECTIVE DATE**

This ordinance shall take effect and be enforced thirty (30) days following its adoption.

### SECTION 4. NOTICE OF ADOPTION

The City Clerk shall certify to the adoption of this ordinance and shall publish a summary of this ordinance and post a certified copy of the full ordinance in the office of the City Clerk at least five (5) days prior to the adoption of the proposed ordinance; and within fifteen (15) days after adoption of the ordinance, the City Clerk shall publish a summary of the ordinance with the names of the council members voting for and against the ordinance.

	9
ADOPTED by the City Council and signed by the May 2019.	or and attested by the City Clerk thisday of
ATTEST:	Kelly Seyarto, Mayor
Stephanie D. Smith, MMC, City Clerk	

# Leslie E. Devaney, City Attorney I, Stephanie D. Smith, City Clerk of the City of Murrieta, California, do hereby certify under penalty of perjury that the foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the 6th day of August, 2019 and that thereafter the said ordinance was duly and regularly adopted at a meeting of the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2019, by the following vote, to wit: AYES: NOES: ABSENT: ABSTAIN: IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Murrieta, California, this \_\_\_\_ day of \_\_\_\_\_, 2019. Stephanie D. Smith, MMC, City Clerk (Seal)



# Draft TD-227 DENSITY BONUS TABLE Development Services Department

	Very Low Income Density Bonus (1)		Moderate Income Density Bonus (3)	Land Donation Density Bonus (4)	Senior Density Bonus (5)	
5%	20%	-		- 52,07	20%	
6%	22.5%	-	-		20%	
7%	25%	_	-	Character and the character and conduct a management page pro-	20%	
8%	27.5%	_	_		20%	
9%	30%	Active to management management (i.e. a management of the second of the		The Secretary of the Se	20%	
10%	32.5%	20%	5%	15%	20%	
11%	35%	21.5%	6%	16%	20%	
12%	35%	23%	7%	17%	20%	
13%	35%	24.5%	8%	18%	20%	
14%	35%	26%	9%	19%	20%	
15%	35%	27.5%	10%	20%	20%	
16%	35%	29%	11%	21%	20%	
17%	35%	30.5%	12%	22%	20%	
18%	35%	32%	13%	23%	20%	
19%	35%	33.5%	14%	24%	20%	
20%	35%	35%	15%	25%	20%	
21%	35%	35%	16%	26%	20%	
22%	35%	35%	17%	27%	20%	
23%	35%	35%	18%	28%	20%	
24%	35%	35%	19%	29%	20%	
25%	35%	35%	20%	30%	20%	
26%	35%	35%	21%	31%	20%	
27%	35%	35%	22%	32%	20%	
28%	35%	35%	23%	33%	20%	
29%	35%	35%	24%	34%	20%	
30%	35%	35%	25%	35%	20%	
31%	35%	35%	26%	35%	20%	
31%	35%	35%	27%	35%	20%	
33%	35%	35%	28%	35%	20%	
34%	35%	35%	29%	35%	20%	
35%	35%	35%	30%	35%	20%	
36%	35%	35%	31%	35%	20%	
37%	35%	35%	32%	35%	20%	
38%	35%	35%	33%	35%	20%	
39%	35%	35%	34%	35%	20%	
40%	35%	35%	35%	35%	20%	

<sup>(1)</sup> Government Code §65915(f)(2)

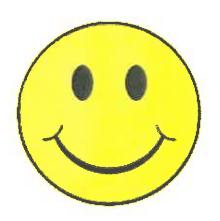
<sup>(2)</sup> Government Code §65915(f)(1)

<sup>(3)</sup> Government Code §65915(f)(4)

<sup>(1)</sup> Government Code §65915(g)(1)

<sup>(1)</sup> Government Code §65915(f)(3); No affordable units are required for senior housing units to receive a density bonus.

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### AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

July 11, 2019

CHAIR Steve Manos Lake Elsinore Mr. Nazir Slim, Associate Planner

City of Riverside Community & Economic Development Department: Planning Division

3900 Main Street, 3rd Floor

VICE CHAIR Riverside CA 92522

**Russell Betts Desert Hot Springs** 

AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW -RE: DIRECTOR'S DETERMINATION

COMMISSIONERS Arthur Butler Riverside

File No.:

ZAP1372MA19 (letter 1 of 2)

Related File Nos.: John Lyon

P19-0321 (Rezone)

APN:

210-110-042

Steven Stewart Palm Springs

Riverside

Dear Mr. Slim:

**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, CA92501 (951) 955-5132

Under the delegation of the Riverside County Airport Land Use Commission (ALUC) pursuant to ALUC Resolution No.15-01 (as adopted on August 13, 2015), staff reviewed City of Riverside Case No. P19-0321 (Rezone), a proposal to change the zoning of 4.19 acres located northerly of Spruce Street, westerly of Chicago Avenue and easterly of the 215 freeway, from I-SP - General

Industrial - Specific Plan (Hunter Business Park) Overlay Zones to I-BSR-SP - General Industrial - Business Support Retail - Specific Plan (Hunter Business Park) Overlay Zones.

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 ("March ALUCP").

This finding of consistency relates to airport compatibility issues and does not necessarily constitute an endorsement of this rezone. Both the existing and proposed zoning are consistent, as the site is located within Airport Compatibility Zone E, where non-residential intensity and residential density are not restricted.

If you have any questions, please contact Paul Rull, ALUC Principal Planner, at (951) 955-6893.

**WWW.ICSILLCOOK** 

Sincerely,

RIVERSIDE COLINTY AIRPORT LAND USE COMMISSION

Simon A. Housman, ALUC Director

Attachments: Notice of Airport in Vicinity

Scott Yocum, 21<sup>st</sup> Amendment Ventures, LLC/Limited Liability Calabrians, LLC
 Doug Magnon, Nova Building (property owner)
 Gary Gosliga, Airport Manager, March Inland Port Airport Authority
 Daniel "Rock" Rockholt, March Air Reserve Base
 ALUC Case File

Y:\AIRPORT CASE FILES\March\ZAP1372MA19\ZAP1372MA19.LTR CZ.doc

### AIRPORT LAND USE COMMISSION **RIVERSIDE COUNTY**



July 11, 2019

Mr. Nazir Slim, Associate Planner

City of Riverside Community & Economic Development Department: Planning Division

3900 Main Street, 3rd Floor Steve Manos Lake Elsinore

Riverside CA 92522

**VICE CHAIR Russell Betts Desert Hot Springs** 

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW -DIRECTOR'S DETERMINATION

**COMMISSIONERS** 

Arthur Butler Riverside

CHAIR

File No.: Related File No.: ZAP1372MA19 (letter 2 of 2)

P19-0322 (Conditional Use Permit)

APN:

210-110-042

John Lyon Riverside

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 Lemon St., 14th Floor. Riverside, CA 92501 (951) 955-5132 Dear Mr. Slim:

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 Riverside Case No. P19-0322 (Conditional Use Permit), a proposal to establish a brewpub facility within an existing 15,300 square foot warehouse building on 4.19 acres located at 1751 Spruce Street (on the northerly side of Spruce Street, westerly of Chicago Avenue, and easterly of the 215 freeway). The applicant also proposes Variances to allow the sale of alcohol within 600 feet of a school (P19-0323) and to reduce the number of parking spaces below the City's minimum requirement (P19-0324).

The site is located within Airport Compatibility Zone E of the March Air Reserve Base/Inland Port Airport Influence Area (AIA). Within Compatibility Zone E of the March Air Reserve Base/Inland Port AIA, non-residential intensity is not restricted. As no calculation of occupancy or intensity is required to determine consistency with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan for properties in Compatibility Zone E, the proposed reduction in the number of parking spaces has no effect on such a determination. Therefore, ALUC review of City Case No. P19-0324 is not required.

www.rcaluc.org

The elevation of the site is more than 600 feet lower than the elevation of March's Runway 14-32 at its northerly terminus (approximately 1,535 feet above mean sea level). The site is located more than 29,300 feet from the runway at Riverside Municipal Airport. Flabob Airport is approximately 16,200 feet away, but as Flabob's runway does not exceed a length of 3,200 feet, the notice radius for that airport is only 10,000 feet, and the notice surface is evaluated on the basis of a 50:1 slope rather than a 100:1 slope. Furthermore, no new building is proposed. Therefore, Federal Aviation Administration Obstruction Evaluation Service review for height/elevation reasons was not required.

