

California Department of Transportation

AERONAUTICS PROGRAM
DIVISION OF TRANSPORTATION PLANNING
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June 24, 2024

Veronica Hernandez
Senior Planner

Electronically Sent: <vhernandez@riversideca.gov>

City of Riverside, Community and Economic Development, Planning Division
3900 Main Street, 3rd Floor
Riverside, CA 92522

Re: SCH #2022100610 – Mission Grove Apartments

Dear Ms. Hernandez:

The California Department of Transportation, Caltrans Aeronautics has reviewed the Draft Environmental Impact Report for the Mission Grove Apartments. One of the goals of the California Department of Transportation, Aeronautics Program, is to assist cities, counties, and Airport Land Use Commissions (ALUC) or their equivalent, to understand and comply with the State Aeronautics Act pursuant to the California Public Utilities Code (PUC), Section 21001 et seq. Caltrans encourages collaboration with our partners in the planning process and thanks you for including the Aeronautics Program in the review of the Draft Environmental Impact Report.

The proposal is for a total of 347 studio, one-, two-, and three-bedroom residential apartment units within five, 4-story buildings on 9.92 acres. The project will include indoor amenities including a leasing office, clubroom, fitness center, and outdoor amenities including a pool and spa, outdoor seating and dining areas, and a dog park. The project site is located approximately 3.2 miles of the March Air Reserve Base/Inland Port Airport.

In accordance with CEQA, Public Resources Code Section 21096, the California Airport Land Use Planning Handbook (Handbook) must be utilized as a resource in the preparation of environmental documents for projects within airport land use compatibility plan boundaries, or if such a plan has not been adopted, within two miles of an airport. The Handbook is a resource for all public use airports and is available online at: <https://dot.ca.gov/-/media/dot-media/programs/aeronautics/documents/californiaairportlanduseplanninghandbook-ally.pdf>

Safety Compatibility Policies

The proposed Project site is in Compatibility Zone C2 (Flight Corridor Zone) and the airport influence area (AIA), of the March Air Reserve Base/Inland Port Airport and therefore must adhere to the safety criteria and restrictions defined in the Airport Land Use Compatibility Plan (ALUCP) adopted by the ALUC pursuant to the PUC, Section 21674. The City of Riverside should

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consider Compatibility Zone C2 Compatibility policies stipulated in the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan.

The Riverside County ALUC deemed this Project inconsistent on September 14, 2023, due to incompatibility with the residential density criteria of the safety zones. The Project's proposed residential density of 35.0 du/ac exceeds the maximum allowable residential density for Zone C2, which is 6.0 du/ac as defined in the ALUCP. County Wide Policy 3.3.1, which allows for greater densities in infill areas, would significantly exceed the densities outlined for the airport safety zones. These actions would be inconsistent with various policies within the ALUCP, which aim to reduce potential hazards from flight accidents and promote general public health and welfare. It should also be noted that the United States Air Force supported the ALUC's recommendation of inconsistency due to concerns regarding the proposed increased density. Caltrans Aeronautics encourages the consideration of a Proposed Project Alternative that allows for residential development in compliance with the ALUCP compatibility policies.

Amending a General Plan / General Plans

Per the California Public Utilities Code Section 21001 et seq. relating to the State Aeronautics Act, Section 21676(b) prior to the amendment of a general plan...within the planning boundary established by the airport land use commission pursuant to Section 21675, the local agency shall first refer the proposed action to the commission. If the commission determines that the proposed action is inconsistent with the commission's plan, the referring agency shall be notified. Any proposed development in the defined safety zones, therefore, must adhere to the safety criteria and restrictions defined in the Airport Land Use Compatibility Plan(s) adopted by the ALUC pursuant to the PUC, Section 21674.

Basic Statement of Compatibility Concerns (Hazards to Flight)

The project also proposes 40,000 square feet of solar panel area on the building's rooftops and carports in Zone C2 of the ALUCP. Compatibility concerns regarding airport obstructions and hazards to flight (such as wildlife attractants, lighting, or glare i.e., solar, etc.) should be considered. Moreover, proposed structures that exceed FAA Regulations Part 77 height criteria are subject to an Obstruction Evaluation/Airspace Analysis for determination.

An ALUCP is crucial in minimizing noise nuisance and safety hazards around airports while promoting the orderly development in the vicinity of airports, as declared by the California Legislature. A responsibility of the ALUC is to assess potential risk to aircraft and persons in airspace and people occupying areas within the vicinity of the airport. The intent to overrule the ALUCP should not be taken lightly, and projects should be compliant with state and federal regulations. PUC Section 21675.1 (f) provides: "If a city or county overrules the commission pursuant to subdivision (d) with respect to a publicly owned airport that the city or county does not operate, the operator of the airport is not liable for damages to property or personal injury resulting from the city's or county's decision to proceed with the action, regulation, or permit."

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These comments reflect the areas of review by Caltrans Aeronautics with respect to airport related noise, safety, and land use planning issues. Thank you for the opportunity to review and comment. If you have any questions, please contact me by email at vincent.ray@dot.ca.gov.

Sincerely,

Vincent Ray

Vincent Ray
Aviation Planner

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