

## PLANNING DEPARTMENT

9:00 AM OCTOBER 4, 2017

Planning Commissioners 2017

> 1<sup>st</sup> District Carl Bruce Shaffer

**2**<sup>nd</sup> **District** Aaron Hake Chairman

**3<sup>rd</sup> District** Ruthanne Taylor-Berger *Vice-Chairman* 

> **4**<sup>th</sup> **District** Bill Sanchez

5<sup>th</sup> District Eric Kroencke

Assistant TLMA
Director
Charissa Leach,
P.E.

Legal Counsel
Michelle Clack
Deputy
County Counsel

#### AGENDA REGULAR MEETING

#### RIVERSIDE COUNTY PLANNING COMMISSION

COUNTY ADMINISTRATIVE CENTER
First Floor Board Chambers
4080 Lemon Street, Riverside, CA 92501

Any person wishing to speak must complete a "SPEAKER IDENTIFICATION FORM" and submit it to the Hearing Secretary. The purpose of the public hearing is to allow interested parties to express their concerns. Please do not repeat information already given. If you have no additional information, but wish to be on record, simply provide your name and address and state that you agree with the previous speaker(s).

Any person wishing to make a presentation that includes printed material, video or another form of electronic media must provide the material to the Project Planner at least 48 hours prior to the meeting.

In compliance with the Americans with Disabilities Act, if you require reasonable accommodations, please contact Elizabeth Sarabia, TLMA Commission Secretary, at (951) 955-7436 or e-mail at <a href="mailto:esarabia@rivco.org">esarabia@rivco.org</a>. Requests should be made at least 72 hours prior to the scheduled meeting. Alternative formats are available upon request.

#### CALL TO ORDER:

#### SALUTE TO THE FLAG - ROLL CALL

- **1.0** CONSENT CALENDAR: 9:00 a.m. or as soon as possible thereafter (Presentation available upon Commissioners' request)
- 1.1 SECOND EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 34097 Applicant: Frank Chen First Supervisorial District Woodcrest Zoning District Lake Mathews/Woodcrest Area Plan: Rural Community: Very Low Density Residential (RC-VLDR) (1 ac min) Location: Northerly of Markham Street, southerly of Nandina Avenue, and easterly of Roosevelt 40.90 Acres Zoning: Residential Agricultural (R-A) Approved Project Description: The land division hereby permitted is to a Schedule "B" Subdivision of 40.90 gross acres into 39 residential parcels with a minimum size of one (1) gross acre. Parcels range in size from 1.0 to 1.4 gross acres REQUEST: Second Extension of Time Request for Tentative Tract Map No. 34097, extending the expiration date to September 1, 2018. Project Planner: Ash Syed at (951) 955-6035 or email at asyed@rivco.org.
- 1.2 FIRST EXTENSION OF TIME REQUEST for TENTATIVE PARCEL MAP NO. 35212 Applicant: KTM North America, Inc. c/o Cheryl Webb Third Supervisorial District Rancho California Zoning Area Southwest Area Plan: Commercial Retail (CR) (0.20-0.35 FAR) Commercial Office (CO) (0.35-1.0 FAR) Location: Northerly of Borel Road, southerly of Winchester Road, easterly of Winchester Road, and westerly of French Valley Airport 55.08 Acres Zoning: Specific Plan No. 265: Borel Airpark Center (S-P) Approved Project Description: The tentative parcel map is a Schedule "E" Subdivision of two (2) parcels totaling 55.08 acres into 20 parcels for commercial/retail purposes with a minimum parcel size of 0.5 acres REQUEST: First Extension of Time Request for Tentative Parcel Map No. 35212, extending the expiration date to December 14, 2018. Project Planner: Ash Syed at (951) 955-6035 or email at <a href="mailto:asyed@rivco.org">asyed@rivco.org</a>.
- 1.3 **FOURTH EXTENSION OF TIME REQUEST** for **TENTATIVE TRACT MAP NO. 31632** Applicant: Kevin Wieck Third Supervisorial District Winchester Zoning Area Harvest Valley/Winchester Area Plan: Community Development: Medium Density Residential (CD-MDR) (2-5 du/ac) Community Development: Medium High Density Residential (CD-MHDR) (5-8 du/ac) Open Space: Recreation (OS-R) Location: Northerly of Domenigoni Parkway, southerly of Olive Avenue, easterly of Dallas Circle, and westerly of Rice Road 55.59 Acres Zoning: Rural Residential (R-R) Winchester Hills Specific Plan No. 293 Planning Area No. 30 Approved Project Description: Schedule "A" Subdivision, land division hereby permitted is to subdivide 55.59 acres into 186 residential lots and 10 open space lots with minimum lot sizes of 6,000 sq. ft. **REQUEST**: Fourth Extension of Time Request for Tentative Tract Map No. 31632, extending the expiration date to November 3, 2018. Project Planner: Ash Syed at (951) 955-6035 or email at asyed@rivco.org.
- 1.4 PLOT PLAN NO. 25778 Receive & File Applicant: Verizon Wireless Engineer Representative: SAC Wireless Owner: Elsinore Valley Municipal Water District First Supervisorial District Alberhill Zoning Area Elsinore Area Plan– Land Use Designation: Community Development: Medium Density Residential (CD-MDR) (2 5 du/ac) Location: Southerly of Desert Ridge, westerly of Kachina Court, and easterly of Silver Stirrup Drive Zoning: Horse Thief Canyon Specific Plan Planning Area 13 (SP 152, PA 13) REQUEST: The plot plan proposes to permit the use of a wireless communication facility disguised as a pine tree consisting of a 50 foot tall monopole, 12 panel antennas, 12 Remote Radio Units, one (1) microwave dish, one (1) DC generator with two (2) equipment cabinets, two (2) Global Positioning Satellite antennas within an enclosed 625 square foot lease area. Project Planner: Ash Syed at (951) 955-6035 or email at asyed@rivco.org.

PLANNING COMMISSION OCTOBER 4, 2017

1.5 **FIRST EXTENSION OF TIME REQUEST** for **TENTATIVE TRACT MAP NO. 33372** – Applicant: The Garrett Group c/o Phil Jones – Fifth Supervisorial District – Nuevo Zoning Area – Lakeview/Nuevo Area Plan: Rural Community: Low Density Residential (RC-LDR) (1/2 ac min) – Location: Northerly of 13<sup>th</sup> Street, southerly of 12<sup>th</sup> Street, easterly of Banner Street, and westerly of North Drive – 58.31 Acres – Zoning: Residential Agricultural (R-A) – Approved Project Description: The land division hereby permitted is for a Schedule "B" Subdivision of 58.31 gross acres into 98 single family lots and two (2) drainage lots – **REQUEST**: First Extension of Time Request for Tentative Tract Map No. 33372, extending the expiration date to August 20, 2018. Project Planner: Ash Syed at (951) 955-6035 or email at <a href="mailto:asyed@rivco.org">asyed@rivco.org</a>.

- 2.0 GENERAL PLAN AMENDMENT INITIATION PROCEEDINGS: 9:00 a.m. or as soon as possible thereafter (Presentation available upon Commissioners' request).

  NONE
- 3.0 PUBLIC HEARING CONTINUED ITEMS: 9:00 a.m. or as soon as possible thereafter.
- GENERAL PLAN AMENDMENT NO. 720, GENERAL PLAN AMENDMENT NO. 721, SPECIFIC PLAN NO. 342, CHANGE OF 3.1 ZONE NO. 7055, DEVELOPMENT AGREEMENT NO. 73 – Applicant: Nuevo Development Corp. – Representative: Albert A. Webb Associates – Fifth Supervisorial District – Hemet-San Jacinto Zoning District – Lakeview Zoning District – Lakeview/Nuevo Area Plan - Rural: Rural Mountainous (R-RM) - Rural: Rural Residential (R-RR) - Rural Community: Very Low Density Residential (RC-VLDR) Agriculture (AG) - Open Space: Conservation (OS-C) - Community Development: Very Low Density Residential (CD-VLDR) -Community Development: Low Density Residential (CD-LDR) - Community Development: Commercial Retail (CD-CR) - Community Development: Light Industrial (CD-LI) - Community Development: Highest Density Residential (CD-HHDR) - Location: either side of Ramona Expressway, generally easterly of Martin Street, westerly of Princess Ann Road, southerly of Marvin Road, and generally northerly of Brown Avenue – Zoning: Light Agriculture, 10-acre minimum (A-1-10) – Heavy Agriculture, 10-acre minimum (A-2-10) – Light Agriculture with Poultry (A-P), Scenic Highway Commercial (C-P-S) - Rural Commercial (C-R) - Manufacturing - Service Commercial (M-SC) - Residential Agricultural (R-A) - Residential Agricultural, 1-acre minimum (R-A-1) - Residential Agricultural, 10-acre minimum (R-A-10) – Residential Agricultural, 2 ½-acre minimum (R-A-2½) – Rural Residential (R-R) – One-Family Dwellings (R-1) - Highest Density Residential (R-7) - Natural Assets, 640-acre minimum lot size (N-A-640) - REQUEST: Specific Plan No. 342, also known as The Villages of Lakeview, proposes a maximum of 11,350 residential dwelling units and up to 70.5 acres of commercial uses to be constructed within eight (8) Specific Plan Villages on a total of 2,883 acres. General Plan Amendment No. 720 includes the following components: (1) a General Plan Technical Amendment; (2) General Plan Entitlement/Policy Amendment; (3) General Plan Foundation Component Amendment – Extraordinary; and (4) Agriculture Foundation Component Amendment. The Technical Amendment is needed to rectify errors related to mapping which resulted in inaccuracies related to areas within the Lakeview Mountains and those in the lowlands to reflect the actual topography for the area. The Entitlement/Policy Amendment proposes to change the underlying land use designations in the Lakeview/Nuevo Area Plan from Rural Mountainous, Rural Residential, Rural Community: Very Low Density Residential Agriculture, Open Space: Conservation, Very Low Density Residential, Low Density Residential, Commercial Retail, Light Industrial, and Highest Density Residential to those land use designations reflected in the Specific Plan land use plan. The Foundation Component Amendment - Extraordinary proposes to change the underlying Foundations from Rural, Rural Community, and Open Space to Community Development. The Agriculture Foundation Component Amendment proposes to change the underlying Foundation of Agriculture to Community Development. General Plan Amendment No. 721 proposes modifications to the Circulation Element of the General Plan. The project will include upgrading and downgrading numerous existing and proposed roadway classifications and trails shown on the current circulation element plan for the Lakeview/Nuevo Area Plan to match the circulation plan as proposed by the Specific Plan. Change of Zone No. 7055 proposes to change the zoning classification of the subject site from a mix of Light Agriculture, 10-acre minimum (A-1-10), Heavy Agriculture, 10-acre minimum (A-2-10), Light Agriculture with Poultry (A-P), Scenic Highway Commercial (C-P-S), Rural Commercial (C-R), Manufacturing - Service Commercial (M-SC), Residential Agricultural (R-A), Residential Agricultural, 1-acre minimum (R-A-1), Residential Agricultural, 10-acre minimum (R-A-10), Residential Agricultural, 2 ½-acre minimum (R-A-2½), Rural Residential (R-R), One-Family Dwellings (R-1), Highest Density Residential (R-7), and Natural Assets, 640-acre minimum lot size (N-A-640) to Specific Plan (SP) and adopt the associated Specific Plan zoning ordinance to establish the permitted uses and development standards for the Specific Plan Planning Areas. Development Agreement No. 73 proposes an agreement between the County of Riverside and the developer of the Specific Plan for development of the Villages of Lakeview. The Development Agreement has a term of 30 years and will grant the developer vesting rights to develop the Project in accordance with the terms of the agreement. Continued from September 6, 2017. Project Planner: Russell Brady at (951) 955-3025 or email at rbrady@rivco.org.
- **4.0** PUBLIC HEARING NEW ITEMS: 9:00 a.m. or as soon as possible thereafter.
- 4.1 **PUBLIC USE PERMIT NO. 927** Exempt from the California Environmental Quality Act (CEQA), Sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures) Applicant: Level 3 Communications, c/o Robert Diorio Engineer: Albert A. Webb Associates First Supervisorial District Lake Mathews/Woodcrest Area Plan Good Hope Zoning Area General Plan: Rural: Rural Residential (R-RR) –Rural: Rural Mountainous (R-RM) Zoning: Residential Agricultural 5 acre minimum (R-A-5) Location: Southerly of Rocky Hills Road and easterly of Post Road **REQUEST:** PUP00927 is a Public Use Permit to reentitle an existing communications facility, which includes the continued operation of 21 existing antennas, and the construction and operation of 11 new antennas, for a total of 32 antennas. The location of the new antennas will be within the existing 4.7-acre development footprint, and the entire project site is comprised of 31.3 acres. Project Planner: Deborah Bradford at (951) 955-6646 or email at <a href="mailto:dbradfor@rivco.org">dbradfor@rivco.org</a>.

PLANNING COMMISSION OCTOBER 4, 2017

4.2 SURFACE MINING PLAN NO. 152, REVISED NO. 2 – Intent to Consider an Addendum to a Mitigated Negative Declaration (MND) – Applicant: Hanson Aggregates, LLC., – Second Supervisorial District – El Cerrito Zoning Area – Temescal Canyon Area Plan: Open Space: Mineral (OS-MIN) – Location: Northerly of Cajalco Road, southerly of Highway 91, easterly of Interstate 15, and westerly of Eagle Canyon Road – 128 Gross Acres – Zoning: Mineral Resources and Related manufacturing (M-R-A) – REQUEST: This Amended Surface Mining Plan proposes to set the hours of operation of mining activities greater than 300 feet inside the property boundary to 24 hours per day, 7 days a week, and the hours of operation of mining activities less than 300 feet inside the property boundary to between the hours of 6:00 a.m. and 10:00 p.m., 7 days a week. In addition, it proposes to permit transporting operations 24 hours a day, 7 days a week, with the exception of along Cajalco Road east of Eagle Canyon Road and along Temescal Canyon Road, which shall be limited to the hours of 6:00 a.m. and sunset (of the same day), Monday through Friday. Project Planner: Dan Walsh at (951) 955-6187 or e-mail at <a href="mailto:dwalsh@rivco.org">dwalsh@rivco.org</a>.

- 4.3 CHANGE OF ZONE NO. 7857 AND TENTATIVE TRACT MAP NO. 36813 Intent to Adopt a Mitigated Negative Declaration Applicant: Peter Pitassi Engineer/Representative: Rick Engineering Company First Supervisorial District Lake Mathews Zoning District Lake Mathews/Woodcrest Area Plan: Rural Community: Very Low Density Residential (RC-VLDR) (1 Acre Minimum) Location: Northerly side of Van Buren Blvd, easterly of Pick Place, and westerly of Whispering Spur Street 38.3 Gross Acres Zoning: One-Family Dwellings 1 Acre Minimum (R-1-1) Residential Agricultural 1 Acre Minimum (R-A-1) Residential Agricultural 5 Acre Minimum (R-A-5) REQUEST: The Change of Zone proposes to change the site's Zoning Classification from One-Family Dwellings 1 Acre Minimum (R-1-1) Residential Agricultural 1 Acre Minimum (R-A-1) Residential Agricultural 5 Acre Minimum (R-A-5) to One Family Dwellings (R-1), and the Tentative Tract Map is a Schedule "B" Subdivision of 38.3 acres into 38 residential lots with lots ranging in size from 0.5 acres to 2.5 acres and four (4) lettered lots for open space, a tot lot, emergency secondary access and a bio-retention basin. Project Planner: Deborah Bradford at (951) 955-6646 or email at dbradfor@rivco.org.
- 5.0 WORKSHOPS:

**NONE** 

- 6.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA
- 7.0 DIRECTOR'S REPORT
- 8.0 COMMISSIONERS' COMMENTS

Agenda Item No.

**Area Plan: Lake Mathews/Woodcrest** 

Zoning District: Woodcrest Supervisorial District: First Project Planner: Ash Syed

Planning Commission Hearing: October 4, 2017

Charissa Leach, P.E. Assistant TLMA Director

### COUNTY OF RIVERSIDE PLANNING DEPARTMENT EXTENSION OF TIME STAFF REPORT

**TENTATIVE TRACT MAP NO. 34097** 

**SECOND EXTENSION OF TIME** 

**Applicant: Frank Chen** 

The applicant of the subject case has requested an extension of time to allow for the recordation of the final map: Schedule "B" subdivision of 40.90 gross acres into 39 residential parcels with a minimum size of one (1) gross acre. Parcels range in size from 1.0 to 1.4 gross acres.

Unless specifically requested by the applicant, this request will not be discussed at the time it is presented to the Planning Commission as a consent calendar item.

CEQA: The subject case has conformed to the requirements of the California Environmental Quality Act, and all impacts have been analyzed in order to protect the public health, safety and welfare. No new environmental documentation is required prior to the extension of time.

GENERAL PLAN: Unless otherwise noted, the subject case had been determined to be consistent with the General Plan and all of its elements.

#### **REQUEST:**

#### SECOND EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 34097

#### BACKGROUND:

Tentative Tract Map No. 34097 was originally approved at Planning Commission on June 24, 2009. It proceeded to the Board of Supervisors along with Change of Zone No. 7459 where both applications were approved on September 1, 2009.

The First Extension of Time for Tentative Tract Map No. 34097 was approved at Planning Commission on December 7, 2016.

The Second Extension of Time was received August 16, 2017, ahead of the expiration date, September 1, 2017. The Applicant and the County negotiated conditions of approval and reached consensus on September 8, 2017.

The County Planning Department, as part of the review of this Extension of Time request, recommends the addition of seven (7) new conditions of approval, in order to be able to make a determination that the project does not adversely affect the general health, safety, and welfare of the public.

The applicant was informed of these recommended conditions and has agreed to accept them. Included in this staff report package are the recommended conditions of approval, and the correspondence from the Extension of Time applicant September 8, 2017 indicating the acceptance of the seven (7) recommended conditions.

#### **FURTHER PLANNING CONSIDERATIONS:**

EFFECT OF Senate Bill No. 1185 (SB1185): On July 15, 2008, AB208 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 12 month extension on previously approved subdivision maps set to expire between July 15, 2008 and January 1, 2011.

EFFECT OF Assembly Bill No. 333 (AB333): On July 15, 2009, AB333 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between July 15, 2009 and January 1, 2012.

EFFECT OF Assembly Bill No. 208 (AB208): On July 13, 2011, AB208 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between July 13, 2011 and January 1, 2014.

EFFECT OF Assembly Bill No. 116 (AB116): On July 11, 2013, AB116 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between January 1, 2000 and July 11, 2013.

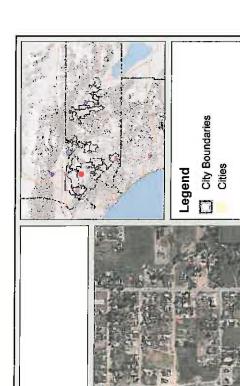
Therefore, upon an approval action by the Planning Commission, subsequent receive and file action by the Board of Supervisors, and the conclusion of the 10-day appeal period, the tentative map's expiration date will become September 1, 2018. If a final map has not been recorded prior this date, a third extension of time request must be filed 180 days prior to map expiration.

#### **RECOMMENDATION:**

<u>APPROVAL</u> of the SECOND EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 34097 extending the expiration date and to reflect SB1185, AB333, AB208, and AB116 benefits to September 1, 2018, subject to all the previously approved and amended Conditions of Approval with the applicant's consent.

# **2nd EOT for TR34097**

Vicinity Map



Notes

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

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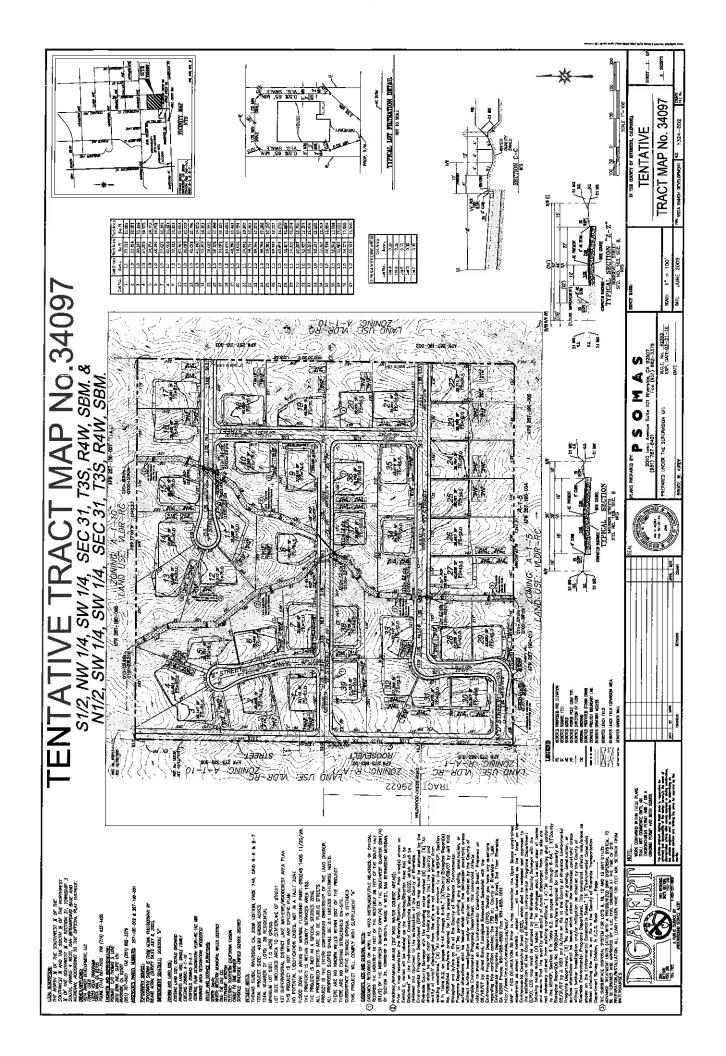
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## **Extension of Time Environmental Determination**

Project Case Number:	TR34097
Original E.A. Number:	EA41174
Extension of Time No.:	Second
Original Approval Date:	September 1, 2009
Project Location: North	of Markham Street, South of Nandina Avenue, East of Roosevelt.
	nedule "B" subdivision of 40.90 gross acres into 39 residential parcels with a gross acre. Parcels range in size from 1.0 to 1.4 gross acres.
On <u>September 1,</u>	2009, this Tentative Tract Map and its original environmental
assessment/environmen	ntal impact report was reviewed to determine: 1) whether any significant or
	nanges in the original proposal have occurred; 2) whether its environmental
	nces affecting the proposed development have changed. As a result of this determination has been made:
I find that although	h the proposed project could have a significant effect on the environment, NO NEW
ENVIRONMENTAL	L DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF
	potentially significant effects (a) have been adequately analyzed in an earlier EIR or
	ion pursuant to applicable legal standards and (b) have been avoided or mitigated arlier EIR or Negative Declaration and the project's original conditions of approval.
I find that although one or more poten which the project is TO APPROVAL Of adequately analyze	the proposed project could have a significant effect on the environment, and there are stially significant environmental changes or other changes to the circumstances under a undertaken, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR F THE EXTENSION OF TIME, because all potentially significant effects (a) have been sed in an earlier EIR or Negative Declaration pursuant to applicable legal standards and
	ided or mitigated pursuant to that earlier EIR or Negative Declaration and revisions to all conditions of approval which have been made and agreed to by the project proponent.
	re one or more potentially significant environmental changes or other changes to the
	der which the project is undertaken, which the project's original conditions of approval
	and for which additional required mitigation measures and/or conditions of approval ned at this time. Therefore, AN ENVIRONMENTAL ASSESSMENT/INITIAL STUDY IS
REQUIRED in ord	er to determine what additional mitigation measures and/or conditions of approval, if
	ed, and whether or not at least one of the conditions described in California Code of
	on 15162 (necessitating a Supplemental or Subsequent E.I.R.) exist. Additionally, the essment/initial study shall be used to determine WHETHER OR NOT THE EXTENSION
OF TIME SHOULD	BE RECOMMENDED FOR APPROVAL.
have a significant e	nal project was determined to be exempt from CEQA, and the proposed project will not effect on the environment, therefore NO NEW ENVIRONMENTAL DOCUMENTATION IOR TO APPROVAL OF THE EXTENSION OF TIME.
la	
15	D. 1. O. 1. 1. 2017
Signature: Ash Syed, Pla	nner Date: September 11, 2017 Charissa Leach, P.E. Assistant TLMA Director
Asii Oyeu, i la	THICK CHARLOSA ECACH, F.E. 76565tant FEMA Director

#### Syed, Ashiq

From:

Frank chen <frank.chen@sbcglobal.net>

Sent:

Friday, September 08, 2017 11:08 AM

To:

Syed, Ashiq

Subject:

Re: Recommended Conditions of Approval for 2nd EOT of TR34097

Dear Mr. Syed,

I have received your email, dated Sept. 1, 2017, regarding my application for EOT2 for Tentative Tract Map No. 34097, and I have reviewed the recommended conditions which identified as follows:

50. E HEALTH, 3

50. TRANS. 40

60. BS GRADE, 15

60. TRANS. 1

80. TRANS. 1

90. BS GRADE. 10

90. TRANS. 11.

I will accept the above recommendations, if you have any further questions, please let me know.

Best regards,

Frank Chen frank.chen@sbcglobal.net (714) 697-2455

On Thursday, August 31, 2017 4:05 PM, "Syed, Ashiq" <ASyed@rivco.org> wrote:

Mr. Chen,

I am Ash Syed. I have been assigned to process your Extension of Time (EOT) request for TR34097. Attached are the recommended Conditions of Approval (COA).

Attn: Frank Chen 12255 Vista Panorama Santa Ana, CA 92705

RE: SECOND EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP No. 34097.

The County Planning Department has determined it necessary to recommend the addition of seven (7) new conditions of approval in order to be able to make a determination that the project does not adversely affect the general health, safety and welfare of the public.

Please review the proposed conditions of approval attached in this correspondence. If these conditions are acceptable, then submit a short written letter/memo/email that clearly references this case, the acceptance of each condition by name and number, and clearly state that you, the Extension of Time Applicant, accept these conditions. This documentation will then be included in the staff report package. The attached document is a copy of the recommended conditions which are identified as follows:

50. E HEALTH, 3

50. TRANS. 40

60. BS GRADE, 15

60. TRANS. 1

80. TRANS. 1

90. BS GRADE, 10

90. TRANS, 11

If the addition of the conditions is not acceptable, please notify me so we can discuss your concerns. If the issue cannot be resolved, then I will direct you to contact the individual Department representative to discuss this matter further.

Once the conditions have been accepted, I will begin preparing the staff report package for Planning Commission hearing as a consent item. County Ordinance requires that conditions added thru the extension of time process are presented to and accepted by the applicant. If you, the EOT applicant, is unable to accept these conditions, the Planning Department will recommend denial of this extension of time request. An opportunity will, if requested, be provided for arguments to be made to the hearing body justifying why this request should be approved without the recommended conditions of approval.

I am eager to move this case forward and continue the extension of time process. If you have not contacted me within thirty (30) days, I will begin preparing this case with a recommendation of denial. I need one of two items to proceed:

- 1) Correspondence from you, the EOT applicant, accepting the recommended conditions per the directions provided above; or,
- 2) Correspondence from you, the EOT applicant, advising me of the concerns with the recommended conditions. If the concern still exists after our discussion, then direction on how to approach the issue will be given and additional time will be provided until the issue is resolved.

If you have any questions, comments, or concerns regarding this email, please feel free to contact me as indicated below.



Ash Syed

Environmental Planner 4080 Lemon Street, 12th Floor Riverside, CA 92501

Email: <u>asyed@rivco.org</u> Phone: 951-955-6035

#### Confidentiality Disclaimer

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**County of Riverside California** 

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TRACT MAP Tract #: TR34097

Parcel: 267-190-001

#### 50. PRIOR TO MAP RECORDATION

E HEALTH DEPARTMENT

50 ≥E HEALTH. 3 COLUMENTS

RECOMMND

Prior to map recordation, provide the following documents to the Riverside County Environmental Health Department:

- 1.Provide current documentation from the appropriate purveyor(s) for the establishment of water and/or sewer service for this project.
- 2. Provide documentation from an approved waste hauler in regards to solid waste service. Please call (951)955-8980 for additional details.
- 3.Provide written clearance from DEH Environmental Cleanup Programs. Please note that an Environmental Site Assessment, Phase 1 study may be required at their discretion. For further information, please contact (951) 955-8982.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

TRANS DEPARTMENT

50.TRANS. 40

EOT2 - FINAL ACCESS AND MAINT

RECOMMND

Prior to the map recordation, the applicant shall submit a Water Quality Management Plan (WQMP) subject to the State Regional Water Quality Board Order No. (See watershed below) to Transportation Department for review and approval. However, the applicant may be required to comply with the latest version of the WQMP manual if required by the State Regional Water Quality Board. All water quality features shall be included on the grading plan. WQMP applicability checklist, templates, LID design requirements, and guidance can be found on-line at: www.rcflood.org/npdes. For any questions, please contact (951) 712-5494.

Watersheds: Santa Ana No. R8-2013-0024 / Santa Margarita No. R9-2010-0016 / Whitewater No. R7-2013-0011

Additionally, prior to the map recordation, the applicant shall ensure that BMP facilities are placed in dedicated easements and that sufficient legal access to the BMPs are

08/31/17 15:27

#### Riverside County LMS CONDITIONS OF APPROVAL

Page: 2

TRACT MAP Tract #: TR34097

Parcel: 267-190-001

#### 50. PRIOR TO MAP RECORDATION

50.TRANS. 40 EOT2 - FINAL ACCESS AND MAINT (cont.) RECOMMND

provided. This requirement is for both onsite and offsite property.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

#### 60 PRIOR TO GRADING PRMT ISSUANCE

BS GRADE DEPARTMENT

60.BS GRADE. 15 EOT2 - REQ BMP SWPPP WQMP RECOMMND

Prior to the issuance of a grading permit, the owner / applicant shall obtain a BMP (Best Management Practices) Permit for the monitoring of the erosion and sediment control BMPs for the site. The Department of Building and Safety will conduct NPDES (National Pollutant Discharge Elimination System) inspections of the site based on Risk Level to verify compliance with the Construction General Permit, Stormwater ordinances and regulations until completion of the construction activities, permanent stabilization of the site and permit final.

Grading and construction sites of "ONE" acre or larger required to develop a STORM WATER POLLUTION PREVENTION PLAN (SWPPP) - the owner/applicant shall submit the SWPPP to the Building and Safety Department Environmental Compliance Division for review and approval prior to issuance of a grading permit.

If a Water Quality Management Plan (WQMP) is required, the owner / applicant shall submit to the Building & Safety Department, the approved project - specific Water Quality Management Plan (WQMP) and ensure that all approved water quality treatment control BMPs have been included on the grading plan.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

08/31/17 15:27

TRACT MAP Tract #: TR34097 Parcel: 267-190-001

#### 60. PRIOR TO GRADING PRMT ISSUANCE

TRANS DEPARTMENT

60.TRANS. 1

EOT2 - FINAL WOMP FOR GRADING

RECOMMND

Page: 3

This condition would apply when grading occurs before map recordation. Prior to the issuance of a grading permit, the applicant shall submit a Water Quality Management Plan (WQMP) subject to the State Regional Water Quality Board Order No. (See watershed below) to Transportation Department for review and approval. However, the applicant may be required to comply with the latest version of the WQMP manual if required by the State Regional Water Quality Board. All water quality features shall be included on the grading plan. WQMP applicability checklist, templates, LID design requirements, and guidance can be found on-line at: www.rcflood.org/npdes. For any questions, please contact (951) 712-5494.

atersheds: Santa Ana No. R8-2013-0024 / Santa Margarita No. R9-2010-0016 / Whitewater No. R7-2013-0011

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

#### 80. PRIOR TO BLDG PRMT ISSUANCE

TRANS DEPARTMENT

80.TRANS. 1

EOT2 -WOMP AND MAINTENANCE

RECOMMND

The project shall begin constructing and installing the BMP facilities described in the approved Final WQMP. The project shall be responsible for performing all activities described in the WQMP and that copies of the approved Final WQMP are available for the future owners/occupants.

A maintenance plan and signed maintenance agreement shall be submitted to the Transportation Department for review and approval prior to issuance of occupancy permits. A maintenance organization will be established with a funding source for the permanent maintenance. The maintenance plan shall require that all BMP facilities are inspected, if required, cleaned no later than October 15 each year.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

Page: 4

TRACT MAP Tract #: TR34097

Parcel: 267-190-001

#### 90. PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 10 EOT2 - WOMP REQUIRED

RECOMMND

Prior to final building inspection, the applicant shall comply with the following:

- 1. Obtain inspection of all treatment control BMPs and/or clearance from the Building and Safety Department. All structural BMPs described in the project specific WQMP and indicated on the approved grading plan shall be constructed and installed in conformance with the approved plans and specifications.
- 2. The applicant/owner shall submit a "Wet Signed" copy of the Water Quality Management Plan (WQMP) Certification from a Registered Civil Engineer certifying that the project specific WQMP treatment control BMPs have been installed in accordance with the approved WQMP.
- 3. The applicant/owner shall provide the Department of Building Safety with GPS coordinates for the location of
- 4. The applicant/owner shall register the project specific WQMP treatment control BMPs with the Department of Building Safety Business Registration Division. Any person or entity that owns or operates a commercial and/or industrial facility shall register such facility for annual inspections.
- 5. The applicant shall make payment to the Building and Safety Department for the Water Quality Management Plan (WQMP) Annual Inspection.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

TRANS DEPARTMENT

90.TRANS. 11 EOT2 - WOMP COMP AND BNS REG

RECOMMND

Prior to Building Final Inspection, the applicant will be required to hand out educational materials regarding water quality, provide a engineered WQMP certification, inspection of BMPs, GPS location of BMPs, and ensure that the requirements for inspection and cleaning the BMPs are established. Additionally, the applicant will be required

08/31/17 15:27

### Riverside County LMS CONDITIONS OF APPROVAL

Page: 5

TRACT MAP Tract #: TR34097

Parcel: 267-190-001

#### 90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 11 EOT2 - WOMP COMP AND BNS REG (cont.)

RECOMMND

to register BMPs with the Transportation Department's Business Registration Division.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

Agenda Item No.
Area Plan: Southwest

1.2

TENTATIVE PARCEL MAP NO. 35212

FIRST EXTENSION OF TIME

Applicant: KTM North America, Inc.

c/o Cheryl Webb

Zoning Area: Rancho California Supervisorial District: Third Project Planner: Ash Sved

Planning Commission Hearing: October 4, 2017

Charissa Leach, P.E. Assistant TLMA Director

## COUNTY OF RIVERSIDE PLANNING DEPARTMENT EXTENSION OF TIME STAFF REPORT

The applicant of the subject case has requested an extension of time to allow for the recordation of the final map. The tentative parcel map is a Schedule E subdivision of two (2) parcels totaling 55.08 acres into 20 parcels for commercial/retail purposes with a minimum parcel size of 0.5 acres.

Unless specifically requested by the applicant, this request will not be discussed at the time it is presented to the Planning Commission as a consent calendar item.

CEQA: The subject case has conformed to the requirements of the California Environmental Quality Act, and all impacts have been analyzed in order to protect the public health, safety and welfare. No new environmental documentation is required prior to the extension of time.

GENERAL PLAN: Unless otherwise noted, the subject case had been determined to be consistent with the General Plan and all of its elements.

#### REQUEST:

#### FIRST EXTENSION OF TIME REQUEST for TENTATIVE PARCEL MAP NO. 35212

#### **BACKGROUND:**

Tentative Parcel Map No. 35212 was originally approved at Planning Commission on September 15, 2010. It proceeded to the Board of Supervisors along with Change of Zone No. 7690 where both applications were approved on December 14, 2010.

The First Extension of Time was received September 5, 2017, ahead of the expiration date, December 14, 2017. The Applicant and the County negotiated conditions of approval and reached consensus on September 18, 2017.

The County Planning Department, as part of the review of this Extension of Time request, recommends the addition of seven (7) new conditions of approval, in order to be able to make a determination that the project does not adversely affect the general health, safety, and welfare of the public.

The applicant was informed of these recommended conditions and has agreed to accept them. Included in this staff report package are the recommended conditions of approval, and the correspondence from the Extension of Time applicant September 18, 2017, indicating the acceptance of the seven (7) recommended conditions.

#### **FURTHER PLANNING CONSIDERATIONS:**

EFFECT OF Senate Bill No. 1185 (SB1185): On July 15, 2008, AB208 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 12 month extension on previously approved subdivision maps set to expire between July 15, 2008 and January 1, 2011.

EFFECT OF Assembly Bill No. 333 (AB333): On July 15, 2009, AB333 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between July 15, 2009 and January 1, 2012.

EFFECT OF Assembly Bill No. 208 (AB208): On July 13, 2011, AB208 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between July 13, 2011 and January 1, 2014.

EFFECT OF Assembly Bill No. 116 (AB116): On July 11, 2013, AB116 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between January 1, 2000 and July 11, 2013.

Therefore, upon an approval action by the Planning Commission, subsequent receive and file action by the Board of Supervisors, and the conclusion of the 10-day appeal period, the tentative map's expiration date will become December 14, 2018. If a final map has not been recorded prior this date, a second extension of time request must be filed 180 days prior to map expiration.

#### **RECOMMENDATION:**

<u>APPROVAL</u> of the FIRST EXTENSION OF TIME REQUEST for TENTATIVE PARCEL MAP NO. 35212 extending the expiration date and to reflect SB1185, AB333, AB208, and AB116 benefits to December 14, 2018, subject to all the previously approved and amended Conditions of Approval with the applicant's consent.

# **1st EOT for PM35212**

Vicinity Map



Notes

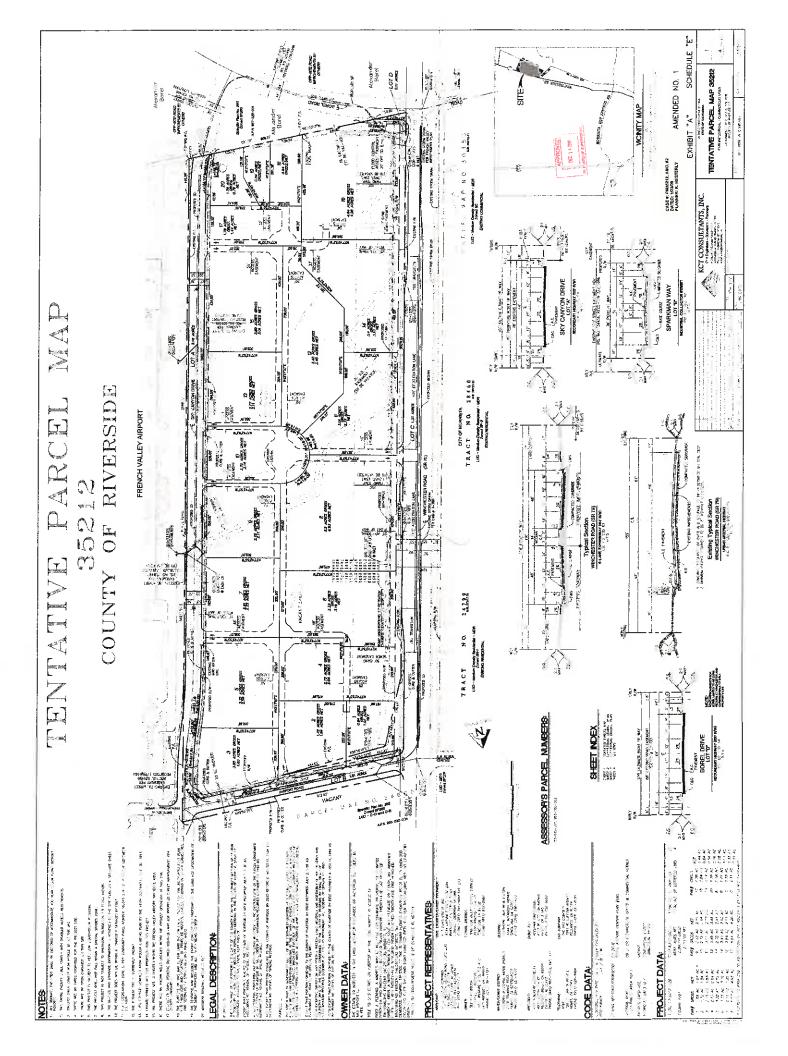
2,973

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# **Extension of Time Environmental Determination**

Project Case Number:	<u>PM35212</u>	
Original E.A. Number:	EA7690	
Extension of Time No.:	First	
Original Approval Date:	December 14, 2010	
Project Location: North	of Borel Road, South of Winchester Road, East of Winchester Roa	d, West of
French Valley Airport.		
	tentative parcel map is a Schedule E subdivision of two (2) parcelles for commercial/retail purposes with a minimum parcel size of 0.5	
assessment/environment potentially significant characteristics or circumstant	2010, this Tentative Parcel Map and its original envital impact report was reviewed to determine: 1) whether any signances in the original proposal have occurred; 2) whether its envices affecting the proposed development have changed. As a residetermination has been made:	rironmental
I find that although ENVIRONMENTAL TIME, because all Negative Declaration pursuant to that ear	the proposed project could have a significant effect on the environment. DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTER potentially significant effects (a) have been adequately analyzed in an earn pursuant to applicable legal standards and (b) have been avoided or the EIR or Negative Declaration and the project's original conditions of applications.	ENSION OF arlier EIR or or mitigated proval.
one or more potent which the project is TO APPROVAL OF adequately analyze (b) have been avoid the project's original	the proposed project could have a significant effect on the environment, ar tially significant environmental changes or other changes to the circumstal undertaken, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIFFED THE EXTENSION OF TIME, because all potentially significant effects (a) and in an earlier EIR or Negative Declaration pursuant to applicable legal standed or mitigated pursuant to that earlier EIR or Negative Declaration and all conditions of approval which have been made and agreed to by the project	ances under RED PRIOR ) have been andards and revisions to t proponent.
circumstances under may not address, a cannot be determined REQUIRED in order any, may be needed Regulations, Section environmental assession of TIME SHOULD	e one or more potentially significant environmental changes or other char er which the project is undertaken, which the project's original conditions and for which additional required mitigation measures and/or conditions and this time. Therefore, AN ENVIRONMENTAL ASSESSMENT/INITIAL er to determine what additional mitigation measures and/or conditions of ed, and whether or not at least one of the conditions described in Californ on 15162 (necessitating a Supplemental or Subsequent E.I.R.) exist. Additions assessment/initial study shall be used to determine WHETHER OR NOT THE E BE RECOMMENDED FOR APPROVAL.	of approval of approval STUDY IS approval, if nia Code of itionally, the XTENSION
have a significant e	al project was determined to be exempt from CEQA, and the proposed pro offect on the environment, therefore NO NEW ENVIRONMENTAL DOCUM OR TO APPROVAL OF THE EXTENSION OF TIME.	
Signature:	Date: September 18, 2017	MA Director
Ash Syed, Plar	nner Charissa Leach, P.E. Assistant TLI	VIA DIFECTOR

#### Syed, Ashiq

From: Adam Rush <arush@cascinc.com>

**Sent:** Monday, September 18, 2017 1:56 PM

**To:** Syed, Ashiq; cwebb@ktmnorthamerica.com

**Cc:** Christina Wenborne

**Subject:** RE: Recommended Conditions of Approval for 1st EOT of PM35212

Thank you Ashiq. We accept the Conditions as stated.

#### Sincerely,

Adam Rush, AICP Director of Planning CASC ENGINEERING & CONSULTING, INC.

Corporate Office 1470 Cooley Drive Colton, CA 92324

T: (855) 383-0101 x5370

F: (909) 783-0108 C: (951) 833-0878 arush@cascinc.com www.cascinc.com



From: Syed, Ashiq [mailto:ASyed@rivco.org]
Sent: Monday, September 18, 2017 1:34 PM

To: cwebb@ktmnorthamerica.com

Cc: Adam Rush <arush@cascinc.com>; Christina Wenborne <CWenborne@cascinc.com>

Subject: Recommended Conditions of Approval for 1st EOT of PM35212

Kind Reminder...



#### Ash Syed

Environmental Planner 4080 Lemon Street, 12th Floor Riverside, CA 92501

Email: asyed@rivco.org Phone: 951-955-6035 From: Syed, Ashiq

Sent: Tuesday, September 12, 2017 11:31 AM

To: 'cwebb@ktmnorthamerica.com' < cwebb@ktmnorthamerica.com >

Cc: 'Adam Rush' <arush@cascinc.com>; Christina Wenborne <CWenborne@cascinc.com>

Subject: Recommended Conditions of Approval for 1st EOT of PM35212

Ms. Webb,

I am Ash Syed. I have been assigned to process your Extension of Time (EOT) request for PM35212. Attached are the recommended Conditions of Approval (COA).

Attn: Cheryl Webb 38429 Innovation Court Murrieta, CA 92563

RE: FIRST EXTENSION OF TIME REQUEST for TENTATIVE PARCEL MAP No. 35212

The County Planning Department has determined it necessary to recommend the addition of seven (7) new conditions of approval in order to be able to make a determination that the project does not adversely affect the general health, safety and welfare of the public.

Please review the proposed conditions of approval attached in this correspondence. If these conditions are acceptable, then submit a short written letter/memo/email that clearly references this case, the acceptance of each condition by name and number, and clearly state that you, the Extension of Time Applicant, accept these conditions. This documentation will then be included in the staff report package. The attached document is a copy of the recommended conditions which are identified as follows:

50. E HEALTH. 1

50. TRANS. 26

60. BS GRADE. 7

60. TRANS. 1

80. TRANS. 4

90. BS GRADE. 1

90. TRANS, 11

If the addition of the conditions is not acceptable, please notify me so we can discuss your concerns. If the issue cannot be resolved, then I will direct you to contact the individual Department representative to discuss this matter further.

Once the conditions have been accepted, I will begin preparing the staff report package for a Planning Commission hearing as a consent item. County Ordinance requires that conditions added thru the extension of time process are presented to and accepted by the applicant. If you, the EOT applicant, is unable to accept these conditions, the Planning Department will recommend denial of this extension of time request. An opportunity will, if requested, be provided for arguments to be made to the hearing body justifying why this request should be approved without the recommended conditions of approval.

I am eager to move this case forward and continue the extension of time process. If you have not contacted me within thirty (30) days, I will begin preparing this case with a recommendation of denial. I need one of two items to proceed:

1) Correspondence from you, the EOT applicant, accepting the recommended conditions per the directions provided above; or,

2) Correspondence from you, the EOT applicant, advising me of the concerns with the recommended conditions. If the concern still exists after our discussion, then direction on how to approach the issue will be given and additional time will be provided until the issue is resolved.

If you have any questions, comments, or concerns regarding this email, please feel free to contact me as indicated below.



#### Ash Syed Environmental Planner 4080 Lemon Street, 12th Floor Riverside, CA 92501

Email: asyed@rivco.org Phone: 951-955-6035

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County of Riverside California

Page: 1

PARCEL MAP Parcel Map #: PM35212

Parcel: 963-030-003

#### 50. PRIOR TO MAP RECORDATION

E HEALTH DEPARTMENT

50.E HEALTH. 1 EOT1 - REQ E HEALTH DOCUMENTS RECOMMND

Prior to map recordation, provide the following documents to the Riverside County Environmental Health Department:

- 1. Provide current documentation from the appropriate purveyor(s) for the establishment of water and/or sewer service for this project.
- 2. Provide documentation from an approved waste hauler in regards to solid waste service. Please call (951)955-8980 for additional details.
- 3. Provide written clearance from DEH Environmental Cleanup Programs. Please note that an Environmental Site Assessment, Phase 1 study may be required at their discretion. For further information, please contact (951) 955-8982.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

TRANS DEPARTMENT

50.TRANS. 26

EOT1 - FINAL ACCESS AND MAINT

RECOMMND

Prior to the map recordation, the applicant shall submit a Water Quality Management Plan (WQMP) subject to the State Regional Water Quality Board Order No. (See watershed below) to Transportation Department for review and approval. However, the applicant may be required to comply with the latest version of the WQMP manual if required by the State Regional Water Quality Board. All water quality features shall be included on the grading plan. WQMP applicability checklist, templates, LID design requirements, and guidance can be found on-line at: www.rcflood.org/npdes. For any questions, please contact (951) 712-5494.

Watersheds: Santa Ana No. R8-2013-0024 / Santa Margarita No. R9-2010-0016 / Whitewater No. R7-2013-0011

Additionally, prior to the map recordation, the applicant shall ensure that BMP facilities are placed in dedicated easements and that sufficient legal access to the BMPs are

Page: 2

PARCEL MAP Parcel Map #: PM35212

Parcel: 963-030-003

#### 50. PRIOR TO MAP RECORDATION

50.TRANS. 26 EOT1 - FINAL ACCESS AND MAINT (cont.)

RECOMMND

provided. This requirement is for both onsite and offsite property.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

#### 60. PRIOR TO GRADING PRMT ISSUANCE

BS GRADE DEPARTMENT

60.BS GRADE. 7 EOT1 - REQ BMP SWPPP WQMP

RECOMMND

Prior to the issuance of a grading permit, the owner / applicant shall obtain a BMP (Best Management Practices) Permit for the monitoring of the erosion and sediment control BMPs for the site. The Department of Building and Safety will conduct NPDES (National Pollutant Discharge Elimination System) inspections of the site based on Risk Level to verify compliance with the Construction General Permit, Stormwater ordinances and regulations until completion of the construction activities, permanent stabilization of the site and permit final.

Grading and construction sites of "ONE" acre or larger required to develop a STORM WATER POLLUTION PREVENTION PLAN (SWPPP) - the owner/applicant shall submit the SWPPP to the Building and Safety Department Environmental Compliance Division for review and approval prior to issuance of a grading permit.

If a Water Quality Management Plan (WQMP) is required, the owner / applicant shall submit to the Building & Safety Department, the approved project - specific Water Quality Management Plan (WQMP) and ensure that all approved water quality treatment control BMPs have been included on the grading plan.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

09/12/17 11:15

#### Riverside County LMS CONDITIONS OF APPROVAL

Page: 3

PARCEL MAP Parcel Map #: PM35212

Parcel: 963-030-003

#### 60. PRIOR TO GRADING PRMT ISSUANCE

TRANS DEPARTMENT

60.TRANS. 1 EOT1 - FINAL WOMP FOR GRADING

RECOMMND

This condition would apply when grading occurs before map recordation. Prior to the issuance of a grading permit, the applicant shall submit a Water Quality Management Plan (WQMP) subject to the State Regional Water Quality Board Order No. (See watershed below) to Transportation Department for review and approval. However, the applicant may be required to comply with the latest version of the WQMP manual if required by the State Regional Water Quality Board. All water quality features shall be included on the grading plan. WQMP applicability checklist, templates, LID design requirements, and guidance can be found on-line at: www.rcflood.org/npdes. For any questions, please contact (951) 712-5494.

atersheds: Santa Ana No. R8-2013-0024 / Santa Margarita No. R9-2010-0016 / Whitewater No. R7-2013-0011

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

#### 80. PRIOR TO BLDG PRMT ISSUANCE

TRANS DEPARTMENT

80.TRANS. 4

EOT1 -WOMP AND MAINTENANCE

RECOMMND

The project shall begin constructing and installing the BMP facilities described in the approved Final WQMP. The project shall be responsible for performing all activities described in the WQMP and that copies of the approved Final WQMP are available for the future owners/occupants.

A maintenance plan and signed maintenance agreement shall be submitted to the Transportation Department for review and approval prior to issuance of occupancy permits. A maintenance organization will be established with a funding source for the permanent maintenance. The maintenance plan shall require that all BMP facilities are inspected, if required, cleaned no later than October 15 each year.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

Page: 4

PARCEL MAP Parcel Map #: PM35212

Parcel: 963-030-003

#### 90. PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 1 EOT1 - WQMP REQUIRED

RECOMMND

Prior to final building inspection, the applicant shall comply with the following:

- 1. Obtain inspection of all treatment control BMPs and/or clearance from the Building and Safety Department. All structural BMPs described in the project specific WQMP and indicated on the approved grading plan shall be constructed and installed in conformance with the approved plans and specifications.
- 2. The applicant/owner shall submit a "Wet Signed" copy of the Water Quality Management Plan (WQMP) Certification from a Registered Civil Engineer certifying that the project specific WQMP treatment control BMPs have been installed in accordance with the approved WQMP.
- 3. The applicant/owner shall provide the Department of Building Safety with GPS coordinates for the location of the project specific WQMP treatment control BMPs.
- 4. The applicant/owner shall register the project specific WQMP treatment control BMPs with the Department of Building Safety Business Registration Division. Any person or entity that owns or operates a commercial and/or industrial facility shall register such facility for annual inspections.
- 5. The applicant shall make payment to the Building and Safety Department for the Water Quality Management Plan (WQMP) Annual Inspection.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

TRANS DEPARTMENT

90.TRANS. 11 EOT1 - WQMP COMP AND BNS REG

RECOMMND

Prior to Building Final Inspection, the applicant will be required to hand out educational materials regarding water quality, provide a engineered WQMP certification, inspection of BMPs, GPS location of BMPs, and ensure that the requirements for inspection and cleaning the BMPs are

09/12/17 11:15

#### Riverside County LMS CONDITIONS OF APPROVAL

Page: 5

PARCEL MAP Parcel Map #: PM35212

Parcel: 963-030-003

#### 90. PRIOR TO BLDG FINAL INSPECTION

90, TRANS. 11 EOT1 - WQMP COMP AND BNS REG (cont.)

RECOMMND

established. Additionally, the applicant will be required to register BMPs with the Transportation Department's Business Registration Division.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

1.3

Agenda Item No.

Area Plan: Harvest Valley/Winchester

Zoning Area: Winchester Supervisorial District: Third Project Planner: Ash Syed

Planning Commission Hearing: October 4, 2017

TENTATIVE TRACT MAP NO. 31632

FOURTH EXTENSION OF TIME

**Applicant: Kevin Wieck** 

Charissa Leach, P.E. Assistant TLMA Director

### COUNTY OF RIVERSIDE PLANNING DEPARTMENT EXTENSION OF TIME STAFF REPORT

The applicant of the subject case has requested an extension of time to allow for the recordation of the final map: Schedule A - The land division hereby permitted is to subdivide 55.59 acres into 186 residential lots and 10 open space lots with minimum lot sizes of 6,000 square feet.

Unless specifically requested by the applicant, this request will not be discussed at the time it is presented to the Planning Commission as a consent calendar item.

CEQA: The subject case has conformed to the requirements of the California Environmental Quality Act, and all impacts have been analyzed in order to protect the public health, safety and welfare. No new environmental documentation is required prior to the extension of time.

GENERAL PLAN: Unless otherwise noted, the subject case had been determined to be consistent with the General Plan and all of its elements.

#### REQUEST:

#### FOURTH EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 31632

#### **BACKGROUND:**

Tentative Tract Map No. 31632 was originally approved at Planning Commission on November 3, 2004. It proceeded to the Board of Supervisors for Receive and File on January 25, 2005.

The First Extension of Time for Tentative Tract Map No. 31632 was approved at Planning Commission on January 13, 2010.

The Second Extension of Time for Tentative Tract Map No. 31632 was approved at Planning Commission on January 20, 2016.

The Third Extension of Time for Tentative Tract Map No. 31632 was approved at Planning Commission on December 7, 2016.

The Fourth Extension of Time was received August 23, 2017, ahead of the expiration date, November 3, 2017. The Applicant and the County negotiated conditions of approval and reached consensus on September 18, 2017.

The County Planning Department, as part of the review of this Extension of Time request, recommends the addition of seven (7) new conditions of approval, in order to be able to make a determination that the project does not adversely affect the general health, safety, and welfare of the public.

The applicant was informed of these recommended conditions and has agreed to accept them. Included in this staff report package are the recommended conditions of approval, and the correspondence from the Extension of Time applicant on September 18, 2017, indicating the acceptance of the seven (7) recommended conditions.

#### **FURTHER PLANNING CONSIDERATIONS:**

EFFECT OF Senate Bill No. 1185 (SB1185): On July 15, 2008, AB208 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 12 month extension on previously approved subdivision maps set to expire between July 15, 2008 and January 1, 2011.

EFFECT OF Assembly Bill No. 333 (AB333): On July 15, 2009, AB333 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between July 15, 2009 and January 1, 2012.

EFFECT OF Assembly Bill No. 208 (AB208): On July 13, 2011, AB208 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between July 13, 2011 and January 1, 2014.

EFFECT OF Assembly Bill No. 116 (AB116): On July 11, 2013, AB116 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between January 1, 2000 and July 11, 2013.

Therefore, upon an approval action by the Planning Commission, subsequent receive and file action by the Board of Supervisors, and the conclusion of the 10-day appeal period, the tentative map's expiration date will become November 3, 2018. If a final map has not been recorded prior this date, a fifth extension of time request must be filed 180 days prior to map expiration.

#### **RECOMMENDATION:**

<u>APPROVAL</u> of the FOURTH EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 31632, extending the expiration date and to reflect SB1185, AB333, AB208, and AB116 benefits to November 3, 2018, subject to all the previously approved and amended Conditions of Approval with the applicant's consent.

# 4th EOT for TR31632

Vicinity Map



Notes

(2

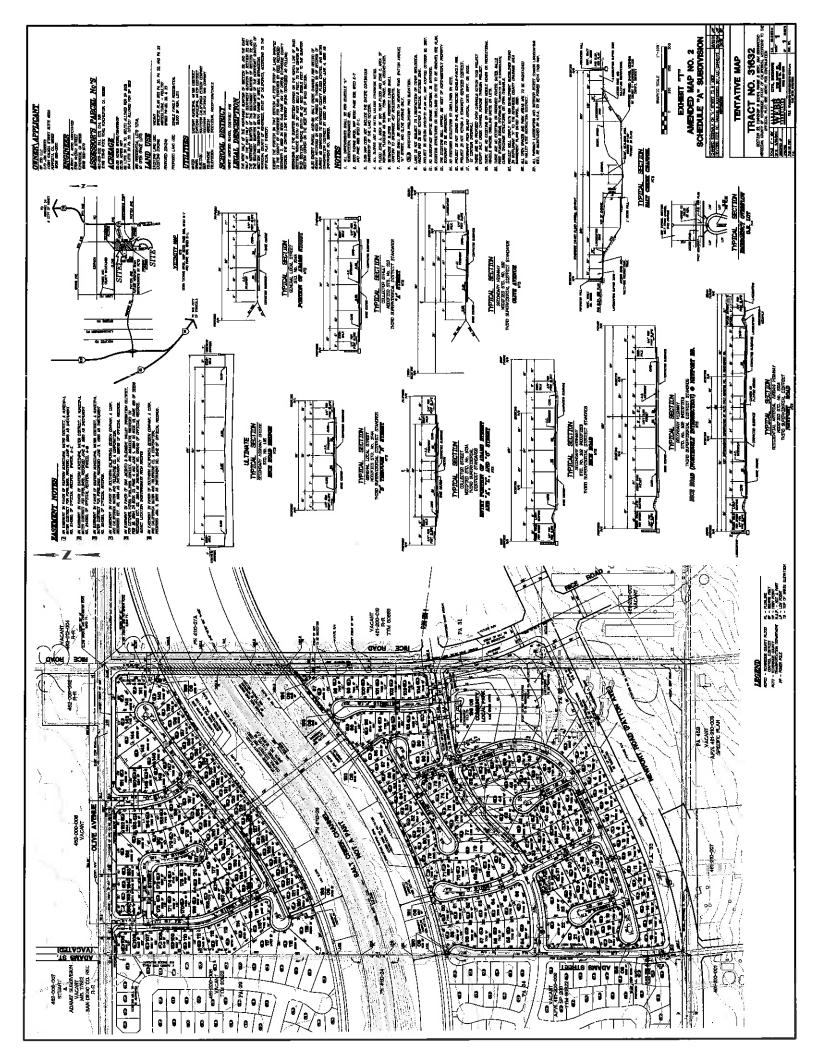
8,996 Feet

4,498

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# Extension of Time Environmental Determination

Project Case Number:	<u>TR31632</u>
Original E.A. Number	EA39236
Extension of Time No.	: Fourth
Original Approval Date	e: November 3, 2004
Project Location: Nort	n of Domenigoni Parkway, South of Olive Avenue, East of Dallas Circle, West of
Rice Road.	
	chedule A - The land division hereby permitted is to subdivide 55.59 acres into d 10 open space lots with minimum lot sizes of 6,000 square feet.
On <u>November 3</u> ,	· · · · · · · · · · · · · · · · · · ·
	ental impact report was reviewed to determine: 1) whether any significant or changes in the original proposal have occurred; 2) whether its environmental
	ances affecting the proposed development have changed. As a result of this
	ng determination has been made:
	gh the proposed project could have a significant effect on the environment, NO NEW
	AL DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF all potentially significant effects (a) have been adequately analyzed in an earlier EIR or
	ation pursuant to applicable legal standards and (b) have been avoided or mitigated
pursuant to that	earlier EIR or Negative Declaration and the project's original conditions of approval.
— one or more not	gh the proposed project could have a significant effect on the environment, and there are entially significant environmental changes or other changes to the circumstances under
	is undertaken, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR
	OF THE EXTENSION OF TIME, because all potentially significant effects (a) have been
	zed in an earlier EIR or Negative Declaration pursuant to applicable legal standards and roided or mitigated pursuant to that earlier EIR or Negative Declaration and revisions to
	nal conditions of approval which have been made and agreed to by the project proponent.
	are one or more potentially significant environmental changes or other changes to the
	nder which the project is undertaken, which the project's original conditions of approval
	s, and for which additional required mitigation measures and/or conditions of approval nined at this time. Therefore, AN ENVIRONMENTAL ASSESSMENT/INITIAL STUDY IS
	rder to determine what additional mitigation measures and/or conditions of approval, if
	eded, and whether or not at least one of the conditions described in California Code of
Regulations, Sec	ction 15162 (necessitating a Supplemental or Subsequent E.I.R.) exist. Additionally, the
	sessment/initial study shall be used to determine WHETHER OR NOT THE EXTENSION LD BE RECOMMENDED FOR APPROVAL.
I find that the ori	ginal project was determined to be exempt from CEQA, and the proposed project will not
	t effect on the environment, therefore NO NEW ENVIRONMENTAL DOCUMENTATION
	RIOR TO APPROVAL OF THE EXTENSION OF TIME.
Signature:	Date: <u>September 18, 2017</u>
Ash/Sveet P	lanner Charissa Leach, P.E. Assistant TLMA Director

#### WFP Partners 2, LLC

September 18th, 2017

Ashiq Syed Environmental Planner 4080 Lemon Street, 12<sup>th</sup> Floor Riverside, CA 92501

Re: Acceptance of Conditions for Fourth Extension of Time for TR31632-1

Dear Ash:

I am the applicant for the Extension of Time Case TR31632. I accept the following conditions of approval associated with this Extension of time request:

PRIOR TO MAP RECORDATION

50. E Health #7

50. Trans. #35

PRIOR TO GRADING PRMT ISSUANCE

60. BS Grade #18

60. Trans. #1

PRIOR TO BUILDING PRMT ISSUANCE

80. Trans. #7

PRIOR TO BLDG FINAL INSPECTION

90. BS Grade #9

90. Trans. #11

Thank you,

WFP Partners 2, LLC

(evil) Wieck/Marfaging Member

C> 76 -1.

Page: 1

TRACT MAP Tract #: TR31632

Parcel: 461-200-016

#### 50. PRIOR TO MAP RECORDATION

#### E HEALTH DEPARTMENT

50. F. FRALTH. 7 EOT4 - REQ E HEALTH DOCUMENTS. AND THE HEALTH DOCUMENTS.

Prior to map recordation, provide the following documents to the Riverside County Environmental Health Department:

- 1. Provide current documentation from the appropriate purveyor(s) for the establishment of water and/or sewer service for this project.
- 2. Provide documentation from an approved waste hauler in regards to solid waste service. Please call (951)955-8980 for additional details.
- 3. Provide written clearance from DEH Environmental Cleanup Programs. Please note that an Environmental Site Assessment, Phase 1 study may be required at their discretion. For further information, please contact (951) 955-8982.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

#### TRANS DEPARTMENT

50.TRANS. 35

EOT4 - FINAL ACCESS AND MAINT

RECOMMND

Prior to the map recordation, the applicant shall submit a Water Quality Management Plan (WQMP) subject to the State Regional Water Quality Board Order No. (See watershed below) to Transportation Department for review and approval. However, the applicant may be required to comply with the latest version of the WQMP manual if required by the State Regional Water Quality Board. All water quality features shall be included on the grading plan. WQMP applicability checklist, templates, LID design requirements, and quidance can be found on-line at: www.rcflood.org/npdes. For any questions, please contact (951) 712-5494.

Watersheds: Santa Ana No. R8-2013-0024 / Santa Margarita No. R9-2010-0016 / Whitewater No. R7-2013-0011

Additionally, prior to the map recordation, the applicant shall ensure that BMP facilities are placed in dedicated easements and that sufficient legal access to the BMPs are 08/31/17 17:07

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#### Riverside County LMS CONDITIONS OF APPROVAL

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TRACT MAP Tract #: TR31632

Parcel: 461-200-016

#### 50. PRIOR TO MAP RECORDATION

EOT4 - FINAL ACCESS AND MAINT (cont.) RECOMMND 50.TRANS. 35

provided. This requirement is for both onsite and cfruite property.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

#### 60. PRIOR TO GRADING PRMT ISSUANCE

BS GRADE DEPARTMENT

EOT4 - REQ BMP SWPPP WQMP 60.BS GRADE. 18

RECOMMND

Prior to the issuance of a grading permit, the owner / applicant shall obtain a BMP (Best Management Practices) Permit for the monitoring of the erosion and sediment control BMPs for the site. The Department of Building and Safety will conduct NPDES (National Pollutant Discharge Elimination System) inspections of the site based on Risk Level to verify compliance with the Construction General Permit, Stormwater ordinances and regulations until completion of the construction activities, permanent stabilization of the site and permit final.

Grading and construction sites of "ONE" acre or larger required to develop a STORM WATER POLLUTION PREVENTION PLAN (SWPPP) - the owner/applicant shall submit the SWPPP to the Building and Safety Department Environmental Compliance Division for review and approval prior to issuance of a grading permit.

If a Water Quality Management Plan (WQMP) is required, the owner / applicant shall submit to the Building & Safety Department, the approved project - specific Water Quality Management Plan (WQMP) and ensure that all approved water quality treatment control BMPs have been included on the grading plan.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

08/31/17 17:07

# Riverside County LMS CONDITIONS OF APPROVAL

Page: 3

TRACT MAP Tract #: TR31632

Parcel: 461-200-016

## 60. PRIOR TO GRADING PRMT ISSUANCE

TRANS DEPARTMENT

60.TRANS. 1 EOT4 - FINAL WOMP FOR GRADING

RECOMMND

This condition would apply when grading occurs before map recordation. Prior to the issuance of a grading permit, the applicant shall submit a Water Quality Management Plan (WQMP) subject to the State Regional Water Quality Board Order No. (See watershed below) to Transportation Department for review and approval. However, the applicant may be required to comply with the latest version of the WQMP manual if required by the State Regional Water Quality Board. All water quality features shall be included on the grading plan. WQMP applicability checklist, templates, LID design requirements, and guidance can be found on-line at: www.rcflood.org/npdes. For any questions, please contact (951) 712-5494.

atersheds: Santa Ana No. R8-2013-0024 / Santa Margarita No. R9-2010-0016 / Whitewater No. R7-2013-0011

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

## 80. PRIOR TO BLDG PRMT ISSUANCE

TRANS DEPARTMENT

80.TRANS. 7 EOT4 -WOMP AND MAINTENANCE

RECOMMND

The project shall begin constructing and installing the BMP facilities described in the approved Final WQMP. The project shall be responsible for performing all activities described in the WQMP and that copies of the approved Final WQMP are available for the future owners/occupants.

A maintenance plan and signed maintenance agreement shall be submitted to the Transportation Department for review and approval prior to issuance of occupancy permits. A maintenance organization will be established with a funding source for the permanent maintenance. The maintenance plan shall require that all BMP facilities are inspected, if required, cleaned no later than October 15 each year.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

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TRACT MAP Tract #: TR31632

Parcel: 461-200-016

## 90. PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 9 EOT4 - WQMP REQUIRED

RECOMMND

Prior to final building inspection, the applicant shall comply with the following:

- 1. Obtain inspection of all treatment control BMPs and/or clearance from the Building and Safety Department. All structural BMPs described in the project - specific WQMP and indicated on the approved grading plan shall be constructed and installed in conformance with the approved plans and specifications.
- 2. The applicant/owner shall submit a "Wet Signed" copy of the Water Quality Management Plan (WQMP) Certification from a Registered Civil Engineer certifying that the project specific WOMP treatment control BMPs have been installed in accordance with the approved WQMP.
- 3. The applicant/owner shall provide the Department of Building Safety with GPS coordinates for the location of the project - specific WQMP treatment control BMPs.
- 4. The applicant/owner shall register the project specific WQMP treatment control BMPs with the Department of Building Safety Business Registration Division. Any person or entity that owns or operates a commercial and/or industrial facility shall register such facility for annual inspections.
- 5. The applicant shall make payment to the Building and Safety Department for the Water Quality Management Plan (WOMP) Annual Inspection.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

### TRANS DEPARTMENT

90.TRANS. 11

EOT4 - WQMP COMP AND BNS REG

RECOMMND

Prior to Building Final Inspection, the applicant will be required to hand out educational materials regarding water quality, provide a engineered WQMP certification, inspection of BMPs, GPS location of BMPs, and ensure that the requirements for inspection and cleaning the BMPs are

08/31/17 17:07

# Riverside County LMS CONDITIONS OF APPROVAL

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TRACT MAP Tract #: TR31632

Parcel: 461-200-016

## 90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 11 EOT4 - WQMP COMP AND BNS REG (cont.)

RECOMMND

established. Additionally, the applicant will be required to register BMPs with the Transportation Department's Business Registration Division.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

Agenda Item No.:

Area Plan: Elsinore ZoningArea: Alberhill

Supervisorial District: First Project Planner: Ash Syed

Planning Commission: October 4, 2017

/ V/

Charissa Leach
Assistant TLMA Director

PLOT PLAN NO. 25778

**Environmental Assessment No. 42780** 

**Applicant: Verizon Wireless** 

Engineer/Representative: SAC Wireless,

c/o Courtney Standridge

# COUNTY OF RIVERSIDE PLANNING DEPARTMENT NOTICE OF DECISION STAFF REPORT

## PROJECT DESCRIPTION AND LOCATION:

Plot Plan No. 25778 proposes to construct a new wireless communication facility disguised as a pine tree (monopine) consisting of a 50-foot-tall monopole, twelve (12) panel antennas, twelve (12) Remote Radio Units, one (1) microwave dish, one (1) DC generator with two (2) equipment cabinets, two (2) Global Positioning Satellite antennas within an enclosed 625-square-foot lease area.

The project site is located south of Desert Ridge, southwest of Kachina Court, east of Silver Stirrup Drive, and is located within the Elsinore Area Plan and within the Horse Thief Canyon Specific Plan ("SP No. 152"), Planning Area 13.

# **RECOMMENDATION:**

**RECEIVE AND FILE** the Notice of Decision for the above referenced case acted on by the Planning Director on August 7, 2017.

The Planning Department recommended APPROVAL; and, THE PLANNING DIRECTOR:

ADOPTED a NEGATIVE DECLARATION for ENVIRONMENTAL ASSESSMENT NO. 42780 based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

<u>APPROVED PLOT PLAN NO. 25778</u>, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

## **BACKGROUND:**

Plot Plan No. 25778 proposes to construct a new wireless communication facility disguised as a pine tree (monopine) consisting of a 50-foot-tall monopole, twelve (12) panel antennas, twelve (12) Remote Radio Units, one (1) microwave dish, one (1) DC generator with two (2) equipment cabinets, two (2) Global Positioning Satellite antennas within an enclosed 625-square-foot lease area. The subject property is currently used for a single family residence and a detached structure. There is an existing water tank on the property, otherwise it is flat asphalt pavement with small pine frees on the south side. Additional landscaping is not required.



# DIRECTOR'S HEARING REPORT OF ACTIONS AUGUST 7, 2017

# 1.0 CONSENT CALENDAR:

1.1 FIRST EXTENSION OF TIME REQUEST for TENTATIVE PARCEL MAP NO. 32837 – Applicant: Robert J. Mainiero – Fourth Supervisorial District – Lower Coachella Zoning District – Eastern Coachella Valley Area Plan: Community Development: Estate Density Residential (CD-EDR) (2 Acres Minimum) – Location: Southerly of Avenue 53, easterly of Jackson Street, and westerly of Calhoun Street – Vista Santa Rosa Community – 8.75 Gross Acres – Zoning: Residential Agricultural (R-A) (20,000 sq. ft. Minimum) – Approved Project Description: Schedule "H" Subdivision to divide approximately 8.75 gross acres into four (4) parcels – REQUEST: First Extension of Time Request for Tentative Parcel Map No. 32837, extending the expiration date to May 6, 2017. Project Planner: Arturo Ortuño at (951) 955-0314 or email at aortuno@rivco.org.

<u>APPROVED</u> First Extension of Time Request for Tentative Parcel Map No. 32837, extending the expiration date to May 6, 2017.

1.2 FIRST EXTENSION OF TIME REQUEST for TENTATIVE PARCEL MAP NO. 34343 — Applicant: Vaughn Wilson — Third Supervisorial District — Rancho California Zoning Area — Southwest Area Plan: Rural Community: Estate Density Residential (RC-EDR) (2 Acre Minimum) — Location: Northerly of Linda Rosea Road, westerly of Anza Road, easterly of Calla Alta, and southerly of Capital Street — 5.05 Gross Acres — Zoning: Residential Agricultural — 2 ½ Acre Minimum (R-A-2½) — Approved Project Description: Schedule "H" Subdivision of 5.05 acres into two (2) residential lots with a minimum lot size of 2 ½ acres — REQUEST: First Extension of Time Request for Tentative Parcel Map No. 34343, extending the expiration date to June 5, 2018. Project Planner: Arturo Ortuño at (951) 955-0314 or email at aortuno@rivco.org.

**APPROVED** First Extension of Time Request for Tentative Parcel Map No. 34343, extending the expiration date to June 5, 2018.

1.3 THIRD EXTENSION OF TIME REQUEST for TENTATIVE PARCEL MAP NO. 32089 — Applicant: Brian and Michelle Fox — Third Supervisorial District — Ramona/Little Lake Zoning District — San Jacinto ValleyArea Plan — Community Development: Medium Density Residential (CD-MDR) (2-5 du/ac) — Location: Northerly of Johnston Avenue, southerly of El Camino Drive, easterly of Meridian Street, and westerly of Stanford Street — 4.32 Gross Acres — Zoning: Residential Agricultural — One Acre Minimum (R-A-1) — Approved Project Description: Schedule H - Subdivision of 4.32 gross acres into four oneacre parcels — REQUEST: Third Extension of Time Request for Tentative Parcel Map No. 32089, extending the expiration date to February 25, 2018. Project Planner: Ash Syed at (951) 955-6035 or email at asyed@rivco.org.

**APPROVED** Third Extension of Time Request for Tentative Parcel Map No. 32089, extending the expiration date to February 25, 2018.

- 2.0 <u>HEARINGS CONTINUED ITEMS 1:30 p.m. or as soon as possible thereafter:</u>
  NONE
- 3.0 HEARINGS NEW ITEMS 1:30 p.m. or as soon as possible thereafter:

3.1 PLOT PLAN NO. 25778 – Intent to adopt a Negative Declaration – Applicant: Verizon Wireless – Engineer Representative: SAC Wireless – Owner: Elsinore Valley Municipal Water District – First Supervisorial District – Alberhill Zoning Area – Elsinore Area Plan – Land Use Designation: Community Development: Medium Density Residential (CD-MDR) (2 – 5 du/ac) – Location: Southerly of Desert Ridge, westerly of Kachina Court, easterly of Silver Stirrup Drive – Zoning: Horse Thief Canyon Specific Plan, Planning Area 13 (SP 152, PA 13) – REQUEST: The plot plan proposes to construct a new wireless telecommunication facility disguised as a pine tree, consisting of a 50 foot tall monopole, 12 panel antennas, 12 Remote Radio Units, one (1) microwave dish, one (1) DC generator with two (2) equipment cabinets, and two (2) Global Positioning Satellite antennas within an enclosed 625 square foot lease area. Project Planner: Ash Syed at (951) 955-6035 or email at asyed@rivco.org.

Staff Report Recommendation:

ADOPT of a Negative Declaration for Environmental Assessment No. 42780; and

APPROVE Plot Plan No. 25778.

Staff's Recommendation:

<u>ADOPTION</u> of a Negative Declaration for Environmental Assessment No. 42780; and

APPROVAL of Plot Plan No. 25778.

Planning Director's Actions:

ADOPTED a Negative Declaration for Environmental Assessment No. 42780; and

**APPROVED** Plot Plan No. 25778, subject to the conditions of approval.

Agenda Item No.: Area Plan: Elsinore ZoningArea: Alberhill

3.1

Supervisorial District: First Project Planner: Ash Syed

Directors Hearing: August 7, 2017

Charissa Leach P.E. Assistant TLMA Director PLOT PLAN NO. 25778

**Environmental Assessment No. 42780** 

**Applicant: Verizon Wireless** 

Engineer/Representative: SAC Wireless,

c/o Courtney Standridge

# COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

# PROJECT DESCRIPTION AND LOCATION:

Plot Plan No. 25778 proposes to construct a new wireless communication facility disguised as a pine tree (monopine) consisting of a 50-foot-tall monopole, twelve (12) panel antennas, twelve (12) Remote Radio Units, one (1) microwave dish, one (1) DC generator with two (2) equipment cabinets, two (2) Global Positioning Satellite antennas within an enclosed 625-square-foot lease area.

The project site is located south of Desert Ridge, southwest of Kachina Court, east of Silver Stirrup Drive, and is located within the Elsinore Area Plan and within the Horse Thief Canyon Specific Plan ("SP No. 152"), Planning Area 13.

# **SUMMARY OF FINDINGS:**

1. Existing General Plan Land Use: Community Development: Medium Density Residential as reflected on the Land Use Plan for

Specific Plan No. 152 (CD: MDR) (2 – 5 du/ac)

2. Surrounding General Plan Land Use: Community Development: Medium Density Residential as reflected on the Land Use Plan for

Specific Plan No. 152 (CD: MDR) (2 – 5 du/ac) to the north, south, and east, and Open Space:

Conservation Habitat (OS:CH) to the west.

3. Existing Zoning: Horse Thief Canyon Specific Plan, Planning Area

13 (SP No. 152, PA 13)

4. Surrounding Zoning: Horse Thief Canyon Specific Plan to the north,

south, and east, and One Family Dwellings (R-1) Open Area and Combining Zone Residential

Developments(R-5) to the west.

5. Existing Land Use: There is an existing water tank on the property,

otherwise it is flat asphalt pavement with small pine frees on the south side. Additional

landscaping is not required.

6. Surrounding Land Use: Single Family Residential to the north, east, and

the west and vacant land to the south

7. Project Data: Total Acreage: 0.96 acres

Lease Area: 625 square feet

8. Environmental Concerns:

See attached environmental assessment

# **RECOMMENDATIONS:**

<u>ADOPT</u> a **NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42780**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

<u>APPROVE</u> Plot Plan No. 25778, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

<u>FINDINGS</u>: The following findings are in addition to those incorporated in the summary of findings and in the attached environmental assessment, which is incorporated herein by reference.

- 1. The project site has a General Plan Land Use Designation of Community Development: Medium Density Residential as reflected on the Land Use Plan for Specific Plan No. 152 (CD: MDR) (2 5 du/ac) in the Elsinore Area Plan which allows for development of single family detached residences, agriculture uses, and small scale commercial uses, as well as public services, which would include wireless services. The proposed use, a disguised wireless communication facility, is consistent with the Community Development: Medium Density Residential (CD: MDR) land use designation as it will provide a limited public service (i.e. wireless communication).
- 2. The project site is surrounded by properties, which have a General Plan Land Use Designation of Community Development: Medium Density Residential as reflected on the Land Use Plan for Specific Plan No. 152 (CD: MDR) (2 5 du/ac) to the north, south, and east, and Open Space: Conservation Habitat (OS:CH) to the west.
- 3. The project site has a Zoning Classification of Specific Plan, SP No. 152, Planning Area 13).
- 4. The project site is surrounded by properties that have a Zoning Classification of Specific Plan SP No. 152, Planning Area 13 to the north, south, and east, and Open Area Combining Zone Residential Developments (R-5) to the west.
- 5. The project site contains an existing water tank, currently being used by the Elsinore Valley Municipal Water District ("EVMWD").
- 6. The project site is surrounded by single family, detached residential to the east, north, and west, and open space to the south.
- 7. The permitted uses for Planning Area 13 within the Horse Thief Specific Plan are defined as the same as those permitted in Ordinance No. 348, Article VI, Section 6.1, the R-1 Zone. The development standards for Planning Area 13 are defined the same as those standards identified in Ordinance No. 348 Article VI Section 6.2 for the R-1 Zone. Disguised wireless communication towers are permitted within the R-1 Zone, subject to Plot Plan approval.
- 8. The proposed use, a disguised wireless communication facility, is consistent with the Horse Thief Canyon Specific Plan Planning Area 13, and Ordinance No. 348, pertaining to development code requirements and design criteria, including the requirement that the lot area not be less than six

thousand (6,000) square feet. Here, the lot area is 41,818 square feet, with the wireless communication facility's lease area at 625 square feet, and the proposed use is therefore consistent with this requirement. The remainder of the development standards apply to buildings and minimum yard sizes, which are not applicable to the proposed use but are not prevented from being attained by a future proposed use on the same parcel.

- 9. The proposed use, a disguised wireless communication facility, specifically meets the requirements for approval of Ordinance No. 348, Article XIXg, "Wireless Communication Facilities," based on the following:
  - a. The proposed use, a disguised wireless communication facility, is minimally visually intrusive. It has been designed to look like a pine tree (monopine) to assist in blending into the existing use on the subject parcel of a pine tree farming operation. It is minimally intrusive visually as it matches in color of neutral earth tones with the surrounding area and other similar pine tree farms.
  - b. A site plan, conceptual landscape plan, propagation diagrams, photo simulations, a fully executed copy of the lease agreement entered into by the underlying property owner, and a list of all towers owned by the applicant in Riverside County has been provided, as well as all other requirements under Ordinance No. 348 Section 19.409.
  - c. The disguised wireless communication facilities and supporting equipment are located entirely within a 625 square-foot equipment enclosure comprised of light beige or neutral-colored decorative 6-foot tall block wall that is architecturally compatible with the surrounding area.
  - d. The disguised wireless communication facility is located on a parcel within the Horse Thief Canyon Specific Plan, SP No. 152, Planning Area 13, which is patterned after the R-1 Zone and is therefore considered a residential zoning classification.
  - e. A disguised wireless communication facility in a residential zone classification may not exceed 50 feet in height. The proposed disguised monopine is 50 feet in height and is therefore consistent with the maximum height for a residential zone classification.
  - f. The disguised wireless communication facility has no impacts to the surrounding community and has no biological resources anticipated onsite as noted in the documents provided in this report package.
  - g. This disguised wireless communication facility has been determined to not require additional landscaping due to its location on a parcel of land outside a floodplain. It is minimally intrusive visually as it matches in color of neutral earth tones with the surrounding area of residences and asphalt.
  - h. Any lighting system installed shall also be shielded to the greatest extent possible so as to minimize the negative impact of such lighting on adjacent properties and so as not to create a nuisance for surrounding property owner or wildlife. This disguised wireless communication facility has no external lighting, but 3 types of internal lighting proposed, controlled by switch.
  - A standard condition of approval has been added to ensure that all noise produced by the disguised wireless communication facility will not exceed 45 decibels inside the nearest dwelling

and 60 decibels at the property line (COA 10. Planning. 19). The nearest habitable dwelling is approximately 165 feet away.

- j. Temporary parking for service vehicles may be permitted on site. No off-site parking shall be allowed for any service vehicle. Paving for the parking shall be required, where appropriate, and may not be removed without proper mitigation. The disguised wireless communication facility provides a paved path for vehicle access to the site from Kachina Court as well as a paved parking space.
- k. All wireless communication facilities within the residential developments containing lots 18,000 square feet or smaller shall be accessed via a paved road. All wireless communication facilities within residential developments containing lots larger than 18,000 square feet shall be accessed via an all-weather surface. The disguised wireless communication facility provides an asphalt (all-weather) surface for access through a non-exclusive easement from Kachina Court.
- A wireless communication facility shall have no above-ground power or communication lines that extend to the site, unless an applicant demonstrates that undergrounding such lines would result in substantial environmental impacts. All power and communication lines for the disguised wireless communication facility are proposed to be underground.
- m. Wireless communication facilities mounted on a roof shall be less than ten feet above the roofline. This project is not a roof mounted facility.
- n. Wireless communication facilities proposed on ridgelines and other sensitive view sheds, as defined in Ordinance No. 348, shall be concealed and sited so that the top of the facility is below the ridgeline as viewed from any direction. The disguised wireless communication facility is not proposed within any such ridgeline, thus the proposed project does not receive offsite storm runoff.
- c. The disguised wireless communication facility is setback approximately 165 feet from nearest habitable dwelling. The disguised wireless communication facility needs to be setback a distance equal to 200% of the height of the facility. With the height of the facility being 50 feet; the distance would need to be equal to 100 feet from a habitual dwelling. The monopine exceeds the required setback distance by 65 feet.
- p. The disguised wireless communication facilities supporting equipment is designed by its color scheme to be neutral earth tone colors that blend with natural view elements (beiges, greens, and browns) of the surrounding area. Under Ordinance No. 348 section 18.30C, the disguised wireless communication facility shall conform to the logical development of the land and be compatible with the present and future logical development of the future property. In compliance with Ordinance No. 348 section 19.404C, the wireless communication facility is disguised as a monopine for minimal visual intrusiveness. Additionally, the facility is located entirely within an existing water tank enclosure that is architecturally compatible with the surrounding area.
- 10. This project site is located within a Criteria Cell No. 3950 of the Western Riverside County Multiple Species Habitat Conservation Plan. HANS 2248 was submitted for review and determination, resulting in no requirement for conservation or avoidance of any biological resources.

- 11. This project is within the City Sphere of Influence of Lake Elsinore. This project was transmitted to the City of Lake Elsinore for review and comment. At the time of staff report preparation, the County had received no comments.
- 12. The design of the wireless communication facility as a monopine is as such to allow collocation by other carriers. At 50 feet in height, the monopine may have space for two wireless cell providers. The plans do not prohibit another provider from collocating onto the lower portion of the wireless communication facility. Thus, by possibly increasing the height an additional 20 feet, to a total height of 70 feet, the facility can more easily fit two separate wireless providers. By this design for collocations, it can limit the environmental impacts by reducing the number of wireless communication facilities within the area.
- 13. This project site is not located within close proximity to an airport nor is it located within an Airport Influence Area ("AIA") boundary.
- 14. Pursuant to AB 52, this project was submitted to the Agua Caliente Band of Cahuilla Indians for Tribal Cultural review. This project is for the construction of a new 50-foot tall, wireless communications facility (monopine) within an existing, improved site, containing a water tank, operated by. The tower and appurtenant enclosure will be located adjacent to the tank, within the improved area. Minimal amount of new grading will be required and the site contains all necessary infrastructure to support a new tower. The Agua Caliente Band of Cahuilla Indians had no concerns, and as a result, AB 52 has been concluded.
- 15. The project site is located within a Very High hazard area and is within the State Responsibility Area ("SRA") for fire protection services. As a part of being within an SRA the Director of the Department of Forestry and Fire Protection or his/her designee shall be notified of applications for building permits, tentative parcel maps, tentative maps and use permits for construction or development with SRA's. Riverside County Code Section 8.32.050 (C) (2) states that the Fire Chief is authorized and directed to enforce all applicable State fire laws and provisions of this ordinance and to perform such duties as directed by the Board of Supervisors. Riverside's County Assistant Fire Marshall Swarthout stated that given they have the authority to enforce all applicable State fire laws that the notification requirement of Title 14 has been met. The following additional findings are required to be met:
  - a. The proposed Plot Plan is for the development of a new 139,800-square-foot industrial warehouse building on a 9.21-acre site. Development of this project is in compliance sections 4290 and 4291 of the Public Resources Code in that conditions of approval have been applied regarding, emergency access and egress, signage and building numbering, and emergency water standards. Fire protection services can easily access the site, which is located adjacent to Kachina Court. The project is surrounded by asphalt and non-flammable materials. The project is setback approximately 165 feet from nearest habitable dwelling and is a ground mounted facility.
  - b. Fire protection and suppression services are available for the site through the California Department of Forestry and Fire Protection.
  - c. The project meets the regulations regarding road standards for fire equipment access adopted pursuant to Section 4290 et seq. of the Public Resources Code, the regulations adopted thereto, and Riverside County Ordinance No. 787. All necessary roadway

infrastructure exists and the project site is located adjacent to Kachina Court. There is adequate accessibility to the project site for all emergency service vehicles.

- 16. This land division is located within a Cal fire state responsibility area with a very high fire hazard severity zone. The project is surrounded by asphalt and non-flammable materials.
- 17. Environmental Assessment No. 42780 identified no potentially significant impacts, and no mitigation is required.

## **CONCLUSIONS:**

- 1. The proposed project is in conformance with the Community Development: Medium Density Residential (CD: MDR) (2 5 du/ac) Land Use Designation, and with all other elements of the Riverside County General Plan.
- 2. The proposed project is consistent with the Horse Thief Canyon Specific Plan, Planning Area 13 (SP No. 152, PA 13) zoning classification, and with all applicable provisions of Ordinance No. 348.
- 3. The public's health, safety, and general welfare are protected through project design.
- 4. The proposed project is clearly compatible with the present and future logical development of the area.
- 5. The proposed project will not have a significant effect on the environment.
- 6. The proposed project will not preclude reserve design for the Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP).

# **INFORMATIONAL ITEMS:**

- 1. As of this writing, no letters, in support or opposition have been received.
- 2. The project site **is not** located within:
  - a. A 100-year flood plain, an area drainage plan, or dam inundation area; or
  - b. The Stephens Kangaroo Rat Fee Area or Core Reserve Area
- 3. The project site **is** located within:
  - a. The Temescal #134 County Service Area; and
  - b. The City of Lake Elsinore Sphere of Influence; and
  - c. A Criteria Cell of the MSHCP; and
  - d. A High Fire Area; and
  - e. A Low Liquefaction Potential Area
- 4. The subject site is currently designated as Assessor's Parcel Number 393-611-028

Date Drawn: 12/01/2015 Vicinity Map CITY OF LAKE ELSINORE RIVERSIDE COUNTY PLANNING DEPARTMENT PP25778 AREAS VICIN Zoning Area: Alberhill Supervisor : Jeffries District 1 GLEN EDEN

Author: Vinnie Nguyen

2,000

0 500 1,000 Feet

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DISCAMENTS CONTRACT, A JUST, the Courts of Retracted subgreds a new Conneal Rate protecting are fined to at designetion for tumor repeated. Retracto Country partials. The two General Flat man restricts different type of Land with this is promited for under country grants; Ret further manners place, place, country flat man, restricts differently by the Country grants; Ret further mannerships, place, could be the Reteracted found formula programment of the mannership of the country flat many Department of times in Retracted as (1961)55-32(4) (Whether Country for my

# RIVERSIDE COUNTY PLANNING DEPARTMENT PP25778 Supervisor: Jeffries Date Drawn: 12/01/2015 District 1 Exhibit 1 VAC SF RES BUCKSKIN TRAIL DR SF/RES CITY OF L'AKE ELSINORE TANK VAC 96/AC WAG VAC

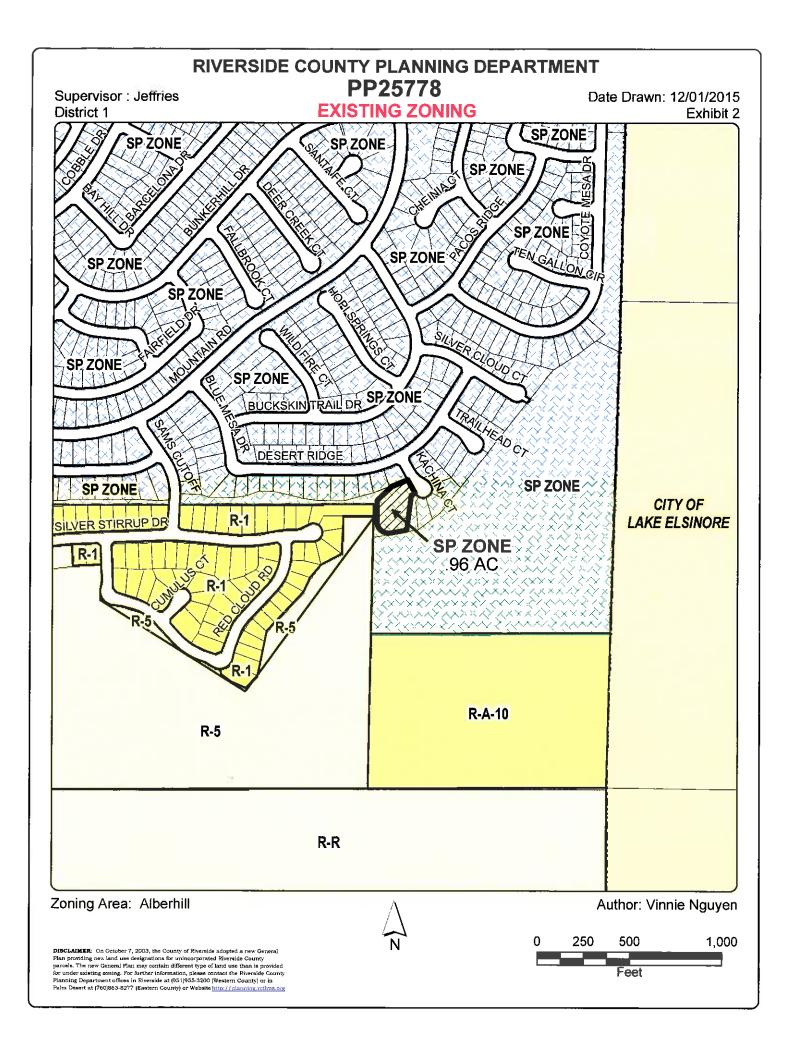
Zoning Area: Alberhill

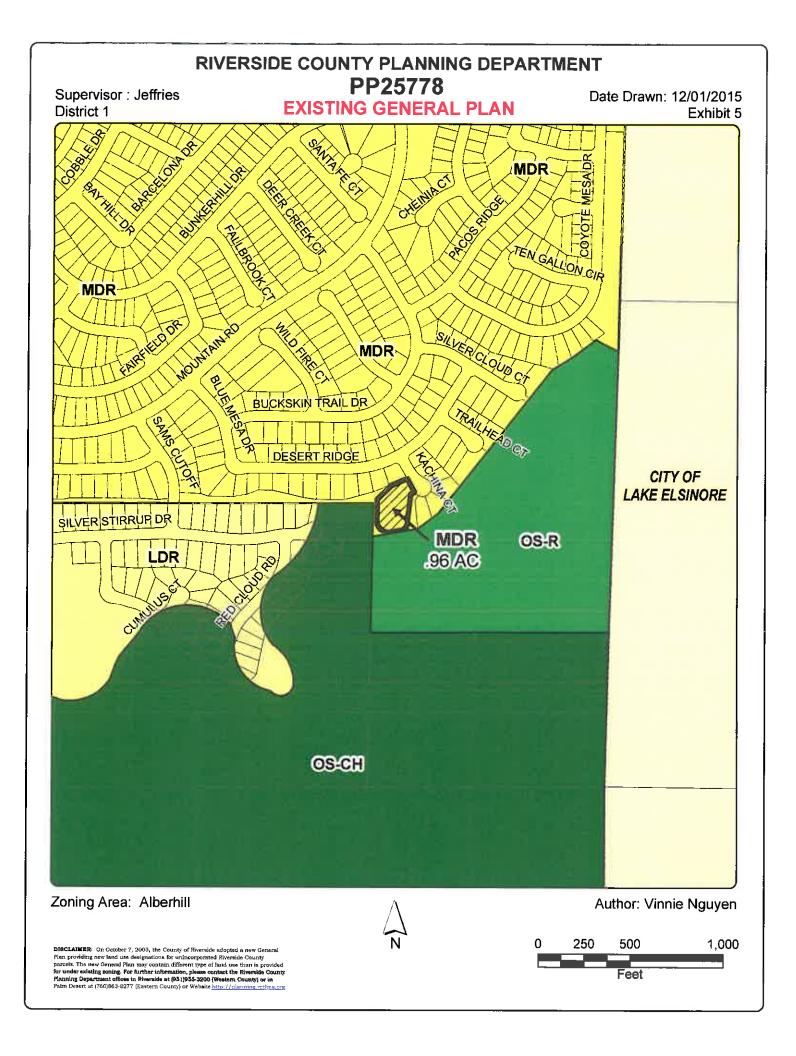
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Author: Vinnie Nguyen

0 250 500 1,000 Feet

DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for traincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing soning. For further Information, please contact the Riverside County Flanning Operaturent offices in Riverside at (\$91)985-3207 (Western County) or in Palm Desert at (760)863-9277 (Eastern County) or Website http://plannin.colima.org





# HORSETHIEF

27651 KACHINA COURT CORONA, CA 92883 RIVERSIDE COUNTY

PERNING 2013 C 2010 N 2010 N 2010 N 2010 N 2010 N

ENGINEERING

# Verizon wireless

11"x17" PLOT WILL BE HALF SCALE UNLESS OTHERWISE NOTED

DONSTRUCTION OF AN UNMARTO WRELESS CELL SITE FOR VERZON WORLDS, WITH CONTROL OF A STATE OF A STATE

PROJECT DESCRIPTION

MONOPINE

LOCAL MAP

Sept 18 Stilling Kentuality St

rona-t-census Jangle Island Paintball Path

ELSMORE VALLEY MUNICIPAL MATER DISTRET 31315 CHANEY ST. LAKE EKSINDER, CA 92030 (851) 674-3146

SITE INFORMATION

VERIZON WRELESS 15505 SAND CANYON AVE. BLDG, 'D' 1st FL. CORONA, CA 92618

TOWER DWINERS STE DONTACT

VERIZON MRELESS 15505 SAND CANYON AVE. BELDG. 'D' 14F LC CORONA, CA 92880 CONTACT: PROFERTY MANACEMENT CONTACT NUMBER: (949) 286—7000

SPECIFIC PLAN 152 WITH UNDERLYNG ZONE OF R-1 (HORSETHIEF SPECIFIC PLAN-DEVELOPKENT AREA 13)

391-631-039

PARCEL #: OCCUPANCY ORDUP: CONSTRUCTION TYPE:

COUNTY OF RIVERSIDE

ZOMNG JURISDICTION

ZONANG DISTRICT:

RIVERSIDE COUNTY

VICINITY MAP

CONTRACTOR SHALL VERFY ALL PLANS & EXSTING DIMENSIANS & CONTINUED ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGRETS MATHING OF ANY DISCREMANCES BEFORE ENDREWEN WITH THE WORK OR BE

NETWORK OPERATIONS

ZONING MANAGER: SITE ACQUISITION: AF ENGINEER.

# THE FOLLOWING DARRIES HERBY APPROVE AND ACREM PRESE DOCAMEN'S & AUTHORIES THE SOSCOMENON OF PROCESSOR MAY CONSTRUCTION DECEMBED FREIN, ALL DOCUMENTS ARE SOSCEROF OF THE COSAL BAUDING DEVAIRENT & LAT MAYOR CHANGE OR APPROVALS CONSTRUCTION MANAGER UTILITY COORDINATOR:

PROJECT MANAGERS

W-T COMMUNICATION
DESIGN GROUP, LLC.
WHELESG INFRAGRUCTURE
8593 S. E334EN AND STANS

Las Vogas, NV 89173 PH: (702) 998-1000 FAX: (702) 99B-1019 www.wtenginsering.com

Veri 700 wireless

THE EAGLIN'S UNMANNED AND HOT FOR HUMAN HABITATION. A TECHNICAN WILL YIST TANK STAFFOR THE PROJECT "HILL NOT TRENUT IN ANY SCHIENCY TO SAMTHAY SERVE SERVICE AND SAMENEY SERVE SERVICE AND SAMENEY SERVE SERVICE AND SAMENEY SERVICE SECURED AND NO COMMERCIAL SIGNAGE. BY PROPOSED.

GENERAL NOTES

15505 SAND CANYON AVE. BUILD NG 'D' 1st FL. IRWNE, CA 92618

# 5865 AVENIDA ENCINAS, STE. CARLSBAD, CA 92008 WINTERS

DRAWING INDEX

SHEET NO:	SHEET TITLE
-	TITLE SHEET & PROJECT DATA
A-1	DVERALL SITE PLAN
A-2	ENLARGED SITE, EQUIPMENT & ANTENNA PLAN
A-3	ELEVATIONS
4-4	ELEVATIONS

# CASE: PP25778

100

EXHIBIT: A (SHEETS 1-5) DATE: 3/12/15 PLANNER: M. Corcoran

# STRUCTURAL REVIEW NOTE

THE SCORE OF WORK DOES NOT INCLUDE A STRUCTURAL EVALUATION OF THIS TOWER OF WITTEN THE MANNES SHOWN THIS PLANT WOULD SHOW THE STRUCTURE THAT AMOUNTS SHOWN THIS PLANT WOULD SHOW THE STRUCTURE AND THE CAMADITY TO AGROUNT WE SHOW THIS SHOW THE SHOW THE SHOW THE MAN THE CAMADITY TO AGROUNT WE SHOW THE SHOW THE SHOW THE MAN THE SHOW THE SH

IT S A VIOLATION OF LAW FERSON UNLESS THEY ARE ACTING MOST THE DIRECT OF A LICENSED PROFESSIONAL PROPINCER, TO ALTER THIS DOCUMENT.

27651 KACHINA COURT CORONA, CA 92883 RIVERSIDE COUNTY

HORSETHIEF



Know what's below. Call before you dig.

45 HOURS PRICK TO BICCING, CONTRACTOR TO NUTIFY ALL UTILITY COMPANIES TO LOCATE ALL CUNDERSROUND UTILITIES.

TITLE SHEET & PROJECT DATA

Commitment to Cualif

# DRIVING DIRECTIONS FROM IRVINE OFFICE

STARTNO FROM VERIZON WIRELESS IRVINE DFFICE

SAC WRELESS 5865 AVENDA ENCINAS, STE. 1428 CARLSBAD, CA 92008

SITE CONTACT CONTACT: PHONE:

JENNIFER CHESNEY

(949) 235-6262

CONTACT INFORMATION

The same of the sa

SAC WIRELESS
SAG AVENDA ENCINAS, STE. 142B
CARLSBAD, CA 820QB
CONTACT NAME. JENNIFR CHESNEY
CONTACT NUMBER: (949) 235-5262

SIE ACQUISITION CONTACT:

MANONDBADK LAND SURVEYING CONTACT NUMBER: (702) 823–3257

SURVEYOR

SAC WRELESS 5865 AVENDA ENCINAS, STE. 1428 CALLESAD, CA 82002 CONTACT NAME. JUNIETE CHESNEY CONTACT NUMBER: (949) 235-6262

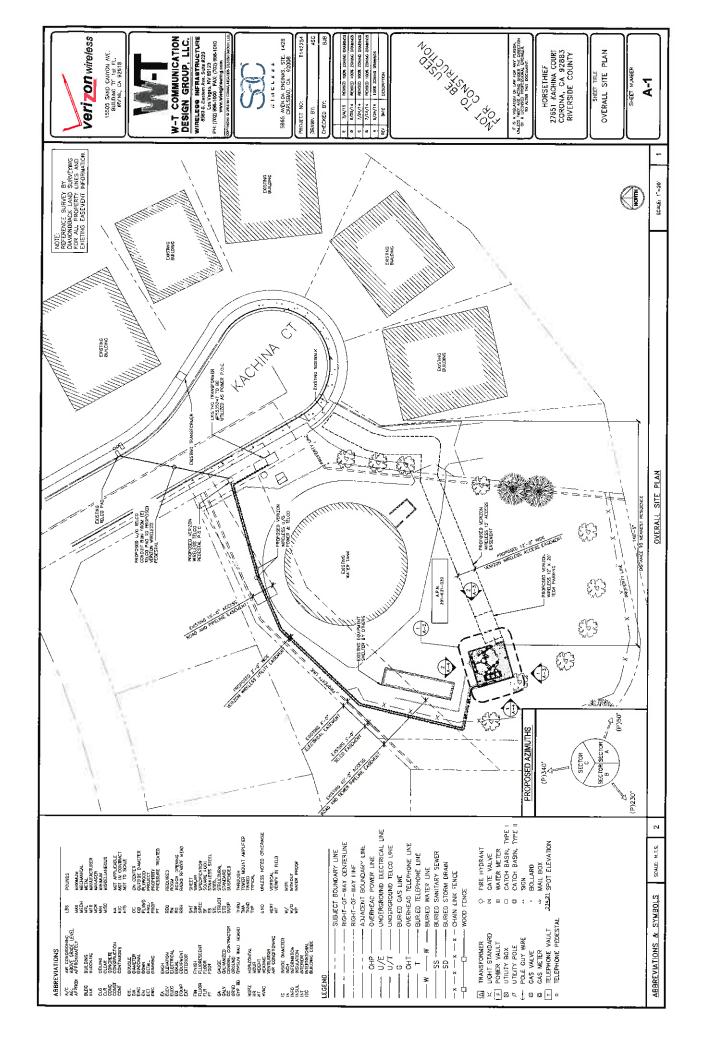
SITE ACQUISITION MANAGER

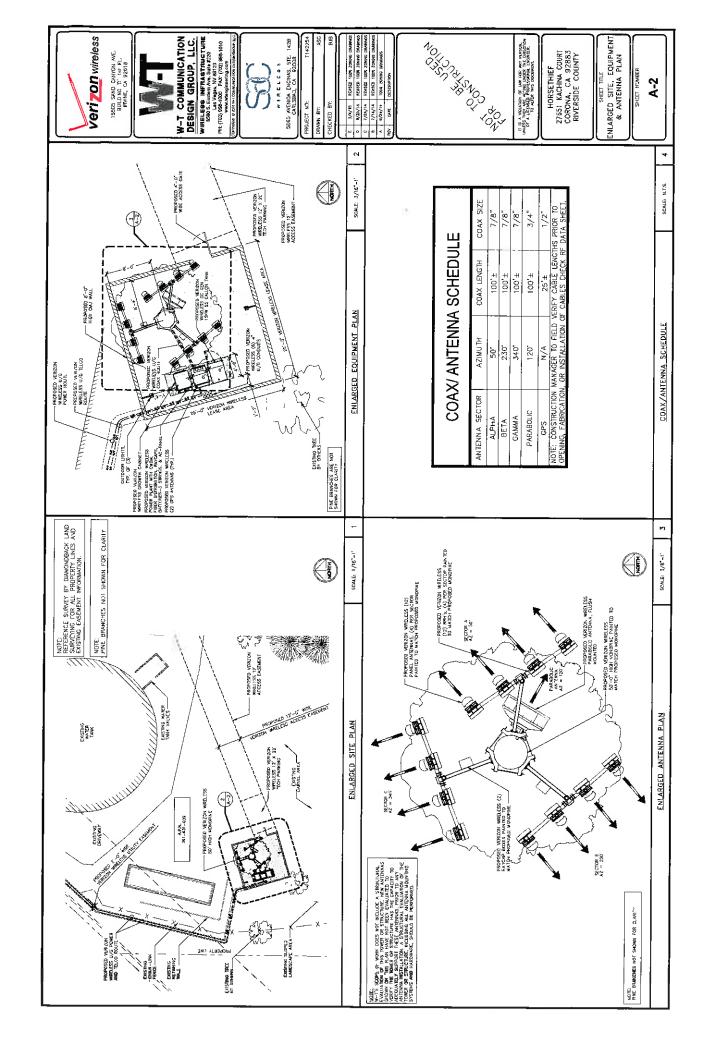
POWER COMPANY

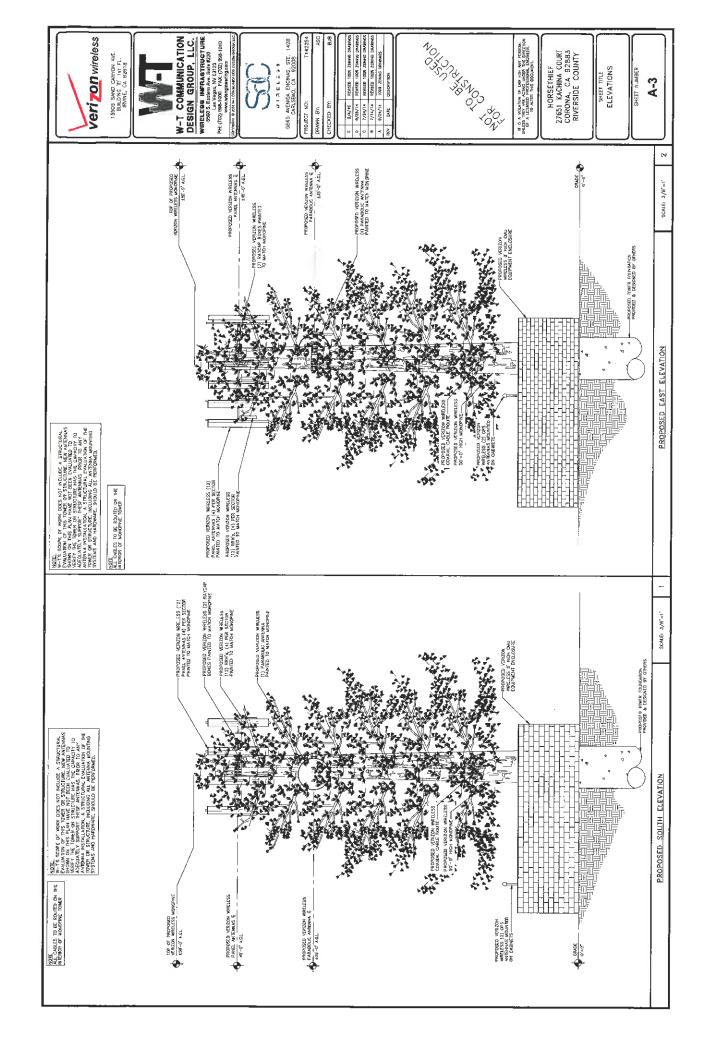
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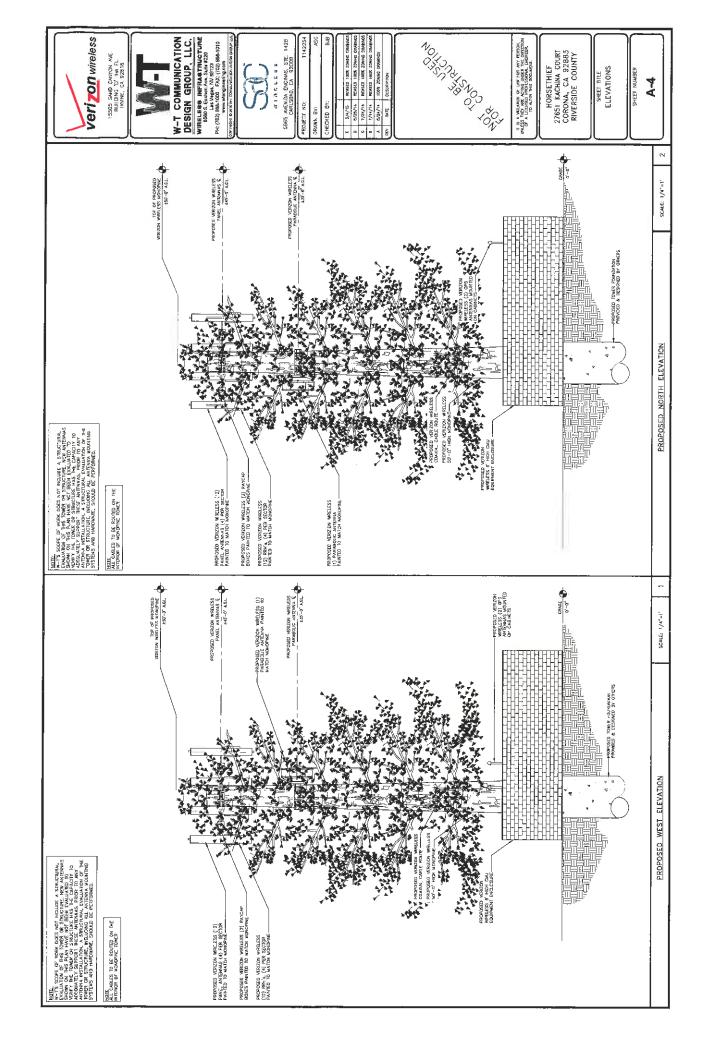
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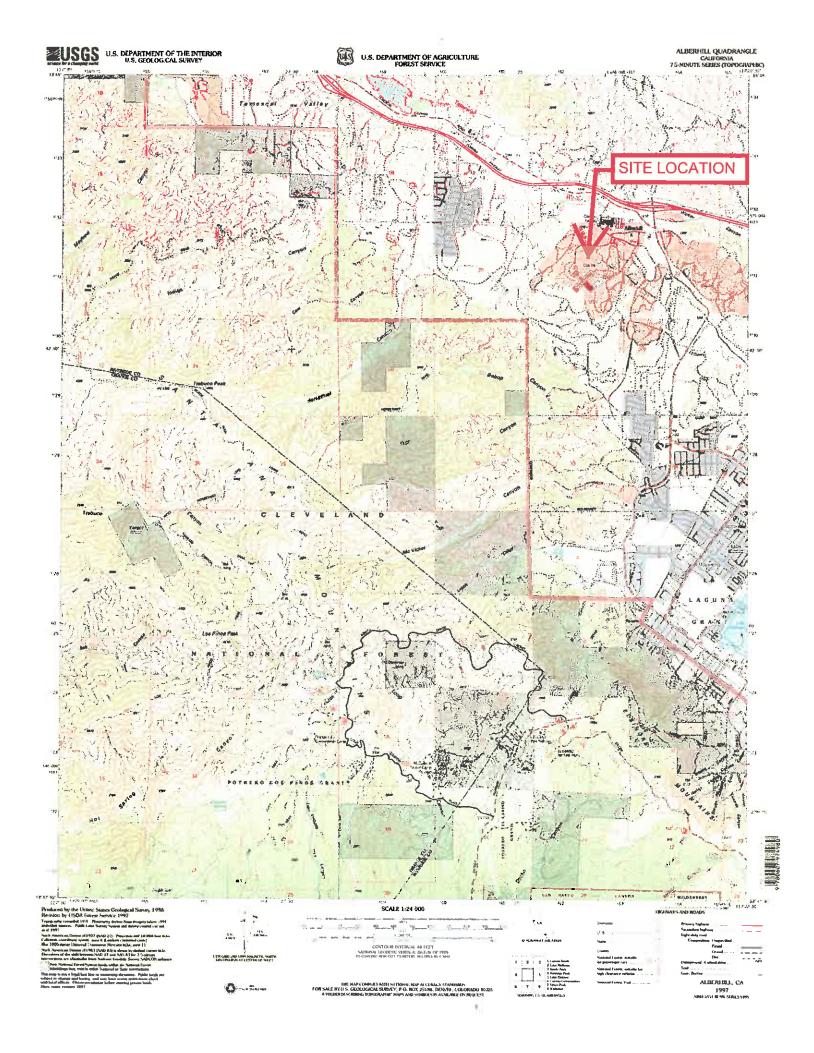
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27651 KACHINA COURT CORONA, CA 92883 HORSETHIEF Verizonwireless

PHOTOSIMULATION VIEWPOINTS

**VICINITY MAP** 





# HORSETHIEF

27651 KACHINA COURT CORONA, CA 92883

Verrizonwireless

**PHOTOSIMULATION VIEW 1** 

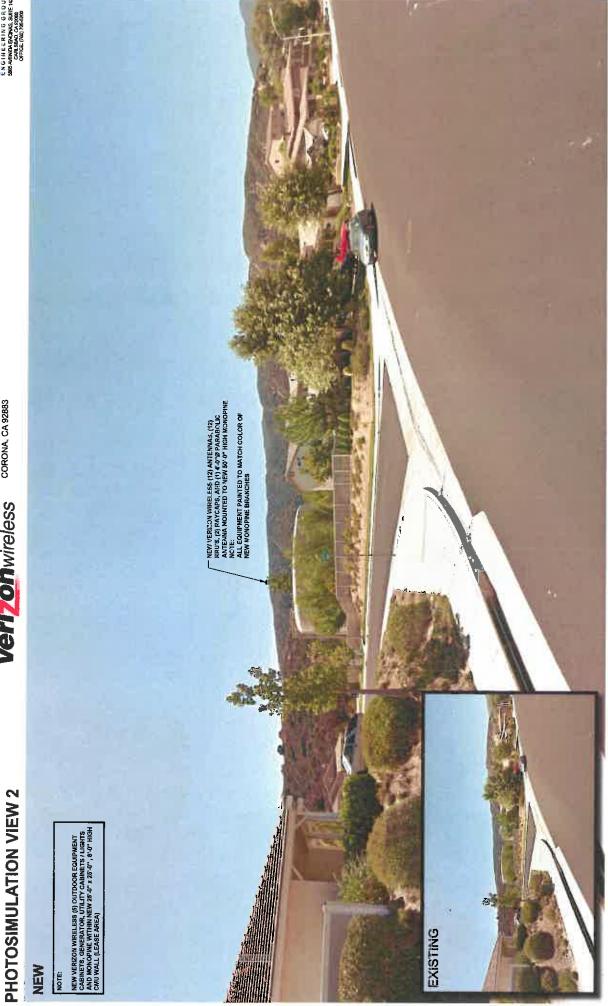






# **Verizon**wireless

# 27651 KACHINA COURT CORONA, CA 92883 HORSETHIEF

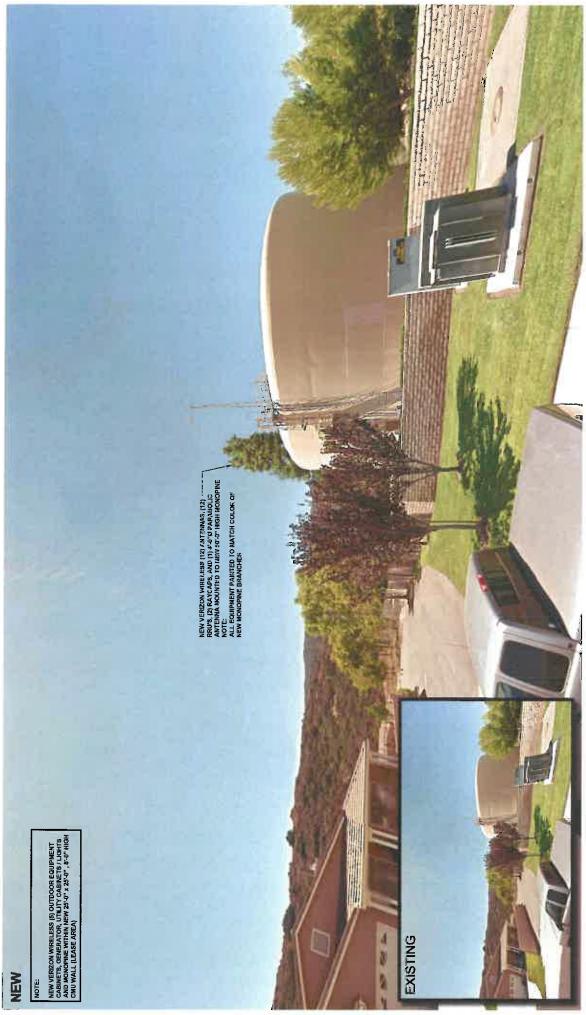


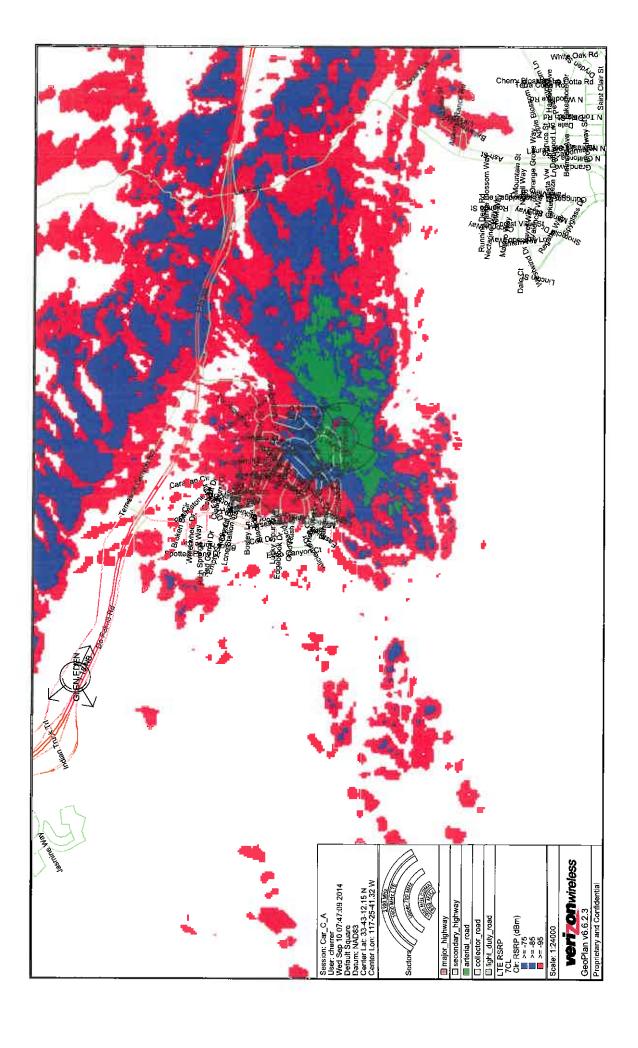


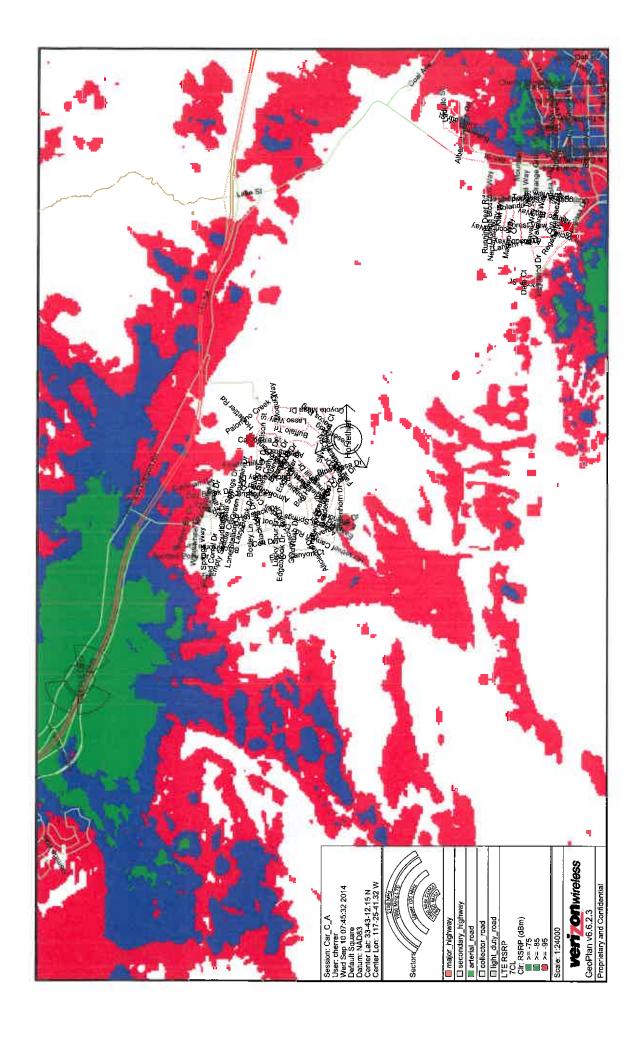


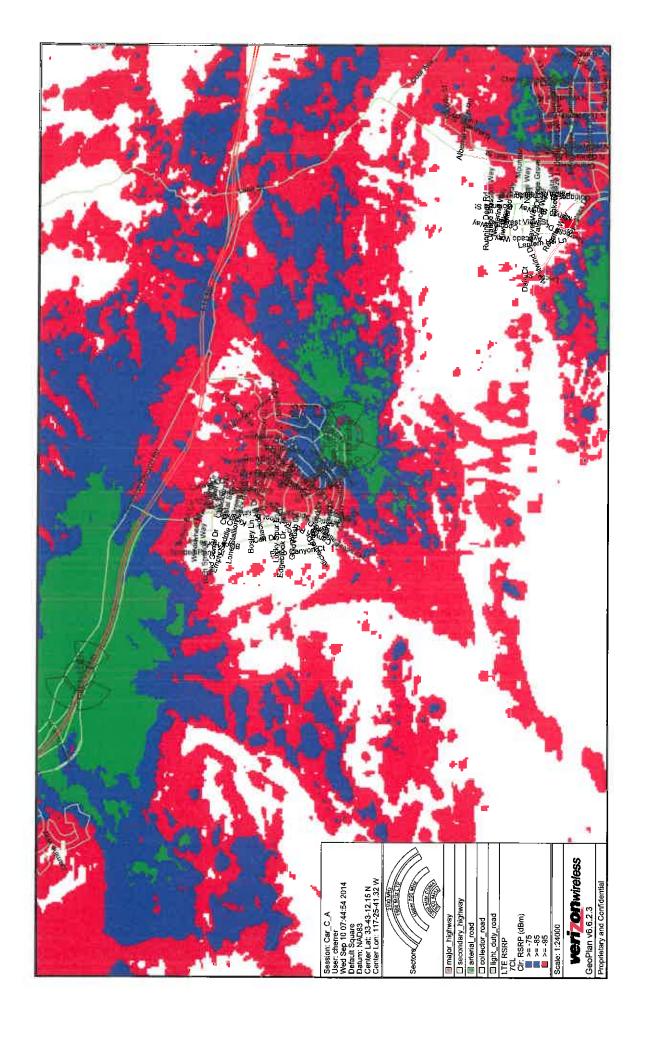
# 27651 KACHINA COURT CORONA, CA 92883 HORSETHIEF **Verizon**wireless

PHOTOSIMULATION VIEW 3











# PLANNING DEPARTMENT

# Steven Weiss, AICP Planning Director

# **NEGATIVE DECLARATION**

Project/Case Number: PP25778/EA4	2780			
Based on the Initial Study, it has been determined that the proposed project will not have a significant effect upon the environment.				
PROJECT DESCRIPTION, LOCATIO	N (see Environmental Ass	essment).		
COMPLETED/REVIEWED BY:				
By: Ash Syed	Title: Project Planner	Date: <u>June 8, 2017</u>		
Applicant/Project Sponsor: SAC Wire	eless for Verizon	Date Submitted: March 12, 2015		
ADOPTED BY: Planning Director				
Person Verifying Adoption: Ash Syed	<u> </u>	Date: <u>July 10, 2017</u>		
The Negative Declaration may be exa	amined, along with docume	ents referenced in the initial study, if any,		
Riverside County Planning Departmen	nt, 4080 Lemon Street, 12t	th Floor, Riverside, CA 92501		
For additional information, please con	itact Ash Syed at 951-955-	6035.		
Revised: 10/16/07 Y:\Planning Master Forms\CEQA Forms\Negative D	eclaration.doc			
ease charge deposit fee case#: ZEA42780 ZCFG06164	FOR COUNTY CLERK'S USE ON	NLY		

# COUNTY OF RIVERSIDE ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Environmental Assessment (E.A.) Number: 42780

Project Case Type (s) and Number(s): PLOT PLAN NO. 25778 Lead Agency Name: County of Riverside Planning Department

Address: P.O. Box 1409, Riverside, CA 92502-1409

Contact Person: Ash Syed

**Telephone Number: 951-955-6035** 

Applicant's Name: SAC Wireless for Verizon

Applicant's Address: 5865 Avenida Encinas, Ste. 142-B Carlsbad, CA 92008

## I. PROJECT INFORMATION

- A. Project Description: Plot Plan No. 25778 proposes to construct a new wireless communication facility disguised as a pine tree (monopine) consisting of a 50-foot-tall monopole, twelve (12) panel antennas, twelve (12) Remote Radio Units, one (1) microwave dish, one (1) DC generator with two (2) equipment cabinets, two (2) Global Positioning Satellite antennas within an enclosed 625-square-foot lease area. Project is located within the Elsinore Area Plan and within the Horse Thief Canyon Specific Plan ("SP No. 152"), Planning Area 13.
- **B.** Type of Project: Site Specific  $\boxtimes$ ; Countywide  $\square$ ; Community  $\square$ ; Policy  $\square$ .
- C. Total Project Area: 625 sq. ft.

Residential Acres:

Lots:

Units:

Projected No. of Residents:

Commercial Acres: Industrial Acres:

Lots: Lots: Sq. Ft. of Bldg. Area: Sq. Ft. of Bldg. Area: Est. No. of Employees: Est. No. of Employees:

Other: 625 Sq. Ft.

D. Assessor's Parcel No(s): 393-611-028

- E. Street References: South of Desert Ridge, West of Kachina Court, east of Silver Stirrup Drive.
- F. Section, Township & Range Description or reference/attach a Legal Description: Section 20, Township 5 South, Range 5 West.
- G. Brief description of the existing environmental setting of the project site and its surroundings: A mainly vacant lot with an existing water storage tank.

# II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

## A. General Plan Elements/Policies:

1. Land Use: The project implements Policy LU 4.1, requiring new developments to be located and designed to be visually intrusive or degrading to the character of the surrounding area. The proposed project is consistent with the Community Development: Medium Density Residential (CD: MDR) land use designation and other applicable land use policies because such wireless communication towers are permitted within this land use designation.

- 2. Circulation: The project has adequate circulation to the site and is therefore consistent with the Circulation Element of the General Plan. The proposed project meets all other applicable circulation policies of the General Plan.
- **3. Multipurpose Open Space:** No natural open space land was required to be preserved within the boundaries of this project. The proposed project meets with all other applicable Multipurpose Open Space element policies.
- 4. Safety: The proposed project is within an area with a high fire hazard area and a low liquefaction potential. The proposed project is not located within any other special hazard zone (including a fault zone, flood zone, dam inundation zone, etc.). The proposed project has allowed for sufficient provision of emergency response services to the project site through the project design and payment of development impact fees. The proposed project meets all other applicable Safety element policies.
- 5. Noise: Sufficient mitigation against any foreseeable noise sources in the area have been provided for in the design of the project. The project will not generate noise levels in excess of standards established in the General Plan or noise ordinance. The project meets all other applicable Noise Element Policies.
- **6. Housing:** The proposed project is an unmanned wireless communication facility; Housing Element Policies do not apply.
- 7. Air Quality: The proposed project has been conditioned to control any fugitive dust during grading and construction activities. The proposed project meets all other applicable Air Quality element policies.
- B. General Plan Area Plan(s): Elsinore Area Plan
- C. Foundation Component(s): Community Development
- D. Land Use Designation(s): Medium Density Residential as reflected on the Land Use Plan for Specific Plan No. 152 (CD:MDR)
- E. Overlay(s), if any: N/A
- F. Policy Area(s), if any: N/A
- G. Adjacent and Surrounding:
  - 1. Area Plan(s): Elsinore
  - **2.** Foundation Component(s): Community Development to the north and east, and Open Space to the west and south.
  - 3. Land Use Designation(s): Community Development: Medium Density Residential as reflected on the Land Use Plan for Specific Plan No. 152, (CD: MDR) (2 5 du/ac) to the north and east, Open Space: Conservation Habitat as reflected on the Land Use Plan for Specific Plan No. 152 to the west, and Open Space: Recreation to the south.
  - 4. Overlay(s), if any: N/A
  - 5. Policy Area(s), if any: N/A

1. Name and Number of Specific Plan, if any: Horsethief Canyon Specific Plan No. 152
2. Specific Plan Planning Area, and Policies, if any: 13
I. Existing Zoning: Horse Thief Canyon Specific Plan, Planning Area 13 (SP 152, PA 13)
J. Proposed Zoning, if any: N/A
K. Adjacent and Surrounding Zoning: Horse Thief Canyon Specific Plan to the north, south, and east, and One Family Dwellings (R-1) Open Area and Combining Zone Residential Developments(R-5) to the west.
III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED
The environmental factors checked below (x) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.
☐ Aesthetics       ☐ Hazards & Hazardous Materials       ☐ Recreation         ☐ Agriculture & Forest Resources       ☐ Hydrology / Water Quality       ☐ Transportation / Traffic         ☐ Air Quality       ☐ Land Use / Planning       ☐ Utilities / Service Systems         ☐ Biological Resources       ☐ Mineral Resources       ☐ Other:         ☐ Cultural Resources       ☐ Noise       ☐ Other:         ☐ Geology / Soils       ☐ Population / Housing       ☐ Mandatory Findings of Significance         ☐ Greenhouse Gas Emissions       ☐ Public Services       Significance
On the basis of this initial evaluation:  A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS NOT PREPARED  I find that the proposed project COULD NOT have a significant effect on the environment, and a
NEGATIVE DECLARATION will be prepared.  I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project, described in this document, have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.  I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS PREPARED
I find that although the proposed project could have a significant effect on the environment, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED because (a) all potentially significant
effects of the proposed project have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, (b) all potentially significant effects of the proposed project have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration. (c) the

H. Adopted Specific Plan Information

proposed project will not result in any new significant environmental effects not identified in the earlier EIR or Negative Declaration, (d) the proposed project will not substantially increase the severity of the environmental effects identified in the earlier EIR or Negative Declaration, (e) no considerably different

mitigation measures have been identified and (f) no	mitigation measures found infeasible have
become feasible.  I find that although all potentially significant effects EIR or Negative Declaration pursuant to applicable leganecessary but none of the conditions described in Calexist. An <b>ADDENDUM</b> to a previously-certified EIR or will be considered by the approving body or bodies.	al standards, some changes or additions are lifornia Code of Regulations, Section 15162
I find that at least one of the conditions described 15162 exist, but I further find that only minor additions or EIR adequately apply to the project in the changed site ENVIRONMENTAL IMPACT REPORT is required that make the previous EIR adequate for the project as revised.	changes are necessary to make the previous tuation; therefore a <b>SUPPLEMENT TO THE</b> eed only contain the information necessary to
I find that at least one of the following conditions Section 15162, exist and a SUBSEQUENT ENVIRONI Substantial changes are proposed in the project which we or negative declaration due to the involvement of new signification in the severity of previously identified signification occurred with respect to the circumstances under which major revisions of the previous EIR or negative declarate environmental effects or a substantial increase in the effects; or (3) New information of substantial importance been known with the exercise of reasonable diligence a complete or the negative declaration was adopted, show one or more significant effects not discussed in the Significant effects previously examined will be substantial EIR or negative declaration; (C) Mitigation measures or a would in fact be feasible, and would substantially reduce but the project proponents decline to adopt the mitigation measures or alternatives which are considerably different negative declaration would substantially reduce one or environment, but the project proponents decline to adopt	described in California Code of Regulations, MENTAL IMPACT REPORT is required: (1) vill require major revisions of the previous EIR prificant environmental effects or a substantial icant effects; (2) Substantial changes have in the project is undertaken which will require it ion due to the involvement of new significant es severity of previously identified significant es, which was not known and could not have at the time the previous EIR was certified as we any the following:(A) The project will have es previous EIR or negative declaration;(B) ally more severe than shown in the previous elternatives previously found not to be feasible one or more significant effects of the project, in measures or alternatives; or,(D) Mitigation at from those analyzed in the previous EIR or more significant effects of the project on the
Signature	June 8, 2017
	Date
Ash Syed  Reinted Name	Charissa Leach, P.E. Asst. TLMA Director
Printed Name	

## V. ENVIRONMENTAL ISSUES ASSESSMENT

In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000-21178.1), this Initial Study has been prepared to analyze the proposed project to determine any potential significant impacts upon the environment that would result from construction and implementation of the project. In accordance with California Code of Regulations, Section 15063, this Initial Study is a preliminary analysis prepared by the Lead Agency, the County of Riverside, in consultation with other jurisdictional agencies, to determine whether a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report is required for the proposed project. The purpose of this Initial Study is to inform the decision-makers, affected agencies, and the public of potential environmental impacts associated with the implementation of the proposed project.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
AESTHETICS Would the project	· · · · · · · · · · · · · · · · · · ·			
<ol> <li>Scenic Resources         <ul> <li>a) Have a substantial effect upon a scenic highway corridor within which it is located?</li> </ul> </li> </ol>				$\boxtimes$
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view?				
Source: Riverside County General Plan Figure C-9 "Scenic	Highways"			
Findings of Fact:				
a) The project site is located approximately 1 mile from Interstate 15, a State Eligible Scenic Highway. Due to the distance from Interstate 15, as well as being disguised as a monopine and surrounded be smaller actual pines, the proposed project will have no impact.				
b) The proposed project will not obstruct any prominent scenic vistas. Historically, public testimony on previous unmanned telecommunication facilities has indicated that such facilities may be considered to be aesthetically offensive when open to public view. To minimize this impact, the proposed project has been disguised as a pine to blend in with several existing pine trees on the southern portion of the parcel. Therefore, the proposed project will have a less than significant impact.				
Mitigation: No mitigation measures are required.				
Monitoring: No mitigation measures are required.				
2. Mt. Palomar Observatory a) Interfere with the nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655?				
Source: GIS database, Ord. No. 655 (Regulating Light Pollu	tion)			

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Findings of Fact:				
a) The project site is located 40.55 miles away from the Mt. Palomar Observatory; which is within the designated 45-mile (ZONE B) Special Lighting Area that surrounds the Mt. Palomar Observatory. Ordinance No. 348 prohibits external lighting unless required by the FAA. This wireless communication facility does not have external lighting, but only internal lights operated by switch. Through compliance with Ordinance No. 348, the proposed project will have a less than significant impact.				
Mitigation: No mitigation measures are required.				
Monitoring: No mitigation measures are required.				
3. Other Lighting Issues <ul> <li>a) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</li> </ul>				
b) Expose residential property to unacceptable light levels?				$\boxtimes$
Source: On-site Inspection, Project Application Description				
Findings of Fact:				
a-b) The proposed project will not create a substantial light unacceptable light levels because it will add no outdoor light have no impact.		•		•
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
AGRICULTURE & FOREST RESOURCES Would the project	t			
4. Agriculture  a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				$\boxtimes$
b) Conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve?				$\boxtimes$
c) Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?				
d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				$\boxtimes$
Page 6 of 37			A No. 4278	 RO

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>Source:</u> Riverside County General Plan Figure OS-2 "Agr Project Application Materials.	ricultural Re	esources," G	IS databas	e, and
Findings of Fact:				
a) The project is located on "Urban Built Up Land" accord project will not convert Prime Farmland, Unique Farmland, non-agricultural use. Therefore, the proposed project will have	or Farmlan	d of Statewi		
b) According to GIS database, the project is not located w Williamson Act contract. Therefore, the proposed project will	-		eserve or u	nder a
c) The project site is not located within 300 feet of agric proposed project will have no impact.	culturally zo	ned propert	y. Therefo	re, the
d) The project will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use. Therefore, the proposed project will have no impact.				
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
a) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g))?				
b) Result in the loss of forest land or conversion of forest land to non-forest use?				$\boxtimes$
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use?				
Source: Riverside County General Plan Figure OS-3 "Pa Project Application Materials.	rks, Forests	and Recre	ation Area	s," and
Findings of Fact:				
a) The County has no designation of "forest land" (as de 12220(g)), timberland (as defined by Public Resources C Timberland Production (as defined by Govt. Code section 5 will have no impact on land designated as forest land, tim Production.	ode sectior 1104(g)). T	n 4526), or Therefore the	timberland proposed	zoned project

	Significant Impact	Significant with Mitigation Incorporated	Than Significant Impact	Impact
b) The proposed project is on a parcel within a residential repine trees. This however does not qualify the location as "we loss of forest land or conversion of forest land to non-forest have no impact.	ithin forest	land" and wil	I not result	in the
c) The proposed project will not involve other changes in the location or nature, could result in conversion of forest land to project will have no impact.	e existing ei o non-forest	nvironment w use. Therefo	hich, due t ore, the pro	o their posed
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
AIR QUALITY Would the project				
6. Air Quality Impacts <ul> <li>a) Conflict with or obstruct implementation of the applicable air quality plan?</li> </ul>			$\boxtimes$	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				$\boxtimes$
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				
d) Expose sensitive receptors which are located within 1 mile of the project site to project substantial point source emissions?				
e) Involve the construction of a sensitive receptor located within one mile of an existing substantial point source emitter?				$\boxtimes$
f) Create objectionable odors affecting a substantial number of people?				$\boxtimes$
Source: SCAQMD CEQA Air Quality Handbook			-	
<u>Findings of Fact:</u> CEQA Guidelines indicate that a project project violates any ambient air quality standard, contribution, or exposes sensitive receptors to substantial pollutions.	tes substan	tially to an e	t air quality existing air	y if the quality
a) Pursuant to the methodology provided in Chapter 12 of Handbook, consistency with the South Coast Air Basin 2012 affirmed when a project (1) does not increase the frequer violation or cause a new violation and (2) is consistent with Consistency review is presented below:	2 Air Quality ncy or sevel	Managemer rity of an air	nt Plan (AC quality sta	MP) is indards

South Coast Air Quality Management District. CEQA Air Quality Handbook. 1993

Pote	entially	Less than	Less	No
Sign	iificant	Significant	Than	Impact
lm <sub>j</sub>	pact	with	Significant	
		Mitigation	Impact	
		Incorporated		

- (1) The proposed project will not result in short-term construction and long-term pollutant emissions that are more than the CEQA significance emissions thresholds established by the SCAQMD. The application is simply for an unmanned wireless communication facility. Therefore, the proposed project will not result in an increase in the frequency or severity of any air quality standards violation and will not cause a new air quality standard violation.
- (2) The CEQA Air Quality Handbook indicates that consistency with AQMP growth assumptions must be analyzed for new or amended General Plan Elements, Specific Plans, and *significant projects*. Significant projects include airports, electrical generating facilities, petroleum and gas refineries, designation of oil drilling districts, water ports, solid waste disposal sites, and off-shore drilling facilities. This proposed project will not involve a General Plan Amendment and Specific Plan, and is therefore not considered a *significant project*.

The proposed project is located in the South Coast Air Basin (SCAB) and managed under the South Coast Air Quality Management District (SCAQMD). Demographic growth forecasts for various socioeconomic categories (e.g., population, housing, employment), developed by the Southern California Association of Governments (SCAG) for their 2012 Regional Transportation Plan (RTP) were used to estimate future emissions within the 2012 Air Quality Management Plan (AQMP). According to the California Department of Finance estimates, the current (2013) population within the unincorporated areas of Riverside County is 358,827 residents. Based on the SCAG forecasts, the population projections for 2020 anticipated a population of 471,500. The application is simply for an unmanned wireless communication facility. Therefore, based on the consistency analysis presented above, the proposed project will not conflict with the AQMP; impacts will be less than significant.

- b-c) A project may have a significant impact if project-related emissions exceed federal, state, or regional standards or thresholds, or if project-related emissions substantially contribute to existing or project air quality violations. The project map is located within the South Coast Air Basin, where efforts to attain state and federal air quality standards are governed by SCAQMD. The South Coast Air Basin (SCAB) is in a nonattainment status for federal and state ozone standards, state carbon monoxide standards, and federal and state particulate matter standards. Project-related emissions are considered not impactful because this is a wireless communication facility and high level of carbon gases are not emitted.
- d) A sensitive receptor is a person in the population who is particularly susceptible to health effects due to exposure to an air contaminant than is the population at large. Sensitive receptors (and the facilities that house them) in proximity to localized CO sources, toxic air contaminants or odors are of particular concern. High levels of CO are associated with major traffic sources, such as freeways and major intersections, and toxic air contaminants are normally associated with manufacturing and commercial operations. Land uses considered to be sensitive receptors include long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, child care centers, and athletic facilities. The nearest sensitive receptor to the project site is Luiseno Elementary located at 13500 Mountain Rd, Corona, CA 92883 at approximately .53 miles southeast from the proposed project. Although that falls within the 1 mile threshold, the proposed wireless communication facility is not emitting any serious amounts of carbon gas, thus, there is no impact.
- e) The proposed project is for an unmanned wireless communications facilities, and therefore it will not create sensitive receptors located within one mile of an existing substantial point source emitter. No impact will occur.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Land uses associated with odor complaints include agric plants, landfills, and certain industrial operations (such chemicals, paper, etc.). The proposed project does not in processes and will not create objectionable odors affecting a will occur.	as manul nclude any	facturing use of the abov	es that pr e noted u	roduce ses or
f) The project will not create objectionable odors affecting a s	substantial r	umber of pe	ople.	
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
BIOLOGICAL RESOURCES Would the project		<del></del> .		
7. Wildlife & Vegetation a) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?				$\boxtimes$
b) Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?				
c) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Wildlife Service?				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			$\boxtimes$	
e) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?				$\boxtimes$
f) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				$\boxtimes$
g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impad
Source: GIS database, WRCMSHCP and/or CVMSHCP	, On-site Inspe	ction		
Findings of Fact:				
a) The project site does not conflict with the provisions Natural Conservation Community Plan, or other approve The project site is located within a Conservation Area Species Habitat Conservation Plan (WRCMSHCP). The provisions of the WRCMSHCP.	d local, regionate of the Weste	al, or state c rn Riverside	onservation County M	n plan Iultiple
Department of Fish and Wildlife (CDFW) Codes. Since nabitat, removal of vegetation or any other potential conducted outside of the avian nesting season (February per cleared during the nesting season, a preconstruction preconstruction nesting bird survey must be conducted by the County of Riverside. If nesting activity is observed adopted to avoid any potential impacts to nesting birds, no more than 3 days prior to any ground disturbance. If days of the survey date a second survey must be conducted by the project proponent must provide written proof to EPD County of Riverside has been retained to carry out the reprove compliance prior to grading permit issuance must information for the Consulting Biologist. Prior to finalization and by building permits the projects consulting biologist shall be results of the survey, to the Riverside County Plar Division (EPD). (COA 60.EPD.01). With the incorporation condition and not mitigation, the proposed project will have	nesting bird has through Senesting bird sure a biologist was appropriate a The nesting biground disturbed. Prior to the that a biologise equired survey at a minimum on of a grading Il prepare and aning Department of this required.	nabitat disturentember 15th properties of the properties of the properties of the permit or prisubmit a repent, Environrirement, whi	bances shall be	nall beat must d. The U with hall be pleted ithin (ith the tontace of the permitted to the contace of the permitted to the contace of the permitted to the perm
d) The project will not interfere substantially with the move or wildlife species or with established native resident mign native wildlife nursery sites. Therefore, the proposed proje	ratory wildlife d	orridors, or in	npede the	
e-f) The project site does not contain riverine/riparian are project will have no impact.		ools. Therefo	re, the pro	
oroject will have no impact.	eas or vernal p			act.
g) The proposed project will not conflict with any local esources, such as a tree preservation policy or ordinanc no impact.	policies or ord			act. pose

CULTURAL RESOURCES Would the project

b) Cause a substantial adverse change in the

significance of a historical resource as defined in California

a) Alter or destroy an historic site?

Historic Resources

 $\boxtimes$ 

 $\boxtimes$ 

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Code of Regulations, Section 15064.5?	-			
Source: On-site Inspection, Project Application Materials				
Findings of Fact:				
a-b) No historic sites or structures that could be at risk of near the project site. Therefore, there will be no impact.	adverse cha	ange or desti	ruction exis	t in or
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
Archaeological Resources     a) Alter or destroy an archaeological site.				$\boxtimes$
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, Section 15064.5?				
<ul> <li>c) Disturb any human remains, including those interred outside of formal cemeteries?</li> </ul>			$\boxtimes$	
d) Restrict existing religious or sacred uses within the potential impact area?				

Source: Project Application Materials

### Findings of Fact:

a-b) The proposed project will not alter or destroy an archaeological site. However, prior to the issuance of grading permits, a qualified archaeologist shall be retained by the land divider for consultation and comment on the proposed grading with respect to potential impacts to unique archaeological resources. Should the archaeologist, after consultation with the appropriate Native American tribe, find the potential is high for impact to unique archaeological resources (cultural resources and sacred sites), a pre-grading meeting between the archaeologist, a Native American observer, and the excavation and grading contractor shall take place. During grading operations, when deemed necessary in the professional opinion of the retained archaeologist (and/or as determined by the Planning Director), the archaeologist, the archaeologist's on-site representative(s) and the Native American Observer shall actively monitor all project-related grading and construction and shall have the authority to temporarily divert, redirect, or halt grading activity to allow recovery of unique archaeological resources. Prior to the issuance of grading permits, the NAME, ADDRESS and TELEPHONE NUMBER of the retained archaeologist shall be submitted to the Planning Department and the B&S Grading Division. If the retained archaeologist, after consultation with the appropriate Native American tribe, finds no potential for impacts to unique archaeological resources, a letter shall be submitted to the Planning Department certifying this finding by the retained qualified archaeologist. (COA 60.PLANNING.04) The project will not alter or destroy an archaeological site or cause a

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
substantive adverse change in the archaeological resource. not qualify as mitigation pursuant to CEQA. Therefore, the possibility and not anticipated because there are no known safety activities could expose health and Safety Code Section 7050.5 if human disturbing activities. (COA 60.PLANNING.05) This is a mitigation for CEQA purposes. Therefore, the proposed impact.  d) There are no known sacred or religious uses or activities the proposed project will have a less than significant impact.  e) The proposed project will be located on a site that established foundation. There is an existing water tank the southern portion. There is no tribal cultural resource project. Therefore, the proposed project will have no impact.  Monitoring: No monitoring measures are required.	nown humar ted with this uman remai remains a standard o project will within the p	andard requipect will have a remains or project, the ns. The progress of the ns. The n	e no impact cemeteries re may be a oject is sub ed during g d not cons s than sign act area, the eved and h eral pine tre	in the slight ject to ground idered hificant erefore as an ees on
Paleontological Resources     a) Directly or indirectly destroy a unique paleontological resource, or site, or unique geologic feature?				
Source: Riverside County General Plan Figure OS-8 "Pale	ontological S	Gensitivity"		
a) The project is located within a high sensitivity area for as indicated in the General Plan. However, the proposed already as an existing water tank along with asphalt paving proposed project will have a less than significant impact.  Mitigation: No mitigation measures are required.	project site	is located of	on a site th	at has
Monitoring: No monitoring measures are required  GEOLOGY AND SOILS Would the project  11. Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zones  a) Expose people or structures to potential	<u> </u>			
Monitoring: No monitoring measures are required  GEOLOGY AND SOILS Would the project  11. Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zones	, ,			

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?				
Source: Riverside County General Plan Figure S-2 "Earth Riverside County Land Information System (RCLIS)	nquake Fault	Study Zones	s," GIS dat	abase,
Findings of Fact:				
a-b) According to Riverside County General Plan Figure active or inactive faults are present at the site. The proposed people or structures to potential substantial adverse effects California Building Code (CBC) requirements are intendefailure or loss of life during earthquakes. As CBC required development they are not considered mitigation for CEQA proposed project will have a less than significant impact.	osed project , including the d to minimit rements are	is not antic le risk of loss ze the poter applicable t	cipated to e s, injury, or ntial for str to all comr	expose death. uctural nercial
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
Liquefaction Potential Zone     a) Be subject to seismic-related ground failure including liquefaction?				
Riverside County Land Information System (RCLIS), Count	y Geologic R	eport (GEO)	No. 2452	
Findings of Fact:				
a) The proposed project is located in an area with low proposed project will be adhering to applicable Californ minimize the risk of structural failure in the event of ground have a less than significant impact.	ia Building	Code (CBC)	requireme	ents to
Mitigation: No mitigation measures required.				
Monitoring: No monitoring measures are required.				
Ground-shaking Zone     a) Be subject to strong seismic ground shaking?				
Source: Riverside County General Plan Figure S-4 "Earth Figures S-13 through S-21 (showing General Ground Information System (RCLIS), County Geologic Report (GEO	Shaking R			
Findings of Fact:				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
There are no known active or potentially active faults that within an Alquist-Priolo Earthquake Fault Zone. The princi is ground shaking resulting from an earthquake, however to fithe project site is not active. Thus, the proposed project	pal seismic ha he closest fau	zard that co It located .14	uld affect ti	ne site
Mitigation: No mitigation measures are required.				
Monitoring: No mitigation measures are required.				
14. Landslide Risk  a) Be located on a geologic unit or soil that unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide lateral spreading, collapse, or rockfall hazards?	ne			
Source: On-site Inspection, Riverside County General Pl Slope", Riverside County Land Information System (RCLIS		"Regions U	nderlain by	Steep
Findings of Fact:				
a) The project site is located in a paved area with a slope landslides, lateral spreading, collapse, or rockfall hazards. less than significant impact.				
				iavc a
Mitigation: No mitigation measures are required.				iavc a
Mitigation: No mitigation measures are required.  Monitoring: No monitoring measures are required.				iave a
Monitoring: No monitoring measures are required.  15. Ground Subsidence  a) Be located on a geologic unit or soil that unstable, or that would become unstable as a result of the	igure S-7 "Doo		ıbsidence A	
Monitoring: No monitoring measures are required.  15. Ground Subsidence  a) Be located on a geologic unit or soil that unstable, or that would become unstable as a result of the project, and potentially result in ground subsidence?  Source: GIS database, Riverside County General Plan F	igure S-7 "Doo		ıbsidence A	
Monitoring: No monitoring measures are required.  15. Ground Subsidence  a) Be located on a geologic unit or soil that unstable, or that would become unstable as a result of the project, and potentially result in ground subsidence?  Source: GIS database, Riverside County General Plan F. Riverside County Land Information System (RCLIS), County	igure S-7 "Doo ty Geologic Ro ound subsiden d project is no	eport (GEO)  ce. Howeve t expected t	ibsidence A No. 2452 r, there has o negativel	Areas",
Monitoring: No monitoring measures are required.  15. Ground Subsidence  a) Be located on a geologic unit or soil that unstable, or that would become unstable as a result of the project, and potentially result in ground subsidence?  Source: GIS database, Riverside County General Plan F. Riverside County Land Information System (RCLIS), Coun Findings of Fact:  a) The project site is located in an area susceptible to ground documented subsidence in the area and the proposed	igure S-7 "Doo ty Geologic Ro ound subsiden d project is no	eport (GEO)  ce. Howeve t expected t	ibsidence A No. 2452 r, there has o negativel	Areas",

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<ul><li>16. Other Geologic Hazards</li><li>a) Be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard?</li></ul>				
Source: On-site Inspection, Project Application Mate (GEO02452), Riverside County Land Information System (Ro		echnical Re	eport, Adde	endum
Findings of Fact:				
a) The project site is not located near any large bodies of wa project site is not susceptible to geologic hazards, such as se Therefore, the proposed project will have no impact				us, the
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
17. Slopes  a) Change topography or ground surface relief features?				$\boxtimes$
b) Create cut or fill slopes greater than 2:1 or higher than 10 feet?				$\boxtimes$
c) Result in grading that affects or negates subsurface sewage disposal systems?				
Source: Riv. Co. 800-Scale Slope Maps, Project Application	n Materials			
Findings of Fact:				
a) The proposed project will not significantly change the exist grading will follow the natural slopes and not alter any slocated on the site. Therefore, there will be no impact.				
b) The proposed project will not cut or fill slopes greater than Therefore, there will be no impact.	2:1 or crea	te a slope hi	gher than 1	0 feet.
c) The proposed project will not result in grading that affects systems. Therefore, there will be no impact.	s or negate:	s subsurface	sewage di	sposal
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
18. Soils  a) Result in substantial soil erosion or the loss of				

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
topsoil?		_		•
b) Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?			$\boxtimes$	
c) Have soils incapable of adequately supporting use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				
Source: U.S.D.A. Soil Conservation Service Soil Survey Inspection	s, Project <i>i</i>	Application N	/laterials, C	n-site
Findings of Fact:				
a) The development of the site could result in the loss of to manner that would result in significant amounts of soil erosic Practices (BMPs) would reduce the impact to below a level project will have a less than significant impact.	on. Implem	entation of E	est Manag	ement
b) There exists a possibility that the project site is located in However, California Building Code (CBC) requirements are infailure due to expansive soils. As CBC requirements are appropriately mitigation for CEQA implementation purposes. The less than significant impact.	ntended to oplicable to	minimize the all developm	risk of struent, they a	uctural ire not
c) The proposed project simply consists of an unmanned related facilities. The use of sewers or septic tanks is not proviil have no impact.				
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
19. Erosion  a) Change deposition, siltation, or erosion that may modify the channel of a river or stream or the bed of a lake?				
b) Result in any increase in water erosion either on or off site?				$\boxtimes$
Source: U.S.D.A. Soil Conservation Service Soil Surveys				
Findings of Fact:				
a-b) The project site is located in an area that has previously disturbances that could potentially change the deposition, channel of a river or stream or the bed of a lake. Additionall erosion as a result of the proposed project. Therefore, the pro	siltation, or y, there will	erosion that not be any	may modi increase in	ify the

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
<ul><li>20. Wind Erosion and Blowsand from project either on or off site.</li><li>a) Be impacted by or result in an increase in wind</li></ul>			$\boxtimes$	
erosion and blowsand, either on or off site?				
Source: Riverside County General Plan Figure S-8 "Wind E Article XV & Ord. No. 484	rosion Sus	ceptibility Ma	ip," Ord. <b>N</b> e	o. 460,
Findings of Fact:				
a) The project site is located in an area with a Moderate William Safety Element Policy for Wind Erosion requires buildings and loads which are covered by the California Building Code (C will not result in an increase in wind erosion or blowsand, eith project will have a less than significant impact.	d structure: BC). With	s to be desig such compli	ned to residence, the	st wind project
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
GREENHOUSE GAS EMISSIONS Would the project				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				
Source:				
Findings of Fact:				
a) The project proposes to construct an unmanned wireless of foot tower disguised as a pine tree with twelve panel antendone parabolic antenna within a 625 square foot lease area, approximate 195 square foot equipment shelter within the smonopine and equipment shelter will involve small-scale confextensive amount of heavy duty equipment or labor. Therefor during construction phase are minimal. In addition, the power extensive amount of electricity. Therefore, the proposed greenhouse gas emissions and will have a less than signification.	nas, twelve The plot pl same lease struction ac re, greenho ering of the project is	e Radio Replan also properarea. The ictivities that vouse gas emite cell tower with not anticipal	eating Unit oses to ins installation will not invo ssions ger will not requated to ge	estall an of the olve an aerated uire an

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impac
b) The project is not expected to conflict with an applicable purpose of reducing the emissions of greenhouse gases facility that does not emit large quantities of carbon gases in will have a less than significant impact.	because it	is a wireles	s communi	ication
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
HAZARDS AND HAZARDOUS MATERIALS Would the pro	oject	·		
22. Hazards and Hazardous Materials <ul> <li>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</li> </ul>				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				
c) Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan?				$\boxtimes$
d) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				$\boxtimes$
e) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	. <del> </del>			$\boxtimes$

## Findings of Fact:

a-b) The project simply proposes an unmanned wireless communication facility. It will not create a substantial hazard to the public or the environment through the transport, use, or disposal of hazardous materials or create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. However, at 50 feet in height, the monopine may potentially have space for two wireless cell providers. The plans do not prohibit another provider from collocating onto the lower portion of the wireless communication facility. Thus, by possibly increasing the height an additional 20 feet, to a total height of 70 feet, the facility can more easily fit two separate wireless providers. By this design for collocations, it can limit the environmental impacts by reducing the number of wireless communication facilities within the area. Regardless, the proposed project will have a less than significant impact.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) The proposed project will not impair implementation of c emergency response plan or an emergency evacuation plan have no impact.		-		-
d) The project site is not located within one-quarter mile of an the proposed project will have no impact.	existing or	proposed s	chool. Ther	efore,
e) The proposed project is not located on a site which is includ compiled pursuant to Government Code Section 65962.5 and have no impact.				
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
<ul><li>23. Airports</li><li>a) Result in an inconsistency with an Airport Master Plan?</li></ul>				
b) Require review by the Airport Land Use Commission?				$\boxtimes$
c) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				
d) For a project within the vicinity of a private airstrip, or heliport, would the project result in a safety hazard for people residing or working in the project area?				
Source: Riverside County General Plan Figure S-19 "Airport I	Locations,	' GIS databa	ise	
Findings of Fact:				
a-d) The project site is not located within the vicinity of any pu Use Commission jurisdiction, or an airport land use plan. To Skylark Field Airport at approximately 9.07 miles to the southe have no impact.	he closest	airport to t	he project	site is
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
a) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				
		_		

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Source: Riverside County General Plan Figure S-11 "Wildfin	e Susceptib	oility," GIS da	ıtabase	
Findings of Fact:				
a) The project site is located in an area designated as very lis located in a residential area behind a water tank and will minimize the risk of loss involving wildland fires. Therefore, t significant impact.	be review	ed by the Fi	re Departm	ent to
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
HYDROLOGY AND WATER QUALITY Would the project				<del></del>
25. Water Quality Impacts  a) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?				
b) Violate any water quality standards or waste discharge requirements?				
c) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				
d) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			$\boxtimes$	
e) Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				$\boxtimes$
f) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				$\boxtimes$
g) Otherwise substantially degrade water quality?			•	$\boxtimes$
h) Include new or retrofitted stormwater Treatment Control Best Management Practices (BMPs) (e.g. water quality treatment basins, constructed treatment wetlands), the operation of which could result in significant environmental effects (e.g. increased vectors or odors)?				

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	Potentially Significant Impact	Less than Significant with	Less Than Significant	No Impact
		Mitigation Incorporated	Impact	
Findings of Fact:				
a) Due to the limited scope of the proposed project, there vexisting drainage pattern of the site or area, nor the alternative Therefore, the proposed project will have a less than signification.	ation of the			
b) Due to the limited scope of the proposed project, there w standard or waste discharge requirements. Since this is a water supply or any relationship to the water storage facili project will have no impact.	a wireless c	ommunicatio	on facility v	vith no
c) The project will not substantially deplete groundwater groundwater recharge such that there would be a net defi local groundwater table level (e.g., the production rate of plevel which would not support existing land uses or plar granted. Therefore, the proposed project will have a less that	cit in aquife ore-existing nned uses f	r volume or nearby wells or which pe	a lowering would dro	of the op to a
d) Due to the limited scope of the proposed project, there we capacity of storm water drainage systems. The proposed un anticipated to provide polluted runoff, since there is no med cell tower. Therefore, the proposed project will have a less the	nmanned tel hanical mad	ecommunica hinery or an	ation facility	/ is not
e) The project simply proposes an unmanned wireless co proposed. Therefore, the proposed project will have no impa		n facility. <b>N</b> o	housing is	being
f) The project site is not located within a 100 year flood z have no impact.	one. Theref	ore, the pro	posed proj	ect will
g-h) The project simply proposes an unmanned wireless expected to degrade water quality or include new or retrof Management Practices (BMPs). Therefore, the proposed pro	itted storm v	water Treatr	ment Contro	
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
26. Floodplains				
Degree of Suitability in 100-Year Floodplains. As inc	licated below	w, the appr	opriate De	gree of
Suitability has been checked.  NA - Not Applicable ⊠ U - Generally Unsuitable [			R - Restri	cted 🗀
a) Substantially alter the existing drainage pattern of				
the site or area, including through the alteration of the course of a stream or river, or substantially increase the			<u> </u>	
rate or amount of surface runoff in a manner that would				
result in flooding on- or off-site?				
b) Changes in absorption rates or the rate and amount of surface runoff?				
c) Expose people or structures to a significant risk of				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam (Dam Inundation Area)?				
d) Changes in the amount of surface water in any water body?				$\boxtimes$
Source: Riverside County General Plan Figure S-9 "100- ar S-10 "Dam Failure Inundation Zone," GIS database	nd 500-Yeai	r Flood Haza	rd Zones,"	Figure
Findings of Fact:				
a) Due to the limited scope of the proposed project, there we drainage pattern of the site or area. There will be no alteration there isn't one nearby nor substantially increase the rate or a would result in flooding on-or off-site. Therefore, the propose	on of the cou amount of s	urse of a stre urface runofl	am or river f in a mann	, since
b) Since the property is already paved for the most part, the the behavior of the rainfall onto the ground, since the mor precipitate is falling. Due to this, there will be a less than signate and amount of surface runoff.	nopine is a	rather porou	is structure	when
c) Based on review of Figure S-10, the Project site is no significant risk related to failure of a levee or dam. No imparesult of the proposed project, and no further analysis oproposed project will have no impact.	cts related t	to this issue	would occu	ır as a
d) The proposed project will not cause changes in the amount of the proposed project will have no impact.	ount of surf	ace water in	any water	body.
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
LAND USE/PLANNING Would the project			<u> </u>	
a) Result in a substantial alteration of the present or planned land use of an area?				$\boxtimes$
b) Affect land use within a city sphere of influence and/or within adjacent city or county boundaries?			$\boxtimes$	
Source: Riverside County General Plan, GIS database, Pro	ject Applica	tion Material	s	
Findings of Fact:				
a) The proposed use is in compliance with the current land undersity Residential as reflected in the (CD: MDR) in the Econstruction of a wireless communication facility is permit	Isinore Are	a Plan, which	ch states th	nat the

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
General Plan Amendment or Change of Zone will result proposed project will have no impact.	rom this pro	posed proje	ct. Therefo	re, the
b) The proposed project is located within the Lake Elsinore Plan states that the construction of a wireless comm community development land use designation. Therefore, significant impact.	unication fac	cility is perr	mitted with	in the
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
28. Planning  a) Be consistent with the site's existing or proposed zoning?				$\boxtimes$
b) Be compatible with existing surrounding zoning?				$\boxtimes$
c) Be compatible with existing and planned sur rounding land uses?			$\boxtimes$	
d) Be consistent with the land use designations and policies of the General Plan (including those of any applicable Specific Plan)?				$\boxtimes$
e) Disrupt or divide the physical arrangement of ar established community (including a low-income or minority community)?				
Source: Riverside County General Plan Land Use Elemen	t, Staff reviev	v, GIS datab	ase	
Findings of Fact:				
a-b) The proposed project is consistent with the site's exist Plan, SP. No. 152, Planning Area 13. The project is surrou Thief Canyon Specific Plan to the north, south, and east, a and Combining Zone Residential Developments(R-5) to the construction of a wireless communication facility is permitted proposed project will have no impact.	nded by prop nd One Fam ne west. The	erties which ily Dwellings e specific pla	are zoned (R-1) Ope an states th	Horse n Area nat the
c) The proposed wireless communication facility will be d project will be compatible with existing surrounding zoning land uses. Therefore, the proposed project will have a less	and with exis	ting and pla		
d-e) The proposed project is consistent with the land use Plan. Additionally, the proposed project will not disrupt established community. Therefore, the proposed project will	or divide the	physical ar		
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
MINERAL RESOURCES Would the project				
29. Mineral Resources  a) Result in the loss of availability of a known			$\boxtimes$	
mineral resource that would be of value to the region or the residents of the State?				
b) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				
c) Be an incompatible land use located adjacent to a State classified or designated area or existing surface mine?				
d) Expose people or property to hazards from proposed, existing or abandoned quarries or mines?				$\boxtimes$
a-b) The project site is located within an area designated as mineral deposits in the general area. However, the project site a result, there is little to no potential for mineral extraction acresources on the project site will be unavailable for the life activities could still occur in areas in the vicinity of the project have a less than significant impact on mineral resource available. The proposed project will not be an incompatible land used designated area or existing surface mine. The wireless constructed behind an existing water tank. There is no confitne two. Therefore, the proposed project will not expose people or propert abandoned quarries or mines. Therefore, the proposed project Mitigation: No mitigation measures are required.  Monitoring: No monitoring measures are required.	te has preventivities on the of the protested action and the control of the protested action of the communical control of the	iously been used the project single future refore, the produced as the project to a state of the project of the	urbanized a te. While r mineral ext posed proj State class proposed concern be	and, as mineral raction ect will ified or will be etween
NOISE Mould the project regult in			<u> </u>	
NOISE Would the project result in  Definitions for Noise Acceptability Ratings				<u></u>
Where indicated below, the appropriate Noise Acceptability F NA - Not Applicable C - Generally Unacceptable D - Land Use Discourage			ked. ionally Acc	eptable
30. Airport Noise  a) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport would the project expose people residing or working in the project				
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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
area to excessive noise levels?  NA				
b) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?  NA   A   B   C   D   D				$\boxtimes$
Source: Riverside County General Plan Figure S-19 "Airpo Facilities Map	ort Locations	s," County of	Riverside	Airport
Findings of Fact:				
a) The project site is not located within an airport land use por public use airport that would expose people residing on Therefore, the proposed project will have no impact.			•	
b) The proposed project is not located within the vicinity of a residing on the project site to excessive noise levels. The impact.				
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
31. Railroad Noise NA ☑ A ☐ B ☐ C ☐ D ☐				
Source: Riverside County General Plan Figure C-1 "Conspection	Circulation F	Plan", GIS c	latabase, (	n-site
<u>Findings of Fact</u> : The proposed project is not located adjurpoposed project will have no impact.	acent to a	Railroad trad	ck. Therefo	re, the
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
32. Highway Noise NA ⊠ A □ B □ C □ D □				
Source: On-site Inspection, Project Application Materials				
Findings of Fact:				
Findings of Fact: The project site is located a mile away fr will not be affected by highway noise as the proposed project will communication facility. Therefore, the proposed project will	oroject is s	imply an un		

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<ul><li><u>Mitigation</u>: No mitigation measures are required.</li><li><u>Monitoring</u>: No monitoring measures are required.</li></ul>				
33. Other Noise  NA  A B C D				
Source: Project Application Materials, GIS database				
<u>Findings of Fact</u> : No additional noise sources have been contribute a significant amount of noise. Therefore, the propo		•	•	nat will
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
34. Noise Effects on or by the Project  a) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				
b) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			$\boxtimes$	
c) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				$\boxtimes$
d) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?				
Source: Riverside County General Plan, Table N-1 ("Land Exposure"); Project Application Materials	Use Comp	patibility for (	Community	Noise
Findings of Fact:				
a-b) The proposed project may temporarily increase amendment however noise impacts during the operation of the unman expected to be less than significant.			_	•
c-d) COA 10. Planning. 19 states that the noise produced cannot excees 45 dB inside the nearest dwelling. The pronoise levels in excess of established standards because the noise. Therefore, the proposed project will have no impact.	posed proje	ect will not e	expose pec	ple to
Mitigation: No mitigation measures are required.				

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Monitoring: No monitoring measures are required.				
POPULATION AND HOUSING Would the project				
a) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				$\boxtimes$
b) Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?				
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				
d) Affect a County Redevelopment Project Area?				$\boxtimes$
e) Cumulatively exceed official regional or local population projections?				$\boxtimes$
f) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				

<u>Source</u>: Project Application Materials, GIS database, Riverside County General Plan Housing Element

### Findings of Fact:

- a) The proposed project is simply an unmanned wireless communication facility. The facility will not displace any existing housing, create a demand for additional housing, nor displace substantial numbers of people. Therefore, the proposed project will have no impact.
- b) The proposed project is simply an unmanned wireless communication facility. The project will not create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income. This wireless communication facility is not going to affect the homes on the adjacent properties in any noticeable way. The tower, at minimum will be 165 feet behind the nearest dwelling and will not alter the external appearance of the dwelling in any noticeable way, nor will it affect the housing requirements for residents in the area. Thus, the proposed project will have no impact.
- c) The proposed project is simply an unmanned wireless communication facility. The project will not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. Therefore, the proposed project will have no impact.
- d) The project is not located within a County Redevelopment Project Area. Therefore, the proposed project will have no impact.
- e) The proposed project is simply an unmanned wireless communication facility. The project will not cumulatively exceed or otherwise affect official regional or local population projections. Therefore, the proposed project will have no impact.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less No Than Impa Significant Impact
f) The proposed project is simply an unmanned wireless infrastructure that may indirectly induce substantial populathe proposed project will have no impact.			
Mitigation: No mitigation measures are required.			
Monitoring: No monitoring measures are required.			
PUBLIC SERVICES Would the project result in substantiathe provision of new or physically altered government faultered governmental facilities, the construction of which impacts, in order to maintain acceptable service ration objectives for any of the public services:	acilities or th ch could cau	e need for use significa	new or physical ant environment ther performand
36. Fire Services			
Findings of Fact: The Riverside County Fire Departme unincorporated Riverside County. The closest fire static northwest at 25310 Campbell Ranch Rd, Corona, CA 928 minimized by the payment of standard fees to the County physically alter existing facilities or result in the construction project will have a less than significant impact.  Mitigation: No mitigation measures are required.  Monitoring: No monitoring measures are required.	n is Fire St 83. Any pote of Riverside	ation 64, lo ntial significa e. The projec	cated 3.20 mile ant effects will b ct will not directl
37. Sheriff Services			
Source: Riverside County General Plan			
<u>Findings of Fact</u> : The proposed area is serviced by the R proposed project would not have an incremental effect on vicinity of the project area. Therefore, the proposed project	the level of s	heriff service	es provided in th
Mitigation: No mitigation measures are required.			
Monitoring: No monitoring measures are required.			
38. Schools			
Source: Lake Elsinore Unified School District corresponde			
<u>Findings of Fact</u> : The proposed project is located within The proposed project is simply an unmanned wireless co			

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
alter existing facilities or result in the construction of ne Therefore, the proposed project will have a less than significa-		cally altered	school fac	cilities.
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
39. Libraries				
Source: Riverside County General Plan				
Findings of Fact: The proposed project is simply an unma will not create a t incremental demand for library services. provision of new or altered government facilities at this time. a less than significant impact.	The propos	ed project wi	Il not requi	ire the
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
40. Health Services				
Source: Riverside County General Plan				
Findings of Fact: The proposed project is simply an unma will not cause an impact on health services. Additionally, the existing facilities or result in the construction of new or proposed project will have a less than significant impact.  Mitigation: No mitigation massures are required.	proposed	project will no	t physicall	y alter
<u>Mitigation</u> : No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
A1. Parks and Recreation  a) Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				
b) Would the project include the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				
c) Is the project located within a Community Service Area (CSA) or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)?				$\boxtimes$

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Source: GIS database, Ord. No. 460, Section 10.35 (R Recreation Fees and Dedications), Ord. No. 659 (Establi Open Space Department Review				
Findings of Fact:				
a) The proposed project is simply an unmanned wireless of parcel with an existing water tank. The proposed project require the construction or expansion of recreational facilities on the environment. Therefore, the proposed project	ct will not ind ties which mi	clude recrea ght have an	itional facili	ties or
b) The proposed project is simply an unmanned wireless of parcel with an existing water tank. The proposed proneighborhood or regional parks or other recreation deterioration of the facility would occur or be accelerated no impact.	ject will not facilities suc	include the ch that sul	e use of e ostantial p	xisting hysical
c) The proposed project is located within Temescal #134 C proposed project will have no impact.	anyon Count	y Service Ar	ea. Therefo	ore, the
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
42. Recreational Trails				$\boxtimes$
Source: Riv. Co. 800-Scale Equestrian Trail Maps, Oper County trail alignments	Space and (	Conservatior	Map for W	/estern
<u>Findings of Fact</u> : The proposed project is an unmanned not create a need or impact a recreational trail in the vici proposed project will have no impact act.				
Mitigation: No mitigation measures are required.				
Monitoring: No mitigation measures are required.				
TRANSPORTATION/TRAFFIC Would the project  43. Circulation  a) Conflict with an applicable plan, ordinance policy establishing a measure of effectiveness for the performance of the circulation system, taking into accounall modes of transportation, including mass transit and no motorized travel and relevant components of the circulation system, including but not limited to intersections, street highways and freeways, pedestrian and bicycle paths, armass transit?	ne nt n- on s,			
b) Conflict with an applicable congestion	n 🖂			$\square$

raye olulo/

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				
d) Alter waterborne, rail or air traffic?				$\boxtimes$
e) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				$\boxtimes$
f) Cause an effect upon, or a need for new or altered maintenance of roads?				$\boxtimes$
g) Cause an effect upon circulation during the project's construction?				$\boxtimes$
h) Result in inadequate emergency access or access to nearby uses?				$\boxtimes$
i) Conflict with adopted policies, plans or programs regarding public transit, bikeways or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?				

Source: Riverside County General Plan

### Findings of Fact:

- a) The proposed project is simply an unmanned wireless communication facility that will alter the existing traffic by less than one trip extra per day. The proposed project will not conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system. Therefore, the proposed project will have no impact.
- b) The proposed project is simply an unmanned wireless communication facility. The proposed project will not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. This facility is located behind a water tank on an already developed parcel that sits 165 feet behind the closest dwelling in a residential neighborhood. The primary access is through a service driveway that itself is only accessible through the Kachina Court cul-de-sac. Therefore, the proposed project will have no impact on congestion management.
- c-d) The proposed project is simply an unmanned wireless communication facility. The proposed project does not propose any design issues that would cause a change in air traffic patterns, alter waterborne, or rail and air traffic. Therefore, the proposed project will have no impact.
- e-f) The proposed project is simply an unmanned wireless communication facility. The proposed project will not substantially increase hazards due to a design feature or cause an effect upon a need for new or altered maintenance of roads. Therefore, the proposed project will have no impact.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) The project site will not cause an effect upon circulation construction trucks will not be parked on Kachina Court; thus				ce the
h) The proposed project will not cause inadequate emerg Therefore, the proposed project will have no impact.	jency acces	s or access	s to nearby	uses.
i) The project site will not conflict with adopted policies, pl bikeways or pedestrian facilities, or otherwise substantially such facilities. Therefore, the proposed project will have no i	/ decrease			
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
44. Bike Trails				$\boxtimes$
Source: Riverside County General Plan		<u>-</u>		
Findings of Fact: The proposed project is simply an unmardoes not create a need or impact a bike trail in the vicinit proposed project will have no impact.				
Mitigation: No mitigation measures are required.				
Monitoring: No monitoring measures are required.				
UTILITY AND SERVICE SYSTEMS Would the project				
45. Water <ul> <li>a) Require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?</li> </ul>				
b) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				
Source: Department of Environmental Health Review				
Findings of Fact:				
a-b) The proposed project is simply an unmanned wireless of water during its operation. Accordingly, the proposed proposed project will have no impact.	roject will	not require	or result	in the
Mitigation: No mitigation measures are required.				

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Monitoring: No monitoring measures are required.				
a) Require or result in the construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities, the construction of which would cause significant environmental effects?				
b) Result in a determination by the wastewater treatment provider that serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				
Source: Department of Environmental Health Review				
Findings of Fact:				
a-b) The proposed project is simply an unmanned wireless project will not require or result in the construction of new vexisting facilities. Therefore, the proposed project will have not mitigation:  No mitigation measures are required.  Monitoring: No monitoring measures are required.	water treati			
47. Solid Waste  a) Is the project served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				
b) Does the project comply with federal, state, and local statutes and regulations related to solid wastes including the CIWMP (County Integrated Waste Management Plan)?				
Source: Riverside County General Plan, Riverside correspondence	County	Waste Man	agement	District
Findings of Fact:				
a-b) The proposed project is simply an unmanned wireless project will not require or result in the construction of new la existing facilities, since the existing water tank will not be alterproject will have no impact.	ndfill faciliti	ies, including	the expan	sion of
Mitigation: No mitigation measures are required.				

B. Utilities  //ould the project impact the following facilities requiring or result cilities or the expansion of existing facilities; the construction of existing facilities and public facilities.    Description   De	es (Southe osed project	ern Californict will have not ter drainage	a Edison o impact.
Vould the project impact the following facilities requiring or resulticilities or the expansion of existing facilities; the construction of existing facilities.  Description of Electricity?  Description of Storm water drainage?  Description of Storm water drainage?  Description of Storm water drainage?  Description of Electricity?  Description of Pacticities, including roads?  Description of Electricity?  Description of Electric	es (Southe osed project	ern Californict will have not ter drainage	a Edison o impact.
Natural gas?    Communications systems?   Storm water drainage?   Storm water	es (Southeosed project	ern California de ter drainage	a Edison o impact.
Natural gas? Communications systems? Street lighting? Maintenance of public facilities, including roads? Other governmental services?  Ource: indings of Fact:  C) The project site has availability and access to utility service outhern California Gas Company and Verizon). Therefore, the proposition of new herefore, the proposed project will not require the construction of new haintenance of public facilities and roads. Therefore, the proposed project will not require the construction of new raintenance of public facilities and roads. Therefore, the proposed project will not require construction or expansion ounty Ordinance No. 659 establishes the utilities and public services all project development in order to reduce incremental impacts to roposed project will have a less than significant impact.  Sitigation: No mitigation measures are required.	osed projec	ern Californion will have no ter drainage	a Edison o impact.
Storm water drainage?  Street lighting?  Maintenance of public facilities, including roads?  Other governmental services?  Ource:  Indings of Fact:  C) The project site has availability and access to utility service outhern California Gas Company and Verizon). Therefore, the proposity of the proposed project will not require the construction of new herefore, the proposed project will have no impact.  If) The proposed project will not require the construction of new paintenance of public facilities and roads. Therefore, the proposed project will not require construction or expansion ounty Ordinance No. 659 establishes the utilities and public services all project development in order to reduce incremental impacts to roposed project will have a less than significant impact.  Sitigation: No mitigation measures are required.	osed projec	ern Californion will have no ter drainage	a Edison o impact.
Storm water drainage?  Street lighting?  Maintenance of public facilities, including roads?  Other governmental services?  Ource:  Indings of Fact:  C) The project site has availability and access to utility service outhern California Gas Company and Verizon). Therefore, the propose of The proposed project will not require the construction of new therefore, the proposed project will have no impact.  Cf) The proposed project will not require the construction of new aintenance of public facilities and roads. Therefore, the proposed project will not require construction or expansion ounty Ordinance No. 659 establishes the utilities and public services all project development in order to reduce incremental impacts to roposed project will have a less than significant impact.  Intigation: No mitigation measures are required.	osed projec	ern Californion will have no ter drainage	a Edison o impact.
Maintenance of public facilities, including roads?  Other governmental services?  Ource:  Indings of Fact:  O The project site has availability and access to utility service outhern California Gas Company and Verizon). Therefore, the proposity of the proposed project will not require the construction of new therefore, the proposed project will not require the construction of new aintenance of public facilities and roads. Therefore, the proposed project will not require construction or expansion ounty Ordinance No. 659 establishes the utilities and public services all project development in order to reduce incremental impacts to roposed project will have a less than significant impact.  Indication: No mitigation measures are required.	osed projec	ern Californion will have no ter drainage	a Edison o impact.
Maintenance of public facilities, including roads?  Other governmental services?  Ource:  Indings of Fact:  -c) The project site has availability and access to utility service outhern California Gas Company and Verizon). Therefore, the propose of the proposed project will not require the construction of new herefore, the proposed project will have no impact.  -f) The proposed project will not require the construction of new laintenance of public facilities and roads. Therefore, the proposed project will not require construction or expansion ounty Ordinance No. 659 establishes the utilities and public services all project development in order to reduce incremental impacts to roposed project will have a less than significant impact.  Intigation: No mitigation measures are required.	osed projec	ern Californion will have no ter drainage	a Edison o impact.
Other governmental services?  ource:  indings of Fact:  -c) The project site has availability and access to utility service outhern California Gas Company and Verizon). Therefore, the proposity of the proposed project will not require the construction of new herefore, the proposed project will have no impact.  -f) The proposed project will not require the construction of new anintenance of public facilities and roads. Therefore, the proposed project will not require construction or expansion ounty Ordinance No. 659 establishes the utilities and public services all project development in order to reduce incremental impacts to roposed project will have a less than significant impact.  It is indication: No mitigation measures are required.	osed projec	ern Californion will have no ter drainage	a Edison o impact.
ource:  indings of Fact:  -c) The project site has availability and access to utility service outhern California Gas Company and Verizon). Therefore, the propose of the proposed project will not require the construction of new therefore, the proposed project will have no impact.  -f) The proposed project will not require the construction of new anintenance of public facilities and roads. Therefore, the proposed project will not require construction or expansion ounty Ordinance No. 659 establishes the utilities and public services all project development in order to reduce incremental impacts to roposed project will have a less than significant impact.	osed projec	ern Californion will have no ter drainage	o impact. facilities
indings of Fact:  -c) The project site has availability and access to utility service outhern California Gas Company and Verizon). Therefore, the propose of the proposed project will not require the construction of new herefore, the proposed project will have no impact.  -f) The proposed project will not require the construction of new anintenance of public facilities and roads. Therefore, the proposed project will not require construction or expansion ounty Ordinance No. 659 establishes the utilities and public service all project development in order to reduce incremental impacts to reposed project will have a less than significant impact.	osed projec	et will have no ter drainage ohting, nor re	o impact. facilities
	roject will hon of new es mitigation	government on fee to be a	ct. facilities applicable
a) Would the project conflict with any adopted energy onservation plans?			
ource:			
ndings of Fact:			
b) The proposed project will not conflict with any adopted energy coroposed project will have no impact.			

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Monitoring: No monitoring measures are required.				
MANDATORY FINDINGS OF SIGNIFICANCE				
50. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?				
Findings of Fact: Implementation of the proposed project wo of the environment, substantially reduce the habitat of fish of populations to drop below self-sustaining levels, threaten to reduce the number or restrict the range of a rare or endanger examples of the major periods of California history or prehist have no impact.	or wildlife sp eliminate a red plant or	pecies, cause plant or anim animal, or el	e a fish or v nal commur iminate imp	wildlife nity, or portant
51. Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, other current projects and probable future projects)?				
Source: Staff review, Project Application Materials	-			
Findings of Fact: As demonstrated in Sections 1 - 49 of this not have environmental effects that will cause substantial a directly or indirectly. Standard conditions of approval have impacts have been analyzed, resulting in less than significant	adverse effe been impos	ects on hum sed upon this	an beings,	either
<b>52.</b> Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?				
Source: Staff review, project application				
<u>Findings of Fact</u> : The proposed project would not result in substantial adverse effects on human beings, either directly of			nich would	cause
VI. EARLIER ANALYSES				

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Potentially	Less than	Less	No No
Significant	Significant	Than	Impact
Impact	with	Significant	
	Mitigation	Impact	
	Incorporated		

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration as per California Code of Regulations, Section 15063 (c) (3) (D). In this case, a brief discussion should identify the following:

Earlier Analyses Used, if any: N/A

Location Where Earlier Analyses, if used, are available for review:

Location:

County of Riverside Planning Department

4080 Lemon Street, 12th Floor

Riverside, CA 92505+

#### VII. AUTHORITIES CITED

Authorities cited: Public Resources Code Sections 21083 and 21083.05; References: California Government Code Section 65088.4; Public Resources Code Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095 and 21151; Sundstrom v. County of Mendocino (1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

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PLOT PLAN:TRANSMITTED Case #: PP25778 Parcel: 391-631-039

# 10 GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 USE - PROJECT DESCRIPTION

RECOMMND

The plot plan proposes to construct a new wireless telecommunication facility disguised as a pine tree consisting of a 50 foot tall monopole, twelve (12) panel antennas, twelve (12) Remote Radio Units, one (1) microwave dish, one (1) DC generator with two (2) equipment cabinets, two (2) Global Positioning Satellite antennas within an enclosed 625 square foot lease area.

#### 10 EVERY. 2 USE - HOLD HARMLESS

RECOMMND

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) from the following:

- (a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the PLOT PLAN; and,
- (b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning the PLOT PLAN, including, but not limited to, decisions made in response to California Public Records Act requests.

The COUNTY shall promptly notify the applicant/permittee of any such claim, action, or proceeding and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY.

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in connection with any such claim, action or proceeding, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel.

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#### 10. GENERAL CONDITIONS

10. EVERY. 3 USE - DEFINITIONS

RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of Plot Plan No. 25778 shall be henceforth defined as follows:

APPROVED EXHIBIT A = Plot Plan No. 25778, p. 1-5, dated 3-12-2015.

#### BS GRADE DEPARTMENT

10.BS GRADE. 1 USE - GENERAL INTRODUCTION

RECOMMND

Improvements such as grading, filling, over excavation and recompaction, and base or paving which require a grading permit are subject to the included Building and Safety Department Grading Division conditions of approval.

10.BS GRADE. 3 USE - OBEY ALL GDG REGS

RECOMMND

All grading shall conform to the California Building Code, Ordinance 457, and all other relevant laws, rules, and regulations governing grading in Riverside County and prior to commencing any grading which includes 50 or more cubic yards, the applicant shall obtain a grading permit from the Building and Safety Department:

10.BS GRADE. 4 USE - DISTURBS NEED G/PMT

RECOMMND

Ordinance 457 requires a grading permit prior to clearing, grubbing, or any top soil disturbances related to construction grading.

#### E HEALTH DEPARTMENT

10.E HEALTH. 1 USE - NO WASTEWATER PLUMBING

RECOMMND

The project comprises structures without wastewater plumbing. If wastewater plumbing fixtures are proposed in the future, the applicant shall contact the Department of Environmental Health for the requirements.

10 E HEALTH. 2 USE - EMERGENCY GENERATOR

RECOMMND

For any proposed use of emergency generators, the following shall apply:

a) A Business Emergency Plan (BEP) shall be submitted to

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#### 10. GENERAL CONDITIONS

# 10.E HEALTH. 2 USE - EMERGENCY GENERATOR (cont.)

RECOMMND

the County of Riverside, Hazardous Materials Management Branch (HMMB).

- b) A concrete berm shall be installed around all diesel backup generators, especially those designed with single-walled tanks.
- c) If the fuel tank capacity is greater than or equal to 1,320 gallons, the facility shall be required to prepare a Spill Prevention Control and Countermeasure (SPCC) plan. The SPCC shall be written in compliance with Federal rules and regulations.
- d) If the generator is located indoors, all entrance doors shall be labeled with an NFPA 704 sign with the approxpriate NFPA ratings.
- e) If the generator is located outdoors, the NFPA 704 sign shall be placed on the most visible side of the exterior surface of the generator unit, or if fenced, on the most visible side of the fence, with the appropriate NFPA ratings.
- f) The location and capacity of the "day tank", if proposed, shall be clearly identified in the chemical inventory and facility map sections of the BEP.
- g) The business shall address the handling of spills and leaks in the Prevention, Mitigation, and Abatement sections of the BEP.
- h) If the generator is located in a remote site, HMMB shall conduct an inspection to determine whether any exemptions can be granted.

#### 10.E HEALTH. 3 USE - NO NOISE REPORTS

RECOMMND

Based upon the information provided, a noise study is not required. However, the project shall be required to comply with the following:

1. Facility-related noise, as projected to any portion of any surrounding property containing a "sensitive receiver, habitable dwelling, hospital, school, library, or nursing home", must not exceed the following worst-case noise levels: 45 dB(A) - 10 minute noise equivalent level

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## 10 GENERAL CONDITIONS

10.E HEALTH. 3 USE - NO NOISE REPORTS (cont.)

RECOMMND

("leq"), between the hours of 10:00 p.m. to 7:00 a.m. (nighttime standard) and 65 dB(A) - 10 minute leq, between 7:00 a.m. and 10:00 p.m. (daytime standard).

2. Whenever a construction site is within one-quarter (1/4) of a mile of an occupied residence or residences, no construction activities shall be undertaken between the hours of 6:00 p.m. and 6:00 a.m. during the months of June through September and between the hours of 6:00 p.m. and 7:00 a.m. during the months of October through May. Exception to these standards shall be allowed only with the written consent of the building official.

For any questions, please contact the Department of Environmental Health, Office of Industrial Hygiene at (951) 955-8982.

## FLOOD RI DEPARTMENT

10.FLOOD RI. 1 USE - FLOOD HAZARD REPORT

RECOMMND

Plot Plan 25778 is a proposal to permit the construction, use and maintenance of an unmanned wireless telecommunications facility disguised as pine tree on a lot, in Alberhill area. The project site is located southerly of Desert Ridge, southwesterly of Kachina Court, and easterly of Silver Stirrup Drive.

The site is located on a ridge and as such, the proposed project does not receive offsite storm runoff. Except for nuisance nature local runoff that may traverse portions of the property, the project is considered free from ordinary storm flood hazard. However, a storm of unusual magnitude could cause some damage. New construction should comply with all applicable ordinances.

#### PLANNING DEPARTMENT

10.PLANNING. 1 USE - CULTURAL RESOURCES

RECOMMND

The developer/permit holder or any successor in interest shall comply with the following for the life of this project:

1) If during ground disturbance activities, cultural resources are discovered that were not assessed by the archaeological reports and/or environmental assessment

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## 10 GENERAL CONDITIONS

## 10.PLANNING. 1 USE - CULTURAL RESOURCES (cont.)

RECOMMND

conducted prior to project approval, the following procedures shall be followed. A cultural resources site is defined, for this condition, as being three or more artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to it sacred or cultural importance.

a) All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted until a meeting is convened between the developer, the project archaeologist, the Native American tribal representative (or other appropriate ethic/cultural group representative), and the Planning Director to discuss the significance of the find.

b) At the meeting, the significance of the discoveries shall be discussed and after consultation with the Native American tribal (or other appropriate ethnic/cultural group representative) and the archaeologist, a decision is made, with the concurrence of the Planning Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc) for the cultural resource.

c) Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate preservation or mitigation measures.

## 10.PLANNING. 2 USE - IF HUMAN REMAINS FOUND

RECOMMND

The developer/permit holder or any successor in interest shall comply with the following for the life of this project:

Human remains require special handling, and must be treated with appropriate dignity. Pursuant to State Health and Safety Code Section 7050.5, if human remains are encountered, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Specific actions must take place pursuant to CEQA Guidelines °15064.5e, State Health and Safety Code Section 7050.5 and Public Resource Code (PRC) °5097.98. In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following procedures shall be followed:

a) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

i) A County Official is contacted.

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#### 10. GENERAL CONDITIONS

# 10.PLANNING. 2 USE - IF HUMAN REMAINS FOUND (cont.)

RECOMMND

- ii) The County Coroner is contacted to determine that no investigation of the cause of death is required, and If the Coroner determines the remains are Native American:
  iii) The Coroner shall contact the Native American Heritage Commission within 24 hours.
- b) The Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
- c) The Most Likely Descendent (MLD) may make recommendations to the landowner or the person responsible for the excavation work, for the treatment of human remains and any associated grave goods as provided in PRC °5097.98.
  d) Under the following conditions, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods on the property in a location not subject to further disturbance:
  i) The Commission is unable to identify a MLD or the MLD failed to make a recommendation within 24 hours after being
- failed to make a recommendation within 24 hours after being notified by the commission.
- (1) The MLD identified fails to make a recommendation; or
- (2) The landowner or his authorized representative rejects the recommendation of the MLD, and the mediation.

## 10.PLANNING. 3 USE - COMPLY WITH ORD./CODES

RECOMMND

The development of these premises shall comply with the standards of Ordinance No. 348 and all other applicable Riverside County ordinances and State and Federal codes.

The development of the premises shall conform substantially with that as shown on APPROVED EXHIBIT A, unless otherwise amended by these conditions of approval.

#### 10.PLANNING. 4 USE - FEES FOR REVIEW

RECOMMND

Any subsequent submittals required by these conditions of approval, including but not limited to grading plan, building plan or mitigation monitoring review, shall be reviewed on an hourly basis (research fee), or other such review fee as may be in effect at the time of submittal, as required by Ordinance No. 671. Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.

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10. GENERAL CONDITIONS

10.PLANNING. 5 USE - LIGHTING HOODED/DIRECTED

RECOMMND

Any outside lighting shall be hooded and directed so as not to shine directly upon adjoining property or public rights-of-way.

10.PLANNING. 6

USE - CEASED OPERATIONS

RECOMMND

In the event the use hereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void.

10 PLANNING. 7

USE - MAX HEIGHT

RECOMMND

The monopole located within the property shall not exceed a height of 50 feet.

10 PLANNING. 8

USE - CO-LOCATION

RECOMMND

The applicant/operator of the facility shall agree to allow the co-location of equipment of other wireless telecommuncations providers at this site when applications are received by the County and it is considered feasible, subject to an agreement between the applicant/operator, the other proposed wireless telecommunications provider, and the property owner.

10 PLANNING. 9

USE - FUTURE INTERFERENCE

RECOMMND

If the operation of the facilities authorized by this approved Plot Plan generates electronic interference with or otherwise impairs the operation of Riverside County communication facilities, the applicant shall consult with Riverside County Information Technology staff and implement mitigation measures acceptable to the Riverside County Department of Information Technology.

10 PLANNING. 12

USE - NO USE PROPOSED LIMIT CT

RECOMMND

The balance of the subject property, APN 391-631-039 (excluding the lease area and access easement), shall hereby be designated as "NO USE PROPOSED", and shall require approval of an appropriate land use application prior to utilization of any additional land uses subject to the requirements of County Ordinance No. 348.

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#### 10 GENERAL CONDITIONS

10.PLANNING. 13 USE - EQUIPMENT/BLDG COLOR CT

RECOMMND

The equipment cabinet color shall be grey or in earthtones, which will blend with the surrounding setting.

The color of the monopole (trunk) shall be light to dark brown, and the color of the antenna array shall be dark green, in order to minimize visual impacts.

Changes in the above listed colors shall be reviewed and approved by the Planning Department prior to installation of the structures, or prior to repainting of the structures.

10.PLANNING. 14 USE - SITE MAINTENANCE CT

RECOMMND

The project site shall be kept in good repair. Graffiti shall be removed from any structures within one week of observation and/or notification. The project site and a minimum area of 10 feet around the project site shall be kept free of weeds and other obtrusive vegetation for fire prevention purposes.

10 PLANNING. 15 USE - BUSINESS LICENSING

RECOMMND

Every person conducting a business within the unincorporated area of Riverside County, as defined in Riverside County Ordinance No. 857, shall obtain a business license. For more information regarding business registration, contact the Business Registration and License Program Office of the Building and Safety Department at www.rctlma.org.buslic.

10.PLANNING. 16 USE - CAUSES FOR REVOCATION

RECOMMND

In the event the use hereby permitted under this permit,

- a) is found to be in violation of the terms and conditions of this permit,
- b) is found to have been obtained by fraud or perjured testimony, or
- c) is found to be detrimental to the public health, safety or general welfare, or is a public nuisance, this permit shall be subject to the revocation procedures.

#### 10 PLANNING. 17 USE - BRNCH HGT CNT ANT SOCK

RECOMMND

The branches for the monopine shall start 12 feet from the bottom of the tree and shall be spaced at three (3)

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#### 10. GENERAL CONDITIONS

10.PLANNING. 17 USE - BRNCH HGT CNT ANT SOCK (cont.)

RECOMMND

branches per foot and all antennas shall have "socks".

10.PLANNING. 18 USE - MAINTAIN SOCKS/BRANCHES

RECOMMND

The proposed monopine shall be kept in good repair. The branches as well as the antenna "socks" shall remain in good condition. If at any time the "socks" are missing or detereriorated (as determined by the Planning Department), they shall be replaced within 30 days.

10.PLANNING. 19 USE - NOISE REDUCTION

RECOMMND

In accordance with Section 19.410.g. of Ordinance No. 348, and for the life of the project, all noise produced by the wireless communication facility shall in no case produce noise which exceeds 45 dB inside the nearest dwelling and 60 dB at the project site's property line.

10.PLANNING. 20 USE - GEO02452

RECOMMND

County Geologic Report (GEO) No. 2452, submitted for the project Horsethief Tower 27651 Kachina Court was prepared by ASR Engineering, Inc. and is entitled: "Geotechnical Engineering Investigation, Horsethief Tower, 27651 Kachina Court, Corona, California," dated April 27, 2015. In addition, ASR Engineering, Inc. submitting the following: "Additional Information, Geotechnical Engineering Investigation, Horsethief Tower, 27651 Kachina Court, Corona, California," dated October 28, 2015. GEO02452 concluded:

- 1. Since the site is not located within an Alquist-Priolo Earthquake Fault Zone, and fault rupture hazard at the site is considered moderate.
- 2.According to regulatory maps maintained by the California Department of Conservation, the site is not located within an area of liquefaction potential, the groundwater depth is anticipated to be greater than 45 feet below the surface, and the site is underlain by dense to very dense bedrock at shallow depth, therefore, the hazard from liquefaction is unlikely.
- 3.Provided surficial soils are compacted as recommended in this report, it is our opinion that the potential for significant seismically induced settlement is low.
- 4. According to the Federal Emergency Management Agency Flood Insurance Rate Map, the site is not located within Zone X, areas to be outside the 0.2% floodplain.

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#### 10. GENERAL CONDITIONS

#### 10.PLANNING. 20 USE - GEO02452 (cont.)

RECOMMND

5. The site is not located within a potential dam inundation area.

GEO02452 recommendations:

- 1. Within the equipment pad area, the ground surface should be scarified to a minimum depth of 8 inches, moisture conditioned to near optimum condition and compacted to at least 90 percent of maximum dry density.
- 2.Excavations, depressions, or soft and pliant areas extending below planned finish subgrade levels should be cleaned to firm, undisturbed soil and backfilled with engineered fill.
- 3. Imported non-expansive, non-corrosive fill, if needed, should consist of a well-graded, slightly cohesive silty fine sand or sandy silt, with relatively impervious characteristics when compacted.

GEO No. 2452 satisfies the requirement for a geologic/geotechnical study for Planning/CEQA purposes. GEO No. 2452 is hereby accepted for Planning purposes. Engineering and other Building Code parameters were not included as a part of this review or approval. This approval is not intended and should not be misconstrued as approval for grading permit. Engineering and other building code parameters should be review and additional comments and/or conditions may be imposed by the County upon application for grading and /or building permits.

#### TRANS DEPARTMENT

#### 10.TRANS. 1 USE - STD INTRO (ORD 461)

RECOMMND

With respect to the conditions of approval for the referenced tentative exhibit, it is understood that the exhibit correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Q's, and that their omission or unacceptability may require the exhibit to be resubmitted for further consideration. This ordinance and all conditions of approval are essential parts and a requirement occurring in ONE is as binding as though occurring in all. All questions regarding the true meaning of the conditions shall be referred to the Transportation Department.

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#### 10. GENERAL CONDITIONS

10.TRANS. 2 USE - COUNTY WEB SITE

RECOMMND

Additional information, standards, ordinances, policies, and design guidelines can be obtained from the Transportation Department Web site: http://rctlma.org/trans/. If you have questions, please call the Plan Check Section at (951) 955-6527.

10 TRANS. 3 USE - TS/EXEMPT

RECOMMND

The Transportation Department has not required a traffic study for the subject project. The Transportation Department has determined that the project is exempt from traffic study requirements.

#### 20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 1 USE - EXPIRATION DATE-PP

RECOMMND

This approval shall be used within wo (2) years of approval date; otherwise, it shall become null and void and of no effect whatsoever. By use is meant the beginning of substantial construction contemplated by this approval within a two (2) year period which is thereafter diligently pursued to completion or of the actual occupancy of existing buildings or land under the terms of the authorized use.

Prior to the expiration of the two year period, the permittee may request a one (1) year extension of time request in which to use this plot plan. A maximum of three one-year extension of time requests shall be permitted. Should the time period established by any of the extension of time requests lapse, or should all three one-year extensions be obtained and no substantial construction or use of this plot plan be initiated within five (5) years of the effective date of the issuance of this plot plan, this plot plan shall become null and void.

#### 20 PLANNING. 2 USE - LIFE OF PERMIT

RECOMMND

A wireless communication facility shall have an initial approval period (life) consistent with current development code that may be extended if a revised permit application is made and approved by the Planning Director or the Planning Commission, whichever was the original approving

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#### 20. PRIOR TO A CERTAIN DATE

20.PLANNING. 2 USE - LIFE OF PERMIT (cont)

RECOMMND

officer or body. Such extensions, if approved, shall be in increments of ten (10) years. The determination as to the appropriateness of such extensions shall be made, in part, on adherence to the original conditions of approval and the number of complaints, if any, received by the County. In the case of co-located facilities, the permits of all co-locaters shall automatically be extended until the last co-locater's permit expires.

#### 60: PRIOR TO GRADING PRMT ISSUANCE

BS GRADE DEPARTMENT

60.BS GRADE. 1 USE - NPDES/SWPPP

RECOMMND

Prior to issuance of any grading or construction permits - whichever comes first - the applicant shall provide the Building and Safety Department evidence of compliance with the following: "Effective March 10, 2003 owner operators of grading or construction projects are required to comply with the N.P.D.E.S. (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of "ONE" acre or larger. The owner operator can comply by submitting a "Notice of Intent" (NOI), develop and implement a STORM WATER POLLUTION PREVENTION PLAN (SWPPP) and a monitoring program and reporting plan for the construction site. For additional information and to obtain a copy of the NPDES State Construction Permit contact the SWRCB at www.swrcb.ca.gov.

Additionally, at the time the county adopts, as part of any ordinance, regulations specific to the N.P.D.E.S., this project (or subdivision) shall comply with them.

#### EPD DEPARTMENT

60.EPD. 1 - MBTA SURVEY

RECOMMND

Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. Since the project supports suitable nesting bird habitat, removal of vegetation or any other potential nesting bird habitat disturbances shall be conducted outside of the avian nesting season (February 1st

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#### 60. PRIOR TO GRADING PRMT ISSUANCE

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60.EPD. 1 - MBTA SURVEY (cont.)

RECOMMND

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through September 15th). If habitat must be cleared during the nesting season or disturbances occur within 500 feet, a preconstruction nesting bird survey shall be conducted. The preconstruction nesting bird survey must be conducted by a biologist who holds a current MOU with the County of Riverside. If nesting activity is observed, appropriate avoidance measures shall be adopted to avoid any potential impacts to nesting birds. The nesting bird survey must be completed no more than 3 days prior to any ground disturbance. If ground disturbance does not begin within 3 days of the survey date a second survey must be conducted. Prior to the issuance of a grading or building permit the project proponent must provide written proof to the Riverside County Planning Department, Environmental Programs Division (EPD) that a biologist who holds a MOU with the County of Riverside has been retained to carry out the required survey. Documentation submitted to prove compliance prior to grading or building permit issuance must at a minimum include the name and contact information for the Consulting Biologist and a signed statement from them confirming that they have been contracted by the applicant to conduct a Preconstruction Nesting Bird Survey. In some cases, EPD may also require a Monitoring and Avoidance Plan prior to the issuance of a grading or building permit. Prior to finalization of a grading permit or prior to issuance of any building permits, the projects consulting biologist shall prepare and submit a report to EPD for review, documenting the results of the survey.

#### PLANNING DEPARTMENT

60.PLANNING. 1 USE - GRADING PLANS

RECOMMND

If grading is proposed, the project must comply with the following:

- a. The developer shall submit one print of a comprehensive grading plan to the Department of Building and Safety which complies with the Uniform Building Code, Chapter 70, as amended by Ordinance No. 457 and as may be additionally provided for in these conditions.
- b. A grading permit shall be obtained from the Department of Building and Safety prior to commencement of any grading outside of a County maintained road right-of-way.

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#### 60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 1 USE - GRADING PLANS (cont.)

RECOMMND

- c. Graded but undeveloped land shall be planted with interim landscaping or provided with other erosion control measures as approved by the Director of Building and Safety.
- d. Graded areas shall be revegetated or landscaped with native species which are fire resistant, drought tolerant, low water using and erosion controlling.

#### 60 PLANNING. 4 USE - ARCHAEOLOGIST RETAINED

RECOMMND

Prior to the issuance of grading permits, a qualified archaeologist shall be retained by the land divider for consultation and comment on the proposed grading with respect to potential impacts to unique archaeological resources. Should the archaeologist, after consultation with the appropriate Native American tribe, find the potential is high for impact to unique archaeological resources (cultural resources and sacred sites), a pre-grading meeting between the archaeologist, a Native American observer, and the excavation and grading contractor shall take place. During grading operations, when deemed necessary in the professional opinion of the retained archaeologist (and/or as determined by the Planning Director), the archaeologist, the archaeologist's on-site representative(s) and the Native American Observer shall actively monitor all project-related grading and construction and shall have the authority to temporarily divert, redirect, or halt grading activity to allow recovery of unique archaeological resources. Prior to the issuance of grading permits, the NAME, ADDRESS and TELEPHONE NUMBER of the retained archaeologist shall be submitted to the Planning Department and the B&S Grading Division. If the retained archaeologist, after consultation with the appropriate Native American tribe, finds no potential for impacts to unique archaeological resources, a letter shall be submitted to the Planning Department certifying this finding by the retained qualified archaeologist.

#### 60 PLANNING. 5 USE - IF HUMAN REMAINS FOUND

RECOMMND

If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a

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#### 60 PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 5 USE - IF HUMAN REMAINS FOUND (cont.)