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 Riverside applies the following recommended conditions:

### AIRPORT LAND USE COMMISSION

### **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 shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris centers, 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 potential purchasers of the property and to tenants and/or lessees of all structures thereon.
- 4. No new aboveground detention or water quality basins are proposed through this application, but any such new facilities on the site shall be designed and maintained to provide for a maximum 48-hour detention period following the design storm and to remain totally dry between rainfalls. Vegetation in and around the detention/water quality basin(s) that would provide food or cover for birds would be incompatible with airport operations and shall not be utilized in project landscaping.

This finding of consistency relates to airport compatibility issues and does not necessarily constitute an endorsement of this particular use of the property. The Variance regarding distance from the school does not relate to height or intensity of use. Therefore, ALUC review of City Case No. P19-0323 is not required, and ALUC takes no position on that matter.

If you have any questions, please contact Paul Rull, ALUC Principal Planner, at (951) 955-6893.

### AIRPORT LAND USE COMMISSION

Sincerely,

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Simon A. Housman, ALUC Director

Attachment: Notice of Airport in Vicinity

cc: Scott Yocum, 21st Amendment Ventures, LLC/ Limited Liability Calabrians, LLC

Doug Magnon, Nova Building

Gary Gosliga, Airport Manager, March Inland Port Airport Authority

Daniel "Rock" Rockholt, March Air Reserve Base

ALUC Case File

Y:\AIRPORT CASE FILES\March\ZAP1372MA19\ZAP1372MA19.LTR CUP.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 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)

AN BERNARDING COUNTY

RESERVOIR

SEE INSET AT RIGHT

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

LEGEND

Zone A

Zone B1

Zone C1

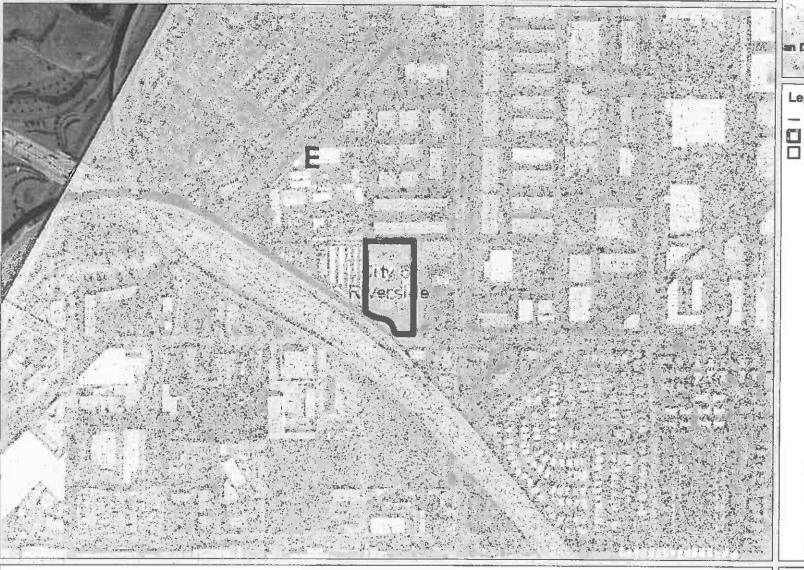
Base map source: County of Riverside 2013



Map MA-1

**Compatibility Map** March Air Reserve Base / Inland Port Airport

### **Map My County Map** " Miuana Legend Runways Airports Airport Influence Areas Airport Compatibility Zones OTHER COMPATIBILITY ZONE A-EXC1 B1-APZ I B1-APZ I-EXC1 B1-APZ II B1-APZ II-EXC1 B1-EXC1 B2-EXC1 С C1 C1-EXC1 C1-EXC3 C1-EXC4 C1-HIGHT 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. 24,254 Feet REPORT PRINTED ON... 6/28/2019 9:21:16 AM Riverside County GIS





### Legend

- Runways

Airports

Airport Influence Areas
Airport Compatibility Zones

OTHER COMPATIBILITY ZONE

A

A-EXC1

D4

B1-APZ I

\_...\_

B1-APZ I-EXC1

B1-APZ II

B1-APZ II-EXC1

B1-EXC1

B2

B2-EXC1

С

C1

C1-EXC1

C1-EXC3

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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 offen 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.

Notes

758

1,516 Feet

REPORT PRINTED ON.,, 6/28/2019 9:19:47 AM

© Riverside County GIS



# **Map My County Map** Los Angeles Legend **Blueline Streams** City of Jurupa Valley City Areas World Street Map City of ... Morenio Valley \*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 Notes 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... 6/28/2019 9:22:15 AM C Riverside County GIS





### Legend

- Blueline Streams
- City Areas World Street Map





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Riverside County GIS

Notes





### Legend

Blueline Streams

City Areas

World Street Map





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@ Riverside County GIS





### 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.

Notes

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© Riverside County GIS

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DATE: JULY 2019

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### **RESOLUTION NO. 21797**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING THE HUNTER BUSINESS PARK SPECIFIC PLAN TO ESTABLISH A BUSINESS SUPPORT OVERLAY LAND USE DESIGNATION TO ALLOW CERTAIN COMMERCIAL USES.

WHEREAS, an application was initiated by the City of Riverside designated as Case P07-1143, to amend the Hunter Business Park Specific Plan to establish a Business Support Overlay land use designation to allow certain commercial uses, and to remove the size limitation for small fitness facilities; and

WHEREAS, the Planning Commission of the City of Riverside, California, advertised for and held a public hearing on February 5, 2009, to consider a proposed amendment to the Hunter Business Park Specific Plan (Case No. P07-1143) to amend the Hunter Business Park Specific Plan to establish a Business Support Overlay land use designation to allow certain commercial uses, and to remove the size limitation for small fitness facilities and thereupon recommended to the City Council that the amendment proposed by Case No. P07-1143 would not have a significant effect on the environment and that the amendment be approved; and

WHEREAS, the City Council of the City of Riverside advertised for and held a public hearing on March 17, 2009, to consider Case No. P07-1143; and

WHEREAS, the City Council received and considered the reports and recommendation from the Planning Commission and all other testimony, whether written or oral, presented at the public hearing;

NOW, THEREFORE, BE IT RESOLVED, FOUND AND DETERMINED by the City Council of the City of Riverside, California, as follows:

Section 1: Incorporating the findings set forth above and in the documents and reports for Planning Case No. P07-1143, it is in the public interest to amend the Hunter Business Park Specific Plan to establish a Business Support Overlay land use designation to allow certain commercial uses, and to remove the size limitation for small fitness facilities.

Section 2: It is the independent judgment of the City Council that the amendment to the Hunter Business Park Specific Plan will not have a significant effect on the environment based on the findings set forth in the case record, and hereby adopts a Negative Declaration.

Section 3: Section III, Table III-1: Land Use Matrix of the Hunter Business Park Specific Plan is amended to include the following remarks in Notes: Business Support Retail Overlay Zone may be applied to a specific property subject to the approval of a Rezoning request, in accordance with Chapter 19.180 of the Municipal Code. See Section III F. of the Specific Plan for list of Permitted Uses, as described in Exhibit "A", attached hereto and incorporated herein.

Section 4: Section III F. of the Hunter Business Park Specific Plan is amended in part to remove the size limitation for small fitness facilities as described in Exhibit "B", attached hereto and

Section 5: The amendment adopted by this resolution shall be integrated into the adopted Hunter Business Park Specific Plan document and shall be noted on the appropriate specific plan and general plan maps previously adopted by the City Council as appropriate.

ADOPTED by the City Council this 24th day of March, 2009.

Mayor of the City of Riverside

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### F. Hunter Business Park Business Support Retail "BSR" Overlay District

The Business Support Retail Overlay District is primarily intended to allow for support retail uses in areas generally located along arterial streets within centralized locations accessible to the industrial businesses and visitors doing business in the Hunter Park. The application of the BSR Overlay District shall require a Rezoning request, in accordance with Section 19.810 of the Municipal Code.

