



# RIVERSIDE COUNTY PLANNING DEPARTMENT

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## FILING INSTRUCTIONS FOR SUBSTANTIAL CONFORMANCE APPLICATION FOR LAND USE

The following instructions are intended to provide the necessary information and procedures to facilitate the processing of a Substantial Conformance application. Cooperation with these instructions will insure that the application can be processed in the most expeditious manner possible.

### THE SUBSTANTIAL CONFORMANCE FILING PACKAGE MUST CONSIST OF THE FOLLOWING:

1. A completed and signed application form; with attachment, if necessary.
2. A current legal description for each property involved as recorded in the Office of the County Recorder. If the property involved is owned by a corporation, limited liability company (LLC), partnership, trust, or similar entity, appropriate documentation will be required to provide proof that the person(s) signing on behalf of said entity is properly authorized to do so.
3. A scaled Exhibit "A" (Site Plan) of the entire project boundary (e.g. all of a shopping center even if the substantial conformance is only for one store within a shopping center).
4. If the proposed substantial conformance affects any buildings or structures, scaled building floor plan(s) (Exhibit "C") and elevation(s) (Exhibit "B").
5. A minimum of three ground-level panoramic photographs (color) clearly showing the whole project site. Include a locational map identifying the position from which the photos were taken and the approximate area of coverage of each photograph.
6. A completed and signed [Land Use and Permit Application Processing Agreement](#).
7. Digital copies of the all the above listed items in a format acceptable to the Planning Department (e.g. PDF).
8. Initial payment of Deposit-based fee for a Substantial Conformance application.

For assistance in the preparation of any of these forms, please contact the Transportation and Land Management Agency (TLMA) Ombudsman staff. Click on the following link <http://rctlma.org/Departments/Administrative-Services/Ombudsman> for more information.

### CRITERIA FOR REVIEW FOR SUBSTANTIAL CONFORMANCE

A Substantial Conformance application can be used to modify an approved, valid, permit, such as a plot plan, conditional use permit, public use permit, second unit permit, variance, surface mining permit,

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reclamation plan, or wind energy conversion systems permit (WECS), provided the current and/or proposed use is in conformance with the subject site's zoning classification and General Plan designation. A Substantial Conformance application **cannot** be used to modify a valid approved tentative parcel map or tentative tract map.

A Substantial Conformance is a request for a non-substantial modification of an approved permit that does not change the original approval or the effect of the approval on surrounding property. A Substantial Conformance may include, but is not limited to, modifications for upgrading facilities, modifications for compliance with the requirements of other public agencies, modifications necessary to comply with final conditions of approval, or modifications to on-site circulation and parking, lighting, fencing or walls, landscaping and/or signage requirements, provided that said modifications, as determined by the Planning Director, will have no adverse effect upon public health, safety, welfare, and/or the environment.

Procedures for processing a Substantial Conformance require the Planning Director to approve, conditionally approve, or disapprove an application for Substantial Conformance within 30 days after accepting a completed application, and give notice by mail of the decision, including any additional conditions of approval, to the applicant or any other person who has filed a written request for notice. The Planning Director's determination shall be based upon the standards set forth in Ordinance No. 348 for the approval of the original application. An application of Substantial Conformance shall not require a public hearing.

### **ADDITIONAL SUBMITTAL REQUIREMENTS FOR THE FOLLOWING APPLICATION TYPE:**

#### **COLLOCATIONS ON WIRELESS COMMUNICATION FACILITIES**

1. Completed Application form. Under the "Project Information" section, indicate that this proposal is being submitted as a "collocated wireless communication facility." Specify whether the proposed collocation is on a wireless communication tower or on a base station and whether it is on a concealed wireless communication facility, a disguised wireless communication facility, or an "other wireless communication facility." Include a description of any proposed increase in height, width, or number of cabinets as compared to the facility (1) as originally approved or (2) on February 22, 2012, whichever is later.
2. An application for the existing wireless communication tower or base station on which the collocation is to take place, its Case No(s)., and its E.A. No. (as well as EIR No., if any). If any subsequent entitlements were approved, a copy of any applications, Case No(s). and E.A. No(s). (and EIR No(s)., if any), as well. (If there are no previous entitlements, complete the Application for Land Use Project instead of this application.)
3. Scaled Site Plan, prepared by a California licensed land surveyor or registered civil engineer, showing all of the required items provided for in Section 19.409 of Ordinance No. 348; as well as those listed items (within the applicable case type column) identified on the matrix below.
4. Scaled Elevations and Floor Plan, if applicable, of the proposed structure or equipment shelter or cabinets, including a depiction of any proposed height or width increases.