RECOMMND

determination of origin and disposition pursuant to Public Resource Code section 5097.98. The County Coroner shall be notified of the find immediately. If the remains are determined to be prehistoric, the coroner shall notify the Native American Heritage Commission, which will determine and notify the appropriate NATIVE AMERICAN TRIBE who is the most likely descendent. The descendent shall inspect the site of the discovery and make a recommendation as to the appropriate mitigation. After the recommendations have been made, the property owner, a Native American Tribe representative, and a County representative shall meet to determine the appropriate mitigation measures and corrective actions to be implemented.

#### 60.PLANNING. 6 USE - PALEO PRIMP & MONITOR

RECOMMND

This site is mapped in the County's General Plan as having a High potential for paleontological resources (fossils). Proposed project site grading/earthmoving activities could potentially impact this resource. HENCE:

#### PRIOR TO ISSUANCE OF GRADING PERMITS:

- 1. The applicant shall retain a qualified paleontologist approved by the County of Riverside to create and implement a project-specific plan for monitoring site grading/earthmoving activities (project paleontologist)...
- 2. The project paleontologist retained shall review the approved development plan and grading plan and shall conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the County Geologist for review and approval prior to issuance of a Grading Permit.

Information to be contained in the PRIMP, at a minimum and in addition to other industry standards and Society of Vertebrate Paleontology standards, are as follows:

- 1.Description of the proposed site and planned grading operations.
- 2.Description of the level of monitoring required for all

PLOT PLAN: TRANSMITTED Case #: PP25778 Parcel: 391-631-039

#### 60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 6 USE - PALEO PRIMP & MONITOR (cont.)

RECOMMND

earth-moving activities in the project area.

- 3. Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring.
- 4. Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens.
- 5.Direction for any fossil discoveries to be immediately reported to the property owner who in turn will immediately notify the County Geologist of the discovery.
- 6.Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays.
- 7. Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
- 8. Procedures and protocol for collecting and processing of samples and specimens.
- 9. Fossil identification and curation procedures to be employed.
- 10. Identification of the permanent repository to receive any recovered fossil material. \*Pursuant the County of Riverside "SABER Policy", paleontological fossils found in the County of Riverside should, by preference, be directed to the Western Science Center in the City of Hemet. A written agreement between the property owner/developer and the repository must be in place prior to site grading.
- 11.All pertinent exhibits, maps and references.
- 12. Procedures for reporting of findings.
- 13. Identification and acknowledgement of the developer for the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees. The property owner and/or applicant on whose land the paleontological fossils are discovered shall provide appropriate funding for monitoring, reporting, delivery and curating the fossils at the institution where the fossils

PLOT PLAN: TRANSMITTED Case #: PP25778

Parcel 391-631-039

#### 60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 6 USE - PALEO PRIMP & MONITOR (cont.) (cont.) RECOMMND

will be placed, and will provide confirmation to the County that such funding has been paid to the institution.

All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (eg. Professional Geologist), as appropriate. Two wet-signed original copies of the report(s) shall be submitted to the office of the County Geologist along with a copy of this condition and the grading plan for appropriate case processing and tracking. These documents should not be submitted to the project Planner, the Plan Check staff, the Land Use Counter or any other County office. In addition, the applicant shall submit proof of hiring (i.e. copy of executed contract, retainer agreement, etc.) a project paleontologist for the in-grading implementation of the PRIMP.

Safeguard Artifacts Being Excavated in Riverside County (SABER)

#### TRANS DEPARTMENT

#### 60.TRANS. 1 USE - SUBMIT GRADING PLAN

RECOMMND

When you submit a grading plan to the Department of Building and Safety, two sets of the grading plan (24" X 36") shall be submitted to the Transportation Department for review and subsequently for the required clearance of the condition of approval prior to the issuance of a grading permit.

Please note, if improvements within the road right-of-way are required per the conditions of approval, the grading clearance may be dependent on the submittal of street improvement plans, the opening of an IP account, and payment of the processing fee.

Otherwise, please submit required grading plan to the Transportation Department, Plan Check Section, 8th Floor, 4080 Lemon Street, Riverside, CA

Standard plan check turnaround time is 10 working days.

PLOT PLAN: TRANSMITTED Case #: PP25778 Parcel: 391-631-039

#### 70. PRIOR TO GRADING FINAL INSPECT

PLANNING DEPARTMENT

70.PLANNING. 1 USE - PALEO MONITORING REPORT

RECOMMND

#### PRIOR TO GRADING FINAL:

The applicant shall submit to the County Geologist one wet-signed copy of the Paleontological Monitoring Report prepared for site grading operations at this site. The report shall be certified by the professionally-qualified Paleontologist responsible for the content of the report. This Paleontologist must be on the County's Paleontology Consultant List. The report shall contain a report of findings made during all site grading activities and an appended itemized list of fossil specimens recovered during grading (if any) and proof of accession of fossil materials into the pre-approved museum repository. In addition, all appropriate fossil location information shall be submitted to the Western Center, the San Bernardino County Museum and Los Angeles County Museum of Natural History, at a minimum, for incorporation into their Regional Locality Inventories.

#### 80. PRIOR TO BLDG PRMT ISSUANCE

BS GRADE DEPARTMENT

80.BS GRADE. 1 USE - NO GRADING VERIFICATION

RECOMMND

Prior to the issuance of any building permit, the applicant shall comply with the County of Riverside Department of Building and Safety "NO GRADING VERIFICATION" requirements.

EPD DEPARTMENT

80.EPD. 1 PPA - MBTA SURVEY

RECOMMND

Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. Since the project supports suitable nesting bird habitat, removal of vegetation or any other potential nesting bird habitat disturbances shall be conducted outside of the avian nesting season (February 1st through September 15th). If habitat must be cleared during the nesting season or disturbances occur within 500 feet, a preconstruction nesting bird survey shall be conducted. The preconstruction nesting bird survey must be conducted by a biologist who holds a current MOU with the County of

PLOT PLAN: TRANSMITTED Case #: PP25778 Parcel: 391-631-039

#### 80. PRIOR TO BLDG PRMT ISSUANCE

80.EPD. 1 PPA - MBTA SURVEY (cont.)

RECOMMND

Riverside. If nesting activity is observed, appropriate avoidance measures shall be adopted to avoid any potential impacts to nesting birds. The nesting bird survey must be completed no more than 3 days prior to any ground disturbance. If ground disturbance does not begin within 3 days of the survey date a second survey must be conducted. Prior to the issuance of a grading or building permit the project proponent must provide written proof to the Riverside County Planning Department, Environmental Programs Division (EPD) that a biologist who holds a MOU with the County of Riverside has been retained to carry out the required survey. Documentation submitted to prove compliance prior to grading or building permit issuance must at a minimum include the name and contact information for the Consulting Biologist and a signed statement from them confirming that they have been contracted by the applicant to conduct a Preconstruction Nesting Bird Survey. In some cases, EPD may also require a Monitoring and Avoidance Plan prior to the issuance of a grading or building permit. Prior to finalization of a grading permit or prior to issuance of any building permits, the projects consulting biologist shall prepare and submit a report to EPD for review, documenting the results of the survey.

#### FIRE DEPARTMENT

80.FIRE. 1 CONDITIONS

RECOMMND

- extinguishers (Light Hazard) Install a portable fire extinguisher, with a minimum rating of 4A-40BC, for every 3,000 sq. ft. and/or 75 feet of travel distance. Fire extinguishers shall be mounted no higher than 5 ft. above finished floor, as measured to the top of the extinguisher. Where not readily visible, signs shall be posted above all extinguishers to indicate their locations. Extinguishers must have current CSFM service tags affixed; or within one year of from the date of month and year of manufacture. (NOTE: If only a year of manufacture is indicated, maintenance shall be due January 1st of the year following.)
- 2. Knox Rapid Entry Box- A Knox Box shall be installed on the outside of the wall. Key(s) shall have durable and legible tags affixed for identification of the address. Special forms are available from this office for ordering the Knox Box.

06/19/17 14:31

#### Riverside County LMS CONDITIONS OF APPROVAL

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PLOT PLAN:TRANSMITTED Case #: PP25778 Parcel: 391-631-039

#### 80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 4 USE - SCHOOL MITIGATION RECOMMND

Impacts to the Lake Elsinore School District shall be mitigated in accordance with California State law.

#### TRANS DEPARTMENT

80.TRANS. 1 USE - EVIDENCE/LEGAL ACCESS

RECOMMND

Provide evidence of legal access.

80.TRANS. 2 USE - UTILITY PLAN CELL TOWER

RECOMMND

Proposed electrical power lines below 33.6 KV within public right-of-way for this cell tower site shall be designed to be placed underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department. The applicant is responsible for coordinating the work with the serving utility company. A disposition note describing the above shall be reflected on the site plan. A written proof for initiating the design and/or application of the relocation issued by the utility company shall be submitted to the Transportation Department for verification purposes.

#### 90. PRIOR TO BLDG FINAL INSPECTION

#### E HEALTH DEPARTMENT

90.E HEALTH. 1 USE - HAZMAT BUS PLAN

RECOMMND

The facility will require a business emergency plan for the storage of hazardous materials greater than 55 gallons, 200 cubic feet or 500 pounds, or any acutely hazardous materials or extremely hazardous substances.

90.E HEALTH. 2 USE - HAZMAT REVIEW RECOMMND

If further review of the site indicates additional environmental health issues, the Hazardous Materials Management Division reserves the right to regulate the business in accordance with applicable County Ordinances.

90 E HEALTH, 3 USE - HAZMAT CONTACT RECOMMND

Contact a Hazardous Materials Specialist, Hazardous Materials Management Division, at (951) 358-5055 for any additional requirements.

PLOT PLAN: TRANSMITTED Case #: PP25778 Parcel: 391-631-039

#### 90 PRIOR TO BLDG FINAL INSPECTION

PLANNING DEPARTMENT

90.PLANNING. 1 USE - UTILITIES UNDERGROUND

RECOMMND

All utilities, except electrical lines rated 33 kV or greater, shall be installed underground. If the permittee provides to the Department of Building and Safety and the Planning Department a definitive statement from the utility provider refusing to allow underground installation of the utilities they provide, this condition shall be null and void with respect to that utility.

90 PLANNING. 2 USE - WALL & FENCE LOCATIONS

RECOMMND

Wall and/or fence locations shall be in conformance with APPROVED EXHIBIT A.

90.PLANNING. 4 USE - ORD NO. 659 (DIF)

RECOMMND

Prior to the issuance of either a certificate of occupancy or prior to building permit final inspection, the applicant shall comply with the provisions of Riverside County Ordinance No. 659, which requires the payment of the appropriate fee set forth in the Ordinance. Riverside County Ordinance No. 659 has been established to set forth policies, regulations and fees related to the funding and installation of facilities and the acquisition of open space and habitat necessary to address the direct and cummulative environmental effects generated by new development project described and defined in this Ordinance, and it establishes the authorized uses of the fees collected.

The amount of the fee for commercial or industrial development shall be calculated on the basis of the "Project Area," as defined in the Ordinance, which shall mean the net area, measured in acres, from the adjacent road right-of-way to the limits of the project development. The Project Area for Plot Plan No. 25778 has been calculated to be 0.96 net acres.

In the event Riverside County Ordinance No. 659 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 659 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

PLOT PLAN: TRANSMITTED Case #: PP25778 Parcel: 391-631-039

#### 90 PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 5 USE - ORD 810 O S FEE (2)

RECOMMND

Prior to the issuance of a certificate of occupancy, or upon building permit final inspection rior to use or occupancy for cases without final inspection or certificate of occupancy (such as an SMP)], whichever comes first, the applicant shall comply with the provisions of Riverside County Ordinance No. 810, which requires the payment of the appropriate fee set forth in the Ordinance. The amount of the fee will be based on the "Project Area" as defined in the Ordinance and the aforementioned Condition of Approval. The Project Area for Plot Plan No. 25778 is calculated to be 0.96 net acres. In the event Riverside County Ordinance No. 810 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 810 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

#### 90.PLANNING. 6 USE - SIGNAGE REQUIREMENT

RECOMMND

Prior to final inspection of any building permit, the permit holder, developer or successor-in-interest shall install a sign no smaller than 12 inches by 12 inches upon an exterior wall or fence that surrounds the lease area that provides the following contact information:

- Address of wireless communications facility and any internal site identification number or code;
- Name(s) of company who operates the wireless communications facility;
- Full company address, including mailing address and division name that will address problems;
- Telephone number of wireless communications facility company.

If a co-located facility (addition antennas and/or equipment shelters or cabinets) are added to an existing facility, an additional sign, including the above described information, shall be installed on said shelter or cabinet stating the name of the company who operates the primary wireless communications facility and the name of the company that operates the co-located facility.

#### 90 PLANNING. 7 USE - SITE INSPECTION

RECOMMND

Prior to final inspection, the Planning Department shall inspect and determine that the conditions of PP25778 have

06/19/17 14:31

# Riverside County LMS CONDITIONS OF APPROVAL

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PLOT PLAN: TRANSMITTED Case #: PP25778

Parcel: 391-631-039

#### 90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 7 USE - SITE INSPECTION (cont.)

RECOMMND

been met; specifically that the branches for proposed monopine are spaced at three (3) branches per foot, all antennas have "socks", and the branches start 12 feet from the bottom of the tree in accordance with the APPROVED EXHIBIT A, dated 8/7/2017.

#### TRANS DEPARTMENT

90.TRANS. 1 USE - WRCOG TUMF

RECOMMND

Prior to the issuance of an occupancy permit, the project proponent shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 824.

90.TRANS. 2 USE-UTILITY INSTALL CELL TOWER

RECOMMND

Proposed electrical power lines below 33.6 KV within public right-of-way for this cell tower site shall be underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department.

A certificate should be obtained from the pertinent utility company and submitted to the Department of Transportation as proof of completion.

# LAND C\_VELOPMENT COM.JITTEE INITIAL CASE TRANSMITTAL RIVERSIDE COUNTY PLANNING DEPARTMENT - RIVERSIDE P.O. Box 1409

Riverside, CA 92502-1409

DATE: April 9, 2015

Riv. Co. Environmental Health Dept.

Riv. Co. Fire Department

Riv. Co. Building & Safety - Plan Check Riv. Co. Environmental Programs Dept.

Riv. Co. Parks and Recreation

Riv. Co. Transportation Dept.

Riv. Co. P.D. EPD

Riv. Co. PD Geology Riv. Co. Landscape Review

Riv. Co. PD Archeology

Riv. Co. Information Technology

City of Lake Elsinore

Elsinore Valley Municipal Water District

1st District Supervisor

1st District Planning Commissioner

PLOT PLAN NO. 25778 - EA 42780 - Applicant: Verizon Wireless - Engineer Representative: SAC Wireless, Dail Richard - Owner: Elsinore Valley Municipal Water District - First Supervisorial District -Alberhill Zoning Area - Elsinore Area Plan - Land Use Designation: Community Development: Medium Density Residential (CD: MDR) (2 - 5 du/ac) - Location: southerly of Desert Ridge, southwesterly of Kachina Court, easterly of Silver Stirrup Drive - Zoning: Horse Thief Canyon Specific Plan, Planning Area 13 (SP 152, PA 13) - REQUEST: Permit the construction, use and maintenance of an unmanned wireless telecommunication facility disguised as a pine tree consisting of a 50 foot tall monopole, twelve (12) panel antennas, twelve (12) RRUs, one (1) microwave dish, one (1) DC generator with two (2) equipment cabinets, two (2) GPS antennas within the an enclosed 625 square foot area. - APN: 391-631-039

Please review the attached map(s) and/or exhibit(s) for the above-described project. This case is scheduled for LDC comments on April 23, 2015. All LDC Members please have draft conditions in the Land Management System on or before the above date. If it is determined that the attached map(s) and/or exhibit(s) are not acceptable, please have corrections in the system and DENY the routing on or before the above date. Once the route is complete, and the approval screen is approved with or without corrections, the case can be scheduled for a public hearing.

All other transmitted entities, please have your comments, questions and recommendations to the Planning Department on or before the above date. Your comments/recommendations/conditions are requested so that they may be incorporated in the staff report for this particular case.

Should you have any questions regarding this project, please do not hesitate to contact Mark Corcoran, Project Planner, at (951) 955-3025 or email at mcorcora@rctlma.org / MAILSTOP# 1070.

COMMENTS:

DATE:	SIGNATURE:
PLEASE PRINT NAME AND TITLE:	
TELEPHONE:	

If you do not include this transmittal in your response, please include a reference to the case number and project planner's name. Thank you.



# **COUNTY OF RIVERSIDE**

# TRANSPORTATION AND LAND MANAGEMENT AGENCY



# Transportation Department LANDSCAPE SECTION MEMORANDUM

Date: April 14, 2015

To: Mark Hughes, Transportation Dept.

Mark Corcoran, Planning Dept.

Project Number: PP25778

Project Name: Verizon Cell Tower – Horsethief Canyon Landscape Submittal: Landscape Concept Plan – 1<sup>st</sup> (Bluebeam)

Landscape Plan Consultant: Elaine Sitz / Denise Armijo (VDLA Landscape Architects)

951-955-0924 or 619-294-8484

Recommendation: PASS

It is our recommendation that the above project be allowed to proceed without adding landscape or irrigation.

- Landscape and screening goals of Ordinance 348 appear to be inapplicable.
  - O Screening: the proposed project site has limited to zero visibility to the public or nearby residents, and the project is located in an existing industrial area.
  - Shading: the proposed project is not adding new hardscape areas.
  - There are no proposed slopes or graded areas needing erosion control.
- Given the points above, we feel the water conservation goal of Ordinance 859 is best met by not requiring additional irrigation to the site.

END MEMO



Verizon Wireless 15505 Sand Canyon Ave. Building D-1 Irvine, CA 92618

September 10, 2014

Subject: FCC RF Emissions Compliance

Verizon Wireless (VzW) Telecommunications Facility.

27651 Kachina Ct, Corona CA 92883

(Verizon Wireless 'Horsethief')

Verizon Wireless' Network Engineering Department conducts radio frequency (RF) emission studies on all sites. The RF emission study is conducted pursuant to the guidelines and specifications provided in FCC OET Bulletin No. 65, Edition 97-01 dated August 1997, entitled *Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields.* All transmit and receive equipment is manufactured to meet strict FCC requirements. Prior to use, the equipment must have FCC approval as to design, use and technical parameters.

The study evaluated RF emission levels at publicly accessible areas around the Verizon Wireless antennas. The calculations are made assuming 'worst case' conditions i.e., all transmitters operating simultaneously at their maximum power excluding any attenuation.

Based upon Verizon Wireless' engineering study and analysis, this telecommunications facility does not exceed the general population exposure limits in locations that are accessible to the general public, and is in complete compliance with the FCC's RF emission regulations.

Verizon Wireless is committed to assuring the safety and welfare of its employees, the public and the environment. Should you have any additional property related concerns, please contact our property management at (949) 286-8711.

Thank you,

RF Engineering Department Verizon Wireless



# PLANNING DEPARTMENT

Steve Weiss, AICP Planning Director

July 14, 2015

Pattie Garcia Director of Tribal Historic Preservation Agua Caliente Band of Cahuilla Indians 5401 Dinah Shore Drive Palm Springs, CA 92264

SUBJECT: ASSEMBLY BILL 52 (AB 52) FORMAL NOTIFICATION (PP25778)

Dear Ms. Garcia:

This serves to notify you of a proposed project located within the Elsinore area of Riverside County. A map depicting the location and a project description can be found below. Pursuant to Public Resources Code section 21080.3.1(d), if you wish to initiate consultation on this proposed project, please send a consultation request within thirty (30) days of receiving this letter to Heather Thomson via email at <a href="https://doi.org/10.1007/jhtml.com/">https://doi.org/10.1007/jhtml.com/">https://doi.org/10.1007/jhtml.com/</a> or by contacting her at (951) 955-2873.

**Project Description:** 

PLOT PLAN NO. 25778 – EA 42780 – Applicant: Verizon Wireless – Engineer Representative: SAC Wireless, Dail Richard – Owner: Elsinore Valley Municipal Water District – First Supervisorial District – Alberhill Zoning Area – Elsinore Area Plan – Land Use Designation: Community Development: Medium Density Residential (CD: MDR) (2 – 5 du/ac) – Location: southerly of Desert Ridge, southwesterly of Kachina Court, easterly of Silver Stirrup Drive – Zoning: Horse Thief Canyon Specific Plan, Planning Area 13 (SP 152, PA 13) - REQUEST: Permit the construction, use and maintenance of an unmanned wireless telecommunication facility disguised as a pine tree consisting of a 50 foot tall monopole, twelve (12) panel antennas, twelve (12) RRUs, one (1) microwave dish, one (1) DC generator with two (2) equipment cabinets, two (2) GPS antennas within the an enclosed 625 square foot area. – APN: 391631-039Sincerely,

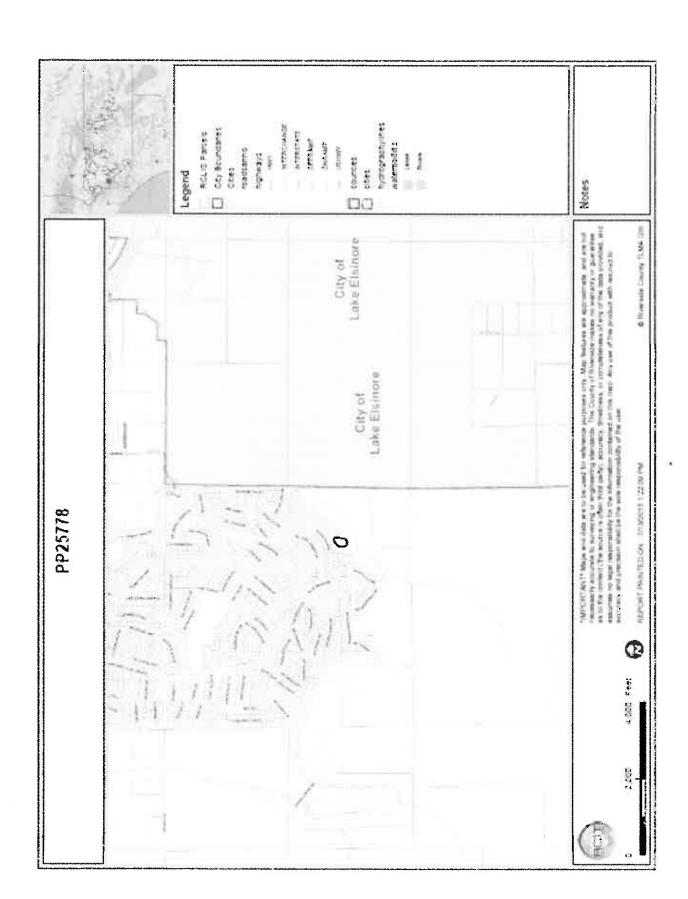
PLANNING DEPARTMENT

Heather Thomson Archaeologist

email cc: Mark Corcoran, Contract Planner; MCORCORA@rctlma.org

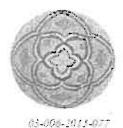
Attachment: Project Vicinity Map

Marcha Thomson



## AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBLE HISTORIC PRESERVATION



August 24, 2015

(VIA EMAIL TO:Hthomson/gredma.org)
Riverside County
Ms. Heather Thomson
4080 Lemon Street, 12th Floor, P.O. Box 1409
Riverside, CA 92502-1409

Re: AB-52, PP25778

Dear Ms. Heather Thomson.

The Agua Callente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the PP25773 project. A records check of the ACBCI cultural registry revealed that the project area is not located within the Tribe's Traditional Use Area (TUA). We currently have no concerns regarding this project. This letter shall conclude our consultation efforts.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6829. You may also email me at keskew diagnaculiente net.

Cordially,

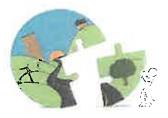
Katte Eskew

Archaeologist

Tribal Historic Preservation Office

Hatie Ekend

AGUA CALIENTE BAND OF CAHUILLA INDIANS



# RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss, AICP Planning Director

September 14, 2015

Dail Richard for Verizon Wireless 5865 Avenida Venusto, Suite 142B Carlsbad, CA 92008

Dear Mr. Richard:

Re: JPR 15-08-11-01 Determination Letter - No Conservation

HANS No. 2248 Case No. PP25778

Assessor's Parcel Number(s): 391-631-039

This letter is to inform you that the HANS determination for the subject property was forwarded to the Regional Conservation Authority (RCA) for Joint Project Review (JPR) pursuant to Section 6.6.2 of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). As stated on the attached "RCA JPR Review", the RCA has concurred with the County that no conservation is described for this property.

You may proceed with the planning process for this property. Please note, however, that this determination does not preclude compliance with any conditions incorporated into your final project approval.

If you have further questions concerning the attached comments, please contact the Environmental Programs Division of the Planning Department at (951) 955-6892.

Sincerely,

PLANNING DEPARTMENT

Laura Magee

**Ecological Resources Specialist** 

LM:ms

xc: Karin Watts-Bazan, Deputy County Counsel

David Jones, Chief Engineering Geologist

Brian Beck, RCA

Stephanie Standerfer, Dudek

Riverside Office · 4080 Lemon Street, 12th Floor P.O. Box 1409, Riverside, California 92502-1409 (951) 955-6892 · Fax (951) 955-1811 Desert Office · 75855 Et Duan Court, Suite H Palm Desert, California 92211 (760) 863-8277 · Fax (760) 863-7555



#### **Board of Directors**

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Chuck Washington County of Riverside

#### **Executive Staff**

Charles Landry Executive Director

3403 10th Street, Suite 320 Riverside, California 92501

P.O. Box 1667 Riverside, California 92502-1667

> Phone: (951) 955-9700 Fax: (951) 955-8873 www.wrc-rca.org

August 27, 2015

Laura Magee Environmental Programs Department County of Riverside 4080 Lemon Street, 12th Floor Riverside, California 92501

RECEIVED
Environmental Programs
SEP 0 2 2015

Dear Ms. Magee:

Please find the following JPR attached:

JPR 15-08-11-01. Permittee: Riverside County, HANS 2248. The JPR file attached includes the following:

- RCA JPR
- Exhibit A, Vicinity Map with MSHCP Schematic Cores and Linkages
- Exhibit B, Criteria Area Cells with MSHCP Vegetation and Project Location
- Exhibit C, Criteria Area Cells with MSHCP Soils and Project Location
- County-Provided Intake Map
- Regional Map.

Thank you,

Noelle Ronan

Western Riverside County Regional Conservation Authority

cc: Karin Cleary-Rose
U.S. Fish and Wildlife Service
777 East Tahquitz Canyon Way,
Suite 208

Palm Springs, California 92262

Heather A. Pert California Dept. of Fish and Wildlife 3602 Inland Empire Blvd. #C220 Ontario, California 91764



JPR #: <u>15-08-11-01</u> Date: 08/27/15

**Project Information** 

Permittee:	County of Riverside	
Case Information:	HANS 2248	
Site Acreage:	0.95 acres	
Portion of Site Proposed for		
MSHCP Conservation Area:	0 acres	

#### Criteria Consistency Review

Consistency Conclusion: The project is consistent with both the Criteria and Other

Plan requirements.

Data:

Applicable Core/Linkage: Proposed Linkage 1

Area Plan: Elsinore

4-11	I		
APN	Sub-Unit	Cell Group	Cell
391-631-039	SU1 - Estelle Mtn/Indian Cyn	Independent	3950

## Criteria and Project Information

#### Criteria Comments:

- a. As stated in Section 3.2.3 of the MSHCP, "Proposed Linkage 1 consists of the foothills of the Santa Ana Mountains just west of Lee Lake in the west-central region of the Plan Area. The Linkage is contiguous with Existing Core B (Santa Ana Mountains) to the west, Proposed Constrained Linkages 5 (Horsethief Canyon) and 6 (Temescal Wash South) and Proposed Extension of Existing Core 2 (Lake Mathews/Estelle Mountain) to the north, and Proposed Core 1 (Alberhill) to the east. Both Live-In and movement Habitat are provided by the Linkage. Several different routes, ranging from 5,400 to 14,950 feet, may be taken through the Linkage to surrounding MSHCP Conservation Area lands. This Linkage likely provides for movement of common mammals such as bobcat. Mountain lions are also likely to use the Linkage to access Core Areas in the Lake Mathews/Estelle Mountain Reserve."
- b. The project site is located within Cell 3950. As stated in Section 3.3.15 of the MSHCP, "Conservation within this Cell will contribute to assembly of Proposed Linkage 1. Conservation within this Cell will focus on chaparral, Riversidean alluvial fan sage scrub, woodland and forest habitat. Areas conserved within this Cell will be connected to chaparral habitat proposed for conservation in Cell 3949 to the west and to chaparral and Riversidean alluvial fan sage scrub habitat proposed for conservation in Cell Group S to the east. Conservation within this Cell will range from 55% to 65% of the Cell focusing in the southern portion of the Cell."



JPR #: <u>15-08-11-01</u> Date: <u>08/27/15</u>

- c. Rough Step: The proposed project is within Rough Step Unit 8. Rough Step Unit 8 encompasses 50,408 acres within the west-central region of western Riverside County and includes the cities of Lake Elsinore and Canyon Lake, the Alberhill Area, San Jacinto River Horsethief Canyon and Temescal Wash. Rough Step Unit 8 is bounded by the Santa Ana Mountains to the west, I-215 to the east, Bundy Canyon Road to the south, and Rough Step Unit 7 to the north. Within Rough Step Unit 8, there are 22,690 acres within the Criteria Area. Key vegetation communities within Rough Step 8 include coastal sage scrub; grasslands; riparian scrub, woodland, forest; and Riversidean alluvial fan sage scrub. Based on the 2013 MSHCP Annual Report, all vegetation categories are "in" rough step, except grasslands, which is "out" of Rough Step by 206 acres. The development of the project will not affect the status of Rough Step for grasslands in this Unit. The site is 0.95 acres in size and most of the site is already developed as a water tank. The mapped grasslands per MSHCP baseline vegetation mapping is approximately 0.16 acres of the site and is located on the northern portion of the parcel where the water tank already exists. The proposed cell tower would be built in the west central portion of the parcel mapped as chaparral. Therefore, development on the project site will not conflict with or interfere with the Rough Step Status of Unit 8.
- d. Project information was provided by the Permittee which included an MSHCP Consistency Analysis/Habitat Assessment dated July 10, 2015 prepared by ARCHON Consulting. The project consists of the construction of a new 50-foot unmanned "Monopine" Cell Tower in the County of Riverside, California. The proposed project would be constructed on a property that is already developed with a water tank operated by Elsinore Valley Water District. The project site is devoid of native vegetation. Small areas of ornamental vegetation occur along the edges of the graded and fenced water tank site.
- e. Reserve Assembly: The project site is located at the central portion of Cell 3950, which is not located along in the southern portion of the Cell described for Conservation. Conservation described for Cell 3950 is to contribute to assembly of Proposed Linkage 1. The project site is located on a disturbed parcel which is within a developed area and on a site that is already developed with a water tank. The site is surrounded by existing development to the north. Areas to the south of the site, within the area described for conservation are undeveloped, and approximately 60 acres has already been conserved within the areas described for conservation. Because the site is so small, and within an area that is already developed, and outside the area described for conservation, there are no new fragmentation issues that the project would cause to the Conservation area. Therefore, the project does not affect the Reserve Assembly goals of the MSHCP.



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## Other Plan Requirements

Data:

Section 6.1.2 - Was Riparian/Riverine/Vernal Pool Mapping or Information Provided?

Yes. There are no riparian/riverine areas on the project site. There are no vernal pools on the project site and soils are not consistent with vernal pool soil types and are not suitable for fairy shrimp habitat.

Section 6.1.3 – Was Narrow Endemic Plant Species Survey Information Provided?

Yes. The project site is located within a Narrow Endemic Plant Species Survey Area (NEPSSA) for Munz's onion, San Diego ambrosia, Slender-Horned Spineflower, Many-stemmed dudleya, Spreading navarretia, California Orcutt grass, San Miguel savory, Hammitt's clay-cress, Wright's trichocoronis.

Section 6.3.2 – Was Additional Survey Information Provided?

Yes. The project site is located within a Criteria Area Species Survey Area (CASSA) for Thread-leaved brodiaea, Davidson's saltscale, Parish's brittlescale, Smooth Tarplant, Round-leaved filaree, Coulter's goldfields, Little Mousetail. The project is not located in an Additional Survey Needs and Procedures Area.

Section 6.1.4 - Was Information Pertaining to Urban/Wildland Interface Guidelines Provided?

Yes. The property is located near future and existing Conservation Areas.

#### Other Plan Requirement Comments:

- a. Section 6.1.2: According to the MSHCP Consistency Analysis/Habitat Assessment dated July 10, 2015 prepared by ARCHON, there are no MSHCP riparian/riverine habitats or vernal pools within the project site. The project site is developed a water tank and contains constructed storm drain facilities. No riparian vegetation is reported on site. No open areas are reported that would support vernal pools. Suitable habitat for Fairy Shrimp is not reported on site.
  - The project site does not contain suitable habitat for MSHCP-covered riparian birds including least Bell's vireo, southwestern willow flycatcher (*Empidonax traillii extimus*), and western yellow-billed cuckoo (*Coccyzus americanus*); therefore focused surveys were not warranted. The site does not provide suitable soils or conditions that would support vernal pools or fairy shrimp. Based on the information provided by ARCHON, the project demonstrates compliance with Section 6.1.2 of the MSHCP.
- b. Section 6.1.3: The project site is located within a Narrow Endemic Plant Species Survey Area (NEPSSA) for Munz's onion, San Diego ambrosia, Slender-Horned Spineflower, Many-stemmed dudleya, Spreading navarretia, California Orcutt grass, San Miguel savory, Hammitt's clay-cress, Wright's trichocoronis.



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ARCHON conducted a habitat assessment and survey of the site on June 16, 2015. Of these NEPSSA species, ARCHON concluded there was suitable habitat near the project site for San Diego ambrosia and Slender-Horned Spineflower on the site and therefore was a low probability for suitable habitat on site. The focused survey on June 16, 2015 during both of these plants blooming periods, determined that the species was not present on site. Therefore, based on the information provided by ARCHON, the project demonstrates compliance with Section 6.1.3 of the MSHCP.

- c. Section 6.3.2: The project site is located within a Criteria Area Species Survey Area (CASSA) for Thread-leaved brodiaea, Davidson's saltscale, Parish's brittlescale, Smooth Tarplant, Round-leaved filaree, Coulter's goldfields, Little Mousetail. The project is not located in an Additional Survey Needs and Procedures Area. ARCHON conducted a habitat assessment and survey of the site on June 16, 2015. ARCHON determined there was no suitable habitat for any of the CASSA species on the site. Therefore, no focused surveys were warranted. Based on the information provided by ARCHON, the project demonstrates consistency with Section 6.3.2 of the MSHCP.
- d. Section 6.1.4: Future and existing Conservation Areas are located south of the project site. To preserve the integrity of areas dedicated as MSHCP Conservation Areas, the guidelines contained in Section 6.1.4 related to controlling adverse effects for development adjacent to the MSHCP Conservation Area shall be implemented by the Permittee in their actions relative to the project. Specifically, the Permittee should include as project conditions of approval the following measures:
  - i. Incorporate measures to control the quantity and quality of runoff from the site entering the MSHCP Conservation Area. In particular, measures shall be put in place to avoid discharge of untreated surface runoff from developed and paved areas into MSHCP Conservation Areas.
  - ii. Land uses proposed in proximity to the MSHCP Conservation Area that use chemicals or generate bioproducts, such as manure, that are potentially toxic or may adversely affect wildlife species, Habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in discharge to the MSHCP Conservation Area. The greatest risk is from landscaping fertilization overspray and runoff.
  - iii. Night lighting shall be directed away from the MSHCP Conservation Area to protect species within the MSHCP Conservation Area from direct night lighting. Shielding shall be incorporated in project designs to ensure ambient lighting in the MSHCP Conservation Area is not increased.
  - iv. Proposed noise-generating land uses affecting the MSHCP Conservation Area shall incorporate setbacks, berms, or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations, and guidelines related to land use noise standards.
  - v. Consider the invasive, non-native plant species listed in Table 6-2 of the MSHCP in approving landscape plans to avoid the use of invasive species for the portions of the project that are adjacent to the MSHCP Conservation Area. Considerations in reviewing the applicability of this list shall include proximity of planting areas to the MSHCP Conservation Areas, species considered in the planting



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plans, resources being protected within the MSHCP Conservation Area and their relative sensitivity to invasion, and barriers to plant and seed dispersal, such as walls, topography, and other features.

- vi. Proposed land uses adjacent to the MSHCP Conservation Area shall incorporate barriers, where appropriate, in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping into the MSHCP Conservation Areas. Such barriers may include native landscaping, rocks/boulders, fencing, walls, signage, and/or other appropriate mechanisms.
- vii. Manufactured slopes associated with the proposed site development shall not extend into the MSHCP Conservation Area.

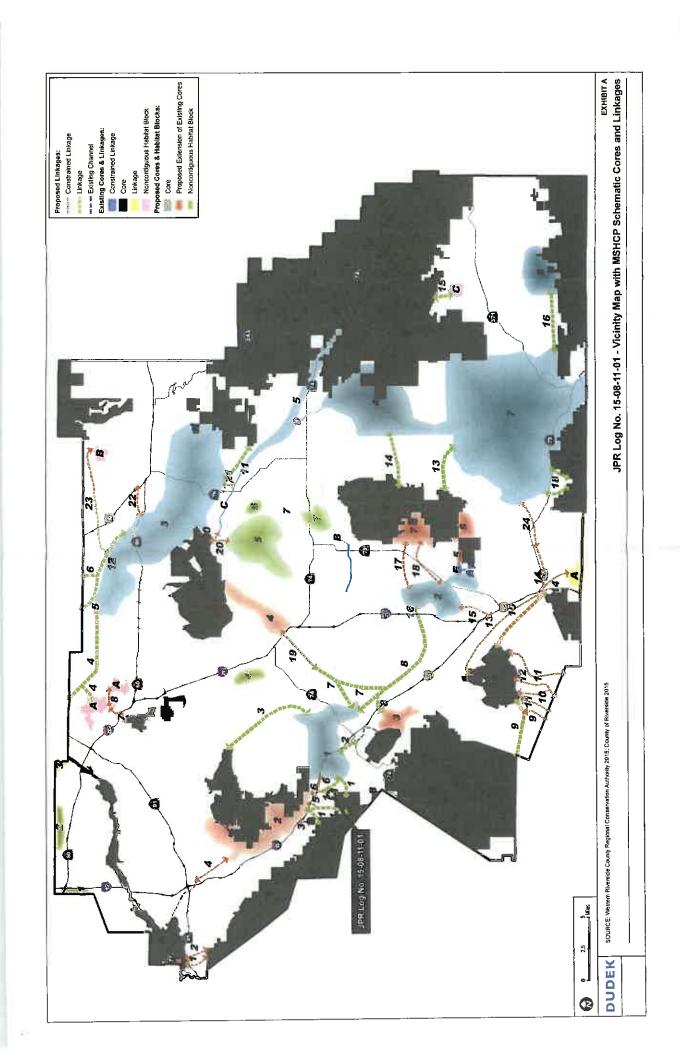
**SNS** 

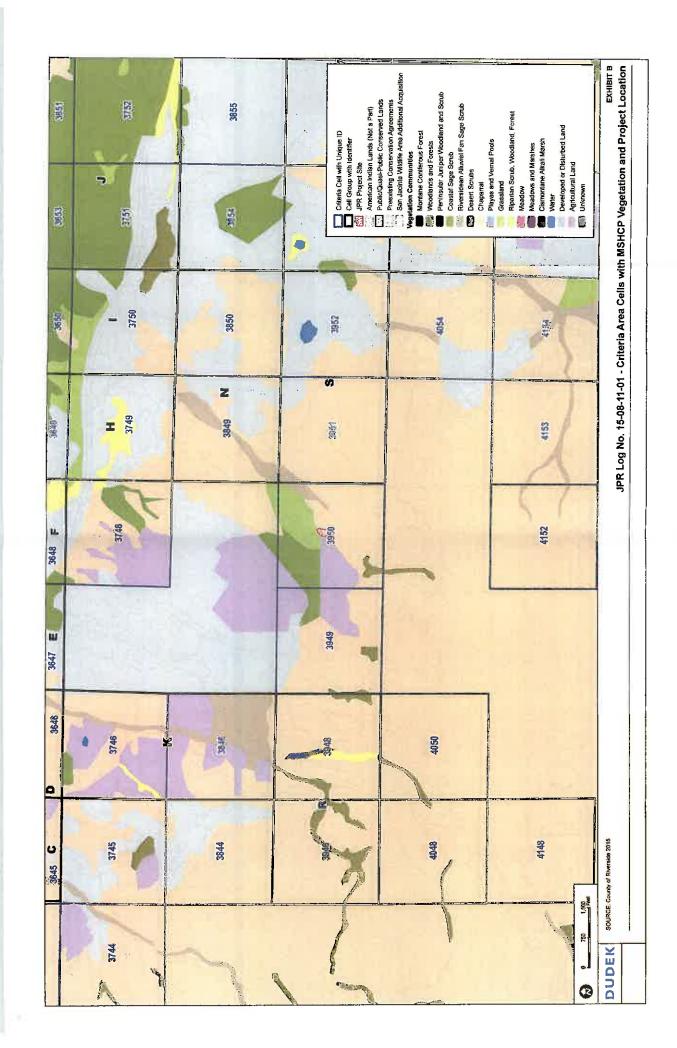


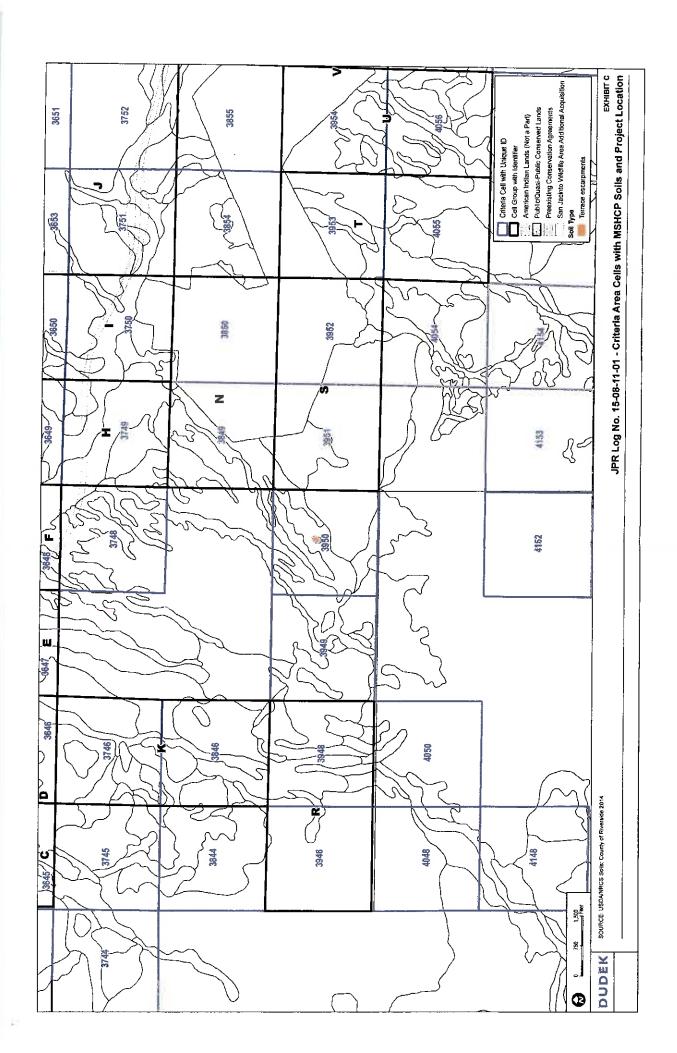
JPR #: <u>15-08-11-01</u>

Date: <u>08/27/15</u>

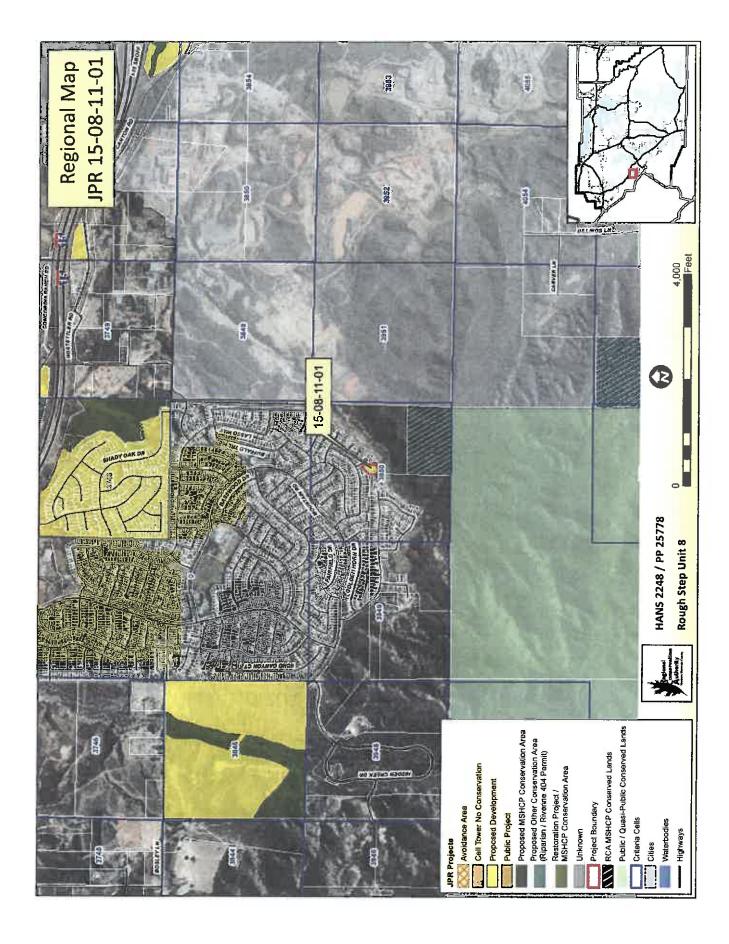
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# PLANNING DEPARTMENT

Carolyn Syms Luna Director

# APPLICATION FOR LAND USE PROJECT

CHECK ONE AS APPROPRIATE:
✓ PLOT PLAN       ☐ CONDITIONAL USE PERMIT       ☐ TEMPORARY USE PERMIT         ☐ REVISED PERMIT       ☐ PUBLIC USE PERMIT       ☐ VARIANCE
PROPOSED LAND USE: Unmanned Telecommunications Facility
ORDINANCE NO. 348 SECTION AUTHORIZING PROPOSED LAND USE: Article XIXg
ALL APPLICATIONS MUST INCLUDE THE INFORMATION REQUIRED UNDER ANY SUPPLEMENTAL INFORMATION LIST APPLICABLE TO THE SPECIFIC PROJECT. ADDITIONAL INFORMATION MAY BE REQUIRED AFTER INITIAL RECEIPT AND REVIEW. INCOMPLETAPPLICATIONS WILL NOT BE ACCEPTED.
CASE NUMBER:
APPLICATION INFORMATION Security of the securi
Applicant's Name: Verizon Wireless E-Mail: Dail. Richard Os acw.com
Mailing Address: 15505 Sand Canyon Ave 5865 Arenida Encinas Ste 142-B
Gorona CA 92618 Carlsbad CA 92008
City State ZIP
Daytime Phone No: (878_) 200 - 654  Fax No: ()
Engineer/Representative's Name: Dail Richard c/o SAC Wireless E-Mail: Dail.Richard@sacw.com
Mailing Address: 5865 Avenida Encinas, Ste 142B
Carlsbad, CA 92008
City State ZIP
Daytime Phone No: (858 ) 200-6541 Fax No: ()
Property Owner's Name: Elsinore Valley Municipal Water District E-Mail:
Mailing Address: 31315 Chaney St
Street Lake Elsinore, CA 92530
City State ZIP
Daytime Phone No: (951 ) 674-3146 Fax No: ()

Riverside Office · 4080 Lemon Street, 12th Floor P.O. Box 1409, Riverside, California 92502-1409 (951) 955-3200 · Fax (951) 955-1811 Desert Office • 77-588 El Duna Court, Suite H Palm Desert, California 92211 (760) 863-8277 • Fax (760) 863-7555 If the property is owned by more than one person, attach a separate page that references the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

# AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The signature below authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of your application, you will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

All signatures must be originals	("wet-signed"). Photoc	copies of signatures a	re not acceptable.
Dail Richard (as a	igent for Venzon		
PRINTED NAMI	E OF APPLICANT	SIGNATURE OF	APPLICANT
AUTHORITY FOR THIS APPL	ICATION IS HEREBY	GIVEN:	
I certify that I am/we are the recorrect to the best of my known indicating authority to sign the a	owledge. An authorize	d agent must submi	e information filed is true and talletter from the owner(s)
All signatures must be originals	("wet-signed"). Photoc	copies of signatures a	re <b>not</b> acceptable.
Please see attached "Letter	of Authorization"		
PRINTED NAME OF PROP	PERTY OWNER(S)	<u>SIGNATURE</u> OF	PROPERTY OWNER(S)
<u>PRINTED NAME</u> OF PROF	PERTY OWNER(S)	<u>SIGNATURE</u> OF	PROPERTY OWNER(S)
If the property is owned by application case number and lithe property.			
See attached sheet(s) for o	ther property owners' s	ignatures.	
PROPERTY INFORMATION:			
Assessor's Parcel Number(s):	391-631-039		
Assessor's Parcel Number(s): Section: 20	Township: 5S	Range:	5W

APPLICATION FOR LAND USE PROJECT
Approximate Gross Acreage: 0.96 acres
General location (nearby or cross streets): North of Red Cloud Rd., South of
Desert Ridge , East of Sams Cutoff , West of Trailhead Ct
Thomas Brothers map, edition year, page number, and coordinates: 33.717156, -117.420284
Project Description: (describe the proposed project in detail)
Verizon Wireless proposes to install an unmanned wireless telecommunications facility, consisting of [12] panel antennas,
[12] RRUs, [1] microwave dish mounted to a 50' high monopine, and [1] DC generator with [2] equipment cabinets, within a proposed 8' high CMU wall enclosure, along with [2] GPS antennas.
Related cases filed in conjunction with this application:  N/A
Is there a previous application filed on the same site: Yes No 🗸  If yes, provide Case No(s) (Parcel Map, Zone Change, etc.)
E.A. No. (if known) E.I.R. No. (if applicable):
Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes ☐ No ☑
If yes, indicate the type of report(s) and provide a copy:
Is water service available at the project site: Yes ☑ No ☐ 从人
If "No," how far must the water line(s) be extended to provide service? (No. of feet/miles)
Will the project eventually require landscaping either on-site or as part of a road improvement or other common area improvements? Yes ☐ No ☑
Is sewer service available at the site? Yes ☑ No □ ルA
If "No," how far must the sewer line(s) be extended to provide service? (No. of feet/miles)
Will the project result in cut or fill slopes steeper than 2:1 or higher than 10 feet? Yes ☐ No ☑
How much grading is proposed for the project site?
Estimated amount of cut = cubic yards:

APPLICATION FOR LAND USE	PROJECT	
Estimated amount of fill = cubic y	ards	
Does the project need to import of	or export dirt? Yes \( \bigcap \) No \( \bigcup \)	
Import	Export	Neither
What is the anticipated source/de	estination of the import/export?	
What is the anticipated route of tr	avel for transport of the soil ma	terial?
How many anticipated truckloads	?	truck loads.
What is the square footage of usa	able pad area? (area excluding	all slopes) $625$ sq. ft.
Is the project located within 8½ m	iles of March Air Reserve Base	e? Yes 🗌 No 🗹
If yes, will any structure exceed fi	fty-feet (50') in height (above g	round level)? Yes 🗌 No 🗹
special use airspace as defined in	n Section 21098 of the Public F 44 of the Government Code?	beneath a low-level flight path or within Resources Code, and within an urbanized (See California Office of Planning and No
Is the project located within the Riverside County Airport Land Us		Use Compatibility Plan adopted by the
Does the project area exceed one	e acre in area? Yes 🗌 No [	<u>v</u>
Is the project located within any System (RCLIS) (http://www3.tlm		fer to Riverside County Land Information lex.html) for watershed location)?
☑ Santa Ana River	Santa Margarita Rive	er ☐ Whitewater River
Ana River above and use the	Santa Ana River workshee ater Quality Management Pla	hown on the RCLIS, please check Santa t, "Checklist for Identifying Projects an (WQMP) within the Santa Ana River

Form 295-1010 (09/01/13)

# HAZARDOUS WASTE AND SUBSTANCES STATEMENT

Government Code Section 65962.5 requires the applicant for any development project to consult specified state-prepared lists of hazardous waste sites and submit a signed statement to the local agency indicating whether the project and any alternatives are located on an identified site and shall specify any lists. Under the statute, no application shall be accepted as complete without this signed statement. I (We) certify that I (we) have investigated our project and any alternatives with respect to its location on an identified hazardous waste site contained on all lists compiled pursuant to Government Code Section 65962.5 and that my (our) answers are true and correct. My (Our) investigation has shown that: The development project and any alternatives proposed in this application are not contained on the lists compiled pursuant to Section 65962.5 of the Government Code. The development project and any alternatives proposed in this application are contained on the lists compiled pursuant to Section 65962.5 of the Government Code. Accordingly, the following information is provided and incorporated herein. Attach a separate sheet setting forth the following information with respect to each list. Name of Applicant: Address: Phone number: Address of site (street name and number if available, and ZIP Code): Local Agency: County of Riverside Assessor's Book Page, and Parcel Number: Specify any list pursuant to Section 65962.5 of the Government Code: Regulatory Identification number: Date of list: Date 2-19-205 Applicant (1) Applicant (2) Date \_\_\_\_\_

# HAZARDOUS MATERIALS DISCLOSURE STATEMENT

Government Code Section 65850.2 requires the owner or authorized agent for any development project to disclose whether:

1.	Compliance will be needed with the applicable requirements of Section 25505 and Article 2
	(commencing with Section 25531) of Chapter 6.95 of Division 20 of the Health and Safety Code
	or the requirements for a permit for construction or modification from the air pollution control
	district or air quality management district exercising jurisdiction in the area governed by the
	County.
	Yes No 🔽

# **APPLICATION FOR LAND USE PROJECT**

<ol> <li>The proposed project will have more than a threshold quant process or will contain a source or modified source of hazardou Yes ☐ No ☑</li> </ol>	
I (we) certify that my (our) answers are true and correct.	
Owner/Authorized Agent (1)	Date 2-19-2015
Owner/Authorized Agent (2)	Date

Checklist for Identifying Project	ts Requiring a Project-Specific Water Quality Management Plan (V within the Santa Ana River Region <sup>1</sup>	VQM	P)			
Project File No.						
Project Name:	Horsethief					
Project Location:	27651 Kachina Court, Corona, (A 92883					
Project Description:	Unmanned, disguised telecom facility to include 50'me	mooir	20			
Applicant Contact Information:	Dail Richard c/o Verizon Wireless 858-200-6541					
	The state of the s					
Proposed Project Consists of, or	mondos.	YES	NO			
Significant Redevelopment: The	addition or replacement of 5,000 square feet or more of impervious					
surface on an already developed	site. Does not include routine maintenance activities that are					
	e and grade, hydraulic capacity, original purpose of the constructed					
	nt activity required to protect public health and safety.					
	te 10,000 square feet or more of impervious surface (collectively over					
the entire project site), including	residential housing subdivision requiring a Final Map (i.e. detached		ĺ			
single family home subdivisions, m	ulti-family attached subdivisions, condominiums, or apartments, etc.).					
New Industrial and commercial de	velopment where the land area1 represented by the proposed map or		V			
permit is 10,000 square feet or mo	re.					
Automotive repair shops (Standard	Industrial Classification (SIC) codes <sup>2</sup> 5013, 5014, 5541,7532, 7533,		V			
7534, 7536, 7537, 7538, 7539)						
Mixed use developments that crea	te 10,000 square feet or more of impervious surface (collectively over		V			
the entire project site).						
	e the land area of development is 5,000 square feet or more.		V V			
Hillside developments 5,000 squa	re feet or more which are located on areas with known erosive soil		~			
conditions or where natural slope is						
Developments of 2,500 square for	eet of impervious surface or more adjacent to (within 200 feet) or		<b>V</b>			
discharging directly into ESA's "Directly" means situated within 200 feet of the ESA; "discharging						
directly" means outflow from a drainage conveyance system that is composed entirely of flows from the						
subject development or redevelopr	nent site, and not commingled with flows from adjacent lands.					
	more exposed to stormwater, where "parking lot" is defined as a land	Ш	V			
area or facility for the temporary ste	orage of motor vehicles.					
Retail Gasoline Outlets that are eit	her 5,000 square feet or more of impervious surface with a projected		S			
average daily traffic of 100 or more	vehicles per day.					
Public Projects other than Transp	ortation Projects, that are implemented by a Premittee and similar in		v			
nature to the priority projects descr	ibed above and meets the thresholds described herein.					
	e site conditions or activity pose the potential for significant adverse					
impacts to water quality.		- January -				
Land area is based on acreage disturbed	•	Ш				
<sup>2</sup> Descriptions of SIC codes can be found a	at http://www.osha.gov/pls/imis/sicsearch.html.	L				
DETE	RMINATION: Circle appropriate determination.					
If any question answered "YES" P	roject requires a project-specific WQMP.					
If all questions answered "NO" P	roject requires incorporation of Site Design and source control (BMPs)	impo	sed			
	ugh Conditions of Approval or permit conditions.					

# INDEMNIFICATION AGREEMENT

This INDEMNIFICATION AGREEMENT ("Agreement"), made by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California ("COUNTY"), and Los Angeles SMSA Limited Partnership, a California Limited Partnership ("PROPERTY OWNER"), relating to the PROPERTY OWNER'S indemnification of the COUNTY under the terms set forth herein:

# WITNESSETH:

WHEREAS, the PROPERTY OWNER has a leasehold interest in the certain real property described as APN 391-631-039 ("PROPERTY"); and,

**WHEREAS**, on January 20, 2016, PROPERTY OWNER filed an application for Plot Plan No. 25778 ("PROJECT"); and,

WHEREAS, judicial challenges of projects requiring discretionary approvals, including, but not limited to, California Environmental Quality Act determinations, are costly and time consuming. Additionally, project opponents often seek an award of attorneys' fees in such challenges; and,

WHEREAS, since property owners are the primary beneficiaries of such approvals, it is appropriate that such owners bear the expense of defending against any such judicial challenge, and bear the responsibility of any costs, attorneys' fees and damages which may be awarded to a successful challenger; and,

WHEREAS, in the event a judicial challenge is commenced against the PROJECT, the COUNTY has requested and the PROPERTY OWNER has agreed to defend, indemnify and hold harmless the COUNTY, its agents, officers, or employees from any claim, action or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void or annul any approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the PROJECT or its associated environmental documentation ("LITIGATION"); and,

WHEREAS, this Agreement is entered into by the COUNTY and PROPERTY OWNER to establish specific terms concerning PROPERTY OWNER'S indemnification obligation for the PROJECT.

**NOW, THEREFORE**, it is mutually agreed between COUNTY and PROPERTY OWNER as follows:

1. *Indemnification*. PROPERTY OWNER, at its own expense, shall defend, indemnify and hold harmless the COUNTY, its agents, officers, and employees from and against any claim, action or proceeding brought against the COUNTY, its agents, officers, and employees to attack, set aside, void or annul any

approval of the PROJECT including any associated costs, damages, and expenses including, but not limited to, costs associated with Public Records Act requests submitted to the COUNTY related to the PROJECT and an award of attorneys' fees and costs incurred or arising out of the above-referenced claim, action or proceeding brought against the COUNTY ("Indemnification Obligation.")

- 2. **Defense Cooperation.** PROPERTY OWNER and the COUNTY shall reasonably cooperate in all aspects of the LITIGATION. Nothing contained in this Agreement, however, shall be construed to limit the discretion of COUNTY, in the interest of the public welfare, to settle, defend, appeal or to decline to settle or to terminate or forego defense or appeal of the LITIGATION. It is also understood and agreed that all litigation pleadings are subject to review, revision and approval by COUNTY's Office of County Counsel.
- 3. Representation and Payment for Legal Services Rendered. COUNTY shall have the absolute right to approve any and all counsel retained to defend COUNTY in the LITIGATION. PROPERTY OWNER shall pay the attorneys' fees and costs of the legal firm retained by PROPERTY OWNER to represent the COUNTY in the LITIGATION. Failure by PROPERTY OWNER to pay such attorneys' fees and costs may be treated as an abandonment of the PROJECT and as a default of PROPERTY OWNER's obligations under this Agreement.
- 4. Payment for COUNTY's LITIGATION Costs. Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. LITIGATION costs include any associated costs, fees, damages, and expenses as further described in Section 1. herein as Indemnification Obligation. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the PROJECT, PROPERTY OWNER shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). PROPERTY OWNER shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the LITIGATION. Within ten (10) days of written notice from COUNTY, PROPERTY OWNER shall make such additional deposits. Collectively, the initial deposit and additional deposits shall be referred to herein as the "Deposit."
- 5. Return of Deposit. COUNTY shall return to PROPERTY OWNER any funds remaining on deposit after ninety (90) days have passed since final adjudication of the LITIGATION.
- 6. *Notices.* For all purposes herein, notices shall be effective when personally delivered, delivered by commercial overnight delivery service, or sent by

certified or registered mail, return receipt requested, to the appropriate address set forth below:

COUNTY:

Office of County Counsel Attn: Melissa Cushman 3960 Orange Street, Suite 500 Riverside, CA 92501 PROPERTY OWNER:

Verizon Wireless Attn: Brianna Noler 2411 Gates Ave., Unit A Redondo Beach, CA 90278

With a copy to: Elsinore Valley Municipal Water District Attn: John D. Vega 31315 Chaney Street Lake Elsinore, CA 92530

- 7. **Default and Termination**. This Agreement is not subject to termination, except by mutual agreement or as otherwise provided herein. In the event of a default of PROPERTY OWNER's obligations under this Agreement, COUNTY shall provide written notification to PROPERTY OWNER of such alleged default and PROPERTY OWNER shall have ten (10) days after receipt of written notification to cure any such alleged default. If PROPERTY OWNER fails to cure such alleged default within the specified time period or otherwise reach agreement with the COUNTY on a resolution of the alleged default, COUNTY may, in its sole discretion, do any of the following or combination thereof:
  - a. Deem PROPERTY OWNER's default of PROPERTY OWNER's obligations as abandonment of the PROJECT and as a breach of this Agreement;
  - b. Rescind any PROJECT approvals previously granted;
  - c. Settle the LITIGATION.

In the event of a default, PROPERTY OWNER shall remain responsible for any costs and attorney's fees awarded by the Court or as a result of settlement and other expenses incurred by the COUNTY related to the LITIGATION or settlement.

- 8. **COUNTY Review of the PROJECT.** Nothing is this Agreement shall be construed to limit, direct, impede or influence the COUNTY's review and consideration of the PROJECT.
- 9. Complete Agreement/Governing Law. This Agreement represents the complete understanding between the parties with respect to matters set forth herein. This Agreement shall be construed in accordance with the laws of the State of California

- 10. **Successors and Assigns**. The obligations specific herein shall be made, and are binding on the successors in interest of the PROPERTY OWNER, whether the succession is by agreement, by operation of law or by any other means.
- 11. Amendment and Waiver. No modification, waiver, amendment or discharge of this Agreement shall be valid unless the same is in writing and signed by all parties.
- 12. **Severability**. If any term, provision, covenant or condition of this Agreement is held to be invalid, void or otherwise unenforceable, to any extent, by any court of competent jurisdiction, the remainder of this Agreement shall not be affected thereby, and each term, provision, covenant or condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.
- 13. **Survival of Indemnification**. The parties agree that this Agreement shall constitute a separate agreement from any PROJECT approval, and if the PROJECT, in part or in whole, is invalidated, rendered null or set aside by a court of competent jurisdiction, the parties agree to be bound by the terms of this Agreement, which shall survive such invalidation, nullification or setting aside.
- 14. *Interpretation*. The parties have been advised by their respective attorneys, or if not represented by an attorney, represent that they had an opportunity to be so represented in the review of this Agreement. Any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be applied in interpreting this Agreement.
- 15. Captions and Headings. The captions and section headings used in this Agreement are inserted for convenience of reference only and are not intended to define, limit or affect the construction or interpretation of any term or provision hereof.
- 16. Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed in the Courts of Riverside County, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court or jurisdiction.
- 17. Counterparts; Facsimile & Electronic Execution. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document. To facilitate execution of this Agreement, the parties may execute and exchange facsimile or electronic counterparts, and facsimile or electronic counterparts shall serve as originals.

- 18. Joint and Several Liability. In the event there is more than one PROPERTY OWNER, the liability of PROPERTY OWNER shall be joint and several, and PROPERTY OWNER each of them shall be jointly and severally liable for performance of all of the obligations of PROPERTY OWNER under this Agreement.
- 19. *Effective Date*. The effective date of this Agreement is the date the parties sign the Agreement. If the parties sign the Agreement on more than one date, then the last date the Agreement is signed by a party shall be the effective date.

IN WITNESS WHEREOF, the parties hereto have duly caused this Agreement to be executed by their authorized representatives as of the date written.

COUNTY:
COUNTY OF RIVERSIDE,
a political subdivision of the State of California
a pointed by difficient of the state of ossessions
Dvii
By:
Juan Perez
Riverside County TLMA Director/Interim Planning Director
1/28/17
Dated:
PROPERTY OWNER:
Los Angeles SMSA Limited Partnership, a California Limited Partnershi
-
By: AirTouch Cellular, Inc., a California Corporation
Its General Partner dba Verizon Wireless
11/1/2
B <sub>V</sub>
By:
Steve Lamb
Director – Network Field Engineering
$uh_2/2$
Dated:

# NOTARY ACKNOWLEDGMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA	)
	)
COUNTY OF ORANGE	)

On <u>April 12, 2017</u> before me, <u>Tricsha Fatakia</u>, Notary Public, personally appeared <u>Steven Lamb</u> who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

TRICSHA FATAKIA
Notary Public – California
Orange County
Commission # 2163500
My Comm. Expires Sep 20, 2020

Place Notary Seal Above

# PROPERTY OWNERS CERTIFICATION FORM

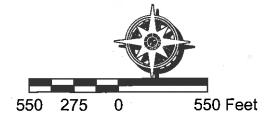
I, VINNIE NGUYEN , certify that on 6 8 2017
The attached property owners list was prepared by Riverside County GIS
APN (s) or case numbers PP 25778 Fo
Company or Individual's Name Planning Department
Distance buffered 600'
Pursuant to application requirements furnished by the Riverside County Planning Department
Said list is a complete and true compilation of the owners of the subject property and all oth
property owners within 600 feet of the property involved, or if that area yields less than 2
different owners, all property owners within a notification area expanded to yield a minimum
25 different owners, to a maximum notification area of 2,400 feet from the project boundaries
based upon the latest equalized assessment rolls. If the project is a subdivision with identifie
off-site access/improvements, said list includes a complete and true compilation of the names ar
mailing addresses of the owners of all property that is adjacent to the proposed off-si
improvement/alignment.
I further certify that the information filed is true and correct to the best of my knowledge.
understand that incorrect or incomplete information may be grounds for rejection or denial of th
application.
NAME: Vinnie Nguyen
TITLE GIS Analyst
ADDRESS: 4080 Lemon Street 2 <sup>nd</sup> Floor
Riverside, Ca. 92502
TELEPHONE NUMBER (8 a.m. – 5 p.m.): (951) 955-8158

# PP25778 ( 600 feet buffer )



# **Selected Parcels**

	393-602-005 393-602-012								
393-620-012	393-602-008	393-611-008	393-611-009	393-620-006	393-602-016	393-610-014	393-600-010	393-610-006	393-610-013
393-620-007	393-600-015	393-620-010	393-611-028	393-602-011	393-602-007	393-602-018	393-600-016	393-620-008	393-580-001
393-602-019	393-600-008	393-611-002	393-611-010	393-590-023	393-610-017	393-620-004	393-600-004	393-611-001	393-610-002
393-580-008	393-620-021	393-590-020	393-600-017	393-620-009	393-611-007	393-602-001	393-602-009	393-620-003	393-610-005
393-600-013	393-611-027	393-602-014	393-590-018	393-602-006	393-611-005	393-611-003	393-590-039	393-600-006	393-602-003
393-620-002	393-600-002	393-602-010	393-590-019	393-611-004	393-600-009	393-610-007	393-611-006	393-602-015	393-602-013
393-600-001	393-620-005	393-610-015	393-602-004	393-580-009	393-590-022				



# NOTICE OF PUBLIC HEARING and INTENT TO ADOPT A NEGATIVE DECLARATION

A PUBLIC HEARING has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the RIVERSIDE COUNTY DIRECTOR'S HEARING to consider the project shown below:

PLOT PLAN NO. 25778 — Intent to adopt a Negative Declaration — Applicant: Verizon Wireless — Engineer Representative: SAC Wireless — Owner: Elsinore Valley Municipal Water District — First Supervisorial District — Alberhill Zoning Area — Elsinore Area Plan — Land Use Designation: Community Development: Medium Density Residential (CD-MDR) (2 — 5 du/ac) — Location: Southerly of Desert Ridge, westerly of Kachina Court, easterly of Silver Stirrup Drive — Zoning: Horse Thief Canyon Specific Plan, Planning Area 13 (SP 152, PA 13) — REQUEST: The plot plan proposes to construct a new wireless telecommunication facility disguised as a pine tree, consisting of a 50 foot tall monopole, 12 panel antennas, 12 Remote Radio Units, one (1) microwave dish, one (1) DC generator with two (2) equipment cabinets, and two (2) Global Positioning Satellite antennas within an enclosed 625 square foot lease area.

TIME OF HEARING: 1:30 pm or as soon as possible thereafter

DATE OF HEARING: AUGUST 7, 2017

PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER

1ST FLOOR, CONFERENCE ROOM 2A

4080 LEMON STREET, RIVERSIDE, CA 92501

For further information regarding this project please contact Project Planner Ash Syed at (951) 955-6035 or email at <a href="mailto:asyed@rivco.org">asyed@rivco.org</a>, or go to the County Planning Department's Director's Hearing agenda web page at <a href="http://planning.rctlma.org/PublicHearings.aspx">http://planning.rctlma.org/PublicHearings.aspx</a>.

The Riverside County Planning Department has determined that the above project will not have a significant effect on the environment and has recommended adoption of a negative declaration. The Planning Director will consider the proposed project and the proposed negative declaration, at the public hearing. The case file for the proposed project and the proposed negative declaration may be viewed Monday through Friday, 8:30 a.m. to 5:00 p.m., at the County of Riverside Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501. For further information or an appointment, contact the project planner.

Any person wishing to comment on a proposed project may do so, in writing, between the date of this notice and the public hearing or appear and be heard at the time and place noted above. All comments received prior to the public hearing will be submitted to the Planning Director, and the Planning Director will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Director at, or prior to, the public hearing. Be advised that, as a result of public hearings and comment, the Planning Director may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands, within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to: RIVERSIDE COUNTY PLANNING DEPARTMENT

Attn: Ash Syed

P.O. Box 1409, Riverside, CA 92502-1409



ASMT: 393580001, APN: 393580001 HORSETHIEF CANYON RANCH MAINTENANCE C/O JOY MOORE 11800 STERLING AVE NO A

RIVERSIDE CA 92503

ASMT: 393580009, APN: 393580009

5962TM/MC

WESTERN RIVERSIDE CO REGIONAL CONS AI 3403 10TH ST STE 320 RIVERSIDE CA 92501

ASMT: 393590018, APN: 393590018

RANDY ROGERS 27566 WILD FIRE CT CORONA, CA. 92883

ASMT: 393590019, APN: 393590019

RUTH THOMPSON 27576 WILD FIRE CT **CORONA, CA. 92883** 

ASMT: 393590020, APN: 393590020

TERESA SAUNDERS, ETAL 13748 BUCKSKIN TRAIL DR **CORONA, CA. 92883** 

ASMT: 393590021, APN: 393590021

KARRY HETH, ETAL 13768 BUCKSKIN TRAIL DR CORONA, CA. 92883

ASMT: 393590022, APN: 393590022

TAMARA ELZIG, ETAL 13788 BUCKSKIN TRAIL DR CORONA, CA. 92883

ASMT: 393590023, APN: 393590023

ANNA GROSSMAN, ETAL 27569 HOPI SPRINGS CT CORONA, CA. 92883

ASMT: 393590039, APN: 393590039

RICHARD BRUER

27582 HOPI SPRINGS CT CORONA, CA. 92883

ASMT: 393600001, APN: 393600001

DENISE SCHLEY, ETAL 6020 E PINION VISTA CORNVILLE AZ 86325

ASMT: 393600002, APN: 393600002

GLORIA KAHLER, ETAL 228 MURICA AISLE IRVINE CA 92614

ASMT: 393600003, APN: 393600003

TIFFANY DECOCQ, ETAL 13785 BUCKSKIN TRAIL DR CORONA, CA. 92883

ASMT: 393600004, APN: 393600004

KATHERINE PARSELL 13795 BUCKSKIN TRAIL DR CORONA, CA. 92883

ASMT: 393600005, APN: 393600005 SANDRA BOSTROM, ETAL

13805 BUCKSKIN TRAIL DR CORONA, CA. 92883



ASMT: 393600006, APN: 393600006

5962™

RICHARD HOUNSLEY 1073 SHADOW CREST CIR CORONA CA 92881 ASMT: 393600013, APN: 393600013 CHRISTINE UJKAJ, ETAL 13800 DESERT RIDGE CORONA, CA. 92883

ASMT: 393600007, APN: 393600007

CATHY MACK 1942 E VELVET DR TEMPE AZ 85284 ASMT: 393600014, APN: 393600014 ARIA TOUFANPUR, ETAL 13790 DESERT RIDGE CORONA, CA. 92883

ASMT: 393600008, APN: 393600008

DIANA CARLSTROM, ETAL 27539 SILVER CLOUD CT CORONA, CA. 92883 ASMT: 393600015, APN: 393600015

EDUARDO BECERRA 13780 DESERT RIDGE CORONA, CA. 92883

ASMT: 393600009, APN: 393600009

SANDRA AVILES 27579 SILVER CLOUD CT CORONA, CA. 92883 ASMT: 393600016, APN: 393600016

SHARON GRIFFITH, ETAL 13770 DESERT RIDGE CORONA, CA. 92883

ASMT: 393600010, APN: 393600010

MENDEZ LIVING TRUST, ETAL 13830 DESERT RIDGE CORONA, CA. 92883 ASMT: 393600017, APN: 393600017

LORI STOCKTON 13760 DESERT RIDGE CORONA, CA. 92883

ASMT: 393600011, APN: 393600011

DANIEL ARMSTRONG 13820 DESERT RIDGE CORONA, CA. 92883 ASMT: 393602001, APN: 393602001

MUHAMMAD KHAN 376 E 228TH ST CARSON CA 90745

ASMT: 393600012, APN: 393600012

JILL LEMONS, ETAL 13810 DESERT RIDGE CORONA, CA. 92883 ASMT: 393602002, APN: 393602002

HEATHER VU, ETAL 7256 SILVERBROOK LN FRISCO TX 75034



ASMT: 393602003, APN: 393602003

5962<sup>TM/MC</sup>

RICHARD LEWIS

27639 SILVER CLOUD CT CORONA, CA. 92883 ASMT: 393602010, APN: 393602010

JULIE CARIGNAN, ETAL 27655 TRAILHEAD CT CORONA CA 92883

ASMT: 393602004, APN: 393602004

WARREN HOWZE 27619 SILVER CLOUD CT CORONA, CA. 92883 ASMT: 393602011, APN: 393602011

ESTEBAN NATAL 27635 TRAILHEAD CT CORONA, CA. 92883

ASMT: 393602005, APN: 393602005

YASMEEN ABUNADI, ETAL 1012 PETER CHRISTIAN CIR CORONA CA 92881 ASMT: 393602012, APN: 393602012

CHARLES GILMORE 27615 TRAILHEAD CT CORONA, CA. 92883

ASMT: 393602006, APN: 393602006

NANCY GILLIARD, ETAL 27638 TRAILHEAD CT CORONA, CA. 92883 ASMT: 393602013, APN: 393602013

BETTY WARD, ETAL 27614 KACHINA CT CORONA, CA. 92883

ASMT: 393602007, APN: 393602007

FARHAD KARIMI 27658 TRAILHEAD CT CORONA, CA. 92883 ASMT: 393602014, APN: 393602014

RAQUEL CENICEROS, ETAL

27634 KACHINA CT CORONA, CA. 92883

ASMT: 393602008, APN: 393602008

ERIN MCVAY, ETAL 27678 TRAILHEAD CT CORONA, CA. 92883 ASMT: 393602015, APN: 393602015

SHELBY LEWIS 27654 KACHINA CT CORONA, CA. 92883

ASMT: 393602009, APN: 393602009

LINDA POWERS, ETAL 7430 SHADOW GROVE CORONA CA 92881 ASMT: 393602016, APN: 393602016

GENELLE BOHN, ETAL 27674 KACHINA CT CORONA, CA. 92883



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ASMT: 393602017, APN: 393602017

CHARLES BARTOLON 27694 KACHINA CT CORONA, CA. 92883

ASMT: 393610005, APN: 393610005 ONEAL PROP MANAGEMENT INC 161 MCKINLEY STE 120 CORONA CA 92879

ASMT: 393602018, APN: 393602018

JACLYN BOND, ETAL 27691 KACHINA CT CORONA, CA. 92883

ASMT: 393610006, APN: 393610006 SHARON ANDERSON, ETAL 13700 DESERT RIDGE CORONA, CA. 92883

ASMT: 393602019, APN: 393602019

HORSETHIEF CANYON RANCH MAINTENANCE C/O WILLIAM LYON HOMES INC

4490 VON KARMAN AVE

NEWPORT BEACH CA 92660

ASMT: 393610007, APN: 393610007

SEAN CURTIS

13690 DESERT RIDGE CORONA, CA. 92883

ASMT: 393610001, APN: 393610001

SHIRLEY LOBITZ, ETAL 13750 DESERT RIDGE CORONA, CA. 92883

ASMT: 393610013, APN: 393610013 VICTORIA HAMILTON, ETAL 13705 BUCKSKIN TRAIL DR CORONA, CA. 92883

ASMT: 393610002, APN: 393610002

LUCRETIA HARRIS, ETAL 13740 DESERT RIDGE **CORONA, CA. 92883** 

ASMT: 393610014, APN: 393610014

DAVID DUNIVAN

13715 BUCKSKIN TRAIL DR CORONA, CA. 92883

ASMT: 393610003, APN: 393610003

ALVARO TINOCO 13730 DESERT RIDGE CORONA, CA. 92883

ASMT: 393610015, APN: 393610015

EVELYN HAYDEL, ETAL 13725 BUCKSKIN TRAIL DR

CORONA, CA. 92883

ASMT: 393610004, APN: 393610004

AMINAH JOHNSON, ETAL 13720 DESERT RIDGE CORONA, CA. 92883

ASMT: 393610016, APN: 393610016 SHAUNNA WESTWOOD, ETAL 13735 BUCKSKIN TRAIL DR **CORONA, CA. 92883** 



ASMT: 393610017, APN: 393610017 JOHNNIE ADAMS HUNT 13745 BUCKSKIN TRAIL DR CORONA, CA. 92883

ASMT: 393610018, APN: 393610018 STEPHANIE ALLENDE, ETAL 13755 BUCKSKIN TRAIL DR CORONA, CA. 92883

ASMT: 393611001, APN: 393611001 MEREDITH DU, ETAL 13773 DESERT RIDGE CORONA, CA. 92883

ASMT: 393611002, APN: 393611002 KEITH PROUTY, ETAL 13763 DESERT RIDGE CORONA, CA. 92883

ASMT: 393611003, APN: 393611003 REGINALD WATSON 13753 DESERT RIDGE CORONA, CA. 92883

ASMT: 393611004, APN: 393611004 SAMUEL VITELA 13743 DESERT RIDGE CORONA, CA. 92883

ASMT: 393611005, APN: 393611005 ANGELICA FOURNIER, ETAL 13733 DESERT RIDGE CORONA, CA. 92883 ASMT: 393611006, APN: 393611006 AMBER RYAN, ETAL 13723 DESERT RIDGE CORONA, CA. 92883

ASMT: 393611007, APN: 393611007 PHOUTHEVA SCHMIDT, ETAL 13713 DESERT RIDGE CORONA, CA. 92883

ASMT: 393611008, APN: 393611008 JOYCE DUNCAN, ETAL 13703 DESERT RIDGE CORONA, CA. 92883

ASMT: 393611009, APN: 393611009 KAREN ARDY, ETAL 13693 DESERT RIDGE CORONA, CA. 92883

ASMT: 393611010, APN: 393611010 KATHLEEN CADILE, ETAL 13683 DESERT RIDGE CORONA, CA. 92883

ASMT: 393611027, APN: 393611027 PRESLEY HOMES 4695 MACARTHUR CT 8TH FL NEWPORT BEACH CA 92660

ASMT: 393611028, APN: 393611028 ELSINORE VALLEY MUNICIPAL WATER DIST 31315 CHANEY ST LAKE ELSINORE CA 92530



ASMT: 393620001, APN: 393620001 DOUGLAS ZAMORA, ETAL 13668 SILVER STIRRUP DR

5962<sup>TM/MC</sup>

CORONA, CA. 92883

ASMT: 393620002, APN: 393620002

HARLEEN MANGAT, ETAL 2035 NW SHIRAZ CT **BEND OR 97701** 

ASMT: 393620003, APN: 393620003

ELVIRA DAZA, ETAL 13696 SILVER STIRRUP DR CORONA, CA. 92883

ASMT: 393620004, APN: 393620004

MONICA GUERRA, ETAL 13710 SILVER STIRRUP DR CORONA, CA. 92883

ASMT: 393620005, APN: 393620005

**THOMAS SZABO** 

13738 SILVER STIRRUP DR CORONA, CA. 92883

ASMT: 393620006, APN: 393620006

DAVID ALDAMALANI

526 S FRANCISCA AVE 2219 REDONDO BEACH CA 90277

ASMT: 393620007, APN: 393620007

**DENNY BUSHONG** 

13731 SILVER STIRRUP DR CORONA, CA. 92883

ASMT: 393620008, APN: 393620008

**GEORGE BOONE** 

13717 SILVER STIRRUP DR

CORONA, CA. 92883

ASMT: 393620009, APN: 393620009

MARIA LORIN

13703 SILVER STIRRUP DR

CORONA, CA. 92883

ASMT: 393620010, APN: 393620010

CELINA BORBON, ETAL 27792 RED CLOUD RD CORONA, CA. 92883

ASMT: 393620011, APN: 393620011

ANNETTE AUSTIN

SAM

27806 RED CLOUD RD CORONA, CA. 92883

ASMT: 393620012, APN: 393620012

TANIA PEREZ, ETAL 27820 RED CLOUD RD CORONA, CA. 92883

ASMT: 393620021, APN: 393620021 LEMON GROVE HOMEOWNERS ASSN C/O CRUMMACK HUSEBY INC.

25531 COMMERCENTRE DR 100 LAKE FOREST CA 92630

ASMT: 393621008, APN: 393621008

ARTURO HERNANDEZ

605 E 6TH ST

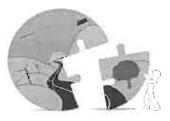
CORONA CA 92879



ASMT: 393621009, APN: 393621009

5962<sup>TM/MC</sup>

CYNTHIA FRANZEN 27785 RED CLOUD RD CORONA, CA. 92883



# PLANNING DEPARTMENT

Steve Weiss AICP Planning Director

with Section 2	21152 of the Californ			n Desert, California 92211
		iia Public Resources	Code.	
(0 - 4) 0				
( <u>951) 9</u> Phone Nu	55-6035 umber			
<u>5015 S</u> Address	horeham Pt. Suite 1	50, San Diego, CA 92	2122	
		<u> </u>		
mmunication for vave dish, one	acility <u>disquised as</u> e (1) DC generator v	a pine tree consisting vith two (2) equipmen	of a 50 foot nt cabinets, tv	tall monopole, twelve (12) pane vo (2) Global Positioning Satellit
or, as the lead	d agency, has appro	ved the above-refere	enced project	on July 10, 2017, and has mad
the project pur ncy. the approval o VAS NOT ado dopted VA.	of the project. pted.			
Project F	Planner			June 8, 2017
	Title	11. 17		Date
e tribuic 2	environment. the project puncy. the approval of JAS NOT ado dopted JA.	environment. The project pursuant to the provision dopted JA.  Project Planner	nmunication facility disguised as a pine tree consisting rave dish, one (1) DC generator with two (2) equipment or, as the lead agency, has approved the above-reference environment. The project pursuant to the provisions of the California Ency. The approval of the project. WAS NOT adopted. dopted WA.  The project Planner	nmunication facility disquised as a pine tree consisting of a 50 foot rave dish, one (1) DC generator with two (2) equipment cabinets, two or, as the lead agency, has approved the above-referenced project environment. The project pursuant to the provisions of the California Environmental cy. The approval of the project. WAS NOT adopted. DAS NOT adopted. DAS NOT adopted DAS.  The project pursuant to the project approval is available to the general publication. Project Planner

FOR COUNTY CLERK'S USE ONLY

# COUNTY OF RIVERSIDE SPECIALIZED DEPARTMENT RECEIPT

Permit Assistance Center

4080 Lemon Street Second Floor Riverside, CA 92502

39493 Los Alamos Road Suite A Murrieta, CA 92563

38686 El Cerrito Rd Indio, CA 92211 (760) 863-8271

J\* REPRINTED \* R1512021

(951) 955-3200

(951) 694~5242

\* \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Received from: SAC WIRELESS FOR VERIZON

\$2,210.00

paid by: CK 38452

CFG FOR EA42780

paid towards: CFG06164 CALIF FISH & GAME: DOC FEE

at parcel: 27651 KACHINA CT COR

appl type: CFG3

Oct 29, 2015 09:40 MGARDNER posting date Oct 29, 2015 \* \*

Account Code 658353120100208100 CF&G TRUST

Description

Amount \$2,210.00

Overpayments of less than \$5.00 will not be refunded!

### COUNTY OF RIVERSIDE J\* REPRINTED \* R1502632 SPECIALIZED DEPARTMENT RECEIPT Permit Assistance Center

4080 Lemon Street Second Floor

39493 Los Alamos Road Suite A

38686 El Cerrito Rd Indio, CA 92211

Riverside, CA 92502

Murrieta, CA 92563

(760) 863-8271

(951) 955-3200

(951) 694-5242

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\* \*

Received from: SAC WIRELESS FOR VERIZON

\$50.00

paid by: CK 31813

CFG FOR EA42780

paid towards: CFG06164 CALIF FISH & GAME: DOC FEE

at parcel: 27651 KACHINA CT COR

appl type: CFG3

Mar 12, 2015 12:14

posting date Mar 12, 2015

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\* \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Account Code 

Description

Amount \$50.00

Overpayments of less than \$5.00 will not be refunded!

1.5

Agenda Item No.

Area Plan: Lakeview/Nuevo

Zoning Area: Nuevo

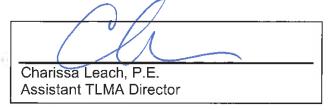
Supervisorial District: Fifth Project Planner: Ash Sved

Planning Commission Hearing: October 4, 2017

TENTATIVE TRACT MAP NO. 33372

FIRST EXTENSION OF TIME Applicant: The Garrett Group

c/o Phil Jones



# COUNTY OF RIVERSIDE PLANNING DEPARTMENT EXTENSION OF TIME STAFF REPORT

The applicant of the subject case has requested an extension of time to allow for the recordation of the final map. The land division hereby permitted is for a schedule B subdivision of 58.31 gross acres into 98 single family lots and two (2) drainage lots.

Unless specifically requested by the applicant, this request will not be discussed at the time it is presented to the Planning Commission as a consent calendar item.

CEQA: The subject case has conformed to the requirements of the California Environmental Quality Act, and all impacts have been analyzed in order to protect the public health, safety and welfare. No new environmental documentation is required prior to the extension of time.

GENERAL PLAN: Unless otherwise noted, the subject case had been determined to be consistent with the General Plan and all of its elements.

# **REQUEST:**

# FIRST EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 33372

## BACKGROUND:

Tentative Tract Map No. 33372 was originally approved at Planning Commission on August 20, 2008. It was approved at the Board of Supervisors on January 11, 2011.

The First Extension of Time was received August 15, 2017, ahead of the expiration date, August 20, 2017. The Applicant and the County negotiated conditions of approval and reached consensus on September 20, 2017.

The County Planning Department, as part of the review of this Extension of Time request, recommends the addition of seven (7) new conditions of approval, in order to be able to make a determination that the project does not adversely affect the general health, safety, and welfare of the public.

The applicant was informed of these recommended conditions and has agreed to accept them. Included in this staff report package are the recommended conditions of approval, and the correspondence from the Extension of Time applicant on September 20, 2017, indicating the acceptance of the seven (7) recommended conditions.

# **FURTHER PLANNING CONSIDERATIONS:**

EFFECT OF Senate Bill No. 1185 (SB1185): On July 15, 2008, AB208 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 12 month extension on previously approved subdivision maps set to expire between July 15, 2008 and January 1, 2011.

EFFECT OF Assembly Bill No. 333 (AB333): On July 15, 2009, AB333 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between July 15, 2009 and January 1, 2012.

EFFECT OF Assembly Bill No. 208 (AB208): On July 13, 2011, AB208 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between July 13, 2011 and January 1, 2014.

EFFECT OF Assembly Bill No. 116 (AB116): On July 11, 2013, AB116 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between January 1, 2000 and July 11, 2013.

Therefore, upon an approval action by the Planning Commission, subsequent receive and file action by the Board of Supervisors, and the conclusion of the 10-day appeal period, the tentative map's expiration date will become August 20, 2018. If a final map has not been recorded prior this date, a second extension of time request must be filed 180 days prior to map expiration.

# **RECOMMENDATION:**

<u>APPROVAL</u> of the FIRST EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 33372, extending the expiration date and to reflect SB1185, AB333, AB208, and AB116 benefits to August 20, 2018, subject to all the previously approved and amended Conditions of Approval with the applicant's consent.

# City Boundaries Cities **Legend** 1st EOT for TR33372 Vicinity Map

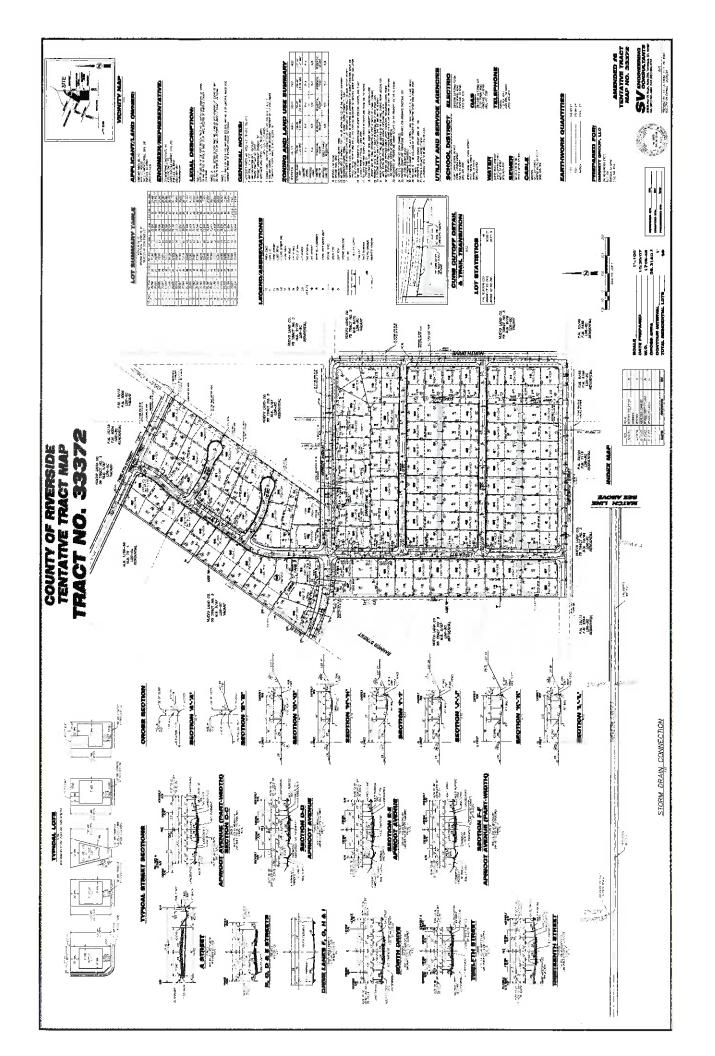
Notes

5,211 Feet

2,605

REPORT PRINTED ON... 9/5/2017 10:51:05 AM

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# **Extension of Time Environmental Determination**

Project Cas	se Number:	TR33372
Original E.A	A. Number:	EA40069
Extension of	of Time No.:	First
Original Ap	proval Date:	August 20, 2008
Project Loc	ation: <u>North o</u>	of 13th Street, South of 12th Street, East of Banner Street, West of North Drive.
		land division hereby permitted is for a schedule B subdivision of 58.31 gross ly lots and two (2) drainage lots.
On August	20, 2008, this	s Tentative Tract Map and its original environmental assessment/environmental
		ved to determine: 1) whether any significant or potentially significant changes in
		ve occurred; 2) whether its environmental conditions or circumstances affecting
the propose been made	•	ent have changed. As a result of this evaluation, the following determination has
		the proposed project could have a significant effect on the environment, NO NEW
ENV	TRONMENTAL	DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF
		potentially significant effects (a) have been adequately analyzed in an earlier EIR or
		on pursuant to applicable legal standards and (b) have been avoided or mitigated rlier EIR or Negative Declaration and the project's original conditions of approval.
I find one whic TO A adeq	I that although or more potent h the project is APPROVAL OF quately analyze	the proposed project could have a significant effect on the environment, and there are tially significant environmental changes or other changes to the circumstances under undertaken, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR F THE EXTENSION OF TIME, because all potentially significant effects (a) have been ed in an earlier EIR or Negative Declaration pursuant to applicable legal standards and ided or mitigated pursuant to that earlier EIR or Negative Declaration and revisions to
		al conditions of approval which have been made and agreed to by the project proponent.
circu may cann	mstances unde not address, a ot be determin	e one or more potentially significant environmental changes or other changes to the er which the project is undertaken, which the project's original conditions of approval and for which additional required mitigation measures and/or conditions of approval ned at this time. Therefore, AN ENVIRONMENTAL ASSESSMENT/INITIAL STUDY IS
		er to determine what additional mitigation measures and/or conditions of approval, if ed, and whether or not at least one of the conditions described in California Code of
Regu	ulations, Sectio	on 15162 (necessitating a Supplemental or Subsequent E.I.R.) exist. Additionally, the
		essment/initial study shall be used to determine WHETHER OR NOT THE EXTENSION DESCRIPTION DESCRIPTION OF THE EXTENSION OF THE
		nal project was determined to be exempt from CEQA, and the proposed project will not
		effect on the environment, therefore NO NEW ENVIRONMENTAL DOCUMENTATION OR TO APPROVAL OF THE EXTENSION OF TIME.
1010		CALLED THE EXPENSION OF THEE
<b>^:</b>	AX	Party 2014 10 20 2017
Signature: A	sh Syed, Plar	Date: September 20, 2017  Charissa Leach, P.E. Assistant TLMA Director
	<del> </del>	

# Syed, Ashiq

From: Phil Jones <pjones@thegarrettgroup.net>

Sent: Wednesday, September 20, 2017 11:40 AM

To:Syed, AshiqCc:Miriam Rodriguez

Subject: RE: Recommended Conditions of Approval for 1st EOT of TR33372

Hi Ash, we have reviewed each Condition of Approval for the Extension of Time for TR33372 and approve all Conditions:

50. E HEALTH. 2: Read and Approved Condition
50. TRANS. 39: Read and Approved Condition
60. BS GRADE. 14: Read and Approved Condition
60. TRANS. 1: Read and Approved Condition
80. TRANS. 4: Read and Approved Condition
90. BS GRADE. 3: Read and Approved Condition
90. TRANS. 6: Read and Approved Condition
Please let us know if you have any additional guestions.

Best regards, Phil

Phillip Jones VP Land Division The Garrett Group, LLC Two Betterworld Cir, Suite 200 Temecula, CA 92590

Temecula, CA 92590 Cell: 760-801-1857

Email: pjones@thegarrettgroup.net www.thegarrettgroupllc.com

The Carrett Group

From: Syed, Ashiq [mailto:ASyed@rivco.org]
Sent: Tuesday, September 05, 2017 11:43 AM
To: Phil Jones <pjones@thegarrettgroup.net>

Cc: Miriam Rodriguez <mrodriguez@thegarrettgroup.net>

Subject: Recommended Conditions of Approval for 1st EOT of TR33372

Mr. Jones,

I am Ash Syed. I have been assigned to process your Extension of Time (EOT) request for TR33372. Attached are the recommended Conditions of Approval (COA).

Attn: Phil Jones

2 Betterworld Circle, Suite #200

Temecula, CA 92590

RE: FIRST EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP No. 33372

The County Planning Department has determined it necessary to recommend the addition of seven (7) new conditions of approval in order to be able to make a determination that the project does not adversely affect the general health, safety and welfare of the public.

Please review the proposed conditions of approval attached in this correspondence. If these conditions are acceptable, then submit a short written letter/memo/email that clearly references this case, the acceptance of each condition by name and number, and clearly state that you, the Extension of Time Applicant, accept these conditions. This documentation will then be included in the staff report package. The attached document is a copy of the recommended conditions which are identified as follows:

50. E HEALTH. 2 50. TRANS. 39

60. BS GRADE. 14

60. TRANS. 1

80. TRANS. 4

90. BS GRADE. 3

90. TRANS. 6

If the addition of the conditions is not acceptable, please notify me so we can discuss your concerns. If the issue cannot be resolved, then I will direct you to contact the individual Department representative to discuss this matter further.

Once the conditions have been accepted, I will begin preparing the staff report package for a Planning Commission hearing as a consent item. County Ordinance requires that conditions added thru the extension of time process are presented to and accepted by the applicant. If you, the EOT applicant, is unable to accept these conditions, the Planning Department will recommend denial of this extension of time request. An opportunity will, if requested, be provided for arguments to be made to the hearing body justifying why this request should be approved without the recommended conditions of approval.

I am eager to move this case forward and continue the extension of time process. If you have not contacted me within thirty (30) days, I will begin preparing this case with a recommendation of denial. I need one of two items to proceed:

- 1) Correspondence from you, the EOT applicant, accepting the recommended conditions per the directions provided above; or,
- 2) Correspondence from you, the EOT applicant, advising me of the concerns with the recommended conditions. If the concern still exists after our discussion, then direction on how to approach the issue will be given and additional time will be provided until the issue is resolved.

If you have any questions, comments, or concerns regarding this email, please feel free to contact me as indicated below.



**Ash Syed** *Environmental Planner*4080 Lemon Street, 12th Floor
Riverside, CA 92501

Email: asyed@rivco.org Phone: 951-955-6035

Page: 1

TRACT MAP Tract #: TR33372

Parcel: 427-030-013

# 50. PRIOR TO MAP RECORDATION

E HEALTH DEPARTMENT

50.E.HEALTH. 32 EOT1 - REQ E HEALTH DOCUMENTS

RECOMMND

Prior to map recordation, provide the following documents to the Riverside County Environmental Health Department:

- 1.Provide current documentation from the appropriate purveyor(s) for the establishment of water and/or sewer service for this project.
- 2. Provide documentation from an approved waste hauler in regards to solid waste service. Please call (951)955-8980 for additional details.
- 3. Provide written clearance from DEH Environmental Cleanup Programs. Please note that an Environmental Site Assessment, Phase 1 study may be required at their discretion. For further information, please contact (951) 955-8982.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

TRANS DEPARTMENT

50.TRANS. 39

EOT1 - FINAL ACCESS AND MAINT

RECOMMND

Prior to the map recordation, the applicant shall submit a Water Quality Management Plan (WQMP) subject to the State Regional Water Quality Board Order No. (See watershed below) to Transportation Department for review and approval. However, the applicant may be required to comply with the latest version of the WQMP manual if required by the State Regional Water Quality Board. All water quality features shall be included on the grading plan. WQMP applicability checklist, templates, LID design requirements, and guidance can be found on-line at: www.rcflood.org/npdes. For any questions, please contact (951) 712-5494.

Watersheds: Santa Ana No. R8-2013-0024 / Santa Margarita No. R9-2010-0016 / Whitewater No. R7-2013-0011

Additionally, prior to the map recordation, the applicant shall ensure that BMP facilities are placed in dedicated easements and that sufficient legal access to the BMPs are

Page: 2

TRACT MAP Tract #: TR33372

Parcel: 427-030-013

# 50. PRIOR TO MAP RECORDATION

50 TRANS. 39 EOT1 - FINAL ACCESS AND MAINT (cont.) RECOMMND

provided. This requirement is for both onsite and offsite property.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

# 60. PRIOR TO GRADING PRMT ISSUANCE

BS GRADE DEPARTMENT

60.BS GRADE. 14 EOT1 - REQ BMP SWPPP WQMP

RECOMMND

Prior to the issuance of a grading permit, the owner / applicant shall obtain a BMP (Best Management Practices) Permit for the monitoring of the erosion and sediment control BMPs for the site. The Department of Building and Safety will conduct NPDES (National Pollutant Discharge Elimination System) inspections of the site based on Risk Level to verify compliance with the Construction General Permit, Stormwater ordinances and regulations until completion of the construction activities, permanent stabilization of the site and permit final.

Grading and construction sites of "ONE" acre or larger required to develop a STORM WATER POLLUTION PREVENTION PLAN (SWPPP) - the owner/applicant shall submit the SWPPP to the Building and Safety Department Environmental Compliance Division for review and approval prior to issuance of a grading permit.

If a Water Quality Management Plan (WQMP) is required, the owner / applicant shall submit to the Building & Safety Department, the approved project - specific Water Quality Management Plan (WQMP) and ensure that all approved water quality treatment control BMPs have been included on the grading plan.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

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TRACT MAP Tract #: TR33372

Parcel: 427-030-013

## 60. PRIOR TO GRADING PRMT ISSUANCE

TRANS DEPARTMENT

60.TRANS. 1 EOT1 - FINAL WQMP FOR GRADING

RECOMMND

This condition would apply when grading occurs before map recordation. Prior to the issuance of a grading permit, the applicant shall submit a Water Quality Management Plan (WQMP) subject to the State Regional Water Quality Board Order No. (See watershed below) to Transportation Department for review and approval. However, the applicant may be required to comply with the latest version of the WQMP manual if required by the State Regional Water Quality Board. All water quality features shall be included on the grading plan. WQMP applicability checklist, templates, LID design requirements, and guidance can be found on-line at: www.rcflood.org/npdes. For any questions, please contact (951) 712-5494.

atersheds: Santa Ana No. R8-2013-0024 / Santa Margarita No. R9-2010-0016 / Whitewater No. R7-2013-0011

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

## 80 PRIOR TO BLDG PRMT ISSUANCE

TRANS DEPARTMENT

80.TRANS. 4 EOT1 -WQMP AND MAINTENANCE

RECOMMND

The project shall begin constructing and installing the BMP facilities described in the approved Final WQMP. The project shall be responsible for performing all activities described in the WQMP and that copies of the approved Final WQMP are available for the future owners/occupants.

A maintenance plan and signed maintenance agreement shall be submitted to the Transportation Department for review and approval prior to issuance of occupancy permits. A maintenance organization will be established with a funding source for the permanent maintenance. The maintenance plan shall require that all BMP facilities are inspected, if required, cleaned no later than October 15 each year.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

Page: 4

TRACT MAP Tract #: TR33372

Parcel: 427-030-013

#### 90. PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 3 EOT1 - WQMP REQUIRED

RECOMMND

Prior to final building inspection, the applicant shall comply with the following:

- 1. Obtain inspection of all treatment control BMPs and/or clearance from the Building and Safety Department. All structural BMPs described in the project specific WQMP and indicated on the approved grading plan shall be constructed and installed in conformance with the approved plans and specifications.
- 2. The applicant/owner shall submit a "Wet Signed" copy of the Water Quality Management Plan (WQMP) Certification from a Registered Civil Engineer certifying that the project specific WQMP treatment control BMPs have been installed in accordance with the approved WQMP.
- 3. The applicant/owner shall provide the Department of Building Safety with GPS coordinates for the location of the project specific WQMP treatment control BMPs.
- 4. The applicant/owner shall register the project specific WQMP treatment control BMPs with the Department of Building Safety Business Registration Division. Any person or entity that owns or operates a commercial and/or industrial facility shall register such facility for annual inspections.
- 5. The applicant shall make payment to the Building and Safety Department for the Water Quality Management Plan (WQMP) Annual Inspection.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

TRANS DEPARTMENT

90.TRANS. 6 EOT1 - WQMP COMP AND BNS REG

RECOMMND

Prior to Building Final Inspection, the applicant will be required to hand out educational materials regarding water quality, provide a engineered WQMP certification, inspection of BMPs, GPS location of BMPs, and ensure that the requirements for inspection and cleaning the BMPs are

Page: 5

TRACT MAP Tract #: TR33372

Parcel: 427-030-013

#### 90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 6 EOT1 - WQMP COMP AND BNS REG (cont.)

RECOMMND

established. Additionally, the applicant will be required to register BMPs with the Transportation Department's Business Registration Division.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

3.1

Agenda Item No.:

Area Plan: Lakeview/Nuevo

Zoning District: Hemet/San Jacinto & Lakeview

Supervisorial District: Fifth Project Planner: Russell Brady

Planning Commission: October 4, 2017

**SPECIFIC PLAN NO. 342** 

GENERAL PLAN AMENDMENT NO. 720 GENERAL PLAN AMENDMENT NO. 721

**CHANGE OF ZONE NO. 7055** 

DEVELOPMENT AGREEMENT NO. 73 Environmental Impact Report No. 471 Applicant: Nuevo Development Corp.

Engineer/Representative: Albert A. Webb

**Associates** 

Charissa Leach, P.E. Assistant TLMA Director

### COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

#### PROJECT DESCRIPTION AND LOCATION:

**SPECIFIC PLAN NO. 342** as proposed by the applicant proposes a maximum of 11,350 dwelling units and up to 500,000 square feet of commercial uses to be constructed within eight (8) Specific Plan Villages within a total of 2,786 acres. The residentially designated areas within the Specific Plan include a range of residential products from Medium High Density Residential to Highest Density Residential with a density range of 5 to 40 units per acre. The Specific Plan would also include areas designated as Mixed Use, Public Facilities, Open Space, and Parks. The Mixed Use areas could accommodate either residential or commercial development or a combination of residential and commercial. A total of 1,001 acres is designated as Open Space to be left as natural open space and a total of 156 acres is designated for developed parks. Of the Public Facility areas, 60 acres is designated for 3 future school sites.

The overall Specific Plan area is located on either side of Ramona Expressway, generally east of Martin Street, west of Princess Ann Road, south of Marvin Road, and generally north of Brown Avenue.

**GENERAL PLAN AMENDMENT NO. 720** as proposed by the applicant includes the following components: (1) a General Plan Technical Amendment; (2) General Plan Entitlement/Policy Amendment; (3) General Plan Foundation Component Amendment – Extraordinary; and (4) Agriculture Foundation Component General Plan Amendment.

The Technical Amendment is needed to rectify errors related to mapping which resulted in inaccuracies related to areas within the Lakeview Mountains and those in the lowlands to reflect the actual topography for the area.

The Entitlement/Policy Amendment proposes to change the underlying land use designations in the Lakeview/Nuevo Area Plan from Rural: Rural Mountainous, Rural: Rural Residential, Rural Community: Very Low Density Residential, Agriculture, Open Space: Conservation, Community Development: Very Low Density Residential, Community Development: Low Density Residential, Community Development: Commercial Retail, Community Development: Light Industrial, and Community Development: Highest Density Residential to those as reflected in the Specific Plan land use plan.

The Foundation Component Amendment – Extraordinary proposes to change the underlying Foundations from Rural, Rural Community, and Open Space to Community Development.

# SPECIFIC PLAN NO. 342, GENERAL PLAN AMENDMENT NO. 720, GENERAL PLAN AMENDMENT NO. 721, CHANGE OF ZONE NO. 7055, DEVELOPMENT AGREEMENT NO. 73 Planning Commission Staff Report Page 2 of 24

The Agriculture Foundation Component Amendment proposes to change the underlying Foundation of Agriculture to Community Development.

**GENERAL PLAN AMENDMENT NO. 721** as proposed by the applicant proposes modifications to the Circulation Element of the General Plan. The project will include upgrading and downgrading numerous existing and proposed roadway classifications and trails shown on the current circulation element plan for the Lakeview/Nuevo Area Plan to match the circulation plan as proposed by the Specific Plan. In particular the changes as listed below:

- 1. Elimination of 9th Street/Yucca Avenue as a through street from the project boundary easterly:
- 2. Rerouting 10th Street/Wolfskill Avenue as a Secondary roadway east of Hansen Avenue
- 3. Elimination of Bridge Street, 3<sup>rd</sup> Street, 5<sup>th</sup> Street, and 6<sup>th</sup> Street within the Specific Plan boundaries and will not have direct access to Ramona Expressway as access to Ramona Expressway will be shifted to Town Center and Park Center Boulevards
- 4. Additional detailed modifications to standard County roadway cross sections for roads within the Specific Plan
- 5. Modify the current trail alignments within the Specific Plan area and propose a 10-12 foot Multi-Purpose Community Trail that would allow for horses along the north side of the project and connect to the Combination trail along the San Jacinto River and to Ramona Expressway
- 6. Implement a portion of a Community Trail (restricted use) above the portion of the California Aqueduct that extends east to west through the Specific Plan area. The area for the trail above the aqueduct is owned and operated by the Metropolitan Water District and any use of the easement area above the aqueduct for trails would be subordinate to the MWD water conveyance use.
- 7. A policy amendment to General Plan Circulation Element Policy C 2.1 to expressly confirm the County's authority to accept Level of Service (LOS) D in certain Area Plans. In addition, the Board of Supervisors may, on occasion, approve a project that fails to meet the General Plan LOS targets in order to balance congestion management considerations in relation to benefits, environmental impacts and costs, provided an Environmental Impact Report, or equivalent, has been completed to fully evaluate the impacts of such approval. This is the same language that exists in the General Plan as currently adopted and amended as part of the County's 2015 General Plan. However, the County's approval of GPA No. 960 is currently being challenged. Since the outcome of the litigation related to GPA No. 960 is unknown, General Plan Amendment No. 721 restates this policy language so it will be part of the County's General Plan regardless of the litigation outcome. With the inclusion of Policy C 2.1, Specific Plan No. 342 is consistent with the General Plan's Circulation Element.

CHANGE OF ZONE NO. 7055 proposes to change the zoning classification of the subject site from a mix of Light Agriculture – 10-acre minimum (A-1-10), Heavy Agriculture – 10-acre minimum (A-2-10), Light Agriculture with Poultry (A-P), Scenic Highway Commercial (C-P-S), Rural Commercial (C-R), Manufacturing – Service Commercial (M-SC), Residential Agricultural (R-A), Residential Agricultural, 1-acre minimum (R-A-1), Residential Agricultural, 10-acre minimum (R-A-10), Residential Agricultural, 2 ½-acre minimum (R-A-2½), Rural Residential (R-R), One-Family Dwellings (R-1), Highest Density Residential (R-7), and Natural Assets, 640-acre minimum lot size (N-A-640) to Specific Plan (SP) and adopt a Specific Plan zoning ordinance to establish the permitted uses and development standards for the Specific Plan Planning Areas.

SPECIFIC PLAN NO. 342, GENERAL PLAN AMENDMENT NO. 720, GENERAL PLAN AMENDMENT NO. 721, CHANGE OF ZONE NO. 7055, DEVELOPMENT AGREEMENT NO. 73
Planning Commission Staff Report
Page 3 of 24

**DEVELOPMENT AGREEMENT NO. 73** proposes an agreement between the County and the applicant that has a 30 year term and grants the applicant vested rights to develop in accordance with the terms of the agreement.

Staff's Recommended Project

SPECIFIC PLAN NO. 342 ALTERNATIVE 7 as presented in Environmental Impact Report No. 471 proposes a maximum of 8,725 dwelling units and 1,380,000 square feet of commercial uses to be constructed within eight (8) Specific Plan Villages within a total of 2,883 acres. The residentially designated areas within the Specific Plan include a range of residential products from Medium Density Residential to High Density Residential with a density range of 2 to 14 dwelling units per acre as well as Mixed Use designations that allow 8 to 40 dwelling units per acre. The Mixed Use areas could accommodate either residential or commercial development or a combination of residential and commercial. The Specific Plan would also include areas designated as Commercial Office, Agriculture, Public Facility, Conservation Habitat, Recreation, and Water. The Conservation Habitat designated areas would be split between a total of 1,106 acres of areas designated for conservation to be left as natural open space and a total of 80 acres is designated for Recreation. Of the Public Facility areas, 114 acres is designated for 3 future school sites

As shown in the analysis in Environmental Impact Report No. 471, Alternative 7 is an environmentally superior alternative compared to the applicant proposed Specific Plan.

Specific Plan Alternative 7 includes additional area that has been acquired by the applicant since the project was originally proposed, but the location of Specific Plan Alternative 7 is still located on either side of Ramona Expressway, generally east of Martin Street, west of Princess Ann Road, south of Marvin Road, and generally north of Brown Avenue.

**GENERAL PLAN AMENDMENT NO. 720** as modified to include the additional land included in Alternative 7 as shown on exhibit 6.

GENERAL PLAN AMENDMENT NO. 721 as proposed and described above.

**CHANGE OF ZONE NO. 7055** as modified to include the additional land included in Alternative 7 as shown on exhibit 3.

**DEVELOPMENT AGREEMENT NO. 73** as modified and described above.

#### **BACKGROUND:**

Previously Approved Specific Plan and Court Decision

Specific Plan No. 342 was previously approved on March 23, 2010 by the Riverside County Board of Supervisors. Subsequently, the Environmental Impact Report (EIR) certified for the Specific Plan was challenged under CEQA. The case (*Friends of the Northern San Jacinto Valley and Sierra Club v County of Riverside RIC10007572*) was litigated and on May 16, 2012 a decision was issued from the Court, which found the EIR deficient in the following six areas: Traffic, General Plan Consistency, Greenhouse Gas, Air Quality Health Impacts, Biological Resources, and Growth Inducing Impacts. In accordance with the Court's order, the approvals for Specific Plan No. 342 and certification of the EIR were set aside by the County.

# SPECIFIC PLAN NO. 342, GENERAL PLAN AMENDMENT NO. 720, GENERAL PLAN AMENDMENT NO. 721, CHANGE OF ZONE NO. 7055, DEVELOPMENT AGREEMENT NO. 73 Planning Commission Staff Report Page 4 of 24

Current Environmental Impact Report

In response to the Court's decision and order, an updated Specific Plan No. 342 and Environmental Impact Report No. 471 addressing the deficiencies were prepared and circulated for public review on September 30, 2016. The Draft EIR No. 471 determined that Specific Plan No. 342 and its associated components with mitigation would result in significant and unavoidable impacts to Aesthetics, Agricultural and Forestry Resources, Air Quality, Cultural Resources, Noise, Population/Housing, Transportation/Traffic, Utilities, and Greenhouse Gas Emissions.

20 comments were received during the 45-day public review period and 8 comments were received following the close of the public review period. These comments were reviewed and detailed responses to each comment were prepared and included in the Final EIR which was posted on August 7, 2017 and with mailed notices to commenters sent on August 7, 2017.

#### Specific Plan Alternative 7

Within EIR No 471, Alternative 7 is included as an alternate land use plan that would reduce impacts primarily to traffic with less units and therefore less anticipated trips as well as associated reductions in impacts to air quality, noise, and greenhouse gas emissions. In consideration of the analysis in the Draft EIR No. 471 that fully addresses Alternative 7 and the comments received on the Draft EIR No. 471, and in consultation with the applicant, County staff is recommending the approval of Alternative 7 in place of the applicant proposed Specific Plan No. 342. Based on EIR No. 471, Alternative 7 is environmentally superior to the project proposed by the applicant. A full version of the Alternative 7 Specific Plan and conditions of approval are included in the staff report for consideration by the Planning Commission.

The greatest difference between the applicant proposed Specific Plan No. 342 and Alternative 7 is Alternative 7 reduces the maximum total number of dwelling units from 11,350 to 8,725 for a total reduction of 2,625 dwelling units. This reduction in dwelling units also reduces the overall intensity and impacts of Specific Plan No. 342. Additionally, under Alternative 7, development on the north side of Ramona Expressway shifts from primarily residential with some park and open space to commercial with agriculture and open space areas. This shift in land use incorporates more non-residential uses and will generally reduce the intensity of development within this northern area. This provides for an enhanced transition from Ramona Expressway to the wildlife area as it transitions from areas within the Specific Plan designated as Commercial Office first, then Agriculture, and then areas outside of the Specific Plan designated as Open Space: Conservation Habitat (OS:CH) by the General Plan. Alternative 7 would generally result in reduced intensity and reduced impacts since it would decrease the amount of residential trips generated and would increase the potential for residents to be served by services closer which would reduce the amount of vehicle miles travelled. Alternative 7 also adds approximately 146 acres to the western side of Specific Plan No. 342 and removes approximately 49 acres along the eastern side of Specific Plan No. 342 for an overall increase in 97 acres. The areas added consist generally of proposed Planning Areas 1, 2, and 3 (High Density Residential); 16 (Mixed Use); and 29 and 30 (Open Space Recreation) all on the western portion of the Specific Plan; and a portion of Planning Area 50E (Open Space Conservation Habitat) on the south side of the Specific Plan. The area removed consisted of the previously proposed Planning Area 77 which included (High Density Residential). The proposed project would increase the length of the undercrossing that is part of the Riverside County Transportation Commission's Mid-County Parkway (MCP) project, in order to accommodate JJ Street and to facilitate wildlife movement along PCL-20. In contrast, Alternative 7 does not include JJ Street, and therefore eliminates the need to extend the MCP undercrossing. As such, Alternative 7 reduces impacts to wildlife movement at the undercrossing compared to the proposed project, by limiting the distance for wildlife to cross under the roadway.

# SPECIFIC PLAN NO. 342, GENERAL PLAN AMENDMENT NO. 720, GENERAL PLAN AMENDMENT NO. 721, CHANGE OF ZONE NO. 7055, DEVELOPMENT AGREEMENT NO. 73 Planning Commission Staff Report Page 5 of 24

#### Development Agreement No. 73

The Development Agreement has a term of 30 years. Within that time period the agreed upon provisions would apply to development of the Villages of Lakeview. Provisions include vesting rights to develop the Specific Plan in accordance with the terms of the agreement. In exchange, the County would receive certain public benefits, which go beyond the basic requirements of the County or mitigation measures as included within the Environmental Impact Report. These public benefits include the following:

- meeting a 5 acres of parkland per 1,000 residents for the project;
- funding expansion of library facilities;
- providing community room space for access by the County;
- implementing a Smart Shuttle program to connect to the Metrolink Perris Valley Line:
- equipping existing fire station and setting aside land and equipping a new fire station;
- providing right-of-way for the Mid-County Parkway;
- payment of fees to go towards transportation facilities within the County of Riverside and other cities;
- provision of infrastructure for broadband capability;
- preservation of agricultural space;
- provision of affordable housing; and
- contribution of additional funding to be utilized by the County.

#### Village Refinement Plan

Currently Specific Plan No. 342 establishes a general framework for the type and intensity of development and the general backbone circulation infrastructure in a given Village or Planning Area. To allow flexibility given the longer timeframe for development to accommodate for changes in market demands, Specific Plan No. 342 does not dictate specific design guidelines at a smaller level related to circulation, walls/fencing, entry monuments, building architecture, park design/features and other similar elements. Implementing projects within a Specific Plan Village will be required to submit a Village Refinement Plan which would provide more details on the appropriate design guidelines to apply to a particular Village designated within the Specific Plan. The Village Refinement Plan would be processed, at a minimum, through a Specific Plan Substantial Conformance Application, which would be considered concurrently with the implementing development application (i.e. Tentative Tract Map, Plot Plan, Conditional Use Permit, etc.).

#### **FURTHER PLANNING CONSIDERATIONS**

#### Public Comment Letters

As of the writing of this staff report, staff has responded to all comment letters and emails that were specifically or generally asking questions about the project, excluding the comment letter from Riverside County Transportation Commission (RCTC). For those responded to so far, these responses have been included with the staff report package. The response to RCTC is planned to be provided as a supplement to the staff report prior to October 4<sup>th</sup>.

Staff and the CEQA consultant have reviewed the comments raised in the public comments and has determined that the comments raised do not constitute new information requiring any further revision to the EIR No. 471.

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#### Planning Commission Comments

Due to the number of speakers at the September 6, 2017 Planning Commission hearing, the variety and specificity of comments and concerns expressed during the hearing cannot be fully listed in the staff report. However, many of the comments and concerns generally relate to certain topics. These are listed below with staff's response to each of them.

**General Plan Consistency**: Questions were raised regarding the project's consistency with the County's General Plan. Many of the comments seemed to utilize portions of the General Plan that describe existing conditions of the Lakeview/Nuevo area, including a portion of one listed below.

#### Lakeview

The community of Lakeview, in the northeast corner of the planning area, is characterized by predominantly residential and agricultural uses. Dairies and agricultural uses dominate the land north of the Ramona Expressway, and residential/equestrian uses are found south of the expressway. The residential uses in Lakeview are rural in nature and typically are located on lots between one-half and two acres in size.

The General Plan's description of the Lakeview area is primarily to note what the existing conditions of the area are in order to establish a framework to develop the General Plan Vision, Principles, and specific policies for that area. Specific findings are required in order for the County to approve an amendment to the County's General Plan. These findings are set forth in the General Plan's Administration Element as well as in the County's Ordinance No. 348. These findings are included in this staff report. Additionally, the project's consistency with the General Plan policies is listed in Appendix N of EIR No. 471.

Consistency with the County's General Plan does not require satisfying every policy in the General Plan. Rather consistency is when the proposed project is compatible with the General Plan and does not frustrate the General Plan's goals and policies. Consistency does not require rigid conformity with every detail. (Naraghi Lakes Neighborhood Preservation Association v. City of Modesto 1 Cal. App.5<sup>th</sup> 9) As shown in Appendix N of EIR No. 471, the project is consistent with all applicable policies of the Lakeview/Nuevo Area Plan.

Additionally, going to the purpose of the General Plan as well as the Vision and Principles of the General Plan, the purpose of a General Plan is to be forward thinking and to plan for development within the County and to not be rigid and held to existing land use patterns. One key component of the Principles of the General Plan related to new development is that of Maturing Communities as listed below.

#### **Maturing Communities**

The General Plan Vision acknowledges that every community in the County is maturing in its own way, at its own pace and within its own context. Policies and programs should be tailored to local needs in order to accommodate the particular level of anticipated maturation in any given community.

So while the project does represent a shift from the existing land use pattern and densities in the Lakeview and Nuevo area, it does implement the intent of the General Plan and is consistent with the General Plan.

Impacts to San Jacinto Wildlife Area (SJWA): Multiple meetings were held with staff from the California Fish & Wildlife Department to discuss what measures can be incorporated to minimize potential impacts to the wildlife area. Some of those discussed and incorporated include the following applicable within Planning Areas 24 and 25 which have been incorporated into a new condition (30.PLANNING.162):

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- incorporation of building design features to reduce potential for bird strikes;
- require construction of a six foot high block wall around the entirety of these planning areas or at minimum around each individual development within these planning areas prior to the commencement of construction of any building;
- require trash containers to be enclosed in lockable trash enclosure areas; and
- require landscaping to be native and drought tolerant species and shall avoid plants listed on the Western Riverside County MSHCP Table 6-2 adjacent to MSHCP conservation areas.

The meetings also included discussion of limiting the potential for trespass on the property via "F" Street as shown on the Specific Plan Circulation Plan. California Fish & Wildlife staff desired for this street to be modified to a cul de sac to terminate at Planning Area 25 and to not reach Marvin Road to the north which could encourage people to access the wildlife area at this intersection or elsewhere along Marvin Road. Following discussions with Transportation Department staff on this request it was noted that the "F" Street connection up to Marvin Road is important to retain as an ultimate design since with Mid-County Parkway "F" Street is anticipated to be the location of an interchange and as detailed further below in response to the separate concern noted on ensuring continued public access to the wildlife area, with the closure of direct access to Davis Road from Ramona Expressway with the construction of the Mid-County Parkway, this interchange at "F" Street would be the logical alternative path to access the wildlife area. So, in-lieu of showing an interim design of a cul de sac on the Specific Plan Circulation Plan, it will continue to show the anticipated ultimate design to connect to Marvin Road but with a note that if Mid-County Parkway has not been developed at the time of development of Planning Area 25 that a cul de sac terminating at Planning Area 25 can be constructed with the full right-of-way being dedicated up to Marvin Road.

California Fish & Wildlife staff also requested a limitation in the connectivity of trails to the wildlife area to reduce the potential from accessing the wildlife area at inappropriate locations. The Specific Plan trails plan has been revised from what was previously presented at the prior Planning Commission hearing to remove the trail connection to south of Ramona Expressway and remove the east-west trail alignment on the north side of the project south of Marvin Road and replace with a trail loop within Planning Areas 24 and 25 with stub outs on the east and west ends for future trail connections.

Also discussed was potential lighting impacts, with the understanding that existing lighting requirements pursuant to Ordinance No. 655 (Mt. Palomar) meet the objectives for limiting potential lighting impacts on the wildlife area.

Mitigation Measure Bio 9 has been updated based on discussions to identify an operations and maintenance plan to be required and minimum objectives and strategies identified to implement as development occurs.

California Fish & Wildlife Department also continued to express interest in the hydrology impacts of the project and are continuing to review the Hydrology reports and specific design measures included by the project to limit potential impacts to the wildlife area.

Proposed Constrained Linkage 20 (PCL 20): The comment from the California Department of Fish & Wildlife expressed concerns with the alignment of PCL 20 north of Ramona Expressway due to its conflict with crossing at a proposed intersection of Bridge Street on the south side of Ramona Expressway as proposed by the project. While this condition is created by having Bridge Street south of Ramona Expressway aligned with PCL 20 north of Ramona Expressway may create a conflict in the future, this is a result of the location of PCL 20 north of Ramona Expressway where the project is not located. It is

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identified that this is a valid concern, but it is a concern that is best addressed for development that is proposed on the north side of Ramona Expressway to actually realign PCL 20.

Air Quality and Greenhouse Gas Emissions: There were comments generally on air quality and greenhouse gas emission impacts of the project. These impacts are detailed fully in EIR No. 471 and impacts to both were determined to be potentially significant and unavoidable. All feasible mitigation measures were included for both to reduce impacts as much as possible. Ultimately, due to the potentially significant impact, there will be a need for an adoption of a statement of overriding considerations to accept these potentially significant impacts in balance with the positive aspects of the project.

**Hunting noise**: There were concerns regarding how hunting noise would impact the project and how future residents would be notified and whether there could be a limitation on their ability to force closure of hunting currently operating out of the San Jacinto Wildlife Area. The impacts of noise from hunting were analyzed in EIR No. 471, which provided that "due to the buffer zone between the SJWA and the project site, noise associated with hunting activities in the SJWA is relatively low and would be mostly masked by traffic noise in the project area." Despite the relatively low level of noise anticipated, EIR No. 471 included a mitigation measure to notify initial future residents of the project via a California Department of Consumer Affairs' Bureau of Real Estate White Report.

It was also questioned given the timeframes when hunting occurs in the early morning and late evening, that in particular in the early morning whether the traffic in the area would be sufficient at that time to mask the hunting noise as is stated in the EIR. While traffic may be low today at early morning hours, the project will generate traffic to the area which will increase the amount of traffic at all times of the day, including early morning. So while traffic noise currently in the early morning is currently low, it will incrementally increase to the point that it could mask hunting noise more so than at present.

Additionally, as noted in the EIR, the project would construct perimeter walls to attenuate noise primarily from traffic generated noise, in particular on Ramona Expressway. While the primary purpose of these walls is to attenuate traffic-sources noise, they would also assist in the attenuation of any hunting noise that may reach the project site. Based on this, while additional requirements could be added to further ensure noise impacts would not occur and that residents would be more clearly made aware, including possible acceptance of their limited ability to sue or force closure of hunting from noise impacts, there does not appear to be sufficient evidence that such noise impacts would exist for staff to recommend inclusion of such measures.

With regard to the concern that hunting at the San Jacinto Wildlife Area (SJWA) could be curtailed or eliminated as a result of the proposed project, the SJWA is owned by the State of California and managed by the California Department of Fish and Wildlife (CDFW). Permitted uses within the SJWA are under the purview of the State. The County has no authority with regard to the SJWA.

**School sites transition to residential**: Questions were raised on the process if the school district does not wish to accept one of the school sites how it would be allowed to transition to a residential use. The Specific Plan as proposed does allow for the transition of a designated school site for a residential use pursuant to Section B.11.b of the Specific Plan, a portion of which is included below.

Section B.11 of the Specific Plan text, Specific Plan Administration, provides that within two years after approval of the first tentative map for each village in which a school is located, the school district must either (i) execute a binding, irrevocable agreement to purchase land sufficient for the designated school site in the identified Planning Area, on terms reasonably

acceptable to the developer, or (ii) confirm in writing to the developer that it will not utilize the potential school site within that village for development of a school and joint-use park. If written notice is received that the school district does not intend to utilize the school site for development for a school and joint-use park, or in the event the developer does not receive from the school district written confirmation after the two-year period has expired, the Specific Plan land use of the potential school site will become residential, consistent with the land use designation adjacent to the school site described in detail within the Specific Plan Zoning Ordinance, The zoning ordinance for Specific Plan No. 342 provides for residential dwellings and mixed uses to be developed in Planning Areas 26, 27 and 28 if a school is not constructed in these Planning Areas. An amendment or a substantial conformance to the Specific Plan will not be required for transitioning to residential uses or mixed uses so long as the maximum number of residential dwellings of 8,725 is not exceeded and the proposed implementing project is consistent with the Specific Plan text and zoning ordinance. If the number of residential dwellings in the overall Specific Plan exceeds 8,725 dwelling units, the County of Riverside will require an amendment to the Specific Plan along with the necessary environmental analysis. Additionally, any future implementing project will be required to do the appropriate environmental analysis in accordance with the California Environmental Quality Act.

Additionally, as it was stated by the applicant at the September 6<sup>th</sup> Planning Commission hearing, the more likely scenario is that if the school district does not desire a particular site, that they would still desire another location elsewhere in the Specific Plan area. This would have the effect of simply shifting residential uses from one location to the other without an increase in the overall maximum number of residential dwelling units within the Specific Plan.

In order to clarify how Planning Areas 26, 27 and 28 may be developed, revisions were made to the Specific Plan Administration section as well as the zoning ordinance for the Specific Plan, which are attached to this staff report.

**Traffic Improvement Phasing:** Questions were raised regarding validity of the phasing of traffic improvements. The EIR and supporting traffic analysis describe the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops.

**Reliance on Mid-County Parkway**: It was questioned whether the project's traffic analysis under CEQA relied on the completion of the Mid-County Parkway. The traffic analysis in the EIR considers different scenarios depending on whether Mid-County Parkway is constructed prior to or following development and that based on each of these scenarios what road improvements would be required to feasibly mitigate the impacts of the project.

Davis Road access to SJWA: It was initially presented by staff but then commented by the public for clarification of the continued status of Davis Road related to the project and the Mid-County Parkway. As presented by staff, the proposed Specific Plan would retain the direct connection of Davis Road to Ramona Expressway. With the construction of the Mid-County Parkway as currently planned, the direct connection to Davis Road would no longer exist. Instead, connection to Davis Road would be provided via the planned interchange near 5<sup>th</sup> Street/planned "F" Street which would connect to Marvin Road and then Davis Road to provide access to the SJWA. While this is a potential change in the access to the

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SJWA, the proposed project not only does not directly cause this change, but it also accommodates for the future change by retaining the future access along 5th Street/planned "F" Street and Marvin Road.

**Traffic Safety**: It was noted that there are currently vehicle collisions in the vicinity of the project, in particular along Ramona Expressway due to the high speeds along there, and it was questioned how the project would affect traffic safety in the area. There is an existing level of vehicle collisions in the project vicinity and the project would increase the amount of vehicles on the road, thus increasing the possibility for an increased number of vehicle collisions in the area. However, the project would not increase the potential for vehicle collisions in terms of rate of collisions to number of vehicles on the road by increasing an existing design hazard or create a new design hazard. As it is analyzed in the EIR Traffic section, with implementation of standard sight distance requirements and adequate signing and striping, impacts from design related hazards would be less than significant.

**Crime**: Concerns were raised regarding whether the project would result in more crime in the area. It is inherent with any population, regardless of the demographics of a population, that there will be some level of crime resulting from their presence. So, by the nature of increasing population, the project could result in an increase in the total number of crimes in the overall Lakeview/Nuevo area; however, the rate of such an increase caused by the proposed project is speculative. Regardless, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area.

Although crime itself is not a required topic to be analyzed for projects pursuant to CEQA, public services in the form of sheriff services are analyzed. The EIR analyzes the impacts to sheriff services and notes that the project design for adequate lighting, community oriented designs to increase neighborhood interaction, and gated community areas will assist in reducing the potential for crime to minimize the need for sheriff services. The EIR also cites payment of Development Impact Fees as required to offset any incremental impacts to sheriff services.

Community Facilities District (CFD) area: It was questioned what the extent and requirements for formation of the CFD are, in particular is this something that would be applied to existing residents in the area. The provisions in the Development Agreement specify that the CFD would be formed initially to include just the project area, which would not include any existing residentially developed area. Although other areas could be included within the CFD area following its initial formation, this would be subject to a vote from the property owner(s) that may seek to be included in the CFD. At this time, this may include other properties which may be proposed for development that the County may request their inclusion in the CFD, but it is not intended for this to apply to existing developed residential areas.

**Agricultural Setback**: It was questioned whether the 300 foot setback from agricultural uses pursuant to Mitigation Measures AG 2 and LU 2 and Condition of Approval 30.PLANNING.59 would apply to the agricultural uses themselves. To clarify, this condition is placed on the Specific Plan to be applied to development that occurs within the Specific Plan and would not apply to areas outside of the Specific Plan. The intent is for implementing development within the Specific Plan to be designed in a way to incorporate these setbacks from existing agricultural uses and not for the reverse to be required.

**Agricultural Conservation Easement**: It was questioned whether the conservation easement proposed by the Development Agreement would go to the Regional Conservation Authority (RCA). This provision in the Development Agreement is for conservation of agricultural lands, not for open space areas. Based on its conservation for agricultural use, the conservation easement would be dedicated to the County of Riverside.

**Water Supply**: It was questioned whether adequate water supply exists for the proposed project. It was noted by the applicant at the September 6<sup>th</sup> hearing, but to restate here, Eastern Municipal Water District (EMWD) did perform a Water Supply Assessment in 2013. Since then, the applicant has informally checked in with EMWD to re-verify the accuracy of the Water Supply Assessment as the review of this project progressed and they have confirmed the continued accuracy of the assessment.

Horse Trails/Horse Properties: It was commented regarding whether the project would truly include equestrian trails and continue to maintain them based on the project itself not accommodating the keeping of horses on the residential lots. It is accurate that the project would not accommodate the size of lots that are conducive to keeping horses and the proposed zoning ordinance does not allow for keeping of horses in any of the proposed residential areas. However, just because the project does not accommodate horse keeping does not override the need for equestrian trails within the project. The Specific Plan includes trails for equestrian use throughout the project that will be required to be included for any project that has a trail designated within it or along its boundaries. This is a requirement for any implementing project or else it could not be determined that the project is consistent with the Specific Plan.

#### Development Agreement

The proposed Development Agreement has been finalized for consideration by the Planning Commission and is included in the staff report package. New conditions of approval to implement certain provisions of the Development Agreement have been added to the Specific Plan from the prior set of conditions of approval provided at the September 6<sup>th</sup> Planning Commission hearing.

#### **SUMMARY OF FINDINGS:**

1. Existing General Plan Land Use (Ex. #5):

Rural: Rural Mountainous (R:RM), Rural: Rural Residential (R:RR), Rural Community: Very Low Density Residential (RC:VLDR), Agriculture (AG), Open Space: Conservation (OS:C), Community Development: Very Low Density Residential, (CD:VLDR) Community Development: Residential Density (CD:LDR), Community Commercial Development: Retail Community Development: Light Industrial (CD:LI), and Community Development: Highest Density Residential (CD:HHDR)

2. Surrounding General Plan Land Use (Ex. #5):

Open Space: Conservation Habitat (OS:CH) and Agriculture (AG) to the north, Agriculture (AG) and the City of San Jacinto to the east, Rural: Rural Mountainous (R:RM), Rural: Rural Residential (R:RR), Rural Community: Very Low Density Residential (RC:VLDR), Rural Community: Low Density Residential (RC:LDR) to the south, Community Development: Very Low Density Residential (CD:VLDR), Community Development: Low Density Residential (CD:LDR), Community Development: Medium Density Residential (CD:MDR), Community Development: Highest

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3. Existing Zoning (Ex. #2):

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- 3. Proposed Zoning (Ex. #2):
- 4. Surrounding Zoning (Ex. #2):

5. Existing Land Use (Ex. #1):

6. Surrounding Land Use (Ex. #1):

Density Residential (CD:HHDR), Community Development: Commercial Retail (CD:CR), Community Development: Light Industrial (CD:LI) to the west

Light Agriculture - 10-acre minimum (A-1-10), Heavy Agriculture - 10-acre minimum (A-2-10), Light Agriculture with Poultry (A-P), Scenic Highway Commercial (C-P-S), Rural Commercial (C-R), Manufacturing - Service Commercial (M-SC), Residential Agricultural (R-A), Residential Agricultural, 1-acre minimum (R-A-1), Residential 10-acre minimum Agricultural. (R-A-10), Residential Agricultural, 2 1/2-acre minimum (R-A-Rural Residential (R-R), One-Family Dwellings (R-1), Highest Density Residential (R-7), and Natural Assets, 640-acre minimum lot size (N-A-640)

Specific Plan

Natural Assets – 640 Acre Minimum (N-A-640), Light Agriculture – 10 Acre Minimum (A-1-10), Heavy Agriculture 10 Acre Minimum (A-2-10) to the north, Controlled Development Areas (W-2) and the City of San Jacinto to the east, Residential Agricultural (R-A), Residential Agricultural – 1 Acre Minimum (R-A-1), Residential Agricultural – 2 ½ Acre Minimum (R-A-2 ½), Residential Agricultural – 10 Acre Minimum (R-A-10) to the south, Residential Agricultural (R-A), Highest Density Residential (R-7), One Family Dwelling (R-1) to the west

Existing land uses on site include the McAnally chicken ranch which will be demolished and removed, the Metropolitan Water District (MWD) Colorado River aqueduct and basin which will continue to be owned by MWD and will remain, a thoroughbred farm which will be removed, an abandoned RV park which will be demolished, a portion of the Lakeview Mountains which will be retained in open space, and vacant or farm land upon which the project will be constructed.

City of Jan Jacinto to the east, existing large lot single family residential to the west, the Lakeview Mountains south, and the San Jacinto Wildlife Area and existing dairies to the north. Uses on site include an abandoned RV park, the McAnally Chicken Ranch, agriculture, vacant land, single family residential and the an MWD Aqueduct

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7. Project Data: Original Specific Plan: Total Acreage: 2,786

Total Maximum Units: 11.350

Total Maximum Non-Residential Area:

500,000 square feet Specific Plan Alternative 7 Total Acreage: 2,883

Total Maximum Units: 8,725

Total Maximum Non-Residential Area: 1,380,000

square feet

8. Environmental Concerns: See Environmental Impact Report

#### **RECOMMENDATIONS:**

STAFF RECOMMENDS THAT THE PLANNING COMMISSION MAKE THE FOLLOWING RECOMMENDATIONS TO THE BOARD OF SUPERVISORS:

**<u>DENY</u> SPECIFIC PLAN NO. 342** as proposed by the applicant, based on the findings and conclusions incorporated in the staff report; and,

**TENTATIVELY CERTIFY ENVIRONMENTAL IMPACT REPORT NO. 471**, based on the findings and conclusions incorporated in the EIR, and subject to resolution adoption by the Riverside County Board of Supervisors; and,

TENTATIVELY APPROVE GENERAL PLAN AMENDMENT NO. 720, consistent with Alternative 7 and amending the General Plan Land Use designation for the subject property as reflected in the Specific Plan Land Use Plan and Figure 3 of the Lakeview Nuevo Area Plan and other related tables and figures, based upon the findings and conclusions incorporated in the staff report, pending final adoption of the General Plan Amendment Resolution by the Board of Supervisors; and,

<u>TENTATIVELY APPROVE</u> GENERAL PLAN AMENDMENT NO. 721 consistent with Alternative 7 and, amending the General Plan Circulation Element Figures 7 and 8 and other related tables and figures to as shown on Exhibits B.2.6B and B.8.18B of the Specific Plan, based upon the findings and conclusions incorporated in the staff report, pending final adoption of the General Plan Amendment Resolution by the Board of Supervisors; and,

<u>TENTATIVELY APPROVE</u> ALTERNATIVE 7 AS SPECIFIC PLAN NO. 342, subject to the attached conditions of approval and based on the findings and conclusions incorporated in the staff report; and, pending adoption of the Specific Plan Resolution by the Board of Supervisors; and,

<u>TENTATIVELY APPROVE</u> CHANGE OF ZONE NO. 7055, based on the findings and conclusions incorporated in the staff report, pending final adoption of the Zoning Ordinance by the Board of Supervisors; and,

<u>TENTATIVELY APPROVE</u> <u>DEVELOPMENT AGREEMENT NO. 73</u>, based on the findings and conclusions incorporated in the staff report, pending final adoption of the Development Agreement Ordinance by the Board of Supervisors.

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#### STAFF ALSO RECOMMENDS THAT THE PLANNING COMMISSION:

<u>ADOPT</u> PLANNING COMMISSION RESOLUTION NO. 2017-006 recommending adoption of General Plan Amendment No. 720, General Plan Amendment No. 721, and Alternative 7 as Specific Plan No. 342 to the Board of Supervisors.

<u>FINDINGS</u>: The following findings are in addition to those incorporated in the summary of findings and in the associated Environmental Impact Report which is incorporated herein by reference.

- 1. The project includes the following: Specific Plan No. 342 as described in Alternative 7 in EIR No. 471 and shown on the Specific Plan Land Use Plan, General Plan Amendment No. 721, General Plan Amendment No. 720, Change of Zone No. 7055 and associated zoning ordinance, and Development Agreement No. 73 (the "project").
- The project site is designated Rural: Rural Mountainous (R:RM), Rural: Rural Residential (R:RR), Rural Community: Very Low Density Residential (RC:VLDR), Agriculture (AG), Open Space: Conservation (OS:C), Community Development: Very Low Density Residential, (CD:VLDR) Community Development: Low Density Residential (CD:LDR), Community Development: Commercial Retail (CD:CR), Community Development: Light Industrial (CD:LI), and Community Development: Highest Density Residential (CD:HHDR), in the Lakeview Nuevo Area plan. Upon adoption of General Plan Amendment No. 720, the project will be consistent with the Land Uses as proposed on the Specific Plan Land Use Plan.
- 3. The project site is surrounded by properties which are designated Open Space: Conservation Habitat (OS:CH) and Agriculture (AG) to the north, Agriculture (AG) and the City of San Jacinto to the east, Rural: Rural Mountainous (R:RM), Rural: Rural Residential (R:RR), Rural Community: Very Low Density Residential (RC:VLDR), Rural Community: Low Density Residential (RC:LDR) to the south, Community Development: Very Low Density Residential (CD:VLDR), Community Development: Low Density Residential (CD:LDR), Community Development: Medium Density Residential (CD:MDR), Community Development: Highest Density Residential (CD:HHDR), Community Development: Commercial Retail (CD:CR), Community Development: Light Industrial (CD:LI) to the west, in the Lakeview Nuevo Area plan.
- 4. The following findings support the approval of General Plan Amendment No. 720 Technical Amendment pursuant to Ordinance No. 348 Sections 2.4.C.1.a., c., and e.:
  - a) The technical amendment would not change any policy direction or intent of the General Plan. The technical amendment is intended to correct the boundary of the Rural Mountainous land use designation, which pursuant to the General Plan Land Use Element Table LU-4 notes applies to areas of at least 10 acres where a minimum of 70% of the area has slopes of 25% or greater. The land use boundaries between the residential land uses and Lakeview Mountains were intended to be located at the toe-of-slope line as this was the distinction between mountainous and non-mountainous area. The data used to determine the toe-of-slope in the General Plan were hand drawn using USGS 10-foot contours; whereas, the updated toe-of-slope line was obtained from a field survey and recently-flown aerial topography using 1-foot contours. The technical amendment would correct the boundary to reflect the actual topography and toe of slope to be consistent with the policy direction and intent of the General Plan for this land use designation. Thus, the Technical Amendment will provide for correct information and does not change the intent of the General Plan.

- c) A land use designation was based on inaccurate or misleading information originally. The land use boundaries between the residential land uses and Lakeview Mountains were intended to be located at the toe-of-slope line as this was the distinction between mountainous and non-mountainous area. The data used to determine the toe-of-slope in the General Plan was hand drawn using USGS 10-foot contours; whereas, the updated toe-of-slope line was obtained from a field survey and recently-flown aerial topography using 1-foot contours, which is more accurate. The updated, more accurate information indicates that the existing boundaries of the General Plan land use designations do not accurately reflect actual topography. The information generally results in the location of the toe of slope being moved outwards, thus reducing the amount of area designated as mountainous and increasing the amount of area designated as non-mountainous. With this General Plan Amendment, the land use designations following the base of the Lakeview Mountains are more accurately reflected.
- e) A minor change of boundary will more accurately reflect geological or topographic features. The Technical Amendment will rectify errors related to mapping which resulted in inaccuracies related to areas within the Lakeview Mountains, and those in the lowlands because the actual toe-of-slope does not match the underlying land use designations. The data used to determine the toe-of-slope in the LNAP and GP were hand drawn using USGS 10-foot contours; whereas, the updated toe-of-slope line was obtained from a field survey and recently-flown aerial topography using 1-foot contours. The land use boundaries between the residential land uses and Lakeview Mountains were intended to be located at the toe-of-slope line as this was the distinction between mountainous and non-mountainous area. This technical correction will provide an accurate representation of the topographic features in the LNAP and provide correct General Plan land use designations. Thus, the Technical Amendment will provide a point of clarification to more accurately express the General Plan's meaning and eliminate a source of confusion by providing for correct information which does not change the intent of the General Plan.
- 5. The following findings can be made in support of the General Plan Amendment No. 720 Entitlement/Policy Amendment pursuant to Ordinance No. 348 Section 2.4.C.2.a), b) and c):
  - a) The General Plan Amendment does not conflict with the Riverside County Vision; any General Planning Principle set forth in General Plan Appendix B; or any Foundation Component designation in the General Plan.

Riverside County Vision: The Riverside County Vision, in its discussion on Population Growth, specifically states, "New growth patterns no longer reflect a pattern of random sprawl. Rather, they follow a framework of transportation and open space corridors, with concentrations of development that fit into that framework. In other words, important open space and transportation corridors define growth areas." While the project is not currently located adjacent to similar type or intensity of development, the project is located on what is currently a major transportation corridor, Ramona Expressway, to justify locating such a substantial sized development along this current major transportation corridor. Beyond the existing transportation corridor, the project is located adjacent to what is anticipated to expand to an even greater transportation corridor, the Mid County Parkway, which although not fully approved and certain, is anticipated to be developed and may be considered in its current status for this project with an approved Environmental Impact Report/Environmental Impact Statement from 2015. Additionally, the project is providing for conservation areas which help serve to further secure lands as open space corridors. Further in its discussion on Population Growth, the Riverside County Vision states that the focus on growth is

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on quality development, not on halting growth. The project with its land use plan and other provisions will require the development of a well-designed, quality community. In addition, the project is designed to support a variety of transportation choices including walking, hiking, mass transit and the automobile. The project will also coordinate transportation with local and regional agencies where possible in order to maximize integration of the project with local transportation planning and implementation efforts.

On the topic of Our Communities and Their Neighborhoods, the Riverside County Vision states, "The planning process continues to refine acceptable densities as a means of accommodating additional growth so that the extensive permanent open space that now exists can be sustained." The project is an example of that with its relatively higher densities to accommodate for growth across all income groups via a variety of allowed densities while also preserving open space areas as reflected in the Specific Plan Land Use Plan. The project site utilizes the existing natural setting by incorporating a reduced development footprint that will avoid high value habitat and conserves nearly 1,000 acres of various habitats.

On the topic of Healthy Communities, the Riverside County Vision states, "Communities are developed so that they support and encourage residents to be more physically active; achieved by increasing the number of and access to active parks and trails, creating new passive open spaces, working with schools to open up school yards as parks, and promoting well balanced transportation networks with an equity between vehicle, public transit, bicycling and walking networks." The project, through its designation and distribution of active park areas, connecting trails and sidewalks, and dedication of natural open space specifically meets this provision of the Riverside County Vision. Specifically, Alternative 7 would provide 94 acres of public parkland onsite (not counting the small Neighborhood Parks around 1/3-acre in size that are also proposed by Alternative 7). Furthermore, Alternative 7 provides approximately 15.5 acres of on-site trails and approximately 5 acres of off-site multi-purpose trails.

Also within Healthy Communities, the Riverside County Vision states, "Throughout Riverside County there are hubs of complete, compact and transit-oriented communities, with a mix of housing, jobs, retail, and community facilities. These types of communities flourish because it brings housing, jobs and shopping opportunities close together to create cohesive and beautiful communities that provide for the daily needs of residents within easy walking distance of homes and workplaces." The project with its diverse land uses, both in its diversity of residential densities and the provision for retail and office uses is intended to develop such a community to meet the daily needs of residents. The mixed-use Town Center Village will be designed to discourage the use of cars and the 32-mile network of bicycle lanes, trails, and paseos leads to destinations such as the library, schools, parks, open space, and bus stops.

On the topic of Conservation and Open Space Resource System, the Riverside County vision provides, "Conserved multi-purpose open space is viewed as a critical part of Riverside County's system of public facilities and services required to improve the existing quality of life and accommodate new development." The project with its large area to be designated as open space helps secure a great deal of open space, while allowing the remaining balance of the site to be developed. Alternative 7 includes approximately 1,030 acres of open space and 79 acres of parks.

On the topic of Agricultural Lands, the Riverside County Vision states, "Many agricultural properties remain as economically productive businesses, whereas others are phasing into development through a carefully managed transition program designed to stage the transition from farming to

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clearly designated urban and suburban uses." The project is an example of such a transition which will continue to allow for agricultural uses on the property until development occurs as well as retaining areas within the project designated as Agricultural. Of the approximately 2,883-acre project site, approximately 145 acres (5 percent) would be designated for agricultural use. Moreover, it should be noted that some of the designated open space under this alternative may be used for agricultural purposes.

This is simply a sampling of the Vision topics in which the General Plan Amendment is consistent with and not an exhaustive list of Vision topics. There are no other provisions or statements within the Riverside County Vision that the General Plan Amendment is inherently inconsistent with. Therefore, General Plan Amendment No. 721 would not conflict with the Riverside County Vision.

General Planning Principle: The General Plan Amendment implements the Principle for Maturing Communities for every community to mature in its own way, at its own pace and within its own context. This Principle highlights that communities are not fixed in their development patterns, but that over time may transition, in particular to more urban intensities, while still respecting the existing communities where they meet by transitioning densities and providing buffers where appropriate. The General Plan Amendment implements the Principle for Efficient Land Use which encourages compact development and increased densities. The General Plan Amendment implements the Principle for Environmentally Sensitive Design which aims to preserve significant environmental features where possible through the project's inclusion of large areas of conserved open space. Similarly, General Plan Amendment implements the Principle for Habitat Preservation which seeks preservation of natural systems through the project's inclusion of large areas or conserved open space. The General Plan Amendment implements the Principle for Community Open Space with its provision of a number of designated park areas that would provide a variety of amenities and facilities. The General Plan Amendment meets the General Plan Principle of encouraging a wide range of housing opportunities for residents in a wider range of economic circumstances. This is simply a sampling of the Principles in which the proposed General Plan Amendment is consistent with and not an exhaustive list of all consistent Principles. There are no other Principles that the General Plan Amendment inherently conflicts with. Therefore, General Plan Amendment No. 720 would not conflict with the Riverside County General Plan Principles

The proposed General Plan Amendment also proposes to change Foundation Components, findings to support an extraordinary foundation component amendment are provided below.

- b) The project would either contribute to the purposes of the General Plan or, at a minimum, not be detrimental to the purposes of the General Plan and the Lakeview/Nuevo Area Plan. The purposes of General Plan are to set direction for land use and development in strategic locations, development of the economic base, establish a framework of the transportation system, and the preservation of extremely valuable natural and cultural resources it contains. because the project is contributing to the achievement of the purposes of the General Plan with regards to the expansion and construction of Ramona Expressway and the Mid-County Parkway and the dedication of approximately 984.5 acres to the Riverside County Multi-Species Habitat Conservation Plan.
- c) There are new conditions or special circumstances that were unanticipated in preparing the General Plan. This condition is the opportunity that is presented by having 2,883 acres under the control of one entity that wants to pursue a comprehensive master plan to address not only the land uses, but the infrastructure and open space needs as well and which in doing so will assist the County in compliance with the MSHCP and furthering the objectives of the General Plan.

Without such an extensive ownership and ability to comprehensively plan for the area, which balances out the needs for open space conservation with areas with increased intensity as well as ability to provide for necessary infrastructure to serve this intensity, such land use designations would not be as practical applied on their own. Additionally, the Environmental Impact Report for the Mid-County Parkway was acted on by the Riverside County Transportation Commission on April 8, 2015 and the Environmental Impact Statement was approved by the Federal Highway Administration on April 24, 2015 and Record of Decision was issued on August 26, 2015. This updated status of the Mid-County Parkway is a substantial threshold crossed which brings it closer to being implemented. While the project already exists on a major transportation corridor of Ramona Expressway, the updated status of Mid-County Parkway represents a new condition or circumstance to further support the development of a master planned community that would both be served by this transportation corridor and to develop higher densities around the corridor as is proposed by the project and is supported by the General Plan Vision and Principles as previously noted in subsection a.

- 6. The following findings can be made in support of the General Plan Amendment No. 720 Foundation Component Amendment Extraordinary pursuant to Ordinance No. 348 Section 2.6.F.1., 2., and 8:
  - 1) The foundation change is based on substantial evidence that new conditions or circumstances disclosed during the review process justify modifying the General Plan, that the modifications do not conflict with the overall Riverside County Vision, and that they would not create an internal inconsistency among the elements of the General Plan.

Findings related to new conditions and circumstances as well as the Riverside County Vision are provided above.

The General Plan Amendment changes the Foundation Component from a mix of Rural, Rural Community, and Open Space to Community Development. Such change does not conflict with other Elements of the General Plan. Also, with the adoption of the changes proposed in General Plan Amendment No. 721, there will be consistency between the project and the Circulation Element. As provided in Environmental Impact Report No. 471 and detailed in Environmental Impact Report Appendix N, the project would not create an internal inconsistency among the elements or any General Plan policies.

- 2) A condition exists or an event has occurred that is unusually compelling and can only be rectified by making changes in the current Riverside County Vision, General Planning Principles, or Foundation Component. The project is proposing to make changes to the project site's Foundation Components. As provided above, this condition is the opportunity that is presented by having 2,883 acres under the control of one entity that wants to pursue a comprehensive master plan to address not only the land uses, but the infrastructure and open space needs as well and which in doing so will assist the County in compliance with the MSHCP and furthering the objectives of the General Plan.
- 8) A Foundation Component change is necessary to facilitate implementation of open space or transportation corridor designations arising from the MSHCP and Community Environmental Transportation Acceptability Program (CETAP) programs that are contained in this General Plan, and that could not be accomplished by a lesser change in the General Plan. As provided above, the opportunity that is presented by having 2,883 acres under the control of one entity that wants

to pursue a comprehensive master plan to address not only the land uses, but the infrastructure and open space needs as well and which in doing so will assist the County in compliance with the MSHCP and CETAP corridor. The project leverages the unusually large size of the property under single ownership and compact building design to provide over 50% open space (conservation, parks, trails, earthen drainage channels, landscape setbacks, terrace slopes and open space). Specifically, Alternative 7 includes approximately 1,050 acres of conservation habitat. Conservation of a contiguous 900+ acre portion of the Lakeview Mountains allows implementation of the MSHCP and avoidance of sensitive species/habitats and significant cultural resources. This opportunity allows a more comprehensive analysis of biological resources and comprehensive approach to conserving open space consistent with the MSCHP. Smaller individual projects may result in a piecemeal approach when designating specific open space areas for conservation. Additionally, Alternative 7 does not include JJ Street, and therefore eliminates the need to extend the length of the undercrossing that is part of the Riverside County Transportation Commission's Mid-County Parkway project, in order to accommodate JJ Street and to facilitate wildlife movement along PCL-20. As such, Alternative 7 reduces impacts to wildlife movement at the undercrossing by limiting the distance for wildlife to cross under the roadway.

Additionally, given the infrastructure needs and resulting costs, such smaller developments may not be at a scale to offset such costs and needed infrastructure would be delayed and frustrate the implementation of the CETAP. The opportunity to have a comprehensive master plan to develop this area, as would be allowed by the Foundation Component change, provides the ability to offset the costs of providing right-of-way for the Mid-County Parkway (pursuant to provisions within the Development Agreement). Without this provision, such right-of-way would have to be obtained through purchase of the right-of-way, which could be costly and could delay the Mid-County Parkway's construction.

- 7. The following findings can be made in support of the General Plan Amendment No. 720 Agricultural Foundation Component Amendment pursuant to Ordinance No. 348 Section 2.7.B and E:
  - Pursuant to Ordinance No. 348 Section 2.7.B.3, a maximum of 7% of the Agricultural Foundation acreage shall be generally authorized for conversion from the Agriculture Foundation Component to any other Foundation Component within a 2 1/2 year period. The proposed amendment to the Agricultural Foundation Component would be within the July 1, 2016 to December 31, 2018 2 ½ year cycle. At the start of the current 2 ½ year cycle, the total acreage within Area C of Riverside County (consisting of western Riverside County which excludes the Western Coachella Valley, Eastern Coachella Valley, Desert Center, and Palo Verde Valley Area Plans) was 29,498.94 acres. Within this time period, no other changes to the Agricultural Foundation Component have already occurred. The current change to convert 826 acres from Agricultural Foundation to Community Development represent a 2.8% change to the total acreage of the Agricultural Foundation Component. Additionally, prior cycles have resulted in changes to the Agricultural Foundation Component that have been below the 7% maximum per cycle to convert to another Foundation Component, which is allowed to roll over to subsequent cycles as unutilized Therefore, the proposed change to the Agricultural Foundation Component Amendment would not result in a greater than 7% conversion of Agricultural Foundation Component designated area to another Foundation Component.
  - E) As provided above, the General Plan Amendment would either contribute to the achievement of the purposes of the General Plan or, at a minimum, not be detrimental to them.

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- 8. The following findings can be made in support of the General Plan Amendment No. 721 Entitlement/Policy Amendment pursuant to Ordinance No. 348 Section 2.4:
  - a) The General Plan Amendment does not conflict with the Riverside County Vision; any General Planning Principle set forth in General Plan Appendix B; or any Foundation Component designation in the General Plan.

Riverside County Vision: On the topic of Transportation, the Riverside County Vision provides, "Investment in, and expansion of, the existing freeway and arterial street networks continue to be a critical part of our comprehensive transportation system development." The project would further refine this system and provide for implementation of not just the roadways, but also area trails. General Plan Amendment No. 721 modifies the Circulation Plan as shown on Figure 7 and Trails and Bikeway System as shown on Figure 8 of the Lakeview Nuevo Area Plan relative to the specific location of roads and trails, the expansion of arterial street networks will occur as outlined in the Riverside County Vision through the Specific Plan and further implementing development. The project will be implementing the vision through a more comprehensive plan of trails for the area and through improvements to roads as shown and required in the Specific Plan.

This is simply a sampling of the Vision topics related to the Circulation Element General Plan Amendment in which the proposed General Plan Amendment is consistent with and not an exhaustive list of Vision topics. There are no other provisions or statements within the Riverside County Vision that the proposed General Plan Amendment is inherently inconsistent with. Therefore, the proposed General Plan Amendment would not conflict with the Riverside County Vision.

- b) General Planning Principle: The General Plan Amendment implements the Principle for Transportation Corridors III.B.1, specifically, the need for new transportation corridors with a mix of modes of transportation. The General Plan Amendment with its modified locations of roads and trails and the related Specific Plan implements this by accommodating further development of Ramona Expressway and providing for area trails and mass transit opportunities with the clustered areas of development around the Town Center area of the project. The Principle for Street Standards which notes that local street standards warrant a review to allow alternative designs to allow for creative street design while allowing for public safety is specifically implemented by the General Plan Amendment through its revised alignments and street standards specifically implements this principle. This is simply a sampling of the Principles in which the proposed General Plan Amendment is consistent with and not an exhaustive list of all consistent Principles. There are no other Principles that the proposed General Plan Amendment inherently conflicts with. Therefore, General Plan Amendment No. 721 would not conflict with the Riverside County General Plan Principles
- c) Foundation Component: General Plan Amendment No. 721 does not change a Foundation Component. However, General Plan Amendment No. 721 is part of the overall project which also includes General Plan Amendment No. 720 which does modify Foundation Components as described above. Findings to support an extraordinary foundation component amendment are provided above.
- d) The project would either contribute to the purposes of the General Plan or, at a minimum, not be detrimental to the purposes of the General Plan and the Lakeview/Nuevo Area Plan because

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the project, which this General Plan Amendment is a part of, is contributing to the achievement of the purposes of the General Plan with regards to the expansion and construction of the Ramona Expressway and the dedication of approximately 895 acres to the Riverside County Multi-Species Habitat Conservation Plan.

- There are new conditions or special circumstances that were unanticipated in preparing e) the General Plan. This condition is the opportunity that is presented by having 2,883 acres under the control of one entity that wants to pursue a comprehensive master plan to address not only the land uses, but the infrastructure and open space needs as well and which in doing so will assist the County in compliance with the MSHCP and furthering the objectives of the General Plan. Without such an extensive ownership and ability to comprehensively plan for the area, which balances out the needs for open space conservation with areas with increased intensity as well as ability to provide for necessary infrastructure to serve this intensity, such land use designations would not be as practical applied on their own. Additionally, the Environmental Impact Report for the Mid-County Parkway was acted on by the Riverside County Transportation Commission on April 8, 2015 and the Environmental Impact Statement was approved by the Federal Highway Administration on April 24, 2015 and Record of Decision was issued on August 26, 2015. This updated status of the Mid-County Parkway is a substantial threshold crossed which brings it closer to being implemented. While the project already exists on a major transportation corridor of Ramona Expressway, the updated status of Mid-County Parkway represents a new condition or circumstance to further support the development of a master planned community that would both be served by this transportation corridor and to develop higher densities around the corridor as is proposed by the project and is supported by the General Plan Vision and Principles as previously noted in finding 5.a).
- The project would change the land use designation of a 2.56-acre area from Highest Density 9. Residential to Mixed Use as shown in the proposed Specific Plan land use plan. Similarly, the zoning classification of the area is currently zoned Highest Density Residential (R-7) and is proposed to change to Specific Plan (SP). The Highest Density Residential (R-7) zoning classification is an implementation of the Housing Element to designate adequate properties for a certain level of density to achieve affordable housing goals and the Regional Housing Needs Assessment (RHNA) for the County of Riverside. This particular site could accommodate up to 102 units for affordable housing assuming a maximum density of 40 dwelling units per acre. Although the project would change this from HHDR and R-7 to another land use designation and zoning that would not provide for similar development potential on that particular site, through the overall Specific Plan and Development Agreement a minimum of 872 dwelling units are required to be developed at a density between 20 to 40 dwelling units per acre to provide an opportunity for for affordable housing. This provision through the Specific Plan and Development Agreement would more than balance out the loss of affordable housing units from this particular site, and allows the project to still be consistent with the General Plan Housing Element.
- 10. This project is primarily located within a Community Development Overlay of the General Plan. This overlay generally allows for Community Development land use designations to be applied through General Plan Amendments where Rural, Rural Community, Agriculture, or Open Space Foundation Component areas exist. The project implements this with its proposal for Community Development land use designations.
- 11. The zoning for the subject site is Light Agriculture 10-acre minimum (A-1-10), Heavy Agriculture 10-acre minimum (A-2-10), Light Agriculture with Poultry (A-P), Scenic Highway Commercial (C-

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- P-S), Rural Commercial (C-R), Manufacturing Service Commercial (M-SC), Residential Agricultural (R-A), Residential Agricultural, 1-acre minimum (R-A-1), Residential Agricultural, 10-acre minimum (R-A-10), Residential Agricultural, 2 ½-acre minimum (R-A-2½), Rural Residential (R-R), One-Family Dwellings (R-1), Highest Density Residential (R-7), and Natural Assets, 640-acre minimum lot size (N-A-640).
- 12. The project site is surrounded by properties which are zoned Natural Assets 640 Acre Minimum (N-A-640), Light Agriculture 10 Acre Minimum (A-1-10), Heavy Agriculture 10 Acre Minimum (A-2-10) to the north, Controlled Development Areas (W-2) and the City of San Jacinto to the east, Residential Agricultural (R-A), Residential Agricultural 1 Acre Minimum (R-A-1), Residential Agricultural 2½ Acre Minimum (R-A-2½), Residential Agricultural 10 Acre Minimum (R-A-10) to the south, Residential Agricultural (R-A), Highest Density Residential (R-7), One Family Dwelling (R-1) to the west.
- 13. The current land uses on surrounding parcels include vacant land in the City of Jan Jacinto to the east, existing large lot single family residential to the west, the Lakeview Mountains south, and the San Jacinto Wildlife Area and existing dairies to the north. Uses on site include an abandoned RV park, the McAnally Chicken Ranch, agriculture, vacant land, single family residential and the an MWD Aqueduct.
- 14. This project is located within several Criteria Areas of the Multi-Species Habitat Conservation Plan, and as such has been required to complete the Habitat Assessment Negotiation Strategy (HANS #313) and the Joint Project Review (JPR) process with the Regional Conservation Authority (RCA) pursuant to the RCA JPR letter dated June 16, 2008. A total of 984.5 acres of conservation is required within the boundaries of this project. The RCA determined that the project will provide adequate conservation for applicable core, habitat block, linkage, and criteria cells in the Specific Plan area and is consistent with the MSHCP reserve assembly requirements.
- 15. This project is located within the Stephen's Kangaroo Rat Fee Area and will be subject to applicable fees pursuant to Riverside County Ordinance No. 663 (Condition 30.PLANNING.28).
- 16. This Specific Plan is located with areas designated as Very High and Moderate fire hazard severity as well as areas with no fire hazard severity designation. The areas within Very High and Moderate fire hazard severity designated areas are located primarily within State Responsibility Areas with some smaller areas located within Local Responsibility Areas. No subdivisions are proposed at this time, but future subdivisions will be required to comply with the provisions of Government Code section 66474.02
- 17. Fire protection and suppression services will be available for the Specific Plan through Riverside County Fire Department.
- 18. Development Agreement No. 73 ("DA") is consistent with the General Plan, public health, safety, and general welfare. The express terms of the DA grants the applicant a vested right to develop the Project in accordance with existing land use regulations, including in accordance with the General Plan. The conditions of approval and mitigation measures, the approvals of which are incorporated in the exhibits of the DA, ensure that the Specific Plan is developed in a way that is consistent with public health, safety and general welfare. Moreover, the DA will provide significant public benefits. All of these agreement provisions ensure that the DA will provide significant benefits.

19. Environmental Impact Report (EIR) No. 471 was prepared and circulated in compliance with the California Environmental Quality Act (CEQA). All potentially significant effects have been adequately analyzed in the EIR pursuant to applicable legal standards, and most have been avoided or mitigated, including mitigation measures that are required for the project. However, the impacts to Aesthetics, Agricultural and Forestry Resources, Air Quality, Cultural Resources, Noise, Population/Housing, Transportation/Traffic, Utilities, and Greenhouse Gas Emissions cannot be mitigated to below a level of significance after the implementation of relevant standard conditions of approval, regulations, and feasible mitigation measures as identified in the Draft EIR and Final EIR. A Final EIR has been prepared and includes responses to comments received during the comment period. EIR Alternative 7 is the environmentally superior alternative compared to the applicant proposed Specific Plan.

#### **CONCLUSIONS:**

- Upon adoption of General Plan Amendments No. 720 and 721 the project will be in conformance with the Land Use Designations as illustrated in the Specific Plan Land Use Plan, and with all other elements of the Riverside County General Plan.
- 2. Upon adoption of the proposed zone change, the project will be consistent with the Specific Plan (SP) zoning classification of Ordinance No. 348.
- 3. Upon adoption of the proposed Specific Plan zoning ordinance text the project is consistent with all other applicable provisions of Ordinance No. 348.
- 4. The Environmental Impact Report has determined that most potential adverse impacts can be mitigated to a level of less than significant by the recommended mitigation measures. However, overriding considerations will be required for the following unavoidable adverse impacts: Aesthetics, Agricultural and Forestry Resources, Air Quality, Cultural Resources, Noise, Population/Housing, Transportation/Traffic, Utilities, and Greenhouse Gas Emissions. These overriding considerations will be included in the Board of Supervisors resolution certifying the EIR.
- 5. The public's health, safety, and general welfare are protected through project design.
- 6. The project is conditionally compatible with the present and future logical development of the area.
- 7. The project will potentially have a significant effect on the environment.
- 8. The project will not preclude reserve design for the Western Riverside County Multi-Species Habitat Conservation Plan (WRCMSHCP).

#### **INFORMATIONAL ITEMS:**

- The project site is not located within:
  - a. The City of Perris sphere of influence;
  - b. The City of San Jacinto sphere of influence;
  - c. An Alquist-Priolo earthquake fault hazard study zone;
  - d. A dam inundation area;
  - e. A Redevelopment area; or,

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- f. An airport influence area.
- 2. The project site is located within:
  - a. The boundaries of the Nuview Elementary School District;
  - b. The boundaries of the Perris Union High School District;
  - c. The boundaries of Community Service Area 146;
  - d. A 100-year flood plain, partially;
  - e. The Lakeview/Nuevo Area Drainage Plan (ADP):
  - f. The Stephens Kangaroo Rat Fee Area;
  - g. A Very High Fire Area, partially;
  - h. Sixteen Western Riverside County MSHCP Criteria Cells; and,
  - i. A low and moderate potential liquefaction area.
- 3. The subject site is currently designated as Assessor's Parcel Numbers 425-100-002, 425-100-015, et al.

Date Prepared: 06/02/17 Date Revised: 09/26/17

### Planning Commission

**County of Riverside** 

#### **RESOLUTION 2017-006**

#### RECOMMENDING ADOPTION OF

### GENERAL PLAN AMENDMENT NO. 720,

### GENERAL PLAN AMDENDMENT NO. 721, AND

#### **SPECIFIC PLAN NO. 342**

WHEREAS, pursuant to the provisions of Government Code Section(s) 65350/65450 et. seq., a public hearing was held before the Riverside County Planning Commission in Riverside, California on September 6, 2017 and October 4, 2017, to consider the above-referenced matter; and,

WHEREAS, all the procedures of the California Environmental Quality Act and the Riverside County Rules to Implement the Act have been met and the environmental document prepared or relied on is sufficiently detailed so that all the potentially significant effects of the project on the environment and measures necessary to avoid or substantially lessen such effects have been evaluated in accordance with the above-referenced Act and Procedures; and,

WHEREAS, the matter was discussed fully with testimony and documentation presented by the public and affected government agencies; now, therefore,

**BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Planning Commission of the County of Riverside, in regular session assembled on September 6, 2017 and October 4, 2017, that it has reviewed and considered the environmental document prepared or relied on and recommends the following, based on the findings and conclusions in the staff report and incorporated herein by reference:

ADOPTION of a resolution certifying the environmental document, ENVIRONMENTAL IMPACT REPORT NO. 471;

APPROVAL of SPECIFIC PLAN NO. 342;

APPROVAL of GENERAL PLAN AMENDMENT NO. 720; and

APPROVAL of GENERAL PLAN AMENDMENT NO. 721.

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#### ORDINANCE NO. 348.XXXX

### AN ORDINANCE OF THE COUNTY OF RIVERSIDE

#### AMENDING ORDINANCE NO. 348 RELATING TO ZONING

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The Board of Supervisors of the County of Riverside Ordains as Follows:

Section 4.1 of Ordinance No. 348, and Official Zoning Plan Map No.2., as Section 1. amended, are further amended by placing in effect in the Hemet-San Jacinto Zoning District, and the Lakeview Zoning Area, zone or zones as shown on the map entitled 'Change of Official Zoning Plan Amending Ordinance No. 348, Map No. XXXX, Change of Zone Case No. 7055', which map is made a part of this ordinance.

Section 2. Article XVIIa of Ordinance No. 348 is amended by adding thereto a new Section 17.114 to read as follows:

Section 17.114 SP ZONE REQUIREMENTS AND STANDARDS FOR SPECIFIC PLAN NO. 342.

#### Planning Areas 50A, 50B, 50D, 50E, 50F, 50G, 50H, and 50J. a.

- (1) The uses permitted in Planning Areas 50A, 50B, 50D, 50E, 50F, 50G, 50H, and 50J of Specific Plan No. 342 shall be the same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No. 348, except that the uses permitted in Section 8.100.A.(1), (2), (3), (4), (5), (6), (8), and (9); B.(1); and C.(1) shall not be permitted. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Assistant TLMA Director – Community Development finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.
- The development standards for Planning Areas 50A, 50B, 50D, 50E, 50F, (2) 50G, 50H, and 50J of Specific Plan No. 342 shall be the same standards as those identified in Article VIIIe, Section 8.101 of Ordinance No. 348.

- (3) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIIIe of Ordinance No. 348.
- b. Planning Areas 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, and 52.
  - The uses permitted in Planning Areas 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, (1) 39, 40, and 52 of Specific Plan No. 342 shall be the same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No. 348, except that the use permitted in Section 8.100.A.(8) shall not be permitted. In addition, the uses permitted in Section 8.100.A. shall include amphitheaters with nonacoustic amplifications and shielded lighting, community gardens, community theaters and arboretums, skateboard parks, driving ranges not associated with a golf course, libraries, miniature golf facilities, museums and In addition to the permitted uses provided above, uses permitted in parks. Article XIII, Section 13.1 shall be permitted on an interim basis until such time as development within Planning Areas 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, and 52 of Specific Plan No. 342 occurs except that interim uses permitted in Section 13.1.A.(10), (11), (14), and (15); B.(1), (2), (3), (4), (8), (9), and (12); and C.(1) shall not be permitted. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Assistant TLMA Director – Community Development finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.
  - (2) The development standards for the non-interim uses in Planning Areas 29, 30, 31, 32, 33, 34, 35, 37, 38, 39, 40, and 52 of Specific Plan No. 342 shall be the same standards as those identified in Article VIIIe, Section 8.101 of Ordinance No. 348.
  - (3) The development standards for the non-interim uses in Planning Area 36 of Specific Plan No. 342 shall be the same standards as those identified in

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Article VIIIe, Section 8.101 of Ordinance No. 348 except that the following development standard shall also apply:

- A. There shall be no lighting other than shielded lighting located in parking areas.
- (4) The development standards for the interim uses in Planning Areas 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, and 52 of Specific Plan No. 342 shall be the same standards as those identified in Article XIII, Section 13.2 of Ordinance No. 348.
- (5) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIIIe and Article XIII of Ordinance No. 348.

#### c. <u>Planning Areas 6, 9, 10, 15</u>

(1) The uses permitted in Planning Areas 6, 9, 10, and 15 of Specific Plan No. 342 shall be the same as those uses permitted in Article VIII, Section 8.1 of Ordinance No. 348, except that the uses permitted in Section 8.1.A.(2), (3), (6), (7), (9), (11), (13), (14), (15), (16), (17), (19), (20), (21), (22), (23), (24),(25), (27), and (28); B.; and C. shall not be permitted. In addition, the uses permitted in Section 8.1.A. shall include community association facilities, community gardens, playgrounds, temporary real estate tract offices located within a subdivision to be used only for and during the original sale of the subdivision, not to exceed five years. In addition to the permitted uses provided above, uses permitted in Article XIII, Section 13.1 shall be permitted on an interim basis until such time as develop within Planning Areas 6, 9, 10, and 15 of Specific Plan No. 342 occurs except that interim uses permitted in Section 13.1.A.(10), (11), (14), and (15); B.(1), (2), (3), (4), (8), (9), and (12); and C.(1) shall not be permitted. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Assistant TLMA Director - Community

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Development finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

- (2) The development standards for detached one family residential development within Planning Areas 6, 9, 10, and 15 of Specific Plan No. 342 shall be the same standards as those identified in Article VIII, Section 8.2. of Ordinance No. 348 except that the development standards set forth in Section 8.2. A., B., C., D., and F. shall be deleted and replaced, respectively, with each of the following:
  - A. Lot area shall be not less than two thousand (2,000') square feet with a minimum average width of thirty five feet (35') and a minimum average depth of fifty eight feet (58').
    - The front yard shall be not less than five feet (5'), measured from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure. Garages opening to the front of lots shall be setback a minimum of eighteen feet (18'). The rear yard shall be not less than three feet (3'), except that second floor living space and balconies located in the rear yard shall be permitted within one foot (1') of the rear property line. Garages opening to the rear of lots shall be setback a minimum of three feet (3') from the existing street right of way, from any future street right of way, as shown on any specific plan of highways, or from the curb of an alley. Garages opening to the rear of lots shall not be set back greater than five feet (5'), unless the setback exceeds eighteen-feet (18').
  - C. Side yards on interior and through lots shall be not less than four feet(4'). Side yards on corner and reverse corner lots shall not be less than

five feet (5') from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure, upon which the main building sides.

- D. In no case shall more than seventy-five percent (75%) of any lot be covered by a dwelling.
- F. The height of buildings shall not exceed forty five feet (45'). In addition, the following development standards shall also apply:
  - AA. The minimum frontage of a lot shall be thirty five feet (35'), except that lots fronting on knuckles or cul-de-sacs shall have a minimum frontage of thirty feet (30').
  - BB. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of one foot (1') into setbacks on one side so that one side still maintains a minimum four foot (4') setback. Media niches shall be a maximum of eight feet (8') in width. Stairways and landings shall be allowed to encroach a maximum of one foot (1') into setbacks. Cornices and canopies shall be allowed to encroach a maximum of one foot (1') into setbacks. Eaves shall be allowed to encroach a maximum of three feet (3') into setbacks. No second floor structural encroachments shall be permitted within one foot (1') of the rear property line. No other structural encroachments shall be permitted in the front, rear or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.
  - CC. Applications for subdivisions for detached one family residential development shall also submit a plot plan application which will include the conceptual design of dwellings including, but not limited to, elevations and floorplans. The plot plan shall also include the

design of any other common buildings and facilities for conceptual design approval. Planned Residential Development applications shall not be required.

- DD. The minimum private open space area for each lot or dwelling shall be one hundred fifty (150) square feet with minimum dimensions of ten feet (10') by eight feet (8'). This minimum private open space area and dimensions shall be relatively flat and not encumbered by retaining walls, slopes, or other obstructions.
- EE. A minimum six foot (6') high screen wall shall be located adjacent to any lower density Planning Area within Specific Plan No. 342 or any residential zone outside the boundary of Specific Plan No. 342.
- FF. Tandem garages are permitted.
- (3) The development standards for attached multiple family residential development and non-residential development in Planning Areas 6, 9, 10, and 15 of Specific Plan No. 342 shall be the same as those standards identified in Article VIII, Section 8.2. of Ordinance No. 348 except that the development standards set forth in Section 8.2. A., B., C., D., and F. shall be deleted and replaced, respectively, with each of the following:
  - A. Lot area shall be not less than two thousand (2,000') square feet with a minimum average width of thirty five feet (35') and a minimum average depth of fifty eight feet (58').
  - B. The front yard shall be not less than five feet (5'), measured from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure. Garages opening to the front of lots shall be setback a minimum of eighteen feet (18'). The rear yard shall be not less than three feet (3'), except that second floor living space and balconies located in the rear yard shall be permitted within one foot

- (l') of the rear property line. Garages opening to the rear of lots shall be setback a minimum of three feet (3') from the existing street right of way, from any future street right of way, as shown on any specific plan of highways, or from the curb of an alley. Garages opening to the rear of lots shall not be set back greater than five feet (5'), unless the setback exceeds eighteen-feet (18').
- C. Side yards on interior and through lots shall be not less than four feet (4'). Side yards on corner and reverse corner lots shall not be less than five feet (5') from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure, upon which the main building sides.
- D. In no case shall more than seventy-five percent (75%) of any lot be covered by a dwelling.
- F. The height of buildings shall not exceed forty five feet (45'). In addition, the following development standards shall also apply:
  - AA. The minimum frontage of a lot shall be twenty five feet (25'), except that lots fronting on knuckles or cul-de-sacs shall have a minimum frontage of twenty feet (20').
  - BB. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of one foot (1') into setbacks on one side so that one side still maintains a minimum four foot (4') setback. Media niches shall be a maximum of eight feet (8') in width. Stairways and landings shall be allowed to encroach a maximum of one foot (1') into setbacks. Cornices and canopies shall be allowed to encroach with no maximum requirement into setbacks. Eaves shall be allowed to encroach with no maximum requirement into setbacks. No second floor structural

encroachments shall be permitted within one foot (1') of the rear property line. No other structural encroachments shall be permitted in the front, rear or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.

- CC. The minimum private open space area for each lot, dwelling, or dwelling unit on the ground floor shall be eighty (80) square feet with minimum dimensions of eight feet (8') by five feet (5'). The minimum private open space area for each lot, dwelling, or dwelling unit on second stories or greater shall be forty (40) square feet with minimum dimensions of seven feet (7') by four feet (4'). These minimum private open space areas and dimensions shall be relatively flat and not encumbered by retaining walls, slopes, or other obstructions.
- DD. A minimum six foot (6') high screen wall shall be located adjacent to any lower density zone.
- EE. The maximum number of units within a building shall not exceed eighteen (18).
- FF. Tandem garages are permitted.
- (4) The development standards for the interim uses in Planning Areas 6, 9, 10, and 15 of Specific Plan No. 342 shall be the same standards as those identified in Article XIII, Section 13.2 of Ordinance No. 348.
- (5) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIII and Article XIII of Ordinance No. 348.
- d. Planning Areas 1, 2, 3, 4, 5, 8, 11, 12, and 14.
  - (1) The uses permitted in Planning Areas 1, 2, 3, 4, 5, 8, 11, 12, and 14 of Specific Plan No. 342 shall be the same as those uses permitted in Article VIII, Section 8.1 of Ordinance No. 348, except that the uses permitted in Section 8.1.A.

(1), (2), (3), (10), (11), (13), (14), (15), (17), (19), (20), (21), (24), (25), (27)and (28); B.(1), (2), and (3); and C. shall not be permitted. In addition, the uses permitted in Section 8.1.A. shall include community association facilities, community gardens, and temporary real estate tract offices located within a subdivision to be used only for and during the original sale of the subdivision, not to exceed a total of five years. In addition to the permitted uses provided above, uses permitted in Article XIII, Section 13.1 shall be permitted on an interim basis until such time as development within Planning Areas 1, 2, 3, 4, 5, 8, 11, 12, and 14 of Specific Plan No. 342 occurs except that interim uses permitted in Section 13.1.A.(10), (11), (14), and (15); B.(1), (2), (3), (4), (8), (9) and (12); and C.(1) shall not be permitted. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Assistant TLMA Director – Community Development finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

- (2) The development standards for detached multiple family residential development and non-residential development within Planning Areas 1, 2, 3, 4, 5, 8, 11, 12, and 14 of Specific Plan No. 342 shall be the same as those standards identified in Article VIII, Section 8.2. of Ordinance No. 348 except that the development standards set forth in Article VIII, Section 8.2. A., B., C., D., and F. shall be deleted and replaced, respectively, with each of the following:
  - A. There is no minimum lot area, average lot width or average lot depth.
  - B. The minimum front and rear building setbacks from exterior or interior streets and boundary lines shall be five feet (5'). The minimum front and rear building setbacks from interior private streets

or driveways shall be five feet (5') as measured from the curb. Garages opening to the front or rear of lots shall be setback a minimum of three feet (3') from interior private streets or driveways or from the curb of an alley. Garages opening to the front or rear of lots shall not be set back greater than five feet (5'), unless the setback exceeds eighteen feet (18').

- C. The minimum side yard building setbacks from exterior or interior streets and boundary lines shall be five feet (5'). The minimum side yard building setback from an interior private streets or driveways shall be five feet (5') as measured from the curb. Garages opening to the side of lots shall be setback a minimum of three feet (3') from the interior private streets or driveways or from the curb of an alley. Garages opening to the side of lots shall not be set back greater than five feet (5'), unless the setback exceeds eighteen feet (18').
- D. In no case shall more than ninety-five percent (95%) of any lot be covered by a dwelling.
- F. The height of buildings shall not exceed three (3) stories or fifty feet (50').

In addition, the following development standards shall also apply:

AA. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of one foot (1') into setbacks on one side so that one side still maintains a minimum four foot (4') setback. Media niches shall be a maximum of eight feet (8') in width. Stairways and landings shall be allowed to encroach a maximum of one foot (1') into setbacks. Cornices and canopies shall be allowed to encroach with no maximum requirement into setbacks. Eaves shall be allowed to encroach with no maximum requirement into setbacks. Second floor

structural encroachments shall be permitted with no maximum setback. No other structural encroachments shall be permitted in the front, rear or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.

- BB. The minimum private open space area for each lot, dwelling, or dwelling unit shall be fifty (50) square feet with minimum dimensions of six feet (6') by six feet (6'). This minimum private open space area and dimensions shall be relatively flat and not encumbered by retaining walls, slopes, or other obstructions. Open space may be located on rooftop if accessible directly by unit.
- CC. The distance between buildings shall be no less than six feet (6').
- DD. A minimum six foot (6') high screen wall shall be located adjacent to any lower density Planning Area within Specific Plan No. 342 or any residential zone outside the boundary of Specific Plan No. 342.
- EE. Tandem garages are permitted.
- (3) The development standards for the interim uses in Planning Areas 1, 2, 3, 4, 5, 8, 11, 12, and 14 of Specific Plan No. 342 shall be the same standards as those identified in Article XIII, Section 13.2 of Ordinance No. 348.
- (4) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIII and Article XIII of Ordinance No. 348.

#### e. Planning Areas 7 and 13.

(1) The uses permitted in Planning Areas 7 and 13 of Specific Plan No. 342 shall be the same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the uses permitted in Section 6.1.B.(1) and (2); and C.(1) shall not be permitted. In addition, the uses permitted in Section 6.1.A. shall include multiple family dwellings, community association facilities, parks, community gardens, and temporary real estate tract offices located within a

subdivision to be used only for and during the original sale of the subdivision, not to exceed five years. In addition to the permitted uses provided above, uses permitted in Article XIII, Section 13.1 shall be permitted on an interim basis until such time as development within Planning Areas 7 and 13 occurs except that uses permitted in Section 13.1A. (10), (11), (14), and (15); B.(1), (2), (3, (4), (8), (9) and (12); and C.(1) shall not be permitted. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Assistant TLMA Director – Community Development finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

- (2) The development standards for detached one family residential development within Planning Areas 7 and 13 of Specific Plan No. 342 shall be the same standards as those identified in Article VI, Section 6.2. of Ordinance No. 348 except that the development standards set forth in Article VI, Section 6.2. B., C., D., E., and G. shall be deleted and replaced, respectively, with each of the following:
  - B. Lot area shall be not less than two thousand eight hundred (2,800') square feet.
  - C. The minimum average width of each lot shall be forty feet (40') and the minimum average depth shall be seventy feet (70').
  - D. The minimum frontage of a lot shall be thirty five feet (35'), except that lots fronting on knuckles or cul-de-sacs shall have a minimum frontage of thirty feet (30').
  - E. The front yard shall be not less than eight feet (8'), measured from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the

proposed structure. Porches in the front of the structure may encroach five feet (5') into the front yard setback. Garages opening to the front of lots shall be setback a minimum of eighteen feet (18'). Side yards on interior and through lots shall be not less than five feet (5'). Side yards on corner and reverse corner lots shall not be less than five feet (5') from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure, upon which the main building sides. The rear yard shall be not less than ten feet (10'), except that second floor living space and balconies located in the rear yard shall be permitted to encroach one foot (1') into the setback. Garages opening to the rear of lots shall be setback a minimum of three feet (3') from the existing street right of way, from any future street right of way, as shown on any specific plan of highways, or from the curb of an alley. Garages opening to the rear of lots shall not be set back greater than five feet (5'), unless the setback exceeds eighteen-feet (18').

G. In no case shall more than sixty percent (60%) of any lot be covered by a dwelling footprint.

In addition, the following development standards shall also apply:

AA. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two and one half feet (2½') into setbacks. At least one side of the structure shall maintain a four foot (4') setback regardless of encroachments. Media niches shall be a maximum of eight feet (8') in width. Stairways and landings shall be allowed to encroach a maximum of three feet (3') into setbacks. Cornices and canopies shall be allowed to encroach a maximum of one foot (1') into setbacks. Eaves shall be allowed to encroach a maximum of three-feet (3') into

setbacks. No second floor structural encroachments shall be permitted within one foot (1') of the rear property line. No other structural encroachments shall be permitted in the front, rear or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.

- BB. The minimum private open space area for each lot or dwelling shall be two hundred (200') square feet with minimum dimensions of ten (10') feet by eight (8') feet. This minimum private open space area and dimensions shall be relatively flat and not encumbered by retaining walls, slopes, or other obstructions.
- CC. Applications for subdivisions for detached one family residential development shall also submit a plot plan application which will include the conceptual design of dwellings including, but not limited to, elevations and floorplans. The plot plan shall also include the design of any other common buildings and facilities for conceptual design approval. Planned Residential Development application shall not be required.
- DD. Tandem garages are permitted.
- (3) The development standards for attached multiple family residential development in Planning Areas 7 and 13 of Specific Plan No. 342 shall be subject to the standards set forth in Article VI, Section 6.2 of Ordinance No. 348 except that the standards set forth in Section Article VI, Section 6.2. B., C., D., E., and G. shall be deleted and replaced, respectively, with each of the following:
  - B. Lot area shall be not less than two thousand eight hundred (2,800') square feet.
  - C. The minimum average width of each lot shall be forty feet (40') and the minimum average depth shall be seventy feet (70').

- D. The minimum frontage of a lot shall be thirty five (35') feet, except that lots fronting on knuckles or cul-de-sacs shall have a minimum frontage of thirty feet (30').
- E. The front yard shall be not less than three feet (3'), measured from the exterior door to the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure. Garages opening to the front of lots shall be setback a minimum of eighteen feet (18'). Side yards on interior and through lots shall be not less than five feet (5'). Side yards on corner and reverse corner lots shall not be less than five feet (5') from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure, upon which the main building sides. The rear yard shall be not less than three feet (3'), except that second floor living space and balconies located in the rear yard shall be permitted to encroach one foot (1') into the setback. Garages opening to the rear of lots shall be setback a minimum of three feet (3') from the existing street right of way, from any future street right of way, as shown on any specific plan of highways, or from the curb of an alley. Garages opening to the rear of lots shall not be set back greater than five feet (5'), unless the setback exceeds eighteen feet (18').
- G. In no case shall more than sixty percent (60%) of any lot be covered by a dwelling footprint.

In addition, the following development standards shall also apply:

AA. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two and one half feet (2½') into setbacks. At least one side of the structure shall maintain a four foot (4') setback regardless

of encroachments. Media niches shall be a maximum of eight feet (8') in width. Stairways and landings shall be allowed to encroach a maximum of three feet (3') into setbacks. Cornices and canopies shall be allowed to encroach with no maximum requirement into setbacks. Eaves shall be allowed to encroach with no maximum requirement into setbacks. Second floor structural encroachments shall be permitted with no maximum setback. No other structural encroachments shall be permitted in the front, rear or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.

- BB. The minimum private open space area for each lot or dwelling shall be one hundred twenty (120') square feet with minimum dimensions of ten feet (10') by eight feet (8'). This minimum private open space area and dimensions shall be relatively flat and not encumbered by retaining walls, slopes, or other obstructions. Open space may be located on rooftop if accessible directly by dwelling unit.
- CC. The distance between buildings shall be no less than six feet (6').
- DD. Internal walkways shall be installed at a minimum width of four feet (4') between dwelling units and recreational areas.
- EE. A minimum six foot (6') high screen wall shall be located adjacent to any lower density Planning Area within Specific Plan No. 342 or any residential zone outside the boundary of Specific Plan No. 342.
- FF. Tandem garages are permitted.
- GG. Applications for subdivisions for multiple family residential development shall also submit a plot plan application which will include the conceptual design of dwellings including, but not limited to, elevations and floorplans. The plot plan shall also include the

design of any other common buildings and facilities for conceptual design approval. Planned Residential Development application shall not be required.

- (4) The development standards for the interim uses in Planning Areas 7 and 13 of Specific Plan No. 342 shall be the same standards as those identified in Article XIII, Section 13.2 of Ordinance No. 348.
- (5) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VI and Article XIII of Ordinance No. 348.

# f. Planning Areas 16, 18, 19, 21, 22, and 23.

(1) The uses permitted in Planning Areas 16, 18, 19, 21, 22, and 23 of Specific Plan No. 342 shall be the same as those uses permitted in Article IX, Section 9.1 of Ordinance No. 348 except that the uses permitted in Section 9.1.A. (1), (6), (7), (17), (18), (19), (23), (29), (33), (42), (44), (54), (61), (72), (84), (92), and (93); B.(3), (4), (6), (7), (8), (9), (11.a), (13), (19), and (20); and D.(2), (3), (5), (6), (7), (9), (10), (11), (18), (19), and (20) shall not be permitted. In addition, used permitted in Section 9.1.A shall also include: art gallery, museum, library, coffee shops, community association facilities, growing produce for non-commercial use, hardware and home improvement centers, health and exercise centers, home occupations, one family dwellings, multiple family dwellings, postal store, party supply stores, studios for fine arts, fire stations, and temporary real estate tract offices used only for and during the original sale of the subdivision not to exceed five years. addition to the permitted uses provided above, uses permitted in Article XIII, Section 13.1 shall be permitted on an interim basis until such time as development within Planning Areas 16, 18, 19, 21, 22, and 23 occurs except that interim uses permitted in Section 13.1A. (10), (11), (14), and (15); B.(1), (2), (3), (4), (8), (9) and (12); and C.(1) shall not be permitted. Any use

that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Assistant TLMA Director – Community Development finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

- (2) The development standards for detached one family residential development within Planning Areas 16, 18, 19, 21, 22, and 23 of Specific Plan No. 342 shall be the same standards as those identified in Article VIII, Section 8.2 of Ordinance No. 348 except that the development standards set forth in Article VIII, Section 8.2. A., B., C., D., and F. shall be deleted and replaced, respectively, with each of the following:
  - A. Lot area shall be not less than two thousand eight hundred (2,800') square feet. The minimum average width of each lot shall be forty feet (40') and the minimum average depth shall be seventy feet (70').
  - B. The front yard shall be not less than ten feet (10'), measured from the exterior door to the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure. Porches in the front of the structure may encroach into the front yard setback. Garages opening to the front of lots shall be setback a minimum of eighteen feet (18'). The rear yard and second floor living space and balconies located in the rear yard shall have no minimum setback requirement. Garages opening to the rear of lots shall be setback a minimum of three feet (3') from the existing street right of way, from any future street right of way, as shown on any specific plan of highways, or from the curb of an alley. Garages opening to the rear of lots shall not

be set back greater than five feet (5'), unless the setback exceeds eighteen feet (18').

- C. Side yards shall have no setback requirements.
- D. There shall be no maximum lot coverage.
- F. The height of buildings shall not exceed fifty five feet (55'). In addition, the following development standards shall also apply:
  - AA. There shall be no minimum frontage of a lot including lots fronting on knuckles or cul-de-sacs
  - BB. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two and one half feet (2.5') into setbacks. At least one side of the structure shall maintain a four foot (4') setback regardless of encroachments. Media niches shall be a maximum of eight feet (8') in width. Stairways and landings shall be allowed to encroach a maximum of three feet (3') into setbacks. Cornices and canopies shall be allowed to encroach with no maximum requirement into setbacks. Eaves shall be allowed to encroach with no maximum requirement into setbacks. Second floor structural encroachments shall be permitted with no maximum setback. No other structural encroachments shall be permitted in the front, rear or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.
  - CC. The minimum private open space area for each lot or dwelling shall be one hundred (100) square feet with minimum dimensions of eight feet (8') by six feet (6'). This minimum private open space area and dimensions shall be relatively flat and not encumbered by retaining walls, slopes, or other obstructions. Open space may be located on rooftop if accessible directly by unit.

- DD. The distance between buildings shall be no less than six feet (6').
- EE. The minimum building setback from interior roads, drives, and alleys shall be three feet (3'), except that second floor living space and balconies shall be permitted within one foot (1') of the rear property line.
- FF. Internal walkways shall be installed at a minimum width of four feet (4') between dwelling units and recreational areas.
- GG. Tandem garages are permitted.
- HH. Applications for subdivisions for detached one family residential development shall also submit a plot plan application which will include the conceptual design of dwellings including, but not limited to, elevations and floorplans. The plot plan shall also include the design of any other common buildings and facilities for conceptual design approval.
- (3) The development standards for attached multiple family residential development and combined multiple family residential/non-residential development in Planning Areas 16, 18, 19, 21, 22, and 23 of Specific Plan No. 342 shall be subject to the standards set forth in Article VIII, Section 8.2 of Ordinance No. 348 except that the standards set forth in Section 8.2. A., B., C., D., and F. shall be deleted and replaced, respectively, with each of the following:
  - A. Lot area shall be not less than two thousand eight hundred (2,800') square feet. The minimum average width of each lot shall be forty feet (40') and the minimum average depth shall be seventy feet (70').
  - B. The front yard shall be not less than ten feet (10'), measured from the exterior door to the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure. Porches in the front of

the structure may encroach into the front yard setback. Garages opening to the front of lots shall be setback a minimum of eighteen feet (18'). The rear yard and second floor living space and balconies located in the rear yard shall have no minimum setback requirement. Garages opening to the rear of lots shall be setback a minimum of three feet (3') from the existing street right of way, from any future street right of way, as shown on any specific plan of highways, or from the curb of an alley. Garages opening to the rear of lots shall not be set back greater than five feet (5'), unless the setback exceeds eighteen feet (18').

- C. Side yards shall have no setback requirements.
- D. There shall be no maximum lot coverage.
- F. The height of buildings shall not exceed fifty-five feet (55'). In addition, the following development standards shall also apply:
  - AA. There shall be no minimum frontage of a lot including lots fronting on knuckles or cul-de-sacs
  - BB. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two and one half feet (2.5'). At least one side of the structure shall maintain a four foot (4') setback regardless of encroachments. Media niches shall be a maximum of eight feet (8') in width. Stairways and landings shall be allowed to encroach a maximum of three feet (3') into setbacks. Cornices and canopies shall be allowed to encroach with no maximum requirement into setbacks. Eaves shall be allowed to encroach with no maximum requirement into setbacks. Second floor structural encroachments shall be permitted with no maximum setback. No other structural encroachments shall be permitted in the front, rear or side yard

setback except as provided for in Section 18.19 of Ordinance No. 348.

- CC. The minimum private open space area for each lot, dwelling, or dwelling unit on the ground floor shall be eighty (80) square feet with minimum dimensions of eight feet (8') by five feet (5'). The minimum private open space area for each lot, dwelling, or dwelling unit on second stories or greater shall be forty (40) square feet with minimum dimensions of seven feet (7') by four feet (4'). This minimum private open space area and dimensions shall be relatively flat and not encumbered by retaining walls, slopes, or other obstructions. Open space may be located on rooftop if accessible directly by unit.
- DD. The distance between buildings shall be no less than ten feet (10').
- EE. The minimum building setback from interior roads, drives, and alleys shall be three feet (3'), except that second floor living space and balconies shall be permitted within one foot (1') of the rear property line.
- FF. A minimum six foot (6') high screen wall shall be required for non-residential development that is located adjacent to any existing or potential detached one family residential development.
- GG. Tandem garages are permitted.
- (4) The development standards for non-residential development in Planning Areas 16, 18, 19, 21, 22, and 23 of Specific Plan No. 342 shall be the same as those standards identified in Article IX, Section 9.4 except that the development standards set forth in Article IX, Section 9.4 B. and C. shall be deleted and replaced, respectively, with each of the following:
  - B. Building setbacks from exterior streets and boundary lines shall be a minimum of ten feet (10'). Any portion of a building which exceeds

forty feet (40') in height shall be set back from the front, rear, and side lot lines not less than one foot (1') for each foot by which the height exceeds forty feet (40').

C. Buildings shall not exceed fifty five feet (55') in height, with architectural projections allowed to extend to sixty feet (60') in height.

In addition, the following development standards shall also apply:

- AA. There shall be no minimum distance required between buildings.
- BB. Internal walkways shall be installed at a minimum width of four feet (4').
- CC. A minimum six foot (6') high screen wall shall be required to be located adjacent to any existing or potential residential development.
- (5) The development standards for the interim uses in Planning Areas 16, 18, 19, 21, 22, and 23 of Specific Plan No. 342 shall be the same standards as those identified in Article XIII, Section 13.2 of Ordinance No. 348.
- (6) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIII, Article IX and Article XIII of Ordinance No. 348.

### g. Planning Area 17.

The uses permitted in Planning Area 17 of Specific Plan No. 342 shall be the same as those uses permitted in Article VIII, Section 8.1 of Ordinance No. 348, except that the uses permitted in Section 8.1.A. (1), (2), (3), (10), (11), (13), (14), (15), (17), (19), (20), (21), (24), (25), (27) and (28); B.(1), (2), and (3); and C. shall not be permitted. In addition, the uses permitted in Section 8.1.A shall also include, brewery, distillery, winery, clinics, art gallery, museum, library, coffee shops, community recreation facilities, growing produce for non-commercial use, hardware and home improvement centers, health and exercise centers, non-commercial community association

facilities, postal store, party supply stores, and studios for fine arts. In addition, the uses permitted in Section 8.1.B shall also include dance halls. In addition to the permitted uses provided above, uses permitted in Article XIII, Section 13.1 shall be permitted on an interim basis until such time as development within Planning Area 17 occurs except that interim uses permitted in Section 13.1A. (10), (11), (14), and (15); B.(1), (2), (3, (4), (8), (9) and (12); and C.(1) shall not be permitted. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Assistant TLMA Director – Community Development finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

- (2) The development standards for attached multiple family residential development and combined multiple family residential/non-residential development in Planning Area 17 of Specific Plan No. 342 shall be subject to the standards set forth in Article VIII, Section 8.2 of Ordinance No. 348 except that the development standards set forth in Article VIII, Section 8.2. A., B., C., D., and F. shall be deleted and replaced, respectively, with each of the following:
  - A. Lot area shall be not less than two thousand eight hundred (2,800) square feet. The minimum average width of each lot shall be forty feet (40') and the minimum average depth shall be seventy feet (70').
  - B. The front yard shall be not less than ten feet (10'), measured from the exterior door to the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure. Porches in the front of the structure may encroach into the front yard setback. Garages opening to the front of lots shall be setback a minimum of eighteen

feet (18'). The rear yard and second floor living space and balconies located in the rear yard shall be have no minimum setback requirement. Garages opening to the rear of lots shall be setback a minimum of three feet (3') from the existing street right of way, from any future street right of way, as shown on any specific plan of highways, or from the curb of an alley. Garages opening to the rear of lots shall not be set back greater than five feet (5'), unless the setback exceeds eighteen feet (18').

- C. Side yards shall have no setback requirements.
- D. There shall be no maximum lot coverage.
- F. The height of buildings shall not exceed fifty-five feet (55'). In addition, the following development standards shall also apply:
  - AA. There shall be no minimum frontage of a lot including lots fronting on knuckles or cul-de-sacs
  - BB. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two and one half feet (2½²). At least one side of the structure shall maintain a four foot (4′) setback regardless of encroachments. Media niches shall be a maximum of eight feet (8′) in width. Stairways and landings shall be allowed to encroach a maximum of three feet (3′) into setbacks. Cornices and canopies shall be allowed to encroach with no maximum requirement into setbacks. Eaves shall be allowed to encroach with no maximum requirement into setbacks. Second floor structural encroachments shall be permitted with no maximum setback. No other structural encroachments shall be permitted in the front, rear or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.

- CC. The minimum private open space area for each lot, dwelling, or dwelling unit on the ground floor shall be eighty (80) square feet with minimum dimensions of eight feet (8') by five feet (5'). The minimum private open space area for each lot, dwelling, or dwelling unit on second stories or greater shall be forty (40) square feet with minimum dimensions of seven feet (7') by four feet (4'). This minimum private open space area and dimensions shall be relatively flat and not encumbered by retaining walls, slopes, or other obstructions. Open space may be located on rooftop if accessible directly by unit.
- DD. The distance between buildings shall be no less than ten feet (10').
- EE. The minimum building setback from interior roads, drives, and alleys shall be three feet (3'), except that second floor living space and balconies shall be permitted within one foot (1') of the rear property line.
- FF. A minimum six foot (6') high screen wall shall be required for non-residential development that is located adjacent to any existing or potential detached one family residential development.
- GG. Tandem garages are permitted.
- (3) The development standards for non-residential development in Planning Area 17 of Specific Plan No. 342 shall be the same as those standards identified in Article IX, Section 9.4 except that the development standards set forth in Article IX, Section 9.4 B. and C. shall be deleted and replaced, respectively, with each of the following:
  - B. Building setbacks from exterior streets and boundary lines shall be a minimum of ten feet (10'). Any portion of a building which exceeds forty feet (40') in height shall be set back from the front, rear, and

side lot lines not less than one foot (1') for each foot by which the height exceeds forty feet (40').

C. Buildings shall not exceed fifty five feet (55') in height, with architectural projections allowed to extend to sixty feet (60') in height.

In addition, the following development standards shall also apply:

- AA. There shall be no minimum distance required between buildings.
- BB. Internal walkways shall be installed at a minimum width of four feet (4').
- CC. A minimum six foot (6') high screen wall shall be required to be located adjacent to any existing or potential residential development.
- (4) The development standards for the interim uses in Planning Areas 17 of Specific Plan No. 342 shall be the same standards as those identified in Article XIII, Section 13.2 of Ordinance No. 348.
- (5) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIII, Article IX and XIII of Ordinance No. 348.

### h. Planning Area 20.

The uses permitted in Planning Area 20 of Specific Plan No. 342 shall be the same as those uses permitted in Article IX, Section 9.1 of Ordinance No. 348 except that the uses permitted in Section 9.1.A.(29), (42), and (93); B. (4), (9), and (11.a); and D.(3), (7), (9), (10), (18), (19), and (20) shall not be permitted. In addition, the permitted uses in Section 9.1.A shall also include: body and fender shops, including spray painting, brewery, distillery, winery, clinics, art gallery, museum, library, coffee shops, community recreation facilities, growing produce for non-commercial use, hardware and home improvement centers, health and exercise centers, multiple family dwellings, non-commercial community association facilities, one family

dwellings, postal store, party supply stores, pharmacy, studios for fine arts, jewelry sales and repair, manufacture and repair of electrical or electronic equipment, manufacture and repair of office and computing machines, appliance manufacture and repair, post offices, fire and police stations. In addition, the permitted uses in Section 9.1.D shall also include dance halls. In addition to the permitted uses provided above, uses permitted in Article XIII, Section 13.1 shall be permitted on an interim basis until such time as development within Planning Area 20 of Specific Plan No. 342 occurs except that interim uses permitted in Section 13.1A. (10), (11), (14), and (15); B.(1), (2), (3, (4), (8), (9), and (12); and C.(1) shall not be permitted. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Assistant TLMA Director – Community Development finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

- (2) The development standards for detached one family residential development within Planning Area 20 of Specific Plan No. 342 shall be the same standards as those identified in Article VIII, Section 8.2 of Ordinance No. 348 except that the development standards set forth in Article VIII, Section 8.2; A., B., C., D., and F. shall be deleted and replaced, respectively, with each of the following:
  - A. Lot area shall be not less than two thousand eight hundred (2,800') square feet. The minimum average width of each lot shall be forty feet (40') and the minimum average depth shall be seventy feet (70').
  - B. The front yard shall be not less than ten feet (10'), measured from the exterior door to the existing street right of way or from any future street right of way as shown on any specific plan of highways,

whichever is nearer to the proposed structure. Porches in the front of the structure may encroach into the front yard setback. Garages opening to the front of lots shall be setback a minimum of eighteen feet (18'). The rear yard and second floor living space and balconies located in the rear yard shall have no minimum setback requirement. Garages opening to the rear of lots shall be setback a minimum of three feet (3') from the existing street right of way, from any future street right of way, as shown on any specific plan of highways, or from the curb of an alley. Garages opening to the rear of lots shall not be set back greater than five feet (5'), unless the setback exceeds eighteen feet (18').