The following uses shall be allowed in addition to all other uses permitted by the underlying land use district within the Hunter Business Park Specific Plan:

- 1. Office Supply Retail
- 2. Cell Phone Retailers
- 3. Computer Sales/Repair
- 4. Banks and Financial Institutions
- 5. Dry Cleaning
- 6. Shoe Repair
- 7. Florist
- 8. Postal Services
- 9. Bakery
- 10. Beauty/Barber Shop
- 11. Day Spa
- 12. Medical Supplies
- 13. Photographic/Camera Store
- 14. Nail and Tanning Salons
- 15. Small fitness facilities, not more than 4,000 square-feet in size
- 16. Blueprint Store
- 17. Tailor Shop
- 18. Weight Loss Centers
- 19. Restaurants, excluding drive-thru
- 20. Medical Supply Sales
- 21. Photographic/Camera Shops
- 22. Other similar uses, subject to the approval of the Planning Director

EXHIBIT B

# **Statement of Operations**

**Liquor License:** Type 23 – Microbrewery

Hours of Operation: Sun - Thur (11 am - 10 pm), Fri - Sat (11 am- 12 pm)

Staffing: Slow Hours: 5-7 Staff

Peak Hours: 7-10 Staff

(Front of house shifts commence at 10 am and back of house shifts will start at 8 am, swing shift will commence at 3-5 pm depending on the day)

# **Customer Occupancy Load:**

Interior - 243

Exterior Patio - 68

# **Operations and Scope**

Our mission is to be the first destination brewery in the city of Riverside. This project is similar in nature to successful business models that are seen in Anaheim, LA and San Diego. We will accomplish this by designing a unique, fun, and lively brewpub that will cater to a variety of customers. Beer will be produced at our facility for on-site consumption and off-site distribution. The production floor-plan is being designed to accommodate a phased development once customer demand is established. Additionally, our site will be able to host larger special events such as charities/fundraisers, catering services, holiday celebrations and a variety of entertainment. Lastly, we will have a strong involvement with the community.

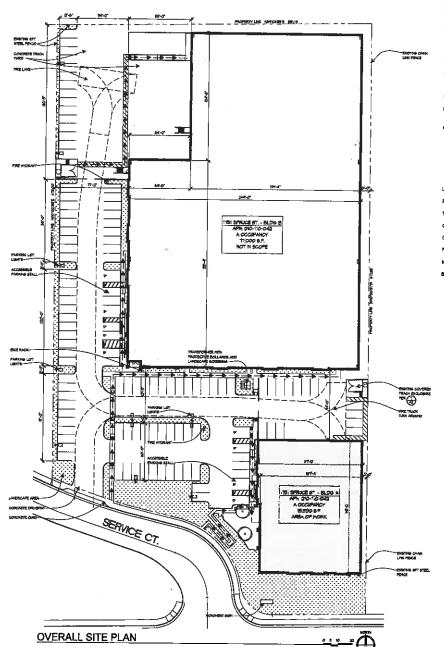
Day to day operations will mostly involve everything related to tasting room and production. All catering, entertainment and special events will require advance notice and will comply with all government regulations. The tasting room floor planned was intended to be as open as possible to allow guest to enjoy a free flowing environment. Customers will have access to:

- Bar: On and off-site sale of beer that is produced in house. To-go beer will be located behind bar in a fridge that will only be accessed by employees and will comply with all ABC regulations. Wine will be served since our establishment will be considered a 'Bona-fide eating place' with the ABC. Lastly, we will provide drink options for the non-alcoholic drinkers.
- <u>Kitchen</u>: Food truck style fare (no food trucks). Customers will receive pager and pick up their food at the order counter.
- Catering room: Guest will have the option to rent out our catering room for any special occasion. Catering room will have full access to kitchen and a separate menu.

- Bathrooms: Multiple female and male stalls with communal sink.
- Patio: Large area with industrial style railing will established the boundaries for the designated drinking areas outside. Patio will be able to connect to tasting room through roll up garage doors.
- Game Area: Corn-hole, shuffle board and various arcade cabinets.
- Seating: Family style tables, lounging chairs, and stools that aren't attached to the bar.
- Entertainment: Live music, sports events, standup comedy, demonstrations, guest speakers and other similar events. Entertainment will only be located in designated area inside tasting room. Furniture will not be moved to create standing room for guest. There will be no stage, tickets or dance floor.
- \* <u>7K SQFT trucking yard:</u> Guest can gain access to the yard though tasting room for our larger special events. The trucking yard gate can be closed off to the parking lot to allow us to control patrons on-site consumption of alcohol for larger special events. City will be allowed to have access to gate when its locked.

All production related areas will be closed off to customers. Any production related tasks that require distribution or delivery vehicles will be conducted before between the hours of 8-11am, Mon-Fri. Hours will change as necessary so that delivery/distribution operations do not interfere with customer traffic. Types of vehicles other than daily commuters that you can expect:

- Mercedes sprinter vans (Main distribution vehicles)
- Freight shipments (For special deliveries that will not occur frequently)
- Trash Truck



#### PROJECT INFORMATION

PROJECT NAME: FOCAL POINT EREMING CO. TITI BPRUGE ST, RIVERSIDE, CA 42507 210-110-042 LEGAL DESCRIPTION L 10 MB 004 036 MILBUR TR Hinter Business Park Specific Plan General Novetrial Byp Eusiness Manifacturing Park 20142 EXISTING USE: EATING AND DRINKING ESTABLISHMENT WITH ACCESSORY BEEN MANUFACTURING PROPOSED USE: 2016 CALIFORNIA BILDING CODE 2016 CALIFORNIA NECHNICAL CODE 2016 CALIFORNIA BILDING CODE 2016 CALIFORNIA BILDING LODE 2016 CALIFORNIA BILDING STANDANIO CODE 2016 CALIFORNIA BIRTAY EFFICIENCY STANDANIO CODE CODES STANDARDS CITY OF RIVERSIDE MUNICIPAL CODE

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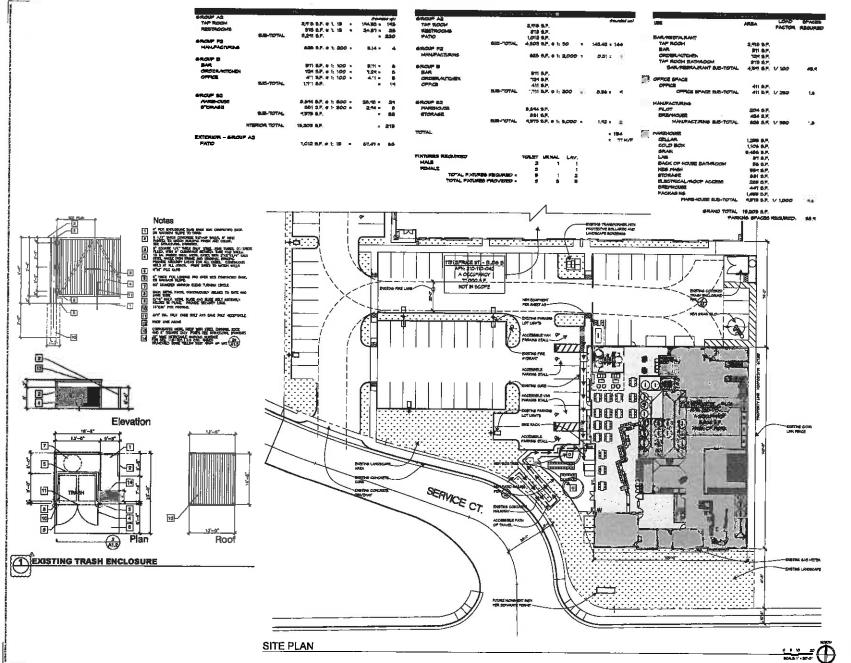
RIVERSIDE, CA 92507