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5. The following information, as required by the Riverside County Information Technology/ Communications Bureau/Engineering Division's Site Planning Criteria, shall be provided either on the site plan exhibit(s), or under separate attachment:
  - A. Identify specific frequencies to be licensed with the Federal Communications Commission (FCC).
  - B. Identify aggregate sector Effective Radiated Power (ERP) to be licensed.
  - C. Identify Antenna(s) model/ gain; Height Above Ground (AGL).
  - D. Identify site Coordinates (Latitude/Longitude) in NAD83; site Above Mean Sea Level (AMSL).
  - E. Provide the Radio Frequency (RF) field strength intensity in terms of dbm/dbu (standard power parameters), and minimum power level required to achieve desired level of reliability for RF coverage.
  - F. Provide RF propagation coverage maps with legend depicting field strength intensity specifications in dbm/dbu, coordinates, main thoroughfares/key landmarks. Ensure that the maps are designed to enhance understanding of the proposal by the Planning Department.
  - G. Provide RF propagation maps which depict the existing field strength in and around the proposed new site, and depict a composite map showing field strength with the new site operational. Provide similar RF propagation maps with the proposed facility located 10 feet below the proposed height.
  - H. Conduct RF intermodulation/interference studies for facilities within 2,500 feet or co-located with County Public Safety radio communications sites. Carriers operating in the 800 MHz Band will acknowledge that their respective applications will be conditioned to require mitigation of any RF interference impacting County Public Safety radio communications.
  - I. Certify Federal Aviation Administration (FAA) Studies and FCC tower registration completion for sites in close proximity to County airports.
6. For concealed and disguised facilities, photo simulations showing the proposed facility from all public roads and all residential developments within a ½ mile radius of the site.
7. A letter stating whether Federal Aviation Administration (FAA) clearance is required. If FAA clearance is required, a letter stating the type of lighting necessary and the tower color.
8. A letter of authorization from the owner of the existing wireless communications tower or base station on which the collocation will occur.
9. Initial payment of Deposit-based fee for a Substantial Conformance application.

Collocated wireless communication facilities may be located in any zone classification. However, a proposed collocation will not be approved if the underlying tower or base station was never the subject of a prior discretionary approval or if the Planning Director determines that it conflicts with any condition of approval for the existing wireless communication tower or base station or condition of approval for any subsequent modifications thereto. The application must also meet the processing requirements, as well as the location and development standards, set forth in Article XIXg (Wireless Communication Facilities)

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of Ordinance No. 348 (except any limitations on height or width that conflict with the Spectrum Act) and the Requirements for Approval set forth in Section 18.30 of Ordinance No. 348. The applicant must also agree to incorporate all applicable mitigation measures, if any, required in the CEQA document prepared for the underlying wireless communication tower or base station. If the proposed collocation fails to meet any of the above requirements, it does not meet the definition of a collocation under the Spectrum Act and this application will not be approved. However, in that situation, the applicant may instead elect to complete and process an Application for Land Use Project.

An application for a collocation on a concealed or disguised wireless communication facility will not be approved if the Planning Director determines that the collocation defeats the concealment elements of the existing wireless facility. An application for a collocation on a concealed wireless communication facility shall not be approved unless: (1) the facility, including the collocated equipment, is designed so that it is not visible at all, or, if visible, it is not recognizable as a wireless communication facility and (2) any supporting equipment is located entirely within an equipment enclosure that is architecturally compatible with the surrounding area or is screened from view.