- C. Side yards shall have no setback requirements.
- D. There shall be no maximum lot coverage.
- F. The height of buildings shall not exceed fifty five feet (55'). In addition, the following development standards shall also apply:
  - AA. There shall be no minimum frontage of a lot including lots fronting on knuckles or cul-de-sacs.
  - BB. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two and one half feet (2½') into setbacks. At least one side of the structure shall maintain a four foot (4') setback regardless of encroachments. Media niches shall be a maximum of eight feet (8') in width. Stairways and landings shall be allowed to encroach a maximum of three feet (3') into setbacks. Cornices and canopies shall be allowed to encroach with no maximum requirement into setbacks. Eaves shall be allowed to encroach with no maximum requirement into setbacks. Second floor structural encroachments shall be permitted with no maximum setback. No other structural

encroachments shall be permitted in the front, rear or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.

- CC. The minimum private open space area for each lot or dwelling shall be one hundred (100') square feet with minimum dimensions of eight feet (8') by six feet (6'). This minimum private open space area and dimensions shall be relatively flat and not encumbered by retaining walls, slopes, or other obstructions. Open space may be located on rooftop if accessible directly by unit.
- DD. The distance between buildings shall be no less than six feet (6').
- EE. The minimum building setback from interior roads, drives, and alleys shall be three feet (3'), except that second floor living space and balconies shall be permitted within one foot (1') of the rear property line.
- FF. Internal walkways shall be installed at a minimum width of four feet (4') between dwelling units and recreational areas.
- GG. Tandem garages are permitted.
- HH. Applications for subdivisions for detached one family residential development shall also submit a plot plan application which will include the conceptual design of dwellings including, but not limited, to elevations and floorplans. The plot plan shall also include the design of any other common buildings and facilities for conceptual design approval.
- (3) The development standards for attached multiple family residential development and combined multiple family residential/non-residential development in Planning Area 20 of Specific Plan No. 342 shall be subject to the standards set forth in Article VIII, Section 8.2 of Ordinance No. 348 except that the development standards set forth in Article VIII, Section 8.2;

A., B., C., D., and F. shall be deleted and replaced, respectively, with each of the following:

- A. Lot area shall be not less than two thousand eight hundred (2,800') square feet. The minimum average width of each lot shall be forty feet (40') and the minimum average depth shall be seventy feet (70').
- B. The front yard shall be not less than ten feet (10'), measured from the exterior door to the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure. Porches in the front of the structure may encroach into the front yard setback. Garages opening to the front of lots shall be setback a minimum of eighteen feet (18'). The rear yard and second floor living space and balconies located in the rear yard shall be have no minimum setback requirement. Garages opening to the rear of lots shall be setback a minimum of three feet (3') from the existing street right of way, from any future street right of way, as shown on any specific plan of highways, or from the curb of an alley. Garages opening to the rear of lots shall not be set back greater than five feet (5'), unless the setback exceeds eighteen feet (18').
- C. Side yards shall have no setback requirements.
- D. There shall be no maximum lot coverage.
- F. The height of buildings shall not exceed fifty five feet (55'). In addition, the following development standards shall also apply:
  - AA. There shall be no minimum frontage of a lot including lots fronting on knuckles or cul-de-sacs.
  - BB. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two and one half feet (2½). At least one side of the

structure shall maintain a four foot (4') setback regardless of encroachments. Media niches shall be a maximum of eight feet (8') in width. Stairways and landings shall be allowed to encroach a maximum of three feet (3') into setbacks. Cornices and canopies shall be allowed to encroach with no maximum requirement into setbacks. Eaves shall be allowed to encroach with no maximum requirement into setbacks. Second floor structural encroachments shall be permitted with no maximum setback. No other structural encroachments shall be permitted in the front, rear or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.

CC. The minimum private open space area for each lot, dwelling, or dwelling unit on the ground floor shall be eighty (80) square feet with minimum dimensions of eight feet (8') by five feet (5'). The minimum private open space area for each lot, dwelling, or dwelling unit on second stories or greater shall be forty (40) square feet with minimum dimensions of seven feet (7') by four feet (4'). This minimum private open space area and dimensions shall be relatively flat and not encumbered by retaining walls, slopes, or other obstructions. Open space may be located on rooftop if accessible directly by unit.

DD. The distance between buildings shall be no less than ten feet (10').

EE. The minimum building setback from interior roads, drives, and alleys shall be three feet (3'), except that second floor living space and balconies shall be permitted within one foot (1') of the rear property line.

- FF. A minimum six foot (6') high screen wall shall be required for non-residential development that is located adjacent to any existing or potential detached one family residential development.
- GG. Tandem garages are permitted.
- (4) The development standards for non-residential development in Planning Area 20 of Specific Plan No. 342 shall be the same as those standards identified in Article IX, Section 9.4 except that the development standards set forth in Article IX, Section 9.4 B. and C. shall be deleted and replaced, respectively, with each of the following:
  - B. Building setbacks from exterior streets and boundary lines shall be a minimum of ten feet (10'). Any portion of a building which exceeds forty feet (40') in height shall be set back from the front, rear, and side lot lines not less than one foot for each foot by which the height exceeds forty (40') feet.
  - C. Buildings shall not exceed fifty five feet (55') in height, with architectural projections allowed to extend to sixty feet (60') in height.

In addition, the following development standards shall also apply:

- AA. There shall be no minimum distance required between buildings.
- BB. Internal walkways shall be installed at a minimum width of four feet (4').
- CC. A minimum six foot (6') high screen wall shall be required to be located adjacent to any existing or potential residential development.
- (5) The development standards for the interim uses in Planning Area 20 of Specific Plan No. 342 shall be the same standards as those identified in Article XIII, Section 13.2 of Ordinance No. 348.

(6) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIII, Article IX and Article XIII of Ordinance No. 348.

### i. Planning Areas 24 and 25.

(1) The uses permitted in Planning Areas 24 and 25 of Specific Plan No. 342 shall be the same as those uses permitted in Article IXd, Section 9.72 of Ordinance No. 348. except that the use permitted in Section 9.72.B.(6) shall not be permitted. In addition, the uses permitted in Section 9.72.A shall also include ambulance services, antique shops, art supply shops and studios, auction houses, auditoriums, conference rooms, automobile parts and supply store, auto repair garages, not including body and fender shops or spray painting, bakery goods distributor, bakery shops, barber and beauty shops, bicycle shops, blueprint and duplicating services, boat and marine sales, book stores, bowling alleys, brewery, distillery, winery, building materials sales yard, catering services, ceramic sales and manufacturing (not including outdoor storage and display), dry cleaning shops, clinics, clothing stores, coffee shops, market and food stores including wholesale, community recreation facilities, confectionary and candy stores, convenience stores with no gas sales, costume design studios, day care centers, delicatessens, department stores, drug stores, fine art studios, non-drive-in movie theaters, tire sales and services but not capping, tobacco stores, toy stores, tourist centers, storage within an enclosed building for boats, trailers and recreational vehicles, travel agencies, truck and trailer sales and rentals, vehicle and motorcycle repair shops, dry goods stores, employment agencies, equipment rental services, feed and grain stores, fishing and casting pools, florist shops, food market, gasoline service stations (not including sales of beer and wine), gift shops, golf cart sales and service, growing produce for

non-commercial use, hardware and home improvement centers, health and exercise centers, hobby shops, household goods sales and repair, ice cream shops, restaurants including drive-in and take-out restaurants, post offices, fire and police stations, parcel delivery services, interior decorating stores, laundromats, leather good stores, locksmith shops, mortuaries, music stores, novelty stores, nursery and garden supply stores, paint and wall paper stores, party supply stores, pawn shops, pet stores, pharmacy, photograph shops and studios, plumbing shops, recording studios, radio and television studios, recycling collection facilities, business and professional schools, shoe stores including repair, sporting goods stores, stained glass assembly, stationary stores, tailor shops; stations for buses, railroad and taxi; dental, medical, research and testing laboratories, manufacturing and repair of the following: office and computing machines, jewelry, electrical equipment and systems, television and radio equipment, photographs, data processing equipment, appliances and lighting fixtures. In addition, the uses permitted in Section 9.72.B shall also include animal hospitals, bars and cocktail lounges, billiard and pool halls, auto body and fender shops including spray painting, car and truck washes, dance halls and drive-in theaters. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Assistant TLMA Director – Community Development finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

(2) The development standards for Planning Areas 24 and 25 of Specific Plan No. 342 shall be the same as those standards identified in Article IXd, Section 9.73. (3) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article IXd of Ordinance No. 348.

## j. <u>Planning Areas 26, 27, 28, and 43</u>

- (1) The uses permitted in Planning Areas 26, 27, 28 and 43 of Specific Plan No. 342 shall be the same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No. 348, except that the uses permitted in Section 8.100.A.(1), (2), and (8), shall not be permitted. In addition, the uses permitted in Section 8.100.A. shall include amphitheaters with non- acoustic amplifications and shielded lighting, community theaters and arboretums, libraries, museums, parks, community gardens, and schools. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Assistant TLMA Director Community Development finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.
- (2) If a school is not constructed in Planning Area 26, then the uses permitted in Planning Area 26 shall be the same as those permitted in Article VIII, Section 8.1 of Ordinance No. 348, except that the uses permitted in Section 8.1.A.(2), (3), (6), (7), (9), (11), (13), (14), (15), (16), (17), (19), (20), (21), (22), (23), (24), (25), (27), and (28); B.; and C. shall not be permitted. In addition, the uses permitted in Section 8.1.A. shall include community association facilities, community gardens, playgrounds, temporary real estate tract offices located within a subdivision to be used only for and during the original sale of the subdivision, not to exceed five years. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Assistant TLMA Director Community Development finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a

use is subject to the permit process which governs the category in which it falls.

- (3) If a school is not constructed in Planning Area 27, then the uses permitted in Planning Area 27 shall be the same as those uses permitted in Article VIII, Section 8.1 of Ordinance No. 348, except that the uses permitted in Section 8.1.A. (1), (2), (3), (10), (11), (13), (14), (15), (17), (19), (20), (21), (24), (25), (27) and (28); B.(1), (2), and (3); and C. shall not be permitted. In addition, the uses permitted in Section 8.1.A. shall include community association facilities, community gardens, and temporary real estate tract offices located within a subdivision to be used only for and during the original sale of the subdivision, not to exceed a total of five years. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Assistant TLMA Director Community Development finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.
- (4) If a school is not constructed in Planning Area 28, then the uses permitted in Planning Area 28 shall be the same as those uses permitted in Article IX, Section 9.1 of Ordinance No. 348 except that the uses permitted in Section 9.1.A. (1), (6), (7), (17), (18), (19), (23), (29), (33), (42), (44), (54), (61), (72), (84), (92), and (93); B.(3), (4), (6), (7), (8), (9), (11.a), (13), (19), and (20); and D.(2), (3), (5), (6), (7), (9), (10), (11), (18), (19), and (20) shall not be permitted. In addition, used permitted in Section 9.1.A shall also include: art gallery, museum, library, coffee shops, community association facilities, growing produce for non-commercial use, hardware and home improvement centers, health and exercise centers, home occupations, one family dwellings, multiple family dwellings, postal store, party supply stores, studios for fine arts, fire stations, and temporary real estate tract offices used only for and

during the original sale of the subdivision not to exceed five years. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Assistant TLMA Director – Community Development finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

- (5) If a school is constructed in Planning Areas 26, 27, 28 and 43, the development standards for the uses set forth in subsection h.(1) above within Planning Areas 26, 27, 28, and 43 of Specific Plan No. 342 shall be the same standards as those identified in Article VIIIe, Section 8.101 of Ordinance No. 348 except that the development standards set forth in Article VIIIe, Section 8.101.B. shall be deleted.
- (6) If a school is not constructed in Planning Area 26, the development standards for detached one family residential development within Planning Area 26 of Specific Plan No. 342 shall be the same standards as those identified in Article VIII, Section 8.2. of Ordinance No. 348 except that the development standards set forth in Section 8.2. A., B., C., D., and F. shall be deleted and replaced, respectively, with each of the following:
  - A. Lot area shall be not less than two thousand (2,000') square feet with a minimum average width of thirty five feet (35') and a minimum average depth of fifty eight feet (58').
  - B. The front yard shall be not less than five feet (5'), measured from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure. Garages opening to the front of lots shall be setback a minimum of eighteen feet (18'). The rear yard shall be not less than three feet (3'), except that second floor living space and

balconies located in the rear yard shall be permitted within one foot (l') of the rear property line. Garages opening to the rear of lots shall be setback a minimum of three feet (3') from the existing street right of way, from any future street right of way, as shown on any specific plan of highways, or from the curb of an alley. Garages opening to the rear of lots shall not be set back greater than five feet (5'), unless the setback exceeds eighteen-feet (18').

- C. Side yards on interior and through lots shall be not less than four feet (4'). Side yards on corner and reverse corner lots shall not be less than five feet (5') from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure, upon which the main building sides.
- D. In no case shall more than seventy-five percent (75%) of any lot be covered by a dwelling.
- F. The height of buildings shall not exceed forty five feet (45'). In addition, the following development standards shall also apply:
- AA. The minimum frontage of a lot shall be thirty five feet (35'), except that lots fronting on knuckles or cul-de-sacs shall have a minimum frontage of thirty feet (30').
- BB. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of one foot (1') into setbacks on one side so that one side still maintains a minimum four foot (4') setback. Media niches shall be a maximum of eight feet (8') in width. Stairways and landings shall be allowed to encroach a maximum of one foot (1') into setbacks. Cornices and canopies shall be allowed to encroach a maximum of one foot (1') into setbacks. Eaves shall be allowed to encroach a

maximum of three feet (3') into setbacks. No second floor structural encroachments shall be permitted within one foot (1') of the rear property line. No other structural encroachments shall be permitted in the front, rear or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.

- CC. Applications for subdivisions for detached one family residential development shall also submit a plot plan application which will include the conceptual design of dwellings including, but not limited to, elevations and floorplans. The plot plan shall also include the design of any other common buildings and facilities for conceptual design approval. Planned Residential Development applications shall not be required.
- DD. The minimum private open space area for each lot or dwelling shall be one hundred fifty (150) square feet with minimum dimensions of ten feet (10') by eight feet (8'). This minimum private open space area and dimensions shall be relatively flat and not encumbered by retaining walls, slopes, or other obstructions.
- EE. A minimum six foot (6') high screen wall shall be located adjacent to any lower density Planning Area within Specific Plan No. 342 or any residential zone outside the boundary of Specific Plan No. 342.
- FF. Tandem garages are permitted.
- (7) If a school is not constructed in Planning Area 26, the development standards for attached multiple family residential development and non-residential development in Planning Area 26 shall be the same as those standards identified in Article VIII, Section 8.2. of Ordinance No. 348 except that the development standards set forth in Section 8.2. A., B., C., D., and F. shall be deleted and replaced, respectively, with each of the following:

- A. Lot area shall be not less than two thousand (2,000') square feet with a minimum average width of thirty five feet (35') and a minimum average depth of fifty eight feet (58').
- B. The front yard shall be not less than five feet (5'), measured from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure. Garages opening to the front of lots shall be setback a minimum of eighteen feet (18'). The rear yard shall be not less than three feet (3'), except that second floor living space and balconies located in the rear yard shall be permitted within one foot (l') of the rear property line. Garages opening to the rear of lots shall be setback a minimum of three feet (3') from the existing street right of way, from any future street right of way, as shown on any specific plan of highways, or from the curb of an alley. Garages opening to the rear of lots shall not be set back greater than five feet (5'), unless the setback exceeds eighteen-feet (18').
- C. Side yards on interior and through lots shall be not less than four feet (4'). Side yards on corner and reverse corner lots shall not be less than five feet (5') from the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure, upon which the main building sides.
- D. In no case shall more than seventy-five percent (75%) of any lot be covered by a dwelling.
- F. The height of buildings shall not exceed forty five feet (45'). In addition, the following development standards shall also apply:

- AA. The minimum frontage of a lot shall be twenty five feet (25'), except that lots fronting on knuckles or cul-de-sacs shall have a minimum frontage of twenty feet (20').
- BB. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of one foot (1') into setbacks on one side so that one side still maintains a minimum four foot (4') setback. Media niches shall be a maximum of eight feet (8') in width. Stairways and landings shall be allowed to encroach a maximum of one foot (1') into setbacks. Cornices and canopies shall be allowed to encroach with no maximum requirement into setbacks. Eaves shall be allowed to encroach with no maximum requirement into setbacks. No second floor structural encroachments shall be permitted within one foot (1') of the rear property line. No other structural encroachments shall be permitted in the front, rear or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.
- CC. The minimum private open space area for each lot, dwelling, or dwelling unit on the ground floor shall be eighty (80) square feet with minimum dimensions of eight feet (8') by five feet (5'). The minimum private open space area for each lot, dwelling, or dwelling unit on second stories or greater shall be forty (40) square feet with minimum dimensions of seven feet (7') by four feet (4'). These minimum private open space areas and dimensions shall be relatively flat and not encumbered by retaining walls, slopes, or other obstructions.
- DD. A minimum six foot (6') high screen wall shall be located adjacent to any lower density zone.

- EE. The maximum number of units within a building shall not exceed eighteen (18).
- FF. Tandem garages are permitted.
- (8) If a school is not constructed in Planning Area 27, the development standards for detached multiple family residential development and non-residential development within Planning Area 27 of Specific Plan No. 342 shall be the same as those standards identified in Article VIII, Section 8.2. of Ordinance No. 348 except that the development standards set forth in Article VIII, Section 8.2. A., B., C., D., and F. shall be deleted and replaced, respectively, with each of the following:
  - A. There is no minimum lot area, average lot width or average lot depth.
  - B. The minimum front and rear building setbacks from exterior or interior streets and boundary lines shall be five feet (5'). The minimum front and rear building setbacks from interior private streets or driveways shall be five feet (5') as measured from the curb. Garages opening to the front or rear of lots shall be setback a minimum of three feet (3') from interior private streets or driveways or from the curb of an alley. Garages opening to the front or rear of lots shall not be set back greater than five feet (5'), unless the setback exceeds eighteen feet (18').
  - C. The minimum side yard building setbacks from exterior or interior streets and boundary lines shall be five feet (5'). The minimum side yard building setback from an interior private streets or driveways shall be five feet (5') as measured from the curb. Garages opening to the side of lots shall be setback a minimum of three feet (3') from the interior private streets or driveways or from the curb of an alley. Garages opening to the side of lots shall not be set back greater than five feet (5'), unless the setback exceeds eighteen feet (18').

- D. In no case shall more than ninety-five percent (95%) of any lot be covered by a dwelling.
- F. The height of buildings shall not exceed three (3) stories or fifty feet (50').

In addition, the following development standards shall also apply:

- AA. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of one foot (1') into setbacks on one side so that one side still maintains a minimum four foot (4') setback. Media niches shall be a maximum of eight feet (8') in width. Stairways and landings shall be allowed to encroach a maximum of one foot (1') into setbacks. Cornices and canopies shall be allowed to encroach with no maximum requirement into setbacks. Eaves shall be allowed to encroach with no maximum requirement into setbacks. Second floor structural encroachments shall be permitted with no maximum setback. No other structural encroachments shall be permitted in the front, rear or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.
- BB. The minimum private open space area for each lot, dwelling, or dwelling unit shall be fifty (50) square feet with minimum dimensions of six feet (6') by six feet (6'). This minimum private open space area and dimensions shall be relatively flat and not encumbered by retaining walls, slopes, or other obstructions. Open space may be located on rooftop if accessible directly by unit.
- CC. The distance between buildings shall be no less than six feet (6').
- DD. A minimum six foot (6') high screen wall shall be located adjacent to any lower density Planning Area within Specific Plan No. 342 or any residential zone outside the boundary of Specific Plan No. 342.

- EE. Tandem garages are permitted.
- (9) If a school is not constructed in Planning Area 28, the development standards for detached one family residential development within Planning Area 28 of Specific Plan No. 342 shall be the same standards as those identified in Article VIII, Section 8.2 of Ordinance No. 348 except that the development standards set forth in Article VIII, Section 8.2. A., B., C., D., and F. shall be deleted and replaced, respectively, with each of the following:
  - A. Lot area shall be not less than two thousand eight hundred (2,800') square feet. The minimum average width of each lot shall be forty feet (40') and the minimum average depth shall be seventy feet (70').
  - B. The front yard shall be not less than ten feet (10'), measured from the exterior door to the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure. Porches in the front of the structure may encroach into the front yard setback. Garages opening to the front of lots shall be setback a minimum of eighteen feet (18'). The rear yard and second floor living space and balconies located in the rear yard shall have no minimum setback requirement. Garages opening to the rear of lots shall be setback a minimum of three feet (3') from the existing street right of way, from any future street right of way, as shown on any specific plan of highways, or from the curb of an alley. Garages opening to the rear of lots shall not be set back greater than five feet (5'), unless the setback exceeds eighteen feet (18').
  - C. Side yards shall have no setback requirements.
  - D. There shall be no maximum lot coverage.
- F. The height of buildings shall not exceed fifty five feet (55'). In addition, the following development standards shall also apply:

AA. There shall be no minimum frontage of a lot including lots fronting on knuckles or cul-de-sacs

- BB. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two and one half feet (2.5') into setbacks. At least one side of the structure shall maintain a four foot (4') setback regardless of encroachments. Media niches shall be a maximum of eight feet (8') in width. Stairways and landings shall be allowed to encroach a maximum of three feet (3') into setbacks. Cornices and canopies shall be allowed to encroach with no maximum requirement into setbacks. Eaves shall be allowed to encroach with no maximum requirement into setbacks. Second floor structural encroachments shall be permitted with no maximum setback. No other structural encroachments shall be permitted in the front, rear or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.
- CC. The minimum private open space area for each lot or dwelling shall be one hundred (100) square feet with minimum dimensions of eight feet (8') by six feet (6'). This minimum private open space area and dimensions shall be relatively flat and not encumbered by retaining walls, slopes, or other obstructions. Open space may be located on rooftop if accessible directly by unit.
- DD. The distance between buildings shall be no less than six feet (6').
- EE. The minimum building setback from interior roads, drives, and alleys shall be three feet (3'), except that second floor living space and balconies shall be permitted within one foot (1') of the rear property line.
- FF. Internal walkways shall be installed at a minimum width of four feet (4') between dwelling units and recreational areas.

- GG. Tandem garages are permitted.
- HH. Applications for subdivisions for detached one family residential development shall also submit a plot plan application which will include the conceptual design of dwellings including, but not limited to, elevations and floorplans. The plot plan shall also include the design of any other common buildings and facilities for conceptual design approval.
- (10) If a school is not constructed in Planning Area 28, the development standards for attached multiple family residential development and combined multiple family residential/non-residential development in Planning Area 28 of Specific Plan No. 342 shall be subject to the standards set forth in Article VIII, Section 8.2 of Ordinance No. 348 except that the standards set forth in Section 8.2. A., B., C., D., and F. shall be deleted and replaced, respectively, with each of the following:
  - A. Lot area shall be not less than two thousand eight hundred (2,800') square feet. The minimum average width of each lot shall be forty feet (40') and the minimum average depth shall be seventy feet (70').
  - B. The front yard shall be not less than ten feet (10'), measured from the exterior door to the existing street right of way or from any future street right of way as shown on any specific plan of highways, whichever is nearer to the proposed structure. Porches in the front of the structure may encroach into the front yard setback. Garages opening to the front of lots shall be setback a minimum of eighteen feet (18'). The rear yard and second floor living space and balconies located in the rear yard shall have no minimum setback requirement. Garages opening to the rear of lots shall be setback a minimum of three feet (3') from the existing street right of way, from any future street right of way, as shown on any specific plan of highways, or

from the curb of an alley. Garages opening to the rear of lots shall not be set back greater than five feet (5'), unless the setback exceeds eighteen feet (18').

- C. Side yards shall have no setback requirements.
- D. There shall be no maximum lot coverage.
- F. The height of buildings shall not exceed fifty-five feet (55').

In addition, the following development standards shall also apply:

- AA. There shall be no minimum frontage of a lot including lots fronting on knuckles or cul-de-sacs
- BB. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two and one half feet (2.5'). At least one side of the structure shall maintain a four foot (4') setback regardless of encroachments. Media niches shall be a maximum of eight feet (8') in width. Stairways and landings shall be allowed to encroach a maximum of three feet (3') into setbacks. Cornices and canopies shall be allowed to encroach with no maximum requirement into setbacks. Eaves shall be allowed to encroach with no maximum requirement into setbacks. Second floor structural encroachments shall be permitted with no maximum setback. No other structural encroachments shall be permitted in the front, rear or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.
- CC. The minimum private open space area for each lot, dwelling, or dwelling unit on the ground floor shall be eighty (80) square feet with minimum dimensions of eight feet (8') by five feet (5'). The minimum private open space area for each lot, dwelling, or dwelling unit on second stories or greater shall be forty (40) square feet with minimum dimensions of seven feet (7') by four feet (4'). This

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minimum private open space area and dimensions shall be relatively flat and not encumbered by retaining walls, slopes, or other obstructions. Open space may be located on rooftop if accessible directly by unit.

- DD. The distance between buildings shall be no less than ten feet (10').
- EE. The minimum building setback from interior roads, drives, and alleys shall be three feet (3'), except that second floor living space and balconies shall be permitted within one foot (1') of the rear property line.
- FF. A minimum six foot (6') high screen wall shall be required for non-residential development that is located adjacent to any existing or potential detached one family residential development.
- GG. Tandem garages are permitted.
- (11) If a school is not constructed in Planning Area 28, the development standards for non-residential development in Planning Area 28 of Specific Plan No. 342 shall be the same as those standards identified in Article IX, Section 9.4 except that the development standards set forth in Article IX, Section 9.4 B. and C. shall be deleted and replaced, respectively, with each of the following:
  - B. Building setbacks from exterior streets and boundary lines shall be a minimum of ten feet (10'). Any portion of a building which exceeds forty feet (40') in height shall be set back from the front, rear, and side lot lines not less than one foot (1') for each foot by which the height exceeds forty feet (40').
  - C. Buildings shall not exceed fifty five feet (55') in height, with architectural projections allowed to extend to sixty feet (60') in height.

In addition, the following development standards shall also apply:

AA. There shall be no minimum distance required between buildings.

- BB. Internal walkways shall be installed at a minimum width of four feet (4').
- CC. A minimum six foot (6') high screen wall shall be required to be located adjacent to any existing or potential residential development.
- (12) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIII, Article VIIIe and Article IX of Ordinance No. 348.

### k. Planning Areas 44A and 44B

- shall be the same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No. 348, except that the uses permitted in Section 8.100.A.(1), (2), and (8) shall not be permitted. In addition, the uses permitted in Section 8.100.A. shall include water treatment and storage facilities. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Assistant TLMA Director Community Development finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.
- (2) The development standards for Planning Areas 44A and 44B of Specific Plan No. 342 shall be the same standards as those identified in Article VIIIe, Section 8.101 of Ordinance No. 348 except that the development standards set forth in Article VIIIe, Section 8.101.B. shall be deleted.
- (3) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIIIe of Ordinance No. 348.
- 1. Planning Areas 45A, 45B, 45C, 45D, 45E, 47A, 47B, 47C, 50C, 50I, and 51.
  - (1) The uses permitted in Planning Areas 45A, 45B, 45C, 45D, 45E, 47A, 47B, 47C, 50C, 50I, and 51 of Specific Plan No. 342 shall be the same as those

uses permitted in Article VIIIe, Section 8.100 of Ordinance No. 348, except that the uses permitted in Section 8.100.A.(1),(2), and (8); B.(1); and C.(1) shall not be permitted. In addition, the uses permitted in Section 8.100.A. shall include lakes, including noncommercial fishing. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Assistant TLMA Director – Community Development finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

- (2) The development standards for Planning Areas 45A, 45B, 45C, 45D, 45E, 47A, 50C, 47B, 47C, 50I, and 51 of Specific Plan No. 342 shall be the same as those standards identified in Article VIIIe, Section 8.101 of Ordinance No. 348.
- (3) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIIIe of Ordinance No. 348.

### m. Planning Areas 41A, 48, and 49

- The uses permitted in Planning Areas 41A, 48, and 49 of Specific Plan No. 342 shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348 except that the uses permitted in Section 13.1.A. (11), (14), and (15); B.(1), (2), (3), (4), (8), (9), and (12); C.(1) shall not be permitted. In addition, the uses permitted in Section 8.100.A. shall include lakes, including noncommercial fishing, parks, and community gardens.
- (2) The development standards for Planning Areas 41A, 48 and 49 of Specific Plan No. 342 shall be the same as those standards identified in Article XIII, Section 13.2 of Ordinance No. 348.
- (3) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article XIII of Ordinance No. 348.

### n. Planning Area 41B

- (1) The uses permitted in Planning Area 41B of Specific Plan No. 342 shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348 except that the uses permitted in Section 13.1.A. (11), (14), and (15); B.(1), (2), (3), (4), (8), (9), and (12); C.(1) shall not be permitted. In addition, the uses permitted in Section 8.100.A. shall include lakes, including noncommercial fishing, parks, and community gardens. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Assistant TLMA Director Community Development finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.
- (2) The development standards for Planning Area 41B of Specific Plan No. 342 shall be the same as those standards identified in Article XIII, Section 13.2 of Ordinance No. 348.
- (3) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article XIII of Ordinance No. 348.

### o. Planning Areas 42, 46A, 46B, 46C, and 46D

- (1) The uses permitted in Planning Areas 42, 46A, 46B, 46C, and 46D of Specific Plan No. 342 shall be the same as those uses permitted in Article XVI, Section 16.2 of Ordinance No. 348 except that the uses permitted in Section 16.2.A.(1), (2), (3), (4), (6), and (7); B.; C.; D. and E. shall not be permitted. In addition, the uses permitted in Section 16.2.C. shall include public water facilities.
- (2) The development standards for Planning Areas 42, 46A, 46B, 46C and 46D of Specific Plan No. 342 shall be the same as those standards identified in Article XI, Section 11.4 of Ordinance No. 348.

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1	1 (3) Except as pro	ovided above, all other zoning requirements shall be the same as	
2	2 those require	ments identified in Article XVI and XI of Ordinance No. 348.	
3	3 <u>Section 3.</u> This ordinane	ce shall take affect 30 days after its adoption.	
4	II.		
5		RD OF SUPERVISORS OF THE COUNTY IVERSIDE, STATE OF CALIFORNIA	
6	II.		
7	7 By: Chai	rman, Board of Supervisors	
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#### DEVELOPMENT AGREEMENT NO. 73

This Development Agreement (hereinafter "Agreement") is entered into effective on the date it is recorded with the Riverside County Recorder (hereinafter the "Effective Date") by and among the COUNTY OF RIVERSIDE (hereinafter "COUNTY"), and NUEVO DEVELOPMENT COMPANY, LLC, a Delaware limited liability company (hereinafter "OWNER"):

#### RECITALS

WHEREAS, COUNTY is authorized to enter into binding development agreements with persons having legal or equitable interests in real property for the development of such property, pursuant to Article 11, Section 7 of the California Constitution and Section 65864, et seq. of the Government Code; and,

WHEREAS, COUNTY has adopted Procedures and Requirements of the County of Riverside for the Consideration of Development Agreements (hereinafter "Procedures and Requirements"), pursuant to Section 65865 of the Government Code; and,

WHEREAS, OWNER has requested COUNTY to enter into a development agreement and proceedings have been taken in accordance with the Procedures and Requirements of COUNTY; and,

WHEREAS, by electing to enter into this Agreement, COUNTY shall bind future Boards of Supervisors of COUNTY by the obligations specified herein and limit the future exercise of certain governmental and proprietary powers of COUNTY; and,

WHEREAS, the terms and conditions of this Agreement have undergone extensive review by COUNTY and the Board of Supervisors and have been found to be fair, just and reasonable; and,

WHEREAS, the best interests of the citizens of Riverside County and the public health, safety and welfare will be served by entering into this Agreement; and,

WHEREAS, all of the procedures of the California Environmental Quality Act have been met with respect to the Project and the Agreement; and,

WHEREAS, this Agreement and the Project are consistent with the Riverside County Comprehensive General Plan and any Specific Plan applicable thereto; and,

WHEREAS, all actions taken and approvals given by COUNTY have been duly taken or approved in accordance with all applicable legal requirements for notice, public hearings, findings, votes, and other procedural matters; and,

WHEREAS, this Agreement will confer substantial private benefits on OWNER by granting vested rights to develop the Property in accordance with the provisions of this Agreement; and

WHEREAS, development of the Property in accordance with this Agreement will provide substantial benefits to COUNTY and will further important policies and goals of COUNTY; and,

WHEREAS, this Agreement will eliminate uncertainty in planning and provide for the orderly development of the Property, ensure progressive installation of necessary improvements, provide for public services appropriate to the development of the Project, and generally serve the purposes for which development agreements under Sections 65864, et seq. of the Government Code are intended; and,

WHEREAS, OWNER has incurred and will in the future incur substantial costs in order to assure development of the Property in accordance with this Agreement; and,

WHEREAS, OWNER has incurred and will in the future incur substantial costs in excess of the generally applicable requirements in order to assure vesting of legal rights to develop the Property in accordance with this Agreement.

#### COVENANTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual covenants

hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

### 1. DEFINITIONS AND EXHIBITS.

- 1.1 <u>Definitions</u>. The following terms when used in this Agreement shall be defined as follows:
  - 1.1.1 "Agreement" means this Development Agreement.
  - 1.1.2 "COUNTY" means the County of Riverside, a political subdivision of the State of California.
  - 1.1.3 "Development" means the improvement of the Property for the purposes of completing the structures, improvements and facilities comprising the Project including, but not limited to: grading; the construction of infrastructure and public facilities related to the Project whether located within or outside the Property; the construction of buildings and structures; and the installation of landscaping. When authorized by a Subsequent Development Approval as provided by this Agreement, "development" includes the maintenance, repair, reconstruction or redevelopment of any building, structure, improvement or facility after the construction and completion thereof.
  - 1.1.4 "Development Approvals" means all permits and other entitlements for use subject to approval or issuance by COUNTY in connection with development of the

Property including, but not limited to:

- (a) Specific plans and specific plan amendments;
- (b) Zoning;
- (c) Tentative and final subdivision and parcel maps;
- (d) Conditional use permits, public use permits and plot plans;
- (e) Grading and building permits.
- 1.1.5 "Development Exaction" means any requirement of COUNTY in connection with or pursuant to any Land Use Regulation or Development Approval for the dedication of land, the construction of improvements or public facilities, or the payment of fees in order to lessen, offset, mitigate or compensate for the impacts of development on the environment or other public interests.
- 1.1.6 "Development Plan" means the Existing Development Approvals and the Existing Land Use Regulations applicable to development of the Property.
- 1.1.7 "Effective Date" means the date this Agreement is recorded with the County Recorder.
- 1.1.8 "Existing Development Approvals" means all Development Approvals approved or issued prior to the Effective Date. Existing Development Approvals includes the Development Approvals incorporated herein as Exhibit "C" and all other Development

Approvals which are a matter of public record on the Effective Date.

- 1.1.9 "Existing Land Use Regulations" means all Land Use Regulations in effect on the Effective Date. Existing Land Use Regulations includes the Regulations incorporated herein as Exhibit "D" and all other Regulations which are a matter of public record on the Effective Date.
- 1.1.10 "Land Use Regulations" means all ordinances, resolutions, codes, rules, regulations and official policies of COUNTY governing the development and use of land, including, without limitation, the permitted use of land, the density or intensity of use, subdivision requirements, the maximum height and size of proposed buildings and structures, the provisions for reservation or dedication of land for public purposes, and the design, improvement and construction standards and specifications applicable to the development of the property. "Land Use Regulations" does not include any COUNTY ordinance, resolution, code, rule, regulation or official policy, governing:
  - (a) The conduct of businesses, professions, and occupation
  - (b) Taxes and assessments;
  - (c) The control and abatement of nuisances;
  - (d) The granting of encroachment permits and the conveyance of rights and interests which provide for the use of or the entry upon public property;
  - (e) The exercise of the power of eminent domain.

- 1.1.11 "Mortgagee" means a mortgagee of a mortgage, a beneficiary under a deed of trust or any other security-device lender, and their successors and assigns.
- 1.1.12 "OWNER" means the persons and entities listed as OWNER on the first page of this Agreement and their successors in interest to all or any part of the Property.
- 1.1.13 "Project" means the development of the Property contemplated by the Development Plan as such Plan may be further defined, enhanced or modified pursuant to the provisions of this Agreement.
- 1.1.14 "Property" means the real property described on Exhibit "A" and shown on Exhibit "B" to this Agreement.
- 1.1.15 "Reservations of Authority" means the rights and authority excepted from the assurances and rights provided to OWNER under this Agreement and reserved to COUNTY under Section 3.6 of this Agreement.
- 1.1.16 "Subsequent Development Approvals" means all Development Approvals required subsequent to the Effective Date in connection with development of the Property.
- 1.1.17 "Subsequent Land Use Regulations" means any Land Use Regulations adopted and effective after the Effective Date of this Agreement.

- 1.1.18 "Transfer" means sale, assignment, lease, sublease or any other transfer of a legal or equitable interest in the Property.
- 1.2 <u>Exhibits</u>. The following documents are attached to, and by this reference made a part of, this Agreement:

Exhibit "A" -- Legal Description of the Property.

Exhibit "B" -- Map Showing Property and its Location.

Exhibit "C" -- Existing Development Approvals.

Exhibit "D" -- Existing Land Use Regulations.

Exhibit "E" - Public Facility Credits.

Exhibit "F" - Fire Safety CFD and Facilities CFD

Exhibit "G" - Additional Traffic Facilities Fee Schedule

Exhibit "H" - Map Showing Agricultural Planning Areas

#### 2. GENERAL PROVISIONS.

- 2.1 <u>Binding Effect of Agreement</u>. The Property is hereby made subject to this Agreement. Development of the Property is hereby authorized and shall be carried out only in accordance with the terms of this Agreement.
- 2.2 Ownership of Property. OWNER represents and covenants that it is the owner of the fee simple title to the Property or a portion thereof.

2.3 Term. The term of this Agreement shall commence on the Effective Date and shall continue for a period of thirty (30) years thereafter unless this term is modified or extended pursuant to the provisions of this Agreement.

#### 2.4 Transfer.

- 2.4.1 Right to Transfer. OWNER shall have the right to transfer the Property in whole or in part (provided that no such partial transfer shall violate the Subdivision Map Act, Government Code Section 66410, et seq., or Riverside County Ordinance No. 460) to any person, partnership, joint venture, firm or corporation at any time during the term of this Agreement; provided, however, that any such transfer shall include the assignment and assumption of the rights, duties and obligations arising under or from this Agreement and be made in strict compliance with the following conditions precedent:
  - (a) No transfer of any right or interest under this Agreement shall be made unless made together with the sale, transfer or assignment of all or a part of the Property.
  - (b) Concurrent with any such transfer or within fifteen (15) business days thereafter, OWNER shall notify COUNTY, in writing, of such transfer and shall provide COUNTY with an executed agreement by the transferee, in a form reasonably acceptable to COUNTY, providing therein that the transferee expressly and unconditionally assumes all the duties and obligations of OWNER under this Agreement.

Any transfer not made in strict compliance with the foregoing conditions shall constitute a default by OWNER under this Agreement. Notwithstanding the failure of any transferee to execute the agreement required by Paragraph (b) of this Subsection 2.4.1, the burdens of this Agreement shall be binding upon such transferee, but the benefits of this Agreement shall not inure to such transferee until and unless such agreement is executed.

- 2.4.2 Release of Transferring OWNER. Notwithstanding any transfer, a transferring OWNER shall continue to be obligated under this Agreement unless such transferring OWNER is given a release in writing by COUNTY, which release shall be provided by COUNTY upon the full satisfaction by such transferring OWNER of the following conditions:
  - (a) OWNER no longer has a legal or equitable interest in all or any part of the Property.
    - (b) OWNER is not then in default under this Agreement.
  - (c) OWNER has provided COUNTY with the notice and executed agreement required under Paragraph (b) of Subsection 2.4.1 above.
  - (d) The transferee provides COUNTY with security equivalent to any security previously provided by OWNER to secure performance of its obligations

hereunder.

- 2.4.3 <u>Subsequent Transfer</u>. Any subsequent transfer after an initial transfer shall be made only in accordance with and subject to the terms and conditions of this Section.
- 2.4.4 Partial Release of Purchaser, Transferee or Assignee of Industrial or

  Commercial Lot. A purchaser, transferee or assignee of a lot, which has been finally subdivided as provided for in the Development Plan and for which a commercial or industrial plot plan for development of the lot has been finally approved pursuant to the Development Plan, may submit a request, in writing, to COUNTY to release said lot from the obligations under this Agreement relating to all other portions of the property. Within thirty (30) days of such request, COUNTY shall review, and if the above conditions are satisfied shall approve the request for release and notify the purchaser, transferee or assignee in writing thereof. No such release approved pursuant to this Subsection 2.4.4 shall cause, or otherwise affect, a release of OWNER from its duties and obligations under this Agreement.
- 2.4.5 <u>Termination of Agreement With Respect to Individual Lots Upon Sale to Public and Completion of Construction</u>. The provisions of Subsection 2.4.1 shall not apply to the sale or lease (for a period longer than one year) of any lot which has been finally subdivided and is individually (and not in "bulk") sold or leased to a member of the public or other ultimate user. Notwithstanding any other provisions of this Agreement, this Agreement shall terminate with respect to any lot and such lot shall be released and no

longer be subject to this Agreement without the execution or recordation of any further document upon satisfaction of both of the following conditions

- (a) The lot has been finally subdivided and individually (and not in "bulk") sold or leased (for a period longer than one year) to a member of the public or other ultimate user; and,
- (b) A Certificate of Occupancy has been issued for a building on the lot, and the fees set forth under Section 4 of this Agreement have been paid.
- 2.5 Amendment or Cancellation of Agreement. This Agreement may be amended or cancelled in whole or in part only by written consent of all parties in the manner provided for in Government Code Section 65868. This provision shall not limit any remedy of COUNTY or OWNER as provided by this Agreement.
- 2.6 <u>Termination</u>. This Agreement shall be deemed terminated and of no further effect upon the occurrence of any of the following events:
  - (a) Expiration of the stated term of this Agreement as set forth in Section 2.3.
  - (b) Entry of a final judgment setting aside, voiding or annulling the adoption of the ordinance approving this Agreement.
    - (c) The adoption of a referendum measure overriding or repealing the

ordinance approving this Agreement.

(d) Completion of the Project in accordance with the terms of this Agreement including issuance of all required occupancy permits and acceptance by COUNTY or applicable public agency of all required dedications.

Termination of this Agreement shall not constitute termination of any other land use entitlements approved for the Property. Upon the termination of this Agreement, no party shall have any further right or obligation hereunder except with respect to any obligation to have been performed prior to such termination or with respect to any default in the performance of the provisions of this Agreement which has occurred prior to such termination or with respect to any obligations which are specifically set forth as surviving this Agreement.

#### 2.7 Notices.

- (a) As used in this Agreement, "notice" includes, but is not limited to, the communication of notice, request, demand, approval, statement, report, acceptance, consent, waiver, appointment or other communication required or permitted hereunder.
- (b) All notices shall be in writing and shall be considered given either: (i) when delivered in person to the recipient named below; or (ii) on the date of delivery shown on the return receipt, after deposit in the United States mail in a sealed envelope as either registered or certified mail with return receipt requested, and postage and postal charges prepaid, and addressed to the recipient named below; (iii) on the next business day

when delivered by overnight United States mail or courier service; or (iv) on the date of delivery shown in the facsimile records of the party sending the facsimile after transmission by facsimile to the recipient named below. All notices shall be addressed as follows:

### If to COUNTY:

Clerk of the Board of Supervisors

County of Riverside

P.O. Box 1147

Riverside, CA 92502-1147

Fax No. (951)955-1071

## with copies to:

County Executive Officer

County of Riverside

4080 Lemon Street, 4th Floor

Riverside, CA 92501-3679

Fax No. (951)955-1105

and

**TLMA Director** 

Transportation and Land Management Agency

County of Riverside

4080 Lemon Street, 14th Floor

Riverside, CA 92501

Fax No. (951)955-5177

and

County Counsel

County of Riverside

3960 Orange Street, Fifth Floor

Riverside, CA 92501

Fax No. (951)955-6363

### If to OWNER:

Nuevo Development Company, LLC

c/o Lewis Management Corp.

1156 N. Mountain Avenue

Upland, CA 91786

Attn: Bryan Goodman

Email: Bryan.Goodman@lewismc.com

# with a copy to:

John P. Yeager

O'Neil LLP

19900 MacArthur Blvd., Suite 1050

Irvine, CA 92612

Email: jyeager@oneil-llp.com

(c) Either party may, by notice given at any time, require subsequent

notices to be given to another person or entity, whether a party or an officer or representative of a party, or to a different address, or both. Notices given before actual receipt of notice of change shall not be invalidated by the change.

#### 3. DEVELOPMENT OF THE PROPERTY.

- Reservations of Authority, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, the Development Plan. The Project shall remain subject to all Subsequent Development Approvals required to complete the Project as contemplated by the Development Plan. Except as otherwise provided in this Agreement, the permitted uses of the Property, the density and intensity of use, the maximum height and size of proposed buildings, and provisions for reservation and dedication of land for public purposes shall be those set forth in the Development Plan.
- 3.2 Effect of Agreement on Land Use Regulations. Except as otherwise provided under the terms of this Agreement including the Reservations of Authority, the rules, regulations and official policies governing permitted uses of the Property, the density and intensity of use of the Property, the maximum height and size of proposed buildings, and the design, improvement and construction standards and specifications applicable to development of the Property shall be the Existing Land Use Regulations. In connection with any Subsequent Development Approval, COUNTY shall exercise its discretion in accordance with the Development Plan, and as provided by this Agreement including, but not limited to, the Reservations of Authority. COUNTY shall accept for processing, review and action all applications for Subsequent Development

Approvals, and such applications shall be processed in the normal manner for processing such matters.

- 3.3 <u>Timing of Development</u>. The parties acknowledge that OWNER cannot at this time predict when or the rate at which phases of the Property will be developed. Such decisions depend upon numerous factors which are not within the control of OWNER, such as market orientation and demand, interest rates, absorption, completion and other similar factors. Since the California Supreme Court held in <u>Pardee Construction Co. v. City of Camarillo</u> (1984) 37 Cal.3d 465, that the failure of the parties therein to provide for the timing of development resulted in a later adopted initiative restricting the timing of development to prevail over such parties' agreement, it is the parties' intent to cure that deficiency by acknowledging and providing that OWNER shall have the right to develop the Property in such order and at such rate and at such times as OWNER deems appropriate within the exercise of its subjective business judgment, subject only to any timing or phasing requirements set forth in the Development Plan or the Phasing Plan set forth in Section 3.4.
- 3.4 <u>Phasing Plan</u>. Development of the Property shall be subject to all timing and phasing requirements established by the Development Plan.
- 3.5 Changes and Amendments. The parties acknowledge that refinement and further development of the Project will require Subsequent Development Approvals and may demonstrate that changes are appropriate and mutually desirable in the Existing Development Approvals. In the event OWNER finds that a change in the Existing Development Approvals is necessary or appropriate, OWNER shall apply for a Subsequent Development Approval to

effectuate such change and COUNTY shall process and act on such application in accordance with the Existing Land Use Regulations, except as otherwise provided by this Agreement including the Reservations of Authority. If approved, any such change in the Existing Development Approvals shall be incorporated herein as an addendum to Exhibit "C", and may be further changed from time to time as provided in this Section. Unless otherwise required by law, as determined in COUNTY's reasonable discretion, a change to the Existing Development Approvals shall be deemed "minor" and not require an amendment to this Agreement provided such change does not:

- (a) Alter the permitted uses of the Property as a whole; or,
- (b) Increase the density or intensity of use of the Property as a whole; or,
- (c) Increase the maximum height and size of permitted buildings or structures; or,
- (d) Delete a requirement for the reservation or dedication of land for public purposes within the Property as a whole; or,
- (e) Constitute a project requiring a subsequent or supplemental environmental impact report pursuant to Section 21166 of the Public Resources Code.
- 3.6 Reservations of Authority.
  - 3.6.1 Limitations, Reservations and Exceptions. Notwithstanding any other

provision of this Agreement, the following Subsequent Land Use Regulations shall apply to the development of the Property.

- (a) Processing fees and charges of every kind and nature imposed by COUNTY to cover the estimated actual costs to COUNTY of processing applications for Development Approvals, for monitoring compliance with any Development Approvals granted or issued, or for implementation of any of the terms of this Agreement.
- (b) Procedural regulations relating to hearing bodies, petitions, applications, notices, findings, records, hearings, reports, recommendations, appeals and any other matter of procedure.
- (c) Regulations governing construction standards and specifications including, without limitation, the Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and Grading Code applicable in the COUNTY.
- (d) Regulations imposing Development Exactions; provided, however, that no such subsequently adopted Development Exaction shall be applicable to development of the Property unless such Development Exaction is applied uniformly to development, either throughout the COUNTY or within a defined area of benefit which includes the Property. No such subsequently adopted Development Exaction shall apply if its application to the Property would physically prevent development of the Property for the uses and to the density or

Development Exaction adopted by the COUNTY include any of the County Traffic Improvements or Multi-Jurisdictional Traffic Improvements, as identified in Exhibit "G", no such subsequently adopted Development Exaction shall be applicable to the development of the Property to the extent that the OWNER has already fully satisfied, or will fully satisfy, such Development Exaction by the payment of the County Supplemental Traffic Fee and the Multi-Jurisdictional Traffic Fee. Should such a subsequent Development Exaction be greater than the County Supplemental Traffic Fee and the Multi-Jurisdictional Traffic Fee, OWNER shall be responsible for the difference between the the County Supplemental Traffic Fee and the Multi-Jurisdictional Traffic Fee and the Supplemental Traffic Fee and the Multi-Jurisdictional Traffic Fee and the Supplemental Traffic Fee and the Multi-Jurisdictional Traffic Fee and the Supplemental Traffic Fee and the Multi-Jurisdictional Traffic Fee and the Subsequent Development Exaction.

- (e) Regulations which may be in conflict with the Development Plan but which are reasonably necessary to protect the public health and safety. To the extent possible, any such regulations shall be applied and construed so as to provide OWNER with the rights and assurances provided under this Agreement.
- (f) Regulations which are not in conflict with the Development Plan.

  Any regulation, whether adopted by initiative or otherwise, limiting the rate or timing of development of the Property shall be deemed to conflict with the Development Plan and shall therefore not be applicable to the development of the Property.

- (g) Regulations which are in conflict with the Development Plan provided OWNER has given written consent to the application of such regulations to development of the Property.
- (h) Regulations addressing compliance with any COUNTY approved

  Climate Action Plan in place at the time of processing of the Development

  Approvals and Subsequent Development Approvals.
- 3.6.2 Subsequent Development Approvals. This Agreement shall not prevent COUNTY, in acting on Subsequent Development Approvals, from applying Subsequent Land Use Regulations which do not conflict with the Development Plan, nor shall this Agreement prevent COUNTY from denying or conditionally approving any Subsequent Development Approval on the basis of the Existing Land Use Regulations or any Subsequent Land Use Regulation not in conflict with the Development Plan.
- 3.6.3 Modification or Suspension by State or Federal Law. In the event that State or Federal laws or regulations, enacted after the Effective Date of this Agreement, prevent or preclude compliance with one or more of the provisions of this Agreement, such provisions of this Agreement shall be modified or suspended as may be necessary to comply with such State or Federal laws or regulations, provided, however, that this Agreement shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations and to the extent such laws or regulations do not render such remaining provisions impractical to enforce.

- 3.6.4 <u>Intent</u>. The parties acknowledge and agree that COUNTY is restricted in its authority to limit its police power by contract and that the foregoing limitations, reservations and exceptions are intended to reserve to COUNTY all of its police power which cannot be so limited. This Agreement shall be construed, contrary to its stated terms if necessary, to reserve to COUNTY all such power and authority which cannot be restricted by contract.
- 3.7 <u>Public Works</u>. If OWNER is required by this Agreement to construct any public works facilities which will be dedicated to COUNTY or any other public agency upon completion, and if required by applicable laws to do so, OWNER shall perform such work in the same manner and subject to the same requirements as would be applicable to COUNTY or such other public agency should it have undertaken such construction.
- 3.8 Provision of Real Property Interests by COUNTY. In any instance where OWNER is required to construct any public improvement on land not owned by OWNER, OWNER shall at its sole cost and expense provide or cause to be provided, the real property interests necessary for the construction of such public improvements. In the event OWNER is unable, after exercising reasonable efforts, including, but not limited to, the rights under Sections 1001 and 1002 of the Civil Code, to acquire the real property interests necessary for the construction of such public improvements, and if so instructed by OWNER and upon OWNER'S provision of adequate security for costs COUNTY may reasonably incur, COUNTY shall negotiate the purchase of the necessary real property interests to allow OWNER to construct the public improvements as required by this Agreement and, if necessary, in accordance with the procedures established by law, use its power of eminent domain to acquire such required real

property interests. OWNER shall pay all costs associated with such acquisition or condemnation proceedings. This Section 3.8 is not intended by the parties to impose upon the OWNER an enforceable duty to acquire land or construct any public improvements on land not owned by OWNER, except to the extent that the OWNER elects to proceed with the development of the Project, and then only in accordance with valid conditions imposed by the COUNTY upon the development of the Project under the Subdivision Map Act, Government Code Section 66410 et seq. or other legal authority. If COUNTY is unwilling to use its power of eminent domain to acquire such real property interests, said requirement for OWNER to construct such public improvements shall be waived by the COUNTY.

- Regulation by Other Public Agencies. It is acknowledged by the parties that other public agencies not within the control of COUNTY possess authority to regulate aspects of the development of the Property separately from or jointly with COUNTY and this Agreement does not limit the authority of such other public agencies. For example, pursuant to Government Code Section 66477 and Section 10.35 of Riverside County Ordinance No. 460, another local public agency may provide local park and recreation services and facilities and in that event, it is permitted, and therefore shall be permitted by the parties, to participate jointly with COUNTY to determine the location of land to be dedicated or in lieu fees to be paid for local park purposes, provided that COUNTY shall exercise its authority subject to the terms of this Agreement.
- 3.10 <u>Tentative Tract Map Extension</u>. Notwithstanding the provisions of Section 66452.6 of the Government Code, no tentative subdivision map or tentative parcel map, heretofore or hereafter approved in connection with development of the Property, shall be

granted an extension of time except in accordance with the Existing Land Use Regulations.

3.11 <u>Vesting Tentative Maps</u>. If any tentative or final subdivision map, or tentative or final parcel map, heretofore or hereafter approved in connection with development of the Property, is a vesting map under the Subdivision Map Act (Government Code Section 66410, et seq.) and Riverside County Ordinance No. 460 and if this Agreement is determined by a final judgment to be invalid or unenforceable insofar as it grants a vested right to develop to OWNER, then and to that extent the rights and protections afforded OWNER under the laws and ordinances applicable to vesting maps shall supersede the provisions of this Agreement. Except as set forth immediately above, development of the Property shall occur only as provided in this Agreement, and the provisions in this Agreement shall be controlling over any conflicting provision of law or ordinance concerning vesting maps.

#### 4. PUBLIC BENEFITS.

- 4.1 Intent. The parties acknowledge and agree that development of the Property will detrimentally affect public interests which will not be fully addressed by the Development Plan and further acknowledge and agree that this Agreement confers substantial private benefits on OWNER which should be balanced by commensurate public benefits. Accordingly, the parties intend to provide consideration to the public to balance the private benefits conferred on OWNER by providing more fully for the satisfaction of the public interests.
  - 4.2 Public Benefits for Residential or Residential/Mixed Use Projects.

4.2.1 Description of Significant Public Benefits.

The significant public benefits that will be attained as a result of this Agreement and the implementation of the Development Plan beyond that required to mitigate Project impacts include, without limitation, the following:

- (a) <u>Higher Park Standard</u>. The Project shall include park and recreation land and improvements on the Project site in the amount of five (5) acres per 1,000 population, which exceeds the COUNTY standard of three (3) acres per 1,000 population, as further described in County Ordinance No. 460
- (b) Contribution to Library Expansion. The Project shall be subject to a fee for library expansion (the "Library Expansion Fee") in the amount of \$415.39 per dwelling unit for the first 4,300 dwelling units within the Project. Following the issuance of a building permit for the 4,300th dwelling unit and within ninety (90) days after COUNTY's written notice to OWNER of the Board of Supervisors' approval of construction documents for the expansion of library facilities serving the Project, OWNER shall pay COUNTY \$5,358,500 (the "Library Final Payment.") The amount of the Library Expansion Fee and Library Final Payment shall adjust on January 1 each year in accordance with Section 4.2.4 below; provided, however, the total amount of the Library Expansion Fees paid and the Library Final Payment shall not exceed \$8,000,000. Payment of the Library Expansion Fees shall be in full satisfaction of all obligations and requirements of the Project to fund library facilities and shall be in lieu of any Development Exaction otherwise imposed against the Project for library construction. Any Development Exaction imposed against the Project for Library Books/Media shall still apply.
- (c) <u>Community Room Space</u>. The Project includes a community center that will be operated and maintained by OWNER or a property owner's association. The community

center shall include a multi-purpose room with the capacity for up to 100 seated people for purposes of community meetings, presentations, or other public use by the COUNTY. The multi-purpose room shall include technology and equipment to allow for meetings and presentations to be recorded and broadcast, as well as WiFi technology. It is agreed that the COUNTY shall have access to use the multi-purpose room a minimum of two times per month, for up to four hours per use, free of charge, for the entire term of this Agreement. All other details for use of the multi-purpose room shall be documented in a separate agreement between the COUNTY and property owner's association.

- (d) Smart Shuttle Program. Prior to issuance of the building permit for the 2,500 dwelling unit of the Project, as shown on the phasing plan for the Specific Plan, OWNER agrees to work with COUNTY and the Riverside Transit Agency ("RTA") to create a Smart Shuttle Program to transport commuters from the Project site to the Perris Valley Line Metrolink Station or other Metrolink stop or station if one is closer to the Project site. The Smart Shuttle Program may be a cooperative effort of OWNER, COUNTY and the RTA or run solely by a property or business owner's association created by OWNER. OWNER's participation may consist of providing a vehicle or vehicles, or funding for same, as well as ongoing expenses such as labor expenses, fuel and maintenance for a period of up to eight (8) years at a cost not to exceed \$40,000 per year. The exact funding levels and responsibilities of OWNER, COUNTY and RTA will be established at the time of creation of the Smart Shuttle Program and adjusted based on actual costs.
- (e) New Fire Station and Equipment. OWNER shall reserve up to two (2) acres within the Project, at a location within Planning Areas 20 or 22 acceptable to the Riverside County Fire Department, for the purpose of the construction of a new fire

station to serve the Project and surrounding area (the "Fire Station Site"). The Fire Station Site shall be identified as a lot in the tentative subdivision map approved for the Planning Area that includes the Fire Station Site. The Project shall be subject to development impact fees imposed by the COUNTY for fire facilities.

Either (i) upon the issuance of a building permit for the 2,000<sup>th</sup> dwelling unit within the Project or (ii) within ninety (90) days following written notice from the Riverside County Fire Department (the "Fire Department") to OWNER and the COUNTY that the annual emergency call volume for the Project to the Fire Department's Nuevo Station 3 exceeds 1,500 such calls, whichever occurs first, OWNER shall fund the COUNTY's acquisition of a two-person medic patrol emergency response vehicle for Nuevo Station 3 at a cost not to exceed \$265,000, subject to annual adjustment as provided in Section 4.2.4.

Either (i) upon the issuance of a building permit for the 5,000<sup>th</sup> dwelling unit within the Project or (ii) within ninety (90) days following written notice from the Fire Department to OWNER and the COUNTY that the annual emergency call volume for the Project to Nuevo Station 3 exceeds 3,000 such calls, whichever occurs first, OWNER shall fund the COUNTY's acquisition of a ladder truck fire apparatus that meets the Fire Department's specifications and design standards at a cost not to exceed \$1,500,000, subject to annual adjustment as provided in Section 4.2.4.

Either (i) upon the issuance of a building permit for the 8,000<sup>th</sup> dwelling unit within the Project or (ii) within ninety (90) days following written notice from the Fire Department to OWNER and the COUNTY that the annual emergency call volume

for the Project to Nuevo Station 3 exceeds 4,000 such calls, whichever occurs first, OWNER shall fund the COUNTY's cost of acquisition of a new Type 1 fire engine for the new Fire Station at a cost not to exceed \$650,000, subject to annual adjustment as provided in Section 4.2.4.

OWNER's obligations pursuant to this Section 4.2.1(e) to fund the three pieces of fire equipment shall be contingent upon the establishment of the Fire Safety Community Facilities District ("CFD") and a separate Facilities CFD, as described in and pursuant to the provisions of Exhibit "F" to this Agreement, provided, however, if OWNER fails to request the formation of the Fire Safety CFD or Facilities CFD prior to the issuance of the first building permit in the Project or fails to vote affirmatively in the proceedings to establish such CFDs, OWNER shall remain responsible to fund the fire equipment. OWNER's obligations pursuant to this Section 4.2.1(e) for the funding of fire equipment shall be in full satisfaction of all obligations or requirements of the Project to fund fire equipment and shall be in lieu of any Development Exaction otherwise imposed against the Project for fire equipment purposes.

Within sixty (60) days following the issuance of a building permit for the 5,500<sup>th</sup> dwelling unit within the Project, the COUNTY shall reasonably estimate the construction cost of the new Fire Station to be built on the Fire Station Site. At the same time, the COUNTY and OWNER shall determine the fair market value of the Fire Station Site based upon a highest and best use of mixed use development as permitted by the Specific Plan for the applicable Planning Area. The Fire Station Site shall then be conveyed to the COUNTY and OWNER shall receive a credit against Development Impact Fees imposed for fire protection in an amount equal to the

fair market value of the Fire Station Site. However, OWNER shall not be entitled to such a Development Impact Fee credit unless and until the Development Impact Fees collected for fire protection within the Project exceed the reasonable estimate of the construction cost of the new Fire Station to be built on the Fire Station Site.

#### (f) Right-of-Way for Mid-County Parkway.

Based on preliminary engineering analyses, it is estimated that the Project will dedicate in excess of 100 acres of right-of-way for the Mid-County Parkway. With the first final map of any kind recorded within the Project or by some irrevocable offer of dedication of the right-of-way through a separate instrument at the time of recording of the first final map, OWNER shall make an irrevocable offer of dedication of the entire right-of-way for the Mid-County Parkway within the Project, at the alignments and widths specificied in the Mid-County Parkway Joint Environmental Impact Statement/Environmental Impact Report certified April 8, 2015.

OWNER shall receive credit against the Project's transportation uniform mitigation fees

("TUMF") imposed pursuant to the Western Riverside Council of Government's Transportation Uniform Mitigation Fee Program for such right-of-way dedication as determined in accordance with the TUMF Administrative Plan and WRCOG's procedures and policies in effect at the time of the right-of-way dedication. The COUNTY agrees OWNER may reserve from such irrevocable offer of dedication such temporary construction easements required for the construction of adjoining portions of the Project and such permanent utility easements required for the Project that do not materially interfere with the construction of the Mid-County Parkway.

(g) Additional Traffic Facilities Fee. In order to provide funding for traffic improvements (or portions thereof) that are not currently included in the Development Impact Fees or TUMF for (i) certain traffic improvements outside the

Project ("County Traffic Improvements") and (ii) certain traffic improvements outside the Project but within incorporated areas or under CalTrans jurisdiction ("Multi-Jurisdictional Traffic Improvements"), the Project shall be subject to a County Supplemental Traffic Fee and a Multi-Jurisdictional Traffic Fee in the amounts set forth in the Additional Traffic Facilities Fee Schedule included in Exhibit "G" hereto. The County Traffic Improvements and Multi-Jurisdictional Traffic Improvements are described in greater detail in Exhibit "G" hereto.

The COUNTY expects to enter into agreements with cities and CalTrans with respect to the Multi-Jurisdictional Traffic Improvements for the disbursement of Multi-Jurisdictional Traffic Fees to the cities and CalTrans and their construction of the Multi-Jurisdictional Traffic Improvements. The COUNTY shall apply the County Supplemental Traffic Fees to construct the County Traffic Improvements as needed to serve the Project.

- (h) <u>Broadband Capability</u>. The Project shall include conduit for broadband optic fiber in all streets throughout the Project, as well as pull boxes, to complement the COUNTY's broadband initiative. Should there be significant technological changes prior to build out of the Project, OWNER and the COUNTY may mutually agree on the incorporation of such new technology in lieu of broadband optic fiber.
- (i) <u>Development Agreement Fee</u>. The Project shall be subject to a Development Agreement fee (the "DA Fee") in the amount of \$1,000 per dwelling unit. The amount of the DA Fee shall increase on the fifth, tenth, fifteenth, twentieth and twenty-fifth anniversary of the Effective Date to \$1,100, \$1,200, \$1,300, \$1,400 and \$1,500, respectively.

The DA Fees collected by the COUNTY shall be used by the COUNTY in its sole discretion. One-third (33%) of the DA Fee shall be spent in the Lakeview/Nuevo area surrounding the Project. The remaining two-thirds (67%) of the DA Fee shall be used by the COUNTY in the Supervisorial District in which the Project is located.

- documented in the Specific Plan for the Project, and as shown in Exhibit "H" attached hereto, have been designated for agricultural uses. When recording a final map that includes any portion of Planning Areas 41a, 48, and 49, OWNER agrees to grant a conservation easement, in perpetuity, over those Planning Areas to COUNTY, or another suitable not-for-profit entity or public agency, acceptable to the COUNTY, for purposes of ensuring that the Planning Areas remain in agricultural use or as permanent open space.
- (k). Regional Trails System. All tentative maps within the Property that include land within the proposed design of the COUNTY's regional trail system shall identify such trail areas, and, as final maps are filed, an irrevocable offer of dedication of the right-of-way for the a trails system shall be made to the COUNTY by the OWNER to be connected to the COUNTY's regional trail system.
- (I). Affordable Housing. Of the 8,725 dwelling units planned for the Project, 2,715 units are planned to be built within Mixed Use (MU) areas within the Town Center, which have densities between 8 and 40 dwelling units per acre.

Consistent with the Housing Element stipulation that land designated Highest Density Residential ("HHDR") or a minimum of 20 dwelling units per acre is appropriate for lower income households and meets affordability requirements, OWNER agrees to

designate specific areas within the Town Center area of the Project with a minimum density of 20 dwelling units per acre based on individual project gross area.

OWNER also agrees, at a minimum, to designate at a rate of 0.10 units of all units constructed in the Project within the specific areas of the Town Center units at a density of 20 dwelling units per acre based on individual project gross area. Assuming build-out of the Project to 8,725 units, OWNER will designate a maximum of 872 units inside the Town Center area to be developed at a minimum density of 20 dwelling units per acre based on individual project gross area.

Designation of the areas for the 872 units shall occur prior to the entitlement of any development within Phase 3, the Town Center, as part of the Village Refinement Plan further described in Section B.11 in the Specific Plan. Additionally, the subsequent development approvals for the entitlement and construction of the 872 units at a density of 20 dwelling units per acre shall be submitted to COUNTY by OWNER prior to the issuance of the building permit for the 4,500<sup>th</sup> dwelling unit within the Project and grading permits for the 872 units shall be issued prior to the building permit for the 5,500<sup>th</sup> dwelling unit within the Project.

However, if fewer than 8,725 units are built within the Specific Plan, then the required number of units at a minimum density of 20 dwelling units per acre within the Town Center shall be proportionately reduced in accordance with the formula of 0.10 units at a minimum density of 20 dwelling units per acre for every 1.0 unit developed within the Specific Plan. Any such reduction in the constructed units that allows for a reduction in the amount of units at a minimum density of 20 dwelling units per acre will restrict the ability to transfer these units to other Planning Areas in the Specific Plan as

typically allowed by Section B.11.c of the Specific Plan. COUNTY acknowledges and finds that subject to compliance with the provisions of this Section 4.2.1(1), the Project is exempt from any obligation to contribute to any other on- or off-site low income housing units or other mitigation related to affordable housing.

#### 4.2.2 <u>Timeline for Construction of Major Public Infrastructure.</u>

#### [Intentionally Omitted]

- 4.2.3 <u>Time of Payment</u>. The DA Fee, Library Expansion Fee and County

  Supplemental Traffic Fee and Multi-Jurisdictional Traffic Fee required pursuant to

  Subsection 4.2.1 shall be paid to COUNTY no sooner than the application for a building

  permit, but no later than prior to final inspection or issuance of certificate of occupancy,

  whichever occurs first. The fees to be paid shall be the fee in effect at the time of payment.
- 4.2.4. <u>Annual Fee Adjustment</u>. The amount of the County Supplemental Traffic Fee, Multi-Jurisdictional Traffic Fee, Library Expansion Fee, Library Final Payment, and the fire equipment costs specified in Section 4.2.1(e) required pursuant to Subsection 4.2.1 shall be adjusted annually during the term of this Agreement on January 1 of each year of this Agreement in accordance with the changes in the Consumer Price Index for All Urban Consumers in the Los Angeles-Riverside-Orange County, CA Area (hereinafter CPI) published monthly by the U.S. Bureau of Labor Statistics. The annual adjustment shall be calculated in the following manner:
  - (a) Divide the CPI for the month of October 2017 into the CPI for the month of October immediately preceding the anniversary in which said amounts are to be adjusted.

- (b) Multiply the quotient obtained by the calculation in Paragraph (a) above by said amount.
- (c) The result of the multiplication obtained in Paragraph (b) above shall constitute the amount of the County Supplemental Traffic Fee, Multi-Jurisdictional Traffic Fee, Library Expansion Fee, and Library Final Payment payable during the succeeding year.

If the CPI specified herein is discontinued or revised during the term of this Agreement, such other government index or computation with which it is replaced shall be used in order to obtain substantially the same result as would have been obtained if the CPI had not been discontinued.

In no event shall the amount of the County Supplemental Traffic Fee, Multi-Jurisdictional Traffic Fee, Library Expansion Fee, and Library Final Payment be less than the amounts set forth in Subsection 4.2.1.

4.2.5. Continuation of Public Benefits. Should all or any portion of Property become part of a city or another county, implementation of the Public Benefits set forth in Section 4.2 shall continue in full force and effect. During any incorporation or annexation proceeding, OWNER shall agree that any incorporation or annexation may be conditioned so as to require OWNER to implement said Public Benefits.

#### 5. FINANCING OF PUBLIC IMPROVEMENTS.

If deemed appropriate, COUNTY and OWNER will cooperate in the formation of any special assessment district, community facilities district or alternate financing mechanism to pay for the construction and/or maintenance and operation of public infrastructure facilities required

as part of the Development Plan. OWNER also agrees that it will not initiate and/or cooperate in the formation of any such special assessment district, community facilities district or alternate financing mechanism involving any other public agency without the prior written consent of the COUNTY.

Should the Property be included within such a special assessment district, community facilities district or other financing entity, the following provisions shall be applicable:

- (a) In the event OWNER conveys any portion of the Property and/or public facilities constructed on any portion of the Property to COUNTY or any other public entity and said Property is subject to payment of taxes and/or assessments, such taxes and/or assessments shall be paid in full by OWNER prior to completion of any such conveyance.
- (b) If OWNER is in default in the payment of any taxes and/or assessments,

  OWNER shall be considered to be in default of this Agreement and COUNTY may, in its
  sole discretion, initiate termination proceedings pursuant to Section 8.4 of this Agreement.

Notwithstanding the foregoing, it is acknowledged and agreed by the parties that nothing contained in this Agreement shall be construed as requiring COUNTY or the COUNTY Board of Supervisors to form any such district or to issue and sell bonds.

#### 6. REVIEW FOR COMPLIANCE.

- 6.1 Annual Review. The TLMA Director shall review this Agreement annually, on or before the Effective Date, in order to ascertain the good faith compliance by OWNER with the terms of the Agreement. In order to facilitate this review, OWNER shall submit an annual monitoring report, in a form specified by the TLMA Director, providing all information necessary to evaluate such good faith compliance as determined by the Planning Director. OWNER shall pay the annual review and administration fee set forth in Ordinance No. 671 prior to submission of each annual monitoring report. Prior to the issuance of any grading permit or building permit for any part of the Project, OWNER shall prepay a fee deposit in an amount equal to three times the annual review and administration fee set forth in Ordinance No. 671 (the "Monitoring Fee Prepayment"). The Monitoring Fee Prepayment shall be retained by the COUNTY until termination of this Agreement, may be used by the COUNTY at any time if there is a failure to pay any part of the annual monitoring and administration fees required under Ordinance No. 671, and shall be promptly replenished by OWNER up to the original required amount after notice by COUNTY to OWNER. Failure by OWNER to submit an annual monitoring report, on or before the Effective Date of each year in the form specified by the TLMA Director, to pay any part of the annual monitoring and administration fee required under Ordinance No. 671, to make the Monitoring Fee Prepayment or to replenish the Monitoring Fee Prepayment shall constitute a default by OWNER under this Agreement.
- 6.2 <u>Special Review</u>. The Board of Supervisors may order a special review of compliance with this Agreement at any time. The TLMA Director, in consultation with the Executive Office and County Counsel, shall conduct such special reviews.

#### 6.3 Procedure.

- (a) During either an annual review or a special review, OWNER shall be required to demonstrate good faith compliance with the terms of the Agreement. The burden of proof on this issue shall be on OWNER.
- (b) Upon completion of an annual review or a special review, the TLMA

  Director shall submit a report to the Board of Supervisors setting forth the evidence concerning good faith compliance by OWNER with the terms of this Agreement and his recommended finding on that issue.
- (c) If the Board finds on the basis of substantial evidence that OWNER has complied in good faith with the terms and conditions of this Agreement, the review shall be concluded.
- (d) If the Board makes a preliminary finding that OWNER has not complied in good faith with the terms and conditions of this Agreement, the Board may modify or terminate this Agreement as provided in Section 6.4 and Section 6.5. Notice of default as provided under Section 8.4 of this Agreement shall be given to OWNER prior to or concurrent with, proceedings under Section 6.4 and Section 6.5.
- 6.4 <u>Proceedings Upon Modification or Termination</u>. If, upon a finding under Section 6.3, COUNTY determines to proceed with modification or termination of this Agreement, COUNTY shall give written notice to OWNER of its intention so to do. The notice shall be

given at least ten calendar days prior to the scheduled hearing and shall contain:

- (a) The time and place of the hearing;
- (b) A statement as to whether or not COUNTY proposes to terminate or to modify the Agreement; and,
- (c) Such other information as is reasonably necessary to inform OWNER of the nature of the proceeding.
- on modification or termination, OWNER shall be given an opportunity to be heard and shall be entitled to present written and oral evidence. OWNER shall be required to demonstrate good faith compliance with the terms and conditions of this Agreement. The burden of proof on this issue shall be on OWNER. If the Board of Supervisors finds, based upon substantial evidence, that OWNER has not complied in good faith with the terms or conditions of the Agreement, the Board may terminate this Agreement or modify this Agreement and impose such conditions as are reasonably necessary to protect the interests of the County. The decision of the Board of Supervisors shall be final, subject only to judicial review pursuant to Section 1094.5 of the Code of Civil Procedure.
- 6.6 <u>Certificate of Agreement Compliance.</u> If, at the conclusion of an annual or special review, OWNER is found to be in compliance with this Agreement, COUNTY shall, upon request by OWNER, issue a Certificate of Agreement Compliance ("Certificate") to OWNER

stating that after the most recent annual or special review and based upon the information known or made known to the TLMA Director and Board of Supervisors that (1) this Agreement remains in effect and (2) OWNER is not in default. The Certificate shall be in recordable form, shall contain information necessary to communicate constructive record notice of the finding of compliance, shall state whether the Certificate is issued after an annual or special review and shall state the anticipated date of commencement of the next annual review. OWNER may record the Certificate with the County Recorder.

Whether or not the Certificate is relied upon by transferees or OWNER, COUNTY shall not be bound by a Certificate if a default existed at the time of the annual or special review, but was concealed from or otherwise not known to the TLMA Director or Board of Supervisors.

#### 7. INCORPORATION AND ANNEXATION.

- 7.1 <u>Intent.</u> If all or any portion of the Property is annexed to or otherwise becomes a part of a city or another county, it is the intent of the parties that this Agreement shall survive and be binding upon such other jurisdiction.
- 7.2 <u>Incorporation</u>. If at any time during the term of this Agreement, a city is incorporated comprising all or any portion of the Property, the validity and effect of this Agreement shall be governed by Section 65865.3 of the Government Code.
- 7.3 <u>Annexation</u>. OWNER and COUNTY shall oppose, in accordance with the procedures provided by law, the annexation to any city of all or any portion of the Property

unless both OWNER and COUNTY give written consent to such annexation.

#### 8. DEFAULT AND REMEDIES.

8.1 Remedies in General. It is acknowledged by the parties that COUNTY would not have entered into this Agreement if it were to be liable in damages under this Agreement, or with respect to this Agreement or the application thereof.

In general, each of the parties hereto may pursue any remedy at law or equity available for the breach of any provision of this Agreement, except that COUNTY shall not be liable in damages to OWNER, or to any successor in interest of OWNER, or to any other person, and OWNER covenants not to sue for damages or claim any damages:

- (a) For any breach of this Agreement or for any cause of action which arises out of this Agreement; or
- (b) For the taking, impairment or restriction of any right or interest conveyed or provided under or pursuant to this Agreement; or
- (c) Arising out of or connected with any dispute, controversy or issue regarding the application or interpretation or effect of the provisions of this Agreement.
- 8.2 <u>Specific Performance</u>. The parties acknowledge that money damages and remedies at law generally are inadequate and specific performance and other non-monetary relief are

particularly appropriate remedies for the enforcement of this Agreement and should be available to all parties for the following reasons:

- (a) Money damages are unavailable against COUNTY as provided in Section 8.1 above.
- (b) Due to the size, nature and scope of the project, it may not be practical or possible to restore the Property to its natural condition once implementation of this Agreement has begun. After such implementation, OWNER may be foreclosed from other choices it may have had to utilize the Property or portions thereof. OWNER has invested significant time and resources and performed extensive planning and processing of the Project in agreeing to the terms of this Agreement and will be investing even more significant time and resources in implementing the Project in reliance upon the terms of this Agreement, and it is not possible to determine the sum of money which would adequately compensate OWNER for such efforts.
- 8.3 General Release. Except for nondamage remedies, including the remedy of specific performance and judicial review as provided for in Section 6.5, OWNER, for itself, its successors and assignees, hereby releases the COUNTY, its officers, agents and employees from any and all claims, demands, actions, or suits of any kind or nature arising out of any liability, known or unknown, present or future, including, but not limited to, any claim or liability, based or asserted, pursuant to Article I, Section 19 of the California Constitution, the Fifth Amendment of the United States Constitution, or any other law or ordinance which seeks to impose any other liability or damage, whatsoever, upon the COUNTY because it entered into this Agreement or because of the terms of this Agreement. OWNER acknowledges familiarity with and hereby

waives the provisions of Section 1542 of the Civil Code which provides:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE A MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR.

OWNER Initials OWNER Initials OWNER Initials

- Termination or Modification of Agreement for Default of OWNER. Subject to the provisions contained in Subsection 6.5 herein, COUNTY may terminate or modify this Agreement for any failure of OWNER to perform any material duty or obligation of OWNER under this Agreement, or to comply in good faith with the terms of this Agreement (hereinafter referred to as "default"); provided, however, COUNTY may terminate or modify this Agreement pursuant to this Section only after providing written notice to OWNER of default setting forth the nature of the default and the actions, if any, required by OWNER to cure such default and, where the default can be cured, OWNER has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.
- 8.5 <u>Termination of Agreement for Default of COUNTY</u>. OWNER may terminate this Agreement only in the event of a default by COUNTY in the performance of a material term of

this Agreement and only after providing written notice to COUNTY of default setting forth the nature of the default and the actions, if any, required by COUNTY to cure such default and, where the default can be cured, COUNTY has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.

8.6 Attorney's Fees. In any action at law or in equity to enforce or interpret this Agreement, or otherwise arising out of this Agreement, including without limitation any action for declaratory relief or petition for writ of mandate, the parties shall bear their own attorneys' fees.

#### 9. THIRD PARTY LITIGATION

- 9.1 General Plan Litigation. COUNTY has determined that this Agreement is consistent with its General Plan and that the General Plan meets all requirements of law.

  OWNER has reviewed the General Plan and concurs with COUNTY's determination. The parties acknowledge that:
  - (a) Litigation may be filed challenging the legality, validity and adequacy of certain provisions of the General Plan; and,
    - (b) If successful, such challenges could delay or prevent the performance of this

Agreement and the development of the Property.

COUNTY shall have no liability in damages under this Agreement for any failure of COUNTY to perform under this Agreement or the inability of OWNER to develop the Property as contemplated by the Development Plan of this Agreement as the result of a judicial determination that on the Effective Date, or at any time thereafter, the General Plan, or portions thereof, are invalid or inadequate or not in compliance with law.

- 9.2 Third Party Litigation Concerning Agreement. OWNER shall defend, at its expense, including attorneys' fees, indemnify, and hold harmless COUNTY, its officers, agents, employees, and independent contractors from any claim, action or proceeding against COUNTY, its officers, agents, employees, or independent contractors to attack, set aside, void, or annul the approval of this Agreement or the approval of any permit granted pursuant to this Agreement.

  COUNTY shall promptly notify OWNER of any such claim, action or proceeding, and COUNTY shall cooperate in the defense. If COUNTY fails to promptly notify OWNER of any such claim, action or proceeding, or if COUNTY fails to cooperate in the defense, OWNER shall not thereafter be responsible to defend, indemnify, or hold harmless COUNTY. COUNTY may in its discretion participate in the defense of any such claim, action or proceeding.
- 9.3 Indemnity. In addition to the provisions of 9.2 above, OWNER shall indemnify and hold COUNTY, its officers, agents, employees and independent contractors free and harmless from any liability whatsoever, based or asserted upon any act or omission of OWNER, its officers, agents, employees, subcontractors and independent contractors, for property damage, bodily injury, or death (OWNER's employees included) or any other element of damage of any

kind or nature, relating to or in any way connected with or arising from the activities contemplated hereunder, including, but not limited to, the study, design, engineering, construction, completion, failure and conveyance of the public improvements, save and except claims for damages arising through the sole active negligence or sole willful misconduct of COUNTY. OWNER shall defend, at its expense, including attorneys' fees, COUNTY, its officers, agents, employees and independent contractors in any legal action based upon such alleged acts or omissions. COUNTY may in its discretion participate in the defense of any such legal action.

- 9.4 Environment Assurances. OWNER shall indemnify and hold COUNTY, its officers, agents, and employees free and harmless from any liability, based or asserted, upon any act or omission of OWNER, its officers, agents, employees, subcontractors, predecessors in interest, successors, assigns and independent contractors for any violation of any federal, state or local law, ordinance or regulation relating to industrial hygiene or to environmental conditions on, under or about the Property, including, but not limited to, soil and groundwater conditions, and OWNER shall defend, at its expense, including attorneys' fees, COUNTY, its officers, agents and employees in any action based or asserted upon any such alleged act or omission. COUNTY may in its discretion participate in the defense of any such action.
- 9.5 Reservation of Rights. With respect to Sections 9.2, 9.3 and 9.4 herein, COUNTY reserves the right to either (1) approve the attorney(s) which OWNER selects, hires or otherwise engages to defend COUNTY hereunder, which approval shall not be unreasonably withheld, or (2) conduct its own defense, provided, however, that OWNER shall reimburse COUNTY

forthwith for any and all reasonable expenses incurred for such defense, including attorneys' fees, upon billing and accounting therefor.

9.6 <u>Survival</u>. The provisions of Sections 8.1 through 8.3, inclusive, Section 8.6 and Sections 9.1 through 9.6, inclusive, shall survive the termination of this Agreement.

#### 10. MORTGAGEE PROTECTION.

The parties hereto agree that this Agreement shall not prevent or limit OWNER, in any manner, at OWNER's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property. COUNTY acknowledges that the lenders providing such financing may require certain Agreement interpretations and modifications and agrees upon request, from time to time, to meet with OWNER and representatives of such lenders to negotiate in good faith any such request for interpretation or modification. COUNTY will not unreasonably withhold its consent to any such requested interpretation or modification provided such interpretation or modification is consistent with the intent and purposes of this Agreement. Any Mortgagee of the Property shall be entitled to the following rights and privileges:

(a) Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Property made in good faith and for value, unless otherwise required by law.

- (b) The Mortgagee of any mortgage or deed of trust encumbering the Property, or any part thereof, which Mortgagee, has submitted a request in writing to the COUNTY in the manner specified herein for giving notices, shall be entitled to receive written notification from COUNTY of any default by OWNER in the performance of OWNER's obligations under this Agreement.
- of any notice of default given to OWNER under the terms of this Agreement, COUNTY shall provide a copy of that notice to the Mortgagee within ten (10) days of sending the notice of default to OWNER. The Mortgagee shall have the right, but not the obligation, to cure the default during the remaining cure period allowed such party under this Agreement.
- (d) Any Mortgagee who comes into possession of the Property, or any part thereof, pursuant to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Property, or part thereof, subject to the terms of this Agreement.

#### 11. MISCELLANEOUS PROVISIONS.

11.1 Recordation of Agreement. This Agreement and any amendment, modification, termination or cancellation thereof shall be recorded with the County Recorder by the Clerk of the Board of Supervisors within the period required by Section 65868.5 of the Government Code.

- 11.2 Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the parties, and there are no oral or written representations, understandings or ancillary covenants, undertakings or agreements which are not contained or expressly referred to herein. No testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.
- 11.3 Severability. If any term, provision, covenant or condition of this Agreement shall be determined invalid, void or unenforceable, the remainder of this Agreement shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of this Agreement. Notwithstanding the foregoing, the provision of the Public Benefits set forth in Section 4 of this Agreement, including the payment of the fees set forth therein, are essential elements of this Agreement and COUNTY would not have entered into this Agreement but for such provisions, and therefore in the event such provisions are determined to be invalid, void or unenforceable, this entire Agreement shall be null and void and of no force and effect whatsoever.
- 11.4 Interpretation and Governing Law. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of California. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the parties hereto, and the rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be employed in interpreting this Agreement, all parties having been represented by counsel in the negotiation and preparation hereof.

- 11.5 <u>Section Headings</u>. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.
- 11.6 <u>Gender and Number.</u> As used herein, the neuter gender includes the masculine and feminine, the feminine gender includes the masculine, and the masculine gender includes the feminine. As used here, the singular of any word includes the plural.
- 11.7 <u>Joint and Several Obligations</u>. If at any time during the term of this Agreement the Property is owned, in whole or in part, by more than one OWNER, all obligations of such OWNERS under this Agreement shall be joint and several, and the default of any such OWNER shall be the default of all such OWNERS. Notwithstanding the foregoing, no OWNER of a single lot which has been finally subdivided and sold to such OWNER as a member of the general public or otherwise as an ultimate user shall have any obligation under this Agreement except as provided under Section 4 hereof.
- 11.8 <u>Time of Essence</u>. Time is of the essence in the performance of the provisions of this Agreement as to which time is an element.
- 11.9 <u>Waiver</u>. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement thereafter.

- 11.10 No Third Party Beneficiaries. This Agreement is made and entered into for the sole protection and benefit of the parties and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.
- 11.11 Force Majeure. Neither party shall be deemed to be in default where failure or delay in performance of any of its obligations under this Agreement is caused by floods, earthquakes, other Acts of God, fires, wars, riots or similar hostilities, strikes and other labor difficulties beyond the party's control (including the party's employment force). If any such events shall occur, the term of this Agreement and the time for performance by either party of any of its obligations hereunder may be extended by the written agreement of the parties for the period of time that such events prevented such performance, provided that the term of this Agreement shall not be extended under any circumstances for more than five (5) years.
- 11.12 <u>Mutual Covenants</u>. The covenants contained herein are mutual covenants and also constitute conditions to the concurrent or subsequent performance by the party benefited thereby of the covenants to be performed hereunder by such benefited party.
- 11.13 Successors in Interest. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties to this Agreement. All provisions of this Agreement shall be enforceable as equitable servitudes and constitute covenants running with the land. Each covenant to do or refrain from doing some act hereunder with regard to development of the Property: (a) is for the benefit of and is a burden upon every portion of the Property; (b) runs with the Property and each portion thereof; and, (c) is binding upon each party and each successor in interest during ownership of the Property or any

portion thereof.

- 11.14 Counterparts. This Agreement may be executed by the parties in counterparts, which counterparts shall be construed together and have the same effect as if all of the parties had executed the same instrument.
- 11.15 <u>Jurisdiction and Venue</u>. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed and tried in the Superior Court of the County of Riverside, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court.
- 11.16 Project as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the development of the Project is a private development, that neither party is acting as the agent of the other in any respect hereunder, and that each party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement. The only relationship between COUNTY and OWNER is that of a government entity regulating the development of private property and the owner of such property.
- 11.17 Further Actions and Instruments. Each of the parties shall cooperate with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance of all obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon the request of either party at any time, the other party shall promptly execute,

with acknowledgement or affidavit if reasonably required, and file or record such required instruments and writings and take any actions as may be reasonably necessary under the terms of this Agreement to carry out the intent and to fulfill the provisions of this Agreement or to evidence or consummate the transactions contemplated by this Agreement.

- 11.18 Eminent Domain. No provision of this Agreement shall be construed to limit or restrict the exercise by COUNTY of its power of eminent domain.
- 11.19 <u>Water Supply Assessment.</u> Each tentative map prepared for portions of the Property comprised of any residential subdivision shall comply with the provisions of Government Code Section 66473.7.
- California or it is an association, partnership or joint venture without a member, partner or joint venturer resident of the State of California, or it is a foreign corporation, then in any such event, OWNER shall file with the TLMA Director, upon its execution of this Agreement, a designation of a natural person residing in the State of California, giving his or her name, residence and business addresses, as its agent for the purpose of service of process in any court action arising out of or based upon this Agreement, and the delivery to such agent of a copy of any process in any such action shall constitute valid service upon OWNER. If for any reason service of such process upon such agent is not feasible, then in such event OWNER may be personally served with such process out of this County and such service shall constitute valid service upon OWNER. OWNER is amenable to the process so served, submits to the jurisdiction of the Court so obtained and waives any and all objections and protests thereto. OWNER for itself, assigns and successors hereby waives the provisions of the Hague Convention (Convention on the

Service Abroad of Judicial and Extra Judicial Documents in Civil or Commercial Matters, 20

U.S.T. 361, T.I.A.S. No. 6638).

11.21 Designation of COUNTY Officials. Except for functions to be performed by the

Board of Supervisors, COUNTY may, at any time and in its sole discretion, substitute any

COUNTY official to perform any function identified in this Agreement as the designated

responsibility of any other official. COUNTY shall provide notice of such substitution pursuant

to Section 2.7; provided, however, the failure to give such notice shall not affect the authority of

the substitute official in any way.

11.22 Authority to Execute. The person or persons executing this Agreement on behalf

of OWNER warrants and represents that he has the authority to execute this Agreement on

behalf of his corporation, partnership or business entity and warrants and represents that he has

the authority to bind OWNER to the performance of its obligations hereunder.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and

year set forth below.

**COUNTY OF RIVERSIDE** 

Dated: By

Chairman, Board of Supervisors

ATTEST:

KECIA HARPER-IHEM

53

## Clerk of the Board

By Deputy (SEAL)



### **OWNER:**

Dated:-	NUEVO DEVELOPMENT COMPANY, LLC, a Delaware limited liability company
	By: Lewis Management Corp.,
	a Delaware corporation – Its Sole Manager
	<u>Ву:</u>
	Name:
	Title: Authorized Agent
	By:
	Name:
	Title:

(ALL SIGNATURES SHALL BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC.

EXECUTION ON BEHALF OF ANY CORPORATION SHALL BE BY TWO CORPORATE

OFFICERS.)

Recorded at request of

Clerk, Board of Supervisors

County of Riverside

When recorded return to

Assistant TLMA Director - Community Development

County of Riverside

4080 Lemon Street, 14th Floor

Riverside, CA 92501

## **DEVELOPMENT AGREEMENT NO. 73**

# A DEVELOPMENT AGREEMENT BETWEEN COUNTY OF RIVERSIDE

and

NUEVO DEVELOPMENT COMPANY, LLC

Specific Plan No. 342

## Development Agreement No. 73

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# Development Agreement No. 73 EXHIBIT "A"

## LEGAL DESCRIPTION OF THE PROPERTY



## Development Agreement No. 73 EXHIBIT "B"

### MAP SHOWING PROPERTY AND ITS LOCATION



### **EXHIBIT C**

### EXISTING DEVELOPMENT APPROVALS

SPECIFIC PLAN NO. 342

ZONING

LAND DIVISIONS

OTHER DEVELOPMENT APPROVALS

The development approvals listed above include the approved maps and all conditions of approval.

COPIES OF THE EXISTING DEVELOPMENT APPROVALS LISTED ABOVE ARE ON FILE IN THE RIVERSIDE COUNTY PLANNING DEPARTMENT AND ARE INCORPORATED HEREIN BY REFERENCE.

### **EXHIBIT D**

### **EXISTING LAND USE REGULATIONS**

- 1. Riverside County General Plan as amended through Resolution No. 2017-134
- 2. Ordinance No. 348 as amended through Ordinance No. 348.4862
- 3. Ordinance No. 448 as amended through Ordinance No. 448.A
- 4. Ordinance No. 457 as amended through Ordinance No. 457.103
- 5. Ordinance No. 458 as amended through Ordinance No. 458.15
- 6. Ordinance No. 460 as amended through Ordinance No. 460.154
- 7. Ordinance No. 461 as amended through Ordinance No. 461.10
- 8. Ordinance No. 509 as amended through Ordinance No. 509.2
- 9. Ordinance No. 547 as amended through Ordinance No. 547.7
- 10. Ordinance No. 555 as amended through Ordinance No. 555.19
- 11. Ordinance No. 617 as amended through Ordinance No. 617.4
- 12. Ordinance No. 650 as amended through Ordinance No. 650.6
- 13. Ordinance No. 659 as amended through Ordinance No. 659.13
- 14. Ordinance No. 663 as amended through Ordinance No. 663.10
- 15. Ordinance No. 671 as amended through Ordinance No. 671.20
- 16. Ordinance No. 673 as amended through Ordinance No. 673.3
- 17. Ordinance No. 679 as amended through Ordinance No. 679.4
- 18. Ordinance No. 682 as amended through Ordinance No. 682.4
- 19. Ordinance No. 726 as amended through Ordinance No. 726

- 20. Ordinance No. 743 as amended through Ordinance No. 743.3
- 21. Ordinance No. 748 as amended through Ordinance No. 748.1
- 22. Ordinance No. 749 as amended through Ordinance No. 749.1
- 23. Ordinance No. 752 as amended through Ordinance No. 752.2
- 24. Ordinance No. 754 as amended through Ordinance No. 754.2
- 25. Ordinance No. 787 as amended through Ordinance No. 787 8
- 26. Ordinance No. 806 as amended through Ordinance No. 806
- 27. Ordinance No. 810 as amended through Ordinance No. 810.2
- 28. Ordinance No. 817 as amended through Ordinance No. 817.1
- 29. Ordinance No. 824 as amended through Ordinance No. 824.14
- 30. Ordinance No. 847 as amended through Ordinance No. 847.1
- 31. Ordinance No. 859 as amended through Ordinance No. 859.3
- 32. Ordinance No. 875 as amended through Ordinance No. 875.1
- 33. Ordinance No. 915 as amended through Ordinance No. 915
- 34. Ordinance No. 925 as amended through Ordinance No. 925.1
- 35. Ordinance No. 926 as amended through Ordinance No. 926
- 36. Ordinance No. 931 as amended through Ordinance No. 931
- 37. Resolution No. 2014 -034 Establishing Procedures and Requirements of the County of Riverside for the Consideration of Development Agreements

COPIES OF THE EXISTING LAND USE REGULATIONS LISTED ABOVE ARE ON FILE IN THE RIVERSIDE COUNTY PLANNING DEPARTMENT AND ARE INCORPORATED HEREIN BY REFERENCE.

EXHIBIT "E"

### PUBLIC FACILITY CREDITS

[Intentionally Omitted]

### **EXHIBIT "F"**

### CONDITION AND PARAMETERS FOR FIRE SAFETY CFD AND FACILITIES CFD

1. Fire Safety CFD. Prior to the issuance of the first building permit within the Project, Owner agrees to include the Project in a "Fire Safety CFD" according to the terms set forth below. The Fire Safety CFD shall be authorized to levy an annual special tax (the "Fire Safety Special Tax") to fund (i) fire station operation costs at Nuevo Station 3 or, once constructed, the new fire station to be constructed within the Project ("Fire Station Operations Costs") and (ii) the acquisition or reimbursement of the costs of acquisition of the three pieces of fire equipment described in Section 4.2.1(e) of the Agreement ("Equipment Costs").

County agrees to exercise its best efforts to require all new residential development of more than fifty (50) dwelling units and all new non-residential development of more than 25,000 square feet within the additional unincorporated area served by Nuevo Station 3 and to be served by the new fire station to be constructed within the Project (the "Service Area") to annex into the Fire Safety CFD.

For purposes of this Agreement and the Fire Safety CFD, the thresholds and associated amounts of Fire Station Operations Costs shall be as follows:

Threshold	Annual Fire Station Operations Costs <sup>1</sup>
First Threshold – earlier of (i) building permit for 2000 <sup>th</sup> DU within the Project or (ii) annual emergency calls from the Project to Nuevo Station 3 in excess of 1,500	\$1,200,000
Second Threshold – earlier of (i) building permit for 5000 <sup>th</sup> DU within the Project or (ii) 3,000 annual emergency calls from the Project to Nuevo Station 3	\$1,900,000
Third Threshold – earlier of (i) building permit for 8000 <sup>th</sup> DU within the Project or (ii) 4,000 annual emergency calls from the Project to Nuevo Station 3	\$3,700,000

These amounts are not cumulative – they are amounts effective upon occurrence of each threshold until the next threshold is reached. Prior to the First Threshold, the annual Fire Station Operations Costs are zero. All amounts shall adjust annually by the same methodology and index set forth in Section 4.2.4 of the Agreement.

- 2. <u>Fire Safety Special Tax</u>. At the time of formation of the Fire Safety CFD, the County and Owner shall determine the expected annual structural fire taxes to be generated by the Project and the Service Area and establish annual Fire Safety Special Taxes in an amount sufficient, at projected buildout of the Project, to generate the difference between the structural fire taxes revenues and the Fire Station Operations Costs. The Fire Safety Special Taxes shall only be levied on assessor's parcels for which a building permit has been issued ("Developed Property").
- Levy of Special Taxes. Each fiscal year after formation of the Fire Safety CFD, the County shall levy the Fire Safety Special Tax on all Developed Property within the Fire Safety CFD. All Fire Safety Special Taxes collected each fiscal year shall be deposited in a discrete, interest earning special fund of the County (the "Special Fund"). Within the Special Fund, the County shall establish (i) an Annual Operating Account, (ii) an Operating Reserve Account and (iii) an Equipment Costs Account. The "Operating Reserve Requirement" shall be an amount equal to one year's levy of the Fire Safety Special Tax on all assessor's parcels classified as Developed Property. Prior to the occurrence of the First Threshold, all Fire Safety Special Taxes collected within the Fire Safety CFD each fiscal year shall be deposited in the Operating Reserve Account until the amount on deposit equals the Operating Reserve Requirement, and then deposited in the Equipment Costs Account. Following the occurrence of the First Threshold, all Fire Safety Special Taxes shall be deposited in the Annual Operating Account up to the amount required to fund the annual Fire Station Operations Costs in excess of the amount of structural fire taxes collected within the Project and Service Area, and then shall be deposited in the Operating Reserve Account, as necessary to fund the Operating Reserve Requirement, and then any excess shall be deposited in the Equipment Costs Account. The Fire Safety Special Tax may be levied in perpetuity, provided, however, following the occurrence of the Third Threshold, and the funding of all Equipment Costs in full and reimbursement of advances by the Owner for Equipment Costs, the County shall only levy the Fire Safety Special Taxes as necessary to cover annual Fire Station Operations Costs in excess of structural fire taxes collected within the Project and Service Area and to replenish the Operating Reserve Account to the Operating Reserve Requirement.
- 4. Method of Apportionment. The total of (i) annual County costs of administering the Fire Safety CFD collection of Fire Safety Special Taxes, (ii) annual Fire Station Operations Costs in excess of structural fire taxes, (iii) the Operating Reserve Requirement and (iv) Equipment Costs shall be referred to as the "Special Tax Requirement." The County shall levy the Fire Safety Special Taxes each year in the maximum authorized amount according to the following method of apportionment:
- (a) First, on all residential Developed Property, as necessary to fund the Special Tax Requirement; and
- (b) Second, if necessary, on all non-residential Developed Property as necessary to fully fund the Special Tax Requirement.

- 5. <u>Disbursements from Special Fund</u>. Funds may be disbursed from the Accounts of the Special Fund for the purposes described below.
- (a) <u>Annual Operating Account</u>. Funds shall be disbursed to fund Fire Station Operations Costs in excess of the amount of structural fire tax collections from the Project and Service Area.
- (b) Operating Reserve Account. Funds shall be disbursed to the Annual Operating Account to the extent funds on deposit in the Annual Operating Account are not sufficient to fund Fire Station Operations Costs in excess of the amount of structural fire tax collections from the Project and Service Area.
- Costs Account to fund Equipment Costs at the times required pursuant to Section 4.2.1(e) of the Agreement. If there are not sufficient funds in the Equipment Costs Account at the time such funding is required, Owner shall advance an amount equal to the shortfall (an "Advance") in order to fully fund the Equipment Costs. Each Advance shall be reimbursed to Owner as a first priority for the use of funds deposited subsequently in the Equipment Costs Account. Such reimbursement payments shall be made on the first business day on or following each February 1 and August 1 after each Advance is made.
- 6. Formation of Facilities CFD. Owner's obligation to include the Project in the Fire Safety CFD shall be contingent upon County's establishment, following Owner's written request, of a CFD encompassing the Project to finance public facilities ("Facilities CFD") pursuant to the Mello-Roos Community Facilities Act of 1982 ("Act") and Board of Supervisors Policy No. B-12 in the form in effect as of the effective date ("Policy B-12") and this Exhibit F. Such Facilities CFD shall consist of multiple improvement areas and shall be subject and conform to the parameters of a "Participant CFD," as set forth in Policy B-12, with the exception that the Project may not also be included in a CTCIP CFD. The costs eligible to be financed through the Facilities CFD shall include, without limitation, County public improvements required to be constructed as conditions of approval of the Project and public improvements of other public agencies serving the Project, including capital improvement and connection fees of such other public agencies with consent of the other public agencies. If Owner has not requested the formation of the Facilities CFD prior to the issuance of a building permit for the first dwelling unit within the Project, Owner's obligation to include the Project within the Fire Safety CFD shall no longer be contingent on the formation of the Facilities CFD.

### EXHIBIT "G"

### ADDITIONAL TRAFFIC FACILITIES FEE SCHEDULE, DESCRIPTION OF COUNTY TRAFFIC IMPROVEMENTS. AND MULTI-JURISDICTIONAL TRAFFIC IMPROVEMENTS

### 1. Additional Traffic Facilities Fee Schedule

Land Use	Supplemental Fee/Unit	Multi-Jurisdictional Fee/Unit
Single Family	\$2,000/DU	\$365/DU
Multi Family	\$1,764/DU	\$322/DU
Townhouse/Condominium	\$1,541/DU	\$281/DU
Senior Housing	\$976/DU	\$178/DU
Shopping Center/Retail	\$4.26/SF	\$0.94/SF
General Office	\$4.26/SF	\$0.94/SF
Medical Office	\$4.26/SF	\$0.94/SF
Light Industrial	\$4.26/SF	\$0.94/SF

### 2. County Traffic Improvements

Roadway	Extents	Percentage of Supplemental Fee
Gilman Springs Road	SR-60 Fwy to Sanderson Avenue (SR-79)	14%
Cajalco Road	Temescal Canyon Road to Harvill Avenue	82%

Van Buren Boulevard	Washington Street to Wood Road	4%

### 3. Multi-Jurisdictional Traffic Improvements

	a. Caltrans	
Cumulativ	e Roadway Segments	Percentage of Multi-Jurisdictional Fee
Roadway	Extents	
Beaumont Avenue (SR-79)	1st Street to California Avenue (widening not covered by TUMF)	
Beaumont Avenue (SR-79)	California Avenue to Gilman Springs Road (widening not covered by TUMF)	
Florida Avenue (SR-79/74)	Sanderson Ave to Winchester Rd (TUMF facility without additional right of way availability)	
Mid County Pkwy	I-215 to Perris Blvd (widening not covered by TUMF)	/
Ramona Blvd (SR-79)	State St to San Jacinto Ave (widening not covered by TUMF)	
San Jacinto Ave (SR-79)	Ramona Blvd to Esplanade Ave (widening not covered by TUMF)	
San Jacinto Ave (SR-79)	Esplanade Ave to Menlo Ave (widening not covered by TUMF)	
Sanderson Ave (SR-79)	Gilman Springs Rd to Ramona Expwy (widening not covered by TUMF)	73.32%
SR-74	Perris Blvd to Greenwald Ave (Facility is TUMF funded south of Ethanac. TIA identifies insufficient right of way through downtown Perris. However, there is approximately 4 miles between Perris and Ethanac that is included in this fair share assessment)	
Cumulative Intersections/I	nterchanges	
Beaumont Ave (SR-79) / 1st	Street	
Beaumont Ave (SR-79) / Ca		
Sanderson Ave (SR-79) / Ra		
State St (SR-79) / Ramona E		
Winchester Rd (SR-79) / Sta		
California Ave / Florida Ave	(SR-74/79)	

Warren Rd / Florida Ave (SR-74/79)	
Palomar Rd / Ethanac Rd (SR-74)	
Menifee Rd / Ethanac Rd (SR-74)	
Briggs Rd / Ethanac Rd (SR-74)	

b. City of Meni	fee
Cumulative Interchange / Intersection	Percentage of Multi-Jurisdictional Fee
Menifee Rd / McCall Blvd	0.14%

	c. City of Moreno Valley	
Cumu	lative Roadway Segments	Percentage of Multi-Jurisdictional Fee
Roadway	Extents	
Gilman Springs Road	SR-60 to Alessandro Blvd. (TUMF facility; Four additional lane not covered by TUMF)	
Perris Blvd	Iris Ave to Harley Knox Blvd	17.09%
Cumulati	ve Interchange/Intersections	
Gilman Springs Road /	Alessandro Blvd. (TUMF facility; Costs IF improvements due to additional lanes)	
Bridge St / Gilman Spr	ings Rd	

d. City of Perris	
Cumulative Interchange/Intersections	Percentage of Multi-Jurisdictional Fee
Indian St / Harley Knox Blvd	3.17%
Perris Blvd / Ramona Expwy	
Evans Rd / Ramona Expwy	
Perris Blvd / Placentia Ave	
Perris Boulevard/Nuevo Road	

	e. City of Riverside	
Cumulative Roadway Segment		Percentage of Multi-Jurisdictional Fee
Roadway	Extents	4.17%
Alessandro Blvd	Trautwein Road to I-215	

£.

	f. City of San Jacinto	
Cumulative Roadway Segment		Percentage of Multi-Jurisdictional Fee
Roadway	Extents	
State Street	South of Ramona Expwy (TUMF Facility; fair-share is for the two lanes beyond what is anticipated by TUMF)	1.52%

g. City of Hemet	
g. City of Hence	Percentage of
Cumulative Interchange/Intersection	Multi-Jurisdictional Fee
Warren Rd / Esplanade Ave	0.59%

### EXHIBIT "H"

### MAP AGRICULTURAL PLANNING AREAS



# RIVERSIDE COUNTY PLANNING DEPARTMENT CZ07055 GPA00720 GPA00721 SP00342 DA00073

VICINITY/POLICY AREAS

Supervisor: Ashley

District 5

MORENO VALLEY

LASSEL MENST

Date Drawn: 08/04/2017

BEAUMON CITYOF CITY OF SAN JACINTORS ON ENDERSON AND ERROR OF THE PROPERTY OF SAN JACINTO RIVER POLICY AREA LA BORDE ORMXON RD SHIELD LIN ая үяхайцов RAMONAEXPY MARVIN RD ์ อะเทโฟฟ DAVIS RD PERRIS BEACHIOR JAKE PERRIS

Zoning Area: Lakeview & Hemet/San Jacinto

FIGHALINUG:



JUNIPER FLATS POLICYAREA



Author: Vinnie Nguyen

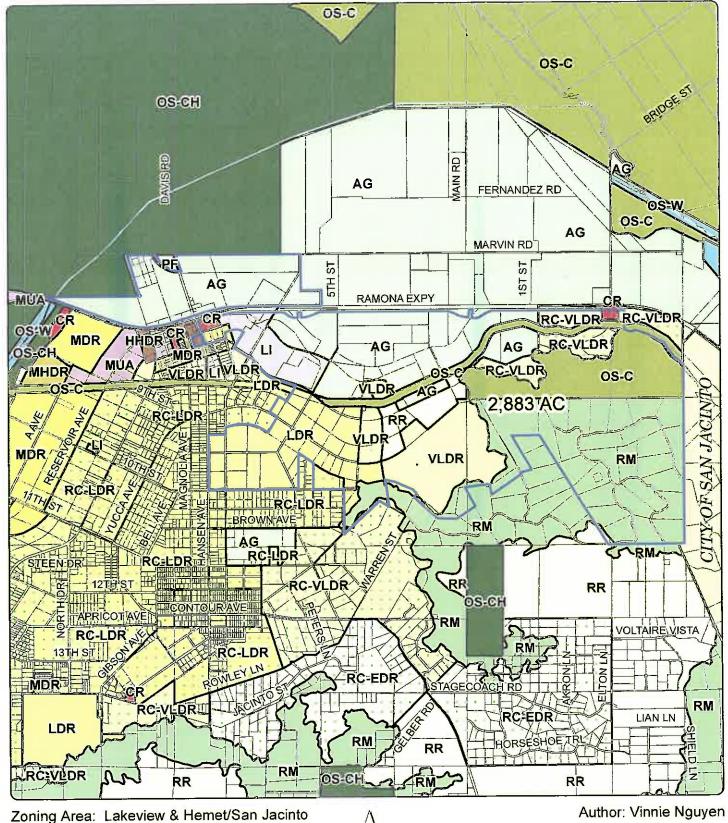
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Supervisor: Ashley District 5

**EXISTING GENERAL PLAN** 

Date Drawn: 08/04/2017

Exhibit 5



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. Por further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)363-8277 [Eastern County] or Website <a href="http://planning.nrthma.org">http://planning.nrthma.org</a>

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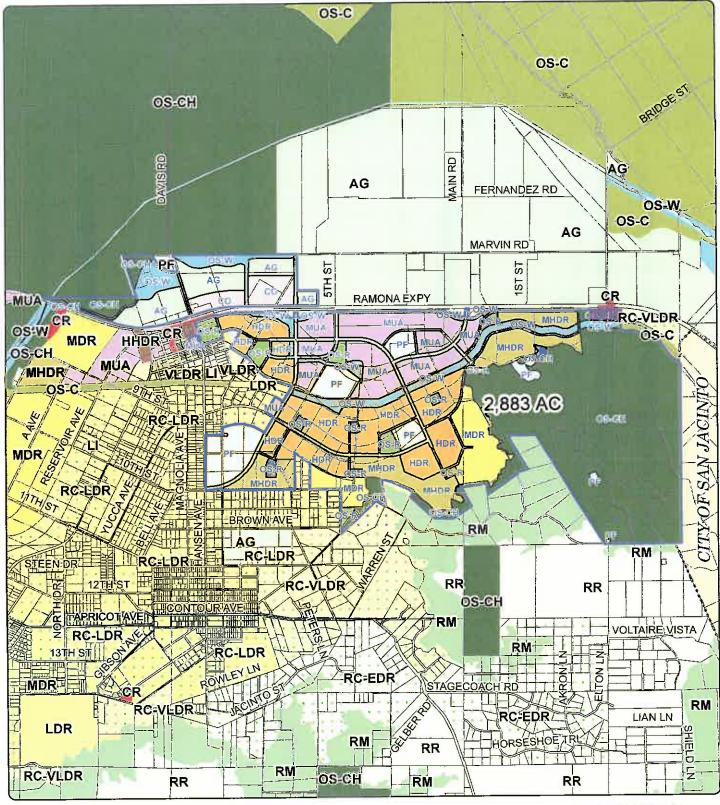
0 1,800 3,600 **7,200**Feet

### RIVERSIDE COUNTY PLANNING DEPARTMENT CZ07055 GPA00720 GPA00721 SP00342 DA00073

Supervisor: Ashley District 5

### PROPOSED GENERAL PLAN

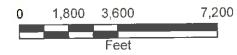
Date Drawn: 08/04/2017 Exhibit 6



Zoning Area: Lakeview & Hemet/San Jacinto

DISCLAIMER: On Outober 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 [Western County] or in Palm Desert at (760)863-8277 [Eastern County] or Website <a href="https://planning.rcthna.org">https://planning.rcthna.org</a>

Author: Vinnie Nguyen



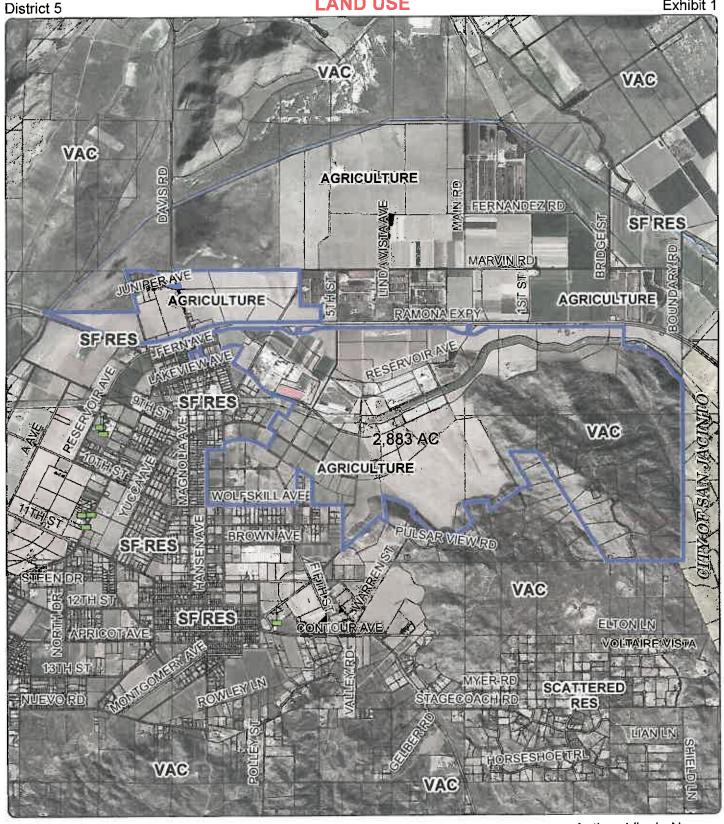
RIVERSIDE COUNTY PLANNING DEPARTMENT CZ07055 GPA00720 GPA00721 SP00342 DA00073
Date Drawn: 08/04/2017 Supervisor: Ashley **PROPOSED ZONING** Exhibit 3 District 5 A-2-10 W-2 A-2-10 W-2 R-R A-2-10 A-2-10 N-A-640 N-A-640 A-D A-D A-2-10 FERNANCEZRO A-1-10 MAIN RD A-1-10 A-2-10 A-1-10 MARVIN RD in A-2-10 A-2-10 A-1-10 A-2-10 A-1-10 A-2-10 B A-1-10 RAMONA EXPY MU= A-1-10 W-2 C.P.S M-SC SP ZONE A-2-10 A-2-10 RESERVOIR AVE A-2-10 MU R-R PZONE SP ZONE A-2-10 2:883-AC R-R R-A-10 R-A-1 OF SAN 4-1-10 R-A JLSAR VIEW RA R-A-1 R-A-2 1/2 R-A-10 VOLTAIRE VISTA R-A R-A-2 1/2 R-A-2 1/2 R-A-2 1/2 R=A=2-1/2 R-A-10 R-A R-A-I R-A-2-1/2 R-A-10 R-A-1 R-A-10 R-A-2 1/2 R-A-10 W-2 R-A-10 R-A-5 R-A-5 R-A-10 R-A-5 Author: Vinnie Nguyen Zoning Area: Lakeview & Hemet/San Jacinto 7,200 1,800 3,600 DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing soning. For further information, please contact the Riverside County Planning Department offices in Riverside at 1951/955-3200 (Western County) or in Palm Desert at (760)863-8277 (Bastern County) or Website <a href="https://plenning.rellma.org">https://plenning.rellma.org</a> Feet

RIVERSIDE COUNTY PLANNING DEPARTMENT CZ07055 GPA00720 GPA00721 SP00342 DA00073
Date Drawn: 08/04/2017

Supervisor: Ashley

LAND USE

Exhibit 1

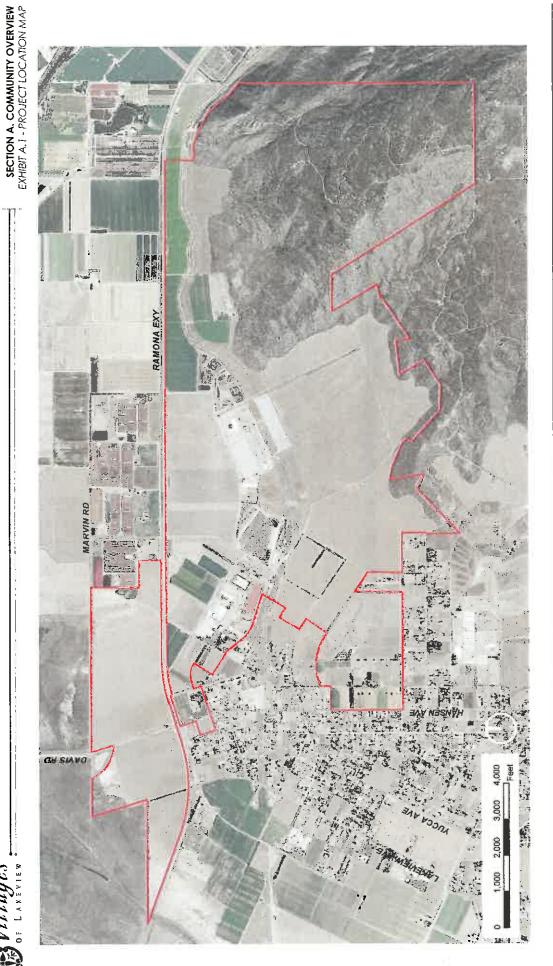


Zoning Area: Lakeview & Hemet/San Jacinto

Author: Vinnie Nguyen

1,800 3,600 7,200 Feet

DISCLAIMER: On October 7, 2003, the County of Riverside a DISCLAMMER: On October 7, 2023, the County of Kiversine exopers a new Central Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <a href="http://planning.org/ductions.org/">http://planning.org/ductions.org/</a>







1. LAND USE PLAN

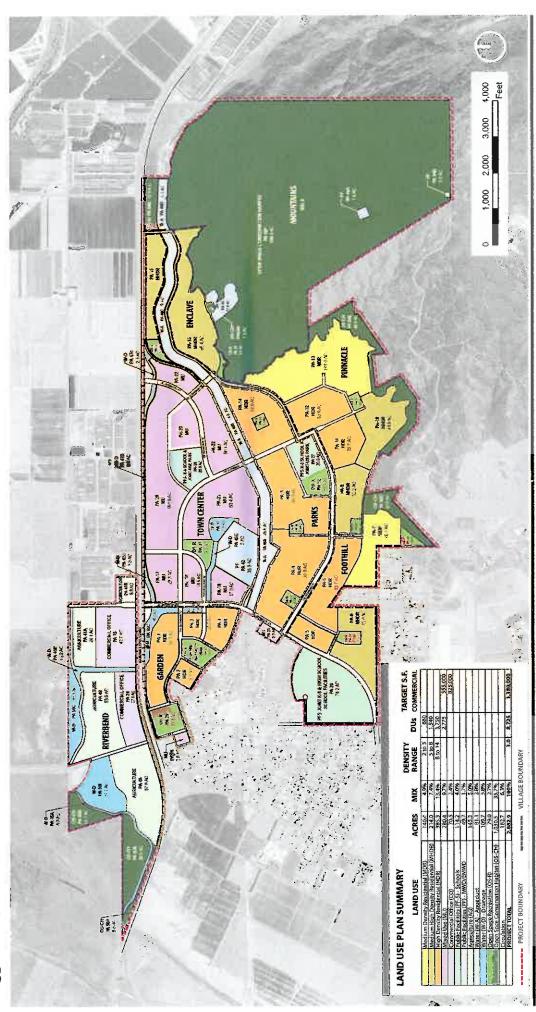
Table B.1.1 – Land Use Summary

Land Use Designation	Land Use Designation	Density Range	Gross Acres	Target Dwelling Units/Square Footage	% of Total Acres
Residential					
Medium Density Residential	MDR	2 to 5	141	660 DU	5%
Medium High Density Residential	MHDR	5 to 8	214	1,540 DU	7%
High Density Residential	HDR	8 to 14	385	3,750 DU	13%
Mixed Use					
Mixed Use	MU	8 to 40	280	2,775 DU/555,000 SQFT	10%
Commercial					
Commercial Office	СО		71	825,000 SQFT	2%
Agriculture					
Agriculture	AG		145		5%
Open Space and Recreation					
Recreation	OS-R	-	79	<u> </u>	3%
Conservation Habitat	OS-CH	1	1,030	#	36%
Public Facilities					
Schools	PF-schools	-	114		4%
Public Facilities - MWD/EMWD	PF	_	50	-	2%
Water-aqueduct	W	-	81		3%
Water-drainage	W-drainage	-	110		4%
Circulation	-	-	183		6%
TOTAL	-	-	2,883	8,725 DU/1,380,000 SQFT	100%

The Project will provide upgrades to the regional infrastructure including:

- 1. Upgrades to the existing road network
- 2. New circulation improvements
- 3. New sanitary sewer services
- 4. New flood control facilities, which will remove existing residences from the floodplain
- 5. Increased fire protection with the installation of new water storage tanks
- 6. A new water quality basin to improve the quality of stormwater runoff, thus enhancing the San Jacinto River and Wildlife Area

SECTION B.1





1. LAND USE PLAN



PA #	Village	Land Use Designation	Land Use Designatio n		nsity nge	Gross Acres	Target DU	Target Commercial SF
	Bend Village				1			325,000
24	River Bend	Commercial Office	СО	-		28	-	
25	River Bend	Commercial Office	со		-	43	<del>-</del>	500,000
41A	River Bend	Agriculture	AG	-	<u>-</u>	24	-	-
41B	River Bend	Agriculture	AG	-	-	10		-
45A	River Bend	Water - Drainage	W-D	-	-	8	-	-
45B	River Bend	Water - Drainage	W-D	-	-	13	-	-
48	River Bend	Agriculture	AG	-	-	58	-	-
49	River Bend	Agriculture	AG	-	-	54		-
50A	River Bend	Conservation Habitat	OS-CH		-	27	-	-
50B	River Bend	Conservation Habitat	OS-CH	-		15	-	-
50C	River Bend	Water-Drainage	W-D		_	20	-	-
501	River Bend	Water - Drainage	W-D	-		31	-	
50J	River Bend	Conservation Habitat	OS-CH		-	6	-	-
Town	Center Village							
17	Town Center	Mixed Use	MU	8	40	23	-	200,000
18	Town Center	Mixed Use	MU	8	40	15	200	-
19	Town Center	Mixed Use	MU	8	40	18	215	-
20	Town Center	Mixed Use	MU	8	40	104	900	355,000
21	Town Center	Mixed Use	MU	8	40	63	800	_
22	Town Center	Mixed Use	МП	8	40	50	600	-
28	Town Center	Public Facility - K-8 school and joint use park	PF-S	-		20	-	-
31	Town Center	Recreation	OS-R		-	9	-	-
45E	Town Center	Water - Drainage	W-D	1		5	-	-
47A	Town Center	Water - Drainage	W-D	-	-	3		-
47B	Town Center	Water - Drainage	W-D	-	-	7	-	-
47C	Town Center	Water - Drainage	W-D	-		2	-	_
51	Town Center	Water - Drainage	W-D	_	<u>-</u>	7	-	



1. LAND USE PLAN

PA Land Use Designation Density Gross Targe # Village Designation n Range Acres DU  Parks Village High Density	2 20011-21-21						
High Density							
	<del>-  </del>						
4	0 -						
High Density							
8 Parks Residential HDR 8 14 60 65	0 -						
High Density							
14 Parks Residential HDR 8 14 51 55	5 -						
23 Parks Mixed Use MU 8 40 5 40	) -						
Public Facility - K-8 school and joint use							
27 Parks park PF-S 20 -	_						
34 Parks Recreation OS-R 3 -	_						
38 Parks Recreation OS-R 3 -	_						
39 Parks Recreation OS-R 4 -	-						
52 Parks Recreation OS-R 11 -	_						
Garden Village							
High Density							
1 Garden Residential HDR 8 14 38 34	0 -						
High Density	·						
2 Garden Residential HDR 8 14 9 90	) -						
High Density							
3 Garden Residential HDR 8 14 29 25	5 -						
16         Garden         Mixed Use         MU         8         40         3         20	) -						
29 Garden Recreation OS-R 14 -	-						
30 Garden Recreation OS-R 12 -	-						
45C Garden Water - Drainage W-D 11 -	-						
45D Garden Water - Drainage W-D 2 -	-						
Foothill Village							
High Density							
5 Foothill Residential HDR 8 14 64 58	0 -						
Medium High Density							
6 Foothill Residential MHDR 5 8 43 28	5 -						
Medium Density 7 Foothill Residential MDR 2 5 40 17	5 -						
Public Facility- Joint 26 Foothill K-8 and High School PF-S - 74 -	-						
36 Foothill Recreation OS-R 5 -	-						



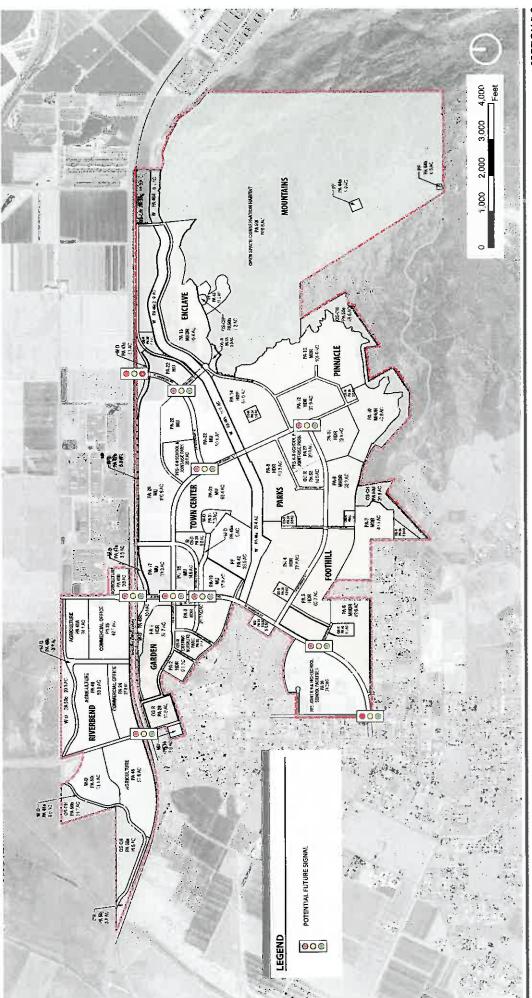
1. LAND USE PLAN

4		gan and and the company of the control of the contr	eran magarit gar in anagarit ing i mining				and of Flats	
PA #	Village	Land Use Designation	Land Use Designatio n	11352	nsity nge	Gross Acres	Target DU	Target Commercial SF
40	Foothill	Recreation	OS-R	-	-	5	-	
50D	Foothill	Conservation Habitat	OS-CH	-	_	21		_
Enclav	e Village							
15	Enclave	Medium High Density Residential	MHDR	5	8	95	775	-
32	Enclave	Recreation	OS-R	-	-	5	-	-
33	Enclave	Recreation	OS-R	-	_	3	-	-
	cle Village						<u> </u>	
1 1111111111111111111111111111111111111	ole vimage	Medium High Density	<u> </u>					
9	Pinnacle	Residential	MHDR	5	8	32	195	-
10	Pinnacle	Medium High Density Residential	MHDR	5	8	44	285	-
11	Pinnacle	High Density Residential	HDR	8	14	30	265	-
12	Pinnacle	High Density Residential	HDR	8	14	34	315	-
13	Pinnacle	Medium Density Residential	MDR	2	5	100	485	. <u>-</u>
35	Pinnacle	Recreation	OS-R	160	-	3		-
37	Pinnacle	Recreation	OS-R	_	-	3	-	-
50E	Pinnacle	Conservation Habitat	OS-CH	-	<u>-</u>	50		-
Lakevi	iew Mountains				· · · · · · · · · · · · · · · · · · ·			
43	Lakeview Mountains	Public Facility	PF	-		12	-	-
44A	Lakeview Mountains	Public Facility	PF		-	2		-
44B	Lakeview Mountains	Public Facility	PF	-	-	1	-	-
50F	Lakeview Mountains	Conservation Habitat	OS-CH	-	-	899	-	-
50G	Lakeview Mountains	Conservation Habitat	OS-CH	-	-	13		-
50H	Lakeview Mountains	Conservation Habitat	OS-CH		-	1		-
Other	- MWD Property	· · · · · · · · · · · · · · · · · · ·	Т		<del></del>			T
42	Other	Public Facility	PF	<u> </u>	-	36	-	-
46A	Other	Water - Aqueduct	W			28	-	



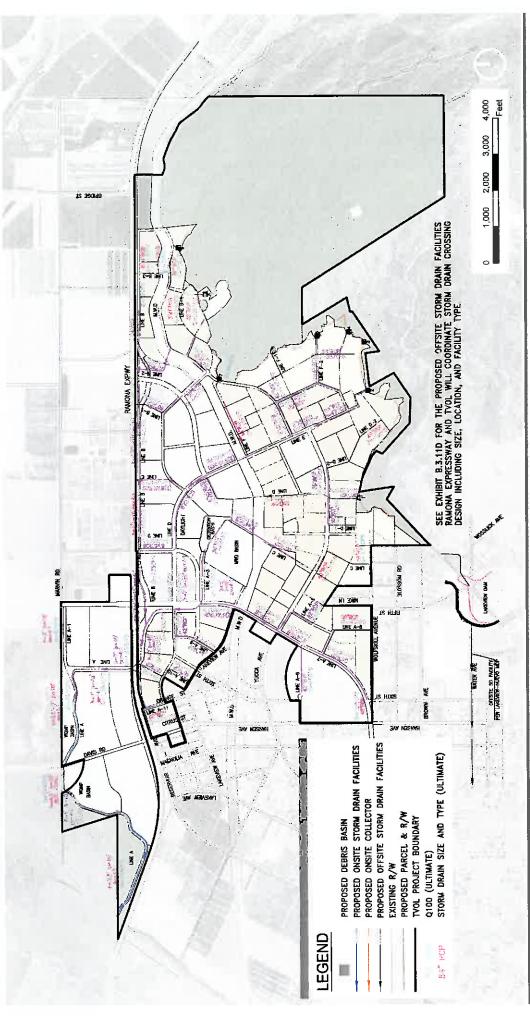
1. LAND USE PLAN

PA #	Village	Land Use Designation	Land Use Designatio n		nsity inge	Gross Acres	Target DU	Target Commercial SF
46B	Other	Water - Aqueduct	w			15	11	-
46C	Other	Water - Aqueduct	w	-	-	29	_	-
46D	Other	Water - Aqueduct	W	-	-	9	-	-
	ROW/CIRCULATION					183		-
						2883	8,725	1,380,000



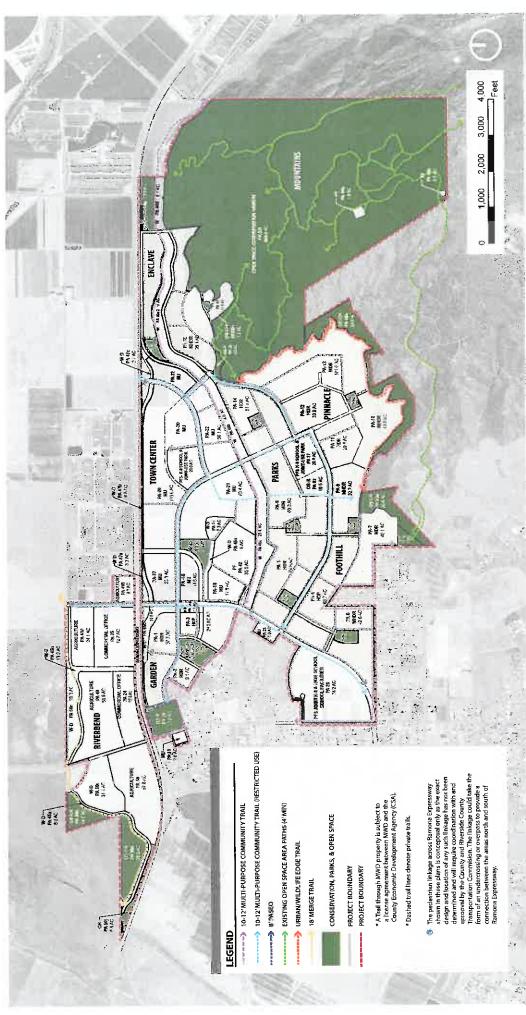
SECTION B. PROJECT-WIDE DEVELOPMENT
PLAN STANDARDS
2. CIRCULATION PLAN
EXHIBIT B.2.9B - Potential Future Signalized Intersections

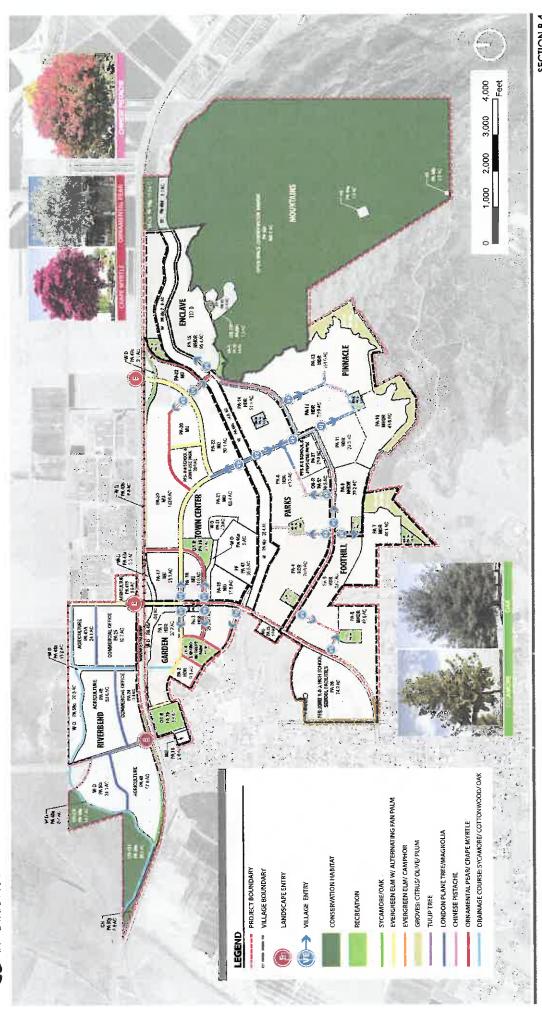
SECTION B. PROJECT-WIDE DEVELOPMENT
PLAN STANDARDS
3. DRAINAGE PLAN
EXHIBIT B.3.1 i.C. - Master Plan of Drainage (On-Site)





# SECTION B. PROJECT-WIDE DEVELOPMENT PLAN STANDARDS 8. OPEN SPACE, CONSERVATION, AND RECREATION PLAN B.8.18B-TRAILS PLAN



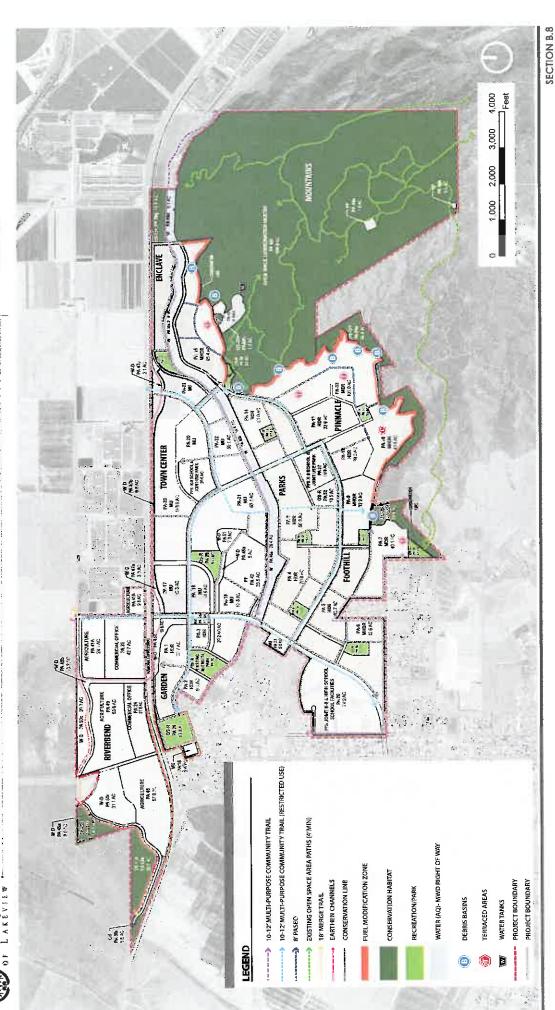


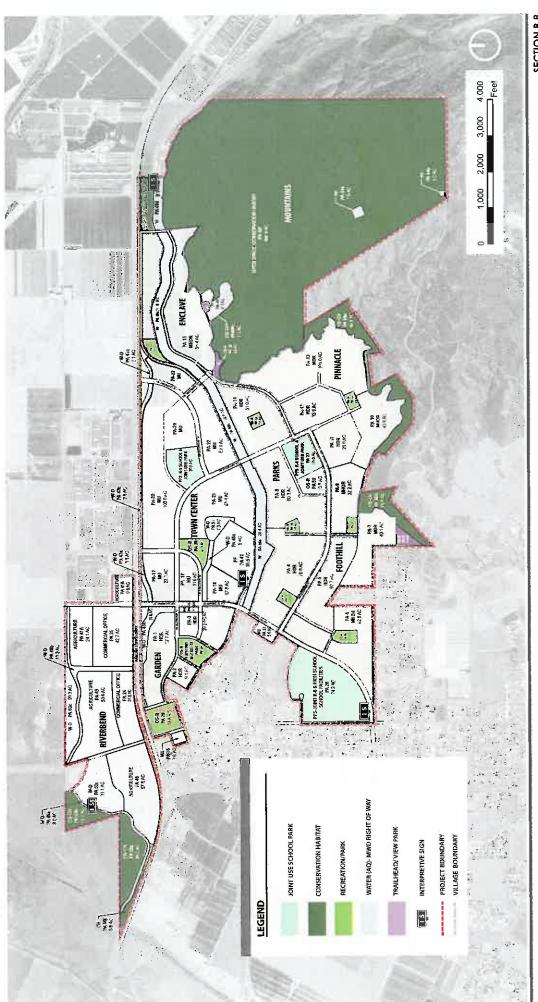
SECTION B. PROJECT-WIDE DEVELOPMENT PLAN STANDARDS 4. LANDSCAPING PLAN B.4.13A- CONCEPTUAL LANDSCAPE PLAN

# SECTION B.5

# SECTION B.5

SECTION B. PROJECT-WIDE DEVELOPMENT PLAN STANDARDS 8. OPEN SPACE, CONSERVATION, AND RECREATION PLAN B.B. 18A- CONCEPTUAL OPEN SPACE & PARKS PLAN





SECTION B. PROJECT-WIDE DEVELOPMENT PLAN STANDARDS 8. OPEN SPACE, CONSERVATION, AND RECREATION PLAN B.8.18C-. CONCEPTUAL PARKS PLAN

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#### 10. GENERAL CONDITIONS

#### EVERY DEPARTMENT

10. EVERY. 1 SP - Hold Harmless (1)

RECOMMND

Page: 1

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) from the following:

- (a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the SPECIFIC PLAN, GPA, DA, CZ, EIR; and,
- (b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning the SPECIFIC PLAN, GPA, DA, CZ, EIR, including, but not limited to, decisions made in response to California Public Records Act requests.

The COUNTY shall promptly notify the applicant/permittee of any such claim, action, or proceeding and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY.

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in connection with any such claim, action or proceeding, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel.

# 10. EVERY. 2 SP - Definitions

RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of Specific Plan No. 342 shall be henceforth defined as follows:

SPECIFIC PLAN = Specific Plan No. 342, Alternative 7, dated July 2017

SPECIFIC PLAN Case #: SP00342

Parcel: 426-085-005

#### 10. GENERAL CONDITIONS

10. EVERY. 2 SP - Definitions (cont.)

RECOMMND

Page: 2

CHANGE OF ZONE = Change of Zone No. 7055.

GPA = Comprehensive General Plan Amendment No. 720, Land Use, 721 Circulation.

DA = Development Agreement No. 73:

EIR = Environmental Impact Report No. 471.

VILLAGE or VILLAGES = A SPECIFIC PLAN'S Planning District or large planning area. The intent of the VILLAGE is to break down a very large Specific Plan into manageable sections or pieces. Each VILLAGE should be about the size of a traditional Specific Plan.

VILLAGE REFINEMENT PLAN = a substantial conformance to the SPECIFIC PLAN Design Guideline Document is to be submitted separately for each VILLAGE within the SPECIFIC PLAN. The VILLAGE REFINEMENT PLAN and/or the Conditions of Approval may address features that are specific to an individual VILLAGE and may not affect the entire SPECIFIC PLAN.

TOTAL DWELLING UNIT TRACKING MATRIX = A chart for purposes of tracking the total build out of the SPECIFIC PLAN maintained by TLMA Counter Services Divison. The matrix shall differentiate between individual building permits and the total number of dwelling units that are represented by the building permits that have been issued for the entire Specific Plan.

BUILDING PERMITS = the number of dwelling units constructed within an implementing project. Any condition of approval that uses the term "building permit" to trigger an event or to cause another action to take place shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

# 10 EVERY. 3 SP - SP Document

RECOMMND

Specific Plan No. 342 shall include the following:

- a. Specific Plan Document, which shall include:
  - 1. Board of Supervisors Specific Plan Resolution including the Mitigation Reporting/Monitoring Program

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SPECIFIC PLAN Case #: SP00342

# 10. GENERAL CONDITIONS

SP - SP Document (cont.) 10. EVERY. 3

RECOMMND

Page: 3

- 2. Conditions of Approval.
- 3. Specific Plan Zoning Ordinance.
- 4. Land Use Plan in both 8 1/2" x 11" black-and-white and 11" x 17" color formats.
- 5. Specific Plan text.
- 6. Descriptions of each VILLAGE in both graphical and narrative formats.
- The sample VILLAGE REFINMENT PLAN for the Resort VILLAGE.
- b. Final Environmental Impact Report No. 471 Document, which must include, but not be limited to, the following items:
  - Mitigation Monitoring/Reporting Program. 1.
  - Draft EIR 2. .
  - Comments received on the Draft EIR either verbatim or in summary.
  - 4. A list of person, organizations and public agencies commenting on the Draft EIR.
  - Responses of the County to significant environmental point raised in the review and consultation process.
  - 6. Technical Appendices

If any specific plan conditions of approval differ from the specific plan text or exhibits, the specific plan conditions of approval shall take precedence.

#### SP - Ordinance Requirements 10 EVERY. 4

RECOMMND

The development of the property shall be in accordance with the mandatory requirements of Planning Department Standard Operating Procedures and all Riverside County ordinances including Ordinance Nos. 348 and 460 and state laws; and shall conform substantially with the adopted SPECIFIC PLAN as filed in the office of the Riverside County Planning Department, unless otherwise amended.

#### SP - Limits of SP DOCUMENT 10. EVERY. 5

RECOMMND

No portion of the SPECIFIC PLAN which purports or proposes to change, waive or modify any ordinance or other legal requirement for the development shall be considered to be part of the adopted specific plan. Notwithstanding to above, the design guidelines and development standards of

# Riverside County LMS CONDITIONS OF APPROVAL

Page: 4

SPECIFIC PLAN Case #: SP00342

Parcel: 426-085-005

#### 10. GENERAL CONDITIONS

10. EVERY. 5 SP - Limits of SP DOCUMENT (cont.)

RECOMMND

the SPECIFIC PLAN for hillside development and grading shall apply in place of more general County guidelines and standards. The project shall conform to all standard operating procedures of the Planning Department.

#### BS GRADE DEPARTMENT

10.BS GRADE. 2 SP-GSP-1 ORD. NOT SUPERSEDED

RECOMMND

Anything to the contrary, proposed by this Specific Plan, shall not supersede the following: All grading shall conform to the California Building code, County General Plan, Ordinance 457 and all other relevant laws, rules and regulations governing grading in Riverside County.

10.BS GRADE. 3 SP-GSP-2 GEO/SOIL TO BE OBEYED

RECOMMND

All grading shall be performed in accordance with the recommendations of the included -County approved-geotechnical/soils reports for this Specific Plan.

10.BS GRADE. 4 SP-ALL CLEARNC'S REQ'D B-4 PMT

RECOMMND

Prior to issuance of a grading permit, all certifications affecting grading shall have written clearances. This includes, but is not limited to, additional environmental assessments, erosion control plans, geotechnical/soils reports, and departmental clearances.

## E HEALTH DEPARTMENT

10.E HEALTH. 2 SP - 342 GENERAL COMMENTS

RECOMMND

The Department of Environmental Health (DEH) has received and reviewed the Specific Plan and offers the following comments:

1) The specific plan will be required to have sanitary sewer and potable drinking water for all its inhabitable structures. The purveyor in the area is Eastern Municipal Water District (EMWD). DEH will require the water and sewer availability will serve letters at the time the applicants make a submittal to the Planning Department for the issuance of a SAN53. It is the responsibility of the developer to ensure that all requirements associated with obtaining EMWD water and sewer are met.

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10 GENERAL CONDITIONS

10 E HEALTH. 2 SP - 342 GENERAL COMMENTS (cont.)

RECOMMND

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2) If any public food facility and/or public swimming pool are proposed, the developer shall contact the DEH District Environmental Services (DES) to obtain information regarding plan check permitting and requirements. Contact (951)358-5172 for additional details.

FIRE DEPARTMENT

SP-#56-IMPACT MITIGATION 10.FIRE. 1

RECOMMND

The project proponents shall participate in the fire protection impact mitigation program as adopted by the Riverside County Board of Supervisors.

SP-#95-HAZ FIRE AREA 10.FIRE. 3

RECOMMND

A portion of the specific plan is located in the "Hazardous Fire Area" of Riverside County as shown on a map on file with the Clerk of the Board of Supervisors. Any building constructed on lots created by this project shall comply with the special construction provisions contained in Riverside County Ordinance 787.

SP-#71-ADVERSE IMPACTS 10 FIRE. 4

RECOMMND

The proposed project will have a cumulative adverse impact on the Fire Department's ability to provide an acceptable level of service. These impacts include an increased number of emergency and public service calls due to the increased presence of structures and population. project proponents/develpers shall participate in the Development Impact Fee program as adopted by the Riverside County Board of Supervisors to mitigate a portion of these This will provide funding for capitol improvements such as land/equipment purchases and fire station construction.

The Fire Department reserves the right to negotiate developer agreements associated with the development of land and/or construction of fire facilities to meet service demands through the regional integrated fire protection response system.

# Riverside County LMS CONDITIONS OF APPROVAL

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SPECIFIC PLAN Case #: SP00342

10. GENERAL CONDITIONS

10.FIRE. 5 SP-#86-WATER MAINS

RECOMMND

All water mains and fire hydrants providing required fire flows shall be constructed in accordance with the appropriate sections of Riverside County Ordinance 460 and/or No.787, subject to the approval by the Riverside County Fire Department.

10.FIRE. 6 SP-#96-BUILDING MATERIAL

RECOMMND

All buildings shall be constructed with fire resistant construction material in accordance with the California Building Code

10 FIRE. 7

SP-#97-OPEN SPACE

RECOMMND

Prior to approval of any development of lands adjacent to open space areas, a fire protection/vegetaion management (fuel modification) plan shall be submitted to the Riverside County Fire Department for reveiw and approval. The Homeowner's Association or appropriate management entity shall be responsible for maintaining the elements of the plan.

10 FIRE. 8

SP-#85-FINAL FIRE REQUIRE

RECOMMND

Final fire protection requirements and impact mitigation measures will be determined when specific project plans are submitted.

10 FIRE. 9

SP-#100-FIRE STATION

RECOMMND

Based on national fire standards, one new fire station and/or engine company could be required for every 2,000 new dwelling units, or 3.5 million square feet of commercial/industrial occupancy.

10 FIRE. 11

SP-#47 SECONDARY ACCESS

RECOMMND

The project shall provide an Alternate or Secondary Access in accordance with Riverside County Ordinance. Alternate or Secondary Access(s) shall have concurrence and approval of both the Transportation and Fire Departments and shall be maintained throughout any phasing.

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#### 10. GENERAL CONDITIONS

FLOOD RI DEPARTMENT

10.FLOOD RI. 1 SP FLOOD HAZARD REPORT ALT 7

RECOMMND

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May 2014
Specific Plan 342, Alternative Number 7, The Villages of
Lakeview, proposes a mixed land use community of
residential and commercial uses, parks, public facilities
and open space on 2,883 acres. The site is located in the
Lakeview area along the Ramona Expressway between the
Lakeview Mountains to the south and the San Jacinto River
to the north. The specific plan is tentatively divided into
four development phases, each consisting of several
planning areas. The Specific Plan is supported by EIR
number 471.

#### EXISTING CONDITION

The topography of the Specific Plan is made up of the rugged foothills around Mt. Rudolph in the southeast and an alluvial plain over the rest of the site that gently slopes down to the San Jacinto River. At the northwest corner of the specific plan, a portion of Phase 1 is within the 100-year floodplain limits of the San Jacinto River as delineated on Community Panel No. 06065C1435G of the Flood Insurance Rate Maps (FIRM) issued in conjunction with the National Flood Insurance Program (NFIP) administered by the Federal Emergency management Agency (FEMA). What is more, Phase 1 and the western edge of Phase 2 are within the Zone X floodplain limits shown on FIRM Panel 06065C 1435G caused by storm flows discharged from a large canyon that drains the Lakeview Mountains. Although Lakeview Dam intercepts stormwater from this canyon, stormwater discharged from the Dam's outlet, albeit at much lower flowrates, still impact the site. A dam inundation study has not been reviewed as a part of the Specific Plan and inundation limits may eventually affect the type of development allowed within these limits.

The rest of the alluvial plain receives runoff from the smaller canyons that drain Mt. Rudolph. Storm runoff from the canyons sheet flows across a wide swath of the project site towards Ramona Expressway. About fourteen culverts ranging in size from 24-inches to a pair of 72" x 45" squash pipes convey only the smallest, most frequent storm runoff across Ramona Expressway; larger storm flows would overtop the highway.

Portions of Phases 1, 2 and 3 are within the boundaries of

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#### 10. GENERAL CONDITIONS

SP FLOOD HAZARD REPORT ALT 7 (cont) 10 FLOOD RI. 1

RECOMMND

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the Lakeview/Nuevo Area Drainage Plan (ADP) for which drainage fees have been established by the Board of Supervisors. Applicable ADP fees will be due (in accordance with the Rules and Regulations for Administration of Area Drainage Plans) prior to the issuance of grading or building permits, whichever occurs first. Although the current fee for this ADP is \$2093 per acre (or per lot for parcels larger than one acre), the fee due will be based on the fee in effect at the time of payment. The fee is payable to the Flood Control District by cashier's check or money order only. The District will not accept personal or company checks.

#### ULTIMATE CONDITION

The ultimate master drainage plan is proposed to include Lateral D of the District's Lakeview MDP. Line D is currently being designed for construction by the District. However, if the facility is not in place, the facility would be constructed to convey the outflow from the District's Lakeview Dam to the existing Nuevo Channel. addition, a training dike, as proposed in the Lakeview MDP, would also be constructed to direct some tributary flows to Lakeview Dam. Storm flows from the other canyons would be collected into debris basins sited at the canyon mouths. A system of underground storm drains and open channels would convey the discharge from the debris basins and the onsite flows of Phases 3, 4 and the eastern half of Phase 2 due north to the Ramona Expressway. Storm flows from these areas would cross the Ramona Expressway in culverts at several separate locations. It is assumed that discharges from the storm drains would be spread out with a weir-type structure that would duplicate the natural drainage pattern and flow rate of the area. This duplication may prove problematic and the developer may have to construct offsite facilities to convey the flows to an adequate outlet (for example, past the existing dairy to the San Jacinto River)

Onsite flows from Phase 1 and 2 are conveyed by storm drains, open channels and a regional water quality basin to the northwest corner of the specific plan where they are discharged into the San Jacinto River floodplain.

A detention basin is depicted near Metropolitan Water

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#### 10. GENERAL CONDITIONS

10.FLOOD RI. 1 SP FLOOD HAZARD REPORT ALT 7 (cont.) (cont.) RECOMMND

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District's property; if this property cannot be used due to proximity to MWD's facility, then the detention basin shall be relocated in Phase 2. Large amounts of Phase 2 and 3 project areas are planned to be diverted westerly to this basin. The basin's function is to reduce peak rates to compensate for the additional tributary area and flow. The outlet of the basin and the Line A system is also proposed to be used as an dry-weather emergency outlet for the MWD facilities. It is unclear at this time what agency would maintain the basin.

At the northwest corner, an adequate outlet for the proposed channel is provided. Conservation habitat is not proposed at the outlet area that would interfere with District maintenance.

An application for a Letter of Map Revision for a Portion of the San Jacinto River, dated January 2011, is being process through the City of Perris.

# INTERIM IMPROVEMENTS

Given a development of this size and scope it is unrealistic to expect all of the elements in the master drainage plan to be constructed prior to issuance of the first building permit. Thus, a series of conceptual drainage plans that correspond to the development of the four phases is proposed. These plans necessarily include what we will call interim facilities; interim in that even though they may exist in the ground for many years, they will be eventually replaced with the ultimate improvements depicted in the master drainage plan. The interim drainage plans shall also consider protection of the existing Ramona Expressway and the Expressway improvements which will be phased in over the development of the project. For the protection of the existing Ramona Expressway, the project proposes to construct facilities meeting District design and maintenance standards. These facilities may include a series of interim detention ponds/sumps that would be sized to hold storm-flow from the 100-year and smaller events, such that the rate and concentration of water released across Ramona Expressway is kept below the existing natural flow condition. These interim basins would be constructed as needed when the upstream natural drainage pattern is modified by grading and development.

SPECIFIC PLAN Case #: SP00342 Parcel: 426-085-005

#### 10. GENERAL CONDITIONS

10.FLOOD RI. 1 SP FLOOD HAZARD REPORT ALT 7 (cont.) (cont.) RECOMMND

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The conceptual drainage plans for each phase are presented in Figures 5-1 through 5-4 of the TVOL drainage study. The size, type and alignment of the facilities will likely be modified as the result of specific development proposals. Facilities and basin designs shall be according to District standards in effect at the time of plan preparation. The District worked under the assumptions that each phase of the Specific Plan shall stand alone and shall construct the necessary drainage facilities required for the protection of the 100 year flow rate.

Phase 1 Interim Drainage Plan (Figure 5-1)
1) Prior to the issuance of any grading permit or
recordation, whichever comes first, of any final map with
lots within the Zone A San Jacinto River floodplain, a
Conditional Letter of Map Revision shall be obtained from
FEMA.

2) Phase 1 area shall be protected from the 100-year storm water which includes the outflow from the Lakeview dam outlet. Construction of storm drain facilities located on the phase's southerly boundary, along the north side of Ramona Expressway will be required. This facility will include a combination of open channel and underground facilities and will outlet into Line A.

3) Prior to the issuance of any grading permit or recordation, whichever comes first, of any final map within the Zone X floodplain, the developer shall obtain approved construction drawings for Lakeview MDP Line D, if not already constructed, and for the collector levee adjacent to Lakeview Dam; execute bond agreements and cooperative agreements for the facilities; and obtain offsite rights of way to the satisfaction of the District.

4) Prior to the issuance of any grading permit or recordation of any final map within Phase 1, obtain approved plans for all of Line A, including the collection facility on the south side of Ramona Expressway; execute bond agreements and cooperative agreements for the facilities; and obtain offsite rights of way to the satisfaction of the District.

Phase 2 Interim Drainage Plan (Figure 5-2)

Significant interim facilities are constructed with this phase. At the time of the development of the southeast corner of the Phase (which drains to Lines C and A-7) the

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#### 10. GENERAL CONDITIONS

10.FLOOD RI. 1 SP FLOOD HAZARD REPORT ALT 7 (cont.) (cont.) RECOMMND

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developer proposes to convey the flows discharged from those storm drains in an unlined channel to a RCB crossing under the MWD aqueduct. Downstream from there, the channel would daylight and subsequently flows spread-out and eventually recollected in a series of large interim detention ponds/sumps. These interim detention ponds/sumps would be sized to hold storm-flows such that the depth and rate of water released across Ramona Expressway is kept at or below the maximum allowable for safe travel in accordance with Transportation Department standards, for all storm events. Transportation Department has agreed that these basins would provide an acceptable level of protection for the existing Ramona Expressway. The detention ponds/sumps would be connected to Line A by a low flow channel and/or water pumped from the basin to Line A.

- 1) Prior to the issuance of any grading permit or recordation, whichever comes first, of any final map in the area west of 5th street if necessary proper interim drainage facilities will be constructed as approved by RCFC and WCD.
- 2) Prior to the issuance of any grading permit or recordation, whichever comes first, of any final map in the areas east of 5th street, the developer shall obtain approved construction drawings for Lakeview MDP Line D from Lakeview Dam to Nuevo Channel, and for the collector levee adjacent to Lakeview Dam; execute bond agreements and cooperative agreements for the facilities; and obtain offsite rights of way to the satisfaction of the District.
- 3) Prior to the issuance of any grading permit or recordation, whichever comes first, of any final map that drains to the Specific Plan's Line A and A7 backbone system, the developer shall obtain approved construction drawings for Line A and A-7 to an adequate outlet in the San Jacinto River; execute bond agreements and cooperative agreements for the facilities; and obtain offsite rights of way to the satisfaction of the District.
- 4) Prior to the issuance of any grading permit or recordation, whichever comes first, of any final map of the portion of Phase 2 that drains to Line C the developer shall obtain approved construction drawings for Line C, and convey the flows in interim channels safely past the MWD aqueduct to large interim detention ponds/sumps adjacent to Ramona Expressway. A viable and sustainable maintenance mechanism shall be provided for the interim facilities. Additionally, prior to the issuance of any grading permit

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## 10. GENERAL CONDITIONS

10.FLOOD RI. 1 SP FLOOD HAZARD REPORT ALT 7 (cont.) (cont.) RECOMMND

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or recordation of final map, the Developer shall obtain approved Debris Basin construction drawings for the portion of the Phase 2 which drains to Line D, impacted by flows discharged from the hillside.

Phase 3 Interim Drainage Plan (Figure 5-3)

During the development Phase 3, it is likely The Villages will pass the milestone which triggers the construction of the Ramona Expressway from 5th Street to Warren Road. When the ultimate improvements for Ramona Expressway are constructed, the interim detention ponds/sumps shall be removed and the ultimate drainage facilities shall be constructed. The outlet for the ultimate facilities shall duplicate the existing drainage patterns and flow rates; or as directed by the General Manager-Chief Engineer.

Moreover, it seems probable that the development of the areas to the east would require additional interim drainage facilities to collect storm runoff discharged by the canyons to the south. These interim collection facilities shall meet District design and maintenance standards.

Finally,

a detention basin is depicted near Metropolitan Water District's property; if this property cannot be used due to proximity to MWD's facility, then the detention basin shall be relocated in Phase 2.

Since the timing of individual developments in Phase 3 cannot be set, the District will defer writing particular conditions of approval until the time such development applications are submitted. The related drainage improvements may be any combination of ultimate and interim facilities. Still, the general guidance of the preceding three paragraphs shall apply.

Phase 4 Interim Drainage Plan

1) This development may require the construction of interim drainage facilities to collect storm runoff discharged by the canyons to the south. The facilities shall meet District design and maintenance standards. 2) The developer shall obtain approved construction drawings for Debris Basins prior to the issuance of any grading permit or recordation of final maps in areas that are

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#### 10. GENERAL CONDITIONS

10.FLOOD RI. 1 SP FLOOD HAZARD REPORT ALT 7 (cont.) (cont.) RECOMMND

impacted by flows from their respective canyons.

3) Prior to the issuance of any grading permit or recordation, whichever comes first, of any final map that drains to the Specific Plan's Line B, the developer shall obtain approved construction drawings for Line B to an adequate outlet on the north side of the Ramona Expressway; execute bond agreements and cooperative agreements for the facility; and obtain offsite rights of way to the satisfaction of the District.

- 4) Prior to the issuance of any grading permit or recordation, whichever comes first, of any final map, the Developer shall obtain approved construction drawings for Line F to connect it to an adequate outlet; execute bond agreements and cooperative agreements for the facilities; and obtain offsite rights of way to the satisfaction of the District.
- 5) The development in this phase, may require the construction of interim drainage facilities to collect storm runoff discharged by the canyons to the south. The interim facilities shall meet District design and maintenance standards.
- 6) Prior to the issuance of any grading permit or recordation, whichever comes first, of any final map that drains to the Specific Plan's Line E, the developer shall obtain approved construction drawings for Line E to an adequate outlet; execute bond agreements and cooperative agreements for the facility; and obtain offsite rights of way to the satisfaction of the District.
- 7) Prior to the issuance of any grading permit or recordation, whichever comes first, of any final map that drains to the Specific Plan's Line D, the developer shall obtain approved construction drawings for Line D to an adequate outlet; execute bond agreements and cooperative agreements for the facility; and obtain offsite rights of way to the satisfaction of the District.

#### WATER QUALITY

The Specific Plan discusses water quality issues and proposes a regional water Quality feature at the northwest part of the project within Phase 1. However, each implementing project (development proposal) within the specific plan will be required to submit a preliminary project specific Water Quality management Plan (WQMP). Recommended conditions of approval for the specific development proposals will be issued upon review and

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### 10. GENERAL CONDITIONS

10.FLOOD RI. 1 SP FLOOD HAZARD REPORT ALT 7 (cont.) (cont.) RECOMMND

approval of the preliminary project specific WQMP. The project specific WQMP shall meet the requirements of the Municipal Separate Sewer System (MS4) permit requirements in effect a t the time the specific project is submitted. The regional basin proposed would collect low flows via the Line B system through the use of splitters located upstream of the Ramona Expressway culverts. It is unclear at this time what agency would maintain the splitters. The diversion of low flows and other project impacts have been addressed within The Villages of Lakeview, Hydromoditfication Tehcnical Reprt, dated July, 2008.

#### PLANNING DEPARTMENT

10.PLANNING. 5 SP - MAINTAIN AREAS & PHASES

RECOMMND

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All planning area and phase numbers shall be maintained throughout the life of the SPECIFIC PLAN, unless changed through the approval of a specific plan amendment or specific plan substantial conformance accompanied by a revision to the complete specific plan document.

10.PLANNING. 6 SP - P.A. DENSITY TRANSFER

RECOMMND

Any Planning Area is permitted to develop the total number of dwelling units within the range dictated by the Land Use designation. The SPECIFIC PLAN grants additional flexibility in the total number of dwelling units permitted within a given Planning Area through the use of a Substantial Conformance application to the SPECIFIC PLAN.

The SPECIFIC PLAN provides a dwelling unit target count for each Planning Area. This is the applicants estimated unit count. Any dwelling unit counts over or under the dwelling unit target number, as outlined in Table B.1.2 of the SPECIFIC PLAN, shall be added or subtracted from the total number of permitted dwelling units in the SPECIFIC PLAN as a whole to ensure the 8,725 dwelling unit total for the SPECIFIC PLAN is not exceeded. Thus, target dwelling units are permitted to be transferred to and from Planning Areas that do not exceed the established density range of the land use designation for the Planning Areas.

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10. GENERAL CONDITIONS

10.PLANNING. 7 SP - LC LANDSCAPING PLANS

RECOMMND

All landscaping plans shall be prepared in accordance with Ordinance No. 859 (as adopted and any amendments thereto), the Riverside County Guide to California Landscaping, and Ordinance No. 348, Section 18.12. In the event conflict arises between Ordinance No. 859 and the SPECIFIC PLAN, then the requirements of Ordinance No. 859 shall prevail.

10.PLANNING. 8 SP - HOLD HARMLESS (2)

RECOMMND

The CSA or similar provider shall indemnify all park and recreational activities and shall be responsible for all maintenance and repair activities of improvements proposed by and for the SPECIFIC PLAN within Planning Areas 28, 31, 27, 34, 38, 39, 52, 29, 30, 36, 40, 32, 33, 35, and 37. This does not include MWD or school facilities.

10.PLANNING. 9 SP - VRP CONSISTENCY

RECOMMND

All land subdivisions and Use Permit Applications (CUP's, PUP's, and Plot Plan's) must be consistent with the approved VILLAGE REFINEMENT PLAN of the corresponding VILLAGE, per the SPECIFIC PLAN.

10.PLANNING. 10 SP DU/BLDNG MTRX

RECOMMND

Given the size and scope of the project, every condition of approval which uses the term "Building Permit" as a trigger point shall be interpreted to mean "Dwelling Unit." For example a 100 unit apartment complex in one building shall count as 100 BUILDING PERMITS for purposes of these conditions, not simply one building permit.

For purposes of tracking the total build out of the SPECIFIC PLAN, the TLMA Counter Services Divison shall maintain a TOTAL DWELLING UNIT TRACKING MATRIX. The matrix shall differentiate between individual building permits and the total number of dwelling units that are represented by the building permits that have been issued for the entire Specific Plan. Any condition that requires a specific action at a specified "building permit issuance" shall use the TOTAL DWELLING UNIT TRACKING MATRIX to determine if the threshold has been met.

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### 10. GENERAL CONDITIONS

10.PLANNING. 11 SP - PUB BLDNG STANDARD

RECOMMND

All buildings which require an occupancy permit and are intended to be owned by the County upon completion shall comply with Board Policy H-29.

10.PLANNING. 12 SP - UTL CROSS RAM/MCP

RECOMMND

Plans for any project proposed utilities crossing the Ramona Expressway or the future Mid County Parkway shall be provided to the Riverside County Transportation Commission for consultation.

10 PLANNING. 13 SP - MODS TO CONDITIONS

RECOMMND

Once the SPECIFIC PLAN is approved, in addition to any thresholds listed in the SPECIFIC PLAN, any modifications to the Conditions of Approval that affect the entire SPECIFIC PLAN shall require a SPECIFIC PLAN Amendment. Any modifications to the Conditions of Approval that only affect a specific VILLAGE shall require a Substantial Conformance to the SPECIFIC PLAN.

10 PLANNING. 14 SP - VRP REQUIRED

RECOMMND

Prior to or concurrent with the first approval of any implementing project within any VILLAGE, a Specific Plan Substantial Conformance application for a VILLAGE REFINEMENT PLAN shall be required in accordance with Section B.11a of the SPECIFIC PLAN. No implementing project shall be approved before a VILLAGE REFINEMENT PLAN for the corresponding VILLAGE receives approval from the Planning Commission.

In accordance with Section B.11.i, the VILLAGE REFINEMENT PLAN shall establish number of building permit/dwelling unit triggers for park plans to be submitted and approved and for parks to be constructed. Such triggers shall consider both the provision of parks as early as possible to offer amenities to residents and the funding of maintenance of such parks based on revenue generated by constructed dwelling units.

Note: The VILLAGE REFINEMENT PLAN is processed as a Specific Plan Substantial Conformance; however once approved the Planning Director shall create a new LMS development number for the land management tracking system and all implementing projects within the respective VILLAGE

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#### 10. GENERAL CONDITIONS

10.PLANNING. 14 SP - VRP REQUIRED (cont.)

RECOMMND

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shall be attached to the new VILLAGE REFINEMENT PLAN development number. Once the VILLAGE REFINEMENT PLAN is approved, all Specific Plan Conditions of approval shall be transferred into the new development number created by the VILLAGE REFINEMENT PLAN. All dwelling units shall be tracked at the VILLAGE level through the VILLAGE REFINEMENT PLAN development number and through the separate spread sheet referenced in condition 10.Planning.10 DU/BUILDING PERMIT MATRIX. This note shall also not apply if an alternative permit tracking process to LMS is being used.

Once approved, the VILLAGE REFINEMENT PLAN shall be added as an appendix to the SPECIFIC PLAN and act as additional Design Standards for the respective VILLAGE.

# 10.PLANNING. 28 SP - GEO01437 (UPDATED 2013)

RECOMMND

County Geologic Report (GEO) No. 1437 was prepared for this project (SP00342) Leighton and Associates, Inc. and is entitled "Preliminary Geotechnical Investigation for Due Diligence Purposes, Proposed 550-Acre Mixed-Use Development, Amway Property, North and South Sides Ramona Expressway, Lakeview, California", dated May 21, 2003. In addition, Leighton and Associates, Inc. prepared the following:

- 1.Leighton & Associates, Inc., April 1, 2013, "Updated Seismic Design Parameters, The Villages of Lakeview Project, Lakeview Area of Unincorporated Riverside County, California".
- 2.Leighton & Associates, Inc., August 5, 2013, "Preliminary Geotechnical Investigation fro Due Diligence purposes, Nutrilite (Amway) Property and Adjacent Areas, Lakeview Area, Unincorporated Riverside County, California".
- 3.Leighton & Associates, Inc., October 28, 2004, "Preliminary Geotechnical, Proposed 60-Acre Residential Development, Ross Property, South of the Ramona Expressway and West of Bridge Street, Lakeview Area of Unincorporated Riverside County, California".
- 4.Leighton & Associates, Inc., July 29, 2004, "Preliminary Geotechnical, Proposed 120-Acre Mixed Use Residential Development, Lacerte Property, South of the Ramona Expressway near Bridge Street, Lakeview Area of

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# 10. GENERAL CONDITIONS

10.PLANNING. 28 SP - GEO01437 (UPDATED 2013) (cont.)

RECOMMND

Unincorporated Riverside County, California".

- 5.Leighton & Associates, Inc., September 17, 2003, "Preliminary Geotechnical Investigation for Due Diligence Purposes, Proposed 437-Acre Mixed-Use Sherman Ranch Development, Vicinity of Lakeview Avenue East and 4th Street, Lakeview, California".
- 6.Leighton & Associates, Inc., September 17, 2003, "Preliminary Geotechnical Investigation for Due Diligence Purposes, Proposed Mixed-Use Residential Development, 75-Acre Abudayyeh Property, South of Lakeview Avenue East and East of 5th Street, Lakeview, California".
- 7.Leighton & Associates, Inc., September 22, 2003, "Preliminary Geotechnical Investigation for Due Diligence Purposes, Cannata Mixed-Use Residential Development, 135-Acre Thoroughbred Farm, Northeast of Hansen Avenue and Wolfskill Avenue, Lakeview, California".
- 8.Leighton & Associates, Inc., December 10, 2004, "Preliminary Rockfall Hazard Evaluation, The Villages of Lakeview, Lakeview Area of Unincorporated Riverside County, California".
- 9.Leighton & Associates, Inc., January 25, 2006, "Response to County of Riverside Seismic/Geologic/Geotechnical Review Sheet, Specific Pan 342 (County Geologic Report No. 1437), The Villages of Lakeview Project, Lakeview Area of Unincorporated Riverside County, California".

These documents are herein incorporated as a part of GEO01437.

GEO NO. 1437 concluded:

- 1.No severe geologic or soil-related hazards or constraints that would preclude development of the site have been found during the course of the above referenced studies.
- 2. The principal seismic hazard that could affect the site is ground shaking resulting from an earthquake occurring along several major active or potentially active faults in southern California.
- 3. There are no active or potentially active faults that

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# 10. GENERAL CONDITIONS

10.PLANNING. 28 SP - GEO01437 (UPDATED 2013) (cont.) (cont.) RECOMMND

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traverse the site.

- 4. The potential for fault ground rupture at the site is very low.
- 5. The potential for liquefaction occurrence at the site is very low.
- 6. The onsite soils are susceptible to an average of roughly 4 inches of seismic settlement based on the design earthquake, up to a maximum of roughly 5 inches. Differential settlement due to seismic loading is assumed to be 2.5 inches over a horizontal distance of 40 feet.
- 7. Seiches and tsunamis are not a hazard to the site.
- 8. The potential for future groundwater related subsidence is very low.
- 9. Slope instability and landslides are not an issue at the site.
- 10. Buried compost may be present locally on this site.

GEO NO. 1437 recommended:

- 1. The areas of proposed improvements should be cleared of vegetation, trash, and debris.
- 2. The underlying subgrade soil should be prepared in such a manner that a uniform response to the loads is achieved.
- 3.Removal of compressible surficial soils will be required during grading, prior to fill placement thereon. The removed materials should be moisture-conditioned (or dried), as necessary, and recompacted as structural fill in accordance with the recommendations of GEO01437.
- 4. The proposed structures should be constructed using post-tension foundation systems.
- 5.If, during future studies, evidence of significant dairy waste is found onsite, studies to evaluate the potential for methane generation on the property should be undertaken.

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#### 10. GENERAL CONDITIONS

10.PLANNING. 28 SP - GEO01437 (UPDATED 2013) (cont.) (cont.) RECOMMND

The above referenced reports and response are satisfactory with respect to the specific plan and the related environmental impact report for this project. Mitigation measures identified in the above referenced reports shall be incorporated into the environmental impact report.

It should be noted that further geologic/geotechnical review will be required for the following: 1) the planning review phase of each tentative tract and/or development project within this specific plan, and 2) related to site grading and foundations prior to issuance of any grading permits associated with this project.

#### 10 PLANNING. 29 SP - PDP01445

RECOMMND

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County Paleontological Report (PDP) No. 1445, submitted for this case (additional acreage added to SP00342), was prepared by LSA and is entitled: "Updated to the Paleontological Assessment for the Proposed Project, Approximately 2,789 Acres of the Villages of Lakeview Project, Riverside County, California", dated April 5, 2013.

PDP01445 concluded that portions of the project south of Romana Expressway are composed of old alluvial fan deposits from the Late Pleistocene that have a high paleontological sensitivity beginning 4 feet beneath the surface.

PDP01445 recommended a Paleontological Resources Impact Mitigation Program (PRIMP) be implemented and followed for the project.

PDP01445satisfies the requirement for a paleontological resource assessment for this case (additional acreage added to SP00342). PDP01445 is hereby accepted for SP00342.

#### 10.PLANNING. 31 SP - DA REQS/COAS

RECOMMND

Development Agreement No. 73 (DA) establishes certain requirements for development of the SPECIFIC PLAN. These requirements shall be complied with throughout the life of the DA. Certain specific conditions have been included on the SPECIFIC PLAN to ensure proper implementation of the DA through the SPECIFIC PLAN and subsequent applications. Not all requirements of the DA are addressed in the conditions for the SPECIFIC PLAN as certain requirements are not

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### 10. GENERAL CONDITIONS

10.PLANNING. 31 SP - DA REQS/COAS (cont.)

RECOMMND

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appropriate to include based on the milestone structure of conditions of approval. In addition to the conditions in the SPECIFIC PLAN related to the DA, any implementing project shall also be reviewed in context of the requirements of the DA to ensure it is being applied appropriately.

10 PLANNING. 32 SP - DA LIBRARY EXPANSION

RECOMMND

Pursuant to provisions within the DEVELOPMENT AGREEMENT, the Project shall be subject to a fee for library expansion (the "Library Expansion Fee") in the amount of \$415.39 per dwelling unit for the first 4,300 dwelling units within the Project. Following the issuance of a building permit for the 4,300th dwelling unit and within ninety (90) days after COUNTY's written notice to OWNER of the Board of Supervisors' approval of construction documents for the expansion of library facilities serving the Project, OWNER shall pay COUNTY \$5,358,500 (the "Library Final Payment.") The amount of the Library Expansion Fee and Library Final Payment shall adjust on January 1 each year in accordance with Section 4.2.3 of the DEVELOPMENT AGREEMENT; provided, however, the total amount of the Library Expansion Fees paid and the Library Final Payment shall not exceed \$8,000,000. Payment of the Library Expansion Fees shall be in full satisfaction of all obligations and requirements of the Project to fund library facilities and shall be in lieu of any Development Exaction otherwise imposed against the Project for library construction. Any Development Exaction imposed against the Project for Library Books/Media shall still apply.

10.PLANNING. 33 SP - DA COMMUNITY ROOM SPACE

RECOMMND

Pursuant to provisions within the DEVELOPMENT AGREEMENT, the Project includes a community center that will be operated and maintained by a property owner's association. The community center shall include a multi-purpose room with the capacity for up to 100 seated people for purposes of community meetings, presentations, or other public use by the County. The multi-purpose room shall include technology and equipment to allow for meetings and presentations to be recorded and broadcast, as well as WiFi technology. The County shall have access to use the multi-purpose room a minimum of two times per month, for up to four hours per use, free of charge, for the entire term

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#### 10. GENERAL CONDITIONS

10.PLANNING. 33 SP - DA COMMUNITY ROOM SPACE (cont.)

RECOMMND

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of the DEVELOPMENT AGREEMENT. All other details for use of the multi-purpose room shall be documented in a separate agreement between the County and property owner's association.

10 PLANNING. 34 SP - DA FIRE STATION AND EQUIP

RECOMMND

Pursuant to provisions within the DEVELOPMENT AGREEMENT, the applicant or their successor in interest shall reserve up to two (2) acres within the Project, at a location within Planning Areas 20 or 22 acceptable to the Riverside County Fire Department, for the purpose of the construction of a new fire station to serve the Project and surrounding area (the "Fire Station Site"). The Fire Station Site shall be identified as a lot in the tentative subdivision map approved for the Planning Area that includes the Fire Station Site. The Project shall be subject to development impact fees imposed by the County for fire facilities.

Either (i) upon the issuance of a building permit for the 2,000th dwelling unit within the Project or (ii) within ninety (90) days following written notice from the Riverside County Fire Department (the "Fire Department") to the applicant or their successor in interest and the County that the annual emergency call volume for the Project to the Fire Department's Nuevo Station 3 exceeds 1,500 such calls, whichever occurs first, the applicant or their successor in interest shall fund the County's acquisition of a two-person medic patrol emergency response vehicle for Nuevo Station 3 at a cost not to exceed \$265,000, subject to annual adjustment as provided in Section 4.2.3 of the DEVELOPMENT AGREEMENT.

Either (i) upon the issuance of a building permit for the 5,000th dwelling unit within the Project or (ii) within ninety (90) days following written notice from the Fire Department to the applicant or their successor in interest and the County that the annual emergency call volume for the Project to Nuevo Station 3 exceeds 3,000 such calls, whichever occurs first, the applicant or their successor in interest shall fund the County's acquisition of a ladder truck fire apparatus that meets the Fire Department's specifications and design standards at a cost not to exceed \$1,500,000, subject to annual adjustment as provided in Section 4.2.3 of the DEVELOPMENT AGREEMENT.

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# 10. GENERAL CONDITIONS

10.PLANNING. 34 SP - DA FIRE STATION AND EQUIP (cont.)

RECOMMND

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Either (i) upon the issuance of a building permit for the 8,000th dwelling unit within the Project or (ii) within ninety (90) days following written notice from the Fire Department to the applicant or their successor in interest and the County that the annual emergency call volume for the Project to Nuevo Station 3 exceeds 4,000 such calls, whichever occurs first, the applicant or their successor in interest shall fund the County's cost of acquisition of a new Type 1 fire engine for the new Fire Station at a cost not to exceed \$650,000, subject to annual adjustment as provided in Section 4.2.3 of the DEVELOPMENT AGREEMENT.

The applicant's or their successor in interest's obligations pursuant to this Section 4.2.1(e) to fund the three pieces of fire equipment shall be contingent upon the establishment of the Fire Safety Community Facilities District ("CFD") and a separate Facilities CFD, as described in and pursuant to the provisions of Exhibit "F" to this Agreement, provided, however, if the applicant or their successor in interest fails to request the formation of the Facilities CFD prior to the issuance of the first building permit in the Project or fails to vote affirmatively in the proceedings to establish the Facilities CFD, the applicant or their successor in interest shall remain responsible to fund the fire equipment. The applicant's or their successor in interest's obligations pursuant to this Section 4.2.1(e) for the funding of fire equipment shall be in full satisfaction of all obligations or requirements of the Project to fund fire equipment and shall be in lieu of any Development Exaction otherwise imposed against the Project for fire equipment purposes.

Within sixty (60) days following the issuance of a building permit for the 5,500th dwelling unit within the Project, the County of Riverside shall reasonably estimate the construction cost of the new Fire Station to be built on the Fire Station Site. At the same time, the County of Riverside and the applicant's or their successor in interest shall determine the fair market value of the Fire Station Site based upon a highest and best use of mixed use development as permitted by the Specific Plan for the applicable Planning Area. The Fire Station Site shall then be conveyed to the County of Riverside and the applicant's or their successor in interest shall receive a credit against Development Impact Fees imposed for fire

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### 10. GENERAL CONDITIONS

10.PLANNING. 34 SP - DA FIRE STATION AND EQUIP (cont.) (cont.RECOMMND

protection in an amount equal to the fair market value of the Fire Station Site. However, the applicant's or their successor in interest shall not be entitled to such a Development Impact Fee credit unless and until the Development Impact Fees collected for fire protection within the Project exceed the reasonable estimate of the construction cost of the new Fire Station to be built on the Fire Station Site.

# 10.PLANNING. 35 SP - DA BROADBAND

RECOMMND

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Pursuant to provisions within the DEVELOPMENT AGREEMENT, the Project shall include conduit for broadband optic fiber in all streets throughout the SPECIFIC PLAN area, as well as pull boxes, to complement the County's broadband initiative. Should there be significant technological changes prior to build out of the Project, the applicant or their successor in interest and the County may mutually agree on the incorporation of such new technology in lieu of broadband optic fiber.

# 10 PLANNING. 36 SP - IF HUMAN REMAINS FOUND

RECOMMND

If human remains are found on this site, the developer/permit holder or any successor in interest shall comply with the following codes:

Pursuant to State Health and Safety Code Section 7050.5, if human remains are encountered, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. The Coroner will have two working days to determine if the remains are subject to his or her authority as part of a crime.

If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) shall be contacted by the Coroner within the period specified by law (24 hours). The NAHC shall immediately notify those persons it believes to be most likely descended from the deceased Native American. ?The descendants may, inspect the site of the discovery of the Native American human remains and may recommend means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall make recommendations or preferences for treatment within 48 hours of being granted access to the site.

Upon the discovery of Native American remains, the

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### 10. GENERAL CONDITIONS

10.PLANNING. 36 SP - IF HUMAN REMAINS FOUND (cont.)

RECOMMND

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landowner shall ensure that the immediate vicinity, where the Native American human remains are located, is not damaged or disturbed The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment. The descendants' preferences for treatment may include the following: "The nondestructive removal and analysis of human remains and items associated with Native American human remains." Preservation of Native American human remains and associated items in place.

"Relinquishment of Native American human remains and associated items to the descendants for treatment.
"Other culturally appropriate treatment.

The parties may also mutually agree to extend discussions, taking into account the possibility that additional or multiple Native American human remains, as defined in this section, are located in the project area, providing a basis for additional treatment measures.

Human remains of a Native American may be an inhumation or cremation, and in any state of decomposition or skeletal completeness. Any items associated with the human remains that are placed or buried with the Native American human remains are to be treated in the same manner as the remains, but do not by themselves constitute human remains.

Whenever the commission is unable to identify a descendant, or the descendants identified fail to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance. To protect these sites, the landowner shall do one or more of the following:

"Record the site with the commission or the appropriate Information Center.

"Utilize an open-space or conservation zoning designation or easement.

"Record a document with the county in which the property is located. The document shall be titled "Notice of Reinternment of Native American Remains" and shall include a legal description of the property, the name of the owner

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### 10. GENERAL CONDITIONS

10.PLANNING. 36 SP - IF HUMAN REMAINS FOUND (cont.) RECOMMND

of the property, and the owner's acknowledged signature, in addition to any other information required by this section. The document shall be indexed as a notice under the name of the owner. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with the descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains.

Human remains from other ethnic/cultural groups with recognized historical associations to the project area shall also be subject to consultation between appropriate representatives from that group and the County Archaeologist.

# 10.PLANNING. 37 SP - UNANTICIPATED RESOURCES

RECOMMND

The developer/permit holder or any successor in interest shall comply with the following for the life of this permit.

If during ground disturbance activities, unanticipated cultural resources\* are discovered, the following procedures shall be followed:

All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted and the applicant shall call the County Archaeologist immediately upon discovery of the cultural resource. A meeting shall be convened between the developer, the project archaeologist\*\*, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the County Archaeologist to discuss the significance of the find. At the meeting with the aforementioned parties, a decision is to be made, with the concurrence of the County Archaeologist, as to the appropriate treatment (documentation, recovery, avoidance, etc) for the cultural resource.

Further ground disturbance shall not resume within the area of the discovery until the appropriate treatment has been accomplished.

\* A cultural resource site is defined, for this condition, as being a feature and/or three or more artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to sacred or cultural importance.

\*\* If not already employed by the project developer, a County approved archaeologist shall be employed by the

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## 10. GENERAL CONDITIONS

10.PLANNING. 37 SP - UNANTICIPATED RESOURCES (cont.)

RECOMMND

project developer to assess the value/importance of the cultural resource, attend the meeting described above, and continue monitoring of all future site grading activities as necessary.

10 PLANNING. 38 SP - SJWA WATER RESPONSIBILITY

RECOMMND

In accordance with the request by the California Department of Fish & Wildlife, water that leaves the project, or leaves the San Jacinto Wildlife Area, shall become the responsibility of the receiving party, and should have appropriate signage.

### TRANS DEPARTMENT

10.TRANS. 1 SP - SP342/TS CONDITIONS

RECOMMND

The Transportation Department has reviewed the traffic study submitted for the referenced project. The study has been prepared in accordance with County-approved guidelines. We generally concur with the findings relative to traffic impacts.

The General Plan circulation policies require development proposals to maintain a Level of Service 'C', except that Level of Service 'D' shall apply to all development proposals located within any of the following Area Plans: Eastvale, Jurupa, Highgrove, Reche Canyon/Badlands, Lakeview/Nuevo, Sun City/Menifee Valley, Harvest Valley/Winchester, Southwest Area, The Pass, San Jacinto Valley, Western Coachella Valley and those Community Development Areas of the Elsinore, Lake Mathews/Woodcrest, Mead Valley and Temescal Canyon Area Plans.

The following intersections were analyzed in the traffic study. Note: Intersection numbering corresponds to the traffic study for the Villages of Lakeview Specific Plan (SP 342) Alternative 7.

- 1. I-215 Southbound Ramps / Harley Knox Boulevard
- 2. I-215 Northbound Ramps / Harley Knox Boulevard
- 3. Indian Street / Harley Knox Boulevard
- 4. Perris Boulevard / Harley Knox Boulevard
- 5. Perris Boulevard / Markham Street
- 6. Harvill Avenue / Cajalco Expressway
- 7. I-215 Southbound Ramps / Ramona Expressway

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#### 10. GENERAL CONDITIONS

#### RECOMMND SP - SP342/TS CONDITIONS (cont.) 10.TRANS. 1 \*8. I-215 Northbound Ramps/ Ramona Expressway:

- 9. Indian Street / Ramona Expressway
- 10. Perris Boulevard / Ramona Expressway
- 11. Evans Road / Ramona Expressway
- 12. Lake Perris Drive / Ramona Expressway
- 13. Evans Road / Rider Street
- 14. Rider Street / Ramona Expressway
- 15. Perris Boulevard / Placentia Avenue
- 16. Redlands Avenue / Placentia Avenue
- 17. Redlands Avenue / Orange Avenue
- 18. Evans Road / Orange Avenue
- 19. Bradley Road / Orange Avenue (future)
- 20. Foothill Avenue / Orange Avenue (future) 21. Bernasconi Road / Ramona Expressway
- 22. Lakeview Avenue / Ramona Expressway
- 23. Hansen Avenue / Ramona Expressway
- 24. 5th Street / Ramona Expressway
- 25. 3rd Street / Ramona Expressway
- 26. Hansen Avenue / Lakeview Avenue East
- 27. Reservoir Avenue / 9th Street
- 28. Lakeview Avenue / 9th Street
- 29. Hansen Avenue / Yucca Avenue
- 30. Antelope Road East / Orange Avenue (future)
- 31. Bernasconi Road / Orange Avenue (future)
- 32. Reservoir Avenue / 10th Street (future)
- 33. Lakeview Avenue / 10th Street
- 34. Yucca Avenue / 10th Street
- 35. Hansen Avenue / Wolfskill Avenue
- 36. North Drive / Lakeview Avenue
- 37. Hansen Avenue / Contour Avenue
- 38. Gilman Springs Road / Alessandro Boulevard
- 39. Beaumont Avenue (SR-79) / 1st Street
- 40. Beaumont Avenue (SR-79) / California Avenue
- 41. Bridge Street / Gilman Springs Road
- 42. SR-79 Southbound Ramps / Gilman Springs Road
- 43. SR-79 Northbound Ramps / Gilman Springs Road
- 44. Bridge Street / Ramona Expressway
- 45. Warren Road / Ramona Expressway
- 46. Sanderson Avenue (SR-79) Ramona Expressway
- 47. State Street (SR-79) / Ramona Expressway
- 48. Warren Road / Cottonwood Avenue 49. Warren Road / Esplanade Avenue
- 50. Winchester Road (SR-79) / State Route 74
- 51. California Avenue / Florida Avenue (SR-74, SR-79)
- 52. Warren Road / Florida Avenue (SR-74, SR-79)
- 53. Myers Street / Florida Avenue (SR-74, SR-79)

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#### 10. GENERAL CONDITIONS

SP - SP342/TS CONDITIONS (cont.) (cont.) RECOMMND 10.TRANS. 1 54. I-215 Southbound Ramps / Nuevo Road 55. I-215 Northbound Ramps / Nuevo Road 56. Perris Boulevard / Nuevo Road 57. Redlands Avenue / Nuevo Road 58. Murrieta Road / Nuevo Road 59. Evans Road / Nuevo Road 60. Dunlap Road / Nuevo Road 61. Foothill Avenue / Nuevo Road 62. Antelope Road / Nuevo Road 63. Menifee Road / Nuevo Road 64. Lakeview Avenue / Nuevo Road 65. Menifee Road / San Jacinto Avenue 66. Menifee Road / Ellis Avenue 67. Menifee Road / Mapes Road 68. Palomar Road / Ethanac Road (SR-74) 69. Menifee Road / Ethanac Road (SR-74) 70. Briggs Road / Ethanac Road (SR-74) 71. Juniper Flats Road / SR-74 72. Menifee Road / McCall Boulevard 73. Antelope Road / Mid County Parkway Westbound Ramps 74. Antelope Road / Mid County Parkway Eastbound Ramps 75. Bernasconi Road / Mid County Parkway Westbound Ramps 76. Bernasconi Road / Mid County Parkway Eastbound Ramps 77. Reservoir Avenue / Mid County Parkway Westbound Ramps 78. Reservoir Avenue / Mid County Parkway Eastbound Ramps 79. Town Center Boulevard / Mid County Parkway Westbound Ramps 80. Town Center Boulevard / Mid County Parkway Eastbound Ramps 81. Park Center Boulevard / Mid County Parkway Westbound 82. Park Center Boulevard / Mid County Parkway Eastbound Ramps 83. Warren Road / Mid County Parkway Westbound Ramps 84. Warren Road / Mid County Parkway Eastbound Ramps P1-1. AA Street / Ramona Expressway P1-2. AA Street / NN Street P1-3. CC Street / BB Street P1-4. Town Center Boulevard / Ramona Expressway P1-5. Park Center Boulevard / Ramona Expressway P1-6. SS Boulevard-RR Street / Town-Park Center Boulevard P1-7. EE Street / FF Street P1-8. Park Center Boulevard / VV Street P1-9. Park Center Boulevard / FF Street

P1-10. EE Street / Park Center Boulevard P1-11. MM Street / Park Center Boulevard

Parcel: 426-085-005 SPECIFIC PLAN Case #: SP00342

#### 10. GENERAL CONDITIONS

- SP SP342/TS CONDITIONS (cont.) (cont.) (conRECOMMND 10.TRANS. 1
  - P1-12. FF Street / GG Street
  - P1-13. SS Boulevard / Lakeview Avenue
  - P1-14. SS Boulevard / MM Street
  - P1-15. OO Street / MM Street
  - P1-16. KK Street / MM Street
  - P1-17. LL Street / MM Street

Various conditions exist, or will exist when the project is implemented, for the above intersections. At some intersections there are no significant impacts which result from the project therefore no improvements and/or funding are required. Other intersections are located outside of the County of Riverside's jurisdiction and therefore the funding and timing of improvements are beyond County control. Some fall outside of any existing or proposed funding sources, while others have known physical constraints that limit improvements/configurations that could result in adequate levels of service. Therefore, the following statements of overriding consideration are required, as described below.

#### SP - SP342/TS OVERRIDING CONSI 10 TRANS. 2

RECOMMND

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At the following intersections, achievement of satisfactory levels of service would require improvements that would be the responsibility of others due to their location in jurisdictions other than unincorporated Riverside County, necessitating a finding of overriding considerations.

- 7. I-215 Southbound Ramps / Ramona Expressway
- 40. Beaumont Avenue (SR-79) / California Avenue
- 46. Sanderson Avenue (SR-79) / Ramona Expressway
- 47. State Street (SR-79) / Ramona Expressway
- 50. Winchester Road (SR-79) / State Route 74
- 51. California Avenue / Florida Avenue (SR-74, SR-79)
- 52. Warren Road / Florida Avenue (SR-74, SR-79)
- 54. I-215 Southbound Ramps / Nuevo Road
- 55. I-215 Northbound Ramp / Nuevo Road
- 68. Palomar Road / Ethanac Road (SR-74) 69. Menifee Road / Ethanac Road (SR-74)
- 70. Briggs Road / Ethanac Road (SR-74)
- 71. Juniper Flats Road / SR-74
- 42. SR-79 Southbound Ramps / Gilman Springs Road 43. SR-79 Northbound Ramps / Gilman Springs Road
- 79. Town Center Boulevard / Mid County Parkway Westbound Ramps

# Riverside County LMS CONDITIONS OF APPROVAL

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# 10. GENERAL CONDITIONS

10.TRANS. 2 SP - SP342/TS OVERRIDING CONSI (cont.) RECOMMND

- 49. Warren Road / Esplanade Avenue
- 72. Menifee Road / McCall Boulevard
- 38. Gilman Springs Road / Alessandro Boulevard
- 3. Indian Street / Harley Knox Boulevard
- 10. Perris Boulevard / Ramona Expressway
- 11. Evans Road / Ramona Expressway
- 15. Perris Boulevard / Placentia Avenue
- 58. Murrieta Road / Nuevo Road

At the following intersections, it is anticipated that the project would cause cumulative impacts and would be responsible for its fair share contribution of improvements. However, there is no fully funded program available that would guarantee the remaining funding for the improvements therefore the cumulative impacts are considered significant and unavoidable, necessitating a finding of overriding considerations.

- 21. Bernasconi Road / Ramona Expressway
- 66. Menifee Road / Ellis Avenue

Acceptable levels of service can be achieved at the following road segments after the completion of improvements, however, achievement of satisfactory levels of service through lane widening is not considered practical or compatible with the rural character of the area, necessitating a finding of overriding considerations:

Hansen Avenue from 10th Street to Contour Avenue Lakeview Avenue from 10th Street to North Drive Nuevo Road from Menifee Road to Lakeview Avenue

At the following road segments, achievement of satisfactory levels of service would require improvements that would be the responsibility of others due to their location in jurisdictions other than unincorporated Riverside County, necessitating a finding of overriding considerations.

Beaumont Avenue (SR-79) from 1st Street to California
Avenue

Beaumont Avenue (SR-79) from California Avenue to Gilman Springs Road

Florida Avenue (SR-74, SR-79) from San Jacinto Street to State Street

Florida Avenue (SR-74, SR-79) from State Street to Lyon Avenue

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#### 10. GENERAL CONDITIONS

SP - SP342/TS OVERRIDING CONSI (cont.) (cont.RECOMMND 10.TRANS. 2

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图 Florida Avenue (SR-74, SR-79) from Lyon Avenue to Sanderson Avenue

Florida Avenue (SR-74, SR-79) from Sanderson Avenue to Winchester Road

Florida Avenue (SR-74, SR-79) from Winchester Road to California Avenue

Ramona Boulevard (SR-79) from State Street to San Jacinto Avenue

San Jacinto Avenue (SR-79) from Ramona Boulevard to Esplanade Avenue

San Jacinto Avenue (SR-79) from Esplanade Avenue to Menlo

Sanderson Avenue (SR-79) from Gilman Springs Road to Ramona Expressway

State Route 74 from Perris Boulevard to Greenwald Avenue Winchester Road (SR-79) from Domenigoni Parkway to Scott

Winchester Road (SR-79) from Scott Road to Thompson Road Gilman Springs Road from SR-60 Freeway to Alessandro Boulevard

Gilman Springs Road from Alessandro Boulevard to Bridge

Perris Boulevard from Iris Avenue to Harley Knox Boulevard Nuevo Road from Redlands Avenue to Murrieta Road Alessandro Boulevard from Trautwein Road to I-215 Freeway State Street South of Ramona Expressway

Acceptable levels of service can be achieved at the following intersections after the completion of improvements. The improvements are included in the regional TUMF program and payment of TUMF fees and implementation of the TUMF improvement would reduce the impact to these facilities. However the TUMF program is not a fully funded fee program and requires additional funds from outside sources for implementation of the improvements. Given the level of uncertainty regarding the remaining funding for the TUMF improvements, the impacts are considered significant and unavoidable, necessitating a finding of overriding considerations.

Van Buren Boulevard from Washington Street to Wood Road Cajalco Road from El Sobrante Road to Wood Road Cajalco Road from Wood Road to Carpinus Drive Cajalco Road from Carpinus Drive to Harvill Avenue Gilman Springs Road from Bridge Street to Warren Road

#### Riverside County LMS CONDITIONS OF APPROVAL

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#### 20. PRIOR TO A CERTAIN DATE

#### PLANNING DEPARTMENT

20.PLANNING. 1 SP - 90 DAYS TO PROTEST

RECOMMND

The applicant has ninety (90) days from the date of the approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations, and/or exactions imposed on this project as a result of the approval or conditional approval of this project.

# 30 PRIOR TO ANY PROJECT APPROVAL

#### E HEALTH DEPARTMENT

30.E HEALTH. 1 SP - 342 ENV CLEANUP PROGRAM

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan etc.), the following condition shall be placed on the implementing project:

Prior to the approval of any Planning Case project subject to SP#342 A2, the applicant shall submit to the Department of Environmental Health (DEH), Environmental Cleanup Program (ECP) for review and consideration an original copy of an Environmental Site Assessment (ESA) Phase 1 Study Applicable review fees shall be required.

Prior to the Issuance of any Grading Permit, an Environmental Site Assessment (ESA) Phase 2 study shall be submitted to ECP for review if the information provided in the ESA Phase 1 study indicates the requirements. Applicable review fees shall be required.

For further information, please contact ECP at (951) 955-8980.

#### EPD DEPARTMENT

30.EPD. 1 SP - 30 DAY PRECONSTR SURVEYS

RECOMMND

PRIOR TO ISSUANCE OF ANY GRADING PERMIT FOR ANY PROJECT OR APN ASSOCIATED WITH SP00342, A 30 DAY PRECONSTRUCTION SURVEY FOR BURROWING OWL MUST BE CONDUCTED BY A QUALIFIED BIOLOGIST HOLDING AN MOU WITH RIVERSIDE COUNTY AND THE FINDINGS SUBMITTED IN A LETTER REPORT TO EPD (ENVIRONMENTAL

#### Riverside County LMS CONDITIONS OF APPROVAL

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### 30. PRIOR TO ANY PROJECT APPROVAL

30.EPD. 1 SP - 30 DAY PRECONSTR SURVEYS (cont.) RECOMMND

PROGRAMS DEPARTMENT) FOR REVIEW. IF ANY OWLS ARE FOUND ONSITE RELOCATION WILL BE REQUIRED IN ACCORDANCE WITH THE FTR.

SP-PA 43/TANKAREA CONSERVATION 30.EPD. 2

RECOMMND

Conservation acreage within Planning Area (PA) 43 post water tank site (labeled as "Area Designated for Water Tank on the Riverside County HANS 313 Exhibit dated 5-18-2009 Revised Final) shall be offered for dedication to the Western Riverside County Regional Conservation Authority (RCA) after tank site development contingencies have been resolved. The remainder of land within PA 43 shall be conveyed to the RCA within 90 days of completion of inspection & acceptance of the tanks by BY EMWD (EASTERN MUNICIPAL WATER DISTRICT). Evidence from the RCA indicating an assurance to keep this land undeveloped except for the water tanks shall be provided to EPD prior to issuance of any grading permit. Prior to issuance of any grading permits for the water tanks to be built in PA 43, the site plan for the tanks must be reviewed by EPD to ensure proper UWIGs & BMPs are utilized to minimize impacts on adjacent conserved lands. Specifically the construction area should be fenced off and construction limited to daytime hours. EPD shall inspect the perimeter fence prior to issuance of grading permit to ensure a secure barrier has been established for wildlife within the adjacent areas.

SP -NO GRADING IN CONSERVATION 30.EPD. 3

RECOMMND

NO GRADING SHALL OCCUR WITHIN ANY AREAS TO BE DEICATED FOR CONSERVATION WITH AN EXCEPTION FOR CONSTRUCTION ACTIVITIES ASSOCIATED WITH THE CONSTRUCTION OF THE WILDLIFE UNDERCROSSING IN (PLANNING AREA) PA 50G. IN ADDITION MANUFACTURED SLOPES SHALL NOT EXTEND WITHIN ANY AREAS DETERMINED FOR CONSERVATION. THE FINAL GRADING PLANS OF ALL MAPS UNDER SP00342 SHALL BE SUBMITTED TO EPD FOR REVIEW TO ENSURE NO GRADING SHALL OCCUR WITHIN THE CONSERVATION AREAS.

SP - FENCING/BARRIER PLAN 30.EPD. 4

RECOMMND

Prior to approval of any project under SP00342, the applicant shall consult with EPD regarding developing a fencing/barrier plan that will provide adequate separation

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### 30. PRIOR TO ANY PROJECT APPROVAL

30.EPD. 4 SP - FENCING/BARRIER PLAN (cont.)

RECOMMND

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between the project and adjacent conservation areas to minimize impact of domestic animals and illegal trespass as outlined in Section 6.1.4 of the WRMSHCP. This fencing plan shall be submitted to EPD for review prior to project approval and EPD shall visit the site to inspect the barriers prior to final building inspection. This fencing/barrier plan will only be required for projects adjacent to the conservation areas.

30.EPD. 5 SP - FUEL MOD ZONES

RECOMMND

No impacts from fuel mod zones for fire clearance shall occur within any conservation or other biologically constrained areas. All fuel mod zones and conservation or biologically constrained areas shall be clearly delineated on all exhibits for projects under SP00342 which occur adjacent to conservation areas.

30.EPD. 6 SP - MSHCP DRAINAGE

RECOMMND

Per Section 6.1.4 of the WRMSHCP no nuisance runoff shall be directed off site into adjacent conservation areas. The final project exhibit for approval must clearly show how the site is to be drained and confirm that adequate water quality treatment has been implemented for flows which do enter conservation areas.

30 EPD. 7 SP - MSHCP BMPS

RECOMMND

Prior to issuance of any grading permit under SP00342 Best Management Practices (BMP's) shall be installed to prevent impacts to anythe Riparian/Riverine Drainages present on the project site. BMP's shall include but are not limited to installation of silt fencing and erosion control measures along all sides of the drainages to insure that grading activities do not impact downstream functions and values. Silt fencing shall be installed around all proposed grading activities especially in any project adjacent to conservation areas in the NW area of SP00342. In addition construction hours shall be limited to daytime hours to limit nocturnal noise impacts and an exhibit prepared delineating disturbance versus conserved areas and all storage, fueling and access areas.

A qualified biologist currently holding a MOU with the County shall be consulted in developmet of BMPs and a

### Riverside County LMS CONDITIONS OF APPROVAL

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### 30. PRIOR TO ANY PROJECT APPROVAL

30.EPD. 7 SP - MSHCP BMPS (cont.)

RECOMMND

summary of BMPs shall be provided to EPD. EPD shall be contacted directly once BMP's are installed and EPD shall confirm that all BMP's are secure and in place prior to issuance of any grading permit.

30.EPD. 8

SP - MSHCP LANDSCAPING

RECOMMND

A copy of the landscaping plan for this project shall be submitted to EPD for review to ensure no invasive species are proposed to be utilized with the exception of the 15 species referenced in Bio MM 11a of the EIR. No invasive species shall be allowed in landscaping within 150' of any conservation area and within 500' of the San Jacinto Wildlife Area. The list of species not to be included within conservation areas can be found on pages 6-44 through 6-46 of the WRMSHCP (Table 6.2).

30.EPD. 9

SP - NOISE & LIGHTING UWIGS

RECOMMND

For any project under SP00342 which is located adjacent to any conservation areas, EPD shall visit the site prior to final inspection to ensure proper shielding has been utilized or that lighting has been directed away from adjacent conservation areas and to ensure proper noise mitigation measures have been implemented per the MSHCP consistency review.

30 EPD. 10

SP - MSHCP CONVEYANCE

RECOMMND

As determined through the Habitat Evaluation and Acquisition Negotiation Strategy (HANS file # 313), established by the Western Riverside County Multiple Species Habitat Conservation Plan, a total of 984.5 acres as documented within Joint Project Review #07-07-16-01 dated 6-16-08 shall be offered for dedication to the Western Riverside County Regional Conservation Authority (RCA), as County directs or authorizes, and accepted by the RCA. This dedication shall occur without any fee credits or other compensation. This dedication must be completed prior to issuance of any grading permit or building permit, or prior to map recordation (whichever occurs first) within the boundary of SP00342.

Prior to the acceptance of this dedication the applicant shall provide a preliminary title report & Phase 1 Environmental Site Assessment for the area to be dedicated

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### 30. PRIOR TO ANY PROJECT APPROVAL

30.EPD. 10

SP - MSHCP CONVEYANCE (cont.)

RECOMMND

to the RCA for review. The RCA shall have sole and absolute discretion with respect to the information contained in the preliminary title report & Phase 1 Environmental Site Assessment. Title to this dedication shall be clear of all liens, encumberances, easements, leases (recorded & unrecorded) and taxes except those which the RCA may deem are acceptable (easements allowing for the maintenance of fuel modification or detention basins shall not be accepted):

30.EPD. 11

SP - PA 50G GRADING/CONVEYANC

RECOMMND

Prior to issuance of any grading permits within Planning Area (PA) 50G (south of Ramona Expressway at eastern end of the Specific Plan area) for construction of the wildlife undercrossing, the site plan for this area must be reviewed by EPD to ensure proper UWIGs & BMPs are utilized to minimize impacts on adjacent conserved lands. Specifically the construction area should be fenced off and construction limited to daytime hours. EPD shall inspect the perimeter fence prior to issuance of grading permit to ensure a secure barrier has been established for wildlife within the adjacent areas. Prior to final inspection of the grading for PA 50G this area shall be dedicated to the RCA for conservation.

#### FLOOD RI DEPARTMENT

30.FLOOD RI. 1 SP

SP SUBMIT WQMP

RECOMMND

A preliminary project specific Water Quality Management Plan (WQMP) shall be submitted to the District for review and approval prior to issuance of recommended conditions of approval. The WQMP shall be prepared consistent with the County's MS4 permit requirement in effect at the time the project is submitted.

#### PLANNING DEPARTMENT

30.PLANNING. 1

SP - M/M PROGRAM (GENERAL)

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

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### 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 1 SP - M/M PROGRAM (GENERAL) (cont.)