SITE PLAN LEGEND



OVERALL SITE PLAN







SPRUCE ST. BREWERY

1751 SPRUCE ST. RIVERSIDE, CA 92507

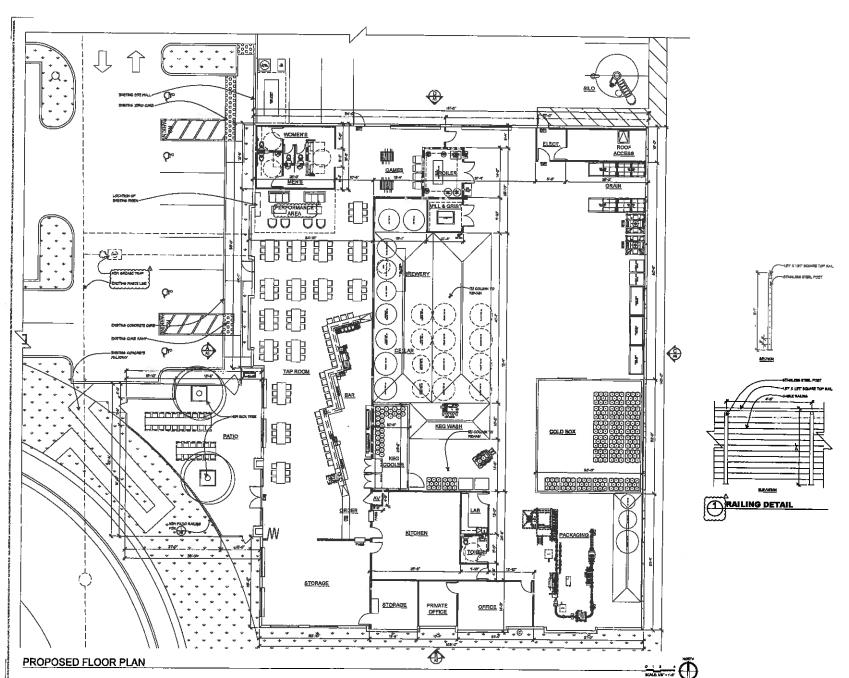
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SITE PLAN







SPRUCE ST. BREWERY

1751 SPRUCE ST. RIVERSIDE, CA 92507

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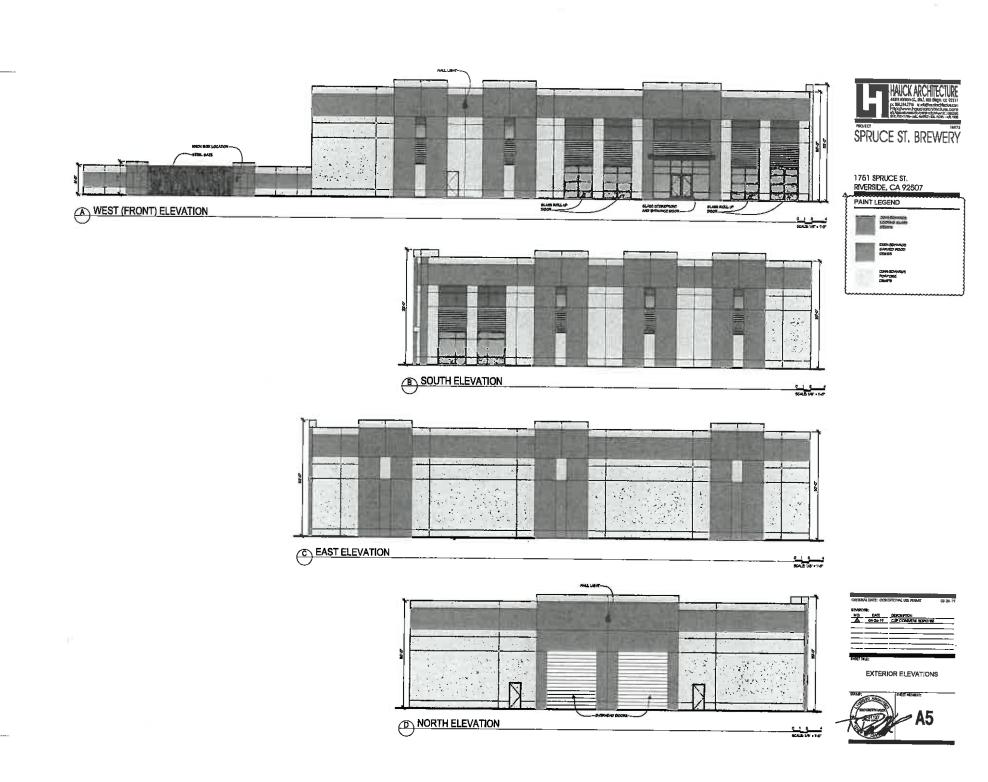
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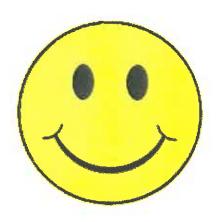


PROPOSED FLOOR PLAN





# PAGE BREAK





Research and Innovative Technology Administration

Aylward, Anne D.; Brecht-Clark, Jan M.; Farley, Audrey L.; Hu, Patricia S.; Ishihara, David S.; Johns, Robert C.; Lang, Steven R.; Partridge, Ellen L.; Schmitt, Rolf R.; Womack, Kevin C.

Saint Lawrence Seaway Development Corporation

Middlebrook, Craig H.; Pisani, Salvatore

[FR Doc. 2013–24813 Filed 10–22–13; 8:45 am] BILLING CODE 4910–9X-P

#### **DEPARTMENT OF TRANSPORTATION**

#### **Federal Aviation Administration**

Interim Policy, FAA Review of Solar Energy System Projects on Federally Obligated Airports

AGENCY: Federal Aviation Administration (FAA), DOT. ACTION: Notice of interim policy; opportunity to comment.

**SUMMARY:** This notice establishes interim FAA policy for proposals by sponsors of federally obligated airports to construct solar energy systems on airport property. FAA is adopting an interim policy because it is in the public interest to enhance safety by clarifying and adding standards for measuring ocular impact of proposed solar energy systems which are effective upon publication. FAA will consider comments and make appropriate modifications before issuing a final policy. The policy applies to any proposed on-airport solar energy system that has not received from the FAA either an unconditional airport layout plan approval or a "no objection" finding on a Notice of Proposed Construction or Alteration Form 7460 - 1.

**DATES:** The effective date of this interim policy is October 23, 2013.

Comments must be received by November 22, 2013.

ADDRESSES: You can get an electronic copy of the interim policy and the comment form on the FAA Airports Web site at http://www.faa.gov/airports/environmental/.

You can submit comments using the Comments Matrix, using any of the following methods:

Electronic Submittal to the FAA: Go to http://www.faa.gov/airports/environmental/ and follow the instructions for sending your comments electronically.

Mail: FAA Office of Airports, Office of Airport Planning and Programming,

Routing Symbol APP-400, 800 Independence Avenue SW., Room 615, Washington, DC 20591. Please send two copies.

Fax: 1-202-267-5302.

Hand Delivery: To FAA Office of Airports, Office of Airport Planning and Programming, Routing Symbol APP– 400, 800 Independence Avenue SW., Room 615, Washington, DC 20591; between 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays. Please provide two copies.

For more information on the notice and comment process, see the **SUPPLEMENTARY INFORMATION** section of this document.

Privacy: We will post all comments we receive, without change, to http://www.faa.gov/airports/environmental/, including any personal information you provide.

Comments Received: To read comments received, go to http://www.faa.gov/airports/environmental/at any time.

FOR FURTHER INFORMATION CONTACT: Ralph Thompson, Manager, Airport Planning and Environmental Division, APP-400, Federal Aviation Administration, 800 Independence Ave. SW., Washington, DC 20591, telephone (202) 267-3263; facsimile (202) 267-5257; email: ralph.thompson@faa.gov. SUPPLEMENTARY INFORMATION: The FAA invites interested persons to join in this notice and comment process by filing written comments, data, or views. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data.

#### **Availability of Documents**

You can get an electronic copy of this interim policy by visiting the FAA's Airports Web page at http://www.faa.gov/airports/environmental/.

#### **Authority for the Policy**

This notice is published under the authority described in Subtitle VII, part B, chapter 471, section 47122 of title 49 United States Code.

#### Background

There is growing interest in installing solar photovoltaic (PV) and solar hot water (SHW) systems on airports. While solar PV or SHW systems (henceforth referred to as solar energy systems) are designed to absorb solar energy to maximize electrical energy production or the heating of water, in certain situations the glass surfaces of the solar energy systems can reflect sunlight and produce glint (a momentary flash of bright light) and glare (a continuous source of bright light). In conjunction

with the United States Department of Energy (DOE), the FAA has determined that glint and glare from solar energy systems could result in an ocular impact to pilots and/or air traffic control (ATC) facilities and compromise the safety of the air transportation system. While the FAA supports solar energy systems on airports, the FAA seeks to ensure safety by eliminating the potential for ocular impact to pilots and/or air traffic control facilities due to glare from such projects.

The FAA established a crossorganizational working group in 2012, to establish a standard for measuring glint and glare, and clear thresholds for when glint and glare would impact aviation safety. The standards that this working group developed are set forth in this notice.