C U P	C U M H R V	P P	P U P	T U P	V A R	
						CUP = Conditional Use Permit CUMHRV = Conditional Use - Mobilehome/RV PP = Plot Plan PUP = Public Use Permit TUP = Temporary Use Permit VAR = Variance or Collocation on Wireless Facilities
X	X	X	X	X	X	1. Name, address, telephone number, and email of applicant, the land owner(s), and exhibit preparer.
X	X	X	X	X	X	2. Assessor's Parcel Numbers and, if available, address of the property.
X	X	X	X	X	X	3. Scale (number of feet per inch) use Engineer's Scale for all maps/exhibits. Architect's scale is only acceptable for floor plans, elevations, and landscape plans.
X	X	X	X	X	X	4. North arrow.
X	X	X	X	X	X	5. Date exhibit prepared.
X	X	X	X	X	X	6. Title of Exhibit (i.e. "Substantial Conformance to Plot Plan No.", "Substantial Conformance to Conditional Use Permit No.", etc.).
X	X	X	X	X	X	7. A detailed project description, identifying existing and proposed buildings, structures and uses being affected by the Substantial Conformance application.
X	X		X	X	X	8. Overall dimensions and total net and gross acreage of property.
X	X	X	X	X	X	9. Vicinity map, showing site relationship to major highways and cities, and two access roads. (Proposed and existing paved roads will be indicated by heavy lines or noted as paved.)
X	X	X	X	X	X	10. Exhibit Amendment block, which shall be used to notate any changes to the proposed Substantial Conformance during the review process.
	X					11. Proposed boundary lines, approximate dimensions and net size of each Mobilehome/R.V. space or site.
	X					12. Numbered mobilehome or R.V. spaces, dwelling units, or lots, and the total number of each type or space, unit, or lot.
X	X	X	X	X	X	13. Location of adjoining property and lot lines.
X	X	X	X	X	X	14. List and accurately show all easements of record (by map or instrument number).
X	X		X	X	X	15. Streets, alleys, and rights-of-way providing legal access to the property.
X	X	X	X			16. Table indicating area and density calculations with percentage breakdowns, including total area involved, total building area divided by uses, (if applicable), total parking or paved area, total landscaped area, total recreation, and/or open space area. Identify proposed parking spaces.

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X	X	X				17. Labeled common areas, open space, and recreational areas, with location, dimensions, acreage, any known proposed uses, and name(s) of proposed owner(s) or entity(ies) who will maintain these areas.
X	X	X	X	X	X	18. Location, dimensions, setbacks, and nature of proposed and existing, fences, gates, walls, free standing signs, driveways, turnout and/or turnarounds and curbs, drainage structures, and above and below ground structures, including septic subsurface sewage disposal systems.
X	X	X	X	X		19. Location, dimensions, arrangement, and numbering of parking spaces for existing and/or proposed parking, loading and unloading facilities, identifying handicapped and compact parking spaces.
X	X	X	X	X	X	20. Location and dimensions of existing and proposed ingress and egress, and methods of vehicular circulation.
X	X	X	X	X	X	21. Locations, dimensions and heights of existing and/or proposed dwellings, buildings or other structures, labeled as existing and indicating whether they are to remain or be removed, or as proposed.
X	X	X	X	X	X	22. Setback dimensions of existing and proposed structures and paved areas.
X	X	X	X			23. Labeled landscaped areas with dimensions and spacing of proposed planters.
X	X	X	X	X		24. Location and amount of flammable/combustible gases, liquids and waste oil both above and below ground.
X		X	X			25. Dimensioned elevations, including details of proposed materials for elevations, type of construction and occupancy classification per the current County adopted Uniform Building Code and floor plans for each building. (Attach to site plan).
X		X	X			26. Square footage calculations per floor and total for each building shown, and per dwelling unit, as applicable.
	X	X	X	X		27. Irrigation and landscaping plans, including size, plant species, spacing proposed, planters and irrigation systems. (Attach to site plan, or note that said plans will be deferred to a later time.)

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