RECOMMND

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"The EIR prepared for the SPECIFIC PLAN imposes specific mitigation measures and monitoring requirements on the project. Certain conditions of the SPECIFIC PLAN and this implementing project constitute reporting/monitoring requirements for certain mitigation measures."

### 30.PLANNING. 2 SP - NON-IMPLEMENTING MAPS

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"A land division filed for the purposes of phasing or financing shall not be considered an implementing development application for the purposes of the Planning Department's conditions of approval.

Should this project be an application for phasing or financing, all of the other conditions in this implementing project with a prefix of "SP" will be considered as NOT APPLICABLE, and this condition shall be considered as MET. Should this project not be an application for phasing or financing, this condition shall be considered as NOT APPLICABLE.

A non-implimenting map will not require a VILLAGE REFINMENT PLAN be approved prior to the approval of the non-implementing map."

### 30.PLANNING. 3 SP - DURATION OF SP VALIDITY

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"The SPECIFIC PLAN that this project is a part of has a life span of thirty (30) years from the date of the adoption of the resolution adopting the SPECIFIC PLAN or DA, whichever is later. Should the SPECIFIC PLAN not be substantially built out in that period of time, the project proponent shall file a specific plan amendment to be processed concurrently with this implementing proposal. (For the purposes of this condition, substantial buildout shall be defined as eighty five percent (85%) of the

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## 30. PRIOR TO ANY PROJECT APPROVAL

## 30.PLANNING. 3 SP - DURATION OF SP VALIDITY (cont.)

RECOMMND

maximum amount of dwelling units allowed and fifty (50%) of the minimum required commercial square foot requirements allowed by the SPECIFIC PLAN as most recently amended.) The specific plan amendment will update the entire specific plan document to reflect current development requirements.

This condition shall be considered as NOT APPLICALBE if the implementing project has been filed within the above listed parameters, and shall be considered as MET if the specific plan amendment has been filed."

## 30.PLANNING. 4 SP - SUBMIT FINAL DOCUMENTS

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: ract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"Fifteen (15) copies of the final SPECIFIC PLAN and EIR documents (SP/EIR) documents shall be submitted to the Planning Department for distribution. The documents shall include all the items listed in the condition titled "SP - Documents". The final SP/EIR documents shall be distributed in the following fashion:

Any and all remaining documents shall be kept with the Planning Department in Riverside, or as otherwise determined by the Planning Director.

This condition cannot be DEFERRED or considered as NOT APPLICABLE."

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## 30. PRIOR TO ANY PROJECT APPROVAL

## 30.PLANNING. 5 SP - PROJECT LOCATION EXHIBIT

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"The applicant shall provide to the Planning Department an  $8\ 1/2$ " x 11" exhibit showing where in the SPECIFIC PLAN this project is located and a separate exhibit showing where in the respective VILLAGE it is located. The exhibit shall also show all prior implementing projects within the SPECIFIC PLAN that have already been approved.

This condition shall be considered MET once the applicant provides the Planning Department with the required information. This condition may not be DEFERRED."

### 30.PLANNING. 6 SP - ACOUSTICAL STUDY REQD

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO PROJECT APPROVAL, an acoustical study shall be submitted to the Planning Department and the Department of Environmental Health - Industrial Hygene Division for review and approval.

This condition shall be considered MET if the relevant study has been approved by the Planning Department and the Department of Environmental Health-Industrial Hygene Division. This condition may be considered as NOT APPLICABLE if the Planning Department determines that the required study is not necessary.

The submittal of this study mandates that a CEQA determination of an Addendum to a previously adopted EIR be made, at a minimum."

## 30 PLANNING. 10 SP - GEO STUDY REQUIRED

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 10 SP - GEO STUDY REQUIRED (cont.)

RECOMMND

"PRIOR TO PROJECT APPROVAL, a geological/geotechnical study shall be submitted to the Planning Department Engineering Geologist for review and approval.

This condition shall be considered MET if the relevant study has been approved by the Planning Department. This condition may be considered as NOT APPLICABLE if the Planning Department determines that the required study is not necessary.

The submittal of this study mandates that a CEQA determination of an Addendum to a previously adopted EIR be made, at a minimum."

30 PLANNING. 12 SP - EA REQUIRED

RECOMMND

Prior to the approval of any implementation project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"If this implementing project is subject to the California Environmental Quality Act (CEQA), an environmental assessment shall be filed and processed concurrently with this implementing project. At a minimum, the environmental assessment shall utilize the evaluation of impacts addressed in the EIR prepared for the SPECIFIC PLAN.

This condition shall be considered as MET if an environmental assessment was conducted for this implementing project. This condition may be considered as NOT APPLICABLE if this implementing project is not subject to CEQA. This condition may not be DEFERRED."

30.PLANNING. 13 SP - ADDENDUM EIR

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"This implementing project has been reviewed in the context the EIR, which is associated with this SPECIFIC PLAN. The Planning Department has reviewed this project and its relationship to the EIR, and has found that no new

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 13 SP - ADDENDUM EIR (cont.)

RECOMMND

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environmental impacts have arisen since the certification of the EIR. Although the EIR adequately addressed the environmental impacts of the SPECIFIC PLAN as a whole, more detailed technical information (i.e. traffic studies, updated biological studies, etc.) have been required by the Planning Department and/or other COUNTY land development review departments in order to complete its environmental review. Therefore, an ADDENDUM to the previously certified EIR has been prepared in conjunction with this implementing application.

This condition shall be considered MET if an ADDENDUM to the EIR has been prepared. Alternatively, this condition shall be considered as NOT APPLICABLE if an ADDENDUM to the EIR is not required."

30.PLANNING. 14 SP SUPPLEMENT TO EIR

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"This implementing project has been reviewed in the context the EIR, which is associated with this SPECIFIC PLAN. The Planning Department has reviewed this project and its relationship to the EIR, and has found that although the EIR adequately addressed the environmental impacts of the SPECIFIC PLAN at the time, new environmental impacts have arisen since the certification of the original EIR. The Planning Department has determined that the new environmental impacts can be mitigated to below a level of significance. Therefore, a SUPPLEMENT to the previously certified EIR has been prepared in conjunction with this implementing application.

This condition shall be considered MET if a SUPPLEMENT to the EIR has been prepared. Alternatively, this condition shall be considered as NOT APPLICABLE if a SUPPLEMENT to the EIR is not required."

30 PLANNING. 15 SP - SUBSEQUENT EIR

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit.

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 15 SP - SUBSEQUENT EIR (cont.)

RECOMMND

on the implementing project:

"This implementing project has been reviewed in the context the EIR, which is associated with this SPECIFIC PLAN. The Planning Department has reviewed this project and its relationship to the EIR, and has found that although the EIR adequately addressed the environmental impacts of the SPECIFIC PLAN at the time, new environmental impacts have arisen since the certification of the original EIR. The Planning Department has determined that this implementing project may have a signficant impact to the new environmental impacts that have arisen. Therefore, a SUBSEQUENT EIR has been prepared in conjunction with this implementing application.

This condition shall be considered MET if a SUBSEQUENT EIR has been prepared. Alternatively, this condition shall be considered as NOT APPLICABLE if a SUBSEQUENT to the EIR is not required."

30.PLANNING. 16 SP - COMPLETE CASE APPROVALS

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"Prior to the approval of any implementing project (tract map, parcel map, use permit, plot plan, etc.) the SPECIFIC PLAN, the GPAs, the CHANGE OF ZONE, and the EIR must have been approved, adopted, and certified by the Board of Supervisors, respectively.

This condition shall be considered as MET once the SPECIFIC PLAN, the GPAs, the CHANGE OF ZONE, and the EIR have been approved, adopted, and certified by the Board of Supervisors, repectively. This condition may not be DEFERRED."

30 PLANNING. 17 SP - AMENDMENT REQUIRED

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

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### 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 17 SP - AMENDMENT REQUIRED (cont.)

RECOMMND

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"If this implementing project meets any of the following criteria, an amendment to the SPECIFIC PLAN shall be required and processed concurrently with this implementing project:

- The implementing project adds any area to, or deletes area from, the SPECIFIC PLAN;
- 2. The implementing project proposes a substantially different use than currently allowed in the SPECIFIC PLAN (i.e. proposing a residential use within a commercially designated area);
- 3. If a VILLAGE REFINMENT PLAN requires any CEQA analysys beyond an addendum to the EIR;
- 4. Dwelling unit counts with a Planning Area are proposed that are outside the Flexibility Range as illistrated in Table B.11.5 of the SPECIFIC PLAN; or
- 5. As determined by the Planning Director.

Any amendment to the SPECIFIC PLAN, even though it may affect only one portion of the SPECIFIC PLAN, shall be accompanied by a complete specific plan document which includes the entire specific plan, including both changed and unchanged parts.

This condition shall be considered MET if the specific plan amendment has been filed, and NOT APPLICABLE if a specific plan amendment is determined to be unnecessary."

## 30.PLANNING. 19 SP - AG/DAIRY NOTIFICATION

RECOMMND

Prior to the approval of any implementing residential land division within the SPECIFIC PLAN, the following condition of approval shall be applied to the implementing project stating that:

"PRIOR TO MAP RECORDATION, the applicant shall submit a detailed proposal for the notification of all initial and future purchasers of dwelling units within the subject project of neighboring agricultural uses. Said notification shall be in addition to any notice required by Ordinance No. 625 (Riverside County Right-to-Farm Ordinance). Said

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RECOMMND

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 19 SP - AG/DAIRY NOTIFICATION (cont.)

approved notification shall be provided to all initial and all future purchasers of dwelling units within the subject

project."

30.PLANNING. 20 SP - PA PROCEDURES

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map or parcel map), the following condition shall be placed on the implementing project PRIOR TO MAP RECORDATION in the case of land division applications (tentative parcel maps or tentative tract maps) or PRIOR TO BUILDING PERMITS in the case of use permit applications (plot plans, conditional use permits, or public use permits):

"The planning areas for which this land division application is located must be legally defined. Any of the following procedures may be used in order to legally define these planning areas:

- The project proponent has processed a FINAL CHANGE OF ZONE MAP concurrent with the SPECIFIC PLAN which legally defined these planning areas.
- 2. The project proponent shall file a change of zone application along with a legal description defining the boundaries of the planning area affected by this land division application. The applicant will not be changing the allowed uses or standards within the existing zone but will merely be providing an accurate legal description of the affected planning area. The change of zone shall be approved and adopted by the Board of Supervisors."

## 30.PLANNING. 21 SP - CC&R RES PUB COMMON AREA

RECOMMND

Prior to the approval of any implementing land division project (i.e. tract map or parcel map), the following condition shall be applied to the land division PRIOR TO MAP RECORDATION if the permanent master maintenance organization referenced in the condition entitled "SP - Common Area Maintenance" is a public organization:

"The applicant shall convey to the County fee simple title, to all common open space areas, free and clear of all liens, taxes, assessments, leases (recorded or

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30. PRIOR TO ANY PROJECT APPROVAL

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30. PLANNING. 21 SP - CC&R RES PUB COMMON AREA (cont.)

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-unrecorded) and easement, except those easements which in the sole discretion of the County are acceptable. As a condition precedent to the County accepting title to such areas, the

applicant shall notify the Planning Department that the following documents shall be submitted to the Office of the County Counsel and submit said documents for review along with the current fee, which shall be subject to County Counsel approval:

- 1. A cover letter identifying the project for which approval is sought;
- 2. A signed and notarized declaration of covenants, conditions and restrictions;
- 3. A sample document, conveying title to the purchaser, of an individual lot or unit which provides that the declaration of covenants, conditions and restrictions

is incorporated therein by reference; and,

4. A deposit equaling three (3) hours of the current hourly fee for Review of Covenants, Conditions and Restrictions established pursuant to County Ordinance No. 671 at the time the above referenced documents are submitted for County Counsel review.

The declaration of covenants, conditions and restrictions submitted for review shall a) provide for a minimum term of 60 years, b) provide for the establishment of a property

owners' association comprised of the owners of each individual lot or unit as tenants in common, and c) restrict the number of domestic animals (e.g. dogs, cats, and other predatory animals) allowed per residence to two; additionally the property owners association shall enforce this restriction and d) contain the following provisions verbatim:

"Notwithstanding any provision in this Declaration to the contrary, the following provisions shall apply:

The property owners' association established herein

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### 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 21 SP - CC&R RES PUB COMMON AREA (cont.) (cont.) RECOMMND

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shall, if dormant, be activated, by incorporation or otherwise, at the request of the County of Riverside, and the property owners' association shall unconditionally accept from the County of Riverside, upon the County's demand, title to all or any part of the 'common area', more particularly described on Exhibit '\_\_' attached hereto. Such acceptance shall be through the president of the property owner's association, who shall be authorized to execute any documents required to facilitate transfer of the 'common area'. The decision to require activation of the property owners' association and the decision to require that the association unconditionally accept title to the 'common area' shall be at the sole discretion of the County of Riverside.

In the event that the 'common area', or any part thereof, is conveyed to the property owners' association, the association, thereafter, shall own such 'common area',

thereof, is conveyed to the property owners' association, the association, thereafter, shall own such 'common area', shall manage and continuously maintain such 'common area' and shall not sell or transfer such 'common area' or any part thereof, absent the prior written consent of the Planning Director of the County of Riverside or the County's successor-in-interest. The property owners' association shall have the right to assess the owner of each individual lot or unit for the reasonable cost of maintaining such 'common area', and shall have the right to lien the property of any such owner who defaults in the payment of a maintenance assessment. An assessment lien, once created, shall be prior to all other liens recorded subsequent to the notice of assessment or other document creating the assessment lien.

This declaration shall not be terminated, 'substantially' amended, or property deannexed therefrom absent the prior written consent of the Planning Director

of the County of Riverside or the County's successor-in-interest. A proposed amendment shall be considered 'substantial' if it affects the extent, usage or maintenance of the 'common area' established pursuant to this Declaration.

In the event of any conflict between this Declaration and the Articles of Incorporation, the Bylaws, or the property owners' association Rules and Regulations, if any,

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 21 SP - CC&R RES PUB COMMON AREA (cont.) (cont.) RECOMMND

this Declaration shall control."

Once approved by the Office of County Counsel, the declaration of covenants, conditions and restrictions shall be recorded by the Planning Department with one copy retained for the case file, and one copy provided to the County Transportation Department - Survey Division."

30 PLANNING. 22 SP - CC&R RES PRI COMMON AREA

RECOMMND

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (tract map or parcel map), the following condition shall be placed on the implementing project PRIOR TO MAP RECORDATION if the permanent master maintenance organization referenced in the condition entitled "SP - Common Area Maintenance" is a private organization:

"The applicant shall notify the Planning Department that the following documents shall be submitted to the Office of County Counsel and submit said documents for review along with the current fee, which shall be subject to County Counsel approval:

- 1. A cover letter identifying the project for which approval is sought;
- A signed and notarized declaration of covenants, conditions and restrictions;
- 3. A sample document, conveying title to the purchaser of an individual lot or unit, which provides that the declaration of covenants, conditions and restrictions incorporated therein by reference; and,
- 4. A deposit equaling three (3) hours of the current hourly fee for Review if Covenants, Conditions and Restrictions established pursuant to County Ordinance No.
  - 671 at the time the above referenced documents are

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30.PLANNING. 22 SP - CC&R RES PRI COMMON AREA (cont.) RECOMMND

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submitted for County Counsel review.

The declaration of covenants, conditions and restrictions submitted for review shall a) provide for a minimum term of 60 years, b) provide for the establishment of a property owners' association comprised of the owners of each individual lot or unit as tenants in common, c) provide for ownership of the common area by either the association or the owners of each property owners' individual lot or unit as tenants in common, d) contain a restriction which limits the number of domestic animals (e.g. dogs, cats, and other predatory animals) alloewed per residence to two and requires the property owner's association to enforce this restriction, and e) contain the following provisions verbatim:

"Notwithstanding, any provision in this Declaration to the contrary, the following provisions shall apply: -The association(s) or appropriate management entity shall be responsible for maintaining an approved fire protection/vegetation management (fuel modification) plan for lands adjacent to open space areas (Planning Areas 58, 66, 68, 69, 73, and 81). This helps implement EIR Mitigation Measure Hazards-Fire 6.

- The association(s) is(are) responsible for ensuring that all association maintained landscaping, more specifically association(s) maintained residential front yards and back yards, i.e., private common areas, and in the adjacent public street parkway use recycled water for irrigation and watering.

This Declaration shall not be terminated, 'substantially' amended, or property deannexed therefrom absent the prior written consent of the Planning Director of the County of Riverside or the County's successor-in-interest. proposed amendment shall be considered 'substantial' if it affects the extent, usage or maintenance of the 'common area' established pursuant to this Declaration.

In the event of any conflict between this Declaration and the Articles of Incorporation, the Bylaws, or the property Riverside County LMS CONDITIONS OF APPROVAL

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 22 SP - CC&R RES PRI COMMON AREA (cont.) (cont.)RECOMMND

owners' association Rules and Regulations, if any, this Declaration shall control.

To implement the mitigation measures of the Environmental Impact Report created for the project (EIR471) the Conditions, Covenants, and Restrictions shall also include and enforce the following provisions:

- The association(s) shall ensure that lighting is not projected into the Conservation Area at either the interface between the development and the MSCHP dedication to the south of the project along the Lakeview Mountains, or between the development and the existing San Jacinto Wildlife Area (SJWA). Street lighting shall be designed with internal baffles to direct the lighting towards the ground and have a zero side angle cut off to the horizon. At the interface with the Lakeview Mountains, street lighting shall be at least 50 feet away from the Conservation Area. North of Ramona Expressway, street lighting shall be at least 400 feet from the project's proposed conservation areas and at least 500 feet away from the existing SJWA. The shielded lighting and adequate setback shall ensure that there shall be no spillage of lighting into the Conservation Area. The CC&Rs shall restrict the placement and use of lighting on private residential properties, such that individual residences will not direct lighting into the Conservation Area. (MM Bio 1)
- The association(s) shall restrict the number of domestic animals (e.g., dogs, cats, and other predatory animals) allowed per residence to two and require that cats must be kept indoors, and identify that this restriction applies to the areas north of Ramona Expressway adjacent to the SJWA. Additionally the association(s) shall require that dogs must be kept on a leash at all times when walked within the Greenbelt pursuant to Development Standard B.8.e.33, in the February 2009 Specific Plan shall be modified to include language that restricts dogs to trails and a new Development Standard shall be added to require that no trails be located closer than 50 feet from the SJWA as shown below:
- 33. Signs requiring dogs to be leashed and to be kept on the trails except within the dog park shall be posted along the trails within the Greenbelt.

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 22 SP - CC&R RES PRI COMMON AREA (cont.) (cont.)RECOMMND

34. Trails shall be located no less than 50 feet from the wildlife area.

- In order to reduce the potential significant indirect effects of invasive species to Conservation Areas, the Specific Plan will design landscaped areas adjacent to the SJWA and Lakeview Mountains to avoid the use of invasive plant species identified in Table 6-2 of the MSHCP document. Of the 86 species identified in the MSHCP table (see also Appendix D (CD # 3) and Appendix C (CD # 3) of the Specific Plan), 71 of them will be outright prohibited within the Specific Plan. Of the remaining 15 plants, if used, they shall be placed at least 150 feet from the existing and proposed conservation areas in the Lakeview Mountains and shall not be used within 500 feet of the San Jacinto Wildlife Area and the downstream conservation areas along the San Jacinto River. CC&Rs will be enforced through the Home Owners' Association to exclude 71 invasive species from properties throughout the project and 86 invasive species from properties within the above-prescribed distances from the urban/wildland interfaces. Maintenance of landscaping in these areas will include the removal of invasives that may establish through natural dispersal mechanisms. Such maintenance shall be funded through the Environmental Stewardship Program. (MM Bio 11a)
- In order to reduce the potential significant indirect effects of pesticides and rodenticides to conservation areas, the Environmental Stewardship Program established under MM Bio 11, shall include an Integrated Pest Management (IPM) program. The IPM program will 1) Establish minimum action thresholds for the application of pesticides; 2) Provide educational materials to promote accurate identification of pests by homeowners, so appropriate control decisions can be made in conjunction with action thresholds; 3) Educate homeowners to promote the prevention of pests before infestation occurs; and 4) Recommend thresholds for utilization of control methods. Compliance with the IPM program will be made a requirement of the project Conditions, Covenants and Restrictions, and enforced through the homeowners association. (MM Bio 11b)
- The association(s) shall establish green waste recycling through its yard maintenance or waste hauling contracts. Green waste recycling includes such things as grass

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### 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 22 SP - CC&R RES PRI COMMON AREA (cont.) (cont.)RECOMMND

recycling (where lawn clippings from a mulching-type mower are left on the lawn) and on- or off-site composting. This measure shall be implemented to reduce green waste going to landfills. If such services are not available through the yard maintenance or waste haulers in the area, the association(s) shall provide individual homeowners with information about ways to recycle green waste individually and collectively. Homeowners shall be notified of such in the CC & Rs.

-The association(s) or appropriate management entity shall be responsible for maintaining an approved fire protection/vegetation management (fuel modification) plan for lands adjacent to open space areas (Planning Areas 58, 66, 68, 69, 73, and 81). This helps implement EIR Mitigation Measure Hazards-Fire 6.

- The association(s) is(are) responsible for ensuring that all association maintained landscaping, more specifically association(s) maintained residential front yards and back yards, i.e., private common areas, and in the adjacent public street parkway use recycled water for irrigation and watering.

Once approved by the Office of County Counsel, the declaration of covenants, conditions and restrictions shall be recorded the Planning Department with one copy retained for the case file, and one copy provided to the County Transportation Department - Survey Division."

### 30.PLANNING. 25 SP - GENERIC M/M PROGRAM

RECOMMND

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Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF GRADING PERMITS, the project applicant shall provide to the Planning Department a detailed proposal for complying with the preliminary mitigation and monitoring procedures described in the EIR for the SPECIFIC PLAN during the process of grading. Grading permits will not be issued unless the preliminary mitigation and monitoring procedures as described in the EIR are substantially complied with."

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### 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 26 SP - F&G CLEARANCE

RECOMMND

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Prior to the approval of any implementing project (i.e. tract map, parcel map, use permit, plot plan, etc.) which may propose grading or construction within or along the banks of any blue-lined stream, the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF GRADING PERMITS, the applicant shall obtain written notification to the County Planning Department that the appropriate California Department of Fish and Game notification pursuant to Sections 1601/1603 of the California Fish and Game Code has taken place, or obtain an "Agreement Regarding Proposed Stream or Lake Alteration" (Sections 1601/1603 Permit) should any grading or construction be proposed within or along the banks of any natural watercourse or wetland, located either on-site or any required off-site improvement areas. Copies of any agreement shall be submitted with the notification."

30.PLANNING. 27 SP - ACOE CLEARANCE

RECOMMND

Prior to the approval of any implementing project (i.e. tract map, parcel map, use permit, plot plan, etc.) which may propose grading or construction within or along the banks of any blue-lined stream which is determined to be within the jurisdiction of the United States Army Corps of Engineers, the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF GRADING PERMITS, the applicant shall obtain written notification to the County Planning Department that the alteration of any watercourse or wetland, located either on-site or on any required off-site improvement areas, complies with the U.S. Army Corps of Engineers Nationwide Permit Conditions, or obtain a permit under Section 404 of the Clean Water Act should any grading or construction be proposed within or along the banks of any natural watercourse or wetland. Copies of any agreement shall be submitted with the notification."

30 PLANNING. 28 SP - SKR FEE CONDITION

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (tract map, parcel map, use permit, etc.), the following condition shall be placed on the implementing project:

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 28 SP - SKR FEE CONDITION (cont.)

RECOMMND

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"PRIOR TO THE ISSUANCE OF GRADING PERMITS, the applicant shall comply with the provisions of Riverside County Ordinance No. 663, which generally requires the payment of the appropriate fee set forth in that ordinance. The amount of the fee required to be paid may vary depending upon a variety of factors, including type of development application submitted and the applicability of any fee reduction or exemption provisions contained in Riverside County Ordinance No. 663. Said fee shall be calculated on the size of the grading permit being granted. If the development is subsequently revised, this acreage amount may be modified in order to reflect the revised development project acreage amount. In the event Riverside County Ordinance No. 663 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 663 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of he appropriate fee set forth in that ordinance shall be required."

30.PLANNING. 30 SP - SCHOOL MITIGATION

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO BUILDING PERMITS, impacts to the Nuview Union School District shall be mitigated in accordance with state law."

30.PLANNING. 34 SP - ENTRY MONUMENTATION

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF BUILDING PERMITS, the following language shall be added to the landscaping requirements of the implementing project:

1.All monumentation shall be in substantial conformance to the VILLAGE REFINMENT PLAN for the respective VILLAGE of the SPECIFIC PLAN.

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 34 SP - ENTRY MONUMENTATION (cont.)

RECOMMND

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2.Landscaping of entry monument(s) shall comply with Ordinance No. 859 (as adopted and any amendments thereto) and the Riverside County Guide to California Friendly Landscaping."

30 PLANNING. 36 SP - PALEO PRIMP & MONITOR

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition ("60 series" = prior to issuance of grading permits) shall be placed on the implementing project:

Based on the Paleontological Resource Assessemt prepared for this development (SP00342), entitled "Paleontological Resource Assessment, The Villages of Lakeview, Riverside County, California", prepared by LSA March 2007, the proposed development's potential to impact paleontological resources is high. Hence,

PRIOR TO ISSUANCE OF ANY GRADING PERMIT, THE FOLLOWING SHALL BE SUBMITTED TO AND APPROVED BY THE COUNTY GEOLOGIST:

- A Paleontological Resource Impact Mitigation Program (PRIMP) report that includes, at a minimum, the following:
- 1.Description of the proposed site and planned grading operations.
- 2.Description of the level of monitoring required for all earth-moving activities in the project area.
- 3. Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring.
- 4. Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens.
- 5.Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays.
- 6. Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 36 SP - PALEO PRIMP & MONITOR (cont.)

RECOMMND

- To the 7.Procedures and protocol for collecting and processing of samples and specimens.
- 8. Fossil identification and curation procedures to be employed.
- 9. Identification of the permanent repository to receive any recovered fossil material. \* The County of Riverside must be consulted on the repository/museum to receive the fossil material prior to being curated.
- 10.All pertinent exhibits, maps and references.
- 11. Procedures for reporting of findings.
- 12. Identification and acknowledgement of the developer for the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees.

All reports shall be signed by the qualified paleontologist and all other professionals responsible for the report's content (eg. Professional Geologist), as appropriate. Two wet-signed original copies of the report shall be submitted to the office of the County Geologist along with a copy of this condition and the grading plan for appropriate case processing and tracking. These documents should not be submitted to the project Planner, the Plan Check staff, the Land Use Counter or any other County office. In addition, the applicant shall submit proof of hiring (i.e. copy of executed contract, retainer agreement, etc.) a qualified paleontologist for the in-grading implementation of the PRIMP."

30 PLANNING. 37 SP - LC LNDSCP COMMON AREA MT

RECOMMND

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (i.e. tract map or parcel map), the following condition shall be placed on the implementing application:

"PRIOR TO MAP RECORDATION, the following procedures for common area maintenance procedures shall be complied with:

a.A permanent master maintenance organization shall be

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### 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 37 SP - LC LNDSCP COMMON AREA MT (cont.)

RECOMMND

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established for the specific plan area to assume ownership and maintenance responsibility for all common recreation, open space, circulation systems and landscaped areas. The organization may be public or private. Merger with an area-wide or regional organization shall satisfy this condition provided that such organization is legally and financially capable of assuming the responsibilities for ownership and maintenance. If the organization is a private association then neighborhood associations shall be established for each residential development, where required, and such associations may assume ownership and maintenance responsibility for neighborhood common areas.

- b.Unless otherwise provided for in these conditions of approval, common open areas shall be conveyed to the maintenance organization as implementing development is approved or any subdivision as recorded.
- c.The maintenance organization shall be established prior to or concurrent with the recordation of the first land division. Any agreements with the maintenance organization shall stipulate that maintenance of landscaped areas will occur in accordance with Ordinance No. 859 (as adopted and any amendments thereto) and the Riverside Guide to California Friendly Landscaping.
- d.Covenants, Conditions, and Restrictions for the SPECIFIC PLAN shall prohibit the use of water-intensive landscaping and require the use of low water use landscaping pursuant to the provisions of Ordinance No. 859 (as adopted and any amendments thereto).

Covenants, Conditions, and Restrictions for the SPECIFIC PLAN shall incorporate provisions concerning landscape irrigation system management and maintenance for the purpose of facilitating the water-efficient landscaping requirements of Ordinance No. 859 (as adopted and any amendments thereto). The common areas to be maintained by the master maintenance organization shall include, but not be limited to, the following: Planning Area(s) \_\_\_\_\_\_

30 PLANNING. 39 SP - LC PARK PLANS REQUIRED

RECOMMND

All detailed park plans shall be submitted to and approved by the Planning Department, with consultation from the CSA 146 or similar provider for all park sites. The detailed

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 39 SP - LC PARK PLANS REQUIRED (cont.)

RECOMMND

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park plans shall conform with the design criteria of the VILLAGE REFINMENT PLAN for the respective VILLAGE. All plans must also conform to Ordinance No. 859 (as adopted and any amendments thereto), and the Riverside County Guide to California Friendly Landscaping. The park plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the park and its facilities.

30 PLANNING. 41 SP - BLD PERM/DWLNG TRK

RECOMMND

Prior to the approval of any implementing project, the applicant shall provide a "SP342 Total Dwelling Unit Tracking Spreadsheet." This spreadsheet shall be considered part of the SPECIFIC PLAN. Over time, this spreadsheet will track per Planning Area entitled units, tentative tract map units, final map recorded units and units actually built within every Planning Area in the SPECIFIC PLAN. The purpose of this tracking sheet is to enable the Planning Department to ensure compliance with the established Planning Area development ranges as outlined in Table B.1.2 of the SPECIFIC PLAN. This sheet will also be used to ensure constancy with the separate tracking spread sheet referenced in condition 10.Planning.10 DU/BUILDING PERMIT MATRIX.

This condition cannot be DEFERRED or set to NOT APPLICABLE"

30.PLANNING. 50 SP - \*CNT RES BLD PERM

RECOMMND

This Condition is applied to assist the Planning Department with tracking the build-out of each VILLAGE within the SPECIFIC PLAN.

Each VILLAGE within the SPECIFIC PLAN shall receive a different development level designation when the VILLAGE REFINEMENT PLAN application is filed. All subsequent implementing projects, including any processed concurrently with the VILLAGE REFINEMENT PLAN shall be attached to the development level designation for the corresponding VILLAGE REFINEMENT PLAN. This condition shall be applied to each VILLAGE REFINEMENT PLAN to automatically count the development of all new residential dwelling units for that VILLAGE on the County's Land Management System.

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### 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 50 SP - \*CNT RES BLD PERM (cont.)

RECOMMND

Accordingly, this condition will not allow more than residential dwelling units to be issued within the VILLAGE.

The total dwelling unit count shall be tracked in a separate spreadsheet by the Planning Director or his designee and updated by the applicants for each new project. This is part of the application submittal requirements per the SPECIFIC PLAN.

30.PLANNING. 51 SP - SCHOOL MITIGATION

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO BUILDING PERMITS, impacts to the Perris Union High School District shall be mitigated in accordance with state law."

30 PLANNING. 55 SP - WTR TANK - MM AESTH 1

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Permanent water tank(s) shall be screened using landscaping and paint colors that blend in with the surrounding hills. A combination of earthen berms and landscaping may be used. The landscape screening plans shall be submitted to Eastern Municipal Water District for approval prior to approval of final construction documents for the tank(s).

Any implementing projects that include such facilities shall incorporate this requirement into conceptual and final landscape plans and this condition shall be set to MET. If the implementing project do not include such facilities, this condition shall be set to NOTAPPLY.

30.PLANNING. 56 SP - LS EXPWY - MM AESTH 2

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 56 SP - LS EXPWY - MM AESTH 2 (cont.)

RECOMMND

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Landscaping shall be provided adjacent to the Garden Village and Town Center Village to address foreground views from Ramona Expressway. The extent and nature of the landscaping shall be reviewed and approved by the County during the Village Refinement Process for these villages. The Village Refinement Process is detailed in Section B.11 of The Villages of Lakeview Specific Plan, Alternative 7 and shall occur prior to, or concurrent with, the first subdivision within a village. The landscaping shall include drought-tolerant, low groundcover and shrubs with mulch or rock to provide an attractive ground plain. Trees shall be grouped to create a row between Ramona Expressway and any residential units consistent with MM AQ 5.

Any implementing projects that are located within the Garden Village and Town Center adjacent to Ramona Expressway shall incorporate this requirement into conceptual and final landscape plans. If the implementing project is not located within the Garden Village and Town Center adjacent to Ramona Expressway, this condition shall be set to NOTAPPLY.

30.PLANNING. 57 SP = HANSEN LS - MM AESTH 3

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The landscaping of the school and residential uses within the Hansen Avenue area shall include the preservation of existing mature trees, to the extent feasible, and the use of white split rail fences. The preservation of the trees shall be confirmed at the approval of the Village Refinement Plan (detailed in Section B.11 of the Specific Plan) for the Garden Village and finalized prior to Final Inspection of last adjacent residential unit. If the 24 existing trees along the entry to the horse ranch cannot be preserved, then they shall be replaced within the planned park at a ratio of 1:1 by the planting of new 36-inch box trees of the same species as the mature trees being removed. The Multi-Purpose Community Trail along Hansen and Wolfskill Avenues and Poppy Road shall also include trees spaced to the extent feasible so as not to block views and shall also incorporate the use of white split-rail fences.

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30.PLANNING. 57 SP - HANSEN LS - MM AFSTH 3 (cont.)

RECOMMND

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Prior to grading permits, landscape plans shall be submitted to the Building Department for approval. Construction of trail and landscaping shall occur commensurate with adjacent implementing tracts and finalized prior to Final Inspection of last adjacent residential unit. Construction of the park elements shall be completed as required per unit number triggers in the Specific Plan (No. 342) as reflected in the Parkland Tracking Report. The Parkland Tracking Report shall be accompanied with the Village Refinement Plan and shall occur prior to, or concurrent with, the first subdivision within a village as detailed in Section B.11 of the Specific Plan.

Any implementing projects that are located adjacent to Hansen Avenue or that would trigger the Village Refinement Plan for the Garden Village shall incorporate this. If the implementing project is not located adjacent to Hansen Avenue or the Garden Village, this condition shall be set to NOTAPPLY.

30.PLANNING. 58 SP - WOLFSKLL/POPPY-MM AESTH 4

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Grading plans for the portions of the site which abut Wolfskill Avenue or Poppy Road, shall be reviewed by the Building Department to ensure that slopes which are higher than existing roads are no higher or longer than the Conceptual Grading Diagram in Specific Plan 342 indicates. Building layouts and setbacks shall also be reviewed to ensure that some views over or between proposed buildings are maintained along Wolfskill Avenue. Some means of achieving the intent of this mitigation may include, but are not limited to: reduced-height homes along the frontage with existing local roads, larger setbacks, stepped grading, etc.

Any implementing projects that are located adjacent to Wolfskill Avenue or Poppy Road shall incorporate this condition. If the implementing project is not located adjacent to Wolfskill Avenue or Poppy Road, this condition shall be set to NOTAPPLY.

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### 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 59 SP - AG SETBK - MM AG2/LU2

RECOMMND

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Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

To reduce potential significant adverse impacts due to incompatibility between agricultural uses and proposed development, proposed residences, and school buildings shall be setback 300 feet from the location of any of the following active agricultural uses: corrals, chicken houses, dairy waste ponds, manure stockpiles, or commercial livestock pens. This setback shall not apply to areas of the project where Ramona Expressway intervenes between active agriculture and proposed development. The 300-foot setback may include public road rights of way, parking lots, and service or maintenance areas. A temporary 300-foot setback shall also be maintained between occupied project related buildings and any of the existing on-site or adjacent active corrals, chicken houses, dairy waste ponds, manure stockpiles, or commercial livestock pens that are located in a later phase of project development and that may continue to operate while earlier phases of development are built. The temporary setback requirement shall expire when the applicable onsite use is discontinued and the planned residential and school development may then occur in the previous setback area.

Any implementing projects that are located adjacent to any such uses shall incorporate this condition. If the implementing project is not located adjacent to any such uses, this condition shall be set to NOTAPPLY.

SP - AG NOTICE - MM AG 3 30.PLANNING. 60

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

All owners or renters of residential units in the project shall be provided with a recorded deed disclosure or similar written notice prior to the completion of a residential purchase transaction or a lease. The notice shall inform new residents that existing agricultural uses near the project area may create nuisances such as flies, odors, dust, and chemical spraying. This form of the

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 60 SP - AG NOTICE - MM AG 3 (cont.)

RECOMMND

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disclosure shall be approved by the County during the review and approval of the first tentative map for the project and shall be supplied to a residential property purchaser or renter by the Master Developer, Master Developer's agent or the Master Developer's successors in interest or assignees, including any purchaser of residential property within the project area.

30.PLANNING. 61 SP - CONST EQUIP MNT - MM AQ 1

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

During construction, ozone precursor emissions from mobile construction equipment shall be controlled by maintaining equipment engines in good condition and in proper tune as required by and compared against the manufacturers' specifications applicable to each piece of equipment to the satisfaction of the Department of Building and Safety. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction. Compliance with this measure shall be subject to periodic inspections by the Department of Building and Safety.

30.PLANNING. 62 SP - CONST TIER 3 - MM AQ 2

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

During grading phases, all project developers shall use construction equipment (i.e., scrapers, dozers, and tractors/loaders/backhoes) that is United States Environmental Protection Agency (USEPA) Tier 3 certified. Proof of compliance shall be reviewed by the Department of Building and Safety's Grading Division prior to issuance of a grading permit. For all other off-road equipment with engines rated at 75 horsepower or greater, no construction equipment will be used that is less than Tier 2 at the commencement of construction (2016), less than Tier 3 starting in construction year 5 (2020), less than Tier 4 Interim starting in construction year 10 (2025), and Tier 4

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30.PLANNING. 62 SP - CONST TIER 3 - MM AQ 2 (cont.)

RECOMMND

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Final starting in construction year 15 (2030). An exemption from these requirements may be granted by Riverside County in the event that the applicant documents that (1) equipment with the required tier is not reasonably available (e.g., reasonability factors to be considered include those available within Riverside County within the scheduled construction period), and (2) corresponding reductions in criteria pollutant emissions are achieved from other construction equipment.

30.PLANNING. 63 SP - CONST POWER - MM AQ 3

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Where economically and physically feasible, project developers shall use electricity from power poles instead of temporary diesel or gasoline powered generators. Feasibility shall be determined by the Department of Building and Safety's Grading Division prior to issuance of grading permits.

30 PLANNING. 64 SP - CONST IDLING MM AQ 4

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

All project developers shall minimize vehicle and truck idling time during construction through the implementation of traffic control measures (e.g., including turn lanes during construction activities, scheduling of construction activities to minimize congestion, parking configuration to minimize traffic interference). Prior to issuance of grading permits, a traffic control plan detailing the traffic control measures shall be reviewed and approved by the Department of Building and Safety's Grading Division.

30.PLANNING. 65 SP - EXPWY LS - MM AQ 5

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 65 SP - EXPWY LS - MM AQ 5 (cont.)

RECOMMND

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on the implementing project:

The applicant or its successor shall install tiered vegetative landscaping, which shall include trees with finely needled leaves, like Deodar, between Ramona Expressway/Mid-County Parkway and any residential unit located within 500 feet of Ramona Expressway/Mid County Parkway on the project site. The tiered vegetation shall extend at least 164 feet (50 meters) laterally on either side of the project site. It shall be maintained as part of the residential community landscaping areas. Landscape plans shall be reviewed and approved by the County.

Any implementing projects that are located within 500 feet of Ramona Expressway/Mid County Parkway shall incorporate this requirement into conceptual and final landscape plans. If the implementing project is not located within 500 feet of Ramona Expressway/Mid County Parkway, this condition shall be set to NOTAPPLY.

30.PLANNING. 66 SE

SP - EXPWY HVAC - MM AQ 6

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

PRIOR TO THE FINAL INSPECTION OF BUILDING PERMITS, The applicant or its successor shall install an air filtration system on any Heating, Ventilation, and Air Conditioning (HVAC) system within any residential unit located within 500 feet of Ramona Expressway/Mid County Parkway on the project site. The air filtration system shall achieve a reduction of at least 80 percent of the particulate matter emissions, such as can be achieved with a Minimum Efficiency Reporting Value 13 ("MERV-13") air filtration system. For rental units within 500 feet of the Ramona Expressway/Mid County Parkway on the project site, the owner/property manager shall maintain the air filtration system on any HVAC in accordance with the manufacturer's recommendations. For residential owned units within 500 feet of Ramona Expressway/Mid County Parkway on the project site, the homeowner's association (HOA) shall incorporate requirements for long-term maintenance of the air filtration system on any HVAC in the HOA's Covenant, Conditions, and Restrictions.

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#### 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 66 SP - EXPWY HVAC - MM AQ 6 (cont.)

RECOMMND

This condition shall apply to any implementing projects that are located within 500 feet of Ramona Expressway/Mid County Parkway. If the implementing project is not located within 500 feet of Ramona Expressway/Mid County Parkway, this condition shall be set to NOTAPPLY.

30 PLANNING. 67 SP - MIN GRADING - MM AQ 7

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Project developers shall minimize grading, earth-moving, and other energy-intensive construction practices.

30.PLANNING. 68 SP - SCAQMD SOON - MM AQ 8

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers will encourage construction contractors to apply for SCAQMD "SOON" funds for construction equipment.

30.PLANNING. 69 SP - DUST CONTROL - MM AQ 9

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Prior to issuance of grading or building permit, the project proponent shall submit a Fugitive Dust Control Plan to South Coast Air Quality Management District (SCAQMD) for review and approval. The Fugitive Dust Control Plan shall reduce emissions, during construction of particulate matter that is 10 microns or less and 2.5 microns or less in diameter (PM10 and PM2.5). The Fugitive Dust Control Plan shall include:

1.Name(s), address(es), and phone number(s) of person(s) responsible for the preparation, submission and

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30.PLANNING. 69 SP - DUST CONTROL - MM AQ 9 (cont.)

RECOMMND

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implementation of the plan.

- 2. Identification of a dust control supervisor that has completed the SCAQMD Fugitive Dust Control Class
- 3.Description and location of operation(s).
- 4.Listing of all fugitive dust emissions sources included in the operation.
- 5. The following dust control measures shall be implemented:
- -Maintain daily records to document the specific dust control actions taken
- -Implement Table 2 of Rule 403 at all times and actions specified in Table 3 of Rule 403 when applicable.
- -Install and maintain project signage with project contact person that meets the minimum standards of Rule 403 Implementation Handbook.
- -Suspend all excavating and grading operations when wind gusts (as instantaneous gusts) exceed 25 mph.
- -Apply water at least three times daily, or non-toxic soil stabilizers according to manufacturers specifications, to all unpaved parking or staging areas or unpaved road surfaces.
- -To prevent trackout, pave construction roadways as early as possible; install gravel pads; install wheel shakers or wheel washers, and limit site access.
- -When sweeping streets to remove visible soil materials, use SCAQMD Rule 1186 and 1186.1 certified street sweepers or roadway washing trucks.
- -Limit soil disturbance to the amounts analyzed in the Final EIR.
- -Replace ground cover in disturbed areas as quickly as possible.
- -All roadways, driveways, sidewalks, etc., to be paved should be completed as soon as possible. In addition,

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### 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 69 SP - DUST CONTROL - MM AQ 9 (cont.) (cont.) RECOMMND

building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

- -All haul trucks hauling soil, sand and other loose materials on public roads shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).
- -Where feasible, use bedliners in bottom-dumping haul vehicles.
- -Traffic speeds on unpaved roads shall be limited to a maximum of 15 miles per hour.
- -Require the application of non-toxic soil stabilizers according to manufacturers' specification to all inactive construction areas (previously graded areas inactive for ten days or more).
- -Other fugitive dust control measures as necessary to comply with SCAQMD Rules and Regulations.
- 30.PLANNING. 70 SP TRUCK ROUTES MM AQ 10

RECOMMND

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Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

During construction, project developers shall have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas.

30.PLANNING. 71 SP - ARCH COAT - MM AQ 11

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall, where feasible:

- -Use coatings and solvents with a VOC content lower than that required under SCAQMD Rule 1113.
- -Construct or build with materials that do not require

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING 71 SP - ARCH COAT - MM AQ 11 (cont.)

RECOMMND

Same Burger

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painting.

-Require the use of pre-painted construction materials.

30.PLANNING. 72 SP - MIKE LANE - MM LU 2

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

To reduce potential land use density/intensity conflicts between existing rural residences on Mike Lane and future adjacent residential homes, a sight line study or evidence showing avoidance as feasible of views from proposed residences into existing homes on Mike Lane shall be submitted at the time of Tract Map submittal, or as otherwise approved by the Planning Director. Conflicts associated with potential views from proposed residences into existing homes on Mike Lane may be avoided through use of various means including but not limited to: location of windows and balconies, landscaping, walls, elevation differences, or setbacks for proposed buildings within the proposed project.

This condition shall apply to any implementing projects that are located adjacent to Mike Lane. If the implementing project is not located adjacent to Mike Lane, this condition shall be set to NOTAPPLY.

30.PLANNING. 73 SP - PUBLIC ART - MM LU 3

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

To eliminate inconsistencies with General Plan Policy LU.4.1, which encourages public art, and to provide a mechanism for interpretation of some of the historic land uses of the project site, public art and/or historic interpretation art or exhibits, shall be incorporated into the project in a minimum of three locations. At least one exhibit will focus on the project site's prehistoric archaeological resources and interpretation at a location(s) to be determined at a later date, depending on

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.30.PLANNING. 73 SP - PUBLIC ART - MM LU 3 (cont.) RECOMMND

subject matter.

The above requirement shall be incorporated into Village Refinement Plans as they are required.

30 PLANNING. 74 SP - HANSEN NOISE1 - MM NOI 1

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Ground-floor outdoor active use areas along and fronting Hansen Avenue require a barrier with a minimum height of 6 feet aboveground. This barrier can consist of earthen berm, concrete block, or Plexiglas along the property line or along the perimeter of each individual backyard.

This condition shall apply to any implementing projects that are located adjacent to Hansen Avenue. If the implementing project is not located adjacent to Hansen Avenue, this condition shall be set to NOTAPPLY.

SP - HANSEN NOISE2 - MM NOI 2 30.PLANNING. 75

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Building facades enhancements that reduce the interior noise level to meet the County standard of 45 dBA Ldn are required for bedrooms associated with frontline residential dwelling units along and fronting Hansen Avenue.

This condition shall apply to any implementing projects that are located adjacent to Hansen Avenue. If the implementing project is not located adjacent to Hansen Avenue, this condition shall be set to NOTAPPLY.

30.PLANNING. 76 SP - HANSEN NOISE3 - MM NOI 3

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

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#### 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 76 SP - HANSEN NOISE3 - MM NOI 3 (cont.) RECOMMND

All frontline bedrooms/living rooms/family rooms along Hansen Avenue shall be equipped with a mechanical ventilation system such as air-conditioning.

This condition shall apply to any implementing projects that are located adjacent to Hansen Avenue. If the implementing project is not located adjacent to Hansen Avenue, this condition shall be set to NOTAPPLY

30 PLANNING. 77 SP - INT NOISE WALL - MM NOI 4

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Roadway segments within the project boundary shall be required to have a 6-foot sound wall, mechanical ventilation, and/or building facades enhancements that reduce the interior noise level to meet the County standard of 45 dBA Ldn for bedrooms associated with frontline residential dwelling units in the locations specified in the Noise Impact Analysis (Noise, pp. 3 and 40).

This condition shall apply to any implementing projects that are located in areas specified in the Noise Impact Analysis (Noise, pp. 3 and 40). If the implementing project is not located in these areas, this condition shall be set to NOTAPPLY.

SP - EXT NOISE WALL - MM NOI 5 30.PLANNING. 78

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Ground-floor outdoor active use areas in locations specified in the Noise Impact Analysis require a barrier with a minimum height of 8 feet aboveground (Noise, pp. 3 and 41). This barrier can consist of earthen berm, concrete block, or Plexiglas along the property line or along the perimeter of each individual backyard.

This condition shall apply to any implementing projects

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 78 SP - EXT NOISE WALL - MM NOI 5 (cont.) RECOMMND

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that are located in areas specified in the Noise Impact Analysis (Noise, pp. 3 and 41). Off the implementing project is not located in these areas, this condition shall be set to NOTAPPLY.

SP - INT NOISE BLDG - MM NOI 6 30.PLANNING. 79

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Building facade enhancements that reduce the interior noise level to meet the County standard of 45 dBA Ldn are required for bedrooms in units along and fronting the areas specified in the Noise Impact Analysis (Noise, pp. 3 and 41).

This condition shall apply to any implementing projects that are located in areas specified in the Noise Impact Analysis (Noise, pp. 3 and 41). If the implementing project is not located in these areas, this condition shall be set to NOTAPPLY.

30.PLANNING. 80 SP - INT NOISE HVAC = MM NOI 7

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

All frontline bedrooms (i.e., bedrooms with windows facing the street) in the locations specified in the Noise Impact Analysis (Noise, pp. 4 and 41) require a mechanical ventilation system, such as air-conditioning.

This condition shall apply to any implementing projects that are located in areas specified in the Noise Impact Analysis (Noise, pp. 4 and 41). If the implementing project is not located in these areas, this condition shall be set to NOTAPPLY.

SP - SCHOOL NOISE - MM NOI 8 30.PLANNING. 81

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit,

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 81 SP - SCHOOL NOISE - MM NOI 8 (cont.) RECOMMND

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plot plan, etc.), the following condition shall be placed on the implementing project:

A public park and a K-8 school are required to have an 8-foot high sound wall along the property line as specified in the Noise Impact Analysis (Noise, pp. 4 and 41), subject to the detailed design of the outdoor open space areas for these facilities.

This condition shall apply to any implementing projects that include the school sites specified in the Noise Impact Analysis (Noise, pp. 4 and 41). If the implementing project is not located in these areas, this condition shall be set to NOTAPPLY.

SP - EXPWY NOISE - MM NOI 9 30.PLANNING. 82

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

As specified in the Noise Impact Analysis, sound walls of 6 feet to 14 feet in height are required to ensure that noise levels for future residences or other sensitive receptors would not exceed acceptable levels under County standards. (Noise, pp. 4 and 41) The final location and height of the sound wall required shall be approved by the County Department of Environmental Health once the grading information for the frontline lots along Ramona Expressway is available. To accommodate phasing, an acoustical impact analysis shall be submitted with the required acoustical review application form and fees to the County Department of Environmental Health for each implementing development project (i.e. tentative tract maps, site plans) that will have residential lots fronting Ramona Expressway. Each analysis shall include a determination of the location, height, and materials of the sound walls needed for that specific implementing development project to ensure that the 65 dBA exterior standard for sensitive receptors is met. The sound walls for each implementing development project shall be constructed prior to the issuance of the first certificate of occupancy within each implementing development project with residential lots fronting Ramona Expressway.

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#### 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 82 SP - EXPWY NOISE - MM NOI 9 (cont.)

RECOMMND

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This condition shall apply to any implementing projects located adjacent to Ramona Expressway and as specified in the Noise Impact Analysis (Noise, pp. 4 and 41). If the implementing project is not located in these areas, this condition shall be set to NOTAPPLY.

30 PLANNING. 83 SP - HUNTING - MM NOI 10

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

To inform future residents of THE VILLAGES OF LAKEVIEW that hunting is allowed in the San Jacinto Wildlife Area, and of their proximity to said hunting, which may cause loud intermittent noises from gunshots, a disclosure statement shall be provided to prospective buyers prior to the purchase of homes within the proposed project. A copy of the California Department of Consumer Affairs' Bureau of Real Estate White Report shall be given to Riverside County Planning Department that the sales staff/escrow officers for each housing area being sold include such notification prior to Final Inspection.

30 PLANNING. 84 SP - CONST MUFFLER - MM NOI 11

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards

30 PLANNING. 85 SP - CONST LOCAT - MM NOI 12

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project contractor shall place all stationary construction equipment so that emitted noise is directed

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### 30. PRIOR TO ANY PROJECT APPROVAL

30. PLANNING. 85 SP - CONST LOCAT - MM NOI 12 (cont.) RECOMMND

away from existing off-site residences to the west of the No. 1 site.

30.PLANNING. 86 SP - CONST STAGING - MM NOI 13

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors to the west of the site during all project construction.

SP - CONST GEN - MM NOI 14 30 PLANNING, 87

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

To reduce noise impacts associated with temporary dieselor gasoline-powered generators, and where a portable diesel- or gas-powered generator is necessary, such generator shall have maximum noise muffling capacity and be located as far as technically feasible from noise-sensitive uses.

30.PLANNING. 88 SP - CONST IDLING - MM NOI 15

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

To minimize noise from idling engines, all vehicles and construction equipment shall be prohibited from idling in excess of three (3) minutes when not in use.

SP - CONST BARRIER - MM NOI 16 30.PLANNING. 89

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed

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### 30. PRIOR TO ANY PROJECT APPROVAL

SP - CONST BARRIER - MM NOI 16 (cont.) 30 PLANNING. 89

RECOMMND

on the implementing project:

Provide portable barriers for high-noise activities (e.g., dumping of ballast materials) taking place adjacent to existing sensitive receptors. The barriers should be placed near the mass-producing equipment, between the noise source and the receptors. These barriers may be constructed on site from 4 feet by 8 feet sheets of marine plywood (minimum 1-inch thick) or 1 1/8 inch tongue-in-groove subfloor, backed with 3.5-inch-thick R-11 fiberglass insulation for sound absorption. Several such panels may be hinged together in order to be self-supporting and to provide a continuous barrier.

This condition shall apply to any implementing projects that are located adjacent to existing residential uses or other noise sensitive land uses. If the implementing project is not located in these areas, this condition shall be set to NOTAPPLY.

SP - BLAST NOTICE - MM NOI 17 30 PLANNING. 90

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The developer shall notify neighboring residents within 0.25 mile of any areas that will require blasting regarding the timing and duration of any potential blasting activities associated with the proposed project. Notification shall take place a minimum of five (5) working days prior to anticipated blasting activities.

SP - MWD/EMWD ACCESS - MM UT 1 30.PLANNING. 91

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project shall implement reasonable and feasible measures that maintain access to all existing on-site water conveyance and related facilities owned and operated by the Metropolitan Water District of Southern California (MWD) or the Eastern Municipal Water District (EMWD) for facility or

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30.PLANNING. 91 . SP - MWD/EMWD ACCESS - MM UT 1 (cont.)

RECOMMND

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right-of-way maintenance or repair purposes. The project shall submit preliminary engineering design drawings or plans to MWD or to EMWD, as applicable, for review and comment prior to constructing any project improvement, including but not limited to recreational facilities and storm drain plans, located within the right-of-way for any existing on-site water conveyance or related facility owned or operated by either agency. All submittals to either agency shall clearly identify the applicable water facilities and rights-of-way and the proposed construction within the rights-of-way. No construction within an existing on-site MWD or EMWD water facility right-of-way shall proceed until agency review and approval from the MWD's Board of Directors has been received by the project. The project shall incorporate comments received from MWD or EMWD regarding a proposed project activity within an existing water facility right-of-way to the maximum extent feasible.

This condition shall apply to any implementing projects that are located on areas currently utilized for MWD or EMWD access or areas located adjacent to MWD or EMWD facilities. If the implementing project is not located in these areas, this condition shall be set to NOTAPPLY.

30.PLANNING. 92 SP - UNDERGROUNDING1 - MM UT 3

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Prior to recordation of a final map for a parcel located within the Specific Plan area by the County, the applicant seeking the final map approval shall construct, or enter into an agreement and post security, in a form and amount acceptable to the Building and Safety Department, guaranteeing the undergrounding of proposed utility distribution lines in conformance with applicable County and SCE standards and the County's Capital Improvement Policy:

30 PLANNING. 93 SP - UNDERGROUNDING2 - MM UT 4

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit,

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30.PLANNING. 93 SP - UNDERGROUNDING2 - MM UT 4 (cont.) RECOMMND

plot plan, etc.), the following condition shall be placed on the implementing project:

Tentative tract maps for parcels within the Specific Plan area shall be conditioned to require that all electrical service lines (excluding transmission lines) serving development within the project will be installed underground.

SP - RELOCATE LINES - MM UT 5 30 PLANNING. 94

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The contractor shall temporarily relocate existing overhead electrical distribution facilities, as necessary to maintain service to existing electrical users, while grading and installing any underground electrical systems within the Specific Plan area that require the temporarily relocation of existing overhead electrical distribution facilities, subject to the approval, if necessary, of all applicable local, regional and utility companies.

SP - GAS SERVICE - MM UT 6 30.PLANNING. 95

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project shall implement reasonable and feasible measures to ensure that gas service remains available to all existing customers that could be affected by project construction of new or replacement gas lines within the Specific Plan area.

SP - GAS FACILITIES - MM UT 7 30 PLANNING. 96

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

A chain link fence (or other facility as approved by the

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30.PLANNING. 96 SP - GAS FACILITIES - MM UT 7 (cont.)

RECOMMND

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Riverside County Planning Department) shall be installed around the existing Southern California Gas Company natural gas pressure control facility located on Davis Road to protect the facility during project construction. The project shall implement reasonable and feasible measures to ensure that Southern California Gas Company maintains access to the facility and to the existing 36-inch gas line that connects with the pressure control facility for ordinary and customary maintenance, repair and other services. Prior to the commencement of grading within the existing 36-inch gas pipeline easement in the Specific Plan area, the project shall obtain a "permission to grade" letter or functionally similar written permission from Southern California Gas Company confirming that the grading activity will not adversely affect the pipeline.

This condition shall apply to any implementing projects that are located on areas where the pipeline easement exists or areas adjacent to the easement or other facilities. If the implementing project is not located in these areas, this condition shall be set to NOTAPPLY.

30.PLANNING. 97 SP - CONST WASTE - MM UT 8

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project shall recycle, reuse, and reduce the amount of construction and demolition waste materials (i.e., concrete, asphalt, wood, etc.) subject to landfill disposal to the extent feasible and in compliance with applicable County requirements. The project shall submit Waste Recycling Plan for approval by the Riverside County Waste Resources Department and the Riverside County Department of Building and Safety prior to the issuance of building permits. The plan reporting procedures must be approved by the Riverside County Waste Resources Department, and reports submitted to the Riverside County Building and Safety Department prior to the issuance of a certificate of occupancy for an applicable structure.

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#### 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 98 SP - GREEN RECYC - MM UT 9

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The Homeowners Association established for the proposed development shall establish green waste recycling through its yard maintenance or waste hauling contracts. Green waste recycling includes such things as grass recycling (where lawn clippings from a mulching-type mower are left on the lawn) and on- or off-site composting. This measure shall be implemented to reduce green waste going to landfills. If such services are not available through the yard maintenance or waste haulers in the area, the HOA shall provide individual homeowners with information about ways to recycle green waste individually and collectively. Homeowners shall be notified of such in the CC&Rs:

# 30.PLANNING. 99 SP - MF WASTE - MM UT 10

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Prior to issuance of a building permit for any multi-unit (five or more units) residential, commercial, or industrial facility, the project shall obtain written confirmation from the from Riverside County Waste Resources Department that sufficient recycling collection and loading facilities as required by state and local laws and regulations have been incorporated into the design of each facility.

# 30.PLANNING.100 SP - FRNT YD TREES - MM GHG 1

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The County shall verify before issuance of all single family residential building permits that three trees are planted per single family residence (i.e. one more tree than required) where planting is feasible based on front vard area/setbacks.

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# 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING.101 SP - APPLIANCES - MM GHG 2

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

> The County shall verify before residential building permits final inspection that where appliances are offered by residential project developers, Energy Star-rated appliances (or other equivalent technology) for clothes washers, dish washers, refrigerators, and fans shall be installed in the residences.

30\_PLANNING.102

SP - LIGHTING - MM GHG 3

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The County shall verify before issuance of all residential and non-residential building permits that high efficiency light bulbs and lighting fixtures are installed in residential and non-residential buildings. High efficiency light bulbs include compact florescent lamps (CFLs), light emitting diodes (LED), and other light bulbs that provide an energy efficiency of at least 75% compared to traditional incandescents.

30 PLANNING.103

SP - TRANS DMD MGMT - MM GHG 4

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Transportation Demand Management - Neighborhood Site Enhancements, including:

-The County shall verify before issuance of non-residential building permits that the project provides bicycle parking in recreation, commercial, and public use areas; and

-The County shall verify before issuance of all building permits that the project includes pedestrian access system integrated into the design of the community to encourage pedestrian travel as an alternative to automobile travel,

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30.PLANNING.103 SP - TRANS DMD MGMT - MM GHG 4 (cont.) RECOMMND

as specified in the SPECIFIC PLAN and any VILLAGE REFINEMENT PLAN

30.PLANNING.104 SP - CARPOOL - MM GHG 5

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers will include program(s) that will promote carpooling on the project site. Programs may include programs with the following Characteristics: -A ride matching assistance program provided by the Home Owner Association (HOA) or other organization that will include ride matching through its website and/or social media site and/or advertisements in community common areas -A school trip matching via the HOA, Parent Teacher Association (PTA), or other organization and the schools to match local students together for potential carpools through the HOA, PTA, and school website and/or social media site and/or promotion at the local schools -A work commute trip reduction program for on-site employment that may include employer carpooling promotion, employer ride-matching assistance, preferential carpool parking on-site, promotion of employer flexible work schedule, employer vanpool assistance, and on-site bicycle end-trip facilities including bicycle parking.

30.PLANNING.105 SP - EV CHARGIN - MM GHG 6

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The County shall verify before issuance of all residential and non-residential building permits that:

- -Garages in single family homes are wired with a 240 kV outlet, suitable for future electric car charging devices or service;
- -One electric vehicle charging station is installed for every 15 multi-family dwelling units;
- -Commercial uses to have electric vehicle charging stations for at least 2% of all parking spaces; and
- -One 240 kV outlet is installed in the vicinity of every

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#### 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING.105 SP - EV CHARGIN - MM GHG 6 (cont.)

RECOMMND

loading dock.

30.PLANNING.106 SP - NATURAL VEG - MM GHG 7

particles. T

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

To the extent feasible, project developers shall landscape to preserve natural vegetation and maintain watershed integrity.

30.PLANNING.107 SP - TITLE 24 - MM GHG 8

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The County shall verify before issuance of building permits that buildings comply with Title 24 Building Energy Efficiency Standards, which includes energy-efficient design practices such as high-performance glazing, Energy Star compliant systems, radiant heat roof barriers (including but not limited to high-albedo white thermoplastic polyolefin roof membrane), high-efficient HVAC with hot-gas reheat, insulation on all pipes, programmable thermostats, solar access, shading of HVAC systems from direct sunlight, use of formaldehyde-free insulation, use of recycled-content gypsum board, sealed ducts, orientation of building and incorporation of landscaping to maximize passive solar (heating during cool seasons, and minimize heat gain during hot season), and designs that take advantage of prevailing winds.

30.PLANNING.108 SP - REFRIGERANTS - MM GHG 9

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The County shall verify before issuance of commercial building permits that chlorofluorocarbon refrigerants are not used in commercial buildings.

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# 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING.108 SP - REFRIGERANTS - MM GHG 9 (cont.)

RECOMMND

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This condition shall apply to any implementing projects that are non-residential. If the implementing project is residential, this condition shall be set to NOTAPPLY.

30 PLANNING.109

SP - DAYLIGHT DSGN - MM GHG 10

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall site and design buildings to take advantage of daylight where feasible and consistent with building purpose.

30.PLANNING.110

SP - FLEET VEHICLE - MM GHG 10

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall encourage service fleet vehicles to be powered with alternative fuel technology where readily available and economically comparable to conventional fuel, as determined by the individual project developers.

30 PLANNING.111

SP - TRANSIT HUBS - MM GHG 12

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall designate at least two hubs in the village centers on both sides of the Ramona Expressway, or the Mid County Parkway, that would be accessible by local and regional transit routes and community multi-modal paths and trails. These hubs will include with pedestrian, bicycle, and parking facilities for off-site transit connection service and will be sized based on a demand study conducted by the project developer. Details of these centers shall be provided at a time of development and take into consideration surrounding uses and parking spaces

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#### 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING.111 SP - TRANSIT HUBS - MM GHG 12 (cont.)

RECOMMND

determined by a parking study.

30.PLANNING.112 SP - MULTIMOD DSGN -MM GHG 13

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall provide multiple travel options for residents, workers, and visitors through a comprehensive multi-modal network including, but not limited to, transit, paths, trails, and connections integrated into the overall circulation network.

30.PLANNING.113 SP

SP - HUB CONNECT - MM GHG 14

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall ensure that higher density residential (14 dwelling unit per acre and above), commercial and offices and other high-demand uses provide connection through the Transportation Management Association measures to transit hubs.

This condition shall apply to any implementing projects that are greater than 14 dwelling units per acre or have commercial or office uses. If the implementing project is residential less than 14 dwelling units per acre, this condition shall be set to NOTAPPLY.

30.PLANNING.114 SP - TRANSIT ASSOC - MM GHG 15

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers will establish a Transit Management Association, such as through a homeowners association, to promote, manage, and monitor transit and mobility services and infrastructure, such as through distributing information to homeowners on transit options or through

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#### 30 PRIOR TO ANY PROJECT APPROVAL

30 PLANNING.114 SP - TRANSIT ASSOC - MM GHG 15 (cont.) RECOMMND

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posters to inform the public.

The above requirement shall be satisfied prior to any mixed use or commercial building permit or prior to the issuance of the 1,500th residential building permit (see condition 100.PLANNING.02)

SP - TRANSIT FUEL - MM GHG 16 30. PLANNING. 115

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall promote alternative fuels for transit system, if available, such as by asking that transit providers use alternative fuels.

SP - ALT FUEL - MM GHG 17 30.PLANNING.116

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall encourage use of best feasible alternative fuel technology to be used in homeowners association, refuse fleet, and other community service vehicles, such as through making preferential parking available.

30 PLANNING.117 SP - PARKING PLAN - MM GHG 18

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall provide a framework, such as by studying and supplying the amount of parking generated for expected uses, for a community-wide parking plan that is based on parking demand and need.

The above requirement shall be satisfied prior to any mixed use or commercial building permit.

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#### 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING.118 SP - PREF PARKING - MM GHG 19

RECOMMND

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Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Non-residential project developers shall provide preferential parking for carpool, shared, and alternatively fueled vehicles (e.g., electric, and hydrogen). Non-residential uses to have at least one preferred parking spot for every 100,000 square feet of gross-leasable areas.

This condition shall apply to any implementing projects that are non-residential. If the implementing project is residential, this condition shall be set to NOTAPPLY.

30.PLANNING.119 SP - BROADBAND - MM GHG 20

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall install broadband infrastructure or other communication technologies that encourage telecommuting and working from home.

30 PLANNING.120 SP - TRAFFIC CALM - MM GHG 21

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall integrate traffic calming measures into the community-wide circulation network to promote reduced speeds and encourage pedestrian and bicycle trips.

30 PLANNING.121 SP - SIDE/CRSSWLK - MM GHG 22

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall provide as part of the

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#### 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING.121 SP - SIDE/CRSSWLK - MM GHG 22 (cont.)

RECOMMND

Specific Plan standard, and consistent with County requirements and limitations, sidewalks and crosswalks at all streets (along with general pedestrian connectivity throughout project) to encourage pedestrian traffic and offer an alternative to vehicle trips.

30.PLANNING.122 SP - MULTI TRAIL - MM GHG 23

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall construct a multi-purpose internal trail system that includes off-road bikeways within the street right-of-way (paseos) and within a greenway system per the Specific Plan Exhibit B.8-18B - Trails Plan.

This condition shall apply to any implementing projects where a trail is designated within or adjacent to the project boundaries. If the implementing project is not located in these areas, this condition shall be set to NOTAPPLY.

30.PLANNING.123 SP - CNG/HYB VEHIC - MM GHG 24

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The Transit Management Association shall work with automotive dealers to help promote CNG electric and hybrid electric vehicles, such as requesting that dealers offer incentive programs to residents and employees of the project.

30 PLANNING.124 SP - PATIO/FIREPLC - MM GHG 25

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall offer natural gas or propane

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SP - PATIO/FIREPLC - MM GHG 25 (cont.) RECOMMND 30.PLANNING.124

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hookups, electrical outlets on patios, and prohibit . wood-burning fireplaces √

30.PLANNING.125

SP - RENEW ELEC - MM GHG 26

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall produce or cause to be produced renewable electricity, or secure GHG offsets or credits recognized or validated by the California Air Resources Board or the South Coast Air Quality Management District, that is equivalent to the installation of one photovoltaic (i.e., solar) power system no smaller than a 2-kilowatt (kW) solar panel installation for every single-family residence, and for every 1,600 square feet of non-residential roof area available for solar panels, on the project site. Offsets will be used as a backup for solar up to the equivalent of 2.0kW if the single-family residence is not build with a solar power system. This shall not apply to multi-family residences.

This condition shall apply to any implementing single-family residence and for any non-residential development with greater than 1,600 square feet of roof If the implementing project is multi-family residential or non-residential with less than 1,600 square feet of roof area, this condition shall be set to NOTAPPLY.

#### 30.PLANNING.126

SP - SINGLE-FAM PV - MM GHG 27

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall provide all single-family homebuyers with the option to include a photovoltaic array system as a home design feature.

This condition shall apply to any implementing single-family residence. If the implementing project is multi-family residential or non-residential, this condition shall be set to NOTAPPLY.

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# 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING.127 SP - POOL/SPA HEAT - MM GHG 28

RECOMMND

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Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall equip a minimum of 70 percent of public and community pools and spas with active solar water heating systems where heating is necessary or desired.

This condition shall apply to any implementing project that includes such public and community pools and spas. If the implementing project does not include these facilities, this condition shall be set to NOTAPPLY.

30.PLANNING.128 SP - POOL/SPA CVR - MM GHG 29

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall encourage use of removable covers for pools and spas through public awareness information regarding accidental drownings or other injuries provided by homeowners associations. ("Automatic" covers may result in accidental drownings or other injuries; efficient pumps and motors for pools and spas are already required under applicable Building Energy Efficiency Standards (Cal. Code Regs., Title 24, Part 6 °° 110.3, 110.4, 110.5) and Title 20 Standards (Cal. Code Regs., Title 20 °° 1605.1(g), 1605.3(g)).

30.PLANNING.129 SP = RECYC WATER - MM GHG 30

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project shall use recycled water for irrigation of 50 percent of commercial landscape areas, if available.

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30.PLANNING.130 SP - LS SPECIES - MM GHG 31

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e., tract map, parcel map, use permit, plct plan, etc.), the following condition shall be placed on the implementing project:

The project shall use, as part of the Specific Plan standard, native species and drought tolerant species for a minimum of 50 percent of the ornamental plant palette in non-turf areas for all commercial, industrial, common, and public areas, and residential front-yard landscaping to minimize water demand.

30 PLANNING.131

SP - LS EQUIP - MM GHG 32

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall encourage use of electric landscape maintenance equipment for public common areas maintained by the homeowner's association (HOA).

30 PLANNING.132

SP - STREET GRNDCV - MM GHG 33

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project shall include in street design proposals for County review technically feasible (given expected future uses) and legally feasible (given applicable ordinances and other requirements) street designs that include groundcovers or other measures to reduce use of concrete and asphalt.

30.PLANNING.133

SP - COOL PAVEMENT - MM GHG 34

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project developers shall install cool pavements if approved by Caltrans and County Roads to roadway uses,

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30.PLANNING.133 SP - COOL PAVEMENT - MM GHG 34 (cont.)

RECOMMND

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provided that road installation and maintenance durability and costs are comparable to existing approved roadway materials.

30.PLANNING.134 SP - WEBSITE - MM GHG 35-39

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The project applicant or its successors or the HOA shall maintain a Villages of Lakeview Community website that includes, but is not limited to, information about:

- -greenhouse gas (GHG) reduction opportunities to help educate project residents, as well as schools, other agencies, and businesses with facilities on the project site.
- -rebates and low-interest loans to residents that make energy-saving improvements to their homes.
- -the air quality and greenhouse gas benefits of electric landscape maintenance equipment.
- -educational information on energy and water conservation and efficiency for project residents, customers, tenants, and large energy users.
- -energy conservation and financial incentive programs, and about potential energy technology systems that may be suitable for larger commercial and institutional users such as combined heat and power systems.

# 30.PLANNING.138 SP - NATIVE AMERICAN MONITORS

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Prior to the issuance of grading permits, the developer/permit applicant shall enter into an agreement with the consulting tribe(s) for Native American monitoring during grading activities.

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# 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING.138 SP - NATIVE AMERICAN MONITORS (cont.) RECOMMND

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1. 2021. 1 Carp. 1 The Native American Monitor(s) shall becon-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading and trenching. In conjunction with the Archaeological Monitor(s), the Native American Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources.

The developer/permit applicant shall submit a fully executed copy of the agreement(s) to the County Archaeologist to ensure compliance with this condition of approval. Upon verification, the Archaeologist shall clear this condition.

This agreement shall not modify any condition of approval or mitigation measure.

SP - DA DEV AGMT FEE 30.PLANNING.139

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Pursuant to provisions within the DEVELOPMENT AGREEMENT, the Project shall be subject to a Development Agreement fee (the "DA Fee") in the amount of \$1,000 per dwelling unit. The amount of the DA Fee shall increase on the fifth, tenth, fifteenth, twentieth and twenty-fifth anniversary of the Effective Date to \$1,100, \$1,200, \$1,300, \$1,400 and \$1,500, respectively. The DA Fees collected by the County shall be used by the County in its sole discretion. One-third (33%) of the DA Fee shall be spent in the Lakeview/Nuevo area surrounding the Project. The remaining two-thirds (67%) of the DA Fee shall be used by the County in the Supervisorial District in which the Project is located.

30.PLANNING.140 SP - DA PRESERVE AG SPACE

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed

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30.PLANNING.140 SP - DA PRESERVE AG SPACE (cont.)

RECOMMND

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on the implementing project:

Pursuant to provisions within the DEVELOPMENT AGREEMENT, Planning Areas 41a, 48 and 49, as documented in the Specific Plan for the Project, have been designated for agricultural uses. When recording a final map that includes any portion of Planning Areas 41a, 48, and 49, the applicant or their successor in interest shall grant a conservation easement, in perpetuity, over those Planning Areas to the County, or another suitable not-for-profit entity or public agency, acceptable to the County, for purposes of ensuring that the Planning Areas remain in agricultural use or as permanent open space.

# 30.PLANNING.141 SP - DA REGIONAL TRAILS

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Pursuant to provisions within the DEVELOPMENT AGREEMENT, All tentative maps within the SPECIFIC PLAN that include land within the proposed design of the County's regional trail system shall identify such trail areas, and, as final maps are filed, an irrevocable offer of dedication of the right-of-way for the a trails system shall be made to the County by the applicant or their successor in interest to be connected to the County's regional trail system.

# 30.PLANNING.142 SP - DA AFFORDABLE HOUSING

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Pursuant to provisions within the DEVELOPMENT AGREEMENT, consistent with the Housing Element stipulation that land designated Highest Density Residential ("HHDR") or a minimum of 20 dwelling units per acre is appropriate for lower income households and meets affordability requirements, applicant or their successor in interest agrees to designate specific areas within the Town Center area of the Project with a minimum density of 20 dwelling units per acre based on individual project gross area. The

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30.PLANNING.142 SP - DA AFFORDABLE HOUSING (cont.)

RECOMMND

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applicant or their successor in interest shall, at a minimum, to designate at a rate of 0.10 units of all units constructed in the Project within the specific areas of the Town Center units at a density of 20 dwelling units per acre based on individual project gross area. Assuming build-out of the Project to 8,725 units, the applicant or their successor in interest will designate a maximum of 872 units inside the Town Center area to be developed at a minimum density of 20 dwelling units per acre based on individual project gross area.

Designation of the areas for the 872 units shall occur prior to the entitlement of any development within Phase 3, the Town Center, as part of the Village Refinement Plan further described in Section B.11 in the Specific Plan. Additionally, the subsequent development approvals for the entitlement and construction of the 872 units at a density of 20 dwelling units per acre shall be submitted to COUNTY by OWNER prior to the issuance of the building permit for the 4,500th dwelling unit within the Project and grading permits for the 872 units shall be issued prior to the building permit for the 5,500th dwelling unit within the Project.

However, if fewer than 8,725 units are built within the Specific Plan, then the required number of units at a minimum density of 20 dwelling units per acre within the Town Center shall be proportionately reduced in accordance with the formula of 0.10 units at a minimum density of 20 dwelling units per acre for every 1.0 unit developed within the Specific Plan. Any such reduction in the constructed units that allows for a reduction in the amount of units at a minimum density of 20 dwelling units per acre will restrict the ability to transfer these units to other Planning Areas in the Specific Plan as typically allowed by Section B.11.c of the Specific Plan. The County of Riverside acknowledges and finds that subject to compliance with the provisions of this Section 4.2.1(1), the Project is exempt from any obligation to contribute to any other on- or off-site low income housing units or other mitigation related to affordable housing.

30.PLANNING.143

SP - MM CULTURAL 1

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit,

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30.PLANNING:143 SP - MM CULTURAL 1 (cont.)

RECOMMND

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plot plan, etc.), the following condition shall be placed on the implementing project:

Prior to initial construction of a parcel on or within 500 feet of an NRHP- and CRHR-eligible prehistoric site identified in the Addendum to: Mystic Paavo' Cultural Resources Survey and Evaluation of The Villages of Lakeview Specific Plan Alternative 7, or if construction will not occur on a parcel on or within 500 feet of such an NRHPand CRHR-eligible prehistoric site, prior to initial construction on the parcel nearest such site where development is planned, the master Cultural Resources Management Plan (CRMP) contained in Chapter 9 of the Cultural Resources Survey and Evaluation shall be implemented. The master CRMP contains the measures and strategies by which direct and indirect adverse impacts to prehistoric sites shall be treated over the course of the project development. The CRMP shall be implemented with an addendum to the master CRMP to address the archaeological resources sites affected by such parcel(s). Each such addendum to the CRMP shall include Site Preservation Plans (SPP) for sites to be preserved in place, and Data Recovery Plans (DRP) for sites that cannot be avoided and require archaeological excavation as provided by CEQA Guidelines Section 15126.4(b)(3).

Each SPP and DRP shall be developed consistent with the requirements enumerated in Chapter 9 of the Cultural Resources Survey and Evaluation and contain a brief description of the site(s) it addresses, review the previous archaeological investigations conducted at the site(s), and consider the project components that would affect the site(s); then, with reference to the appropriate research questions and data requirements presented in the research design contained in Chapter 3, the SPP or DRP will present specific measures to be implemented as conditions of grading plan approval for the parcel(s). Further, each CRMP addendum shall be reviewed and approved by the County archaeologist prior to County approval of the associated parcel(s). Any cultural resources mitigation measures recommended in the addendum shall be implemented as conditions of approval of the parcel(s), and any measures involving archaeological fieldwork shall be completed prior to issuance of grading permits, and evidence of completion in the form of technical reports and curation agreements for disposition of recovered archaeological collections

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING.143 SP - MM CULTURAL 1 (cont.)

RECOMMND

shall be required prior to issuance of occupancy permits.

Each addendum shall contain a Discovery Plan with detailed provisions for the treatment of unanticipated discoveries during project construction, including human remains, as required by CEQA Guidelines Sections 15064.5(e) and (f). The provisions of the Discovery Plan shall be consistent with state law as contained in Health and Safety Code Section 7050.5 and PRC Sections 5097.94 and 5097.98.

30.PLANNING.144 SP - MM Cultural 1(a)

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

If buried materials of potential historical, cultural or archaeological significance are accidentally discovered during any earth-moving operations associated with the proposed project, all work in that area shall be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds. If the find is determined to be a historical or unique archaeological resource, as defined in Section 15064.5 of the California Code of Regulations (State CEQA Guidelines), avoidance or other appropriate measures as discussed in the CRMP shall be implemented.

30.PLANNING.145 SP - MM Cultural 1(b)

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

If evidence of potentially significant prehistoric or historic resources is uncovered during project-related grading outside of the high sensitivity areas in which archaeological and Native American monitoring has already been required, the extent of monitoring shall be amended and the presence of archaeological and Native American monitors shall be incorporated into the monitoring program for all areas in the affected parcel(s).

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING.146 SP - MM Cultural 1(c)

RECOMMND

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Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

If human remains are encountered on a parcel, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to whether the remains are Native American. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) shall be contacted pursuant to the law, and the NAHC shall identify the Most Likely Descendant (MLD). The MLD shall then make recommendations in the time frames set forth in the Public Resources Code, and engage in consultation with the project proponent and landowner concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. Pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until the MLD has made his or her recommendation regarding the treatment and disposition of the human remains and any associated grave goods. Should the MLD fail to make a recommendation or the landowner or his or her authorized representative rejects the recommendation of the MLD, the landowner (or authorized representative) is required to inter the human remains and associated grave goods with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.

30.PLANNING.147 SP - MM Cultural 1(d)

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Site CA-RIV-8710H is a historical-period refuse dump that most likely derives from a construction camp for the Aqueduct. Because the site will be subject to indirect adverse impacts from possible vandalism or illicit artifact collection due to the increased population of the project area, a DRP shall be prepared and implemented prior to ground-disturbing activities at the site. The DRP shall be developed consistent with the requirements enumerated in

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## 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING.147 SP - MM Cultural 1(d) (cont.)

RECOMMND

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Chapter 8 of the Cultural Resources Survey and Evaluation, which shall include, in part, detailed recording and mapping of all items at the dump, along with photographic documentation or collection of diagnostic and unique items. Although subsurface deposits are unlikely at the site, a limited set of shovel probe excavations to determine if any dump materials have become completely buried shall be implemented, and recovery of a representative sample of such materials, if present shall be conducted. The recommended data recovery work in the DRP shall be conducted prior to initial construction on the parcel nearest site CA-RIV-8710H where development is planned. The results of the data recovery investigations shall be documented in a professional quality technical report, and as public interpretive information to be presented in the form of brochures, public lectures, and signage placed within public parks and facilities.

# 30.PLANNING.148 SP - MM Cultural 1(e)

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

CA-RIV-394 and CA-RIV-8707 Site Preservation Plans (SPP)

An SPP for each site shall be prepared by the developer prior to approval of any water tanks or other improvements within the Public Facilities planning area. The SPP for these sites shall include provisions for the site boundaries and a 16-foot buffer area to be flagged and avoided, and for archaeological and Native American monitors from the tribes consulted for the project to be present during all activities that could cause ground disturbance within 100 feet of the sites.

# 30.PLANNING.149 SP - MM Cultural 1(f)

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

CA-RIV-397 Site Preservation Plans (SPP)

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# 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING.149 SP - MM Cultural 1(f) (cont.)

RECOMMND

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An SPP shall be prepared by the developer prior to approval of any tentative tract within 500 feet of the site. The SPP shall include provisions for removal of modern graffiti, detailed recording of rock art elements by a recognized rock art expert, capping of exposed cultural deposits with fill and restoration of native vegetation, and protection of the site area from vandalism through appropriate fencing, landscaping, and interpretation. Provisions for ongoing maintenance and protection shall be through a conservation easement or other deed restriction held by a Homeowners' Association, Tribe, or other entity approved by the County.

30 PLANNING.150 SP - MM Cultural 1(g)

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

CA-RIV-806 Site Preservation Plans (SPP)

To mitigate potential indirect impacts from possible vandalism or illicit artifact collection from increased use of the project area, an SPP shall be prepared by the developer prior to approval of any tentative tract within 500 feet of the site. The SPP shall include a public education program regarding prehistoric and historical cultural resources to be incorporated into the interpretive center planned for the project (THE VILLAGES OF LAKEVIEW Specific Plan Section B.8), and shall include provisions to protect the site from vandalism through appropriate fencing and possible signage.

30 PLANNING.151 SP - MM Cultural 1(h)

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

CA-RIV-2585, CA-RIV-4155, CA-RIV-8699, CA-RIV-8700, CA-RIV-8704, and CA-RIV-8711

Site Preservation Plans (SPP)

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#### 30. PRIOR TO ANY PROJECT APPROVAL

# 30.PLANNING.151 SP - MM Cultural 1(h) (cont.)

RECOMMND

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An SPP shall be prepared by the developer prior to approval of any tentative tract within 500 feet of any of the sites. The SPPs for these sites shall include provisions for the sites' boundaries and a 16-foot buffer area to be flagged and avoided, archaeological and Native American monitors from the tribe(s) consulted for the project to be present during all activities that could cause ground disturbance within 100 feet of the sites, and for fencing or other site protective measures such as signage. Provisions for ongoing maintenance and protection shall be through a conservation easement or other deed restriction held by a Homeowners' Association, Tribe, or other entity approved by the County.

# 30.PLANNING.152 SP - MM Cultural 1(i)

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

CA-RIV-8705 Site Preservation Plans (SPP)
An SPP shall be prepared by the developer prior to approval of any tentative tract within 500 feet of the site. The SPP shall include provisions for fencing, signage, and public interpretation.

# 30.PLANNING.153 SP - MM Cultural 1(j)

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

 ${\it CA-RIV-1842}$  Site Preservation Plans (SPP)/ Data Recovery Plans (DRP)

No direct impacts are to occur to Feature 1 of Site CA-RIV-1842, and this portion of the site is to be preserved in place. To mitigate potential indirect impacts from possible vandalism or illicit artifact collection from increased use of the project area or from activities within the fuel modification zone, an SPP shall be prepared by the developer prior to approval of any tentative tract within 500 feet of Feature 1. The SPP shall include provisions for fencing and signage. Feature 2 and the remainder of Site CA-RIV-1842 will be subject to direct adverse impacts. Due

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30.PLANNING.153 SP - MM Cultural 1(j) (cont.)

RECOMMND

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to the increased human activity in the area from the سين ما الماسية الماسية الماسية residential uses, the aboveground nature of the site, and distance of the site from Conservation Habitat planning areas, a DRP shall be prepared by the developer prior to ground-disturbing activities at this portion of the site. The DRP shall include provisions for additional testing to determine firmly the northern boundary of the site and assess the composition and structure of the subsurface deposits. Based on the testing data, a representative sample of subsurface cultural deposits shall be excavated, analyzed, and interpreted. The results of the data recovery shall be documented in a professional report and public interpretive information. The appropriate disposition of all cultural resource collections resulting from data recovery excavations shall be determined in consultation with the applicant, the County, and consulted tribes, and documented in the DRP contained in addenda to the CRMP.

# 30.PLANNING.154 SP - MM Cultural 1(k)

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

CA-RIV-4156/H Site Preservation Plans (SPP) An SPP shall be prepared by the developer prior to approval of any tentative tract within 500 feet of the site. The SPP shall include provisions for fencing and signage.

# 30.PLANNING.155 SP - MM Cultural 1(1)

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

CA-RIV-4158 Data Recovery Plans (DRP)

A DRP shall be prepared by the developer prior to ground-disturbing activities at the site. The DRP for CA-RIV-4158 shall include provisions for additional testing to assess the composition and structure of the subsurface deposits. Based on the testing data, a representative sample of subsurface cultural deposits shall be excavated, analyzed, and interpreted. The results of the data recovery

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# 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING.155 SP - MM Cultural 1(1) (cont.)

RECOMMND

shall be documented in a professional report and public interpretive information. The appropriate disposition of all cultural resource collections resulting from data recovery excavations shall be determined in consultation with the applicant, the County, and consulted tribes, and documented in the DRP contained in addenda to the CRMP.

30.PLANNING.156 SP - MM Cultural 1(m)

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

CA-RIV-8703 Data Recovery Plans (DRP)

A DRP shall be prepared by the developer prior to ground-disturbing activities at the site. The DRP shall include provisions for testing to confirm the presence or absence of subsurface deposits. If the testing indicates that a subsurface deposit is present, a representative sample of subsurface cultural deposits shall be excavated, analyzed, and interpreted. The results of the data recovery shall be documented in a professional report and public interpretive information. The appropriate disposition of all cultural resource collections resulting from data recovery excavations shall be determined in consultation with the applicant, the County, and consulted tribes, and documented in the DRP contained in addenda to the CRMP.

30.PLANNING.157 SP - MM Cultural 1(n)

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

CA-RIV-8698 and CA-RIV-8702 Site Preservation Plans (SPP)

An SPP shall be prepared by the developer prior to approval of any tentative tract within 500 feet of the site. The SPP shall include provisions for fencing and signage.

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING:158 SP - MM Cultural 1(o)

RECOMMND:

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Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

CA-RIV-8706 Site Preservation Plans (SPP)
An SPP shall be prepared by the developer prior to approval of any tentative tract within 500 feet of the site. The SPP shall include provisions for fencing and signage

30.PLANNING.159 SP - MM Cultural 1(p)

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

CA-RIV-8712 DRP/ Site Preservation Plans (SPP) The site within the Alternative 7 project area subject to direct impacts includes 6.68 acres located within a Medium High Density Residential planning area. A DRP shall be prepared by the developer prior to ground-disturbing activities at this portion of the site. The DRP shall include provisions for additional testing to assess the composition and structure of the subsurface deposits. Based on the testing data, a representative sample of subsurface cultural deposits shall be excavated, analyzed, and interpreted. The results of the data recovery shall be documented in a professional report and public interpretive information. The appropriate disposition of all cultural resource collections resulting from data recovery excavations will be determined in consultation with the applicant, the County, and consulted tribes, and documented in the DRP contained in addenda to the CRMP. The site within the Alternative 7 project area subject to indirect impacts includes 51 acres located within a Conservation Habitat planning area. An SPP shall be prepared by the developer prior to approval of tentative tract within 500 feet of this portion. The SPP shall include provisions for protection of the site area from vandalism through appropriate fencing, landscaping, and interpretation. Provisions for ongoing maintenance and protection shall be through a conservation easement or other deed restriction held by a Homeowners' Association, Tribe, or other entity approved by the County.

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## 30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING.160 SP - NATIVE AMERICAN MONITORS

RECOMMND

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Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Prior to the issuance of grading permits, the developer/permit applicant shall enter into an agreement with the consulting tribe(s) for Native American Monitoring.

The Native American Monitor(s) shall be on-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading and trenching. In conjunction with the Archaeological Monitor(s), the Native American Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources.

The developer/permit applicant shall submit a fully executed copy of the agreement(s) to the County Archaeologist to ensure compliance with this condition of approval. Upon verification, the Archaeologist shall clear this condition.

This agreement shall not modify any condition of approval or mitigation measure.

# 30.PLANNING.161 SP - ARTIFACT DISPOSITION

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

The landowner(s) shall relinquish ownership of all cultural resources and provide evidence to the satisfaction of the County Archaeologist that all archaeological materials recovered during the archaeological investigations (this includes collections made during an earlier project, such as testing of archaeological sites that took place years ago), have been handled through one of the following methods.

1.A fully executed reburial agreement with the appropriate culturally affiliated Native American tribe or band. This shall include measures and provisions to protect the future

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING.161 SP - ARTIFACT DISPOSITION (cont.)

RECOMMND

reburial area from any future impacts. Reburial shall not occur until all cataloguing, analysis and special studies have been completed on the cultural resources. Details of contents and location of the reburial shall be included in the Phase IV Report.

- 2.Curation at a Riverside County Curation facility that meets federal standards per 36 CFR Part 79 and therefore will be professionally curated and made available to other archaeologists/researchers and tribal members for further study. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.
- 3.If more than one Native American Group is involved with the project and cannot come to a consensus regarding disposition of cultural resources, the landowner(s) shall then proceed with curation at the Western Science Center.

30 PLANNING.162 SP - PA 24/25 SJWA DESIGN

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

To limit potential impacts to the San Jacinto Wildlife Area, the following design measures shall be incorporated into the design and operation of any development within Planning Areas 24 and 25 of the SPECIFIC PLAN.

- 1. In addition to the height limitations specified in the SPECIFIC PLAN zoning ordinance, buildings over 1 story in height shall be incorporate features to reduce bird strikes, as outlined in the "Reducing Bird Collisions with Buildings and Building Glass Best Practices" Dated July 2016 from US Fish and Wildlife Service, and the LEED Pilot Credit 55: Bird Collision Deterrence dated 2011 recommendations from the US Green Building Council, or any such updated documents at the time implementing projects are proposed.
- 2. Block walls with a minimum height of six (6) feet shall

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING.162 SP - PA 24/25 SJWA DESIGN (cont.)

RECOMMND

- TOOLS

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be constructed around the edge of Planning Areas 24 and 25 or alternatively along the perimeter of any individual development within Planning Areas 24 and 25 prior to the commencement of construction of any building, allowing for breaks for ingress and egress, line of sight and for height restrictions as the walls approach Ramona Expressway or Mid County Parkway.

- 3. Trash containers shall be enclosed in lockable trash enclosure areas.
- 4. All landscaping shall be native drought tolerant species, and shall avoid any plants on the list specified in the Western Riverside Multiple Species Habitat Conservation Plan in Table 6-2 adjacent to MSHCP Conservation Areas. Considerations in reviewing the applicability of this list shall include proximity of planting areas to the MSHCP Conservation Areas, species considered in the planting plans, resources being protected within the MSHCP Conservation Area and their relative sensitivity to invasion, and barriers to plant and seed dispersal, such as walls, topography and other features.

This condition shall apply to any implementing projects that are located within Planning Areas 24 and 25 of the SPECIFIC PLAN. If the implementing project is not located within either of these Planning Areas, this condition shall be set to NOTAPPLY.

30.PLANNING.163 SP - ENV STEWARD - MM BIO 11

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

In order to increase public awareness and knowledge about local environmental issues and reduce potential significant indirect effects of development near to Conservation Areas, the Master Developer of the proposed project shall provide an Environmental Stewardship Program. The program will include methods of community education such as interpretive and directional signs, pamphlets and demonstrations. The types of information presented shall include, but not be limited to: lighting, noise, keeping on trails, wildlife,

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING.163 SP - ENV STEWARD - MM BIO 11 (cont.)

RECOMMND

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plants, habitats, barriers, domestic animals, toxics such as pesticides, and invasive species, and vector-borne disease prevention. The Environmental Stewardship Program shall include a fund to be administered by the Lakeview Community Services Organization (CSO) and a portion of the fund shall be used for SJWA and Lakeview Mountains management items, including feral animal trapping, removal of trash, invasive species removal and enforcement. The Lakeview CSO's budget directed towards the SJWA and Lakeview Mountains interface issues shall be a priority and the appropriate percentage of the Lakeview CSO's fund directed towards the SJWA and Lakeview Mountains will be developed in consultation with the California Department of Fish and Wildlife SJWA Staff and the RCA.

TRANS DEPARTMENT

30.TRANS. 1 SP - SP342/IMPROVEMENTS

RECOMMND

All roads shall be improved to the recommended General Plan or Specific Plan designation, as approved by the County Board of Supervisors, or as approved by the Transportation Department. If there is a conflict between the General Plan and Specific Plan, the General Plan designation would prevail unless specific findings are made by the County that the Specific Plan improvement is consistent with the General Plan.

30 TRANS. 2 SP - SP342/WRCOG TUMF

RECOMMND

The project proponent shall be required to pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance of a building permit, pursuant to Ordinance No. 824.

30 TRANS. 3 SP - DA/MID COUNTY PKWY ROW

RECOMMND

Based on preliminary engineering analyses, it is estimated that the Project will dedicate in excess of 100 acres of right-of-way for the Mid-County Parkway. With the first final map of any kind recorded within the Project or by some irrevocable offer of dedication of the right-of-way through a separate instrument at the time of recording of the first final map, OWNER shall make an irrevocable offer of dedication of the entire right-of-way for the Mid-County Parkway within the Project, at the alignments and widths

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30. TRANS. 3 SP - DA/MID COUNTY PKWY ROW (cont.)

RECOMMND

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specified in the Mid-County Parkway Environmental Impact Report dated April 8, 2015. OWNER shall receive credit against the Project's transportation uniform mitigation fees ("TUMF") imposed pursuant to the Western Riverside Council of Government's Transportation Uniform Mitigation Fee Program for such right-of-way dedication as determined in accordance with the TUMF Administrative Plan and WRCOG's procedures and policies in effect at the time of the right-of-way dedication. The COUNTY agrees OWNER may reserve from such irrevocable offer of dedication such temporary construction easements required for the construction of adjoining portions of the Project and such permanent utility easements required for the Project that do not materially interfere with the construction of the Mid-County Parkway.

### 30.TRANS. 4 SP - DA/TRAFFIC FACILTY FEE

RECOMMND

In order to provide funding for traffic improvements (or portions thereof) that are not currently included in the Development Impact Fees or WRCOG TUMF for (i) certain traffic improvements outside the Project ("County Traffic Improvements") and (ii) certain traffic improvements outside the Project but within incorporated areas or under Caltrans jurisdiction ("Multi Jurisdictional Traffic Improvements"), the Project shall be subject to a fee schedule for Additional Traffic Facilities as shown below.

The Fee Schedule for Additional Traffic Facilities is as follows:

Land Use	Supplemental Fee/Unit	Multi-Juris. Fee/Unit
Single Family Multi Family Townhouse/Condominium Senior Housing Shopping Center/Retail General Office Medical Office Light Industrial	\$2,000/DU \$1,764/DU \$1,541/DU \$976/DU \$4.26/SF \$4.26/SF \$4.26/SF \$4.26/SF	\$365/DU \$322/DU \$281/DU \$178/DU \$0.94/SF \$0.94/SF \$0.94/SF \$0.94/SF

The fees listed above shall be escalated as outlined in the Section 4.2.3 of the Development Agreement for SP342.

# Riverside County LMS CONDITIONS OF APPROVAL

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#### 30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 4 SP - DA/TRAFFIC FACILTY FEE (cont.)

RECOMMND

The COUNTY expects to enter into agreements with cities and Caltrans with respect to the Multi Jurisdictional Traffic Improvements for the disbursement of Multi Jurisdictional Traffic Fees to the cities and Caltrans and their construction of the Multi Jurisdictional Traffic Improvements. The COUNTY shall apply the County Supplemental Traffic Fees to construct the County Traffic Improvements as needed to serve the Project.

30 TRANS. 5 SP - SP342/NA MITIGATION

RECOMMND

The following mitigation measures were identified for the Project Build Alternative however are not triggered under Alternative 7 and therefore would not be required.

MM Trans 6 through 8, MM Trans 18, MM Trans 30a, MM Trans 30b, MM Trans 31a, MM Trans 31b, and MM Trans 35.

30.TRANS. 6 SP - SP342/MM TRANS 1

RECOMMND

MM Trans 1: All future improvements in the project area shall be consistent with design standards set forth by Riverside County's General Plan, or as approved by the Riverside County Transportation Department, or THE VILLAGES OF LAKEVIEW Specific Plan. All designs, including site access points, sight distances, signing plans, and striping plans, shall be reviewed to determine that designs are consistent with appropriate design standards.

30 TRANS. 7 SP - SP342/MM TRANS 2

RECOMMND

MM Trans 2: The project proponent shall prepare a supplemental traffic impact study for each "Village" of development within the SP. The Village-level traffic analysis will be a refinement of the Specific Plan's Traffic Impact Study. Traffic studies for subsequent project entitlements may be required within the boundaries of Specific Plan No. 342, at the discretion of the Transportation Department. Traffic studies for such subsequent entitlements, if needed, shall identify the following:

- -Parking assessment
- -Site access and on-site circulation assessment
- -Interaction of driveways with adjacent intersections (if appropriate)
- -Impact assessment of local intersection and roadways to

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#### 30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 7 SP - SP342/MM TRANS 2 (cont.)

RECOMMND

assist with implementation of identified mitigation measures

-Impacts to pedestrian, transit, and bicycle facilities

Impacts identified in the traffic studies for implementing projects shall be mitigated.

30 TRANS. 8

SP - SP342/MM TRANS 3

RECOMMND

MM Trans 3: Roadways internal to the project shall be constructed as needed for development; as determined on the basis of Village-level traffic studies.

30 TRANS. 9

SP - SP342/MM TRANS 4

RECOMMND

MM Trans 4 - Alt. 7: At 6,500 units developed as part of Alternative 7 (i.e. maximum number of average daily trips for total authorized residential and commercial uses) and if the Mid County Parkway has not been constructed, the project proponent or subsequent developer shall widen Hansen Avenue from 10th Street to Contour Avenue from 2 lanes to 4 lanes.

30 TRANS. 10

SP - SP342/MM TRANS 5

RECOMMND

MM Trans 5 - Alt. 7: At 6,100 units developed as part of Alternative 7 and if the Mid County Parkway has not been constructed, the project proponent or subsequent developer shall widen Lakeview Avenue from 10th Street to North Drive from 2 lanes to 4 lanes.

30.TRANS. 11

SP - SP342/MM TRANS 9

RECOMMND

MM Trans 9 - Alt. 7: At 4,400 units developed as part of Alternative 7 and if the Mid County Parkway has not been constructed, the project proponent or subsequent developer shall widen Nuevo Road from Menifee Road to Lakeview Avenue from 2 lanes to 4 lanes.

30 TRANS. 12

SP - SP342/MM TRANS 10

RECOMMND

MM Trans 10 - Alt. 7: At 1,300 units developed as apart of Alternative 7 and if the Mid County Parkway has not been constructed, the project proponent or subsequent developer shall widen Ramona Expressway from Rider Street to Lakeview Avenue from 2 lanes to a 4-lane expressway.

# Riverside County LMS CONDITIONS OF APPROVAL

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### 30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 13 SP - SP342/MM TRANS 11

RECOMMND

MM Trans 11 Alt. 7: At 2,200 units developed as part of Alternative 7 and if the Mid County Parkway has not been constructed, the project proponent or subsequent developer shall widen Ramona Expressway from Lakeview Avenue to Hansen Avenue from 2 lanes to a 4-lane arterial.

30 TRANS. 14 SP - SP342/MM TRANS 12

RECOMMND

MM Trans 12 - Alt. 7: At 3,500 units developed as part of Alternative 7 and if the Mid County Parkway has not been constructed, the project proponent or subsequent developer shall widen Ramona Expressway from Hansen Avenue to 5th Street from 2 lanes to a 4-lane arterial.

30.TRANS. 15 SP - SP342/MM TRANS 13

RECOMMND

MM Trans 13 - Alt. 7: At 1,750 units developed as part of Alternative 7 and if the Mid County Parkway has not been constructed, the project proponent or subsequent developer shall widen Ramona Expressway from 5th Street to Bridge Street from 2 lanes to a 4-lane arterial.

30 TRANS. 16 SP - SP342/MM TRANS 14

RECOMMND

MM Trans 14 - Alt. 7: At 2,200 units developed as part of Alternative 7 and if the Mid County Parkway has not been constructed, the project proponent or subsequent developer shall widen Ramona Expressway from Bridge Street to Warren Road from 2 lanes to a 4-lane arterial.

30.TRANS. 17 SP - SP342/MM TRANS 15

RECOMMND

MM Trans 15 - Alt. 7: At 6,100 units developed as part of Alternative 7, the project proponent or subsequent developer shall coordinate with the County to optimize cycle length and signal timing splits for the intersection of Hansen Avenue and Ramona Expressway.

30.TRANS. 18 SP - SP342/MM TRANS 16

RECOMMND

MM Trans 16 - Alt. 7: At 5,235 units developed as part of Alternative 7, the project proponent or subsequent developer shall make the following improvements to the intersection of Hansen Avenue and Lakeview Avenue:

-Modify the intersection control to an all-way stop; and

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#### 30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 18 SP - SP342/MM TRANS 16 (cont.) RECOMMND

-Southbound approach: One shared left-through lane and one shared through/right lane

30.TRANS. 19

SP - SP342/MM TRANS 17

RECOMMND

MM Trans 17 - Alt. 7: At 6,100 units developed as part of Alternative 7, the project proponent or subsequent developer shall make the following improvements to the intersection of Lakeview Avenue and 10th Street:

- -Signalize the intersection with permissive phases in each direction
- -Add left-turn pockets to all approaches

30 TRANS. 20

SP - SP342/MM TRANS 19

RECOMMND

MM Trans 19 - Alt. 7: At 4,400 units developed as part of Alternative 7 and if the Mid County Parkway has not been constructed, the project proponent or subsequent developer shall make the following improvements to the intersection of Hansen Avenue and Wolfskill Avenue:

- -Signalize the intersection with protected phases in the east-westbound directions and permissive phases in the north-southbound direction
- -Widen the northbound approach to 4 lanes, consistent with the roadway segment mitigation
- -Northbound approach: one left-turn lane, one through lane and two right-turn lanes with a right-turn overlap phase
- -Add a left-turn pocket at all approaches
- -Add a through lane to the westbound approach

30.TRANS. 21

SP - SP342/MM TRANS 20

RECOMMND

MM Trans 20 - Alt. 7: At 7,900 units developed as part of Alternative 7, the project proponent or subsequent developer shall make the following improvements to the intersection of North Drive and Lakeview Avenue:

-Widen the westbound approach consistent with the roadway segment mitigation

30 TRANS. 22

SP - SP342/MM TRANS 21

RECOMMND

MM Trans 21 - Alt. 7: At 2,600 units developed as part of Alternative 7 and if the Mid County Parkway has not been

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#### 30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 22 SP - SP342/MM TRANS 21 (cont.)

RECOMMND

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constructed, the project proponent or subsequent developer shall make the following improvements to the intersection of Hansen Avenue and Contour Avenue:

- -Signalize the intersection with permissive phases in each direction
- -Widen the southbound approach consistent with the roadway segment mitigation
- -Westbound Approach: One left-turn lane, one through lane and one right-turn lane
- -Add left-turn pockets to all approaches

## 30 TRANS. 23 SP - SP342/MM TRANS 21A

RECOMMND

MM Trans 21a - Alt. 7: At 875 units developed as part of Alternative 7, the project proponent or subsequent developer shall make the following improvements to the intersection of Bridge Street and Gilman Springs Road:

- -Signalize the intersection with a protected left-turn phase in the westbound direction
- -Widen the eastbound approach on Gilman Springs Road consistent with the roadway segment mitigation

## 30 TRANS. 24 SP - SP342/MM TRANS 22

RECOMMND

MM Trans 22 - Alt. 7: At approximately 1,750 units developed as part of Alternative 7, the project proponent or subsequent developer shall make the following improvements to the intersection of Bridge Street and Ramona Expressway:

- -Signalize the intersection with permissive phases in each direction
- -Widen Ramona Expressway to four lanes, consistent with roadway segment mitigation

## 30.TRANS. 25 SP - SP342/MM TRANS 23

RECOMMND

MM Trans 23 - Alt. 7: At 875 units developed as part of Alternative 7, the project proponent or subsequent developer shall make the following improvements to the intersection of Menifee Road and Nuevo Road:

-Signalize the intersection with a left-turn phase in the westbound direction

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#### 30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 25 SP - SP342/MM TRANS 23 (cont.)

RECOMMND

- -Widen the westbound approach of Nueve Road to four lanes, consistent with roadway segment midigation
- -Northbound Approach: One left-turn lane and two right-turn lanes with a right-turn overlap phase
- -Eastbound Approach: One additional through lane
- -Westbound Approach: One left-turn lane and two through lanes

30 TRANS. 26

SP - SP342/MM TRANS 24

RECOMMND

MM Trans 24 - Alt. 7: At 2,600 units developed as part of Alternative 7, the project proponent or subsequent developer shall make the following improvements to the intersection of Lakeview Avenue and Nuevo Road:

- -Signalize the intersection with a protected left-turn phase in the eastbound direction
- -Widen the eastbound approach of Nuevo Road consistent with roadway segment mitigation
- -Southbound Approach: One left-turn lane and two right-turn
- -Eastbound Approach: One left-turn lane and two through lanes

30 TRANS. 27

SP - SP342/MM TRANS 25

RECOMMND

MM Trans 25 - Alt. 7: At 7,900 units developed as part of Alternative 7, the project proponent or subsequent developer shall make the following improvements to the intersection of Menifee Road and San Jacinto Avenue:

- -Signalizing the intersection with permissive phases in each direction
- -New left-turn pocket in the northbound direction

30 TRANS. 28

SP - SP342/MM TRANS 26

RECOMMND

MM Trans 26 - Alt. 7: Prior to issuance of building permits, the project proponent or subsequent developer shall make the following improvements to the intersection of Menifee Road and Ellis Avenue:

-Modify intersection control to an all-way stop

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#### 30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 29

SP - SP342/MM TRANS 27

RECOMMND

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MM Trans 27 - Alt. 7: At 875 units developed as part of Alternative 7, the project proponent or subsequent developer shall make the following improvements to the intersection of Menifee Road and Mapes Road:

- -Signalize the intersection with permissive phases in each direction
- -Add left-turn pockets at the east- and westbound approaches

30 TRANS. 30

SP - SP342/MM TRANS 28

RECOMMND

MM Trans 28 - Alt. 7: For Caltrans facilities, the project proponent or subsequent developer and County shall coordinate with Caltrans to optimize operations of existing signals, and the capacity of existing onramps and related facilities ("signal optimization"), by coordinating the cycle length and signal timing splits for the following four intersections, as indicated:

- -For State Street (SR-79) and Ramona Expressway, complete the signal optimization within 2 years of issuance of the first certificate of occupancy;
- -For Beaumont Avenue (SR-79) and 1st Street, complete the signal optimization at 7,900 units;
- -For Beaumont Avenue (SR-79) and California Avenue, complete the signal optimization at 875 units.

Because these improvements are within the jurisdiction and control of Caltrans, there is no assurance that these improvements will be completed on this schedule. The project proponent or subsequent developer and County shall use commercially reasonable efforts to work with Caltrans to assure timely completion of these improvements, with funding to complete the signal optimization provided by the project proponent or subsequent developer.

30 TRANS. 31

SP - SP342/MM TRANS 29

RECOMMND

MM Trans 29 - Alt. 7: The project proponent or implementing developer and County shall coordinate with the City of Perris to optimize cycle length and signal timing splits for the intersection of Perris Boulevard and Nuevo Road at 7,900 units.

Because this improvement is within the jurisdiction and

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#### 30. PRIOR TO ANY PROJECT APPROVAL

SP - SP342/MM TRANS 29 (cont.) 30.TRANS. 31

RECOMMND

control of the Gity of Perris, there is no assurance that this improvement will be completed on this schedule. The project proponent or subsequent developer and County shall use commercially reasonable efforts to work with the City of Perris to assure timely completion of this improvement.

SP - SP342/MM TRANS 32 30.TRANS. 32

RECOMMND

MM Trans 32: Participate in the phased construction of off-site traffic signals through payment of traffic signal mitigation fees (Riverside County Traffic Signal Systems Fee Program), pursuant to Ordinance 659.

SP - SP342/MM TRANS 33 30.TRANS. 33

RECOMMND

MM Trans 33: The project proponent shall be required to pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance of a building permit, pursuant to Ordinance No. 824 ...

30.TRANS. 34 SP - SP342/MM TRANS 34 RECOMMND

MM Trans 34 - Alt. 7: At 6,100 units developed as part of Alternative 7, the project proponent or subsequent developer shall pay a fair share contribution to the following improvements to the intersection of Menifee Road and Ellis Avenue:

- -Signalize the intersection with permissive phases in each direction; and
- -Add left-turn pockets at all approaches.

SP - SP342/MM TRANS 36 30.TRANS. 35

RECOMMND

MM Trans 36: Prior to the issuance of building permits for any implementing project for SP 342, each subsequent entitlement within any phase of SP 342 shall make a fair share contribution to the County for cumulative impacts in the study area based on the Traffic Impact Study Report needed to mitigate its proportional share of cumulative impacts, or as approved by the Transportation Department This could be accomplished through a direct fair-share contribution, contribution toward a fee program created for the area, or other mechanism that will ensure implementation of the identified mitigation measures.

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#### 30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS 36

SP - SP342/MM TRANS 37

RECOMMND

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MM Trans 37: Proposed project-level mitigation measures shall be coordinated with the identified fee programs such that they are in conformance with the ultimate improvements planned by those fee programs. The applicant shall be eligible to receive proportional credits for construction of project level mitigation included in any identified fee program. Additionally, the applicant/owner shall meet and confirm infrastructure improvements with the County and other applicable agencies with jurisdiction to ensure that the correct size and location of project improvements are consistent with what other entities might be proposing.

30 TRANS. 37

SP - SP342/MM TRANS 38

RECOMMND

MM Trans 38 - Alt. 7: Prior to issuance of last building permit for Alternative 7, the project proponent or subsequent developer shall make the following improvements to the intersection of Lakeview Avenue and Ramona Expressway:

-Add northbound left-turn lane

30 TRANS. 38

SP - SP342/MM TRANS 39

RECOMMND

MM Trans 39 - Alt. 7: At 7,900 units developed as part of Alternative 7, the project proponent or subsequent developer shall make the following improvements to the intersection of Lakeview Avenue and 9th Street:

-Southbound approach: One shared left-through lane and one shared through/right lane

30.TRANS. 39

SP - SP342/MM TRANS 40

RECOMMND

MM Trans 40 - Alt. 7: At 7,900 units developed as part of Alternative 7, the project proponent or subsequent developer shall make the following improvements to the intersection of Hansen Avenue and Yucca Avenue:

-Modify intersection control to an all-way stop

or structure:

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30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 40 SP - DA/SMART SHUTTLE

RECOMMND

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- Smart Shuttle Program:

Prior to issuance of the building permit for the 2,500 dwelling unit of the Project, as shown on the phasing plan for the Specific Plan, OWNER agrees to work with COUNTY and the Riverside Transit Agency (ÕRTAÖ) to create a Smart Shuttle Program to transport commuters from the Project site to the Perris Valley Line Metrolink Station or other Metrolink stop or station if one is closer to the Project site. The Smart Shuttle Program may be a cooperative effort of OWNER, COUNTY and the RTA or run solely by a property or business owner as association created by OWNER. OWNEREs participation may consist of providing a vehicle or vehicles, or funding for same, as well as ongoing expenses such as labor expenses, fuel and maintenance for a period of up to eight (8) years at a cost not to exceed  $\bar{\$}40,000$  per year. The exact funding levels and responsibilities of OWNER, COUNTY and RTA will be established at the time of creation of the Smart Shuttle Program and adjusted based on actual costs.

100. PRIOR TO ISSUE GIVEN BLDG PRMT

PLANNING DEPARTMENT

100.PLANNING. 1 SP - AG EASEMENT - MM AG 1

RECOMMND

Prior to the issuance of the 1,500th Building Permit, a perpetual agricultural conservation easement as defined by Section 815.1 of the California Civil Code (Easement) and containing a minimum of 100 acres of "agricultural land" as defined by Public Resources Code Section 10213, within five miles of the project or within the project boundaries, shall be provided by the Master Developer to the state, county, resource conservation district, regional park or open-space district, regional park or open-space authority, a nonprofit organization, or other entity authorized to acquire and hold conservation easements under Civil Code Section 815.3 as approved by the Riverside County Planning Department. The purpose of this Easement is to restrict the property's use to only those uses that will not impair or interfere with the property's agricultural productive capacity, its soils, and its agricultural character, values, and utility. To the extent that the preservation of the open space character and scenic, habitat, natural, or historic values of the property are consistent with such

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#### 100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 1 SP - AG EASEMENT - MM AG 1 (cont.)

RECOMMND

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use, it will be within the purpose of this easement to protect those values. Rural enterprises or activities, including, but not limited to, grazing, hunting and fishing, wildlife habitat improvement, predator control, timber harvesting, and firewood production shall be permitted uses provided that the agricultural productivity of the land is not significantly impaired by those activities. The Easement shall be recorded on or before the issuance of the 1,500th building permit.

100.PLANNING. 2 SP - TRANSIT ASSOC - MM GHG 15

RECOMMND

Prior to the issuance of the 1,500th building permit, the project developers will establish a Transit Management Association, such as through a homeowners association, to promote, manage, and monitor transit and mobility services and infrastructure, such as through distributing information to homeowners on transit options or through posters in inform the public.

The above requirement shall be satisfied prior to any mixed use or commercial building permit (see condition 30.PLANNING.114) or prior to the issuance of the 1,500th residential building permit

Riverside County Planning Commission 4080 Lemon Street, 5th Floor Riverside, CA 92501

RE: The Villages of Lakeview

Dear Riverside County Planning Commissioners,

I have lived in Nuevo since 1985. I have raised my three kids here and my parents live here as well. As a longtime resident, I am in full support of the proposed "Villages of Lakeview" project!

I want paved streets, more parks for my grandkids to enjoy and local shopping. We are never going to get these things without development.

With a master-planned community everything is built in and included from start to finish. Piecemeal planning ends up looking like some of our neighboring cities. Hodgepodge of projects with no cohesiveness.

This new community will bring up surrounding property values. It will enhance the existing area not take away from it.

I also believe that traffic will not be as terrible as some people are concerned about. The roads will be improved and important safety designed will be added.

If I was able to be there for the hearing, I would speak up in support. I hope that you make the right decision and Vote Yes on this much needed project.

Sincerely,

Jim Bradbury

21577 peters In Nuevo, CA

Nueyo, CA

Subject: The Villages of Lakeview

Dear Planning Commissioner,

I have lived in this area for my whole life. I want to stay here and raise my new family here. I love the area but I hate having nowhere local to go buy groceries.

It takes me more than 20 minutes to get to the closest good store. I am a busy mom and I don't have time to waste!

We only got one park out here and its Mystic Fields. Soccer and baseball only. My family needs a nice park to take the kids with a playground.

I would like to see a development that will bring in things families need.

Please approve this project so we can get this started ASAP!

Thank you,

🗷 1577 Peters Ln. Nuevo, CA 92567

#### THE VILLAGES OF LAKEVIEW

To whom this may concern,

I think the Sports Park is great but how can I get the streets around that place paved? I live in the area and it gets dusty with all the cars driving on it. I hope to see more improvements to the parks too.

I actually want more parks! I hear that the plan has 10 parks all over the community. If the County isn't going to build any out here then PLEASE approve this project so we can get some parks.

#### Park ideas:

- Water play area for kids
- Tot lots
- Playgrounds
- Ballfields
- Picnic areas
- Open space
- Shade structures
- Bbg's

Thanks,

Cody Bradbury

19743 Citrus St. Nuevo, CA 92567

## TO: COUNTY PLANNING COMMISSIONERS

FROM: Jim Bradbury

RE: THE VILLAGES OF LAKEVIEW

### PLEASE APPROVE THIS PROJECT BECAUSE WE NEED:

- 1. LOCAL JOBS
- 2. BETTER ROADS
- 3. MORE SCHOOLS
- 4. A PARK
- 5. PLACE TO GO SHOPPING
- 6. MORE HOUSING CHOICES

THANK, YOU,

#### Response to September 5, 2017 Comment Letter from City of Perris

#### **Response to Comment 1:**

Comment noted.

#### **Response to Comment 2:**

It is noted that improvements have been made to the roadway segments and intersections in the study area and described in the EIR. The fact that these improvements have been completed renders the analysis in the EIR more conservative, because it did not assume the benefits of such improvements. The errors identified in the comments do not result in a material change to the traffic analysis that would affect the analysis or conclusions in the EIR.

#### **Response to Comment 3:**

The traffic study identifies impacts under both the Existing plus Project and the Cumulative plus Project conditions. The Existing plus Project condition does not assume completion of Mid-County Parkway. All mitigation measures identify improvements to each of those locations, identifying needed infrastructure without Mid-County Parkway. The mitigation measures also identify which of these improvements would still be required if Mid-County Parkway is constructed. For the Cumulative plus Project assessment, Mid-County Parkway is assumed since it is in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) constrained network (e.g. only roadway networks that have been identified as funded is included in the network assumptions). Given that this facility is in the constrained (funded) 2012 RTP/SCS assumptions, it is considered reasonably foreseeable in the cumulative setting. This approach and assumption is appropriate for determining impacts under CEQA.

It should also be noted that each village within the project will be required to perform subsequent traffic impact studies (MM Trans 2) to ensure that infrastructure is phased concurrently with development demands. The MMRP requires compliance with this measure concurrently with the first implementing map in each Village, or as required by the County of Riverside Transportation Department (EIR, p. 2.0-48). This will assist in identifying local facility needs and will be able to reflect infrastructure assumptions (including the most recent information related to implementation of Mid-County Parkway).

#### **Response to Comment 4:**

The EIR did identify a mechanism for impacts to roadways and street improvements outside the County's jurisdiction. MM Trans 36 implements a fair share contribution to the County for cumulative impacts within Riverside County. As stated in the FEIR, the project sponsor is working with the County on developing a mechanism through the development agreement to pay a fair share for contributions toward improvements outside of the County's jurisdiction. The County will then approach the local agencies, including the City of Perris, about entering a memorandum of understanding (MOU) to provide the fair share contributions to those agencies for the referenced improvements. (FEIR, p. 2-383) However, because there is no mechanism currently in place to provide a fair-share funding agreement between the City and the County nor is there a guarantee that the remaining funding would occur to reduce the impact, this impact is appropriately identified as significant and unavoidable.

The Development Agreement for the project is including a Multi-Jurisdictional Fee. The Multi-Jurisdictional Fee is estimated to collect over \$4 million (with buildout of Alternative 7) representing a fair share contribution toward improvements to agencies outside of the County. The County will be working with the local impacted agencies to enter into a MOU to collect the fees and turn the collected fees over to those agencies.

At the time the traffic study was completed, the MOU had not yet been finalized (and is still not finalized at the time of the Planning Commission hearing). Given that the MOU has not yet been finalized, the EIR identifies a significant and unavoidable impact in accordance with CEQA. However, as suggested by the Comment, the County is proceeding with the development agreement to establish the Multi-Jurisdictional Fee as the solution for mitigating impacts to jurisdictions outside the County. Additionally, the project sponsor has coordinated with the City of Perris to discuss the status of the Development Agreement and the Multi-Jurisdictional Fee on August 22, 2017 (with Mayor Vargas, Clara Miramontes, and Richard Belmudez).

#### **Response to Comment 5:**

See Response to Comment 4, above, regarding the mechanism the County is proposing.

#### **Response to Comment 6:**

The comment is noted that, before Mid-County Parkway is completed, Ramona Expressway, Nuevo Road, Harley Knox, and other major arterials provide for direct access to a variety of destinations in the region. As shown in the traffic study under the Existing plus Project condition, congestion was identified at several locations along these corridors. However, depending on the status of other regional transportation improvements (such as Mid-County Parkway), the need for many of these improvements may not be required. As such, as noted in previous responses, each village will be required to conduct a supplemental traffic study to assist with identifying needed infrastructure that reflects the status of those regional mobility improvements to ensure that infrastructure is implemented concurrent with proposed development.

Additionally, the project will also be required to pay TUMF improvements (in addition to the County DIF, the Multi-Jurisdictional Fee, and a Supplemental Fee for improvements to Cajalco Road, Van Buren Boulevard, and Gilman Springs Road) that will also contribute to regional improvements. With implementation of these regional improvements, capacity should be provided such that traffic to local roads should be minimized.

#### **Response to Comment 7:**

Responses to the City's comments have been provided. As requested, the City will be included on any future mailings.

# Response to September 5, 2017 Comment Letter from California Department of Fish and Wildlife/U.S. Fish and Wildlife Service (CDFW/USFWS)

As requested, County staff met with staff from CDFW and USFWS on September19, 2017 and again on September 21, 2017 with CDFW, USFWS, and Regional Conservation Authority (RCA) staff. Additional meetings were also conducted between the applicant and CDFW staff. With the clarifications and additional requirements agreed upon at these meetings, the County believes all concerns of the wildlife agencies have been addressed, as described herein. These requirements are subject to further refinement prior to project approval based on review from the CDFW and USFWS.

The concerns raised in the September 5, 2017 letter discussed and addressed with the County. Responses to these general concerns are provided below.

#### **Trails**

To address concerns over potential unauthorized access and proximity to the San Jacinto Wildlife Area (SJWA), the conceptual trails proposed north of Ramona Expressway will be relocated such that: 1) the Merge Trail will be changed to a Multi-Purpose Trail and border the northern boundary of the commercial office planning areas and form a loop around agricultural planning area 48; 2) the 10-12 foot Multi-Purpose Trail along F Street will be shortened to end at the boundary of commercial office planning area 25; and 3) notation will be added to the Specific Plan to specify potential future connections to County-proposed trails east and west of the project site may occur with additional consultation and agreement between the County and CDFW and RCA staff. Alternative 7 Specific Plan Exhibits shall be revised to reflect these changes to the conceptual trail locations.

It was clarified that the Multi-Purpose Trail along the MWD aqueduct shown on Exhibit 8.8.18B of the Specific Plan will represent the trail alignment depicted on Figure 7-4 of the MSHCP; thereby showing that this is the only MSHCP-Covered Trail being utilized by the project, since it is the only trail designated to go through a Reserve Feature (i.e., Proposed Constrained Linkage 20 (PCL-20)).

Additionally, to address the agencies' concerns about access and proximity to the SJWA as well as potential predation by domestic cats, clarification in **MM Bio 2** is proposed, as shown below, to require fencing plans to the be submitted to the RCA for approval prior to issuance of grading permits for implementing projects near the MSHCP Conservation Areas, consistent with the County's MSHCP compliance process. **MM Bio 2** has also been clarified to incorporate revisions from CDFW regarding catproof barriers.

MM Bio 2: Planning Areas and roads adjacent to the SJWA, Proposed Constrained Linkage 20 (wildlife corridor) and Lakeview Mountains will incorporate barriers (as appropriate) to minimize unauthorized public access, domestic animal predation, illegal trespass, or unauthorized dumping. The exception will be public access locations, which will direct the public into authorized access areas within the Conservation Area (i.e., SJWA and the Lakeview Mountains). All barriers will be placed within the boundaries of the development and will be outside of the Conservation Areas. Barriers will be located between the SJWA/Lakeview Mountains and

houses/paved roads. Barriers will be designed to accommodate wildlife movement, but directing wildlife away from residential areas. Barriers may consist of, but not be limited to, walls, plants, fences, berms, and other means (such as horizontal distance and vertical distance) or combination of means to achieve the desired result. Cat-proof barriers shall be installed by the developer along the interface between the project residential planning area boundaries and the Lakeview Mountains Conservation Area and the wildlife corridor. The final design of the both the cat-proof barriers and the "edge zone treatment" barriers (referred to previously in this measure) shall be completed based on consultation between the developer, County Planning Department, Regional Conservation Authority (RCA) and as approved by the County Environment Programs Department when tentative tract maps and/or road plans are approved. California Department of Fish and Wildlife San Jacinto Wildlife Area representatives will be consulted regarding final design of barriers along the SJWA edge, the Lakeview Mountains conservation area, and the wildlife corridor. At the time of grading permit submission for implementing projects in Planning Areas in proximity to the MSHCP Conservation Areas (i.e., Lakeview Mountains and SJWA) the County will require submittal of fencing plans which will be routed and approved by the RCA prior to the issuance of the grading permit. Where barriers are required between established conservation areas and other areas of the project site, impacts to cultural resources shall be taken into consideration with respect to location, design, and installation such that cultural resources adjacent to the conservation areas are avoided and that the setting is respected or enhanced. The County Archaeologist, or designee thereof, shall review all barrier plans proposed adjacent to conservation areas on-site to assure consistency with this mitigation measure.

In addition to modifying the trail alignment north of Ramona Expressway, CDFW requested F Street not extend to the project's northern boundary at Marvin Road. The County considered this request; however, Marvin Road is a Secondary Highway on the County's General Plan Circulation Element gaining access from Ramona Expressway from the location F Street is proposed. The Mid-County Parkway project also proposes an interchange where F Street and Ramona Expressway intersect; therefore, extending F Street to Marvin Road, as currently proposed, implements General Plan circulation and utilizes the Mid-County Parkway interchange. F Street is to remain a through street since that would be its ultimate condition assuming construction of Mid-County Parkway; however, to address the agencies' concern, the County has agreed that the circulation plan can include an asterisk and a note to call out that F street will be constructed as a cul de sac to terminate at Planning Area 25 with full right-of-way dedicated up to Marvin Road. Alternative 7 Specific Plan Exhibit B.2.6A and B.2.6B shall be updated accordingly. Therefore, extension of F Street to Marvin Road will not be completed as part of the project and will be done in the future, which connection is necessary.

#### **Edge Effects**

Edge effects with respect to SJWA, in particular, were discussed in the most recent meetings between the County and CDFW and USFWS and the potential indirect effects to the SJWA and special-status species, including, but not limited to Bell's sage sparrow (that was previously addressed in FEIR

Response to Comment I-152 and I-181, and Response to Comment Z-51), are addressed by the following requirements:

#### Commercial Office Planning Areas

• To minimize potential bird strikes, all buildings over one story in Planning Areas 24 and 25 will be subject to additional review and required to incorporate design criteria that achieve this purpose. The following condition of approval will be added to Planning Areas 24 and 25:

Commercial buildings over 1 story in height shall incorporate features to reduce bird strikes and adhere to current best management practices related to reducing bird strikes, as outlined in the "Reducing Bird Collisions with Buildings and Building Glass Best Practices" Dated July 2016 from the US Fish and Wildlife Service, and the LEED Pilot Credit 55: Bird Collision Deterrence dated 2011 recommendations from the US Green Building Council, or any such updated documents at the time implementing projects are proposed within the River Bend Village.

County Planning shall ensure that site design of the buildings include notes on the architectural drawings to include features such as overhangs, shutters, louvers and/or mesh and awnings to reduce reflection from building glass. Amount of glass should be limited as much as possible, but if glass is used then it needs to be bird visible. Glass windows should be opaque, etched or patterned in order to not be reflective (Bird-Safe Glass Foundation has various resources available).

Landscaping shall be designed in the River Bend Village to avoid funneling or attracting birds towards glass on buildings. Indoor plants should not be located adjacent to windows to where they can be seen from the outside. Atriums or glassed lobbies should be lit from above.

Lighting in the River Bend Village will be controlled and minimized as much as possible by complying with Riverside County Ordinance No. 655, which regulates light pollution. Measures in Ordinance 655 requires such things as limiting the wattage of lights, shielding of light fixtures to prevent light spill and limiting hours of external nighttime illumination.

- Implementation of MM Bio 1 and the project's adherence with the Zone B requirements of Riverside County Ord. 655, which regulates light pollution (as already stated in the EIR), adequately addresses concerns over increased night lighting in the SJWA and other Conservation Areas.
- The County shall include a condition of approval for a six foot high wall constructed around the edge of Planning Areas 24 and 25 or alternatively along the perimeter of any individual development within Planning Areas 24 and 25 prior to the commencement of construction of any building, allowing for breaks for ingress and egress, line of sight and for height restrictions as the walls approach Ramona Expressway or Mid County Parkway.
- It was discussed and understood that no specific commercial projects are being proposed and at such as time when implanting projects are reviewed, the hours of use will be reviewed by the

- County. However, concerns stemming from hours of use, including noise and lighting, are addressed by walls and lighting requirements identified above.
- A condition of approval shall be added stating trash containers shall be enclosed in lockable trash enclosure areas.
- The Master Plant Palette in the Specific Plan will be revised to eliminate any species from the MSHCP Prohibited Plant list. This shall also be added as a condition of approval.

#### Agricultural Planning Area

The use of agricultural pesticides, herbicides, and/or rodenticides shall be in accordance to existing regulations, which may be modified over time. These existing regulations also include the California Environmental Protection Agency's Endangered Species Project

(<a href="http://www.cdpr.ca.gov/docs/endspec/index.htm">http://www.cdpr.ca.gov/docs/endspec/index.htm</a>) which includes specific measures to minimize risk to endangered species from pesticides. This prescriptive information for pesticide users and County Agricultural Commissioner's includes use limitations and proximity to endangered species habitat, method of application, restrictions or prohibitions of any given Active Ingredient.

#### **Domestic Cat Restrictions**

MM Bio 3 has been revised as follows (note text shown in double-strike-thru (example text) indicates text added in response to comments on the Draft EIR that is now proposed to be removed):

MM Bio 3: The project Conditions, Covenants and Restrictions (CC&R) shall restrict the number of domestic animals (e.g., dogs, cats and other predatory animals) allowed per residence to two, thus further limiting potential impacts. Cats shall be limited to indoors. These restrictions cannot be amended. Copies of the CC&Rs shall be provided to the County Planning Department prior to Map Recordation. [Note: Current County zoning allows up to 4 dogs per premises.] This mitigation measure restriction for domestic animals applies to planning areas north of adjacent to Ramona Expressway and to residences within 500 feet of the Lakeview Mountains conservation area. The CG&Rs shall require out proof barriers be installed along the interface between the project's residential planning area boundaries and the Lakeview Mountains conservation will be the entity responsible for enforcing the CC&Rs.

Additionally, please note that enforceability of CC&R's is addressed in the FEIR, in <u>Response to Comment I-175</u>.

#### **Dedication of Open Space**

The County will condition the project to offer the designated Open Space- Conservation Habitat north of Ramona Expressway to CDFW for dedication.

#### <u>Hydromodification</u>

It was clarified during meetings with the agencies that the proposed drainage improvements to the Water Quality Basins (WQB) north of Ramona Expressway are a passive system that can be adjusted; thus, it is not a system that needs frequent adjustment during each storm event. The open channels and

basins are structures maintained by the Riverside County Flood Control and Water Conservation District (RCFCWCD) (See Specific Plan Table B.9.5). To address questions on how the system will be operated and maintained, **MM Bio 9** modifications are proposed as follows:

MM Bio 9: To allow for future flexibility in the hydrological function of the project drainage system so as to best meet the needs of the off-site wetlands in the San Jacinto Wildlife Area (SJWA), the San Jacinto River as well as the on-site vernal pool areas, the detention basin adjacent to the MWD aqueduct and/or water quality basins shall be designed to allow flows to be detained (as currently planned) or to bypass (completely or partially) the basin(s) such that greater flows can be released to the wetland area to most closely mimic existing conditions in the 2-year and 10-year storm. Prior to approval of basin design by the County and Riverside County Flood Control and Water Conservation District, an Operation and Maintenance (O&M) Plan shall be developed by the applicant in consultation with and approval by California Department of Fish and Wildlife SJWA Staff. The O&M Plan shall include, but not be limited to: management objectives and strategies that outline how objectives are met; specification of the conditions under which maintenance will be done; scheduling of maintenance activities and frequency at which they will be performed; and monitoring, record keeping and evaluation frequency.

#### Proposed Constrained Linkage 20 (PCL-20)

The extension of JJ Street is not needed for Alternative 7, which is the project the County is recommending for approval. Therefore, Alternative 7 would not include extension of the wildlife undercrossing in PCL 20. The agencies concur that adoption of Alternative 7 would address all noted concerns regarding PCL 20.

#### Equestrian Undercrossing

It was reiterated that the equestrian crossing is not a part of the proposed project and is the responsibility of the Riverside County Transportation Commission (RCTC) in conjunction with the design of the Mid-County Parkway. The exact location and design of this undercrossing is not available at this time, but will be coordinated by RCTC with the County and implementing project applicants within THE VILLAGES OF LAKEVIEW.

#### Environmental Stewardship Program (ESP)

Questions were raised about details of the funding of the Environmental Stewardship Program in **MM Bio 11**. **MM Bio 11** has been clarified as shown below to add details currently available:

MM Bio 11: In order to increase public awareness and knowledge about local environmental issues and reduce potential significant indirect effects of development near to Conservation Areas, the Master Developer of the proposed project shall provide an Environmental Stewardship Program. The program will include methods of community education such as interpretive and directional signs, pamphlets and demonstrations. The types of information presented shall include, but not be limited to: lighting, noise, keeping on trails, wildlife, plants, habitats, barriers, domestic animals, toxics such as pesticides, and invasive species, and vector-borne disease prevention. The Environmental Stewardship Program shall include a fund to be

administered by the Lakeview Community Services Organization (CSO) and a portion of the fund shall be used for SJWA and Lakeview Mountains management items, including feral animal trapping, removal of trash, invasive species removal and enforcement. The Lakeview CSO's budget directed towards the SJWA and Lakeview Mountains interface issues shall be a priority and the appropriate percentage of the Lakeview CSO's fund directed towards the SJWA and Lakeview Mountains will be developed in consultation with the California Department of Fish and Wildlife SJWA Staff and the RCA.

#### MM Bio 10

Although not discussed at the meeting, **MM Bio 10** will be clarified as requested. It should be noted the intent of the mitigation measure was to outline the fee requirements; nonetheless, **MM Bio 10** has been revised as follows:

MM Bio 10: The County of Riverside is a participating entity or permittee of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The purpose of the MSHCP is to conserve open space and habitat on a countywide, cumulative basis. Take authorization for the MSHCP was granted by the USFWS and CDFW on June 22, 2004. The County of Riverside will be allowed to utilize its allotted authorized take for projects in compliance with the MSHCP. Compliance with all the MSHCP fee requirements will provide adequate mitigation for potential impacts to the burrowing owl and other species and plant communities determined to be adequately conserved by the MSHCP. To address the impacts associated with the cumulative loss of habitat for special status birds by the loss of habitat, the proposed project shall be conditioned to pay Riverside County MSHCP mitigation fees as set forth under County Ordinance No. 810.2.

In order to meet the Reserve Assembly requirements of the MSHCP, the project applicant/owner shall offer the project's open space areas, which include the Lakeview Mountains, areas adjacent to the San Jacinto Wildlife Area and the wildlife corridor, for dedication to the Regional Conservation Authority prior to grading. The areas to be Conserved will be in substantial conformance with or larger than what was outlined in the 2008 JPR.

# Response to September 5, 2017 Comment Letter from Eastern Municipal Water District

#### Response to Comment 1:

Note to Reader: Eastern Municipal Water District's November 14, 2016 letter is included in the Final EIR as Comment Letter K.

The statement in <u>Response to Comment K-1</u> that "Eastern Municipal Water District's (EMWD's) opinion that construction of an on-site facility is not technically or economically wise because a regional facility is available is noted" is not a summary of Comment K-1; rather, it is an acknowledgment. There is no language in <u>Response to Comment K-1</u> that states or implies any intention to summarize Comment K-1. Furthermore, Comment Letter K is included in its entirety in the Final EIR (FEIR) for review by County decision makers and the public.

As part of preparation of the Final EIR, the County and consultant team carefully reviewed Comment Letter K. Following that careful review responses to the comments raised in Comment Letter K were prepared. The first paragraph in Response to Comment K-1 responds to the issues EMWD raised in Comment K-1 in a complete and thorough manner. EMWD's September 5, 2017 comment letter does not identify any new environmental issues. Nonetheless as requested, Comment Letter K has been reviewed again and the following paragraphs amplify and clarify the Response to Comment K-1.

With regard to the assertion that the EIR does not adequately address the significant regulatory impacts associated with an on-site wastewater facility, Appendix U of the Environmental Impact Report (EIR) contains a Conceptual Design Overview report for the on-site treatment plant proposed as one of the wastewater treatment options for Alternative 7. The permitting process, reviewing agencies, and required permits are identified on page 2-2 of EIR Appendix U. (FEIR, p. 2-395)

With regard to the statement that the on-site wastewater treatment facility will require a discharge permit from the Santa Ana Regional Water Quality Control Board (Regional Board), <u>Response to Comment K-1</u> acknowledges that a permit would be required from the Regional Board and notes that the Regional Board did not comment on the proposed wastewater treatment options in its November 29, 2016 letter. Response to Comment K-1 also states that the project developer and the County are aware of the permits required for on-site treatment. (FEIR, p. 2-395). Additionally, the need for Waste Discharge Requirements from the Regional Board is identified on page 2-23 of EIR Appendix U.

With regard to the salt and nutrient objectives for the groundwater basin as defined in the Regional Board's Water Quality Control Plan that were identified in the second paragraph of Comment K-1, groundwater quality objectives are discussed in the EIR on page 5.8-19. Additionally, the County acknowledges that because EMWD does not believe the proposed on-site treatment facility can achieve these limits the facility cannot be permitted.

The County acknowledges that replenishment of the groundwater basins will require a permit from the State Water Resources Control Board's Division Driving Water (sic) and EMWD's belief that the proposed

<sup>&</sup>lt;sup>1</sup> The Regional Board's November 29, 2016 letter is included in the Final EIR as Comment Letter W.

on-site treatment system cannot meet the State's groundwater replenishment regulations. The County also acknowledges both EMWD's opinion that an on-site treatment facility cannot be permitted and EMWD's strong recommendation to remove the on-site treatment option for Alternative 7 from the EIR. However, in the absence of substantial evidence to support EMWD's belief that an on-site facility cannot be permitted, the County has determined that the on-site treatment option for Alternative 7 will remain at this time.

#### **Response to Comment 2:**

The County acknowledges there has been no correspondence with the developer regarding sewer service to the project since the County's receipt of Comment Letter K. The County respectfully disagrees with the assertion that to not remove the option for on-site wastewater treatment is misleading to project reviewers and decision makers. EMWD's Comment Letter K and the <u>Responses to Comment Letter K</u> are included in the FEIR. This comment letter and these responses are also part of the record that will be provided to the County decision makers.

The County acknowledges EMWD's recommendation to remove the on-site treatment option from the EIR; however, no such revision is being made at this time. As the EIR for the proposed project has provided two alternative designs (either connection to EMWD's Perris Valley Regional Water Reclamation Facility or an on-site wastewater treatment facility) that reduce the impact to the greatest extent feasible, no additional response or analysis is required.

# Response to September 5, 2017 Comment Letter from Rural Association of Mead Valley (RAMV)

#### **Response to Comment 1:**

The RAMV's opposition to the proposed project and support of the No Project Alternative is noted.

#### **Response to Comment 2:**

The Draft EIR has been updated since the project's original approval in 2010. The analysis in the Draft EIR circulated for public review from September 30, 2016 through November 14, 2016 was based on updated technical studies, which were included as appendices to the EIR. A list of all appendices is found on pp. 9-12 of the Table of Contents in EIR Volume 2, and they are available online at <a href="http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx">http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx</a>]. Among the updated technical studies was the \*Traffic Impact Study for the Villages of Lakeview, prepared by Fehr & Peers (dated January 2016). The traffic study area was determined based on input from the County, California Department of Transportation (Caltrans), and the cities of Riverside, Moreno Valley, Perris, San Jacinto, and Hemet and includes all study facilities identified by these agencies. As a result, the \*Traffic Impact Study for the Villages of Lakeview\* analyzed 147 roadway segments, 342 freeway segments, and 91 intersections. In response to comments received by the County on the Draft EIR, Fehr & Peers prepared the \*Traffic Impact Study Errata\* (dated July 2017.) (EIR, p. 5.14-6) Impacts from project-generated traffic to the I-215 Freeway, Ramona Expressway, and Cajalco Road were evaluated and disclosed in the EIR.

#### **Response to Comment 3:**

With regard to odors from the McAnally Egg Farm, this facility is an existing use on the project site that will be demolished and removed. (EIR, p. 3.0-2.) Thus, odors from this facility will not be an issue.

With regard to odors from other existing agricultural operations around the project site, to help viable agricultural enterprises continue as urbanization approaches, the County of Riverside adopted Ordinance 625. This ordinance is known as the "Right to Farm" ordinance. The purpose of this ordinance is to allow agricultural facilities protection from nuisance complaints generated from new non-agricultural land uses. Ordinance No. 625 applies to new land divisions and requires notice of owners of newly divided land that agricultural zoning<sup>1</sup> exists within 300 feet of their property. This ordinance restricts property owners from filing a nuisance grievance on "normal" operating activities of the neighboring agricultural properties including odor producing activities and livestock keeping. (EIR, pp. 5.2-6–5.2-7, 5.3-50)

In addition to complying with Ordinance No. 625, the project will implement **MM Ag 2** for any tentative land division proposed within 300 feet of land primarily zoned for agricultural purposes. Mitigation measure **MM Ag 2** requires that residences and school buildings proposed by the project be set back by at least 300 feet from any of the following active agricultural uses: corrals, chicken houses, dairy waste

Per Section 4(b) of Ordinance No. 625, land zoned primarily for agricultural purposes means land within any of the following zone classifications: A-1 (Light Agriculture), A-P (light Agriculture with Poultry), A-2 (Heavy Agriculture), A-D (Agriculture Dairy), or C/V (Citrus/Vineyard).

ponds, manure stockpiles, or commercial livestock pens, including interim uses within the project area (such as the chicken ranch). Mitigation measure MM Ag 3 requires that purchasers or renters of all residential units in the project be provided with a recorded deed disclosure or similar notice approved by the County Planning Department regarding the proximity and nature of neighboring agricultural uses, including the possibility that existing agricultural activities in the vicinity of the project may create nuisances such as flies, odors, dust, and chemical spraying. The EIR determined that through compliance with Ordinance 625 and implementation of mitigation measures MM Ag 2 and MM Ag 3, impacts with regard to non-agricultural uses located with 300 feet of existing agricultural activities, including exposure to odors, will be reduced to less than significant. (EIR, p. 5.2-11)

#### **Response to Comment 4:**

As shown on EIR **Figure 5.8-4**, approximately 140 acres of the Specific Plan area located north of Ramona Expressway are located in the 100-year San Jacinto River floodplain currently mapped by the Federal Emergency Management Agency (FEMA). As shown on EIR **Figure 5.8-3**, Post-Development Floodplain, the project would slightly reconfigure the floodplain and increase on-site flood-period storage capacity in this location. The applicable floodplain map will be revised to reflect these changes, and all habitable structures would be located outside of the mapped 100-year flood hazard area. Thus, no habitable structures will be located within the revised 100-year flood hazard area. Proposed land uses within the floodplain include habitat conservation, drainage and water quality treatment facilities, and passive recreational uses. No structures related to habitat conservation and passive recreational land uses will be constructed in the 100-year flood hazard area, and these land uses will not impede or redirect flood flows. (EIR, p. 5.8-63)

The project will implement **MM Hydro 1** which requires that prior to the approval of any project tentative tract map submitted to the County before the drainage system is fully operational, hydrology studies must be conducted to identify potential interim storm water flow or water quality impacts that could be related to the development included in the proposed map. (EIR, p. 5.8-62)

The commenter quotes Wikipedia regarding Mystic Lake being a high priority acquisition area for the California of Fish and Wildlife (CDFW) to add to the San Jacinto Wildlife Area (SJWA). According CDFW's San Jacinto Wildlife Area website (<a href="https://www.wildlife.ca.gov/Lands/Places-to-Visit/San-Jacinto-WA">https://www.wildlife.ca.gov/Lands/Places-to-Visit/San-Jacinto-WA</a>), Mystic Lake is within the approximately 19,000 acres that comprise the SJWA.

#### Response to Comment 5:

As mentioned in <u>Response to Comment 2</u> an updated traffic study was prepared. The *Traffic Impact Study for the Villages of Lakeview* (TIS) includes an analysis of the cumulative impacts of traffic from surrounding projects, including warehouses, plus traffic generated at full build-out of THE VILLAGES OF LAKEVIEW. This updated TIS included an expanded study area, as explained on EIR p. 5.14-1, as follows:

The previous Study area utilized the County's study area criteria which consisted of facilities located within a 5-mile radius of the project site plus a few locations beyond that radius to which the project added more than 50 peak hour trips. The new study area includes all the facilities studied in the 2007 study, but also includes all routes of regional significance per CEQA guidelines for projects of regional significance slightly

beyond a 10-mile radius, facilities requested through individual scoping meetings by Caltrans, County of Riverside, City of Riverside, City of Moreno Valley, City of Perris, City of Hemet and, City of San Jacinto. Some of the facilities requested by the cities of Hemet and San Jacinto were not included because the facilities were not expected to carry significant project traffic. Therefore, the 2013 approach for determining the study area provided a much more comprehensive study area that was approved by affected agencies in the area.

The TIS and EIR analyzed potential impacts under numerous scenarios including the Existing Condition, the full project impacts to the existing conditions (Existing plus Project Conditions), the Cumulative No Project Condition, and the full project impacts combined with cumulative conditions (Cumulative plus Project Condition). Initial and interim project development levels all fall within, and are less than, full project buildout and thus this approach is more conservative than the level of analysis completed in the prior EIR. (EIR, p. 5.14-3).

In addition to complying with applicable County regulations, paying the appropriate development impact fees (DIF) and the Transportation Uniform Mitigation Fee (TUMF) (per mitigation measure **MM Trans 33**), the project proponent or subsequent developer will construct certain road improvements per mitigation measures **MM Trans 4** through **MM Trans 27**. The project proponent will also make fair share payments to adjacent jurisdictions. (EIR, pp. 5.14-122–5.14-127)

#### **Response to Comment 6:**

As discussed below in <u>Response to Comment 8</u>, Policy C 2.1 of the 2015 Riverside County General Plan and in GPA No. 721 (which is a part of this project) gives the Board of Supervisors the discretion to approve projects that exceed minimum level of service (LOS) targets.

#### Response to Comment 7:

This comment, which cites the City of Perris level of service standards from Final EIR page 1.0-30 and Revised EIR page 5.14-16 is noted. No environmental issues are raised in this comment and no additional response is necessary.

#### Response to Comment 8:

This comment is a portion of policy C.2.1 from the 2015 Riverside County General Plan Circulation Element and misrepresents what may be allowed with regard to level of service (LOS) in the County. To provide the appropriate context for this response, the entirety of policy C.2.1 provided below (emphasis added).

The following minimum target levels of service have been designated for the review of development proposals in the unincorporated areas of Riverside County with respect to transportation impacts on roadways designated in the Riverside County Circulation Plan (Figure C-1) which are currently County maintained, or are intended to be accepted into the County maintained roadway system:

LOS C shall apply to all development proposals in any area of the Riverside County not located within the boundaries of an Area Plan, as well those areas located within the following Area Plans: REMAP, Eastern Coachella Valley, Desert Center, Palo Verde Valley, and those non Community Development areas of the Elsinore, Lake Mathews/Woodcrest, Mead Valley and Temescal Canyon Area Plans.

LOS D shall apply to all development proposals located within any of the following Area Plans: Eastvale, Jurupa, Highgrove, Reche Canyon/Badlands, Lakeview/Nuevo, Sun City/Menifee Valley, Harvest Valley/Winchester, Southwest Area, The Pass, San Jacinto Valley, Western Coachella Valley and those Community Development Areas of the Elsinore, Lake Mathews/Woodcrest, Mead Valley and Temescal Canyon Area Plans.

LOS E may be allowed by the Board of Supervisors within designated areas where transit oriented development and walkable communities are proposed.

Notwithstanding the forgoing minimum LOS targets, the Board of Supervisors may, on occasion by virtue of their discretionary powers, approve a project that fails to meet these LOS targets in order to balance congestion management considerations in relation to benefits, environmental impacts and costs, provided an Environmental Impact Report, or equivalent, has been completed to fully evaluate the impacts of such approval. Any such approval must incorporate all feasible mitigation measures, make specific findings to support the decision, and adopt a statement of overriding considerations.

As indicated in the last paragraph of Policy C 2.1, the County recognizes that it is not always feasible to attain the minimum LOS target. This policy explicitly recognizes that the Board of Supervisors has the discretion to approve a project that does not meet the minimum LOS targets, providing an EIR or equivalent has been completed, all feasible mitigation measures are incorporated, and specific findings are made, and a statement of overriding considerations is adopted.

Policy C 2.1 was adopted by the County as part of the 2015 General Plan (General Plan Amendment No. 960) to expressly confirm the Board of Supervisors' authority to flexibly implement and balance the minimum LOS target in relation to other County policies and priorities. The Board of Supervisors' adoption of General Plan Amendment No. 960 is currently the subject of active litigation. Since the outcome of the litigation is unknown at this time, GPA No. 721 (which is a part of this project) is proposing the existing language in Policy C 2.1 so that the language will remain in the County's General Plan regardless of the litigation outcome. (EIR, pp. 3.0-4–3.0-5. 5.9-6–5.9-7)

As the *Traffic Impact Study for the Villages of Lakeview* was prepared and its impacts analyzed based on the 2003 General Plan's performance criteria of LOS C, a more conservative determination is provided than compared to the change adopted by the 2015 General Plan. The Traffic Study uses LOS C as the threshold of significance and mitigates to LOS C and uses LOS C in making the determination of less than significant or significant and unavoidable for all County roadway segments and intersections. Thus, the General Plan amendment is only needed for the limited purpose of authorizing the County to approve the project for the roadway segments and intersections that cannot be mitigated to less than significant

under a LOS C threshold so that the County can make a finding of overriding consideration without resulting in an impermissible General Plan inconsistency. (EIR, p. 5.14-34)

#### **Response to Comment 9:**

The comment is policy C 2.6 from the 2015 Riverside County General Plan Circulation Element. THE VILLAGES OF LAKEVIEW Specific Plan is outside of the Highway 79 policy area; therefore, this policy is not applicable to the project. (EIR, Appendix N, p.75) In addition to complying with applicable County regulations, paying the appropriate development impact fees (DIF) and the Transportation Uniform Mitigation Fee (TUMF) (per mitigation measure **MM Trans 33**), the project proponent or subsequent developer will construct certain road improvements per mitigation measures **MM Trans 4** through **MM Trans 27**. The project proponent will also make fair share payments to adjacent jurisdictions. (EIR, pp. 5.14-122–5.14-127)

#### Response to Comment 10:

The comment is policy C 2.7 from the 2015 Riverside County General Plan Circulation Element. As stated in <u>Response to Comment 9</u>, THE VILLAGES OF LAKEVIEW Specific Plan is outside of the Highway 79 policy area; therefore, this policy is not applicable to the project. (EIR, Appendix N, p.75.)

#### **Response to Comment 11:**

The commenter's projection of project trips does not take into consideration the fact that THE VILLAGES OF LAKEVIEW Specific Plan provides for a mix of residential and non-residential uses. As discussed in Response to Comment 1, an updated traffic study was prepared for the project. According to the Traffic Impact Study for the Villages of Lakeview, the proposed project will generate traffic in the study area. However, because the project has a mix of land uses, such as residences that will send traffic outbound for off-site jobs, and commercial uses that will cause job-related traffic to flow inbound to the project site, the traffic study was calibrated to consider the differences in traffic patterns generated by these and other project land uses. Additionally, the regional model and sub-model also evaluated other factors such as the project site location, demographics, and development scale. (EIR, p. 5.14-20)

These factors were used to calculate traffic demand projections consisting of off-site average weekday vehicle "trips" (e.g., one vehicle trip is when a person drives from their home to school, shopping or their job. Their return drive home is another trip). The project's ability to "internally capture" trips by providing this mix of land uses results in lower numbers of outbound, off-site traffic trips. (EIR, p. 5.14-20)

The internal capture percentage reported is not an "assumed" number, but rather is a number that was derived using a best practices trip generation model designed specifically for mixed-use development (MXD) projects. The MXD model was developed through collaboration between consultants, the U.S. Environmental Protection Agency (EPA), and an academic research team. The MXD model estimates trip generation and internal capture by adjusting trip generation rates to account for the influence of built environment variables. The MXD methodology is described in more detail beginning on page 26 of the *Traffic Impact Study for the Villages of Lakeview*, which is Appendix L of the EIR.

With regard to the number of project-related trips on roadways within the study area, refer to EIR Section 5.14—Transportation and Traffic commencing on page 5.14-41.

#### Response to Comment 12:

The DIF and TUMF fees were set by the County and Western Riverside Council of Governments (WRCOG), respectively. With regard to TUMF, the EIR acknowledges that it is not a fully funded program. The project proponent will pay the DIF and TUMF fees in effect at the time building permits are issued for the project. In addition to payment of DIF and TUMF fees, the project proponent or subsequent developer will be responsible for construction of certain roadway facilities as required by mitigation measures will construct certain road improvements at different development milestones per mitigation measures MM Trans 4 through MM Trans 27. (EIR, pp. 5.14-122–5.14-127) Additionally, the project proponent will make fair share payments to adjacent jurisdictions and under the terms of the Development Agreement, make payments to the County of Riverside that may be used for road improvements.

The Traffic Impact Study did not assume any trip reductions based on transit, please refer to Appendix I of the Traffic Impact Study. With regard to the speculation regarding the likelihood of future residents using the train, this comment represents an opinion, but does not provide any explanation, information, specific examples, or other support for the comment. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under the California Environmental Quality Act (CEQA), the lead agency is obligated to respond to timely comments with "good faith, reasoned analysis." (CEQA Guidelines, §15088(c).) These responses "shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, §15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

#### Response to Comment 13:

As discussed in the EIR, a focus of the project is to provide a walkable, pedestrian friendly community that supports alternative transportation choices based on smart growth principals. The walkable community is organized into villages that vary in character, theme, and lifestyle; including a mixed-use town center. Another focus is to provide a variety of transportation choices. Specific design considerations and programs incorporated in the project under Section B.12, Lakeview Green Design Program, of the Specific Plan include the following Transportation Demand Management (TDM) measures:

- Prior to issuance of non-residential building permits, the project shall provide bicycle parking in recreation, commercial, and public use areas;
- Prior to issuance of all building permits, the project will include pedestrian access system
  integrated into the design of the community to encourage pedestrian travel as an alternative to
  automobile travel; and

 Prior to issuance of residential and school building permits, the project will include commute trip reduction program which will include ride matching assistance via the Home Owner Association (HOA) and school trip matching via HOA and Parent Teacher Association (PTA).

Bicycle lanes, trails and paseos will be also provided, as identified in the Specific Plan in the Vehicular Circulation Plan (Exhibit 6a), Typical Street Cross Sections (Exhibit 7a-7h), and the Trails Plan (Exhibit 18b). This network provides connections to schools, libraries, parks, open space, bus stops, and commercial centers. This will provide options for non-vehicular circulation for The VILLAGES OF LAKEVIEW residents which will reduce car trips. These design features are incorporated as mitigation measures; **MM GHG 4** and **MM GHG 5**.

The EIR identifies and evaluates impacts associated with construction and operation of the infrastructure needed to serve the proposed project. Through implementation of mitigation measures and project conditions, the project proponent or subsequent developers will be required to construct the needed facilities or participate in fair share funding.

#### **Response to Comment 14:**

The comment regarding the project being a proposal for the City of Nuevo and the assertion that it does not include adequate infrastructure is an unsubstantiated opinion. Refer to Response to Comment 12.

The project is not a proposal for a city. THE VILLAGES OF LAKEVIEW Specific Plan proposes a planned community in unincorporated Riverside County. In addition to the on-site infrastructure proposed for the project, THE VILLAGES OF LAKEVIEW Specific Plan indicates that off-site infrastructure is also needed to develop the project. EIR Figure 3-14, Offsite Water, Sewer, and Trails Improvements and EIR Figure 3-15, Offsite Roadway and Drainage Improvements show the off-site water, sewer, storm drain, and roadway segment in intersection improvements, and trail facilities that are required for development of THE VILLAGES OF LAKEVIEW Specific Plan. The project includes: approximately 31,590 linear feet (6 miles) of off-site potable water pipelines, approximately 37,850 linear feet (7.2 miles) of off-site wastewater conveyance pipelines, storm drain facilities, trails, and 23 intersection and roadway improvements as described in EIR Section 3, Project Description. (EIR, pp. 3.0-22–3.0-27) Further, as discussed in pervious responses, the project proponent or subsequent developers will be responsible for payment of DIF, school, and TUMF fees.

#### Response to Comment 15:

This comment is speculation. The project proposes the rezoning and change in land use designation of the project site, only. There is no proposal in connection with THE VILLAGES OF LAKEVIEW Specific Plan to change the zoning or General Plan Land Use designations of the surrounding area. Further, the County has no plans to initiate changes in land use designations on the surrounding area.

#### Response to Comment 16:

This comment is unsubstantiated opinion. Refer to Response to Comment 12.

With regard to pressure to cease operations due to complaints, refer to Response to Comment 3 for a discussion regarding the County's "Right to Farm Ordinance" and mitigation measure **MM AG** 2.

#### Response to Comment 17:

The Regional Conservation Authority (RCA) completed the Joint Project Review (JPR) process for the project on June 16, 2008 and found that "the project is consistent with both the Criteria and other Plan requirements" of the MSHCP, which means the project will not significantly impact covered species or related habitats. (EIR, p. 5.2-31-34)

The project is also implementing **MM Bio 11** to help prevent and reduce the amount of trash that may be left behind by residents, and more broadly, to increase public awareness and knowledge about local environmental issues and reduce potential significant indirect effects of development near to Conservation Areas. **MM Bio 11** requires as follows: (EIR, pp. 5.4-64–5.4-65)

MM Bio 11: In order to increase public awareness and knowledge about local environmental issues and reduce potential significant indirect effects of development near to Conservation Areas, the Master Developer of the proposed project shall provide an Environmental Stewardship Program. The program will include methods of community education such as interpretive and directional signs, pamphlets and demonstrations. The types of information presented shall include, but not be limited to: lighting, noise, keeping on trails, wildlife, plants, habitats, barriers, domestic animals, toxics such as pesticides, and invasive species, and vector-borne disease prevention. The Environmental Stewardship Program shall include a fund to be administered by the Lakeview Community Services Organization and a portion of the fund shall be used for SJWA management items, including feral animal trapping, removal of trash, invasive species removal and enforcement. The budget will be developed in consultation with the California Department of Fish and Wildlife.

With regard to future residents' animals causing harm to the wildlife in the SJWA, the project shall implement mitigation measure **MM Bio 2** which states:

The project's Conditions, Covenants and Restrictions (CC&R) shall restrict the number of domestic animals (e.g., dogs, cats and other predatory animals) allowed per residence to two, thus further limiting potential impacts. Cats shall be limited to indoors. These restrictions cannot be amended. Copies of the CC&Rs shall be provided to the County Planning Department prior to Map Recordation. [Note: Current County zoning allows up to 4 dogs per premises.] This restriction for domestic animals applies to planning areas north of Ramona Expressway. The CC&Rs shall require cat-proof barriers be installed along the interface between the project's residential planning area boundaries and the Lakeview Mountains conservation area and the wildlife corridor. The Homeowners Association will be the entity responsible for enforcing the CC&Rs. (Revised EIR, p. 5.4-63.)

Importantly, in response to the September 5, 2017 comment letter from California Department of Fish and Wildlife and U.S. Fish and Wildlife Service (CDFW/FWS), **MM Bio 2** and **MM Bio 11** will be further revised in response to that letter.

It is also important to note, that the County Planning Department recommendation is for Alternative 7. There are no residential uses north of Ramona Expressway under Alternative 7; thus there would be no issue with regard to domestic animals and the SJWA.

#### **Response to Comment 18:**

This comment is quotations from the setting section of the Lakeview Nuevo Area Plan (LNAP). The LNAP setting is noted as the existing condition. The resources mentioned in this comment are noted in the EIR and the impacts to biological resources are evaluated in EIR Section 5.4.

#### Response to Comment 19:

The commenter's opposition to the project is noted. None of the preceding comments raised issues with regard to the analysis in the EIR. The project's consistency with the Riverside County General Plan is discussed and evaluated in EIR Section 5.9, Land Use and EIR Appendix N. The project does not propose warehouses. The EIR was prepared in accordance with the State CEQA Guidelines and Riverside County policies. Physical impacts resulting from implementation of the proposed project were thoroughly and completely evaluated in the EIR.

# Response to September 1, 2017 Comment Letter from Friends of the Northern San Jacinto Valley

#### Response to Comment 1:

THE VILLAGES OF LAKEVIEW Specific Plan does not propose the elimination or privatization of the Davis Road access to the San Jacinto Wildlife Area (SJWA) as asserted by the comment. The commenter appears to be using EIR Figure 3-1 – Conceptual Land Use Diagram to conclude that the project will be eliminating this access. The intent of EIR Figure 3-1 is to show the Specific Plan Planning Areas and conceptual land uses. The circulation plan for THE VILLAGES OF LAKEVIEW project is shown on EIR Figure 3-7 – Proposed Project Vehicle Circulation Plan, a copy of which is included on the following page. As shown on EIR Figure 3-7, the roadway identified as CC Street retains the existing alignment of Davis Road to Marvin Road. Moreover, General Plan Amendment No. 721 does not include Davis Road in the list of County roads to be eliminated within the project site (EIR, p. 3.0-4).

Similarly, the Alternative 7 circulation plan does not propose to eliminate Davis Road, as shown on Specific Plan Exhibit B.2.6A – Vehicular Community Circulation Plan. As shown on Exhibit B.2.6A, a copy of which is included at the end of this response, Davis Road is proposed as a Modified Collector labeled as A Street.

#### **Response to Comment 2:**

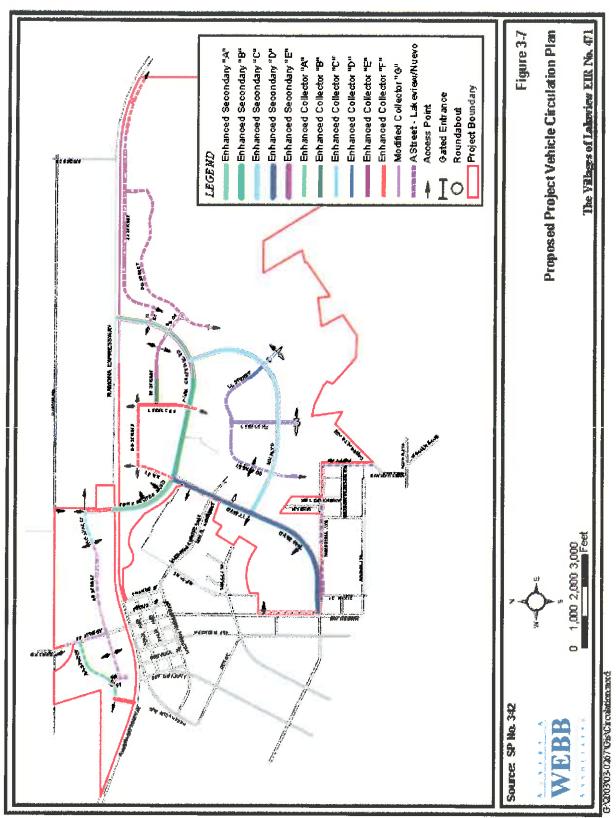
The Specific Plan states internal roads may be privately owned and maintained. The Homeowner's Association would have maintenance responsibility for private roads. As stated on page 2 of Alternative 7 Specific Plan Section B.4, gated entries are not currently proposed, but there is an opportunity to add them during the Village Refinement Process. If gated entries are proposed during the Village Refinement Process, these gated entries would be for private neighborhoods and will be set back from the main road.

However, as there are no private neighborhoods proposed north of Ramona Expressway in Alternative 7, gated entries would not apply.

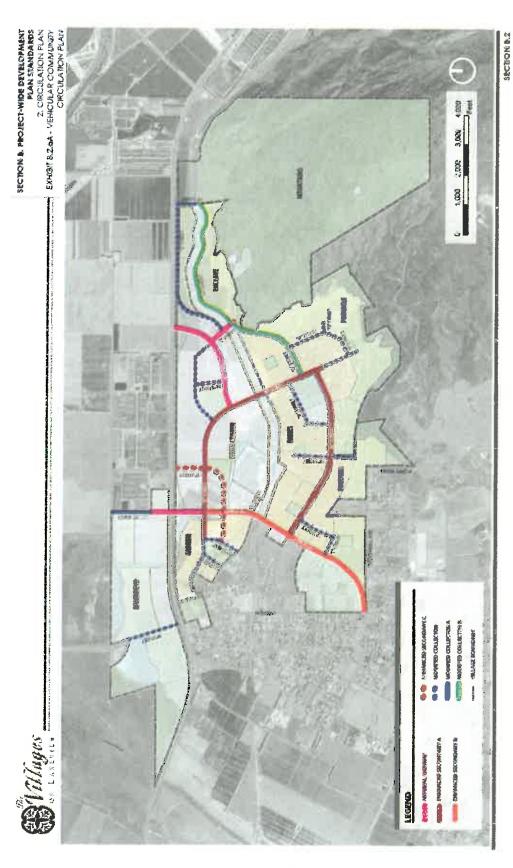
Finally, as outlined in <u>Response to Comment 1</u> above, neither the project nor Alternative 7 propose elimination or privatization of the Davis Road access to the SJWA. Thus, access to Davis Road will be maintained.

#### Response to Comment 3:

The County appreciates the Friends of the Northern San Jacinto Valley's participation in the public process.



Page 3.0-12



# Response to August 31, 2017 Comment Letter from Endangered Habitats League Response to Comment 1:

The County appreciates your comments on THE VILLAGES OF LAKEVIEW and the proposed project. The concerns voiced in this letter are the same as submitted in the commenter's November 11, 2016 letter and have been addressed in Final EIR Response to Comment Letter H.

## Response to September 5, 2017 Comment Letter from Sierra Club

#### **Response to Comment 1:**

These concerns were previously addressed in the Final EIR in Response to Comment Letter H with regards to "smart growth" and transit. The comment that most of the residents will have to commute and most of the jobs will not pay enough for residents to own homes or rent within this project is unsubstantiated opinion. The commercial office planning areas north of Ramona Expressway in Alternative 7 are in Phase 1 of the project and the Mixed-Use Town Center is part of Phase 3 of the Alternative 7 project (Alternative 7 Specific Plan, Exhibit B.6.16).

#### Response to Comment 2:

The DEIR and FEIR are not required to contain a copy of the development agreement or specific plan. The EIR must contain an adequate project description that satisfies the requirements of CEQA Guidelines section 15124. The EIR includes a detailed project description, and adequacy of the project description is explained in EIR Responses to Comments 1-3, 1-4, 1-6, and 1-8. However, the EIR's project description is not required to include additional information beyond the specific requirements of CEQA Guidelines section 15124. In fact, CEQA Guidelines section 15124 expressly state that "[t]he description of the project shall contain the following information but should not supply extensive detail beyond that needed for evaluation and review of the environmental impact." See also Maintain Our Desert Environment v. Town of Apple Valley (2004) 124 Cal.App.4th 430. The Board of Supervisors is required to adopt a statement of overriding conditions, in accordance with CEQA Guidelines section 15093, if it approves the project.

#### Response to Comment 3:

As stated in the EIR and as summarized in <u>Response to Comment I-120</u>, the 2013 WSA determined that the project's anticipated demand is accounted for in the most recent EMWD 2010 UWMP adopted by EMWD. In accordance with the Water Code, the WSA used the EMWD 2010 UWMP projections to analyze EMWD's ability to meet project and all other district demands over a 20-year period, including normal, single dry, and multiple dry years. (EIR, p. 5.15-30) The WSA shows that EMWD has sufficient supplies to meet all anticipated future demand, including the project demand during normal year, single dry, and multiple dry years over the 20-year analysis period required by the Water Code (EIR, p. 5.15-31). Additionally, EMWD is projected to increase recycled water supply in the future (EIR, p. 5.15-7).

The comment incorrectly states that EMWD has questioned the feasibility of proposed infrastructure "as well as the on-site wastewater treatment facility." As evidenced in EMWD's comment letters (Comment Letter K and Response to Comment Letter K as well as EMWD's comment letter dated September 5, 2017), EMWD's concern is with difficulty of implementing the optional wastewater treatment plant proposed as part of Alternative 7 due to permitting requirements.

Regarding wildlife linkages, the project is dedicating land for the wildlife corridor south of Ramona Expressway to the RCA, pursuant to the MSHCP and JPR process (see **MM Bio 10**). The project is not located north of Ramona Expressway.

#### **Response to Comment 4:**

The commenter is correct that the current status of the tricolored blackbird is as a Candidate for Listing under the California Endangered Species Act (CESA).<sup>1</sup> However, when the EIR was initially written, the blackbird was designated as a California Species of Special Concern. The MSHCP was designed for many species to proactively provide coverage to those species that were not listed at the time of the Plan's adoption, but that might later become listed, and therefore in advance address conservation needs of the species (EIR, Table 5.4-B – Special-Status Wildlife Species with the Potential to Occur On Site). Therefore, although the tri-colored blackbird's status at the state level has changed, the MSHCP was written to adequately address the conservation needs of this species and compliance with MSHCP policies is sufficient to ensure the future survival of this species.

The project site does not contain suitable primary habitat for the tricolored blackbird as referenced by the MSHCP (Volume II, Section B – Birds), including freshwater marsh and cismontane alkali marsh; however, the project site does contain suitable secondary habitats as referenced by the MSHCP, including agricultural land and playa habitats, which are utilized by blackbirds for foraging. Tricolored blackbirds have been noted within the project site and adjacent lands, including the San Jacinto Wildlife Area and a neighboring dairy property (John Bootsma dairy), and would utilize portions of the project site for foraging opportunities. The comment states that tricolored blackbirds have nested within the project site in the past, referring to the John Bootsma dairy property. Although the dairy property is located adjacent to the project site, it is not located within the project site. However, as noted above, agricultural lands located within the project site, including adjacent to the dairy property, represent suitable secondary habitat for tricolored blackbirds.

The loss of habitat (both primary and secondary) for the tricolored blackbird was evaluated by the MSHCP EIR/EIS (MSHCP Volume IV, Section 4.1.4), and is therefore covered by the MSHCP without any additional project-specific survey or conservation requirements for the blackbird. The MSHCP (Volume II, Section B - Birds) identifies six conservation objectives for tricolored blackbird colonies, all of which pertain to the MSHCP Conservation Area, including existing Core Areas, and additional Criteria Area lands to be acquired for Reserve Assembly. For example, Objective 3 is to include within the MSHCP Conservation Area at least 66,510 acres of secondary habitats for foraging opportunities. A portion of the northwestern part of the project site is located within Subunit 1 (San Jacinto River - Middle Reach) of the Lakeview/Nuevo Area Plan. The tricolored blackbird is identified as a Planning Species for the Subunit (MSHCP Volume I, Section 3.3.8). The portion of the project site within Subunit 1 does not contain suitable breeding habitat for a blackbird colony, but does contain suitable habitat for foraging. In compliance with the MSHCP, the project will conserve lands within the applicable Criteria Cells that will address a number of species conservation objectives, including providing secondary foraging habitat for tricolored blackbirds. In addition, the eastern portion of the project site (south of Ramona Expressway) is located within Subunit 2 (Lakeview Mountains - West) of the Lakeview/Nuevo Area Plan, specifically within Cell Group L (the project site is not within Cell Group K, as stated by the comment). Portions of the project site within Cell Group K are targeted for the assembly of Proposed Constrained Linkage 20 (PCL-20). In compliance with the MSHCP, the project will conserve lands within areas

<sup>1</sup> https://ecos.fws.gov/ecp0/profile/speciesProfile?spcode=B06P

targeted for PCL-20 that will address a number of species conservation objectives, including providing secondary habitat for tricolored blackbirds. The comment states that tricolored blackbirds documented nesting north of Ramona Expressway (outside of the project site) used fields south of Ramona Expressway (within the project site). The lands to be conserved by the project south of Ramona Expressway targeted by the MSHCP to assemble PCL-20 include the foraging habitat referenced by the comment.

The project was approved through the HANS and JPR processes, including the proposed conservation of lands coinciding with the Criteria Area. The remainder (and majority) of the project site is not located within the MSHCP Criteria Area, and although other parts of the project site provide suitable secondary habitat for tricolored blackbirds, the loss of habitat within these areas was evaluated by the MSHCP and determined not to be needed for conservation, and therefore not needed to meet the conservation goals for the MSHCP. As such, impacts to suitable habitat for the tricolored blackbird is covered by the MSHCP. Furthermore, the project is consistent with Section 6.1.4 – Urban/Wildlands Interface Guidelines, as discussed in the EIR (EIR, pp. 5.4-30 – 5.4-40; 5.4-48 – 5.4-54).

The comment acknowledges that the goals of MSHCP Objective 5 for tricolored blackbird targets the San Jacinto River floodplain and the Mystic Lake/San Jacinto Wildlife Area with the specific objectives of ensuring the habitat support functions by maintaining, preserving, and/or if feasible, restoring hydrological processes and suitable habitat for Tricolored Blackbirds. However, the comment states that these goals have yet to be achieved, and until they are, tricolored blackbirds will remain dependent on the resources supplied by the dairy farms in the area and the crops grown to support them. The comment implies that until Objective 5 is fully met that the additional habitat lands not targeted by the MSHCP cannot be impacted, but this is not the case. The tricolored blackbird is not conditionally covered with project-specific requirements applied to individual projects. As long as projects comply with the MSHCP Reserve Assembly requirements, and are otherwise compliant with other aspects of the MSHCP applicable to the project, then lands not targeted for Reserve Assembly (including lands with habitat for tricolored blackbird) may be developed without waiting for all objectives of the MSHCP to be met.

The comment refers to "Spring-Summer wetlands in the SJWA" located in the vicinity of the northern boundary of the project site on the north side of the Ramona Expressway. The comment expressed concerns about "light, noise at night, cats, dogs, trespassing in this area managed as one of the very few reverse-cycle wetlands on the SJWA, an area that supports nesting Tricolored Blackbirds and waterfowl", and stating that tricolored blackbirds forage up to Marvin Road. The project includes a number of design features and mitigation measures that are intended to reduce indirect effects, such as from lighting, noise, domestic pet predation, and trespass (EIR, pp. 5.4-30 – 5.4-40; 5.4-48 – 5.4-54).

Regarding the comment over the project's use of rodenticides, use of rodenticides shall be in accordance to existing regulations, which may be modified over time. As stated, the Environmental Stewardship Program will provide an educational component to promote accurate identification of pest and appropriate control decisions to all homeowners within the project site, not just those near the SJWA.

Regarding the comments on mosquito abatement, the project will comply with water quality standards and incorporate Best Management Practices (BMP's) which include requirements to minimize vectors )FEIR, p. 2-378). Further, as stated in <u>Response to Comment Z-21</u>:

Nonetheless, it is noted that the County of Riverside's Department of Environmental Health does however have a Vector Control Program which provides vector control services and vector-borne disease surveillance to protect residents from mosquito borne diseases such as Zika and West Nile Virus.<sup>2</sup> These services may include spraying within the development footprint of the project site, but would not extend into the SJWA. Given the 500-foot development setback between the residential areas and the SJWA, it is not anticipated that spraying activities would impacts the SJWA and it would be speculative to assume so. CDFW is the owner of the wetlands or ponded areas and should be communicating with the public about how it manages its lands in relation to controlling for mosquito borne disease; the County of Riverside does not have jurisdiction or control over how CDFW treats or monitors this issue on their lands. Regardless, the Environmental Stewardship Program proposed under mitigation measure **MM Bio 11** will be modified as follows to include information on vector-borne disease prevention.

MM Bio 11: In order to increase public awareness and knowledge about local environmental issues and reduce potential significant indirect effects of development near to Conservation Areas, the Master Developer of the proposed project shall provide an Environmental Stewardship Program. The program will include methods of community education such as interpretive and directional signs, pamphlets and demonstrations. The types of information presented shall include, but not be limited to: lighting, noise, keeping on trails, wildlife, plants, habitats, barriers, domestic animals, toxics such as pesticides, and invasive species, and vector-borne disease prevention. The Environmental Stewardship Program shall include a fund to be administered by the Lakeview Community Services Organization and a portion of the fund shall be used for SJWA management items, including feral animal trapping, removal of trash, invasive species removal and enforcement. The budget will be developed in consultation with the California Department of Fish and Wildlife.

Importantly, in response to the September 5, 2017 comment letter from California Department of Fish and Wildlife and U.S. Fish and Wildlife Service (CDFW/FWS), **MM Bio 11** will be further revised in response to that letter.

In addition to information in the EIR, the applicant has agreed to implement measures developed through a meeting with CDFW representatives following the Planning Commission hearing on September 6, 2017. The measures (which the County will impose as mandatory requirements through Specific Plan requirements, zoning requirements, and/or project conditions of approval) will further minimize potential direct and indirect impacts to the SJWA, and include the following:

The project will realign trails north of Ramona Expressway.

http://www.rivcoch.org/Programs/vector

- The buildings over one story in height in Planning Areas 24 and 25 (Commercial Office (CO)) will be subject to additional review and required to incorporate design criteria that minimize potential bird strikes.
- The project will construct six-foot high block walls around the edge of Planning Areas 24 and 25 or alternatively along the perimeter of any individual development within Planning Areas 24 and 25 prior to the commencement of construction of any building, allowing for breaks for ingress and egress, line of sight and for height restrictions as the walls approach Ramona Expressway or Mid County Parkway.
- Trash containers in Planning Areas 24 and 25 shall be enclosed in lockable trash enclosure areas.
- Conservation areas adjacent to SJWA would first be offered to CDFW, and then to RCA.
- The Master Plant Palette in the Specific Plan will be revised to eliminate any species from the MSHCP Prohibited Plant list.

#### Response to Comment 5:

The Final EIR was available for the public to review on the County's website on August 7, 2017, allowing approximately one month to review, which exceeds CEQA's requirements. Notification of the availability of the Final EIR was also mailed on August 7, 2017 via U.S. Mail.

The Sierra Club is on the County's notification list and will continue to be notified of future meetings.

# Response to August 29, 2017 Comment Letter from San Jacinto Valley Wetlands Foundations

#### Response to Comment 1:

The comment does not contain any environmental issues; rather, it states concern over the proposed project and included background information on the San Jacinto Wildlife Area (SJWA).

#### Response to Comment 2:

There is no substantial evidence to support the conclusory comment. The proposed project does not include houses and streets adjacent to the SJWA; the project includes a 500-foot setback between the SJA and active uses. Additionally, Alternative 7 does not propose any residential uses north of Ramona Expressway and retains 145 acres of existing agricultural uses in this area. Moreover, the EIR evaluated the indirect effects of the project consistent with Section 6.1.4 of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP), Guidelines Pertaining to the Urban/Wildland Interface, which addresses indirect effects from noise, light, toxics, etc. Air pollution and loss of agricultural lands were also discussed in detail within the EIR. (EIR Sections 5.2 and 5.3, Agricultural Resources and Air Quality, respectively.)

#### **Response to Comment 3:**

Even though CEQA generally does not require an analysis of the how the existing environmental conditions will impact a project's future residents, noise from shotgun usage in the SJWA was also addressed in the EIR (EIR, pp. 5.10-38; FEIR, p. 2-677 – 2-678).

#### Response to Comment 4:

As stated in <u>Response to Comment 2 and 3</u>, above, the EIR did analyze impacts related to hunting noise from the SJWA and included mitigation measure **MM Noise 10** to notify future residents of existing hunting activities. However, Alternative 7 does not propose residential uses north of Ramona Expressway. This is the alternative the County is recommending for approval.

Additionally, the distance to the nearest private duck club where water fowl hunting occurs is approximately 1.5 miles north of the project boundary and the California Department of Fish and Wildlife waterfowl hunting areas are a greater distance. Given this distance, the requested notification is not necessary.

#### Response to Comment 5:

See Response to Comment 4, above.

#### Response to Comment 6:

As stated in September 6, 2017 Planning Commission meeting, Davis Road is not being eliminated by either the proposed project or the recommended Alternative 7 project. However, the construction of the Mid-County Parkway would alter the access from Ramona Expressway via a new interchange at Reservoir Avenue.

# Response to Comment 7:

The County appreciates your participation in the public process.

### Responses to September 5, 2017 Comment Letter From Blum Collins

#### Response to Comment BC-1:

Comment noted.

#### **Response to Comment BC-2:**

As stated in the Mitigation Monitoring and Reporting Program (MMRP) for the project (FEIR 3.0-28), the garages in each single family detached homes will be wired with a 240 kV outlet, suitable for future electric car charging devices or service. The 240 kV charger will support a Level 2 charger, as requested by the commenter. The references in the FEIR to **MM GHG 6** in the FEIR have been modified to be consistent with the MMRP.

MM GHG 6 has been clarified to be consistent with the MMRP as follows:

- Garages in single family <u>detached</u> homes are installed with conduit to the garage to the service panel, will be wired with a 240 kV outlet suitable for future electric car charging devices or service.
- One <u>Level 2</u> electric vehicle charging station is installed for every 15 single family <u>attached and</u> multi-family dwelling units
- Commercial uses to have electric vehicle charging station for at least 2% of all parking spaces;
   and
- One 240 kV outlet is installed in the vicinity of every loading dock.

The ratio of EV charging stations and wiring is adequate for this project. The calculated energy use/reduction associated with the EV charging stations in multifamily homes and commercial spaces results in a reduction in gasoline use by 1,958,998 gallons per year, and reduction in diesel use by 2,789 gallons per year. Note, these calculations only take credit for the EV chargers installed. The calculation tables showing this are included in Response to Comment Q-98 on page 2-541-2-545 of the FEIR. The references in the FEIR to **MM GHG 6** have been modified to be consistent with the MMRP.

These commitments exceed any current regulatory requirements in Riverside County in terms of number of EV charging stations that will be installed for multi-family units. Please refer to Response to Comment Q-100 for additional information.

#### Response to Comment BC-3:

This comment is related to Mitigation Measure **MM GHG 26**. A 2 kW system is appropriate for the size of the proposed single-family detached homes. Please refer to <u>Response to Comment CBD-12</u> for an explanation of appropriate use of offsets as mitigation for project related GHG impacts.

#### **Response to Comment BC-4:**

The comment requests clarification on the calculation assumptions for construction emissions and MM AQ 8. The analysis does not take quantitative credit for potential emission reductions associated with MM AQ 8, which states "The project developers will encourage construction contractors to apply for

SCAQMD "SOON" funds for construction equipment." Thus, the concern expressed in this comment is addressed and no further action is required.

#### Response to Comment BC-5:

The EIR existing baseline conditions are based on conditions at the project site in 2013. In 2013, the Chicken Ranch was certified to house 682,000 chickens. However, the GHG emissions conservatively assumed in the baseline are based compliance with regulations that came into effect two years later on January 1, 2015. Since 2013, the McAnally Chicken Ranch reduced the operational capacity to 50 percent of its existing capacity to comply Division 20 Chapter 18.3 of the California Health and Safety Code. Although the current (2017) operations are at about 250,000 hens, at the time the GHG and Air Quality analysis were performed, the chicken ranch housed approximately 341,000 chickens, and based on current permitting could support a capacity of 375,000 hens. Therefore at any time, if the project does not go forward, the McAnally Chicken Ranch could have up to 375,000 hens.

Although the existing conditions GHG emissions inventory for the site is based on the farm's 682,000 egg layers as of March 2014, which were determined to result in 19,059 MT CO2e per year as shown in Table 12 in the Greenhouse Gas Technical Report. Nonetheless, the analysis of GHG emissions presented the EIR conservatively takes into account a "credit" for only 9,530 MT CO2e, or 50 percent of the GHG emissions associated with the pre-project McAnally Chicken Ranch, because the chicken ranch emissions from the reduced operation will no longer exist when the project is built.

#### Response to Comment BC-6:

The comment is partially correct that the DEIR documented an increase in the amount of jurisdictional waters (Corps and CDFW jurisdiction) within the Specific Plan Area; however, this does not represent an increase in impacts. Instead the increase accounts for additional jurisdictional waters within the proposed conserved open space that will be avoided by the project. The actual impacts to Corps and CDFW jurisdiction is 1.37 acres of non-wetland/non-riparian waters, which does not represent an increase in impacts. The additional jurisdictional waters noted in the open space does not constitute "significant new information requiring a recirculation of the DEIR", since the increase does not represent additional impacts. See also Response to Comment CBD-2 explaining that recirculation is not required.

The comment references an increase in impacts to "unvegetated riverine features". The DEIR identifies impacts to 1.37 acres of unvegetated riverine areas as defined by the MSHCP, which is an increase from 0.13 acre of previously reported impacts to MSHCP riverine areas. However, these are not new impact areas, but instead are agricultural ditches that were already noted as jurisdictional for CDFW, but that were previously not considered MSHCP riverine features due to their artificial nature. However, that interpretation has since changed and so the ditches have now been identified as MSHCP riverine features to be impacted. This information does not constitute "significant new information requiring a recirculation of the DEIR", since the impacts were previously documented for CDFW jurisdiction, and since MSHCP riverine features area not considered a sensitive habitat under CEQA. Instead the features are subject to specific MSHCP policies, and pursuant to CEQA, the project is required to adhere to those policies so that the project does not conflict with the MSHCP. The project will adhere to the MSHCP

policies pertaining to riparian/riverine areas, and as such the project will not conflict with the MSHCP riparian/riverine policies.

#### Response to Comment BC-7:

The comment refers to FEIR text edits shown on EIR pp. 5.8-69 and 5.8-70, which new text is shown as <u>underlined</u> in the following paragraph:

The likelihood that individuals using these areas could be exposed to significant risk of loss, injury, or death, from the instantaneous failure of the Hemet dam is extremely low. A portion of two residential planning areas are subject to inundation: approximately 7.8 acres of Medium High Density Residential (MHDR) in PA 10 and 4.0 acres of High Density Residential (HDR) in PA 12. Based on the assumed residential densities of eight dwelling units (DU) per acre for MHDR and nine du/acre for HDR (Figure 3-1), respectively, there may be an estimated 98 DU within the inundation areas with a population of approximately 315 (3.21 persons per household). Because these areas will be elevated from the floodplain, they are less likely to be affected by dam failure. Additionally, in the event of an emergency, the County implements the Riverside County Emergency Operations Plan, which include response activities structured to minimize the effects of an emergency which may include, but are not limited to: disseminating warnings, emergency public information, and instructions; coordinating evacuations and/or rescue operations; and coordinating the restriction of traffic/people movement and unnecessary access to affected areas. As discussed above, certain of the locations potentially subject to inundation under existing conditions will be elevated as a result of the proposed project floodplain modifications (see Thresholds E and F) and are therefore less likely to be affected by a dam failure. As a result of floodplain modification and implementation of the County's Emergency Operations Plan, potential project impacts from a failure of the Hemet dam are less than significant.

As stated in Response to Comment CBD-2, "new information" is not significant "unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement." (CEQA Guidelines § 15088.5 (a); Laurel Heights Improvement Assn. of San Francisco, Inc. v. Regents of the Univ. of Cal. (1993) 6 Cal.4th 1112, 1129; Center for Biological Diversity v. Cal. Dept. of Forestry and Fire Protection (2014) 232 Cal.App.4th 931, 949; South County Citizens for Smart Growth v. County of Nevada (2013) 221 Cal.App.4th 316.) The new text provides clarifying information supporting the conclusion that potential project impacts from failure of the Hemet dam are less than significant. The additional information does not trigger recirculation under the CEQA Guidelines or the standards set forth in Laurel Heights and South County Citizens.

#### Response to Comment BC-8:

The estimate of flows to the San Jacinto River was updated based on the Hydromodification Technical Report addendum as explained in EIR Response to Comment Z-33. As detailed in that response, the

addendum responded to concerns raised by the wildlife agencies, and refines the preliminary design of the WQB to demonstrate that the existing hydrology can be managed to maintain existing drainage patterns as closely as possible to the existing site hydrology. As shown in the Hydromodification Technical Report Addendum the majority of the project runoff volumes are not considered hydrologically significant due to the relative magnitude of the additional flows in comparison to the San Jacinto River flows. The increase in flows do not result in scouring velocities for the 10-year event, and the shallow slope of the existing onsite channel to the river allows the possibility of the river backing up into the channel, further reducing any potential risks during extreme events. Additionally, project runoff will generally occur at times when the San Jacinto River is receiving flows from other contributing areas (e.g. runoff from Ramona Expressway), not affecting the timing of flows or the seasonality of the river. Therefore, the net increase in off-site flows will not significantly affect surface water levels in the San Jacinto River or downstream water bodies. The additional analysis presented in EIR Response to Comment Z-33 and in the HMTR Addendum does not change the impact conclusions in the EIR. (EIR pp. 2-692 – 693, 2-697)

#### Response to Comment BC-9:

The revisions to the Traffic and Transportation section do not revise the County's assessment of significant and unavoidable impacts upwards. Please refer to <u>Response to Comment RK-13</u> for details and <u>Response to Comment CBD-2</u> as to why recirculation is not required.

#### Response to Comment BC-10:

MM GHG 26 provides that the developer would install a system that is no smaller than a 2-kilowatt (kW) solar panel installation if it chooses to install a solar system instead of purchasing offsets. Please see Response to Comment CBD-12 for an explanation of the offsets that are real, identifiable and additional. Commenter states that the offsets are necessary for a minimum of 100 years but provide no rationale or justification for that statement

On MM GHG 3, based on this comment regarding high efficiency lighting, the language in MM GHG 3 is clarified as follows:

"The County shall verify before issuance of all residential and non-residential building permits that high efficiency light bulbs and lighting fixtures are installed in residential and nonresidential buildings. High efficiency light bulbs include compact fluorescent lamps (CFLs), light emitting diodes (LED), and other light bulbs that provide an <u>improved</u> energy efficiency <u>that is</u> of at least 75% <u>better than</u> <del>compared to traditional incandescents</del>.

#### Response to Comment BC-11:

Please refer to Response to Comments BC-2 and CBD-12. Single family attached and multifamily apartments units are considered "multifamily" for purposes of the air quality, greenhouse gas, and traffic analysis. The GHG emission reductions related to EV chargers installed at multi-family residential locations is shown in Table 28 of the May 2017 Greenhouse Gas Technical Report. This analysis is based on the commitment of MM GHG 6 to install one EV charging station for every 15 multi-family dwelling units, for a total of 383 chargers. This is calculated based on the project entitlement and is equal to:

(1,180 Apartments + 3,940 Condos)\*(1/15)=383 EV charging stations. Thus, the comment is incorrect, the analysis does not assume that EV chargers are installed single family detached homes.

The revisions on page 5.16-73 and 5.16-74 are a result of reductions in greenhouse gas emissions from the inclusion of more EV charging stations and solar photovoltaic production. This results in a 33% reduction below the NAT. Contrary to the commenter's footnote, the Supreme Court in the *Center for Biological Diversity* case did not invalidate the use of the No Action Taken ("NAT") or Business As Usual ("BAU") scenario. Please refer to <u>Response to Comments H-4, I-9, I-12. I-16, and BB-87</u>. Moreover, the project was evaluated against on three other compliance pathways endorsed by the Supreme Court in the *Newhall* and *SANDAG* cases: compliance with GHG reduction laws and regulations, compliance with SB 375 targets through consistency with the SCAG's) RTP/SCS, and compliance with the Riverside County CAP. As such, the EIR's significance determinations are not reliant upon the NAT analysis.

The comment raises two separate concerns regarding 1) the calculation of GHG emission reductions related to the commitment to install electric vehicle (EV) chargers as identified in MM GHG 6 and 2) how the project is evaluated relative to SB 32. Regarding the first issue, the GHG emission reductions related to EV chargers installed at multi-family residential locations is shown in Table 28 of the May 2017 Greenhouse Gas Technical Report. This analysis is based on the commitment of MM GHG 6 to install one EV charging station for every 15 multi-family dwelling units, for a total of 383 chargers. This is calculated based on the project entitlement and is equal to: (1,180 Apartments + 3,940 Condos)\*(1/15)=383 EV charging stations. Thus, the comment is incorrect, the analysis does not assume that EV chargers are installed single family detached homes. The methodology for the emission reductions from these chargers is based on the use of an EV replacing a fleet average conventionally fueled vehicle for each residential charger, and the assumed usage of the EV charging stations. GHG emission reductions account for indirect emissions from the electricity used to power the EV charger. The emission factor for the conventional vehicle which the EV replaces is based on a vehicle miles travelled (VMT) weighted emission factor for light- and medium-duty vehicles from CalEEMod version 2013.2.2. Annual VMT displacement by EVs is calculated based on ten hours of charge time per day for a Level 2 charging station that provides enough electricity to provide a 25 mile driving range per hour spent charging and operates 365 days per year.

The Comment incorrectly states that the EIR does not address the state's reduction goals beyond 2020. The EIR evaluated the state's future goals for GHG reduction based on the best available data at the time the EIR was prepared. Notably, the EIR includes discussion of Executive Order S-3-05 in the GHG Technical Report Section 2.1.4 and how the state and thus the project could achieve the state's 2050 GHG reduction goals. Executive Order S-3-05 and Executive Order B-30-15 are discussed in the GHG EIR section as well (page 5.16-21 thru 5.16-22). At the time of the EIR preparation, SB 32 was not adopted and this is acknowledged on page 5.16-46 of the DEIR. Furthermore, the state or Riverside County has yet to adopt a project level significance threshold for 2030.

Nevertheless, in response to comments on the Draft EIR, further analysis is provided based on the best available information at this time to address the comment's concern regarding the project's consistency with SB 32 goal. The Additional GHG Analysis shows that the project emissions inventory will continue to decrease as required by the overall goals for the state, and thus, it is concluded that the project

would not impede the state's efforts to further reduce GHG emissions, as required by SB 32. Riverside County has not otherwise adopted a significance threshold to evaluate the project's emissions relative to the state's 2030 or 2050 GHG reduction goals.

#### Response to Comment BC-12:

The comment requests clarification of discussion on page 5.16-73. The language on page 5.16-73 has been revised to more accurately describe the analysis. SB 375 calls for an 8% reduction in per capita emissions by 2020, which equate to a reduction of related per capita emission from 21.2 lb/day to 19.5 lb/day. The analysis shows that the Project 2020 per capita emissions is 19.2 lb/day, which is less than the 19.5 lb/day goal called for in SB 375 for the SCAG region. The language on page 5.16-73 will be revised to say:

"The resulting project 2020 per capita emissions is 19.2 lbs/day, which is less than the 19.5 lb/day reduction goal called for in SB 375 for the SCAG region."

#### Response to Comment BC-13:

This comment related to **MM GHG 13** is noted. The project will provide multimodal transportation options and will facilitate expansion of transit facilities to the project. Although the commenter is correct that the developer cannot itself provide transit, the project will coordinate with RTA throughout implementation of the Specific Plan and new bus stops will be strategically located and designed to promote transit ridership both within the project site and to and from destinations outside the project. Through the Development Agreement the applicant has voluntarily agreed to implement a Smart Shuttle program to connect to the Metrolink Perris Valley Line. This shuttle program will further reduce GHG emissions to be lower than calculated in the EIR.

#### Response to Comment BC-14:

The updated acreages for Alternative 7 are clarifying information that support the conclusion that like the proposed project, Alternative 7 is consistent with the biological requirements of the MSHCP, including Section 6.1.2, Protection of Riparian, Riverine, and Vernal Pool Areas. This impact is less than the project and remains less than significant. (EIR p. 7.0-39). As explained in Response to Comment BC-7 and Response to Comment CBD-2, "new information" is not significant "unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement." The additional information referenced by commenter does not trigger recirculation under the CEQA Guidelines or the standards set forth in Laurel Heights and South County Citizens.

#### Response to Comment BC-15:

As explained in <u>Response to Comment CBD-12</u>, the traffic, air quality, and greenhouse gas analyzes assume that single-family attached homes are townhomes/condos. The revisions to Table 7-K referenced by the commenter were made to make the student generation rates consistent with the

assumptions used in the rest of the EIR. This change did not result in any change to the traffic, air quality or GHG analysis and results in no new significant impacts and does not require recirculation as discussed in <u>Response to Comment CBD-2</u>.

## Response to Comment BC-16:

As explained in <u>Response to Comment CBD-12</u>, the project is required to either install solar panels, or provide for offsets that is equivalent to the installation of one photovoltaic (i.e., solar) power system no smaller than a 2-kilowatt (kW) solar panel installation for every single-family detached residence, and for every 1,600 square feet of non-residential roof area. The Alternative 7 GHG analysis was appropriately modified to account for this mitigation measure.

#### Response to Comment BC-17:

The project applicant confirmed that the McAnally Chicken Ranch will be shut down once the project starts construction. If the chicken ranch is relocated to another location either within the County or anywhere in California, its new operations would be the subject of a new, separate project that would be subject to its own CEQA review. The County has no reason to believe at this time that the McAnally Chicken Ranch will relocate its operations within the County and any analysis of its potential future impacts would be speculative. *Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173 (agency is not it obligated to evaluate the effect of a project's indirect effects that are speculative in an EIR because it would require an analysis of hypothetical conditions).

#### Response to Comment BC-18:

The approach to cumulative impacts complies with CEQA. Refer to Response to Comment CBD-35.

#### Response to Comment BC-19:

Refer to Response to Comment CBD-50.

#### Response to Comment BC-20:

Refer to EIR Response to Comment H-4 and EIR p. 5.15-40, explaining in detail how the project will be a walkable community.

#### Response to Comment BC-21:

With regard to project description and off-site improvements, refer to EIR Response to Comment I-3. With regard to widening of Ramona Expressway, refer to EIR Response to Comment I-6. With regard to the description of the Development Agreement in the EIR, refer to EIR Response to Comment I-7. Native Sun/Lyon Communities v. City of Escondido (1993) 15 Cal.App.4th 892, 909-10 rejected an argument that there was an inadequate description of the project due to absence of a Development Agreement in the EIR. The court concluded that "this contention ignores the fact that CEQA... does not require an analysis in the EIR of each and every activity carried out in conjunction with a project. Here, the EIR gave adequate notice of the existence of the Development Agreement and provided a means for determining the terms of that document. The project description in the EIR was adequate with respect to the Development Agreement." As in Native Sun, as explained in the EIR, Development Agreement No. 73

will provide the Project Proponent with vested rights to develop the project described in Section 3.0 of the EIR in exchange for construction of public improvements, requirements to dedicate land for parks, open space, conservation, and transportation, as well as the potential payment of development related fees (EIR pp. 3.0-39, 5.9-5). The Development Agreement is listed in the project description as required by CEQA and does not need to be discussed in detail in the EIR.

#### Response to Comment BC-22:

The commenter misunderstood <u>Response to Comment I-11</u>, which is included below for reference (with emphasis added). <u>Response to Comment I-11</u> differentiates between two distinctly different air quality and greenhouse gas technical analyses. The analysis for GHG impacts is different because it is by nature a global, not regional issue and cumulative impacts cannot be controlled or mitigated by a single lead agency. The cumulative analysis for air quality is distinctly a different issue, and thus the approach for GHG does not apply, nor does the approach for air quality apply to GHG.

The EIR discusses the scientific understanding of GHG and the fact that *GHG emissions are cumulative in nature*. There is extensive discussion throughout Section 5.16 of the EIR regarding how the scientific literature understands GHG and Climate Change, and how lead agencies assess GHG which are by nature a cumulative issue. Most notably on page 5.16-75 thru 5.16-77, the EIR discusses how the GHG emissions are assessed and how the project emissions are assessed on a project level and also on a cumulative basis. As discussed in Section 6.0 of the EIR, the *cumulative air quality impacts analysis is based on the guidance provided by SCAQMD*. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project specific thresholds are generally not considered to be cumulatively significant. (See Response to Comment BB-22 for additional information regarding cumulative analysis).

#### Response to Comment BC-23:

The Supreme Court in the *Center for Biological Diversity* case did not invalidate the use of the No Action Taken ("NAT") or Business As Usual ("BAU") scenario. Please refer to <u>Response to Comments H-4, I-9, I-12. I-16</u>, and <u>BB-87</u>. Moreover, the project was evaluated against three other compliance pathways endorsed by the Supreme Court in the *Newhall* and *SANDAG* cases: compliance with GHG reduction laws and regulations, compliance with SB 375 targets through consistency with the SCAG's RTP/SCS, and compliance with the Riverside County CAP. As such, the EIR's significance determinations are not reliant upon the BAU analysis.

#### Response to Comment BC-24:

External trip length estimates for the project were developed and are documented in Table 6 of Appendix I of the Traffic Study. To estimate external average trip length, the project was coded into the calibrated RIVTAM travel demand forecasting model. The benefits of using a travel demand forecasting model is that it is sensitive to how trips redistribute to the network and reflects average travel patterns within the region. Additionally, use of a calibrated regional model provides the best tool for understanding travel patterns and how they change with changes to roadway network and/or land use.

The RIVTAM model estimated the average external trip length to be 20.3 miles for Alternative 7 and 20.6 miles for the proposed project. Please note that this trip length is reflective for all trips that leave the project site which include home-based-work trips, home-based-other trips, and non-home-based trips. In other words, not all trips that leave the site are commute trips to job centers as is implied in the comment (only a portion of the trips are home-based-work trips). The noted average trip length is for all of those trip purposes, not just the home-based-work trips.

It should also be noted that, within 20 miles, residents within the project site can reach most locations within the Cities of Riverside, Moreno Valley, Lake Elsinore, Menifee, Hemet, Perris, and San Jacinto. Responding to the comment of employment within those areas, according to census information (https://onthemap.ces.census.gov/), in 2014, those cities had a total of 235,735 jobs; most of which were concentrated in their respective downtowns or corridor employment areas.

Finally, the comment related to average commute trip length provides information for commute trip lengths nationally and locally. However, as noted in the response above, the average trip length information reflects all external trips from the project site, of which the commute trip is a subset of those trips.

Given that the external trip length information was estimated using the best available tool and information, the trip lengths provided and used in the analysis are the best estimates that could be derived for those trips.

#### **Response to Comment BC-25:**

The comment makes a baseless claim regarding the substantial evidence provided to support the calculated GHG reductions associated with the commute trip reduction program. The comment refers to the comment I-25. A response was included to Comment I-25 on page 2-227 of the Final EIR. The substantial evidence included: 1) The Transportation Demand Management Vehicle Miles Traveled Reductions for The Villages of Lakeview Development Project memorandum (Fehr & Peers, January 29, 2015) was prepared to summarize potential Transportation Demand Management (TDM) measures to be considered for implementation within the project area; and 2) the California Air Pollution Control Officers Association (CAPCOA) methodologies for estimating VMT reductions (Quantifying Greenhouse Gas Mitigation Measures, CAPCOA, August 2010). The analysis by a traffic and transportation expert supports the calculation of the GHG reduction of 1,588 MT CO2e/year, and the approach and methodology is consistent with CAPCOA, which is a representing body of the air agencies in California.

#### Response to Comment BC-26:

Please see Response to Comment BC-24.

#### Response to Comment BC-27:

Pursuant to **MM GHG 26**, the project will install (or provide for equivalent credits) rooftop solar on the single family detached homes and for every 1,600 square feet of non-residential roof area on the project site. It would be economically unfeasible to require installation of more rooftop solar or more offsets. See <u>Response to Comment CBD-12</u>. As to the commenters reference to the Poinsettia 61 project in Carlsbad, which is a condo project located less than two miles from the Pacific Ocean where the existing

condominiums adjacent to the site are valued at between \$650,000 and \$800,000. The economic feasibility of solar is not demonstrated by analogy to that project. The economic cost of developing the homes in The VILLAGES OF LAKEVIEW will be similar for construction costs by the sale prices are estimated to be between 229,000 and 408,000, which is less than half of the cited example.

Finally, the installation of additional rooftop solar would not avoid or change the FEIR's finding that impacts to greenhouse gas emissions are significant and unavoidable. As explained on page 5.16-80 to 82, the project is consistent with GHG regulations designed to reduce GHG emissions and with the reduction called for by CARB's original Scoping Plan to meet AB 32's 2020 target. The project is also consistent with both SCAG's 2012-2035 RTP/SCS and 2016-2040 RTP/SCS, GHG regulations designed to reduce GHG emissions, and with the County's CAP. However, while the County does control the CAP, the County has limited jurisdiction over many GHG reduction measures under SCAG's RTP/SCS and other statewide programs, the County lacks the requisite level of jurisdiction and control to assure that all such measures will be fully implemented as planned by third party agencies. Thus, given the size of the project, GHG emissions impacts related to climate change remain significant and unavoidable at a project and cumulative level.

#### Response to Comment BC-28:

The comment expresses two separate concerns regarding 1) what the utility intensity factor is for electricity provided by Southern California Edison; and 2) the project's commitments relative to the LEED program. The comment does not identify the comment it is referencing to, however, it appears that it is related to I-31. The response to I-31 on page 2-233 of the Final EIR responds comprehensively to the original comment as well as the comment BC-28. BC-28 does not introduce any new substantial information regarding issue 1 or 2. Nevertheless, for further clarification, the CO2 emissions for energy delivered after implementation of the Renewables Portfolio Standard (RPS) are presented in Table 15 of the May 2017 Greenhouse Gas Technical Report<sup>1</sup>. This calculation uses Southern California Edison (SCE) Utility Protocol Reports to distinguish between energy obtained from renewable sources and energy obtained from non-renewable sources. The  $CO_2$  intensity factor ( $CO_2$  emissions per energy delivered) is then calculated using total emissions reported by SCE and the energy generated by non-renewable sources. This is the basis for the utility intensity factor. There is no evidence which suggests that the energy source for SCE will result in greater GHG emissions in the future nor that they will incorporate coal. In fact, there is documentation which indicates otherwise. In SCE's 2015 Corporate Sustainability Report, Edison International states that its needs to utilize "peaker" plants will be less in the years to come due to its innovated power distribution plans. Additionally, SCE's intensity per unit of electricity served remains low, as SCE does not own or operate any coal-fired generation plants. SCE primarily owns large hydropower and natural gas-fired facilities. 2

<sup>&</sup>lt;sup>1</sup> Available at: <a href="http://planning.rcthma.org/Portals/0/splans/sp\_document/sp342/Appendix%20O%20-%20GHG%20Analysis.zip?ver=2016-09-29-142554-407">http://planning.rcthma.org/Portals/0/splans/sp\_document/sp342/Appendix%20O%20-%20GHG%20Analysis.zip?ver=2016-09-29-142554-407</a>. Accessed: September 2017

<sup>&</sup>lt;sup>2</sup> Edison International, "2015 Corporate Responsibility Report" (November 2016), available at: http://www.edison.com/content/dam/eix/documents/aboutus/citizenship/2015-eix-corporate-responsibility-report.pdf. Accessed: September 2017.