A sponsor of a federally-obligated airport must request FAA review and approval to depict certain proposed solar installations (e.g., ground-based installations and collocated installations that increase the footprint of the collocated building or structure) on its airport layout plan (ALP), before construction begins.1 A sponsor of a federally-obligated airport must notify the FAA of its intent to construct any solar installation 2 by filing FAA Form 7460-1, "Notice of Proposed Construction or Alteration" under 14 CFR Part 77 for a Non-Rulemaking case (NRA) 34. This includes the intent to permit airport tenants, including Federal agencies, to build such

<sup>2</sup> Any solar installation means any ground-based solar energy installation and those solar energy installations collocated with a building or structure (i.e., rooftop installations).

<sup>3</sup> FAA Technical Guidance for Evaluating Selected Solar Technologies on Airports Section 3.1 reads in part "All solar projects at airports must submit to FAA a Notice of Proposed Construction Form 7460 . . .". This section further states "Even if the project will be roof mounted . . . the sponsor must still submit a case" [i.e., file a Form 7460–1].

<sup>4</sup> The requirements of this policy are not mandatory for a proposed solar installation that is not on an airport and for which a form 7460–1 is filed under part 77 and is studied under the Obstruction Evaluation Program. However, the FAA argss proponents of off-airport solar-installations to voluntarily implement the provisions in this policy.

<sup>&</sup>lt;sup>1</sup> FAA Technical Guidance for Evaluating Selected Solar Technologies on Airports, Section 2.3.5, states that "solar installations of any size, located on an airport, that are not collocated on an existing structure (i.e., roof of an existing building) and require a new footprint, need to be shown on the Airport Layout Plan (ALP). Collocated solar installations need to be shown on the ALP only if these installations substantially change the footprint of the collocated building or structure. Available at: http://www.faa.gov/airports/ environmental/policy\_guidance/media/ airport solar guide print.pdf. Title 49 of the United States Code (USC), sec. 47107(a), requires, in part, a current ALP approved by the FAA prior to the approval of an airport development project. See Grant Assurance No. 29, AC No. 150/5070-6B, and FAA Order No. 5100.38.

installations. The sponsor's obligation to obtain FAA review and approval to depict certain proposed solar energy installation projects at an airport is found in 49 U.Ś.C. 47107(a)(16) and Sponsor Grant Assurance 29, "Airport Layout Plan." Under these latter provisions, the sponsor may not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the ALP as approved by the FAA and which might, in the opinion of the FAA, adversely affect the safety, utility or efficiency of the airport.

Airport sponsors and project proponents must comply with the policies and procedures in this notice to demonstrate to the FAA that a proposed solar energy system will not result in an ocular impact that compromises the safety of the air transportation system. This process enables the FAA to approve amendment of the ALP to depict certain solar energy projects or issue a "no objection" finding to a filed 7460-1 form. The FAA expects to continue to update these policies and procedures as part of an iterative process as new information and technologies become available.

Solar energy systems located on an airport that is not federally-obligated or located outside the property of a federally-obligated airport are not subject to this policy. Proponents of solar energy systems located off-airport property or on non-federally-obligated airports are strongly encouraged to consider the requirements of this policy

when siting such systems.

This interim policy clarifies and adds standards for measurement of glint or glare presented in the 2010 Technical Guidance document. Later this year the FAA plans to publish an update to the "Technical Guidance for Evaluating Selected Solar Technologies on Airports," (hereinafter referred to as "Technical Guidance") dated November 2010. This update to the technical guidance will include the standards for measuring glint and glare outlined in this notice. It will also provide enhanced criteria to ensure the proper siting of a solar energy installation to eliminate the potential for harmful glare to pilots or air traffic control facilities.

In advance of the planned update, as part of this Notice, we are clarifying one aspect of the Technical Guidance relating to airport sponsor and FAA responsibilities for evaluating the potential for solar energy systems installed on airports to either block, reflect, or disrupt radar signals, NAVAIDS, and other equipment required for safe aviation operations. Section 3.1 of the Technical Guidance, entitled "Airspace Review," correctly states that this role is exclusively the responsibility of FAA Technical Operations (Tech Ops). However subsection 3.1.3, "System Interference," states: "[s]tudies conducted during project siting should identify the location of radar transmission and receiving facilities and other NAVAIDS, and determine locations that would not be suitable for structures based on their potential to either block, reflect, or

disrupt radar signals."

Reading the two sections together, what is meant is that the airport sponsor, in siting a proposed solar energy system, is responsible for limiting the potential for inference with communication, navigation, and surveillance (CNS) facilities. The sponsor should do so by ensuring that solar energy systems remain clear of the critical areas surrounding CNS facilities. FAA Advisory Circular (AC) 5300–13, "Airport Design," Chapter 6, defines the critical areas for common CNS facilities located on an airport. Sponsors may need to coordinate with FAA Technical Operations concerning CNS facilities not in AC 5300-13. As stated in Section 3.1, the FAA is responsible for evaluating if there are any impacts to CNS facilities. The FAA will conduct this review after the Form 7460-1 is filed for the construction of a new solar energy system installation on an airport. In summary, airport sponsors do not need to conduct studies on their own to determine impacts to CNS facilities when siting a solar energy system on airport. Section 3.1.3 will be revised accordingly in the next version of the Technical Guidance.

#### Interim Policy Statement

The following sets forth the standards for measuring ocular impact, the

required analysis tool, and the obligations of the Airport Sponsor when a solar energy system is proposed for development on a federally-obligated airport.

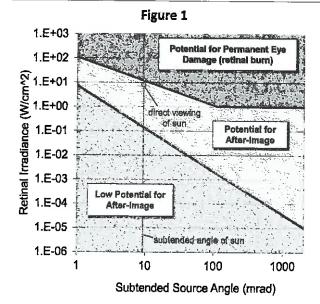
The FAA is adopting an interim policy because it is in the public interest to enhance safety by clarifying and adding standards for measuring ocular impact of proposed solar energy systems. FAA will consider comments and make appropriate modifications before issuing a final policy in a future Federal Register Notice. The policy applies to any proposed solar energy system that has not received unconditional airport layout plan approval (ALP) or a "no objection" from the FAA on a filed 7460-1, Notice of Proposed Construction or Alteration.

#### Standard for Measuring Ocular Impact

FAA adopts the Solar Glare Hazard Analysis Plot shown in Figure 1 below as the standard for measuring the ocular impact of any proposed solar energy system on a federally-obligated airport. To obtain FAA approval to revise an airport layout plan to depict a solar installation and/or a "no objection" to a Notice of Proposed Construction Form 7460-1, the airport sponsor will be required to demonstrate that the proposed solar energy system meets the following standards:

- 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" (shown in green in Figure 1) 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.



Solar Glare Ocular Hazard Plot: The potential ocular hazard from solar glare is a function of retinal irradiance and the subtended angle (size/distance) of the glare source. It should be noted that the ratio of spectrally weighted solar illuminance to solar irradiance at the earth's surface yields a conversion factor of ~100 lumens/W. Plot adapted from Ho et al., 2011.

Chart References: Ho, C.K., C.M. Ghanbari, and R.B. Diver, 2011, Methodology to Assess Potential Glint and Glare Hazards from Concentrating Solar Power Plants: Analytical Models and Experimental Validation, J. Solar Energy Engineering, August 2011, Vol. 133, 031021-1 – 031021-9.

#### Tool To Assess Ocular Impact

In cooperation with the DOE, the FAA is making available free-of-charge the Solar Glare Hazard Analysis Tool (SGHAT). The SGHAT was designed to determine whether a proposed solar energy project would result in the potential for ocular impact as depicted on the Solar Glare Hazard Analysis Plot shown above.

The SGHAT employs an interactive Google map where the user can quickly locate a site, draw an outline of the proposed solar energy system, and specify observer locations (Airport Traffic Control Tower cab) and final approach paths. Latitude, longitude, and elevation are automatically recorded through the Google interface, providing necessary information for sun position and vector calculations. Additional information regarding the orientation and tilt of the solar energy panels, reflectance, environment, and ocular factors are entered by the user.