Contrary to the commenter's inaccurate assertion, Californians for Alternatives to Toxics v. Department of Food & Agriculture (2005) 136 Cal.App.4th 1, 17 does not hold that compliance with regulations is not sufficient to support a finding that a project will not have significant environmental impacts. Instead, that court found an EIR's "sole reliance" on another agency's registration and regulatory program did not address for the environmental impacts related to specific uses of pesticides in a statewide program to eradicate a pest that threatened vineyards. (Californians at 16.)

Compliance with applicable regulatory standards can provide a basis for determining that the project will not have a significant environmental impact. (Tracy First v City of Tracy (2009) 177 Cal.App.4th 912; Oakland Heritage Alliance v. City of Oakland (2011) 195 Cal.App.4th 884, 906 ("a condition requiring compliance with regulations is a common and reasonable mitigation measure, and may be proper where it is reasonable to expect compliance."))

#### Response to Comment BC-29:

Please see <u>Response to Comment CBD-12</u>. Pursuant to **MM GHG 26**, the project will install (or provide for equivalent credits) rooftop solar on the single family detached homes and for every 1,600 square feet of non-residential roof area on the project site.

The comment regarding the provision of solar hot water heaters is noted. Solar hot water heating requires a separate installation of a solar thermal system, which takes up roof space on single family homes that could instead be used for installation of PV installations. In general, it is more cost and energy efficient to install a PV solar system, and solar thermal systems are not recommended. See for example: <a href="http://www.renewableenergyworld.com/articles/2013/09/solar-hot-water-which-is-better-pv-or-thermal.html">http://www.renewableenergyworld.com/articles/2013/09/solar-hot-water-which-is-better-pv-or-thermal.html</a>

http://www.greenbuildingadvisor.com/blogs/dept/musings/solar-thermal-really-really-dead

Therefore, the County determined that a mitigation measure that required solar hot water heating was not practical or effective. While a lead agency is required to respond to comments proposing concrete, facially feasible mitigation measures, it is not required to accept the suggested mitigation measures. A Local & Reg'l Monitor v. City of Los Angeles (1993) 12 Cal.App.4th 1773, 1809; Napa Citizens for Honest Gov't v Napa County Bd. of Supervisors (2001) 91 Cal.App.4th 342, 365.

#### Response to Comment BC-30:

Please refer to <u>Response to Comment CBD-12</u>. The project includes 39 mitigation measures that will reduce the project's GHG emissions. The GHG analysis in the FEIR is consistent with the recent Supreme Court holdings in <u>SANDAG</u> and <u>Newhall</u>. (Please refer to <u>Response to Comment CBD-13</u>). Neither the courts nor any air quality management districts have mandated a zero net emissions standard for any projects.

#### Response to Comment BC-31:

The commenter does not understand the direct relationship between the pollutant and the impact that existed in the Freeway HRA. The Ramona Expressway HRA (Freeway HRA) prepared in August 2014 and

published in Appendix O of the EIR<sup>3</sup> estimates the health risk from diesel particulate matter associated with vehicles travelling on the freeway on future residents of the proposed project site. Since DPM was the only toxic included in this analysis, cancer risk is directly proportional to DPM emissions. Details of the methodology including equations used for cancer risk estimates are presented in the August 2015 Freeway HRA report.

The Freeway HRA was updated in responses to comments received on the EIR. The Freeway HRA was updated<sup>4</sup> in February 2017 to account for recent updates to emissions estimation models and health risk assessment methodology. As part of this process, six priority mobile source air toxics (MSAT) were included in the Freeway HRA in addition to diesel particulate matter (DPM). Therefore, reductions in DPM are no longer directly correlated with reductions in cancer risk and the conclusion that a 50% reduction in DPM coincides with a 50% reduction in cancer risk is not relevant. As described in Section 5.2 of the February 2017 Freeway HRA, particulate matter (DPM and gasoline particulate matter) contributes to around 83% of the total cancer risk estimate at modeled receptors. Hence a 50% reduction in particulate matter associated with the use of vegetative barriers would reduce cancer risk by around 41%.

#### Response to Comment BC-32:

This comment is noted. Please see <u>Response to Comment I-54</u>. Table 5.3-D in the EIR corresponds to Table 11 in Appendix C which presents the summary of construction emissions for the proposed project. Table 11 in Appendix R provides the summary of construction emissions for Alternative 7. The EIR section is drafted to present a more easily understandable summary of the results. The appendices are available for those more technically inclined to review and evaluate the analyses that were performed. The percentage of exceedance of a threshold is not a basis for the evaluation. The EIR shows the thresholds on page 5.3-24 and are again displayed in Table 5.3-D, Summary of Construction Emissions (EIR at 5.3-37).

#### Response to Comment BC-33:

Contrary to commenter's suggestion, General Plan Policy LU 12.1 does not require the provision of transit. Specifically, Policy LU 12.1 states: "Provide land use arrangements that reduce reliance on the automobile and improve opportunities for pedestrian, bicycle, and transit use in order to minimize congestion and air pollution." In other words, the policy calls for projects to "improve opportunities" for transit use.

As explained in EIR <u>Response to Comment I-71</u>, the proposed project has demonstrated consistency with LU Policy 12.1 in Section 5.16 of the EIR (pp. 5.16-34-35). In addition, bus stops within the community have been tentatively identified. The proposed project will coordinate transportation with local and regional agencies where possible in order to maximize integration of the project with local

<sup>&</sup>lt;sup>3</sup> Available at: <a href="http://planning.rctlma.org/Portals/0/splans/sp\_document/sp342/Appendix%20O%20-%20GHG%20Analysis.zip?ver=2016-09-29-142554-407">http://planning.rctlma.org/Portals/0/splans/sp\_document/sp342/Appendix%20O%20-%20GHG%20Analysis.zip?ver=2016-09-29-142554-407</a>, Accessed: September 2017.

<sup>&</sup>lt;sup>4</sup> Available at:

http://planning.rctlma.org/Portals/0/Postings/Villages%20of%20Lakeview%20EIR/Final%20EIR%20No.%20471/Appendix%20C%20-%20Air%20Quality%20Analysis.zip?ver=2017-08-07-151824-780. Accessed: September 2017.

transportation planning and implementation efforts. These efforts include the possibility of extending the Riverside Transit Agency's Bus Rapid Transit System into the area and bus connections to proposed Metrolink stations along the Perris Valley Line, which could provide residents access to Perris, March Air Reserve Base, University of California Riverside, and Riverside, Los Angeles and Orange counties (EIR, p. 3.0-37-38). The proposed project is not car-dependent as the comment asserts, and will be walkable, with sidewalks separated from streets and trail connections at every edge, and include a 32-mile network of bicycle lanes, trails, and paseos. While light rail does not directly connect to this project, the Perris Metrolink Station is approximately seven miles away. The proposed project will be a walkable community that is built for walking/hiking/biking first, mass transit second, and accommodate the automobile third (EIR, p. 5.14-40). (EIR, p. 2-265).

#### Response to Comment BC-34:

Please see Response to Comment BC 24. Please also refer to EIR Appendix N, which explains the project's consistency with the General Plan, including Policy LU 10.1 referenced in the comment, and EIR Section 5.11 (Population/Housing), which addresses jobs/housing balance. With regard to trip length, the 20.3/20.6 average trip length information is for all trips leaving/coming to the project site for all trip purposes (not just home-based-work trips (or commute trips)). As such, the comment noting that SCAG's home-to-work commute trip (also known as home-based-work trip purpose) is higher than the average of all trips leaving the site is incorrect as it is comparing different information as the average external trip length includes more than home-based-work trips (it also includes home-based-other and non-home-based trip purposes); especially since the non-home-based-work trips are typically shorter than the home-based-work trip length.

#### Response to Comment BC-35:

Please see Response to Comment 1-78, copied here for reference.

The proposed project is consistent with General Plan policies AQ 1.1 through 17.11 as shown in Appendix N of the EIR (EIR, Appendix N, pp. 175-193). Many of these policies are intending to encourage multijurisdictional cooperation, and therefore, are guidance for the County's participation in regional governmental associations. In particular, Policy AQ 1.3 is not applicable to the proposed project since the project does not have control over the County's participation in regional air quality management plans. Policy AQ 1.4 is also not applicable to the proposed project since it is encouraging the County's coordination with SCAQMD and MDAQMD to ensure enforcement of air quality plans. (EIR, Appendix N, p. 175).

General Plan Policy AQ 1.3 is included in a section of the General Plan entitled "Multi-jurisdictional Cooperation." The introduction to this section notes that "[a]ir pollutants are not limited to jurisdictional boundaries. Local land use patterns, emission sources, and airflow patterns throughout Southern California contribute to the air quality of Riverside County. While the County can enact policies that limit emissions within its boundaries, it is necessary to support efforts to decrease region-wide pollution emissions as surrounding jurisdictions significantly impact Riverside County's air quality. The following policies are designed to establish a regional basis for improving air quality." (General Plan page AQ 13, emphasis added). General Plan Policy AQ 1.3 in full is: "Participate in the development and

update of those regional air quality management plans required under federal and state law, and meet all standards established for clean air in these plans."

As explained in <u>Response to Comment I-78</u>, the County participated in development and updates to the Air Quality Management Plan (AQMP) for the South Coast Air Basin (SCAB), which sets forth a comprehensive program that will lead the SCAB into compliance with all federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics provided by SCAG and defined in consultation with local governments.

The SCAQMD has adopted criteria for consistency with regional plans and the regional AQMP in its CEQA Air Quality Handbook. These indicators of consistency are not standards included within the AQMP itself. While General Plan Policy AQ 1.3 does not apply directly to this project, the County itself met all standards in the AQMP by applying the SCAQMD CEQA Thresholds to this project.

Consistent with SCAQMD's CEQA Air Quality Handbook, the County considered the following indicators of consistency: 1) whether the project would increase the frequency or severity of existing air quality violations or cause or contribute to new air quality violations, and 2) whether the project would exceed the growth assumptions utilized in preparing the AQMP. Accordingly, the conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans.

As explained in Response to Comment I-57, the EIR concludes that the proposed project's land use and population was not accounted for in the 2012 AQMP and thus may conflict with 2012 AQMP implementation. However, the project has committed to an extensive list of the feasible mitigation measures to address air quality and greenhouse gas emissions (Appendix C, Air Quality Technical Report and Appendix O, Greenhouse Gas Emission Technical Report, dated May 2017, respectively) and the mitigation measures are consistent with the control measures contemplated in the 2016 AQMP. The 2016 AQMP relies upon the assumptions in the 2016 SCAG RTP/SCS. The 2016 SCAG RTP/SCS includes 5,200 households in the TAZ that includes the project site as discussed on page 5.16-76 of the FEIR. Thus, the 2016 AQMP accounts for the project up to Phase 3 of the project. Both the 2016 SCAG RTP/SCS and the 2016 AQMP are anticipated to be updated in the next 3 years, at which point, the more accurate growth assumptions are anticipated to be incorporated. Thus, while the EIR concludes that this is a significant and unavoidable impact, the project has committed to the mitigation measures that are consistent with the control measures contemplated by the current AQMP.

Some of the control measured included in the 2016 AQMP are:

- CMB-02 emission reductions by replacement with zero or near zero NOx appliances in commercial applications such as water heaters. (MM GHG 28)
- ECC-02 building energy efficiency measures, (MM GHG 2, MM GHG 3, MM GHG 8, MM GHG 10)Standards in the AQMP that are applicable to the County include [ADD]. Here, the County met Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections and meeting the land use designation set forth in the local General Plan. This analysis utilizes the compliance with local land use plans as the basis for its significance determination (EIR, p. 5.3-34).

- ECC-03 reducing residential building energy use, (MM GHG 2, MM GHG 3, MM GHG 8, MM GHG
   10, MM GHG 26 and 27)
- FLX-01 improved education and public outreach on energy efficient products, super-compliant coatings, tree planting, (MM GHG 35 to 39)
- MOB-05 accelerated penetration of partial zero-emission and zero-emission vehicles. MM GHG
- MOB-07 accelerated penetration of partial zero-emissions and zero-emissions light-heavy- and medium-heavy duty vehicles
- MOB-10 extension of SOON provision for construction/industrial equipment (MM AQ 8)

The following project mitigation measures are consistent with the AQMP control measures: MM GHG 28 (solar water heaters), MM GHG 2 (Energy Star-rated appliances in residential buildings), MM GHG 3 (energy efficient lighting), MM GHG 8 (implement energy efficient design practices), MM GHG 10 (take advantage of daylight where feasible in building design to reduce energy use), MM GHG 26 and MM GHG 27 (solar panel installation), MM GHG 35 to MM GHG 39 (provides educational information on various GHG reduction opportunities to project residents, customers, and tenants), MM GHG 6 (EV chargers in residential and non-residential areas), and MM AQ 8 (encourage contractors to apply for SOON funds).

#### Response to Comment BC-36:

As explained in EIR <u>Response to Comment I-82</u>, the Smart Growth Principles identified in the EIR are endorsed by the Smart Growth Network, a network of private, public, and non-governmental partner organizations seeking to improve development practices. This network was formed in response to increasing community concerns about the need for new growth that would boost the economy, protect the environment and public health, and enhance community vitality. Partners within the Smart Growth Network include The United States Environmental Protection Agency, the National Resources Defense Council, the American Planning Association, The Trust for Public Land, and the Environmental Law Institute, among many others (EIR, p. 3.0-34). The planning and development objectives for THE VILLAGES OF LAKEVIEW project are based upon Smart Growth Principles. The project objectives are all designed to align with Smart Growth Principles. (EIR, pp. 3.0 – 34 – 38).

Commenter mischaracterizes EIR <u>Response to Comment I-84</u>, which states: "The analysis in EIR Section 5.9, Land Use and Planning and EIR Appendix N, clearly and rigorously demonstrates that the project is consistent with the goals and policies of the 2015 Riverside County General Plan. Because the project, if approved, would be consistent with the General Plan, project development will not impede the achievement of the 19 points of the Draft Vision Concept. Furthermore, the County's staff report and/or approval resolutions will include additional findings regarding consistency with the General Plan." (EIR, p. 2-272). In other words, EIR Appendix N extensively discusses the project's consistency with General Plan goals and policies; as such, the project would not impede achievements of the Draft Vision Concept.

Additionally, the Vision Concepts are addressed in EIR Section 5.9, Land Use and Planning, which explains mandatory findings required for Entitlement/Policy Amendments, including "[t]he proposed change does not involve a change or conflict with: (1) the Riverside County Vision...." Importantly, as stated on EIR p. 5.9-28, the Fifth District Court of Appeal in Naraghi Lakes Neighborhood Preservation Association v. City of Modesto recently provided additional guidance on the interpretation of General Plan consistency. The Court of Appeal, citing to Sequoyah Hills Homeowners Assn. v. City of Oakland (1993) 23 Cal. App.4th 704, provided that the rule of general plan consistency is that the project must at least be compatible with the objectives and policies of the general plan. Furthermore, courts have interpreted the consistency provision as requiring that a project be in agreement or harmony with the terms of the applicable plan, not in rigid conformity with every detail. (citing to San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal. App.4th 656). Additionally, citing to Napa Citizens for Honest Government v. Napa County Board of Supervisors (2001) 91 Cal.App.4th 324, the Court of Appeal reiterated that the essential question is whether the project is compatible with, and does not frustrate, the general plan's goals and policies. Section 5.9 of the EIR demonstrates that the project is compatible with, and does not frustrate, the goals and policies of the County's General Plan.

The EIR explains that General Plan Amendment No. 720 may be adopted if the Board of Supervisors makes the required findings in accordance with the Administration Element and Article II of Ordinance No. 348. (EIR, p. 5.9-31). The EIR also explains how the Project does not conflict with the Vision Concept, stating:

The proposed project is located between the Lakeview Mountains and the San Jacinto River and is comprised of approximately 2,786 acres of land. The project entails the construction and operation of a residential development in the community of Nuevo that will be under the ownership of one land owner. Specifically the project site is made up of the following General Plan Land Uses: Agriculture (AG), Agriculture -Community Development Overlay (AG-CDO), Rural Residential (RR), Low Density Residential (LDR), Very Low Density Residential – Rural Community (VLDR-RC), Rural Mountainous (RM), Low Density Residential - Community Development (LDR-CD), Open Space Conservation (OS-C), and Commercial Retail (CR). General Plan Land Use Policy LU 1.11 explains that each adopted Specific Plan is identified as a "Community Development" Specific Plan, "Rural Community" Specific Plan, or a "Rural" Specific Plan. Therefore, because the project is considered to be a residential development which includes mixed-use town center located in the heart of the Specific Plan; clustering of higher density residential dwelling units ranging from medium high to very high density residential; and clustering commercial facilities Specific Plan No. 342 will be designated as a "Community Development" Specific Plan. Thus, requiring an Entitlement Amendment to change the various land use designations in the Lakeview/Nuevo Area Plan and establish the property as "Community Development" Specific Plan. As a result, approval of GPA No. 720 and THE VILLAGES OF LAKEVIEW Specific Plan, presents an opportunity to have congruent land uses. Therefore, the proposed change does not involve a change or conflict with the Riverside County Vision.

(EIR, p. 5.9-33 and 34).

#### Response to Comment BC-37:

The EIR explains the Extraordinary Amendment findings on pp. 5.9-35 – 40. Notably, the Board of Supervisors will be required to make these findings. The EIR explains that General Plan Amendment No. 720 may be adopted if the Board of Supervisors makes the required findings in accordance with the Administration Element and Article II of Ordinance No. 348. (EIR, p. 5.9-31). To that end, the Staff Report for the September 6, 2017 Planning Commission hearing on the project (available online at <a href="http://planning.rctlma.org/Portals/0/hearings/pc/2016/rpc090617.pdf?ver=2017-08-31-101954-923">http://planning.rctlma.org/Portals/0/hearings/pc/2016/rpc090617.pdf?ver=2017-08-31-101954-923</a>) identifies the findings that can be made in support of the General Plan. The following excerpt from the Staff Report (pp. 12 – 13) addresses the Extraordinary Amendment findings:

- The following findings can be made in support of the General Plan Amendment No. 720 Foundation Component Amendment – Extraordinary pursuant to Ordinance No. 348 Section 2.6.F.1., 2., and 8:
  - 1) The foundation change is based on substantial evidence that new conditions or circumstances disclosed during the review process justify modifying the General Plan, that the modifications do not conflict with the overall Riverside County Vision, and that they would not create an internal inconsistency among the elements of the General Plan.

Findings related to new conditions and circumstances as well as the Riverside County Vision are provided above.

The General Plan Amendment changes the Foundation Component from a mix of Rural, Rural Community, and Open Space to Community Development. Such change does not conflict with other Elements of the General Plan. Also, with the adoption of the changes proposed in General Plan Amendment No. 721, there will be consistency between the project and the Circulation Element. As provided in Environmental Impact Report No. 471 and detailed in Environmental Impact Report Appendix N, the project would not create an internal inconsistency among the elements or any General Plan policies.

- A condition exists or an event has occurred that is unusually compelling and can only be rectified by making changes in the current Riverside County Vision, General Planning Principles, or Foundation Component. The project is proposing to make changes to the project site's Foundation Components. As provided above, this condition is the opportunity that is presented by having 2,883 acres under the control of one entity that wants to pursue a comprehensive master plan to address not only the land uses, but the infrastructure and open space needs as well and which in doing so will assist the County in compliance with the MSHCP and furthering the objectives of the General Plan.
- A Foundation Component change is necessary to facilitate implementation of open space 8) or transportation corridor designations arising from the MSHCP and Community Environmental Transportation Acceptability Program (CETAP) programs that are contained in this General Plan, and that could not be accomplished by a lesser change in the General Plan. As provided above, the opportunity that is presented by having 2,883 acres under the control of one entity that wants to pursue a comprehensive master plan to address not only the land uses, but the infrastructure and open space needs as well and which in doing so will assist the County in compliance with the MSHCP and CETAP corridor. The project leverages the unusually large size of the property under single ownership and compact building design to provide over 50% open space (conservation, parks, trails, earthen drainage channels, landscape setbacks, terrace slopes and open space). Specifically, Alternative 7 includes approximately 1,050 acres of conservation habitat. Conservation of a contiguous 900+ acre portion of the Lakeview Mountains allows implementation of the MSHCP and avoidance of sensitive species/habitats and significant cultural resources. This opportunity allows a more comprehensive analysis of biological resources and comprehensive approach to conserving open space consistent with the MSCHP. Smaller individual projects may result in a piecemeal approach when designating specific open space areas for conservation. Additionally, Alternative 7 does not include JJ Street, and therefore eliminates the need to extend the length of the undercrossing that is part of the Riverside County Transportation Commission's Mid-County Parkway project, in order to accommodate J.I Street and to facilitate wildlife movement along PCL-20. As such, Alternative 7 reduces impacts to wildlife movement at the undercrossing by limiting the distance for wildlife to cross under the roadway.

Additionally, given the infrastructure needs and resulting costs, such smaller developments may not be at a scale to offset such costs and needed infrastructure would be delayed and frustrate the implementation of the CETAP. The opportunity to have a comprehensive master plan to develop this area, as would be allowed by the Foundation Component change, provides the ability to offset the costs of providing right-of-way for the Mid-County Parkway (pursuant to provisions within the Development Agreement). Without this provision, such right-of-way would have to be obtained through purchase of the right-of-way, which could be costly and could delay the Mid-County Parkway's construction.

#### Response to Comment BC-38:

Although the comment does not specify the CBD comment to which it refers, it is assumed that the commenter is referring to Comment I-90. Refer to EIR <u>Response to Comment I-90</u> explaining why the County was not required to analyze an offsite, high-density redevelopment project. Refer to EIR <u>Response to Comment I-94</u> regarding the differences between NEPA and CEQA alternatives analysis requirements.

#### Response to Comment BC-39:

Although the comment does not specify the CBD comment to which it refers, it is assumed that the commenter is referring to Comment I-99. Refer to EIR <u>Response to Comment I-99</u>, which explains that for Alternative 3, land remaining in agricultural use through the use of permanent agricultural

easements is different from permanent conservation of the 29-acre area north of the expressway and adjacent to the SJWA. That response also explains clarifications to EIR Section 7.0, Alternatives, that were included in response to the comment. These clarifications explain that the impact from 317 acres of agricultural-related runoff and existing potential for contamination of surface waters could cause more impact to sensitive species located north of Ramona Expressway and the SJWA outside Alternative 2's boundary compared to the proposed project because the proposed project reduces impacts through MSHCP and mitigation measure compliance (including measures related indirect impacts from drainage and toxics). Therefore, direct impacts to sensitive species under Alternative 3 are greater than the project. The response also explains that Alternative 3 does not present a false or misleading choice because placement of the land north of Ramona Expressway in a permanent agricultural easement is designed to reduce the project's primary significant and unavoidable impact due to loss of agricultural land and Designated Farmland. Alternative 3 provides a 76 percent reduction in impacted Prime Farmland. (EIR, p. 7.0-140). As such, Alternative 3 was appropriately analyzed because it substantially lessens the project's significant and unavoidable impacts to agricultural resources, as required by CEQA Guidelines Section 15126.6. (EIR, p. 2-287 - 288)

#### Response to Comment BC-40:

Please refer to Response to Comments BC-10, BC-16, and BC-27.

#### Response to Comment BC-41:

Commenter is referring to Comment I-105, which claimed that "the DEIR does not address the cumulative impacts of these substantial growth-inducing effects on the environment, wildlife, air quality, traffic, etc." EIR Response to Comment I-105 explains that "Cumulative impacts of the project on the environment were analyzed in the EIR (EIR pp. 6.0-2 to 6.0-39). The analysis includes, for example, the cumulative impacts to wildlife (see e.g., EIR pp. 6.0-15 to 6.0-18, 5.4-48, 5.4-63); air quality (see e.g., EIR pp. 6.0-13 to 6.0-15, 5.3-44, 5.3-52) and traffic (see e.g., EIR pp 6.0-31 to 6.0-32, 5.14-47 to 5.14-55)." (EIR, p. 2-292)

Here, commenter asserts that the EIR "didn't address the cumulative impacts of growth inducement," citing and quoting Napa Citizens for Honest Government v. Napa County Board of Supervisors (2001) 91 Cal.App.4th 342, 369. Commenter omits the key language from this quotation, which states in relevant part "("Nothing in the Guidelines, or in the cases, requires more than a general analysis of projected growth.")). Id. at 369. This holding was also recognized in Banning Ranch Conservancy v. City of Newport Beach (2012) 211 Cal.App.4th 1209, 1229 – 30 ("Nothing in the [CEQA] Guidelines, or in the cases, requires more than a general analysis of projected growth. The detail required in any particular case necessarily depends on a multitude of factors, including, but not limited to, the nature of the project, the directness or indirectness of the contemplated impact and the ability to forecast the actual effects the project will have on the physical environment.' [Citation.] [¶] 'In addition, it is relevant, although by no means determinative, that future effects will themselves require analysis under CEQA.")

Consistent with EIR <u>Response to Comment I-105</u>, CEQA therefore does not require an analysis of the potential impacts of a future library or other public infrastructure that may be funded by fees

contributed by the project as well as many other projects. The impacts of that future development will be analyzed if and when that future development is proposed.

Moreover, it is noted that EIR Section 6.3 (Growth Inducement) thoroughly analyzed growth-inducing impacts in accordance with CEQA Guidelines Section 15126.2(d), considering whether the project is growth-inducing if through its implementation it fosters economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding geographical area and thereby: removes obstacles to population growth; increases the population such that it may tax existing community service facilities, requiring construction of new facilities that could cause significant effects; or encourages and facilitates other activities that could significantly affect the environment, either individually or cumulatively.

#### Response to Comment BC-42:

This comment refers to Comment I-113, which incorrectly alleged that "[t]he Project does not analyze the impacts on water quality and biological resources of residential use of pesticides and chemicals associated with the Project." Similar to comment CBD-42, commenter here disputes that *Tracy First* (2009) 177 Cal.App.4th 912, 933-34 and *Center for Biological Diversity v. Department of Fish and Wildlife* (2015) 234 Cal.App.4th 214 support the assertion that regulatory compliance is sufficient to demonstrate no significant impacts. Refer to discussion in <u>Response to Comment CBD-42</u> and EIR <u>Response to Comment I-113</u>.

#### Response to Comment BC-43:

This comment refers to Comment I-114, which alleged that "there is no guarantee that these BMPs will fully mitigate impacts to nonsignificant levels." EIR <u>Response to Comment I-114</u> explains the Maximum Extent Practicable or "MEP" principle, which comes from the federal Clean Water Act, Section 402(p)(3)(B) and has been defined by the State Water Resources Control Board as follows:

There must be a serious attempt to comply, and practical solutions may not be lightly rejected. If, from the list of BMPs, a permittee chooses only a few of the least expensive methods, it is likely that MEP has not been met. On the other hand, if a permittee employs all applicable BMPs except those where it can show that they are not technically feasible in the locality, or whose cost would exceed any benefit to be derived, it would have met the standard. MEP requires permittees to choose effective BMPs, and to reject applicable BMPs only where other effective BMPs will serve the same purpose, the BMPs would not be technically feasible, or the cost would be prohibitive. (Order No. WQ 2000- 11, at p.20.)

As explained in EIR Response to Comment I-114, MEP is a dynamic performance standard and it evolves as the knowledge of urban runoff control measures increases (Riverside County MS4 NPDES Permit Fact Sheet, p. 15). MEP is the result of the cumulative effect of implementing, continuously evaluating, and making corresponding iterative changes to a variety of technically and economically feasible BMPs that ensure the most appropriate controls are implemented in the most effective manner. Accordingly, the project will comply with all applicable water quality regulatory requirements and potential impacts will be less than significant (EIR, p. 5.8-57). (EIR, p. 2-299).

The relevant significance threshold (Threshold B) considers whether the project would violate any water quality standards or waste discharge requirements (EIR p. 5.8-47). EIR Section 5.8, Hydrology and Water Quality, and the Water Quality Technical Report (Appendix H) provide thorough analysis and substantial evidence supporting the conclusion that the project would have less-than-significant impacts.

Furthermore, as explained under Threshold G:

Due to the replacement of existing agricultural activity with residential, commercial, and other urban land uses, the project will reduce the amount of nutrients, including phosphorous and nitrogen, and nitrate as nitrogen and TDS in project runoff (see Water Quality Technical Report attached as Appendix H to this EIR, page 75). Agricultural land use generally increases the amount of nutrients, nitrate as nitrogen and TDS within the project site that can be mobilized by runoff and transported to downstream surface waters or that infiltrate to local groundwater. As discussed above, Lake Elsinore and Canyon Lake located downstream from the Specific Plan area are listed by the SARWQCB as impaired by nutrients in surface waters, and the SARWQCB has established nitrate as nitrogen and TDS water quality objectives for groundwater in the San Jacinto basin. Reducing the amount of these constituents in project-area runoff will result in beneficial impacts to surface and ground water quality.

(EIR, pp. 5.8-63-64). As such, the project in fact results in beneficial impacts to surface and groundwater quality, including Lake Elsinore and Canyon Lake, which are listed by the SARWQCB as impaired by nutrients in surface waters.

#### Response to Comment BC-44:

The EIR <u>Response to Comment I-115</u> described that stormwater treatment facilities [per the Santa Ana Region Basin Plan requirements] are designed to treat runoff from storm events less than or equal to the 85th percentile, 24-hour storm event. This standard results in the discharge of some stormwater that is not fully treated during large infrequent storm events (i.e., those that exceed the 85th percentile, 24-hour storm). The Response further described that the County is ultimately responsible, per its MS4 permit, to protect the beneficial uses of the waterways for which they are responsible. It was not the intent of the Response to imply that the County would treat overflows or that the project discharges to an MS4.

#### Response to Comment BC-45:

Commenter refers to EIR Comment I-127, and alleges that **MM Hydro 1** "only proposes that interim measures be implemented to reduce hydrologic impacts to less than significant, and this isn't specific enough." As explained in EIR <u>Response to Comment I-127</u>, comment is misrepresenting the intent and spirit of mitigation measure **MM Hydro 1**, which states:

Prior to approval of future implementing projects (i.e. Tentative Tract maps) within THE VILLAGES OF LAKEVIEW Specific Plan proposed prior to the completion of the drainage improvements, hydrology studies will be required to analyze potential storm water flow or water quality impacts and to identify any interim improvements within the proposed

tract map area or other locations within the Specific Plan area that are required to reduce the potential impacts to less than significant levels and to comply with the applicable stormwater and water quality regulations and standards adopted by the County of Riverside and the Santa Ana Regional Water Quality Control Board. Potential BMPs that may be implemented to address interim storm water or water quality impacts related to a proposed tract map may include vegetated swales, sand filtration systems, water quality inlets, mechanical separators, and/or other proprietary devices. (EIR, pp. 2.0-34, 5.8-79)

The project's proposed drainage facilities are shown on EIR Figure 5.8-6, Master Plan of Drainage (On-Site), Figure 5.8-15a, Preliminary Drainage System with WQB Refinement, and EIR Figure 5.8-6, Master Plan of Drainage (Off-Site). However, because the project will be built out over a period of several years, and construction may take place prior to completion of all of the drainage improvements, mitigation measure MM Hydro 1 requires each future implementing project to identify and construct what, if any, interim facilities will be required. This mitigation measure does not constitute deferral as it establishes a performance standard and identifies the types of best management practices (BMPs) that may be used. (Endangered Habitats League, Inc. v. County of Orange (2005) 131 Cal.App.4th 777, 794—96 (upholding mitigation measures that set out standards for a plan to follow).) See also Response to Comment CBD-44 for additional discussion of how Mitigation Measure Hydro-1 complies with CEQA.

#### Response to Comment BC-46:

Endangered Habitats League v. County of Orange (2005) 131 Cal.App.4th 777, 794 – 96 held that a mitigation measure constituted impermissible deferral where "no criteria or alternatives to be considered are set out. Rather, this mitigation measure does no more than require a report be prepared and followed, or allow approval by a county department without setting any standards." In contrast, all other mitigation measures at issue in the case were sufficient, "since they commit to mitigation and set out standards for a plan to follow."

Assuming that this comment relates to the citation in EIR Response to Comment I-127, it is important to note that the EIR in Endangered Habitats League "requires the developer to prepare a project water quality plan to reduce discharge into storm water runoff. It must incorporate "best management practices," which are a series of four traps and filters to remove various pollutants (one for trash, a second for biological matter, a third for nutrients and microbial contaminants, and a fourth to deal with fossil contaminants such as oil, grease, and hydrocarbons)." The court held that there was no impermissible deferral because the EIR commits to it and lists standards to be incorporated in the mitigation plan. 131 Cal.App.4th at 795 – 96. Here, MM Hydro 1 does not constitute deferral as it establishes a performance standard and identifies the types of best management practices (BMPs) that may be used.

#### Response to Comment BC-47:

The applicant has agreed to revising **MM Bio-3** as follows, to additionally impose on residences within 500 feet of the Lakeview Mountains the requirement that cats shall be limited to indoors, as follows:

MM Bio 3: The project Conditions, Covenants and Restrictions (CC&R) shall restrict the number of domestic animals (e.g., dogs, cats and other predatory animals) allowed per residence to two, thus further limiting potential impacts. Cats shall be limited to indoors. These restrictions cannot be amended. Copies of the CC&Rs shall be provided to the County Planning Department prior to Map Recordation. [Note: Current County zoning allows up to 4 dogs per premises.] This mitigation measure restriction for domestic animals applies to planning areas north of adjacent to Ramona Expressway and to residences within 500 feet of the Lakeview Mountains conservation area. The CC&Rs shall require cat-proof barriers be installed along the interface between the project's residential planning area boundaries and the Lakeview Mountains conservation area and the wildlife corridor. The Homeowners Association will be the entity responsible for enforcing the CC&Rs.

Importantly, in response to the September 5, 2017 comment letter from California Department of Fish and Wildlife and U.S. Fish and Wildlife Service (CDFW/FWS), **MM Bio 3** will be further revised in response to that letter.

#### Response to Comment BC-48:

The commenter is incorrect that Riverside County Ordinance 663.10 requires payment of fees "only if the applicant can't satisfy on-site mitigation requirements." Section 2(h) of the Ordinance states the following: "Each proposed development project shall be reviewed to determine the most appropriate course of action to ensure the survival of the species through one or more of the following: (1) on-site mitigation of impacts to the Stephens' Kangaroo Rat through the reservation or addition of lands included within or immediately adjacent to a potential habitat reserve site, or (2) payment of the Mitigation Fee set by this ordinance or (3) any combination of (1) and (2) consistent with the intent and purpose of this ordinance. A proposed development project may be referred, for review, to Federal and State resource agencies based upon criteria which may be established and agreed upon by the County and said agencies." As stated, the Ordinance requires at least one of the mitigation options, including on-site mitigation or payment of the Mitigation Fee or a combination of the two. This not an interpretation as indicated by the commenter. There is nothing in the Ordinance stating that the Mitigation Fee is allowed only if an applicant cannot satisfy on-site mitigation requirements.

#### Response to Comment BC-49:

This comment raises three separate concerns regarding 1) haul truck models; 2) use of air filters; and 3) Freeway HRA assumptions regarding gasoline vehicle emissions. As discussed in responses to SCAQMD comments P-9 on Pages 2-448 of the FEIR, the project does not have control over the haul trucks used by the construction contractors. Therefore, it cannot require the use of 2010 or newer trucks. Second, the issue regarding the use of air filters was comprehensively addressed in Response to Comment P-12 on Page 2-450 of the FEIR. As stated in that response, the analysis shows that even if filters were only half as effective, i.e. they are not used all the time, the impact on future residents of the proposed project located in the vicinity of the Ramona Expressway would be less than significant. Thus, there is enough buffer from the threshold to cover the possibility of residents using the filters for a little has half

the time. And third, in response to the questions about how gasoline fumes exposure were included in the Freeway HRA, we refer the commenter to the February 2017 Freeway HRA<sup>5</sup>. Section 2 of the Freeway HRA describes the methodology used to estimate emissions of six priority mobile source air toxics (MSATs), including those emitted from gasoline vehicles. These MSAT emissions were used to estimate the cancer and non-cancer health impacts presented in this report.

# Response to Comment BC-50:

As explained in EIR <u>Response to Comment Q-8</u>, Alternative 7 may construct a wastewater treatment plant. For Alternative 7, the off-site infrastructure is only applicable when the wastewater treatment plant is excluded, and therefore included as a separate section in Appendix R, Section 4.1, Tables 27a through 27d, and Appendix S, Section 4.1, Tables 32 through 37.

Contrary to commenter's assertion, the EIR did not assert that the wastewater treatment plant does not need to be analyzed under Alternative 7. Rather, the analysis of impacts associated with Alternative 7 includes off-site infrastructure if the wastewater treatment plant is excluded. This is because, as explained in EIR Section 7.0, Alternatives:

If the on-site wastewater treatment facility is not constructed, then the off-site gravity sewer pipeline proposed for the project's off-site utility infrastructure would be sufficient for providing service to Alternative 7's site, which includes a new pump station and piping to convey wastewater approximately 10 miles southwest to PVRWRF (the off-site gravity sewer line connects to an existing pipeline within Ellis Avenue where it is then transported directly to PVRWRF). Conversely, if this on-site wastewater treatment facility is developed, then the off-site sewer infrastructure would not be required for implementation of Alternative 7. (The potential on-site wastewater treatment plant which would produce recycled water for use on-site is discussed further under the "Utilities and Service Systems" heading for Alternative 7.)

(EIR, p. 7.0-15).

With respect to the traffic counts, EIR <u>Response to Comment Q-32</u> explains that this EIR and traffic analysis did not use the City of Los Angeles Department of Transportation Traffic Study Policies and Procedures document, because the City of Los Angeles guidelines are not applicable for this study as the proposed project is not within the jurisdiction of the City of Los Angeles. (EIR p. 2-515). The Traffic Impact Study for this EIR was prepared at the direction of the County of Riverside as lead agency. (EIR Appendix L, Traffic Impact Study, p. 13).

# Response to Comment BC-51:

With respect to invasive seeds, contrary to commenter's assertion, EIR <u>Response to Comment Z-13</u> explains how the EIR analyzed and included mitigation for the project's potential impacts. For example, the response explains: "According to **MM Bio 11a** of the EIR, in order to reduce the potential significant

<sup>&</sup>lt;sup>5</sup> Available at:

http://planning.rctlma.org/Portals/0/Postings/Villages%20of%20Lakeview%20EIR/Final%20EIR%20No.%20471/Appendix%20C%20-%20Air%20Quality%20Analysis.zip?ver=2017-08-07-151824-780. Accessed: September 2017.

indirect effects of invasive species to Conservation Areas, the Specific Plan will design landscaped areas adjacent to the San Jacinto Wildlife Area (SJWA) and Lakeview Mountains to avoid the use of invasive plant species identified in Table 6-2 of the MSHCP document." (EIR, p. 2-674)

The language referenced by commenter is found in the following paragraph, which is preceded by a discussion of potential project impacts and mitigation. Specifically, the quoted language in context is as follows:

Regarding the comment that invasion of the SJWA by non-native plant species via trespassers could convey invasive plant seeds on their clothing or recreational equipment, it is important to note that the SJWA provides a variety of uses that are open to the public and will be subject to use by more than just the proposed project residents. Uses of the SJWA include wildlife observation, nature study, fishing, hiking, photography, field trials, hunting dog training classes (EIR, p. 5.4-22). Actions by others within the SJWA are not under the control of the project. Nonetheless, information on the importance of keeping on trails and invasive species will be provided to project residents as part of the Environmental Stewardship Program described in mitigation measure MM Bio 11 (EIR, p. 5.4-63). Barriers required by the MSHCP and pursuant to MM Bio 2 will also minimize the potential for trespass.

(EIR, p. 2-675, emphasis added).

With regard to night lighting, in addition to EIR <u>Response to Comment Z-20</u>, following the Planning Commission hearing on September 6, 2017, the applicant met with representatives of CDFW and agreed to implement measures (which the County will impose as mandatory requirements through Specific Plan requirements, zoning requirements, and/or project conditions of approval) to further minimize potential direct and indirect impacts — including noise — to the SJWA, including:

- The project will realign trails north of Ramona Expressway.
- The buildings over one story in height in Planning Areas 24 and 25 (Commercial Office (CO)) will be subject to additional review and required to incorporate design criteria that minimize potential bird strikes.
- The project will construct six-foot high block walls around the edge of Planning Areas 24 and 25 or alternatively along the perimeter of any individual development within Planning Areas 24 and 25 prior to the commencement of construction of any building, allowing for breaks for ingress and egress, line of sight and for height restrictions as the walls approach Ramona Expressway or Mid County Parkway.
- Any lights that could spill onto conservation lands are subject to implementation of MM Bio 1
  and the project's adherence with the Zone B requirements of Riverside County Ord. 655, which
  regulate light pollution (as already stated in the EIR).
- Conservation areas adjacent to SJWA would first be offered to CDFW, and then to RCA.
- Trash containers in commercial areas should be enclosed and be lockable.

 The Master Plant Palette in the Specific Plan will be revised to eliminate any species from the MSHCP Prohibited Plant list.

Finally it is noted that these potential impacts would be reduced through Alternative 7, recommended for approval by Staff, because Alternative 7 reduces indirect impacts to the SJWA as there would be no residential development north of Ramona Expressway and a much larger set back, or buffer, between the SJWA and new residential development. (EIR, p. 7.0-14).

## Response to Comment BC-52:

To clarify, Comment Z-13 asserted that "Spraying of insecticides is not allowed in the Wildlife Area. The DEIR failed to address the risks to human health and to wildlife dependent on aquatic insects that may be affected by vector control activities." The reference to California Building Industry Ass'n explains why these impacts are not required to be analyzed under CEQA.

Nonetheless, EIR Response to Comment Z-21 provides a response explaining that the Riverside County Department of Environmental Health does however have a Vector Control Program which provides vector control services and vector-borne disease surveillance to protect residents from mosquito borne diseases such as Zika and West Nile Virus. These services may include spraying within the development footprint of the project site, but would not extend into the SJWA. And, in Response to Comment Z-21, MM Bio 11 was modified to include as part of the Environmental Stewardship Program information about vector-borne disease prevention.

# Response to Comment BC-53:

It is assumed this comment refers to EIR Response to Comment Z-24, which explains in relevant part:

With the exception of the Los Angeles pocket mouse, no mammal species are identified as Planning Species for PCL-20, and since the MCP undercrossing is to accommodate movement along PCL-20, then there should have been no expectation to accommodate species such as mountain lion. The mountain lion is also not identified as a Planning Species for Proposed Noncontiguous Habitat Block 5 (Lakeview Mountains), and as such there is no expectation pursuant to the MSHCP for at least the portion of the Linkage between the Lakeview Mountains to the MCP undercrossing to be designed for mountain lion. Since the mountain lion is not a Planning Species for PCL-20 and Habitat Block 5, then there also should be no expectation to accommodate mule deer.

Furthermore, the location and function of the southern portion of PCL-20 was reviewed by the RCA during the JPR process that found "the project is consistent with both the Criteria and other Plan requirements" of the MSHCP. (EIR, pp. 2-683-84).

Finally it is noted that these issues are not relevant for Alternative 7, recommended for approval by Staff, because Alternative 7 would not require construction of JJ Street and therefore does not require extension of the undercrossing. (EIR, p. 7.0-14).

## Response to Comment BC-54:

The Hydromodification Report specifically addresses the likelihood that the proposed project could generate Hydrologic Conditions of Concern (HCOC) by focusing on elements including: Seasonal Water Balance (Changes in the volume, nature, and frequency of runoff to the offsite wetland and vernal pool area to the north of the project to assess the impact to plant and wildlife habitat, as well as to evaluate runoff volume changes to other less ecologically sensitive locations near the project (e.g., dairies)); and Cumulative Impacts to the San Jacinto River Watershed (Runoff hydrology and hydraulics from the site to the San Jacinto River to qualitatively evaluate potential cumulative impacts to the River). (EIR Appendix I, Hydromodification Technical Report). Impacts to these elements are identified in Section 4 of the Hydromodification Technical Report.

With respect to the Riverpark Mitigation Bank, as stated in <u>Response to Comment CBD-26</u>, EIR <u>Response to Comment Z-3</u> explains:

As of March 2017, the Riverpark Mitigation Bank has not been approved by the U.S. Army Corps of Engineers or CDFW. Therefore, analysis of the proposed Riverpark Mitigation Bank would be speculative and is not required by CEQA. (River Valley Pres. Dist. V. MTDB (1995) 37 Cal. App. 4th 154, 169-70 (CEQA does not require sheer speculation as to future environmental consequences of a mitigation plan that is unspecified and uncertain); Kings County Farm Bureau v. City of Hanford (1990) 221 Cal. App. 3d 692, 739 ("CEQA does not require discussion in an EIR of future developments which are unspecified and uncertain. Such an analysis would be based upon speculation about future environmental impact."))

As of the date of commenter's letter (September 5, 2017) and this response, the Riverpark Mitigation Bank still has not been approved. Therefore, analysis would be speculative and is not required by CEQA as explained in EIR Response to Comment Z-3.

Nonetheless it is noted that EIR <u>Response to Comment Z-34</u>, provides additional information explaining how the proposed project does not significantly impact the San Jacinto River, near the Riverpark Mitigation Bank.

#### Response to Comment BC-55:

The commenter has not cited to any basis for its disagreement with the 1 mile radius used in the EIR for the cumulative air quality impact analysis. As explained in Response to Comment BB-22, the domain considered for this cumulative analysis was one mile, which was selected based on the anticipated range which air quality emissions may have a cumulative effect. This distance is four times greater than the quarter mile distance recommended by SCAQMD for evaluating the TAC sources in the vicinity of a proposed sensitive receptor site and nearly two times greater than the 1,000 meter modeling domain used in the project air quality analyses. Notably, the ambient air quality impacts of emissions sources generally decrease based on distance from the emissions. As a result, any proposed/planned projects

http://www.spl.usace.army.mil/Media/Public-Notices/Article/588498/spl-2015-00318-mbt-riverpark-mitigation-bank/ and https://www.wildlife.ca.gov/Conservation/Planning/Banking/Approved-Banks

located further than a distance of one mile from the proposed project site is not expected to contribute considerably towards a cumulative localized ambient air quality impact of the proposed project.

As explained in <u>Response to Comments BB-26</u>, **MM AQ 2** has been updated to include Tier 4 equipment as well. It now requires that if reasonably available, for off-road equipment with engines rated at 75 horsepower or greater, no construction equipment will be used that is less than (1) Tier 2 at the start of construction, (2) Tier 3 starting in 2020, (3) Tier 4 Interim starting in 2025, and (4) Tier 4 Final starting in 2030.

Notably, the CARB in-use off-road diesel regulation incorporates a phase-in period to incorporate newer Tier 3 or higher construction equipment into each construction contractor's fleet of equipment, and does not require any construction equipment to meet the Tier 4 standards. Instead, the regulation currently only prohibits adding a vehicle with a Tier 2 or lower engine to a fleet starting on January 1, 2018 and allows contractors to add equipment with Tier 3 or higher engines. The regulation, issued on December 14, 2011<sup>7</sup> and summarized in an ARB fact sheet<sup>8</sup>, requires that a fleet demonstrate that it either meets the fleet average index target (based on a given fleet's NOx emissions) or that it meets the BACT for 10% of the fleet each year, starting in 2014 for large fleets. The CARB in-use off-road diesel regulation has less stringent requirements for small and medium vehicle fleets. Small fleets have a combined horsepower rating of 2,500 hp or less. Medium fleets have 2,501 to 5,000 hp and large fleets have more than 5,000 hp. It is possible for a fleet to meet the fleet average target with a mix of Tier 4 and Tier 3 vehicles, or even older vehicles if designated as low-use or otherwise exempt from BACT requirements. The project has evaluated what is feasible for Tier 4 equipment and MM AQ 2 implements all that the market has available The project is committed to minimizing the emissions during construction and has included MM AQ 1 based on what has been determined to be feasible.

Based on the Freeway HRA, the analysis shows that a vegetative barrier would help homes that are located within 1,300 feet be below the risk threshold. Thus the presence of a vegetative barrier assists those homes, there is not a requirement to indicate that homes within this distance require it in the mitigation measure, as long as the vegetative barrier is provided, which MM AQ 5 does require.

Per MM AQ 5, vegetative barriers will be planted adjacent to the Ramona Expressway/Mid County Parkway to filter gasoline and diesel particulate matter (PM) from vehicle exhaust. Since these barriers would be located between the Ramona Expressway/Mid County Parkway and any location on the Project site, they will effectively reduce PM concentrations and associated cancer risk over the entire project site. As stated in the February 2017 Health Risk Assessment of the Ramona Expressway<sup>9</sup> with the use of vegetative barriers the areas, that would require filters to mitigate cancer risk to levels below SCAQMD significance thresholds, would be around 60 feet from the edge of the Ramona Expressway/Mid County Parkway. However per MM AQ 6, the project conservatively commits to install filtration devices on buildings located with 550 feet of the Ramona Expressway/Mid County Parkway.

<sup>&</sup>lt;sup>7</sup> https://www.arb.ca.gov/msprog/ordiesel/documents/finalregorder-dec2011.pdf

<sup>&</sup>lt;sup>8</sup> https://www.arb.ca.gov/msprog/ordiesel/faq/overview\_fact\_sheet\_dec\_2010-final.pdf

<sup>&</sup>lt;sup>9</sup> Available at:

http://planning.rctlma.org/Portals/0/Postings/Villages%20of%20Lakeview%20EIR/Final%20EIR%20No.%20471/Appendix%20C%20-%20Air%20Quality%20Analysis.zip?ver=2017-08-07-151824-780. Accessed: September 2017.

With respect to PCL-20, the relevant threshold for determining the project's potential impacts project's consistency with the MSHCP (EIR Section 5.4, Biological Resources, Threshold A). EIR Response to Comment BB-28 addresses the undercrossing's consistency with the MSHCP. Additionally, EIR Response to Comment BB-28 does address the effects of culvert length on small mammals, including additional Mitigation Measure MM Bio 3b and revisions providing that when the extension for JJ Street is installed, the associated undercrossing will include accommodations designed to provide cover for small mammals, such as a smaller pipe or appropriate cover. To the extent possible, such accommodations will be consistent with structural components added to the MCP culvert. Additionally, a dry culvert crossing is part of the MCP Project which will facilitate wildlife movement under the MCP even in wet conditions. (EIR p. 2-870 - 872). Finally it is noted that these issues are not relevant for Alternative 7, recommended for approval by Staff, because Alternative 7 would not require construction of JJ Street and therefore does not require extension of the undercrossing. (EIR, p. 7.0-14).

With respect to raptor habitat, EIR Response to Comment 33 is included here in full, for reference:

Potential impacts to raptor habitat will be less than significant because of the amount of habitat will be set aside as "Open Space" and "Park" areas (which also provide foraging and some potential breeding habitat for raptors) adjacent to the SJWA and in the Lakeview mountains. The project's compliance with the MSHCP, which will protect and conserve raptor habitat throughout the region, the permanent conservation of land contiguous with the SJWA and the Lakeview Mountains that provide some breeding and foraging habitat for raptors, and the maintenance of large buffers between development and the conserved lands, impacts to special status raptors, including raptors that are not covered by the MSHCP, are less than significant (EIR, p. 5.4-53). Furthermore, the MSHCP conserves foraging habitat for raptors through the various Core areas, Habitat Blocks, and Linkages.

#### Response to Comment BC-56:

Commenter incorrectly argues that compliance with the MSHCP for coastal California gnatcatcher is not compliance with CEQA. As explained in EIR Response to Comment BB-45, The coastal California gnatcatcher is an MSHCP covered species Covered Species Adequately Conserved under the MSHCP without additional conservation requirements. However, the MSHCP does impose restrictions on clearing of occupied habitat during the nesting season. Condition 5b of the MSHCP Federal Fish and Wildlife take permit states that the "clearing of occupied habitat within PQP lands and the Criteria Area between March 1 and August 15 is prohibited." Although the take of gnatcatchers is covered under the MSHCP, the purpose of this condition is allow for the successful reproduction of gnatcatchers during the nesting season and to prevent the take of active nests (EIR Appendix D, The Villages of Lakeview Specific Plan, General Biological Report, (prepared by Glenn Lukos Associates, Inc., dated December 16, 2013), p. 116). Therefore, mitigation measure MM Bio 5 is consistent with the requirements outlined in the MSHCP permit and is sufficient to mitigate impacts to this species. Potential impacts to the coastal California gnatcatcher are summarized in the EIR (p. 5.4-41) and addressed in more detail in the Biological Report (EIR Appendix D).

Commenter suggests that compliance with the MSHCP is improper. As explained in EIR Response to Comment 1-140:

As stated in Section 6.1.1(A) of the MSHCP, "Development of property outside of the MSHCP Conservation Area (both within and outside of the Criteria Area) shall receive Take Authorization for Covered Species Adequately Conserved provided payment of a mitigation fee is made (or any credit for land conveyed is obtained) and compliance with Section 6.0 of the MSHCP occurs. Payment of the mitigation fee and compliance with the requirements of Section 6.0 are intended to provide full mitigation under the California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), Federal Endangered Species Act, and California Endangered Species Act for impacts to the species and habitats covered by the MSHCP pursuant to agreements with the U.S. Fish and Wildlife Service, the California Department of Fish and Game and/or any other appropriate participating regulatory agencies and as set forth in the Implementing Agreement for the MSHCP." Section 6 of the MSHCP also identifies plan compliance processes for projects affecting land outside and inside of designated Criteria Areas, including species survey requirements. The project will be required to comply with all such applicable policies as part of project compliance with the MSHCP (EIR, Figure 5.4-5 MSHCP Survey Areas).

Therefore, as long as individual projects comply with the overall requirements of the MSHCP, those projects are allowed to rely on their compliance with the MSHCP to satisfy obligations under CEQA related to analysis of impacts to biological resources. Furthermore, the project's EIR adequately analyzed impacts to those special-status species not designated as Covered Species Adequately Conserved under the MSHCP (EIR, pp. 5.4-51 – 5.4-52).

(EIR pp. 2-317-318). As such, compliance with the MSHCP provides full mitigation under CEQA for this species.

#### Response to Comment BC-57:

As stated in EIR <u>Response to Comment BB-53</u>, the timing for preparation of a DBESP is addressed in EIR <u>Response to Comment BB-38</u>. Specifically, EIR <u>Response to Comment BB-38</u> explains that until the specific impacts and mitigation measures have been identified, the information needed for the DBESP simply is not available, which is required before a DBESP can even begin the review process with the RCA. To clarify the need for additional studies, mitigation measure **MM Bio 15** was revised in the EIR as follows and as stated in <u>Response to Comment Z-42</u>:

MM Bio 15: A Programmatic DBESP shall be prepared prior to the issuance of grading permit for off-site infrastructure subject to the MSHCP to provide a conceptual framework for mitigating any riparian/riverine impacts identified once the facilities are designed. Prior to ground disturbance for the construction of off-site infrastructure subject to the MSHCP, as well as for any project-development proposals in the future that will build out areas of the Specific Plan which were identified as having MSHCP riparian/riverine resources, and if impacts to MSHCP

riparian/riverine areas cannot be avoided, then a project-level DBESP will be required. The future programmatic and project-level DBESPs shall include including mitigation for the loss of riparian habitat at a minimum 1:1 ratio through the purchase of credits from an approved mitigation bank/in-lieu fee program or other equivalent mitigation approved by the MSHCP Permittee, in accordance with MSHCP Section 6.1.2. The project sponsor shall comply with any recommendations identified in the studies to ensure MSHCP compliance; for example, if impacts were to occur off paved roads and onto unpaved or undisturbed road shoulder, then additional studies would be required if the area is located in an MSHCP survey area, including focused plant surveys, focused burrowing owl surveys, and trapping for small mammals.

Commenter disagrees with the statement that "Funding of the measures noted in the comment does not affect the analysis and conclusions in the EIR." Although the comment refers to BB-53, it is assumed that this portion of the comment refers to EIR <u>Response to Comment BB-50</u>. The EIR's analysis is based on the requirements of Mitigation Measure Bio 11, which provides in full:

MM Bio 11: In order to increase public awareness and knowledge about local environmental issues and reduce potential significant indirect effects of development near to Conservation Areas, the Master Developer of the proposed project shall provide an Environmental Stewardship Program. The program will include methods of community education such as interpretive and directional signs, pamphlets and demonstrations. The types of information presented shall include, but not be limited to: lighting, noise, keeping on trails, wildlife, plants, habitats, barriers, domestic animals, toxics such as pesticides, and invasive species, and vector-borne disease prevention. The Environmental Stewardship Program shall include a fund to be administered by the Lakeview Community Services Organization and a portion of the fund shall be used for SJWA management items, including feral animal trapping, removal of trash, invasive species removal and enforcement. The budget will be developed in consultation with the California Department of Fish and Wildlife.

Mitigation Measure **Bio 11** clearly requires Master Developer to provide an Environmental Stewardship Program that includes specific methods of community education. As drafted, **MM Bio 11**'s requirement that Master Developer provide an Environmental Stewardship Program is mandatory, regardless of how the Lakeview Community Services Organization manages the principal and income from the fund. Importantly, in response to the September 5, 2017 comment letter from California Department of Fish and Wildlife and U.S. Fish and Wildlife Service (CDFW/FWS), **MM Bio 11** will be further revised in response to that letter. Mitigation Measure **Bio 11** is included in the MMRP, which is designed to ensure compliance during project implementation, in accordance with Cal. Pub. Res. Code § 21081.6. The MMRP specifies that the Environmental Programs Department and/or Planning Department is responsible for enforcement of the measure. As such, the requirement for Master Developer to provide an Environmental Stewardship Program is mandatory and enforceable, and the EIR appropriately considered this mandatory requirement in its analysis.

# Response to Comment BC-58:

To clarify, General Plan Policy LU 4.1(f) requires that new developments be located and designed to visually enhance, not degrade the character of the surrounding area through consideration of concepts, including "Incorporate water conservation techniques, such as groundwater recharge basins, use of porous pavement, drought tolerant landscaping, and water recycling, as appropriate." As explained in EIR Response to Comment BB-90, Policy LU 4.1(f) does not require water recycling; it requires the incorporation of water conservation techniques, which may include the use of recycled water. Contrary to the commenter's assertion, the project developer does not have the authority to require recycled water use in residential front and backyards. Recycled water in these areas would be allowed if approved by EMWD and the County, and if these areas are subject to professional management. The project's consistency with this policy is addressed in EIR Appendix N, which notes that "The Specific Plan also requires that the proposed project utilize recycled water to the maximum extent possible, must provide a site for a recycled water tank, and must use recycled water in residential front yards and back yards and in the adjacent public street parkway if available." The project is consistent with General Plan Policy LU 4.1(f).

## Response to Comment BC-59:

Commenter refers to Comment BB-93, which stated "we presume that you assumed the outdoor uses would be recycled water, which you should not assume given that the developer has not established that professional management for such water is available." To clarify, the WSA conservatively assumed the total project's water demand was potable and concluded EMWD has adequate supply to meet the project's and all other district demands for the 20 year period, including, normal, single dry, and multiple dry years. The 2013 WSA used the most recent water use factors developed by EMWD for residential, commercial, school, park and mixed uses by unit and by acre, as applicable. (EIR, p. 5.15-28; see also EIR Appendix M, WSA, § 3.2, Table 10) The WSA did not calculate demand for recycled water, as EMWD does not have separate recycled water demand factors. EMWD does however have recycled water available for use in public areas, like parks, schools, and landscaped medians. The project's design feature further requires recycled water use in private common areas that are subject to professional management, if approved by the County and EMWD.

## Response to Comment BC-60:

This comment includes unsubstantiated claims regarding the calculation of points for the Riverside Climate Action Plan (CAP) screening table. Notably, this issue was addressed already in the Response to Comment BB-100 on Page 2-924 to 2-926 of the FEIR. The comment appears to take issue with how the Riverside CAP screening table is set up, which is an issue that the project has no control over. The project has followed the Riverside CAP screening table based on the directions and approach the county has established for it. Specifically, the CAP allocates 8 points per EV charging station without providing information about the number of residential units. Per MM GHG 6, all single-family homes will be wired to support a 240 kV charging devised and one electric vehicle charging station will be installed for every 15 multi-family dwelling units. If the installation of the conduit at 5,660 homes and 383 charging stations at multi-family homes are accounted for, this implementation measure would include 8,664 points. The Riverside CAP screening table provides a range of points that can be assigned for use of high efficiency lights in commercial and non-residential units. Choice of actual points that can be

assigned are based on the percentage of high efficacy in-unit fixtures installed in the buildings. The points assigned for the proposed Project are based on the Project's commitment to use high efficiency light bulbs per MM GHG 3 and are therefore valid. The relationship to the Title 24 code is only relevant to provide perspective to the quantification of the inventory. The project has made a specific commitment that will apply irrespective of the Title 24 code. Finally, in response to comments on the Draft EIR, MM GHG-26 was added and solar the project is now required to either install solar panels, or provide for offsets that is equivalent to the installation of one photovoltaic (i.e., solar) power system no smaller than a 2-kilowatt (kW) solar panel installation for every single-family detached residence which further increases the points.

The project was conservatively analyzed in the EIR assuming construction using 2013

Title 24 building standards, even though by the time the project is constructed, it will need to comply with the current Title 24 standards. It would be speculative to analyze the Project based on standards that will be adopted in the future. See CEQA Guidelines, 14 California Code of Regulations. § 15145(CEQA does not authorize speculation). However, the County cannot and will not issue a building permit for construction of a project that violates state law. The County will require the developer to apply the Title 24 Standards in effect at the time of building permit application, in compliance with state law.

# Response to Comment BC-61:

Comment noted.

# Responses to September 5, 2017 Comment Letter from Center for Biological Diversity

## Response to Comment CBD-1:

Contrary to the comment, the analysis is the EIR is adequate and complies with CEQA, as set forth in the responses herein.

# Response to Comment CBD-2:

Recirculation is not required. The EIR thoroughly analyzes the potential environmental impacts of the project, and there has been no new information added in the FEIR that would trigger recirculation for public comment.

Under CEQA, and EIR must be recirculated only where "new significant information is added to the EIR" after the EIR is circulated for public review but before the EIR is certified. (Cal. Pub. Res. Code § 21092.1; CEQA Guidelines § 15088.5(a)). "Significant new information" can include: (1) a new significant environmental impact that would result from the project or from a new proposed mitigation measure; (2) a substantial increase in the severity of an environmental impact unless mitigation measures are adopted that reduce the impact to a level of insignificance; (3) a feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the project's environmental impacts, but the project's proponents decline to adopt it; or (4) when a draft EIR is so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. Recirculation is not required when new information is added that "merely clarifies or amplifies or makes insignificant modifications in an adequate EIR." (CEQA Guidelines § 15088.5(b)).

Notably, "new information" is not significant "unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a *substantial* environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement." (CEQA Guidelines § 15088.5 (a); *Laurel Heights Improvement Assn. of San Francisco, Inc. v. Regents of the Univ. of Cal.* (1993) 6 Cal.4th 1112, 1129; *Center for Biological Diversity v. Cal. Dept. of Forestry and Fire Protection* (2014) 232 Cal.App.4th 931, 949; *South County Citizens for Smart Growth v. County of Nevada* (2013) 221 Cal.App.4th 316.)

Commenter incorrectly suggests that the Health Risk Assessment of Ramona Expressway (Feb. 2017), the Health Risk Assessment Technical Report (Feb. 2017), Air Quality Technical Report (May 2017), Operational Ambient Air Quality Impacts Report (May 2017), Additional Greenhouse Gas Analyses Report (May 2017), and Greenhouse Gas Technical Report (May 2017), as well as additional mitigation measures constitute "significant new information." In fact, the reports referenced by commenter contain updated or clarifying information on air quality and greenhouse gas impacts and do not reveal any new significant impacts that were not previously analyzed. And the project proponents have not declined to adopt the additional mitigation measures referenced by commenter. Therefore, these documents do not trigger recirculation under the CEQA Guidelines or the standards set forth in Laurel Heights and South County Citizens.

## Response to Comment CBD-3:

The DEIR and FEIR are not required to contain a copy of the development agreement or specific plan. The EIR must contain an adequate project description that satisfies the requirements of CEQA Guidelines § 15124. The EIR includes a detailed project description, and adequacy of the Project Description is explained in EIR Responses to Comments I-3, I-4, I-6, and I-8. However, the EIR's project description is not required to include additional information beyond the specific requirements of CEQA Guidelines Section 15124. In fact, CEQA Guidelines 15124 expressly state that "[t]he description of the project shall contain the following information but should not supply extensive detail beyond that needed for evaluation and review of the environmental impact." See also Maintain Our Desert Environment v. Town of Apple Valley (2004) 124 Cal.App.4th 430.

Additionally, refer to EIR Response to Comment I-7. Native Sun/Lyon Communities v. City of Escondido (1993) 15 Cal. App. 4th 892, 909-10 rejected an argument that there was an inadequate description of the project due to absence of a Development Agreement in the EiR. The court concluded that "this contention ignores the fact that CEQA... does not require an analysis in the EIR of each and every activity carried out in conjunction with a project. Here, the EIR gave adequate notice of the existence of the Development Agreement and provided a means for determining the terms of that document. The project description in the EIR was adequate with respect to the Development Agreement." As in Native Sun, the Development Agreement and Specific Plan are listed in the project description as required by CEQA and do not need to be discussed in detail in the EIR.

#### Response to Comment CBD-4:

Responses to the MRO comment letter were posted on the County's website on September 13, 2017. Below is a screenshot of the County's website, which clearly explains that "Response to Comment Letter Q, Exhibit B from MRO Engineers was inadvertently omitted from Section 2 of Volume of 1 of The Villages of Lakeview Final EIR. This response is available for review via the link below:"

#### Fined ESR Mo. 471 Files

Specific Plan Alternative 7 - July 2017

The Villages of Lakeview FEIR Volume 1 Section 1-3 pdf

Response to Comment Letter Q, Exhibit B from MRO Engineesprs was inadvertently omitted from Section 2 of Volume of 1 of The Villages of Lakeview Final EIR. This response is available for review via the link below.

The Villages of Lakeview FEIR Volume 1 Response to Comment Q, Exhibit B - MRO Engineers

#### The MRO letter and responses are available at:

http://planning.rctlma.org/LinkClick.aspx?fileticket=VIGFhnhRv-4%3d&portalid=0

The County's website where the EIR and project documents are posted is:

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

The MRO comment letter and responses were posted for public review three weeks prior to the October 4, 2017 Planning Commission continued hearing on the EIR and project (at which the Planning

Commission will consider recommending certification of the EIR, but does not take action to certify the EIR), and therefore well in advance of the Board of Supervisors' anticipated consideration of certification of the EIR.

## Response to Comment CBD-5:

Planning Areas 41a, 41b, 48, and 49 are currently used as agricultural land and are designated for agriculture in the Alternative 7 Specific Plan (See Exhibit B.1.5). Therefore, the reference in Section B.1 on page 14 of the Alternative 7 Specific Plan is correct that those areas will be kept as is. No residential or commercial development is allowed in the Agricultural land use designation (See Specific Plan Zoning Ordinance), therefore there is no requirement for the FEIR to include a mitigation measure or additional binding commitment that these lands will continue as agricultural use.

## Response to Comment CBD-6:

The CEQA Guidelines include a broad range of methods for preparing an EIR (CEQA Guidelines § 15084). In fact, the CEQA Guidelines expressly state that "The lead agency may require the project application to supply data and information both to determine whether the project may have a significant effect on the environment and to assist the lead agency in preparing the draft EIR," (CEQA Guidelines § 15084(b)), and "Any person, including the applicant, may submit information or comments to the lead agency to assist in the preparation of the draft EIR" (CEQA Guidelines § 15084(c)).

Commenters cite Eureka Citizens for Responsible Gov't v. City of Eureka (2007) 147 Cal.App.4th 357, 371, in which the court actually held that there was nothing improper about an initial draft EIR being prepared by counsel for the applicants, rejecting appellants' argument that such process was "biased and legally inadequate." The court in Eureka Citizens expressly stated:

When an EIR is required, the lead agency is responsible for preparing it, but rather than preparing it using its own staff, the agency may enlist the initial drafting and analytical skills of an applicant's consultant so long as the agency applies its "independent review and judgment to the work product before adopting and utilizing it." This methodology is common in California, and the Guidelines affirmatively endorse preparation of a draft EIR in the manner used in this case. The "preparation" requirements of CEQA and the Guidelines turn not on some artificial litmus test of who wrote the words, but rather upon whether the agency sufficiently exercised independent judgment over the environmental analysis and exposition that constitute the EIR.

Id. at 369, citing Friends of La Vina v County of Los Angeles (1991) 232 Cal.App.3d 1446 (internal citations omitted).

The relevant inquiry is not whether technical reports were prepared for the applicant, but whether the lead agency applies independent review and judgment. Here, the County as lead agency must certify that the final EIR reflects its independent judgment and analysis (CEQA Guidelines § 15090(a)(3)). It is recognized that "[t]his requirement reflects the rule that a lead agency may allow third parties to prepare an EIR, but is ultimately responsible for its contents." (Kostka & Zischke, *Practice under the California Environmental Quality Act*, §17.6(b), 2<sup>nd</sup> ed., 2017). Further, despite the unsubstantiated

opinion from the commenter, all technical studies and analysis within the EIR has been reviewed in detail by the lead agency. As such, commenters are incorrect that the County cannot rely on technical studies prepared for the applicant and included in the EIR.

## **Response to Comment CBD-7:**

As seen in Table 7-H of the FEIR, the proposed project will generate 1,190 permanent jobs, and Alternative 7 will generate 3,286 permanent jobs based on a generation rate of 1 employee per 420 square feet. The commenter is correct that the developer's fact sheet, which was not used as part of the FEIR's analysis impacts, reflects the number of permanent jobs generated by the project. However, the fact sheet underestimates the number of permanent jobs if Alternative 7 is approved. The employment numbers do not include temporary construction jobs that will be generated by the project. Construction would generate demand for approximately 17,700 person-years' worth of work, and many project residents may telecommute in the future.

The proposed project does not claim to correct the jobs to housing imbalance. The project would result in a decrease in the jobs/household balance for the surrounding area of approximately 23 percent, which is below current and projected jobs/household balance levels for the local and regional areas. Although the current jobs/household balance within a 20-mile radius and the proposed project's jobs/household ratio are low, the situation is not unusual because employment growth typically lags residential growth in outlying areas by approximately two to three decades. In fact, the region as a whole is expected to produce more jobs than households over time. As explained in Appendix K, projections by the Southern California Association of Governments (SCAG) show that job growth will soon outpace household growth in the area. Specifically, they project that job growth will outpace household growth in Western Riverside County by a factor of 1.9 to one, bringing the area to within 92% of balance by 2035. Projections by Riverside County show even faster progress, with job growth outpacing household growth by a factor of 2.0 to one, bringing Western Riverside County to within 95% of balance by 2035. (Dennis Macheski – Overview of Job-Housing Balance in the Area Surrounding Lakeview-Nuevo in Riverside County, page 4).

Please refer to Response to Comments H-3, I-17, I-72, I-107, BB-84 for more details.

#### Response to Comment CBD-8:

This comment was responded to in <u>Response to Comment I-81</u>. To clarify, while the project increases the intensity of development potential compared to that previously assumed by SCAG in its 2012 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), SCAG updated its RTP/SCS in 2016. The proposed project is explicitly included in SCAG's 2016-2040 RTP/SCS which is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. SCAG adopted the 2016 Demographics and Growth Forecast as part of the RTP/SCS process, which is an update to the 2012 forecasts. When compared to SCAG's 2016 RTC/SCS Countywide forecasts (assuming full buildout by 2035 would be 3,055,100 persons), the project's 36,434 persons would account for approximately 1.1 percent of the population forecasted by SCAG. The project would also account for 2.0 percent of the forecasted County population per the 2015 General Plan (1,762,743 persons, see Table 5.11-E), 3.9 percent of the forecasted population for Western

Riverside County per the 2015 General Plan; 6.3 percent of the forecasted population for the nearby cities of Hemet, Moreno Valley, Perris, and San Jacinto; and 1.7 percent of the forecasted population within a 20-mile radius of the project site.

Moreover, and as stated on in Response to Comment I-81, even though the project would have increased the intensity of development potential compared to that previously assumed by SCAG in its 2012 RTP/SCS for this portion of Riverside County, SCAG itself stated in its May 2012 letter that the project is consistent with the growth projections contained in the RTP/SCS. SCAG specifically concluded that "greenfield development" (developing on previously undeveloped land) is included in the RTP/SCS as it continues to play a vital role in the region's future economic growth and development. From SCAG's perspective, the proposed project is an example of a community that meets the goals of the RTP/SCS because it espouses smart growth principles such as compact building design, integration of uses and walkability, thereby reducing vehicle miles travelled on freeways. As such, the proposed project is the type of master-planned community that is needed in greenfield development locations and complements the RTP/SCS. Based on the SCAG letter and the inclusion of the project in the updated RTP/SCS, the FEIR correctly concluded the proposed project would not represent a substantial change from RTP/SCS policies and would result in less than significant impacts with respect to regional plans. It should also be noted that none of the policies or goals in the 2016 RTP/SCS changed from the earlier 2012 RTP/SCS.

Even if the commenter was correct, which it is not, that there was a land use conflict with the 2016 RTP/SCS, land use inconsistency is not, standing alone, a significant impact on the physical environment. CEQA's scope is limited to "physical impacts on the environment," and does not include "social or economic impacts." CEQA §§ 21080(e)(2), 21082.2(c). Therefore, it is "incorrect" to conclude that "[land use] inconsistency itself is an environmental impact"; "inconsistency between a proposed project and an applicable plan is a legal determination, not a physical impact on the environment." Kostka & Zischke, Practice Under the California Environmental Quality Act (2d ed. Cal CEB) § 12.34. In Lighthouse Field Beach Rescue v. City of Santa Cruz (2005) 131 Cal. App. 4th 1170, 1207, the court found "an inconsistency between a project and other land use controls does not in itself mandate a finding of significance... [i]t is merely a factor to be considered in determining whether a particular project may cause a significant environmental effect." "Because EIRs are required only to evaluate 'any inconsistencies' with plans, no analysis should be required if the project is consistent with the relevant plans." North Coast Rivers Alliance v. Marin Municipal Water District Board of Directors (2013) 216 Cal. App. 4th 614, 632 (quoting City of Long Beach v. Los Angeles Unified School Dist. (2009) 176 Cal. App. 4th 889, 918-919). Commenters shown that the alleged conflicts may lead to "physical impacts on the environment." CEQA § 21080(e)(2).

Finally, the commenter completely ignores SCAG's letter in which it states that the project is consistent with SCAG's regional plan. As the author of the RTP/SCS, SCAG's consistency determination is afforded great deference. Sequoyah Hills Homeowners Assn. v. City of Oakland (1993) 23 Cal.App.4th 704. SCAG can "weigh and balance the plan's policies when applying them and it has broad discretion to construe the policies expressed in the plans too rigidly and ignore[] the flexibility [SCAG] officials have in implementing them." Friends of Lagoon Valley v. City of Vacaville (2007) 154 Cal.App.4th 807, 817, 822;

Clover Valley Found. v. City of Rockville (2011) 197 Cal.App.4th 200, 239 (holding no abuse of discretion when city concluded consistency with the general plan despite inconsistency with a buffer requirement because the inconsistency "actually furthers the general plan's policies"). "It is enough that the proposed project will be compatible with the objectives, policies, general land uses and programs specified in the applicable plan. [Citations.]" Sierra Club v. County of Napa (2004) 121 Cal.App.4th 1490, 1511.

## Response to Comment CBD-9:

The general statements in the FEIR that strict environmental regulations in California related to energy efficiency and green building means that development in California is more energy efficient than many other locations within the United States. For example, in a press release for Next 10 published a report in April 2016 that found that California remains a leader in renewable energy production while its residents use less energy and have lower energy bills than other Americans. (report available online here: <a href="http://next10.org/sites/next10.org/files/california-energy.pdf">http://next10.org/sites/next10.org/files/california-energy.pdf</a>). The Supreme Court favorably referenced a response to a similar comment on climate change agreeing that "the future residents and occupants of development enabled by Project approval would exist and live somewhere else if this Project is not approved. Whether 'here or there,' GHG emissions associated with such population growth will occur." Ctr. for Biological Diversity v. California Dep't of Fish & Wildlife (2015) ("Newhall"), 62 Cal.4th 204, 220.

Contrary to the commenter's statements, the discussion in the FEIR was not "lumping" the project with other projects but rather making the valid point *specific to GHG* which is an international problem, that development in California results in less GHG emissions on a per capita basis that if those same people were to live in, for example, Arizona or Nevada. These statements had nothing to do with the wildlife refuge and commenters reference is not related to the point of the statements in the FEIR.

#### Response to Comment CBD-10:

This comment summarizes information in the Next10 Report.

## Response to Comment CBD-11:

The comment suggests that a statement in the FEIR is incorrect with little to no substantiation to support its claims. The cited sentence is accurate. The state's efforts to further reduce GHG emissions to meet 2030 and 2050 GHG reduction goals will require new and undeveloped technologies. For example, in the draft 2017 Scoping Plan, it states "Many of the measures in this alternative face technology and cost barriers that must be overcome to ensure the reductions begin as soon as possible" (page 50. Available at: <a href="https://www.arb.ca.gov/cc/scopingplan/2030sp">https://www.arb.ca.gov/cc/scopingplan/2030sp</a> pp. final.pdf. Accessed: September, 2017.) Also on page 95, the 2017 Draft Scoping Plan highlights the need to make California "the epicenter for research, development, and deployment of technology needed to achieve a near-zero carbon future." While electrical vehicle technology exists today to some extent, to achieve the low levels of emissions, improvements in battery technology, efficiency of those electric vehicles, charging infrastructure, and cost efficiency of those technologies will be required for the state to meet the 2030 and 2050 goals. The County believes this improvement in technology is necessary to ensure that EV technology is adoptable by all segments of the population and for the variety of vehicle types required (e.g., medium and heavy

duty trucks). Furthermore, it is likely that other types of fuels such as biofuels and renewable hydrogen may also be required to fuel vehicles that technology cannot cost effectively convert to be electrically powered. While some technology exists for these situations, the wider spread adoption and cost effectiveness of those technologies needs to be developed and improved. The ability for our electrical grid to manage the different renewable sources clearly still needs improvement in order to achieve the effective integration of energy storage and distribution. The CEC's current efforts to update The title 24 building code, which has been challenged with assessing the cost effectiveness of implementing ZNE and the limitations of how renewable energy on homes will be integrated, demonstrates this (Available at: <a href="http://www.energy.ca.gov/title24/2019standards/prerulemaking/">http://www.energy.ca.gov/title24/2019standards/prerulemaking/</a>. Accessed: September, 2017).

The comment refers to another project in southern California that has committed to ZNE, however, the comment does not cite what project that is. The ability for a project to commit to advanced technology will vary based on the location, due to the effect of the climate zone and the housing market of that area. There are no projects in Riverside County that have made the commitment to ZNE. Notably, the current CEC rulemaking is still assessing if ZNE is cost effective and appropriate for the Title 24 code update (Available at: <a href="http://www.energy.ca.gov/title24/2019standards/prerulemaking/">http://www.energy.ca.gov/title24/2019standards/prerulemaking/</a>. Accessed: September, 2017).

Regarding the comment that the project will "lock-in" transportation emissions, this statement exaggerates the project's specific contribution to air quality. The fuel efficiency of vehicles is regulated by federal and state standards and ongoing improvements in those standards can effectively reduce transportation emissions going forward. The ongoing development of EV technology, will also continue to lead to greater adoption and conversion to EVs. Studies have suggested that the future of transportation to address GHG may not be a modal shift to buses, trains, and other mass transit, but may be in the form of autonomous vehicles powered by EVs (Available at:

https://www.rethinkx.com/transportation. Accessed: September, 2017). If these EVs are powered by renewable energy, this would also effectively reduce GHG remissions. The comment has not provided any substantiation to support their claim. The project has committed to substantial mitigation measures to help reduce GHG emissions, notably to encourage the adoption of EVs and to make use of alternative modes of transportation based on the available cost effective technology and approaches known today.

Regarding ZNE, refer to Response to Comment CBD-12.

## Response to Comment CBD-12:

The FEIR has adopted all feasible mitigation measures to mitigate the project's impacts related to greenhouse gases. In response to comments, the County added 33 mitigation measures to further mitigate greenhouse gas emissions, including those that address renewable/solar power (MM GHG 26, MM GHG 27, and MM GHG 28). MM GHG 26 provides that:

"The project developers shall produce or cause to be produced renewable electricity, or secure GHG offsets or credits recognized or validated by the California Air Resources Board or the South Coast Air Quality Management District, that is equivalent to the installation of one photovoltaic (i.e., solar) power system no smaller than a 2-kilowatt (kW) solar panel installation for every single-family residence, and for every 1,600 square feet of non-residential roof area,

on the project site. Offsets will be used as a backup for solar up to the equivalent of 2.0kW if the single-family residence is not build with a solar power system. This shall not apply to multifamily residences."

Single family attached and multifamily apartments units are considered "multifamily" for purposes of the air quality, greenhouse gas, and traffic analysis. There are 5,600 single family detached homes and 3,940 attached single family homes and 1,810 apartment units consider multifamily. In the traffic study, single family attached homes were analyzed as Townhomes/Condominiums. Since these types of houses don't always have their own attached garages, they were assumed to be multi-family residences for the purposes of the Air Quality and GHG analysis. Consistent with the analysis in the EIR as prepared, **MM GHG 26** has been clarified as follows:

"The project developers shall produce or cause to be produced renewable electricity, or secure GHG offsets or credits recognized or validated by the California Air Resources Board or the South Coast Air Quality Management District, that is equivalent to the installation of one photovoltaic (i.e., solar) power system no smaller than a 2-kilowatt (kW) solar panel installation for every single-family detached residence, and for every 1,600 square feet of non-residential roof area, on the project site. Offsets will be used as a backup for solar up to the equivalent of 2.0kW if the single-family residence is not built with a solar power system. This shall not apply to single-family attached and multi-family residences."

In addition, in response to comments received on the EIR, MM GHG 6 was updated to include additional EV charging capability/stations. As noted in <u>Response to Comment BC-2</u>, MM GHG 6 has been clarified to be consistent with the MMRP as follows:

- Garages in single family <u>detached</u> homes are installed with conduit to the garage to the service panel, will be wired with a 240 kV outlet suitable for future electric car charging devices or service.
- One <u>Level 2</u> electric vehicle charging station is installed for every 15 single family <u>attached and</u> multi-family dwelling units
- Commercial uses to have electric vehicle charging station for at least 2% of all parking spaces;
   and
- One 240 kV outlet is installed in the vicinity of every loading dock.

The commenter refers to a goal of zero net energy (ZNE) development that has been used in another separate project (Newhall) that was approved by a different lead agency (California Department of Fish and Wildlife). It is important to note that the reported ZNE is merely a goal that has not been included in any State or County of Riverside plans. The project is not required to meet standards that have not been released.

The CEC's Building Standards Group Report November 2016 report cited in the FEIR concludes that ZNE cannot be required by statute for residential development based on currently available technology and costs. A more recent August 24, 2017 CEC commission staff presentation (docket 17-BSTD-01) confirms

this conclusion, and notes the following challenges with achieving the ZNE goal, and concludes that it is not economically feasible:

- A decade ago when the ZNE goal was first set it was a simple idea: All newly constructed residential buildings by the year 2020 must be ZNE as defined by the IEPR: "...the value of the net amount of energy produced by on-site renewable energy resources is equal to the value of the energy consumed annually by the building, at the level of a single "project" .... using the California Energy Commission's Time Dependent Valuation metric."
- Reality turns out to be more nuanced Since ZNE policy was first set we have learned about the impact of
  - 50% RPS and large scale PV deployment on the grid
  - large scale utility deployment of PVs and to a lesser extent building-based PVs lower the value of additional electricity around midday
  - Net energy metering (NEM) and Time-Of-Use (TOU) on compensation for residential customer-owned generation and cost effectiveness of PVs
- In reality, the grid as it is now has very little capability to store and effectively use overgenerated kWhs from PVs
- Electrification of homes, which results in a larger PV array, must be coupled with grid harmonization strategies to realize the expected environmental and home owner benefits
- Currently, customer-owned storage at about \$500/kWh is still too expensive to be cost for the
   2019 Standards, but this rapidly changing and can cost effective in a future cycle of Standards
- Although ZNE is the goal for 2020, the 2019 Standards must operate within the confines of NEM and life cycle costing, which are the overriding factors for PV requirements

It would be economically unfeasible to require more solar offsets and/or more EV chargers. A lead agency may find that certain mitigation measures or project alternatives economically infeasible. See e.g. Sierra Club v. County of Napa (2004) 121 Cal.App.4th 1490; Assn. of Irritated Residents v. County of Madera (2003) 107 Cal.App.4th 1383.

Moreover, the cost of mitigation measures are paid for by developers but the costs are passed on to homeowners and renters through higher for sale and rental prices. This results in smaller housing supplies and higher housing costs for all. Numerous reports indicate that California is in midst of the worst housing crisis, in part because of the increasing cost of building housing because of agencies requiring so many mitigation measures that the cost of providing housing becomes so great that builders do no build entitled housing units.

As noted above, **MM GHG 26** requires the project developers to offset or use credits validated by the California Air Resources Board or the South Coast Air Quality Management District to ensure that the project provides solar power generation equivalent of 2.0kW per single-family detached residence if the single-family detached residences are not build with a solar power system. The offsets will comply with the Cap and Trade Program and Health and Safety Code section 38562(d).

Cap-and-Trade was recently extended beyond 2020 by the passage of AB 398 by the California Legislature on July 18, 2017. AB 398 was passed with more than a two-thirds majority and was signed into law by Governor Brown on July 24, 2017. AB 398 extends the California Air Resources Board's authority to implement the Cap-and-Trade program through 2030. The extension of the Cap-and-Trade program affirms that if offsets are used, the GHG emissions from the project will be covered by Cap-and-Trade through 2030.

While a lead agency is required to respond to comments proposing concrete, facially feasible mitigation measures, it is not required to accept all suggested mitigation measures. A Local & Reg'l Monitor v. City of Los Angeles (1993) 12 Cal.App.4th 1773, 1809. Here, the County has determined that it is economically infeasible to require the project to purchase additional GHG credits to offset all of its GHG emissions in an attempt to achieve what the commenter is referring to as ZNE. The project includes 39 feasible, practical and effective mitigation measures that will reduce the project's impact on greenhouse gas emissions, in compliance with CEQA. Napa Citizens for Honest Gov't v Napa County Bd. of Supervisors (2001) 91 Cal.App.4th 342, 365.

# Response to Comment CBD-13:

The commenter is correct that multi-family units include apartments and single family attached units for purposes of the air quality, GHG, and traffic analysis included in the EIR and thus the number of EV chargers for residential units is 383. (FEIR, page 2-863). Please refer to Response to Comment CBD-12 and BC-2. The calculations used in the FEIR assumed installation of Level 2 charging stations for the single family attached and multifamily units. MM GHG 6 has been clarified as follows:

- Garages in single family <u>detached</u> homes are installed with conduit to the garage to the service panel, will be wired with a 240 kV outlet suitable for future electric car charging devices or service.
- One <u>Level 2</u> electric vehicle charging station is installed for every 15 single family <u>attached and</u> multi-family dwelling units
- Commercial uses to have electric vehicle charging station for at least 2% of all parking spaces;
   and
- One 240 kV outlet is installed in the vicinity of every loading dock.

The commenter also notes that there is no evidence that the EV chargers will be used. It is impossible to control individual homeowner actions but providing EV chargers makes it more likely that the resident will purchase an electric vehicle and therefore this type of mitigation measure provides an incentive to change purchasing behavior and thereby reduce GHG emissions.

#### Response to Comment CBD-14:

The FEIR does not claim that the targets set in EO S-3-05 are irrelevant. Instead, as explained in Response to Comments F-7, I-21 and BB-87, as well as on pages 5.16-19, 5.16-21 to 22, and 5.16-45 to 50 of the FEIR, CARB's Scoping Plan to implement AB 32 looked beyond 2020 to assess whether implementing the Scoping Plan would achieve the State's long-term climate goals and determined that it would: "Climate scientists tell us that the 2050 target represents the level of greenhouse gas emissions

that advanced economies must reach if the climate is to be stabilized in the latter half of the 21<sup>st</sup> century. Full implementation of the Scoping Plan will put California on a path toward these required long-term reductions. Just as importantly, it will put into place many of the measures needed to keep us on that path." (CARB 2008, p.117.) The 2014 Scoping Plan Update confirms this: "California is on track to meet the near-term 2020 greenhouse gas limit and is well positioned to maintain and continue reductions beyond 2020 as required by AB 32"; and it recognizes the potential for California to "reduce emissions by 2030 to levels squarely in line with those needed in the developed world and to stay on track to reduce emissions to 80 percent below 1990 levels by 2050." (CARB 2014, p. 2.).

Since the Legislature has never enacted EO S-3-05's 2050 target, and no expert agency has interpreted CEQA to require it, the 2050 target has only the force and effect of an executive order issued by a former Governor. Although the Court in the Newhall decision noted that an analysis of goals beyond 2020 may be necessary for new development, the target set by EO S-3-05 are inappropriate significance criteria in analyzing impacts related to GHG emissions and climate change under CEQA. Furthermore, the state or Riverside County has yet to adopt a project level significance threshold for 2030.

Nevertheless, in responses to comments, further analysis is provided based on the best available information at this time to address the comment's concern regarding the project's consistency with SB 32 goal (See Appendix O, Additional Greenhouse Gas Analyses, dated May 2017). This analysis includes a project emissions inventory for the year 2030. Based on Table 7 of the Additional GHG Analyses, it is shown that the project emissions would be 177,316 MT CO2e/year (a 23.3% decrease compared to 2020 project emissions inventory). The decrease in emissions is consistent with regulatory standards, such as 2016 Title 24 Building Energy Efficiency Standards and improved vehicle emission factors. As discussed in the EIR (See pages 5.16-21 thru 5.16-22), these approaches are likely the key approaches for the state to achieve the state GHG reduction goals for 2030 and 2050. The Additional GHG Analyses shows that the project emissions inventory will continue to decrease as required by the overall goals for the state, and thus, it is concluded that the project would not impede the state's efforts to further reduce GHG emissions, as required by SB 32. Riverside County has not otherwise adopted a significance threshold to evaluate the project's emissions relative to the state's 2030 or 2050 GHG reduction goals.

This approach was explicitly endorsed by the Supreme Court in Cleveland National Forest Foundation v. San Diego Association of Governments (2017) 3 Cal.5th 497 ("SANDAG"). Notably, SANDAG did not revisit or overturn the Supreme Court's other recent climate change decision in Ctr. for Biological Diversity v. California Dep't of Fish & Wildlife ("Newhall"), 62 Cal. 4th 204, 229 (2015), holding that compliance with existing regulatory programs remains a valid compliance pathway for climate change impacts under CEQA, further affirming the validity of the County's methodology for assessing and mitigating impacts.

Just like in this comment letter, in SANDAG petitioners (including Sierra Club and Center for Biological Diversity) argued that a lead agency had violated CEQA by failing to analyze the consistency between the proposed project's greenhouse gas emissions and the goals established in Executive Order S-3-05, arguing that a failure to use the 2050 goal described in Executive Order S-3-05 rendered the RTP EIR invalid as an informational document. The Supreme Court rejected this argument. Instead, the Supreme Court found that the analysis in SANDAG did "not obscure the existence or contextual

significance of the Executive Order's 2050 emissions reduction target. The EIR [made] clear that the 2050 target is part of the regulatory setting in which the Plan will operate." *SANDAG* at 507. The emissions analysis was performed "in a manner calculated to adequately inform the public and decisionmakers, who may not be previously familiar with the details of the project," and the agency therefore "did not abuse its discretion by declining to explicitly engage in an analysis of the consistency of projected 2050 greenhouse gas emissions with the goals in the executive order." Id at 504, 507.

The decision in *SANDAG* therefore validates the County's approach here. Notably, the EIR includes discussion of Executive Order S-3-05 in the GHG Technical Report (Appendix O) Section 2.1.4 and how the state and thus the project could achieve the state's 2050 GHG reduction goals. At the time of the EIR preparation, SB 32 was not adopted and this is acknowledged on page 5.16-46 of the EIR. Furthermore, the state or Riverside County has yet to adopt a project level significance threshold for 2030 let alone 2050.

Finally, the Supreme Court affirmed that compliance with existing climate change laws, policies and programs when assessing climate change impacts and determining appropriate mitigation is a valid compliance pathway for climate change impacts.

#### Response to Comment CBD-15:

The Executive Order cited in this comment (E-O B-16 2012) is commonly referred to as the Executive Order on Zero Emission Vehicles and is not applicable to this land use project. E-O B-16 2013 generally supports the rapid commercialization of clean vehicles and pursues policies to promote private sector investment and nurture made-in-California technologies. (Information available here: <a href="https://www.arb.ca.gov/msprog/zevprog/zeveoaction/zeveoaction.htm">https://www.arb.ca.gov/msprog/zevprog/zeveoaction/zeveoaction.htm</a>). Here, the project will be required to support zero emission vehicles through compliance with MM GHG 6. This will help California achieve E-O B-16 2012 long-term environmental and energy goals for the transportation sector, including a decrease in transportation sector greenhouse gas emissions 80% below 1990 levels by 2050 and a reduction of at least 1.5 billion gallons of petroleum fuels by 2025 through the use of clean and efficient vehicles. As explained in <a href="Response to Comment Q-98">Response to Comment Q-98</a>, the calculated energy use/reduction associated with the EV charging stations in multifamily homes and commercial spaces results in a reduction in gasoline use by 1,958,998 gallons per year, and reduction in diesel use by 2,789 gallons per year. Note, these calculations only take credit for the EV chargers installed. The calculation tables showing this are included in <a href="Response to Comment Q-98">Response to Comment Q-98</a> on page 2-541-2-545 of the FEIR.

Finally, executive orders do not have the same status as a law because in California's constitutional system, it is the Legislature, not the Governor, who is entrusted with the role of making statewide laws. Santa Ana Hospital Medical Center v. Belshe (1997) 56 Cal.App.4th 819, 836; see Cal. Const. Art. 4 § 8(b).

## Response to Comment CBD-16:

The commenter is correct that the applicable Sustainable Communities Strategy for the project is the 2016-2040 RTP/SCS. The FEIR correctly states that the 2016-2040 RTP/SCS, approved in April 2016, includes 5,200 households within the project site, which more than covers projected build out of the project *into* Phase 3 of the project. As explained in the Air Quality and Greenhous Gas Technical Reports (EIR Appendix C and O, respectively), the project will be constructed in four phases. Development into

Phase 3 is not the same as saying full buildout of the proposed project, which is up to 11,350 units. Development of Phase 1 and 2 of the project total 5,135 dwelling units. As stated in the FEIR, the SCAG projections in the 2016.RTP/SCS will go beyond the next update in 2021. Additional discussion of the 2016 RTP/SCS is included in the EIR on pages 5.16-73 and in <u>Response to Comment I-81</u>. It should also be noted that none of the policies or goals in the 2016 RTP/SCS changed from the earlier 2012 RTP/SCS.

Under Alternative 7, only 2,900 units will be constructed by the end of Phase 2 which was assumed in 2022 (Alternative 7 Air Quality and Greenhouse Gas Technical Reports, EIR Appendix R and S, respectively) Alternative 7 is therefore well within the RTP/SCS growth projections.

The commenter's citation to Bay Area Citizens v. Association of Bay Area Governments (2016) 248
Cal.App.4th 966, 1004 is taken out of context. In Bay Area Citizens, the court rejected a claim that it was improper for the Plan Bay Area sustainable communities strategy to set regional targets that went beyond state-mandated emissions reductions. The court held that the regional reductions strategies under SB 375 must be in addition to state-mandated reductions. Here, the SCAG RTP/SCS itself is not challenged. Instead, and consistent with Bay Area Citizens, the SCAG RTP/SCS does include reduction strategies that are in addition to state-mandated reductions. As explained above in Response to Comment CBD-8, SCAG determined that this project is consistent with its RTP/SCS and that consistency determination is afforded great deference. Finally, consistency with RTP/SCS is a compliance pathway under CEQA that was endorsed by the Supreme Court in both the SANDAG and Newhall cases.

## Response to Comment CBD-17:

The mitigation measures cited by the commenter are not vague, ineffective or unenforceable. Instead, each mitigation measure will help reduce the project's greenhouse gas emissions and will be binding on the project developers as enforceable conditions of approval. As explained in Response to Comment CBD-1, the new mitigation measures are not new significant information or disclosure of new significant impacts that trigger recirculation of the EIR. Moreover, the FEIR was released on August 7, 2017. Therefore, the public had 30 days to review the FEIR prior to the first Planning Commission meeting on September 6, and will have additional time to review the document prior to the scheduled Board of Supervisors hearing to be scheduled after recommendation from the Planning Commission on or after October 4, 2017. This is much longer than the statutorily required 10 days prior to certification of the EIR. CEQA §21092.5.

Commenter acknowledges that no reductions credit were taken for GHG emissions but falsely states that reductions were taken for Air Quality emissions. While CEQA does require mitigation measures that reduce impacts to be able to justify the reduced impact, the mitigation measures the commenter cites to were not quantified or used to take any credit for any reduction in GHG emissions. These are additional measures the project will have to implement even though they are not calculated in reducing impacts. Therefore, even if these measures were somehow ineffective, which they are not, they would not change any of the impact conclusions in the FEIR.

There are numerous measures that cannot be prescribed with specificity at this early stage of the land use development approval process. While it is understood that CEQA must be complied with at the earliest approval, as the project moves forward with greater specificity in the land use permitting

process, more specificity will be developed. For example, under MM GHG 7, it is impossible to specify exactly where landscaping and nature vegetation will be located at the level of the Specific Plan. MM GHG 7 requires the developer and County to preserve natural vegetation to the extent feasible. Thus, if a developer were to propose an area of housing with no natural vegetation, the County will be able to enforce a mitigation measure that requires the developer to not remove all natural vegetation.

The commenter generally points to language in the mitigation measure related to feasibility. EIR are only required to describe feasible mitigation measures that can minimize the project's significant environmental effects. State CEQA Guidelines §§15121(a), 15126.4(a). While the inclusion of feasibility within the mitigation measures may be redundant, it does not violate CEQA as CEQA specifically calls out feasible mitigation measures.

Also, commenter notes that some mitigation measures are already required by other laws. That does not make such mitigation measures unlawful and mitigation measures can in fact duplicate other legally enforceable rules or requirements.

Contrary to the comment, these measures show that the County is serious about addressing GHG emissions by requiring the project to undertake as many feasible mitigation measures as possible even if they cannot all be quantified.

## **Response to Comment CBD-18:**

Unlike in the case cited by commenters, Californians for Alternatives to Toxics v. Department of Food and Agriculture (2005) 136 Cal.App.4th 1, 17 – 18 (finding that conclusory statements, in lieu of analyzing environmental impacts, do not constitute compliance with CEQA), the EIR thoroughly analyzed the project's consistency with the MSHCP (EIR Section 5.4, Biological Resources, Threshold A). As explained in the EIR, Section 6.1.4 of the MSHCP, Guidelines Pertaining to the Urban/Wildlands Interface, identifies guidelines to address indirect effects associated with locating development in proximity to MSHCP conservation areas, including but not limited to "noise guidelines, such as setbacks, berms or walls to minimize the effects of noise on MSHCP conservation area resources." (EIR, p. 5.4-36). Potential noise effects to the SJWA are also addressed in EIR Response to Comment I-131. Additionally, EIR Response to Comment I-140 explains how the project's EIR adequately analyzed impacts to special-status biological resources to the level required by the MSHCP.

Commenter suggests that compliance with the MSHCP is improper. As explained in EIR Response to Comment I-140:

As stated in Section 6.1.1(A) of the MSHCP, "Development of property outside of the MSHCP Conservation Area (both within and outside of the Criteria Area) shall receive Take Authorization for Covered Species Adequately Conserved provided payment of a mitigation fee is made (or any credit for land conveyed is obtained) and compliance with Section 6.0 of the MSHCP occurs. Payment of the mitigation fee and compliance with the requirements of Section 6.0 are intended to provide full mitigation under the California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), Federal Endangered Species Act, and California Endangered Species Act for impacts to the species and habitats covered by the MSHCP pursuant to agreements with the U.S.

Fish and Wildlife Service, the California Department of Fish and Game and/or any other appropriate participating regulatory agencies and as set forth in the Implementing Agreement for the MSHCP." Section 6 of the MSHCP also identifies plan compliance processes for projects affecting land outside and inside of designated Criteria Areas, including species survey requirements. The project will be required to comply with all such applicable policies as part of project compliance with the MSHCP (EIR, Figure 5.4-5 – MSHCP Survey Areas).

Therefore, as long as individual projects comply with the overall requirements of the MSHCP, those projects are allowed to rely on their compliance with the MSHCP to satisfy obligations under CEQA related to analysis of impacts to biological resources. Furthermore, the project's EIR adequately analyzed impacts to those special-status species not designated as Covered Species Adequately Conserved under the MSHCP (EIR, pp. 5.4-51-5.4-52).

(EIR, pp. 2-317 - 318).

EIR <u>Response to Comment I-140</u> also clarifies that the project's EIR adequately analyzed impacts to those special-status species not designated as Covered Species Adequately Conserved under the MSHCP (EIR, pp. 5.4-51 – 5.4-52).

Additionally, following the Planning Commission hearing on September 6, 2017, the applicant met with representatives of CDFW and agreed to implement measures (which the County will impose as mandatory requirements through Specific Plan requirements, zoning requirements, and/or project conditions of approval) to further minimize potential direct and indirect impacts – including noise – to the SJWA, including:

- The project will realign trails north of Ramona Expressway.
- The buildings over one story in height in Planning Areas 24 and 25 (Commercial Office (CO)) will be subject to additional review and required to incorporate design criteria that minimize potential bird strikes.
- The project will construct six-foot high block walls around the edge of Planning Areas 24 and 25 or alternatively along the perimeter of any individual development within Planning Areas 24 and 25 prior to the commencement of construction of any building, allowing for breaks for ingress and egress, line of sight and for height restrictions as the walls approach Ramona Expressway or Mid County Parkway.
- Conservation areas adjacent to SJWA would first be offered to CDFW, and then to RCA.
- Trash containers in commercial areas should be enclosed and be lockable.
- The Master Plant Palette in the Specific Plan will be revised to eliminate any species from the MSHCP Prohibited Plant list.

These potential impacts would be reduced through Alternative 7, recommended for approval by Staff, because Alternative 7 reduces indirect impacts to the SJWA as there would be no residential

development north of Ramona Expressway and a much larger set back, or buffer, between the SJWA and new residential development. (EIR, p. 7.0-14).

The MSHCP requirements <u>are</u> different than the County noise ordinance. The County ordinance is designed to limit noise from the perspective of public health and nuisance. The application of noise guidelines by the MSHCP for development adjacent to conservation areas is specifically intended to protect wildlife from noise effects. The MSHCP Urban/Wildland Interface Guidelines state "for planning purposes, wildlife within the MSHCP Conservation Area should not be subject to noise that would exceed residential noise standards." In order to minimize noise effects on wildlife, projects are to incorporate setbacks, berms or walls to minimize the effects of noise on MSHCP Conservation Area resources. The County noise ordinance allows exemptions for certain noise-generating uses. The MSHCP guidelines do not recognize any exemptions.

Potential indirect impacts due to noise would be reduced through Alternative 7, recommended for approval by Staff, because Alternative 7 reduces indirect impacts to the SJWA as there would be no residential development north of Ramona Expressway and a much larger set back, or buffer, between the SJWA and new residential development. (EIR, p. 7.0-14). Specifically, the nearest development to the SJWA will be commercial office properties located north of Ramona Expressway and east of Davis Road. One commercial property (PA-25) will be approximately 800 feet from the SJWA. A second commercial property (PA-24) will be approximately 1,400 feet from the SJWA. In addition, as part of additional measures agreed upon between the project applicant and CDFW, a six-foot block wall will be constructed along the entire northern edge of the commercial properties. The increased setback and block wall will further ensure that noise at the edge of the SJWA is well below residential noise standards as stated in the MSHCP, and below levels that would result in a significant impact to wildlife that might be located at the SJWA boundary.

While it is correct that the MSHCP covers just 56 bird species, and therefore the MSHCP specifically mitigates for impacts to those species, it is incorrect to assume that measures intended to reduce noise impacts to wildlife within the portion of the SJWA adjacent to the project would only benefit those birds covered by the MSHCP. Setbacks, barriers, and other measures to be implemented by the project would reduce noise to the benefit of all species that utilize lands immediately adjacent to the project. The project is using the MSHCP guidelines as a starting point by which to expand upon to address noise impacts to all wildlife in the adjacent conservation areas. Furthermore, it is not valid to compare the 56 birds covered by the MSHCP with 319 bird species that have been documented within the 20,000+ acre SJWA. As noted above, noise measures to be implemented by the project are not meant to be restricted to just those species covered by the MSHCP. In addition, the reference to 319 species on the SJWA bird list falsely implies that all of these species regularly utilize habitats within immediate proximity to the project boundary, and therefore would have equal exposure to noise from the project. However, more than 70% of those species would use open water, riparian, and scrub habitats that are not in close proximity to the project boundary, and therefore would not be significantly impacted by noise generated by the project, even without the proposed measures in place.

#### Response to Comment CBD-19:

The study referenced by the comment is improperly applied to the analysis of THE VILLAGES OF LAKEVIEW. The study simulated the effect of placing a new highway immediately adjacent to a ridgeline in Idaho where there was no existing highway, and therefore no existing traffic noise or other comparable noise source. The resulting affect was on species utilizing areas that were not already exposed to similar noise in that immediate proximity. In the case of THE VILLAGES OF LAKEVIEW property, there is already an existing roadway (Ramona Expressway) that is at least 2,000 feet from the SJWA. Proposed land uses north of Ramona Expressway combined with setbacks, barriers, and additional measures would not increase noise levels comparable to the effects analyzed in the referenced study.

## Response to Comment CBD-20:

The study referenced by the comment is improperly applied to the analysis of THE VILLAGES OF LAKEVIEW. The Buxton et al. study focused largely on the effects of noise within National Parks and other protected areas from anthropogenic uses within those areas. The appropriate analogy to the SJWA would be to study the effects of noise from anthropogenic uses within the SJWA, such as vehicle traffic, hunting-related noise, etc. Furthermore, the Buxton et al. study found that protected areas had much lower levels of human-caused sound than the adjacent "buffer zones" of unprotected land, suggesting that the buffer zones do insulate parks from unnatural sounds. Setbacks and other measures proposed by the project would reduce noise levels in order to provide such buffer areas to the SJWA.

On September 6, 2007, the applicant met with representatives of CDFW and agreed to implement additional measures (which the County will impose as mandatory requirements through Specific Plan requirements, zoning requirements, and/or project conditions of approval) to further minimize potential direct and indirect impacts, including noise.

## Response to Comment CBD-21:

The comment notes that the mitigation measures identified in Section 5.10 of the FEIR "do not address impacts on wildlife, instead focusing only on residents of the Project". That is correct since Section 5.10 is not intended to address biological impacts due to noise. Biological resources are addressed in Section 5.4 of the FEIR. Section 5.10, including page 5.10-40, discusses anticipated noise levels from different aspects of construction, including site preparation (e.g. grading and paving). As noted in the comment, the projected worst-case composite noise level during the site preparation phase would be 91 dBA, but at distance of 50 feet from the active construction area. The further construction activities are from adjacent conservation areas (SJWA and the Lakeview Mountains), the lesser the noise levels projecting into the conservation areas. Specifically, with each doubling of distance from the noise source, the resulting noise projection is expected to drop by 6 dBA. Construction activities with the greatest potential for noise effects would be along the boundary with the Lakeview Mountains where the impact limits immediately abut the conservation area. The biological resources section of the EIR (p. 5.4-37) states that construction-related noise will be controlled at both interfaces to ensure that the effect on ambient noise levels is minimized. Measures may include the use of sound walls and noise monitoring. These measures in particular would be implemented for work performed immediately adjacent to the conservation areas during the bird nesting season. Noise monitoring would be performed to determine

if noise levels exceed acceptable levels, and if necessary temporary sound walls may be constructed to attenuate the noise. The comment also references blasting, which as noted in the EIR (p. 5.10-40) may be required for construction areas abutting the Lakeview Mountains. However, blasting activities will be short in duration and will not be required throughout the entire construction period. Furthermore, as feasible, blasting will not occur during the nesting season. With the general setback of construction activities north of Ramona Expressway, combined with noise monitoring and the potential use of sound walls and another noise attenuation features, impacts to wildlife from construction noise would be less than significant.

## Response to Comment CBD-22:

The conceptual land use plan for THE VILLAGES OF LAKEVIEW Specific Plan does not include commercial or retail uses in proximity to the San Jacinto Wildlife Area (SJWA) or the Lakeview Mountains. THE VILLAGES OF LAKEVIEW Specific Plan permits commercial and retail uses in the Mixed Use (MU) planning areas. The MU planning areas are within the Town Center, which is south of the Ramona Expressway and not adjacent to either the SJWA or the San Jacinto Mountains. (EIR, Figure 3-1 — Conceptual Land Use Diagram and EIR Figure 3-10 — Village Organization Plan.) Thus, it is assumed the comment is referring to conceptual land use plan for THE VILLAGES OF LAKEVIEW Specific Plan, Alternative 7 (hereinafter referred to as Alternative 7).

Alternative 7 proposes commercial and retail uses in two locations (EIR Figure 7-4 – Alternative 7 – Revised Specific Plan/Reduced Density). Commercial and retail uses are permitted in the MU planning areas within the Town Center, which is south of the Ramona Expressway and not adjacent to either the SJWA or the Lakeview Mountains. Commercial and retail uses are also permitted in two Commercial Office (CO) planning areas in the Riverbend Village north of Ramona Expressway, approximately 800 feet south of the SJWA. (EIR Figure 7-4 – Alternative 7 – Revised Specific Plan/Reduced Density and THE VILLAGES OF LAKEVIEW Specific Plan, Alternative 7 Exhibit B.1.4 – Village Organization Plan.)

With regard to reasonably foreseeable commercial and retail uses, Appendix D, Zoning Ordinance of THE VILLAGES OF LAKEVIEW Specific Plan and THE VILLAGES OF LAKEVIEW Specific Plan, Alternative 7 includes allowable uses and the type of approval needed, i.e., permitted use, not permitted, or requires a Plot Plan, Conditional Use Permit or Public Use Permit.

Both the proposed project and Alternative 7 are Specific Plans. There is no specific proposal for any commercial or retail use and no site plans have been prepared for even conceptual layouts of any of the CO or MU planning areas. Thus, an analysis of noise generated by specific commercial uses is not possible at this time. However it is noted that the EIR will be relied on for Implementation of the project through the approval of land use proposals including, but not limited to, tract maps, parcel maps, tract maps, subdivisions, plot plans, and use permits. (EIR, p. 3.0-39). Any future discretionary approvals subject to CEQA would be reviewed in accordance with CEQA Section 21166 and CEQA Guidelines 15162 to determine whether further review under CEQA is required.

With regard to potential noise impacts to wildlife, refer to <u>Response to Comment CBD-18</u>, above; see also EIR <u>Response to Comment I-131</u>, which provides a detailed discussion of potential construction and operational noise impacts to the SJWA. With regard to assuming compliance with County noise

standards, as discussed in EIR <u>Response to Comment I-129</u>, it is assumed that future uses will comply with applicable County policies and regulation. See also EIR <u>Response to Comment I-60</u>, with an extensive discussion of well-settled case law determining that mitigation measures that require compliance with current laws are enforceable, including *Sundstrom*, cited by commenters.

## Response to Comment CBD-23:

The project is not expected to impact species diversity in the SJWA as a result of project-specific edge effects such as noise, lighting, trespass, domestic pet predation, etc. Pursuant to MSHCP Section 6.1.4, proposed noise-generated land uses with the potential to affect the MSHCP Conservation Area shall incorporate setbacks, berms, or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations, and guidelines related to land use noise standards. The biological resources section of the EIR (p. 5.4-37) states that construction-related noise will be controlled at both interfaces to ensure that the effect on ambient noise levels is minimized. Long-term noise effects to the SJWA will be addressed through setbacks and barriers. Potential impacts would be reduced through Alternative 7, recommended for approval by Staff, because Alternative 7 reduces indirect impacts to the SJWA as there would be no residential development north of Ramona Expressway and a much larger set back, or buffer, between the SJWA and new residential development. (EIR, p. 7.0-14). The nearest development to the SJWA with the potential to generate noise would be commercial office (CO) properties located approximately 800 feet from the southernmost SJWA boundary. In addition, as noted in Response to Comment CBD-18, the project will install block walls around the CO Planning areas north of Ramona Expressway, which will be built prior to any vertical construction within planning areas north of Ramona Expressway; the walls will be six feet tall along the northern boundary lines. In addition, implementation of MM Bio 1 and the project's adherence with the Zone B requirements of Riverside County Ord. 655, which regulates light pollution (as already stated in the EIR), adequately addresses concerns over increased night lighting in the SJWA and other Conservation Areas. See the Response to Comment CBD-30 for further discussion of domestic animal predation.

#### Response to Comment CBD-24:

As noted in <u>Response to Comment CBD-18</u>, potential impacts would be reduced through Alternative 7, recommended for approval by Staff, because Alternative 7 reduces indirect impacts to the SJWA as there would be no residential development north of Ramona Expressway and a much larger set back, or buffer, between the SJWA and new residential development. (EIR, p. 7.0-14). As noted in <u>Response to Comment CBD-23</u>, the nearest development to the SJWA with the potential to generate noise would be commercial office (CO) properties located approximately 800 feet from the southernmost SJWA boundary, and as noted in <u>Response to Comment CBD-18</u> and <u>Response to Comment CBD-23</u>, the project will install block walls around the CO Planning areas north of Ramona Expressway, which will be built prior to any vertical construction within planning areas north of Ramona Expressway; the walls will be six feet tall along the boundary lines. Since noise generated by commercial properties will be at or below the MSHCP-mandated residential noise standards, any noise project into the SJWA as a result of the project will be at or below existing ambient noise levels.

The comment that over 300 bird species have been observed in the SJWA is entirely misleading. The SJWA lists a total of 319 species for SJWA, including infrequent visitors and non-native species. However, the commenters reference to 300+ species falsely implies that all of these species regularly utilize habitats within immediate proximity to the project boundary, and therefore would have equal exposure to noise from the project. More than 70% of those species would use open water, riparian, and scrub habitats that are not in close proximity to the project boundary, and therefore would not be in any position to be affected by the project.

The commenter seems to assume that existing ambient noise levels at the southern edge of the SJWA are close to zero, whereas in reality the nearby presence of Ramona Expressway and other land uses results in an ambient noise level that will be matched (if not lower) by the nearest development land uses to the SJWA. Combined with the proposed setback of commercial office uses, and the block wall along the northern edge of the development, noise generated by commercial properties will be at or below the MSHCP-mandated residential noise standards, and likely below existing ambient noise levels.

## Response to Comment CBD-25:

Contrary to commenter's assertion, EIR <u>Response to Comment I-142</u> explains why 2005 plant surveys remain a reliable baseline for the EIR's analysis. Also as noted in <u>Response to Comment I-142</u>, proposed open space associated with the Lakeview Mountains was not surveyed for rare plants since these areas will not be directly impacted by the project, and do not coincide with MSHCP plant survey areas (EIR, Figure 5.4-1 and Figure 5.4-5).

## Response to Comment CBD-26:

Commenter mischaracterizes EIR Response to Comment Z-3, which explains:

As of March 2017, the Riverpark Mitigation Bank has not been approved by the U.S. Army Corps of Engineers or CDFW.<sup>1</sup> Therefore, analysis of the proposed Riverpark Mitigation Bank would be speculative and is not required by CEQA. (*River Valley Pres. Dist. V. MTDB* (1995) 37 Cal.App.4th 154, 169-70 (CEQA does not require sheer speculation as to future environmental consequences of a mitigation plan that is unspecified and uncertain); *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 739 ("CEQA does not require discussion in an EIR of future developments which are unspecified and uncertain. Such an analysis would be based upon speculation about future environmental impact."))

As of the date of commenter's letter (September 5, 2017) and this response, the Riverpark Mitigation Bank still has not been approved. Therefore, analysis would be speculative and is not required by CEQA as explained in EIR Response to Comment Z-3.

Nonetheless, it is noted that EIR <u>Response to Comment Z-34</u>, provides additional information explaining how the proposed project does not significantly impact the San Jacinto River, near the Riverpark Mitigation Bank.

http://www.spl.usace.army.mil/Media/Public-Notices/Article/588498/spl-2015-00318-mbt-riverpark-mitigation-bank/ and https://www.wildlife.ca.gov/Conservation/Planning/Banking/Approved-Banks

## Response to Comment CBD-27:

Commenter does not specify how EIR Response to Comment Z-7 is insufficient. In addition to the information included in Response to Comment Z-7, it is noted that following the Planning Commission hearing on September 6, 2017, the applicant met with representatives of CDFW and agreed to implement measures (which the County will impose as mandatory requirements through Specific Plan requirements, zoning requirements, and/or project conditions of approval) to further minimize potential direct and indirect impacts to the SJWA, including:

- The project will realign any trails north of Ramona Expressway.
- The buildings over one story in height in Planning Areas 24 and 25 (Commercial Office (CO)) will be subject to additional review and required to incorporate design criteria that minimize potential bird strikes.
- The project will construct six-foot high block walls around the edge of Planning Areas 24 and 25 or alternatively along the perimeter of any individual development within Planning Areas 24 and 25 prior to the commencement of construction of any building, allowing for breaks for ingress and egress, line of sight and for height restrictions as the walls approach Ramona Expressway or Mid County Parkway.
- Conservation areas adjacent to SJWA would first be offered to CDFW, and then to RCA.
- Trash containers in commercial areas should be enclosed and be lockable.
- The Master Plant Palette in the Specific Plan will be revised to eliminate any species from the MSHCP Prohibited Plant list.

Finally it is noted that these potential impacts would be reduced through Alternative 7, recommended for approval by Staff, because Alternative 7 reduces indirect impacts to the SJWA as there would be no residential development north of Ramona Expressway and a much larger set back, or buffer, between the SJWA and new residential development. (EIR, p. 7.0-14).

## Response to Comment CBD-28:

As explained in EIR Response to Comment Z-8, Figure 3-9 was clarified in the FEIR to show the proposed trails do not extend outside the project boundary. With regard to public access to the SJWA, the project will not limit or otherwise alter the existing access to the SJWA, which is currently provided by Davis Road. Furthermore, as explained above in Response to Comment CBD-27, following the Planning Commission hearing on September 6, 2017, the applicant met with representatives of CDFW and agreed to implement measures (which the County will impose as mandatory requirements through Specific Plan requirements, zoning requirements, and/or project conditions of approval) to further minimize potential direct and indirect impacts to the SJWA, including that the project will realign trails north of Ramona Expressway.

## Response to Comment CBD-29:

As explained in EIR <u>Response to Comment Z-8</u>, **Figure 3-9** was clarified in the FEIR to show the proposed trails do not extend outside the project boundary. With regard to public access to the SJWA, the project will not limit or otherwise alter the existing access to the SJWA, which is currently provided by Davis Road. The potential connection to County-designated trails would be conducted by the County and would be a separate action from the proposed project. However, the County will work with CDFW, the land owner of the SJWA, when the County wishes to move forward with implementation of these trails.

Furthermore, as explained above in <u>Response to Comment CBD-27</u>, following the Planning Commission hearing on September 6, 2017, the applicant met with representatives of CDFW and agreed to implement measures (which the County will impose as mandatory requirements through Specific Plan requirements, zoning requirements, and/or project conditions of approval) to further minimize potential direct and indirect impacts to the SJWA, including that the project realign trails north of Ramona Expressway. Therefore commenter is incorrect to assert that the project includes a trail connecting the project to the SJWA, and further incorrect in alleging that the EIR "ignor[es] the reasonable foreseeable consequences of the Project."

#### Response to Comment CBD-30:

Commenter refers to Wildlife Agencies' comments regarding increased predation from wildlife from domestic pets as well as human-wildlife conflicts. These comments were sufficiently addressed in the FEIR's responses to comments. As explained in EIR Response to Comment Z-8, MM Bio 2 is consistent with MSHCP Section 6.1.4 of the MSHCP. The County has implemented the following requirement into MM Bio 2 as recommended by the Regional Conservation Authority (RCA) during the MSHCP-required Joint Project Review (JPR) (EIR, p. 5.4-32):

 Proposed land uses adjacent to the MSHCP Conservation Area shall incorporate barriers, where appropriate, in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping into the MSHCP Conservation Areas.
 Such barriers may include native landscaping, rocks/boulders, fencing walls, signage, and/or other appropriate mechanisms.

Additionally, EIR Response to Comment Z-10 explains that MM Bio 3 also places a restriction on the number of domestic animals allowed per residence in planning areas adjacent to Ramona Expressway and is enforced through the project's Conditions, Covenants and Restrictions (CC&R's). As discussed in Response to Comment I-215, it should be assumed that all pet owners within the project area would follow County codes, including County Ordinance No. 630, related to pet licensing and vaccinations to minimize the potential for these pets to transmit diseases to wildlife. Also as noted in Response to Comment I-175, in accordance with MM Bio 3, the project CC&R's shall restrict the number of domestic animals per residence to two and cats will be limited to the indoors. The CC&R's regarding domestic animals cannot be amended. Additionally, the applicant has agreed to revising MM Bio-3 as follows, to additionally impose on residences within 500 feet of the Lakeview Mountains the requirement that cats shall be limited to indoors, as follows:

MM Bio 3: The project Conditions, Covenants and Restrictions (CC&Rs) shall restrict the number of domestic animals (e.g., dogs, cats and other predatory animals) allowed per residence to two, thus further limiting potential impacts. Cats shall be limited to indoors. These restrictions cannot be amended. Copies of the CC&Rs shall be provided to the County Planning Department prior to Map Recordation. [Note: Current County zoning allows up to 4 dogs per premises.] This mitigation measure restriction for domestic animals applies to planning areas north of adjacent to Ramona Expressway and for residences within 500 feet of the Lakeview Mountains. The CC&Rs shall require cat-proof barriers be installed along the interface between the project's residential planning area boundaries and the Lakeview Mountains conservation area and the wildlife corridor. The Homeowners Association will be the entity responsible for enforcing the CC&Rs.

Importantly, in response to the September 5, 2017 comment letter from California Department of Fish and Wildlife and U.S. Fish and Wildlife Service (CDFW/FWS), **MM Bio 2** and **MM Bio 3** will be further revised in response to that letter.

Finally it is noted that these potential impacts would be reduced through Alternative 7, recommended for approval by Staff, because Alternative 7 reduces indirect impacts to the SJWA as there would be no residential development north of Ramona Expressway and a much larger set back, or buffer, between the SJWA and new residential development. (EIR, p. 7.0-14).

## Response to Comment CBD-31:

In reference to the inclusion of cat-proof barriers along certain portions of the project abutting the Lakeview Mountains conservation area, the commenter states that the FEIR does not consider whether such impermeable barriers will negatively impact wildlife. As noted in Response to Comment Z-52, the cat-proof barriers may include, but are not limited to, solid barriers with extensions facing inwards, with the extensions being constructed of secured netting, mesh, or rollers. Photo examples were provided in the response to comments. Regardless of the actual design/materials, the intent is to use material that will mount on top an existing solid fence or wall bordering areas with the intent to exclude wildlife, such as residential yards and common areas abutting the Lakeview Mountains. The barriers would be expected to further prevent wildlife from entering these areas, such as the usage of rollers, mesh, etc. to exclude coyotes and other wildlife that might climb fences/walls. Areas designed for wildlife movement/use, such as the lands set aside for PCL-20 from the Lakeview Mountains to Ramona Expressway would not utilize such "cat-proof barriers".

#### Response to Comment CBD-32:

As noted in the <u>Response to Comment CBD-18</u>, while it is correct that the MSHCP covers a finite number of species (including 56 bird species), it is incorrect to assume that measures intended to reduce noise impacts to wildlife within the portion of the SJWA adjacent to the project would only benefit those birds covered by the MSHCP. Setbacks, barriers, and other measures to be implemented by the project would reduce noise to the benefit of all species that utilize lands immediately adjacent to the project. Furthermore, as discussed within <u>Response to Comment CBD-18</u> and <u>Response to Comment CBD-24</u>, it is

not valid to compare the 56 birds covered by the MSHCP with 319 bird species that have been documented within the SJWA. The reference to 319 species on the SJWA bird list falsely implies that all of these species regularly utilize habitats within immediate proximity to the project boundary, and therefore would have equal exposure to noise from the project. However, more than 70% of those species would use open water, riparian, and scrub habitats that are not in close proximity to the project boundary, and therefore would not be impacted by noise generated by the project. Following the Planning Commission hearing on September 6, 2017, the applicant met with representatives of CDFW and agreed to implement measures (which the County will impose as mandatory requirements through Specific Plan requirements, zoning requirements, and/or project conditions of approval) to further minimize potential direct and indirect impacts – including noise – to the SJWA, including with regards to lighting effects, any lights that could spill onto conservation lands are subject to implementation of MM Bio 1 and the project's adherence with the Zone B requirements of Riverside County Ord. 655, which regulates light pollution (as already stated in the EIR), adequately addresses concerns over increased night lighting in the SJWA and other Conservation Areas.

#### Response to Comment CBD-33:

Commenter is not accurate in alleging that the FEIR dismisses the Wildlife Agencies' concerns regarding the undercrossing. In fact, EIR Response to Comment Z-24 contains a detailed explanation of why the proposed undercrossing complies with the MSHCP.

#### Response to Comment CBD-34:

Commenter incorrectly alleges that the project description is inadequate under CEQA. The EIR includes a detailed project description, and adequacy of the Project Description is explained in EIR Responses to Comments I-3, I-4, I-6, and I-8. The FEIR clearly indicates that the proposed project would construct JJ Street, but Alternative 7 would not require construction of JJ Street and therefore does not require extension of the undercrossing (EIR, p. 7.0-14). Therefore, the project description is not inaccurate under CEQA; nor is the lead agency barred from choosing an alternative that meets the project objectives while reducing physical environmental impacts versus the proposed project.

The primary concern with JJ Street based on prior comments is that the increased length of JJ Street and resulting decrease in the openness ratio would impact wildlife movement along PCL-20 under the Ramona Expressway/Mid-County Parkway connecting to the Lakeview Mountains. As noted in Response to Comment Z-23, the only medium to large mammalian Planning Species identified for the Lakeview Mountains (Non-Contiguous Habitat Block 5) is the bobcat, whereas none were identified for PCL-20. Since larger mammals such as mountain lion were not identified as Planning Species, it was interpreted that the movement component of PCL-20 under the roadway was not expected to accommodate the mountain lion, or its prey (mule deer). Regarding live-in habitat, the Response to Comment Z-23 clarified that nearly all of the Planning Species identified for PCL-20 were intended for the northern portions of PCL-20 at the junction of the San Jacinto River and SJWA, whereas suitable habitat for these species (such as arroyo toad and western pond turtle) are not present within the project's portion of PCL-20. The intent was not to ignore the Wildlife Agency comments, but to explain the project's consistency with the MSHCP. With regards to the concern of JJ Street impacting wildlife movement, the

issue would be eliminated through Alternative 7, recommended for approval by Staff, because Alternative 7 includes the elimination of JJ Street altogether.

# Response to Comment CBD-35:

The EIR clearly identifies cumulative impacts for each impact area in Chapter 5, Section 5.1 through 5.16, and in Section 6.1. Specifically, Section 6.1 explains the EIR's approach to cumulative impacts in accordance with CEQA as follows:

CEQA Guidelines Section 15130(b)(1) requires that a discussion of cumulative impacts be based on either a list of past, present and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency; or a summary of projections document which has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact. Because the geographic context varies for different environmental issues, this EIR utilizes the "summary of projections," or "plan" approach and the "list" approach in the cumulative analysis, as appropriate for each issue area. To account for development in proximity to the project subsequent to preparation of the General Plan EIR, projects within the unincorporated portion of the County in proximity to the project site were identified and a determination made as to whether these projects were accounted for in the General Plan EIR. This process is further discussed under the Cumulative Analysis Setting under the subheading "Pending and Approved Development Projects by TAZ." The cumulative impact analysis is based on information contained in the Riverside County General Plan as updated and revised by the Seight-Year Comprehensive Updated Project, General Plan Amendment No. 960 (GPA 960), hereinafter referred to as the General Plan EIR and Draft Program EIR, hereinafter referred to as the General Plan EIR (SCH 2009041065). The General Plan EIR was certified by the Riverside County Board of Supervisors on December 8, 2015. The General Plan EIR is utilized because the geographic area addressed in that program EIR encompasses not only the project site, but all portions of Riverside County surrounding the project site that could be potentially impacted by the proposed project's contribution to cumulative impacts. The General Plan EIR (GP EIR) is hereby incorporated by reference. The GP EIR is available for review at the location cited in Section 8.0, References, of this EIR and is summarized in the following discussion. The cumulative discussion in the General Plan EIR analyzes the cumulative effects of implementation of the General Plan, including all proposed or pending General Plan Amendment applications submitted to the County since October 3, 2003 (EIR No. 521, p. 5-43). In addition, the cumulative analysis in the General Plan EIR considers the buildout of not only the County unincorporated areas, but the build-out of all incorporated cities within the County.

(EIR, pp. 6.0 - 2 and 6.0 - 3).

Commenter implies that this EIR cannot use a cumulative impacts approach expressly authorized by CEQA Guidelines Section 15130(b)(1) because the RTC document explained that comments related to

the General Plan Update are not relevant to this project, because "GPA 960 is a separate action unrelated to the proposed project and comments on that project are untimely." (EIR, p. 2-51). However the quoted language simply explains why comments on another project do not raise issues associated with the environmental impacts of the project, and therefore do not require a response.

Finally, commenter refers to a County Staff Memorandum stating that "all future project-specific development proposals are still subject to their own CEQA analysis and application of all relevant CEQA mitigation arising from this programmatic EIR." Preparation of an EIR for this project is consistent with the quoted County Staff Memorandum.

## Response to Comment CBD-36:

The comment is noted that the OPR Draft guidelines have identified VMT as a preferred metric for evaluating transportation related impacts over level of service. Public Resources Code Section 21099(b)(2) calls for replacement of the LOS as a metric for measuring environmental impacts under CEQA, as follows:

Upon certification of the guidelines by the Secretary of the Natural Resources Agency pursuant to this section, automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment pursuant to this division, except in locations specifically identified in the guidelines, if any.

Importantly, the guidelines referenced in Section 21099(b)(2) have not yet been finalized at the time of this response.

Additionally, neither the County of Riverside nor any other jurisdictions in which the project's traffic impacts are measured have adopted a VMT-based CEQA threshold of significance. The EIR evaluates the project's impacts using currently applicable CEQA significance thresholds.

It is noted that VMT is disclosed as part of the EIR. Appendix I of the traffic study provides documentation related to VMT estimates for the project which are also reflected in the GHG and air quality portions of the EIR. Therefore, although VMT is not the metric that is utilized to identify transportation impacts, it is used to inform other sections of the EIR, while LOS is used to identify transportation impacts under currently applicable thresholds of significance.

Given that OPR has not yet released the final guidelines at the time of this response, the Natural Resources Agency has not yet completed the rule making process to formally adopt the OPR Guidelines, and the County and other relevant jurisdiction currently identify LOS as the metric for identifying significant impacts, use of LOS for determining significant transportation impacts is appropriate in this EIR.

## Response to Comment CBD-37:

The comment misrepresents the health risk assessment (HRA) included in the EIR. The EIR includes a detailed report that explains the methodology and results of the HRA (see Appendix C of the FEIR). Based on the initial public comments received on the EIR, an HRA ("Project HRA") was performed to evaluate the impacts of the project construction and operational emissions on the residential and

sensitive receptors that currently reside in the vicinity of the project site. A detailed description of the methodology and results of the HRA are presented in the February 2017 Health Risk Assessment Technical Report that can be found in Appendix C of the FEIR<sup>2</sup>. Briefly, the HRA uses CalEEMod to estimate diesel particulate matter (DPM) emissions from on-site construction equipment and natural gas usage from on-site natural gas combustion sources. Toxic air contaminant (TAC) emissions associated with natural gas combustion were estimated using natural usage output from CalEEMod and SCAQMD TAC emission factors for this source. Air dispersion modeling was performed using AERMOD to estimate the ground level concentrations of TACs including DPM. The cancer and non-cancer health impacts were estimated using the 2015 Office of Environmental Health Hazard Assessment (OEHHA) guidance. The comment has cited the very appendix that includes this information, yet ignores the detail and description that addresses the concern expressed in the comment. There is substantial evidence for the HRA in Appendix C of the FEIR.

The comment misunderstands the HRA and the discussion cited in the comment regarding the Zone of Impact. The HRA uses a receptor grid that covers the known population areas surrounding the project, as discussed in detail in Section 3.5 of the HRA report. This is the standard approach per SCAQMD modeling guidance to assess the potential impacts on receptors surrounding a project site. The comprehensive grid ensures analysis of the maximum impact that may occur. The comment cites a discussion relative to Section 4.3 of the HRA report, which discusses how the cancer burden is calculated. This is the specific methodology established by SCAQMD to assess "cancer burden". This is a different parameter from the cancer risk and noncancer risk that is also reported. The Zone of Impact and census data is required to evaluate the cancer burden. This analysis evaluates the potential impacts from project emissions on the surrounding population, and not residents of the project. The surrounding population can be most closely represented by the 2010 census population. Thus the comment incorrectly suggests that the HRA is evaluating the risk on the residents of the project. The analysis relies upon the 2010 census data because that was the best available data at the time of the analysis.

Please refer to <u>Response to Comment BB-23</u> for a discussion on health risk impacts to future residents of the project.

### Response to Comment CBD-38:

The comment appears to mix the results regarding the Ramona Expressway (Freeway HRA) with the Project HRA. The FEIR Section (Page 5.3.21), referenced in this comment, provides a description of the health risk assessment of the Ramona Expressway (Freeway HRA) on future residents of the proposed project that was performed in August 2014 and published in Appendix C of the EIR<sup>3</sup>. In response to comments received on the EIR, the Freeway HRA was updated in February 2017, to use EMFAC2014 for

Available at: <a href="http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx">http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx</a>, Accessed: September 2017.

Available at: <a href="http://planning.rctlma.org/Portals/0/splans/sp">http://planning.rctlma.org/Portals/0/splans/sp</a> document/sp342/Appendix%20C%20-%20Air%20Quality%20Analysis.zip?ver=2016-09-29-142657-593. Accessed: Sepetember 2017.

vehicle emission estimates and the 2015 OEHHA guidance for health risk estimates. Details of the methodology and results of the February 2017 Freeway HRA can be found in Appendix C of the FEIR<sup>4</sup>.

Results of this analysis show that with the use of EMFAC2014 and the 2015 OEHHA guidance does indeed reduce the area requiring filtration on the project site to a value of 60 feet from the edge of the Ramona Expressway/Mid County Parkway from the 550 feet value estimated in the August 2014 Freeway HRA. In response to this comment, the text in the last paragraph in EIR page 5.3-21 has been updated to include the results of the February 2017 Freeway HRA analysis, as follows:

Based on responses to comments received on the EIR, the Ramona Expressway HRA for the proposed project was updated to incorporate the updated assumptions associated with EMFAC2014 and the new OEHHA HRA Guidelines (the HRA is included in Appendix C of the EIR). This analysis showed that updated methodology reduces the area on the project site requiring filtration to 60 feet from the edge of the Ramona Expressway/Mid County Parkway.

The comment also appears to misunderstand that there is also a separate Project HRA analysis that is included in the EIR in addition to the Freeway HRA discussed above. The maximum exposed individual receptor (MEIR) value of 9.7 in a million, referenced in this comment, is the maximum incremental cancer risk associated with project construction and operational emissions. Details of the methodology used for this estimate are described in the February 2017 Health Risk Assessment Technical Report (Project HRA) available in Appendix C of the FEIR<sup>5</sup>. The Project HRA was performed following 2015 Office of Environmental Health Hazard Assessment (OEHHA) guidance. Therefore, changes to this value due to OEHHA methodology are not required.

http://planning.rctlma.org/Portals/0/Postings/Villages%20of%20Lakeview%20EIR/Final%20EIR%20No.%20471/Appendix%20C%20-%20Air%20Quality%20Analysis.zip?ver=2017-08-07-151824-780. Accessed: September 2017.

<sup>4</sup> Available at:

Available at: <a href="http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx">http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx</a>. Accessed: September 2017.

### Response to Comment CBD-39:

Please refer to Response to Comment CBD 17. The County is serious about protecting its residents from the health impacts of impaired air quality. Therefore as part of this EIR, the project is required to comply with 11 feasible, effective and enforceable mitigation measures that will reduce the impacts of the project on the region's air quality. Like the GHG mitigation measures challenged in comment CBD-17, the air quality mitigation measures MM AQ 7, MM AQ 8, MM AQ 10, and MM AQ 11 were not quantified or relied upon by the County to reduce impacts to below applicable thresholds. Therefore, even if these measures were somehow ineffective, which they are not, they would not change any of the impact conclusions in the FEIR. With regard to the comment on MM AQ 9, the fugitive dust reduction for watering control was quantitatively accounted for. The quantitative reduction was a conservative assumption since the measure calls for a three time daily watering, which can result in a higher reduction of 61%<sup>[1]</sup> compared to the 50% reduction in fugitive dust emissions incorporated into the analysis. Furthermore, no reductions were taken for the other components of MM AQ 9.

#### Response to Comment CBD-40:

The EIR sufficiently analyzes water supply impacts. Specifically, Section 5.15.1 of the EIR (Utilities: Water Supply, Wastewater, Storm Drain Facilities), Threshold B, evaluates whether the proposed project will have sufficient water supplies available to serve the project from existing entitlements and resources. As stated in the EIR and as summarized in Response to Comment I-120, the 2013 WSA determined that the project's anticipated demand is accounted for in the most recent EMWD 2010 UWMP adopted by EMWD. In accordance with the Water Code, the WSA used the EMWD 2010 UWMP projections to analyze EMWD's ability to meet project and all other district demands over a 20-year period, including normal, single dry, and multiple dry years. (EIR p. 5.15-30). The WSA shows that EMWD has sufficient supplies to meet all anticipated future demand, including the project demand during normal year, single dry, and multiple dry years over the 20-year analysis period required by the Water Code (EIR p. 5.15-31).

Commenter asserts that MWD implements mandatory cutbacks on water deliveries to support the argument that the project would not have adequate water supplies. However these measures were already considered in the EIR. The EIR explains that MWD and EMWD have demonstrated that shortage can be effectively managed by water supply shortfall contingency measures in accordance with the plans adopted by each district, and that these measures provide additional assurance that potential periods of water supply uncertainty or shortage, including potential shortfalls of 50 percent of supply, can be addressed if necessary under future conditions (EIR p. 5.15-32).

Commenter disagrees with the EIR's statement that "Analyzing the environmental impacts of more extraction from the Colorado River and State Water Project by EMWD or MWD is beyond the scope of the EIR." (EIR, p. 2-304). The EIR clearly explains that the project will have sufficient water supplies, and commenter has not provided any evidence to the contrary, nor has commenter provided any evidence for the assertion that the project "will likely lead to additional diversions in the Colorado River and State Water Project." Commenter's suggestion is speculative and improperly asks the County to predict

<sup>(1)</sup> Default assumption in CalEEMod for fugitive dust reduction associated with watering active construction areas three times daily.

physical impacts that hypothetically could occur. CEQA does not require such speculation. CEQA Guidelines § 15145; Anderson First Coalition v. City of Anderson (2005) 130 Cal.App.4th 1173, 1185 – 86 (upholding conclusion that impact in a particular context is speculative and therefore not reasonably foreseeable, and therefore, the lead agency is not required to further analyze such claimed indirect impact).

#### **Response to Comment CBD-41:**

Unlike in the case cited by commenters, *Californians for Alternatives to Toxics v. Department of Food and Agriculture* (2005) 136 Cal.App.4th 1, 17 – 18 (finding that conclusory statements, in lieu of analyzing environmental impacts, do not constitute compliance with CEQA), the EIR thoroughly analyzed the project's impacts on water quality in EIR Section 5.8 (Hydrology/Water Quality). The analysis in EIR Section 5.8 was based on numerous technical reports listed on EIR pp. 5.8 – 1 through 5.8 – 4, including for example The Preliminary Regional Water Quality Management Plan (Appendix H), the Drainage Plan (Appendix I), Drainage Study Addendum (Appendix I), EMWD Water Supply Assessment for the Villages of Lakeview (Appendix M), the Water Quality Technical Report (Appendix H), Hydromodification Technical Report (appendix I), and others. Moreover, as explained in Response to Comment I-116, CEQA case law recognizes reliance on regulatory standards when evaluating project impacts. Lastly, the commenter merely provides conclusory statement that the project's water quality analysis is somehow insufficient or lacks detail. As such, no addition response is warranted.

### Response to Comment CBD-42:

Commenter inaccurately claims that *Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912 and *Center for Biological Diversity v. Department of Fish and Wildlife* (2015) 234 Cal.App.4th 214 fail to support the assertion that regulatory compliance is sufficient to demonstrate no significant impacts.

In Tracy First, the court clearly held as follows:

As for Tracy First's argument that it is improper to rely on state building standards in determining whether an energy impact is significant, we disagree. CEQA requires "[m]itigation measures proposed to minimize significant effects on the environment, including, but not limited to, measures to reduce the wasteful, inefficient, and unnecessary consumption of energy." (Pub. Resources Code, § 21100, subd. (b)(3).) The California Building Energy Efficiency Standards are meant to promote energy efficiency, as the name implies. In other words, they "reduce the wasteful, inefficient, and unnecessary consumption of energy." (Ibid.) Other than arguing that reliance on the building standards is not enough, Tracy First makes no argument concerning what more the EIR should have done. Accordingly, the City did not fail to proceed in the manner required by law when it relied on the California Building Energy Efficiency Standards in determining that the project would not have a significant energy impact.

In other words, *Tracy First* clearly held that compliance with regulatory standards is a sufficient basis to determine that a project would not have a significant energy impact. *Id.* at 933-934.

In Center for Biological Diversity, the court clearly held as follows:

These regulations provide sufficient performance standards to satisfy CEQA. "[A] condition requiring compliance with regulations is a common and reasonable mitigation measure, and may be proper where it is reasonable to expect compliance. [Citations.]" (Oakland Heritage Alliance v. City of Oakland (2011) 195 Cal.App.4th 884, 906, 124 Cal.Rptr.3d 755.)

Applying the law to the facts of the case, the court found that it was reasonable to expect compliance. *Id.* at 245-246.

In sum, both *Tracy First* and *Center for Biological Diversity* support the proposition that compliance with regulatory standards can provide a basis for determining that the project will not have significant impacts, and commenter is incorrect that the cases fail to support the assertion that regulatory compliance is sufficient to demonstrate no significant impacts.

Contrary to commenter's assertion that "the FEIR merely expects that a various developers' compliance with various BMPs will mitigate impacts to less than significant levels" the EIR clearly explains how BMPs will be sufficiently sized and implemented to meet County design standards for new development that were specifically developed to comply with applicable regulatory frameworks, and contains impact analysis based on quantitative analysis of BMPs in the Water Quality Management Plan.

More specifically, the EIR states:

The State Board and the SARWQCB also control construction runoff for projects disturbing one acre or more (or less than one acre, if part of a larger common plan of development or sale) under either an adopted General Permit for Storm Water Discharges Associated with Construction Activities, Order No. 2009-0009-DWQ (General Construction Permit), or an individual permit. The permit also functions as a federal NPDES permit and requires the development of a Stormwater Pollution Prevention Plan (SWPPP) that identifies potential pollution sources, runoff controls, or BMPs for construction and postconstruction activities and monitoring prior to ground disturbance. BMPs can include detention basins that capture and contain sediments, silt fencing, sandbags, straw bales and emergency procedures to address hazardous material spills. The SWPPP must also identify measures for maintaining BMPs that will remain in place after construction.

(EIR p. 5.8-24)

The EIR further explains how County ordinances impose BMP requirements through local regulations, including County Ordinance No. 457 – Building Codes and Fees (EIR, p. 5.8-25) and County Ordinance No. 754 - Stormwater/Urban Runoff Management and Discharge Controls (EIR, p. 5.8-26).

The EIR explains how the project will implement BMPs as part of the WQMP, as follows:

A Preliminary Regional Water Quality Management Plan (WQMP) was prepared for THE VILLAGES OF LAKEVIEW Specific Plan as a master planning tool to identify the size of regional stormwater BMPs to capture on-site runoff, LID BMPs to minimize urban

runoff, and treatment control measures that would be needed for build out of the Specific Plan to meet the MS4 permit requirements. Future implementing projects (residential tract maps and commercial/office/mixed use plot plans) of The Villages of Lakeview Specific Plan will be required to prepare project-specific Preliminary WQMPs and comply with the all applicable WQMP requirements, including the CNRP, design capture volumes, LID and treatment BMPs.

(EIR, p. 5.8-27)

The EIR considers the WQMP as part of the impacts analysis, noting that "The effectiveness of the proposed WQB and BMPs in the preliminary WQMP were quantitatively substantiated in the Water Quality Technical Report attached as Appendix H to this EIR. The analysis shows that the WQB alone will treat runoff to meet applicable standards, and that the upstream BMPs will provide an additional level of assurance that water quality standards will be achieved." Additionally, "a Hydromodification Technical Report Addendum was prepared in May 2017 (Appendix I) to refine the preliminary design of the WQB to demonstrate that the existing hydrology can be managed to maintain existing drainage patterns as closely as possible to the existing site hydrology. The WQB is now proposed to be split into two basins of approximately equal volume." (EIR, p. 5.8-36, emphasis added)

The EIR identifies Specific Plan Drainage Plan Development Standards that will be implemented by the project to ensure compliance with applicable federal, state and local water quality, hydromodification and related laws, rules and regulations, including that "The proposed preliminary WQMP and debris basins, as shown in Figure 5.8-13, Figure 5.8-14, and Figure 5.8-15 and 5.8-15a, will address management of the project runoff through on-site control BMPs that meet the WQMP requirements in the current MS4 permit for the project site." (EIR, p. 5.8-37).

In sum, the EIR contains a detailed explanation of how BMPs may be implemented through compliance with applicable regulatory frameworks, and the water quality impacts analysis includes quantitative substantiation of the effectiveness of BMPs. Commenter is incorrect in alleging that the EIR merely expects that compliance with BMPs will mitigate impacts to less-than-significant levels.

Finally, commenter incorrectly implies that the EIR concludes that BMPs or existing permits are designed to "remove all impacts." The EIR does not state that the project would have *no* impacts. Rather, the EIR analyzes the project's water quality impacts and concludes that the impacts would be less than significant (EIR, p. 5.8-56)

# Response to Comment CBD-43:

Commenter incorrectly characterizes the Water Quality Technical Report as containing "conclusory statements regarding the water quality impacts of the Project." The Water Quality Technical Report's impact assessment is based in part on a modeling approach described in Section 6 of the report, and detailed in Appendix B, Water Quality Modeling Methodology as well as qualitative assessments based upon science for some parameters where there is not sufficient information for modeling. The Water Quality Technical Report includes an impact assessment for modeled pollutants of concern (Section 7.1) and an impact assessment for other pollutants and qualitative Basin Plan criteria addressed without modeling (Section 7.2). Additional impacts assessments (tests of significance) address meeting or

exceeding MS4 and construction NPDES Permit Requirements, Construction-related Impacts, Pollutant Bioaccumulation, and Dry Weather Runoff (Section 7.3 – 7.6). Based on the modeling and a number of impacts assessments, the report summarizes direct and cumulative water quality impacts (Section 7.7) and direct and cumulative groundwater impacts (Section 7.8). BMP performance is analyzed in Appendix B to the Water Quality Modeling Methodology, in Section B.2.3. Conclusions regarding pesticides are based on an assessment for the potential for pesticides to be used at the project site as well as present in runoff given 1) EPA phasing out of certain pesticides of concern (diazinon and chlorpyrifos) and 2) the planned source control measures and structural treatment controls for both during construction and post-construction (see Section 7.2.2 of the Water Quality Technical Report). No further mitigation is necessary nor required pursuant to CEQA.

#### Response to Comment CBD-44:

Commenter incorrectly alleges that mitigation measure **MM Hydro 1** impermissibly defers mitigation. **MM Hydro 1** reads as follows:

MM Hydro 1: Prior to approval of future implementing projects (i.e. Tentative Tract maps) within THE VILLAGES OF LAKEVIEW Specific Plan proposed prior to the completion of the drainage improvements, hydrology studies will be required to analyze potential storm water flow or water quality impacts and to identify any interim improvements within the proposed tract map area or other locations within the Specific Plan area that are required to reduce the potential impacts to less than significant levels and to comply with the applicable stormwater and water quality regulations and standards adopted by the County of Riverside and the Santa Ana Regional Water Quality Control Board. Potential BMPs that may be implemented to address interim storm water or water quality impacts related to a proposed tract map may include vegetated swales, sand filtration systems, water quality inlets, mechanical separators, and/or other proprietary devices.

The applicable stormwater and water quality regulations and standards adopted by the County of Riverside and the Santa Ana Regional Water Quality Control Board include addressing hydrological changes as well as protecting water quality.

As detailed in Response to Comment CBD-42, compliance with applicable regulatory standards can provide one of the bases for determining that the project will not have a significant environmental impact. Here, **MM Hydro 1** specifically requires that future implementing projects must reduce potential impacts to less than significant levels and comply with the applicable stormwater and water quality regulations and standards adopted by the County of Riverside and the Santa Ana Regional Water Quality Control Board. These measures include addressing water quality and hydrology impacts.

Furthermore, commenters cite Clover Valley Foundation v. City of Rocklin (2011) 197 Cal.App.4th 200, 236. Importantly, the court in Clover Valley Foundation found that there was no impermissible deferral where a mitigation measure "stated the performance standard clearly." Id. at 237. Like the mitigation measure at issue in Clover Valley Foundation, MM Hydro 1 clearly requires compliance with specific performance standards, and therefore does not constitute impermissible deferral. Commenter states

that the EIR does not appear to incorporate any of the BMPs as binding conditions of approval. To clarify, in the context of **MM Hydro 1**, BMPs may be used to meet the performance standards set forth in the mitigation measure. Refer also to <u>Response to Comment CBD-42</u> regarding BMPs.

## Response to Comment CBD-45:

The page number reference to FEIR p. 2.0-36 is unclear. Nonetheless, as detailed in Response to Comment I-118 in the Final EIR, in response to comments on the EIR, a Hydromodification Technical Report Addendum was prepared (EIR Appendix I) to refine the preliminary design of the WQB to demonstrate that the existing hydrology can be managed to maintain existing drainage patterns as closely as possible to the existing site hydrology. The EIR's statements regarding drainage patterns are credible and based on substantial evidence set forth in the referenced technical reports and addenda thereto.

## Response to Comment CBD-46:

Commenter inaccurately asserts that "[t]he FEIR and responses to comments improperly fix the alternatives analysis by presupposing the Project must be large in size, such that the County need not consider a smaller project footprint." Section 7 of the EIR first lists the project objectives (pp. 7.0-1 through 7.0-5), and then explains how the size of the project site relates to project objectives. Specifically, the EIR states: "The size of the project, approximately 2,800 acres, is also key to the project objectives because the size of the project affords it the ability to provide consolidated open space areas, a range of housing types, community/civic amenities, etc., which a number of smaller sites/developments could not achieve." (EIR, p. 7.0-9) This text explains that the size of the project site is relevant to assessing whether an alternative meets basic project objectives. This is a necessary threshold inquiry for the EIR's alternatives analysis in accordance with CEQA Guidelines Section 14124(b) and 15126.6(a), and not, as commenter suggested, an improper fixing of the alternatives analysis.

### Response to Comment CBD-47:

CEQA requires that an EIR identify alternatives to the project, but does not expressly require that it discuss alternative locations for the project. (Cal. Pub. Res. Code §§ 21001, 21002.1, 21061). The CEQA Guidelines further clarify that the discussion of alternatives must focus on alternatives to the project or Its location that can substantially lessen or avoid significant impacts. (CEQA Guidelines §15126.6(b)). As such, the CEQA Guidelines imply that an agency may evaluate on-site alternatives, off-site alternatives, or both. Mira Mar Mobile Community v. City of Oceanside (2004) 119 Cal.App.4th 477, 491.

### Response to Comment CBD-48:

The EIR includes alternatives required by CEQA (Alternative 1 and Alternative 2), and a reasonable range of alternatives that were thoughtfully designed to address different significant and unavoidable impacts of the project. Specifically, Alternative 3 (No Development North of Ramona Expressway) was chosen to address the primary significant unavoidable impact resulting from loss of agricultural and Farmland; Alternative 4 (Reduced Density Alternative) was chosen to address significant impacts associated with air quality, traffic, noise, and water resources by reducing the number of units and providing development similar to the pattern of residential development found historically elsewhere in the

County; Alternative 5 (Light Industrial/Reduced Density) was chosen to address the jobs/housing balance by reducing the number of units and providing additional office and industrial uses, and would also address significant impacts to air quality, traffic, agricultural resources, and water resources and would reduce indirect impacts to biological resources at the SWJA; Alternative 6 (Low Carbon Alternative) was chosen to address impacts associated with GHG emissions; and Alternative 7 (Revised Specific Plan/Reduced Density) was developed to reduce the GHG emissions from mobile vehicles, results in less traffic, reduces impacts to farmland, reduces indirect impacts to the SJWA, and eliminates the need to extend a Mid County Parkway undercrossing (EIR p. 7.0-8). As the court stated in *Center for Biological Diversity v. Department of Fish and Wildlife* (2015) 234 Cal.App.4th 214, 256, "If a reasonable basis for the choices the agency makes is found in the EIR or elsewhere in the record, a reviewing court will defer to the agency's selection of alternatives.... The selection will be upheld unless the challenger demonstrates that the alternatives are manifestly unreasonable and that they do not contribute to a reasonable range of alternatives." (internal citations omitted). Here, the EIR clearly explained the rationale for selection of each alternative and the significant impacts reduced by each.

### Response to Comment CBD-49:

As stated in Response to Comment I-93, the EIR includes quantitative and meaningful comparisons between the project's impacts and proposed alternatives likely impacts summarized in Table 7BB and explained in detail in Section 7 of the EIR. Contrary to commenter's assertion that the EIR contains "superficial qualitative analysis of the alternatives," EIR Section 7.0, Alternatives to the Proposed Project, is a 182-page section comparing seven project alternatives to the proposed project. Moreover, the EIR's appendices include numerous technical reports providing quantitative and detailed analysis of Alternative 7, which was chosen in order to provide a feasible alternative to the proposed project that would attain all of the project objectives while decreasing the total number of residential units and therefore project-related vehicle trips in order to reduce associated impacts (EIR, p. 7.0-14). As outlined on EIR pp. 7.0 – 20 and 21, the numerous technical studies prepared to support the EIR's analysis of Alternative 7, include but are not limited to:

- Drainage Study (Appendix P)
- Supplement to the Report Overview of Jobs-Housing Balance (Appendix Q)
- Cultural Resources Survey and Constraints Analysis (Appendix E)
- Air Quality Technical Report (Appendix R)
- Diesel Particulate Matter Health Risk Assessment (Appendix R)
- Greenhouse Gas Technical Report (Appendix S)
- Traffic Impact Study (Appendix L)
- Biological Report (Appendix T)
- Dry Utility Report (Appendix U)
- Paleontological Resources Assessment Addenda (Appendix E)

- Noise Impact Analysis (Appendix W)
- Water Recycling Infrastructure Conceptual Design Overview (Appendix U)
- Addendum to Mystic Pavoo': Cultural Resources Survey and Evaluation (Appendix V)

Under CEQA, the EIR must contain sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. (CEQA Guidelines Section 15126.6(d)). Commenters argue that the EIR's alternatives analysis is inadequate under *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 735. In *Kings County Farm Bureau*, the court held that the EIR for a coal-fired cogeneration plant omitted substantial information about the use of natural gas as an alternative to the proposed coal project. Commenters have not identified any impacts where quantitative analysis is needed to allow an informed comparison of the impacts of the project and the alternatives. Here, the EIR contains sufficient information to allow an informed comparison of impacts, in accordance with CEQA.

#### Response to Comment CBD-50:

The EIR clearly states that the County determined that an EIR should be prepared to analyze the potential impacts associated with approval and implementation of the proposed project, and on July 21, 2006, the County circulated an NOP. The EIR then explains that the Riverside County Board of Supervisors certified the EIR and approved the proposed project on March 23, 2010, which approvals were challenged by various entities. The EIR explains that the Court ordered the County to set aside the project's approvals and EIR, and directed the County to correct some of the analysis in the EIR. The EIR explains that the decision provided an opportunity for the County to find ways to further reduce potential impacts from the proposed project, resulting in development of a modified conceptual land use plan and new EIR alternative, Alternative 7 (EIR, p. 1.0-3). Under CEQA, an NOP is required after a lead agency decides that an EIR is required. (Cal. Pub. Res. Code § 21080.4(a)); CEQA Guidelines § 15375). The County complied with this requirement when it issued the NOP on July 21, 2006.

Commenters cite CEQA Guidelines Section 15088.5, which identifies the circumstances in which a lead agency is required to recirculate an EIR prior to certification. That section is not applicable because here, the EIR was recirculated to comply with Judge Waters' Judgment dated July 11, 2012, which required the County to set aside all approvals and refrain from approve these same or new approvals relating to or implementing the project until the County fully complies with CEQA and State Planning and Zoning Law.

### Response to Comment CBD-51:

Comment noted. Contrary to the comment, the analysis is the EIR is adequate and complies with CEQA, as set forth in the responses herein.

From: Brady, Russell

Sent: Tuesday, September 26, 2017 11:05 AM

**To:** 'singletreeranch'

Subject: RE: OPPOSITION to the Specific Plan 342, General Plan Amendment 720 and 721, EIR

471, and the Change of Zone 7055, Development Agreement 73

To respond to your concerns, see below responses to each.

On traffic, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed which the developer will construct.

On public safety, , the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area. Additionally, provisions in the proposed Development Agreement for the developer to provide supplemental funding for Fire Equipment through a potential Community Facilities District further addresses the needs for fire and ambulance services in the area above the typical provided through standard Development Impact Fees.

On the SJWA, the County is continuing to meet with the California Department of Fish and Wildlife to determine what measures can be taken to reduce impacts to the wildlife area. To clarify on access, the project would not cut off any access to this wildlife area.

On lighting, the project would bring in additional sources of light. The project would be required to comply with the Mt Palomar requirements for brightness of lighting and would also be required for all lighting to be shielded and directed away from neighboring properties to minimize impacts to the area.

On the EIR availability and noticing, we do not typically prepare bi-lingual EIRs or send out bi-lingual public hearing notices. To note, on other projects that non bi-lingual notices have been sent out, I do still receive on occasion people call in that only speak Spanish and we are able to have staff communicate with them so they understand the notice and address any questions or concerns that they may have. The Draft EIR was originally posted on September 30, 2016 and was made available for the 45-day review period until November 14, 2016. Since then responses to the comments received on the Draft EIR were prepared and incorporated into the Final EIR which was posted on August 7, 2017 for public review.

Let me know if you have any further questions or concerns.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



# How are we doing? Click the Link and tell us

From: singletreeranch [mailto:singletreeranch@aol.com]

Sent: Saturday, September 02, 2017 8:34 AM

To: Brady, Russell <rbrady@RIVCO.ORG>; Sarabia, Elizabeth <ESarabia@RIVCO.ORG>

Subject: OPPOSITION to the Specific Plan 342, General Plan Amendment 720 and 721, EIR 471, and the Change of Zone

7055, Development Agreement 73

From: Sharon Ferrell Address: 28625 Dale Ct.

Nuevo CA 92567 Dated: Sept. 2, 2017

To: Russell Brady, Planning Commission, Riverside County Board of Supervisors, and All Other Concerned Parties:

This is a letter expressing my OPPOSITION to the "SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN AMENDMENT 721, EIR 471, and the CHANGE OF ZONE 7055, DEVELOPMENT AGREEMENT 73" that is up for recommendation by the Planning Commission.

After careful consideration regarding the proposed plan by the Lewis Company to develop nearly 12,000 residences around the communities of Lakeview and Nuevo, I have concerns about this plan in which I believe to be completely unsuitable.

One concern has to do with traffic. Since the Mid-County Parkway funding has been tangled up in litigation, it is unmistakable that this project is insufficiently funded to meet the demands of an exponential increase of transportation. Traffic will be a heavily-congested, snarling nightmare.

Another concern is air-quality. This is a concern directly related to the traffic problem and will cause an unhealthy rise in carbon emissions and any other pollutants related to smog. In a nutshell, the short-term and long-term effects of a traffic-choked San Jacinto Valley are coughing, throat irritation, a worsening of asthma symptoms, difficulty in breathing, and lung damage.

The next finding is public safety. Riverside County Sheriff's deputies who patrol the communities of Nuevo and Lakeview, as well as the larger surrounding communities, will be stressed and strained to their responsive limits. There is no bona-fide proof or confirmation that the Sheriff's department has the resources to meet this concern. As for fire and paramedic crews, if the former cannot sufficiently guarantee quick responses to emergencies, how can the latter answer emergency calls quickly and urgently as well?

My third concern has to do with the much revered San Jacinto Wild-life Area (SJWA). My attention is called to the terribly immense impact that the proposed Villages will have on this area. The SJWA is fragile and

delicate; and is perpetually threatened by the peril of urban encroachment. The Villages proposal will, inarguably and without question, interrupt this fragile ecosystem. Davis road, an access route for the public, will be cut-off by the Villages, as well. One does not have to look any further than the example set by irresponsible development around Starr Ranch, a wild-life sanctuary in Orange County; cut off by a gated community in which folks must first request permission, while facing a locked security fence, before getting the request granted in order to pass through and get access to a publicly-owned area. It is worth mentioning that a deer was struck and killed off Ramona Expressway and Bernasconi Road in the early morning hours on Monday, August 21st. This unfortunate event calls for a sense of urgency, now more than ever, to stop this project and make tough decisions to develop responsibly rather than recklessly.

Another concern is artificial light pollution. The northern San Jacinto Valley has been categorized as a dark-sky region. Concerted efforts have been made to maintain that category for the Palomar observatory. The math is simple; more residences mixed with commercial use will inevitably pollute the night sky with excessive and rampant artificial light in which visibility of celestial bodies may be completely washed out. Artificial light has also proven to be harmful to the nocturnal behaviors of wildlife including the flight paths of bird flocks not to mention damaging to the sleep patterns and recovery rates of humans.

One more concern is the plain truth about an Environmental Impact Report (EIR) that was hastily put together and posted without sufficient time to respond with comments, remarks, valid complaints, and so on. Questions need to be answered for an inadequate project description that was only prepared in the English language while completely ignoring the large percentage of our community members who are monolingual, Spanish-speakers. I dare-say that the preparation of the EIR was terribly short-sighted, if not, down-right deliberate to mask the bogus mitigations of the significant impacts listed but not addressed.

In closing, it is plain to see that the proposed plan of the Villages of Lakeview is, as mentioned before, unsuitable, mostly with half-truths and untruths; a development that offers more smoke and mirrors than an, "...opportunity for the communities of Lakeview and Nuevo..." I am sure that the planning commission will logically reject such a faulty, erroneous plan.

Sincerely,

Sharon Ferrell

Sent from my Sprint Samsung Galaxy S8.

From: Brady, Russell

Sent: Tuesday, September 26, 2017 11:03 AM

To: 'Teresa Guzman'

Subject: RE: KEEP NUEVO RURAL

To respond to the concerns listed in these letters, see below responses for each.

On infrastructure/traffic, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed which the developer will construct.

On density, I had noted it at the Planning Commission hearing, but this really is the fundamental judgement call for the Planning Commission to make whether the project makes sense for this area. Looking at the technical aspect of it from a General Plan consistency, the General Plan does not restrict such densities from being proposed in this area. While the area currently does consist primarily of larger lots/rural densities, the General Plan does not guarantee that density to continue to be the only density level allowed in the area. The General Plan's purpose is to be forward thinking and to plan for development within the County and to not be rigid and held to existing land use patterns. One key component of the Principles of the General Plan related to new development is that of Maturing Communities as listed below.

#### **Maturing Communities**

The General Plan Vision acknowledges that every community in the County is maturing in its own way, at its own pace and within its own context. Policies and programs should be tailored to local needs in order to accommodate the particular level of anticipated maturation in any given community.

So while the project does represent a shift from the existing land use pattern and densities in the Lakeview and Nuevo area, it does implement the intent of the General Plan and is consistent with the General Plan.

On crime, it is inherent with any population, regardless of the demographics of a population, that there will be some level of crime resulting from their presence. So, by the nature of increasing population, the project could result in an increase in the total number of crimes in the overall Lakeview/Nuevo area. However, as to whether the proposed project would increase the rate of crime per capita could not reasonably be calculated based on the general nature of the project at hand and unknown demographics of the future population of the project. Regardless, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area.

Although crime itself is not a required topic to be analyzed for projects pursuant to CEQA, public services in the form of sheriff services are analyzed. The EIR analyzes the impacts to sheriff services and notes that the project design for adequate lighting, community oriented designs to increase neighborhood interaction, and gated community areas will

assist in reducing the potential for crime to minimize the need for sheriff services. The EIR also cites payment of Development Impact Fees as required to offset any incremental impacts to sheriff services.

On water supply, the project did perform a Water Supply Assessment in 2013 by EMWD which determined that adequate water supply exists to serve the project. Additionally, as indicated by the developer at the Planning Commission hearing, they had checked back in with EMWD regularly since then to re-verify the conclusion on the assessment.

On sewer, as I understand it that sewer pump stations do not involve the exposure of sewage open to the air therefore would not result in the release of odors. Additionally, the project would be required to comply with Southern California Air Quality Management District Rule 402 (Nuisance) which prohibits the discharge of air contaminants in such quantities that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, but does not apply to odors from agricultural operations. The project would be extending sewer lines in the area. For properties currently on septic in the area, they could remain on septic and if and when their septic system fails would only be required to connect to sewer if available nearby then.

On flood zone and drainage, a portion of the project is located within a flood zone and this area is designated either as Open Space-Conservation Habitat or Water-Drainage. So no actual development is proposed within the flood zone. The project is required to attenuate any runoff before it leaves the site so that it does not increase runoff from existing rates. Other improvements to collect flows from the hills could improve existing flooding problems in the area by the project catching these flows, holding them on site and then outletting them in a more controlled manner.

On lighting, the project would bring in additional sources of light. The project would be required to comply with the Mt Palomar requirements for brightness of lighting and would also be required for all lighting to be shielded and directed away from neighboring properties to minimize impacts to the area.

Let me know if you have any further questions or concerns.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

#### Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



# How are we doing? Click the Link and tell us

From: Teresa Guzman [mailto:teresaguzman5850@yahoo.com]

Sent: Tuesday, September 05, 2017 2:12 PM

To: Brady, Russell <rbrady@RIVCO.ORG>; Sarabia, Elizabeth <ESarabia@RIVCO.ORG>

Subject: KEEP NUEVO RURAL

Good Afternoon,

Please see the attached forms we are Homeowners in NUEVO please keep the forms in with the OUR COMMUNITY'S letters for all legal documentation.

Thank You for your time,

Teresa Guzman and all residents to 20131 6th st Nuevo,ca 92567

From: Brady, Russell

Sent: Tuesday, September 26, 2017 10:59 AM

To: 'Kristi Stone'

Subject: RE: SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN

AMENDMENT 721, EIR 471, and the CHANGE OF ZONE 7055, DEVELOPMENT

**AGREEMENT 73** 

To respond to your concerns, see below responses to each.

On traffic, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed which the developer will construct.

On air quality, these impacts are detailed fully in EIR No. 471 and impacts to both were determined to be potentially significant and unavoidable. All feasible mitigation measures were included for both to reduce impacts as much as possible. Ultimately, due to the potentially significant impact, there will be a need for an adoption of a statement of overriding considerations to accept these potentially significant impacts in balance with the positive aspects of the project.

On public safety, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area. Additionally, provisions in the proposed Development Agreement for the developer to provide supplemental funding for Fire Equipment through a potential Community Facilities District further addresses the needs for fire and ambulance services in the area above the typical provided through standard Development Impact Fees.

On the SJWA, the County is continuing to meet with the California Department of Fish and Wildlife to determine what measures can be taken to reduce impacts to the wildlife area. To clarify on access, the project would not cut off any access to this wildlife area.

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received on the Draft EIR were prepared and incorporated into the Final EiR which was posted on August 7, 2017 for public review.

Let me know if you have any further questions or concerns.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

#### Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



# How are we doing? Click the Link and tell us

From: Kristi Stone [mailto:krististone47@gmail.com]

Sent: Friday, September 01, 2017 12:38 PM

To: Brady, Russell <rbrady@RIVCO.ORG>; Sarabia, Elizabeth <ESarabia@RIVCO.ORG>

Subject: RE: SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN AMENDMENT 721, EIR 471, and the

CHANGE OF ZONE 7055, DEVELOPMENT AGREEMENT 73

From: Kristi Stone

Address: 21965 Hess Lane

Nuevo CA 92567

Dated: September 1, 2017

To: Russell Brady, Planning Commission, Riverside County Board of Supervisors, and All Other Concerned Parties: This is a letter expressing my OPPOSITION to the "SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN AMENDMENT 721, EIR 471, and the CHANGE OF ZONE 7055, DEVELOPMENT AGREEMENT 73" that is up for recommendation by the Planning Commission.

After careful consideration regarding the proposed plan by the Lewis Company to develop nearly 12,000 residences around the communities of Lakeview and Nuevo, I have concerns about this plan in which I believe to be completely unsuitable.

One concern has to do with traffic. Since the Mid-County Parkway funding has been tangled up in litigation, it is unmistakable that this project is insufficiently funded to meet the demands of an exponential increase of transportation. Traffic will be a heavily-congested, snarling nightmare.

Another concern is air-quality. This is a concern directly related to the traffic problem and will cause an unhealthy rise in carbon emissions and any other pollutants related to smog. In a nutshell, the short-term and long-term effects of a traffic-choked San Jacinto Valley are coughing, throat irritation, a worsening of asthma symptoms, difficulty in breathing, and lung damage.

The next finding is public safety. Riverside County Sheriff's deputies who patrol the communities of Nuevo and Lakeview, as well as the larger surrounding communities, will be stressed and strained to their responsive limits. There is no bona-fide proof or confirmation that the Sheriff's department has the resources to meet this concern. As for fire and paramedic crews, if the former cannot sufficiently guarantee quick responses to emergencies, how can the latter answer emergency calls quickly and urgently as well?

Another concern has to do with the much revered San Jacinto Wild-life Area (SJWA). My attention is called to the terribly immense impact that the proposed Villages will have on this area. The SJWA is fragile and delicate; and is perpetually threatened by the peril of urban encroachment. The Villages proposal will, inarguably and without question, interrupt this fragile ecosystem. Davis road, an access route for the public, will be cut-off by the Villages, as well. One does not have to look any further than the example set by irresponsible development around Starr Ranch, a wild-life sanctuary in Orange County; cut off by a gated community in which folks must first request permission, while facing a locked security fence, before getting the request granted in order to pass through and get access to a publicly-owned area. It is worth mentioning that a deer was struck and killed off Ramona Expressway and Bernasconi Road in the early morning hours on Monday, August 21st. This unfortunate event calls for a sense of urgency, now more than ever, to stop this project and make tough decisions to develop responsibly rather than recklessly.

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In closing, it is plain to see that the proposed plan of the Villages of Lakeview is, as mentioned before, unsuitable, mostly with half-truths and untruths; a development that offers more smoke and mirrors than an, "...opportunity for the communities of Lakeview and Nuevo..." I am sure that the planning commission will logically reject such a faulty, erroneous plan.

Cordially,

Kristi Stone

From: Brady, Russell

Sent: Tuesday, September 26, 2017 10:56 AM

**To:** 'Courtney Davis'

**Subject:** RE: OPPOSITION TO THE VILLAGES OF LAKEVIEE-SP342, EIRIK 471, GPA 720 &721,

CZECH 7055 AND DA 73

To respond to your concerns, see below responses to each

On infrastructure/traffic, , this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed which the developer will construct.

On density, I had noted it at the Planning Commission hearing, but this really is the fundamental judgement call for the Planning Commission to make whether the project makes sense for this area. Looking at the technical aspect of it from a General Plan consistency, the General Plan does not restrict such densities from being proposed in this area. While the area currently does consist primarily of larger lots/rural densities, the General Plan does not guarantee that density to continue to be the only density level allowed in the area. The General Plan's purpose is to be forward thinking and to plan for development within the County and to not be rigid and held to existing land use patterns. One key component of the Principles of the General Plan related to new development is that of Maturing Communities as listed below.

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Let me know if you have any further questions or concerns.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



### How are we doing? Click the Link and tell us

From: Courtney Davis [mailto:cmariedavis09@gmail.com]

**Sent:** Thursday, August 31, 2017 8:03 PM **To:** Brady, Russell <rbr/>rbrady@RIVCO.ORG>

Subject: OPPOSITION TO THE VILLAGES OF LAKEVIEE-SP342, EIRIK 471, GPA 720 &721, CZECH 7055 AND DA 73

To Whom It May Concern:

This is a letter expressing my OPPOSITION to the "SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN AMENDMENT 721, CHANGE OF ZONE 7055, DEVELOPMENT AGREEMENT 73" that is up for recommendation by the Planning Commission.

Here are my main reasons for my opposition:

- 1) Infrastructure. Nuevo/Lakeview does NOT have the infrastructure currently to support development. Many of our current roads are in bad shape. Hanson Ave is crumbling and County Transportation is out here about every 4-6 weeks to repair it. Lakeview Ave & Hanson Ave are labeled as a "collector streets" In their current state, that would be unwise. Nuevo Rd isn't even considered as part of the Plan and yet people coming from Perris and Menifee will most likely cut through via Nuevo Rd. Reservoir Ave is labeled as an "urban arterial highway" and will connect Ramona Expressway and Nuevo Rd. Nuevo Rd cannot support the added traffic unless it's modernized and widened, which is not in this plan. This development relies on the PROPOSED Mid-County Parkway, which was funded, but was then sued and is still in litigation. It has taken so long that construction prices have gone way up and now even if they were to win the lawsuit they don't have enough money to do it. (Per Barry Busch at the MAC Meeting).
- 2) Urban-Density Housing. The proposed rezoning does NOT meet our community guidelines for lot size of half-acre MINIMUM lot sizes. While there are some proposed areas of medium density housing (2-5 dwellings/per acre), a rural setting such as Lakeview/Nuevo demands more. True half-acre minimum lots would allow residents to own horses (if so desired). Alternative 7 still calls for very-high density and high-density dwellings housing. HDR designated areas mean a lot size of 3,100 sq. ft for 3,750 homes plus approx another 2,675 apartments/condos/townhomes. Apartments, especially low-income apartments, have the potential to bring more crime. We already have increasing crime (mail theft, general theft, illegal pot grows, etc) and don't need to add to the problem. Apartments belong in the city, not in rural Nuevo/Lakeview.
- 3) Crime. More people brings more crime. While Lewis Homes is required to pay project fees dedicated to increased police and fire services, they CANNOT guarantee ANY increase in coverage. Once the money is paid to the county, we are at the mercy of county budgeting. Since we are an unincorporated county area, we are already last in priority. This will not change. Lewis CANNOT assure that there will be an increase in police or fire services.
- 4) Water Supply. California has been in a drought for years and whether that drought is over is up for debate. Many properties surrounding this proposed development (i.e Juniper Flats) have had their wells go dry. There is no guarantee that EMWD (fed by MWD) has enough water to sustain this development.
- 5) Sewer. Proposed sewer pumping stations near wildlife area and housing (smell). Also, once sewer is brought into the immediate surrounding areas, existing properties in that area will be REQUIRED to pay for that sewer hookup, regardless of whether or not they hook up. Once the new sewer is in, more developers come in and force more existing homeowners to pay the required hook-up fee.
- 6) Flood Zone. Building in a flood zone and any significant movement of alluvial soil will affect run off into surrounding, existing streets and properties. We had significant flooding with the rains from Winter 2016-17. This development will cause more issues and divert rain run off into existing surrounding areas, resulting in flooding.
- 7) Dark Valley. This development will bring in artificial lighting that will change our status as a dark valley and affect the birds and wildlife that are here. Per Riverside County requirements, it is also noted that Mount Palomar requires unique nighttime lighting standards so that the night sky can be viewed clearly.

Thank you for taking the time to read my letter. I urge the Planning Commission to vote NO to recommending approval for this project to the Board of Supervisors.

Keep Nuevo/Lakeview rural.

Thank you,

From: Brady, Russell

Sent: Tuesday, September 26, 2017 10:54 AM

**To:** 'Candy Hamlet'

Subject: RE: OPPOSITION TO THE VILLAGES OF LAKEVIEW 5 SP 342, EIR 471, GPA 720 & 721, CZ

7055 and DA 73.

I just realized I had forgotten to address the electrical use concern. It is typical for any new house to be more energy efficient than older homes due to updated building codes requiring greater energy efficiency. Additionally, the project includes the below mitigation measure for solar energy to be produced on site.

MM GHG 26: The project developers shall produce or cause to be produced renewable electricity, or secure GHG offsets or credits recognized or validated by the California Air Resources Board or the South Coast Air Quality Management District, that is equivalent to the installation of one photovoltaic (i.e., solar) power system no smaller than a 2-kilowatt (kW) solar panel installation for every single-family residence, and for every 1,600 square feet of non-residential roof area available for solar panels, on the project site. Offsets will be used as a backup for solar up to the equivalent of 2.0kW if the single-family residence is not build with a solar power system. This shall not apply to multi-family residences.

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



### How are we doing? Click the Link and tell us

From: Brady, Russell

**Sent:** Tuesday, September 26, 2017 10:45 AM **To:** 'Candy Hamlet' <chamlet62@aol.com>

Subject: RE: OPPOSITION TO THE VILLAGES OF LAKEVIEW - SP 342, EIR 471, GPA 720 & 721, CZ 7055 and DA 73.

To respond to your concerns, see below responses to each.

On traffic and road improvements, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed which the developer will construct.

On lighting, the project would bring in additional sources of light. The project would be required to comply with the Mt Palomar requirements for brightness of lighting and would also be required for all lighting to be shielded and directed away from neighboring properties to minimize impacts to the area.

On flood zone and drainage, a portion of the project is located within a flood zone and this area is designated either as Open Space-Conservation Habitat or Water-Drainage. So no actual development is proposed within the flood zone. The project is required to attenuate any runoff before it leaves the site so that it does not increase runoff from existing rates. Other improvements to collect flows from the hills could improve existing flooding problems in the area by the project catching these flows, holding them on site and then outletting them in a more controlled manner.

On sewer, the project would be extending sewer lines in the area. For properties currently on septic in the area, they could remain on septic and if and when their septic system fails would only be required to connect to sewer if available nearby then.

On water supply, the project did perform a Water Supply Assessment in 2013 by EMWD which determined that adequate water supply exists to serve the project. Additionally, as indicated by the developer at the Planning Commission hearing, they had checked back in with EMWD regularly since then to re-verify the conclusion on the assessment.

### On electrical use,

On the wildlife area, the County is continuing to meet with the California Department of Fish and Wildlife to determine what measures can be taken to reduce impacts to the wildlife area. To clarify on access, the project would not cut off any access to this wildlife area.

On land use compatibility/density, I had noted it at the Planning Commission hearing, but this really is the fundamental Judgement call for the Planning Commission to make whether the project makes sense for this area. Looking at the technical aspect of it from a General Plan consistency, the General Plan does not restrict such densities from being proposed in this area. While the area currently does consist primarily of larger lots/rural densities, the General Plan does not guarantee that density to continue to be the only density level allowed in the area. The General Plan's purpose is to be forward thinking and to plan for development within the County and to not be rigid and held to existing land use patterns. One key component of the Principles of the General Plan related to new development is that of Maturing Communities as listed below.

### **Maturing Communities**

The General Plan Vision acknowledges that every community in the County is maturing in its own way, at its own pace and within its own context. Policies and programs should be tailored to local needs in order to accommodate the particular level of anticipated maturation in any given community.

So while the project does represent a shift from the existing land use pattern and densities in the Lakeview and Nuevo area, it does implement the intent of the General Plan and is consistent with the General Plan.

On existing agricultural uses, this was addressed in the EIR available at the link below and the below mitigation measures were included to design development immediately adjacent to agricultural uses to setback a minimum distance and for the overall project's residents to be made aware of agricultural uses existing in the area.

MM Ag 2: To reduce potential significant adverse impacts due to incompatibility between agricultural uses and proposed development, proposed residences, and school buildings shall be setback 300 feet from the location of any of the following active agricultural uses: corrals, chicken houses, dairy waste ponds, manure stockpiles, or commercial livestock pens. This setback shall not apply to areas of the project where Ramona Expressway intervenes between active agriculture and proposed development. The 300-foot setback may include public

road rights-of-way, parking lots, and service or maintenance areas. A temporary 300-foot setback shall also be maintained between occupied project-related buildings and any of the existing on-site or adjacent active corrals, chicken houses, dairy waste ponds, manure stockpiles, or commercial livestock pens that are located in a later phase of project development and that may continue to operate while earlier phases of development are built. The temporary setback requirement shall expire when the applicable onsite use is discontinued and the planned residential and school development may then occur in the previous setback area.

MM Ag 3: All owners or renters of residential units in the project shall be provided with a recorded deed disclosure or similar written notice prior to the completion of a residential purchase transaction or a lease. The notice shall inform new residents that existing agricultural uses near the project area may create nuisances such as flies, odors, dust, and chemical spraying. This form of the disclosure shall be approved by the County during the review and approval of the first tentative map for the project and shall be supplied to a residential property purchaser or renter by the Master Developer, Master Developer's agent or the Master Developer's successors in interest or assignees, including any purchaser of residential property within the project area.

On crime, it is inherent with any population, regardless of the demographics of a population, that there will be some level of crime resulting from their presence. So, by the nature of increasing population, the project could result in an increase in the total number of crimes in the overall Lakeview/Nuevo area. However, as to whether the proposed project would increase the rate of crime per capita could not reasonably be calculated based on the general nature of the project at hand and unknown demographics of the future population of the project. Regardless, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area.

Although crime itself is not a required topic to be analyzed for projects pursuant to CEQA, public services in the form of sheriff services are analyzed. The EIR analyzes the impacts to sheriff services and notes that the project design for adequate lighting, community oriented designs to increase neighborhood interaction, and gated community areas will assist in reducing the potential for crime to minimize the need for sheriff services. The EIR also cites payment of Development Impact Fees as required to offset any incremental impacts to sheriff services.

Let me know if you have any further questions or concerns.

http://planning.rctima.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

**Thanks** 

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



How are we doing? Click the Link and tell us

From: Candy Hamlet [mailto:chamlet62@aol.com]

Sent: Thursday, August 31, 2017 9:22 AM To: Brady, Russell rbrady@RiVCO.ORG>

Subject: RE: OPPOSITION TO THE VILLAGES OF LAKEVIEW - SP 342, EIR 471, GPA 720 & 721, CZ 7055 and DA 73.

Please find attached our letter of opposition to the above plan.

Please distribute to the planning commission.

John and Candy Hamlet 20630 Havenhurst Drive Nuevo, Ca 92567

From:

Brady, Russell

Sent:

Tuesday, September 26, 2017 10:47 AM

To:

'Marie Vigil'

Subject:

RE: Stop Villages of lake view

To respond to your concern regarding General Plan consistency, I had noted it at the Planning Commission hearing, but this really is the fundamental judgement call for the Planning Commission to make whether the project makes sense for this area. Looking at the technical aspect of it from a General Plan consistency, the General Plan does not restrict such densities from being proposed in this area. While the area currently does consist primarily of larger lots/rural densities, the General Plan does not guarantee that density to continue to be the only density level allowed in the area. The General Plan's purpose is to be forward thinking and to plan for development within the County and to not be rigid and held to existing land use patterns. One key component of the Principles of the General Plan related to new development is that of Maturing Communities as listed below.

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#### Thanks

Rüssell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



## How are we doing? Click the Link and tell us

From: Marie Vigil [mailto:marie61111@gmail.com]

Sent: Thursday, August 31, 2017 11:02 AM
To: Brady, Russell <rbr/>rbrady@RIVCO.ORG>

Subject: Stop Villages of lake view

Mr. Russell Brady

PO Box 1409

### Riverside CA 92502-1409

Dear Mr. Brady:

I am writing to express my OPPOSITION to the Villages of Lakeview project Specific Plan 342, General Plan Amendment 720, General Plan Amendment 721, Change of Zone 7055, Development Agreement 73 that is up for recommendation by the Riverside County Planning Commission. Your NO vote on the Villages Lakeview project Specific Plan 342, General Plan Amendment 720, General Plan Amendment 721, Change of Zone 7055, Development Agreement 73 is necessary to preserve my existing rural community of Nuevo/Lakeview and the surrounding wildlife area. The general plan calls for development to be "next to existing suburban and urban area". The project violates the general plan for future growth by allowing a mega development literally on top of a thriving isolated rural community. This is unacceptable—you must vote NO.

Thank you for your consideration.

Regards,

Marie vigil

From: Brady, Russell

Sent: Tuesday, September 26, 2017 10:45 AM

**To:** 'Candy Hamlet'

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Let me know if you have any further questions or concerns.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

#### Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



# How are we doing? Click the Link and tell us

From: Candy Hamlet [mailto:chamlet62@aol.com]

**Sent:** Thursday, August 31, 2017 9:22 AM **To:** Brady, Russell <rbr/>rbrady@RIVCO.ORG>

Subject: RE: OPPOSITION TO THE VILLAGES OF LAKEVIEW - SP 342, EIR 471, GPA 720 & 721, CZ 7055 and DA 73.

Please find attached our letter of opposition to the above plan.

Please distribute to the planning commission.

John and Candy Hamlet 20630 Havenhurst Drive Nuevo. Ca 92567

From: Brady, Russell

Sent: Tuesday, September 26, 2017 10:34 AM

To: 'Mark Manning'

Subject: RE: OPPOSITION TO THE VILLAGES OF LAKEVIEW - SP 342, EIR 471, GPA 720 & 721, CZ

7055 and DA 73

To respond to your concerns about the area changing, I had noted it at the Planning Commission hearing, but this really is the fundamental judgement call for the Planning Commission to make whether the project makes sense for this area. Looking at the technical aspect of it from a General Plan consistency, the General Plan does not restrict such densities from being proposed in this area. While the area currently does consist primarily of larger lots/rural densities, the General Plan does not guarantee that density to continue to be the only density level allowed in the area. The General Plan's purpose is to be forward thinking and to plan for development within the County and to not be rigid and held to existing land use patterns. One key component of the Principles of the General Plan related to new development is that of Maturing Communities as listed below.

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Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



### How are we doing? Click the Link and tell us

From: Mark Manning [mailto:markshomes@sbcglobal.net]

**Sent:** Thursday, August 31, 2017 8:05 AM **To:** Brady, Russell <rbr/>rbrady@RIVCO.ORG>

Subject: RE: OPPOSITION TO THE VILLAGES OF LAKEVIEW - SP 342, EIR 471, GPA 720 & 721, CZ 7055 and DA 73

From: Mark Manning

Address: 30033 Apricot way

Nuevo CA 92567

Dated: August 31, 2017

RE: OPPOSITION TO THE VILLAGES OF LAKEVIEW 5 SP 342, EIR 471, GPA 720 & 721, CZ 7055 and DA 73.

Riverside County Planning Department

Attn: Russel Brady

This is a letter expressing my OPPOSITION to the "SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN AMENDMENT 721, CHANGE OF ZONE 7055, DEVELOPMENT AGREEMENT 73" that is up for recommendation by the Planning Commission

This letter is to let you know that I, like many others in Nuevo/Lakeview, want to express my opposition to the proposed changes in zoning required to build the Villages of Lakeview. I know you are receiving other letters that very well spell out the infrastructure and logistical nightmares that will be associated with this project. I would like to explain our feelings about this little town as it currently sits.

It is clear to me that many us have chosen to live here because of the Rural Atmosphere this town still has. It is the quiet, small town, horse friendly, and yes people friendly feeling that has attracted us. We relish our small equestrian community, and want to do what we can to preserve it.

The proposed planned development would increase our population 4 to 5 times what it is currently, with a completely different atmosphere and direction. How can that not change everything?

I would like to explain how I am confident (and concerned) that it will. My 62 years of living in Southern California, combined with my Civil Engineering and Real Estate careers dating back to 1975, has allowed me to witness the growth of much of San Gabriel Valley and Inland Empire.

Growing up in Hacienda Heights throughout the 1960's, I watched Diamond Bar pride itself in becoming known as one of the two preferred equestrian towns in all San Gabriel Valley (San Dimas being the other). Then the big developers came, and I imagine most of you are familiar with Diamond Bar today. It is a beautiful Big city, with virtually no equestrian element. San Dimas has tried to keep that element a bit, but also has fallen woefully short.

The quest for a nice quiet equestrian community moved eastward to the town of Norco. The difference being that the town of Norco recognized its uniqueness and rarity and chose to embrace it. They even chose to incorporate to ensure the preservation of what is now officially called HORSE TOWN USA. Even with growth all around them including a Freeway running right through town, and massive new developments on tiny lots, they stayed true to their original zonings, and minimum lot sizes that still allowed for horses. The residents of Norco are proud of their town and love it for those very reasons.

The residents of Nuevo are the same. We know that the cities surrounding us are master planned for large developments on smaller lots, but we are not and want to keep our Rural Zonings and Atmosphere.

I am not unfamiliar with Zoning Changes nor with Lewis Developments. There are instances such as the 'Preserve in Chino' where it all made sense for virtually everybody involved. The zoning changes from agriculture (dairy) to multi residential was embraced by the clear majority of dairies, along with surrounding communities affected.

This is not the case with us in Nuevo/Lakeview, and I hope you can hear our concerns! Please don't ignore our desires to keep our town Rural. I urge you to vote no on this project, and I thank you for your time, understanding, and consideration.

Mark Manning Keep Nuevo/Lakeview Rural

PS: I have also attached a signed hard copy

From:

Brady, Russell

Sent:

Tuesday, September 26, 2017 10:30 AM

To:

'Maz Zakikhani'

Subject:

RE: Opposition to proposed development San Jacinto Wildlife Area

To respond to your concerns on the impacts to the wildlife area and hunting activities, we are continuing to meet with the California Department of Fish and Wildlife to determine what measures can be taken to reduce impacts to the wildlife area. The project would not cut off any access to this wildlife area and there are not anticipated potential impacts that would affect the ability for hunting to continue in the wildlife area.

Let me know if you have any further questions or concerns.

http://planning.rctima.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

#### Thanks

#### Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



## How are we doing? Click the Link and tell us

From: Maz Zakikhani [mailto:zstarrealtor@gmail.com]

**Sent:** Thursday, August 31, 2017 7:58 AM **To:** Brady, Russell <rbr/>rbrady@RIVCO.ORG>

Subject: Opposition to proposed development San Jacinto Wildlife Area

## Good morning:

I am a small business owner, Realtor, real estate investor and an avid hunter living here in San jacinto. I am writing to voice my opposition to any proposed development that has the potential to impact my ability to hunt here in the San Jacinto valley. The San Jacinto Wildlife Area was a determining factor in my decision to relocate my family to the San Jacinto Valley 4 years ago...losing this area would be dwtrimental to the quality of life for myself, my young children and the dozen or so hunters(in our party alone) that routinely hunt the area along with my family each season.

Thank you

Maz Zakikhani Realtor

From: Brady, Russell

Sent: Tuesday, September 26, 2017 10:28 AM

**To:** 'Marti Herbage'

Subject: RE: Letter of Opposition to the proposed Villages of Lakeview

To respond to your concerns, see responses below for each

On traffic, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed.

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On crime, it is inherent with any population, regardless of the demographics of a population, that there will be some level of crime resulting from their presence. So, by the nature of increasing population, the project could result in an increase in the total number of crimes in the overall Lakeview/Nuevo area. However, as to whether the proposed project would increase the rate of crime per capita could not reasonably be calculated based on the general nature of the project at hand and unknown demographics of the future population of the project. Regardless, the project will pay Development impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area.

Although crime itself is not a required topic to be analyzed for projects pursuant to CEQA, public services in the form of sheriff services are analyzed. The EIR analyzes the impacts to sheriff services and notes that the project design for adequate lighting, community oriented designs to increase neighborhood interaction, and gated community areas will assist in reducing the potential for crime to minimize the need for sheriff services. The EIR also cites payment of Development Impact Fees as required to offset any incremental impacts to sheriff services.

On SJWA, the County is continuing to meet with the California Department of Fish and Wildlife to determine what measures can be taken to reduce impacts to the wildlife area. To clarify on access, the project would not cut off any access to this wildlife area.

On lighting, the project would bring in additional sources of light. The project would be required to comply with the Mt Palomar requirements for brightness of lighting and would also be required for all lighting to be shielded and directed away from neighboring properties to minimize impacts to the area.

On existing agricultural uses, this was addressed in the EIR available at the link below and the below mitigation measures were included to design development immediately adjacent to agricultural uses to setback a minimum distance and for the overall project's residents to be made aware of agricultural uses existing in the area.

MM Ag 2: To reduce potential significant adverse impacts due to incompatibility between agricultural uses and proposed development, proposed residences, and school buildings shall be setback 300 feet from the location of any of the following active agricultural uses: corrals, chicken houses, dairy waste ponds, manure stockpiles, or commercial livestock pens. This setback shall not apply to areas of the project where Ramona Expressway intervenes between active agriculture and proposed development. The 300-foot setback may include public road rights-of-way, parking lots, and service or maintenance areas. A temporary 300-foot setback shall also be maintained between occupied project-related buildings and any of the existing on-site or adjacent active corrals, chicken houses, dairy waste ponds, manure stockpiles, or commercial livestock pens that are located in a later phase of project development and that may continue to operate while earlier phases of development are built. The temporary setback requirement shall expire when the applicable onsite use is discontinued and the planned residential and school development may then occur in the previous setback area.

MM Ag 3: All owners or renters of residential units in the project shall be provided with a recorded deed disclosure or similar written notice prior to the completion of a residential purchase transaction or a lease. The notice shall inform new residents that existing agricultural uses near the project area may create nuisances such as files, odors, dust, and chemical spraying. This form of the disclosure shall be approved by the County during the review and approval of the first tentative map for the project and shall be supplied to a residential property purchaser or renter by the Master Developer, Master Developer's agent or the Master Developer's successors in interest or assignees, including any purchaser of residential property within the project area.

On the EIR and noticing, we do not typically prepare bi-lingual EIRs or send out bi-lingual public hearing notices. To note, on other projects that non bi-lingual notices have been sent out, I do still receive on occasion people call in that only speak Spanish and we are able to have staff communicate with them so they understand the notice and address any questions or concerns that they may have. The Draft EIR was originally posted on September 30, 2016 and was made available for the 45-day review period until November 14, 2016. Since then responses to the comments received on the Draft EIR were prepared and incorporated into the Final EIR which was posted on August 7, 2017 for public review.

Let me know if you have any further questions or concerns.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



# How are we doing? Click the Link and tell us

From: Marti Herbage [mailto:mherbage@yahoo.com]

**Sent:** Thursday, August 31, 2017 7:47 AM **To:** Brady, Russell <rbr/>rbrady@RIVCO.ORG>

Subject: Letter of Opposition to the proposed Villages of Lakeview

To: Russell Brady/, Planning Commission, Riverside County Board of Supervisors, and All Other Concerned Parties:

This is a letter expressing our OPPOSITION to the "SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN AMENDMENT 721, EIR 471, and the CHANGE OF ZONE 7055, DEVELOPMENT AGREEMENT 73" (AKA Villages of Lakeview) that is up for recommendation by the Planning Commission.

My husband and I purchased our home in Nuevo specifically for the rural look, feel, and atmosphere for which Nuevo is known. Our plan is to retire in this quiet ranch and farm area.

After carefully reviewing the proposed plan by the Lewis Company to develop thousands of residences and businesses around the communities of Lakeview and Nuevo, we find the plan to be seriously unsuitable for our future. Here are our concerns:

- 1. Traffic. Our roads would need serious upgrades to support the growing traffic the proposal will undoubtedly create. Per Barry Busch, at the MAC meeting, with cost of construction having risen since the first proposal, even if the current, proposed Mid-County Parkway (currently tied up in litigation) is funded, it won't be enough to complete the project. Ramona Expressway is known to be hazardous from Lake Perris to Hemet, most especially in the Lakeview/Nuevo area, due to the current traffic volume on the two-lane sections. With the additional traffic that this plan will undoubtedly create, traffic will be a heavily-congested, dangerous, pollution nightmare, not just on the major arteries, but in and around the entire community! A commute to Riverside from Nuevo is 45 minutes at worst, but would easily become 60 to 90 minutes with the additional time it would take just to get out of local area.
- 2. **Urban Density/Housing**. The proposed rezoning does not meet our guidelines for lot size of half-acre Minimum. Alternative 7 proposes "high-density" and "very high-density" dwellings. This dense population of dwellings, especially low-income apartments, will bring more crime to a community already dealing with increasing mail theft, illegal marijuana grows, burglary, etc. Apartments do not belong in a rural neighborhood. Even "medium density" housing will destroy the "ruralness" of Nuevo (as is evident in tract home neighborhoods like Boulder Rise).
- 3. **Crime**. Riverside County Sheriff's deputies who patrol the communities of Nuevo and Lakeview, and larger surrounding communities, are already stressed and strained to their responsive limits as are our Fire and paramedic crews. This proposal will only make matters worse, by causing more delays in response time for emergencies, including life or death situations. Although Lewis Homes is required to pay project fees dedicated to increase fire and police services, they cannot insure that these services will be increased for Nuevo.

- 4. San Jacinto Wildlife Area (SJWA). We're also very concerned for the well-being of the SJWA, already threatened by urban encroachment. The Villages proposal will most definitely interrupt this fragile ecosystem. The Davis road public access route will be cut-off by the Villages as well, making it more difficult for us to access this important and special wildlife area.
- 5. **Floods**. Building in a flood zone, with the necessary movement of alluvial soil, will cause more serious flooding to our neighborhoods via run-off, etc. should there be any significant rain fall. We, as a community, have experienced the damage that flooding can cause due to heavy rain, and if this project moves forward, it is not a matter of IF, but rather WHEN the next damaging flooding will occur. Many houses and vehicles may be seriously damaged.
- 6. **Dark valley**. One of the many reasons we chose Nuevo when buying our retirement home, was the view of the stars in the night sky. The artificial lighting created by this development will change our status as a dark valley and negatively affect the birds and wildlife here. Mount Palomar requires unique nighttime lighting standards to have a clear view of the night sky.
- 7. Farms and Ranches. The new residents of the Villages, will undoubtedly begin complaining about the smell from the local farms and ranches, not to mention the horses, goats, and chicken, and roosters so many of our neighbors raise. We can assume, from past experiences, that once all the proposed residences are filled, those new residences will begin to push for relocating these farms, and banning the ownership of horses, goats, chickens, etc. and those arguments will further separate neighbor from neighbor, creating animosity. We've seen it done many times, and this will be no different. The farms and ranches are vital to our community and their loss could be devastating.

We wonder why the Environmental Impact Report (EIR) was hastily put together and posted without sufficient time to respond with comments and believe this was a deliberate attempt to hide the truth of the what the impact really means for those of us who love our current way of life, and are in danger from the significant impacts listed but not addressed.

It is obvious to us that the proposed plan of the Villages of Lakeview is solely for the financial benefit of the developer with no consideration at all for people already living Nuevo/Lakeview. This plan will, in no uncertain terms, destroy a close-knit, rural community. It is our sincere hope that the planning commission will logically reject such a disastrous plan.

Sincerely, Martiese Herbage

From: Brady, Russell

Sent: Tuesday, September 26, 2017 10:21 AM

To: 'seramed'

**Subject:** RE: Lewis Homes project for Lakeview/Nuevo

Attachments: Villages of Lakeview - Alt 7 LUP.pdf

To respond to you concerns, see below responses to each.

The project does propose a maximum of 8,725 dwelling units. While some of these may be made up of apartments and condos, many will be made up of single family lots. As shown on the attached proposed land use plan, the different Planning Areas (PAs) have densities that start at a range of 2-5 dwelling units per acre (MDR), 5-8 dwelling units per acre (MHDR), 8-14 dwelling units per acre (HDR), and then 14-40 dwelling units per acre in the areas designated as Mixed Use (MU). The areas designated as MDR are the areas where there will most likely be typical single family lots. The areas designated as MHDR could also be typical single family lots but could also include either detached or attached condominium type and maybe apartments. The areas designated HDR and MU would be where you would get apartment type developments. The plan generally radiates density from the least dense from the outer areas to more dense areas in the center and near Ramona Expressway. This is also a general land use plan and when actual development applications are submitted with specific design of lots and buildings, that is where we can review more closely where certain border areas may have larger lots, setbacks, or other design features to buffer from existing large iot areas as appropriate.

On traffic, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. Specifically on Wolfskill, the project does include the following mitigation measure to address traffic on Wolfskill.

MM Trans 19 – Alt 7: At approximately 50 percent build out of Alternative 7 and if the Mid County Parkway has not been constructed, the project proponent or subsequent developer shall make the following improvements to the intersection of Hansen Avenue and Wolfskill Avenue:

- Signalize the intersection with protected phases in the east-westbound directions and permissive phases in the north-southbound direction
- Widen the northbound approach to 4 lanes, consistent with the roadway segment mitigation
- Northbound approach: one left-turn lane, one through lane and two right-turn lanes with a right-turn overlap phase
- Add a left turn pocket at all approaches
- Add a through lane to the westbound approach

On sewer, the project would be extending sewer lines in the area. For properties currently on septic in the area, they could remain on septic and if and when their septic system fails would only be required to connect to sewer if available nearby then.

Let me know if you have any further questions or concerns.

#### Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



## How are we doing? Click the Link and tell us

From: seramed [mailto:seramed@earthlink.net]
Sent: Wednesday, August 30, 2017 11:14 PM
To: Brady, Russell <rbrady@RIVCO.ORG>

Subject: Lewis Homes project for Lakeview/Nuevo

August 30, 2017 Riverside County Planning Dept.

Attn: Russell Brady

The Planning department will be discussing the Lewis Homes project for the Lakeview/Nuevo area on Sept. 6, 2017. I understand that the number of homes proposed has been decreased to about 8,700 from the original 11,000 plus. Many of the proposed lots are small and the number of homes/buildings on some lots are extremely high. I assume these are the apartments/condominiums. That is a lot of families in a small area. Would ask that the density or number of dwellings be decreased.

I was told that the projects would take into consideration, the existing homes/properties and their lot sizes and that the new development would have homes with similar sized lots and then gradually decrease the lot sizes. That does not appear to be the case as I am very close to the new development and the property is described as high density.

I have seen the horse trails on the exterior of the development, but it is not clear how they interface with current horse trails so that residents can ride into the hills.

I am also concerned about increased traffic on Wolfskill as that is supposed to be a major road. We have few roads leading out of our area and that new major road will definitely increase traffic and congestion.

Some mention was made regarding the new sewer lines and that some residents would be required to hook up into it. Would like that clarified.

I love our rural community and atmosphere and want the new development to enhance and fit in. We have to be careful about increased traffic as we already have had a number of fatal accidents on Ramona Expressway and even on our surface streets.

Your consideration of my concerns and others in the community are appreciated.

Julia Maruyama 31420 Yucca Ave Nuevo, CA 92567

From: Brady, Russell

Sent: Tuesday, September 26, 2017 10:01 AM

To: 'Eric Metz'

**Subject:** RE: EIR re: SP 342, EIR 471, GPA 721, CZ 7055, DA 73

The concern of domestic animal predation was specifically addressed in the EIR and mitigation measures Bio 2 and Bio 3 as listed below were developed to reduce this potential. See below and let me know if you have any further questions or concerns.

MM Bio 2: Planning Areas and roads adjacent to the SJWA, Proposed Constrained Linkage 20 (wildlife corridor) and Lakeview Mountains will incorporate barriers (as appropriate) to minimize unauthorized public access, domestic animal predation, illegal trespass, or unauthorized dumping. The exception will be public access locations, which will direct the public into authorized access areas within the Conservation Area (i.e., SJWA and the Lakeview Mountains). All barriers will be placed within the boundaries of the development and will be outside of the Conservation Areas. Barriers will be located between the SJWA/Lakeview Mountains and houses/paved roads. Barriers will be designed to accommodate wildlife movement, but directing wildlife away from residential areas. Barriers may consist of, but not be limited to, walls, plants, fences, berms, and other means (such as horizontal distance and vertical distance) or combination of means to achieve the desired result. The final design of the barriers shall be completed based on consultation between the developer, County Planning Department, and as approved by the County Environment Programs Department when tentative tract maps and/or road plans are approved. California Department of Fish and Wildlife San Jacinto Wildlife Area representatives will be consulted regarding final design of barriers along the SJWA edge. Where barriers are required between established conservation areas and other areas of the project site, impacts to cultural resources shall be taken into consideration with respect to location, design, and installation such that cultural resources adjacent to the conservation areas are avoided and that the setting is respected or enhanced. The County Archaeologist, or designee thereof, shall review all barrier plans proposed adjacent to conservation areas on-site to assure consistency with this mitigation measure.

MM Bio 3: The project Conditions, Covenants and Restrictions (CC&R) shall restrict the number of domestic animals (e.g., dogs, cats and other predatory animals) allowed per residence to two, thus further limiting potential impacts. Cats shall be limited to indoors. These restrictions cannot be amended. Copies of the CC&Rs shall be provided to the County Planning Department prior to Map Recordation. [Note: Current County zoning allows up to 4 dogs per premises.] This restriction for domestic animals applies to planning areas north of Ramona Expressway. The CC&Rs shall require cat-proof barriers be installed along the interface between the project's residential planning area boundaries and the Lakeview Mountains conservation area and the wildlife corridor. The Homeowners Association will be the entity responsible for enforcing the (CC&Rs).

#### Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



### How are we doing? Click the Link and tell us

From: Eric Metz [mailto:caninelaw@gmail.com]
Sent: Wednesday, August 30, 2017 10:26 PM
To: Brady, Russell <rbr/>rbrady@RIVCO.ORG>

Subject: EIR re: SP 342, EIR 471, GPA 721, CZ 7055, DA 73

Mr. Brady,

I am concerned about the large residential and commercial development that is being considered on the boundary of the San Jacinto Wildlife Area. There are many concerns about how this will affect the wildlife area, the wildlife within it and the recreational opportunities that it provides to the residents of Southern California. Only one of those aspects, which I wonder if it has even been addressed, is the potential introduction of domestic feline predation due to the outdoor cats that will be introduced by the 11,350 residential unit.

The concern of domestic cats is something that many would not think of. Beside the disruption of a large housing development, basically a small city, being built on the boundary of a State Wildlife Area, the influx of domestic cats is a big concern for the endangered and protected wildlife of the area. The American Veterinary Medical Association estimates that 30.4% of households own domestic cats. There are no figures I could find regarding how many of these cats are "outside" cats but I think it would be safe to assume that the majority of household cats are outdoors at least part of the time. For sake of argument let's just say half of the cat in this development will be "outdoor" cats. So, 11,350 housing units from this development would translate into 3,462 cats living on the boundary of San Jacinto Wildlife Area. If we assume only half of these are "outdoor" cats then there are 1,731 introduced predators on the San Jacinto Wildlife Area boundary. Studies have estimated that "outdoor" cats kill between 30 and 48 birds per year. If we take an average of that figure, which would be 39 birds per year and multiply that by the number of cats  $(1.731 \times 39 = 67.509)$  it translates into a loss of 67,509 birds per year. The majority of this will likely be from within the boundaries of San Jacinto Wildlife Area where there are many endangered and protected species. This is not to mention the small mammals, such as the protected kangaroo rats, that will also become prey for these household predators. Also, once these cats are established in these neighborhoods a small percentage will go feral due to being abandoned or becoming lost and create a breeding population that will exponentially increase the cat population, and thereby the predator population, in addition to the owned cats.

There are many reasons to oppose this development next to one of the few State Wildlife Areas in Southern California, the aspect of domestic feline predation is only one of them.

Thank you, Eric Metz

From: Brady, Russell

Sent: Monday, September 25, 2017 5:38 PM

To: 'Diana Mejia'

Subject: RE: Keep Nuevo Rural

To respond to your concerns, see below responses for each.

On traffic, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed.

On air quality, these impacts are detailed fully in EIR No. 471 and impacts to both were determined to be potentially significant and unavoidable. All feasible mitigation measures were included for both to reduce impacts as much as possible. Ultimately, due to the potentially significant impact, there will be a need for an adoption of a statement of overriding considerations to accept these potentially significant impacts in balance with the positive aspects of the project.

On public safety, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area. Additionally, provisions in the proposed Development Agreement for the developer to provide supplemental funding for Fire Equipment through a potential Community Facilities District further addresses the needs for fire and ambulance services in the area above the typical provided through standard Development Impact Fees.

On the wildlife area, the County is continuing to meet with the California Department of Fish and Wildlife to determine what measures can be taken to reduce impacts to the wildlife area. To clarify on access, the project would not cut off any access to this wildlife area.

On lighting, the project would bring in additional sources of light. The project would be required to comply with the Mt Palomar requirements for brightness of lighting and would also be required for all lighting to be shielded and directed away from neighboring properties to minimize impacts to the area.

On EIR availability and noticing, we do not typically prepare bi-lingual EIRs or send out bi-lingual public hearing notices. To note, on other projects that non bi-lingual notices have been sent out, I do still receive on occasion people call in that only speak Spanish and we are able to have staff communicate with them so they understand the notice and address any questions or concerns that they may have. The Draft EIR was originally posted on September 30, 2016 and was made available for the 45-day review period until November 14, 2016. Since then responses to the comments received on the Draft EIR were prepared and incorporated into the Final EIR which was posted on August 7, 2017 for public review.

Let me know if you have any further questions or concerns.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

## Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



## How are we doing? Click the Link and tell us

From: Diana Mejia [mailto:dollymejia646@gmail.com]

**Sent:** Wednesday, August 30, 2017 8:56 PM **To:** Brady, Russell <rbr/>rbrady@RIVCO.ORG>

Subject: Keep Nuevo Rural

Please do not build

From: Brady, Russell

Sent: Monday, September 25, 2017 5:37 PM

To: 'angulo.albert@yahoo.com'

Subject: RE: RIVERSIDE COUNTY PLANNING DEPARTMENT Attn: Russell Brady

To respond to your concerns, see the below responses to each.

On traffic, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed.

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On public safety, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area. Additionally, provisions in the proposed Development Agreement for the developer to provide supplemental funding for Fire Equipment through a potential Community Facilities District further addresses the needs for fire and ambulance services in the area above the typical provided through standard Development Impact Fees.

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### Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



# How are we doing? Click the Link and tell us

From: Albert Angulo [mailto:angulo.albert@yahoo.com]

**Sent:** Wednesday, August 30, 2017 5:44 PM **To:** Brady, Russell <rbr/>rbrady@RIVCO.ORG>

Subject: RIVERSIDE COUNTY PLANNING DEPARTMENT Attn: Russell Brady

Sent from Yahoo Mail on Android

From: Brady, Russell

**Sent:** Monday, September 25, 2017 5:34 PM

To: 'Eileen Gertie'

**Subject:** RE: Opposition Villages of Lakeview

To respond to your concerns, see below responses to each

On density, I had noted it at the Planning Commission hearing, but this really is the fundamental judgement call for the Planning Commission to make whether the project makes sense for this area. Looking at the technical aspect of it from a General Plan consistency, the General Plan does not restrict such densities from being proposed in this area. While the area currently does consist primarily of larger lots/rural densities, the General Plan does not guarantee that density to continue to be the only density level allowed in the area. The General Plan's purpose is to be forward thinking and to plan for development within the County and to not be rigid and held to existing land use patterns. One key component of the Principles of the General Plan related to new development is that of Maturing Communities as listed below.

#### **Maturing Communities**

The General Plan Vision acknowledges that every community in the County is maturing in its own way, at its own pace and within its own context. Policies and programs should be tailored to local needs in order to accommodate the particular level of anticipated maturation in any given community.

So while the project does represent a shift from the existing land use pattern and densities in the Lakeview and Nuevo area, it does implement the intent of the General Plan and is consistent with the General Plan.

On traffic, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed, which the developer would be required to construct or pay their fair share of funding to, to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed

On public safety and crime, it is inherent with any population, regardless of the demographics of a population, that there will be some level of crime resulting from their presence. So, by the nature of increasing population, the project could result in an increase in the total number of crimes in the overall Lakeview/Nuevo area. However, as to whether the proposed project would increase the rate of crime per capita could not reasonably be calculated based on the general nature of the project at hand and unknown demographics of the future population of the project. Regardless, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area.

Although crime itself is not a required topic to be analyzed for projects pursuant to CEQA, public services in the form of sheriff services are analyzed. The EIR analyzes the impacts to sheriff services and notes that the project design for adequate lighting, community oriented designs to increase neighborhood interaction, and gated community areas will

assist in reducing the potential for crime to minimize the need for sheriff services. The EIR also cites payment of Development Impact Fees as required to offset any incremental impacts to sheriff services.

Additionally, provisions in the proposed Development Agreement for the developer to provide supplemental funding for Fire Equipment through a potential Community Facilities District further addresses the needs for fire and ambulance services in the area above the typical provided through standard Development Impact Fees.

On schools, the project site does include multiple sites for schools to serve the additional student population being generated by the project. The acquiring and development of these sites is still up to the local school districts and is not under the control of the developer or the County on when the schools are developed.

On water supply, the project did perform a Water Supply Assessment in 2013 by EMWD which determined that adequate water supply exists to serve the project. Additionally, as indicated by the developer at the Planning Commission hearing, they had checked back in with EMWD regularly since then to re-verify the conclusion on the assessment.

On sewer, the project would be extending sewer lines in the area. For properties currently on septic in the area, they could remain on septic and if and when their septic system fails would only be required to connect to sewer if available nearby then.

On storm runoff/water quality, as is typical now for new development, implementing projects for the Specific Plan will be required to submit Water Quality Management Plans to plan for how they will treat storm runoff before leaving the site.

On wildlife habitat, the County is continuing to meet with the California Department of Fish and Wildlife to determine what measures can be taken to reduce impacts to the wildlife area, including for hunting purposes.

Let me know if you have any further questions or concerns.

http://planning.rctima.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

#### Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



## How are we doing? Click the Link and tell us

From: Eileen Gertie [mailto:eileen.gertie@gmail.com]

Sent: Wednesday, August 30, 2017 1:46 PM
To: Brady, Russell <rbrady@RIVCO.ORG>
Subject: Opposition Villages of Lakeview

From: John and Eileen Gertie Address: 31093 sunset Ave

Nuevo CA 92567

Dated: August 30, 2017

To Russell Brady, Planning Commission, Riverside County Board of Supervisors, and All Other Concerned Parties:

This is a letter expressing my OPPOSITION to the "SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN AMENDMENT 721, EIR 471, and the CHANGE OF ZONE 7055, DEVELOPMENT AGREEMENT 73" that is up for recommendation by the Planning Commission.

Despite its quaint name, the above project, "Villages of Lakeview", is rife with problems, uncertainties, and insufficient planning and is no way consistent with the already well established rural community of Lakeview/Nuevo.

# Following is a list of concerns:

- 1. Land Use/Density. I have been living in Lakeview/Nuevo for more than 20 years and have enjoyed its well established rural lifestyle that includes keeping horses, livestock, enjoying recreational activities and having large lots with open space. Heck, you can even see actual stars at night. The proposed zoning for The Lewis Homes project is for up to 16 dwelling units per acre and is egregiously inconsistent with the established land use and the General Plan that calls for development to be "next to existing suburban and urban area". This is "leap frog" urban development at its worst.
- 2. Traffic. The proposal for up to 9,000 new dwelling units will increase the community population by tenfold. The proposals from Lewis Homes for roads and infrastructure are sorely lacking. I have not seen any clear, timely, or adequate funding for the extensive transportation projects that would be required, even if the density was appropriate for the area. Local as well as arterial roads would become a quagmire.
- 3. Public Safety and Crime. The response time for ambulance, fire and county Sheriffs would be severely impacted. The Lewis proposal for thousands of low income dwellings would further overload public services. There is simply insufficient public safety funding for this scale of development.
- 4. Schools. According to Nuview District school administrators, there is no present commitment to buy or develop Lewis Homes property for local schools. This is another misleading and empty promise. How crowded should our kids classrooms become so that rampant development can be accommodated?
- 5. Water, sewer, and storm run off. We just had a semi-normal year of rainfall, but what will happen during the inevitable and increasingly frequent droughts? Adjacent to this proposed project is the San Jacinto Wildlife Area and the Lake Perris State Recreational Area which could be inundated with polluted storm runoff from the oil in roads and driveways and potentially from backed up drainage. This will also affect productive farmland in the flood plain and river basin. Many residents within a particular radius of the development may also be forced to pay for residential sewer service, something the Lewis representative failed to mention.
- 6. Wildlife Habitat. As mentioned above, there are several wildlife, hunting, recreational and open areas in proximity to this high density urban development proposal. They will all be adversely affected by air, water, light, and run off pollution. Perhaps the community would be better served in a general plan that conceived of a dedicated and unified regional recreational area rather than exacerbating over population problems with more high density development.

7. Insufficient Notice. There has been insufficient legal notice for public review of these proposals. There have not been any bilingual signs posted which denies the large Spanish speaking community the opportunity for diligent review.

After meeting with representatives from Lewis Homes at their open house, there were more questions than answers and no indication that the above concerns have been realistically addressed or the problems from this scale of development sufficiently mitigated. I am confident that the Planning Commission at this time will not accept the zoning request for this flawed development proposal.

Respectfully,

Eileen and John Gertie

From: Brady, Russell

Sent: Monday, September 25, 2017 5:30 PM

**To:** 'Patricia Dotson'

Subject: RE: OPPOSITION to the SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720,

GENERAL PLAN AMENDMENT 721, CHANGE OF ZONE 7055, DEVELOPMENT

**AGREEMENT 73** 

To respond to your concerns, see below responses to each

On infrastructure, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed, which the developer would be required to construct or pay their fair share of funding to, to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed. Specifically on Nuevo Road, as noted in the Draft EIR (see page 764 of the pdf), the project would include certain improvements to address current deficiencies of this Road and would result in adequate service levels with the project's construction.

On density, I had noted it at the Planning Commission hearing, but this really is the fundamental judgement call for the Planning Commission to make whether the project makes sense for this area. Looking at the technical aspect of it from a General Plan consistency, the General Plan does not restrict such densities from being proposed in this area. While the area currently does consist primarily of larger lots/rural densities, the General Plan does not guarantee that density to continue to be the only density level allowed in the area. The General Plan's purpose is to be forward thinking and to plan for development within the County and to not be rigid and held to existing land use patterns. One key component of the Principles of the General Plan related to new development is that of Maturing Communities as listed below.

### **Maturing Communities**

The General Plan Vision acknowledges that every community in the County is maturing in its own way, at its own pace and within its own context. Policies and programs should be tailored to local needs in order to accommodate the particular level of anticipated maturation in any given community.

So while the project does represent a shift from the existing land use pattern and densities in the Lakeview and Nuevo area, it does implement the intent of the General Plan and is consistent with the General Plan.

On crime, it is inherent with any population, regardless of the demographics of a population, that there will be some level of crime resulting from their presence. So, by the nature of increasing population, the project could result in an increase in the total number of crimes in the overall Lakeview/Nuevo area. However, as to whether the proposed project would increase the rate of crime per capita could not reasonably be calculated based on the general nature of the project at hand and unknown demographics of the future population of the project. Regardless, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area.

Although crime itself is not a required topic to be analyzed for projects pursuant to CEQA, public services in the form of sheriff services are analyzed. The EIR analyzes the impacts to sheriff services and notes that the project design for adequate lighting, community oriented designs to increase neighborhood interaction, and gated community areas will assist in reducing the potential for crime to minimize the need for sheriff services. The EIR also cites payment of Development Impact Fees as required to offset any incremental impacts to sheriff services.

On schools, the project site does include multiple sites for schools to serve the additional student population being generated by the project. The acquiring and development of these sites is still up to the local school districts and is not under the control of the developer or the County on when the schools are developed.

On sewer, he project would be extending sewer lines in the area. For properties currently on septic in the area, they could remain on septic and if and when their septic system fails would only be required to connect to sewer if available nearby then.

On water supply, the project did perform a Water Supply Assessment in 2013 by EMWD which determined that adequate water supply exists to serve the project. Additionally, as indicated by the developer at the Planning Commission hearing, they had checked back in with EMWD regularly since then to re-verify the conclusion on the assessment.

On noticing, we do not typically send out bi-lingual public hearing notices. To note, on other projects that non bi-lingual notices have been sent out, I do still receive on occasion people call in that only speak Spanish and we are able to have staff communicate with them so they understand the notice and address any questions or concerns that they may have.

Let me know if you have any further questions or concerns.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



### How are we doing? Click the Link and tell us

From: Patricia Dotson [mailto:livinrednecdk@gmail.com]

Sent: Wednesday, August 30, 2017 1:38 PM

**To:** Brady, Russell <rbrady@RIVCO.ORG>; Sarabia, Elizabeth <ESarabia@RIVCO.ORG>; Supervisor Jeffries - 1st District <district1@RIVCO.ORG>; District2 <District2@Rivco.org>; District3 <District3@Rivco.org>; District 4 Supervisor V.

Manuel Perez < District4@RIVCO.ORG>; District5 < District5@Rivco.org>

**Subject:** OPPOSITION to the SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN AMENDMENT 721, CHANGE OF ZONE 7055, DEVELOPMENT AGREEMENT 73

Members of the Riverside County Planning Commission:

This is a letter expressing my OPPOSITION to the "SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN AMENDMENT 721, CHANGE OF ZONE 7055, DEVELOPMENT AGREEMENT 73" that is up for recommendation by the Planning Commission.

Nuevo is a rural community. Most of us moved here because it is rural and wanted property for horses and other livestock and/or to live away from the "city". Many residents were also born and raised here and continue to live here because it's rural. We wish to stay rural, but we are not anti-growth. We don't want unchecked and unfettered growth, such as what happened with Eastvale, Moreno Valley, Menifee, Murrieta, etc. We understand the need for increased tax base to make improvements to our area. We want a more measured approach to growth so as to be able to understand the impact on the existing, surrounding area.

In addition to the proposed rezoning and general plan amendments, here are my other concerns:

- 1. **Infrastructure** Our existing road infrastructure cannot handle the added traffic resulting from this development.
- 2. **Urban-Density Housing** The Villages plans to add 8,725 dwellings, most of those will have lot sizes of 3,100 square feet. Our community standards call for half-acre minimum lots.
- 3. **Crime** More people means more crime. The developer fees that Lewis pays to the county are NOT guaranteed to go to increased police/fire services.
- 4. **Schools** Existing schools will all be impacted by an increase in students BEFORE any new schools MAY be built.
- 5. **Sewer** Existing properties in the immediate area of The Villages will be forced to pay for sewer hookup even if they do NOT hookup.
- 6. **Water Supply** California has been in a drought for several years and water supply is always an issue. Many local wells have gone dry. Increase in number of homes will mean an increase in our water usage.
- 7. Lack of Bilingual Notices Nuevo has a very large Spanish-speaking population. None of the signage or hearing notices are in Spanish. Those residents are unaware of this project.

Thank you for taking the time to read my letter. I urge the Planning Commission to vote NO to recommending approval for this project to the Board of Supervisors.

Keep Nuevo/Lakeview rural.

Thank you,

Patricia Dotson

33900 Brent Ln Nuevo, CA 92567

From: Brady, Russell

Sent: Monday, September 25, 2017 5:25 PM

To: 'Alfonso Fausto'

Subject: RE: Letter Apposing Project # SP 342,EIR 471,GPA 720, GPA 721, CZ 7055

In response to your concerns, see below responses to each

On infrastructure, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed.

On security, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area. Additionally, provisions in the proposed Development Agreement for the developer to provide supplemental funding for Fire Equipment through a potential Community Facilities District further addresses the needs for fire and ambulance services in the area above the typical provided through standard Development Impact Fees.

On schools, , the project site does include multiple sites for schools to serve the additional student population being generated by the project. The acquiring and development of these sites is still up to the local school districts and is not under the control of the developer or the County on when the schools are developed.

Let me know if you have any further questions or concerns

http://planning.rctima.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



How are we doing? Click the Link and tell us

From: Alfonso Fausto [mailto:AL\_92571@msn.com] Sent: Wednesday, August 30, 2017 11:28 AM

To: Brady, Russell <rbr/>rbrady@RIVCO.ORG>

Subject: Letter Apposing Project # SP 342,EIR 471,GPA 720, GPA 721, CZ 7055

I'm voting no to this proposal. I have included my letter in this email

From:

Brady, Russell

Sent:

Monday, September 25, 2017 5:17 PM

To:

'cindydeboer@verizon.net'

Subject:

RE: OPPOSITION TO THE VILLAGES OF LAKEVIEW - SP 342, EIR 471, GPA 720 & 721, CZ

7055 and DA 73.

Cindy, see the below responses to your concerns.

On traffic, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, stripling, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed.

On air quality, these impacts are detailed fully in EIR No. 471 and impacts to both were determined to be potentially significant and unavoidable. All feasible mitigation measures were included for both to reduce impacts as much as possible. Ultimately, due to the potentially significant impact, there will be a need for an adoption of a statement of overriding considerations to accept these potentially significant impacts in balance with the positive aspects of the project.

On public safety, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area. Additionally, provisions in the proposed Development Agreement for the developer to provide supplemental funding for Fire Equipment through a potential Community Facilities District further addresses the needs for fire and ambulance services in the area above the typical provided through standard Development Impact Fees.

On the wildlife area, the County is continuing to meet with the California Department of Fish and Wildlife to determine what measures can be taken to reduce impacts to the wildlife area. To clarify on access, the project would not cut off any access to this wildlife area.

On lighting, the project would bring in additional sources of light. The project would be required to comply with the Mt Palomar requirements for brightness of lighting and would also be required for all lighting to be shielded and directed away from neighboring properties to minimize impacts to the area.

On EIR availability and noticing, we do not typically prepare bi-lingual EIRs or send out bi-lingual public hearing notices. To note, on other projects that non bi-lingual notices have been sent out, I do still receive on occasion people call in that only speak Spanish and we are able to have staff communicate with them so they understand the notice and address any questions or concerns that they may have. The Draft EIR was originally posted on September 30, 2016 and was made available for the 45-day review period until November 14, 2016. Since then responses to the comments received on the Draft EIR were prepared and incorporated into the Final EIR which was posted on August 7, 2017 for public review.

Let me know if you have any further questions or concerns

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

#### Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



## How are we doing? Click the Link and tell us

From: Sarabia, Elizabeth

Sent: Wednesday, August 30, 2017 10:13 AM

**To:** Aaron Hake <aaronhake@gmail.com>; Sanchez, Bill <gbsanchez@chandigroupusa.com>; Carl Bruce Shaffer <cbshaffer73@gmail.com>; Eric Kroencke <eric@ashley-kroencke.com>; Ruthanne Taylor-Berger <RTB3rdPC@gmail.com>

**Cc:** Brady, Russell <rbrady@RIVCO.ORG>; Baez, Ken <KBAEZ@RIVCO.ORG>; Leach, Charissa <cleach@rivco.org> **Subject:** FW: OPPOSITION TO THE VILLAGES OF LAKEVIEW - SP 342, EIR 471, GPA 720 & 721, CZ 7055 and DA 73.

### Good morning,

Below is another email reg. the Villages of Lakeview for your review.

Thank you, Elizabeth

From: cindy deboer [mailto:cindydeboer@verizon.net]

Sent: Wednesday, August 30, 2017 10:10 AM To: Sarabia, Elizabeth < <a href="mailto:ESarabia@RIVCO.ORG">ESarabia@RIVCO.ORG</a>

Subject: OPPOSITION TO THE VILLAGES OF LAKEVIEW - SP 342, EIR 471, GPA 720 & 721, CZ 7055 and DA 73.

From: Cindy DeBoer Address: 31446 Park Blvd. Nuevo CA 92567

Dated: August 30, 2017

To: Russell Brady, Planning Commission, Riverside County Board of Supervisors, and All Other Concerned Parties:

This is a letter expressing my OPPOSITION to the "SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN AMENDMENT 721, EIR 471, and the

CHANGE OF ZONE 7055, DEVELOPMENT AGREEMENT 73" that is up for recommendation by the Planning Commission.

After careful consideration regarding the proposed plan by the Lewis Company to develop nearly 12,000 residences around the communities of Lakeview and Nuevo, I have concerns about this plan in which I believe to be completely unsuitable.

One concern has to do with traffic. Since the Mid-County Parkway funding has been tangled up in litigation, it is unmistakable that this project is insufficiently funded to meet the demands of an exponential increase of transportation. Traffic will be a heavily-congested, snarling nightmare.

Another concern is air-quality. This is a concern directly related to the traffic problem and will cause an unhealthy rise in carbon emissions and any other pollutants related to smog. In a nutshell, the short-term and long-term effects of a traffic-choked San Jacinto Valley are coughing, throat irritation, a worsening of asthma symptoms, difficulty in breathing, and lung damage.

Next, is public safety. Riverside County Sheriff's deputies who patrol the communities of Nuevo and Lakeview, as well as the larger surrounding communities, will be stressed and strained to their responsive limits. There is no bona-fide proof or confirmation that the Sheriff's department has the resources to meet this concern. As for fire and paramedic crews, if the former cannot sufficiently guarantee quick responses to emergencies, how can the latter answer emergency calls quickly and urgently as well?

Another concern has to do with the much revered San Jacinto Wild-life Area (SJWA). My attention is called to the terribly immense impact that the proposed Villages will have on this area. The SJWA is fragile and delicate; and is perpetually threatened by the peril of urban encroachment. The Villages proposal will, inarguably and without question, interrupt this fragile ecosystem. Davis road, an access route for the public, will be cut-off by the Villages, as well. One does not have to look any further than the example set by irresponsible development around Starr Ranch, a wild-life sanctuary in Orange County: cut off by a gated community in which folks must first request permission, while facing a locked security fence, before getting the request granted in order to pass through and get access to a publicly-owned area. It is worth mentioning that a deer was struck and killed off Ramona Expressway and

Bernasconi Road in the early morning hours on Monday, August 21<sup>st</sup>. This unfortunate event calls for a sense of urgency, now more than ever, to stop this project and make tough decisions to develop responsibly rather than recklessly.

Another concern is artificial light pollution. The northern San Jacinto Valley has been categorized as a dark-sky region. Concerted efforts have been made to maintain that category for the Palomar observatory. The math is simple; more residences mixed with commercial use will inevitably pollute the night sky with excessive and rampant artificial light in which visibility of celestial bodies may be completely washed out. Artificial light has also proven to be harmful to the nocturnal behaviors of wildlife including the flight paths of bird flocks not to mention damaging to the sleep patterns and recovery rates of humans.

One more concern is the plain truth about an Environmental Impact Report (EIR) that was hastily put together and posted without sufficient time to respond with comments, remarks, valid complaints, and so on. Questions need to be answered for an inadequate project description that was only prepared in the English language while completely ignoring the large percentage of our community members who are monolingual, Spanish-speakers. I daresay that the preparation of the EIR was terribly short-sighted, if not, down-right deliberate to mask the bogus mitigations of the significant impacts listed but not addressed.

In closing, it is plain to see that the proposed plan of the Villages of Lakeview is, as mentioned before, unsuitable, mostly with half-truths and untruths; a development that offers more smoke and mirrors than an, "...opportunity for the communities of Lakeview and Nuevo..." I am sure that the planning commission will logically reject such a faulty, erroneous plan.

Thank you,

Cindy DeBoer

From: Brady, Russell

Sent: Monday, September 25, 2017 5:16 PM

**To:** 'bryandeboer@verizon.net'

Subject: RE: OPPOSITION TO THE VILLAGES OF LAKEVIEW - SP 342, EIR 471, GPA 720 & 721, CZ

7055 and DA 73.

Bryan, to respond to your concerns, see responses to each below.

On traffic, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed.

On air quality, these impacts are detailed fully in EIR No. 471 and impacts to both were determined to be potentially significant and unavoidable. All feasible mitigation measures were included for both to reduce impacts as much as possible. Ultimately, due to the potentially significant impact, there will be a need for an adoption of a statement of overriding considerations to accept these potentially significant impacts in balance with the positive aspects of the project.

On public safety, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area. Additionally, provisions in the proposed Development Agreement for the developer to provide supplemental funding for Fire Equipment through a potential Community Facilities District further addresses the needs for fire and ambulance services in the area above the typical provided through standard Development Impact Fees.

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Let me know if you have any further questions or concerns

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



### How are we doing? Click the Link and tell us

From: Sarabia, Elizabeth

Sent: Wednesday, August 30, 2017 9:52 AM

To: Aaron Hake <aaronhake@gmail.com>; Sanchez, Bill <gbsanchez@chandigroupusa.com>; Carl Bruce Shaffer <cbshaffer73@gmail.com>; Eric Kroencke <eric@ashley-kroencke.com>; Ruthanne Taylor-Berger

<RTB3rdPC@gmail.com>

Cc: Leach, Charissa <cleach@rivco.org>; Brady, Russell <rbrady@RIVCO.ORG>; Baez, Ken <KBAEZ@RIVCO.ORG> Subject: FW: OPPOSITION TO THE VILLAGES OF LAKEVIEW - SP 342, EIR 471, GPA 720 & 721, CZ 7055 and DA 73.

Good morning Commissioner's,

Please see email below reg. the Villages of Lakeview.

Thank you, Elizabeth

From: Bryan DeBoer [mailto:bryandeboer@verizon.net]

Sent: Wednesday, August 30, 2017 9:50 AM To: Sarabia, Elizabeth < ESarabia@RIVCO.ORG >

Subject: OPPOSITION TO THE VILLAGES OF LAKEVIEW - SP 342, EIR 471, GPA 720 & 721, CZ 7055 and DA 73.

From: Bryan DeBoer Address: 31446 Park Blvd. Nuevo CA 92567

Dated: August 30, 2017

To: Russell Brady, Planning Commission, Riverside County Board of Supervisors, and All Other Concerned Parties:

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Next, is public safety. Riverside County Sheriff's deputies who patrol the communities of Nuevo and Lakeview, as well as the larger surrounding communities, will be stressed and strained to their responsive limits. There is no bona-fide proof or confirmation that the Sheriff's department has the resources to meet this concern. As for fire and paramedic crews, if the former cannot sufficiently guarantee quick responses to emergencies, how can the latter answer emergency calls quickly and urgently as well?

Another concern has to do with the much revered San Jacinto Wild-life Area (SJWA). My attention is called to the terribly immense impact that the proposed Villages will have on this area. The SJWA is fragile and delicate; and is perpetually threatened by the peril of urban encroachment. The Villages proposal will, inarguably and without question, interrupt this fragile ecosystem. Davis road, an access route for the public, will be cut-off by the Villages, as well. One does not have to look any further than the example set by irresponsible development around Starr Ranch, a wild-life sanctuary in Orange County; cut off by a gated community in which folks must first request permission, while facing a locked security fence, before getting the request granted in order to pass through and get access to a publicly-owned area. It is worth mentioning that a deer was struck and killed off Ramona Expressway and Bernasconi Road in the early morning hours on Monday, August 21st. This unfortunate event calls for a sense of urgency, now more than ever, to stop this project and make tough decisions to develop responsibly rather than recklessly.

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One more concern is the plain truth about an Environmental Impact Report (EIR) that was hastily put together and posted without sufficient time to respond with comments, remarks, valid complaints, and so on. Questions need to be answered for an inadequate project description that was only prepared in the English language while completely ignoring the large percentage of our community members who are monolingual, Spanish-speakers. I dare-say that the preparation of the EIR was terribly short-sighted, if not, down-right deliberate to mask the bogus mitigations of the significant impacts listed but not addressed.

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Thank you,

Bryan DeBoer

From:

Brady, Russell

Sent:

Monday, September 25, 2017 9:37 AM

To:

'davis.rs@roadrunner.com'

Subject:

RE: OPPOSITION TO THE VILLAGES OF LAKEVIEW - SP 342, EIR 471, GPA 720 & 721, CZ

7055 and DA 73.

To respond to your concerns, see below responses for each

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Although crime itself is not a required topic to be analyzed for projects pursuant to CEQA, public services in the form of sheriff services are analyzed. The EIR analyzes the impacts to sheriff services and notes that the project design for adequate lighting, community oriented designs to increase neighborhood interaction, and gated community areas will assist in reducing the potential for crime to minimize the need for sheriff services. The EIR also cites payment of Development Impact Fees as required to offset any incremental impacts to sheriff services.

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On sewer, the project would be extending sewer lines in the area. For properties currently on septic in the area, they could remain on septic and if and when their septic system fails would only be required to connect to sewer if available nearby then.

On water supply, the project did perform a Water Supply Assessment in 2013 by EMWD which determined that adequate water supply exists to serve the project. Additionally, as indicated by the developer at the Planning Commission hearing, they had checked back in with EMWD regularly since then to re-verify the conclusion on the assessment.

On flood zone, a portion of the project is located within a flood zone and this area is designated either as Open Space-Conservation Habitat or Water-Drainage. So no actual development is proposed within the flood zone.

On lighting, the project would bring in additional sources of light. The project would be required to comply with the Mt Palomar requirements for brightness of lighting and would also be required for all lighting to be shielded and directed away from neighboring properties to minimize impacts to the area.

On Mike Lane, while the project boundaries do surround the properties on Mike Lane, certain design considerations will be included in the project, particularly the one listed in Mitigation Measure Land Use 2 as listed below. At the time specific development is proposed, this requirement will be implemented and more generally the specific development will be reviewed for how it can limit impacts on the properties on Mike Lane in terms of lot size/depth, wall/fence design, and other measures as appropriate.

To reduce potential land use density/intensity conflicts between existing rural residences on Mike Lane and future adjacent residential homes, a sight line study or evidence showing avoidance as feasible of views from proposed residences into existing homes on Mike Lane shall be submitted at the time of Tract Map submittal, or as otherwise approved by the Planning Director. Conflicts associated with potential views from proposed residences into existing homes on Mike Lane may be avoided through use of various means including but not limited to: location of windows and balconies, landscaping, walls, elevation differences, or setbacks for proposed buildings within the proposed project.

Let me know if you have any further questions or concerns

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

**Thanks** 

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025 How are we doing? Click the Link and tell us

----Original Message----

From: davis.rs@roadrunner.com [mailto:davis.rs@roadrunner.com]

Sent: Tuesday, August 29, 2017 5:33 PM To: Brady, Russell <rbrady@RIVCO.ORG>

Subject: OPPOSITION TO THE VILLAGES OF LAKEVIEW - SP 342, EIR 471, GPA 720 & 721, CZ 7055 and DA 73.

Importance: High

August 29, 2017

To: Russell Brady From: Richard & Stephenie Davis 20525 Mike Lane Nuevo CA 92567

Members of the Riverside County Planning Commission:

This letter expresses my OPPOSITION to the "SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN AMENDMENT 721, CHANGE OF ZONE 7055, DEVELOPMENT AGREEMENT 73" that is up for recommendation by the Planning Commission.

Nuevo is a rural community. Most of us moved here because it is rural and wanted property for horses and other livestock and/or to live away from the "city".

Many residents were also born and raised here and continue to live here because it's rural. We wish to stay rural, but we are not anti-growth. We don't want unchecked and unfettered growth, such as what happened with Eastvale, Moreno Valley, Menifee, Murrieta, etc. We understand the need for increased tax base to make improvements to our area. We want a more measured approach to growth so as to be able to understand the impact on the existing, surrounding area.

In addition to the proposed rezoning and general plan amendments, here are my other concerns:

Infrastructure - Our existing road infrastructure cannot handle the added traffic resulting from this development.

Urban-Density Housing – The proposed rezoning does NOT meet our community guidelines for lot size of half-acre MINIMUM lot sizes. While there are some proposed areas of medium density housing (2-5 dwellings/per acre), a rural setting such as Lakeview/Nuevo demands more. True half-acre minimum lots would allow residents to own horses (if so desired). Alternative 7 still calls for very-high density and high-density dwellings housing. HDR designated areas mean a lot size of 3,100 sq. ft for 3,750 homes plus approx another 2,675 apartments/condos/townhomes. Apartments, especially low-income apartments, have the potential to bring more crime. We already have increasing crime (mail theft, general theft, illegal pot grows, etc) and don't need to add to the problem.

Apartments belong in the city, not in rural Nuevo/Lakeview.

Crime – More people brings more crime. While Lewis Homes is required to pay project fees dedicated to increased police and fire services, they CANNOT guarantee ANY increase in coverage. Once the money is paid to the county, we are at the mercy of county budgeting. Since we are an unincorporated county area, we are already last in priority. This will not change. Lewis CANNOT assure that there will be an increase in police or fire services.

Schools - Existing schools will all be impacted by an increase in students BEFORE any new schools MAY be built.

Sewer - Existing properties in the immediate area of The Villages will be forced to pay for sewer hookup even if they do NOT hookup.

Water Supply - California has been in a drought for several years and water supply is always an issue. Many local wells have gone dry. Increase in number of homes will mean an increase in our water usage.

Flood Zone - Building in a flood zone and any significant movement of alluvial soil will affect run off into surrounding, existing streets and properties. We had significant flooding with the rains from Winter 2016-17. This development will cause more issues and divert rain run off into existing surrounding areas, resulting in flooding.

Dark Valley - This development will bring in artificial lighting that will change our status as a dark valley and affect the birds and wildlife that are here. Per Riverside County requirements, it is also noted that Mount Palomar requires unique nighttime lighting standards so that the night sky can be viewed clearly.

My personal issue also concerns the street I live on. You are going to build around Mike Lane and wall us in/out. We will be between all the medium density housing you plan on building around us. We moved to Nuevo to get away from the city, crime, drugs and all the other garbage that comes when a community is rapidly enlarged. I would much rather you have offered to buy out the houses on Mike Lane then make this street an eyesore to the "new" community.

Thank you for taking the time to read my letter. I urge the Planning Commission to vote NO to recommending approval for this project to the Board of Supervisors.

Please Keep Nuevo/Lakeview rural.

Thank you,

Stephenie & Richard Davis

From: Brady, Russell

Sent: Monday, September 25, 2017 9:15 AM

To: 'Jeremiah Dotson'

Subject: RE: OPPOSITION to the "SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720,

GENERAL PLAN AMENDMENT 721, CHANGE OF ZONE 7055, DEVELOPMENT

**AGREEMENT 73"** 

## To respond to your concerns, see below responses for each

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On noticing, we do not typically send out bi-lingual public hearing notices. To note, on other projects that non bi-lingual notices have been sent out, I do still receive on occasion people call in that only speak Spanish and we are able to have staff communicate with them so they understand the notice and address any questions or concerns that they may have.

Let me know if you have any further questions or concerns.

http://planning.rctlma.org/Home/PlanningMotices/TheVillagesofLakeviewSP00342.aspx

Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



### How are we doing? Click the Link and tell us

From: Jeremiah Dotson [mailto:miahdotsonlivin@gmail.com]

Sent: Tuesday, August 29, 2017 4:59 PM

**To:** Brady, Russell <rbrady@RIVCO.ORG>; Supervisor Jeffries - 1st District <district1@RIVCO.ORG>; District2 <District2@Rivco.org>; District3@Rivco.org>; District 4 Supervisor V. Manuel Perez <District4@RIVCO.ORG>; District5 <District5@Rivco.org>; Sarabia, Elizabeth <ESarabia@RIVCO.ORG>

**Subject:** OPPOSITION to the "SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN AMENDMENT 721, CHANGE OF ZONE 7055, DEVELOPMENT AGREEMENT 73"

Members of the Riverside County Planning Commission:

This is a letter expressing my OPPOSITION to the "SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN AMENDMENT 721, CHANGE OF ZONE 7055, DEVELOPMENT AGREEMENT 73" that is up for recommendation by the Planning Commission.

Nuevo is a rural community. Most of us moved here because it is rural and wanted property for horses and other livestock and/or to live away from the "city". Many residents were also born and raised here and continue to live here because it's rural. We wish to stay rural, but we are not anti-growth. We don't want unchecked and unfettered growth, such as what happened with Eastvale, Moreno Valley, Menifee, Murrieta, etc. We understand the need for increased tax base to make improvements to our area. We want a more measured approach to growth so as to be able to understand the impact on the existing, surrounding area.

In addition to the proposed rezoning and general plan amendments, here are my other concerns:

- 1. **Infrastructure** Our existing road infrastructure cannot handle the added traffic resulting from this development.
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- 6. Water Supply California has been in a drought for several years and water supply is always an issue. Many local wells have gone dry. Increase in number of homes will mean an increase in our water usage.
- 7. Lack of Bilingual Notices Nuevo has a very large Spanish-speaking population. None of the signage or hearing notices are in Spanish. Those residents are unaware of this project.

Thank you for taking the time to read my letter. I urge the Planning Commission to vote NO to recommending approval for this project to the Board of Supervisors.

Keep Nuevo/Lakeview rural.

Thank you,

Jeremiah Dotson

21737 Sardis ln. Nuevo, CA 92567

From: Brady, Russell

Sent: Monday, September 25, 2017 9:13 AM

To: 'jeni.sully0311@yahoo.com'

Subject: RE: OPPOSITION to the SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720,

GENERAL PLAN AMENDMENT 721, CHANGE OF ZONE 7055, DEVELOPMENT

**AGREEMENT 73** 

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Let me know if you have any further questions or concerns.

http://planning.rctima.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

## Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-958-3025



## How are we doing? Click the Link and tell us

From: jeni.sully0311@yahoo.com [mailto:jeni.sully0311@yahoo.com]

Sent: Tuesday, August 29, 2017 4:53 PM

**To:** Brady, Russell <rbrady@RIVCO.ORG>; Supervisor Jeffries - 1st District <district1@RIVCO.ORG>; District2 <District2@Rivco.org>; District3 <District3@Rivco.org>; District 4 Supervisor V. Manuel Perez <District4@RIVCO.ORG>; District5 <District5@Rivco.org>

**Subject:** OPPOSITION to the SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN AMENDMENT 721, CHANGE OF ZONE 7055, DEVELOPMENT AGREEMENT 73

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In addition to the proposed rezoning and general plan amendments, here are my other concerns:

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Keep Nuevo/Lakeview rural.

Thank you,

Jennifer Sullivan

21737 Sardis ln. Nuevo, Ca 92567

From: Brady, Russell

Sent: Monday, September 25, 2017 8:30 AM

To: 'Barry S'

Subject: RE: Zoning Request for Lewis Company "Villages of Lakeview"

To respond to your concerns, see the below responses to each

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adequate lighting, community oriented designs to increase neighborhood interaction, and gated community areas will assist in reducing the potential for crime to minimize the need for sheriff services. The EIR also cites payment of Development Impact Fees as required to offset any incremental impacts to sheriff services.

Additionally, provisions in the proposed Development Agreement for the developer to provide supplemental funding for Fire Equipment through a potential Community Facilities District further addresses the needs for fire and ambulance services in the area above the typical provided through standard Development Impact Fees.

On schools, the project site does include multiple sites for schools to serve the additional student population being generated by the project. The acquiring and development of these sites is still up to the local school districts and is not under the control of the developer or the County on when the schools are developed.

On water supply, the project did perform a Water Supply Assessment in 2013 by EMWD which determined that adequate water supply exists to serve the project. Additionally, as indicated by the developer at the Planning Commission hearing, they had checked back in with EMWD regularly since then to re-verify the conclusion on the assessment.

On storm water runoff, as is typical now for new development, implementing projects for the Specific Plan will be required to submit Water Quality Management Plans to plan for how they will treat storm runoff before leaving the site.

On wildlife habitat, the County is continuing to meet with the California Department of Fish and Wildlife to determine what measures can be taken to reduce impacts to the wildlife area, including for hunting purposes.

On noticing, we do not typically send out bi-lingual public hearing notices. To note, on other projects that non bi-lingual notices have been sent out, I do still receive on occasion people call in that only speak Spanish and we are able to have staff communicate with them so they understand the notice and address any questions or concerns that they may have.

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Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



### How are we doing? Click the Link and tell us

From: Barry S [mailto:sheinbaumb@gmail.com]
Sent: Tuesday, August 29, 2017 1:15 PM

To: District5 < District5@Rivco.org>; Supervisor Jeffries - 1st District < district1@RIVCO.ORG>; District2

<District2@Rivco.org>; District3 <District3@Rivco.org>; District 4 Supervisor V. Manuel Perez <District4@RIVCO.ORG>;

Brady, Russell <rbrady@RIVCO.ORG>

Subject: Re: Zoning Request for Lewis Company "Villages of Lakeview"

Attn: Mr. Marion Ashley and Mr. Russell Brady

Please see the attached letter in opposition to the zoning request for Lewis Company.

Thank you.

Barry Sheinbaum

From: Brady, Russell

Sent: Monday, September 25, 2017 8:25 AM

To: 'Laura Paquette'

Subject: RE: OPPOSITION TO THE VILLAGES OF LAKEVIEW - SP 342, EIR 471, GPA 720 & 721, CZ

7055 and DA 73

To respond to your comments, see below response for each topic

On demographics and urban density housing, at 8,725 dwelling units per Alternative 7, the project would be expected to generate approximately 22,337 people based on the Table B.11.8 of the proposed Specific Plan. While this project represents a large amount of growth and a shift in the land use pattern compared to existing conditions, as I had noted it at the Planning Commission hearing, but this really is the fundamental judgement call for the Planning Commission to make whether the project makes sense for this area. Looking at the technical aspect of it from a General Plan consistency, the General Plan does not restrict such densities from being proposed in this area. While the area currently does consist primarily of larger lots/rural densities, the General Plan does not guarantee that density to continue to be the only density level allowed in the area. The General Plan's purpose is to be forward thinking and to plan for development within the County and to not be rigid and held to existing land use patterns. One key component of the Principles of the General Plan related to new development is that of Maturing Communities as listed below.

### **Maturing Communities**

The General Plan Vision acknowledges that every community in the County is maturing in its own way, at its own pace and within its own context. Policies and programs should be tailored to local needs in order to accommodate the particular level of anticipated maturation in any given community.

So while the project does represent a shift from the existing land use pattern and densities in the Lakeview and Nuevo area, it does implement the intent of the General Plan and is consistent with the General Plan.

On infrastructure, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed. Specifically on Nuevo Road, as noted in the Draft EIR (see page 764 of the pdf), the project would include certain improvements to address current deficiencies of this Road and would result in adequate service levels with the project's construction.

On crime, it is inherent with any population, regardless of the demographics of a population, that there will be some level of crime resulting from their presence. So, by the nature of increasing population, the project could result in an increase in the total number of crimes in the overall Lakeview/Nuevo area. However, as to whether the proposed project would increase the rate of crime per capita could not reasonably be calculated based on the general nature of the project at hand and unknown demographics of the future population of the project. Regardless, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area.

Although crime itself is not a required topic to be analyzed for projects pursuant to CEQA, public services in the form of sheriff services are analyzed. The EIR analyzes the impacts to sheriff services and notes that the project design for adequate lighting, community oriented designs to increase neighborhood interaction, and gated community areas will assist in reducing the potential for crime to minimize the need for sheriff services. The EIR also cites payment of Development impact Fees as required to offset any incremental impacts to sheriff services.

On water supply, the project did perform a Water Supply Assessment in 2013 by EMWD which determined that adequate water supply exists to serve the project. Additionally, as indicated by the developer at the Planning Commission hearing, they had checked back in with EMWD regularly since then to re-verify the conclusion on the assessment.

On sewer, as I understand it that sewer pump stations do not involve the exposure of sewage open to the air therefore would not result in the release of odors. Additionally, the project would be required to comply with Southern California Air Quality Management District Rule 402 (Nuisance) which prohibits the discharge of air contaminants in such quantities that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, but does not apply to odors from agricultural operations.

The project would be extending sewer lines in the area. For properties currently on septic in the area, they could remain on septic and if and when their septic system falls would only be required to connect to sewer if available nearby then.

On flood zone, a portion of the project is located within a flood zone and this area is designated either as Open Space-Conservation Habitat or Water-Drainage. So no actual development is proposed within the flood zone.

On lighting, the project would bring in additional sources of light. The project would be required to comply with the Mt Palomar requirements for brightness of lighting and would also be required for all lighting to be shielded and directed away from neighboring properties to minimize impacts to the area.

Let me know if you have any further questions or concerns

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

**Thanks** 

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



## How are we doing? Click the Link and tell us

From: Laura Paquette [mailto:laurapaquett@gmail.com]

**Sent:** Tuesday, August 29, 2017 10:16 AM **To:** Brady, Russell <rbrady@RIVCO.ORG>

Subject: OPPOSITION TO THE VILLAGES OF LAKEVIEW - SP 342, EIR 471, GPA 720 & 721, CZ 7055 and DA 73

From: Laura Paquette Address: 31401 Rowley Lane Nuevo CA 92567 Dated: August 29, 2017

RE: OPPOSITION TO THE VILLAGES OF LAKEVIEW - SP 342, EIR 471, GPA 720 & 721, CZ 7055 and DA 73.

To Whom It May Concern:

This is a letter expressing my OPPOSITION to the "SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN AMENDMENT 721, CHANGE OF ZONE 7055, DEVELOPMENT AGREEMENT 73" that is up for recommendation by the Planning Commission.

Here are my main reasons for my opposition:

- 1) Demographics. Nuevo's current population reaches just over 6,000 currently, and historical data shows it's growing at roughly 2,000 per decade. An extremely slow growth rate compared to surrounding areas. What this means is that the culture and heart of the community has remained relatively unchanged. The proposed homes could potentially bring in an additional 30,000 40,000 more residents. This incoming population would result in a cultural assimilation at the detriment to the existing residents. Current residents are compromised of homesteaders, horseman, and small farmers and ranchers. The incoming population would not match this demographic.
- 2) Infrastructure. Nuevo/Lakeview does NOT have the infrastructure currently to support development. Many of our current roads are in bad shape. Hanson Ave is crumbling and County Transportation is out here about every 4-6 weeks to repair it. Lakeview Ave & Hanson Ave are labeled as a "collector streets" in their current state, that would be unwise. Nuevo Rd isn't even considered as part of the Plan and yet people coming from Perris and Menifee will most likely cut through via Nuevo Rd. Reservoir Ave is labeled as an "urban arterial highway" and will connect Ramona Expressway and Nuevo Rd. Nuevo Rd cannot support the added traffic unless it's modernized and widened, which is not in this plan. This development relies on the PROPOSED Mid-County Parkway, which was funded, but was then used and is still in litigation. It has taken so long that construction prices have gone way up and now even if they were to win the lawsuit they don't have enough money to do it. (Per Barry Busch at the MAC Meeting).
- 3) Urban-Density Housing. The proposed rezoning does NOT meet our community guidelines for lot size of half-acre MINIMUM lot sizes. While there are some proposed areas of medium density housing (2-5 dwellings/per acre), a rural setting such as Lakeview/Nuevo demands more. True half-acre minimum lots would allow residents to own horses (if so desired). Alternative 7 still calls for very-high density and high-density dwellings housing. HDR designated areas mean a lot size of 3,100 sq. ft for 3,750 homes plus approx another 2,675 apartments/condos/townhomes. Apartments, especially low-income apartments, have the potential to bring more crime. We already have increasing crime (mail theft, general theft, illegal pot grows, etc) and don't need to add to the problem. Apartments belong in the city, not in rural Nuevo/Lakeview.
- 4) Crime More people brings more crime While Lewis Homes is required to pay project fees dedicated to increased police and fire services, they CANNOT guarantee ANY increase in coverage. Once the money is paid to the county, we are at the mercy of county budgeting. Since we are an unincorporated county area, we are already last in priority. This will not change. Lewis CANNOT assure that there will be an increase in police or fire services.
- 5) Water Supply California has been in a drought for years and whether that drought is over is up for debate. Many properties surrounding this proposed development (i.e Juniper Flats) have had their wells go dry. There is no guarantee that EMWD (fed by MWD) has enough water to sustain this development.
- 6) Sewer Proposed sewer pumping stations near wildlife area and housing (smell). Also, once sewer is brought into the immediate surrounding areas, existing properties in that area will be REQUIRED to pay for that sewer hookup, regardless of whether or not they hook up. Once the new sewer is in, more developers come in and force more existing homeowners to pay the required hook-up fee.
- 7) Flood Zone Building in a flood zone and any significant movement of alluvial soil will affect run off into surrounding, existing streets and properties. We had significant flooding with the rains from Winter 2016-17. This development will cause more issues and divert rain run off into existing surrounding areas, resulting in flooding.
- 8) Dark Valley. This development will bring in artificial lighting that will change our status as a dark valley and affect the birds and wildlife that are here. Per Riverside County requirements, it is also noted that Mount Palomar requires unique nightime lighting standards so that the night sky can be viewed clearly.

Thank you for taking the time to read my letter. I urge the Planning Commission to vote NO to recommending approval for this project to the Board of Supervisors.

Keep Nuevo/Lakeview rural

Laura A. Paquette

From:

Brady, Russell

Sent:

Friday, September 22, 2017 10:39 AM

To:

'Greg Morris'

Subject:

RE: SP 342, EIR 471, GPA 720, GPA 721, CZ 7055, DA 73

Documents related to this project, in particular the EIR, can be accessed via the link below.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

On your question related to the potential for existing hazards on the site, that is addressed in Section 5.7 of the Draft EIR (starts on page 386 of the pdf) which is linked to directly below. There is a good deal of information here regarding various Environmental Site Assessments (ESAs) performed that analyzed whether any such hazards exist on the various areas of the overall project site (pages 387-400). An analysis of these existing conditions and how the project may be exposed to these is addressed later on in pages 408-410 and 412-413 of the pdf.

http://planning.rctlma.org/Portals/0/splans/sp\_document/sp342/The%20Villages%20of%20Lakeview%20EIR%20471%2 OSeptember%202016.pdf?ver=2016-09-29-133451-377

Let me know if you need anything else or have any further questions or concerns.

#### Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 961-955-3025



### How are we doing? Click the Link and tell us

From: Greg Morris [mailto:greg.morris49@yahoo.com]

**Sent:** Monday, September 18, 2017 10:58 AM **To:** Brady, Russell <rbr/>rbrady@RIVCO.ORG>

Subject: SP 342, EIR 471, GPA 720, GPA 721, CZ 7055, DA 73

#### Hi Russell,

My name is Greg Morris and I'm a resident of Nuevo, writing to ask for some help. First, how may I access the documents listed above? Is there a link? I appreciate your help. I think several of my fellow Nuevans have asked you questions regarding traffic, density, sewage and water capacity for these homes, but I did want to ask and will be able to access if I can see the EIR, was there testing done on this land for residue from previous activity that may have left environmental hazards below ground? I know this land was used for quite a few things back in the day and wanted to know what testing had been done, no one wants an unsafe house built on land that may be tainted with poisons.

Thanks for your help, I know your busy I will follow up with a phone call in a couple of days.

Best Regards, Greg Morris

22330 Wybenga Lane Nuevo, Ca. 92567

From: Brady, Russell

Sent: Friday, September 22, 2017 10:25 AM

**To:** 'Burruel, Daniel'

Cc: Sarabia, Elizabeth; Strachan, Margaret; Tom Paulek; Susan Nash; sonyaalemdar0424

@gmail.com

**Subject:** RE: LEWIS PROPOSAL

We are continuing to review and consider comments from the public and how Alternative 7 can be modified or conditions of approval incorporated to address certain concerns. Still, Alternative 7 in the general sense is the version of the Specific Plan that will be recommended by staff for approval. While we certainly do consider the concerns of the public on any project, staff's recommendation is based on the technical aspect of the project and whether it is consistent with the General Plan and other requirements and findings necessary to approve such a project.

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



## How are we doing? Click the Link and tell us

From: Burruel, Daniel [mailto:dburruel@valverde.edu]

**Sent:** Thursday, September 14, 2017 7:19 AM **To:** Brady, Russell <rbr/>rbrady@RIVCO.ORG>

Cc: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>; Strachan, Margaret <mstrachan@valverde.edu>; Tom Paulek

<a tpaul44@earthlink.net>; Susan Nash <snash22@earthlink.net>; sonyaalemdar0424@gmail.com

Subject: LEWIS PROPOSAL

Mr. Brady:

It was noticed that you mentioned the staff is recommending approval for Alternative 7. Does this mean that the staff is not considering the concerns and responses of the community? Thank you for your time...

Cordially,

Daniel Burruel

From: Brady, Russell

Sent: Friday, September 22, 2017 10:16 AM

To: 'Burruel, Daniel'

Cc: Sarabia, Elizabeth; Strachan, Margaret; Susan Nash; Tom Paulek; sonyaalemdar0424

@gmail.com

Subject: RE: LEWIS COMPANY PROPOSAL

The specific overriding considerations will be provided to the Board of Supervisors when they consider to certify the EIR. These likely will include the project's contribution of right-of-way for Mid-County Parkway, the project's conservation of open space, the project's supplemental contribution to area road improvements, provision of housing to meet the needs of the region, and area drainage improvements to limit flooding impacts on existing developed areas.

To clarify on the expenses to the county if a lawsuit is filed, the developer is required to indemnify the County so that the developer shoulders the cost of the County's inclusion on any lawsuit.

If you would like to schedule a time to meet or call to discuss these concerns more, below is my availability next week as of right now. Let me know if there is a particular time that works well for you.

Monday 9/25 – 3-5 Tuesday 9/26 – 1-3, 4-5 Wednesday 9/27 8-12 Thursday 9/28 – 8-12 Friday 9/29 8-10, 1-4

#### Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



### How are we doing? Click the Link and tell us

From: Burruel, Daniel [mailto:dburruel@valverde.edu]

**Sent:** Thursday, September 14, 2017 7:01 AM **To:** Brady, Russell <rbr/>rbrady@RIVCO.ORG>

Cc: Sarabia, Elizabeth <ESarabia@RIVCO.ORG>; Strachan, Margaret <mstrachan@valverde.edu>; Susan Nash

<snash22@earthlink.net>; Tom Paulek <atpaul44@earthlink.net>; sonyaalemdar0424@gmail.com

Subject: Re: LEWIS COMPANY PROPOSAL

Mr. Brady

Thank you for your response. What, specifically, are the positive aspects of the project which essentially

weigh the potentially significant impacts of the project? Also, why would the planning commission recommend this updated EIR that has little-to-no changes/adjustments from the one that was rejected by the honorable Sharon Waters? Why would the planning commission make that attempt at the expense of tax dollars if it were to be challenged once again in court? By no means, am I being deliberately defiant against you, sir. I am merely a concerned, tax-paying citizen with real concerns. Once more, thank you...

Cordially,

### Daniel Burruel

From: Brady, Russell < rbrady@RIVCO.ORG > Sent: Thursday, September 14, 2017 12:29 AM

To: Burruel, Daniel

Cc: Sarabia, Elizabeth; Strachan, Margaret; Susan Nash

Subject: Re: LEWIS COMPANY PROPOSAL

To clarify, the alternatives included in the Draft EIR (not just alternative 7) do include alternatives that are designed to minimize impacts that were identified as potentially significant from the Project. While this comparative analysis of alternatives to the project is required, there is not a requirement to select an alternative because it has reduced impacts from the project. For the Board of Supervisorsto certify the EIR and Alternative 7 as staff is recommending for approval, they will be required to adopt findings of overriding consideration which essentially weigh the potentially significant impacts of the project with the positive aspects of the project.

The updated EIR was specifically updated to respond to the deficiencies identified in the previous EIR.

On the availability of the video online, this was brought to my attention a couple of days ago and I spoke with our IT staff for them to address it as soon as possible for it to be available via the Clerk of the Board's website. This was not quite fixed as of Tuesday when I was last in the office. I will be out of the office til the 21st, so I apologize if I may not be responsive to any emails or calls in the meantime.

I am still interested in discussing these concerns with you and any others you may have if you want to schedule a time for when I get back in.

**Thanks** 

Russell Brady

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Burruel, Daniel" < dburruel@valverde.edu >

Date: 9/13/17 7:39 AM (GMT-10:00)

To: "Brady, Russell" < rbrady@RIVCO.ORG>

Cc: "Sarabia, Elizabeth" < <a href="mailto:ESarabia@RIVCO.ORG">ESarabia@RIVCO.ORG</a>, "Strachan, Margaret" < <a href="mailto:mstrachan@valverde.edu">mstrachan@valverde.edu</a>, Susan

Nash < snash22@earthlink.net >

Subject: Re: LEWIS COMPANY PROPOSAL

Mr. Brady:

I have real concerns about this proposal and your responses are not satisfactory, with all due respect.

To give one example, the GHG emissions impact is stated by you as, "...significant..." Sir, with respect to CEQA regulations, the FEIR is in violation stating, "As described in CEQA Guidelines Section 15126.6(a), each alternative considered must be capable of avoiding or substantially lessening any significant effects of the proposed project described above."

The developer has not mitigated this according to the regulations mandated by CEQA. This is just one example of several deficiencies discovered in the FEIR. I understand that the honorable Sharon Waters rejected the applicant's EIR. If deficiencies are not addressed, does the planning commission run the risk of the county being sued?

Also, the video of the public hearing had been removed. Why?

I request a speedy response to these questions, sir...

Cordially,

Daniel Burruel

From: Brady, Russell < <a href="mailto:rbrady@RIVCO.ORG">rbrady@RIVCO.ORG</a> Sent: Tuesday, September 12, 2017 2:54 PM

To: Burruel, Daniel

Subject: RE: LEWIS COMPANY PROPOSAL

I have added you to the list for notification on future hearings. This is going back to Planning Commission on October 4<sup>th</sup> and then depending on the Planning Commission's decision at that time would then go onto the Board of Supervisors for a public hearing and their decision. Pending the decision by the Planning Commission of course, that Board of Supervisors hearing could be as early as early November.

To respond to your comments, I would primarily refer you to the EIR prepared for the project which is available via the link below.

On noise, while overall the impacts to Noise were determined to be a potentially significant impact, all feasible mitigation measures were included for the project to reduce noise to acceptable levels. The specific noise that is creating the potentially significant impact is noise from traffic off site from the project that is projected to increase ambient noise levels in excess of 5 dBA (the point where an increase in noise is readily perceptible) is limited to the following road segments.

- 10th Street from Lakeview Avenue to Yucca Avenue (8.1 dBA increase);
- 10th Street from Yucca Avenue to Hansen Avenue (8.9 dBA increase);

- Reservoir Avenue from 10th Street to Nuevo Road (10.7 dBA increase);
- Hansen Avenue from 10th Street to Contour Avenue (6.7 dBA increase); and
- Bridge Street from Ramona Expressway to Gilman Springs Road (8.0 dBA increase).

On traffic, this is analyzed in the project's EIR. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. Similar to Noise, this does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts.

On Greenhouse Gas Emissions, the project does have a number of design measures and mitigation measures to reduce the project's impact to a less than significant level. However, to meet this level of less than significant, it does still rely on some regional planning measures that are both out of the developer's and the County's control to guarantee they are implemented so that greenhouse gas emissions regionally meet state goals. Therefore, this impact is noted as potentially significant.

On crime, it is inherent with any population, regardless of the demographics of a population, that there will be some level of crime resulting from their presence. So, by the nature of increasing population, the project could result in an increase in the total number of crimes in the overall Lakeview/Nuevo area. However, as to whether the proposed project would increase the rate of crime per capita could not reasonably be calculated based on the general nature of the project at hand and unknown demographics of the future population of the project. Regardless, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area.

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On lighting, the project would introduce new sources of lighting to the area. The project would be required to comply with the Mt Palomar requirements for brightness of lighting and would also be required for all lighting to be shielded and directed away from neighboring properties

Let me know if you have any further questions or concerns.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



How are we doing? Click the Link and tell us

From: Burruel, Daniel [mailto:dburruel@valverde.edu]

Sent: Wednesday, August 23, 2017 8:48 PM
To: Brady, Russell < rbrady@RIVCO.ORG >
Subject: LEWIS COMPANY PROPOSAL

Dear Mr. Brady:

My name is Daniel Burruel and I am a resident of Nuevo. I am against the proposed project by the Lewis Company to build almost 12,000 residences in and around Nuevo.

The proposal is flawed, under-handed, and double-dealing. It is a grossly misleading and deceptive one and I do not support this plan whatsoever.

This plan would exponentially increase all levels of pollution including noise, traffic, carbon emissions, crime, and artificial light.

I request to be notified of any and all future hearings, etc pertaining to SP 342, EIR 471, GPA 720, GPA 721, CZ 7055 and DA 73.

Cordially,

### Daniel Burruel

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**County of Riverside California** 

From:

Brady, Russell

Sent:

Thursday, September 14, 2017 12:29 AM

To:

Burruel, Daniel

Cc:

Sarabia, Elizabeth; Strachan, Margaret; Susan Nash

Subject:

Re: LEWIS COMPANY PROPOSAL

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To: Burruel, Daniel

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On lighting, the project would introduce new sources of lighting to the area. The project would be required to comply with the Mt Palomar requirements for brightness of lighting and would also be required for all lighting to be shielded and directed away from neighboring properties

Let me know if you have any further questions or concerns.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx
Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



### How are we doing? Click the Link and tell us

From: Burruel, Daniel [mailto:dburruel@valverde.edu]

**Sent:** Wednesday, August 23, 2017 8:48 PM **To:** Brady, Russell <rbrady@RIVCO.ORG> **Subject:** LEWIS COMPANY PROPOSAL

Dear Mr. Brady:

My name is Daniel Burruel and Lam a resident of Nuevo. I am against the proposed project by the Lewis Company to build almost 12,000 residences in and around Nuevo.

The proposal is flawed, under-handed, and double-dealing. It is a grossly misleading and deceptive one and i do not support this plan whatsoever.

This plan would exponentially increase all levels of pollution including noise, traffic, carbon emissions, crime, and artificial light.

I request to be notified of any and all future hearings, etc pertaining to SP 342, EIR 471, GPA 720, GPA 721, CZ 7055 and DA 73.

Cordially,

### **Daniel Burruel**

### Confidentiality Disclaimer

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**County of Riverside California** 

From: Brady, Russell

Sent: Tuesday, September 12, 2017 5:07 PM

To: 'Margaret Strachan'

**Subject:** RE: Villages of Lakeview comments

See responses to some of your comments below.

On access to the San Jacinto Wildlife Area, there would continue to be a public access via Davis Road to the wildlife area. As proposed by the project, Davis Road would continue to be accessed directly from Ramona Expressway. However, with the development of Mid-County Parkway, this direct access is not planned for and Davis Road and the wildlife area would be accessed via the planned interchange near 5<sup>th</sup> Street then up to Marvin connecting to Davis. On equestrian access, the project has proposed trails that would allow for equestrian use to allow continued equestrian use in the area. On equestrian access to the wildlife area, as recently as the September 6<sup>th</sup> Planning Commission the Specific Plan trails plan did include trails north of Ramona Expressway to allow this type of access. However, subsequent discussions with the California Department of Fish and Wildlife have noted their desire to remove all trails north of Ramona Expressway so such trails do not potentially encourage people from entering the wildlife area from inappropriate locations and impacting sensitive areas. While it was the desire of the Planning Department to include these trails, based on the request from the California Department of Fish and Wildlife, these trails north of Ramona Expressway may be removed.

On the project's relationship to Mid County Parkway, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR (available at the link below) analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed. Specifically on Nuevo Road, as noted in the Draft EIR (see page 764 of the pdf), the project would include certain improvements to address current deficiencies of this Road and would result in adequate service levels with the project's construction.

Let me know if you have any further questions or concerns.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



How are we doing? Click the Link and tell us

From: Margaret Strachan [mailto:mstrachan951@gmail.com]

**Sent:** Sunday, August 27, 2017 5:58 PM

**To:** Brady, Russell <rbrady@RiVCO.ORG> **Subject:** Villages of Lakeview comments

30941 11<sup>th</sup> Street Nuevo, CA 92567

August 27, 2017

Mr. Russell Brady

Riverside County Planning Commission

PO Box 1409

Riverside CA <u>92502-1409</u>

Dear Mr. Brady:

I am writing to express my OPPOSITION to the Villages of Lakeview project Specific Plan 342, General Plan Amendment 720, General Plan Amendment 721, Change of Zone 7055, Development Agreement 73 that is up for recommendation by the Riverside County Planning Commission.

I have lived in the Nuevo/Lakeview area for almost twenty-four years. I chose to live here because of my equestrian interest and desire for a rural lifestyle in a small community. The Nuevo/Lakeview area has been everything I wanted it to be—low traffic and quiet, but most importantly, a sense of community. I feel connected to other residents here.

The Nuevo/Lakeview area is not just a collection of haphazard dwellings occupied by "hicks" (wording used by Lewis Homes representative). No, it is a viable rural community with a variety of housing options from manufactured homes to large custom homes, and a town center with local shopping and restaurants that has served the community for years. What nearly every dwelling in Nuevo/Lakeview shares is a large lot zoned for light agriculture and virtually every home has room in the yard for families to play. Kids can toss a football back and forth in a yard after school in Nuevo/Lakeview or ride their horses on their property or throughout the community—for now...That will not be possible in the Villages of Lakeview project, nor will it be the simple matter it now is to ride horses across town and access BLM lands for recreation. I also have been informed that access to the San Jacinto Wildlife Area may be impacted by the project. I use this area for hiking and horseback riding. Absolutely no livestock will be allowed in the Villages of Lakeview project, and a Lewis Homes representative agreed with the statement that children could not toss a football back and forth in the "medium density" 5-8 DU areas of the project.

The Villages of Lakeview specific plan alternative 7 states that the plan "represents a comprehensive planning effort to redefine the pattern of community development in suburban southern California. Four cornerstones provide the foundation for the vision. The four are—environmental stewardship, healthy living, lifelong learning, and community involvement. To counter this, for one, the Nuevo/Lakeview area is NOT a suburban area—we are rural! After carefully reviewing the document, I see no guaranteed evidence the stated four cornerstones will be provided—just possible "opportunities". Those of us at the informational meeting received varying responses to the same query.

The Mid County Parkway has not been built and is tied up in litigation—for good reason. Even if suits are settled, it is likely that the budgeted amount for construction will not be sufficient to complete the project. Lewis Homes is counting heavily on this parkway to provide access to the Villages of Lakeview. The plan states that "Circulation will be designed to direct anticipated traffic to Ramona Expressway and off existing rural roads"—that will not be possible without the Mid County Parkway. Recently, I was in Beaumont

when a fire broke out and Lamb Canyon Road was closed. This was about 3:30 in the afternoon. I was forced to take the 60 east and planned to take Gilman Springs Road to Bridge St, and then Ramona Expressway west back to Nuevo. I was unable to get off the 60 at the Gilman Springs off ramp because traffic was backed up at least a quarter mile on the 60 at that ramp at that time of day! I continued to another ramp and headed south to Ramona Expressway. Traffic was heavy, and crawled from the fairgrounds over the hill into the Nuevo/Lakeview valley at walking speed. Given the time of day, I can only imagine the traffic the Villages of Lakeview project could generate at rush hour.

I have taken the day off work and will be at the planning meeting on September 6, 2017. I plan to speak, but want at least a few of my concerns noted prior to the meeting. I will also provide additional written comments at the meeting.

Your NO vote on the Villages of Lakeview project Specific Plan 342, General Plan Amendment 720, General Plan Amendment 721, Change of Zone 7055, Development Agreement 73 is necessary to preserve my existing rural community of Nuevo/Lakeview and the surrounding wildlife area. The general plan calls for development to be "next to existing suburban and urban area". The project violates the general plan for future growth by allowing a mega development literally on top of a thriving isolated rural community. This is unacceptable—you must vote NO.

allowing a mega development literally on top of a thriving isolated rural community. you must vote NO.	This is unacceptable—
Thank you for your consideration.	
Regards,	
Margaret Strachan	

Sent from my iPad

From: Brady, Russell

Sent: Tuesday, September 12, 2017 3:58 PM

**To:** 'j

Subject: RE: Villages of Lakeview/Nuevo

To respond to your comments, see below responses for each

On Density, I had noted it at the Planning Commission hearing, but this really is the fundamental judgement call for the Planning Commission to make whether the project makes sense for this area. Looking at the technical aspect of it from a General Plan consistency, the General Plan does not restrict such densities from being proposed in this area. While the area currently does consist primarily of larger lots/rural densities, the General Plan does not guarantee that density to continue to be the only density level allowed in the area. The General Plan's purpose is to be forward thinking and to plan for development within the County and to not be rigid and held to existing land use patterns. One key component of the Principles of the General Plan related to new development is that of Maturing Communities as listed below.

#### **Maturing Communities**

The General Plan Vision acknowledges that every community in the County is maturing in its own way, at its own pace and within its own context. Policies and programs should be tailored to local needs in order to accommodate the particular level of anticipated maturation in any given community.

So while the project does represent a shift from the existing land use pattern and densities in the Lakeview and Nuevo area, it does implement the intent of the General Plan and is consistent with the General Plan.

On traffic, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed. Specifically on Nuevo Road, as noted in the Draft EIR (see page 764 of the pdf), the project would include certain improvements to address current deficiencies of this Road and would result in adequate service levels with the project's construction.

On public safety/crime, it is inherent with any population, regardless of the demographics of a population, that there will be some level of crime resulting from their presence. So, by the nature of increasing population, the project could result in an increase in the total number of crimes in the overall Lakeview/Nuevo area. However, as to whether the proposed project would increase the rate of crime per capita could not reasonably be calculated based on the general nature of the project at hand and unknown demographics of the future population of the project. Regardless, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area.

Although crime itself is not a required topic to be analyzed for projects pursuant to CEQA, public services in the form of sheriff services are analyzed. The EIR analyzes the impacts to sheriff services and notes that the project design for adequate lighting, community oriented designs to increase neighborhood interaction, and gated community areas will

assist in reducing the potential for crime to minimize the need for sheriff services. The EIR also cites payment of Development Impact Fees as required to offset any incremental impacts to sheriff services.

Additionally, provisions in the proposed Development Agreement for the developer to provide supplemental funding for Fire Equipment through a potential Community Facilities District further addresses the needs for fire and ambulance services in the area above the typical provided through standard Development Impact Fees.

On schools, the project site does include multiple sites for schools to serve the additional student population being generated by the project. The acquiring and development of these sites is still up to the local school districts and is not under the control of the developer or the County on when the schools are developed.

On water supply, the project did perform a Water Supply Assessment in 2013 by EMWD which determined that adequate water supply exists to serve the project. Additionally, as indicated by the developer at the Planning Commission hearing, they had checked back in with EMWD regularly since then to re-verify the conclusion on the assessment.

On water quality, as is typical now for new development, implementing projects for the Specific Plan will be required to submit Water Quality Management Plans to plan for how they will treat storm runoff before leaving the site.

On the wildlife habitat, the County is continuing to meet with the California Department of Fish and Wildlife to determine what measures can be taken to reduce impacts to the wildlife area, including for hunting purposes.

On the noticing, we do not typically send out bi-lingual public hearing notices. To note, on other projects that non bi-lingual notices have been sent out, I do still receive on occasion people call in that only speak Spanish and we are able to have staff communicate with them so they understand the notice and address any questions or concerns that they may have.

Let me know if you have any further questions or concerns.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



### How are we doing? Click the Link and tell us

From: jn [mailto:jnchizo@aol.com]
Sent: Sunday, August 27, 2017 5:07 PM
To: Brady, Russell <rbr/>rbrady@RIVCO.ORG>
Subject: Villages of Lakeview/Nuevo

To Russell Brady, Planning Commission, Riverside County Board of Supervisors, and All Other Concerned Parties: This is a letter expressing my OPPOSITION to the "SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN AMENDMENT 721, EIR 471, and the CHANGE OF ZONE 7055, DEVELOPMENT AGREEMENT 73" that is up for recommendation by the Planning Commission.

Despite its quaint name, the above project, "Villages of Lakeview", is rife with problems, uncertainties, and insufficient planning and is no way consistent with the already well established rural community of Lakeview/Nuevo. Following is a list of concerns:

- 1. Land Use/Density. I have been living in Lakeview/Nuevo for more than 9 years and have enjoyed its well established rural lifestyle that includes keeping horses, livestock, enjoying recreational activities and having large lots with open space. Heck, you can even see actual stars at night. The proposed zoning for The Lewis Homes project is for up to 16 dwelling units per acre and is egregiously inconsistent with the established land use and the General Plan that calls for development to be "next to existing suburban and urban area". This is "leap frog" urban development at its worst.

  2. Traffic. The proposal for up to 9,000 new dwelling units will increase the community population by tenfold. The proposals from Lewis Homes for roads and infrastructure are sorely lacking. I have not seen any clear, timely, or
- proposals from Lewis Homes for roads and infrastructure are sorely lacking. I have not seen any clear, timely, or adequate funding for the extensive transportation projects that would be required, even if the density was appropriate for the area. Local as well as arterial roads would become a quagmire.
- 3. Public Safety and Crime. The response time for ambulance, fire and county Sheriffs would be severely impacted. The Lewis proposal for thousands of low income dwellings would further overload public services. There is simply insufficient public safety funding for this scale of development.
- 4. Schools. According to Nuview District school administrators, there is no present commitment to buy or develop Lewis Homes property for local schools. This is another misleading and empty promise. How crowded should our kids classrooms become so that rampant development can be accommodated?
- 5. Water, sewer, and storm run off. We just had a semi-normal year of rainfall, but what will happen during the inevitable and increasingly frequent droughts? Adjacent to this proposed project is the San Jacinto Wildlife Area and the Lake Perris State Recreational Area which could be inundated with polluted storm runoff from the oil in roads and driveways and potentially from backed up drainage. This will also affect productive farmland in the flood plain and river basin. Many residents within a particular radius of the development may also be forced to pay for residential sewer service, something the Lewis representative failed to mention.
- 6. Wildlife Habitat. As mentioned above, there are several wildlife, hunting, recreational and open areas in proximity to this high density urban development proposal. They will all be adversely affected by air, water, light, and run off pollution. Perhaps the community would be better served in a general plan that conceived of a dedicated and unified regional recreational area rather than exacerbating over population problems with more high density development.
- 7. Insufficient Notice. There has been insufficient legal notice for public review of these proposals. There have not been any bilingual signs posted which denies the large Spanish speaking community the opportunity for diligent review. After meeting with representatives from Lewis Homes at their open house, there were more questions than answers and no indication that the above concerns have been realistically addressed or the problems from this scale of development sufficiently mitigated. I am confident that the Planning Commission at this time will not accept the zoning request for this flawed development proposal.

Respectfully, John N. Chizo

Thank- you, Have A Great Day! John N (Nick) Chizo (847) 302- 0540 (951) 878- 7221

From: Brady, Russell

Sent: Tuesday, September 12, 2017 3:47 PM

To: 'samsoto00'

Subject: RE: Opposition to the Villages of Lakeview-SP 342, EUR 471, GPA 720 & 721, CZ 705 and

DA 73

To respond to your comments, see below responses for each

Infrastructure – In particular on the road aspect, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed. Specifically on Nuevo Road, as noted in the Draft EIR (see page 764 of the pdf), the project would include certain improvements to address current deficiencies of this Road and would result in adequate service levels with the project's construction.

Density – I had noted it at the Planning Commission hearing, but this really is the fundamental judgement call for the Planning Commission to make whether the project makes sense for this area. Looking at the technical aspect of it from a General Plan consistency, the General Plan does not restrict such densities from being proposed in this area. While the area currently does consist primarily of larger lots/rural densities, the General Plan does not guarantee that density to continue to be the only density level allowed in the area. The General Plan's purpose is to be forward thinking and to plan for development within the County and to not be rigid and held to existing land use patterns. One key component of the Principles of the General Plan related to new development is that of Maturing Communities as listed below.

### **Maturing Communities**

The General Plan Vision acknowledges that every community in the County is maturing in its own way, at its own pace and within its own context. Policies and programs should be tailored to local needs in order to accommodate the particular level of anticipated maturation in any given community.

So while the project does represent a shift from the existing land use pattern and densities in the Lakeview and Nuevo area, it does implement the intent of the General Plan and is consistent with the General Plan.

On crime, it is inherent with any population, regardless of the demographics of a population, that there will be some level of crime resulting from their presence. So, by the nature of increasing population, the project could result in an increase in the total number of crimes in the overall Lakeview/Nuevo area. However, as to whether the proposed project would increase the rate of crime per capita could not reasonably be calculated based on the general nature of the project at hand and unknown demographics of the future population of the project. Regardless, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area.

Although crime itself is not a required topic to be analyzed for projects pursuant to CEQA, public services in the form of sheriff services are analyzed. The EIR analyzes the impacts to sheriff services and notes that the project design for adequate lighting, community oriented designs to increase neighborhood interaction, and gated community areas will assist in reducing the potential for crime to minimize the need for sheriff services. The EIR also cites payment of Development Impact Fees as required to offset any incremental impacts to sheriff services.

On water supply, the project did perform a Water Supply Assessment in 2013 by EMWD which determined that adequate water supply exists to serve the project. Additionally, as indicated by the developer at the Planning Commission hearing, they had checked back in with EMWD regularly since then to re-verify the conclusion on the assessment.

On sewer, as I understand it that sewer pump stations do not involve the exposure of sewage open to the air therefore would not result in the release of odors. Additionally, the project would be required to comply with Southern California Air Quality Management District Rule 402 (Nuisance) which prohibits the discharge of air contaminants in such quantities that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, but does not apply to odors from agricultural operations.

The project would be extending sewer lines in the area. For properties currently on septic in the area, they could remain on septic and if and when their septic system fails would only be required to connect to sewer if available nearby then.

On flood zone, a portion of the project is located within a flood zone and this area is designated either as Open Space-Conservation Habitat or Water-Drainage. So no actual development is proposed within the flood zone.

On lighting, the project would bring in additional sources of light. The project would be required to comply with the Mt Palomar requirements for brightness of lighting and would also be required for all lighting to be shielded and directed away from neighboring properties to minimize impacts to the area.

Let me know if you have any further questions or concerns.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

#### Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



### How are we doing? Click the Link and tell us

From: samsoto00 [mailto:samsoto00@aol.com]
Sent: Saturday, August 26, 2017 11:34 AM

To: Supervisor Jeffries - 1st District <district1@RIVCO.ORG>; District2 <District2@Rivco.org>; District3

<District3@Rivco.org>; District 4 Supervisor V. Manuel Perez <District4@RIVCO.ORG>; District5 <District5@Rivco.org>;

Brady, Russell <rbrady@RIVCO.ORG>

Subject: Opposition to the Villages of Lakeview-SP 342, EUR 471, GPA 720 & 721, CZ 705 and DA 73

### LETTER TO THE RIVERSIDE COUNTY PLANNING COMMISSION

From: Samantha Soto Address: 28625 Dale Ct.

Nuevo CA 92567

Dated: August 26, 2017

RE: OPPOSITION TO THE VILLAGES OF LAKEVIEW - SP 342, EIR 471, GPA 720 & 721, CZ 7055 and DA 73.

## To Whom It May Concern:

This is a letter expressing my OPPOSITION to the "SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN AMENDMENT 721, CHANGE OF ZONE 7055, DEVELOPMENT AGREEMENT 73" that is up for recommendation by the Planning Commission.

Here are my main reasons for my opposition:

- 1) Infrastructure. Nuevo/Lakeview does NOT have the infrastructure currently to support development. Many of our current roads are in bad shape. Hanson Ave is crumbling and County Transportation is out here about every 4-6 weeks to repair it. Lakeview Ave & Hanson Ave are labeled as a "collector streets" In their current state, that would be unwise. Nuevo Rd isn't even considered as part of the Plan and yet people coming from Perris and Menifee will most likely cut through via Nuevo Rd. Reservoir Ave is labeled as an "urban arterial highway" and will connect Ramona Expressway and Nuevo Rd. Nuevo Rd cannot support the added traffic unless it's modernized and widened, which is not in this plan. This development relies on the PROPOSED Mid-County Parkway, which was funded, but was then sued and is still in litigation. It has taken so long that construction prices have gone way up and now even if they were to win the lawsuit they don't have enough money to do it. (Per Barry Busch at the MAC Meeting).
- 2) Urban-Density Housing. The proposed rezoning does NOT meet our community guidelines for lot size of half-acre MINIMUM lot sizes. While there are some proposed areas of medium density housing (2-5 dwellings/per acre), a rural setting such as Lakeview/Nuevo demands more. True half-acre minimum lots would allow residents to own horses (if so desired). Alternative 7 still calls for very-high density and high-density dwellings housing. HDR designated areas mean a lot size of 3,100 sq. ft for 3,750 homes plus approx another 2,675 apartments/condos/townhomes. Apartments, especially low-income apartments, have the potential to bring more crime. We already have increasing crime (mail theft, general theft, illegal pot grows, etc) and don't need to add to the problem. Apartments belong in the city, not in rural Nuevo/Lakeview.
- 3) Crime. More people brings more crime. While Lewis Homes is required to pay project fees dedicated to increased police and fire services, they CANNOT guarantee ANY increase in coverage. Once the money is paid to the county, we are at the mercy of county budgeting. Since we are an unincorporated county area, we are already last in priority. This will not change. Lewis CANNOT assure that there will be an increase in police or fire services.
- 4) Water Supply. California has been in a drought for years and whether that drought is over is up for debate. Many properties surrounding this proposed development (i.e Juniper Flats) have had their wells go dry. There is no guarantee that EMWD (fed by MWD) has enough water to sustain this development.
- 5) Sewer. Proposed sewer pumping stations near wildlife area and housing (smell). Also, once sewer is brought into the immediate surrounding areas, existing properties in that area will be REQUIRED to pay for that sewer hookup, regardless of whether or not they hook up. Once the new sewer is in, more developers come

in and force more existing homeowners to pay the required hook-up fee.

- 6) Flood Zone. Building in a flood zone and any significant movement of alluvial soil will affect run off into surrounding, existing streets and properties. We had significant flooding with the rains from Winter 2016-17. This development will cause more issues and divert rain run off into existing surrounding areas, resulting in flooding.
- 7) Dark Valley. This development will bring in artificial lighting that will change our status as a dark valley and affect the birds and wildlife that are here. Per Riverside County requirements, it is also noted that Mount Palomar requires unique nighttime lighting standards so that the night sky can be viewed clearly.

Thank you for taking the time to read my letter. I urge the Planning Commission to vote NO to recommending approval for this project to the Board of Supervisors.

Keep Nuevo/Lakeview rural.

Thank you, Samantha Soto

Sent from my Sprint Samsung Galaxy Note5.

From: Brady, Russell

**Sent:** Tuesday, September 12, 2017 3:16 PM

To: 'Janie Moran'

**Subject:** RE: Letter to Russell Brady.docx

To respond to the comments in your letter, I have included you on the list to notify for future public hearings. This is going back to Planning Commission on October 4<sup>th</sup> and then depending on the Planning Commission's decision at that time would then go onto the Board of Supervisors for a public hearing and their decision. Pending the decision by the Planning Commission of course, that Board of Supervisors hearing could be as early as early November.

Generally to respond to your concerns on those topics, the Environmental Impact Report analyzes these topics in detail and is available at the link below. However, I did want to specifically give you some general info on the concerns you identified.

On noise, while overall the impacts to Noise were determined to be a potentially significant impact, all feasible mitigation measures were included for the project to reduce noise to acceptable levels. The specific noise that is creating the potentially significant impact is noise from traffic off site from the project that is projected to increase ambient noise levels in excess of 5 dBA (the point where an increase in noise is readily perceptible) is limited to the following road segments.

- 10th Street from Lakeview Avenue to Yucca Avenue (8.1 dBA increase);
- 10th Street from Yucca Avenue to Hansen Avenue (8.9 dBA increase);
- Reservoir Avenue from 10th Street to Nuevo Road (10.7 dBA increase);
- Hansen Avenue from 10th Street to Contour Avenue (6.7 dBA increase); and
- Bridge Street from Ramona Expressway to Gilman Springs Road (8.0 dBA increase).

On traffic, this is analyzed in the project's EIR. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. Similar to Noise, this does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts.

On Greenhouse Gas Emissions, the project does have a number of design measures and mitigation measures to reduce the project's impact to a less than significant level. However, to meet this level of less than significant, it does still rely on some regional planning measures that are both out of the developer's and the County's control to guarantee they are implemented so that greenhouse gas emissions regionally meet state goals. Therefore, this impact is noted as potentially significant.

On crime, it is inherent with any population, regardless of the demographics of a population, that there will be some level of crime resulting from their presence. So, by the nature of increasing population, the project could result in an increase in the total number of crimes in the overall Lakeview/Nuevo area. However, as to whether the proposed project would increase the rate of crime per capita could not reasonably be calculated based on the general nature of the project at hand and unknown demographics of the future population of the project. Regardless, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area.

Although crime itself is not a required topic to be analyzed for projects pursuant to CEQA, public services in the form of sheriff services are analyzed. The EIR analyzes the impacts to sheriff services and notes that the project design for adequate lighting, community oriented designs to increase neighborhood interaction, and gated community areas will assist in reducing the potential for crime to minimize the need for sheriff services. The EIR also cites payment of Development Impact Fees as required to offset any incremental impacts to sheriff services.

On lighting, the project would introduce new sources of lighting to the area. The project would be required to comply with the Mt Palomar requirements for brightness of lighting and would also be required for all lighting to be shielded and directed away from neighboring properties.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

#### Thanks

#### Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



# How are we doing? Click the Link and tell us

From: Janie Moran [mailto:mh1122@roadrunner.com]

**Sent:** Friday, August 25, 2017 5:18 PM **To:** Brady, Russell <rbrady@RIVCO.ORG> **Subject:** Letter to Russell Brady.docx

Please add my letter to your files for OPPOSITION for Villages of Lakeview.

Mary J. Moran

From: Brady, Russell

Sent: Tuesday, September 12, 2017 2:54 PM

**To:** 'Burruel, Daniel'

Subject: RE: LEWIS COMPANY PROPOSAL

I have added you to the list for notification on future hearings. This is going back to Planning Commission on October 4<sup>th</sup> and then depending on the Planning Commission's decision at that time would then go onto the Board of Supervisors for a public hearing and their decision. Pending the decision by the Planning Commission of course, that Board of Supervisors hearing could be as early as early November.

To respond to your comments, I would primarily refer you to the EIR prepared for the project which is available via the link below.

On noise, while overall the impacts to Noise were determined to be a potentially significant impact, all feasible mitigation measures were included for the project to reduce noise to acceptable levels. The specific noise that is creating the potentially significant impact is noise from traffic off site from the project that is projected to increase ambient noise levels in excess of 5 dBA (the point where an increase in noise is readily perceptible) is limited to the following road segments.

- 10th Street from Lakeview Avenue to Yucca Avenue (8.1 dBA increase);
- 10th Street from Yucca Avenue to Hansen Avenue (8.9 dBA increase);
- Reservoir Avenue from 10th Street to Nuevo Road (10.7 dBA increase);
- Hansen Avenue from 10th Street to Contour Avenue (6.7 dBA increase); and
- Bridge Street from Ramona Expressway to Gilman Springs Road (8.0 dBA increase).

On traffic, this is analyzed in the project's EIR. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. Similar to Noise, this does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts.

On Greenhouse Gas Emissions, the project does have a number of design measures and mitigation measures to reduce the project's impact to a less than significant level. However, to meet this level of less than significant, it does still rely on some regional planning measures that are both out of the developer's and the County's control to guarantee they are implemented so that greenhouse gas emissions regionally meet state goals. Therefore, this impact is noted as potentially significant.

On crime, it is inherent with any population, regardless of the demographics of a population, that there will be some level of crime resulting from their presence. So, by the nature of increasing population, the project could result in an increase in the total number of crimes in the overall Lakeview/Nuevo area. However, as to whether the proposed project would increase the rate of crime per capita could not reasonably be calculated based on the general nature of the project at hand and unknown demographics of the future population of the project. Regardless, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area.

Although crime itself is not a required topic to be analyzed for projects pursuant to CEQA, public services in the form of sheriff services are analyzed. The EIR analyzes the impacts to sheriff services and notes that the project design for adequate lighting, community oriented designs to increase neighborhood interaction, and gated community areas will assist in reducing the potential for crime to minimize the need for sheriff services. The EIR also cites payment of Development Impact Fees as required to offset any incremental impacts to sheriff services.

On lighting, the project would introduce new sources of lighting to the area. The project would be required to comply with the Mt Palomar requirements for brightness of lighting and would also be required for all lighting to be shielded and directed away from neighboring properties

Let me know if you have any further questions or concerns.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

#### Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



## How are we doing? Click the Link and tell us

From: Burruel, Daniel [mailto:dburruel@valverde.edu]

Sent: Wednesday, August 23, 2017 8:48 PM
To: Brady, Russell <rbr/>brady@RIVCO.ORG>
Subject: LEWIS COMPANY PROPOSAL

Dear Mr. Brady:

My name is Daniel Burruel and I am a resident of Nuevo. I am against the proposed project by the Lewis Company to build almost 12,000 residences in and around Nuevo.

The proposal is flawed, under-handed, and double-dealing. It is a grossly misleading and deceptive one and I do not support this plan whatsoever.

This plan would exponentially increase all levels of pollution including noise, traffic, carbon emissions, crime, and artificial light.

I request to be notified of any and all future hearings, etc pertaining to SP 342, EIR 471, GPA 720, GPA 721, CZ 7055 and DA 73.

Cordially.

**Daniel Burruel** 

From: Brady, Russell

Sent: Tuesday, September 12, 2017 1:09 PM

To: 'Chan, Eric@Wildlife'

**Subject:** RE: Villages of Lakeview Development

Regarding impacts to biological resources on site as well as off site, I would refer you to the EIR prepared for the project which is available via the link below. We are continuing discussions with the CA Department of Fish & Wildlife on appropriate transition to the wildlife area which we anticipate to be included in the Specific Plan document and/or as conditions of approval to guide implementing development further down the line.

Let me know if you have any further questions or concerns.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

#### **Thanks**

#### Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



### How are we doing? Click the Link and tell us

From: Chan, Eric@Wildlife [mailto:Eric.Chan@Wildlife.ca.gov]

Sent: Tuesday, August 22, 2017 5:33 PM
To: Brady, Russell <rbrady@RIVCO.ORG>
Subject: Villages of Lakeview Development

Hi Mr. Brady,

I do not work at the wildlife area, but I spend a significant amount of time there enjoying it. Here are my personal thoughts on this development's proximity to the Wildlife Area.

The Southern California area is experiencing an incredible amount of urban sprawl. This is a HUGE issue for wildlife, native habitat & open spaces and the region in general. In this area, there are seed banks in the soil for rare and endangered plants. There are Burrowing Owl and Tricolored Blackbirds which forage and nest in and adjacent to the AG land proposed to be destroyed. Agriculture land is a HUGE benefit to wildlife and wildlife areas because they create foraging areas, nesting opportunities and a BUFFER zone. Wildlife need buffer zones from development. Biodiversity is proven to be less when in close proximity to urban development. A 11,350 Unit Development would bring absolutely devastating impacts to the wildlife area. Trash, TRESSPASS issues, domestic animals in the wildlife area, FIRE THREAT, VANDALISM, LIGHT AND NOISE pollution. How enjoyable is a wildlife area at sunrise when you can hear the development next door blasting

music? Developments also bring a list of invasive plant species which will affect the native plants on the wildlife area. Tamrasik, Nonnative grasses, Arrundo, and a never ending list of weedy plants. These plants out compete and displace the native fauna. To mitigate for flood risk, this development will also alter the hydrology of the land in some way. As you are probably aware, that entire area north of Ramona Expressway was flooded out and inaccessible from January 2017-April 2017. Although the flooding was bad for public use, it created many pools of water beneficial to migratory waterfowl and obligate plant species such as alkali goldfields. The wildlife area is also home to an incredibly large network of several coyote packs that I fear will enter the development, harm pets and worry residents.

It may not be apparent to you, but the SoCal area was once a great place to be a sportsman, and nature lover. Before all this development, the region was full of agriculture. The coastal estuaries and croplands attracted millions of migratory waterfowl. Housing is an important issue, but not at the cost of our wildlife and open spaces. We are VERY FORTUNATE in the United States, specifically the West Coast, to have access to large public lands, away from development. That is a priceless resource I feel the County should do its best to preserve and protect.

Thousands and Thousands visit the wildlife area each year to Bird Watch, Hunt and Hike. It is the only public waterfowl hunting unit in close proximity to Los Angeles. Hunters travel from as far North as Santa Barbara, and as far South as San Diego to hunt here. It is truly an invaluable treasure to Riverside County. I hope it isn't ruined by this project.

Lannreciate vou	hearing my th	Aughts There	are a lot of	concerned an	d unset	parties out there.
rappreciate you	nearing my til	ougiits. Tilere	alealoroi	concerned an	u upset	parties out there.

Best,

Eric Chan

From:

Brady, Russell

Sent:

Tuesday, September 12, 2017 1:05 PM

To:

'Lizzy Creek'

Subject:

RE: Nuevo/Lakeview possible development

Regarding your receipt of a notice, let me know what your assessor's parcel number is so I can see where it is located in reference to the project boundaries as well as to check it against our mailing list for properties within 600' of the project boundaries.

Since the events that Lewis put on and invited were controlled by them, I cannot speak to how or to what extent they invited nearby property owners or the community as a whole.

On infrastructure, particularly on traffic, this is analyzed in the project's EIR which is available via the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops.

Other infrastructure in terms of water, sewer, and storm drains would be constructed within the project and connect to offsite points to provide adequate service to the project and its residents.

On crime, It is inherent with any population, regardless of the demographics of a population, that there will be some level of crime resulting from their presence. So, by the nature of increasing population, the project could result in an increase in the total number of crimes in the overall Lakeview/Nuevo area. However, as to whether the proposed project would increase the rate of crime per capita could not reasonably be calculated based on the general nature of the project at hand and unknown demographics of the future population of the project. Regardless, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area.

Although crime itself is not a required topic to be analyzed for projects pursuant to CEQA, public services in the form of sheriff services are analyzed. The EIR analyzes the impacts to sheriff services and notes that the project design for adequate lighting, community oriented designs to increase neighborhood interaction, and gated community areas will assist in reducing the potential for crime to minimize the need for sheriff services. The EIR also cites payment of Development Impact Fees as required to offset any incremental impacts to sheriff services.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025

How are we doing? Click the Link and tell us

----Original Message----

From: Lizzy Creek [mailto:lizzylikes2smile@hotmail.com]

Sent: Tuesday, August 22, 2017 10:49 AM To: Brady, Russell <rbrady@RIVCO.ORG>

Subject: Nuevo/Lakeview possible development

Hi Mr. Brady,

My name is Lizzy Creek and I am a very concerned community member of the Nuevo/lakeview area and I was not informed about the possible Lewis Development nor was I invited to the BBQ/open house and I SHARE A FENCE with what would be the old horse ranch. I believe this is very dishonest of the corporation to not value keeping me informed as I would be extremely effected by this development. I strongly oppose this development if the homes are under the 1 acre lots as it cannot be supported by the current infrastructure and it is extremely unsafe increase in crime rates as well as there are nothing in writing for improvements for either of those main concerns. When talking with other community members, we are also concerned by the lack of communication between Lewis homes and the Nuevo community. We would like to have a say and have proper communication in regards to this project.

Thank you for your time,

Lizzy Creek (951) 2297897

Sent from my iPhone

From: Brady, Russell

Sent: Tuesday, September 12, 2017 12:59 PM

To: 'Ann Hinds'

**Subject:** RE: SP 342, EIR 471, GPA 720, GPA 721, CZ 7055 and DA 73.

To respond to your prior comments, ! have included you on the list to notify for future public hearings. In case you weren't already aware, this is going back to Planning Commission on October 4<sup>th</sup> and then depending on the Planning Commission's decision at that time would then go onto the Board of Supervisors for a public hearing and their decision. Pending the decision by the Planning Commission of course, that Board of Supervisors hearing could be as early as early November.

On crime, it is inherent with any population, regardless of the demographics of a population, that there will be some level of crime resulting from their presence. So, by the nature of increasing population, the project could result in an increase in the total number of crimes in the overall Lakeview/Nuevo area. However, as to whether the proposed project would increase the rate of crime per capita could not reasonably be calculated based on the general nature of the project at hand and unknown demographics of the future population of the project. Regardless, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area.

Although crime itself is not a required topic to be analyzed for projects pursuant to CEQA, public services in the form of sheriff services are analyzed. The EIR analyzes the impacts to sheriff services and notes that the project design for adequate lighting, community oriented designs to increase neighborhood interaction, and gated community areas will assist in reducing the potential for crime to minimize the need for sheriff services. The EIR also cites payment of Development Impact Fees as required to offset any incremental impacts to sheriff services.

On traffic, this is analyzed in the project's EIR which is available via the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops.

On schools, the project site does include multiple sites for schools to serve the additional student population being generated by the project. The acquiring and development of these sites is still up to the local school districts and is not under the control of the developer or the County on when the schools are developed.

Let me know if you have any additional concerns or questions.

http://planning.rctima.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



## How are we doing? Click the Link and tell us

From: Ann Hinds [mailto:wordstock16@yahoo.com]

**Sent:** Tuesday, August 22, 2017 10:43 AM **To:** Brady, Russell <rbr/>rbrady@RIVCO.ORG>

Subject: SP 342, EIR 471, GPA 720, GPA 721, CZ 7055 and DA 73.

## Mr. Bradley,

We were informed that unless we live within a certain distance from a project we will not be notified. While that seems a little short-sighted, we were also told that we could request that information. I would like to be notified of any thing to do with the projects in the subject line.

Obviously you don't live here or have any understanding of our area so we would like to keep you apprised of what needs to be done. We are not getting answers to the questions regarding crime, traffic, and schools. We hope that by receiving the information requested, we can help you make informed decisions.

Thanks you,

Ann Hinds Nuevo, California

From:

Brady, Russell

Sent:

Monday, August 21, 2017 10:06 AM

To:

'Brett Martinez'

Subject:

RE: San Jacinto Wildlife Area

Attachments:

Villages of Lakeview Boundary.pdf

Thank you for your concerns and comments. I will provide these to the Planning Commission for their consideration.

Attached is an exhibit with the boundaries of the proposed project for reference regarding areas that are potentially proposed for development.

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025

How are we doing? Click the Link and tell us

----Original Message----

From: Brett Martinez [mailto:bmar20@msn.com]

Sent: Sunday, August 20, 2017 8:42 AM To: Brady, Russell <rbrady@RIVCO.ORG> Subject: Fwd: San Jacinto Wildlife Area

> Mr Brady,

>

> I would like to take a moment to introduce myself. My name is Brett Martinez and I am a local high school teacher at Citrus Hill. I service the youth of this very community in which the land is trying to be purchased. As a hunter and stakeholder of this area, I would strongly disagree with the loss of this gorgeous, wild habitat. I grew up hunting waterfowl on this land and I recently had my oldest son join the tradition. My concern is that generations to come won't be able to experience the same thing. The outdoors is something very special to my heart and the lessons learned in the field sometimes outweigh any curriculum in the classroom. I am asking you to not allow some major developer to take this land for more houses and strip malls. Keep it wild!!

> Regards,

> Brett Martinez

>

>

> Sent from my iPhone

From:

Brady, Russell

Sent:

Monday, August 21, 2017 9:26 AM

To:

'Kevin Kelly'

Subject:

RE: Stop Villages of Lakeview

Thank you for your comments and concerns. The notice provided via mailed notices to those owning property nearby the project and the posting of signs is standard noticing procedure. Additionally, it is standard for us to hold Planning Commission during the day rather than at night. We understand this means some people may not be able to attend in person, which is why we also provide any written comments received to the Planning Commission so that they can review and consider them in addition to those that do comment in person at the public hearing. I will provide your comments to the Planning Commission for their consideration.

#### Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



## How are we doing? Click the Link and tell us

From: Kevin Kelly [mailto:kevinkelly1236@gmail.com]

Sent: Saturday, August 19, 2017 3:28 PM To: Brady, Russell <rbrady@RIVCO.ORG>

Subject: Stop Villages of Lakeview

#### Russell,

I'm against the building of 11,000+ homes. Putting these homes near San Jacinto Wildlife Refuge will adversely impact local and migrating waterfowl and interrupt their ability to make the long trip south for the winter. We've taken away enough precious waterfowl habitat - it's time to stop.

I would have attended the public hearing on the Sept 6th but you were sneaky to provide little notice and especially with a start time at 9am....some of us have to work. I guess that was part of the plan so we didn't show up.

#### STOP NOW!

Kevin Kelly

From:

Brady, Russell

Sent:

Tuesday, September 26, 2017 3:47 PM

To:

'Greg Morris'

Subject:

RE: Proposal to build 11350 homes and 70.5 acres of commercial use on 2883 acres in

Nuevo

See below responses to your concerns.

On traffic, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed which the developer will construct.

On the SJWA, the County is continuing to meet with the California Department of Fish and Wildlife to determine what additional measures can be taken to reduce potential impacts to the wildlife area. To clarify on access, the project would not cut off any access to this wildlife area.

Let me know if you have any further questions or concerns.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

**Thanks** 

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



How are we doing? Click the Link and tell us

From: Sarabia, Elizabeth

Sent: Tuesday, September 19, 2017 9:04 AM

To: Brady, Russell <rbrady@RIVCO.ORG>; Baez, Ken <KBAEZ@RIVCO.ORG>

Subject: FW: Proposal to build 11350 homes and 70.5 acres of commercial use on 2883 acres in Nuevo

Email regarding the Villages of Lakeview.

From: Greg Morris [mailto:greg.morris49@yahoo.com]

Sent: Monday, September 18, 2017 10:49 AM To: Sarabia, Elizabeth < ESarabia@RIVCO.ORG>

Subject: Proposal to build 11350 homes and 70.5 acres of commercial use on 2883 acres in Nuevo

Hi Elizabeth,

My name is Greg Morris, I'm a resident of Nuevo, I'm writing to voice opposition to this project on two issues, the first would be the increased traffic and the lack of roads and infrastructure to handle it. We know that most people living in this area work in LA, San Diego, and Orange Counties, and have to commute on a daily basis, based on the additional people in this community I can't see how the infrastructure will be modified to handle the traffic. I have seen one response from Russell Brady that really doesn't go into much detail about what will happen to the roads, and who will pay. Can you point me in the right direction to get this information?

The second reason I oppose this build is the San Jacinto Wetlands, this is a place of incredible natural beauty and one I hike regularly, I cannot imagine this area not being negatively impacted by this development, how will the rangers enforce the rules of entry? How will this affect the hunters who pay for a great deal of support for the wetlands? Is there any plan to protect this area from this kind of civilian density?

Once again if you can provide this information or point me in the right direction I am appreciative.

Best Regards Greg Morris 22330 Wybenga Lane Nuevo, Ca. 92567

From: Brady, Russell

Sent: Tuesday, September 26, 2017 3:44 PM

To: 'Lee Brown'

Subject: RE: San Jacinto Wildlife Area

We are continuing to meet with the California Department of Fish and Wildlife to determine what additional measures can be taken to reduce potential impacts to the wildlife area. To clarify, the proposed project would not impact the operations of the wildlife area, in particular hunting and dog training.

Let me know if you have any further questions or concerns.

#### Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



#### How are we doing? Click the Link and tell us

From: Lee Brown [mailto:lee@concretebuildingsystemsinc.com]

Subject: San Jacinto Wildlife Area

Hi Russell,

I am <u>opposed</u> to the development North of the Ramona Expressway. Project SP 342, ERI 471, GPA 720, GPA 721, CZ 7055, & DA 73. This would seriously impact the SJWA' ability to be home to many species of endangered wildlife. Also it would impact the dog training and hunting that this area has been use for and enjoyed for many years.

#### Lee Brown

Concrete Building Systems, Inc. PO Box 752, Bonsall, CA 92003

Ph: 760-731-3224 Fax: 760-731-1205

lee@concretebuildingsystemsinc.com



construction company inc

From:

Brady, Russell

Sent:

Tuesday, September 26, 2017 3:44 PM

To:

'dlbarkley1@aol.com'

Subject:

RE: Opposition to development north of Ramona Expressway

We are continuing to meet with the California Department of Fish and Wildlife to determine what additional measures can be taken to reduce potential impacts to the wildlife area. To clarify, the proposed project would not impact the operations of the wildlife area, in particular hiking, hunting, and dog training.

Let me know if you have any further questions or concerns.

#### **Thanks**

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



#### How are we doing? Click the Link and tell us

From: dlbarkley1@aol.com [mailto:dlbarkley1@aol.com]

Sent: Sunday, September 17, 2017 12:58 PM To: Brady, Russell < rbrady@RIVCO.ORG>

Subject: Opposition to development north of Ramona Expressway

Dear Mr. Brady:

RE: Project # SP 342, EIR 471, CPA 720, GPA 721, CZ 7055 & DA 73

I am writing this letter to join countless others voicing *loud* opposition to development north of the Ramona Expressway. This lands needs to be preserved as a buffer to protect the uniqueness of the SJWA, and for the use and enjoyment of the present and countless future generations of Americans.

One major reason is that SJWA is the core reserve of the Western Riverside County Multiple Species Habitat Conservation Plan. It is the home of over 65 of the 146 species of plants and animals protected by the plan, including three endangered plants:

- \* San Jacinto Crownscale;
- \* Spreading Navarretia;
- \* Threadleaved Brodiaea.

Another reason to block all development of large open spaces like SJWA, and surrounding lands, are that they help to fight global warming, and contribute to maintaining healthy air quality, since plants convert global warming CO2, produced by humans, into O2. Houses, roads and parking lots do not.

In addition to protecting this important historical resting site for migrating ducks and geese, along with endangered plants and animals, it is wise to consider present and future generations of Americans, and preserve as much open space as possible today, for their use and enjoyment. The diversity of activities allowed to continue unencumbered on the SJWA should include: hiking, seasonal hunting and dog training.

In closing Mr. Brady, I hope you will listen to the voice of the people and oppose all future development north of the Ramona Expressway, including but not limited to: <u>Project # SP 342</u>, <u>EIR 471</u>, <u>GPA 720</u>, <u>GPA 721</u>, <u>CZ 7055 & DA 73</u>

Cordially,

D Barkley

From:

Brady, Russell

Sent:

Tuesday, September 26, 2017 3:42 PM

To:

'Kraig Dix'

Subject:

RE: Project # SP 342, EIR 471, GPA 720, GPA 721, CZ 7055 & DA 73.

We are continuing to meet with the California Department of Fish and Wildlife to determine what additional measures can be taken to reduce impacts to the wildlife area. To clarify, the proposed project would not impact the operations of the wildlife area, in particular hunting and dog training.

Let me know if you have any further questions or concerns.

#### Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



## How are we doing? Click the Link and tell us

From: Kraig Dix [mailto:kraigdix@yahoo.com]
Sent: Sunday, September 17, 2017 10:31 AM
To: Brady, Russell <rbrady@RIVCO.ORG>

Subject: Project # SP 342, EIR 471, GPA 720, GPA 721, CZ 7055 & DA 73.

I want to voice my opposition to any development north of the Ramona Expressway, this land needs to be annexed to the San Jacinto Wildlife Area or some kind of buffer zone created with this land to protect the SJWA's ability to provide a home for the many species found there and to preserve the uniqueness of activities allowed there, including hunting and gun dog training.

The SJWA is the core reserve of the Western Riverside County Multiple Species Habitat Conservation Plan and the home of over 65 of the 146 species of plants and animals protected by the plan including three endangered plants, San Jacinto Crownscale; Spreading Navarretia; Threadleaved Brodiaea. The SJWA is extremely unique as groups who traditionally oppose each other came together to help create it and it is being managed so that all these groups can use it and participate in their activities. I believe that these activities should be allowed to continue as is, and development needs to planned so as not to infringe on these activities in anyway, including hunting and dog training. Perhaps the land north of the Ramona Expressway can be purchased by developers who need to purchase conservation offsets and set asides to mitigate the environmental impact their developments are causing elsewhere.

I hope to see you on Oct. 4th and voice my opinion but in case I cannot make the hearing or am not able to speak, please note my opposition.

Kraig Dix 619 846-3113

From: Brady, Russell

Sent: Tuesday, September 26, 2017 3:30 PM

To: 'Ab'

Subject: RE: Russell Brady, Planning Commission, Riverside County Board of Supervisors, and All

Other Concerned Parties

To respond to your concerns, see responses to each below.

On traffic, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed which the developer will construct.

On air quality, these impacts are detailed fully in EIR No. 471 and impacts to both were determined to be potentially significant and unavoidable. All feasible mitigation measures were included for both to reduce impacts as much as possible. Ultimately, due to the potentially significant impact, there will be a need for an adoption of a statement of overriding considerations to accept these potentially significant impacts in balance with the positive aspects of the project.

On the SJWA, the County is continuing to meet with the California Department of Fish and Wildlife to determine what measures can be taken to reduce impacts to the wildlife area. To clarify on access, the project would not cut off any access to this wildlife area since the project would continue to provide access via Davis Road and with the construction of the Mid-County Parkway, access would be from the planned interchange near 5th Street up to Marvin Road and over to Davis.

On lighting, the project would bring in additional sources of light. The project would be required to comply with the Mt Palomar requirements for brightness of lighting and would also be required for all lighting to be shielded and directed away from neighboring properties to minimize impacts to the area.

On EIR availability and noticing, we do not typically prepare bi-lingual EIRs or send out bi-lingual public hearing notices. To note, on other projects that non bi-lingual notices have been sent out, I do still receive on occasion people call in that only speak Spanish and we are able to have staff communicate with them so they understand the notice and address any questions or concerns that they may have. The Draft EIR was originally posted on September 30, 2016 and was made available for the 45-day review period until November 14, 2016. Since then responses to the comments received on the Draft EIR were prepared and incorporated into the Final EIR which was posted on August 7, 2017 for public review.

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 How are we doing? Click the Link and tell us

----Original Message----

From: Ab [mailto:acorona9@student.rcc.edu] Sent: Wednesday, September 06, 2017 8:39 AM

To: Brady, Russell <rbrady@RIVCO.ORG>

Subject: Russell Brady, Planning Commission, Riverside County Board of Supervisors, and All Other Concerned Parties

Abbigayle Granillo & Jason Granillo 19965 Orange Street Nuevo CA 92567 September 5, 2017

To: Russell Brady, Planning Commission, Riverside County Board of Supervisors, and All Other Concerned Parties:

This is a letter expressing my OPPOSITION to the "SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN AMENDMENT 721, EIR 471, and the CHANGE OF ZONE 7055, DEVELOPMENT AGREEMENT 73" that is up for recommendation by the Planning Commission.

After careful consideration regarding the proposed plan by the Lewis Company to develop nearly 12,000 residences around the communities of Lakeview and Nuevo, I have concerns about this plan in which I believe to be completely unsuitable.

One concern has to do with traffic. Since the Mid-County Parkway funding has been tangled up in litigation, it is unmistakable that this project is insufficiently funded to meet the demands of an exponential increase of transportation. Traffic will be a heavily-congested, snarling nightmare. My husband and I travel to school, work and traffic is bad as it is and adding this project will make our highways worse.

Another concern is air-quality. This is a concern directly related to the traffic problem and will cause an unhealthy rise in carbon emissions and any other pollutants related to smog. In a nutshell, the short-term and long-term effects of a traffic-choked San Jacinto Valley are coughing, throat irritation, a worsening of asthma symptoms, difficulty in breathing, and lung damage.

The next finding is public safety. Riverside County Sheriff's deputies who patrol the communities of Nuevo and Lakeview, as well as the larger surrounding communities, will be stressed and strained to their responsive limits. There is no bona-fide proof or confirmation that the Sheriff's department has the resources to meet this concern. As for fire and paramedic crews, if the former cannot sufficiently guarantee quick responses to emergencies, how can the latter answer emergency calls quickly and urgently as well?

Another concern has to do with the much revered San Jacinto Wild-life Area (SJWA). My attention is called to the terribly immense impact that the proposed Villages will have on this area. The SJWA is fragile and delicate; and is perpetually threatened by the peril of urban encroachment. The Villages proposal will, inarguably and without question, interrupt this fragile ecosystem. Davis road, an access route for the public, will be cut-off by the Villages, as well. One does not have to look any further than the example set by irresponsible development around Starr Ranch, a wild-life sanctuary in Orange County; cut off by a gated community in which folks must first request permission, while facing a locked security fence, before getting the request granted in order to pass through and get access to a publicly-owned area. It is worth mentioning that a deer was struck and killed off Ramona Expressway and Bernasconi Road in the early morning hours on Monday, August 21st. This unfortunate event calls for a sense of urgency, now more than ever, to stop this project and make tough decisions to develop responsibly rather than recklessly.

Another concern is artificial light pollution. The northern San Jacinto Valley has been categorized as a dark-sky region. Concerted efforts have been made to maintain that category for the Palomar observatory. The math is simple; more

residences mixed with commercial use will inevitably pollute the night sky with excessive and rampant artificial light in which visibility of celestial bodies may be completely washed out. Artificial light has also proven to be harmful to the nocturnal behaviors of wildlife including the flight paths of bird flocks not to mention damaging to the sleep patterns and recovery rates of humans.

One more concern is the plain truth about an Environmental Impact Report (EIR) that was hastily put together and posted without sufficient time to respond with comments, remarks, valid complaints, and so on. Questions need to be answered for an inadequate project description that was only prepared in the English language while completely ignoring the large percentage of our community members who are monolingual, Spanish-speakers. I dare-say that the preparation of the EIR was terribly short-sighted, if not, down-right deliberate to mask the bogus mitigations of the significant impacts listed but not addressed.

In closing, it is plain to see that the proposed plan of the Villages of Lakeview is, as mentioned before, unsuitable, mostly with half-truths and untruths; a development that offers more smoke and mirrors than an, "...opportunity for the communities of Lakeview and Nuevo..." I am sure that the planning commission will logically reject such a faulty, erroneous plan.

Cordially,

Abbigayle Granillo & Jason Granillo

From:

Brady, Russell

Sent:

Tuesday, September 26, 2017 2:44 PM

To:

'krista beckman'

Subject:

RE: Specific Plan 342, General Plan Amendment 720, General Plan Amendment 721,

Change of Zone 7055, Development Agreement 73

To respond to your concerns, see responses below for each.

On water supply, the project did perform a Water Supply Assessment in 2013 by EMWD which determined that adequate water supply exists to serve the project. Additionally, as indicated by the developer at the Planning Commission hearing, they had checked back in with EMWD regularly since then to re-verify the conclusion on the assessment.

On traffic, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed which the developer will construct.

On crime, it is inherent with any population, regardless of the demographics of a population, that there will be some level of crime resulting from their presence. So, by the nature of increasing population, the project could result in an increase in the total number of crimes in the overall Lakeview/Nuevo area. However, as to whether the proposed project would increase the rate of crime per capita could not reasonably be calculated based on the general nature of the project at hand and unknown demographics of the future population of the project. Regardless, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area.

Although crime itself is not a required topic to be analyzed for projects pursuant to CEQA, public services in the form of sheriff services are analyzed. The EIR analyzes the impacts to sheriff services and notes that the project design for adequate lighting, community oriented designs to increase neighborhood interaction, and gated community areas will assist in reducing the potential for crime to minimize the need for sheriff services. The EIR also cites payment of Development Impact Fees as required to offset any incremental impacts to sheriff services.

On flooding, a portion of the project is located within a flood zone and this area is designated either as Open Space-Conservation Habitat or Water-Drainage. So no actual development is proposed within the flood zone. The project is required to attenuate any runoff before it leaves the site so that it does not increase runoff from existing rates. Other improvements to collect flows from the hills could improve existing flooding problems in the area by the project catching these flows, holding them on site and then outletting them in a more controlled manner.

Let me know if you have any further questions or concerns.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

#### Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025

How are we doing? Click the Link and tell us

----Original Message----

From: krista beckman [mailto:kristabea1@verizon.net]

Sent: Tuesday, September 05, 2017 3:11 PM To: Brady, Russell <rbr/>rbrady@RIVCO.ORG>

Subject: Specific Plan 342, General Plan Amendment 720, General Plan Amendment 721, Change of Zone 7055,

Development Agreement 73

Dear Mr. Brady, I request that this letter be included in the public records regarding the proposed Villages of Lakeview specified above.

As a twenty year resident of the area, I am strongly opposed to this gross "take over" of our rural community.

The following concerns have not been addressed regarding the negative impact this project will have on the current population of this area.

- 1) Water- Where is the guarantee of sufficient water to supply these homes and how will it affect water rates of current residences?
- 2) Traffic- Obviously a nightmare of this project goes forward. A good (bad) example is the gridlock in Beaumont due to rampant growth in that area.
- 3) Crime- Surrounding areas of Perris, San Jacinto, and Hemet have experienced a surge in crime since they allowed such massive housing projects to go forward. Property values in those areas have dropped because of crime.
- 4) Flooding- Much of this area is in a flood plain. Big developments being in tons of fill dirt and build above grade of existing properties. We are already subject to flooding under normal rainfall conditions. This will greatly increase flooding in the area..
- 5) Passion- Here is one point that really deserves consideration. We are passionate about our rural lifestyle here. Throughout our County, there is a huge population of citizens who are tired of being pushed out. We are the Heartland of what is left of agriculture in this part of the County.

We have sought out this community because we are dairymen, sod farmers, chicken ranchers, equestrians, Christmas tree farmers, pumpkin patch growers, and hobby farmers. We cherish our piece of the American Dream; a place where we can see the sunset and moonrise, and count stars instead of streetlights and traffic signals. We want our children and grandchildren to play in their own backyards, grow their own food, and learn the responsibility of raising animals. Please hear our voices. This project is in no way compatible with our existing community. Our values are strong, and we are tired of being pushed out by what you call progress and we see as the end of everything we hold dear.

The "Villages" project has absolutely nothing to offer us, and represents everything we abhor. We DO NOT want zoning changes.

When growth comes to us, it should be respectful of our community plan and offer large lots that are compatible to a rural atmosphere.

We are proud of our history. This area was once a part of a Spanish Land grant to the Estudillo family. There are historical areas (Indian caves) that must be preserved. Wildlife must be protected. And our good farmland is being eaten up by development at an alarming rate. Please consider this before you approve this project, and help preserve the Heartland of Riverside Co.

Thank you for your time. Very Sincerely, Kris Beckman

From: Brady, Russell

Sent: Tuesday, September 26, 2017 2:42 PM

**To:** 'H L'

**Subject:** RE: OPPOSITION LETTER TO THE VILLAGES OF LAKEVIEW (SEPT 6)

To respond to your concerns, see below responses for each.

On crime, it is inherent with any population, regardless of the demographics of a population, that there will be some level of crime resulting from their presence. So, by the nature of increasing population, the project could result in an increase in the total number of crimes in the overall Lakeview/Nuevo area. However, as to whether the proposed project would increase the rate of crime per capita could not reasonably be calculated based on the general nature of the project at hand and unknown demographics of the future population of the project. Regardless, the project will pay Development Impact Fees to offset its incremental costs for needs for sheriff services/facilities and long term project residents will pay taxes which will fund ongoing sheriff services similar to existing residents of the area.

Although crime itself is not a required topic to be analyzed for projects pursuant to CEQA, public services in the form of sheriff services are analyzed. The EIR analyzes the impacts to sheriff services and notes that the project design for adequate lighting, community oriented designs to increase neighborhood interaction, and gated community areas will assist in reducing the potential for crime to minimize the need for sheriff services. The EIR also cites payment of Development Impact Fees as required to offset any incremental impacts to sheriff services.

On lighting, the project would bring in additional sources of light. The project would be required to comply with the Mt Palomar requirements for brightness of lighting and would also be required for all lighting to be shielded and directed away from neighboring properties to minimize impacts to the area.

On traffic, this is analyzed in the project's EIR which is available at the link below. The EIR and supporting traffic analysis detail out the traffic impacts of each phase of development and the resulting impacts on surrounding roadways based on the trip generation rate of the development within each phase and the anticipated trip distribution or routes vehicles take from and to the project. These impact areas are identified and then improvements for road, intersection, signal, striping, and other measures are proposed to feasibly mitigate these areas of impacts on a phase by phase basis to ensure that the project is providing the necessary infrastructure as the project develops. This does remain a potentially significant impact and all feasible mitigation measures have been incorporated to reduce traffic impacts. To clarify, the project does not rely on the Mid-County Parkway to mitigate its impacts. The EIR analyzes the impacts of the proposed Specific Plan in both the context of if Mid County Parkway is not built yet and if it is built so that its analysis reasonably covers both potential realities. The EIR then proposes mitigation through certain road improvements depending on what situation actual is reality when the project is developed which the developer will construct.

On land use/density, I had noted it at the Planning Commission hearing, but this really is the fundamental judgement call for the Planning Commission to make whether the project makes sense for this area. Looking at the technical aspect of it from a General Plan consistency, the General Plan does not restrict such densities from being proposed in this area. While the area currently does consist primarily of larger lots/rural densities, the General Plan does not guarantee that density to continue to be the only density level allowed in the area. The General Plan's purpose is to be forward thinking and to plan for development within the County and to not be rigid and held to existing land use patterns. One key component of the Principles of the General Plan related to new development is that of Maturing Communities as listed below.

### **Maturing Communities**

The General Plan Vision acknowledges that every community in the County is maturing in its own way, at its own pace and within its own context. Policies and programs should be tailored to local needs in order to accommodate the particular level of anticipated maturation in any given community.

So while the project does represent a shift from the existing land use pattern and densities in the Lakeview and Nuevo area, it does implement the intent of the General Plan and is consistent with the General Plan.

On fire services, provisions in the proposed Development Agreement for the developer to provide supplemental funding for Fire Equipment through a potential Community Facilities District further addresses the needs for fire and ambulance services in the area above the typical provided through standard Development Impact Fees.

Let me know if you have any further questions or concerns.

http://planning.rctlma.org/Home/PlanningNotices/TheVillagesofLakeviewSP00342.aspx

Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



### How are we doing? Click the Link and tell us

From: H L [mailto:h.lapierre27@yahoo.com] Sent: Friday, September 01, 2017 1:25 PM

To: Brady, Russell <rbrady@RIVCO.ORG>; Sarabia, Elizabeth <ESarabia@RIVCO.ORG>

Subject: OPPOSITION LETTER TO THE VILLAGES OF LAKEVIEW (SEPT 6)

Harmonie LaPierre 29765 Nuevo Rd. Nuevo, CA 92567

RE:: OPPOSITION TO THE VILLAGES OF LAKEVIEW – SP 342, EIR 471, GPA 720 & 721, CZ 7055 and DA73

September 26, 2017

To Whom It May Concern:

This is a letter expressing my OPPOSITION to the "SPECIFIC PLAN 342, GENERAL PLAN AMENDMENT 720, GENERAL PLAN AMENDMENT 721, CHANGE OF ZONE 7055, DEVELOPMENT AGREEMENT 73" that is up for recommendation by the Planning Commission on Sept. 6<sup>th</sup>.

Although I have only lived in the rural town of Nuevo going on 4 months the proposed development threatens the very reason I choose to buy and move my small family to the area. This proposed development has the potential to bring more crime, light pollution and traffic. I moved here to avoid city lights and give my son a chance to see the starts on a nightly basis not just when camping and to have animals that are not allowed in the city settings.

The proposed rezoning does NOT meet our community guidelines for lot size of half-acre lots. While there are some propose areas of medium density housing (2-5 dwellings/per acre), a rural setting such as Lakeview/Nuevo demands more. True half-acre lots would allow residents to own horses. Alternative 7 still calls for very-high density and high-density dwelling housing. HDR designated areas mean a lot size of 3,100 sq. ft. for 3,750 homes plus approx. another 2,675 apartments/condos/townhomes. Apartments, especially low-income apartments, have the potential to bring more crime. We already have increasing crime (mail thrift,

general theft, illegal pot grows, etc.) and don't need to add to the problem. Apartments belong in the city, not in rural Lakeview/Nuevo.

If this is passed I whole heartedly know/believe more people will bring more crime. I currently feel safe in my town and home and know that if this development is built we will see a rise in crime. Lewis Homes is required to pay project fees dedicated to increased police and fire services; they CANNOT guarantee ANY increase in coverage. Once the money is paid to the county, we are at the mercy of the county budgeting. Since we are not unincorporated county area, we area already last priority. This will not change. Lewis CANNOT assure that there will be an increase in police or fire services.

Thank you in advance for taking the time to read my letter. I urge the Planning Commission to vote NO to recommending approval for this project to the Board of Supervisors. I am not against progress but I believe that this is NOT the time, nor the place for this development. This is one of few rural communities' left in the area and should be preserved.

Keep Nuevo/Lakeview Rural Thank you Harmonie LaPierre

From:

Brady, Russell

Sent:

Tuesday, September 26, 2017 3:49 PM

To:

'Rodge & Irene Fradella'

Subject:

RE: Refer to project # SP 342, EIR 471, GPA 720, GPA 721, CZ 7055 & DA 73. Save the

San Jacinto Wildlife Area

We are continuing to meet with the California Department of Fish and Wildlife to determine what additional measures can be taken to reduce potential impacts to the wildlife area. To clarify, the proposed project would not impact the operations of the wildlife area, in particular hunting and dog training.

Let me know if you have any further questions or concerns.

Thanks

Russell Brady Riverside County Planning 4080 Lemon Street 12th Floor Riverside, CA 92501 951-955-3025



#### How are we doing? Click the Link and tell us

From: Rodge & Irene Fradella [mailto:delta@tstonramp.com]

**Sent:** Monday, September 25, 2017 4:07 PM **To:** Brady, Russell <rbr/>rbrady@RIVCO.ORG>

Subject: Refer to project #SP 342, EIR 471, GPA 720, GPA 721, CZ 7055 & DA 73. Save the San Jacinto Wildlife Area

## Hello Mr. Brady,

We are supporters of the San Jacinto Wildlife Area, home to dozens of species of birds and other wildlife. This area is enjoyed by adults and our youth in and around the area. Folks from many counties come here to hunt, train dogs, ride horses and enjoy the vast variety of wildlife.

If a new housing project is built in the proposed area near the wildlife area, the homeowners will surely object to its current use. Public lands in California are shrinking. The San Jacinto Wildlife Area must be saved for our citizens to enjoy. Let me stress that our youth enjoy the activities that are held there. Isn't it refreshing to know that

there are children and young adults that are truly interested in being outdoors and participating in the outdoor activities held at SJWA with their peers and families?

Please help us to save this area from encroachment and possible elimination by this and other commercial/residential developments.

Refer to project # SP 342, EIR 471, GPA 720, GPA 721, CZ 7055 & DA 73.

Sincerely,

Irene Fradella

Secretary, Southern California Chapter of the North American Versatile Hunting Dog Association



Director

## **COUNTY OF RIVERSIDE**

## TRANSPORTATION AND LAND MANAGEMENT AGENCY

# **Environmental Programs Department**

July 2, 2008

Mr. Andrew Petitjean Lewis Operating Corporation 1156 N. Mountain Avenue Upland, CA 91785

Dear Mr. Petitjean:

Re: JPR 07-07-16-01 Determination Letter - Partial Conservation/HANS II not required

HANS No. 313 Case No. SP00342

Assessor's Parcel Number(s): See attached list

This letter is to inform you that the HANS determination for the subject property was forwarded to the Regional Conservation Authority (RCA) for Joint Project Review (JPR) pursuant to Section 6.6.2 of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). As stated on the attached "RCA JPR Review", the RCA has concurred with the County that partial conservation is described for this property (exhibit attached).

You may proceed with the planning process for the remainder of the property. Please note that this determination does not preclude compliance with any conditions incorporated into your final project approval.

If you have questions concerning the attached comments, please contact the EPD at (951) 955-6892.

Sincerely,

**ENVIRONMENTAL PROGRAMS DEPARTMENT** 

Michael Richard

Ecological Resources Specialist

MR

xc: Karin Watts-Bazan, Deputy County Counsel Greg Neal, EPD Monica Thill, EPD

> Ken Graff, RCA Sarah Lozano, RCA Stephanie Standerfer, RCA

Brian Beck, RCA



JPR #: <u>07 07 16 01</u> Date: <u>6/16/08</u>

**Project Information** 

Permittee: County of Riverside

Case Information: HANS 313

Site Acreage: 2,768 acres

Portion of Site Proposed for

MSHCP Conservation Area: 984.5 acres

## **Criteria Consistency Review**

Consistency Conclusion: The project is consistent with both the Criteria and other Plan requirements.

#### Data:

Applicable Core/Linkage: Existing Core J, Proposed Noncontiguous Habitat Block 5, and
Proposed Constrained Linkage 20

Area Plan: Lakeview Plan

APN	Sub-Unit	Cell Group	Cell
Numerous – see	SU1 – San Jacinto River	L & Independent	2161, 2252, 2253,
attached	SU2 – Lakeview Mtns		2258, 2259, 2355,
	West		2356, 2357, 2451,
			2452, 2453. 2554,
			2555, 2556, 2557,
			and 2558

#### Comments:

a. The project is located partially in Cell Group L, which contributes to Proposed Constrained Linkage 20. Proposed Constrained Linkage 20 is located approximately in the north-central region of the Plan Area. This Linkage connects Existing Core H (Lake Perris) in the north with Proposed Noncontiguous Habitat Block 5 (Lakeview Mountains) in the south. Maintenance of this connection is important to reduce the likelihood of species extirpation as a result of population isolation for species occurring in the Lakeview Mountains. The extension/widening of Bridge Street and the proposed alignment of the Hemet to Corona/Lake Elsinore CETAP Corridor may also compromise the integrity of Proposed Constrained Linkage 20 by adding to Edge Effects contributed by surrounding land use practices. Counteracting these potentially strong Edge Effects, however, are the dimensions of this Linkage. The Linkage has one of the lowest P/A ratios (60 feet per acre) of all MSHCP Cores and Linkages and a high proportion of its area is represented as interior (approximately 270 of the total 360 acres). Thus, the Linkage can be expected to provide Live-In and Movement Habitat for Planning species. Nevertheless, treatment and



JPR #: <u>07 07 16 01</u> Date: 6/16/08

management of edge conditions along this Linkage will be necessary to ensure that it provides Habitat and Movement functions for species using the Linkage.

- b. The project is located partially in Cell Group L, which also contributes to Proposed Noncontiguous Habitat Block 5. Proposed Noncontiguous Habitat Block 5 consists of the Lakeview Mountains, located approximately in the center of the Plan Area. This Habitat block is connected to other MSHCP conserved lands via Proposed Constrained Linkage 20. The Lakeview Mountains are located 1.2 miles from the nearest connected Core (Existing Core H, Lake Perris/Mystic Lake). Private lands comprise the vast majority of lands in the Habitat block, but a few small parcels of Public/Quasi-Public Lands are also present. The Lakeview Mountains represent a large block of Habitat, which has a low P/A ratio and contains only 900 of the total approximately 7,150 acres as edge area.
- c. The dimensional data for Proposed Constrained Linkage 20 indicate a width ranging from approximately 1,500 to 4,500 feet.
- d. The project site is partially (approximately 1,252 acres) located in Cell Group L of SU-2, Lakeview Mountains. Conservation within Cell Group L will contribute to assembly of Proposed Constrained Linkage 20 and Proposed Noncontiguous Habitat Block 5. Conservation within this Cell Group will focus on a mosaic of Habitat types, including chaparral, coastal sage scrub, grassland, riparian scrub, woodland, and forest Habitat. Areas conserved within this Cell Group will be connected to chaparral and coastal sage scrub Habitat proposed for Conservation in Cells 2555 and 2767 and Cell Groups N, O, and P, all to the west, and in Cell Groups N and B' in the San Jacinto Valley Area Plan to the east; to riparian scrub, woodland, and forest Habitat and agricultural land proposed for Conservation in Cell Group K to the north; and to chaparral Habitat proposed for Conservation in Cell Group A' and Cells 2663 and 2768 in the San Jacinto Valley Area Plan to the east and in Cell 3187 in the San Jacinto Valley Area Plan to the south. Conservation within this Cell Group will range from 65% to 75% of the Cell Group. The project is proposing 902.2 acres of Conservation in this Cell group, or 22% (902 acres/4,160 acres) of the Cell Group Area. The 902 acres of Conservation equals 72% of the area impacted by the project (1,252 acres).
- e. Approximately 3.1 acres of the project site are located in Cell 2161. Conservation within Cell 2161 will contribute to assembly of Existing Core H. Conservation within this Cell will focus on playas/vernal pool Habitat associated with the San Jacinto River. Areas conserved within this Cell will be connected to playas/vernal pool Habitat proposed for Conservation in Cell 2066 to the north and in Cell Group J to the east. Conservation within this Cell will range from 45% to 55% of the Cell, focusing in the eastern portion of the Cell. The project site intersects the southern edge of this Cell; therefore, no Conservation is proposed in this Cell.
- f. Approximately 15.5 acres of the project site are located in Cell 2252. Conservation within Cell 2252 will contribute to assembly of Proposed Extension of Existing Core 4. Conservation within this Cell will focus on playas/vernal pool Habitat and agricultural land adjacent to the San Jacinto River. Areas conserved within this Cell will be connected to playas/vernal pool Habitat proposed for Conservation in Cell Group I to the southwest and in Cells 2251 to the west and 2349 to the south and to agricultural land proposed for Conservation in Cell 2253 to the east. Conservation within this Cell will range from



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Date: 6/16/08

40% to 50% of the Cell, focusing in the southern portion of the Cell. The project proposes approximately 15 acres of Conservation in this Cell.

- g. Approximately 108.4 acres of the project site are located in Cell 2253. Conservation within Cell 2253 will contribute to assembly of Proposed Extension of Existing Core 4. Conservation within this Cell will focus on agricultural land adjacent to the San Jacinto River. Areas conserved within this Cell will be connected to agricultural land proposed for Conservation in Cell 2252 to the west and 2349 to the southwest. Conservation within this Cell will range from 10% to 20% of the Cell, focusing in the southwestern portion of the Cell. The project site intersects the southwestern portion of this Cell; approximately 15 acres of the project area are proposed for Conservation in this Cell, which equates to approximately 14% of the Cell.
- h. Approximately 68.1 acres of the project site are located in Cell 2554. Conservation within Cell 2554 will contribute to assembly of Proposed Noncontiguous Habitat Block 5. Conservation within this Cell will focus on coastal sage scrub and chaparral Habitat. Areas conserved within this Cell will be connected to coastal sage scrub and chaparral Habitat proposed for Conservation in Cell 2555 to the east and in Cell Group M to the south and southeast. Conservation within this Cell will range from 40% to 50% of the Cell, focusing in the eastern portion of the Cell. The project coincides with the central and northeastern portion, which equates to approximately 68 acres in this Cell. Of the acreage intersecting with this Cell, approximately 16 acres are proposed for Conservation.
- i. Approximately 72.8 acres of the project site is located in Cell 2555. Conservation within Cell 2555 will contribute to assembly of Proposed Noncontiguous Habitat Block 5. Conservation within this Cell will focus on coastal sage scrub and chaparral Habitat. Areas conserved within this Cell will be connected to coastal sage scrub and chaparral Habitat proposed for Conservation in Cell 2554 to the west and in Cell Group M to the south and southwest. Conservation within this Cell will range from 60% to 70% of the Cell, focusing in the southern portion of the Cell. The project coincides with the central/north portion of this Cell. The project proposes approximately 9 acres of Conservation within this Cell.
- j. The proposed project is referred to as the Villages of Lakeview Specific Plan. The project contains agricultural areas, mountainous areas, and alkali playa areas associated with the San Jacinto River. The project includes approximately 984 acres of Conservation and approximately 1,791 acres of development. The project proposes Conservation within the Lakeview Mountains and the San Jacinto River Flood plain as well as areas associated with Proposed Linkage 20. Based on the materials submitted with the JPR, the project will set aside a 1,000-foot-wide corridor that will provide a linkage for wildlife moving from the Lakeview Mountains to the San Jacinto River. The project's provision for the linkage to be west of Bridge Street in a north–south alignment is consistent with the location identified in the MSHCP. The linkage area provided by the project consists of three areas: Conservation areas, open space associated with the existing Metropolitan Water District (MWD) aqueduct, and a proposed frontage road to be located immediately south of and parallel to Ramona Expressway. The frontage road will be constructed in a manner consistent with the Ramona Expressway to allow for the movement of wildlife along the corridor (either under the roadway, over the roadway, and/or across the roadway). Exact crossing methods are to be determined at a later date when engineering and design of



JPR #: <u>07 07 16 01</u>

Date: 6/16/08

the Ramona Expressway are further along. However, the Villages of Lakeview project will provide the associated acreage and provision for wildlife crossings. Given the project's Conservation footprint, the project parcel's location would not conflict with the Reserve Assembly in this area.

## Other Plan Requirements

#### Data:

Section 6.1.2 - Was Riparian/Riverine/Vernal Pool Mapping or Information Provided?

<u>Yes.</u> The MSHCP Compliance Report prepared by Glenn Lukos & Associates (GLA), dated December 19, 2007, indicates there are riverine/riparian areas on site. There are reported vernal pools and fairy shrimp Habitat on site.

Section 6.1.3 – Was Narrow Endemic Plant Species Survey Information Provided?

<u>Yes</u>. The project site is located within a Narrow Endemic Plant Species Survey Area (NEPSSA) for Munz's onion, San Diego ambrosia, many-stemmed dudleya, spreading navarretia, California Orcutt grass, and Wright's trichocoronis.

Section 6.3.2 – Was Additional Species Survey Information Provided?

Yes. The project site is located in a Criteria Area Species Survey Area (CASSA) for San Jacinto Valley crownscale, Davidson's saltbush, Parish's saltscale, thread-leaved brodiaca, smooth tarplant, round-leaved filaree, Coulter's goldfields, little mousetail, and mud nama as well as in an Additional Species Survey area for burrowing owl and Los Angeles pocket mouse.

Section 6.1.4 – Was Information Pertaining to Urban/Wildland Interface Guidelines Provided?

<u>Yes.</u> The property is located near Conservation areas.

#### Comments:

a. Section 6.1.2: Based on the MSHCP Compliance Report dated December 19, 2007, prepared by Glenn Lukos Associates (GLA), the project contains six natural drainage features which meet the definition of riverine features per Section 6.1.2, and five man-made drainage features which do not meet the definition of riverine or riparian under Section 6.1.2. No riparian vegetation associated with these six natural drainage features will be impacted by the project. According to Page 18 of the December 19, 2007, GLA report, "Although the Project will be impacting the lowermost portions of the drainage features, the Project almost entirely avoids the on-site portions of the watersheds that support these riverine features. However, the Project will develop along the toe-of-slope of the Lakeview Mountains, which will intercept flows from the watershed of the Lakeview Mountains and the associated drainage features. The Project will construct a series of debris basins and storm drain inlets to intercept storm flows.... Grading along the toe-of-slope (including the construction of stormwater facilities) will



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directly impact approximately 0.10 acre of MSHCP riverine features, consisting of the lowermost portions of four drainage features. These features exhibit a two- to three-foot-wide streambed, but do not support any riparian Habitat.... The unvegetated riverine features to be affected by the Project lack Habitat value for riparian resources, and they also lack other functions associated with the vegetated areas. However, along with the overall watershed, the unvegetated features do provide hydrologic function to aquatic resources supported in downstream receiving waters. Regardless, the project will not result in a loss of this hydrologic function. The Project's drainage plan will maintain flows across the property, such that flows to the San Jacinto Wildlife Area and the San Jacinto River will be maintained. All along the boundary with the San Jacinto Wildlife Area, the Project will be designed to match (or nearly so) the pre-Project conditions pertaining to hydrology and flow rates." Therefore, GLA concludes that although the project will result in 0.1 acre of impacts to riverine resources, the overall riverine function of the project will be maintained through the Project's stormwater drainage system and current flows from the Lakeview Mountains will still get to the San Jacinto River and Wildlife Area with the incorporation of the drainage facilities. Based on this, a DBESP was not prepared. Additionally, GLA identified 0.1 acre of vernal pools on site, located in the northwest portion of the site. The entire vernal pool area and its associated watershed will be included in the Project's Conservation area. Two years of wet season fairy shrimp surveys were conducted by GLA in 2003/2004 and 2004/2005 and no listed fairy shrimp were found as a result of these surveys. Therefore, because the project will maintain flows to downstream resources as a result of its drainage plan, thereby offsetting impacts to 0.1 acre of riverine resources, because no riparian vegetation will be impacted by the project, and because the vernal pool area and its watershed on site will be protected by the Conservation Area proposed, the project demonstrates compliance with Section 6.1.2 of the MSHCP.

- b. Section 6.1.3: GLA assessed the site for Habitat for the following NEPSSA species: Munz's onion, San Diego ambrosia, many-stemmed dudleya, spreading navarretia, California Orcutt grass, and Wright's trichocoronis. Suitable Habitat was identified on site for these plants; therefore, focused plant surveys were conducted during the appropriate flowering season for each of these plants in 2004 and 2005 by GLA. None of these plants were identified on the project site during that survey effort; therefore, the project demonstrates compliance with Section 6.1.3 of the MSHCP.
- c. Section 6.3.2: GLA assessed the site for suitable Habitat for the following CASSA species: San Jacinto Valley crownscale, Davidson's saltbush, Parish's saltscale, thread-leaved brodiaea, smooth tarplant, round-leaved filaree, Coulter's goldfields, little mousetail, and mud nama. GLA surveyed for these CASSA species during the appropriate season in 2004 and 2005. During their survey effort, only the Coulters goldfields, smooth tarplant, and thread-leaved brodiaea were found on site. No other CASSA plants were located on site. An estimated population of 10,000 individuals of Coulter's goldfields was identified in the northwest portion of the site near Ramona Expressway, the San Jacinto Wildlife Area, and in the alkali playa vernal pool area. It is reported that over 90% of this population of Coulter's goldfields is within the Conservation Area of the project. Smooth tarplant was identified in the same vicinity as the Coulter's goldfields populations, contained fully in the northwest corner of the project site. All areas identified by GLA in their 2004 and 2005 survey effort containing smooth tarplant populations will be conserved as part of the project. Four individuals of thread-leaved brodiaea were



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identified during the 2005 survey effort by GLA in the alkali playa vernal pool area of the site located in the northwest corner. The thread-leaved brodiaea plants will also be conserved as part of the project's MSHCP Conservation Area. The project site is also located in an Additional Species Survey Area for burrowing owl and Los Angeles pocket mouse. Based on the Results of Focused Borrowing Owl Survey dated June 21, 2007, prepared by GLA, Habitat assessments and focused breeding season surveys for the burrowing owl were conducted by GLA biologists on February 26, March 21, 22, and 28, April 3, 23, and 27, and May 3, 2007. During those surveys, there were no signs of owls or burrows detected on the project site. It is also noted that in 2004, focused surveys for burrowing owl were also negative. In 2004, trapping surveys were conducted by Philippe Vergne for Los Angeles pocket mouse for portions of the site located in the Los Angeles pocket mouse survey area. No Los Angeles pocket mice were trapped during this survey effort. Los Angeles pocket mouse trapping surveys occurred again on August 13 and 18, 2007. Two individuals were trapped during this effort. Locations are depicted on Exhibit 8 of the GLA December 19, 2007, MSHCP Compliance Report. One Los Angeles pocket mouse was trapped within the Los Angeles pocket mouse survey area; the other Los Angeles pocket mouse was found outside the Los Angeles pocket mouse survey area. As documented in GLA's Third Addendum to MSHCP Compliance Report dated May 21, 2008, Mr. Vergne identified approximately 6 acres of longterm Conservation value for the Los Angeles pocket mouse on the project site. This 6-acre area is located within a linear strip of Habitat extending east-west along the northwestern property boundary, immediately adjacent to the San Jacinto Wildlife Area. The remaining areas of the project site within the Los Angeles pocket mouse survey area do not have long-term Conservation value due to their depleted and disturbed state from decades of farming. Although the project contemplates a drainage channel to extend through the 6-acre strip of long-term Conservation value Habitat for the Los Angeles pocket mouse (see Exhibit 1 of the May 21, 2008, letter report), resulting in 0.49 acre of impact, there will still be 5.98 acres of Conservation remaining. The Los Angeles pocket mouse Conservation areas to be avoided by the project are 92% of the total 6-acre area; therefore, a DBESP is not warranted. Additionally, when the drainage channel is functioning it will be constructed in a manner to facilitate and not impede Los Angeles pocket mouse movement by having a soft bottom and soft slopes. Primarily based on the Conservation proposed by the project, the project demonstrates compliance with Section 6.3.2 of the MSHCP.

- d. Section 6.1.4: Conservation Areas will be located on and adjacent to the site. To preserve the integrity of areas dedicated as MSHCP Conservation Areas that are proposed to occur on and adjacent to this project, the guidelines contained in Section 6.1.4 related to controlling adverse effects for development adjacent to the MSHCP Conservation Area should be considered by the Permittee in their actions relative to the project. Specifically, the Permittee should include as project conditions of approval the following measures:
  - i. Incorporate measures to control the quantity and quality of runoff from the site entering the MSHCP Conservation Area. In particular, measures shall be put in place to avoid discharge of untreated surface runoff from developed and paved areas into MSHCP Conservation Areas.
  - ii. Land uses proposed in proximity to the MSHCP Conservation Area that use chemicals or generate bioproducts, such as manure, that are potentially toxic or may adversely affect wildlife species,



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Habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in discharge to the MSHCP Conservation Area. The greatest risk is from landscaping fertilization overspray and runoff.

- iii. Night lighting shall be directed away from the MSHCP Conservation Area to protect species within the MSHCP Conservation Area from direct night lighting. Shielding shall be incorporated in project designs to ensure ambient lighting in the MSHCP Conservation Area is not increased.
- iv. Proposed noise-generating land uses affecting the MSHCP Conservation Area shall incorporate setbacks, berms, or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations, and guidelines related to land use noise standards.
- v. Consider the invasive, non-native plant species listed in Table 6-2 of the MSHCP in approving landscape plans to avoid the use of invasive species for the portions of the project that are adjacent to the MSHCP Conservation Area. Considerations in reviewing the applicability of this list shall include proximity of planting areas to the MSHCP Conservation Areas, species considered in the planting plans, resources being protected within the MSHCP Conservation Area and their relative sensitivity to invasion, and barriers to plant and seed dispersal, such as walls, topography, and other features.
- vi. Proposed land uses adjacent to the MSHCP Conservation Area shall incorporate barriers, where appropriate, in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping into the MSHCP Conservation Areas. Such barriers may include native landscaping, rocks/boulders, fencing, walls, signage, and/or other appropriate mechanisms.
- vii. Manufactured slopes associated with the proposed site development shall not extend into the MSHCP Conservation Area.

**SNS** 



## **COUNTY OF RIVERSIDE**

## TRANSPORTATION AND LAND MANAGEMENT AGENCY

# **Environmental Programs Department**

Carolyn Syms Luna Director

July 2, 2008

Mr. Andrew Petitjean Lewis Operating Corporation 1156 N. Mountain Avenue Upland, CA 91785

Dear Mr. Petitjean:

Re: JPR 07-07-16-01 Determination Letter – Partial Conservation/HANS II not required

HANS No. 313 Case No. SP00342

Assessor's Parcel Number(s): See attached list

This letter is to inform you that the HANS determination for the subject property was forwarded to the Regional Conservation Authority (RCA) for Joint Project Review (JPR) pursuant to Section 6.6.2 of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). As stated on the attached "RCA JPR Review", the RCA has concurred with the County that partial conservation is described for this property (exhibit attached).

You may proceed with the planning process for the remainder of the property. Please note that this determination does not preclude compliance with any conditions incorporated into your final project approval.

If you have questions concerning the attached comments, please contact the EPD at (951) 955-6892.

Sincerely,

**ENVIRONMENTAL PROGRAMS DEPARTMENT** 

Michael Richard

**Ecological Resources Specialist** 

MR

xc: Karin Watts-Bazan, Deputy County Counsel

Greg Neal, EPD Monica Thill, EPD Ken Graff, RCA Sarah Lozano, RCA Stephanie Standerfer, RCA

Brian Beck, RCA

### NOTICE OF PUBLIC HEARING

and

#### INTENT TO CERTIFY AN ENVIRONMENTAL IMPACT REPORT

A PUBLIC HEARING has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the RIVERSIDE COUNTY PLANNING COMMISSION to consider the project shown below:

GENERAL PLAN AMENDMENT NO. 720, GENERAL PLAN AMENDMENT NO. 721, SPECIFIC PLAN NO. 342, CHANGE OF ZONE NO. 7055, DEVELOPMENT AGREEMENT NO. 73 - Applicant: Nuevo Development Corp. - Representative: Albert A. Webb Associates - Fifth Supervisorial District - Hemet-San Jacinto Zoning District - Lakeview Zoning District - Lakeview/Nuevo Area Plan - Rural: Rural Mountainous (R-RM) - Rural: Rural Residential (R-RR) - Rural Community: Very Low Density Residential (RC-VLDR) - Agriculture (AG) - Open Space: Conservation (OS-C) - Community Development: Very Low Density Residential (CD-VLDR) - Community Development: Low Density Residential (CD-LDR) - Community Development: Commercial Retail (CD-CR) - Community Development: Light Industrial (CD-LI) - Community Development: Highest Density Residential (CD-HHDR) - Location: either side of Ramona Expressway, generally easterly of Martin Street, westerly of Princess Ann Road, southerly of Marvin Road, and generally northerly of Brown Avenue - Zoning: Light Agriculture, 10-acre minimum (A-1-10) - Heavy Agriculture, 10-acre minimum (A-2-10) - Light Agriculture with Poultry (A-P), Scenic Highway Commercial (C-P-S) - Rural Commercial (C-R) - Manufacturing - Service Commercial (M-SC) - Residential Agricultural (R-A) - Residential Agricultural, 1-acre minimum (R-A-1) -Residential Agricultural, 10-acre minimum (R-A-10) - Residential Agricultural, 2 1/2-acre minimum (R-A-21/2) - Rural Residential (R-R) - One-Family Dwellings (R-1) - Highest Density Residential (R-7) - Natural Assets, 640-acre minimum lot size (N-A-640) - REQUEST: Specific Plan No. 342, also known as The Villages of Lakeview, proposes a maximum of 11,350 residential dwelling units and up to 70.5 acres of commercial uses to be constructed within eight (8) Specific Plan Villages on a total of 2,883 acres. General Plan Amendment No. 720 includes the following components: (1) a General Plan Technical Amendment; (2) General Plan Entitlement/Policy Amendment; (3) General Plan Foundation Component Amendment - Extraordinary; and (4) Agriculture Foundation Component Amendment. The Technical Amendment is needed to rectify errors related to mapping which resulted in inaccuracies related to areas within the Lakeview Mountains and those in the lowlands to reflect the actual topography for the area. The Entitlement/Policy Amendment proposes to change the underlying land use designations in the Lakeview/Nuevo Area Plan from Rural Mountainous, Rural Residential, Rural Community: Very Low Density Residential Agriculture, Open Space: Conservation, Very Low Density Residential, Low Density Residential, Commercial Retail, Light Industrial, and Highest Density Residential to those land use designations reflected in the Specific Plan land use plan. The Foundation Component Amendment – Extraordinary proposes to change the underlying Foundations from Rural, Rural Community, and Open Space to Community Development. The Agriculture Foundation Component Amendment proposes to change the underlying Foundation of Agriculture to Community Development. General Plan Amendment No. 721 proposes modifications to the Circulation Element of the General Plan. The project will include upgrading and downgrading numerous existing and proposed roadway classifications and trails shown on the current circulation element plan for the Lakeview/Nuevo Area Plan to match the circulation plan as proposed by the Specific Plan. Change of Zone No. 7055 proposes to change the zoning classification of the subject site from a mix of Light Agriculture, 10-acre minimum (A-1-10), Heavy Agriculture, 10-acre minimum (A-2-10), Light Agriculture with Poultry (A-P), Scenic Highway Commercial (C-P-S), Rural Commercial (C-R), Manufacturing - Service Commercial (M-SC), Residential Agricultural (R-A), Residential Agricultural, 1-acre minimum (R-A-1), Residential Agricultural, 10-acre minimum (R-A-10), Residential Agricultural, 2 1/2-acre minimum (R-A-21/2), Rural Residential (R-R), One-Family Dwellings (R-1), Highest Density Residential (R-7), and Natural Assets, 640-acre minimum lot size (N-A-640) to Specific Plan (SP) and adopt the associated Specific Plan zoning ordinance to establish the permitted uses and development standards for the Specific Plan Planning Areas. Development Agreement No. 73 proposes an agreement between the County of Riverside and the developer of the Specific Plan for development of the Villages of Lakeview. The Development Agreement has a term of 30 years and will grant the developer vesting rights to develop the Project in accordance with the terms of the agreement.

TIME OF HEARING: 9:00 a.m. or as soon as possible thereafter.

DATE OF HEARING: SEPTEMBER 6, 2017

PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER

BOARD CHAMBERS, 1ST FLOOR

4080 LEMON STREET, RIVERSIDE, CA 92501

For further information regarding this project please contact Project Planner Russell Brady at 951-955-3025 or e-mail <a href="mailto:rbrady@rivco.org">rbrady@rivco.org</a>, or go to the County Planning Department's Planning Commission agenda web page at <a href="http://planning.rctlma.org/PublicHearings.aspx">http://planning.rctlma.org/PublicHearings.aspx</a>.

The Riverside County Planning Department has determined that the above-described project has the potential to have a significant effect on the environment and has prepared an environmental impact report. Environmental Impact Report No. 471, which identifies all significant environmental effects, has been prepared in conjunction with the above referenced applications that constitute the proposed project. The Planning Commission will consider the proposed project, and the final environmental impact report, at the public hearing.

The case file for the proposed project, and the final environmental impact report, may be viewed Monday through Friday, from 8:00 A.M. to 5:00 P.M. at the Planning Department office, located at 4080 Lemon St. 12th Floor, Riverside, CA 92501.

Any person wishing to comment on the proposed project may do so in writing between the date of this notice and the public hearing; or, may appear and be heard at the time and place noted above. All comments received prior to the public hearing will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If this project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

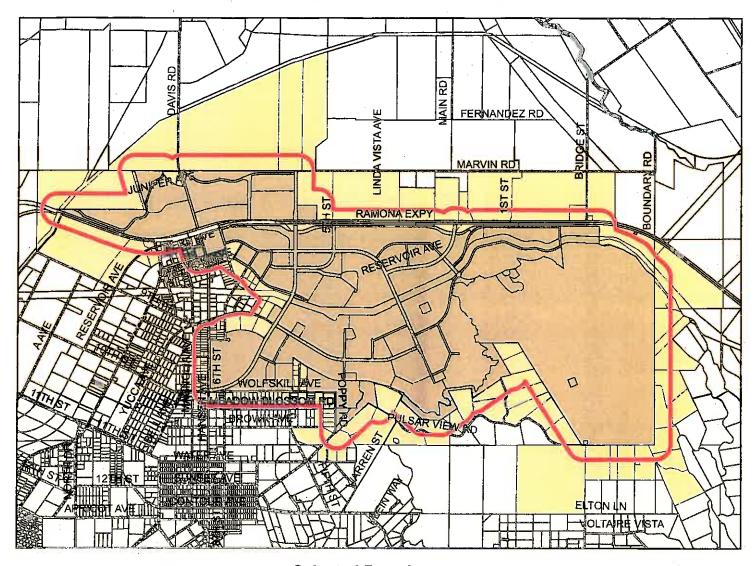
Please send all written correspondence to: RIVERSIDE COUNTY PLANNING DEPARTMENT Attn: Russell Brady

P.O. Box 1409, Riverside, CA 92502-1409

# PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN certify that on 7 28 2017
The attached property owners list was prepared by Riverside County GIS,
APN (s) or case numbers <u>CZOTO55</u> GPAOO721 SPOO342 For
Company or Individual's Name Planning Department,
Distance buffered 600'
Pursuant to application requirements furnished by the Riverside County Planning Department,
Said list is a complete and true compilation of the owners of the subject property and all other
property owners within 600 feet of the property involved, or if that area yields less than 25
different owners, all property owners within a notification area expanded to yield a minimum of
25 different owners, to a maximum notification area of 2,400 feet from the project boundaries,
based upon the latest equalized assessment rolls. If the project is a subdivision with identified
off-site access/improvements, said list includes a complete and true compilation of the names and
mailing addresses of the owners of all property that is adjacent to the proposed off-site
improvement/alignment.
further certify that the information filed is true and correct to the best of my knowledge. I
understand that incorrect or incomplete information may be grounds for rejection or denial of the
application.
NAME: Vinnie Nguyen
TITLE GIS Analyst
ADDRESS: 4080 Lemon Street 2 <sup>nd</sup> Floor
Riverside, Ca. 92502
TELEPHONE NUMBER (8 a.m. – 5 p.m.): (951) 955-8158

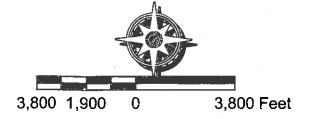
# CZ07055 GPA00720 SP00342 DA00073 (600 feet buffer)



# **Selected Parcels**

426-096-001	426-350-037	426-350-052	426-350-053	426-400-005	425-150-010	426-082-003	426-106-010	426-200-059	426-410-009	
426-122-009	426-105-013	426-095-001	426-380-001	426-380-021	426-340-071	426-105-026	426-096-008	426-160-052	426-210-038	
426-410-022	426-340-067	426-210-044	426-060-002	426-092-007	426-092-008	426-106-019	426-340-006	426-060-020	426-072-001	
425-240-014	425-240-019	425-240-021	425-250-001	425-250-002	425-250-005	425-250-006	425-250-011	425-250-016	425-250-019	
425-260-007	425-260-008	425-260-011	425-260-013	425-260-015	425-260-017	425-260-018	426-210-024	426-380-007	426-410-004	
426-410-021	426-340-070	426-122-007	426-105-025	425-190-018	426-030-022	426-410-006	426-400-019	426-095-003	426-104-002	
426-380-006	426-083-011	426-075-011	426-073-009	426-074-005	426-210-062	426-210-063	426-075-009	426-380-024	426-380-014	
426-104 <b>-</b> 014	426-210-015	426-410-005	426-410-028	426-340-077	426-340-033	426-073-002	426-093-014	425-170-028	425-230-022	
425-240-018	427-200-053	426-340-001	426-340-066	426-210-070	427-200-015	426-096-012	426-096-014	426-096-013	425-100-005	
426-105-008	426-400-010	426-350-034	426-104-012	426-340-032	426-210-050	426-093-007	426-340-068	426-083-009	426-106-011	
426-106-020	426-106-021	.426-350-041	426-350-042	426-350-043	426-350-044	426-075-010	426-105-023	426-112-010	426-340-072	
426-340-073	425-110-014	425-110-015	426-060-003	426-060-004	426-060-022	426-096-010	426-380-023	426-410-015	427-180-003	

# First 120 parcels shown



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.

ASMT: 425030010, APN: 425030010 STATE OF CALIFORNIA C/O DEPT OF FISH & GAME 330 GOLDEN SHORE STE 50 LONG BEACH CA 90802

ASMT: 425100019, APN: 425100019 ERIC BOERSMA, ETAL PO BOX 310 WINCHESTER CA 92596

ASMT: 425110009, APN: 425110009 PASTIME LAKES INV CO 34450 RAMONA EXPY LAKEVIEW CA 92567

ASMT: 425130011, APN: 425130011 WILMA OFFINGA P O BOX 1310 LAKEVIEW CA 92567

ASMT: 425130014, APN: 425130014 LAKEVIEW RANCH HOLDINGS 445 SOUTH D ST PERRIS CA 92570

ASMT: 425150009, APN: 425150009 ESSIE BOOTSMA, ETAL 32190 RAMONA EXY LAKEVIEW CA 92567

ASMT: 425150010, APN: 425150010 GRACIE GOYENETCHE, ETAL 6041 BRANDT RD BUTTONWILLOW CA 93206 ASMT: 425190006, APN: 425190006 SITL INV P O BOX 566 RIVERSIDE CA 92502

ASMT: 425190007, APN: 425190007 SSR INV CO 1930 ALPHA AVE SOUTH PASADENA CA 91030

ASMT: 425190018, APN: 425190018 SUSAN HUTTON, ETAL 32655 CADEN CT WINCHESTER CA 92596

ASMT: 425210012, APN: 425210012 SOUTHERN CALIFORNIA EDISON CO C/O C S REENDERS ASST COMPTROLLER P O BOX 800 ROSEMEAD CA 91770

ASMT: 425260001, APN: 425260001 RITA ONEILL, ETAL C/O JMO INC 26611 SOTELO MISSION VIEJO CA 92692

ASMT: 425260018, APN: 425260018 BLACKSTONE INV PROP IV P O BOX 5846 PORTLAND OR 97228

ASMT: 426020004, APN: 426020004 STATE OF CALIF C/O DEPT FISH & GAME 1416 NINTH ST RM 1206-22 SACRAMENTO CA 95814 ASMT: 426020005, APN: 426020005 ANN SWEENEY, ETAL 11687 ALLWOOD DR RIVERSIDE CA 92503 ASMT: 426072001, APN: 426072001 B HAMMERSCHMIDT, ETAL 207 EMERALD AVE NEWPORT BEACH CA 92662

ASMT: 426020006, APN: 426020006 SIX STONERIDGE LP C/O R ALBERT BECK 720 VIA ZAPATA RIVERSIDE CA 92507 ASMT: 426073002, APN: 426073002 DT 14 INC 19560 LAKEVIEW AVE NUEVO, CA. 92567

ASMT: 426020012, APN: 426020012 RIVERSIDE COUNTY FLOOD CONT 1995 MARKET ST RIVERSIDE CA 92501 ASMT: 426073008, APN: 426073008 VALLEY INLAND INV 26400 LA ALAMEDA STE 207 MISSION VIEJO CA 92691

ASMT: 426020015, APN: 426020015 RIVERSIDE COUNTY TRANSPORTATION COMP C/O MIN SAYSAY P O BOX 12008 RIVERSIDE CA 92502 ASMT: 426074002, APN: 426074002 MARGARET WALKER C/O WALKER LIVING TR P O BOX 202 LAKEVIEW CA 92567

ASMT: 426030022, APN: 426030022 COUNTY OF RIVERSIDE C/O REAL ESTATE DIVISION P O BOX 1180 RIVERSIDE CA 92502 ASMT: 426074003, APN: 426074003 SANDRA OLSEN, ETAL 7641 E CORTO RD ANAHEIM CA 92808

ASMT: 426060001, APN: 426060001 RIVERSIDE COUNTY TRANPORTATION COMM C/O RIGHT OF WAY DEPT 4080 LEMON ST 3RD FL RIVERSIDE CA 92502 ASMT: 426074004, APN: 426074004 KIMBERLY BOSS, ETAL 19589 MAGNOLIA AVE NUEVO, CA. 92567

ASMT: 426060022, APN: 426060022 GARY HARADA, ETAL P O BOX 6317 NORCO CA 92860 ASMT: 426074005, APN: 426074005 ANNA HICKS, ETAL P O BOX 567 2190 DEL MAR RD NORCO CA 92860 ASMT: 426074006, APN: 426074006 HUMBERTO VELAZCO 834 WINDSONG LN SAN JACINTO CA 92580 ASMT: 426075015, APN: 426075015 NATALIA CEDILLO, ETAL 19605 DATE ST NUEVO, CA. 92567

ASMT: 426074007, APN: 426074007 KARINA BARRAZA 19627 MAGNOLIA AVE NUEVO, CA. 92567 ASMT: 426082003, APN: 426082003 ALBERT PADIAS 3503 KNOXVILLE AVE LONG BEACH CA 90808

ASMT: 426075009, APN: 426075009 INEZ MCCALL, ETAL 19560 MAGNOLIA AVE NUEVO, CA. 92567 ASMT: 426083007, APN: 426083007 HY LINE INDIAN RIVER CO C/O HY LINE INTERNATIONAL 1755 WEST LAKES PKWY WEST DES MOINES IA 50266

ASMT: 426075010, APN: 426075010 MARY MILLER, ETAL PO BOX 847 NUEVO CA 92567 ASMT: 426083009, APN: 426083009 FRANK LAUDA C/O SANDRA PAGLIUSO 14550 MARTIN PL RIVERSIDE CA 92503

ASMT: 426075011, APN: 426075011 LUPE BURKE, ETAL 19604 MAGNOLIA ST NUEVO, CA. 92567 ASMT: 426083010, APN: 426083010 MARTINEZ CARLA MARIE TRUST, ETAL P O BOX 605 NUEVO CA 92567

ASMT: 426075012, APN: 426075012 MARIA QUINONEZ, ETAL 19628 MAGNOLIA ST NUEVO, CA. 92567 ASMT: 426083011, APN: 426083011 CYNTHIA GARCIA 11914 PEARL ST LOS ANGELES CA 90064

ASMT: 426075014, APN: 426075014 ALMA VILLALOBOS, ETAL P O BOX 408 NUEVO CA 92567 ASMT: 426083012, APN: 426083012 KRISHNA EXPRESS WAY CORP 4280 LAKE FALL CT RIVERSIDE CA 92505 ASMT: 426092004, APN: 426092004

JUDITH CABRAL 31050 PALM AVE NUEVO, CA. 92567 ASMT: 426093015, APN: 426093015 MIRIAM RIVERA 19680 MAGNOLIA ST NUEVO, CA. 92567

ASMT: 426092008, APN: 426092008

HELEN WALKER, ETAL P O BOX 1214

LAKEVIEW CA 92567

ASMT: 426093017, APN: 426093017 SHEILA ARRINGTON, ETAL 1270 EUGENIA TER LAWRENCEVILLE GA 30046

ASMT: 426093006, APN: 426093006

THERESA ZARAGOZA, ETAL

19711 DATE ST LAKEVIEW, CA. 92550 ASMT: 426093018, APN: 426093018

MARTHA ARIAS, ETAL 19670 MAGNOLIA ST LAKEVIEW, CA. 92550

ASMT: 426093007, APN: 426093007

MARIA PAEZ, ETAL 19701 DATE ST NUEVO, CA. 92567 ASMT: 426093019, APN: 426093019

JORGE ANDRES 19671 DATE ST LAKEVIEW, CA. 92550

ASMT: 426093011, APN: 426093011 ANDREW CARRINGTON, ETAL

19710 MAGNOLIA AVE LAKEVIEW CA 92567 ASMT: 426093020, APN: 426093020 NADINE PARSONS, ETAL

19681 DATE ST NUEVO, CA. 92567

ASMT: 426093013, APN: 426093013

JUANA DONDIEGO, ETAL C/O JUANA DON DIEGO 19700 MAGNOLIA AVE LAKEVIEW, CA. 92550 ASMT: 426095001, APN: 426095001

RAMONA TRUJILLO, ETAL 31045 PALM AVE

NUEVO, CA. 92567

ASMT: 426093014, APN: 426093014 MARILYN HENDRICKSON, ETAL

19690 MAGNOLIA AVE NUEVO, CA. 92567 ASMT: 426095002, APN: 426095002

LAURO LOPEZ

19755 MAGNOLIA AVE NUEVO, CA. 92567 ASMT: 426095003, APN: 426095003 RAQUEL CASTANEDA, ETAL 31090 LAKEVIEW AVE NUEVO, CA. 92567 ASMT: 426096011, APN: 426096011 ANTONIO NIETO, ETAL 31096 E LAKEVIEW AVE NUEVO, CA. 92567

ASMT: 426096001, APN: 426096001 CATALINA MENDOZA, ETAL P O BOX 745 NUEVO CA 92567 ASMT: 426096012, APN: 426096012 ELAINE CASTILLO 19745 DATE ST NUEVO, CA. 92567

ASMT: 426096003, APN: 426096003 RHONDA SUTTON, ETAL 19755 DATE ST NUEVO, CA. 92567 ASMT: 426096013, APN: 426096013 KIMBERLY BENJAMIN, ETAL 29950 MOONDANCE WAY MENIFEE CA 92586

ASMT: 426096004, APN: 426096004 ROBERTO SANTAANA 31015 SUNSET AVE NUEVO CA 92567 ASMT: 426096014, APN: 426096014 ELIAS CUBILLO 19740 MAGNOLIA ST NUEVO, CA. 92567

ASMT: 426096007, APN: 426096007 ROBERTO SILVA 19760 MAGNOLIA AVE NUEVO, CA. 92567 ASMT: 426096015, APN: 426096015 JOSE ANAYA 19750 MAGNOLIA ST NUEVO, CA. 92567

ASMT: 426096008, APN: 426096008 JESICA HERRERA, ETAL 1322 MT BALDY ST PERRIS CA 92570 ASMT: 426096016, APN: 426096016 JOSE RIVERA 31150 E LAKEVIEW AVE NUEVO, CA. 92567

ASMT: 426096010, APN: 426096010 LORI LUNA, ETAL 2440 W GREENACRE AVE ANAHEIM CA 92801 ASMT: 426096017, APN: 426096017 CARMELA ROMO, ETAL 1695 MURRIETA RD PERRIS CA 92571 ASMT: 426102005, APN: 426102005 KATHLEEN HAGLE, ETAL 4603 GRACE ST

SCHILLER PARK IL 60176

ASMT: 426104002, APN: 426104002

SHANNON BROWN, ETAL 31174 E LAKEVIEW AVE NUEVO, CA. 92567

ASMT: 426104003, APN: 426104003

ALFONSO FAUSTO, ETAL C/O ALFONSO FAUSTO 19731 HANSEN AVE NUEVO, CA. 92567

ASMT: 426104010, APN: 426104010

MARILYN MOE 19740 DATE ST NUEVO, CA. 92567

ASMT: 426104011, APN: 426104011

GONZALO CISNEROS, ETAL

19750 DATE ST NUEVO, CA. 92567

ASMT: 426104012, APN: 426104012

HILDA NIETO, ETAL 19744 DATE ST NUEVO, CA. 92567

ASMT: 426104014, APN: 426104014

NANCY RINCON, ETAL 19805 HANSEN AVE NUEVO, CA. 92567 ASMT: 426104016, APN: 426104016

MARCO GUERRERO 19795 HANSEN AVE NUEVO, CA. 92567

ASMT: 426104018, APN: 426104018

BRENDA FIERRO, ETAL 19751 HANSEN AVE NUEVO, CA. 92567

ASMT: 426104019, APN: 426104019

SANDY CIFUENTES, ETAL 19769 HANSEN AVE NUEVO, CA. 92567

ASMT: 426104020, APN: 426104020

MARCIA FELIX, ETAL 19801 HANSEN AVE NUEVO, CA. 92567

ASMT: 426104021, APN: 426104021

SUSANA CONTRERAS 19790 DATE ST NUEVO, CA. 92567

ASMT: 426104022, APN: 426104022

LESLIE MIRANDA, ETAL

19764 DATE ST NUEVO, CA. 92567

ASMT: 426105008, APN: 426105008

MARIA BERMUDES, ETAL

19734 HANSEN ST NUEVO, CA. 92567 ASMT: 426105009, APN: 426105009 ANDREA GARCIA, ETAL

P O BOX 1194

LAKEVIEW CA 92567

ASMT: 426105022, APN: 426105022

MATTHEW FREY 19805 CITRUS ST NUEVO, CA. 92567

ASMT: 426105010, APN: 426105010

LISA GOMEZ 19766 HANSEN AVE

NUEVO, CA. 92567

ASMT: 426105023, APN: 426105023

GABRIEL ESTRELLA 19791 CITRUS ST NUEVO, CA. 92567

ASMT: 426105013, APN: 426105013

AMPARO GARCIA 21950 NORTH DR NUEVO CA 92567 ASMT: 426105024, APN: 426105024

ROSAURA REYES, ETAL

4214 BELL AVE

BELL GARDENS CA 90201

ASMT: 426105014, APN: 426105014

ESTHER GOMEZ, ETAL 19780 HANSEN AVE NUEVO, CA. 92567 ASMT: 426105025, APN: 426105025

LINDSI BRADBURY, ETAL

19743 CITRUS ST NUEVO, CA. 92567

ASMT: 426105015, APN: 426105015

ALICIA RYE, ETAL 19794 HANSEN AVE LAKEVIEW CA 92567 ASMT: 426105026, APN: 426105026

NICOLE ORMONDE, ETAL 4943 ROUNDUP RD NORCO CA 92860

ASMT: 426105018, APN: 426105018

FRANCISCA MENDOZA, ETAL

19731 CITRUS ST NUEVO CA 92567 ASMT: 426106007, APN: 426106007

MARY LOPEZ, ETAL

P O BOX 85

LAKEVIEW CA 92567

ASMT: 426105020, APN: 426105020

MAGDALENA VILLALOBOS 22872 LITTLE RANCH CT NUEVO CA 92567 ASMT: 426106010, APN: 426106010

ESPERANZA SERNA, ETAL

23321 GONDOR DR

LAKE FOREST CA 92630

ASMT: 426106011, APN: 426106011 KRISTEN MARTINEZ, ETAL 29788 CITRUS ST LAKEVIEW CA 92567 ASMT: 426112010, APN: 426112010 DENISE HERRIFORD, ETAL P O BOX 1420 LAKEVIEW CA 92567

ASMT: 426106012, APN: 426106012 STELLA SERNA, ETAL 19767 ORANGE ST NUEVO, CA. 92567 ASMT: 426121001, APN: 426121001 LAKEVIEW BAPTIST CHURCH 31197 E LAKEVIEW AVE NUEVO, CA. 92567

ASMT: 426106018, APN: 426106018 GUADALUPE LOPEZ, ETAL PO BOX 284 NUEVO CA 92567 ASMT: 426122002, APN: 426122002 MARIA PELAYO, ETAL 31285 E LAKEVIEW AVE LAKEVIEW, CA. 92550

ASMT: 426106019, APN: 426106019 MARIA LOYD, ETAL 31254 ELECTRIC AVE NUEVO CA 92567 ASMT: 426122007, APN: 426122007 MARIA BORJA, ETAL 19856 HANSEN ST LAKEVIEW, CA. 92550

ASMT: 426106020, APN: 426106020 KRISTEN MARTINEZ, ETAL 19788 CITRUS ST LAKEVIEW CA 92567 ASMT: 426122009, APN: 426122009 AMADOR FERNANDEZ 19815 ORANGE ST NUEVO, CA. 92567

ASMT: 426106021, APN: 426106021 FRANKLIN SERNA 41556 WHITTIER AVE HEMET CA 92544 ASMT: 426122010, APN: 426122010 RODOLFO BECERRA 19825 ORANGE ST NUEVO, CA. 92567

ASMT: 426112007, APN: 426112007 KENNETH ARMSTRONG P O BOX 1015 NUEVO CA 92567 ASMT: 426122011, APN: 426122011 OLGA GUTIERREZ, ETAL P O BOX 1069 NUEVO CA 92567 ASMT: 426122012, APN: 426122012

SAUL MENDEZ 19845 ORANGE ST NUEVO, CA. 92567

WANDA ARMSTRONG 19950 6TH ST

NUEVO, CA. 92567

ASMT: 426140044, APN: 426140044

CHRISTINE OLIVAS, ETAL

P O BOX 382

**NUEVO CA 92567** 

ASMT: 426160045, APN: 426160045 KAYLYNN TANGUAY, ETAL

ASMT: 426160037, APN: 426160037

19998 TAKAJIMA RD NUEVO, CA. 92567

ASMT: 426140045, APN: 426140045

MARY JOHNSON 19856 ORANGE ST NUEVO CA 92567 ASMT: 426160046, APN: 426160046

JULIA MARUYAMA P O BOX 529 **NUEVO CA 92567** 

ASMT: 426150005, APN: 426150005

MARY JOHNSON 19865 ORANGE ST **NUEVO CA 92567**  ASMT: 426160050, APN: 426160050 NUEVO MUTUAL WATER COMPANY

30427 11TH ST **NUÉVO CA 92567** 

ASMT: 426150006, APN: 426150006

MOLLY OCHOA, ETAL 19710 ORANGE ST LAKEVIEW, CA. 92550 ASMT: 426160052, APN: 426160052

**BIRGIT MCKEE, ETAL** 31935 LAKEVIEW AVE NUEVO, CA. 92567

ASMT: 426150007, APN: 426150007

DIANA DURAN, ETAL 31400 LAKEVIEW AVE NUEVO, CA. 92567

ASMT: 426160056, APN: 426160056

MARTIN OCHOA

31945 LAKEVIEW AVE E NUEVO, CA. 92567

ASMT: 426160018, APN: 426160018

CHI JU, ETAL

9801 OCEAN CREST DR

HUNTINGTON BEACH CA 92646

ASMT: 426160057, APN: 426160057

MWD

C/O ASSEST MANAGEMENT

P O BOX 54153

LOS ANGELES CA 90054

ASMT: 426200014, APN: 426200014 LORI FOLEY, ETAL P O BOX 99 EMERADO ND 58228 ASMT: 426200060, APN: 426200060 LESLIE VELASQUEZ, ETAL 20473 MIKE LN NUEVO, CA. 92567

ASMT: 426200015, APN: 426200015 MARGARET RYAN, ETAL 5488 WINDMILL LANE FREELAND WA 98249 98249 ASMT: 426200061, APN: 426200061 LORENZA MORELOS 20495 MIKE LN NUEVO, CA. 92567

ASMT: 426200017, APN: 426200017 NUEVO DEV CO C/O LEWIS OPERATING CORP 1156 N MOUNTAIN AVE UPLAND CA 91786 ASMT: 426200062, APN: 426200062 STEPHENIE DAVIS, ETAL 20525 MIKE LN NUEVO, CA. 92567

ASMT: 426200056, APN: 426200056 PEARL SEVILLA 30755 MIKE LN LAKEVIEW CA 92567 ASMT: 426200063, APN: 426200063 KATHY WELLS 20555 MIKE LN NUEVO, CA. 92567

ASMT: 426200057, APN: 426200057 JOSE SEVILLA 20305 MIKE LN NUEVO CA 92567 ASMT: 426210015, APN: 426210015 XOCHITL RAMOS, ETAL 31265 WOLFSKILL AVE LAKEVIEW, CA. 92550

ASMT: 426200058, APN: 426200058 PATRICIA RICKARD, ETAL 20425 MIKE LN NUEVO, CA. 92567 ASMT: 426210024, APN: 426210024 BOBBY WESTBROOK 29715 MERRELL AVE NUEVO CA 92567

ASMT: 426200059, APN: 426200059 ALEX PEREZ 3933 PIERCE ST APT 585 RIVERSIDE CA 92505 ASMT: 426210037, APN: 426210037 RUTHANN DOUGLAS 20651 6TH ST NUEVO CA 92567 ASMT: 426210038, APN: 426210038 TAMMY DYCK, ETAL 20635 6TH ST NUEVO, CA. 92567

ASMT: 426210039, APN: 426210039 ADELA GONZALEZ, ETAL 20611 6TH ST NUEVO, CA. 92567

ASMT: 426210040, APN: 426210040 MARGARET JACKSON, ETAL 31141 WOLFSKILL AVE LAKEVIEW CA 92567

ASMT: 426210041, APN: 426210041 LAURALEE QUINN, ETAL 894 CARMEN CT LA VERNE CA 91750

ASMT: 426210044, APN: 426210044 MERIS MRAD, ETAL 20686 HANSEN AVE NUEVO, CA. 92567

ASMT: 426210050, APN: 426210050 FIDENCIO DELEON 2055 PINE AVE LONG BEACH CA 90806

ASMT: 426210061, APN: 426210061 STORME SILVERCLOUD 20685 HANSEN AVE NUEVO, CA. 92567 ASMT: 426210062, APN: 426210062 DANIEL HOGAN 20715 HANSEN AVE NUEVO, CA. 92567

ASMT: 426210063, APN: 426210063 ROSA MARTINEZ, ETAL 20741 HANSEN AVE NUEVO, CA. 92567

ASMT: 426210069, APN: 426210069 ELISA LOPEZ, ETAL P O BOX 1136 NUEVO CA 92567

ASMT: 426210070, APN: 426210070 DIANE SHOTT, ETAL 31260 MEADOW BLOSSOM DR NUEVO, CA. 92567

ASMT: 426210071, APN: 426210071 JESSE ESQUIVEL, ETAL 31270 MEADOW BLOSSOM DR NUEVO, CA. 92567

ASMT: 426340004, APN: 426340004 RYAN PAINTER P O BOX 658 NUEVO CA 92567

ASMT: 426340005, APN: 426340005 PEDRO DELUCAS 31559 WOLFSKILL AVE NUEVO, CA. 92567 ASMT: 426340006, APN: 426340006 BERENICE TORRES 1601 W 17TH ST APT F2 140

SANTA ANA CA 92706

ASMT: 426340014, APN: 426340014 JOSEFINA RODRIGUEZ. ETAL

31721 WOLFSKILL AVE NUEVO, CA. 92567

ASMT: 426340015, APN: 426340015

BASILIO ARAMBILLET, ETAL

P O BOX 249

**NUEVO CA 92567** 

ASMT: 426340032, APN: 426340032

ROSE PENA, ETAL 1053 E WHILEAWAY RD PARK CITY UT 84098

ASMT: 426340033, APN: 426340033

CHRISTINE LOVE, ETAL 31639 WOLFSKILL AVE NUEVO, CA. 92567

ASMT: 426340036, APN: 426340036

MARIA GONZALEZ, ETAL 31659 WOLFSKILL AVE NUEVO, CA. 92567

ASMT: 426340037, APN: 426340037

ROY LETCHWORTH

P O BOX 691

**NUEVO CA 92567** 

ASMT: 426340066, APN: 426340066

EDWARD ALLMOND 31415 WOLFSKILL AVE NUEVO CA 92567

ASMT: 426340067, APN: 426340067

JUAN CORTEZ, ETAL 341 CAMINO DE LA LUNA PERRIS CA 92571

ASMT: 426340068, APN: 426340068

MARIA AGUILAR, ETAL

31560 MEADOW BLOSSOM RD

NUEVO, CA. 92567

ASMT: 426340069, APN: 426340069

INTERNATIONAL ARMOR CORP

1315 CALLE AVANZADO SAN CLEMENTE CA 92673

ASMT: 426340070, APN: 426340070

CHARLES COUGHLIN

P O BOX 5022

RIVERSIDE CA 92517

ASMT: 426340071, APN: 426340071

ANGELA JAVIER

31609 WOLFSKILL AVE

NUEVO, CA. 92567

ASMT: 426340073, APN: 426340073

BONNIE TUCKER, ETAL

15419 2600 RD

CEDAREDGE CO 81413

ASMT: 426340074, APN: 426340074 MARISSA MCGINTY, ETAL PO BOX 1090 NUEVO CA 92567

ASMT: 426340075, APN: 426340075 ARLEEN HERTIG, ETAL P O BOX 103 NUEVO CA 92567

ASMT: 426340076, APN: 426340076 KAY FECKO, ETAL PO BOX 305 NUEVO CA 92567

ASMT: 426340077, APN: 426340077 MARY HANSON, ETAL 31740 MEADOW BLOSSOM RD NUEVO CA 92567

ASMT: 426340078, APN: 426340078 KAY MCGINTY, ETAL P O BOX 1090 NUEVO CA 92567

ASMT: 426350002, APN: 426350002 HOLLY HAYNES, ETAL 31810 MEADOW BLOSSOM RD NUEVO, CA. 92567

ASMT: 426350011, APN: 426350011 PATRICIA RICKARD, ETAL 32205 MEADOW BLOSSOM RD NUEVO, CA. 92567 ASMT: 426350034, APN: 426350034 FELIPA HURTADO, ETAL P O BOX 644 NUEVO CA 92567

ASMT: 426350035, APN: 426350035 HERMAN FARMER, ETAL 20680 BLUEBONNET RD NUEVO, CA. 92567

ASMT: 426350036, APN: 426350036 TONI MORELOCK, ETAL 32220 MEADOW BLOSSOM RD NUEVO, CA. 92567

ASMT: 426350044, APN: 426350044 BARBARA HAVENS, ETAL 2139 ARCHDALE RIVERSIDE CA 92506

ASMT: 426350047, APN: 426350047 AVRIL WOOD, ETAL 5520 SMOKEY MOUNTAIN WAY YORBA LINDA CA 92887

ASMT: 426350048, APN: 426350048 CARI MAYFIELD, ETAL 20690 HAVENHURST DR NUEVO, CA. 92567

ASMT: 426350049, APN: 426350049 HOLLY DIMES, ETAL 36188 BLUE HILL BEAUMONT CA 92223 ASMT: 426350050, APN: 426350050 ANITA RODRIGUEZ, ETAL 20610 HAVENHURST DR NUEVO, CA. 92567 ASMT: 426380004, APN: 426380004 MAGGIE FOSNOT, ETAL 20385 HANSEN AVE NUEVO, CA. 92567

ASMT: 426350051, APN: 426350051 CANDACE HAMLET, ETAL 20630 HAVENHURST DR NUEVO, CA. 92567 ASMT: 426380005, APN: 426380005 MARCO VALDOVINOS 1231 E EVANS ST SAN JACINTO CA 92583

ASMT: 426350052, APN: 426350052 ALBARO NUNEZ 32223 MEADOW BLOSSOM RD NUEVO, CA. 92567 ASMT: 426380006, APN: 426380006 CYNTHIA CARUSO 20425 HANSEN AVE NUEVO, CA. 92567

ASMT: 426350053, APN: 426350053 EPIFANIO AISPURO, ETAL 412 E CENTER ST POMONA CA 91767 ASMT: 426380007, APN: 426380007 KIMBERLY CROOKSHANK, ETAL 20445 HANSEN ST NUEVO, CA. 92567

ASMT: 426350055, APN: 426350055 MUNIR INNABI, ETAL 215 E JOAN DE ARC PHOENIX AZ 85022 ASMT: 426380008, APN: 426380008 VELMA STRINGER, ETAL P O BOX 1219 NUEVO CA 92567

ASMT: 426370005, APN: 426370005 SCK POULTRY RANCHES 331 W CITRUS ST COLTON CA 92324 ASMT: 426380010, APN: 426380010 LECIA FELICIANO 20480 MAGNOLIA AVE LAKEVIEW CA 92567

ASMT: 426380001, APN: 426380001 TERESA CARRILLO, ETAL P O BOX 1190 LAKEVIEW CA 92567 ASMT: 426380011, APN: 426380011 ROXANA FERLA, ETAL 20475 HANSEN AVE NUEVO, CA. 92567 ASMT: 426380012, APN: 426380012 CORA CHRISMAN, ETAL 20501 HANSEN AVE NUEVO, CA. 92567 ASMT: 426380021, APN: 426380021 TERESA CARRILLO, ETAL 20420 MAGNOLIA AVE LAKEVIEW, CA. 92550

ASMT: 426380013, APN: 426380013 PAUL MUNOZ 20500 MAGNOLIA AVE NUEVO, CA. 92567 ASMT: 426380022, APN: 426380022 RONIE DOWNEY 20406 MAGNOLIA AVE LAKEVIEW, CA. 92550

ASMT: 426380014, APN: 426380014 KAREN MEYER, ETAL 20530 MAGNOLIA AVE PERRIS CA 92567 ASMT: 426380023, APN: 426380023 ROSE RODRIGUEZ, ETAL P O BOX 1171 LAKEVIEW CA 92567

ASMT: 426380015, APN: 426380015 RAYMUNDO TALAVERA 20533 HANSEN AVE NUEVO, CA. 92567 ASMT: 426380024, APN: 426380024 DEBORAH KEENAN, ETAL 20550 MAGNOLIA AVE NUEVO, CA. 92567

ASMT: 426380016, APN: 426380016 LESLIE BOOTSMA, ETAL 20565 HANSEN AVE NUEVO CA 92567 ASMT: 426380025, APN: 426380025 TERRY TORRES, ETAL 20590 MAGNOLIA AVE NUEVO, CA. 92567

ASMT: 426380017, APN: 426380017 PAMELA KNICKERBOCKER, ETAL 20587 HANSEN AVE LAKEVIEW, CA. 92550 ASMT: 426380026, APN: 426380026 DONNA FIERRO, ETAL 20365 HANSEN AVE NUEVO CA 92567

ASMT: 426380018, APN: 426380018 DAVID GUTIERREZ, ETAL 20595 HANSEN AVE NUEVO, CA. 92567 ASMT: 426400002, APN: 426400002 JOSE FRANCO 31305 YUCCA AVE NUEVO CA 92567 ASMT: 426400005, APN: 426400005

ALBERT ANGULO 31331 YUCCA AVE NUEVO, CA. 92567 ASMT: 426400017, APN: 426400017 MARTIN LOPEZ 26585 PLACENTIA AVE PERRIS CA. 92571

ASMT: 426400008, APN: 426400008

DAVID LUKER, ETAL P O BOX 1358 LAKEVIEW CA 92567 ASMT: 426400019, APN: 426400019 MARIA ANGUIANO, ETAL 20131 6TH ST NUEVO, CA. 92567

ASMT: 426400010, APN: 426400010 AURORA MORALES, ETAL

20150 HANSEN AVE NUEVO, CA. 92567 ASMT: 426400020, APN: 426400020 JOSEFINA MAYORAL 51 DEL PIZZOLI LAKE ELSINORE CA 92532

ASMT: 426400011, APN: 426400011

JENNIFER GERKE 20170 HANSEN AVE NUEVO, CA. 92567 ASMT: 426400021, APN: 426400021 PHYLLIS WHITAKER, ETAL P O BOX 76 NUEVO CA 92567

ASMT: 426400014, APN: 426400014 VICTORIA CIFUENTES, ETAL

20190 HANSEN AVE NUEVO, CA. 92567 ASMT: 426400022, APN: 426400022 MARGARET WALDEN, ETAL PO BOX 1078 SPRINGVILLE CA 93265

ASMT: 426400015, APN: 426400015

NUEVO DEV CO P O BOX 670 UPLAND CA 91785 ASMT: 426400023, APN: 426400023 NICHOLAS BRUNO P O BOX 342 NUEVO CA 92567

ASMT: 426400016, APN: 426400016

MARTIN LOPEZ 20640 EUREKA ST PERRIS CA 92571 ASMT: 426410001, APN: 426410001 SHELLEY WILSON 20071 HANSEN AVE NUEVO, CA. 92567 ASMT: 426410002, APN: 426410002 ROSALEE CHAMALBIDE 20081 HANSEN AVE

20081 HANSEN AVE NUEVO, CA. 92567

ASMT: 426410003, APN: 426410003

NANCY CORTEZ P O BOX 1375 NUEVO CA 92567

ASMT: 426410004, APN: 426410004

MARIA MUNOZ, ETAL 31195 YUCCA AVE NUEVO CA 92567

ASMT: 426410005, APN: 426410005

DENNIS MANKA 31177 YUCCA AVE NUEVO, CA. 92567

ASMT: 426410006, APN: 426410006

ADELINA PETREE, ETAL 31155 YUCCA AVE NUEVO, CA. 92567

ASMT: 426410008, APN: 426410008

VICTORIA DOYLE, ETAL 1621 NW LACAMAS DR CAMAS WA 98607

ASMT: 426410009, APN: 426410009

ALMA VALENZUELA 20139 HANSEN AVE NUEVO CA 92567 ASMT: 426410010, APN: 426410010

BEVERLY SIMPSON, ETAL 20159 HANSEN AVE NUEVO, CA. 92567

ASMT: 426410011, APN: 426410011

THOMAS SIMCOX, ETAL 20171 HANSEN AVE NUEVO, CA. 92567

ASMT: 426410012, APN: 426410012

DANNY NEILL, ETAL 20221 HANSEN AVE NUEVO, CA. 92567

ASMT: 426410014, APN: 426410014

MANUELA APACHE 20200 MAGNOLIA AVE NUEVO, CA. 92567

ASMT: 426410015, APN: 426410015

GRETCHEN REYNOLDS 20245 HANSEN AVE NUEVO, CA. 92567

ASMT: 426410016, APN: 426410016

LOUIS SOTO 20271 HANSEN AVE NUEVO, CA. 92567

ASMT: 426410017, APN: 426410017

RENE LOPEZ 20240 MAGNOLIA AVE NUEVO, CA. 92567 ASMT: 426410018, APN: 426410018 PATRICIA PALACIOS, ETAL 20280 MAGNOLIA AVE NUEVO, CA. 92567 ASMT: 426410027, APN: 426410027 MARIA CASTRO P O BOX 892 NUEVO CA 92567

ASMT: 426410019, APN: 426410019 HOMAR AGUIRRE 20285 HANSEN AVE NUEVO, CA. 92567 ASMT: 426410028, APN: 426410028 DENNIS MANKA 20120 MAGNOLIA AVE NUEVO, CA. 92567

ASMT: 426410020, APN: 426410020 SHIRLEY SEWARD 20301 HANSEN AVE NUEVO, CA. 92567 ASMT: 427140026, APN: 427140026 BEVERLY SHACKFORD, ETAL PO BOX 1176 NUEVO CA 92567

ASMT: 426410021, APN: 426410021 CESAR DELGADO 20321 HANSEN AVE NUEVO, CA. 92567 ASMT: 427140033, APN: 427140033 NELIDA JOVERO 32200 WATER AVE NUEVO, CA. 92567

ASMT: 426410022, APN: 426410022 RENEE GARCIA, ETAL 31210 LAURENA AVE NUEVO, CA. 92567 ASMT: 427140054, APN: 427140054 SHIRLEY YERTON P O BOX 836 NUEVO CA 92567

ASMT: 426410023, APN: 426410023 PETER MCNEIL P O BOX 1195 NUEVO CA 92567 ASMT: 427180003, APN: 427180003 GU YUAN EDIBLE FUNGI TECHNOLOGY 20115 DONWAY DR WALNUT CA 91789

ASMT: 426410024, APN: 426410024 NANCY SMITH, ETAL P O BOX 1333 LAKEVIEW CA 92567 ASMT: 427200015, APN: 427200015 LUDIVINA MENDOZA, ETAL 21050 ELTON LN NUEVO, CA. 92567 ASMT: 427200044, APN: 427200044 WESTERN RIVERSIDE CO REGIONAL CONS AI C/O DEPT OF FAC MGT 3133MISSION INN AVE RIVERSIDE CA 92507

ASMT: 427200049, APN: 427200049 WESTERN RIVERSIDE CO REGIONAL CONS AI C/O DEPT OF FAC MGT 3133 MISSION INN AVE RIVERSIDE CA 92507

ASMT: 427200053, APN: 427200053 EASTERN MUNICIPAL WATER DIST P O BOX 8300 PERRIS CA 92572

ASMT: 427200054, APN: 427200054 HADLEY HOLDINGS C/O SCOTT C HADLEY 31902 AVENIDA EVITA SAN JUAN CAPISTRANO CA 92675

## SP00342

Drew Feldman Conservation Chair San Bernardino Valley Audubon Society PO Box 10973 San Bernardino, CA 92423 Joe Bourgeois PO Box 79222 Corona, CA 92877

Jackie Nouwels 19955 Takajima Rd Lakeview, CA 92567 Dan Silver Endangered Habitats League 8424 Santa Monica Blvd. Suite A 592 Los Angeles, CA 90069-4267

Ann Turner McKibben 23296 Sonnet Drive Moreno Valley, CA 92557-5403

Janet Laurain Adams Broadwell Joseph & Cardozo 601 Gateway Blvd., Suite 1000 South San Francisco, CA 94080

Travis Abeyta Chapter Network Manager – Southern California Audubon California 4700 N. Griffin, Los Angeles, CA 90031

# Agricultural Commissioner's Office, Riverside County

John Snyder, Agricultural Commissioner 4080 Lemon St., Room 19, Basement Riverside, CA 92502-1089

#### Audubon California

Travis Abeyta, Chapter Network Manager -Southern California 4700 N. Griffin Los Angeles, CA 90031

## California Department of Conservation

CEQA Review 801 K Street, MS 24-01 Sacramento, CA 95814-3500

## California Department of Parks & Recreation

Office of Historic Preservation 1416 9th St., Rm 1442 Sacramento, CA 95814

## California Department of Toxic Substance Control

Greg Holmes 5796 Corporate Avenue Cypress, CA 90630

## California Office of Emergency Services

CEQA Review 3650 Schriever Ave Mather, CA 95655

# California State Assembly 61st District

Assembly Member Jose Medina 137 N. Perris Blvd, Suite 15 Perris, CA

# California State Representatives 36th District

Representative Raul Ruiz 445 East Florida Ave - 2nd Floor Hemet, CA

#### California State Senate, 31st District

Senator Richard D. Roth 3737 Main Street, Suite 104 Riverside, CA

# **CALTRANS, District #8**

CEQA Review 464 W. 4th St., 6th Floor San Bernardino, CA 92401-1400

## Agua Caliente Bank of Cahuilla Indians

Tom Davis, Chief Planning & Development
Officer
5401 Dinah Shore Drive

Palm Springs, CA 92264

#### **Brow Tree and Garden**

Steve Brow 22070 Horseshow Trail Nuevo, CA

## California Department of Fish and Wildlife, Inland Desert Region

Leslie MacNair 3602 Inland Empire Blvd., Ste. C-220 Ontario, CA 91764

# California Department of Parks & Recreation, Inland Empire District

Alissa Ing 17801 Lake Perris Drive Perris, CA 92571

## California Department of Toxic Substance Control

Ken Chiang 1449 W. Temple Street, RM 105 Los Angeles, CA 90026

# California Regional Water Quality Control Board - Santa Ana Region

Mark G. Adelson, Chief, Regional Planning Programs Section 3737 Main Street, Ste 500 Riverside, CA

## California State Assembly 67th District

Assembly Member Melissa A. Melendez 41391 Kalmia Street, Suite 220 Murrieta, CA

# California State Representatives 42nd District

Representative Ken Calvert
4160 Temescal Canyon Rd., Ste. 214
Corona, CA

## California State Water Resources Control Board

Nadell Gayou 1001 | St. Sacramento, CA 95814-2828

## **Center for Biological Diversity**

Jonathan Evans, Staff Attorney 1212 Broadway St, St. #800 Oakland, CA 94612

#### AT&T

Maryann Cassaday 3939 E. Coronado, 2nd Floor Anaheim, CA 92807

# **Building Industry Assoc. of Southern California**

Mark Knorringa, Executive Officer 3891 11th Street Riverside, CA 92501

## California Department of Parks & Recreation

Gary Watts 17801 Lake Perris Drive Perris, CA 92571

## California Department of Parks & Recreation, Inland Empire District

Enrique Arroyo 17801 Lake Perris Drive Perris, CA 92571

## **California Native Plant Society**

Katie Borrows 2161 Concord Avenue Ontario, CA 91761

# California State Assembly 42nd District

Assembly Member Chad Mayes 41608 Indian Trail Rd, Suite D-1 Rancho Mirage, CA

## California State Dept. of Water Resources

CEQA Review 1416 9th Street Sacramento, CA 95814

## California State Senate, 23rd District

Senator Mike Morrell

10350 Commerce Center Dr., Suite A-220
Rancho Cucamonga, CA

## California Waterfowl Association

*Jake Messerli* 1346 Blue Oaks Blvd. Roseville, CA 95678

## CHP, #840

CEQA Review 8118 Lincoln Ave. Riverside, CA 92504

## City of Banning, Community Development Dept.

Brian Guillot, Community Development Director 99. E. Ramsey St. Banning, CA 92220-0090

## City of Calimesa, Community Development Dept.

Kieth Gardner, Community Development Director

908 Park Avenue

# City of Coachella, Community Development Dept.

Luis Lopez, Development Services Director 1515 Sixth St. Coachella, CA 92236

## City of Desert Hot Springs, Community Development Dept.

Nathan Bouvet, Director of Community Development 65-950 Pierson Blvd. Desert Hot Springs, CA 92240

# City of Indio, Community Development Dept.

Les Johnson, Development Services Director 100 Civic Center Mall Indio, CA 92201

# City of Moreno Valley, Parks & Community Service Department

Gabriel Garcia, Parks and Community Services
Director

14177 Frederick St. Moreno Valley, CA

## City of Norco

Steve King, Planning Director 2870 Clark Ave. Norco, CA 92860

## City of Perris, Planning Dept.

Clara Miramontes, Director of Development Services

101 N. D St.

Perris, CA 92570-1917

## City of Riverside, Planning Dept.

Rafael Guzman, Community & Economic
Development Director
3900 Main St. 3rd Floor
Riverside, CA 92522

#### **Community Service District 93**

CEQA Review 13671 Frederick Ave. Edgemont, CA 92508

## City of Beaumont, Planning Dept.

Rebecca Deming, Community Development
Director
550 E. Sixth St.

Beaumont, CA 92223

## City of Canyon Lake

Aaron Palmer, City Manager 31516 Railroad Canyon Rd. Canyon Lake, CA 92587

#### City of Corona

Jonathan Daly
755 Corporation Yardway
Corona, CA 92880

#### City of Hemet, Development Services

Deanna Elliano, Community Development
Director
445 E. Florida Ave.