If glare is found, the tool calculates the retinal irradiance and subtended source angle (size/distance) of the glare source to predict potential ocular hazards ranging from temporary afterimage to retinal burn. The results are presented in a simple, easy-to-interpret plot that specifies when glare will occur

throughout the year, with color codes indicating the potential ocular hazard. The tool can also predict relative energy production while evaluating alternative designs, layouts, and locations to identify configurations that maximize energy production while mitigating the impacts of glare.

Users must first register for the use of the tool at this web address: www.sandia.gov/glare.

#### Required Use of the SGHAT

As of the date of publication of this interim policy, the FAA requires the use of the SGHAT to demonstrate compliance with the standards for measuring ocular impact stated above for any proposed solar energy system located on a federally-obligated airport. The SGHAT is a validated tool specifically designed to measure glare according to the Solar Glare Hazard Analysis Plot. All sponsors of federallyobligated airports who propose to install or to permit others to install solar energy systems on the airport must attach the SGHAT report, outlining solar panel glare and ocular impact, for each point of measurement to the Notice of Proposed Construction Form 7460-1. The FAA will consider the use of alternative tools or methods on a caseby-case basis. However, the FAA must approve the use of an alternative tool or method prior to an airport sponsor seeking approval for any proposed on-airport solar energy system. The alternative tool or method must evaluate ocular impact in accordance with the Solar Glare Hazard Analysis Plot.

Please contact the Office of Airport Planning and Programming, Airport Planning and Environmental Division, APP-400, for more information on the validation process for alternative tools or methods.

Airport sponsor obligations have been discussed above under Background. We caution airport sponsors that under preexisting airport grant compliance policy, failure to seek FAA review of a solar installation prior to construction could trigger possible compliance action under 14 CFR Part 16, "Rules of Practice for Federally-Assisted Airport Enforcement Proceedings." Moreover, if a solar installation creates glare that interferes with aviation safety, the FAA could require the airport to pay for the elimination of solar glare by removing or relocating the solar facility.

Issued in Washington, DC, on September 27, 2013.

#### Benito De Leon,

Director, Office of Airport Planning and Programming.

[FR Doc. 2013-24729 Filed 10-22-13; 8:45 am]

# **DEPARTMENT OF TRANSPORTATION**

#### **Federal Aviation Administration**

# Third Meeting: RTCA Tactical Operations Committee (TOC)

AGENCY: Federal Aviation Administration (FAA), U.S. Department

of Transportation (DOT)

**ACTION:** Third Meeting Notice of RTCA Tactical Operations Committee.

**SUMMARY:** The FAA is issuing this notice to advise the public of the third meeting of the RTCA Tactical Operations Committee.

DATES: The meeting will be held

November 7, 2013 from 9 a.m.—3 p.m.

ADDRESSES: The meeting will be held at RTCA Headquarters, 1150 18th Street NW., Suite 910, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: The RTCA Secretariat, 1150 18th Street NW., Suite 910, Washington, DC 20036, or by telephone at (202) 833—9339, fax at (202) 833—9434, or Web site http://www.rtca.org. Andy Cebula, NAC Secretary can also be contacted at acebula@rtca.org or 202—330—0652.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. No. 92–463, 5 U.S.C., App.), notice is hereby given for a meeting of the Tactical Operations Committee (TOC). The agenda will include the following:

#### November 19, 2013

- Opening of Meeting/Introduction of TOC Members
- Official Statement of Designated Federal Official
- Approval of July 23, 2013 Meeting Summary
- FAA Report
- Notice to Airmen (NOTAM) Activity Prioritization
- Regional Task Groups (RTGs)
- Reports on current activities underway by Regional Task Groups: Eastern, Central, Western
- VHF Omni-directional Range (VOR)
   Minimum Operating Network
- New Tasking: Obstacle Clearance
- Anticipated Issues for TOC consideration and action at the next meeting
- Other Business
- Adjourn

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the person listed in the FOR FURTHER INFORMATION CONTACT section. Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on October 18, 2013.

#### Edith V. Parish,

Senior Advisor, Mission Support Services, Air Traffic Organization, Federal Aviation Administration.

[FR Doc. 2013–24968 Filed 10–22–13; 8:45 am] BILLING CODE 4910–13–P

#### **DEPARTMENT OF TRANSPORTATION**

#### **Federal Aviation Administration**

#### Public Notice for Waiver of Aeronautical Land-Use Assurance

AGENCY: Federal Aviation Administration (FAA), DOT. ACTION: Notice of intent of waiver with respect to land; French Lick Airport; French Lick, Indiana.

SUMMARY: The FAA is considering a proposal to change a portion of airport land from aeronautical use to nonaeronautical use and to authorize the sale of airport property located at French Lick Airport, French Lick. Indiana. The aforementioned land is not needed for aeronautical use. The proposal consists of 18.606 acres located in the southern section of airport property which is not being used by the airport presently. The land is to be sold to Commissioners of Orange County for the construction of County Road CR 300 South/Airport Road to facilitate access to the airport.

**DATES:** Comments must be received on or before November 22, 2013.

ADDRESSES: Documents are available for review by appointment at the FAA Airports District Office, Azra Hussain, Program Manager, 2300 E. Devon Avenue, Des Plaines, Illinois 60018 Telephone: (847) 294–8252/Fax: (847) 294–7046 and Zachary D. Brown, French Lick Municipal Airport, 9764 West County Road 375 South, French Lick, Indiana, 47933.

Written comments on the Sponsor's request must be delivered or mailed to: Azra Hussain, Program Manager, Federal Aviation Administration, Airports District Office, 2300 E. Devon Avenue, Des Plaines, Illinois (847) 294–7046.

FOR FURTHER INFORMATION CONTACT: Azra Hussain, Program Manager, Federal Aviation Administration, Airports District Office, 2300 E. Devon Avenue, Des Plaines, Illinois 60018. Telephone Number: (847) 294—8252/FAX Number: (847) 294—7046.

SUPPLEMENTARY INFORMATION: In accordance with section 47107(h) of Title 49, United States Code, this notice is required to be published in the Federal Register 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose.

The subject land consists of two parcels. Parcel 1 (approx. 16.667 acres) was acquired through the Federal Aid to Airport Program dated July 28, 1963 and Parcel 2 (approx. 1.939 acres) was acquired by the sponsor as part of a larger parcel (approx. 9.97 acres) for the nominal sum of One Dollar and zero cents (\$1.00) on April 19, 2010. The Commissioners of Orange County intend to purchase the property for a nominal sum of One Dollar and zero cents (\$1.00) for the construction of County Road CR 300 South/Airport Road. Construction of the road will facilitate access to the airport. The aforementioned land is not needed for aeronautical use, as shown on the Airport Layout Plan. There are no impacts to the airport by allowing the airport to dispose of the property.

This notice announces that the FAA is considering the release of the subject airport property at French Lick Airport, French Lick, Indiana, subject to easements and covenants running with the land. Approval does not constitute a commitment by the FAA to financially assist in the disposal of the subject airport property nor a determination that all measures covered by the program are eligible for grant-in-aid funding from the FAA. The disposition of proceeds from the sale of the airport property will be in accordance with FAA's Policy and Procedures Concerning the Use of Airport Revenue, published in the Federal Register on February 16, 1999 (64 FR 7696).

Issued in Des Plaines, Illinois on September 30, 2013.

#### Iames Keefer.

Manager, Chicago Airports District Office, FAA, Great Lakes Region.

[FR Doc. 2013-24738 Filed 10-22-13; 8:45 am]

BILLING CODE 4910-13-P





A regular scheduled meeting of the Airport Land Use Commission was held on July 11, 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
Gary Youmans

**COMMISSIONERS ABSENT: None** 

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: Peter Hersh, Riverside County, Planning Department

Miguel Villasenor, Inland Valley Surveying

I. **AGENDA ITEM 2.1**: 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 117.8 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 singlefamily residences. 65 lots will accommodate duplexes (two unit structures). 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 floor area of 34,400 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 Zone D of the Jacqueline Cochran Regional Airport Influence Area). Continued from June 13, 2019.

#### II. 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. ALUC Director Simon Housman requested that Mead & Hunt review the report. Mead & Hunt's initial review indicated that the Mitigation/Management Plan prepared by Whitestar should be amended to be consistent with the recommendations in the biologist's report. The Whitestar report has since been updated to address these recommendations.

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.

The applicant team has provided an open area exhibit. The proposed earthen channels provide 12.5 acres of flat-bottomed open area for emergency landings. These channels will be dry under normal conditions. This is, after all, a desert, with rainfall occurring only rarely (average of nine days per year at the airport).