Hemet, CA 92543

#### City of La Quinta

Tim Jonasson, Design and Development Director
/ City Engineer
78-495 Calle Tampico
La Quinta, CA

# City of Moreno Valley, Planning Dept.

Richard Sandzimier, Planning Official 14177 Frederick St. Moreno Valley, CA

# City of Palm Desert, Community Development & Planning Dept.

Planning Director 73-510 Fred Waring Dr. Palm Desert, CA 92260

# City of Rancho Mirage, Community Development Dept.

Bud Kopp, Planning Manager 69-825 Hwy. 111 Rancho Mirage, CA 92270

# City of San Jacinto, Community Development Dept.

Sharon Paisley, Development Director 595 S. San Jacinto Ave., Building A San Jacinto, CA 92583

#### County of Imperial, Farm Bureau

CEQA Review 1000 Broadway El Centro, CA 92243-2315

## City of Blythe, Development Services Dept.

Barbara Burrow, Interim Development Services
Director
235 N. Broadway
Blythe, CA 92225

# City of Cathedral City, Planning Dept.

Robert Rodriguez, Planning Manager 68-700 Avenida Lalo Guerrero Cathedral City, CA 92234

## City of Corona, Community Development Dept.

Joanne Colletta, Community Development
Director
400 S. Vicentia Ave.
Corona, CA 92882

## City of Indian Wells, Community Development Dept.

David Gassaway, Interim Community

Development Director

44-950 El Dorado Dr. Indian Wells, CA 92210-7497

# City of Lake Elsinore, Community Development Dept.

Grant Taylor, Director of Community

Development

130 S. Main St. Lake Elsinore, CA 92530

# City of Murrieta, Planning Dept.

Cynthia S. Kinser, City Planner 1 Town Square Murrieta, CA 92562

## City of Palm Springs, Department of Planning Services

Flinn Fagg, Director of Planning Services
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

# City of Redlands, Community Development Dept.

James Troyer, Interim Director of Development
Services

35 Cajon St., Ste. 20 Redlands, CA 92373

# City of Temecula, Community Development Dept.

Luke Watson, Community Development Director 41000 Main Street Temecula, CA

## County of Imperial, Planning and Development Services

Jorge Galvan, Planning & Development Director 420 South Imperial Avenue Imperial, CA

## County of Riverside, Department of Public Health

Susan Herrington 4065 County Circle Drive Riverside, CA 92503

#### Cupa Cultural Center (Pala Band)

Shasta Gaughen, Assistant Director 35008 Pala-Temecula Road Pala, CA 92059

#### **Department of Toxic Substances Control**

Greg Holmes, Unit Chief Brounfields and Environmental Restoration Program 5796 Corporate Avenue Cypress, CA

## Friends of Nuevo Community Council

Pat Ratcliff 21845 Poppy Lane Nuevo, CA 92567

## **HCP National**

Bill Dyer 3151 Airway Avenue, Bldg. S Costa Mesa, CA 92626

## La Paz County Assessor

Community Development 1112 Joshua Ave., Ste. 202 Parker, AZ 85344

#### March Air Reserve Base

Douglas Adams 452 MSG/CE610 Meyer Dr., Building 2403 March ARB, CA 92518

## Moreno Valley Parks & Recreation

CEQA Review 14075 Frederick St. Moreno Valley, CA 92553

## Morongo Band of Mission Indians

Robert Martin 11581 Potrero Rd. Banning, CA 92220

## Mt. San Jacinto Community College District

CEQA Review 1499 N. State St. San Jacinto, CA 92583

# County of Riverside, Waste Resources Management

CEQA REVIEW

14310 Frederick Street

Moreno Valley, CA 92553

# Department of Housing and Community Development

CEQA Review 3737 Main Street, Ste. 400 Riverside, CA 92501

## **Duck Club Member**

Ronald A. Beck
3655 Nobel Drive, Suite 200
San Diego, CA 92122

# Friends of Nuevo Community Council

*Debbra O'Brien* 22010 Polley Street Nuevo, CA 92567

## Hemet / San Jacinto Valley Chamber of Commerce

CEQA Review 615 N. San Jacinto Street Hemet, CA 92543

# Los Coyotes Band of Mission Indians

Francine Kupsch, Spokesperson 2300 Camino San Ignacia Warner Springs, CA 92086

## Metropolitan Water District of So. California

Harry Bannerman 700 North Alameda Street Los Angeles, CA 90012-2944

# Moreno Valley Ranch Community Association

CEQA Review 16010 Rancho Del Lago Moreno Valley, CA 92551

## Morongo Band of Mission Indians, Planning & Economic Development

Britt W. Wilson, Cultural Resource Coordinator 245 N. Murray Street, Suite C Banning, CA 92220

## Mystic Lake Duck Club

*Walter J. Fegley* 5011 Helix Terrace La Mesa, CA 91941

## County Service Area 146, c/o EDA

Suzanne Holland 4080 Lemon St., MS1040 Riverside, CA 92501

## Department of the Air Force

Richard Eunice, P.E. Base Civil Engineer
452 MSG/CEV, Base Operating Support, 610
Meyer Dr., Bldg 2403
March ARB, CA

#### **Endangered Habitats League**

Dan Silver, Executive Director 8424-A Santa Monica Blvd., Ste. 592 Los Angeles, CA 90069-4267

#### Gresham, Savage, Nolan & Tilden

Penny Alexander-Kelley, Atty. 550 E. Hospitality Lane, Ste 300 San Bernardino, CA 92408

# Inalnd Empire Waterkeeper

Garry Brown, Executive Director 3744 Merced Drive, Unit F2 Riverside, CA

# Luiseno Indians

Willie Pink 626 East Old 2nd Street San Jacinto, CA 92583

## Moreno Valley Chamber of Commerce

CEQA Review 22500 Town Cir., Ste. 2090 Moreno Valley, CA 92553

# **Moreno Valley Unified School District**

CEQA Review 25634 Alessandro Blvd. Moreno Valley, CA 92553

# Morongo Tribal Council

Susan Pangell 11581 Potrero Rd. Banning, CA 92220

## **Native American Heritage Commission**

Katy Sanchez, Program Analyst 1550 Harbor Blvd., Suite 100 West Sacramento, CA 92691

## Natural Resources Conservation Service (NRCS)

Carlos Suarez, State Conservationist 430 G Street, Suite 4164 Davis, CA

## **Nuview Union School District**

CEQA Review 29780 Lakeview Ave. Nuevo, CA 92567-9706

## Orange County Planning & Development Services

Director of Planning 300 N. Flower St. Rm. 122 Santa Ana, CA 92705

#### Pechanga Band of Mission Indians

Mark Macarro, Chairperson 12705 Pechanga Road Temecula, CA 92592

## Pigeon Pass Homeowners' Assoc.

CEQA Review 11375 Pigeon Pass Rd. Moreno Valley, CA 92557

# **Reno Contracting**

Matt Reno 1450 Frazee Road, Ste. 100 San Diego, CA 92108

## Riv. Co. LAFCO

George J. Spilotis, Executive Dir. 3850 Vine Street, Ste. 110 Riverside, CA 92507-4277

# **Riverside Transit Agency**

Michael McCoy, Senior Planner 1825 3rd St. Riverside, CA 92517-1968

# San Bernardino County, Land Use Services Dept. - Planning

July Rynerson Rock Director 385 N. Arrowhead Ave., 1st Floor San Bernardino, CA 92415-0182

#### San Jacinto Valley Wetlands Foundation

Michael W. Marshall, D.D.S. 6841 Livingston Drive Huntington Beach, CA 92648

## **Naural Resource Conservation Service**

Robert S. Hewitt 950 N. Ramona Blvd. San Jacinto, CA 92582

## **Nuview Union School District**

Russ Ramsey 29780 Lakeview Ave. Nuevo, CA

#### Paeter E. Garcia, Attorney

Best, Best & Krieger 3750 University Avenue, Ste. 400 Riverside, CA 92501

#### **Pechanga Cultural Resources**

Paul Macarro, Coordinator 127058 Pechanga Road Temecula, CA 92592

# Regional Waste Water, Western Riverside County

c/o Aklufi & Wysocki 3403 Tenth St., Suite 610 Riverside, CA 92501-3670

# Residents for Responsible Development of Mesa Grande

CEQA Review 28209 Vista Del Valle Hemet, CA 92544

# Riverside County Sheriff's Department, Perris Station

Christopher Brandon Ford, Sheriff's Captain 137 N. Perris Blvd., #A Perris, CA

# Riverside-Corona Resource Conservation District

Diana Ruiz 4500 Glenwood Dr., Bldg. A Riverside, CA 92501

## San Diego County, Dept. of Planning and Land Use

Planning Director 5201 Ruffin Rd., Suite B San Diego, CA 92123

#### San Manuel Band of Mission Indians

Lee Clauss, Cultural Resources Management
Director
26569 Community Center Drive
Highland, CA 92346

#### Nuevo Water Company

Ed Piester, Operations Mgr. 30427 11th St. Nuevo, CA 92567-9528

## **Nuevo Union School District**

Jeff Simmons 29780 Lakeview Ave. Nuevo, CA

# Pechanga Band of Luiseno Mission Indians

Ebru Ozdil, Planning Specialist P.O. Box 2183 Temecula, CA 92592

## **Perris Union High School District**

Tina Cullors, Facilities Director 155 E. 4th St. Perris, CA 92570-2124

# Santa Ana Regional Water Quality Control Board #8

Glenn Robertson, Engineering Geologist 3737 Main Street, Suite 500 Riverside, CA 92501-3348

# Resource Conservation District, San Jacinto Basin

Resource Conservation District, 950 N. Ramona Blvd., Ste. 6 San Jacinto, CA 92582

## Riverside Land Conservancy

CEQA Review 4075 Mission Inn Avenue Riverside, CA 92501

# San Bernardino County Museum

Kathleen Springer, Develop. Monitoring
Commission
2024 Orange Tree Lane
Redlands, CA 92374

## San Jacinto Unified School District

Shari Fox, Superintendent 2045 S. San Jacinto Ave. San Jacinto, CA 92583-5626

## Santa Rosa Band of Cahuilla Mission Indians

Anthony Largo, Environmental Coordinator 325 N. Western St. Hemet, CA 92343

## Shute, Mihaly & Weinberger LLP

Sara A. Clark / Carmen J. Borg, AICP Urban Planner 396 Hayes Street

San Francisco, CA

## Soboba Band of Mission Indians

Robert J. Salgado, Sr., Chairperson 23904 Soboba Road San Jacinto, CA 92581

## Southern California Edison

CEQA Review
2244 Walnut Grove Ave., Rm 312
Rosemead, CA 91770

## U.S. Department of Agriculture

San Jacinto Ranger Station, Forest Service 54270 Pinecrest Idyllwild, CA 92549

#### U.S. Fish and Wildlife Service

Karin Cleary-Rose
777 East Tahquitz Canyon Dr., Ste. 208
Palm Springs, CA 92262

## Val Verde Unified School District

Dr. Fred Workman 975 W. Morgan Street Perris, CA 92571

## Western Riverside County Regional Conservation Authority

Charles Landry
3403 10th Street, Suite 320
Riverside, CA 92501

## Robert & Terry Prince

10746 Cherry Hills Dr. Cherry Valley, CA

#### Alvino Siva

2034 W. Westward Banning, CA 92220

## Lawrence F. Andrew, Jr.

2000 Via Segovia La Jolla, CA 92037

# Sierra Club - San Gorgonio Chapter

George B. Hague 4079 Mission Inn Avenue Riverside, CA 92501

## South Coast Air Quality Mgmt. District

Jillian Wong, Program Manager 21865 Copley Drive Diamond Bar, CA 91765

#### Southern California Edison

Louis Davis, Corporate Real Estate 14799 Chestnut Street Westminster, CA

#### U.S. Department of the Interior

Bureau of Land Management 22835 Calle San Juan de los Lagos Moreno Valley, CA 92553

#### U.S. Fish and Wildlife Service

Karen Goebel, Assistant Field Supervisor 2177 Salk Avenue, Ste 250 Carlsbad, CA

# Verizon Wireless - Indio

CEQA Review 81673 U.S. Hwy 111 Indio, CA 92201

## Wildon Associates

Thomas Olson 3655 Nobel Drive, Suite 200 San Diego, CA 92122

# Kim Floyd

44579 Serrento Court Palm Desert, CA

## Christina Greutink

104 Washburn Avenue San Jacinto, CA 92583

## Ann and Michael A. McKibben, Ph.D.

23296 Sonnet Drive Moreno Valley, CA 92557

## Soboba Band of Luiseño Indians

Charlene Ryan, Cultural Program Director 23904 Soboba Road San Jacinto, CA 92581

## Southern California Association of Governments

Jacob Lieb, Envir. Planner 818 W. 7th St., 12th Floor Los Angeles, CA 90017

## U.S. Army Corps of Engineers

Crystal L. Marquez 911 Wilshire Blvd. Los Angeles, CA 90017

## U.S. Fish and Wildlife Service

Kenneth McDermond, Acting Regional Director 2800 Cottage Way Sacramento, CA 95825

# University of California, Riverside, Dept. of Anthropology

Eastern Information Center 1334 Watkins Hall Riverside, CA 92521

## Western Riverside Council of Governments

Rick Bishop, AICP 4080 Lemon Street, 3rd Floor MS1032 Riverside, CA 92501-3609

## Wildon Associates

Lawrence F. Andrews, Jr. 2000 Via Segovia La Jolla, CA

# Clinton E Stoutenburgh

22450 Wybenga Ln Nuevo, CA 92567

#### **Curt Perry**

3655 Nobel Drive, Suite 200 San Diego, CA 92122

## Sandra Dutcher

31241 Contour Avenue Nuevo, CA 92567

## Stan Perry

2673 Narcissus Drive San Diego, CA 92106

# Clinton E. Stoutenburgh

22450 Wybenga Lane Nuevo, CA

## Jackie Nouwels

19955 Takajima Rđ Lakeview, CA

## Margaret Berry

21350 Peters Ln Nuevo, CA

## Stephen Rapata

33601 Stagecoach Rd Nuevo, CA

#### Sami Tehseldar

30240 Merrell Ave Nuevo, CA

## **Blum Collins LLP**

Craig M. Collins
707 Wilshire Boulevard, Suite 4880
Los Angeles, CA

## Pala Tribal Historic Preservation Office

Shasta Gaughen, Tribal Historic Preservation
Officer
PMB 50, 35008 Pala Temecula Road
Pala, CA

## **Endangered Habitats League**

Dan Silver, Executive Director 8424 Santa Monica Blvd, Suite A 592 Los Angeles, CA

## Sue Nash

3138 Brockton Avenue Riverside, CA 92501

## **Marilyn Rogers**

21925 Garden Drive Nuevo, CA

## Sharon Banks

31549 Electric Ave Nuevo, CA

## John Lynch

34420 Sugarloaf Trail Nuevo, CA

#### Diane Shott

31260 Meadow Blossom Rd Nuevo, CA

#### Karen Walls

21574 Curtis St Nuevo, CA

## Mike Naggar and Associates Inc.

Michael Naggar 445 S. D St. Perris, CA

## Southern California Edison

Sara M Bholat 6040 Irwindale Avenue Irwindale, CA

## Center for Biological Diversity

J.P. Rose Staff Attorney
PMB 447, 8033 Sunset Blvd.
Los Angeles, CA

## Robert S. Hewitt

42913 Johnston Avenue Hemet, CA

## Kay Hampton

21940 Gibson Nuevo, CA

## Charl & Jerry Beauchat

28570 Lakeview Ave Nuevo, CA

## Louie & Esther Munoz

30545 10th St Nuevo, CA

## Bill Tally

31445 Contour Ave Nuevo, CA

#### John and Glenda Love

31815 Meadow Blossom Rd. Lakeview, CA

## **Moreno Valley Unified School District**

Alice Grundman 23301 Dracaea Avenue Moreno Valley, CA

# City of Moreno Valley

Mark Gross, AICP 14177 Frederick St. Moreno Valley, CA

# Audubon Society, San Bernardino Valley

Drew Feldman, Conservation Chair
P.O. Box 10973
San Bernardino, CA 92423-0973

## Eastern Municipal Water District

Joseph Lewis, Director of Engineering Services
P.O. Box 8300
Perris, CA 92572

## Gabrielino/Cahuilla/Luiseno

Samuel H. Dunlap P.O. Box 1391 Temecula, CA 92593

## Pechanga Band of Luiseno Indians

Anna Hoover, Deputy THPS/Cultural Analyst
P.O. Box 2183
Temecula, CA 92593

#### Soboba Band of Luiseno Indians

Harold Arres
P.O. Box 487
San Jacinto, CA 92581

#### Soboba Band of Luiseno Indians

Joseph Ontiveros, Cultural Resources
Department
P.O. Box 487
San Jacinto, CA

## **Eastern Municipal Water District**

Maroun El-Hage, M.S., P.E.
P.O. Box 8300
Perris, CA

## **United Concerned Citizens of Riverside County**

Pat Ratliff and Sandie Baxter Dutcher
P.O. Box 304
Nuevo, CA

# Bill Staffieri

P.O. Box 425 Nuevo, CA

## Cahuilla Band of Mission Indians

Anthony Madrigal, Jr., Chairperson
P. O. Box 391760
Anza, CA 92539

## Friends of the Northern San Jacinto Valley

Ann-Turner McKibben P.O. Box 4266 Idyllwild, CA

## Los Coyotes Band of Mission Indians

Katherine Saubel, Spokesperson
P. O. Box 189
Warner Springs, CA 92086

## Ramona Band of Mission Indians

Anthony Largo, Environmental Coordinator
P.O. Box 391372
Anza, CA 92539

#### Joseph A. Fass

P.O. Box 3506 Blue Jay, CA 92317

## Arleen Hertig

P.O. Box 103 Nuevo, CA

## **Hemet Model Masters**

Jason Turner, President
P.O. Box 754
San Jacinto, CA

## **Riverside County Transporation Commission**

Alex Menor, Capital Project Manager
P.O. Box 12008
Riverside, CA

## Pat Ratliff

P.O. Box 576 Nuevo, CA

## Cahuilla Band of Mission Indians

Eugene Nogales, Chairperson
P. O. Box 391760
Anza, CA 92539

## Friends of Northern San Jacinto Valley

Susan L. Nash, Legal Counsel, Conservation Co-Chair
P.O. Box 4266
Idyllwild, CA

## Pauma & Yuima

Bennae Calac P.O. Box 369 Pauma Valley, CA 92061

## Reche Canyon Property Owners' Assoc.

CEQA Review Route 1, Box 393 Colton, CA 92324

#### Tom Paulek

P.O. Box 4036 Idyllwild, CA 92549-4036

## Joyce Shcwartz

P.O. Box 1327 Nuevo, CA

## Pechanga Indian Reservation

Michele Hannah, Deputy General Counsel
P.O. Box 1477
Temecula, CA

# Olenthea Neal

P.O. Box 266 Nuevo, CA

# Inland Empire Biking Alliance

Marven E. Norman, Policy Director
P.O. Box 9266
Redlands, CA

# Metropolitan Water District of Southern California

Deirdre West, Manager, Environmental Planning Team

P.O. Box 54153, Los Angeles, CA

# Lynn Blickensderfer lynnblickensderfer@yahoo.com

875 Smallwood Street Colton, CA 92324

## Rhoda Holabird - rholabird@roadrunner.com

2244 Beverly Glen Place Los Angeles, CA 90077

# Patricia van Hartesveldt - deerfield323@yahoo.com

7719 Nestle Avenue Reseda, CA 91335

# Scott Saikley - scott.saikley@gmail.com

295 W California Blvd #9 Pasadena, CA 91105

# Kae Bender - kaebender@juno.com

42955 Cherbourg Lane Lancaster, CA 93536

# Kenneth Pennington - kpnn.pol@mac.com

P.O. Box 1082 Santa Clarita, CA 91386

## Nigel Jay - nigel.jay@linkmobilellc.com

69 Fox Hollow Irvine, CA 92614

## Timothy Shanahan - tcshan@aol.com

10470 Falcon Avenue Fountain Valley, CA 92708

# Caroline Valdez - carolinejvaldez1970@yahoo.com

3925 Penn Mar Avenue El Monte, CA 91732

# Michael Terry - michaelgterry@hotmail.com

503 W. Rustic Rd. Santa Monica, CA 90402

## John Paladin - PaladinEsq@AOL.com

Box 801777 Valencia, CA 91380

# Charles Alexander - malex 52@dslextreme.com

550 N. Millard Avenue Rialto, CA 92376

## Jessica Tancredi - jess.reese@gmail.com

8225 San Bernardino Road Rancho Cucamonga, CA 91730

## Joyce Pewthers - vipewthers@att.net

5081 Roxborough Drive Placentia, CA 92870

## Pat Doherty - composerx@verizon.net

10145 Nancy Cherry Valley, CA 92223

# Caren Hanson - weddingsparkles@earthlink.net

28474 Boardwalk Court Romoland, CA 92585

## Scott Rubel - scott@scottrubel.com

977 Montecito Drive Los Angeles, CA 90031

# Mary Mason - mickey3ms42net@aol.com

5732 Grimsby Drive Huntington Beach, CA 92649

## Patti Bridges - pbridges@reveltravel.com

5025 Fairbanks Way Culver City, CA 90230

#### Diane Olson - puckdog@roadrunner.com

521 Montana Avenue #305 Santa Monica, CA 90403

# Javier Andre - javier@javierandre.com

211 S. Almansor Street #A6 Alhambra, CA 91801

# Russell Soloway - rsoloway@montrosetravel.com

2230 Duane Street Los Angeles, CA 90039

## J. Rubin - irasfel@aol.com

P.O. Box 641 Lake Forest, CA 92609

# Bob Richardson - bob@rwrmarketing.com

9452 Hingham Drive Huntington Beach, CA 92646

## Maureen McDonald - maureenbyg@aol.com

5873 Locksley Place, 20 Los Angeles, CA 90068

## Sandra Terry -snouters@charter.net

4360 Alta Vista Drive Riverside, CA 92506

## Inna Starick - Istarick@yahoo.com

6343 Bataan Street Cypress, CA 90630

# Alan Long - Alanlong20202@gmail.com

9480 Beverlycrest Beverly Hills, CA 90210

# Candace Gardner - candace@gardnergraphics.com

947 Lilac Street Hemet, CA 92545

# Penelope Smrz - britfoot@aol.com

P.O. Box 1141 Idyllwild, CA 92549

# Mindy Beardsley - mindybeardsley@hotmail.com

1106 California Avenue Santa Monica, CA 90403

## Shianna Hardy - Grumpy110445@gmail.com

539 W Fredericks Street
Barstow, CA
92311

## Kathy Knight - kathyknight66@gmail.com

1122 Oak Street Santa Monica, CA 90405

# Craig Marshall - cubensis.craig@verizon.net

2280 Argonne Avenue Long Beach, CA 90815

## Christina Brewer - cristieb02@yahoo.com

3266 Garden Drive San Bernardino, CA 92404

## Donna Sharpied - laronna@earthlink.net

P.O. Box 321, 45-200 Kaiser Road

Desert Center, CA

92239

# Dan Esposito - danjesposito@yahoo.com

1510 Rowell Avenue Manhattan Beach, CA 90266-40ND

## Garrett Weinstein - gwein42@gmail.com

23459 Welby Way West Hills, CA 91307

## Rita Greenberg - ritagr@gmail.com

156 Morning Glory Way Rancho Santa Margarita, CA 92608

#### Sandra Waters - sandra@waterscentral.com

9 Upper Blackwater Canyon Road Rolling Hills, CA 90274

# Adolf Kruger - Green4Life@roadrunner.com

11360 Lomberdy Lane Moreno Valley, CA 92557

# Melissa Atkinson m.winogrand.atkinson@gmail.com

10647 Ashby Avenue Los Angeles, CA 90064

#### Marguerite Shuster - mshuster@verizon.net

675 Mount Wilson Trail
Sierra Madre, CA
91024

# Mary Joan Thomsen - thomsemm@yahoo.com

10341 Canoga Avenue #12 Chatsworth, CA 91311

## Stephen Sacks - ecofreaktoo@yahoo.com

6746 Shaw Avenue Mt. Baldy, CA 91759

# Marlene Ortega - prettyprinzezm@yahoo.com

1318 S Vine Place Ontario, CA 91762

## Catherine Flores - cathyf310@gmail.com

14756 Leadwell Street Van Nuys, CA 91405

## Rosanne Basu - rosannebasu@gmail.com

532 Hermosa Avenue Hermosa Beach, CA 90254

## Ralph Torres - ralph@heyriverside.com

5671 Walter Street Riverside, CA 92504

# Casee Maxfield - storyspice@yahoo.com

1737 N Sycamore Avenue Los Angeles, CA 90028

## Willy Aenelle - willyaenlle@yahoo.com

573 Alameda Street Altadena, CA 91001

#### Joseph Valdez - Jben.valdez@Gmail.com

2581 Via Manolete Mission Viejo, CA 92691

# Dorothy & Phillip Kersey - phillipdottie@msn.com

5053 Solitude Court Rancho Cucamonga, CA 91737

# Erlinda Cortez - Erlinda\_cortez7@msn.com

4649 Falcon Avenue Long Beach, CA 90807

## Candace Hogan - chogan@esri.com

31361 Mesa Drive Redlands, CA 92373

## Susan Lynch - susanlynch17@gmail.com

732 Greentree Road
Pacific Palisades, CA
90272

# Susan Winsberg - susanwinsberg@sbcglobal.net

6536 Frankin Avenue Apt. 1 Los Angeles, CA 90028

## Ann Schultz - paxrail@aol.com

12531 El Merrie Del Drive Kagel Canyon, CA 91342

## Kelle Erwin - kelle@slickandslack.com

3259 Marwick Avenue Long Beach, CA 90808

## Amy DeSantis - desantis.amy@gmail.com

11514 Rochester Avenue Los Angeles, CA 90025

#### Marianne Tornatore - mat5504@yahoo.com

1068 Calle Del Cerro 1512 San Clemente, CA 92672

# Myrian Monnet - myrianmonnet@aol.com

355 S Los Robles Avenue Pasadena, CA 91101

# Sheri Mitchell - Lucatrick20@hotmail.com

2739 Pinecreek Circle
Fullerton, CA
92835

#### Robert Ricewasser - Rbricewasser@aol.com

142 No Helitrope Avenue Monrovia, CA 91016

## Marcia Wilson - marciain@yahoo.com

220 Alabama Street San Gabriel, CA 91775

## Dr. Viviane Carson - drvcarson@yahoo.com

38342 9th Street Palmdale, CA 93550

## Jessica De Ruiter - jessica@jessicaderuiter.com

2143 Panorama Terrace Los Angeles, CA 90039

## Scott Henderson - scottjhend@yahoo.com

12900 Appleton Way Los Angeles, CA 90066

# Christa Neuber - seamusminnie@gmail.com

728 N Doheny Drive Beverly Hills, CA 90069

## Katherine Wright - kmhgw@yahoo.com

*4 Titian* Aliso Viejo, CA 92656

# James Packer - jwpacker3@gmail.com

1817 Palm Avenue Manhattan Beach, CA 90266

## Beth Baker - Bethfbaker@gmail.com

9520 Amoret Drive Tujunga, CA 91042

## Claudia Ventura - claudia44105@gmail.com

11333 Sultana Way Fontana, CA 95667

# Kathleen Gordon - Katgiv@yahoo.com

33775 Mariana Drive Dana Point, CA 92629

## Patricia McCauley - pmccauley71@yahoo.com

1724 N Willow Woods Drive A Anaheim Hills, CA 92807

## Alison Denning - alisondenning@verizon.net

*P.O. Box 519* Mt. Baldy, CA 91759

## Michael Stolte - michaelworksca@yahoo.com

436 W Gladstone Street Apt 147 Glendora, CA 91740

# David Morgan - davidkmorgan31@msn.com

1863 Grier Street Pomona, CA 91766

## Robin Steudle - Robinlee04@aol.com

3032 Via Vista #B Laguna Woods, CA 92637

# Cindi Lund - cundilund@sbcglobal.net

206 Estates Drive Danvilke, CA 94526

## Allen Corte - alc.louis@gmail.com

8611 Manzanita Avenue California City, CA 93505

#### Pamela Nelson - pamela05n@yahoo.com

38723 Hwy 79 Warner Springs, CA 92086

# Joan Walker - jmabwałker@verizon.net

2815 Sierra Vista Way Bishop, CA 93514

# Chris Bihler - cbnasti@cox.net

3852 E Acoma Drive Phoenix, AZ 85032

## Mk Cargill - mkcargill01@gmail.com

27566 Costanero Mission Viejo, CA 92692

## Irene Kang - ireneinhiding@yahoo.com

3631 Beethoven Street Los Angeles, CA 90066

## Steven Henderson - sbh440@live.com

67165 Tamara Road Cathedral City, CA 92234

## Animae Chi - wolfgang@gmail.com

405 North Arnaz Street Ojai, CA 93023

## Mary Thomas - spamhater25@gmail.com

639 15th Street Richmond, CA 94801

# Michael Hoover - mfhoover@pacbell.net

8630 Lookout Mountain Avenue Los Angeles, CA 90046

# Stephanie Johnson - juddspet@sbcglobal.net

P.O. Box 1962 Los Angeles, CA 90078

# Douglas Poore - poordoug@comcast.net

429 Deodara Street Vacaville, CA 95688

# Page Brownton - gnor@cruzio.com

2001 Quail Hollow Road Ben Lomond, CA 95005

## William Barthen - wbzoo@earthlink.net

145 N Pass Avenue Burbank, CA 91505

## Katherine Prince - klp0420@hotmail.com

1454 S Orange Grove Avenue
Los Angeles, CA
90019

## Georgette Korsen - gkorsen@cox.net

275 N Ola Vista San Clemente, CA 92672

## Cybele Knowles - cybeleknowles@gmail.com

3531 E Fairmount Street Tucson, AZ 85716

# Rick Mick - rmick@biologicaldiversity.org

224 S 3rd Avenue Tucson, AZ 85701

## Cydney Lesniak - mikencyd@aol.com

1701 S Yellow Brick Road Chino Valley, AZ 86323

#### Michael Gordon - michael gordon@charter.net

725 Rose Avenue Long Beach, CA 90813

# Bruce Donnell - b\_donnell@msn.com

11 Camino Crosby Santa Fe, NM 87506

## Jill Davine - jsdavine@aol.com

4047 La Salle Avenue Culver City, CA 90232

## Bill Hulstrom - b\_hulstrom@yahoo.com

1003 Warbonnett Drive Perris, CA 92570

# William Briggs - megamax2@roadrunner.com

46 20th Court Hermosa Beach, CA 90254

# Jennifer Moramarco - Emailjadrian@aol.com

*P.O. Box 1406* Temecula, CA 92593

# Ava Strong - ivars1999@yahoo.com

725 Barrington Avenue Los Angeles, CA 90049

# Christian Edwards - cpedwards11@gmail.com

21456 Lake Forest Drive
Lake Forest, CA
92630

# SP00342

# Applicant:

Nuevo Development Corp. P.O. Box 670 Upland, CA 91785

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# Representative:

Albert A. Webb Associates 3788 McCray Street Riverside, CA 92506

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39493 Los Alamos Road Suite A

Murrieta, CA 92563

38686 El Cerrito Rd Indio, CA 92211 (760) 863-8271

(951) 955-3200

(951) 694-5242

\*\*\*\*\*\*\*\*\*\*\*\*\* \*

Received from: NUEVO DEVELOPMENT CORP

\$24.00

paid by: CK 00080108

FISH & GAME FOR EIR00471 (SP00342 GPA720 CZ7055)

paid towards: CFG05289

CALIF FISH & GAME: EIR

at parcel:

appl type: CFG2

Dec 08, 2009 16:10 posting date Dec 08, 2009

\* \*

Account Code 658353120100208100 CF&G TRUST

Description

Amount \$24.00

Overpayments of less than \$5.00 will not be refunded!

## A\* REPRINTED \* R0913433 COUNTY OF RIVERSIDE SPECIALIZED DEPARTMENT RECEIPT Permit Assistance Center

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38686 El Cerrito Rd

Second Floor

Suite A

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92502 Riverside, CA

Murrieta, CA 92563

(760) 863-8271

(951) 955-3200

(951) 694-5242

\* \*

Received from: NUEVO DEVELOPMENT CORP

\$2,832.25

paid by: CK 00080058

FISH & GAME FOR EIR00471 (SP00342 GPA720 CZ7055)

paid towards: CFG05289

CALIF FISH & GAME: EIR

at parcel:

appl type: CFG2

Sep 21, 2009 Ву posting date Sep 21, 2009

\* \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Account Code 658353120100208100 Description CF&G TRUST

Amount \$2,768.25

658353120100208100

CF&G TRUST: RECORD FEES

\$64.00

Overpayments of less than \$5.00 will not be refunded!

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39493 Los Alamos Road

38686 El Cerrito Rd

Suite A

Indio, CA 92211

Riverside, CA 92502

Murrieta, CA 92563

(760) 863-8271

(951) 955-3200

(951) 694-5242

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\* \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Received from: NUEVO DEVELOPMENT CORP

\$50.00

paid by: CK 00081206

FISH & GAME FOR EIR00471 (SP00342 GPA720 CZ7055)

paid towards: CFG05289

CALIF FISH & GAME: EIR

at parcel:

appl type: CFG2

Aug 07, 2017 13:53 posting date Aug 07, 2017 MGARDNER \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Account Code 658353120100208100

Description CF&G TRUST: RECORD FEES Amount \$50.00

Overpayments of less than \$5.00 will not be refunded!



# COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

Agenda Item No.

4 1

Choose an item. October 4, 2017

PROPOSED PROJECT		
Case Number(s):	PUP00927	<ul> <li>Applicant: Level 3 Communications,</li> </ul>
CEQA Exempt	Sections 15301 & 15303	LLC c/o Robert Diorio
Area Plan:	Lake Mathews/Woodcrest	
Zoning Area/District:	Good Hope Area	Representative: Webb Associates
Supervisorial District:	First District	
Project Planner:	Deborah Bradford	
Project APN(s):	343-040-012 & 343-040-013	Charissa Leach, P.E.
Continued From:	N/A	Assistant TLMA Director

#### PROJECT DESCRIPTION AND LOCATION

PUP00927 is a Public Use Permit to re-entitle an existing communications facility, which includes the continued operation of twenty-one (21) existing antennas, and the construction and operation of eleven (11) new antennas, for a total of thirty-two (32) antennas. The location of the new antennas will be within the existing 4.7-acre development footprint, and the entire project site is comprised of 31.3 acres.

The project site is located south of Rocky Hills Road, east of Post Road, and is within the Lake Mathews/Woodcrest Area Plan and the First Supervisorial District.

#### PROJECT RECOMMENDATION

#### **STAFF RECOMMENDATIONS:**

THAT THE PLANNING COMMISSION RECOMMENDS THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:

<u>FIND</u> that PUP No. 927 is **EXEMPT** from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures), and based on the findings and conclusions incorporated in the staff report; and,

<u>APPROVE</u> PUBLIC USE PERMIT NO. 927, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

and Use and Zenings	-
_and Use and Zoning: Specific Plate	n: N/A
Specific Plan Land Us	
Existing General Plan Foundation Componer	
Proposed General Plan Foundation Componer	
Existing General Plan Land Use Designation	
Proposed General Plan Land Use Designation	*****
Policy / Overlay Area	
Surrounding General Plan Land Use	
Norti	n: Rural Residential
Eas	t: Rural Mountainous
South	n: City of Lake Elsinore
Wes	t: Rural Residential
Existing Zoning Classification	n: Residential Agricultural (5-acre minimum) (R-A-5)
Proposed Zoning Classification	n: N/A
Surrounding Zoning Classification	s
North	n: Residential Agricultural (5-acre minimum) (R-A-5)
Eas	t: Residential Agricultural (10-acre minimum) (R-A-10)
South	n: City of Lake Elsinore
Wes	t: Residential Agricultural (5-acre minimum) (R-A-5)
Existing Use	: Telecommunications Facility
Surrounding Use	
North	n: Commercial Nursery
South	n: City of Lake Elsinore – Vacant Land
Eas	t: Vacant Land
Wes	t: Vacant Land
ocated Within:	
City's Sphere of Influence:	No
Community Service Area ("CSA"):	No
Recreation and Parks District:	No
Special Flood Hazard Zone:	Riverside County Flood Control
Area Drainage Plan:	No
Dam Inundation Area:	No

Agricultural Preserve	No
Liquefaction Area:	Yes - Liquefaction Potential Classified as Low
Subsidence Area:	Yes – Subsidence Potential Classified as Susceptible
Fault Zone:	No – Not Within a Half-Mile
Fire Zone:	Yes – Very High Fire Zone
Mount Palomar Observatory Lighting Zone:	Yes – Within Zone "B"
WRCMSHCP Criteria Cell:	Yes - Criteria Cell No. 3370
CVMSHCP Conservation Boundary:	No
Stephens Kangaroo Rat ("SKR") Fee Area:	Yes – Within the Fee Area
Airport Influence Area ("AIA"):	Yes – Within March Air Reserve

#### PROJECT LOCATION MAP



Figure 1: Project Location Map

#### PROJECT BACKGROUND AND ANALYSIS

#### Project History

The project site has historically been used as a communication facility and has been in operation for approximately 30 years. The site is particularly suitable for supporting a communication facility, due to the property's relatively isolated location and elevation. Due to changing Riverside County Land Use Ordinance requirements and multiple proposed additions to the facility over the years, entitlement approval became required in the 1990s. As a result, Public Use Permit No. 760 was approved by the Planning Commission on March 28, 1995. The Planning Commission adopted a Negative Declaration for Environmental Assessment 36757 and approved Public Use Permit No. 760, to re-activate/entitle the existing communication facility. The site, as approved at that time, included five (5) existing antennas/dishes and accompanying equipment structures, located on a 4.27-acre, developable portion of the 30.3-acre property.

On October 7, 1997, a revision to Public Use Permit No. 760 (PUP00760R1) to allow for additional square footage to an existing building and the addition of fifteen (15) dish antennas, was approved by the Planning Commission. The developable area was noted on the site plan as 4.7 acres, at that time. The revision also imposed a 10-year lifespan of the Public Use Permit, expiring on October 7, 2007.

Between the approval of the revision and prior to the 10-year expiration of the entitlement, there are records of two Substantial Conformances being submitted to the County for minor modifications and reconfigurations of the approved plan. However, it's unclear as to the specific details of the modifications as the records are incomplete.

The ownership of the property changed hands several times throughout the past couple of decades. Due to the ownership changes, expiration of the entitlement was not closely followed. The current owners are proposing several minor revisions to the site and have requested to build-out the balance of the remaining communication dish antennas, approved under the previous entitlement. Since the previous entitlement expired, a new Public Use Permit (PUP00927) was submitted to the County on March 11, 2015. The reentitlement will result in allowing for the construction of 11 new antenna/dishes of varying sizes and minor modifications and additions to the existing equipment enclosures. Dish antenna sizes range from 3.5 meters to 16 meters in diameter and range from 20-feet to 45-feet tall. All dishes and structures will be constructed within the existing 4.7-acre disturbed development footprint. This plan does not expand beyond the existing established area.

The use is considered a Public Utility. The project applicant, Level 3 Communications, LLC, constructs and maintains the facility's communication equipment. The services that Level 3 Communications, LLC provides at the project site are voice, data, internet connectivity, video transmission, and other general telecommunications and information services, for a wide range of users including the U.S. government and military services, commercial airlines, United Nations traffic, internet streaming for major broadcasters, ship to shore connectivity for merchant vessels (such as cruise lines) and oil platforms, satellite television for most of the major cable program providers, and also occasional video services for national sports and entertainment networks.

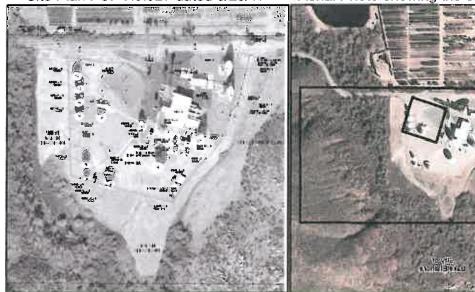
#### Multiple Species Habitat Conservation Plan ("MSHCP")

The County of Riverside's Multiple Species Habitat Conservation Plan ("MSHCP") was adopted by the Board of Supervisors on June 17, 2003 and the project site is now located within a Criteria Cell of the MSHCP. However, during the initial approval process of the first Public Use Permit (PUP00760), the plan had not yet been established and was therefore not subject to the HANS process. Although no conservation plan was in place at that time, the project resulted in establishing a small 4.7-acre development footprint, in a logical, already disturbed location. The entire site includes 31.3 acres and a majority of it is largely unsuitable for development, due to steep slopes and access challenges. All iterations of plans that have been submitted to the County over the past 20 years show development occurring only within that same established 4.7-acre area.

To address the potential conservation issues, a Habitat Assessment and Negotiation Strategy ("HANS") application was submitted to the County on August 17, 2015. After a substantial review of the proposed use and history of the site, staff from the Environmental Programs Division ("EPD") determined that the withdrawal of the HANS application would be appropriate, as the development footprint has not changed since the original Public Use Permit (PUP00760) entitlement on March 28, 1995 and the fact that no new area beyond this established footprint will be disturbed as a result of Public Use Permit (PUP00927). However, EPD staff has included conditions of approval stating that if the use is to expand beyond the established development footprint, the HANS process will be required. In addition, condition of approval

80. EPD. 1 has been incorporated to ensure that the blue-line stream located outside of the previous entitlement's development footprint that was impacted by grading activities in 2004 be re-vegetated to the satisfaction of EPD. The photos below illustrates the 4.7-acre developed area, with the existing and proposed antennas and an aerial of the entire 31.3-acre site. The development area is surrounded by chain link fencing.

Site Plan PUP No.927 dated 3/29/17 Aerial Photo showing the entire 31.3 acres



#### Airport Influence Area ("AIA")

The Project site is located within Airport Compatibility Zone "E" of the March Air Reserve Base Airport Influence Area. As a result, the project was reviewed by the Airport Land Use Commission ("ALUC") and on August 13, 2015 File No. ZAP1127MA15 was determined to be conditionally consistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan and the Federal Aviation Administration (FAA) Obstruction Evaluation for Aeronautical Study No. 2015-AWP-7129-OE. This project includes conditions of approval, provided by ALUC, as a result of their evaluation.

#### **ENVIRONMENTAL REVIEW**

The proposed project has been determined to be categorically exempt from CEQA, as set forth per Sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures). Section 15301 allows for the operation, maintenance, permitting, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Section 15303 allows for the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

An example of Section 15301 exemption criteria includes additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. This project proposes the addition of 11 antennas and small expansions to the appurtenant equipment shelters. Furthermore, the additions are located within

the existing 4.7-acre development footprint and do not expand beyond this existing developed area. The overall use of the site is not changing and all public services and facilities are currently available. Another example of the 15301 exemption is operation and minor alteration of facilities or mechanical equipment involving negligible expansion of use of existing facilities of investor or publicly owned utilities used to provide electric power, natural gas, or other public utility services.

An example of Section 15303 exemption criteria includes the construction of new or an addition to existing structures, in support of a primary use. Small additions to existing equipment shelters are proposed under this plan, in support of the new antennas. To reiterate, all new construction is proposed within the existing 4.7-acre development footprint.

Because all aspects of the project are exempt under Sections 15301 and 15303, PUP No. 927 is exempt from CEQA and no further environmental review is required. In addition, no exception to Sections 15301 or 15303 exemptions apply:

- a. The project site is located in a Criteria Cell and a HANS application had been submitted. The project was originally approved in 1995 and was comprised of the same developed area as exists currently. The MSHCP was adopted and approved in 2003 and was not in effect at the time of the original application, no Criteria Cell or HANS process existed. Staff from the Environmental Programs Division ("EPD") has determined that the withdrawal of the HANS application is appropriate in the developed area has not changed since the original entitlement in 1995 and is not proposed to be expanded. The location of the additional 11 antennas will occur within the same developed area boundaries as approved in 1995. The project site is located in an area with low potential for paleontological resources. However, in an abundance of caution, Conditions of Approval will be applied to the project to ensure that, in the unlikely event that any fossils are found, work will cease until the proper steps are taken to ensure protection of the resource. Also, should the County receive future proposals for development beyond the existing 4.7-acre footprint, additional biological studies will be required, including submission of a new HANS application.
- b. There are no successive projects of the same type in the same place expected over time. The proposed project site is located within an area that is sparsely developed with residential and agricultural uses. The project site is approximately 4.7-acres and is currently developed as a communication facility with 21 existing antennas. The proposal is to add 11 antennas to the site. No additional construction or expansion of the development area will occur. No applications have been submitted to the County for the future development of this type of use similar in nature to what the applicant is proposing.
- c. The project area has some scattered residential and agricultural uses within the vicinity of the site. The entire site consists of a flat valley between two well-defined watercourses and two hilltops. However, the antennas will be located on the developed portion of the site away from the existing watercourses. No unusual circumstances such as scenic resources, historic buildings, trees, or rock outcroppings will be affected by the project, given that the project site is already developed as a Communication Facility with existing antennas on site. The proposed project proposes to add 11 antennas within the developed 4.7 acre portion of the site. No construction or expansion of the developed area will occur. No faults are located on the site, nor is the site within a half mile of a fault. The site is not located within a flood zone. Activity on the site will remain as existing. No additional employees or construction of buildings will occur. No storage of hazardous materials will be onsite other than those typical for cleaning of the existing buildings and restroom on site.

Therefore, the activity on-site will not create a significant effect on the environment due to unusual circumstances existing on or near the project site.

d. The project is not on a hazardous waste site. As provided in the applicant's application packet, a signed Hazardous Waste and Substances Statement has been submitted stating the project is not included on any list complied pursuant to Section 65962.5 of the Government Code.

Accordingly, no exceptions to Sections 15301 or 15303 of the CEQA exemptions apply.

#### **FINDINGS**

In order for the County to approve a proposed project, the following findings are required to be made:

#### **Public Use Permit Findings:**

1. The proposed use conforms to all the requirements of the General Plan, with all applicable requirements of State law, and the ordinances of Riverside County. This proposed project is consistent with the Riverside County General Plan for the following reasons:

General Plan Land Use Element, Policy LU 1.1 states, "Allow for the continued occupancy, operation, and maintenance of legal uses and structures that exist at the time of the adoption of the General Plan and become non-conforming due to use, density, and/or development requirements." This project was previously approved under Public Use Permit No. 760, which included a 10-year life span. The use has since expired and this project will result in a reestablishment of the entitlement, allowing for the telecommunication facility's continued use and minor expansion, consistent the County's General Plan to allow for continued operation and maintenance of legal uses.

Furthermore, the General Plan Vision Statement, Chapter 2, Man-made Environment section states, "We acknowledge and respect the long heritage of economic endeavors that have shaped portions of our environment through mining, agriculture, renewable energy development, and similar enterprises and continue to take their value into consideration in shaping our environmental management." This project includes an existing telecommunication facility, which has been in operation for approximately 30 years and provides communication technology in support of the military, government agencies, cable providers, and emergency services. Approval of this project will re-entitle the use, allow additional antennas and appurtenant structures to be constructed, while remaining within the existing 4.7-acre development footprint of the 31.3-acre site. This project strikes a balance between enabling necessary development and maintaining a responsible management of open space, meeting the County's Vision Statement.

Lastly, this project will be consistent will all applicable State laws and other County requirements. Construction plans will be required to be submitted and reviewed for consistency with all State building codes and local requirements, pertaining to construction.

2. The overall development of the land shall be designed for the protection of the public health, safety and general welfare. The project site is not located adjacent to sensitive uses, which could be impacted as a result of the use. Furthermore, through compliance with California State Building

Code use Riverside County Development Code, the project will not negatively affect the public health or safety.

- 3. The proposed use conforms to the logical development of the land and is compatible with the present and future logical development of the surrounding property. The project site contains an existing telecommunications facility, which has been in operation for approximately 30-years. This project will result in re-establishing a Public Use Permit entitlement and enable the site to continue the existing operations and expand through the construction of additional antennas. The expansion is a logical development of the land and is compatible with the surrounding area, which includes a large-scale nursery and vacant land.
- 4. That plan for the proposed use shall consider the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion; and shall take into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures as a part thereof. The project site includes an existing telecommunication facility. There is adequate access to the site from Gilmer Road on the east, to allow for maintenance and emergency services. No additional right-of-way dedication or road improvements are required in conjunction with this project.
- 5. All use permits which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Ordinance No. 460 (Subdivisions) in such a manner that each building is located on a separate legally divided parcel. The scope of this project does not include the subdivision of any land. However, should the site or any portion thereof, be proposed for sale in the future and a subdivision would be required, further analysis will be conducted to ensure compliance with Ordinance No. 460.

#### Fire Findings:

- 6. The project site is located within a Very High fire hazard area and is within the State Responsibility Area ("SRA") for fire protection services. As a part of being within an SRA the Director of the Department of Forestry and Fire Protection or his/her designee shall be notified of applications for building permits, tentative parcel maps, tentative maps and use permits for construction or development with SRA's. Riverside County Code Section 8.32.050 (C) (2) states that the Fire Chief is authorized and directed to enforce all applicable State fire laws and provisions of this ordinance and to perform such duties as directed by the Board of Supervisors. Assistant Fire Marshall Swarthout stated that given they have the authority to enforce all applicable State fire laws that the notification requirement of Title 14 has been met. The following additional findings are required to be met:
  - a. The proposed Public Use Permit is to permit an existing communication facility with 21 antennas and to add an additional eleven (11) antennas. This project will occur within the existing developed area of the facility and will not expand beyond its boundaries. No new construction is proposed. The proposed project is in compliance sections 4290 and 4291 of the Public Resources Code. Fire protection services can access the site, from Rocky Hills Road.

- b. Fire protection and suppression services are available for the site through the California Department of Forestry and Fire Protection.
- c. The project meets the regulations regarding road standards for fire equipment access adopted pursuant to Section 4290 et seq. of the Public Resources Code, the regulations adopted thereto, and Riverside County Ordinance No. 787. All necessary roadway infrastructure exists and the project site is located adjacent to Rocky Hills Road. There is adequate accessibility to the project site for all emergency service vehicles.

#### Other Findings:

- 7. The Zoning Classification for the project site is Residential Agricultural (5-acre minimum) (R-A-5). Pursuant to Ordinance No. 348, Section 18.29 Public Use Permits ("PUP"), A.6, states that Public Utilities are allowed within any Zone, including R-A, provided a PUP entitlement is obtained. Ordinance No. 348 recognizes that public utility uses can include, but are not limited to, radio broadcasting stations, telephone exchanges, television broadcasting stations, antennas, cable installations, and microwave relay stations. Given the wide range of communication services established and proposed at the project site, the use has been determined to meet the criteria of a Public Utility.
- 8. The project site is located within Criteria Cell No. 3370 of the Western Riverside County Multiple Species Habitat Conservation Plan ("WRCMSHCP") and it was determined that no further biological assessment is required. This project scope includes the re-entitlement of an existing telecommunication facility, which has been in operation for approximately 30-years. Furthermore, the project does not expand beyond the established 4.7-acre development footprint.
- 9. The project site is located in or partially within the Fee Assessment Area for the Stephen's Kangaroo Rat Habitat Conservation Plan ("SKRHCP"). Per County Ordinance No. 663 and the SKRHCP, all applicants for development permits within the boundaries of the Fee Assessment Area who cannot satisfy mitigation requirements through on-site mitigation, as determined through the environmental review process, shall pay a Mitigation Fee of \$500.00 per gross acre of the parcels proposed for development. Payment of the SKRHCP Mitigation Fee for this Project, instead of on-site mitigation, will not jeopardize the implementation of the SKRHCP as all core reserves required for permanent Stephen's Kangaroo Rat habitat have been acquired and no new land or habitat is required to be conserved under the SKRHCP.

#### PUBLIC HEARING NOTIFICATION AND OUTREACH

Public hearing notices were mailed to property owners within 2,400 feet of the project site. As of the writing of this report Planning Staff has received no written communication or phone calls either in support or opposed to the project.

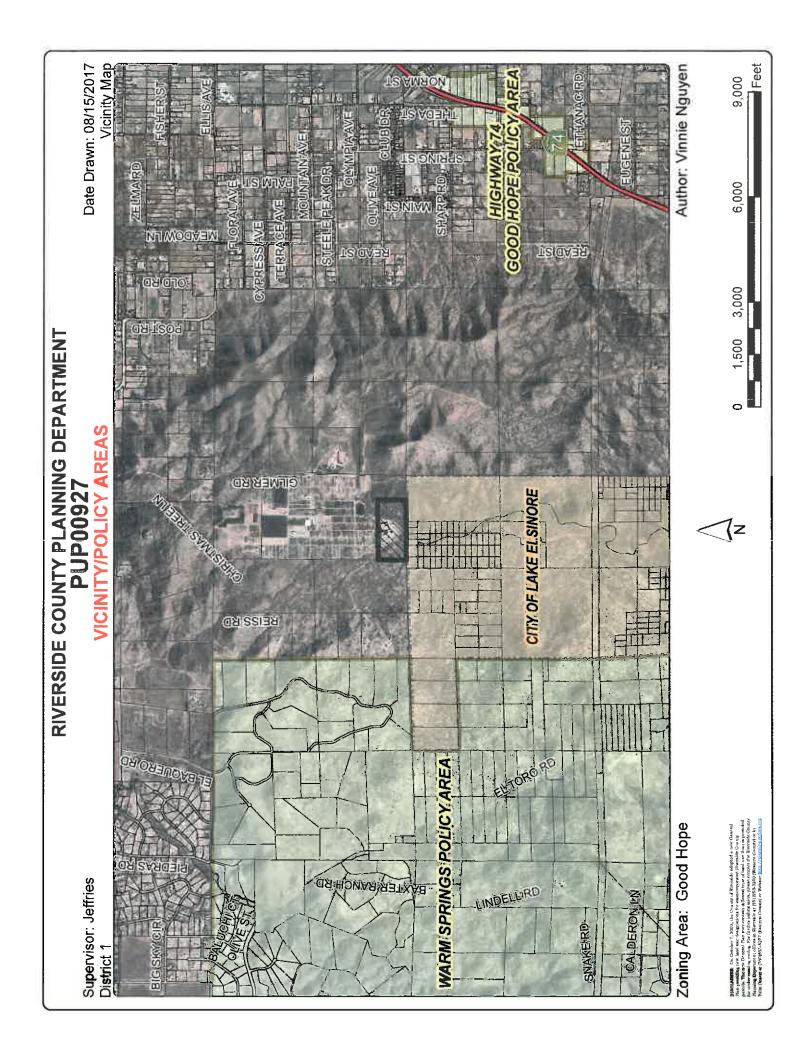
File No. PUP00927 Planning Commission Staff Report: October 4, 2017 Page 10 of 10

#### APPEAL INFORMATION

Actions taken at the Director's Hearing or Planning Commission may be appealed to the next highest approving authority. Appeals may be submitted within 10 calendar days after the Notice of Decision has been made available.

Template Location: Y:\Planning Master Forms\Templates\Staff Report\Staff\_Report\_Template\_DH\_PC.docx

Template Revision: 09/14/17



### RIVERSIDE COUNTY PLANNING DEPARTMENT PUP00927

Supervisor: Jeffries

AND USE

Date Drawn: 08/16/2017

Exhibit 1

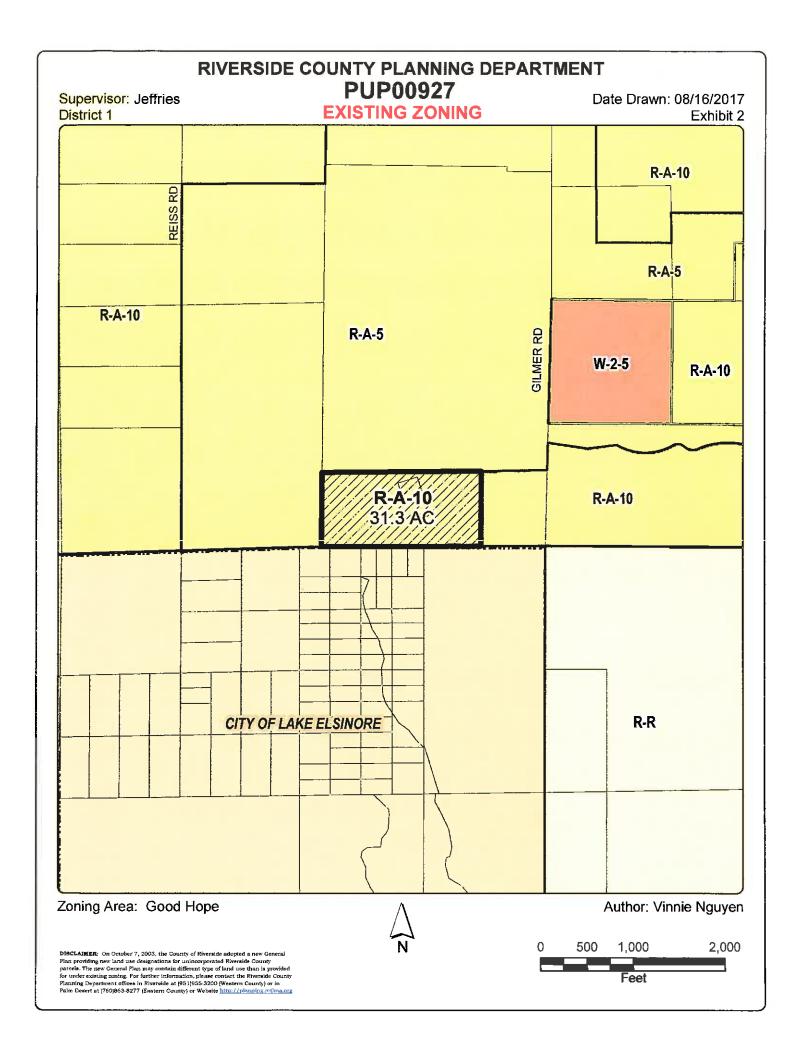


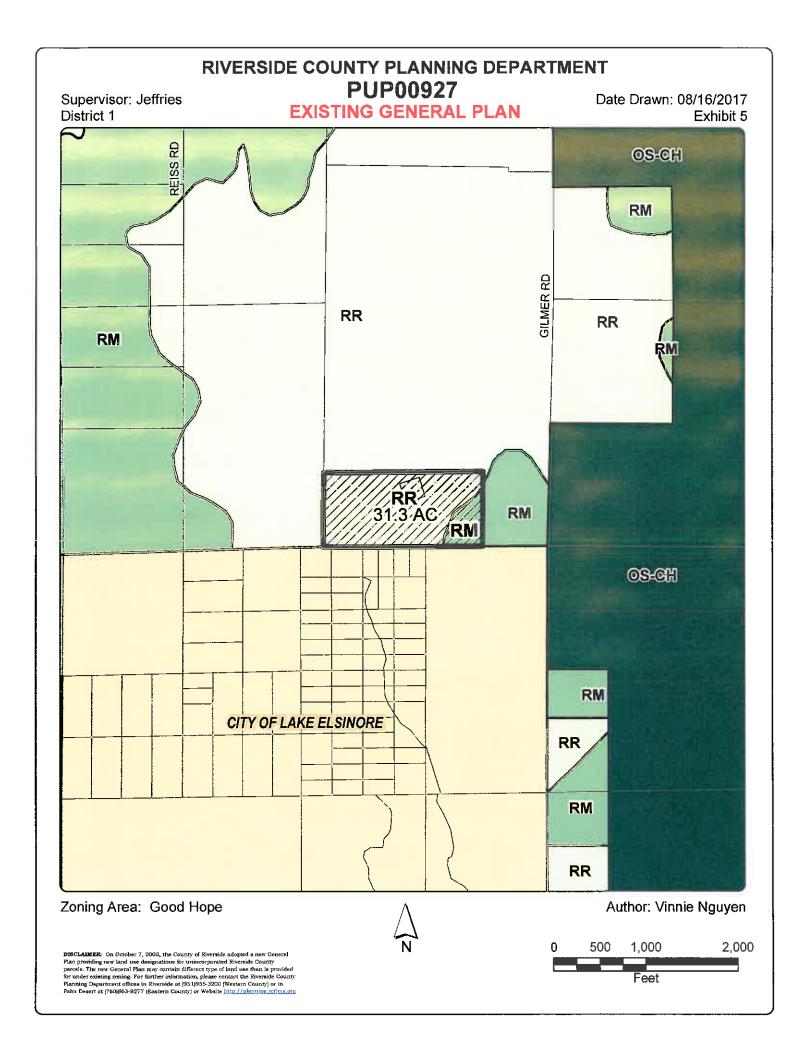
Zoning Area: Good Hope

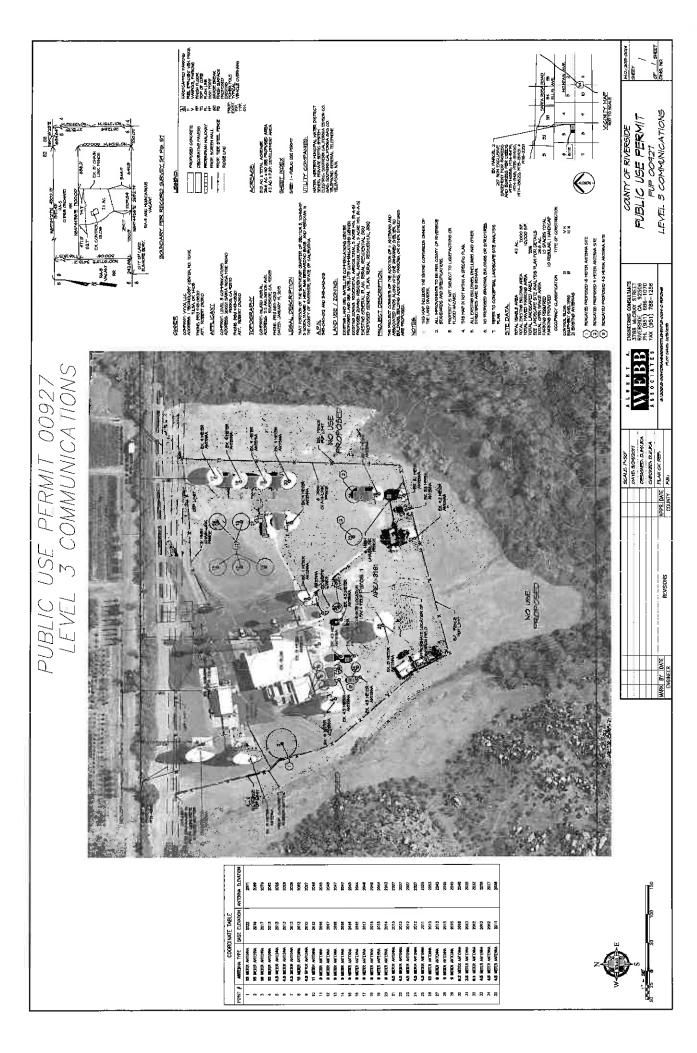
Author: Vinnie Nguyen

500 1,000 2,000 Feet

DISCLAIMER. On October 7, 2003, the County of Riverside adopted a naw General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of Inad use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at 195 1958-5200 (Western County) or in Palm Desert at (760)863-8277 (Bastern County) or Website <a href="http://planning.artime.org">http://planning.artime.org</a>

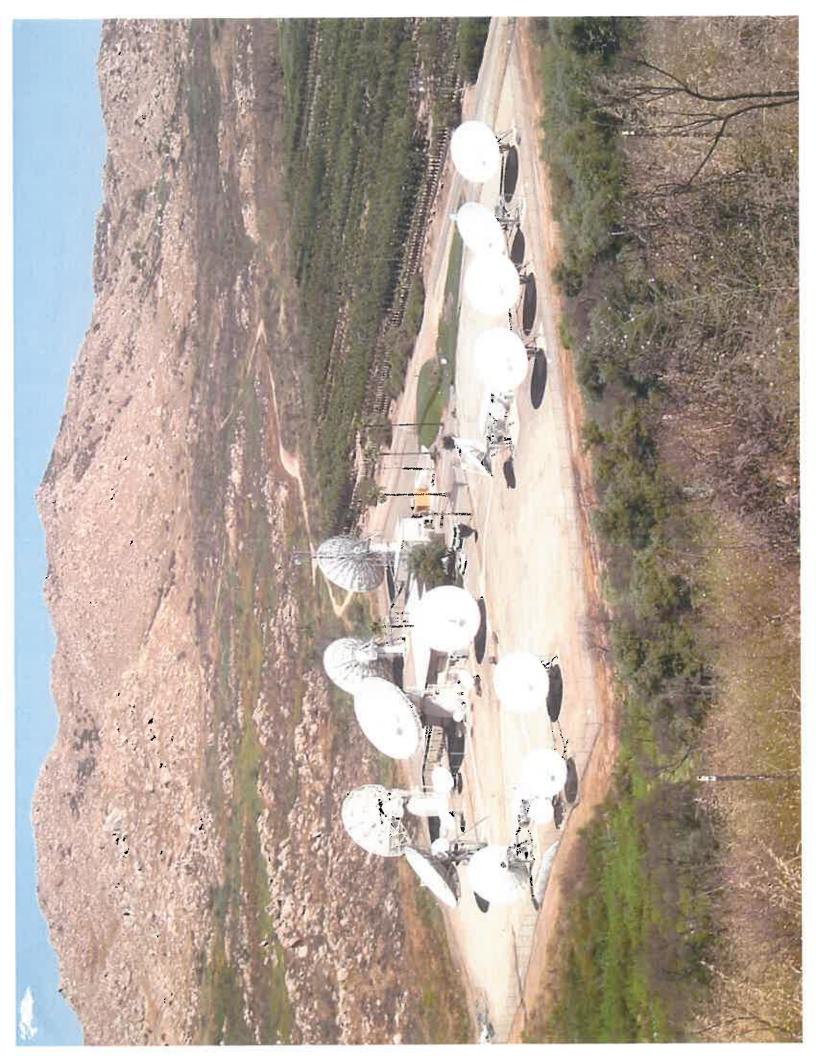






### Level 3 Communications Aerial Photo





#### Riverside County LMS CONDITIONS OF APPROVAL

Page: 1

PUBLIC USE PERMIT Case #: PUP00927

Parcel: 343-040-013

#### 10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. I USE - PROJECT DESCRIPTION RECOMMND

The Public Use Permit proposes to allow for an existing Communication Facility with twenty one (21) antennas to install an additional eleven (11) satellite communication antennas for a total of thirty two (32) antennas. No building, building additions, parking or other structures are proposed. The location of the additional antennas will occur within the 4.7 acre developed area of the existing facility.

The project site is located southerly of Rocky Hills Rd., and easterly of Post Rd and is within the Lake Mathews/Woodcrest Area Plan.

#### 10 EVERY. 2

USE - HOLD HARMLESS

RECOMMND

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) from the following:

- (a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the [PLOT PLAN] [CONDITIONAL USE PERMIT] [PUBLIC USE PERMIT]; and,
- (b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning the [PLOT PLAN] [CONDITIONAL USE PERMIT] [PUBLIC USE PERMIT], including, but not limited to, decisions made in response to California Public Records Act requests.

The COUNTY shall promptly notify the applicant/permittee of any such claim, action, or proceeding and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY.

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee

#### Riverside County LMS CONDITIONS OF APPROVAL

Page: 2

PUBLIC USE PERMIT Case #: PUP00927

Parcel: 343-040-013

#### 10. GENERAL CONDITIONS

10. EVERY. 2 USE - HOLD HARMLESS (cont.)

RECOMMND

shall pay all legal services expenses the COUNTY incurs in connection with any such claim, action or proceeding, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel.

10 EVERY. 3 USE - DEFINITIONS

DRAFT

The words identified in the following list that appear in all capitals in the attached conditions of Public Use Permit No.927 shall be henceforth defined as follows:

APPROVED EXHIBIT A = Public Use Permit No.927 , Exhibit A, dated March 29, 2017.

10. EVERY. 4 USE - 90 DAYS TO PROTEST

RECOMMND

The project developer has 90 days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of this approval or conditional approval of this project.

#### PLANNING DEPARTMENT

10.PLANNING. 1 USE - COMPLY WITH ORD./CODES

RECOMMND

The development of these premises shall comply with the standards of Ordinance No. 348 and all other applicable Riverside County ordinances and State and Federal codes.

The development of the premises shall conform substantially with that as shown on APPROVED EXHIBIT A, unless otherwise amended by these conditions of approval.

10.PLANNING. 2 USE - FEES FOR REVIEW

RECOMMND

Any subsequent submittals required by these conditions of approval, including but not limited to grading plan, building plan or mitigation monitoring review, shall be reviewed on an hourly basis (research fee), or other such review fee as may be in effect at the time of submittal, as required by Ordinance No. 671. Each submittal shall be accompanied with a letter clearly indicating which

#### Riverside County LMS CONDITIONS OF APPROVAL

Page: 3

PUBLIC USE PERMIT Case #: PUP00927

Parcel: 343-040-013

#### 10. GENERAL CONDITIONS

10.PLANNING. 2 USE - FEES FOR REVIEW (cont.)

RECOMMND

condition or conditions the submittal is dimbended to comply with.

10.PLANNING. 3 USE - LIGHTING HOODED/DIRECTED

RECOMMND

Any outside lighting shall be hooded and directed so as not to shine directly upon adjoining property or public rights-of-way.

10.PLANNING. 8 USE- LIMIT ON SIGNAGE

RECOMMND

Signage for this project shall be subject to approval by the Planning Department pursuant to the requirements of Section 18.30 (Planning Department review only) of Ordinance No. 348.

10.PLANNING. 19 USE - EXTERIOR NOISE LEVELS

RECOMMND

Exterior noise levels produced by any use allowed under this permit, including, but not limited to, any outdoor public address system, shall not exceed 45 db(A), 10-minute LEQ, between the hours of 10:00 p.m. to 7:00 a.m., and 65 db(A), 10-minute LEQ, at all other times as measured at any residential, hospital, school, library, nursing home or other similar noise sensitive land use. In the event noise exceeds this standard, the permittee or the permittee's successor-in-interest shall take the necessary steps to remedy the situation, which may include discontinued operation of the facilities. he permit holder shall comply with the applicable standards of Ordinance No. 847.

10.PLANNING. 22 USE - CAUSES FOR REVOCATION

RECOMMND

In the event the use hereby permitted under this permit, a) is found to be in violation of the terms and conditions of this permit,

- b) is found to have been obtained by fraud or perjured testimony, or
- c) is found to be detrimental to the public health, safety or general welfare, or is a public nuisance, this permit shall be subject to the revocation procedures.

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PUBLIC USE PERMIT Case #: PUP00927

Parcel: 343-040-013

#### 10. GENERAL CONDITIONS

10.PLANNING. 23 USE - CEASED OPERATIONS

RECOMMND

In the event the use hereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void.

10.PLANNING. 27 USE - MT PALOMAR LIGHTING AREA

RECOMMND

Within the Mt. Palomar Special Lighting Area, as defined in Ordinance No. 655, low pressure sodium vapor lighting or overhead high pressure sodium vapor lighting with shields or cutoff luminares, shall be utilized, or an equivalent type subject to County approval.

10 PLANNING. 28 USE - ORD 810 O S FEE (1)

RECOMMND

In accordance with Riverside County Ordinance No. 810, to assist in providing revenue to acquire and preserve open space and habitat, an Open Space Mitigation Fee shall be paid for each development project or portion of an expanded development project to be constructed in Western Riverside County. The amount of the fee for commercial or industrial development shall be calculated on the basis of "Project Area," which shall mean the net area, measured in acres, from the adjacent road right-of-way to the limits of the project development.

Any area identified as "NO USE PROPOSED" on the APPROVED EXHIBIT shall not be included in the Project Area.

10.PLANNING. 32 USE - BUSINESS LICENSING

RECOMMND

Every person conducting a business within the unincorporated area of Riverside County, as defined in Riverside County Ordinance No. 857, shall obtain a business license. For more information regarding business registration, contact the Business Registration and License Program Office of the Building and Safety Department at www.rctlma.org.buslic.

10.PLANNING. 33 USE- PALEONTOLOGY RESOURCES

RECOMMND

If during in any earth moving activity any cultural or paleontological resources are unearthed. All activities shall cease at which time the County's Archeologist shall contacted immediately to determine the proper protocals to adhear to, to ensure the protection of these resources. Contact Heather Thomson at (951)-955-2873.

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PUBLIC USE PERMIT Case #: PUP00927 Parcel: 343-040-013

#### 10. GENERAL CONDITIONS

#### 10.PLANNING. 34 USE-ALUC CONDITIONS

RECOMMND

- 1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
- 2. The following uses shall be prohibited:
- (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)
- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- 3.Prior to issuance of any building permits or authorization to operate the proposed facilities, the landowner shall convey and have recorded an avigation easement to March Inland Port Airport Authority. Contact March Joint Powers Authority at (951) 656-7000 for additional information.
- 4. Any proposed 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

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PUBLIC USE PERMIT Case #: PUP00927 Parcel: 343-040-013

#### 10. GENERAL CONDITIONS

10.PLANNING. 34 USE-ALUC CONDITIONS (cont.)

RECOMMND

totalty dry between rainfalls. Vegetation in and around the retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.

- 5.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.
- 6. The attached notice shall be provided to all potential purchasers of the property and lessees of the facilities thereon.
- 7.Prior to issuance of any building permits or authorization to operate the proposed facilities, a "Determination of No Hazard to Air Navigation" shall be issued by the Federal Aviation Administration.

The following conditions are in regards to the FAA Obstruction Evaluation Service letter issued on August 4, 2015 for Aeronautical Study No. 2015-AWP-7129-OE:

- 8.The Federal Aviation Administration has conducted an aeronautical study of the proposed antenna with the greatest height and elevation above mean sea level (Aeronautical Study No. 2015-AWP-7129-OE) and has determined that neither marking nor lighting of the antenna structure is necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 K Change 2 and shall be maintained in accordance therewith for the life of the project.
- 9. The maximum height of any of the proposed antenna structures shall not exceed 52 feet above ground level, and the maximum elevation of the proposed antenna structures shall not exceed 2,070 feet above mean sea level.
- 10. The specific coordinates, height, and top point elevation of the proposed antenna structures shall not be

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Parcel: 343-040-013

PUBLIC USE PERMIT Case #: PUP00927

10. GENERAL CONDITIONS

10.PLANNING. 34 USE-ALUC CONDITIONS (cont.) (cont.)

RECOMMND

- amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in the proposed height or elevation of the antenna structures shall not require further review by the Airport Land Use Commission.
  - 11. Temporary construction equipment used during actual installation of the antenna structures shall not exceed 52 feet in height, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
  - 12. Within five (5) days after the antenna structures have been installed at their maximum height, FAA Form 7460-2 (Part II), Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to https://oeaaa.faa.gov for instructions.) This requirement is also applicable in the event the project is abandoned or a decision is made not to install the proposed antenna structures.

#### 20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 7 USE - EXPIRATION DATE-USE CASE

RECOMMND

This approval shall be used within eight (8) years of the approval date; otherwise, it shall become null and void and of no effect whatsoever. By use is meant completion of construction and the actual occupancy of existing buildings or land under the terms of the authorized use.

The Planning Director, at his/her, discretion, may grant additional years beyond the eight (8) years stated above. Should the years be granted and the completion of construction and the actual occupancy of existing buildings or land under the terms of the authorized use not occur, the approval shall become null and void and of no effect whatsoever.

#### Riverside County LMS CONDITIONS OF APPROVAL

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PUBLIC USE PERMIT Case #: PUP00927

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#### 60. PRIOR TO GRADING PRMT ISSUANCE

#### PLANNING DEPARTMENT

60.PLANNING. 7 USE- SKR FEE CONDITION

RECOMMND

Prior to the issuance of a grading permit, the applicant shall comply with the provisions of Riverside County Ordinance No. 663, which generally requires the payment of the appropriate fee set forth in that ordinance. he amount of the fee required to be paid may vary depending upon a variety of factors, including the type of development application submitted and the applicability of any fee reduction or exemption provisions contained in Riverside County Ordinance No. 663. Said fee shall be calculated on the approved development project which is anticipated to be 4.7acres (gross) in accordance with APPROVED EXHIBIT NO. A. If the development is subsequently revised, this acreage amount may be modified in order to reflect the revised development project acreage amount. In the event Riverside County Ordinance No. 663 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 663 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

60 PLANNING. 10 USE- FEE STATUS

RECOMMND

Prior to the issuance of grading permits for Public Use Permit No. 927, the Planning Department shall determine the status of the deposit based fees. If the fees are in a negative status, the permit holder shall pay the outstanding balance.

#### 80. PRIOR TO BLDG PRMT ISSUANCE

EPD DEPARTMENT

80.EPD. 1

EPD - FUEL MODIFICATION NOTICE

RECOMMND

Environmental Programs Division (EPD) staff recognize that fuel modification activities are necessary and often required by the Riverside County Fire Department within Very High Fire Hazard Severity Zones. However, past fuel modification activities (2006-2009) have inadvertently impacted onsite MSHCP Riparian/Riverine Habitat outside of the proposed project area.

The applicant shall submit a plan to EPD staff outlining a

### LAND DEVELOPMENT COMMITTEE

### INITIAL CASE TRANSMITTAL

### RIVERSIDE COUNTY PLANNING DEPARTMENT - RIVERSIDE

P.O. Box 1409 Riverside, CA 92502-1409

DATE: May 7, 2015

TO:

Riv. Co. Transportation Dept.

Riv. Co. Environmental Health Dept.

Riv. Co. Information Technology J. Sarkissian

Riv. Co. Fire Department

Riv. Co. Flood Control

Riv. Co. Building & Safety -- Grading

Riv. Co. Building & Safety - Plan Check

Riv. Co. Environmental Programs Dept. P.D. Geology Section-D. Jones

P.D. Archaeology H. Thomson

P.D. Landscaping Section-M. Hughes

ALUC - John Guerin

1st District Supervisor

1st District Planning Commissioner

March Air Reserve Base

CONDITIONAL USE PERMIT NO. 3726 - EA42778 - Applicant: Level 3 Communications - Engineer Representative: Albert A Webb Associates - Owner: VYVX - First Supervisorial District - Good Hope Zoning Area Lake Mathews/Woodcrest Area Plan – General Plan: Rural: Rural Residential (R: RR) (5 ac min) – Zoning: Residential Agriculture, 5 acre minimum (R-A-5) - Location: southerly and easterly of Rocky Hills Road, and southwesterly of Maywood Club Road. - REQUEST: Construction and operation of eleven (11) satellite communications antennas and all other necessary and required supporting equipment within an existing satellite communications center. - APNs: 343-040-012 and 343-040-013.

Please review the attached map(s) and/or exhibit(s) for the above-described project. This case is scheduled for a LDC meeting on May 21, 2015. All LDC Members please have draft conditions in the Land Management System on or before the above date. If it is determined that the attached map(s) and/or exhibit(s) are not acceptable, please have corrections in the system and DENY the routing on or before the above date. Once the route is complete, and the approval screen is approved with or without corrections, the case can be scheduled for a public hearing.

All other transmitted entities, please have your comments, questions and recommendations to the Planning Department on or before the above date. Your comments/recommendations/conditions are requested so that they may be incorporated in the staff report for this particular case.

Should you have any questions regarding this project, please do not hesitate to contact Mark Corcoran. Contract Planner, at (951)955-3025 or email, at <a href="mailto:mcorcora@rctlma.org/MAILSTOP#1070">mcorcora@rctlma.org/MAILSTOP#1070</a>.

COMMENTS:

DATE:	SIGNATURE:	
PLEASE PRINT NAME AND TITLE: _		
TELEPHONE:		

If you do not include this transmittal in your response, please include a reference to the case number and project planner's name. Thank you.



### AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

CHAIR

Simon Housman Rancho Mirage

VICE CHAIRMAN Rod Ballance Riverside

(VIA HAND DELIVERY)

COMMISSIONERS

Arthur Butler Riverside

> John Lyon Riverside

**Glen Holmes** Hemet

**Greg Pettis** Cathedral City

Steve Manos Lake Elsinore

**STAFF** 

Director Ed Cooper

John Guerin Russell Brady Barbara Santos

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

September 14, 2015

Mr. Mark Corcoran, Contract Planner Riverside County Planning Department 4080 Lemon Street, Twelfth Floor Riverside, CA 92501

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW

File No.: ZAP1127MA15

Related File No.: CUP03726 (Conditional Use Permit) and CZ07868 (Change of

Zone)

APNs: 343-040-012; 343-040-013

Dear Mr. Corcoran:

On August 13, 2015, the Riverside County Airport Land Use Commission (ALUC) found Change of Zone Case No. 7868, a proposal to change the zoning of 31.3 acres located westerly of a southerly extension of Gilmer Road, southerly of a westerly extension of Olympia Avenue, and easterly of a southerly extension of Reiss Road in the unincorporated community of Lake Mathews (to wit, Assessor's parcel Numbers 343-040-012 and 343-040-013) from Residential Agricultural, five acre minimum lot size (R-A-5) to Light Agriculture, five acre minimum lot size (A-1-5), **CONSISTENT** with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (March ALUCP).

This finding of consistency relates to airport land use compatibility issues and does not necessarily constitute an endorsement of this proposal, as both the existing and proposed zoning are consistent with the March ALUCP.

www.rcaluc.org

On August 13, 2015, the Riverside County Airport Land Use Commission (ALUC) found Conditional Use Permit No. 3726, a proposal to construct and operate eleven (11) satellite communication antennas and other supporting equipment within an existing satellite communications center on 4.7 acres within the 31.3-acre change of zone site, CONDITIONALLY CONSISTENT with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, pending Federal Aviation Administration (FAA) review, which has now been completed. subject to the following conditions, as amended to incorporate the provisions of the FAA's Determination of No Hazard to Air Navigation letter issued on August 4, 2015 (conditions added pursuant to FAA letter subsequent to hearing shown in **bold type**).

#### **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.
- 12. The following uses shall be prohibited:

- (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)
- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- Prior to issuance of any building permits or authorization to operate the proposed facilities, the landowner shall convey and have recorded an avigation easement to March Inland Port Airport Authority. Contact March Joint Powers Authority at (951) 656-7000 for additional information.
- 4. Any proposed 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 retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
- 5. 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.
- 6. The attached notice shall be provided to all potential purchasers of the property and lessees of the facilities thereon.
- 7. Prior to issuance of any building permits or authorization to operate the proposed facilities, a "Determination of No Hazard to Air Navigation" shall be issued by the Federal Aviation Administration.

#### [This condition shall be considered to have been MET.]

The following conditions have been added subsequent to the ALUC hearing pursuant to the terms of the FAA Obstruction Evaluation Service letter issued on August 4, 2015 for Aeronautical Study No. 2015-AWP-7129-OE.

8. The Federal Aviation Administration has conducted an aeronautical study of the

proposed antenna with the greatest height and elevation above mean sea level (Aeronautical Study No. 2015-AWP-7129-OE) and has determined that neither marking nor lighting of the antenna structure is necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 K Change 2 and shall be maintained in accordance therewith for the life of the project.

- 9. The maximum height of any of the proposed antenna structures shall not exceed 52 feet above ground level, and the maximum elevation of the proposed antenna structures shall not exceed 2,070 feet above mean sea level.
- 10. The specific coordinates, height, and top point elevation of the proposed antenna structures shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in the proposed height or elevation of the antenna structures shall not require further review by the Airport Land Use Commission.
- 11. Temporary construction equipment used during actual installation of the antenna structures shall not exceed 52 feet in height, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
- 12. Within five (5) days after the antenna structures have been installed at their maximum 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 efiled 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 install the proposed antenna structures.

If you have any questions, please contact Russell Brady, ALUC Contract Planner, at (951) 955-0549, or John Guerin, ALUC Principal Planner, at (951) 955-0982.

Sincerely.

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Edward C. Cooper, Director

Attachment: Notice of Airport in Vicinity

FAA Aeronautical Study No. 2015-AWP-7129-OE

cc: Robert DiOrio, VYVX, Inc. (applicant/landowner)

Level 3 Communications (applicant)

Allen Holdings/Allen Communications (payee)

Nicole Torstvet, Albert A. Webb Associates (representative)

Western Riverside County Regional Conservation Authority (neighboring landowner)

Riverside County EDA – Real Estate Division (neighboring landowner)

Gary Gosliga, Airport Manager, March Inland Port Airport Authority

Denise Hauser or Sonya Pierce, March Air Reserve Base

ALUC Case File

## COUNTY OF RIVERSIDE AIRPORT LAND USE COMMISSION

#### STAFF REPORT

AGENDA ITEM: 4.1

**HEARING DATE:** August 13, 2015

CASE NUMBER: ZAP1127MA15 – Level 3 Communications/VYVX, LLC, c/o

Robert Di Orio/Allen Holdings (Representative: Albert A.

Webb Associates, Nicole Torstvet)

**APPROVING JURISDICTION:** County of Riverside

JURISDICTION CASE NO: CUP03726 (Conditional Use Permit), CZ07868 (Change of

Zone)

**MAJOR ISSUES: None** 

RECOMMENDATION: Staff recommends a finding of <u>CONSISTENCY</u> for the Change of Zone and a finding of <u>CONDITIONAL CONSISTENCY</u> for the Conditional Use Permit, subject to the conditions included herein and such additional conditions as may be required by the Federal Aviation Administration (FAA) Obstruction Evaluation Service.

**PROJECT DESCRIPTION**: The Conditional Use Permit proposes to construct and operate eleven (11) satellite communication antennas and other supporting equipment within an existing satellite communications center. The Change of Zone proposes to change the zoning classification of the site from Residential Agricultural 5-acre minimum lot size (R-A-5) to Light Agriculture 5-acre minimum lot size (A-1-5).

**PROJECT LOCATION:** The project site is located westerly of a southerly extension of Gilmer Road, southerly of a westerly extension of Olympia Avenue, easterly of a southerly extension of Reiss Road, northerly of the City of Lake Elsinore boundaries within the unincorporated community of Lake Mathews within the County of Riverside, approximately 43,300 feet southwesterly of Runway 14-32 at March Air Reserve Base and 29,000 feet westerly of Perris Valley Airport Runway 15-33.

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

a. Airport Influence Area: March Air Reserve Base/Inland Port Airport

b. Land Use Policy: Zone E, High Terrain Zone

c. Noise Levels: below 60 CNEL

#### **BACKGROUND:**

<u>Non-Residential Intensity</u>: The site is located within Compatibility Zone E. Compatibility Zone E does not limit non-residential intensity.

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

<u>Noise</u>: The March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan depicts the site as being outside the 60 CNEL contour relative to aircraft noise. ALUC's objective is that interior noise levels from aircraft approaching or taking off from this airport not exceed CNEL 40 dB. As standard building construction is presumed to provide adequate sound attenuation where the exterior noise exposure is not more than 20 dB greater than the interior standard, the development would not require special measures to mitigate aircraft-generated noise.

Part 77: The elevation of Runway 14-32 of March Air Reserve Base/Inland Port at its southerly terminus is approximately 1488 feet above mean sea level (1488 feet AMSL). The military Outer Horizontal Surface is set at an elevation that exceeds the runway elevation by 500 feet. Objects breaching the Outer Horizontal Surface are subject to review at distances up to 50,000 feet. At a distance of approximately 43,300 feet from the runway, Federal Aviation Administration (FAA) review would be required for any structures with top of roof exceeding 1988 feet AMSL. The site has an existing elevation of approximately 2000 to 2100 feet AMSL (more than 500 feet above the runway elevation) and proposes structures with a maximum height of 52 feet. Therefore, review by the FAA Obstruction Evaluation Service for height/elevation reasons is required in relation to March Air Reserve Base/Inland Port. The applicant has submitted the project to FAA and been assigned an Aeronautical Study Number of 2015-AWP-7129-OE. At the time of writing of this staff report, a Determination of No Hazard to Air Navigation has yet to be issued.

Open Area: Compatibility Zone E does not require land to be set aside as open areas.

#### **CONDITIONS:**

- 1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
- 2. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)
- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- 3. Prior to issuance of any building permits or authorization to operate the proposed facilities, the landowner shall convey and have recorded an avigation easement to March Inland Port Airport Authority. Contact March Joint Powers Authority at (951) 656-7000 for additional information.
- 4. Any proposed 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 retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping.
- 5. 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.
- 6. The attached notice shall be provided to all potential purchasers of the property and lessees of the facilities thereon.
- 7. Prior to issuance of any building permits or authorization to operate the proposed facilities, a "Determination of No Hazard to Air Navigation" shall be issued by the Federal Aviation Administration.



### KIVERSIDE COUNTY

### PLANNING DEPARTMENT

CZ +

### **APPLICATION FOR LAND USE PROJECT**

CHECK ONE AS APPROPRIATE:
☐ PLOT PLAN       ☐ CONDITIONAL USE PERMIT       ☐ TEMPORARY USE PERMIT         ☐ REVISED PERMIT       ☐ VARIANCE
PROPOSED LAND USE: Existing Teleport Facility (expired PUP760)
ORDINANCE NO. 348 SECTION AUTHORIZING PROPOSED LAND USE:
ALL APPLICATIONS MUST INCLUDE THE INFORMATION REQUIRED UNDER ANY SUPPLEMENTAL INFORMATION LIST APPLICABL TO THE SPECIFIC PROJECT. ADDITIONAL INFORMATION MAY BE REQUIRED AFTER INITIAL RECEIPT AND REVIEW. INCOMPLET. APPLICATIONS WILL NOT BE ACCEPTED.
CASE NUMBER: <u>PUP00927</u> DATE SUBMITTED: <u>3/11/15</u>
APPLICATION INFORMATION
Applicant's Name: Level 3 Communications c/o Robert Diorio E-Mail: robert diorio@level3.com and bill@uplink.biz
Mailing Address: 20021 Santa Rosa Mine Road
Perris, CA 92570
City State ZIP
Daytime Phone No: (951 ) 943-0820 Fax No: (951 ) 943-3459
Engineer/Representative's Name: Albert A Webb Associates c/o DJ Arellano E-Mail: dj.arellano@webbassociates.com
Mailing Address: 3788 McCray Street
Riverside, CA 92506
City State ZIP
Daytime Phone No: (951 ) 686-1070 Fax No: (951 ) 788-1256
Property Owner's Name: VYVX, LLC E-Mail: robert.diorio@level3.com
Mailing Address: 1 Technology Center No.TC11X
Tulsa, OK, 74103
City State ZIP
Daytime Phone No: (951 ) 943-0820 Fax No: (951 ) 943-3459

Riverside Office · 4080 Lemon Street, 12th Floor P.O. Box 1409, Riverside, California 92502-1409 (951) 955-3200 · Fax (951) 955-1811 Desert Office · 77-588 El Duna Court, Suite H Palm Desert, California 92211 (760) 863-8277 · Fax (760) 863-7555

If the property is owned by more than one person, attach a separate page that references the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

#### AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The signature below authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of your application, you will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

All signatures must be originals ("wet-signed"). Photocopies of signatures are not acceptable

Robert A. DIORIO
PRINTED NAME OF APPLICANT SIGNATURE OF APPEICANT
AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:
I certify that I am/we are the record owner(s) or authorized agent and that the information filed is true and correct to the best of my knowledge. An authorized agent must submit a letter from the owner(s) indicating authority to sign the application on the owner's behalf.
All signatures must be originals ("wet-signed"). Photocopies of signatures are not acceptable.
Robert A. DIORIO
PRINTED NAME OF PROPERTY OWNER(S)  SIGNATURE OF PROPERTY OWNER(S)
PRINTED NAME OF PROPERTY OWNER(S) SIGNATURE OF PROPERTY OWNER(S)
If the property is owned by more than one person, attach a separate sheet that references the application case number and lists the printed names and signatures of all persons having an interest in the property.
See attached sheet(s) for other property owners' signatures.
PROPERTY INFORMATION:
Assessor's Parcel Number(s): 343-040-012, 343-040-013
Section: 4, 5 Township: 5S Range: 4W

APPLICATION FOR LAND USE PROJECT
Approximate Gross Acreage: 31.31
General location (nearby or cross streets): North of, South of
Thomas Brothers map, edition year, page number, and coordinates: 2012 pg. 806, Grid F7, G7
Project Description: (describe the proposed project in detail) Entitle an existing teleport facility formerly PUP#760 located off Santa Rosa Mine in the Good Hope
Area of Riverside, California. There are no buildings, building additions, parking or other
structures proposed other than additional antennas proposed within the boundary of the existing facility.
Related cases filed in conjunction with this application:
Is there a previous application filed on the same site: Yes  No  In the sam
Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes ☐ No ☑
If yes, indicate the type of report(s) and provide a copy:
Is water service available at the project site: Yes 🗹 No 🗌
If "No," how far must the water line(s) be extended to provide service? (No. of feet/miles)
Will the project eventually require landscaping either on-site or as part of a road improvement or other common area improvements? Yes ☐ No ☑
Is sewer service available at the site? Yes ☐ No ☑
If "No," how far must the sewer line(s) be extended to provide service? (No. of feet/miles)
Will the project result in cut or fill slopes steeper than 2:1 or higher than 10 feet? Yes ☐ No ☑
How much grading is proposed for the project site?
Estimated amount of cut = cubic vards: N/A

APPLICATION FOR LAND US	ROJECT	
Estimated amount of fill = cubic	yards N/A	
Does the project need to import	or export dirt? Yes 🔲 No 🗹	3
Import	Export	Neither
What is the anticipated source/o	destination of the import/export?	?
What is the anticipated route of N/A	travel for transport of the soil m	naterial?
How many anticipated truckload	ds? N/A	truck loads.
What is the square footage of u	sable pad area? (area excluding	g all slopes) 1.01 existing sq. ft.
Is the project located within 81/2	miles of March Air Reserve Bas	se? Yes 🗌 No 🗹
If yes, will any structure exceed	fifty-feet (50') in height (above of	ground level)? Yes 🗹 No 🗌
special use airspace as defined	in Section 21098 of the Public 944 of the Government Code?	n, beneath a low-level flight path or within Resources Code, and within an urbanized (See California Office of Planning and No
Is the project located within the Riverside County Airport Land L		d Use Compatibility Plan adopted by the
Does the project area exceed o	ne acre in area? Yes \( \square\) No	
		efer to Riverside County Land Information dex.html) for watershed location)?
Santa Ana River	☐ Santa Margarita Rive	er
Ana River above and use th	e Santa Ana River workshee <b>Nater Quality Management Pl</b>	shown on the RCLIS, please check Santa et, "Checklist for Identifying Projects lan (WQMP) within the Santa Ana River

# HAZARDOUS WASTE AND SUBSTANCES STATEMENT

Government Code Section 65962.5 requires the applicant for any development project to consult specified state-prepared lists of hazardous waste sites and submit a signed statement to the local agency indicating whether the project and any alternatives are located on an identified site and shall specify any lists. Under the statute, no application shall be accepted as complete without this signed statement. I (We) certify that I (we) have investigated our project and any alternatives with respect to its location on an identified hazardous waste site contained on all lists compiled pursuant to Government Code Section 65962.5 and that my (our) answers are true and correct. My (Our) investigation has shown that: The development project and any alternatives proposed in this application are not contained on the lists compiled pursuant to Section 65962.5 of the Government Code. The development project and any alternatives proposed in this application are contained on the lists compiled pursuant to Section 65962.5 of the Government Code. Accordingly, the following information is provided and incorporated herein. Attach a separate sheet setting forth the following information with respect to each list. Name of Applicant: Address: Phone number: Address of site (street name and number if available, and ZIP Code): Local Agency: County of Riverside Assessor's Book Page, and Parcel Number: Specify any list pursuant to Section 65962.5 of the Government Code: Regulatory Identification number: Date of list: Applicant (1) Applicant (2) Date

# HAZARDOUS MATERIALS DISCLOSURE STATEMENT

Government Code Section 65850.2 requires the owner or authorized agent for any development project to disclose whether:

1.	Compliance will be needed with the applicable requirements of Section 25505 and Article 2
	(commencing with Section 25531) of Chapter 6.95 of Division 20 of the Health and Safety Code
	or the requirements for a permit for construction or modification from the air pollution control
	district or air quality management district exercising jurisdiction in the area governed by the
	County.
	Vac D Na D

Yes 📙 No 🗹

Checklist for Identifying Projec	ts Requiring a Project-Specific Water Quality Management Plan (	WON	IP)		
	within the Santa Ana River Region 1	V 1 CQ 1 P	·· ,		
Project File No.			_		
Project Name:	Teleport Facility				
Project Location:	Santa Rosa Mine Road				
Project Description:	PUP Entitlement of existing Teleport Facility (formerly PUP760)		_		
Applicant Contact Information:	Robert Diorio, robert.diorio@level3.com				
Applicant Contact Information.	Robert Diolio, robert diolio@levels.com	_			
Proposed Project Consists of, or	includes:	YES	NO		
	ddition or replacement of 5,000 square feet or more of impervious	120	V		
surface on an already developed	site. Does not include routine maintenance activities that are		V		
conducted to maintain original line	and grade, hydraulic capacity, original purpose of the constructed	ļ			
facility or emergency redevelopmen	t activity required to protect public health and safety.				
Residential development that create	e 10,000 square feet or more of impervious surface (collectively over		V		
the entire project site), including	residential housing subdivision requiring a Final Map (i.e. detached	╵┻	ت		
single family home subdivisions, mu	ulti-family attached subdivisions, condominiums, or apartments, etc.).				
New Industrial and commercial dev	elopment where the land area¹ represented by the proposed map or		V		
permit is 10,000 square feet or more	2.	יין	لٽا		
	Industrial Classification (SIC) codes <sup>2</sup> 5013, 5014, 5541,7532, 7533,		~		
7534, 7536, 7537, 7538, 7539)	(****) ****** ****, ****, ****, ****, ****, *****, *****, *****, *****, *****, *****, *****, *****, *****, *****, *****, ******	_	ت		
Mixed use developments that create	e 10,000 square feet or more of impervious surface (collectively over	П	<b>V</b>		
the entire project site).					
Restaurants (SIC code 5812) where	the land area of development is 5,000 square feet or more.	П			
Hillside developments 5,000 square	e feet or more which are located on areas with known erosive soil	Ħ	रार		
conditions or where natural slope is 25 percent or more.					
Developments of 2,500 square fee	et of impervious surface or more adjacent to (within 200 feet) or	П	V		
discharging directly into ESA's "D	irectly" means situated within 200 feet of the ESA; "discharging		7		
directly" means outflow from a drain	age conveyance system that is composed entirely of flows from the		i		
subject development or redevelopm	ent site, and not commingled with flows from adjacent lands.				
Parking lots of 5,000 square feet or	more exposed to stormwater, where "parking lot" is defined as a land	П	Ø		
<u>[area or facility for the temporary stor</u>	age of motor vehicles.		_		
Retail Gasoline Outlets that are eith	er 5,000 square feet or more of impervious surface with a projected	П	Image: second color		
average daily traffic of 100 or more	/ehicles per day.		_		
Public Projects other than Transpor	tation Projects, that are implemented by a Premittee and similar in		Image: section of the content of the		
nature to the priority projects describ	ed above and meets the thresholds described herein.		_		
Other Development Projects whose site conditions or activity pose the potential for significant adverse					
impacts to water quality.					
Land area is based on acreage disturbed.					
<sup>2</sup> Descriptions of SIC codes can be found at	http://www.osha.gov/pls/imis/sicsearch.html.				
DETER	MINATION: Circle appropriate determination.				
If <u>any</u> question answered "YES" Pro	ject requires a project-specific WQMP.				
If <u>all</u> questions answered "NO" Pro	ject requires incorporation of Site Design and source control (BMPs) in Conditions of Approval or permit conditions.	mpos	ed		
	gar conditions of Approval of permit conditions.				

Checklist for Identifying Projects Requiring a Project-Specific Standard Stormwater Mitigation Pla	n /95	MDV
within the Santa Margarita River Region	11 (33	olvie)
Project File No. N/A		
Project Name:		
Project Location:		
Project Description:		
Applicant Contact Information:		
Applicant contact information:		
Proposed Project Consists of, or includes:	1275	
Redevelopment. The creation, addition or replacement of at least 5,000 square feet of impervious	YES	NO
surfaces on an already developed site and the existing development and/or the redevelopment project	╽╙	ш
falls under the project categories or locations listed below in this table. Where redevelopment results in		
an increase of less than 50% of the impervious surfaces of previously existing development, and the		
existing development was not subject to SSMP requirements, the numeric sizing criteria [MS4 Permit		
requirement F.1.d. (6)] applies only to the addition or replacement, and not to the entire development.		
[Note: Where redevelopment results in an increase of more than 50% of the impervious surfaces of a		
previously existing development, the numeric sizing criteria applies to the entire development.]		
New Development. The creation of 10,000 square feet or more of impervious surfaces (collectively over		_
the entire project site) including commercial, industrial, residential, mixed-use, and public projects.		ш
Automotive repair shops. A facility that is categorized in any one of the following Standard Industrial		
Classification (SIC) Codes 5013–Motor vehicle supplies or parts, 5014–Tires & Tubes, 5541–Gasoline	ш	L
Service Stations,7532-Top, Body & Upholstery Repair Shops and Paint Shops, 7533-Automotive		
Exhaust System Repair Shops, 7534—Tire Retreading and Repair Shops, 7536—Automotive Glass		
Replacement Shops, 7537—Automotive Transmission Repair Shops, 7538—General Automotive Repair		
Shops, 7539-Automotive Repair Shops, not elsewhere classified)		
Automotive repair shops. A facility that is categorized in any one of the following Standard Industrial		$\overline{}$
Classification (SIC) Codes 5013–Motor vehicle supplies or parts, 5014–Tires & Tubes, 5541–Gasoline		$\sqcup$
Service Stations, 7532-Top, Body & Upholstery Repair Shops and Paint Shops, 7533-Automotive		
Exhaust System Repair Shops, 7534-Tire Retreading and Repair Shops, 7536-Automotive Glass		ļ
Replacement Shops, 7537-Automotive Transmission Repair Shops, 7538-General Automotive Repair		ŀ
Shops, 7539–Automotive Repair Shops, not elsewhere classified)		
Restaurants. (Standard Industrial Classification (SIC) Code 5812: Establishments primarily engaged in	777	$\overline{}$
the retail sale of prepared food and drinks for on-premise or immediate consumption, including, but not	ш	-
limited to: Automats (eating places), Beaneries, Box lunch stands, Buffets (eating places). Cafes l		
Careterias, Carry-out restaurants, Caterers, Coffee shops, Commissary restaurants, Concession stands		[
prepared food (e.g., in airports and sports arenas), Contract feeding, Dairy bars, Diners (eating places) I		
Dining rooms, Dinner theaters, Drive-in restaurants, Fast food restaurants, Food hars, Food service		
(Institutional), Frozen custard stands, Grills, (eating places), Hamburger stands, Hot dog (frankfurter)		1
stands, ice cream stands, industrial feeding, Lunch bars. Lunch counters, Luncheonettes, Lunchrooms I		
Oyster bars, Pizza parlors, Pizzerias, Refreshment stands, Restaurants, Sandwich bars or shops, Spack		
snops, Soda fountains, Soft drink stands, Submarine sandwich shops, and Tea rooms.) Where the land		ŀ
area for development is greater than 5,000 square feet. Restaurants where land development is less!		
than 5,000 square feet shall meet all SSMP requirements except for structural treatment control RMPs		ŀ
[MS4 Permit requirement F.2.b(3)] and numeric sizing criteria requirement [MS4 Permit Requirement]		
F. I.d.(6)] and hydromodification requirement [MS4 Permit requirement F.1.h].		ŀ
All Hillside development greater than 5,000 square feet. Any development that creates greater than		
5,000 square feet of impervious surface which is located in an area with known erosive soil conditions,		
where the development will include grading on any natural slope that is 25% or greater.		
Environmentally Sensitive Areas (ESAs).1 All development located within or directly adjacent to or		
discharging directly to an ESA (where discharges from the development or redevelopment will enter		
receiving waters within the ESA), which either creates 2,500 square feet of impervious surface on a		
proposed project site or increases the area of imperviousness of a proposed project site to 10% or more		
of its naturally occurring condition. "Directly adjacent" means situated within 200 feet of the ESA.  "Discharging directly to" means outflow from a drainage conveyance system that is composed entirely of		
<u></u>		ĺ

# APPLICATION FOR LAND US PROJECT

form from the second se	
flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.	
Impervious parking lots of 5,000 sq. ft. or more. A land area or facility for the temporary parking or	7
storage of motor vehicles used personally for business or commerce.	
Streets, roads, highways, and freeways. Includes any paved impervious surface that is 5,000 square	T - 🖂
feet or greater used for the transportation of automobiles, trucks, motorcycles, and other vehicles	<b>-</b> Ц
Retail Gasoline Outlets (RGOs). Includes RGOs that meet the following criteria: (a) 5,000 square feet	
or more, or (b) a projected Average Daily Traffic (ADT) of 100 or more vehicles per day.	
Areas that include but are not limited to all CWA Section 303(d) impaired water bodies: areas designated as	s Areas
of Special biological Significance by the State Water Resources Control Board (Water Quality Control Plan	for the
San Diego Basin (1994) and amendments); State Water Quality Protected Areas: water hodies designated to	with the
RARE beneficial use by the State Water Resources Control Board (Water Quality Control Plan for San Dieg	n Raein
(1994) and amendments); areas designated as preserves or their equivalent under the Natural Comp	nunities
Conservation Program within the Cities and County of Orange; and any other equivalent environmentally si	ensitive
jareas which have been identified by the Copermittees.	
The Basin Plan for the San Diego Basin WQMPSSMP (also referred to as a WQMP).	
www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/docs/update082812/Chpt_2_2012.pdf	f.
The most recent CWA Section 303(d) list can be found at:	
http://www.swrcb.ca.gov/rwqcb9/water_issues/programs/303d_list/index.shtml.	
DETERMINATION: Circle appropriate determination.	
If <u>any</u> question answered "YES" SSMP (also referred to as a WQMP).	
If <u>all</u> questions answered "NO" Project requires incorporation of Site Design Best Management Practices (	(BMPs)
and Source Control BMPs imposed through Conditions of Approval or	permit
conditions.	

Checklist for Identifying Projects Requiring a Project-Specific Water Quality Management Plan (WQMP)  within the Whitewater River Region					
Project File No.	N/A				
Project Name:					
Project Location:	······································				
Project Description:					
Applicant Contact Information:					
	<u> </u>		_		
Proposed Project Consists of Parcel includes:	New Construction on a Previously Disturbed and Undisturbed	YES	NO		
Single-family hillside residences t	that create 10,000 square feet, or more, of impervious are where the		П		
natural slope is 25% or greater.			_		
Single-family hillside residences t	that create 10,000 square feet of impervious area where the natural		П		
slope is 10% or greater where ero	sive soil conditions are known.		_		
Commercial and Industrial develop	oments of 100,000 square feet or more.		П		
Automotive repair shops (Standard Industrial Classification (SIC) Codes 5013–Motor vehicle supplies or parts, 5014–Tires & Tubes, 5541–Gasoline Service Stations,7532–Top, Body & Upholstery Repair Shops and Paint Shops, 7533–Automotive Exhaust System Repair Shops, 7534–Tire Retreading and Repair Shops, 7536–Automotive Glass Replacement Shops, 7537–Automotive Transmission Repair Shops, 7538–General Automotive Repair Shops, 7539–Automotive Repair Shops, not elsewhere classified)					
Retail gasoline outlets disturbing g	reater than 5,000 square feet.				
Restaurants disturbing greater than 5,000 square feet. (Standard Industrial Classification (SIC) Code 5812: Establishments primarily engaged in the retail sale of prepared food and drinks for on-premise or immediate consumption, including, but not limited to: Automats (eating places), Beaneries, Box lunch stands, Buffets (eating places), Cafes, Cafeterias, Carry-out restaurants, Caterers, Coffee shops, Commissary restaurants, Concession stands, prepared food (e.g., in airports and sports arenas), Contract feeding, Dairy bars, Diners (eating places), Dining rooms, Dinner theaters, Drive-in restaurants, Fast food restaurants, Food bars, Food service (institutional), Frozen custard stands, Grills, (eating places), Hamburger stands, Hot dog (frankfurter) stands, Ice cream stands, Industrial feeding, Lunch bars, Lunch counters, Luncheonettes, Lunchrooms, Oyster bars, Pizza parlors, Pizzerias, Refreshment stands, Restaurants, Sandwich bars or shops, Snack shops, Soda fountains, Soft drink stands, Submarine sandwich shops, and Tea rooms.)					
Home subdivisions with 10 or more	e housing units.				
Parking lots of 5,000 square feet o	r more, or with 25 or more parking spaces, and potentially exposed to				
Urban Runoff.			i		
ĐETI	ERMINATION: Circle appropriate determination.				
if <u>any</u> question answered "YES" Pr	roject requires a project-specific WQMP.				
and	oject requires incorporation of Site Design Best Management Practice d Source Control BMPs imposed through Conditions of Approval additions.	s (BM or pe	IPs) rmit		

# INDEMNIFICATION AGREEMENT

This INDEMNIFICATION AGREEMENT ("Agreement"), made by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California ("COUNTY"), and Wiltel Communications, LLC, a Delaware Limited Liability Company registered in the State of California ("PROPERTY OWNER"), relating to the PROPERTY OWNER'S indemnification of the COUNTY under the terms set forth herein:

# WITNESSETH:

WHEREAS, the PROPERTY OWNER has a legal interest in the certain real property described as APN 343-040-012 and 343-040-013 ("PROPERTY"); and,

WHEREAS, on March 11, 2015, PROPERTY OWNER filed an application for Public Use Permit No. 927 ("PROJECT"); and,

WHEREAS, judicial challenges of projects requiring discretionary approvals, including, but not limited to, California Environmental Quality Act determinations, are costly and time consuming. Additionally, project opponents often seek an award of attorneys' fees in such challenges; and,

WHEREAS, since property owners are the primary beneficiaries of such approvals, it is appropriate that such owners bear the expense of defending against any such judicial challenge, and bear the responsibility of any costs, attorneys' fees and damages which may be awarded to a successful challenger; and,

WHEREAS, in the event a judicial challenge is commenced against the PROJECT, the COUNTY has requested and the PROPERTY OWNER has agreed to defend, indemnify and hold harmless the COUNTY, its agents, officers, or employees from any claim, action or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void or annul any approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the PROJECT or its associated environmental documentation ("LITIGATION"); and,

WHEREAS, this Agreement is entered into by the COUNTY and PROPERTY OWNER to establish specific terms concerning PROPERTY OWNER'S indemnification obligation for the PROJECT.

NOW, THEREFORE, it is mutually agreed between COUNTY and PROPERTY OWNER as follows:

1. Indemnification. PROPERTY OWNER, at its own expense, shall defend, indemnify and hold harmless the COUNTY, its agents, officers, and employees from and against any claim, action or proceeding brought against the

COUNTY, its agents, officers, and employees to attack, set aside, void or annul any approval of the PROJECT including any associated costs, damages, any award of attorneys' fees and costs incurred or arising out of the above-referenced claim, action or proceeding brought against the COUNTY ("Indemnification Obligation.").

- 2. Defense Cooperation. PROPERTY OWNER shall have the right to lead the defense in the LITIGATION by directing the activities of defense counsel and the COUNTY agrees not to act in a manner inconsistent with or harmful to PROPERTY OWNER's litigation strategy so long as the litigation strategy is not harmful to the COUNTY or inconsistent with the COUNTY's policies, regulations and ordinances. Nothing contained in this Agreement, however, shall be construed to limit the discretion of COUNTY, in the interest of the public welfare, to settle, defend, appeal or to decline to settle or to terminate or forego defense or appeal of the LITIGATION. PROPERTY OWNER and the COUNTY shall reasonably cooperate in all aspects of the LITIGATION and COUNTY shall make a good faith effort to appear at any court hearing upon PROPERTY OWNER's request. It is also understood and agreed that all litigation pleadings are subject to review, revision and approval by COUNTY's Office of County Counsel.
- 3. Representation and Payment for Legal Services Rendered. PROPERTY OWNER shall have the right to select any and all counsel to defend the COUNTY in the LITIGATION subject only to COUNTY's reasonable objection or for cause. PROPERTY OWNER shall pay the attorneys' fees and costs of the legal firm retained by PROPERTY OWNER to represent the COUNTY in the LITIGATION. Failure by PROPERTY OWNER to pay such attorneys' fees and costs may be treated as an abandonment of the PROJECT and as a default of PROPERTY OWNER's obligations under this Agreement.
- Payment for COUNTY's LITIGATION Costs. Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. LITIGATION costs include any associated costs, fees, damages, and expenses as further described in Section 1. herein as Indemnification Obligation. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the PROJECT, PROPERTY OWNER shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). PROPERTY OWNER shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the LITIGATION. To the extent such costs are not recoverable under the California Public Records Act from the records requestor, PROPERTY OWNER agrees that deposits under this section may also be used to cover staff time incurred by the COUNTY to compile, review, and redact records in response to a Public Records Act request made by a petitioner in any legal challenge to the PROJECT when the petitioner is using the Public

Records Act request as a means of obtaining the administrative record for LITIGATION purposes. Within ten (10) days of written notice from COUNTY, PROPERTY OWNER shall make such additional deposits. Collectively, the initial deposit and additional deposits shall be referred to herein as the "Deposit."

- 5. Return of Deposit. COUNTY shall return to PROPERTY OWNER any funds remaining on deposit after ninety (90) days have passed since final adjudication of the LITIGATION.
- 6. Notices. For all purposes herein, notices shall be effective when personally delivered, delivered by commercial overnight delivery service, or sent by certified or registered mail, return receipt requested, to the appropriate address set forth below:

COUNTY:

Office of County Counsel Attn: Melissa Cushman 3960 Orange Street, Suite 500 Riverside, CA 92501 PROPERTY OWNER: Wiltel Communications, LLC Attn: Robert Diorio 20021 Santa Rosa Mine Road Perris, CA 92570

With a copy to: Level 3 Communications, LLC Aun: General Counsel 1025 Eldorado Drive Broomfield, CO 80021

Jeffer Mangels Butler & Mitchell, LLP Attn: Benjamin Reznik and Lara Leitner 1900 Avenue of the Stars, 7<sup>th</sup> Floor Los Angeles, CA 90067

- 7. **Default and Termination**. This Agreement is not subject to termination, except by mutual agreement or as otherwise provided herein. In the event of a default of PROPERTY OWNER's obligations under this Agreement, COUNTY shall provide written notification to PROPERTY OWNER of such alleged default and PROPERTY OWNER shall have ten (10) days after receipt of written notification to cure any such alleged default. If PROPERTY OWNER fails to cure such alleged default within the specified time period or otherwise reach agreement with the COUNTY on a resolution of the alleged default, COUNTY may, in its sole discretion, do any of the following or combination thereof:
  - a. Deem PROPERTY OWNER's default of PROPERTY OWNER's obligations as abandonment of the PROJECT and as a breach of this Agreement;
  - b. Rescind any PROJECT approvals previously granted;
  - c. Settle the LITIGATION.

In the event of a default, PROPERTY OWNER shall remain responsible for any costs and attorney's fees awarded by the Court or as a result of settlement and other expenses incurred by the COUNTY related to the LITIGATION or settlement.

PROPERTY OWNER has the right to withdraw its application for the PROJECT or have the PROJECT approvals rescinded at PROPERTY OWNER's request. Should such a withdrawal or rescission occur, this Agreement may be terminated. However, PROPERTY OWNER shall remain responsible for any costs and attorney's fees awarded by the Court or as a result of settlement and other expenses incurred by the COUNTY related to the LITIGATION or settlement.

- 8. **COUNTY Review of the PROJECT.** Nothing in this Agreement shall be construed to limit, direct, impede or influence the COUNTY's review and consideration of the PROJECT.
- 9. Complete Agreement/Governing Law. This Agreement represents the complete understanding between the parties with respect to matters set forth herein. This Agreement shall be construed in accordance with the laws of the State of California.
- 10. Successors and Assigns. The obligations specific herein shall be made, and are binding on the successors in interest of the PROPERTY OWNER, whether the succession is by agreement, by operation of law or by any other means.
- 11. Amendment and Waiver. No modification, waiver, amendment or discharge of this Agreement shall be valid unless the same is in writing and signed by all parties.
- 12. Severability. If any term, provision, covenant or condition of this Agreement is held to be invalid, void or otherwise unenforceable, to any extent, by any court of competent jurisdiction, the remainder of this Agreement shall not be affected thereby, and each term, provision, covenant or condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.
- 13. Survival of Indemnification. The parties agree that this Agreement shall constitute a separate agreement from any PROJECT approval, and if the PROJECT, in part or in whole, is invalidated, rendered null or set aside by a court of competent jurisdiction, the parties agree to be bound by the terms of this Agreement, which shall survive such invalidation, nullification or setting aside.
- 14. Interpretation. The parties have been advised by their respective attorneys, or if not represented by an attorney, represent that they had an opportunity to be so represented in the review of this Agreement. Any rule of construction to the

effect that ambiguities are to be resolved against the drafting party shall not be applied in interpreting this Agreement.

- 15. Captions and Headings. The captions and section headings used in this Agreement are inserted for convenience of reference only and are not intended to define, limit or affect the construction or interpretation of any term or provision hereof.
- 16. Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed in the Courts of Riverside County, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court or jurisdiction.
- 17. Counterparts; Facsimile & Electronic Execution. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document. To facilitate execution of this Agreement, the parties may execute and exchange facsimile or electronic counterparts, and facsimile or electronic counterparts shall serve as originals.
- 18. Joint and Several Liability. In the event there is more than one PROPERTY OWNER, each of them shall be jointly and severally liable for performance of all of the obligations of PROPERTY OWNER under this Agreement.
- 19. Effective Date. The effective date of this Agreement is the date the parties sign the Agreement. If the parties sign the Agreement on more than one date, then the last date the Agreement is signed by a party shall be the effective date.

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IN WITNESS WHEREOF, the parties hereto have duly caused this Agreement to be executed by their authorized representatives as of the date written.

COUNTY:
COUNTY OF RIVERSIDE,
a political subdivision of the State of California
Ву:
Charissa Leach
Assistant Director of TLMA – Community Development
Dated: 9/18/17
PROPERTY OWNER: Wiltel Communications, LLC, a Delaware Limited Liability Company registered in the State of California
By: Dan Dolan Vice President
Dated: 8-16-17

# NOTICE OF PUBLIC HEARING

A PUBLIC HEARING has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348,, before the RIVERSIDE COUNTY PLANNING COMMISSION to consider the project shown below:

**PUBLIC USE PERMIT NO. 927** – Exempt from the California Environmental Quality Act (CEQA), Sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures) – Applicant: Level 3 Communications, c/o Robert Diorio – Engineer: Albert A. Webb Associates – First Supervisorial District – Lake Mathews/Woodcrest Area Plan – Good Hope Zoning Area – General Plan: Rural: Rural Residential (R-RR) –Rural: Rural Mountainous (R-RM) – Zoning: Residential Agricultural – 5 acre minimum (R-A-5) – Location: Southerly of Rocky Hills Road and easterly of Post Road – **REQUEST:** PUP00927 is a Public Use Permit to re-entitle an existing communications facility, which includes the continued operation of 21 existing antennas, and the construction and operation of 11 new antennas, for a total of 32 antennas. The location of the new antennas will be within the existing 4.7-acre development footprint, and the entire project site is comprised of 31.3 acres.

TIME OF HEARING:

9:00 am or as soon as possible thereafter

DATE OF HEARING:

**OCTOBER 4, 2017** 

PLACE OF HEARING:

RIVERSIDE COUNTY ADMINISTRATIVE CENTER

BOARD CHAMBERS, 1ST FLOOR

4080 LEMON STREET, RIVERSIDE, CA 92501

For further information regarding this project please contact Project Planner Deborah Bradford at (951) 955-6646 or email at <a href="mailto:dbradfor@rivco.org">dbradfor@rivco.org</a>, or go to the County Planning Department's Planning Commission agenda web page at <a href="http://planning.rctlma.org/PublicHearings.aspx">http://planning.rctlma.org/PublicHearings.aspx</a>.

The Riverside County Planning Department has determined that the above-described application is exempt from the provisions of the California Environmental Quality Act (CEQA). The Planning Commission will consider the proposed application at the public hearing.

The case file for the proposed project may be viewed Monday through Friday, from 8:00 A.M. to 5:00 P.M. at the Planning Department office, located at 4080 Lemon St. 12th Floor, Riverside, CA 92501.

Any person wishing to comment on the proposed project may do so in writing between the date of this notice and the public hearing; or, may appear and be heard at the time and place noted above. All comments received prior to the public hearing will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If this project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to: RIVERSIDE COUNTY PLANNING DEPARTMENT

Attn: Deborah Bradford

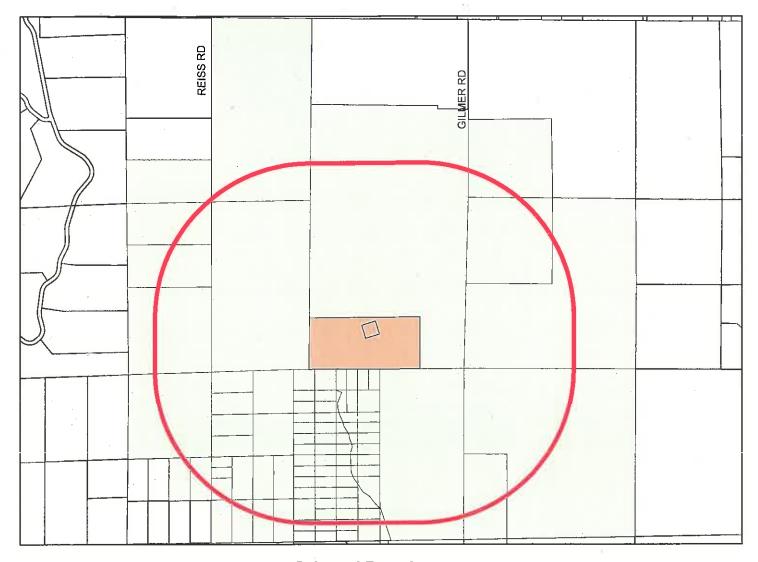
P.O. Box 1409, Riverside, CA 92502-1409

# PROPERTY OWNERS CERTIFICATION FORM

I, <u>VINNIE NGUYEN</u> cer	tify that on <u>Aug 15, 2017</u> ,
The attached property owners list was prepared by	Riverside County GIS ,
APN (s) or case numbers PUP00	<u>)927                                    </u>
Company or Individual's Name RCIT -	· GIS ,
Distance buffered240	0'
Pursuant to application requirements furnished by	the Riverside County Planning Department.
Said list is a complete and true compilation of the	owners of the subject property and all other
property owners within 600 feet of the property	involved, or if that area yields less than 25
different owners, all property owners within a notif	ication area expanded to yield a minimum of
25 different owners, to a maximum notification are	ea of 2,400 feet from the project boundaries,
based upon the latest equalized assessment rolls.	If the project is a subdivision with identified
off-site access/improvements, said list includes a co	mplete and true compilation of the names and
mailing addresses of the owners of all property	y that is adjacent to the proposed off-site
improvement/alignment.	
I further certify that the information filed is true a	and correct to the best of my knowledge. I
understand that incorrect or incomplete information	may be grounds for rejection or denial of the
application.	
TITLE: GIS Analyst	<u> </u>
ADDRESS:4080 Lemon Str	eet 9 <sup>TH</sup> Floor
Riverside, Ca. 9	92502
TELEPHONE NUMBER (8 a.m. – 5 p.m.):	(951) 955-8158

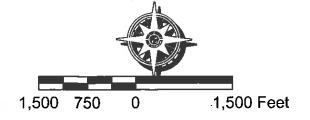
DiBrasknd 8/15/17

# PUP00927 ( 2400 feet buffer )



# **Selected Parcels**

346-050-016	346-060-003	346-060-004	346-060-005	346-060-006	346-060-012	346-060-013	346-060-017	346-060-021	346-060-025
346-060-029	346-060-033	346-060-037	346-060-059	346-060-061	346-060-063	346-060-065	346-060-067	346-060-069	346-060-071
346-060-073	346-060-075	343-060-002	346-040-001	346-040-002	346-040-003	346-040-004	346-040-005	346-040-006	346-040-007
346-050-004	346-050-005	346-050-006	346-050-008	346-050-009	346-050-014	346-050-015	346-050-017	346-050-018	346-050-019
346-060-001	346-060-002	346-060-007	346-060-008	346-060-009	346-060-010	346-060-014	346-060-015	346-060-018	346-060-019
346-060-022	346-060-023	346-060-026	346-060-027	346-060-030	346-060-031	346-060-034	346-060-035	346-060-038	346-060-039
346-060-041	346-060-042	346-060-043	346-060-045	346-060-046	346-060-047	346-060-048	346-060-049	346-060-050	346-060-051
346-060-052	346-060-053	346-060-057	346-060-058	346-060-060	346-060-062	346-060-064	346-060-066	346 <b>-</b> 060-068	346-060-070
346-060-072	346-060-074	346-070-002	343-050-015	343-050-003	343-050-013	343-070-001	343-050-009	346-090-002	343-050-008
343-050-002	343-040-011	346-050-007	343-070-002	346-090-001	343-040-012	343-040-013	346-070-003		





ASMT: 343040011, APN: 343040011

5962™

STEELE VALLEY 1589 N MAIN ST ORANGE CA 92867 ASMT: 343060002, APN: 343060002 MARJORIE OVERMYER, ETAL 6011 JAYMILLS AVE LONG BEACH CA 90805

ASMT: 343040013, APN: 343040013

VYVX

C/O DAVID NILSSON 1 TECHNOLOGY CTR NO TC11X

**TULSA OK 74103** 

ASMT: 343070001, APN: 343070001 GUN CLUB, ETAL 14905 GARDENHILL DR LA MIRADA CA 90638

ASMT: 343050002, APN: 343050002

JULIE SACKWAR, ETAL 29905 NUEVO RD NUEVO CA 92567 ASMT: 346050007, APN: 346050007

SHELLEY FLYNN, ETAL 19205 SANTA ROSA RD PERRIS CA 92570

ASMT: 343050008, APN: 343050008

RAFAELA TRUJILLO, ETAL

314 E 7TH ST

CORONA CA 92879

ASMT: 346050016, APN: 346050016

BONNIE FARRAN 725 S FLINTRIDGE DR SANTA ANA CA 92704

ASMT: 343050009, APN: 343050009

NAIME OMARI

1381 S WALNUT ST #2801 ANAHEIM CA 92802 ASMT: 346060075, APN: 346060075

COUNTY OF RIVERSIDE C/O REAL ESTATE DIVISION

P O BOX 1180

RIVERSIDE CA 92502

ASMT: 343050013, APN: 343050013

MAPLES SMITH

C/O JOSEPH C Y LEUNG 1310 144 4TH AVE SW

CALGARY AB CANADA T2P 3N4

ASMT: 346070002, APN: 346070002

GM GABRYCH FAMILY LTD PARTNERSHIP

2006 OLD HIGHWAY 395 FALLBROOK CA 92028

ASMT: 343050015, APN: 343050015

LORAIN GARCIA, ETAL 8769 OMELVENY AVE SUN VALLEY CA 91352 ASMT: 346070003, APN: 346070003

WESTERN RIVERSIDE COUNTY REG CONS AL

C/O GENERAL MANAGER 4080 LEMON ST 12TH FL RIVERSIDE CA 92501 ASMT: 346090002, APN: 346090002 RAYLEN GRITTON, ETAL C/O NORMAN D GRITTON 4272 SUNNYSIDE DR RIVERSIDE CA 92506

Gary B. Witt Senior Corporate Counsel Level 3 Communications, LLC 10475 Park Meadows Drive, Sixth Floor Littleton, Colorado, 80124

Level 3 Communications Attn: Robert Diorio 20021 Santa Rosa Mine Perris, CA 92570



# PLANNING DEPARTMENT

Charissa Leach, P.E. Assistant TLMA Director

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- 11					-	

Project Title/Case No.: PUP00927 / EA42778  Project Location: South of Rocky Hills Road, east of Post Road, and within the Lake Mathews/Woodcrest Area Plan (APNs: 343-040-012 and 343-040-013)  Project Description: PUP00927 is a Public Use Permit to re-establish a communications facility, which includes twenty-one (21) existing antennas and to approve the addition of eleven (11) new antennas, totaling 32 antennas. The location of the new antennas will be within the establish a demonstration of the new antennas will be within the establish a demonstration of the new antennas will be within the establish of approved to applicant & Address: Level 3 Communications - clo Robert Diorio, 20021 Santa Rosa Mine Road. Perris, CA 92570  Exempt Status: (Check one)  Ministerial (Soc. 21080(b)(1): 15268)  Debetared Emergency (Sec. 21080(b)(4): 15269 (b)(c))  Cher:  Reasons why project is exempt: The proposed project has been determined to be categorically exempt from CEQA, pursuant to the provisions under Section 15301 Class 1 (Existing Facilities). Section 15301 allows for minor alterations of existing public or private structures. (ealities, mechanical equipment, or tooographical features, involving neglicipies expansion. The project site contains existing, previously approved communication equipment. This project will allow for additional equipment to be constructed within the established developable footprint area. No further physical expansion of developable area is proposed under this project.  Deborah Bradford  County Center Pleaner  Contract Pleaner  Title  September 20, 2017  Signature  Contract Pleaner  September 20, 2017  Date  Flore Number  September 20, 2017  Date  For COUNTY CLERK'S USE ONLY	TO: ☐ Office of Planning and Research (OPR) F.O. Box 3044 Sacramento, CA 95812-3044 ☐ County of Riverside County Clerk	Riverside County Planning Departme 4080 Lemon Street, 12th Floor P. O. Box 1409 Riverside, CA 92502-1409	nt 38686 El Cerrito Road Palm Desert, CA 92201
Project Location: South of Rocky Hills Road, east of Post Road, and within the Lake Mathews/Woodcrest Area Plan (APNs: 343-040-012)  Project Description: PUP00927 is a Public Use Permit to re-establish a communications facility, which includes twenty-one (21) existing antennas and to approve the addition of eleven (11) new antennas, totaling 32 antennas. The location of the new antennas will be within the existing 4.7-acre development footprint.  Name of Public Agency Approving Project: Riverside County Planning Department  Project Applicant & Address: Level 3 Communications – c/o Robert Diorio, 20021 Santa Rosa Mine Road, Perris, CA 92570  Exempt Status: (Check one)  Ministerial (Sec. 21080(b)(1); 15268) Declared Emergency (Sec. 21080(b)(4); 15269(a)) Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))  Reasons why project is exempt: The proposed project has been determined to be categorically exempt from CEQA, pursuant to the provisions under Section 15301 Class 1 (Existing Facilities). Section 15301 allows for minor alterations of existing public or private structures, facilities mechanical equipment, or topographical features, involving nedigible expansion. The project site contains existing, previously approved communication equipment, or topographical features. Involving nedigible expansion. The project site contains existing, previously approved communication equipment, or topographical features. Involving nedigible expansion. The project site contains existing, previously approved communication equipment, or topographical features. Involving nedigible expansion. The project site contains existing, previously approved communication equipment, or topographical features, involving nedigible expansion. The project site contains existing, previously approved communication equipment, or topographical features, involving nedigible expansion. The project site contains existing, previously approved communication equipment, or topographical features, involving nedigible expansion. The project site contains existin	Project Title/Case No.: PUP00927 / EA42778		
existing antennas and to approve the addition of eleven (11) new antennas, totaling 32 antennas. The location of the new antennas will be within the existing 4.7-acre development footprint.  Name of Public Agency Approving Project: Riverside County Planning Department  Project Applicant & Address: Level 3 Communications – c/o Robert Diorio, 20021 Santa Rosa Mine Road, Perris, CA 92570  Exempt Status: (Check one)  Ministerial (Sec. 21080(b)(1); 15268)  Declared Emergency (Sec. 21080(b)(3); 15269(a))  Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))  Reasons why project is exempt: The proposed project has been determined to be categorically exempt from CEQA, pursuant to the provisions under Section 15301 class 1 (Existing Facilities). Section 15301 allows for minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible expansion. The project site contains existing previously approved communication equipment. This project will allow for additional equipment to be constructed within the established developable footprint area. No further physical expansion of developable area is proposed under this project.  Deborah Bradford  County Contact Planner  September 20, 2017  Signature  Contract Planner  Title  Date  Phone Number  Contract Planner  September 20, 2017  Date  Please charge deposit fee case#: ZEA No. 42778 ZCFG No. 6162 - County Clerk Posting Fee		f Post Road, and within the Lake Mathews/W	oodcrest Area Plan (APNs: 343-040-
Project Applicant & Address: Level 3 Communications – c/o Robert Diorio, 20021 Santa Rosa Mine Road, Perris, CA 92570    Exempt Status: (Check one)	existing antennas and to approve the addition of eleve		
Exempt Status: (Check one)    Ministerial (Sec. 21080(b)(1); 15268)	Name of Public Agency Approving Project: Rivers	side County Planning Department	
Ministerial (Sec. 21080(b)(1); 15268)	Project Applicant & Address: Level 3 Communicat	tions – c/o Robert Diorio, 20021 Santa Rosa M	Mine Road, Perris, CA 92570
provisions under Section 15301 Class 1 (Existing Facilities). Section 15301 allows for minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible expansion. The project site contains existing, previously approved communication equipment. This project will allow for additional equipment to be constructed within the established developable footprint area. No further physical expansion of developable area is proposed under this project.  Deborah Bradford (951) 955-6646  County Contact Person Phone Number  Contract Planner September 20, 2017  Signature Title Date  Date Received for Filing and Posting at OPR:  Revised: 03/24/2014: Y:Planning Case Files-Riverside office\PP25312\DH-PC-BOS Hearings\DH-PC\PP25312\NOE Form.docx  Please charge deposit fee case#: ZEA No. 42778 ZCFG No. 6162 - County Clerk Posting Fee	☐ Ministerial (Sec. 21080(b)(1); 15268) ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a);	) Statutory Exemption (	
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	Signature  Date Received for Filing and Posting at OPR:	Contract Planner  Title	September 20, 2017 Date
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	Signature  Date Received for Filing and Posting at OPR:  Revised: 03/24/2014: Y:\Planning Case Files-Riverside office\PP2531:  Please charge deposit fee case#: ZEA No. 42778 ZCFG No. 61	Contract Planner  Title  2\DH-PC-BOS Hearings\DH-PC\PP25312.NOE Form.doc	September 20, 2017 Date
	Signature  Date Received for Filing and Posting at OPR:  Revised: 03/24/2014: Y:\Planning Case Files-Riverside office\PP2531:  Please charge deposit fee case#: ZEA No. 42778 ZCFG No. 61	Contract Planner  Title  2\DH-PC-BOS Hearings\DH-PC\PP25312.NOE Form.doc	September 20, 2017 Date
	Signature  Date Received for Filing and Posting at OPR:  Revised: 03/24/2014: Y:\Planning Case Files-Riverside office\PP2531:  Please charge deposit fee case#: ZEA No. 42778 ZCFG No. 61	Contract Planner  Title  2\DH-PC-BOS Hearings\DH-PC\PP25312.NOE Form.doc	September 20, 2017 Date
	Signature  Date Received for Filing and Posting at OPR:  Revised: 03/24/2014: Y:\Planning Case Files-Riverside office\PP2531:  Please charge deposit fee case#: ZEA No. 42778 ZCFG No. 61	Contract Planner  Title  2\DH-PC-BOS Hearings\DH-PC\PP25312.NOE Form.doc	September 20, 2017 Date

# A\* REPRINTED \* R1502543 COUNTY OF RIVERSIDE SPECIALIZED DEPARTMENT RECEIPT

Permit Assistance Center

4080 Lemon Street Second Floor

39493 Los Alamos Road Suite A

38686 El Cerrito Rd Indio, CA 92211

Riverside, CA 92502

Murrieta, CA 92563

(760) 863-8271

(951) 955-3200

(951) 694-5242

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\* \*

Received from: LEVEL 3 COMMUNICATIONS

\$50.00

paid by: CK 6445

EA42778

paid towards: CFG06162

CALIF FISH & GAME: DOC FEE

at parcel: 20021 SANTA ROSA MINE RD PERR

appl type: CFG3

09:12 Mar 11, 2015 Ву

posting date Mar 11, 2015 MGARDNER

\*

Account Code 658353120100208100

Description CF&G TRUST: RECORD FEES Amount \$50.00

Overpayments of less than \$5.00 will not be refunded!

4.2

Agenda Item No.:

Area Plan: Temescal Canyon Zoning District: El Cerrito Supervisorial District: Second Project Planner: Dan Walsh

Planning Commission: October 4, 2017

Surface Mining Permit No. 152 revised No. 2 Environmental Assessment No. 42940 Applicant: Hanson Aggregates, LLC. Engineer/Representative: Mark Harrison

Charissa Leach P.E. Assistant TLMA Director

# COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

# PROJECT DESCRIPTION:

This second revision to SMP No. 152R1 proposes to allow weekend operations at the existing Eagle Valley Quarry. SMP No. 152R1 currently permits operations Monday through Friday only. The existing quarry site is zoned Mineral Resources and Related Manufacturing (M-R-A). Pursuant to Section 12.62.g. of Ordinance No. 348, surface mining operations located 300 feet or closer to the property's outer boundary may operate between the hours of 6:00 a.m. and 10:00 p.m. of any day. Operations that are located more than 300 feet from the outer boundary may operate twenty-four hours a day. Applicant Hanson Aggregates LLC ("Hanson") seeks to modify existing conditions "10.Every.1" and "10.Planning.9", to read as follows:

- 1. Pursuant to Section 12.62.g. of Ordinance No. 348, mining operations located more than 300 feet from the outer boundary of the property are permitted to operate twenty-four (24) hours a day. Mining operations located less than 300 feet from the outer boundary of the property are permitted to operate between the hours of 6:00 a.m. and 10:00 p.m of any day.
- 2. Transporting operations are permitted twenty-four (24) hours a day, except along Cajalco Road east of Eagle Canyon Road and along Temescal Canyon Road. Transporting operations along Cajalco Road east of Eagle Canyon Road and along Temescal Canyon Road shall be limited to the hours of 6:00 a.m. and sunset (of the same day), Monday through Friday.

Hanson does not seek any other modification to the approved SMP No.152R1.

#### PROJECT LOCATION:

Surface Mining Permit No. 152R1, the Eagle Valley Quarry, is located north of Cajalco Road, south of Highway 91, east of Interstate 15 and west of Eagle Canyon Road within the El Cerrito community and the City of Corona Sphere of Influence.

My 9/25/14

# PROJECT BACKGROUND:

The Eagle Valley Quarry is operated by Hanson Aggregates and consists of approximately 128 acres, of which 116 acres will be disturbed for mining operations, and 12 acres will be utilized as setback from the property boundary. SMP No. 152 was first permitted on December 11, 1984, with a permit life of 30 years.

On June 18, 2014, the County approved an extension of the permit's life for an additional 66 years through December 31, 2080. In addition to the time period extension, SMP No. 152R1 included the following actions: (1) adopting the referenced 2013 Eagle Valley Quarry Reclamation Plan; and (2) adopting a previous modification to SMP No. 152 (S-1) that was reviewed and approved by the County under their Substantial Conformance process, but was not reviewed by the California Department of Conservation (CDC) Office of Mine Reclamation (OMR), the State agency that oversees mining and related reclamation activities conducted pursuant to the State Surface Mining and Reclamation Act of 1975 (SMARA, PRC Section 2710 et seq.). Specifically, revisions approved under S-1 included modified quarry slope criteria based on a previous analysis of slope stability dated June 7, 2005, which resulted in steeper allowable slopes and a corresponding increase of aggregate reserves at the site. The County also prepared and adopted a mitigated negative declaration in connection with the 2014 approvals ("EA 42525").

For this Second Revision to SMP No. 152, the County has prepared an addendum to EA 42525, which is attached hereto as EA 42940. This addendum relies on the prior environmental review, and determines that allowing weekend and holiday operations will result in no new potential environmental impacts. This conclusion is based on the fact that the same amount of the previously approved activity under SMP No. 152R1 is not being increased and could now be distributed over 365 potential work days under SMP No. 152R2 rather than the 261 days approved under SMP No. 152R1.

This application is before the Planning Commission because County Ordinance No. 555 requires that an application to make changes to original conditions of approval be processed as a revised permit and be considered in accordance with the procedures for the original permit. Surface mining permits are considered by the Planning Commission, therefore, revised permits to approved surface mining permits are also considered by the Planning Commission.

#### **SUMMARY OF FINDINGS:**

2. Surrounding General Plan Land Use (Ex. #5):

1.	Existing General Plan	Land Use (Ex. #5):	Open Space-Mineral	Resource (US-MIN).
----	-----------------------	--------------------	--------------------	--------------------

site, Open Space-Mineral Resource (OS-MIN) and City of Corona to the south, Open Space-Mineral

Resource (OS-MIN) to the west of the subject site.

City of Corona to the north and east of the subject

3. Existing Zoning (Ex. #2): Mineral Resources and Related Manufacturing (M-

R-A).

4. Surrounding Zoning (Ex. #2): City of Corona to the north and east, Mineral

Resources (M-R) and City of Corona to the south and Manufacturing Heavy-10 Acre Minimum Lot

Size (M-H-10) to the west.

5. Existing Land Use (Ex. #1): Mining Operation.

6. Surrounding Land Use (Ex. #1): Vacant land to the north, east, and south; Mining

operations and vacant land to the west.

7. Project Data: Total Acreage: 128 acres

Total Proposed Lots: N/A Proposed Min. Lot Size: N/A

Schedule: N/A

8. Environmental Concerns:

None. The proposed modification or second revision to SMP No. 152R1 will not result in any new or intensified environmental impacts. See attached EA42940.

### **RECOMMENDATIONS:**

**CONSIDER** the attached **ADDENDUM** (**EA42940**) to the Mitigated Negative Declaration adopted on July 15, 2014 for EA42525 and find, based on the findings and conclusions in the Addendum, that all potentially significant effects have been adequately analyzed in the earlier Mitigated Negative Declaration and that although some changes or additions are necessary, none of the conditions described in State CEQA Guidelines Section 15162 exist.

<u>APPROVE</u> Revision No. 2 to Surface Mining Permit No. 152, subject to the attached conditions of approval and based upon the findings and conclusions incorporated in this staff report.

**<u>FINDINGS</u>**: The following findings are in addition to those incorporated in the summary of findings and in the attached EA42940, which is incorporated herein by reference.

- 1. The project site has a General Plan Land Use Designation of Open Space-Mineral Resource (OS-MIN) and is located within the Temescal Canyon Area Plan.
- 2. The project site has a Zoning Classification of Mineral Resources and Related Manufacturing (M-R-A).
- 3. The proposed use, a mining operation, is a permitted use in the Mineral Resources and Related Manufacturing (M-R-A) classification.
- 4. The proposed use, a mining operation, is consistent with the Open Space-Mineral Resource (OS-MIN) designation as this land use designation allows for mineral extraction processing facilities designated on the basis of the Surface Mining and Reclamation Act of 1975 (SMARA)...
- 5. The project site is surrounded by properties which are designated Open Space-Mineral Resource (OS-MIN) and the City of Corona.
- 6. The proposed use, a mining operation, is a permitted use in the M-R-A Zone pursuant to County Ordinance No 348 Article XIIb, Section 12.60 B. provided the operator thereof holds a permit to conduct surface mining operations issued pursuant to County Ordinance No. 555, which has not been revoked or suspended.
- The proposed use, a mining operation, is consistent with the development standards set forth in the Mineral Resource and Related Manufacturing (M-R-A) Zone as the mining operation is located on 128 acres with a lot width in excess of 200 feet, setback on all sides of the mining operation are not less than 50 feet and no buildings or structures exceed fifty (50) feet in height.

- 8. The project site is surrounded by properties that are zoned Manufacturing Heavy-10 Acre Minimum Lot Size (M-H-10).
- Based on the findings in the attached addendum (EA42940) to Environmental Assessment No. 42525, all potentially significant effects have been adequately analyzed in the earlier adopted Mitigated Negative Declaration and that although some changes or additions are necessary, none of the conditions described in State CEQA Guidelines Section 15162 exist.
- 10. This project is not located within a Criteria Area of the Multi-Species Habitat Conservation Plan.
- 11. This project is within the City Sphere of Influence of Corona. As such, it is required to conform to the County's Memorandum of Understanding (MOU) with that city. This project does conform to the MOU as this project does not contemplate any changes to development standards, it creates no need for additional County or City expenditures, is in compliance with the MSHCP and TUMF, and is consistent with the City's General Plan logical development of the area (Mixed Use: Industrial/Commercial).

# **CONCLUSIONS:**

- 1. The proposed project is in conformance with the Open Space-Mineral Resource (OS-MIN) Land Use Designation and with all other elements of the Riverside County General Plan.
- 2. The proposed project is consistent with the Mineral Resources and Related Manufacturing (M-R-A) Zoning classification of Ordinance No. 348 and with all other applicable provisions of Ordinance No. 348.
- 3. The public's health, safety, and general welfare are protected through project design.
- 4. The proposed project is clearly compatible with the present and future logical development of the area.
- 5. The proposed project will not have a significant effect on the environment.
- 6. The proposed project will not preclude reserve design for the Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP).

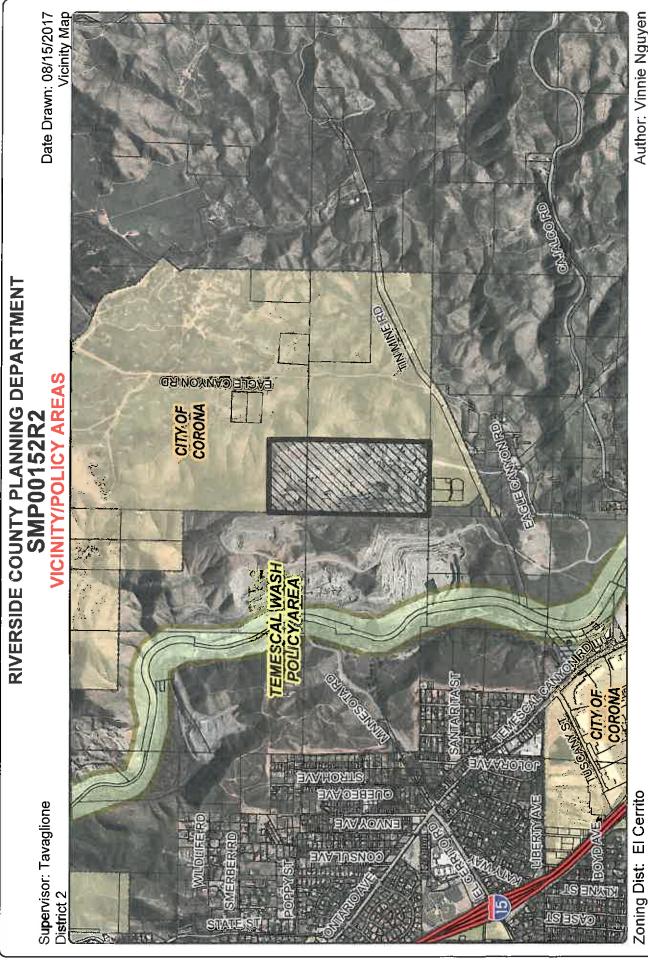
# **INFORMATIONAL ITEMS:**

- 1. As of this writing, no letters, in support or opposition have been received.
- 2. The project site **is not** located within:
  - a. A 100-year flood plain, an area drainage plan, or dam inundation area;
  - b. The County Recreation and Parks District; or,
  - c. An area with the potential for liquefaction.
- 3. The project site is located within:
  - a. A High Moderate Fire Area; and,
  - b. The City of Corona sphere of influence;
- 4. The subject site is currently designated as Assessor's Parcel 278-140-013 and 278-150-006.

# Surface Mining Permit No 152, Revised Permit No. 2. Planning Commission Staff Report: October 4, 2017 Page 5 of 5

- The project was filed with the Planning Department on 8/12/2016. 5.
- 6. This project was reviewed by the Land Development Committee (LDC) at the regular LDC meeting held on 11/3/2016.

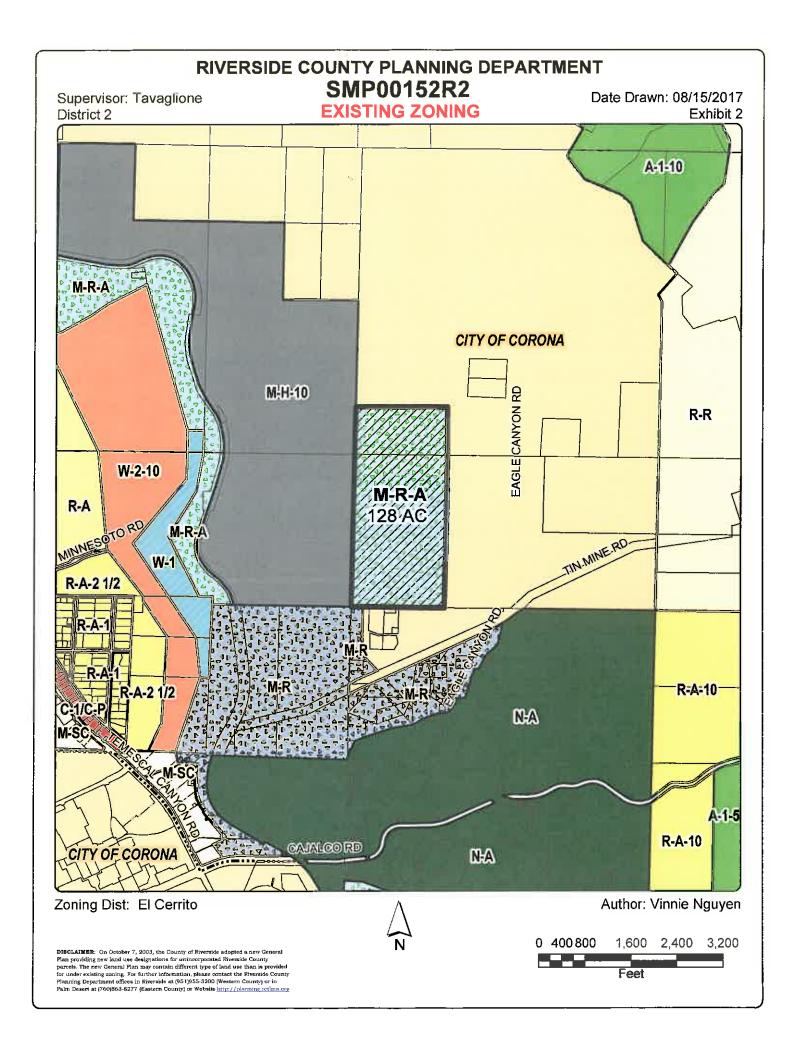
Y:\Planning Case Files-Riverside office\SMP00152R2\DH-PC-BOS Hearings\DH-PCster Forms\Staff Report.doc Date Prepared: 08/03/17 Date Revised: 09/25/17

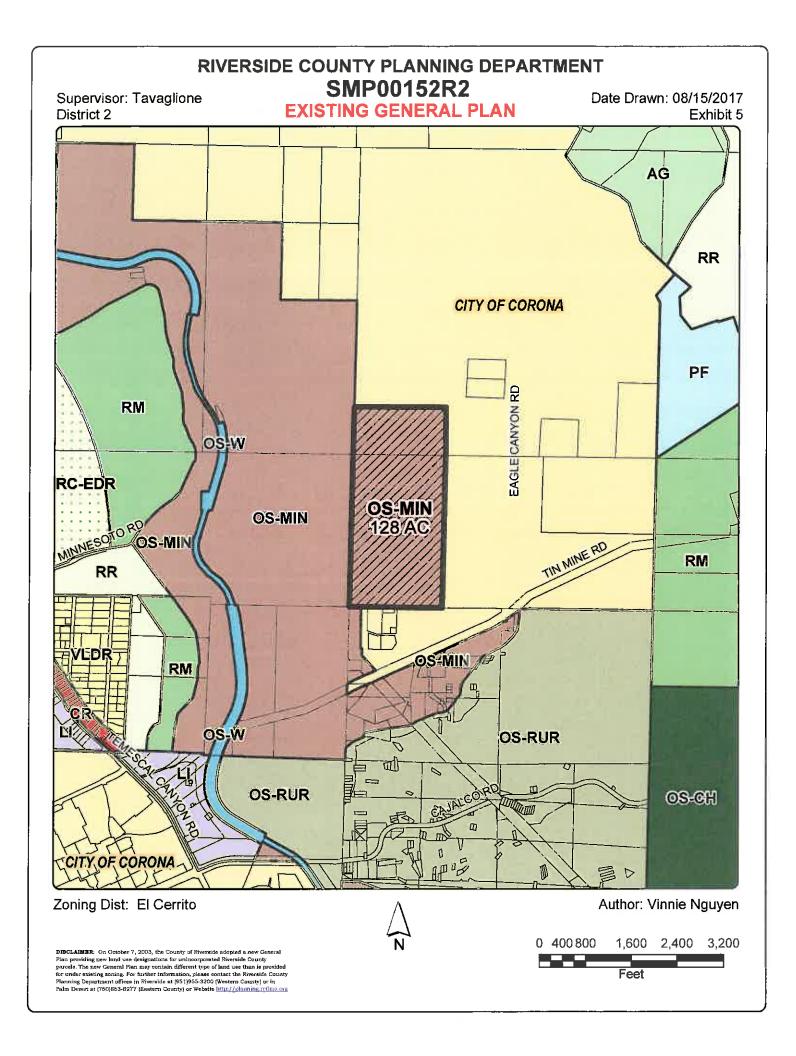




Author: Vinnie Nguyen

4,000 1,000 2,000





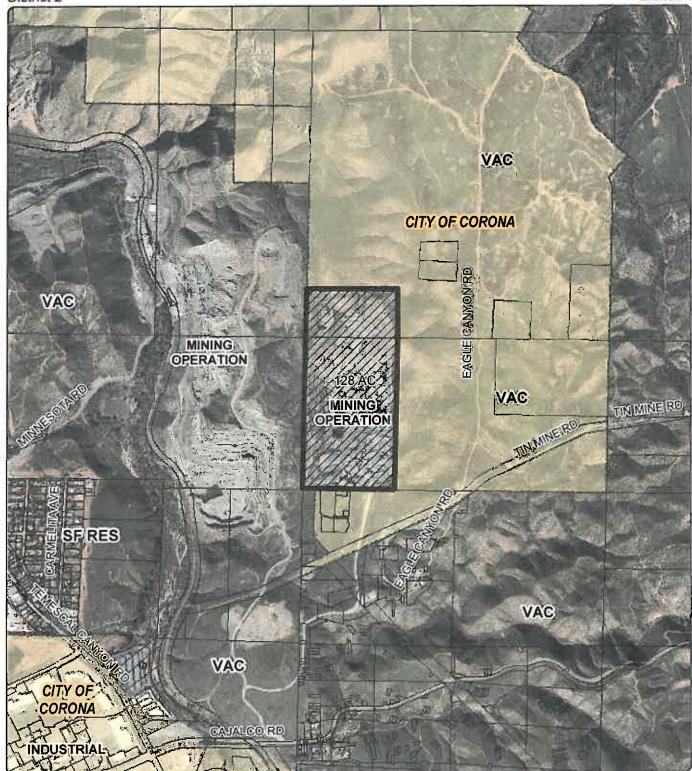
# RIVERSIDE COUNTY PLANNING DEPARTMENT SMP00152R2

Supervisor: Tavaglione District 2

**LAND USE** 

Date Drawn: 08/15/2017

Exhibit 1



Zoning Dist: El Cerrito

 $\bigwedge_{\mathbf{N}}$ 

Author: Vinnie Nguyen

0 400 800 1,600 2,400 3,200

Feet

DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County purcels. The new General Plan may contain different type of land use then is provided for under existing soning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-3277 (Eastern County) or Website <a href="https://planning.retima.org">https://planning.retima.org</a>



# **Riverside County Parcel** Report

Selected parcels: 278-140-013, 278-

Disclaimer

# MAPS/IMAGES





# **PARCEL**

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278-140-013-4 278-150-006-9 Supervisorial District 2011 Supervisorial District 2001

JOHN TAVAGLIONE, **DISTRICT 2** JOHN TAVAGLIONE, **DISTRICT 2** 

Report Date: Thursday, October

06, 2016

#### Previous APN(s)

278-140-013: 278140001

278-150-006: 278150001

Township/Range

T4SR6W SEC 10 T4SR6W SEC 3

#### **Address**

No address available

**Elevation Range** 

1,100 - 1,680

#### **Mailing Address**

278-140-013:

C/O MARVIN F POER & CO

P O BOX 52427 ATLANTA GA, CA

30355

278-150-006; C/O MARVIN F POER &

CO

P O BOX 52427 ATLANTA GA, CA

30355

Thomas Bros. Map Page/Grid

PAGE: 774 GRID: B2 PAGE: 774 GRID: B3 PAGE: 774 GRID: C2 PAGE: 774 GRID: C3

# **Legal Description**

278-140-013: Recorded Book/Page:

PM 129/73

Subdivision Name: PM 19354

**Indian Tribal Land** 

Not in Tribal Land

DΔ	RC	FI

PARCEL			
	Lot/Parcel: 1 Block: Not Available Tract Number: Not Available  278-150-006: Recorded Book/Page: PM 129/73 Subdivision Name: PM 19354 Lot/Parcel: 1 Block: Not Available Tract Number: Not Available		
Lot Size	278-140-013: Recorded lot size is 30.96 acres 278-150-006: Recorded lot size is 96.82 acres	City Boundary/Sphere	Not within a City Boundary City Sphere: CORONA Annexation Date: Not Applicable No LAFCO Case # Available Proposals: Not Applicable
Property Characteristcs	No Property Description Available	March Joint Powers Authority	NOT WITHIN THE JURISDICTION OF THE MARCH JOINT POWERS AUTHORITY
		County Service Area	Not in a County Service Area
PLANNING			
Specific Plans	Not within a Specific Plan	Historic Preservation Districts	Not in an Historic Preservation District
Land Use Designations	OS-MIN	Agricultural Preserve	EAGLE VALLEY, 2
General Plan Policy Overlays	Not in a General Plan Policy Overlay Area	Redevelopment Areas	Not in a Redevelopment Area
Area Plan (RCIP)	Temescal Canyon	Airport Influence Areas	Not in an Airport Influence Area
General Plan Policy Areas	None	Airport Compatibility Zones	Not in an Airport Compatibility Zone
Zoning Classifications (ORD. 348)	Zoning: M-R-A CZNumber: 0	Zoning Districts and Zoning Areas	EL CERRITO, DIST
Zoning Overlays	Not in a Zoning Overlay	Community Advisory Councils	Not in a Community Advisory Council Area
ENVIRONMENTAL			

# **ENVIRONMENTAL**

Habitat Conservation Plan) Plan Area	MSHCP FEE AREA MSHCP Plan Area	Multi-Species Habitat Conservation Plan) Cell Group	
CVMSHCP (Coachella Valley Multi-Species Habitat Conservation Plan) Conservation Area	Not in a Conservation Area	WRMSHCP Cell Number	2208 2306 2307
CVMSHCP Fluvial Sand Transport Special Provision Areas	Not in a Fluvial Sand Transport Special Provision Area	HANS/ERP (Habitat Acquisition and Negotiation Strategy/Expedited Review Process)	None
WRMSHCP (Western Riverside County Multi-Species Habitat Conservation Plan) Plan Area	None	Vegetation (2005)	Coastal Sage Scrub Developed or Disturbed Land Grassland
FIRE			
Fire Hazard Classification ( <u>Ord.</u> 787)	HIGH MODERATE	Fire Responsibility Area	SRA
DEVELOPMENT FEES			
CVMSHCP (Coachella Valley Multi-Species Habitat Conservation Plan) Fee Area (Ord 875)	NOT WITHIN THE COACHELLA VALLEY MSHCP FEE AREA MSHCP Fee Area	RBBD (Road & Bridge Benefit District)	Not in a District
WRMSHCP (Western Riverside County Multi-Species Habitat Conservation Plan) Fee Area (Ord. 810)	IN OR PARTIALLY WITHIN THE WESTERN RIVERSIDE MSHCP FEE AREA. SEE MAP FOR MORE INFORMATION	DIF ( <u>Development</u> Impact Fee Area Ord. 659)	TEMESCAL CANYON
Western TUMF (Transportation Uniform Mitigation Fee Ord. 824)	IN OR PARTIALLY WITHIN A TUMF FEE AREA. SEE MAP FOR MORE INFORMATION. NORTHWEST	SKR Fee Area ( <u>Stephen's Kagaroo</u> Rat Ord. 663.10)	In or partially within an SKR Fee Area
Eastern TUMF (Transportation Uniform Mitigation Fee Ord. 673)	NOT WITHIN THE EASTERN TUMF FEE AREA	DA (Development Agreements)	Not in a Development Agreement Area
TRANSPORTATION			
Circulation Element Ultimate	Not in a Circulation Element Right-of-Way	Road Book Page	31
Right-of-Way		Transportation	Not in a Transportation Agreement
		Agreements	Agreement

# **TRANSPORTATION**

CETAP (Community and Environmental Transportation Acceptability Process) Corridors

#### **HYDROLOGY**

Flood Plan Review	Not Required	Watershed	SANTA ANA RIVER
Water District	WMWD	California Water Board	None
Flood Control District	RIVERSIDE COUNTY FLOOD CONTROL DISTRICT		

#### **GEOLOGIC**

Fault Zone	Not in a Fault Zone	Paleontological Sensitivity	Low Potential: FOLLOWING A LITERATURE SEARCH, RECORDS CHECK AND
Faults	WITHIN A 1/2 MILE OF Cajalco Canyon Fault		A FIELD SURVEY, AREAS MAY BE DETERMINED BY A QUALIFIED VERTEBRATE
Liquefaction Potential	No potential for Liquefaction exists		PALEONTOLOGIST AS HAVING LOW POTENTIAL FOR CONTAINING SIGNIFICANT
Subsidence	Not in Subsidence Area		PALEONTOLOGICAL RESOURCES SUBJECT TO ADVERSE IMPACTS.

# **MISCELLANEOUS**

School District	ALVORD UNIFIED	Tax Rate Areas	278-140-013:
Communities	El Cerrito		ALVORD UNIFIED SCHOOL CO FREE LIBRARY CO STRUCTURE FIRE
Lighting ( <u>Ord. 655</u> )	Not Applicable		PROTECTION
2010 Census Tract	041409		CO WASTE RESOURCE MGMT DIST CSA 152
Farmland	GRAZING LAND OTHER LANDS		FLOOD CONTROL ADMIN FLOOD CONTROL ZN 2
Special Notes	No Special Notes		GENERAL GENERAL PURPOSE MWD WEST 1302999 NW MOSQUITO & VECTOR CNTL DIST RIV CO REGIONAL PARK & OPEN SP RIV CORONA RESOURCE CONSERVATION RIVERSIDE CITY COMMUNITY COLLEGE RIVERSIDE CO OFC OF

#### **MISCELLANEOUS**

EDUCATION SO. CALIF,JT (19,30,33,36,37,56) WESTERN MUNICIPAL WATER WMWD IMP DIST G

278-150-006: ALVORD UNIFIED **SCHOOL** CO FREE LIBRARY CO STRUCTURE FIRE **PROTECTION** CO WASTE RESOURCE MGMT DIST CSA 152 FLOOD CONTROL **ADMIN** FLOOD CONTROL ZN 2 **GENERAL GENERAL PURPOSE** MWD WEST 1302999 NW MOSQUITO & VECTOR CNTL DIST RIV CO REGIONAL PARK & OPEN SP **RIV CORONA RESOURCE** CONSERVATION RIVERSIDE CITY COMMUNITY COLLEGE RIVERSIDE CO OFC OF **EDUCATION** SO. CALIF, JT (19,30,33,36,37,56) WESTERN MUNICIPAL WATER WMWD IMP DIST G

# PERMITS/CASES/ADDITIONAL

# **Building Permits**

Case #	Description	Status
108907	GRADIN PLN CK - ACCESS RD	FINALED
114526	CONST LEACH FIELD FOR ROCK QUARRY	FINALED
120790	SURFACE MINING	FINALED
149783	SURFACE MINING SM 152	FINALED
177080	SURFACE MINING 152	FINALED
219877	RELOCATE ELEC SERV. 200 AMP SERVICE	FINALED
221416	2,000 AMP ELEC SVC-COMMERCIAL HW12/05/88	FINALED
222107	X	APPLIED
222362	2000 AMP PERMIT DIFF.	FINALED
224760	SURFACE MINING SMP 152	ISSUED
269583	SURFACE MINING 152	ISSUED
307515	SMP #152 ANNUAL RENEWAL	ISSUED
325904	ADD. ELECTRIC 1200 AMP SERVICE	FINALED
328372	TEMP USE PERM SERVICE - 1200 AMP	FINALED
335093	SURFACE MINING #152/ANNUAL RENEWAL	ISSUED
353004	SPECIAL INSPECTON SURFACE MINING #152	ISSUED

# PERMITS/CASES/ADDITIONAL

385508	SURFACE MINING #152/ANNUAL RENEWAL	ISSUED
398395	SPECIAL INSPECTION SMP 152	ISSUED
407323	ELECTRIC SERVICE UPGRADE	FINALED
BEL070132	PANEL UPGRADE	FINAL
BGR000183	SMP152 ANNUAL INSPECTION 99/2000	FINAL
BGR000887	ANNUAL SPECIAL INSP 2001 SMP00152	FINAL
BGR010093	SURFACE MINE ANNUAL INSPECTION 2000	FINAL
BGR010659	SURFACE MINE SPECIAL INSPECTION 2002	FINAL
BGR020940	Surface Mine Annual Inspection Permit FY-03	FINAL
BGR031014	Surface Mine Annual Inspection FY-04	FINAL
BGR041401	SPECIAL INSPECTION FOR SURFACE MINING 2005	FINAL
BGR051238	Surface Mine Annual Inspections 7-1-05/6-30-06	FINAL
BGR060889	Surface Mine Annual Inspections 7-1-06/6-30-07	FINAL
BGR070669	2007/2008 ANNUAL SURFACE MINE INSPECTION SMP00152	FINAL
BGR080261	2008/2009 ANNUAL SURFACE MINING INSPECTION SMP152	FINAL
BGR090151	2009/2010 ANNUAL SURFACE MINING INSPECTION SMP152	FINAL
BGR100153	2010/2011 ANNUAL SURFACE MINING INSPECTIONS-SMP152	FINAL
BGR110090	2011/2012 ANNUAL SURFACE MINING INSPECTIONS	FINAL
BGR980344	SURFACE MINING PERMIT (ANNUAL INSPECTION)	FINAL
BIC080051	000226	COMPLETE
BIC110523	022595	COMPLETE
BIC110523	022595	COMPLETE
BIC160491	022595	PAID
BMP120010	SURFACE MINE/BIC ANNUAL INSPECTION 022595 SMP152	FINAL
BMP120010	SURFACE MINE/BIC ANNUAL INSPECTION 022595 SMP152	FINAL
BMP130161	SURFACE MINE/BC ANNUAL INSPECTION 022595 SMP152	FINAL
BMP130161	SURFACE MINE/BC ANNUAL INSPECTION 022595 SMP152	FINAL
BMP140075	2014 ANNUAL INSPECTION FOR SMP00152 EAGLE VALLEY	FINAL
BMP140075	2014 ANNUAL INSPECTION FOR SMP00152 EAGLE VALLEY	FINAL
BMP140076	Not Available	APPLIED
BMP150106	2015 ANNUAL SURFACE MINING PERMIT SMP00152R1 EAGLE	ISSUED
BMP150106	2015 ANNUAL SURFACE MINING PERMIT SMP00152R1 EAGLE	ISSUED
BMP160182	2016 ANNUAL SURFACE MINE INSPECTION SMP00152R1	APPLIED
BMP160182	2016 ANNUAL SURFACE MINE INSPECTION SMP00152R1	APPLIED

# **Environmental Health Permits**

# PERMITS/CASES/ADDITIONAL

Case #	Description	Status
No Environmental Health Permits	Not Applicable	Not Applicable

# **Planning Cases**

Case #	Description	Status
CFG05901	CALIF FISH & GAME FPR EA42525	PAID
CFG05901	CALIF FISH & GAME FPR EA42525	PAID
CFG06306	EA42940	APPLIED
CFG06306	EA42940	APPLIED
EA42525	EA FOR SMP00152R1	APPROVED:
EA42525	EA FOR SMP00152R1	APPROVED
EA42940	EA FOR SMP00152R2	APPLIED
SMP00152	Surface Mining Permit for Eagle Valley Quarry	DRT
SMP00152R1	EXTEND LIFE OF SMP00152 & AMEND RECLAMATION PLAN	APPROVED
SMP00152R1	EXTEND LIFE OF SMP00152 & AMEND RECLAMATION PLAN	APPROVED
SMP00152R2	MODIFY COA OF SMP152R1 TO BRING QUARRY TO CONFORM.	APPLIED
SMP00152S1	REVISE TO PROVIDE CONSISTENCY W/SLOPE GRADE REQMTS	APPROVED
SMP00152S1	REVISE TO PROVIDE CONSISTENCY W/SLOPE GRADE REQMTS	APPROVED
SSR00683	SLOPE STABILITY REPORT FOR (SMP00152)	RECEIVED

# **Code Cases**

Case #	Description	Status
No Code Cases	Not Applicable	Not Applicable

# COUNTY OF RIVERSIDE ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Environmental Assessment (E.A.) Number: 42940 Project Case Type (s) and Number(s): SMP00152R2

Lead Agency Name: Riverside County Planning Department

Address: P.O. Box 1409, Riverside, CA 92502-1409

Contact Person: Dan Walsh Telephone Number: 951-955-6187

Applicant's Name: Hanson Aggregates, LLC.

Applicant's Address: P.O. Box 639069, San Diego, CA 92163-9069

#### I. PROJECT INFORMATION

#### **Project Description:**

This second revision to SMP No. 152R1 proposes to allow weekend operations at the existing Eagle Valley Quarry. SMP No. 152R1 currently permits operations Monday through Friday only. The existing quarry site is zoned Mineral Resources and Related Manufacturing (M-R-A). Pursuant to Section 12.62.g. of Ordinance No. 348, surface mining operations located 300 feet or closer to the property's outer boundary may operate between the hours of 6:00 a.m. and 10:00 p.m. of any day. Operations that are located more than 300 feet from the outer boundary may operate twenty-four hours a day. Applicant Hanson Aggregates LLC ("Hanson") seeks to modify existing conditions "10.Every.1" and "10.Planning.9", to read as follows:

- 1. Pursuant to Section 12.62.g. of Ordinance No. 348, mining operations located more than 300 feet from the outer boundary of the property are permitted to operate twenty-four (24) hours a day. Mining operations located less than 300 feet from the outer boundary of the property are permitted to operate between the hours of 6:00 a.m. and 10:00 p.m of any day.
- 2. Transporting operations are permitted twenty-four (24) hours a day, except along Cajalco Road east of Eagle Canyon Road and along Temescal Canyon Road. Transporting operations along Cajalco Road east of Eagle Canyon Road and along Temescal Canyon Road shall be limited to the hours of 6:00 a.m. and sunset (of the same day), Monday through Friday.

Hanson does not seek any other modification to the approved SMP No.152R1.

**A.** Type of Project: Site Specific  $\boxtimes$ ; Countywide  $\square$ ; Community  $\square$ ; Policy  $\square$ .

B. Total Project Area: 128 acres.

Residential Acres: Lots: Units: Projected No. of Residents:

Commercial Acres: Lots: Sq. Ft. of Bldg. Area: Est. No. of Employees: Industrial Acres: Lots: Sq. Ft. of Bldg. Area: Est. No. of Employees: Other:

C. Assessor's Parcel No(s): 278-140-013; 278-150-006

### Street References:

- D. Section, Township & Range Description or reference/attach a Legal Description: Township: Northwest ¼ of Section 10, and the Southwest ¼ of Section 3; Township 4 south, Range 6 west; San Bernardino Base and Meridian.
- E. Brief description of the existing environmental setting of the project site and its surroundings: The project site consists of an active, approved aggregate quarry encompassing 128 acres in the western portion of Riverside County. The site and a nearby property to the west (the 3M Rock Quarry) are industrial in nature (active mining operations), with over 99 percent of the project site previously disturbed by activities conducted under the currently approved mining plan. Adjacent areas to the north, south, and east are open space encompassing generally steep and rugged terrain. Existing land uses in more distant surrounding areas include

agriculture to the northeast, mining operations (quarries) to the northwest, Lake Matthews to the east, low-density rural residential properties to the south, and high-density urban development to the north and west.

#### II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

#### A. General Plan Elements/Policies:

- 1. Land Use: The project site has a General Plan Foundation Component of Open Space, with a corresponding land use designation of Open Space-Mineral Resources (OS-MIN). Project. The proposed project is consistent with the current land use designation of Open Space-Mineral Resource (OS-MIN).
- 2. Circulation: Project-related traffic would consist of on-site heavy equipment and support vehicles, as well as off-site truck traffic for hauling processed aggregate. Although the project will allow weekend hours of operation, the project will not increase the maximum annual production limitation of SMP 152R1. It is expected that the number of vehicle trips leaving the site on any given day will decrease, reducing the intensity of what has been determined to be a less-than-significant impact.
- 3. Conservation: Based on the current nature of the project site (an active aggregate quarrying/processing operation), the fact that the project does not permit an a geographic expansion or annual production expansion in mining, as well as the generally undeveloped nature of surrounding areas, the proposed Project will not conflict with areas identified for passive or active conservation, preservation, or reservation in the Multipurpose Open Space Element.
- 4. **Safety:** The project site is not located within a 1 DO-year flood zone, or an area with identified hazards related to state or County fault zones, liquefaction, subsidence or dam inundation. The existing facility has incorporated measures to address potential fire hazards. As a result, project implementation would be in conformance with applicable policies related to fire hazards in the General Plan Safety Element.
- **5. Noise:** The County's General Plan does not differentiate between weekday and weekend noise. The relatively low volume of off-site truck traffic (200 daily total trips) would not be expected to generate substantial noise concerns along the existing access routes. The site does not currently generate noise complaints.
- **6. Housing:** The project would not construct, remove or otherwise substantially affect existing or planned housing, and would therefore not conflict with General Plan Housing Element policies.
- 7. Air Quality: The project would allow weekend operations consistent with the County's development standards. No other aspect of the existing quarry is being altered. Importantly, maximum annual production will remain unchanged, and there will be no potential for air quality impacts that have not been previously addressed.
- **B.** General Plan Area Plan(s): The project site is located within the Temescal Valley Area Plan of the Riverside County General Plan.
- C. Foundation Component(s): The project site has a General Plan Foundation Component of Open Space.
- D. Land Use Designation(s): The project site is designated as Open Space-Mineral Resources (OS-MIN).
- E. Overlay(s), if any: N/A
- F. Policy Area(s), if any: N/A
- G. Adjacent and Surrounding:
  - 1. Area Plan(s): Areas adjacent to the project site are within the Temescal Valley Area Plan, areas further east are within the Lake Matthews/Woodcrest Area Plan.
  - **2. Foundation Component(s):** Areas adjacent to the project site have an Open Space Foundational Component while areas further east have Open Space or Agriculture Foundation Components.

3. Land Use Designation(s): Land Use Designations adjacent to and surrounding the Project site include Open Space-Mineral Resources (OS-MIN) for areas under County jurisdiction, and Mixed-Use II; Industrial and Commercial for areas to the north, east and south within the City of Corona.
4. Overlay(s), if any: N/A
5. Policy Area(s), if any: N/A
H. Adopted Specific Plan Information
1. Name and Number of Specific Plan, if any: N/A
2. Specific Plan Planning Area, and Policies, if any: N/A
I. Existing Zoning: Mineral Resources and Related Manufacturing (M-R-A).
J. Proposed Zoning, if any: The Project entails allowing weekend operations consistent with the County's development code. No zoning change is required.
K. Adjacent and Surrounding Zoning: City of Corona to the north and east, Mineral Resources (M-R) and City of Corona to the south and Manufacturing Heavy-10 Acre Minimum Lot Size (M-H-10) to the west.
III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED
The environmental factors checked below ( $x$ ) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.
Aesthetics
IV. DETERMINATION
On the basis of this initial evaluation:  A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS NOT PREPARED  I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.  I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project, described in this document have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.  I find that the proposed project MAY have a significant effect on the environment, and ar ENVIRONMENTAL IMPACT REPORT is required.
•

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NE	
I find that although the proposed project could have <b>NEW ENVIRONMENTAL DOCUMENTATION IS REQU</b> effects of the proposed project have been adequately and pursuant to applicable legal standards, (b) all potentially significant environmental effect will not result in any new significant environmental effect Declaration, (d) the proposed project will not substantial effects identified in the earlier EIR or Negative Declaration.	Pi a significant effect on the environment, NO JIRED because (a) all potentially significant byzed in an earlier EIR or Negative Declaration ignificant effects of the proposed project have Negative Declaration, (c) the proposed project is not identified in the earlier EIR or Negative by increase the severity of the environmental
measures have been identified and (f) no mitigation measures. I find that although all potentially significant effects EIR or Negative Declaration pursuant to applicable leganecessary but none of the conditions described in Californ An ADDENDUM to a previously-certified EIR or Negative considered by the approving body or bodies.	have been adequately analyzed in an earlier all standards, some changes or additions are nia Code of Regulations, Section 15162 exist.
I find that at least one of the conditions described in C exist, but I further find that only minor additions or chan adequately apply to the project in the changed situation in the changed situation in the previous EIR adequate for the project as revise.	ges are necessary to make the previous EIR ation; therefore a <b>SUPPLEMENT TO THE</b> seed only contain the information necessary to
I find that at least one of the following conditions Section 15162, exist and a SUBSEQUENT ENVIRONI Substantial changes are proposed in the project which we or negative declaration due to the involvement of new significant exists in the severity of previously identified significant exists with respect to the circumstances under which the proposed in the previous of the previous EIR or negative declaration environmental effects or a substantial importance, which we with the exercise of reasonable diligence at the time the negative declaration was adopted, shows any the following significant effects not discussed in the previous EIR or previously examined will be substantially more severed declaration; (C) Mitigation measures or alternatives previously examined will be substantially reduce one or more significant effects not adopt the mitigation measures or alternatives which are considerably different from thos declaration would substantially reduce one or more significant the project proponents decline to adopt the mitigation	described in California Code of Regulations, MENTAL IMPACT REPORT is required: (1) ill require major revisions of the previous EIR nificant environmental effects or a substantial effects; (2) Substantial changes have occurred bject is undertaken which will require major due to the involvement of new significant erity of previously identified significant effects; as not known and could not have been known previous EIR was certified as complete or the wing:(A) The project will have one or more negative declaration;(B) Significant effects than shown in the previous EIR or negative busly found not to be feasible would in fact be gnificant effects of the project, but the project alternatives; or,(D) Mitigation measures or a analyzed in the previous EIR or negative cant effects of the project on the environment,
Signature	For: Charissa Leach, P.E.  Assistant TLMA Director
Printed Name	

#### V. ENVIRONMENTAL ISSUES ASSESSMENT

In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000-21178.1), this Initial Study has been prepared to analyze the proposed project to determine any potential significant impacts upon the environment that would result from construction and implementation of the project. In accordance with California Code of Regulations, Section 15063, this Initial Study is a preliminary analysis prepared by the Lead Agency, the County of Riverside, in consultation with other jurisdictional agencies, to determine whether a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report is required for the proposed project. The purpose of this Initial Study is to inform the decision-makers, affected agencies, and the public of potential environmental impacts associated with the implementation of the proposed project.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
AESTHETICS Would the project				
1. Scenic Resources <ul> <li>a) Have a substantial effect upon a scenic highway corridor within which it is located?</li> </ul>				
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view?				
Source: Riverside County General Plan Figure C-8 "Scenic H  Findings of Fact: This project will have no impact on scenic resource existing surface mining permit to allow mining operations on weekends, as a The project will not result in any geographical expansion to the existing operat limitation will remain the same. All potentially significant effects have been ad No. 42525, certified by the County on July 15, 2014.  Mitigation: None required.  Monitoring: None required.	es. The project allowed by the ion, and the qu	e County's deve uarry's annual n	elopment stan naximum prod	dards. Iuction
2. Mt. Palomar Observatory <ul> <li>a) Interfere with the nighttime use of the Mt. Palomar</li> <li>Observatory, as protected through Riverside County</li> <li>Ordinance No. 655?</li> </ul>				

Source: GIS database, Ord. No. 655 (Regulating Light Pollution)

<u>Findings of Fact</u>: This project will have no impact on the Mt. Palomar Observatory. The project is for a minor modification to an existing surface mining permit to allow mining operations on weekends, as allowed by the County's development standards. The project will not result in any geographical expansion to the existing operation, and the quarry's annual maximum production limitation will remain the same. All potentially significant effects have been adequately analyzed in Environmental Assessment No. 42525, certified by the County on July 15, 2014.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Mitigation: None required.				
Monitoring: None required.				
3. Other Lighting Issues  a) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				
b) Expose residential property to unacceptable light levels?				
Source: On-site Inspection, Project Application Description				
Findings of Fact: This project will have no impact on other lighting issessisting surface mining permit to allow mining operations on weekends, as a The project will not result in any geographical expansion to the existing operate limitation will remain the same. No additional lighting will be required. All potentially analyzed in Environmental Assessment No. 42525, certified by the County of the County o	allowed by the ion, and the q tentially signit	e County's deve juarry's annual r ficant effects ha	elopment star naximum prod	ndards. duction
Mitigation: None required.				
Monitoring: None required.				
AGRICULTURE & FOREST RESOURCES Would the project	t			<u>.</u>
4. Agriculture  a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				
b) Conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve?				$\boxtimes$
c) Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?				
d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				
Source: Riverside County General Plan Figure OS-2 "Agric Project Application Materials.	cultural Res	sources," GIS	3 database	, and
Findings of Fact: This project will have no impact on Agricultural & modification to an existing surface mining permit to allow mining operatidevelopment standards. The project will not result in any geographical expansion	ons on week	kends, as allow	ed by the C	ounty's

in Environmental Assessment No. 42525, certified by the County on July 15, 2014.

annual maximum production limitation will remain the same. All potentially significant effects have been adequately analyzed

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>Mitigation</u> : None required.				
Monitoring: None required.				
5. Forest a) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g))?				
b) Result in the loss of forest land or conversion of forest land to non-forest use?				$\boxtimes$
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use?				
limitation will remain the same. All potentially significant effects have been ac No. 42525, certified by the County on July 15, 2014.  Mitigation: None required.  Monitoring: None required.				
AIR QUALITY Would the project				
6. Air Quality Impacts a) Conflict with or obstruct implementation of the applicable air quality plan?				
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				$\boxtimes$
c) Result in a cumulatively considerable net increase of				
any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				
attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?  d) Expose sensitive receptors which are located within 1 mile of the project site to project substantial point source				
attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?  d) Expose sensitive receptors which are located within				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Create objectionable odors affecting a substantial number of people?				
Source: SCAQMD CEQA Air Quality Handbook, Project Applic	cation Mate	rials		
<u>Findings of Fact</u> : This project will have no impact on Air Quality. The surface mining permit to allow mining operations on weekends, as allowed by will not result in any geographical expansion to the existing operation, and the will remain the same. The same amount of mining and transportation activities year, rather than 261 days per year. This will likely reduce the intensity of adequately analyzed in Environmental Assessment No. 42525, certified by the	the County's one quarry's an y will be condought the Quarry's	development sta nual maximum   ucted over a po s impacts, all o	andards. The production limential 365 da	project nitation nys per
Mitigation: None required.				
Monitoring: None required.				
BIOLOGICAL RESOURCES Would the project				
7. Wildlife & Vegetation <ul> <li>a) Conflict with the provisions of an adopted Habitat</li> <li>Conservation Plan, Natural Conservation Community Plan,</li> <li>or other approved local, regional, or state conservation plan?</li> </ul>				
b) Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?				
c) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Wildlife Service?				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
e) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?				
f) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				$\boxtimes$
g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Source: GIS database, WRCMSHCP and/or CVMSHCP, Materials	On-site Ins	spection, Pr	oject Appli	cation
Findings of Fact: This project will have no impact on Biological Resolution surface mining permit to allow mining operations on weekends, as The project will not result in any geographical expansion to the existing operal limitation will remain the same. All potentially significant effects have been a No. 42525, certified by the County on July 15, 2014.	allowed by the ition, and the qu	e County's dev uarry's annual i	elopment sta maximum pro	ndards. duction
Mitigation: None required.				
Monitoring: None required.				
CULTURAL RESOURCES Would the project	<del></del>			
8. Historic Resources				$\boxtimes$
a) Alter or destroy an historic site?			لبما	
<ul> <li>b) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5?</li> </ul>				
Source: On-site Inspection, Project Application Materials				
Findings of Fact: This project will have no impact on Historic Resour existing surface mining permit to allow mining operations on weekends, as The project will not result in any geographical expansion to the existing operalimitation will remain the same. All potentially significant effects have been a No. 42525, certified by the County on July 15, 2014.	allowed by the ation, and the qu	e County's dev uarry's annual	elopment sta maximum pro	ndards. duction
Mitigation: None required.				
Monitoring: None required.				
Archaeological Resources     a) Alter or destroy an archaeological site.				$\boxtimes$
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, Section 15064.5?				
c) Disturb any human remains, including those interred outside of formal cemeteries?				
d) Restrict existing religious or sacred uses within the potential impact area?				$\boxtimes$
Source: Project Application Materials				

<u>Findings of Fact</u>: This project will have no impact on Archaeological Resources. The project is for a minor modification to an existing surface mining permit to allow mining operations on weekends, as allowed by the County's development standards. The project will not result in any geographical expansion to the existing operation, and the quarry's annual maximum production

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impac
limitation will remain the same. All potentially significant effects have been a No. 42525, certified by the County on July 15, 2014.	dequately anal	yzed in Environ	mental Asses	sment
Mitigation: None required.				
Monitoring: None required.				
GEOLOGY AND SOILS Would the project	<del></del>			
10. Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zones				$\boxtimes$
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death?				
b) Be subject to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?				$\boxtimes$
Mitigation: None required.  Monitoring: None required.				
11. Liquefaction Potential Zone				
a) Be subject to seismic-related ground failure, including liquefaction?				
,	ized Liquefa	ction"		
including liquefaction?	ntial Zones. Th kends, as allow existing operati	e project is for a wed by the Co on. All potentia	unty's develo lly significant	ication
including liquefaction?  Source: Riverside County General Plan Figure S-3 "General Findings of Fact: This project will have no impact on Liquefaction Pote to an existing surface mining permit to allow mining operations on week standards. The project will not result in any geographical expansion to the chave been adequately analyzed in Environmental Assessment No. 42525, or the surface of the s	ntial Zones. Th kends, as allow existing operati	e project is for a wed by the Co on. All potentia	unty's develo lly significant	ication
including liquefaction?  Source: Riverside County General Plan Figure S-3 "Generaling Findings of Fact." This project will have no impact on Liquefaction Pote to an existing surface mining permit to allow mining operations on weekstandards. The project will not result in any geographical expansion to the chave been adequately analyzed in Environmental Assessment No. 42525, of Mittigation: None required.	ntial Zones. Th kends, as allow existing operati	e project is for a wed by the Co on. All potentia	unty's develo lly significant	ication pment
including liquefaction?  Source: Riverside County General Plan Figure S-3 "Generaling Findings of Fact." This project will have no impact on Liquefaction Pote to an existing surface mining permit to allow mining operations on week standards. The project will not result in any geographical expansion to the shave been adequately analyzed in Environmental Assessment No. 42525, of Mitigation: None required.	ntial Zones. Th kends, as allow existing operati	e project is for a wed by the Co on. All potentia	unty's develo lly significant	ication

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>Source</u> : Riverside County General Plan Figure S-4 "Earthqu Figures S-13 through S-21 (showing General Ground Shaking		d Slope Inst	ability Map,	," and
Findings of Fact: This project will have no impact on Ground-shaking Znexisting surface mining permit to allow mining operations on weekends, as The project will not result in any geographical expansion to the existing operadequately analyzed in Environmental Assessment No. 42525, certified by the second control of the	allowed by the ration. All pote	e County's deve intially significal	elopment stan	ndards.
Mitigation: None required.				
Monitoring: None required.				
13. Landslide Risk  a) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, collapse, or rockfall hazards?				
Source: On-site Inspection, Riverside County General Plan Slope"  Findings of Fact: This project will have no Landslide Risk. The project mining permit to allow mining operations on weekends, as allowed by the county result in any geographical expansion to the existing operation. All pot analyzed in Environmental Assessment No. 42525, certified by the County of	t is for a minor County's devel entially signific	modification to lopment standa	o an existing s ards. The proj	surface ect will
Mitigation: None required.				
Monitoring: None required.				
14. Ground Subsidence  a) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in ground subsidence?				
Source: Riverside County General Plan Figure S-7 "Docume	nted Subsic	lence Areas	Мар"	
Findings of Fact: This project will cause no Ground Subsidence. The surface mining permit to allow mining operations on weekends, as allowed by will not result in any geographical expansion to the existing operation. All posterior in Environmental Assessment No. 42525, certified by the County of	project is for the County's option	a minor modifi development st ficant effects ha	cation to an e andards. The	project
Mitigation: None required.				
Monitoring: None required.				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
15. Other Geologic Hazards <ul> <li>a) Be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard?</li> </ul>				
Source: On-site Inspection, Project Application Materials				
<u>Findings of Fact</u> : This project will not be subject to Other Geologic Haz existing surface mining permit to allow mining operations on weekends, as The project will not result in any geographical expansion to the existing operadequately analyzed in Environmental Assessment No. 42525, certified by t	allowed by the ration. All pote	e County's deve entially significar	elopment star	idards.
Mitigation: None required.				
Monitoring: None required.				
16. Slopes  a) Change topography or ground surface relief features?				$\boxtimes$
b) Create cut or fill slopes greater than 2:1 or higher than 10 feet?				$\boxtimes$
c) Result in grading that affects or negates subsurface sewage disposal systems?				
Source: Riv. Co. 800-Scale Slope Maps, Project Application	Materials			
<u>Findings of Fact</u> : This project will have no impact on Slopes. The project mining permit to allow mining operations on weekends, as allowed by the Countresult in any geographical expansion to the existing operation. All pot analyzed in Environmental Assessment No. 42525, certified by the County Country Count	County's deve entially signifi	lopment standa cant effects hav	rds. The proje	ect will
Mitigation: None required.				
Monitoring: None required.				
17. Soils  a) Result in substantial soil erosion or the loss of topsoil?				
b) Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?				
c) Have soils incapable of adequately supporting use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				
Source: U.S.D.A. Soil Conservation Service Soil Surveys Inspection	, Project A	pplication M	aterials, O	n-site

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Findings of Fact: This project will have no impact on Soils. The project mining permit to allow mining operations on weekends, as allowed by the count result in any geographical expansion to the existing operation. All pot analyzed in Environmental Assessment No. 42525, certified by the County of	County's devel entially signific	opment standa cant effects hav	rds. The proje	ect will
Mitigation: None required.  Monitoring: None required.				
18. Erosion  a) Change deposition, siltation, or erosion that may modify the channel of a river or stream or the bed of a lake?				
b) Result in any increase in water erosion either on or off site?				$\boxtimes$
Source: U.S.D.A. Soil Conservation Service Soil Surveys				
Monitoring: None required.  19. Wind Erosion and Blowsand from project either on or off site.				$\boxtimes$
a) Be impacted by or result in an increase in wind erosion and blowsand, either on or off site?				
Source: Riverside County General Plan Figure S-8 "Wind Er Article XV & Ord. No. 484	osion Susc	eptibility Map	o," Ord. No.	460,
Findings of Fact: This project will not result in Wind Erosion and Blows existing surface mining permit to allow mining operations on weekends, as The project will not result in any geographical expansion to the existing operadequately analyzed in Environmental Assessment No. 42525, certified by the	allowed by the ration. All pote	e County's deve intially significar	lopment stan	dards.
Mitigation: None required.				
Monitoring: None required.				
GREENHOUSE GAS EMISSIONS Would the project				•
20. Greenhouse Gas Emissions a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				
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1 09

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				
Source: Riverside County Climate Action Plan, Project Applic	ation Mate	rials		
<u>Findings of Fact</u> : This project will have no impact on Greenhouse Gas to an existing surface mining permit to allow mining operations on week standards. The project will not result in any geographical expansion to the exi production limitation will remain the same. The same amount of mining an potential 365 days per year, rather than 261 days per year. This will likely which have been adequately analyzed in Environmental Assessment No. 42	ends, as allo sting operation d transportation reduce the inte	wed by the Co n, and the quarr on activity will b ensity of the qu	unty's develo y's annual ma se conducted arry's impacts	ppment ximum over a s, all of
Mitigation: None required.				
Monitoring: None required.				
HAZARDS AND HAZARDOUS MATERIALS Would the pro	iect			<del></del>
21. Hazards and Hazardous Materials  a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				
c) Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan?				
d) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				$\boxtimes$
e) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				$\boxtimes$
Source: Project Application Materials				
Findings of Fact: This project will have no impact on Hazards and modification to an existing surface mining permit to allow mining operat development standards. All potentially significant effects have been adequated 42525, certified by the County on July 15, 2014.	ions on week	ends, as allow	ed by the Co	ounty's
Mitigation: None required.				
Monitoring: None required.				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
22. Airports a) Result in an inconsistency with an Airport Master Plan?				
b) Require review by the Airport Land Use Commission?				$\boxtimes$
c) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				
d) For a project within the vicinity of a private airstrip, or heliport, would the project result in a safety hazard for people residing or working in the project area?				
Source: Riverside County General Plan Figure S-20 "Airport I	Locations,"	GIS databas	е	
Findings of Fact: This project will have no impact on Airports. The project mining permit to allow mining operations on weekends, as allowed by the significant effects have been adequately analyzed in Environmental Assess 15, 2014.  Mitigation: None required.  Monitoring: None required.	County's dev	elopment stand	ards. All pote	entially
23. Hazardous Fire Area  a) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				
Source: Riverside County General Plan Figure S-11 "Wildfire	Susceptibi	lity," GIS data	abase	
Findings of Fact: This project will have no impact to Hazardous Fire Arexisting surface mining permit to allow mining operations on weekends, as a The project will not result in any geographical expansion to the existing operation will remain the same. All potentially significant effects have been as No. 42525, certified by the County on July 15, 2014.	allowed by the ion, and the q	e County's deve uarry's annual m	lopment stan naximum prod	dards. luction
Mitigation: None required.				
Monitoring: None required.				
HYDROLOGY AND WATER QUALITY Would the project				
<ul> <li>Water Quality Impacts</li> <li>a) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a</li> </ul>				$\boxtimes$

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?				
b) Violate any water quality standards or waste discharge requirements?				
c) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				
d) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				
e) Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				
f) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				$\boxtimes$
g) Otherwise substantially degrade water quality?				
h) Include new or retrofitted stormwater Treatment Control Best Management Practices (BMPs) (e.g. water quality treatment basins, constructed treatment wetlands), the operation of which could result in significant environmental effects (e.g. increased vectors or odors)?				
Source: Riverside County Flood Control District Flood Hazard Findings of Fact: This project will have no impact on Water Quality. The surface mining permit to allow mining operations on weekends, as allowed by will not result in any geographical expansion to the existing operation, and the will remain the same. There will be no operation changes that would therefor All potentially significant effects have been adequately analyzed in Environ County on July 15, 2014.	e project is fo the County's ne quarry's an ore change the	r a minor modifi development sta nual maximum p hydrology as p	andards. The poroduction limproviously ana	project nitation alyzed.
Mitigation: None required.				
Monitoring: None required.				
Suitability has been checked.  NA - Not Applicable U - Generally Unsuitable  a) Substantially alter the existing drainage pattern of	_	w, the appro	ppriate Deg	
the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
amount of surface runoff in a manner that would result in flooding on- or off-site?				
b) Changes in absorption rates or the rate and amount of surface runoff?				
c) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam (Dam Inundation Area)?				
d) Changes in the amount of surface water in any water body?				
Source: Riverside County General Plan Figure S-9 "Special Failure Inundation Zone," Riverside County Flood Control Distributed atabase  Findings of Fact: This project will have no impact on Floodplains. The	rict Flood H	azard Report	·/ Condition	, GIS
surface mining permit to allow mining operations on weekends, as allowed by will not result in any geographical expansion to the existing operation, and the will remain the same. There will be no operation changes that would therefor All potentially significant effects have been adequately analyzed in Environ County on July 15, 2014.	the County's one quarry's and one change the	development sta nual maximum   hydrology as p	andards. The production limproviously ana	oroject litation llyzed.
Mitigation: None required.				
Monitoring: None required.				
LAND USE/PLANNING Would the project		<u>.</u>		
26. Land Use <ul> <li>a) Result in a substantial alteration of the present or planned land use of an area?</li> </ul>				
b) Affect land use within a city sphere of influence and/or within adjacent city or county boundaries?				
Source: Riverside County General Plan, GIS database, Proje	ct Applicati	on Materials		
<u>Findings of Fact</u> : This project will have no impact on Land Use. The surface mining permit to allow mining operations on weekends, as allow potentially significant effects have been adequately analyzed in Environment on July 15, 2014.	ed by the Co	unty's develop	ment standar	ds. All
Mitigation: None required.				
Monitoring: None required.				
27. Planning  a) Be consistent with the site's existing or proposed zoning?				
b) Be compatible with existing surrounding zoning?				
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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Be compatible with existing and planned surrounding land uses?				$\boxtimes$
d) Be consistent with the land use designations and policies of the General Plan (including those of any applicable Specific Plan)?				
e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?				
Source: Riverside County General Plan Land Use Element, S				ia4ima
<u>Findings of Fact</u> : This project will have no impact on Planning. The surface mining permit to allow mining operations on weekends, as allow potentially significant effects have been adequately analyzed in Environment on July 15, 2014.	ed by the Co	unty's developi	ment standar	ds. All
Mitigation: None required.				
Monitoring: None required.				
MINERAL RESOURCES Would the project				
28. Mineral Resources <ul> <li>a) Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?</li> </ul>				
b) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				
c) Be an incompatible land use located adjacent to a State classified or designated area or existing surface mine?				$\boxtimes$
d) Expose people or property to hazards from proposed, existing or abandoned quarries or mines?				$\boxtimes$
Source: Riverside County General Plan Figure OS-6 "Mineral	Resources	Area"		
Findings of Fact: This project will have no impact on Mineral Resource existing surface mining permit to allow mining operations on weekends, as The project will not result in any geographical expansion to the existing operal limitation will remain the same. All potentially significant effects have been at No. 42525, certified by the County on July 15, 2014.	ces. The proje allowed by the tion, and the q	ect is for a mino e County's deve uarry's annual n	elopment stan naximum prod	idards. Juction
Mitigation: None required.				
Monitoring: None required.				
NOISE Would the project result in				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Definitions for Noise Acceptability Ratings  Where indicated below, the appropriate Noise Acceptability R  NA - Not Applicable A - Generally Acceptable  C - Generally Unacceptable D - Land Use Discouraged			ked. onally Acce	eptable
a) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport would the project expose people residing or working in the project area to excessive noise levels?  NA  B C D D				
b) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?  NA   A   B   C   D   D				
Source: Riverside County General Plan Figure S-20 "Airport Facilities Map				
Findings of Fact: This project will have no impact on Airport Noise. The surface mining permit to allow mining operations on weekends, as allowed by will not result in any geographical expansion to the existing operation, and the will remain the same. All potentially significant effects have been adequate 42525, certified by the County on July 15, 2014.	the County's one quarry's and	development sta nual maximum	andards. The production lim	oroject iitation
Mitigation: None required.  Monitoring: None required.				
30. Railroad Noise NA ☑ A ☐ B ☐ C ☐ D ☐				
Source: Riverside County General Plan Figure C-1 "Cir Inspection	culation Pl	an", GIS da	itabase, Oi	n-site
<u>Findings of Fact</u> : This project will have no impact on Railroad Noise. The surface mining permit to allow mining operations on weekends, as allowed by will not result in any geographical expansion to the existing operation, and the will remain the same. All potentially significant effects have been adequated 42525, certified by the County on July 15, 2014.	the County's one quarry's an	development sta nual maximum	andards. The production lim	oroject iitation
Mitigation: None required.				
Monitoring: None required.				
31. Highway Noise NA ⊠ A □ B □ C □ D □				
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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Source: On-site Inspection, Project Application Materials				
<u>Findings of Fact</u> : This project will have no impact on Highway Noise. The surface mining permit to allow mining operations on weekends, as allowed by will not result in any geographical expansion to the existing operation, and the will remain the same. All potentially significant effects have been adequated 42525, certified by the County on July 15, 2014.	/ the County's on the quarry's an	development sta nual maximum	andards. The production lim	project nitation
Mitigation: None required.				
Monitoring: None required.				
<b>32.</b> Other Noise  NA □ B □ C □ D □				
will remain the same. All potentially significant effects have been adequated 42525, certified by the County on July 15, 2014.  Mitigation: None required.  Monitoring: None required.	itely analyzed	in Environmen	tal Assessme	nt No.
33. Noise Effects on or by the Project <ul> <li>a) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</li> </ul>				$\boxtimes$
b) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				$\boxtimes$
c) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				$\boxtimes$
d) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?				
Source: Riverside County General Plan, Table N-1 ("Land	Uso Comp	atibility for C		

This site does not general noise complaints.

the existing operations, no project impacts were anticipated with respect to substantial increases in temporary or permanent noise levels, or exposure of people to or generation of noise levels exceeding local noise standards. (See 2014 MND, p. 52.)

Sign	entially nificant npact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Here, Hanson seeks to modify the SMP 152R1 conditions of approval to allow we County's General Plan does not differentiate between weekday and weekend required to determine weekday vs. weekend noise measurements. Nonetheless, to a noise study to further emphasize that the Quarry complies with the County's noise	noise, an he Applic	d therefore no ant took this op	new noise s	tudy is
The Quarry and the surrounding property are industrial or undeveloped in nature. General Plan indicates that noise levels up to 75dBA CNEL are considered Norm				
dBF Associates, Inc. ("dBF") completed noise monitoring of the existing Quarry to the facility's property line. dBF quantified the existing onsite noise environment to measurements at the Quarry's southwest property line corner. The CNEL as approximately 66 dBA, based on the sound level measurements taken by dBF. It than 75 dBA CNEL, and is thus considered Normally Acceptable by the Noise is arithmetic average nighttime noise level at the property line was approximately 48	based on at the pr The noise Element	long-term una operty line was produced by of the County's	ittended soun as calculated the Quarry wa	d level to be as less
Based upon the analysis conducted by dBA, the County has concluded that the standards. Weekend operations would not alter the 2014 MND's finding of no s finds that noise impacts associated with the proposed project are and will contianalyzed. (See 2014 MND, pp. 52.)	ignificant	impact noise	impact. The	County
Mitigation: None required.				
Monitoring: None required.				
PALEONTOLOGICAL RESOURCES				
34. Paleontological Resources				$\square$
<ul> <li>a) Directly or indirectly destroy a unique paleonto- logical resource, or site, or unique geologic feature?</li> </ul>				
Source: Riverside County General Plan Figure OS-8 "Paleontolog	gical Se	nsitivity"		
Findings of Fact: This project will have no impact on Paleontological Resout to an existing surface mining permit to allow mining operations on weekends, standards. The project will not result in any geographical expansion to the existing operation limitation will remain the same. All potentially significant effects have leads assessment No. 42525, certified by the County on July 15, 2014.	, as allow operation	wed by the Co i, and the quarr	ounty's develo y's annual ma	pment ximum
Mitigation: None required.				
Monitoring: None required.				
POPULATION AND HOUSING Would the project				
a) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				
b) Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?				$\boxtimes$
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				
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		<del></del>		·. ,
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
		Incorporated		
d) Affect a County Redevelopment Project Area?				$\boxtimes$
e) Cumulatively exceed official regional or local population projections?				$\boxtimes$
f) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				
Source: Project Application Materials, GIS database, Riverside	e County G	eneral Plan H	tousing Ele	ement
<u>Findings of Fact</u> : This project will have no impact on Housing. The project mining permit to allow mining operations on weekends, as allowed by the Conot result in any geographical expansion to the existing operation, and the queen remain the same. All potentially significant effects have been adequately an certified by the County on July 15, 2014.	County's deve uarry's annua	lopment standa I maximum prod	rds. The projection	ect will ion will
Mitigation: None required.				
Monitoring: None required.				
PUBLIC SERVICES Would the project result in substantial at the provision of new or physically altered government facilities governmental facilities, the construction of which could cause to maintain acceptable service ratios, response times or oth public services:  36. Fire Services	s or the nee significant e	ed for new or environmenta	physically Il impacts, i	altered n order
ou. The Services				
Source: Riverside County General Plan Safety Element  Findings of Fact: This project will have no impact on Fire Services. The surface mining permit to allow mining operations on weekends, as allowed by will not result in any geographical expansion to the existing operation, and the will remain the same. No new fire services will be required. All potentially sign Environmental Assessment No. 42525, certified by the County on July 15, 20 Mitigation: None required.	the County's on ne quarry's an nificant effects	development sta nual maximum <sub>l</sub>	andards. The production lim	oroject iitation
· · · · · · · · · · · · · · · · · · ·				
Monitoring: None required.				
37. Sheriff Services				
Source: Riverside County General Plan				
Findings of Fact: This project will have no impact on Sheriff Services. The surface mining permit to allow mining operations on weekends, as allowed by will not result in any geographical expansion to the existing operation, and the will remain the same. No new sheriff services will be required. All potentially sin Environmental Assessment No. 42525, certified by the County on July 15,	the County's one quarry's an significant effe	development sta nual maximum j	andards. The production lim	oroject iitation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Mitigation: None required.				
Monitoring: None required.				
38. Schools				
Source: Project Application Materials, GIS database				
<u>Findings of Fact</u> : This project will have no impact on Schools. The project mining permit to allow mining operations on weekends, as allowed by the not result in any geographical expansion to the existing operation, and the remain the same. No new school services will be required. All potentially Environmental Assessment No. 42525, certified by the County on July 1	the County's devel he quarry's annual , significant effects	opment standa maximum prod	rds. The proje luction limitati	ect will ion will
Mitigation: None required.				
Monitoring: None required.				
39. Libraries				$\boxtimes$
Source: Riverside County General Plan				
Findings of Fact: This project will have no impact on Libraries. The principle mining permit to allow mining operations on weekends, as allowed by the not result in any geographical expansion to the existing operation, and the remain the same. No new library services will be required. All potentially Environmental Assessment No. 42525, certified by the County on July 1	the County's devel he quarry's annual v significant effects	opment standa maximum prod	rds. The proje luction limitat	ect will on will
Mitigation: None required.				
Monitoring: None required.				
40. Health Services				
Source: Riverside County General Plan				
Findings of Fact: This project will have no impact on Health Service surface mining permit to allow mining operations on weekends, as allowe will not result in any geographical expansion to the existing operation, a will remain the same. No new health services will be required. All potenti in Environmental Assessment No. 42525, certified by the County on July	d by the County's on the quarry's and ally significant effe	development sta nual maximum	andards. The production lim	oroject nitation
Mitigation: None required.				
Monitoring: None required.				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
41. Parks and Recreation  a) Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				
b) Would the project include the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				
c) Is the project located within a Community Service Area (CSA) or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)?				
Source: GIS database, Ord. No. 460, Section 10.35 (Regulation Fees and Dedications), Ord. No. 659 (Establishin Open Space Department Review  Findings of Fact: This project will have no impact on Parks and Recreativisting surface mining permit to allow mining operations on weekends, as The project will not result in any geographical expansion to the existing operation will remain the same. All potentially significant effects have been according to the control of the control of the existing operation will remain the same.	ng Develop ation. The proj allowed by the ion, and the q	ment Impact lect is for a mind e County's deve uarry's annual n	Fees), Pa	rks & n to an idards. duction
No. 42525, certified by the County on July 15, 2014.  Mitigation: None required.  Monitoring: None required.	oquatory una	ryzod III ENVIION	mental 7 looc	Sinon
				<u> </u>
Source: Riv. Co. 800-Scale Equestrian Trail Maps, Open Sp County trail alignments  Findings of Fact: This project will have no impact on Recreational Traexisting surface mining permit to allow mining operations on weekends, as The project will not result in any geographical expansion to the existing operation will remain the same. All potentially significant effects have been at No. 42525, certified by the County on July 15, 2014.	ails. The proje allowed by the ion, and the q	ect is for a mino e County's deve uarry's annual n	or modification elopment stan	n to an idards. duction
Mitigation: None required.				
Monitoring: None required.				
TRANSPORTATION/TRAFFIC Would the project  43. Circulation  a) Conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				⊠ 
d) Alter waterborne, rail or air traffic?				$\boxtimes$
e) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				
f) Cause an effect upon, or a need for new or altered maintenance of roads?				$\boxtimes$
g) Cause an effect upon circulation during the project's construction?				$\boxtimes$
h) Result in inadequate emergency access or access to nearby uses?				
i) Conflict with adopted policies, plans or programs regarding public transit, bikeways or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?				

Source: Riverside County General Plan

<u>Findings of Fact</u>: The proposed project does not alter the maximum annual production limits at the Eagle Valley Quarry. Therefore, the project will not result in any additional truck trips compared to the traffic impacts analyzed in the 2014 MND. The Quarry's potential traffic impacts as analyzed in the 2014 MND, expected to be a maximum of 250 trips per day, were found to be less than significant and in compliance with the General Plan Circulation Element and the Temescal Canyon Area Plan. (See 2014 MND, pp. 57-58.) Because the annual production limitation for Quarry will remain, the number of total trips leaving the site is expected to remain the same. Furthermore, because of the increase in available workdays, it is likely that the number of trips leaving the site on any given day will decrease, reducing the intensity of what is already a less-than-significant impact.

Approval of the project would allow weekend operations. If weekend traffic patterns in the vicinity of the Quarry were materially more intense than those on the weekdays, allowing additional trips from the Quarry during the weekends might have a different impact from what was analyzed in the 2014 MND. Accordingly, STC Traffic, Inc. (STC) completed a new analysis of weekend traffic patterns to determine if the additional vehicle trips associated with adding weekend operations would significantly affect the traffic-impact conclusions reached in the 2014 MND.

STC's collected daily traffic volume counts for a period of 24 hours on a typical weekday and on a typical weekend day. STC collected traffic data on Cajalco Road between Interstate 15 northbound ramps and Gran Oaks Road. STC determined that both weekday and weekend traffic volumes along Cajalco Road fall below the total capacity. On a typical weekend day, the ADT volume is approximately 1,209 vehicles higher (4.3 percent more) that on a typical weekday. Truck volumes on a typical weekend day are approximately 1,062 vehicles per day less (26.6 percent lower) than on a typical weekday.

STC determined that weekend operations at the Quarry could add a maximum of 250 total vehicle roundtrips per weekend day. This would add 250 inbound trips and 250 outbound trips to Cajalco Road between I-15 and Temescal Canyon Road. There is sufficient capacity to accommodate these potential additional truck trips while maintaining the current Level of Service

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
D operating condition. Weekend operations would not have a level-of-serv were attributed to truck traffic in the 2014 MND (See 2014 MND, p. 11.) Exweekends, the volume of truck traffic along Cajalco Road would be approximately truck traffic volume. Impacts related to trucks along Cajalco Road would conteven if the Quarry were to operate on weekends. Note: The project does SMP152R1. Accordingly, these weekend vehicle trips would therefore: Based upon the analysis conducted by STC, weekend operations would nimpact to traffic operations along Cajalco Road. The County finds that traffic and will continue to be less than significant as originally analyzed. (See 201	ven with the admately 17 pero inue to be less is not alter the shift from curn not alter the 20 impacts associated	Idition of the Quent less than the than weekday of annual producently existing 14 MND's findicated with the p	uarry's traffic ne existing we operating con action limitat weekday tri ing of no sigr	on the eekday ditions tion of ps.
Mitigation: None required.				
Monitoring: None required.				
44. Bike Trails				
Source: Riverside County General Plan				
surface mining permit to allow mining operations on weekends, as allowed by will not result in any geographical expansion to the existing operation, and the will remain the same. All potentially significant effects have been adequated 42525, certified by the County on July 15, 2014.  Mitigation: None required.  Monitoring: None required.	he quarry's anr	nual maximum į	production lim	nitation
TRIBAL CULTURAL RESOURCES Would the project				
a) Would the project cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:				
Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k); or,				
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c). of Public Resources Code Section 5024.1 for the purpose of this paragraph, the lead				
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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
agency shall consider the significance to a California Native tribe.				
Source: Project Application Materials				
<u>Findings of Fact</u> : This project will have no impact on Tribal Cultural Re an existing surface mining permit to allow mining operations on weekends, as The project will not result in any geographical expansion to the existing opera limitation will remain the same. All potentially significant effects have been as No. 42525, certified by the County on July 15, 2014.	s allowed by th tion, and the q	e County's deve uarry's annual r	elopment star naximum proc	idards. Juction
Mitigation: None required.				
Monitoring: None required.				
UTILITY AND SERVICE SYSTEMS Would the project				
a) Require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?				
b) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				
Source: Department of Environmental Health Review				
<u>Findings of Fact</u> : This project will have no impact on Water. The project mining permit to allow mining operations on weekends, as allowed by the contresult in any geographical expansion to the existing operation, and the gremain the same. No new water service facilities will be required. All pot analyzed in Environmental Assessment No. 42525, certified by the County of	County's deve <sub>l</sub> uarry's annua entially signifi	lopment standa I maximum proc cant effects ha	irds. The proje duction limitat	ect will ion will
Mitigation: None required.				
Monitoring: None required.				
47. Sewer				
a) Require or result in the construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities, the construction of which would cause significant environmental effects?	Ш			
b) Result in a determination by the wastewater treatment provider that serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				

	Potentially Significan Impact		Less Than Significant Impact	No Impact
Source: Department of Environmental Health Review  Findings of Fact: This project will have no impact on Sewer. The project is mining permit to allow mining operations on weekends, as allowed by the Conot result in any geographical expansion to the existing operation, and the quaremain the same. No new sewer service will be required. All potentially signific Environmental Assessment No. 42525, certified by the County on July 15, 201 Mitigation: None required.  Monitoring: None required.	ounty's de arry's anni ficant effec	velopment stand ual maximum pro	ards. The pro eduction limita	ject will ition will
Monitoring: None required.				
48. Solid Waste  a) Is the project served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				
b) Does the project comply with federal, state, and local statutes and regulations related to solid wastes including the CIWMP (County Integrated Waste Management Plan)?				
Source: Riverside County General Plan, Riverside Correspondence	County	Waste Mana	agement I	District
Findings of Fact: This project will have no impact on Solid Waste. The partial surface mining permit to allow mining operations on weekends, as allowed by the will not result in any geographical expansion to the existing operation, and the will remain the same. No new solid waste service will be required. All poter analyzed in Environmental Assessment No. 42525, certified by the County on	he County e quarry's a ntially sigr	's development s annual maximum nificant effects ha	tandards. The production li	project mitation
<u>Mitigation</u> : None required.				
Monitoring: None required.				
<b>49. Utilities</b> Would the project impact the following facilities requiring or res or the expansion of existing facilities; the construction of whic effects?				
a) Electricity?				
b) Natural gas?				
c) Communications systems? d) Storm water drainage?				
e) Street lighting?				
f) Maintenance of public facilities, including roads?				
g) Other governmental services?				

Source: Project Application Materials

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Findings of Fact: This project will have no impact on Utilities. The mining permit to allow mining operations on weekends, as allowed be not result in any geographical expansion to the existing operation, an remain the same. No new utility services will be required. All potential Environmental Assessment No. 42525, certified by the County on Jul Mitigation: None required.  Monitoring: None required.	by the County's deve d the quarry's annua ally significant effects	lopment standa I maximum proc	rds. The proje duction limitati	ect will on will
50. Energy Conservation  a) Would the project conflict with any adopted enconservation plans?	nergy 🗆			
Source: Project Application Materials  Findings of Fact: This project will have no impact on Energy Co existing surface mining permit to allow mining operations on weeken The project will not result in any geographical expansion to the existing limitation will remain the same. All potentially significant effects have No. 42525, certified by the County on July 15, 2014.  Mitigation: None required.  Monitoring: None required.	ds, as allowed by the operation, and the o	e County's deve uarry's annual r	elopment stan naximum prod	dards. luction
OTHER		<del></del> -		
51. Other:				
Source: Staff review, Project Application Materials  Findings of Fact: This project will have no Other impacts. The mining permit to allow mining operations on weekends, as allowed to not result in any geographical expansion to the existing operation, arremain the same. All potentially significant effects have been adequate certified by the County on July 15, 2014.	by the County's deve nd the quarry's annua	lopment standa Il maximum prod	irds. The proje duction limitat	ect will ion will
Mitigation: None required.				
Monitoring: None required.				
MANDATORY FINDINGS OF SIGNIFICANCE				
52. Does the project have the potential to substar degrade the quality of the environment, substar reduce the habitat of a fish or wildlife species, car fish or wildlife population to drop below self- sustal levels, threaten to eliminate a plant or an	ntially └─ use a nining			
Page 29 of 3 <sup>-</sup>	1	E/	A No. 4294	40

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a rare or e	reduce the number or restrict the range of endangered plant or animal, or eliminate xamples of the major periods of California ehistory?				
Source: Staff revi	ew, Project Application Materials				
of the environment populations to drop reduce the number	Implementation of the proposed project wo s, substantially reduce the habitat of fish or below self-sustaining levels, threaten to e for restrict the range of a rare or endangere ajor periods of California history or prehistor	wildlife spe liminate a p ed plant or a	ecies, cause plant or anima	a fish or w al commun	rildlife ity, or
limited, but of considerable project are with the effe	roject have impacts which are individually cumulatively considerable? ("Cumulatively e" means that the incremental effects of a considerable when viewed in connection ects of past projects, other current projects e future projects)?				
Source: Staff review	ew, Project Application Materials				
Findings of Fact: considerable.	The project does not have impacts which	are individu	ually limited,	but cumula	tively
cause subs	roject have environmental effects that will tantial adverse effects on human beings, ly or indirectly?				
Source: Staff revi	ew, project application				
	The proposed project would not result in e e effects on human beings, either directly or		al effects wh	ich would d	cause
VI. EARLIER A	NALYSES				
effect has been add	ay be used where, pursuant to the tiering, pequately analyzed in an earlier EIR or negation 15063 (c) (3) (D). In this case, a brief dis	tive declara	tion as per C	alifornia Co	de of
Earlier Analyses U	sed, if any: Environmental Assessment No	. 42525			
Location Where Ea	ırlier Analyses, if used, are available for rev	i <b>ew</b> :			
Location:	County of Riverside Planning Departme 4080 Lemon Street, 12th Floor Riverside, CA 92505	nt			

VII. AUTHORITIES CITED

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Authorities cited: Public Resources Code Sections 21083 and 21083.05; References: California Government Code Section 65088.4; Public Resources Code Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095 and 21151; Sundstrom v. County of Mendocino (1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

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Parcel: 278-150-006 SURFACE MINING PERMIT Case #: SMP00152R2

#### 10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 - SMP - PROJECT DESCRIPTION RECOMMND

Page: 1

This second revision to SMP No. 152R1 proposes to allow weekend operations at the existing Eagle Valley Quarry. SMP No. 152R1 currently permits operations Monday through Friday only. The existing quarry site is zoned Mineral Resources and Related Manufacturing (M-R-A). Pursuant to Section 12.62.g. of Ordinance No. 348, surface mining operations located 300 feet or closer to the property's outer boundary may operate between the hours of 6:00 a.m. and 10:00 p.m. of any day. Operations that are located more than 300 feet from the outer boundary may operate twenty-four hours a day. Applicant Hanson Aggregates LLC ("Hanson") seeks to modify existing conditions "10. Every.1" and "10.Planning.9", to read as follows:

j2\*, 3≈

- 1. Pursuant to Section 12.62.g. of Ordinance No. 348, mining operations located more than 300 feet from the outer boundary of the property are permitted to operate twenty-four (24) hours a day. Mining operations located less than 300 feet from the outer boundary of the property are permitted to operate between the hours of 6:00 a.m. and 10:00 p.m of any day.
- 2. Transporting operations are permitted twenty-four (24) hours a day, except along Cajalco Road east of Eagle Canyon Road and along Temescal Canyon Road. Transporting operations along Cajalco Road east of Eagle Canyon Road and along Temescal Canyon Road shall be limited to the hours of 6:00 a.m. and sunset (of the same day), Monday through Friday.