## III. STAFF RECOMMENDATION

Staff recommends that the Commission open the public hearing, consider public testimony, discuss the proposal, and find the proposed project <u>CONSISTENT</u> with the 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan, as amended in 2006, subject to the conditions included herein.

# IV. PROJECT DESCRIPTION

Tentative Tract Map No. 37269 is a proposal to divide 117.18 239 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 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 net floor area of 34,400 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."

## **CONDITIONS:**

- 1. Any outdoor lighting installed shall be headed 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, or nesting opportunities for birds or other wildlife 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. Club personnel shall receive training from an FAA-qualified wildlife hazard biologist or someone who has received training from an FAA-qualified wildlife hazard biologist through a "Train the Trainer" program or similar.
- 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, "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 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.
- 11. Due to the site's proximity to Jacqueline Cochran Regional Airport, flight of unmanned aerial systems (drones) is height restricted over this site and requires advance coordination with the Federal Aviation Administration for use of airspace. Heights may be restricted to 100 feet.

## V. MEETING SUMMARY

The following staff presented the subject proposal:

Staff Planner: John Guerin at (951) 955-0982, or e-mail at jguerin@rivco.org

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

#### VI. ALUC COMMISSION ACTION

The ALUC by a unanimous vote of 7-0 found the project CONSISTENT.

## VII. VIDEO

The entire discussion of this agenda item is 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 2.1: TIME: 9:31 A.M.

I. AGENDA ITEM 3.1: ZAP1368MA19 – Daniel Duenas (Representative: Miguel A. Villasenor, Inland Valley Surveying) – County of Riverside Case No. PM37627 (Tentative Parcel Map). A proposal to divide a 3.62 gross acre property located at 19655 Camino Del Sol, southerly of Cajalco Road and westerly of Seaton Avenue, into two single-family residential lots. (There are already two homes on the property.) (Airport Compatibility Zone C2 of the March Air Reserve Base/Inland Port Airport Influence Area).

#### II. MAJOR ISSUES

None

## III. STAFF RECOMMENDATION

Staff recommends that the Commission find the proposed Tentative Parcel Map <u>CONSISTENT</u>, subject to the conditions included herein.

#### IV PROJECT DESCRIPTION

The applicant proposes to divide 3.62 gross acres into 2 single family residential lots.

#### **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 attached notice shall be given to all prospective purchasers of the proposed lots and tenants of any dwellings thereon, and shall be recorded as a deed notice prior to or in conjunction with recordation of the final map. In the event that the Office of 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.
- 5. 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 large expanses of contiguous canopy, when mature. Trees and bushes shall not produce fruit, seeds, 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 transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
- 7. Prior to building permit issuance for any additional (new) buildings, the permittee shall have submitted Form 7460-1 to the Federal Aviation Administration Obstruction Evaluation Service and shall have received a "Determination of No Hazard to Air Navigation" letter pertaining to that structure.

#### 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:

Miguel Villasenor, Inland Valley Surveying, 130 Walnut Ave. Perris, CA 92571

No one spoke in neutral or opposition to the project.

# VI. ALUC COMMISSION ACTION

The ALUC by a unanimous vote of 7-0 found the project CONSISTENT.

# VII. VIDEO

The entire discussion of this agenda item is 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 3.1: TIME: 10:30 A.M.

I. AGENDA ITEM 3.2: ZAP1370MA19 – Froylan Damas (Representative: YMW Design, Vanessa Roeder) – County of Riverside Case No. PM37625 (Tentative Parcel Map). A proposal to divide a 3.4 gross acre property located on the southwest corner of Hawthorne Avenue and Carroll Street into 3 single family residential lots (Airport Compatibility Zone C2 High Terrain Zone of the March Air Reserve Base/Inland Port Airport Influence Area).

# II. MAJOR ISSUES

None

#### III. STAFF RECOMMENDATION

Staff recommends that the Commission find the proposed Tentative Parcel Map CONSISTENT, subject to the conditions included herein.

## IV. PROJECT DESCRIPTION

The applicant proposes to divide 3.4 gross acres into 3 single family residential lots.

#### **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 attached notice shall be given to all prospective purchasers of the proposed lots and tenants of any dwellings thereon, and shall be recorded as a deed notice prior to or in conjunction with recordation of the final map. In the event that the Office of 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.
- 5. 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 large expanses of contiguous canopy, when mature. Trees and bushes shall not produce fruit, seeds, 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 transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
- 7. Prior to building permit issuance, the permittee shall have submitted Form 7460-1 to the Federal Aviation Administration Obstruction Evaluation Service and shall have received a "Determination of No Hazard to Air Navigation" letter pertaining to that structure.

## 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 7-0 found the project CONSISTENT.

#### VII. VIDEO

The entire discussion of this agenda item is 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: 10:35 A.M.

I. AGENDA ITEM 3.3: ZAP1089FV19 – MHS 98, LLC (Representative: VSL Engineering) – City of Murrieta Case Nos. GPA2018-1762 (General Plan Amendment), ZC2018-1763 (Zone Change), DP2018-1761 (Development Plan). A proposal to establish a 234 dwelling unit multi-family residential complex on 8.37 acres located northerly of Rising Hill Drive, westerly of Highway 79 Winchester Road, easterly of Date Street, and southerly of Murrieta Hot Springs Road. The applicant also proposes amending the City's General Plan designation of the site from Commercial to Multi-Family Residential and changing the site's zoning from Community Commercial to Multi-Family 3 (Airport Compatibility Zone D of the French Valley Airport Influence Area).

#### II. MAJOR ISSUES

None

# III. STAFF RECOMMENDATION

Staff recommends that the Commission find the proposed General Plan Amendment and Change of Zone <u>CONSISTENT</u> with the 2007 French Valley Airport Land Use Compatibility Plan, as amended in 2011, and find the proposed Development Plan <u>CONSISTENT</u>, subject to the conditions included herein.

#### IV. PROJECT DESCRIPTION

A proposal to establish a 234 dwelling unit multi-family residential complex on 8.37 acres. The applicant also proposes amending the City's General Plan designation of the site from Commercial to Multi-Family Residential and changing the site's zoning from Community Commercial to Multi-Family 3.

#### **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 shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
  - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
  - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides,

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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 provided to all prospective purchasers of the property and future tenants of the proposed buildings, and shall be recorded as a deed notice.
- 4. 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 detention basins 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 so as to prevent large expanses of contiguous canopy, when mature.

#### 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 7-0 found the project CONSISTENT.

# VII. VIDEO

The entire discussion of this agenda item is 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: 10:37 A.M.

I. AGENDA ITEM 3.4: ZAP1078BD19 – Smartlink, LLC (Representative: Chris Doheny) – City of Palm Desert Case No. CUP19-0002. A proposal to establish a 65 foot tall "monopalm" wireless communications facility with a 286 square foot equipment shelter area on 0.71 acres located southerly of Country Club Drive, westerly of Washington Street, and northerly and easterly of Harris Lane (Assessor's Parcel Number 632-070-052) (Airport Compatibility Zone C of the Bermuda Dunes Airport Influence Area).

#### II. MAJOR ISSUES

An original proposal for a 75-foot tall structure was determined to be a hazard to air navigation. The applicant then revised the height to 65 feet. (A temporary 90-foot crane will require marking and lighting and issuance of a Notice to Airmen.)

## III. STAFF RECOMMENDATION

Staff recommends that the Conditional Use Permit be found <u>CONSISTENT</u>, subject to the conditions included herein.

#### IV PROJECT DESCRIPTION

The applicant proposes to establish a 65 foot tall "monopalm" wireless communications facility with a 286 square foot equipment shelter area on 0.71 acre (Assessor's Parcel Number 632-070-052).

#### **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.
- 3. The attached notice shall be given to all prospective purchasers and/or tenants of the property, and shall be recorded as a deed notice.
- 4. The Federal Aviation Administration has conducted an aeronautical study of the proposed wireless facility structure (Aeronautical Study No. 2019-AWP-4372-OE) and has determined that neither marking nor lighting of the structure(s) 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 proposed wireless facility structure shall not exceed a height of 65 feet above ground level and a maximum elevation at top point of 178 feet above mean sea level.
- 6. The maximum height and top point elevation specified above and the coordinates, frequencies, and power specified in the Determination of No Hazard to Air Navigation letter for Aeronautical Study No. 2019-AWP-4372-OE shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in structure height or elevation shall not require further review by the Airport Land Use Commission.
- 7. Within five (5) days after construction of the permanent 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://ocaaa.faa.gov">https://ocaaa.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 applicable structure.
- 8. The Federal Aviation Administration has conducted aeronautical studies of the proposed temporary construction crane structure (Aeronautical Study No. 2019-AWP-4373-OE) and is requiring that it be marked and lighted in accordance with FAA Advisory Circular 70/7460-1 L Change 2, Obstruction Marking and Lighting, flags/red lights Chapter 3 (Marked), 4, 5 (Red), and 12.
- 9. 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.
- 10. The temporary construction crane shall not exceed a height of 90 feet above ground level. The maximum elevation at top point shall not exceed 203 feet above mean sea level (AMSL). The maximum crane height and top point elevation specified above shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in crane height or elevation shall not require further review

by the Airport Land Use Commission.

- 11. At least three (3) business days prior to the erection of the temporary structure/crane, the permittee shall notify the FAA OES during core business hours via telephone at (424) 405-7642 or (424) 405-7643 and the manager of Bermuda Dunes Airport at (760) 345-2558 so that aeronautical procedures can be temporarily modified to accommodate the structure. Specifically, during the time that the crane is in place, the FAA's Flight Procedures Office will need to issue a Notice to Airmen increasing the LNAV MDA from 480 to 520 for pattern RNAV (GPS) RWY 10. Actual voice contact is required. Notification via telephone is required again upon removal of the temporary structure so that the Notice to Airmen may be cancelled.
- 12. Within five (5) days after the temporary crane has been dismantled or removed, 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.)

## 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 7-0 found the project **CONSISTENT**.

#### VII. VIDEO

The entire discussion of this agenda item is 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 3.4 TIME: 10:42 A.M.

I. AGENDA ITEM 3.5: ZAP1038RG19 — City of Menifee (Representative: Lisa Gordon) — Comprehensive Development Code Update and New Zoning Map. A proposal by the City of Menifee to adopt a Comprehensive Development Code, consisting of new Zoning, Subdivision, and Grading Ordinances, and a new Zoning Map to bring zoning of properties into consistency with their General Plan designations. (Compatibility Zones D and E of the March Air Reserve Base/Inland Port Airport Influence Area and Compatibility Zone E of the Perris Valley Airport Influence Area).

## II. MAJOR ISSUES

None

## III. STAFF RECOMMENDATION

Staff recommends that the Commission open the public hearing, consider testimony, and find the proposed Comprehensive Development Code Update and New Zoning Map <u>CONSISTENT</u> with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan and the 2011 Perris Valley Airport Land Use Compatibility Plan.

#### IV PROJECT DESCRIPTION

The City of Menifee proposes to adopt a Comprehensive Development Code, consisting of new Zoning, Subdivision, and Grading Ordinances, and a new Zoning Map to bring zoning of properties in the City into consistency with their General Plan designations.

## V. MEETING SUMMARY

The following staff presented the subject proposal:

Staff Planner: John Guerin at (951) 955-0982, or e-mail at jguerin@rivco.org

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

# VI. ALUC COMMISSION ACTION

The ALUC by a unanimous vote of 7-0 found the project CONSISTENT.

#### VII. VIDEO

The entire discussion of this agenda item is 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: 10:46 A.M.

AGENDA ITEM 3.6: ZAP1039RG19 - County of Riverside (Representatives: Robert Flores and I. Peter Hersh, Riverside County Planning Department) - County of Riverside Planning Case No. CZ 190012 (Ordinance Amendment). A County-initiated proposal to amend Ordinance No. 348 to comply with State law and implement the 2018 Eight Year Action Plan Update included in the Riverside County General Plan's Housing Element. Certification of the Housing Element by the State of California Housing and Community Development was contingent in part upon adoption of these follow-up ordinance changes. This amendment would: (1) allow up to 12 units or spaces for use by a single family or household, or a group quarters with up to 36 beds, as a "by-right" permitted use on any lot zoned R-R, R-A, A-1, A-2, A-P, A-D, C-V, WC-W, WC-WE, WC-E or WC-R; (2) amend the permitted uses and development standards of the R-7 and MU zones; (3) revise Section 18.18 regarding accessory structures; (4) change references to "second units" to "accessory dwelling units," amend the development standards for these units to comply with State law, and allow them as a "by-right" use, except in prohibited areas; (5) incorporate provisions and procedures to allow for density bonuses; (6) clarify that supportive and transitional housing is to be allowed on the same basis as any other housing units; (7) define single room occupancy units and allow them with a conditional use permit in the C-1/C-P and MU zones; and (8) add definitions of "accessory dwelling unit," "employee housing," "supportive housing," and "transitional housing." (Countywide).

# II. MAJOR ISSUES

The ordinance amendment would provide for employee housing as a "by-right" permitted land use within agricultural zones to comply with State law. This presents a concern in that agricultural zoning exists in close proximity to airports, where Compatibility Plan criteria may prohibit housing or restrict densities.

## III. STAFF RECOMMENDATION

Staff recommends that the Commission open the public hearing, consider testimony, and find the proposed ordinance amendment <u>CONSISTENT</u> with the 2004 Riverside County Airport Land Use Compatibility Plan and with all applicable individual Airport Land Use Compatibility Plans applicable to unincorporated areas, provided that proposals for employee housing in Airport Influence Areas are referred to ALUC staff for statements as to consistency or inconsistency with applicable Compatibility Plans prior to acceptance of building plans.

#### IV. PROJECT DESCRIPTION

The County of Riverside proposes to amend Ordinance No. 348 to comply with State law and implement the 2018 Eight-Year Action Plan Update included in the Riverside County General Plan's Housing Element. Certification of the Housing Element by the State of California Department of Housing and Community Development was contingent in part upon adoption of these follow-up ordinance changes. This amendment would: (1) allow up to 12 units or spaces for use by a single family or household, or a group quarters with up to 36 beds, as a "by-right" permitted use on any lot zoned R-R, R-A, A-1, A-2, A-P, A-D, C-V, WC-W, WC-WE, WC-E, or WC-R; (2) amend the permitted uses and development standards of the R-7 and MU zones; (3) revise Section 18.18 regarding accessory structures; (4) change references to "second units" to "Accessory dwelling units," amend the development standards for these units to comply with State law, and allow them as a "by-right" use, except in prohibited areas; (5) incorporate provisions and procedures to allow for density bonuses; (6) clarify that supportive and transitional housing is to be allowed on the same basis as any other housing units; (7) define single-room occupancy units and allow them with a conditional use

permit in the C-1/C-P and MU zones; and (8) add definitions of "accessory dwelling unit," "employee housing," "supportive housing," and "transitional housing."

# V. MEETING SUMMARY

The following staff presented the subject proposal:

Staff Planner: John Guerin at (951) 955-0982, or e-mail at jguerin@rivco.org

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

Peter Hersh, Riverside County Planning Department, 4080 Lemon Street, Riverside, CA

No one spoke in favor or opposition to the project.

# VI. ALUC COMMISSION ACTION

The ALUC by a vote of 5-1 found the project **CONSISTENT**. Commissioner Betts dissenting; Absent: Commissioner Youmans

#### VII. VIDEO

The entire discussion of this agenda item is 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: 10:49 A.M.

# I. 4.0 ADMINISTRATIVE ITEMS

- 4.1 <u>Director's Approvals</u> Information only
- 4.2 <u>Election of Commission Officers</u>

The ALUC by a vote of 6-0 reelected Chair Steve Manos and Vice Chair Russell Betts. Absent: Youmans

4.3 Resolution No. 2019-03 (Document Retention Policy)

The ALUC by a vote of 6-0 approved Resolution No. 2019-03. Absent: Youmans

# II. <u>5.0 APPROVAL OF MINUTES</u>

The ALUC by a unanimous vote of 6-0 approved the June 13, 2019 minutes. Absent: Youmans

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

None

# IV. 7.0 COMMISSIONER'S COMMENTS

None

# V. <u>8.0 ADJOURNMENT</u>

Steve Manos, Chairman adjourned the meeting at 11:44 a.m.

#### VI. VIDEO

The entire discussion of this agenda item is 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: 10:35 A.M.