Hanson does not seek any other modification to the approved SMP No.152R1

SMP - HOLD HARMLESS 10. EVERY. 2

RECOMMND

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) for the following:

(a) Any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the SURFACE MINING PERMIT; and,

#### Riverside County LMS CONDITIONS OF APPROVAL

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SURFACE MINING PERMIT Case #: SMP00152R2 Parcel: 278-150-006

#### 10. GENERAL CONDITIONS

10. EVERY 2 SMP - HOLD HARMLESS (cont.)

RECOMMND

(b) Any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning the SURFACE MINING PERMIT, including, but not limited to, decisions made in response to California Public Records Act request.

The COUNTY shall promptly notify the applicant/permittee of any such claim, action, or proceeding and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY.

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal service expenses the COUNTY incurs in connection with any such claim, action or proceeding, whether it incurs such expenses directly, whether it is ordered by court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel.

#### BS GRADE DEPARTMENT

10.BS GRADE. 1 SMP-BUILDING/GRADING PERMIT

RECOMMND

THE PROVISIONS OF ALL RIVERSIDE COUNTY ORDINANCES SHALL APPLY DURING THE LIFE OF THIS SURFACE MINING PERMIT/ RECLAMATION PLAN, SPECIFICALLY, ORDINANCE 457 SHALL APPLY FOR ALL BUILDING PERMITS AND OTHER CONSTRUCTION WITHIN THE SURFACE MINING BOUNDARIES AND PROPERTY LINES OF SAID PARCELS. RADING PERMITS SHALL BE OBTAINED PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS, THE OPERATOR SHALL OBTAIN APPROVAL TO CONSTRUCT FROM THE BUILDING AND SAFETY DEPARTMENT.

#### E HEALTH DEPARTMENT

10.E HEALTH. 1 USE - ECP COMMENTS

RECOMMND

If previously unidentified contamination or the presence of a naturally occurring hazardous material is discovered at

## Riverside County LMS CONDITIONS OF APPROVAL

Page: 3

SURFACE MINING PERMIT Case #: SMP00152R2

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#### 10. GENERAL CONDITIONS

#### 10.E HEALTH. 1 USE - ECP COMMENTS (cont.)

RECOMMND

the site, assessment, investigation, and/or cleanup may be required. Contact Riverside County Environmental Health - Environmental Cleanup Programs at (951) 955-8980, for further information.

#### 10 E HEALTH. 2 USE - NOISE COMMENTS

RECOMMND

Based on the information provided to the Industrial Hygiene, a noise study is not required at this time. Noise levels shall be kept below levels prescribed in the County's General Plan Noise Element and County noise Ordinance No. 847. If noise complaints are received, the project will be required to have a noise study evaluated by the appropriate agency. Please call (951)955-8980 for any additional details.

#### 10.E HEALTH. 3 SMP - 152 RESTROOMS

RECOMMND

If permanent restroom facilities are required, the Department of Envrionemntal Health is to be contacted for specific recommendations regarding water and sewerage.

#### FLOOD RI DEPARTMENT

#### 10.FLOOD RI. 1 MAP FLOOD HAZARD REPORT

RECOMMND

Surface Mining Permit 152 R2 is a proposal to set the hours of operation of mining activities and to permit transporting operation 24-hours a day. The site is located in Temescal Canyon area, north of Cajalco, south of Highway 91, east of Interstation 15, and west of Eagle Canyon Road.

Various watercourses with tributary drainage area of 13 and 30 acres impact the site along the north and east, respectively. Erosion can be expected in these areas. For slope protection, ten (10) foot wide benches at every fifty (50) vertical feet are provided.

The submitted Reclamation Plan indicates that the project does not propose any new impervious and will retain all storm runoff in a retention/infiltration/desiltation basin within the expanded pit area. This is acceptable since, the entire site is self-contained by draining into mining pit.

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#### 10. GENERAL CONDITIONS

#### PLANNING DEPARTMENT

#### 10.PLANNING. 1 STATES SMP - LOW PALEO

RECOMMND

Page: 4

According to the County's General Plan, this site has been mapped as having a "Low Potential" for paleontological resources. This category encompasses lands for which previous field surveys and documentation demonstrates a low potential for containing significant paleontological resources subject to adverse impacts. As such, this project is not anticipated to require any direct mitigation for paleontological resources. However, should fossil remains be encountered during site development:

- 1.All site earthmoving shall be ceased in the area of where the fossil remains are encountered. Earthmoving activities may be diverted to other areas of the site.
- 2. The owner of the property shall be immediately notified of the fossil discovery who will in turn immediately notify the County Geologist of the discovery.
- 3. The applicant shall retain a qualified paleontologist approved by the County of Riverside.
- 4. The paleontologist shall determine the significance of the encountered fossil remains.
- 5.Paleontological monitoring of earthmoving activities will continue thereafter on an as-needed basis by the paleontologist during all earthmoving activities that may expose sensitive strata. Earthmoving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The supervising paleontologist will have the authority to reduce monitoring once he/she determines the probability of encountering any additional fossils has dropped below an acceptable level.
- 6.If fossil remains are encountered by earthmoving activities when the paleontologist is not onsite, these activities will be diverted around the fossil site and the paleontologist called to the site immediately to recover the remains.
- 7. Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists.

Riverside County LMS
CONDITIONS OF APPROVAL

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#### 10. GENERAL CONDITIONS

10.PLANNING. 1 SMP - LOW PALEO (cont.)

RECOMMND

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The remains then will be curated (assigned and labeled with museum\* repository fossil specimen numbers and corresponding fossil site numbers, as appropriate; places in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, an associated specimen data and corresponding geologic and geographic site data will be archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized data bases) at the museum repository by a laboratory technician. The remains will then be accessioned into the museum repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators. \* Per the County of Riverside "SABER Policy", paleontological fossils found in the County of Riverside should, by preference, be directed to the Western Science Center in the City of Hemet.

8. The property owner and/or applicant on whose land the paleontological fossils are discovered shall provide appropriate funding for monitoring, reporting, delivery and curating the fossils at the institution where the fossils will be placed, and will provide confirmation to the County that such funding has been paid to the institution.

#### 10.PLANNING. 31 SMP - IF HUMAN REMAINS FOUND

RECOMMND

The developer/permit holder or any successor in interest shall comply with the following codes:

Pursuant to State Health and Safety Code Section 7050.5, if human remains are encountered, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted by the Coroner within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the "Most Likely Descendant". The Most Likely Descendant shall then make recommendations and engage in consultation with the property owner concerning the treatment of the remains as

# Riverside County LMS CONDITIONS OF APPROVAL

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SURFACE MINING PERMIT Case #: SMP00152R2

10. GENERAL CONDITIONS

10.PLANNING. 31 SMP - IF HUMAN REMAINS FOUND (cont.)

RECOMMND

provided in Public Resources Code Section 5097.98. Human remains from other ethnic/cultural groups with recognized historical associations to the project area shall also be subject to consultation between appropriate representatives from that group and the County Archaeologist.

10.PLANNING. 32 SMP - UNANTICIPATED RESOURCES

RECOMMND

"The developer/permit holder or any successor in interest shall comply with the following for the life of this permit:

If during ground disturbance activities, unanticipated cultural resources\* are discovered, the following procedures shall be followed:

- 1) All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted until a meeting is convened between the developer, the project archaeologist\*\*, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the County Archaeologist to discuss the significance of the find.
- 2) The developer shall call the County Archaeologist immediately upon discovery of the cultural resource to convene the meeting.
- 3) At the meeting with the aforementioned parties, the significance of the discoveries shall be discussed and a decision is to be made, with the concurrence of the County Archaeologist, as to the appropriate mitigation (documentation, recovery, avoidance, etc) for the cultural resource.
- 4) Further ground disturbance shall not resume within the area of the discovery until a meeting has been convened with the aforementioned parties and a decision is made, with the concurrence of the County Archaeologist, as to the appropriate mitigation measures.
- \* A cultural resource site is defined, for this condition, as being a feature and/or three or more artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to sacred or cultural importance.

# Riverside County LMS CONDITIONS OF APPROVAL

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### 10. GENERAL CONDITIONS

10.PLANNING. 32 SMP - UNANTICIPATED RESOURCES (cont.)

RECOMMND

ويريفك يشاري

\*\* If not already employed by the project developer, a County approved archaeologist shall be employed by the project developer to assess the value/importance of the cultural resource, attend the meeting described above, and continue monitoring of all future site grading activities as necessary."

10.PLANNING. 43 SMP - FIRE PREVENTION

RECOMMND

All work areas and parking areas shall be maintained free of flammable vegetation and debris at all times. No open fires shall be allowed.

10 PLANNING. 44 SMP - CEASED OPERATION EFFECT

RECOMMND

In the event the use ereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void, unless an Interim Management Plan is submitted to the Planning Director within 90 days of becoming idle, as specified in Riverside County Ordinance No. 555. The applicant shall be responsible for the submission of the Interim Management Plan and remains responsible for the implementation of the Reclamation Plan should the permit become null and void.

10 PLANNING. 45 SMP - STOCKPILE PROTECTION

RECOMMND

Stockpiles shall be protected against water and wind erosion by covering with burlap or other Riverside County approved material, wetting, and/or temporary hydroseeding with native plant species.

10.PLANNING. 46 SMP - COMPLY W/ 348 STANDARDS

RECOMMND

The development of the property shall comply with all provisions of Riverside County Ordinance No. 348, Article XIIb, Section 12.62 (Specific Development and Performance Standards), except as modified by the conditions of this permit.

10.PLANNING. 47 SMP - COMPLY W/ ORD. 655

RECOMMND

Surface mining operations approved by this permit shall conform to all of the applicable requirements of Riverside County Ordinance No. 655, regulating light pollution.

# Riverside County LMS CONDITIONS OF APPROVAL

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10. GENERAL CONDITIONS

10.PLANNING. 48 SMP - COMPLY W/ SCAQMD RULES

RECOMMND

The permittee shall comply with all applicable South Coast Air Quality Management District (SCAQMD) rules and regulations, including but not limited to, New Source Review Regulations, Standards of Performance for Asphaltic Concrete Plants, Rule 403 for fugitive dust, and PM10 requirements.

10.PLANNING. 50 SMP - SUSPEND OPER. FOR WIND

RECOMMND

All surface mining operations, including excavating, crushing, screening and related material loading and hauling, shall be suspended when wind speeds (as instantaneous gusts) exceed 20 miles per hour. All surface mining operations shall be suspended during first and second stage smog alerts.

10.PLANNING. 51 SMP - SIGNS NEED PERMIT

RECOMMND

No signs are approved pursuant to this use. Prior to the installation of any on-site advertising or directional signs, a signing plan shall be submitted to and approved by the Riverside County Planning Department, pursuant to the requirements of Section 18.30.a.(1) of Riverside County Ordinance No. 348 (Plot Plans not subject to the California Environmental Quality Act and not subject to review by any governmental agency other than the Planning Department), and all necessary building permits shall be obtained from the Riverside County Department of Building and Safety.

10.PLANNING. 52 SMP - RESPONSIBLE TO RECLAIM

RECOMMND

The permittee (ine operator and/or land owner) shall accept responsibility for reclaiming the mine lands in accordance with the reclamation plan and within the time limits of said plan and in conformance with reclamation requirements and standards according to State of California Surface Mining and Reclamation Act and Riverside County Ordinance No. 555 quidelines.

10.PLANNING. 54 SMP\*- ANNUAL REPORT

RECOMMND

During the life of this permit, the permittee shall annually prepare and submit a written report to the Planning Director of the County of Riverside, demonstrating compliance with all the conditions of approval and

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SURFACE MINING PERMIT Case #: SMP00152R2 Parcel: 278-150-006

### 10. GENERAL CONDITIONS

10.PLANNING. 54 SMP\*- ANNUAL REPORT (cont.)

RECOMMND

mitigation for this SMP No. \_\_\_ and EIR No. \_\_\_. The Planning Director and/or Building Director may require inspection or other monitoring to insure such compliance.

## 10.PLANNING. 55 SMP - BLASTING OPERATIONS

RECOMMND

Blasting shall only be conducted between the hours of 10:00 AM and 4:00 PM, Monday through Friday, except Federally recognized holidays. If an emergency situation, related to safety or weather conditions, should occur, blasting may occur outside of these hours. Blasting shall be performed in accordance with the following specifications, and in such a manner that noise, ground and air vibrations, and dust are maintained at levels which satisfy Federal, State and County standards:

- a. Blasting shall be conducted by a trained and licensed blaster.
- b. The explosive used for blasting work will be standard commercial products specifically designed for mine applications.
- c. Blasting shall be performed using electric or non-electric blasting systems.
- d. All blasts shall be detonated with a millisecond delay system to limit the quantity of explosive denoted per delay period and to provide for sequential control of the blast detonation.
- e. The explosives shall include bulk ANFO suitably primed for blast hole conditions.
- f. Water-resistant explosive shall be used where wet blast hole conditions exists.
- g. Explosive supplies shall be used in accordance with the technical recommendations of the manufacturer and the Institute of Markers of Explosives.
- h. All blast holes shall be carefully stemmed with inert granular material, and individual blast holes will be loaded with due recognition of instant rock fracture and burden conditions.
- i. Seismic monitoring of each blast shall be performed by an independent, qualified consultant.
- j. The mining operator shall inform the County Fire Department and Sheriff Department, prior to 4:30 PM, of the intention to blast the following day.
- k. Notify neighbors within 1,000 feet prior to a blasting episode.
- 1. Prior to a blasting episode, the site shall be cleared

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SURFACE MINING PERMIT Case #: SMP00152R2 Parcel: 278-150-006

### 10. GENERAL CONDITIONS

10.PLANNING. 55 SMP - BLASTING OPERATIONS (cont.)

RECOMMND

- of people, all vehicles shall be either stored undercover or at a safe distance, all surplus explosives shall be stored in a safe place, warning signals shall be sounded and visual inspection of the site shall be made to assure there are no unauthorized people in the vicinity of the blast.
  - m. Blasting signals shall be posted at one or more conspicuous locations on the mining site and all employees shall be familiar with the signals and instructed as to the safety procedures.
  - n. Following a blasting episode, the area shall be inspected to assure that the blast went as planned. The "all clear" signal shall not be sounded until the licensed blaster has made a thorough visual inspection of the blast area for misfires.
  - o. Design of blasting configurations, i.e. drill hole pattern, diameter, depth, explosive types, quantities and delay systems shall be determined by the location of the blast, rock conditions of the area to be blasted, and distance to neighboring improvements. Determinations shall be made by drilling and visual observations, mine development plans and allowable explosive quantities per delay second.
  - p. The initial mine development and mine production blasts shall be limited to 2,000 pounds of explosive per eight-millisecond blast increment. Seismic monitoring at the site of mining operations shall be performed to determine the actual vibration levels from these blasts.
  - q. Vibratory ground motion from mine blasting shall not peak particle velocities of one inch per second.
  - r. Drilling shall be conducted between the hours of 6:00 AM to 6:00 PM, any day, Monday through Friday, except Federally recognized holidays.
  - s. Airblast at any residential structure shall not exceed 129 dBL, as measured by a sound instrument with a 6 Hz of lower flat response or 105 dBL peak, as measured by a A-weighted sound level meter.
  - t. Acoustic blankets shall be used around drilling operations to reduce potential drilling noise.

## 10 PLANNING. 56 SMP - BLASTING RECORDS

RECOMMND

A record of each blast, including seismograph date, shall be retained for at least three (3) years and shall be submitted to the County Building and Safety Department on a quarterly basis or more frequently, as deemed by the

# Riverside County LMS CONDITIONS OF APPROVAL

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## 10. GENERAL CONDITIONS

## 10 PLANNING. 56 SMP - BLASTING RECORDS (cont.)

RECOMMND

Building and Safety Director. Such record shall contain the following data:

- a. Location, data and time of blast.
- b. Name, signature and license number of "Blaster-in-charge".
- c. Direction and distance, in feet, to the nearest improvement or residence.
- d. Weather conditions, including temperature, wind direction and approximate wind velocity.
- e. Number of holes, burden and spacing
- f. Diameter and depth of holes.
- g. Types of explosive(s) used.
- h. Total weight of explosives detonated.i. Maximum weight of explosives detonated within an eight (8) millisecond period.
- j. Maximum number of holes detonated within any eight (8) millisecond period.
- k. Type of initiation system.
- 1. Type of length of stemming.
- m. Type of delay detonator and delay periods used.
- n. Sketch of the delay pattern.
- Seismogram including the calibration signal of the gain setting and:
- seismographic reading, including locations of 1. seismograph and its distance, in feet, from the blast,
  - 2. name of the person taking the seismograph reading,
- 3. name of the person and firm analyzing the seismographic record.

#### SMP - PREBLAST INSPECTION 10.PLANNING. 57

RECOMMND

Preblast inspections shall be made by a civil engineer, licensed by the State of California, of all residences and facilities existing at time of permit approval located within 1,000 feet of potential blasting areas.

#### SMP - BLASTING COMPLAINTS 10.PLANNING. 58

RECOMMND

Any blasting complaints shall be recorded by the permittee as to complainant, address, date, time, nature of the complaints, the complaints that investigation conducted. Complaint records shall be made available to the public agencies regulating blasting.

# Riverside County LMS CONDITIONS OF APPROVAL

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# 10. GENERAL CONDITIONS

10.PLANNING. 59 SMP\*- COMPLY W/ ORD./EXHIBITS

RECOMMND

The development of these premises shall comply with the standards of Ordinance Nos. 348 and 555 and all other applicable Riverside County ordinances and state and federal codes. The development of the premises shall conform substantially with that as shown on the Mining and Reclamation Plans and Project Description, unless otherwise amended by these conditions.

10.PLANNING. 60 SMP - CAUSES FOR REVOCATION

RECOMMND

In the event the use hereby permitted under this surface mining permit,

a) ceases operation for a period of one (1) year or more (unless an Interim Management Plan is approved in accordance with Ordinance No. 555), b) is found to be in violation of the terms and conditions of this permit, c) is found to have been obtained by fraud or perjured testimony, or d) is found to be detrimental to the public health, safety and welfare, or is a public nuisance, this permit shall be subject to the revocation procedures in Section 18.31 of Ordinance No. 348 and/or the applicable section of Ordinance No. 555.

10.PLANNING, 61 SMP - CONDITION REVIEW FEE

RECOMMND

All subsequent submittals required by these conditions of approval, including but not limited to a revegetation plan or mitigation monitoring shall be reviewed, with payment therefore made on an hourly basis as a "research fee," or other such fee as may be in effect at the time of submittal, as required by Ordinance No. 671.

10.PLANNING. 62 SMP\*- SLOPE STABILITY

RECOMMND

During the life of the permit the permittee shall comply with the recommendations concerning slope stability made in the report entitled, "

# Riverside County LMS CONDITIONS OF APPROVAL

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SURFACE MINING PERMIT Case #: SMP00152R2 Parcel: 278-150-006

1	0.	GENERAL.	CONDITIONS
	U -	Chrimican	COMPTITONS

10.PLANNING. 62 SMP\*- SLOPE STABILITY (cont.)

RECOMMND

\_\_\_ " by \_\_\_ dated \_\_\_ which are on file at the Riverside County Planning Department.

Samuel Contract

10.PLANNING. 63 SMP - SPARK ARRESTOR REQUIRED

RECOMMND

During the life of the permit, the permittee shall comply with spark arrestor requirements of the Public Resources Code, Section 4422, for all equipment used on the premises other than turbocharger vehicles designed and licensed for highway use.

10.PLANNING. 64 SMP\*- DUST PREVENTION MEASURE

RECOMMND

During the life of the permit, all roads, driveways and mining areas shall be kept continuously wetted while being used, and shall be treated with EPA approved dust suppressants to prevent emission of dust. Nonhazardous soil stabilizers shall be applied to all inactive urface mining areas and/pr stockpiles (previously mined areas which remain inactive for 96 hours or more).

10.PLANNING. 65 SMP - COMPLY W/ SAFETY REQ.

RECOMMND

During the life of the permit, mining operations and practices shall comply with the Safety requirements of MSHA, OSHA, the State Division of Industrial Safety, and California Mine Safety Orders.

10.PLANNING. 66 SMP\*- RUNOFF OUTLETS

RECOMMND

The permitted shall during the proposed mining operations, ensure that off-site storm runoff through the property outlets are in substantially the same location as exists under the natural conditions and that the existing watercourses do not pond or stagnate at any time during the mining except as shown on the Mining Plan, Exhibit "A" and

# Riverside County LMS CONDITIONS OF APPROVAL

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# 10. GENERAL CONDITIONS

10.PLANNING. 66 SMP\*- RUNOFF OUTLETS (cont.)

RECOMMND

the Rec; amation Plan, Exhibit "B".

10.PLANNING. 67 SMP\*- OPERATING HOURS

RECOMMND

On-site operating hours, other than maintenance or emergencies, shall be limited to the hours between A.M. and P.M., Monday through Friday. Operations shall be prohibited on Saturdays, Sundays and Federally recognized holidays. Truck and hauling operations shall be limited to non-rush hour periods between A.M. and P.M., Monday through Friday. No truck or hauling of materials shall be allowed on Sundays and Federally recognized holidays.

10.PLANNING. 68 SMP - LOADED TRUCK CARE

RECOMMND

All loaded trucks gressing from the subject property shall be properly trimmed with a two (2) foot freeboard height and/or covered and sprayed with water so as to minimize dust and prevent spillage onto the public roadway. In the event that spillage onto the road does occur, said spillage shall be removed immediately (within one hour of the spillage) from the road right-of-way.

### TRANS DEPARTMENT

10. TRANS. 1 SMP - GENERAL CONDITION

RECOMMND

The applicant has submitted an analysis titled: 2014 MND Addendum Traffic Assessment for the Eagle Valley Quarry Original Environmental Assessment No. 42525; Surface mining Permit No. 152R1 dated April 6, 2017. The assessment concludes that the additional 250 vehicle roundtrips during the weekend generated by the project would not alter the 2014 MND findings of no significant impact.

### 20 PRIOR TO A CERTAIN DATE

#### EPD DEPARTMENT

20.EPD. 1 EPD - FINAL REVEGETATION

RECOMMND

Prior to final reclamation all suitable interslope benches must be revegetated as described in the Revegetation Plan Appendix G of the Revised Reclamation Plan for the Eagle Valley Quarry prepared by Environmene in December of 2013 and updated in March of 2014.

# Riverside County LMS CONDITIONS OF APPROVAL

Page: 15

SURFACE MINING PERMIT Case #: SMP00152R2

Parcel: 278-150-006

## 20. PRIOR TO A CERTAIN DATE

20.EPD. 2

EPD - REVEG TEST PLOTS

RECOMMND

Revegetation test plots shall be established as soon as extraction begins. Revegetation test plots must be in place for a minimum of two years prior to beginning reclamation on any portion of the project site. A qualified individual must maintain test plots and keep accurate records of test plot conditions and progress.

20.EPD, 3

EPD - BIOLOGICAL INSPECTIONS

RECOMMND

At least once annually, all test plots, test plot records, and areas undergoing reclamation shall be made available for inspection by Riverside County Planning Department Environmental Programs Division personnel.

20.EPD. 4

EPD - FINAL REVEG REPORT

RECOMMND

No sooner than five years after revegetation efforts have been deemed successful a qualified biologist who holds an MOU with the County of Riverside must submit a document demonstrating that revegetation efforts have met the performance standards described in the Revised Reclamation Plan of the Eagle Valley Quarry prepared by Environment in December of 2013 and updated in March of 2014. The document shall be submitted to the Environmental Programs Division for review and approval.

20.EPD. 5

EPD - FINANCIAL ASSURANCE

RECOMMND

During the life of the permit the permitee shall annually provide current cost estimates and financial assurances to carry out revegetation efforts as described in the Reclamation Plan for the Eagle Valley Quarry prepared by Environmene in December of 2013 and updated in March of 2014. The amount of the financial assurance must be enough to carry out all required reclamation procedures. Financial assurances and cost estimates must be submitted to the Environmental Programs Division of the Riverside County Planning Department for review and approval.

# LAND DEVELOPMENT COMMITTEE (LDC) INITIAL CASE TRANSMITTAL RIVERSIDE COUNTY PLANNING DEPARTMENT - RIVERSIDE

P.O. Box 1409 Riverside, CA 92502-1409

DATE: October 11, 2016

Riv. Co. Transportation Dept.

Riv. Co. Environmental Health Department

Riv. Co. Public Health Dept.

Riv. Co. Landscape

Riv. Co. Geology Section

Riv. Co. Archaeology Section

Riv. Co. Surveyor

Riv. Co. Environmental Programs Division

Riv. Co. Fire Department

Riv. Co. Building & Safety-Grading Riv. Co. Building & Safety-Plan Check

Biology

Southern California Edison Co.

Southern California Gas Co. Riverside Transit Agency

Riv. Co. Sheriff's Dept. Riv. Co. Waste Resources Management

City Sphere of Influence- Corona

Corona-Norco School District Lee Lake Water District

CalTrans District #8
California Department of Fish & Wildlife

Army Corp of Engineers

Western Municipal Water District

Riv. Co. Regional Parks & Open Space

2nd District Supervisor

2nd District Planning Commissioner

Surface Mining Plan No. 152, Revised No. 2 – EA42940 - Applicant: Hanson Aggregates, LLC., – Second Supervisorial District – El Cerrito Zoning Area – Temescal Canyon Area Plan: Open Space - Mineral (OS-MIN) – Location: North of Cajalco Rd., South of Highway 91, East of Interstate 15, West of Eagle Canyon Road – 128 Gross Acres – Zoning: Mineral Resources and Related manufacturing (M-R-A) - REQUEST: This Amended Surface Mining Plan proposes to set the hours of operation of mining activities greater than 300 feet inside the property boundary to 24 hours per day, 7 days a week, and the hours of operation of mining activities less than 300 feet inside the property boundary to between the hours of 6:00 a.m. and 10:00 p.m., 7 days a week. In addition, it proposes to permit transporting operations 24 hours a day, 7 days a week, with the exception of along Cajalco Road east of Eagle Canyon Road and along Temescal Canyon Road, which shall be limited to the hours of 6:00 a.m. and sunset (of the same day), Monday through Friday. Related Cases: SMP00152S1/R1 - APNs: 278-140-013 & 278-150-006

# LDC staff members and other listed Riverside County Agencies, Departments and Districts staff:

A Bluebeam invitation has been emailed to appropriate staff members so they can view and markup the map(s) and/or exhibit(s) for the above-described project. Please have your markups completed and draft conditions in the Land Management System (LMS) on or before the indicated LDC date. If it is determined that the attached map(s) and/or exhibit(s) are not acceptable, please have corrections in the system and DENY the LMS routing on or before the above date. This case is scheduled for an **LDC meeting on October 20, 2016**. Once the route is complete, and the approval screen is approved with or without corrections, the project can be scheduled for a public hearing.

### Other listed entities/individuals:

Please note that the Planning Department has gone paperless and is no longer providing physical copies of the submitted map(s) and/or exhibit(s) for review. However we still want your comments. Please go the Department's webpage at:

http://planning.rctlma.org/DevelopmentProcess/LDCAgendas/2016LDCAgendas.aspx

Open the LDC agenda for the above reference date, and scroll down to view the applicable map(s) and/or exhibit(s). Please provide any comments, questions and recommendations to the Planning Department on or before the above referenced date.

Should you have any questions regarding this project, please do not hesitate to contact **Dan Walsh**, **(951) 955-6187**, **Associate Geologist**, or e-mail at <a href="mailto:DWalsh@rctlma.org/MAILSTOP">DWalsh@rctlma.org/MAILSTOP</a> #: 1070

Public Hearing Path:	Administrative Action:	DH: 🗌	PC: 🛛	BOS:	
COMMENTS: DATE:		SIGNATU	JRE:		 
PLEASE PRINT NAME	AND TITLE:				
TELEPHONE:					

If you do not include this transmittal in your response, please include a reference to the case number and project planner's name. Thank you.



# PLANNING DEPARTMENT

Charissa Leach, P.E. Assistant TLMA Director

July 17, 2017

Pat Perez
California Department of Conservation
Division of Mine Reclamation
801 K. Street MS 09-06
Sacramento, CA 95814

RE: DMR's 30-Day Review

Eagle Valley Quarry (91-33-0035) Reclamation Plan Amendment

County Reclamation Plan - SMP00152R2

The above referenced reclamation plan amendment is enclosed for DMR's 30-day review. Riverside County certifies this submission is in compliance with the applicable requirements of Article 9 of Chapter 8 of Division 2 of Title 14 of the California Code of Regulations. Please note; there are no changes in the physical mining or reclamation plan proposed or being considered under this amendment. The only changes being considered under this amendment are for the days and hours of operation & transportation for this mine (see attached revised Project Description). The approved Mining Plan, Reclamation Plan, and Project Description (Exhibits A, B, and C) remain unchanged and are therefore not attached for review.

We look forward to receiving any comments you may have on this amended reclamation plan. Please call me at (951) 955-6187 if you have any questions.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT

Charissa Leach, Assistant TLMA Director

Dan Walsh, Associate Geologist

TLMA-PLANNING

cc:

Applicant: Hanson Aggregates, Fax (619) 278-5922

Representative: Adam Guernsey (aguernsey@hthijlaw.com)

OMR: Beth Hendrickson (Beth.Hendrickson@conservation.ca.gov)

# Walsh, Daniel

From:

Hendrickson, Beth@DOC <Beth.Hendrickson@conservation.ca.gov>

Sent: To: Tuesday, July 25, 2017 2:36 PM Walsh, Daniel; Perez, Pat@DOC

Cc:

Adam Guernsey; Jones, David

Subject:

RE: Request for DMR 30-day review of SMP00152R2 (CA ID: 91-33-0035)

Hi Dan,

DMR has no comments on the proposed permit condition changes. Thank you for the opportunity to review them.

Regards,

# Beth Hendrickson

Manager, Environmental Services Unit Division of Mine Reclamation 801 K St. MS 09-06 Sacramento, CA 95814 (916) 445-6175 fax 445-6066

Every Californian should conserve water. Find out how at:



SaveOurWater.com · Drought.CA.gov

From: Walsh, Daniel [mailto:DWalsh@RIVCO.ORG]

**Sent:** Monday, July 17, 2017 3:38 PM

To: Perez, Pat@DOC <Pat.Perez@conservation.ca.gov>

Cc: Hendrickson, Beth@DOC <Beth.Hendrickson@conservation.ca.gov>; Adam Guernsey <aguernsey@hthjlaw.com>;

Jones, David < DLJONES@RIVCO.ORG>

Subject: Request for DMR 30-day review of SMP00152R2 (CA ID: 91-33-0035)

Good Afternoon Pat,

Attached is a request by County of Riverside for a DMR review of an amendment to the reclamation plan for the Eagle Valley Quarry (CA Mine ID #91-33-0035). The attachment is only two pages, as this is merely a change of days and hours of operations and transportation for the mine. However, per Riverside County Ordinance No. 555, this amendment will be subject to a public hearing once all county departments have approved, and any DMR comments have been addressed. Please feel free to contact me with any questions or comments you might have.

Thank you,

Dan Walsh Associate Engineering Geologist Riverside County Planning 4080 Lemon Street 12th Floor

# Riverside, CA 92501 951-955-6187



How are we doing? Click here to tell us!

# Confidentiality Disclaimer

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**County of Riverside California** 



Securing Your Water Supply

November 9, 2016

Dan Walsh Associate Geologist Riverside County Planning Department P.O. Box 1409 Riverside, CA 92502-1409

# SURFACE MINING PLAN NO. 152 - REVISED NO. 2 - EA42940

This letter is in response to your Initial Case transmittal dated October 11, 2016.

Western Municipal Water District (Western) has no comments on proposed Surface Mining Plan No. 152, Revised No. 2 - EA42940. Although Western does not provide retail water service within the vicinity west of Eagle Canyon Road; please be advised that our records do indicate Western has a 48-inch Water Transmission Main Pipeline in Cajalco Road. Our records indicate the water and or sewer purveyor for this area is City of Corona Department of Water and Power.

Should you have any questions or concerns regarding this matter, please contact Development Services at (951) 571-7100.

TAMMY MARTIN

Engineering Technician II

TM:sc

Enclosure(s): Initial Case Transmittal

January Mun



Director

# PLANNING DEPARTMENT

# APPLICATION FOR SURFACE MINING PERMIT

CHECK ONE AS APPROPRIATE:					
Surface Mining Permit Revised SMP (Original SMP No. 152) Reclamation Plan					
INCOMPLETE APPLICAT	TONS OR INACCURATE EXHIBITS WILL	NOT B	E ACCEPTED.		
CASE NUMBER:	SMP00152R2/EA4294		DATE SUBMITTED:	8/8/16	
APPLICATION IN	OFG06	306			
Applicant's Name:	Hanson Aggregates LLC		E-Mail:marvin.howel@h	monson.com	
Mailing Address: _	PO Box 639069				
	San Diego	Streat CA	92183-90	19	
	City	Sicio	ZiP		
Daytime Phone No:	( 858 ) 577-2770	_	Fax No: ()		
Mine Operator's Na	me: Hanson Aggregates LLC		E-Mail: marvin.howell@i	nañsori.com	
Mailing Address: _	PO Box 639069				
	San Diego	Street CA	92163		
	City	State	ZIP		
Daytime Phone No:	Daytime Phone No: ( 858 ) 577-2770				
Engineer/Representative's Name: Merk D. Harrison E-Mail: mherricon@httplaw.com					
Malling Address: 980 9th Streat, Suite 1400					
	Sacramento	Street CA	95814		
····	City	State	ZIP		
Daytime Phone No:	(918 ) 228-4223	_ [	Fax No: (_916) _362-4380	<u> </u>	
Property Owner's Name: Hanson Aggregates LLC E-Mall: msrvin.howell@hanson.biz					
Walling Address: PO Box 639069					
Street San Diego CA 92163					
	City	State	ZIP	·	

Riverside Office · 4080 Lemon Street, 12th Floor P.O. Box 1409, Riverside, California 92502-1409 (951) 955-3200 · Fax (951) 955-1811

Desert Office · 38686 El Cerrito Road Palm Desert, California 92211 (760) 863-8277 · Fax (760) 863-7555

# APPLICATION FOR SURFACE MINING PERMIT Daytime Phone No: ( 858 ) 577-2770 \_\_\_\_\_ Fax No: (\_\_\_\_) \_\_\_\_ Mineral Rights Owner's Name: Hanson Aggregates LLC E-Mall; marvin.howell@hanson.biz Mailing Address: PO Box 639069 92163 Sen Diego State Cttv 710 Daytime Phone No: ( 858 ) 577-2770 Fax No: (\_\_\_\_) \_\_\_\_ Lessee's Name: E-Mail: Mailing Address: Street Daytime Phone No: (\_\_\_\_) \_\_\_\_\_ Fax No: (\_\_\_\_) \_\_\_\_ if the property is owned by more than one person, attach a separate page that references the application case number in the following manner "Surface Mining Permit No. \_\_\_\_\_," and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

If the mineral rights are owned by more than one person, attach a separate page that references the application case number in the following manner "Surface Mining Permit No. \_\_\_\_\_," and lists the names, mailing addresses, and phone numbers of all persons having an interest in the ownership of the mineral rights involved in this application.

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

# AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The signature below authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of your application, you will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

I certify that the above information in this Mining and Reclamation Plan application is correct to the best of my knowledge and that all of the owners of possessory interest in the property in question have been notified of the proposed uses or potential uses of the land after reclamation. I also certify that I personally accept responsibility for reclaiming the mined lands in accordance with the approved reclamation plan and within the time limits of said plan.

APPLICATION FOR SURFACE	E MINING PERMIT			
Marvin Hoursil for Hanson Aggregates LLC	) OF APPLICANT	Mann A SIGNATURE OF A	PPLICANT	
Executed on	2.116 Date, Year	/		
AUTHORITY FOR THIS APPL	CATION IS HEREBY	GIVEN:		
I certify that I am the owner of this property. I further certify the	record and consent to at the information conf	the proposed Surface Malned in this application	fining Permit applicatist true and complete.	ion fo
All signatures must be originals	("wet-signed"). Photo	copies of signatures are	not acceptable.	
Marvin Howell for Hanson Aggregates LLC	20.021			
PRINTED NAME OF PROP	ERTY OWNER(S)	SIGNATURE OF PR	OPERTY OWNER(S)	
PRINTED NAME OF PROP	ERTY OWNER(S)	SIGNATURE OF PR	OPERTY OWNER(S)	
If the subject property is owned sheet that references the applipersons having an interest in the PROPERTY INFORMATION:  Name of Mine: Eagle Valley Quarry	ication case number a property.	and lists the printed na	mes and signatures	of all
Assessor's Parcel Number(s): _	278-140-013; 276-150-008			
Section: 3,10	Fownship: 48	Range:	6W	
Approximate Gross Acreage:	128 acros			
General location of Mine (nearby	y or cross streets): No	orth of Cajalco Road	, Sc	outh of
Highway 91	East of Interstate 15	West of	Eagle Cenyon Road	
Thomas Brothers map, edition y	ear, page number, and	d coordinates: 2002,774	C4, 33° 50'N 117° 29'W	
Proposal (describe the type of multiple of multiple of daily vehicle trips, etc		ays and hours of operat	ion, number of emplo	yees,
This application is to modify the conditions of a	pproval of SMP152R1 to bring t	ne Ecgle Velley Quarry in conformen	os with Riversida County Code	
section 17.115.030(G) to allow weakend opera	tions. See attached project dec	enption.		

APPLICATION FOR SURFACE MINING PERMIT
Related cases filed in conjunction with this request:  None
Is there a previous development application filed on the same site: Yes 🗵 No 📋
Case No. SMP 152; SMP 152R1 (Parcel Map, Zone Change, etc.)
E.A. No. (if known) 17942; 42525 E.I.R. No. (if applicable): N/A
Is the development project located within any of the following watersheds (refer to Riverside County Land Information System (RCLIS) (http://www3.tlma.co.riverside.ca.us/pa/rclis/index.html) for watershed location)?
▼ Santa Ana River
HAZARDOUS WASTE SITE DISCLOSURE STATEMENT
Government Code Section 65982.5 requires the applicant for any development project to consult specified state-prepared lists of hazardous waste sites and submit a signed statement to the local agency indicating whether the project is located on or near an identified site. Under the statute, no application shall be accepted as complete without this signed statement.
i (we) certify that I (we) have investigated our project with respect to its location on or near an identified hazardous waste site and that my (our) answers are true and correct to the bast of my (our) knowledge. My (Our) investigation has shown that:
The project is not located on or near an identified hazardous waste site.
The project is located on or near an identified hazardous waste site. Please list the location of the hazardous waste site(s) on an attached sheet.
Owner/Representative (1)
Owner/Representative (2) Date

Checklist for identifying Proje	cts Requiring a Project-Specific Water Quality Management Plan ( within the Senta Ana River Region <sup>1</sup>	WQN	IP)	
Project File No.				
Project Name:	Eagle Valley Quarry			
Project Location:	Riverside County, south of the City of Corons, northeast of I-15 and Cajalco Road			
Pro ্রন্থ Description:	Application to allow weekend operations in conformance with County Code section 17.116.	いるいくごり	١	
Project Applicant Information:	Hanson Aggregates Pacific Southwest, Inc.	020(0)		
	PO Box 639069, San Diego, CA 92163			
		la etter ea		
Proposed Project Consists of, or in	citudes: reation of 5,000 equare feet or more of impervious surface on an existing developed site. This	YE8		
includes, but is not limited to, construction construction of impervious or compacted soil original line and grade, hydraulic capacity, the health and safety.	of additional buildings and/or structures, extension of the existing footprint of a building, porking lots. Does not include routino maintenance activities that are conducted to maintain a original purpose of the constructed facility or emergency solions required to protect public	_	X	
	r more, including single family and multi-family dwelling units, condominiums, or epertments.		X	
	the land area? represented by the proposed map or permit is 190,000 square feet or mare, velopments such as hospitals, educational institutions, recreational facilities, mini-malls, hotels, and heavy industrial facilities.		5.5	
Automotive repair shops (Standard Industrial Classification (SIC) Codes 5013-Motor vehicle supplies or parts, 5014-Tires & Tubes, 5541-  Bascline Service Stations,7532-Top, Body & Upholstery Repair Shops and Peint Shops, 7533-Automotive Exhaust System Repair Shops, 7534-Tire Retreading and Repair Shops, 7538-Automotive Glass Replacement Shops, 7537-Automotive Transmission Repair Shops, 7538-General Automotive Repair Shops, 7539-Automotive Repair Shops, not elsewhere classified)				
Restaurants disturbing greater than 5,000 equare feet. (Standard Industrial Classification (SIC) Code 5812: Establishments primarily sngaged in the retail sale of prepared food and drinks for on-premise or immediate consumption, including, but not émited to: Automata (sating places), Beaneries, Box lunch stands, Buffets (eating places), Cafes, Cafeteries, Carry-out restaurants, Ceterers, Coffee shops, Commissary restaurants, Concession stands, prepared food (e.g., in airports and sports arenas), Contract feeding, Dairy bars, Dinner (eating places), Dining rooms, Dinner theaters, Drive-in restaurants, Fast food restaurants, Food bars, Food service (institutional), Frezen custand stands, Grills, (eating places), Hamburger stands, Hot dog (frankfurter) stands, loe cream stands, tradustrial feeding, Lunch bars, Lunch counters, Luncheonsites, Lunchrooms, Oyster bors, Pizza parlors, Pizzarios, Refreshment stands, Rostaurants, Sandwich bers or shops, Brack shops, Sods fountains, Soft drink stands, Submarine sendwich shops, and Tee rooms.)				
filiside development that creates 10,000 squa soil conditions or where natural elope is 25 pen	re feet or more, of imporvious surface(s) including developments in areas with known erceive sent or more.		X	
Developments creating 2,500 square feet or more of impervious surface that is adjacent to (within 200 feet) or discharging directly into areas legignated in the Basin Plans as waters supporting hebitate necessary for the survival and successful meintenance of plant or animal species legignated under state or federal law are rare, threatened, or endangered species (denoted in the Basin Plan as the "RARE" beneficial use) or waterbodies listed on the CWA Section 303(d) list of Impaired Weterbodies*. "Discharging directly to" means Urban Runoff from subject Development or Redevelopment sits flows directly into aforementioned waterbodies. Urban Runoff is considered a direct discharge unless it into flows through a) a municipal separate storm sewer system (MS4) that has been formally accepted by and is under control and operation if a municipal entity; b) a separate conveyance system where there is co-mingling of flows with off-site sources; or c) a tributary or segment of a water body that is not designated with "RARE" beneficial uses nor listed on the 303(d) list before reaching the water body or segment lesignated as RARE or 303(d) listed.				
Parking lots of 5,000 equare feet or more of im- the temporary storage of motor vehicles.	pervious surface exposed to Urban Runoff, where "parking lot" is defined as a site or facility for		X	
Includes San Jacinto River watershed.				
Land ares is based on acreage disturbed. The Basin Plan for the Santa Ana River Basin, which has beneficial uses for Receiving Waters listed in Chapter 3, can be viewed or downloaded from www.ewrob.ca.gov/rwqcb8/pdf/R8BPlan.pdf.				
The most recent CWA Section 303(d) list can be found at www.swrab.ca.gov/tradi/303d_itsts.html.  DETERMINATION: Circle appropriate determination.				
any question answered "YES" Project requires a project-specific WQMP.				
all questions answered "NO" Project requires incorporation of Site Design Best Management Practices (BMPs) and Source Control BMPs imposed through Conditions of Approval or permit conditions.				

# INDEMNIFICATION AGREEMENT

This INDEMNIFICATION AGREEMENT ("Agreement"), made by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California ("COUNTY"), and Hanson Aggregates, LLC, a Delaware Limited Liability Company authorized to transact business in California, ("PROPERTY OWNER"), relating to the PROPERTY OWNER'S indemnification of the COUNTY under the terms set forth herein:

# WITNESSETH:

WHEREAS, the PROPERTY OWNER has a legal interest in the certain real property described as APN 278-140-013 and 278-150-006 ("PROPERTY"); and,

**WHEREAS**, on August 12, 2016, PROPERTY OWNER filed an application for Surface Mining Permit 152, Revision 2 ("PROJECT"); and,

WHEREAS, judicial challenges of projects requiring discretionary approvals, including, but not limited to, California Environmental Quality Act determinations, are costly and time consuming. Additionally, project opponents often seek an award of attorneys' fees in such challenges; and,

WHEREAS, since property owners are the primary beneficiaries of such approvals, it is appropriate that such owners bear the expense of defending against any such judicial challenge, and bear the responsibility of any costs, attorneys' fees and damages which may be awarded to a successful challenger; and,

WHEREAS, in the event a judicial challenge is commenced against the PROJECT, the COUNTY has requested and the PROPERTY OWNER has agreed to defend, indemnify and hold harmless the COUNTY, its agents, officers, or employees from any claim, action or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void or annul any approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the PROJECT or its associated environmental documentation ("LITIGATION"); and,

WHEREAS, this Agreement is entered into by the COUNTY and PROPERTY OWNER to establish specific terms concerning PROPERTY OWNER'S indemnification obligation for the PROJECT.

**NOW, THEREFORE**, it is mutually agreed between COUNTY and PROPERTY OWNER as follows:

1. *Indemnification*. PROPERTY OWNER, at its own expense, shall defend, indemnify and hold harmless the COUNTY, its agents, officers, and employees from and against any claim, action or proceeding brought against the

COUNTY, its agents, officers, and employees to attack, set aside, void or annul any approval of the PROJECT including any associated costs, damages, and expenses including, but not limited to, costs associated with Public Records Act requests submitted to the COUNTY related to the PROJECT and an award of attorneys' fees and costs incurred or arising out of the above-referenced claim, action or proceeding brought against the COUNTY ("Indemnification Obligation.")

- 2. **Defense Cooperation.** PROPERTY OWNER and the COUNTY shall reasonably cooperate in all aspects of the LITIGATION. Nothing contained in this Agreement, however, shall be construed to limit the discretion of COUNTY, in the interest of the public welfare, to settle, defend, appeal or to decline to settle or to terminate or forego defense or appeal of the LITIGATION. It is also understood and agreed that all litigation pleadings are subject to review, revision and approval by COUNTY's Office of County Counsel.
- 3. Representation and Payment for Legal Services Rendered. COUNTY shall have the absolute right to approve any and all counsel retained to defend COUNTY in the LITIGATION. PROPERTY OWNER shall pay the attorneys' fees and costs of the legal firm retained by PROPERTY OWNER to represent the COUNTY in the LITIGATION. Failure by PROPERTY OWNER to pay such attorneys' fees and costs may be treated as an abandonment of the PROJECT and as a default of PROPERTY OWNER's obligations under this Agreement.
- 4. Payment for COUNTY's LITIGATION Costs. Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. LITIGATION costs include any associated costs, fees, damages, and expenses as further described in Section 1. herein as Indemnification Obligation. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the PROJECT, PROPERTY OWNER shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). PROPERTY OWNER shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the LITIGATION. Within ten (10) days of written notice from COUNTY, PROPERTY OWNER shall make such additional deposits. Collectively, the initial deposit and additional deposits shall be referred to herein as the "Deposit."
- 5. **Return of Deposit.** COUNTY shall return to PROPERTY OWNER any funds remaining on deposit after ninety (90) days have passed since final adjudication of the LITIGATION.
- 6. **Notices.** For all purposes herein, notices shall be effective when personally delivered, delivered by commercial overnight delivery service, or sent by

certified or registered mail, return receipt requested, to the appropriate address set forth below:

COUNTY:

Office of County Counsel Attn: Melissa Cushman 3960 Orange Street, Suite 500

Riverside, CA 92501

PROPERTY OWNER:

Hanson Aggregates, LLC Attn: Marvin Howell P.O. Box 639069

San Diego, CA 92163-9069

- 7. **Default and Termination**. This Agreement is not subject to termination, except by mutual agreement or as otherwise provided herein. In the event of a default of PROPERTY OWNER's obligations under this Agreement, COUNTY shall provide written notification to PROPERTY OWNER of such alleged default and PROPERTY OWNER shall have ten (10) days after receipt of written notification to cure any such alleged default. If PROPERTY OWNER fails to cure such alleged default within the specified time period or otherwise reach agreement with the COUNTY on a resolution of the alleged default, COUNTY may, in its sole discretion, do any of the following or combination thereof:
  - a. Deem PROPERTY OWNER's default of PROPERTY OWNER's obligations as abandonment of the PROJECT and as a breach of this Agreement;
  - b. Rescind any PROJECT approvals previously granted;
  - c. Settle the LITIGATION.

In the event of a default, PROPERTY OWNER shall remain responsible for any costs and attorney's fees awarded by the Court or as a result of settlement and other expenses incurred by the COUNTY related to the LITIGATION or settlement.

- 8. **COUNTY Review of the PROJECT.** Nothing in this Agreement shall be construed to limit, direct, impede or influence the COUNTY's review and consideration of the PROJECT.
- 9. Complete Agreement/Governing Law. This Agreement represents the complete understanding between the parties with respect to matters set forth herein. This Agreement shall be construed in accordance with the laws of the State of California.
- 10. **Successors and Assigns**. The obligations specific herein shall be made, and are binding on the successors in interest of the PROPERTY OWNER, whether the succession is by agreement, by operation of law or by any other means.
- 11. Amendment and Waiver. No modification, waiver, amendment or discharge of this Agreement shall be valid unless the same is in writing and signed by all parties.

- 12. **Severability**. If any term, provision, covenant or condition of this Agreement is held to be invalid, void or otherwise unenforceable, to any extent, by any court of competent jurisdiction, the remainder of this Agreement shall not be affected thereby, and each term, provision, covenant or condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.
- 13. **Survival of Indemnification**. The parties agree that this Agreement shall constitute a separate agreement from any PROJECT approval, and if the PROJECT, in part or in whole, is invalidated, rendered null or set aside by a court of competent jurisdiction, the parties agree to be bound by the terms of this Agreement, which shall survive such invalidation, nullification or setting aside.
- 14. *Interpretation*. The parties have been advised by their respective attorneys, or if not represented by an attorney, represent that they had an opportunity to be so represented in the review of this Agreement. Any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be applied in interpreting this Agreement.
- 15. **Captions and Headings.** The captions and section headings used in this Agreement are inserted for convenience of reference only and are not intended to define, limit or affect the construction or interpretation of any term or provision hereof.
- 16. **Jurisdiction and Venue.** Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed in the Courts of Riverside County, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court or jurisdiction.
- 17. Counterparts; Facsimile & Electronic Execution. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document. To facilitate execution of this Agreement, the parties may execute and exchange facsimile or electronic counterparts, and facsimile or electronic counterparts shall serve as originals.
- 18. **Joint and Several Liability.** In the event there is more than one PROPERTY OWNER, the liability of PROPERTY OWNER shall be joint and several, and PROPERTY OWNER each of them shall be jointly and severally liable for performance of all of the obligations of PROPERTY OWNER under this Agreement.

19. *Effective Date*. The effective date of this Agreement is the date the parties sign the Agreement. If the parties sign the Agreement on more than one date, then the last date the Agreement is signed by a party shall be the effective date.

IN WITNESS WHEREOF, the parties hereto have duly caused this Agreement to be executed by their authorized representatives as of the date written.

# **COUNTY:**

COUNTY OF RIVERSIDE,

a political subdivision of the State of California

By:

Charissa Leach

Assistant TLMA Director - Community Development

Dated:

PROPERTY OWNER:

Hanson Aggregates, LLC, a Delaware Limited/Liability Company

By:

Marvin Howell

**Assistant Secretary** 

Dated: Qug. 1, 2017

FORM APPROVED COUNTY COUNSEL

TELLA L MOSHREE-DANESH T

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# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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A notary public or other officer completing this certificate document to which this certificate is attached, and not the	ate verifies only the identity of the individual who signed the he truthfulness, accuracy, or validity of that document.
State of California ) County of SAN DIE (50 )	
On $08-01-2017$ before me, $PAT$	
Date	Here Insert Name and Title of the Officer
personally appeared	DWELL
	Name(s) of Signer(s)
subscribed to the within instrument and acknow	evidence to be the person(s) whose name(s) is are rededed to me that he/she/they executed the same in his/her/their signature(s) on the instrument the person(s), cted, executed the instrument.
	I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
PATRICE LYNNE SUDA	WITNESS my hand and official seal.
Commission # 2127705 Notary Public - California	William and official seal.
San Diego County My Comm. Expires Oct 21, 2019	Signature Yalludum Juda Signature of Notary Public
Place Notary Seal Above	PTIONAL
Though this section is optional, completing this	s information can deter alteration of the document or s form to an unintended document.
Description of Attached Document	_
Title or Type of Document: /NOCONIFICATION A	AGREEMENT Document Date:
Number of Pages: Signer(s) Other That	an Named Above:
Capacity(ies) Claimed by Signer(s)	0
Signer's Name:  □ Corporate Officer — Title(s):	Signer's Name:
☐ Corporate Officer — Title(s):	_
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	
☐ Other:	□ Other:
Signer Is Representing:	Signer Is Representing:

# NOTICE OF PUBLIC HEARING and INTENT TO CONSIDER AN ADDENDUM TO A MITIGATED NEGATIVE DECLARATION (MND)

A PUBLIC HEARING has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the RIVERSIDE COUNTY PLANNING COMMISSION to consider the project shown below:

Surface Mining Plan No. 152, Revised No. 2 — Intent to Consider an Addendum to a Mitigated Negative Declaration (MND) — Applicant: Hanson Aggregates, LLC., — Second Supervisorial District — El Cerrito Zoning Area — Temescal Canyon Area Plan: Open Space: Mineral (OS-MIN) — Location: Northerly of Cajalco Road, southerly of Highway 91, easterly of Interstate 15, and westerly of Eagle Canyon Road — 128 Gross Acres — Zoning: Mineral Resources and Related manufacturing (M-R-A) — REQUEST: This Amended Surface Mining Plan proposes to set the hours of operation of mining activities greater than 300 feet inside the property boundary to 24 hours per day, 7 days a week, and the hours of operation of mining activities less than 300 feet inside the property boundary to between the hours of 6:00 a.m. and 10:00 p.m., 7 days a week. In addition, it proposes to permit transporting operations 24 hours a day, 7 days a week, with the exception of along Cajalco Road east of Eagle Canyon Road and along Temescal Canyon Road, which shall be limited to the hours of 6:00 a.m. and sunset (of the same day), Monday through Friday.

TIME OF HEARING: 9:00 a.m. or as soon as possible thereafter.

DATE OF HEARING: OCTOBER 4, 2017

PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER

BOARD CHAMBERS, 1ST FLOOR

4080 LEMON STREET, RIVERSIDE, CA 92501

For further information regarding this project, please contact Project Planner Dan Walsh at 951-955-6187 or email at <a href="mailto:dwalsh@rivco.org">dwalsh@rivco.org</a>, or go to the County Planning Department's Planning Commission agenda web page at <a href="http://planning.rctlma.org/PublicHearings.aspx">http://planning.rctlma.org/PublicHearings.aspx</a>.

The Riverside County Planning Department has determined that the above-described project will not have a significant effect on the environment and has recommended certification of an addendum to an MND. The Planning Commission will consider the proposed project, and the proposed addendum, at the public hearing.

The case file for the proposed project, and the addendum to the environmental impact report, may be viewed Monday through Friday, from 8:00 A.M. to 5:00 P.M. at the Planning Department office, located at 4080 Lemon St. 12th Floor, Riverside, CA 92501.

Any person wishing to comment on the proposed project may do so in writing between the date of this notice and the public hearing; or, may appear and be heard at the time and place noted above. All comments received prior to the public hearing will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If this project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:

RIVERSIDE COUNTY PLANNING DEPARTMENT

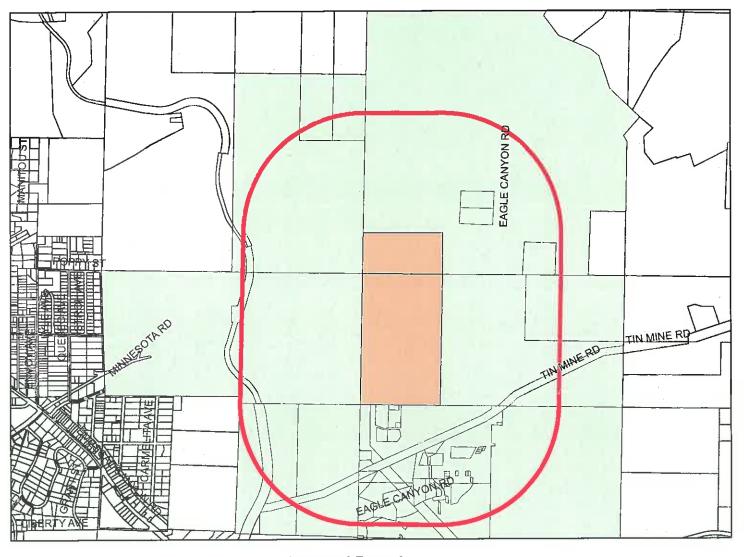
Attn: Dan Walsh

P.O. Box 1409, Riverside, CA 92502-1409

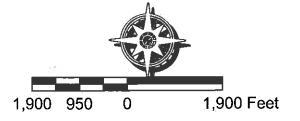
# PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN certify that on Aug 11, 2017
The attached property owners list was prepared by Riverside County GIS,
APN (s) or case numbers SMP00152R2 For
Company or Individual's Name RCIT - GIS
Distance buffered2400'
Pursuant to application requirements furnished by the Riverside County Planning Department
Said list is a complete and true compilation of the owners of the subject property and all other
property owners within 600 feet of the property involved, or if that area yields less than 2
different owners, all property owners within a notification area expanded to yield a minimum o
25 different owners, to a maximum notification area of 2,400 feet from the project boundaries
based upon the latest equalized assessment rolls. If the project is a subdivision with identifie
off-site access/improvements, said list includes a complete and true compilation of the names an
mailing addresses of the owners of all property that is adjacent to the proposed off-sit
improvement/alignment.
I further certify that the information filed is true and correct to the best of my knowledge.
understand that incorrect or incomplete information may be grounds for rejection or denial of the
application.
TITLE: GIS Analyst
ADDRESS: 4080 Lemon Street 9 <sup>TH</sup> Floor
Riverside, Ca. 92502
TELEPHONE NUMBER (8 a.m. – 5 p.m.): (951) 955-8158

# SMP00152R2 ( 2400 feet buffer )



# **Selected Parcels**





ASMT: 278130005, APN: 278130005 CYNTHIA GUNDERSON, ETAL 404 BROADWAY AVE HOQUIAM WA 98550

5962™

ASMT: 278160018, APN: 278160018 JEANETTE GUTIERREZ 1534 N RONAN AVE WILMINGTON CA 90744

ASMT: 278130006, APN: 278130006 3M RIVERSIDE LP C/0 3M CO 3M CENTER BLG 0224 05 N60 MINNESOTA MN 55144 ASMT: 278160019, APN: 278160019 LORETTA KALT C/O CHARLES VALENCIA 7142 ORANGETHORPE SP 10B BUENA PARK CA 90621

ASMT: 278130010, APN: 278130010 SF RR, ETAL ATTN ROADMASTER 740 E CARNEGIE DR SAN BERNARDINO CA 92408 ASMT: 278160020, APN: 278160020 LORETTA KALT C/O CHARLES VALENCIA 7142 ORANGETHORPE BUENA PARK CA 90621

ASMT: 278160002, APN: 278160002 IRVING GLUCK 111 N WELLS RD VENTURA CA 93004 ASMT: 278160022, APN: 278160022 BRIGITTE BUEHLMAN, ETAL 4545 BERWICK DR SAN DIEGO CA 92117

ASMT: 278160005, APN: 278160005 JENNIFER CHARLES, ETAL 33 GOLDEN STAR IRVINE CA 92604 ASMT: 278160023, APN: 278160023 BEATRICE RASCON, ETAL 13237 DUNROBIN AVE DOWNEY CA 90242

ASMT: 278160008, APN: 278160008 THOMAS FRANK 3365 HIGHWAY 21 BOISE ID 83716 ASMT: 278160026, APN: 278160026 AZUCENA DEJESUS 26875 AYAMONTE MISSION VIEJO CA 92692

ASMT: 278160017, APN: 278160017 JUBRAIL MANSOOR, ETAL 43318 HEAVENLY WAY DR ANTHEM AZ 85086 ASMT: 278180001, APN: 278180001 JUDITH SIPE 18642 MANNING DR TUSTIN CA 92780



ASMT: 278180005, APN: 278180005 ANTONIO PAREDES 111126 SILVERTON CT CORONA CA 92881

5962<sup>ttu/mc</sup>

ASMT: 278180008, APN: 278180008 MARIE MOSHINSKY, ETAL 19880 EAGLE CANYON CORONA, CA. 92881

ASMT: 278180010, APN: 278180010 RONALD MUGAR 3241 KIPS KORNER RD NORCO CA 92860

ASMT: 278180011, APN: 278180011 MICHAEL GOLDMAN LUCCHESE 2837 DAVENPORT ST ROSAMOND CA 93560

ASMT: 278180013, APN: 278180013 M INC, ETAL C/O RYAN INC 13155 NOEL RD STE 100 DALLAS TX 75240

ASMT: 278180015, APN: 278180015 ANNA WILSON, ETAL P O BOX 3451 SEQUIM WA 98382

ASMT: 278180016, APN: 278180016 GLADYS DONOHUE 12902 LEMONWOOD LN GARDEN GROVE CA 92840 ASMT: 278180018, APN: 278180018 WALKER STRANGIS 1208 S CLOVERDALE AVE LOS ANGELES CA 90019

ASMT: 278180020, APN: 278180020 SOUTHERN CALIFORNIA EDISON CO C/O C S REENDERS ASST COMPTROLLER P O BOX 800 ROSEMEAD CA 91770

ASMT: 278180027, APN: 278180027 CAJALCO ROAD QUARRY C/O ROBERTSONS P O BOX 3600 CORONA CA 92878

ASMT: 278180031, APN: 278180031 CORONA CAJALCO ROAD DEV 1370 JET STREAM DR NO 100 HENDERSON NV 89052

ASMT: 278180033, APN: 278180033 BORAL RESOURCES INC C/O MARVIN F POER & CO P O BOX 52427 ATLANTA GA 30355

ASMT: 279070015, APN: 279070015 MWD
C/O ASSEST MANAGEMENT MP
P O BOX 54153
LOS ANGELES CA 90054

.14



ASMT: 279070019, APN: 279070019 MANUFACTURING CO, ETAL C/O TAX DIVISION 3M CENTER ST PAUL MN 55144

5962<sup>TM/MC</sup>

ASMT: 279070020, APN: 279070020 MANUFACTURING CO, ETAL C/O TAX DIVISION: P O BOX 33441 ST PAUL MN 55133

w/H277

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Agenda Item No.:

Area Plan: Lake Mathews / Woodcrest

Zoning District: Lake Mathews Supervisorial District: First

Project Planner: Deborah Bradford Planning Commission: October 4, 2017

CHANGE OF ZONE NO. 7857
TENTATIVE TRACT MAP NO. 36813
Environmental Assessment No. 42694

Applicant: Peter Pitassi

Engineer/Representative: Rick Engineering

Company

Charissa Leach

Assistant TLMA Director

# COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

<u>PROJECT DESCRIPTION</u>: The proposed project consists of: Change of Zone No. 7857 to change the project site's Zoning Classification from One-Family Dwellings (R-1-1), Residential Agricultural one-acre minimum (R-A-1) and Residential Agricultural five-acre minimum (R-A-5) to One-Family Dwelling (R-1) and Tentative Tract Map No. 36813 a Schedule "B" subdivision of 38.3 acres into 38 residential lots with lots ranging in size from 0.5 acres to 2.5 acres and four (4) lettered lots for open space, a tot lot, emergency secondary access, and a bio-retention basin. An exception to Ordinance No. 460 is also proposed to allow lot depths of Lots 9, 10, 11, 12, and 15 to exceed four times the lot width, due to the configuration of the project site.

**PROJECT LOCATION:** The project site is located northerly of Van Buren Boulevard, easterly of Pick Place, and westerly of Whispering Spur Street and is located within the Lake Matthews/ Woodcrest Area Plan. APN's 273-450-002, 003, 017, 018, and 019.

# **BACKGROUND:**

Sphere of Influence

This project is located within the City of Riverside Sphere of Influence. As such, it is required to conform to the County's Memorandum of Understanding (MOU) with that city. The MOU primarily requires any project requiring rezoning that may be inconsistent with the City's General Plan to be reviewed by City staff. The applicant met with City Staff to discuss the proposed project and its relationship with the City's General Plan and Zoning Ordinance. The City of Riverside's land use designation for the project site is Hillside Residential (HR) which allows for 0.50 dwelling units per acre. The proposed project with an overall density of one dwelling unit per acre would not result in an inconsistency with the City's land use designation.<sup>1</sup> No further discussion was warranted.

### Airport Influence Area ("AIA")

The project site is located within Airport Compatibility Zone E of the March Air Reserve Base Airport Influence Area (AIA). As a result, the project was reviewed by the Director of the Airport Land Use Commission ("ALUC") and on June 8, 2017 File No. ZAP1263MA17 was determined to be consistent with the 2014 March Air Reserve1 Base/Inland Port Airport Land Use Compatibility Plan. Standard conditions of approval for Compatibility Zone E were provided by ALUC. Conditions applied include restrictions on, lighting that would be distractive to aircraft taking off or landing, uses that would attract large concentration of birds and electrical interference with aircraft. In addition, the bio-retention basin on-site shall be designed to provide for a maximum 48-hour detention period following the conclusion of the storm event

<sup>&</sup>lt;sup>1</sup> City of Riverside Land Use and Urban Design Element pg. LU. 134.

for the design storm (may be less, but not more). The basin shall remain totally dry between rainfalls for the purposes of not attracting birds. Landscaping that could provide food and/or shelter for bird species should not be planted in or around the bio-retention basin in that it could create an incompatibility with airport operations. In addition the applicant would be required to notify potential buyers of the proposed lots and future tenants of the homes that the property is presently located in the vicinity of an airport influence area.(COA 10. PLANNING 23.)

### **SUMMARY OF FINDINGS:**

1. Existing General Plan Land Use (Ex. #5): Rural Community: Very Low Density Residential

(RC: VLDR) (1-acre minimum).

2. Surrounding General Plan Land Use (Ex. #5): Rural Community: Very Low Density Residential

(RC: VLDR) (1-acre minimum) to the east, south, and west. The City of Riverside to the north.

3. Existing Zoning (Ex. #2): Residential Agricultural, 1-acre minimum (R-A-1),

Residential Agricultural, 5-acre minimum (R-A-5), and One-Family Dwellings, 1-acre minimum (R-1-

1).

4. Surrounding Zoning (Ex. #2): Residential Agricultural, 5-acre minimum (R-A-5)

and the City of Riverside to the north, One-Family Dwellings, 1-acre minimum (R-1-1) to the east and west, and Light Agriculture, 1-acre minimum (A-1-

1) to the south.

5. Existing Land Use (Ex. #1): Vacant land

6. Surrounding Land Use (Ex. #1): Vacant land and the City of Riverside to the north

and single-family residential to the east, west and

south.

7. Project Data: Total Acreage: 38.3

8. Environmental Concerns: See Attached Environmental Assessment.

<u>RECOMMENDATIONS</u>: THE PLANNING COMMISSION RECOMMENDS THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:

<u>ADOPT</u> a MITIGATED NEGATIVE DECLARATION for ENVIRONMENTAL ASSESSMENT NO. 42694, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

<u>APPROVE</u> an **EXCEPTION** to Section 3.8.c. of Ordinance No. 460 to allow for the lot depth of lots 9, 10, 11, 12, and 15 to exceed four times the width, based on the findings incorporated in the initial study and this staff report and the conclusion that the project will not have a significant effect on the environment; and

<u>TENTATIVELY APPROVE</u> CHANGE OF ZONE NO. 7857 to change the project site's Zoning Classification from Residential Agriculture, 1-acre minimum (R-A-1), Residential Agriculture, 5-acre

minimum and One Family Dwelling, 1-acre minimum (R-1-1) <u>to</u> One Family Dwelling (R-1) in accordance with Exhibit #3, subject to adoption of the Zoning Ordinance by the Board of Supervisors; and,

<u>APPROVE</u> TENTATIVE TRACT MAP NO. 36813, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

<u>FINDINGS</u>: The following findings are in addition to those incorporated in the summary of findings and in the attached environmental assessment, which is incorporated herein by reference.

- 1. The project site is designated Rural Community: Very Low Density Residential, 1-acre minimum (RC: VLDR) as reflected in Lake Mathews/Woodcrest Area Plan.
- 2. The proposed project is to allow for the subdivision of a 38.3-acre site into 38 single family residential lots, a density of one dwelling unit per acre. The proposed project is consistent with the Rural Community: Very Low Density Residential (RC: VLDR) land use designation, which encourages detached single family residences on large parcels of 1 to 2 acres. Although all of the proposed lots are not one-acre in size, the lots range in size from minimum of 0.5 acres to 2.5 acres and will be developed with single-family residential units. The Project site will have larger lots along the east, west and northern portions of the site. Interior lots will be smaller. However, with the incorporation of the required setbacks and the open-space areas located around the perimeter of the site, the project area will be compatible with the development pattern within the vicinity of the site. The Land Use Element Table LU-4 footnote 3, encourages clustering in all residential designations as long as the ratio of dwelling units/area remains within the allowable density range associated with the designation. The project site has a ratio of 38-acres/38 dwelling units. Therefore, with the clustering of the lots, the Project is consistent with this land use designation and applicable policies of the General Plan.
- 3. The project site is surrounded by Rural Community: Very Low Density Residential (RC: VLDR) (1-acre minimum) to the east, south, and west. The City of Riverside to the north.
- 4. The Zoning Classification for the subject site is Residential Agricultural, 1-acre minimum (R-A-1), Residential Agricultural, 5-acre minimum (R-A-5), and One-Family Dwellings, 1-acre minimum (R-1-1).
- 5. The proposed Zoning Classification for the subject site is One-Family Dwellings (R-1 Zone).
- 6. The proposed subdivision, is consistent with the required lot area dimensions and standards as set forth in the Development Standards of the R-1 Zoning Classification within Ordinance No. 348. The lots' configurations are primarily rectangular and exceed the minimum average width of 60 feet; however parcels 10, 11 and 23 are more triangular in shape in that they are fronting on a cul-de-sac and a knuckle, which allows their frontage to be 35 feet, with which the lots are consistent. All lots exceed the depth of 100 feet and the minimum lot area of 7,200 square feet. The proposed project will conform to the development standards of One-Family Dwelling (R-1) Zoning Classification of Ordinance No. 348 and all other applicable provisions of Ordinance No. 348.
- 7. The project site is surrounded by properties which are zoned Residential Agricultural, 5-acre minimum (R-A-5) and the City of Riverside to the north, One-Family Dwellings, 1-acre minimum (R-1-1) to the east and west, and Light Agriculture, 1-acre minimum (A-1-1) to the south.

8. The project site is surrounded by single-family residential development and is compatible with the development pattern of the surrounding neighborhoods.

- 9. The project site is in located within the Fee Assessment Area for the Stephen's Kangaroo Rat Habitat Conservation Plan (SKRHCP). Per County Ordinance No. 663 and the SKRHCP, all applicants for development permits, including maps, within the boundaries of the Fee Assessment Area who cannot satisfy mitigation requirements through on-site mitigation, as determined through the environmental review process, shall pay a Mitigation Fee of \$500.00 per gross acre of the parcels proposed for development. Payment of the SKRHCP Mitigation Fee for this Project, instead of on-site mitigation, will not jeopardize the implementation of the SKRHCP as all core reserves required for permanent Stephen's Kangaroo Rat habitat have been acquired and no new land or habitat is required to be conserved under the SKRHCP.
- 10. The project site is located within a Very High/High Fire Hazard Area and is within the Local Responsibility Area ("LRA") for fire protection services. Being in a LRA is not subject to Title 14 requirements. However, Ordinance No. 460 does not distinguish between State Responsibility and Local Responsibility areas in terms of secondary access, construction materials, and location of fire hydrants, water systems and fire flow. The following additional findings have been met:
- a. The proposed Tentative Tract Map No. 36813 is for the subdivision of 38.3 gross acre site into 38 single-family residential lots. Proposed development of this project site is in compliance with sections 4290 and 4291 of the Public Resources Code in that conditions of approval have been applied regarding, emergency access and egress, blue dot pavement marker, fire hydrants, and interior sprinkler system. Fire protection services can easily access the site, via Van Buren Boulevard.
  - b. Fire protection and suppression services are available for the site through the County of Riverside Fire Department.
  - c. The project meets the regulations regarding road standards for fire equipment access adopted pursuant to Section 4290 et seq. of the Public Resources Code, the regulations adopted thereto, and Riverside County Ordinance No. 787. All necessary roadway infrastructure exists and the project site is located adjacent to Van Buren Boulevard.
- 11. Based on review by staff and added Conditions of Approval the proposed Tentative Tract Map No. 36813 is consistent with the minimum improvements as outlined in Section 10.6 (Schedule "B" Subdivision) or Ordinance No. 460 as stated below:
- Streets Condition of Approval 10. TRANS. 1, states that the tentative map correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Q's and that their omission or unacceptability may require the map to be resubmitted for further consideration. Condition of Approval 50.TRANS.14. and 50.TRANS. 15 pertains to the required road dedication for private streets A D, which will be designed in compliance with the County's specifications for local streets and the maintenance of Van Buren Boulevard including paving, installation of curb and gutter and a meandering sidewalk along the 21 foot parkway. With these conditions the requirements of Ordinance No. 460 10.6 as it pertains to streets and street improvement have been met.

- Domestic Water Condition of Approval 10. E. HEALTH 7. states that TR36813 is proposing potable water service from Western Municipal Water District (WMWD). It is the responsibility of the developer to ensure that all requirements to obtain potable water service are met with WQMD as well as all other applicable agencies. Any existing onsite water well shall be properly removed or abandoned under permit with the Department of Environmental Health. In addition, because the WMWD is regulated by the State, compliance with the requirements of California Administrative Code Title 22, Chapter 16 is required; therefore with this condition the requirements of Ordinance No. 460 Section 10.6 B. as it pertains to domestic water has been met.
- Fire Protection Condition of Approval 10. FIRE 1. states blue retroreflective pavement markers shall be mounted on private streets, public streets and driveways to indicate location of fire hydrants. Prior to installation, placement of markers must be approved by the Riverside County Fire Department. Condition of Approval 80. FIRE1. States that the residential fire sprinklers are required in all one and two family dwellings per the California Residential Code, California Building Code and the California Fire Code. Conditions of Approval 50. FIRE 2 and4, pertains to placing notes on the Environmental Constraints Sheet (ECS) with regards to the project site being located within a High/Very High Fire Hazard Area, secondary access and water system. Condition of approval 50. FIRE 5. requires that the developer furnish one copy of the water system plans to the Fire Department for review prior to recordation of the Map. These plans will conform to the hydrant type, location, spacing and minimum fire flow as stated in 10.6 which are the minimum requirements for protection facilities in residential zones. With these conditions of approval the requirements of Ordinance No. 460 Section 10.6 C. has been met.
- Sewage Disposal Condition of Approval 10. E. HEALTH 5. will accept the review of the proposed use of an on-site wastewater treatment system based upon the preliminary onsite wastewater feasibility report. However, upon building submittal a detailed soils percolation report specific to each individual lot shall be prepared along with detailed contoured plot plans. Condition of Approval 80. E. HEALTH 2. requires detailed plans to be submitted showing the proposed subsurface sewage disposal system including the 100% expansion area. With these conditions of approval the proposed project meets the requirement of Ordinance No. 460 Section 10.6. D.
- Fences Lot A, of TR36813 is for a bio-retention basin located along the southwestern corner of the project site. The proposed bio-retention basin will be enclosed with a six-foot-high tube steel fence located along the Van Buren parkway and up along private street A and along the northern boundary of the bio-retention basin to the six-foot-high concrete block wall installed along the western boundary of the site. The proposed meets the requirement of Ordinance No. 460 Section 10.6. E.
- Electrical and Communication Facilities No electrical or communication facilities are proposed. The proposed project meets the requirement of Ordinance No. 460 Section 10.10.
   F.
- 12. The proposed project meets all the requirement of Ordinance No. 460 Section 7.1 as stated below:
  - a) The proposed land division of a 38.3-acre site into 38 single-family residential lots and design and improvements of the proposed map are consistent with the General Plan in that the Land Use Designation of Rural Community: Very Low Density Residential

encourages a density of 1 -2 dwelling units per acre, as proposed the subdivision will have an overall density of 1 dwelling unit per acre. There is no applicable Specific Plan.

- b) The design of the proposed subdivision is in compliance with the development standards for lots located in the R-1 zoning classification in terms of shape and size. The lots proposed will be consistent with the development pattern in the project vicinity and the right-of-way improvements are consistent with the County of Riverside's road standards. The proposed project complies with this requirement.
- c) The site of the proposed land division is physically suitable for the proposed type of development and the density of the development. The subdivision will be dividing a 38.3-acre site into 38 single-family residential lots. The smaller 0.5-acre plus lots will be clustered around the southern portion of the site and within the interior and the larger lots will be located along the north, east and western portions of the site. The lot sizes allow for plenty of area for the required setbacks and is suitable for development given the varied topography of the site. The overall density will result in one dwelling unit per acre and is compatible with the existing and planned surrounding land uses which consists of Very Low Residential Development land use designations which encourages detached single family residences on large parcels of 1 to 2 acres. The proposed subdivision will not result in an increase in density than what is allowed per the General Plan.
- d) Environmental review of the proposed project determined that no significant environmental impacts would occur due to project implementation. A Mitigated Negative Declaration has been prepared which has determined that the design of the proposed map and proposed improvements will result in no environmental damage, that no fish, or wildlife or their habitat will be damaged, and that no serious public health problems will be caused as a result of this land division or types of improvements proposed.
- e) The land division is located within a High Fire Hazard Area; however, emergency vehicles can easily access the project site from Van Buren Boulevard. Fire Department conditions of approval, such as entry gates, fire hydrants, interior sprinklers, blue dot reflectors will ensure that life and property are protected. The project site is not located within a fault zone, or within a ½ mile of a fault, there is no potential for liquefaction and is not located in a subsidence area. Therefore, health, welfare and safety of the community and property owners will not be jeopardized by the proposed land division.
- f) Two public utility easements and a Western Municipal Water District right-of-way easement currently exist on the project site but will be vacated. The design of the tentative tract map and improvements will not conflict with easements, acquired by the public at large for access through or use of property within the proposed subdivision.
- 13. The proposed Project is located within the Western Riverside County Multi-Species Habitat Conservation Plan (WRMSHCP), but is not within a Criteria Cell. The proposed Project will impact approximately 0.699 acres of habitat defined as Riverine by the MSHCP and will be required to provide proof of purchase of in-lieu fee mitigation credits, deed restriction, Habitat Mitigation and Monitoring Program (HMMP), environmental constraint sheet (ECS), temporary fencing and permanent fencing. Approximately 0.242 acre of impacts to U.S. Army Corps of Engineers and Regional Water Quality Control Board jurisdictional waters and 0.75 acre of impacts to the California Department of Fish and Wildlife jurisdictional areas.

Permits/Agreements for activities within the streambed/wetlands will be required as well as Riverside County conditions of approval to ensure consistency with all applicable Multipurpose Open Space policies.

- 14. In accordance with AB52, requests for notification were sent to four tribes on July 13, 2015 pursuant to AB 52 requirements for tribes requesting consultation requests for this geographic area. Consultations were requested by the Pechanga Band of Luiseno Mission Indians and the Soboba Band of Luiseno Indians. During consultation, Soboba requested native monitoring of the project during grading activities. Pechanga told Planning that the project is within a cultural landscape and the landscape is a Tribal Cultural Resource.
- 15. This project is located within the City of Riverside Sphere of Influence. As such, it is required to conform to the County's Memorandum of Understanding (MOU) with that city. The MOU primarily requires any project requiring rezoning that may be inconsistent with the City's General Plan to be reviewed by City staff. The applicant met with City Staff to discuss the proposed project and its relationship with the City's General Plan and Zoning Ordinance. The City of Riverside's land use designation for the project site is Hillside Residential (HR) which allows for 0.50 dwelling units per acre. The proposed project with an overall density of one dwelling unit per acre would not result in an inconsistency with the City's land use designation For these reasons, the project conforms to the MOU.
- 16. Ordinance No. 460 Section 3.8 C. states that when lots greater than 18,000 square feet are proposed the depth shall not exceed 4 times the width. There are special considerations in regards to exceptions to this requirement due to the topography and location and surroundings of the proposed subdivision. The applicant is accordingly requesting a waiver from this provision for Lots 9, 10, 11, 12 and 15 in that they do not meet the width-to -depth ratio due to the existing topographic conditions and street configurations. The lots are located at cul-desacs and knuckles where lot frontage is reduced and the depth is necessary to comply with maximum street lengths to meet requirements of the Riverside County Fire Department. Strict application of the lot depth requirements would deprive the owner of privileges enjoyed by other property owners in the vicinity within the One-Family Dwellings (R-1) Zoning Classification.
- 17. The project site is located within Airport Compatibility Zone E of the March Air Reserve Base Airport Influence Area (AIA). As a result, the project was reviewed by the Director of the Airport Land Use Commission ("ALUC") and on June 8, 2017 File No. ZAP1263MA17 was determined to be consistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan. Standard conditions of approval for Compatibility Zone E as they relate to outdoor lighting, lighting that would be distractive to aircraft taking off or landing, uses that would attract large concentration of birds and electrical interference with aircraft were applied. In addition, the bio-retention basin on-site shall be designed 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). The basin shall remain totally dry between rainfalls for the purposes of not attracting birds. Landscaping that could provide food and/or shelter for bird species should not be planted in or around the bio-retention basin in that it could create an incompatibility with airport operations. In addition the applicant would be required to notify potential buyers of the proposed lots and future tenants of the homes that the property is presently located in the vicinity of an airport influence area. (COA 10. PLANNING 23.)
- 18. Environmental Assessment No. 42694 identified the following potentially significant impacts:

## CHANGE OF ZONE NO. 7857 and TENTATIVE TRACT MAP NO. 36813 Planning Commission Staff Report: October 4, 2017 Page 8 of 9

- a. Biological Resources
- b. Hydrology / Water Quality
- c. Noise

These list impacts will be fully mitigated by the measures indicated in the environmental assessment and conditions of approval. No other significant impacts were identified.

#### **CONCLUSIONS:**

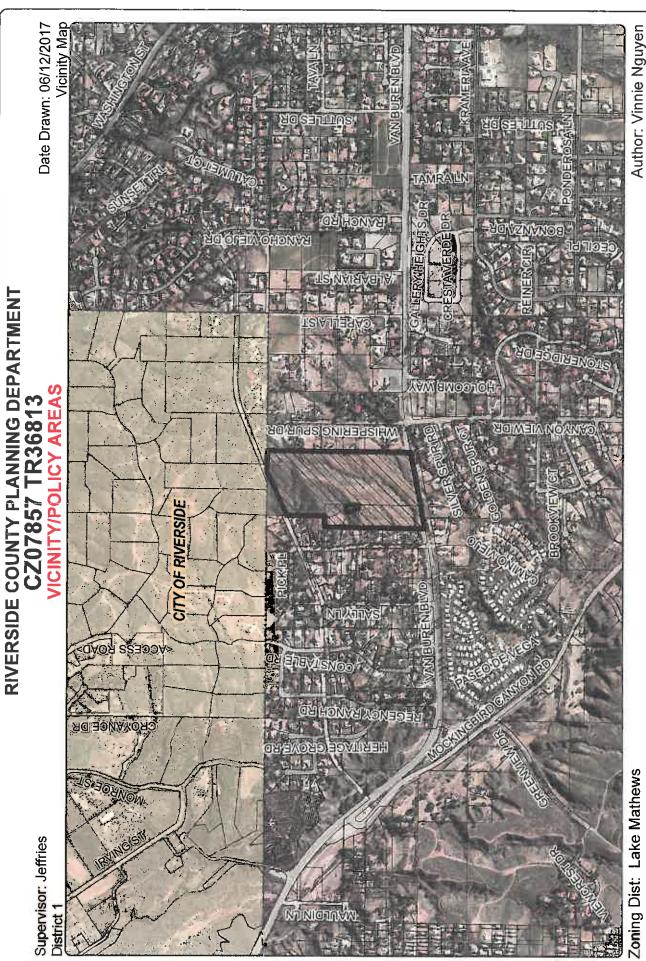
- 1. The proposed project is in conformance with the Rural Community: Very Low Density Residential (RC: VLDR) (1-acre minimum) Land Use Designation, and with all other elements of the Riverside County General Plan.
- 2. The proposed project is consistent with the proposed Zoning Classification of One-Family Dwellings (R-1 Zone) of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
- 3. The proposed project is consistent with the Schedule B map requirements of Ordinance No. 460, and with all other applicable provisions of Ordinance No. 460.
- 4. The proposed project will not have a significant effect on the environment in that Environmental Assessment No. 42694, concluded that based on the finding incorporated in the initial study that the project will not have a significant effect on the environment
- 5. The project is consistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan.
- 6. The public's health, safety, and general welfare are protected through project design.
- 7. The proposed project is clearly compatible with the present and future logical development of the area.
- 8. The proposed project will not preclude reserve design for the Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP).

#### **INFORMATIONAL ITEMS:**

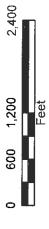
- 1. As of this writing, no letters, in support or opposition have been received.
- 2. The project site is not located within:
  - a. A 100-year flood plain; or
  - b. A County Service Area; or
  - c. A Fault Zone; or
  - d. An area subject to Liquefaction; or
  - e. An area subject to Subsidence; or
  - f. An Agricultural Preserve.
- 3. The project site is located within:
  - a. The City of Riverside's sphere of influence; and
  - b. An Airport Influence Area; and
  - c. A Very High Fire Hazard Area; and

## CHANGE OF ZONE NO. 7857 and TENTATIVE TRACT MAP NO. 36813 Planning Commission Staff Report: October 4, 2017 Page 9 of 9

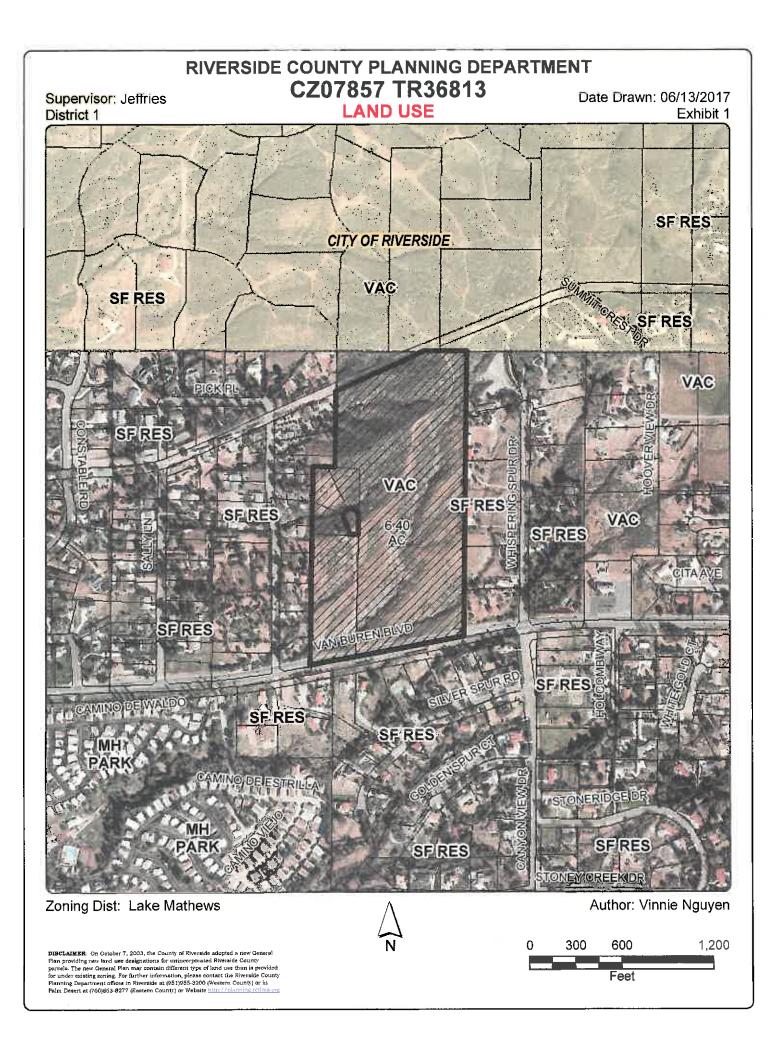
- d. The Stephens Kangaroo Rat Fee Area; and
- e. The Riverside Unified School District.
- 4. The subject site is currently designated as Assessor's Parcel Nos. 273-450-002, 273-450-003, 273-450-017, 273-450-018, and 273-450-019.

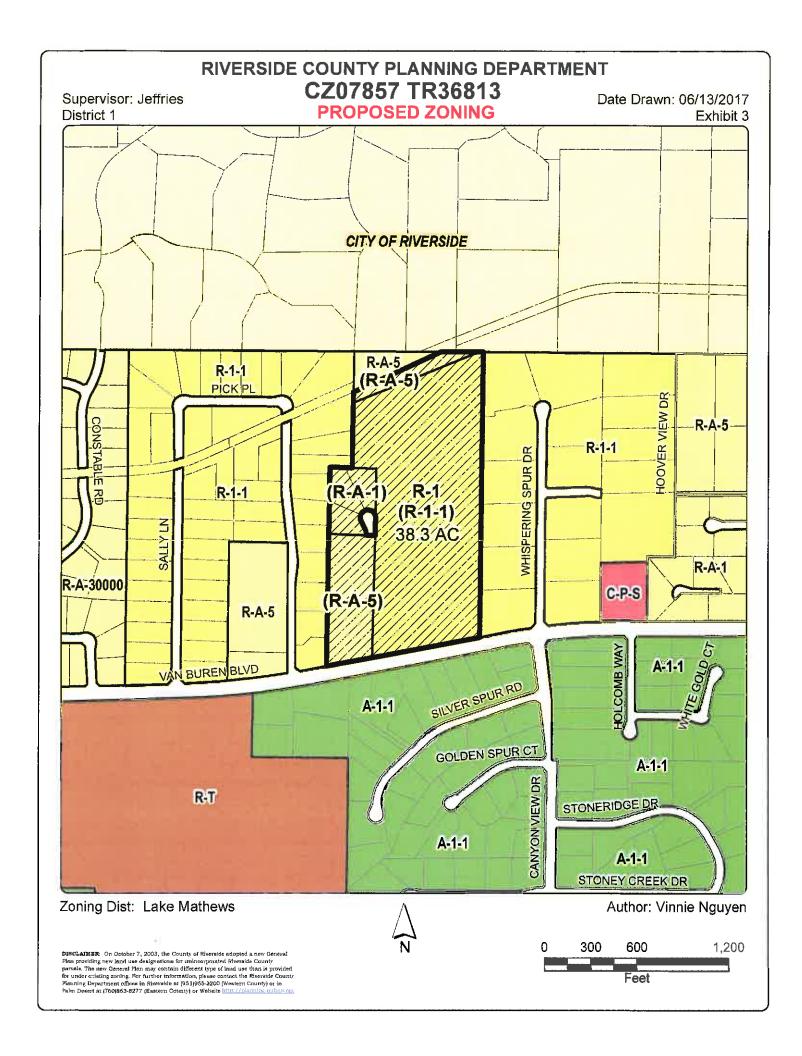


Author: Vinnie Nguyen

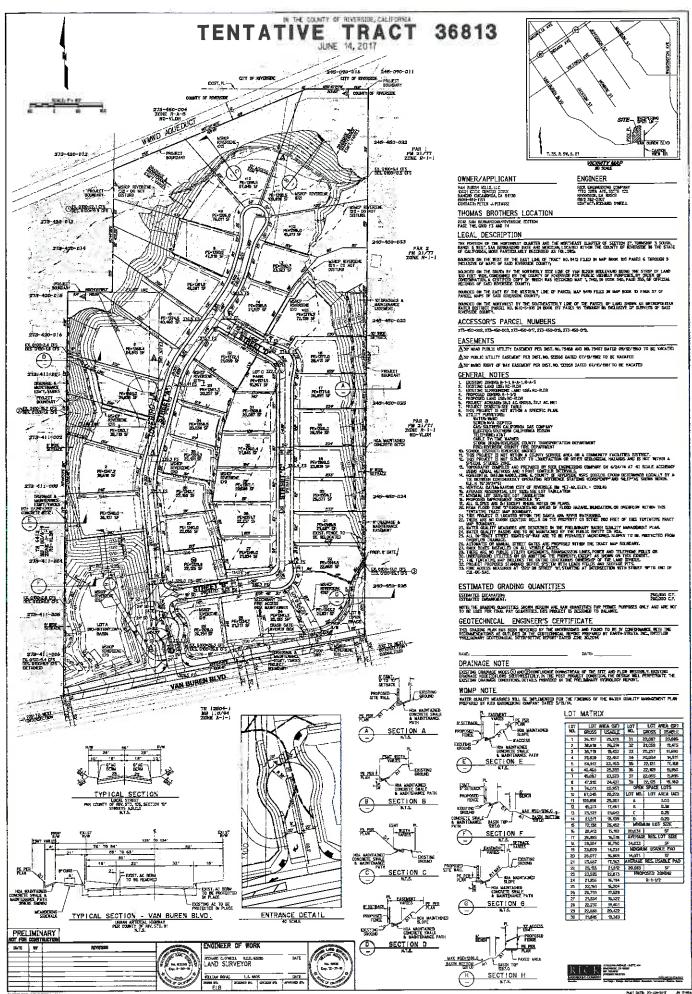


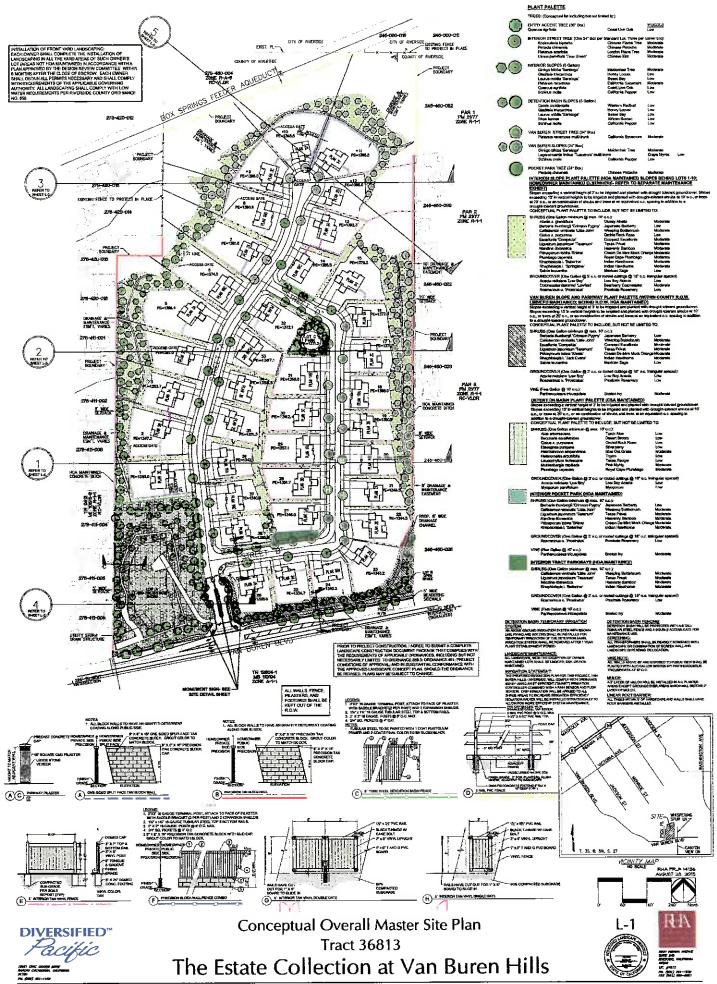


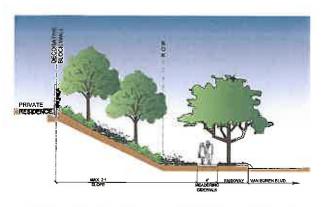












# RESIDENTS DECORATIVE BLOCK WALL PRIVATE RESIDENCE

#### VAN BUREN BLVD. LANDSCAPE SECTION A-A

N.T.S.

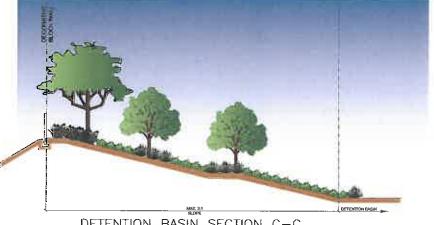
VAN BUREN BOULEVARD RIGHT OF WAY PLANT MATERIAL TO INCLUDE PAIRS OF STREET TREES AND THE COMBINED USE OF GROUNDCOVER AND LOW SHRUBS. IMMEDIATELY BEHIND RIGHT OF WAY THE PLANT MATERIAL WILL BE A COMBINATION OF INTERIOR SLOPE TREES, EROSION CONTROL TREES, GROUNDCOVER, SHRUBS, AND A VIRE SPACED EVERY TO C.C. ALONG PERIMETER WALL REFER TO CONCEPTUAL LANDSCAPE MASTER PLAN FOR PROPOSED LIST OF PLANTS.

#### INTERIOR STREET LANDSCAPE SECTION B-B

#### N.T.S.

N.T.S.

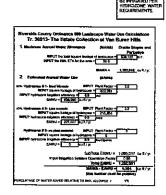
INTERIOR STREET RIGHT OF WAY PLANT MATERIAL TO INCLUDE A STREET TREE (ONE FOR TYPICAL LOTS AND THREE FOR CORNER LOTS) AND THE COMBINEO USE OF GROUNDCOVER, SHRUBS, AND VINES (WHERE REGUIRED), REFER TO CONCEPTUAL LANDSCAPE MASTER PLAN FOR PROPOSED LIST OF PLANTS.

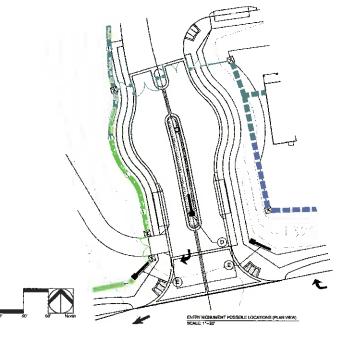


DETENTION BASIN SECTION C-C

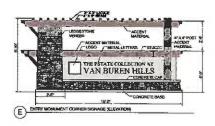
N.T.S.

DETENTION BASIN PLANT MATERIAL TO INCLUDE LARGE SCALE TREES AND AN ASSORTMENT OF DROUGHT TOLERANT SHRUBS AND GROUNDCOVER. GROUNDCOVER TO BE PLANTED IN MASSING TO PROTECT THE SLOPE, AND SHRUBS TO BE PLANTED WITH A GENEROUS C.C. SPACING TO REFLEX A NATURAL DESERTI-SCAPE DESIGN. REFER TO CONCEPTUAL LANDSCAPE MASTER PLAN FOR PROPOSED LIST OF PLANTS.











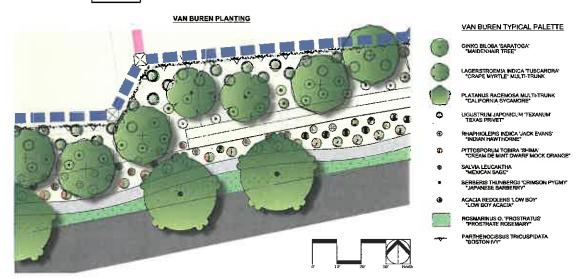
Site Plan Detail Exhibits Tract 36813

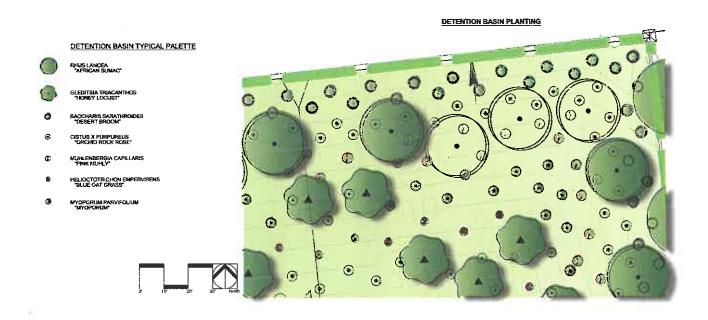
The Estate Collection at Van Buren Hills





ALL PLANTS SHALL SE IRRIGATED PER HYDROZONE WATER REQUIREMENTS.

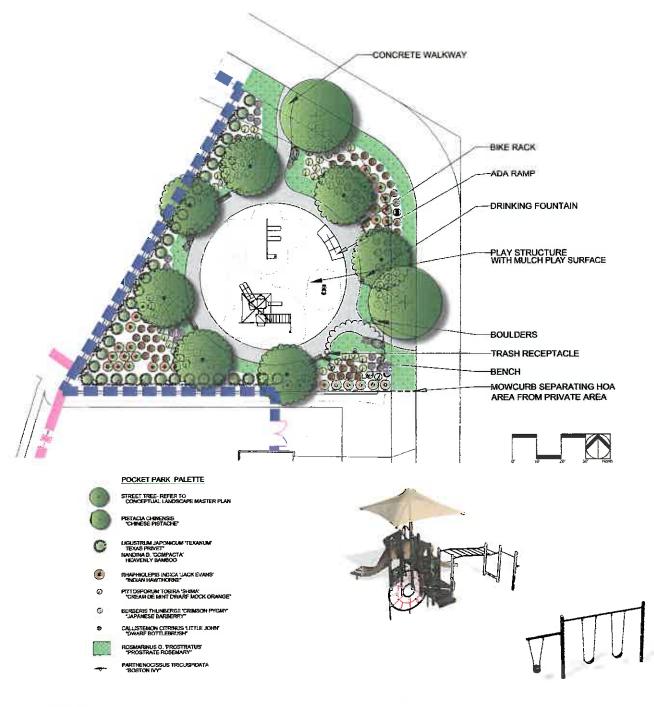






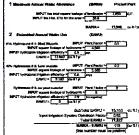
Site Plan Planting Plan Exhibits
Tract 36813
The Estate Collection at Van Buren Hills





MULCH:
AT LAYER OF MULCH WILL BE INSTALLED IN ALL PLANTER
AREAS DICEPT GROUNDOUGH AVEAS WHICH WILL RECEIVE Z
LINEAR ROOT BARRIER:
LINEAR ROOT BARRIERS
BOOT BARRIERS
BOOT BARRIERS

PHIOR TO PROJECT CONSTRUCTION, I AGREE TO SUBMIT A COMPLETE LANDSCAPE CONSTRUCTION DIOLDRENT PACKAGE THAT COMPLETS WITH PROGREENTS OF A PLICARE E ORIGINATORS. INCLIDION BUT MOT NECESSARILY LIMITED TO ORGINANCE 683 % ORIGINATOR 461: PROJECT CONDITIONS OF A PROTUCT, AND IN BURSTANTIAL CONFORMANCE WITH THE APPROVED LANDSCAPE CONCEPT PLAN, SHOULD THE ORDINANCE OF REVISED, PLANS MAY BE SUBJECT TO CHARGE.







Park Plan Enlargement Tract 36813



The Estate Collection at Van Buren Hills



## PLANNING DEPARTMENT

#### MITIGATED NEGATIVE DECLARATION

MILIOATED NEGATIVE DECEMBRICATION	
Project/Case Number: PM 36813 and CZ 7857	
Based on the Initial Study, it has been determined that the proposed project, subject to the propomitigation measures, will not have a significant effect upon the environment.	sed
PROJECT DESCRIPTION, LOCATION, AND MITIGATION MEASURES REQUIRED TO AVPOTENTIALLY SIGNIFICANT EFFECTS. (see Environmental Assessment/Initial Study and Condition of Approval)	OID ons
COMPLETED/REVIEWED BY:	
By: Deborah Bradford Title: Contract Project Planner Date: August 29, 2017	
Applicant/Project Sponsor: Peter Pitassi Date Submitted:	
ADOPTED BY: Board of Supervisors	
Person Verifying Adoption: Date:	
The Mitigated Negative Declaration may be examined, along with documents referenced in the instudy, if any, at:	nitial
Riverside County Planning Department 4080 Lemon Street, 12th Floor, Riverside, CA 92501	
For additional information, please contact Deborah Bradford at (951) 955-6646.	
Revised: 07/03/17 Y:\Planning Master Forms\Templates\CEQA Forms\Mitigated Negative Declaration.docx	
Please charge deposit fee case#: ZEA42694 ZCFG6077 FOR COUNTY CLERK'S USE ONLY	

### COUNTY OF RIVERSIDE ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Environmental Assessment (E.A.) Number: 42694

Project Case Type (s) and Number(s): TR36813 and CZ7857 Lead Agency Name: Riverside County Planning Department

**Address:** P.O. Box 1409, Riverside, CA 92502-1409 **Contact Person:** Deborah Bradford, Contract Planner

**Telephone Number:** (951) 955-6646 **Applicant's Name:** Peter Pitassi

Applicant's Address: 10621 Civic Center Drive, Rancho Cucamonga, CA 91730

#### I. PROJECT INFORMATION

**Project Description:** The proposed project consists of: **Change of Zone No. 7857** to change the project site's Zoning Classification from One-Family Dwellings (R-1-1), Residential Agricultural one-acre minimum (R-A-1) and Residential Agricultural five-acre minimum (R-A-5) **to** One-Family Dwelling (R-1) and **Tentative Tract Map No. 36813** a Schedule "B" subdivision of 38.3 acres into 38 residential lots with lots ranging in size from 0.5 acres to 2.5 acres and four (4) lettered lots for open space, a tot lot, emergency secondary access, and a bio-retention basin. An exception to Ordinance No. 460 is also proposed to allow lot depths of Lots 9, 10, 11, 12, and 15 to exceed four times the lot width, due to the configuration of the project site.

**A. Type of Project**: Site Specific⊠; Countywide□; Community□; Policy□.

B. Total Project Area: 38.3 acres

Residential Acres: 38.3 Lots: 38 and Units: 38 Projected No. of Residents: 1271

four lettered

lots.

Commercial Acres: N/A Lots: N/A Sq. Ft. of Bldg. Area: N/A Est. No. of Employees: N/A Industrial Acres: N/A Lots: N/A Sq. Ft. of Bldg. Area: N/A Est. No. of Employees: N/A

Other: N/A

C. Assessor's Parcel No(s): 273-450-002, 003, 017, 018, and 019

**Street References:** North of Van Buren Boulevard, east of Pick Place, and west of Whispering Spur Street.

- D. Section, Township & Range Description or reference/attach a Legal Description: Section: 27, Township: 3S and Range: 5W
- E. Brief description of the existing environmental setting of the project site and its surroundings: The subject property is comprised of approximately 38.3 acres of undeveloped land. Topography of the site is generally hilly with large boulders and rock out croppings. Elevations at the site range from approximately 1,284 to 1,456 feet above mean sea level (msl). Drainage within the subject property generally flows to the west. The site is currently bordered

<sup>&</sup>lt;sup>1</sup> Calculated based upon the County of Riverside General Plan, Appendix E: Socioeconomic Build-Out Projections Assumptions & Methodology, Average Household Size, to determine Project's population as follows: (38 dwelling units) x (3.34 Average Household Size by Area Plan) = 127 persons generated.

by single family residences and open land. Most of the vegetation on the site consists of sparse to moderate amounts of annual weeds/grasses, along with some scattered trees.

#### II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

#### A. General Plan Elements/Policies:

- 1. Land Use: The Project site is located within the Lake Mathews/Woodcrest Area Plan of the Riverside County General Plan. The Project site's land use designation is "Rural Community: Very Low Density Residential (RC: VLDR). This land use designation encourages the development of single-family detached residences on large parcels of 1 to 2 acres. The Project site is not located within a policy area. The Project site is located within the Sphere of Influence of the City of Riverside. The Project would be consistent with the City of Riverside sphere of influence policies and land use designation for the site. The Project site does not fall within a General Plan Policy Overlay Area.
- 2. Circulation: The Project has adequate circulation facilities and is therefore consistent with the Circulation Element of the General Plan. The proposed Project meets all other applicable circulation policies of the General Plan.
- 3. Multipurpose Open Space: The proposed Project is located within the Western Riverside County Multi-Species Habitat Conservation Plan (WRMSHCP), but is not within a Criteria Cell. The proposed Project will impact approximately 0.699 acres of habitat defined as Riverine by the MSHCP and will be required to provide proof of purchase of in-lieu fee mitigation credits, deed restriction, Habitat Mitigation and Monitoring Program (HMMP), environmental constraint sheet (ECS), temporary fencing and permanent fencing. Approximately 0.242 acre of impacts to U.S. Army Corps of Engineers and Regional Water Quality Control Board jurisdictional waters and 0.75 acre of impacts to the California Department of Fish and Wildlife jurisdictional areas. Permits/Agreements for activities within the streambed/wetlands will be required as well as Riverside County conditions of approval to ensure consistency with all applicable Multipurpose Open Space policies.
- **4. Safety:** The proposed Project allows for sufficient provision of emergency response services to the existing and future users of this Project through the Project's design. The proposed Project meets all other applicable Safety Element policies.
- 5. Noise: With the incorporation of Mitigation Measures such as, the installation of barrier walls, types of windows installed, thickness of doors, roofing, and attic venting requirements will ensure that the development of the site will have less than significant impacts in terms of noise and will meet all applicable Noise Element policies.
- 6. Housing: The proposed Project is for residential development on land that is currently vacant; therefore, implementation of the Project does not entail the displacement of existing housing nor does it create a need for new housing; thus, the Project will not conflict with General Plan Housing Element policies.
- 7. Air Quality: The proposed Project includes site preparation and construction-related activities. The Project will comply with all applicable regulatory requirements to control fugitive dust during construction and grading activities and will not conflict with policies in the General Plan Air Quality Element.
- 8. Healthy Communities: The proposed Project includes 0.25 acre park centrally located within the project site for both recreational purposes and promoting a healthy living

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EA No. 42694

environment for its residents by encouraging physical activity. Therefore, the proposed Project will not conflict with the General Plan Healthy Communities policies.

#### IV. DETERMINATION

On the basis of this initial evaluation: A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS NOT PREPARED I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared. ☑ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project, described in this document, have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS PREPARED I find that although the proposed project could have a significant effect on the environment, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED because (a) all potentially significant effects of the proposed project have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, (b) all potentially significant effects of the proposed project have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, (c) the proposed project will not result in any new significant environmental effects not identified in the earlier EIR or Negative Declaration, (d) the proposed project will not substantially increase the severity of the environmental effects identified in the earlier EIR or Negative Declaration, (e) no considerably different mitigation measures have been identified and (f) no mitigation measures found infeasible have become feasible. I find that although all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, some changes or additions are necessary but none of the conditions described in California Code of Regulations, Section 15162 exist. An ADDENDUM to a previously-certified EIR or Negative Declaration has been prepared and will be considered by the approving body or bodies. I find that at least one of the conditions described in California Code of Regulations, Section 15162 exist, but I further find that only minor additions or changes are necessary to make the previous EIR adequately apply to the project in the changed situation; therefore a SUPPLEMENT TO THE ENVIRONMENTAL IMPACT REPORT is required that need only contain the information necessary to make the previous EIR adequate for the project as revised. I find that at least one of the following conditions described in California Code of Regulations. Section 15162, exist and a SUBSEQUENT ENVIRONMENTAL IMPACT REPORT is required: (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) Substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any the following:(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR or negative declaration;(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or,(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects of the project on the environment, but the project proponents decline to adopt the mitigation measures or alternatives.

Debouh Brassend
Signature
Deboral Bradford Printed Name

August 28, 2017

Date

For Charissa Leach, P.E., Assistant TLMA Director

2. Mt. Palomar Observatory a) Interfere with the nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655?					
Source: GIS database, Ord. No. 655 (Regulating Light Pollutio	n)				
Findings of Fact:					
a) The Project site is not located within the radius of the Mt subjected to the criteria of Ordinance No. 655 as it pertains to lig			•		
Mitigation: No Mitigation Required.					
Monitoring: No Monitoring Required.					
3. Other Lighting Issues <ul> <li>a) Create a new source of substantial light or glare</li> <li>which would adversely affect day or nighttime views in the area?</li> </ul>					
b) Expose residential property to unacceptable light levels?			$\boxtimes$		
Eindings of Fact:  a-b) The proposed Project will result in a minor new source of light and glare from the addition of security lighting, street lights, as well as vehicular lighting from cars traveling on adjacent roadways. In order to avoid potential impacts related to new sources of light, the Project has been conditioned to hood and direct any new sources of light away from neighboring properties so as not to shine directly from adjoining properties or public right-of-ways. This is a standard Condition of Approval and is not considered mitigation pursuant to CEQA. In result, this Project will be designed to be consistent with existing neighboring residential developments and is small in size; therefore, less than significant impacts would occur.  Mitigation: No Mitigation Required  Monitoring: No Monitoring Required.					
AGRICULTURE & FOREST RESOURCES Would the project  4. Agriculture  a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				$\boxtimes$	
b) Conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve?				$\boxtimes$	

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?			$\boxtimes$	
d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				$\boxtimes$
Source: Riverside County General Plan Figure OS-2 "Agric Project Application Materials.	ultural Res	sources," GIS	3 database	, and
Findings of Fact:				
a-b) According to "Map My County" the Project site is design Land". The Project site is zoned Residential Agricultural, Agricultural, 5-acre minimum (R-A-5), and One-Family Dwelling subject to a Williamson Act Contract. No impacts will occur.	1-acre m	inimum (R-A	-1), Reside	ential
c) Directly south of the proposed Project is an area with the zor acre minimum (A-1-1). As a standard condition of approval a sheet shall state that specific lots within the Project site are w agricultural purposes and was <u>not</u> considered a nuisance prior considered a nuisance after ultimate development of the site oc of Approval 50. PLANNING. 13., impacts will be less than significant.	note on th ithin 300 fe to develop curs. With t	e Environme et of land zo ment of the s	ental Constr ned for prin site shall the	raints narily en be
d) Although the Project site is directly south of property with the ultimate development of the site will not result in the conversion that much of the area's development pattern is transitioning to use designation for this property and property within the vicinity Very Low Density Residential (RC: VLDR) which encourages have no impacts in regards to this issue area in that limited agr	n of farmlar residential of the Pro limited agri	nd to a non-a l uses. Addit ject site is Ri cultural uses	griculture u tionally, the ural Commi The Project	se in land unity:
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
a) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g))?				
b) Result in the loss of forest land or conversion of forest land to non-forest use?				$\boxtimes$
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use?				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
Source: Riverside County General Plan Figure OS-3a "Forestry Resources Western Riverside County Parks, Forests, and Recreation Areas," Figure OS-3b "Forestry Resources Eastern Riverside County Parks, Forests, and Recreation Areas," and Project Application Materials.					
Findings of Fact:					
a). The County has no designation of "forest land" (as defin 12220(g)), timberland (as defined by Public Resources Cod Timberland Production (as defined by Govt. Code section 511 will have no impact on land designated as forest land, timbe Production.	le section 04(g)). The	4526), or tirerefore, the p	nberland z roposed Pi	oned roject	
b). According to the Lake Mathews/ Woodcrest Area Plan Lawithin forest land and will not result in the loss of forest land or use; therefore, no impact will occur as a result of the proposed	r conversio				
c). The County has no designation of forest land, timberland, or Project will not involve other changes in the existing environme could result in conversion of forest land to non-forest use. The	nt which, d	ue to their lo	cation or na		
Mitigation: No Mitigation Required.					
Monitoring: No Monitoring Required.					
AIR QUALITY Would the project					
6. Air Quality Impacts  a) Conflict with or obstruct implementation of the applicable air quality plan?			$\boxtimes$		
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			$\boxtimes$		
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			$\boxtimes$		
d) Expose sensitive receptors which are located within 1 mile of the project site to project substantial point source emissions?					
e) Involve the construction of a sensitive receptor located within one mile of an existing substantial point source emitter?			$\boxtimes$		
f) Create objectionable odors affecting a substantial number of people?			$\boxtimes$		
Source: SCAQMD CEQA Air Quality Handbook, Riverside Coulimpact Analysis Preparation Guide, April 2008.	unty Transp	oortation Dep	oartment, T	raffic	

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Findings of Fact:

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Impact with S Mitigation Incorporated	Significant Impact	Impact
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- a-b) An Air Quality Analysis was not required for this Project due to its small size. However, to determine air quality impacts Planning Staff reviewed the Air Quality analysis for a recently adopted Mitigated Negative Declaration for a County project on a 45.5 acre site with 138 single-family residential lots proposed. The analysis determined that the project's ultimate construction of the single family residences will be subject to SCAQMD Rule 403 for fugitive dust. Short-term emissions consist of fugitive dust and other particulate matter, as well as exhaust emission generated by construction-related vehicles. The maximum daily emissions for the larger project during construction compared the SCAQMD daily regional thresholds and determined that the project would not exceed any of the short-term thresholds and would have less than significant impacts. No mitigation was required. Because the proposed Project is significantly smaller and with the incorporation of condition of approval 10. BS GRADE. 8 in regards to fugitive dust, impacts will be considered less than significant.
- c) The Project site is located within the portion of the South Coast Air Basin designated as a non-attainment area, under state and federal standards for ozone, PM-10, and PM-2.5. (AQMD, p. 2-1). Since the 138 unit project's emissions do not exceed SCAQMD established thresholds of significance as identified their Air Quality Analysis, we can determine that the <u>smaller</u>, proposed Project will not result in a cumulatively considerable net increase of any criteria pollutant for which the Project's region is non-attainment. Therefore, impacts are less than significant.
- d) A sensitive receptor is a person in the population who is particularly susceptible to health effects due to exposure to an air contaminant than is the population at large. Sensitive receptors (and the facilities that house them) in proximity to localized CO sources, toxic air contaminants, and/or odors are of particular concern. High levels of CO are associated with major traffic sources, such as freeways and major intersections, and toxic air contaminants are normally associated with manufacturing and industrial operations. Land uses considered to be sensitive receptors include long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, child care centers, and athletic facilities. While there are some residences nearby, the Project does not include any activities that could expose sensitive receptors to substantial carbon monoxide concentrations, toxic air contaminants, or odors. No impacts will occur.
- e) The proposed Project will involve the construction of sensitive receptors (i.e. residences). However, there are currently no substantial point source polluters within a one mile radius of the Project. Therefore, impacts from point source polluters will be less than significant.
- f) The Project presents the potential for generation of objectionable odors in the form of diesel exhaust during construction in the immediate vicinity of the Project site. Impacts of construction-related odors cannot be quantified because it is subjective to each person's sensitivity to smell. Recognizing the short-term duration and quantity of emissions in the Project area, and the small number of nearby residences (approximately 21), approximately 63 people would be exposed to these odors. Although not significant in numbers of people, being bothered by odors to just one person can be a nuisance. However, given that these existing residences are located adjacent to Van Buren Boulevard an Urban Arterial Highway exposure to exhaust from vehicles and trucks occurs on a daily basis. Odors due to exhaust from construction vehicles and equipment will be short-term and negligible. Therefore, less than significant impacts will occur due to exposure of a substantial number of people to objectionable odors.

Mitigation: No Mitigation Required.

Monitoring: No Monitoring Required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact		
BIOLOGICAL RESOURCES Would the project		_				
7. Wildlife & Vegetation <ul> <li>a) Conflict with the provisions of an adopted Habitat</li> <li>Conservation Plan, Natural Conservation Community Plan,</li> <li>or other approved local, regional, or state conservation plan?</li> </ul>						
b) Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?						
c) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Wildlife Service?			$\boxtimes$			
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			$\boxtimes$			
e) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?						
f) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?						
g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?						
Source: Western Riverside County Multiple Species Habitat C	Conservatio	n Plan (Adop	ted June 2	003)		
List of Biological Reports prepared for TR36813 referenced in	this section	:				
Habitat Assessment and MSHCP Consistency Analysis, Report Date: December 13, 2015, Prepared by Gonzales Environmental Consulting, LLC						
Burrowing Owl and Nesting Bird Survey, Report Date: July 31, 2014, Prepared by VHBC, Inc.						
Jurisdictional Delineation, Report Date: August 22, 2014, Prepared by Gonzales Environmental Consulting, LLC						
Determination of Biologically Equivalent or Superior Preservation (DBESP), Report Date: Revised February 10, 2016, Prepared by Gonzales Environmental Consulting, LLC						

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Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
	Incorporated		

#### Findings of Fact:

a) The Project site consists of five parcels (APNs 273-450-002, -003, -017, -018, and -019). The Project site is located within the Lake Mathews/Woodcrest Area Plan and is not located within a criteria cell, cell group, subunit, or special linkage area. Therefore, the Project was not subject to the Habitat Evaluation and Acquisition Negotiation Strategy (HANS) process or Joint Project Review (JPR). The Project is required to be consistent with Section 6.0 of the MSHCP. A consistency analysis is provided herein.

### MSHCP Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools)

The proposed Project will result in unavoidable impacts to 0.699 acre of habitat defined as Riverine by the MSHCP. Impacts will result from pad development and ingress/egress to the Project site. The Project is avoiding impacts to 0.117 acre of riverine habitat.

The DBESP report proposes the purchase of mitigation credits from the Riverside-Corona Resource Conservation District (RCRCD) at a 2:1 ratio for impacts to the 0.699 acre of Riparian habitat. In the event that in-lieu mitigation credits are not available for purchase from the RCRCD at the time of Project implementation, a Habitat Mitigation and Monitoring Plan (HMMP) will be required for site-specific restoration at a 2:1 mitigation to impact ratio. The DBESP report also proposed a deed restriction for the 0.117 acre of riverine habitat proposed for avoidance.

The Project has been conditioned prior to grading permit issuance by the County of Riverside to submit documentation that the appropriate mitigation credits have been purchased in accordance with the DBESP report updated in February 2016 prepared by Gonzales Environmental Consulting, Inc. The condition of approval includes the requirement for a HMMP in the event that in-lieu fee credits are unavailable for purchase from RCRCD.

The Project has been conditioned prior to map recordation by the County of Riverside to prepare an Environmental Constraints Sheet (ECS) to be included with the final map for the Riverine habitat planned for avoidance.

The Project has been conditioned prior to grading permit issuance for the installation of temporary fencing to protect the Riverine habitat planned for avoidance. The Project has also been conditioned prior to building permit issuance for the installation of a permanent fence to protect the Riverine habitat planned for avoidance.

The Project will be consistent with Section 6.1.2 of the MSHCP with adherence to Riverside County Conditions of Approval and with the completion of the required DBESP mitigation.

#### MSHCP Section 6.1.3 (Protection of Narrow Endemic Plant Species)

The Project site is not located within a survey area Narrow Endemic Plant Species; therefore, no surveys were required. The Project is consistent with Section 6.1.3 of the MSHCP.

#### MSHCP Section 6.1.4 (Guidelines Pertaining to the Urban/Wildlands Interface)

The Project site is not located adjacent to Public/Quasi-Public Conserved Lands or any other conservation area. The closest PQP Conserved Lands are located approximately one mile west of the Project site (Mockingbird Canyon Reservoir). The Project is not subject to the Urban/Wildlands Interface Guidelines. The Project is consistent with Section 6.1.4 of the MSHCP.

Potentially	Less than	Less	No
Significant	Significant	Than	Impact
Impact	with	Significant	•
	Mitigation	Impact	
	Incorporated	•	

#### MSHCP Section 6.3.2 (Additional Survey Needs and Procedures)

The Project site is located within the required habitat assessment area for burrowing owl. Burrowing owl habitat assessment surveys and focused surveys were conducted in 2014 in accordance with the MSHCP Burrowing Owl Survey Instructions. Focused surveys were conducted on July 11, 12, 29, 30, and 31, 2014. One burrowing owl was observed on July 31, 2014 perched on a boulder outcrop; however, no active burrows were observed on the Project site. In accordance with MSHCP requirements for burrowing owl, the Project has been conditioned by the County of Riverside for a 30-Day Preconstruction Burrowing Owl Survey prior to grading permit issuance. The proposed Project is consistent with Section 6.3.2 of the MSHCP with adherence to Riverside County Conditions of Approval.

The Project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan with adherence to Riverside County conditions of approval. Impacts will be less than significant with adherence to Riverside County conditions of approval and with mitigation incorporated.

b) Stephens' kangaroo rat (*Dipodomys stephensi*), a federal endangered and state threatened species was observed on the Project site by VHBC, Inc. biologists in 2015.

The Stephens' kangaroo rat is relatively widespread throughout the MSHCP Area, but the main blocks of occupied habitat are concentrated in several Core Areas that must be conserved. The Stephens' kangaroo rat also requires species-specific monitoring and management to ensure its long-term viability in the MSHCP Area, including tracking population densities and maintaining sparse, open grassland habitats.

The Long term Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan (HCP) provides Take Authorization for SKR within its boundaries. The MSHCP will provide Take Authorization for SKR outside the boundaries of the SKR HCP, but within the MSHCP Area boundaries. As set forth in Section 16.2 of the Implementing Agreement (Section 5.0 of the MSHCP, Volume I), the core reserves established by the SKR HCP will be managed as part of the MSHCP Conservation Area consistent with the SKR HCP. The Project site is located within the SKR Fee Area (Ordinance 633.10) and is required to pay a per acre development fee. Payment of the SKRHCP Mitigation Fee for this Project, instead of on-site mitigation, will not jeopardize the implementation of the SKRHCP as all core reserves required for permanent Stephen's Kangaroo Rat habitat have been acquired and no new land or habitat is required to be conserved under the SKRHCP.

Impacts related to endangered or threatened species will be less than significant after the payment of the required development fees.

c) As discussed in part a) herein, the Project site is located within the MSHCP required habitat assessment area for burrowing owl. Burrowing owl habitat assessment surveys and focused surveys were conducted in 2014 in accordance with the MSHCP Burrowing Owl Survey Instructions. Focused surveys were conducted on July 11, 12, 29, 30, and 31, 2014. One burrowing owl was observed on July 31, 2014 perched on a boulder outcrop; however, no active burrows were observed on the Project site. In accordance with MSHCP requirements for burrowing owl, the Project has been conditioned by the County of Riverside for a 30-Day Preconstruction Burrowing Owl Survey prior to grading permit issuance.

Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
_ <del></del>	Incorporated		

Impacts to candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Wildlife Service will be less than significant with adherence to Riverside County Conditions of Approval.

d) The Project site is not located within an MSHCP linkage area. The Project site is not located adjacent to an existing core or linkage.

Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. Since the Project supports suitable nesting bird habitat, the Project has been conditioned by the County of Riverside to conduct a pre-construction nesting bird survey prior to grading permit issuance if grading is planned to take place during the avian nesting season (February 1 through August 31).

Impacts related to the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors will be less than significant with adherence to Riverside County conditions of approval.

e-f) As discussed in part a) herein, the proposed Project will result in unavoidable impacts to 0.699 acre of habitat defined as Riverine by the MSHCP Section 6.1.2. Impacts will result from pad development and ingress/egress to the Project site. The Project is avoiding impacts to 0.117 acre of onsite riverine habitat. The Project has been conditioned prior to grading permit issuance by the County of Riverside, as discussed in part a) herein, to provide proof of purchase of in-lieu fee mitigation credits, deed restriction, Habitat Mitigation and Monitoring Program (HMMP), environmental constraint sheet (ECS), temporary fencing, and permanent fencing.

The Jurisdiction Delineation prepared for the Project site measured 0.242 acre (4,687.38 linear feet) of impacts to U.S. Army Corps of Engineers and Regional Water Quality Control Board jurisdictional waters and 0.75 acre (4,687.38 linear feet) of impacts to CDFW jurisdictional areas.

Permits/Agreements for activities within the streambed/wetlands will be required by the California Department of Fish and Wildlife U.S. Army Corps of Engineers and California Regional Water Quality Control Board. Impacts will be less than significant with adherence to Riverside County conditions of approval and with the required permits for impacts to state and federal waters.

g) The Project is subject to the Riverside County Oak Tree Management Guidelines. No oak trees are present on the Project site. No impacts will occur.

Mitigation: Prior to the issuance of a grading permit, a biologist who holds a Memorandum of Understanding with the County of Riverside shall submit documentation that the appropriate mitigation credits have been purchased in accordance with the mitigation measures described in the Determination of Biologically Equivalent or Superior Preservation, dated: July 21, 2015, updated February 8, 2016 and prepared by Gonzales Environmental Consulting LLC. In the event that onsite mitigation is included in the mitigation package, the biologist shall provide a Mitigation Monitoring Plan (MMP) to the Environmental Programs Division for review and approval. The MMP shall include, but not be limited to; time lines, success criteria, reporting standards, financial assurances, and plans for conveyance of lands to a conservation agency for long term management.

Monitoring: Staff from EPD shall review prior to the issuance of a grading permit.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
CULTURAL RESOURCES Would the project	<u> </u>			
8. Historic Resources a) Alter or destroy an historic site?				
b) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5?				
Source: On-site Inspection, Project Application Materials				
Findings of Fact:				
a) Based upon analysis of records and a survey of the property by a Riverside County approved archaeologist, it has been determined that there will be no impacts to historical resources as defined in California Code of Regulations, Section 15064.5 because they do not occur on the Project site. Results of this survey can be found in "PDA05015r3: Cultural resources Assessment of the 30.01-acre Van Buren Hills Estates Project Site located northeast of the intersection of Van Buren Blvd. and Pick Place, Woodcrest, Riverside County", dated April 2017 and authored by Archaeological Associates. Therefore, there will be no impacts to historic resources.				
be no impacts to significant historical resources as defined in 15064.5 because they do not occur on the Project site. As historical resources would occur with the implementation of the significant historical resources. Therefore, there will be no impact.	such, no de proposed	change in the Project beca	e significar	nce of
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
Archaeological Resources     a) Alter or destroy an archaeological site.			$\boxtimes$	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, Section 15064.5?				
c) Disturb any human remains, including those interred outside of formal cemeteries?				$\boxtimes$
d) Restrict existing religious or sacred uses within the potential impact area?				$\boxtimes$
Source: Project Application Materials				
Findings of Fact:				
a) Based upon analysis of records and a survey of the pro-				

a) Based upon analysis of records and a survey of the property by a Riverside County approved archaeologist, it has been determined that there will be impacts to archaeological resources as defined in California Code of Regulations, Section 15064.5 Results of this survey can be found in "PDA05015r3: Cultural resources Assessment of the 30.01-acre Van Buren Hills Estates Project Site located northeast of the intersection of Van Buren Blvd. and Pick Place, Woodcrest, Riverside County", dated April 2017

Potentially Significant Impact		Less Than Significant Impact	No Impact
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and authored by Archaeological Associates. Although there will be impacts to archaeological resources, these resources were determined to not be significant resources. As such, impacts in this regard will be less than significant.

- b) Based upon analysis of records and a survey of the property it has been determined that there will be no impacts to significant archaeological resources as defined in California Code of Regulations, Section 15064.5 because they do not occur on the Project site. Therefore no change in the significance of archaeological resources would occur with the implementation of the proposed Project because there are no significant archaeological resources. Impacts in this regard would be less than significant.
- c) Based on an analysis of records and archaeological survey of the property, it has been determined that the Project site does not include a formal cemetery or any archaeological resources that might contain interred human remains. Nonetheless, the Project will be required to adhere to State Health and Safety Code Section 7050.5 if in the event that human remains are encountered and by ensuring that no further disturbance occur until the County Coroner has made the necessary findings as to origin of the remains. Furthermore, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made. This is State Law, is also considered a standard Condition of Approval and as pursuant to CEQA, is not considered mitigation. Therefore impacts in this regard are considered less than significant.
- d) Based on an analysis of records and Native American consultation, it has been determined the Project property is currently not used for religious or sacred purposes. Therefore, the Project will not restrict existing religious or sacred uses within the potential impact area because there were none identified. Therefore, there will be no impacts in this regard.

Mitigation: No Mitigation Required.

Monitoring: No Monitoring Required

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
10) Tribal Cultural Resources  a. Would the project cause a substantial adverse chang in the significance of a Tribal Cultural Resource, defined in Public Resources Code section 21074 as either a site, feature place, cultural landscape that is geographically defined in term of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:	n e, s et			
Listed or eligible for listing in the California Register of Historica Resources, or in a local register of historical resources a defined in Public Resources Code section 5020.1 (k); or,				
b. A resource determined by the lead agency, in it discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 for the purpose of this paragraph, the lead agency shad consider the significance to a California Native tribe.	e   of a n			

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#### Findings of Fact:

a-b) In compliance with Assembly Bill 52 (AB52), notices regarding this Project were mailed to four requesting tribes on July 13, 2015. Consultations were requested by the Pechanga Band of Luiseno Mission Indians and the Soboba Band of Luiseno Indians. During consultation, Soboba requested native monitoring of the Project during grading activities as required by condition of approval 10. PLANNING. 21, to ensure that if any resource is uncovered during earthmoving activities the proper protocol will be incorporated. Pechanga told Planning that the Project may fall within a cultural landscape and that the landscape is a Tribal Cultural Resource. CEQA defines the term "tribal cultural resource" and delineates restrictions on the meaning of the term "cultural landscape." Pursuant to Public Resources Code section 21074(a), "tribal cultural resources" consist of either of the following:

"(1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following: (A) Included or determined to be eligible for inclusion in the California Register of Historical Resources. (B) Included in a local register of historical resources as defined in subdivision (k) of [Public Resources Code] Section 5020.1";

"(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of [Public Resources Code] Section 5024.1."

Regarding the application of the term "cultural landscape," Public Resources Code section 21074(b) limits its definition such that "[a] cultural landscape that meets the definition of [Public Resources Code section 21074] subsection (a) is a tribal cultural resource to the extent that the landscape is

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impac
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geographically defined in terms of the size and scop				
Accordingly, if an area that may potentially be considered				

During consultation, Pechanga stated that the Project may fall within a traditional cultural landscape. Based on the known village name and the Pechanga's experience with the area, the Pechanga believe this cultural landscape to be a tribal cultural resource. However, the County has not received any evidence, from Pechanga or from any other source, geographically defining the size and scope of any cultural landscape in the Project area. Because the County has no substantial evidence to support a finding that the potential cultural landscape meets the requirements of Public Resources Code section 21074(b), the County is precluded from determining that the potential cultural landscape is a "tribal cultural resource." Because any potential cultural landscape at the Project site does not meet the definition of a tribal cultural resource as defined in Public Resources Code section 21074 and there is no evidence of any other tribal cultural resource on site, the Project will have no impacts on tribal cultural resources.

Mitigation: No Mitigation Required.

Monitoring: No Monitoring Required.

GEOLOGY AND SOILS Would the project		 	
11) Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zones		$\boxtimes$	
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death?	10000		
b. Be subject to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?			

<u>Source:</u> GIS database, Geologist Comments, and Preliminary Geotechnical Interpretive Report, June 30, 2014 by Earth – Strata, Inc.

#### Findings of Fact:

a - b) According to the Lake Mathews/ Woodcrest Area Plan and GIS database, there are no active fault zones within or near the Project site. However, the Project site is within the entire Southern California region is subject to secondary effects from earthquakes and the Project site may be subject to seismic ground shaking due to earthquakes. When construction is proposed, the California Building Code requirements pertaining to new development will minimize the potential for structural failure or loss of life during earthquakes by ensuring that structures are constructed pursuant to applicable seismic design criteria for the region. As CBC requirements are applicable to all development, they are not considered mitigation for CEQA implementation purposes. Therefore, the impact is considered less than significant.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
12) Liquefaction Potential Zone  a. Be subject to seismic-related ground failure, including liquefaction?			$\boxtimes$	
Source: Preliminary Geotechnical Interpretive Report, June 3 Riverside County General Plan Figure S-3 "Generalized Lique"				
Findings of Fact:  a) The Geotechnical Report prepared by Earth – Strata stated t placed on compacted fill and the relatively low groundwater le onsite earth materials, the potential for earthquake induced considered very low to remote. Therefore impacts will be less	evel and the diquefaction	e dense natu on and late	re of the de	eeper
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
<ul><li>13) Ground-shaking Zone</li><li>a. Be subject to strong seismic ground shaking?</li></ul>			$\boxtimes$	
Source: Riverside County General Plan Figure S-4 "Earthquarigures S-13 through S-21 (showing General Ground Sh. Interpretive Report, June 30, 2014 by Earth – Strata, Inc.				
Findings of Fact:				
a) There are no known or potentially active faults that traverse an Alquist-Priolo Earthquake Fault Zone. The principal seismic I shaking resulting from an earthquake occurring along several resouthern California. California Building Code (CBC) require mitigate the potential impact to less than significant. As C development, they are not considered mitigation for CEQA impressismic ground shaking would be less than significant	hazard that major active ements pei BC require	could affect to or potentially taining to doments are a	he site is gr ly active fat evelopmen applicable	round ults in it will to all
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
14) Landslide Risk  a. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, collapse, or rockfall hazards?				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Source: On-site Inspection, Riverside County General Plan Slope", Preliminary Geotechnical Interpretive Report, June 30				Steep
Findings of Fact:				
a) The Preliminary Geotechnical Report stated that the prodepends upon the severity of the earthquake, distance from facearth materials, groundwater conditions and other factors wor of ground failure. However, due to the subsurface exploration for seismic induced landslides is considered unlikely. There significant.	aults, topograuld determing, and labor	aphy, the sta le the occurre ratory testing	te of subsu ence of this all the pot	urface s type cential
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
15) Ground Subsidence  a. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in ground subsidence?			$\boxtimes$	
Source: Riverside County General Plan Figure S-7 "Doe Preliminary Geotechnical Interpretive Report, June 30, 2014 by			reas Map	" and
Findings of Fact:				
a) The Preliminary Geotechnical Report explains that the sedimentary earth materials can cause the collapse of pore sp which in turn results in the ground surface to subside resulting withdrawal of fluids is planned in the vicinity of the proposubsidence is considered low to remote. Less than significantly subsidence.	ace that was g in damage sed Project;	s previously on the to structures the	occupied by s. No exce the potenti	y fluid essive al for
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
16) Other Geologic Hazards  a. Be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard?				$\boxtimes$
Source: On-site Inspection, Project Application Materials a Report, June 30, 2014 by Earth – Strata, Inc.	nd Prelimina	ary Geotechr	nical Interp	retive
Findings of Fact:				
a) The Project site is at an elevation of more than 1,000 feet a than 30 miles inland from the nearest coastline of the Pacific C flooding due to a tsunamis is considered nonexistent. No er	cean, the po	tential to seis	smically inc	duced

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
up gradient of the site, the likelihood for induced flooding due to is considered nonexistent and the likelihood of a major reserve site would be compromised to a point of failure is considered a occur due to volcanic activity in that no volcanos exist in Solonsite due in regards to other geologic hazards.	oir or retenti remote. Las	on system up stly, no geolo	o gradient o gical hazar	of the d will
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
17) Slopes  a. Change topography or ground surface relief features?				
b. Create cut or fill slopes greater than 2:1 or higher than 10 feet?				
c. Result in grading that affects or negates subsurface sewage disposal systems?				
a-b) The topography of the site is generally hilly with elevation mean sea level (msl). The topography of the site will be chanto that of a graded site with building pads. Grading will be in ke site. Cut and fill slopes will not be greater than 2:1 unless other of approval 10. BS. SAFETY. 9. Therefore, impacts related significant.  c) Presently, the Project site is vacant and no subsurface sewanthe Project site will be served by individual septic systems, systems are located within an area that has adequate percolations required to submit a soils percolation report for each indivipermits. The Project will not result in grading that affects of systems. (COA 10. E HEALTH. 5). Less than significant impact Mitigation: No Mitigation Required.  Monitoring: No Monitoring Required.	ging from the eping with servise approto these is ge disposal. To ensure on to suppor dual lot pricer negates s	at of a natural to the natural to oved as requisoned as successive areas where the place of these systems to the issue subsurface s	al ungrade pography or red by con vill be less ts. As prop cement of the ms the app ance of bu	d site of the dition than oosed these licant ilding
18) Soils				
a. Result in substantial soil erosion or the loss of topsoil?	<u></u> ∐			<u> </u>
b. Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?			$\boxtimes$	
c. Have soils incapable of adequately supporting use of septic tanks or alternative waste water disposal systems			$\boxtimes$	

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
where sewers are not available for the disposal of waste water?				
Source: U.S.D.A. Soil Conservation Service Soil Surveys Inspection. Preliminary Geotechnical Interpretive Report, p.16 30, 2014.	•	•		
Findings of Fact:				
a) The development of the site would result in the loss of top manner that will result in significant amounts of soil erosion. Or requires that graded but undeveloped land shall provide, in drainage facility deemed necessary to control or prevent erosic required during the rainy season from October 1, to May 31. Or requires that the applicant obtain a Best Management Practice erosion and sediment control BMP's for the site. Impacts will be erosion and loss of topsoil with the incorporation of the condition	Condition of addition to on. Addition of condition of es (BMP) Per coeless than	approval 10 erosion control of all erosion properties approval 60 ermit for the resignificant in the second of the control of the control of approval 60.	). BS GRAI trol planting otection m BS GRAD monitoring n regards t	DE. 7 g any ay be E. 14 of the
b) The Geotechnical Study prepared for the Project site stindicated onsite earth materials exhibited an expansion potent in accordance with the 2013 CBC Section 1803.5.3 and AST that additional testing for expansive soil conditions should be grading. When the testing falls within the VERY LOW categor or less as classified in the CBC, the design of slab on graph procedures outlined in Sections 1808.6.1 or 1808.6.2. When the which exhibits an expansion indices greater than 20, special accordance with CBC sections 1808.6.1 or 1808.6.2. With the in the Geotechnical Study and conditions of approval, impacts significant.	ial of VERY M D4829-0 e conducte y, exhibiting ound found the testing f il design co	LOW and LO 3. The report of upon come an expansitions are ealls within the considerations ons of the residerations.	DW as clas t recomme pletion of a on indices exempt from e LOW cate are require ecommenda	sified ended rough of 20 m the egory red in ations
c) The proposed Project is for the subdivision of a 38.3 acresidential lots. However, future development for the Project at that the Project site has soils that are adequate to support a set the Environmental Health Department requiring that the application Environmental Health for review and approval a detailed sindividual lot (COA 10. E HEALTH.5). In addition, all grading approval to ensure that no grading practices undermine the statistic disposal systems. Impacts in regards to this issue area will be	rea will incloptic system cant must solis percolated activity shape activity of the	ude on-site s this Map wa submit to the ition report all be subject e site for sub	eptic. To e s condition Departmospecific to to condition	nsure ed by ent of each ons of
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
19) Erosion  a. Change deposition, siltation, or erosion that may modify the channel of a river or stream or the bed of a lake?				
b. Result in any increase in water erosion either on or off site?			$\boxtimes$	

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Source: U.S.D.A. Soil Conservation Service Soil Surveys				
Findings of Fact:				
a) Implementation of the proposed Project will involve grad Standard construction procedures, and federal, state and loca with the site's storm water pollution prevention plan (SWPP (BMPs) required under the National Pollution Discharge System will minimize potential for erosion during construction. These p soil material from eroding from the Project site and prevent dedownstream. These requirements are standard conditions an CEQA. Impacts will be less than significant.	I regulations P) and its I m (NPDES) ractices will eposition wit	s implemente Best Manage general con keep substa thin receiving	ed in conjur ement Prad estruction po ential amou g waters lo	nction ctices ermit, nts of cated
b) The potential for on-site erosion will increase due to grad construction phase. However, BMPs will be implemented for erosion. These requirements are standard conditions and not compacts will be less than significant.	maintaining	y water qual	ity and red	ucing
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
20) Wind Erosion and Blowsand from project either on or off site.  a. Be impacted by or result in an increase in wind erosion and blowsand, either on or off site?				
Source: Riverside County General Plan Figure S-8 "Wind Er Article XV & Ord. No. 484	osion Susce	eptibility Mar	o," Ord. No	. 460,
Findings of Fact:				
a) The Project site is located in an area of Moderate Wind Ero Element Policy for Wind Erosion requires buildings and struct which are covered by the California Building Code (CBC). In act in an area susceptible to moderate wind erosion a condition of requiring that the developer take all necessary measures to compliance the Project will not reblowsand, either on or off site. The Project will have less than	ures to be o Idition becau approval ha Introl dust d Sult in an ir	designed to ruse the Projest been applications been applications constructed in which are as a second to the secon	resist wind ect site is lo ed to this P uction. (CC	loads cated roject DA.10
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
21) Paleontological Resources  a. Directly or indirectly destroy a unique paleontological resource, or site, or unique geologic feature?				
Source: Riverside County General Plan Figure OS-8 "Paleon	tological Se	ensitivity"		

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EA No. 42694

Poten Signif Imp	ficant pact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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### Findings of Fact:

a) According to the County's General Plan, this site has been mapped as having a "low Potential" for paleontological resources. This category encompasses lands for which previous field surveys and documentation demonstrates a low potential for containing significant paleontological resources subject to adverse impacts. As such, this Project is not anticipated to require any impacts to paleontological resources. However, if fossil remains are encountered during site development conditional of approvals shall be complied with to ensure any impacts remain less than significant. (COA 10. PLANNING 16.) This is a standard condition of approval and as such does not qualify as mitigation pursuant to CEQA. The Project will have a less than significant impact.

Mitigation: No Mitigation Required.

Monitoring: No Monitoring Required.

GREENHOUSE GAS EMISSIONS Would the project			
22) Greenhouse Gas Emissions  a. Generate greenhouse gas emissions, either directly		$\boxtimes$	
or indirectly, that may have a significant impact on the			
environment?			
b. Conflict with an applicable plan, policy or regulation		$\boxtimes$	
adopted for the purpose of reducing the emissions of	<b></b>		
greenhouse gases?			

Source: Greenhouse Gas Analysis for Tentative Tract Map No. 36813, prepared by Urban Crossroads, Haseeb Qureshi and Stephen Abille, April 16, 2015.

#### Findings of Fact:

a-b) The proposed Project is to allow for the subdivision of a 38.3-acre lot into 38 single-family residential lots with an overall density of 1 lot per acre. The proposed grading activity will be for the ultimate development of 38 single-family residences. A Greenhouse Gas Analysis was prepared for the proposed Project to evaluate Project related construction and operational emissions to determine the level of greenhouse gas (GHG) impacts as a result of constructing and operating the proposed Project. A screening threshold of 3,500 MTCO2e per year for residential land uses was applied as an accepted County of Riverside threshold within the South Coast Air Basin and is based on the South Coast Air Quality Management District (SCAQMD) GHG screening threshold for stationary source emissions for non-industrial Project s. Based on this threshold the GHG analysis determined that the Project will result in approximately 731.51 MTCO2e per year; therefore the proposed Project would not exceed the SCAQMD threshold of 3,500 MTCO2e per year. Project-related emissions would not have a significant direct or indirect impact on GHG and climate change; therefore, less than significant impacts will occur due to Project implementation.

Mitigation: No Mitigation Required.

Monitoring: No Monitoring Required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS Would the pro	iect			
23) Hazards and Hazardous Materials  a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				
c. Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan?			$\boxtimes$	
d. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				$\boxtimes$
e. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				

Source: Project Application Materials

# Findings of Fact:

- a) The proposed Project will not create a substantial hazard to the public or the environment through the transport, use, or disposal of hazardous materials. Ultimately, the Project will result in the construction of thirty eight (38) residential lots; the Project will not introduce activities that will cause substantial hazard to the public. Regular operation and cleaning of the residential units will not present a substantial health risk to the community. Impacts associated with the routine transport, use of hazardous materials, or wastes will be less than significant.
- b) The Project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment because as mentioned in section 22a, the Project does not engage in activities with risk of upset. Impacts will be less than significant.
- c) Because the proposed Project is located in a very high fire hazard area and the Project therefore includes adequate access for emergency response vehicles and personnel. Conditions of approval related to emergency access and egress, road widths, location of entry gates, turnarounds and surfacing materials of roadways will ensure that the proposed Project does not interfere with the implementation of, or physically interfere with an emergency response plan and/or emergency evacuation plan therefore, less than significant impacts will occur.
- d) The proposed Project is not located within one quarter mile of an existing or proposed school. The Project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. No impact will occur.
- e) The Project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. No impact will occur.

	Significant Impact	Significant with Mitigation Incorporated	Than Significant Impact	Impact
Mitigation: No Mitigation Required.  Monitoring: No Monitoring Required				
24) Airports  a. Result in an inconsistency with an Airport Master Plan?			$\boxtimes$	
b. Require review by the Airport Land Use Commission?			$\boxtimes$	
c. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				
d. For a project within the vicinity of a private airstrip, or heliport, would the project result in a safety hazard for people residing or working in the project area?				$\boxtimes$

Source: Riverside County General Plan Figure S-20 "Airport Locations," GIS database

### Findings of Fact:

a-c) The proposed Project site is located approximately 7.4 miles west of the March Air Reserve Base within Zone E of the Airport Compatibility Plan. As a result, the Project was reviewed by the Director of the Airport Land Use Commission ("ALUC") and on June 8, 2017, ZAP1263MA17 was determined to be consistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan. Standard conditions of approval for Compatibility Zone E as they relate to outdoor lighting, lighting that would be distractive to aircraft taking off or landing, uses that would attract large concentration of birds and electrical interference with aircraft were applied. In addition, the bio-retention basin on-site shall be designed 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). The basin shall remain totally dry between rainfalls for the purposes of not attracting birds. Landscaping that could provide food and/or shelter for bird species should not be planted in or around the bio-retention basin in that it could create an incompatibility with airport operations. In addition the applicant would be required to notify potential buyers of the proposed lots and future tenants of the homes that the property is presently located in the vicinity of an airport influence area. Given that the proposed Project was found to be consistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan and, with adherence to the conditions recommended by the Airport Land Use Commission (ALUC) Director and incorporated as a standard condition of approval, impacts will be less than significant in regards to these issue areas. (COA 10. PLANNING. 23.)

d) The Project site is not located within the vicinity of a private airstrip or heliport. Accordingly, the proposed Project would not result in a safety hazard for people living or residing in the Project area. No impact would occur.

Mitigation: No Mitigation Required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Monitoring: No Monitoring Required.				
25) Hazardous Fire Area  a. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				
Source: Riverside County General Plan Figure S-11 "Wildfire	Susceptibi	lity," GIS data	abase	
Findings of Fact:				
located within an LRA Title 14 requirements do not apply. distinguish between State Responsibility and Local Responsib construction materials, and location of fire hydrants, water syst	ility areas i	n terms of se	condary ac	cess,
has been reviewed by the Riverside County Fire Department of been applied based on the above regulations to help ensure to These conditions address the location of blue dot reflectors secondary access, interior sprinkler system, and the Enviror referring to Very High Fire Hazard Area. With these conditions issue area will be less than significant. (COA 10.FIRE. 1, and 2).  Mitigation: No Mitigation Required.  Monitoring: No Monitoring Required.	and severa the safety o s, fire hydr nmental Co ns of appro	I conditions of the resident ants, constru- nstraints Ma oval impacts	of approval s and struct uction mate p with nota as they rela	have tures. erials, ations ate to
has been reviewed by the Riverside County Fire Department of been applied based on the above regulations to help ensure to These conditions address the location of blue dot reflectors secondary access, interior sprinkler system, and the Enviror referring to Very High Fire Hazard Area. With these conditions this issue area will be less than significant. (COA 10.FIRE. 1, and 2).  Mitigation: No Mitigation Required.	and severa the safety o s, fire hydr nmental Co ns of appro	I conditions of the resident ants, constru- nstraints Ma oval impacts	of approval s and struct uction mate p with nota as they rela	have tures. erials, ations ate to
has been reviewed by the Riverside County Fire Department of been applied based on the above regulations to help ensure to These conditions address the location of blue dot reflectors secondary access, interior sprinkler system, and the Enviror referring to Very High Fire Hazard Area. With these conditions issue area will be less than significant. (COA 10.FIRE. 1, and 2).  Mitigation: No Mitigation Required.  Monitoring: No Monitoring Required.  HYDROLOGY AND WATER QUALITY Would the project 26) Water Quality Impacts a. Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in substantial erosion	and severa the safety o s, fire hydr nmental Co ns of appro	I conditions of the resident ants, constru- nstraints Ma oval impacts	of approval s and struct uction mate p with nota as they rela	have tures. erials, ations ate to
has been reviewed by the Riverside County Fire Department of been applied based on the above regulations to help ensure of these conditions address the location of blue dot reflectors secondary access, interior sprinkler system, and the Enviror referring to Very High Fire Hazard Area. With these conditions issue area will be less than significant. (COA 10.FIRE. 1, and 2).  Mitigation: No Mitigation Required.  Monitoring: No Monitoring Required.  HYDROLOGY AND WATER QUALITY Would the project 26) Water Quality Impacts a. Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site? b. Violate any water quality standards or waste	and severa the safety o s, fire hydr nmental Co ns of appro	I conditions of the resident ants, constru- nstraints Ma oval impacts	of approval s and structuction mate p with nota as they rela, COA 80. I	have tures. erials, ations ate to
has been reviewed by the Riverside County Fire Department of been applied based on the above regulations to help ensure of these conditions address the location of blue dot reflectors secondary access, interior sprinkler system, and the Enviror referring to Very High Fire Hazard Area. With these conditions this issue area will be less than significant. (COA 10.FIRE. 1, and 2).  Mitigation: No Mitigation Required.  Monitoring: No Monitoring Required.  HYDROLOGY AND WATER QUALITY Would the project 26) Water Quality Impacts  a. Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	and severa the safety o s, fire hydr nmental Co ns of appro	I conditions of the resident ants, constru- nstraints Ma oval impacts	of approval s and struction mate p with nota as they rela, COA 80. I	have tures. erials, ations ate to

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
systems or provide substantial additional sources of polluted runoff?				
e. Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?		$\boxtimes$		
f. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?		$\boxtimes$		
g. Otherwise substantially degrade water quality?			$\boxtimes$	
h. Include new or retrofitted stormwater Treatment Control Best Management Practices (BMPs) (e.g. water quality treatment basins, constructed treatment wetlands), the operation of which could result in significant environmental effects (e.g. increased vectors or odors)?				

<u>Source</u>: Riverside County Flood Control District Flood Hazard Report/Condition. Hydrologic and Hydraulic Analysis for Van Buren Hills, July 1, 2016, Prepared by Rick Engineering Company. Preliminary Geotechnical Report, prepared by Earth-Strata, Inc., June 30, 2014. Riverside County Lake Mathews/Woodcrest Area Plan, Figure 10, Special Flood Hazard Areas, and Riverside County General Plan Figure S-9, Special Flood Hazard Areas and Figure S-10, Dan Failure Inundation Zones.

# Findings of Fact:

- a) The proposed Project is to allow for the subdivision of a 38.3 acre site into 38 single-family residential lots. In addition there will also be a 3-acre bio-retention basin located along the southwest portion of the Project site. Although only a map and change of zone are being considered for approval at this time. single family residences are a use by right in the zone, and ultimate development of the project site will likely be for the construction of 38 single-family residences. The Hydrology report prepared for the Project stated, "In the post- Project condition, the general flow paths of the four drainage patterns throughout the site will be maintained..." Because the natural drainage will be maintained adjacent properties will not be impacted by an increased drainage flow than what is currently existing. Condition of approval 10. TRANS, 4 states that the land divider shall protect downstream properties from damages caused by the alteration of the drainage patterns by construction of adequate drainage facilities including enlarging existing facilities and/or by securing a drainage easement. In addition, Condition of Approval 10. TRANS. 5 requires that the land divider accepts and properly disposes of all off-site drainage flowing onto or through the site. Several of the drainage areas on-site are required to obtain permits from the Army Core of Engineers (ACOE), State Department of Fish and Wildlife and the California Regional Water Quality Control Board With these standard conditions of approval and permits from outside agencies impacts in regards to the alteration of the course of a stream or river causes substantial damage to properties on or off-site will be less than significant.
- b) As stated above, when grading and building plans are submitted for the future residential development of the site, standard conditions of approval will ensure that any water quality standards or waste discharge requirements are not violated by requiring the land divider to provide adequate drainage facilities and disposing of any off-site drainage flows. Therefore, less than significant impacts would occur.
- c) The geotechnical report for the proposed Project stated that groundwater was not observed during subsurface exploration; however, localized groundwater could be encountered during grading activities and recommended subdrain systems be installed in all canyon areas, buttresses, fill over cut slopes,

and/or stabilization fills. Ultimate development of the site will require review and approval by the Building and Safety Department and will be subject to conditions of approval that will ensure that grading and construction of single-family residences will not interfere with any groundwater supply. Therefore, less than significant impacts will occur.

- d) As indicated above in 25a. and b., the Condition of Approval 10. TRANS 4 and 5 will ensure that adequate drainage facilities exist or are constructed and that any substantial surface runoff on-site and across property lines will be properly disposed of by the land divider. Condition of approval 10. FLOOD RI. 3 requires that storm flow be contained within the curb or right-of-way dependent upon type of storm. If the criteria is exceeded additional facilities will be required to be installed. Development of this site would impact downstream property owners by increasing the rate and volume of flood flows. As a part of this Project the applicant is proposing that a 3-acre bio-retention basin be constructed along the southwestern portion of the site to ensure impacts to these properties are not increased due to Project implementation. Condition of approval 10 FLOOD RI. 12 requires that final design of the basin be determined at the improvement plan stage of this development and condition of approval 10. FLOOD RI. 13., requires that the basin and outlet structures must be capable of passing the 100-year storm without damage to the facility. Therefore, with the incorporation of the proposed mitigation measures the Project would not exceed the capacity of existing or planned stormwater drainage systems and therefore, impacts will be less than significant with the incorporation of this Mitigation Measure as stated in Conditions of Approval 10. FLOOD RI. 12 and 13.
- e-f) As indicated in the Lake Mathews/Woodcrest Area Plan Figure 10 Special Flood Hazards Area, the Project is not located in an area with the potential for flood hazards. The Project site is located within FEMA Flood Zone "X" unshaded which means that in terms of flood insurance it is available but is not required by regulation in these zones. Property could be subjected to damage by severe storms due to failure of local drainage system. However, as noted above condition of approval 10. FLOOD R1. 3, 12 and 13 requires that infrastructure is installed to ensure that flood flows are contained and do not impact downstream properties. In addition, the installation of the bio-retention basin will also ensure that storm waters are retained on site on would not result in damage to properties on or off-site. Therefore, impacts will be less than significant with the incorporation of this Mitigation Measure as stated in Conditions of Approval 10. FLOOD RI. 12 and 13.
- g) The proposed Project is to allow for the subdivision of a 38.3 acre lot into 38 single-family residential lots with an overall density of 1 acre lots. Ultimate development will be for the construction of 38 single-family residences. Because the development of the Project site will result in the soil disturbance of more than one acre, a SWPPP will be required (COA. 60. BS. GRADE. 1) and the incorporation of BMP's will minimize and eliminate the amount of surface runoff on-site and across property lines, and includes measures to avoid any type of pollution runoff. Conditions of approval 10. TRANS. 4 and 5 will minimize and eliminate the amount of surface runoff on-site and across property lines, and includes measures to avoid any type of pollution runoff. The proposed Project will not substantially degrade water quality. Therefore, there would be a less than significant impact.
- h) Future development of this Project site will adversely impact downstream property owners by increasing the rate and volume of flood flows. To mitigate this impact, a 3-acre bio- retention basin will be constructed to ensure that properties off-site will not be impacted. As well as Condition of Approval 10. TRANS. 4 which requires the land divider to protect downstream properties from damages caused by the alteration of the drainage patterns by construction of adequate drainage facilities including enlarging existing facilities and/or by securing a drainage easement. Therefore, impacts will be less

			_	
	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
than significant with the incorporation of this Mitigation Measur FLOOD RI. 12 and 13.	re as stated	in Conditions	s of Approv	al 10.
Mitigation: The Applicant shall install a 3-acre bio-retention be and as stated in Conditions of Approval 10. FLOOD RI. 12 and		cated on TR	36813 Exhi	bit 'A'
Monitoring: The Project monitoring will be administered throand Water Conservation District.	ough the Riv	erside Cour	nty Flood C	ontrol
27) Floodplains  Degree of Suitability in 100-Year Floodplains. As ind Suitability has been checked.	licated belov	w, the appro	opriate Dec	gree of
NA - Not Applicable U - Generally Unsuitable [			R - Restric	cted 🗌
a. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	ш			
b. Changes in absorption rates or the rate and amount of surface runoff?				
c. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam (Dam Inundation Area)?	Ш			
d. Changes in the amount of surface water in any water body?				$\boxtimes$
Source: Riverside County General Plan Figure S-9 "Special Failure Inundation Zone," Riverside County Flood Control Disdatabase	Flood Haza trict Flood H	rd Areas," F azard Repor	igure S-10 t/ Conditior	"Dam ı, GIS
Findings of Fact: a-b) The proposed Project is to allow for the subdivision of a family residential lots. Future development will ultimately residences. A Jurisdictional Delineation Report, dated Augusite which found that several drainage courses exist on-site a Core of Engineers (ACOE), the California Department of Fish Water Quality Control Board. The Project will result in an alterand result in an increase to surface run-off and change incorporation of conditions of approval and mitigation and the impacts associated with this issue area will be less than significant and 18, COA 10. TRANS. 4 and 5, COA 50. FLOOD RI. 12, 660. FLOOD RI. 10)	sult in the co st 22, 2014 and are under and Wildlife tration to the in absorption ae constructi	enstruction of was prepared or the jurisdiction of the bid 10. FLOOE	f 38 single- ed for the P ction of the alifornia Red drainage co owever, wit o-retention O RI. 3, 4, 1	family Project Army gional burses th the basin 2, 13,

c) According to the Riverside County General, the Project site is not located within a Flood Hazard Zone or a Dam Failure Inundation Zone. Therefore, there will be no impact.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) The proposed Project will not change the amount of surfactors body of water is Lake Mathews located approximately and storm waters will be diverted to the bio-retention basin on	3 miles so	uthwest from	the Projec	
Mitigation: The Applicant shall install a 3-acre bio-retention b and as stated in Conditions of Approval 10. FLOOD RI. 12 and	13.		36813 Exhi	bit 'A'
Monitoring: Riverside County Flood Control and Water Conse	ervation Dis	trict.		<del></del>
28) Land Use a. Result in a substantial alteration of the present or planned land use of an area?			$\boxtimes$	
b. Affect land use within a city sphere of influence and/or within adjacent city or county boundaries?			$\boxtimes$	
Source: Riverside County General Plan, GIS database, Proje	ect Application	on Materials		
Findings of Fact:				
a) The proposed Project site is currently vacant land. The P Land Use Designation of Rural Community: Very Low D development pattern and surrounding land use designation development of the Project site with single-family residential destinant significant.	ensity Resions are co	idential (RC nsistent with	: VLDR). n the prop	The osed
b) The proposed Project site is located within the City Sphere of it is required to conform to the County's Memorandum of Under primarily requires any project requiring rezoning that may be it to be reviewed by City staff. The applicant met with City Staff relationship with the City's General Plan and Zoning Ordina designation for the project site is Hillside Residential (HR) which The proposed project with an overall density of one dwelling inconsistency with the City's land use designation. (City of Element pg. LU. 134 No further discussion was warranted. The	standing (M nconsistent to discuss ance. The ( th allows for g unit per Riverside L	OU) with that with the City the proposed City of River 0.50 dwelling acre would and Use and	t city. The r's General d Project ar side's land g units per not result i d Urban De	MOU Plan nd its I use acre. in an esign
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
29) Planning  a. Be consistent with the site's existing or proposed zoning?				$\boxtimes$
b. Be compatible with existing surrounding zoning?			$\boxtimes$	
c. Be compatible with existing and planned surrounding fand uses?			$\boxtimes$	

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Be consistent with the land use designations and policies of the General Plan (including those of any applicable Specific Plan)?				
e. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?				

Source: Riverside County General Plan Land Use Element, Staff review, GIS database

#### Findings of Fact:

- a) The Project site is currently zoned Residential Agricultural, 1-acre minimum (R-A-1), Residential Agricultural, 5-acre minimum (R-A-5), and One-Family Dwellings, 1-acre minimum (R-1-1). Although the proposed Project is not consistent with these zoning classifications, Change of Zone No. 7857 proposes to change the zoning to One-Family Dwelling (R-1). Upon approval of the zone Change, the proposed Project will be consistent with the new zoning classification and its development standards. Therefore, no impacts will occur.
- b) Properties to the north are zoned Residential Agricultural, 5-acre minimum (R-A-5), to the east and west One-Family Dwellings, 1-acre minimum (R-1-1), and to the south, Light Agriculture, 1-acre minimum (A-1-1). The proposed Project's change of zone will be compatible with the density and residential uses in the Project area. Impacts will be less than significant.
- c) Existing land uses surrounding the Project site to the east, west and south are residential uses. The General Plan's land use designation for this Project area is for single-family detached residential development on large parcels of 1-2 acres. Future development of 38 single-family residences on the 38.3 acre site will be compatible with existing and future land uses in the area. The proposed Project will have less than significant impacts.
- d The proposed project is to allow for the subdivision of a 38.3-acre site into 38 single family residential lots, a density of one dwelling unit per acre. The proposed project is consistent with the Rural Community: Very Low Density Residential (RC: VLDR) land use designation, which encourages detached single family residences on large parcels of 1 to 2 acres. Although all the proposed lots are not one-acre in size, the lots range in size from minimum of 0.5 acres to 2.5 acres and will be developed with single-family residential units. The Project site will have larger lots along the east, west and northern portions of the site. Interior lots will be smaller. However, with the incorporation of the required setbacks and the open-space areas located around the perimeter of the site, the project area will be compatible with the development pattern within the vicinity of the site. The Land Use Element Table LU-4 footnote 3, encourages clustering in all residential designationsas long as the ratio of dwelling units/area remains within the allowable density range associated with the designation. The project site has a ratio of 38-acres/38 dwelling units. Therefore, with the clustering of the lots, the Project is consistent with this land use designation and applicable policies of the General Plan. No impact will occur.
- e) The proposed Project will not disrupt or divide the physical arrangement of an establish community. Therefore, there will be no impact.

Mitigation: No Mitigation Required.

Monitoring: No Monitoring Required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
MINERAL RESOURCES Would the project				
30) Mineral Resources				$\boxtimes$
a. Result in the loss of availability of a known mineral	اــا		Ш	
resource that would be of value to the region or the residents				
of the State?				
b. Result in the loss of availability of a locally-important	П			$\boxtimes$
mineral resource recovery site delineated on a local general	_		_	_
plan, specific plan or other land use plan?				
c. Be an incompatible land use located adjacent to a				$\boxtimes$
State classified or designated area or existing surface mine?  d. Expose people or property to hazards from proposed,				
				$\boxtimes$
existing or abandoned quarries or mines?				
Source: Riverside County General Plan Figure OS-6 "Mineral	Resources	Area"		
recovery uses and does not contain any known mineral resourchas been classified or designated as a mineral resource area by no impacts are anticipated. Furthermore, there are no know mineral resource areas located near the Project site and the proposed, existing or abandoned quarries or mines. Thus, people or property in the Project area to these hazards Thereford Mitigation: No Mitigation Required.  Monitoring: No Monitoring Required.  NOISE Would the project result in	/ the State I n existing : Project site Project dev	Board of Mini surface mine is not locat relopment wo	ng and Geo es or design ed in an ar ould not ex	ology, nated ea of
Definitions for Noise Acceptability Ratings				
Where indicated below, the appropriate Noise Acceptability R NA - Not Applicable A - Generally Acceptable C - Generally Unacceptable D - Land Use Discouraged			ced. onally Acce	eptable
31) Airport Noise				
a. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport would the project expose people residing or working in the project area to excessive noise levels?  NA				
b. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?  NA  A  B  C  D  D				
Source: Riverside County General Plan Figure S-20 "Airport Facilities Map	Locations,	" County of F	Riverside A	irport

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Findings of Fact:  a) The proposed Project site is located approximately 7.5 located within Zone E of the Airport Compatibility Plan. and is beyond the 55-CNEL contour. Occasional overflight However, given that the Project site is adjacent to Van noise impacts due to the airport will be negligible in mitigation measures as they relate to interior noise will rethat noise levels will be less than significant.	The noise impact nts may be intrusi Buren Boulevard comparison to ve	t in this zone ve to some o an 'Urban A ehicular traf	e is listed a outdoor activ Arterial Higl fic. In add	s low vities. nway' lition,
b) The proposed Project site is not located within the vicini of people residing or working in the area to excessive no				
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
32) Railroad Noise NA ⊠ A □ B □ C □ D □				$\boxtimes$
Source: Riverside County General Plan Figure C-1	l "Circulation Pla	an", GIS da	itabase, Oi	n-site
Findings of Fact:				
The Project site is not located in the vicinity of any railroa	ids. Therefore, the	ere would be	no impact	
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
33) Highway Noise NA ☑ A ☐ B ☐ C ☐ D ☐		$\boxtimes$		
Source: On-site Inspection, Project Application Materials	S			
Findings of Fact: Interstate 215 is located approximately 7 miles east of the approximately 4 miles north of the Project site. The North Crossroads for the proposed Project identifies that the project site is vehicle noise from Van Buren Boulevard, low will also experience some background traffic noise impact due to the distance, topography and low traffic volume/s make a significant contribution to the noise environment, need the construction of a 4-foot high noise barrier, and high noise barriers for lots 24, 25, and 26 to reduce the environment.	ise Impact Analyst principal sources peated adjacent to cts from the Project speeds, traffic noi The NIA determin B-foot high noise	sis (NIA) pre of noise that the project ect's internal se from thes ned that Lots barrier for L	epared by L it will impac site. The Pr roads, how se roads wi s 1 and 22 v ot 23 and 7	Jrban ot the roject vever Il not vould 7-foot

impacts will be less than significant.

addition to satisfy the County of Riverside 45 dBA CNEL interior noise level criteria the interior noise mitigation measures described below are required. With incorporation of these mitigation measures,

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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### MITIGATION:

**Exterior Noise Mitigation** 

#### Noise barriers:

The lot numbering has changed since the time the noise report was completed. The lots noted below are the new lot numbers that will require the following noise barriers:

- Lots 22: 4 foot high barrier
- Lot 24, 25, and 26: 7 foot high barrier
- Lot 23: **8 foot high barrier** The barrier shall be constructed so the top of the wall extends the minimum height above the pad elevation. If the road at this point is elevated above the pad, the barrier shall above the highest point between the home and the road.

The barrier shall provide a weight of at least 4 pounds per square foot with no decorative cutouts or line-of-sight openings between shielded areas and the roadways. The barrier must present a solid face from top to bottom. All gaps (except weep holes) should be filled with grout or caulking.

Barrier may be constructed using one of the following:

- Masonry block
- Stucco veneer over wood framing (or foam core), or 1 inch thick tongue and groove wood of sufficient weight per square foot.
- Glass (1/4 inch thick), or other transparent material with sufficient weight per square foot
- Earth berm
- Any combination of these materials

### Interior noise mitigation:

1. <u>Windows</u>: All windows and sliding glass doors shall be well fitted, well weather-stripped assemblies and shall have a minimum sound transmission class (STC) of 27.

# Lots 22, 23, 24, 25 and 26 adjacent to Van Buren Boulevard shall require upgraded second floor windows and sliding glass doors with a minimum STC rating of 34.

- 2. <u>Doors:</u> All exterior doors shall be well weather-stripped solid core assemblies at least one and three-fourths-inch thick.
- 3. <u>Walls:</u> At any penetration of exterior walls by pipes, ducts, or conduits, the space between the wall and pipes, ducts or conduits shall be caulked or filled with mortar to form an airtight seal.
- 4. <u>Roof:</u> Roof sheathing of wood construction shall be well fitted or caulked plywood of at least one-half inch thick. Ceilings shall be well fitted, well-sealed gypsum board of at least one-half inch thick. Insulation with at least a rating of R-19 shall be used in the attic space.
- 5. <u>Attic:</u> Attic vents should be oriented away from Van Buren Boulevard. If such an orientation cannot be avoided, then acoustical baffles shall be placed in the attic space behind the vents.
- 6. <u>Ventilation</u>: Arrangements for any habitable room shall be such that any exterior door or window can be kept closed when the room is in use and still receive circulated air. A forced air circulation system

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(e.g. air-conditioning system) or active ventilation (e.g. fresh air the requirements of the Uniform Mechanical Code.	r supply) sha	all be provide	d which sat	tisfies
A final noise study shall be prepared and approved by the Office building permits for the Project. This report will finalize the mitigate precise grading plans and actual building design specification may be identified and incorporated into the project design at interior noise level standard.	gation meas s. Additiona	ured as outli Il noise abate	ned above ement mea	using sures
Monitoring: Department of Building and Safety				
34) Other Noise  NA □ B □ C □ D □				$\boxtimes$
Source: Project Application Materials, GIS database				
Findings of Fact:				
There are no other known sources of noise in the area that wou site. Therefore, no impacts are anticipated.	ıld be consic	dered an impa	act to the P	roject
Mitigation: No Mitigation Required				
Monitoring: No Monitoring Required				
35) Noise Effects on or by the Project  a. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				
b. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				
c. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				
d. Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?				
Source: Riverside County General Plan, Table N-1 ("Land Exposure"); Project Application Materials	Use Compa	atibility for Co	ommunity I	Noise
Findings of Fact:				
a) A Noise Impact Analysis (NIA) was prepared by Urban C proposed Project to determine potential impacts. The following found in the NIA as a result of the proposed Project. The prima site will be traffic noise from Van Buren Boulevard. The Project traffic noise impacts from the Project's internal streets. Howe	g discussior ary source o ct will also e	n summarizes f noise impac experience so	the inform ts to the Pa me backgi	nation roject round

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EA No. 42694

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
low traffic volume/speed, traffic noise from these roads will noise environment.	ot make a s	significant co	ontribution t	to the
The NIA indicates that the unmitigated exterior noise levels at r Boulevard will range from 68.1 to 76.6 dBA CNEL; which e CNEL exterior noise level standards for residential land use. first floor building façade on lots adjacent to Van Buren Bou CNEL and on the second floor will range from 67.8 to 76.0 County of Riverside's 45 dBA CNEL interior noise level stan implementation of mitigation measures as noted above, impalevel of less than significant within the acceptable County stanoise levels. (COA. 10. PLANNING 23.)	xceeds the Unmitigate levard will r dBA CNEL dard for res lets related	County of Red Interior no ange from 6 ; both of weidential use to noise will	liverside 65 pise levels a 2.9 to 66.7 hich excee . However be reduced	o dBA at the dBA d the d the d to a
b) During the construction phase, the proposed Project may ambient noise levels. However, Riverside Ordinance 457 esta is within one-quarter (1/4) mile of an occupied residence undertaken between the hours of 6:00 p.m. and 6:00 a.m. during and between the hours of 6:00 p.m. and 7:00 a.m. during Exceptions to these standards shall be allowed only with the Building Official. The Project will be required to comply with construction impacts. Therefore, impacts are less than significant	blishes that (s), no cor g the month the month written cons Ordinance	whenever a astruction acts of June throws of Octobers of the Fernanda and	constructio ctivities sha ough Septe er through Riverside C	n site all be mber May. ounty
c) As stated above in a) the proposed Project will result in the the allowable standards of the General Plan. However, with the measures impacts as they relate to noise will be considered les 23.)	e incorporati	on of the pro	posed mitig	ation
d) The Project site operations will not generate excessive grou levels during normal operations. Groundborne vibrations may be construction machinery. However, this type of noise would be impacts are less than significant.	e generated	linfrequently	by use of h	neavy
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
POPULATION AND HOUSING Would the project			·-	
36) Housing <ul> <li>a. Displace substantial numbers of existing housing,</li> <li>necessitating the construction of replacement housing elsewhere?</li> </ul>				
b. Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?				
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?  d. Affect a County Redevelopment Project Area?				
e. Cumulatively exceed official regional or local population projections?				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			$\boxtimes$	
Source: Project Application Materials, GIS database, Riversion	le County G	eneral Plan I	Housing Ele	ement
Findings of Fact:				
<ul> <li>a) The Project site is comprised of vacant land. Thus, the prop numbers of residents requiring the construction of replacem occur.</li> </ul>				
b) The Project will result in the construction of approximate proposed on the site that would result in a need for additionable households earning 80% or less of the County's median incor	tional housi	ng or housi	ng affordal	ole to
c) The Project is for the subdivision of a 38.3 acre site. The no structures exist on site. Therefore the proposed Project people, necessitating the construction of replacement housi impact.	will not disp	lace substa	ntial numbe	ers of
d) The Project is not located within a County Redevelopment have no impact.	Project Are	a. Therefore	e, the Proje	ct will
e-f) The proposed Project will construct a total of 38 dwelling 127 persons Given that the land use designation for the Project 1 to 2 acre lots, the projected population growth for this Pro Infrastructure improvements will be provided on-site, the biproperties downstream of storm flows will not be damaged by Buren Boulevard serves the Project site. Improvements such owever no expansion or extension of the roadway will occur growth are considered less than significant.	t site is for Viject is consi o-retention ly y an increas h as curb a	ery Low Der stent with th basin and o ie in storm w nd sidewalk	nsity Residence General of the Gener	ential, Plan. nsure . Van uired;
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
<b>PUBLIC SERVICES</b> Would the project result in substantial the provision of new or physically altered government facilities governmental facilities, the construction of which could cause to maintain acceptable service ratios, response times or otlepublic services:	s or the nee significant e	d for new or nvironmenta	physically al impacts, i	altered n order
37) Fire Services			$\boxtimes$	
Source: Riverside County General Plan Safety Element				
Findings of Fact:				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
The Riverside County Fire Department provides fire protect County.	tion services wit	hin unincorp	orated Rive	rside
Any potential significant effects will be prevented by the Riverside. The Project must comply with County Ordinance fire services from rising to a level of significance. County O public services mitigation fee applicable to all projects to real This is a standard Condition of Approval and pursuant to will be less than significant.	e No. 659 to prored no. 65 educe incremen	event any po 9 establishe: tal impacts to	etential effe s the utilitie o these serv	cts to s and vices.
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
38) Sheriff Services			$\boxtimes$	
Source: Riverside County General Plan				
Findings of Fact:				
The proposed area is serviced by the Riverside County Sh not have an incremental effect on the level of sheriff service.	es provided in th	ne vicinity of	the Project	area.
	es provided in the prevent any pone utilities and puthese services.	ne vicinity of obtaining the obtained by the obtaining the	the Project nificant effe es mitigatio indard Con	area. cts to n fee dition
not have an incremental effect on the level of sheriff service. The Project shall comply with County Ordinance No. 659 to sheriff services. County Ordinance No. 659 establishes the applicable to all projects to reduce incremental impacts to of Approval and pursuant to CEQA, is not considered mitigated.	es provided in the prevent any pone utilities and puthese services.	ne vicinity of obtaining the obtained by the obtaining the	the Project nificant effe es mitigatio indard Con	area. cts to n fee dition
not have an incremental effect on the level of sheriff service. The Project shall comply with County Ordinance No. 659 to sheriff services. County Ordinance No. 659 establishes the applicable to all projects to reduce incremental impacts to of Approval and pursuant to CEQA, is not considered mitigation:  Mitigation: No Mitigation Required.	es provided in the prevent any pone utilities and puthese services.	ne vicinity of obtaining the obtained by the obtaining the	the Project nificant effe es mitigatio indard Con	area. cts to n fee dition
not have an incremental effect on the level of sheriff service. The Project shall comply with County Ordinance No. 659 to sheriff services. County Ordinance No. 659 establishes the applicable to all projects to reduce incremental impacts to of Approval and pursuant to CEQA, is not considered mitiguity.  Mitigation: No Mitigation Required.  Monitoring: No Monitoring Required.	es provided in the prevent any pone utilities and puthese services.	ne vicinity of obtaining the obtained by the obtaining the	the Project nificant effe es mitigatio indard Con han signific	area. cts to n fee dition
not have an incremental effect on the level of sheriff service. The Project shall comply with County Ordinance No. 659 to sheriff services. County Ordinance No. 659 establishes the applicable to all projects to reduce incremental impacts to of Approval and pursuant to CEQA, is not considered mitiguity.  Mitigation: No Mitigation Required.  Monitoring: No Monitoring Required.  39) Schools	es provided in the prevent any pone utilities and puthese services.	ne vicinity of obtaining the obtained by the obtaining the	the Project nificant effe es mitigatio indard Con han signific	area. cts to n fee dition
not have an incremental effect on the level of sheriff service. The Project shall comply with County Ordinance No. 659 to sheriff services. County Ordinance No. 659 establishes the applicable to all projects to reduce incremental impacts to of Approval and pursuant to CEQA, is not considered mitiguity.  Mitigation: No Mitigation Required.  Monitoring: No Monitoring Required.  39) Schools  Source: Riverside Unified School District., GIS database	es provided in the prevent any posterior and	e vicinity of otentially signoublic service. This is a stawill be less the service of the servic	school locking to grant of additional significant sign	cated cated miles tional
not have an incremental effect on the level of sheriff service. The Project shall comply with County Ordinance No. 659 to sheriff services. County Ordinance No. 659 establishes the applicable to all projects to reduce incremental impacts to of Approval and pursuant to CEQA, is not considered mitiguity.  Mitigation: No Mitigation Required.  Monitoring: No Monitoring Required.  39) Schools  Source: Riverside Unified School District., GIS database  Findings of Fact:  The public schools serving the Project site would be approximately 1.7 miles from the Project site, Frank approximately 2.7 miles from the Project site and Ramona from the Project site. Due to its small size, the Project would schools. In addition the applicant will be required to pay the service of the project site and the project would be required to pay the project to the project would be required to pay the project would be project where the project would be required to pay the project would be required.	es provided in the prevent any posterior and	e vicinity of otentially signoublic service. This is a stawill be less the service of the servic	school locking to grant of additional significant sign	cated cated miles tional
not have an incremental effect on the level of sheriff service. The Project shall comply with County Ordinance No. 659 to sheriff services. County Ordinance No. 659 establishes the applicable to all projects to reduce incremental impacts to of Approval and pursuant to CEQA, is not considered mitigual Mitigation: No Mitigation Required.  Monitoring: No Monitoring Required.  39) Schools  Source: Riverside Unified School District., GIS database Findings of Fact:  The public schools serving the Project site would be approximately 1.7 miles from the Project site, Frank approximately 2.7 miles from the Project site and Ramona from the Project site. Due to its small size, the Project would schools. In addition the applicant will be required to pay these than significant impacts will occur.	es provided in the prevent any posterior and	e vicinity of otentially signoublic service. This is a stawill be less the service of the servic	school locking to grant of additional significant sign	cated cated miles tional

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Source: Riverside County General Plan				
Findings of Fact:				
The closest public library is the Woodcrest Community Library east of the Project site. This Project is subject to the requirem establishes the utilities and public services mitigation fee applic impacts to these services. This is a standard Condition of pursuant to CEQA is not considered mitigation. Impacts will be	ents of Cou able to all p Approval (C	nty Ordinand rojects to red OA 10. PLA	e No. 659 v luce increm	which nental
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
41) Health Services				
Findings of Fact: The proposed Project will not cause an impact on health serv existing facilities or result in the construction of new or physical funded through private insurance or state-funded medical significant.  Mitigation: No Mitigation Required.  Monitoring: No Monitoring Required.  RECREATION	ally altered t	facilities. Hea	alth service	s are
42) Parks and Recreation  a. Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			$\boxtimes$	
b. Would the project include the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				
c. Is the project located within a Community Service Area (CSA) or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)?				
Source: GIS database, Ord. No. 460, Section 10.35 (Regu Recreation Fees and Dedications), Ord. No. 659 (Establishin Open Space Department Review  Findings of Fact:				

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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impac
a) The Project will include a small tot lot with playground eq neighborhood. The tot lot will be located directly south approximately .25 acres. Based on Ordinance 460, Section Dedications the dedication of land or fees shall be provided whis for residential uses. For the purposes of identifying the amorproposed Project, Section 10.35 (H) (b) of Ordinance No. persons per dwelling unit with attached garages. The resultineed to provide 0.5 acres of neighborhood or community incorporation of Conditions of Approval 50. PLAN. 8 and significant.	of Street 'Don 10.35 <u>Par</u> nen land that ount of park a 460 requires ng estimate o park or the	' and will I have and Recressive requirements of the use of payment of payment of the control of	be compristed to be subduired to service the rate of the rate of the sequates of fees. With the compressions of the sequates of fees.	ed of s and ivided ve the f 2.59 to the th the
<ul> <li>b) As previously addressed, one tot lot will be provided within existing neighborhood or regional parks or other recreation, accelerated physical deterioration of these facilities. Therefore</li> </ul>	al facilities w	ill not resul	t in a subs <sup>.</sup>	tantial
c) The applicant has requested to be annexed into Communi basin maintenance and street lights. Condition of Approrecordation of the Map the applicant submit written proof that significant impacts will occur in regards to this issue area.	oval 50. PLA	N. 7 requi	res that pr	ior to
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
43) Recreational Trails				$\boxtimes$
Source: Riverside County General Plan, Lake Mathews/Wo	oodcrest Area	a Plan, Figu	ıre 8 – Trail	
Findings of Fact:				
There are no designated General Plan trails located on the Plocated along Mockingbird Canyon Road approximately 3,00 impacts will occur.  Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
TRANSPORTATION/TRAFFIC Would the project			<b>5</b> -2	
44) Circulation  a. Conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass	) F    -	Li		

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				$\boxtimes$
d. Alter waterborne, rail or air traffic?				$\boxtimes$
e. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				$\boxtimes$
f. Cause an effect upon, or a need for new or altered maintenance of roads?				$\boxtimes$
g. Cause an effect upon circulation during the project's construction?			$\boxtimes$	
h. Result in inadequate emergency access or access to nearby uses?			$\boxtimes$	
i. Conflict with adopted policies, plans or programs regarding public transit, bikeways or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?				

Source: Riverside County General Plan

# Findings of Fact:

- a) The proposed grading activities may require the transport of grading equipment to and from the Project site, and may result in minor related circulation activities, during the short-term. However, the proposed Project which will ultimately result in the construction of thirty-eight (38) single-family residential structures will not result in an increase in vehicle trips that would significantly impact the effectiveness of the existing system or an applicable congestion management program. In addition, Condition of Approval 10. TRANS. 3 states that the 38 residential lot subdivision will not require a Traffic Study. The Transportation Department has stated that to determine whether a project would be subject to a Traffic Study you would consider one trip per dwelling unit during the peak hours of 4:00 p.m. 6:00 p.m. Typically 100 peak trips would trigger the need for a traffic study. Full build-out of the map with residential housing would result in 38 vehicle trips during the peak hours. Therefore, any impacts would be less than significant.
- b) The proposed Project will not result in a substantial increase of traffic due to the small increase in vehicle trips during construction and ultimately operation of the Project site. The Project will not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. Impacts are less than significant.
- c-d) Future development of the Project site will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks nor will it alter waterborne, rail or air traffic. No impact will occur.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) The future development of the proposed Project site we public right-of-way resulting in a hazardous design feature. Project site will comply with the allowable slope percentate egress onto the Project site. The existing roadway providing in accordance with County of Riverside guidelines and with and widths. Line of sight for turning movements will be in Riverside guidelines. Therefore, no impact will occur.	such as sharp age to ensure ag access to the Il provide adeq	o curves. Dr safely obtair e Project is a juate fire de	iveways int ling ingress already des partment ac	o the s and igned ccess
f) Future development of the Project site will not result in roads. No impact will occur.	the need for ne	ew or altered	maintenar	ice of
g) The proposed Project will ultimately allow for the constructorm impacts will occur to the local roadway system ducompliance with Ordinance No. 457 regulating construction requiring an encroachment permit from Riverside County I the safety of the traveling public is protected during constimpacts will occur during construction.	uring grading a n hours of oper Department of	and construct ation and Or Transportation	ction. How dinance No on to assure	ever, 5. 499 e that
h) Compliance with Riverside County Fire Departments d driveway, turnaround, slope, gate width and opening, will e and out of the Project site is available. In addition, the project access available due to the Project site being located Therefore, less than significant impacts will occur with incostandards and condition of approval 50. FIRE 4	nsure that aded ct is required to within a Very	quate emerge have secon High Fire H	ency acces dary emero lazardous	s into gency Area.
i) The Project site will not conflict with adopted policies, bikeways or pedestrian facilities, or otherwise substantially facilities. No impact will occur.	plans or progr decrease the p	ams regardii erformance	ng public tr or safety of	ansit, such
Mitigation: No Mitigation Required				
Monitoring: No Monitoring Required.				
b) Bike Trails				$\boxtimes$
Source: Riverside County General Plan				
Findings of Fact:				
According to the Lake Mathews/Woodcrest Area Plan, the R No impact will occur.	Project site is no	ot located ne	ar any bike	trails.
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
UTILITY AND SERVICE SYSTEMS Would the project				
45) Water		П	$\square$	

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?				
b. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				
Source: Department of Environmental Health Review				
Findings of Fact:				
a-b) The proposed Project is to allow for the subdivision of a 38 an overall density of one lot per acre. Ultimate development of to of 38 single family residences. As stated in a letter from Wester 19, 2015, Western would be the public water supplier for the satisfaction of certain conditions as they pertain to obtaining for the proposed development, the payment of connection fee and Regulations. Condition of approval 10. E. HEALTH 7, so developer to ensure that all the requirements of Western Municof approval 10. E. HEALTH 8, requires that the applicant of Regional Water Quality Basin prior to any development for this of Environmental Health has reviewed and conditionally appropriately approval is required prior to issuance of building permits a significant impacts will occur in regards to these issue areas.  Mitigation: No Mitigation Required.  Monitoring: No Monitoring Required.	he site will light of the proposed all the neces, and compared that being a light of the project. For each of the project. For each of this Project.	ikely result in al Water Dist Project, contessary permit pliance with vit is the respondered from Riverside Couroject and reside with the contest and reside contest and reside contest and reside contest and reside with the contest and reside contest and resident c	the construction Febringent upons and approvention Western's International Technology (International International	iction ruary n the ovals Rules of the dition Ana ment their
46) Sewer  a. Require or result in the construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities, the construction of which would cause significant environmental effects?				
b. Result in a determination by the wastewater treatment provider that serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				
Source: Department of Environmental Health Review				
Findings of Fact:				
a-b) The proposed Project will result in the subdivision of 38.3 residential lots. The Project site is located in an area proposed residences on one acre or greater lots. Each lot in the proposed septic systems. The Environmental Health Department has acceptability report from Earth-Strata; however upon building per	imarily devolution deviced in the deviced in the deviced in the properties of the pr	velopment with with will be serve or will be serve or will be serve or will be serve or with the will be will be with the will be will be with the will be will be will be will be with the will be will be will be with the will be will be will be wit	ith single-f red by indiv nsite waster	amily ridual water

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
report for each lot is required as stated in condition of approve the septic systems will comply with all existing regulations and effects. In addition the applicant will be required prior to the iss showing the proposed subsurface sewage disposal system HEALTH.2). Impacts will be less than significant.	d will not ca uance of bu	use significa uilding permit	nt environm s to submit	nental plans
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
47) Solid Waste  a. Is the project served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				
b. Does the project comply with federal, state, and local statutes and regulations related to solid wastes including the CIWMP (County Integrated Waste Management Plan)?				
Source: Riverside County General Plan, Riverside correspondence	County V	Vaste Mana	gement D	istrict
Findings of Fact:				
a-b). The Project will be served by Riverside County Waste Ma with federal, state, and local statues and regulations related to E. HEALTH 1, requires that prior to map recordation document the proposed Project be provided. Condition of approval 80 prepare a Waste Recycling Plan (WRP) and condition of approto provide evidence showing that the Project is in compliance Project will not require nor result in the construction of new lar existing facilities. The impact is considered less than significant	solid waste ation from to WASTE val 90. WAS with the ap	es. Condition the approved 1, requires th STE 1, requir proved WRP	s of approve waste haul nat the app es the deve . The prop	al 50. er for licant loper oosed
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
<b>48) Utilities</b> Would the project impact the following facilities requiring or re or the expansion of existing facilities; the construction of wheeffects?				
a) Electricity?				
b) Natural gas?				
c) Communications systems?				<del>     </del>
d) Storm water drainage?			$oxed{\boxtimes}$	-
e) Street lighting? f) Maintenance of public facilities, including roads?			$\square$	
g) Other governmental services?				
	_ <del></del>	<del></del>	<del></del>	

Source: Project Materials

Findings of Fact:  a-g) Implementation of the Project will result in an incremental systems, communication systems, storm water drainage systems of public facilities, including roads and potentially other governous considered less than significant based on the availability of exists systems. Compliance with the requirements of Southern Califor AT&T, Riverside County Flood Control and Riverside County That potential impacts to utility systems are reduced to a non-signat this time, no offsite utility improvements will be required to supposignificant impacts will occur.  Mitigation: No Mitigation Required.  Monitoring: No Monitoring Required.  49) Energy Conservation  a) Would the project conflict with any adopted energy conservation plans?	s, street lig nmental se sting publ ornia Gas, Transporta gnificant le	ghting syster ervices. The ic facilities the Southern C ation Departe evel. Based c	ms, mainten ese impact hat support california Ec ment will er on data ava	nance s are local dison, nsure ilable
systems, communication systems, storm water drainage systems of public facilities, including roads and potentially other govern considered less than significant based on the availability of exists systems. Compliance with the requirements of Southern Califo AT&T, Riverside County Flood Control and Riverside County That potential impacts to utility systems are reduced to a non-signat this time, no offsite utility improvements will be required to supsignificant impacts will occur.  Mitigation: No Mitigation Required.  Monitoring: No Monitoring Required.  49) Energy Conservation  a) Would the project conflict with any adopted energy	s, street lig nmental se sting publ ornia Gas, Transporta gnificant le	ghting syster ervices. The ic facilities the Southern C ation Departe evel. Based c	ms, mainten ese impact hat support california Ec ment will er on data ava	nance s are local dison, nsure ilable
Monitoring: No Monitoring Required.  49) Energy Conservation  a) Would the project conflict with any adopted energy				
49) Energy Conservation  a) Would the project conflict with any adopted energy				
a) Would the project conflict with any adopted energy				
Source:				
Findings of Fact:				
mplementation of the proposed Project will serve to implement comply with the California Green Building Standards Code. The significant amount of resources, including energy; therefore, no	e Project	is not anticip	pated to util	
Mitigation: No Mitigation Required.				
Monitoring: No Monitoring Required.				
MANDATORY FINDINGS OF SIGNIFICANCE				
<b>50.</b> Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self- sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?				
Source: Staff review, Project Application Materials				
Findings of Fact: Implementation of the proposed Project woul	ld not sub	stantially ded	grade the o	ualitv

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EA No. 42694

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
examples of the m	or restrict the range of a rare or endangere ajor periods of California history or prehist these issue areas impacts will be reduced	tory. With th	ne incorporat	tion of Mitig	ortant ation
limited, but cum considerable mea are considerable w	oject have impacts which are individually ulatively considerable? ("Cumulatively ans that the incremental effects of a project when viewed in connection with the effects other current projects and probable future				
Source: Staff revi	ew, Project Application Materials				
considerable. All cu as part of this EA a not have any impa	The Project does not have impacts which imulative impacts resulting from this project and the EIR prepared for the General Plan cts that cannot be reduced to less than signal. Therefore, less than significant cume Project site.	and those a . As illustra gnificant with	round it have ited in the E th appropriat	e been eval A the Proje te mitigatio	uated ct will n and
52. Does the procause substantial directly or indirect	oject have environmental effects that will adverse effects on human beings, either by?				
Source: Staff revi	ew, Project application				
that will cause sub	As demonstrated above, the proposed Propostantial adverse effects on human beingoval will apply to the proposed Project, and	s, either dir	ectly or indi	rectly. Sta	ndard
VI. EARLIER A	NALYSES				
effect has been ad-	ay be used where, pursuant to the tiering, pequately analyzed in an earlier EIR or nega on 15063 (c) (3) (D). In this case, a brief di	itive declara	ition as per C	California Co	ode of
Earlier Analyses U	sed, if any:				
Location Where Ea	arlier Analyses, if used, are available for rev	view:			
Location:	County of Riverside Planning Departme 4080 Lemon Street, 12th Floor Riverside, CA 92505	ent			
VII. AUTHORIT	IES CITED				
Authorities cited:	Public Resources Code Sections 21083	and 21083	.05; Refere	nces: Cal	fornia

EA No. 42694

Government Code Section 65088.4; Public Resources Code Sections 21080(c), 21080.1, 21080.3,

Pot Sig	otentially gnificant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095 and 21151; Sundstrom v. County of Mendocino (1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

Revised: 8/29/2017 11:11 AM

# COUNTY OF RIVERSIDE

# FILE NO(S). MITIGATION, MONITORING, AND REPORTING PROGRAM

Mitigation measures were incorporated into this project to reduce potential environmental impacts as identified in Environmental Assessment No. 42694, resulting in a Mitigated Negative Declaration. Pursuant to Section 15097 (c), a written monitoring and reporting program has been compiled to verify implementation of adopted mitigation measures. "Monitoring" refers to the ongoing or periodic process of project oversight. "Reporting" refers to the written compliance review that will be presented to the responsible parties included in the table below. Any future implementing development project within the limits of this project site will be required to report to the County that these mitigation measures have been satisfied. The following table provides the required information which includes identification of the potential impacts, the various mitigation measures, applicable implementation timing, identification of the agencies responsible in implementation, and the monitoring/reporting method for each mitigation measure identified.

Impact Category	Mitigation Measure	Implementation Timing	Responsible Party	Monitoring/ Reporting Method
7. Biological Resources	Prior to the issuance of a grading permit, a biologist who holds a Memorandum of Understanding with the County of Riverside shall submit documentation that the appropriate mitigation credits have been purchased in accordance with the mitigation measures described in the Determination of Biologically Equivalent or Superior Preservation, dated: July 21, 2015, updated February 8, 2016 and prepared by Gonzales Environmental Consulting LLC. In the event that onsite mitigation is included in the mitigation package, the biologist shall provide a Mitigation Monitoring Plan (MMP) to the Environmental Programs Division for review and approval. The MMP shall include, but not be limited to; time lines, success criteria, reporting standards, financial assurances, and plans for conveyance of lands to a conservation agency for long term management.	Prior to grading permit issuance	EPD	Documentation that the appropriate mitigation credits have been purchased.
26. Hydrology	The Applicant shall install a 3-acre bio-retention basin as indicated on TR36813 Exhibit 'A' and as stated in	General, on- going	Project Proponent and Riverside	Installation of the 3-acre bio- retention basin.

				Monitoring/
Impact Category	Mitigation Measure	Implementation Timing	Responsible Party	Reporting Method
and Water	Conditions of Approval 10. FLOOD	operational	County Flood	
Quality	RI. 12 and 13.	requirements.	Control and	
-			Water	
			Conservation	
			District.	0 1 ::: 1 5
33. Highway Noise	Exterior Noise Mitigation	Prior to Issuance of	Department of Building	Submittal of Noise Study to
Noise	The lot numbering has changed	Building Permits	and Safety	Env. Health
	since the time the noise report	for the Noise	and	and finalization
	was completed. The lots noted below are the new lot numbers	Study.	Department	of building
	that will require the following	Completion of	of Env.	permits.
	noise barriers:	the Noise	Health	
	Hoise parriers.	Barriers prior to		
	Lots 22: 4 foot high barrier	finalization of		
	• Lot 24, 25, and 26: <b>7 foot</b>	building permits.		
	high barrier			
	• Lot 23: <b>8 foot high barrier</b>			
	The barrier shall be constructed so			
	the top of the wall extends the			
	minimum height above the pad			
	elevation. If the road at this point is			
	elevated above the pad, the barrier			
	shall above the highest point			
	between the home and the road.			
			-	
	The barrier shall provide a weight	-		
	of at least 4 pounds per square foot			
	with no decorative cutouts or line-			
	of-sight openings between shielded			
	areas and the roadways. The			
	barrier must present a solid face			
	from top to bottom. All gaps (except			
	weep holes) should be filled with			
	grout or caulking.			
	Barrier may be constructed using	11		
	one of the following:			
	Masonry block			
	Stucco veneer over wood			
	framing (or foam core), or 1 inch			
	thick tongue and groove wood of			
	sufficient weight per square foot.			
	• Glass (1/4 inch thick), or			
	other transparent material with			
	sufficient weight per square foot			
	• Earth berm			
	Any combination of these			
	materials			
	materials			

Impact Category	Mitigation Measure	Implementation Timing	Responsible Party	Monitoring/ Reporting Method
	Interior noise mitigation:			
	7. Windows: All windows and sliding glass doors shall be well fitted, well weather-stripped assemblies and shall have a minimum sound transmission class (STC) of 27.			
	Lots 22, 23, 24, 25 and 26 adjacent to Van Buren Boulevard shall require upgraded second floor windows and sliding glass doors with a minimum STC rating of 34.			
	8. <u>Doors:</u> All exterior doors shall be well weather-stripped solid core assemblies at least one and three-fourths-inch thick.			
	9. Walls: At any penetration of exterior walls by pipes, ducts, or conduits, the space between the wall and pipes, ducts or conduits shall be caulked or filled with mortar to form an airtight seal.			
	10. Roof: Roof sheathing of wood construction shall be well fitted or caulked plywood of at least one-half inch thick. Ceilings shall be well fitted, well-sealed gypsum board of at least one-half inch thick. Insulation with at least a rating of R-19 shall be used in the attic space.			
	11. Attic: Attic vents should be oriented away from Van Buren Boulevard. If such an orientation cannot be avoided, then acoustical baffles shall be placed in the attic space behind the vents.			
	12. <u>Ventilation</u> : Arrangements for any habitable room shall be such that any exterior door or window can be kept closed when the room is in use and still receive			

Impact Category	Mitigation Measure	Implementation Timing	Responsible Party	Monitoring/ Reporting Method
	circulated air. A forced air circulation system (e.g. air-conditioning system) or active ventilation (e.g. fresh air supply) shall be provided which satisfies the requirements of the Uniform Mechanical Code.  A final noise study shall be prepared and approved by the Office of Industrial Hygiene prior to obtaining building permits for the Project. This report will finalize the mitigation measured as outlined above using precise grading plans and actual building design specifications. Additional noise abatement measures may be identified and incorporated into the project design at this time in order to meet the 45 CNEL interior noise level standard.			

Page: 1

TRACT MAP Tract #: TR36813 Parcel: 273-450-019

#### 10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. ZVERY. 1 \* MAP- PROJECT DESCRIPTION

RÉCOMMND 🦸

The land division hereby permitted is for the subdivision of 38.3 acres into 38 residential lots with lots ranging in size from 0.5 acres to 2.5 acres and four (4) lettered lots for open space, a park, emergency secondary access, and a water quality detention basin. An exception to Ordinance No. 460 is also proposed to allow lot depths of Lots 9, 10, 11, 12, and 15 to exceed four times the lot width, due to the configuration of the project site.

As a part of this subdivision a change of zone has been adopted to revise the project site's zoning classification from One-Family Dwellings (R-1-1), Residential Agricultural one-acre minimum (R-A-1) and Residential Agricultural five-acre minimum (R-A-5) to One-Family Dwelling (R-1).

### 10. EVERY. 2 MAP - HOLD HARMLESS

RECOMMND

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) from the following:

- (a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the TENTATIVE MAP, which action is brought within the time period provided for in California Government Code, Section 66499.37; and,
- (b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning the TENTATIVE MAP, including, but not limited to, decisions made in response to California Public Records Act requests.

The COUNTY shall promptly notify the applicant/permittee of any such claim, action, or proceeding and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY.

# Riverside County LMS CONDITIONS OF APPROVAL

Page: 2

TRACT MAP Tract #: TR36813

Parcel: 273-450-019

#### 10. GENERAL CONDITIONS

10. EVERY. 2 MAP - HOLD HARMLESS (cont.)

RECOMMND

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in connection with any such claim, action or proceeding, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel.

10. EVERY. 3 MAP- DEFINITIONS

RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of Tentative Tract Map No. 36813 shall be henceforth defined as follows:

TENTATIVE MAP = Tentative Tract Map No. 36813 dated June 14, 2017.

10. EVERY. 4 MAP - 90 DAYS TO PROTEST

RECOMMND

The land divider has 90 days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of the approval or conditional approval of this project.

BS GRADE DEPARTMENT

10.BS GRADE. 1 MAP - GENERAL INTRODUCTION

RECOMMND

Improvements such as grading, filling, stockpiling, over excavation and recompaction, and base or paving which require a grading permit are subject to the included Building and Safety Department conditions of approval.

10.BS GRADE. 3 MAP - OBEY ALL GDG REGS

RECOMMND

All grading shall conform to the California Building Code, Ordinance 457, and all other relevant laws, rules, and regulations governing grading in Riverside County and prior to commencing any grading which includes 50 or more cubic yards, the applicant shall obtain a grading permit from the Building and Safety Department.

# Riverside County LMS CONDITIONS OF APPROVAL

Page: 3

TRACT MAP Tract #: TR36813

Parcel: 273-450-019

#### 10. GENERAL CONDITIONS

10.BS GRADE. 4 MAP - DISTURBS NEED G/PMT

RECOMMND

Ordinance 457 requires a grading permit prior to clearing, grubbing, or any top soil disturbances related to construction grading.

10.BS GRADE. 6 MAP - NPDES INSPECTIONS

RECOMMND

Construction activities including clearing, stockpiling, grading or excavation of land which disturbs less than 1 acre and requires a grading permit or construction Building permit shall provide for effective control of erosion, sediment and all other pollutants year-round. The permit holder shall be responsible for the installation and monitoring of effective erosion and sediment controls. Such controls will be evaluated by the Department of Building and Safety periodically and prior to permit Final to verify compliance with industry recognized erosion control measures.

Construction activities including but not limited to clearing, stockpiling, grading or excavation of land, which disturbs 1 acre or more or on-sites which are part of a larger common plan of development which disturbs less than 1 acre are required to obtain coverage under the construction general permit with the State Water Resources Control Board. You are required to provide proof of WDID# and keep a current copy of the storm water pollution prevention plan (SWPPP) on the construction site and shall be made available to the Department of Building and Safety upon request.

Year-round, Best Management Practices (BMP's) shall be maintained and be in place for all areas that have been graded or disturbed and for all material, equipment and/or operations that need protection. Stabilized Construction Entrances and project perimeter linear barriers are required year round. Removal BMP's (those BMP's which must be temporarily removed during construction activities) shall be in place at the end of each working day.

Monitoring for erosion and sediment control is required and shall be performed by the QSD or QSP as required by the Construction General Permit. Stormwater samples are required for all discharge locations and projects may not exceed limits set forth by the Construction General Permit Numeric Action Levels and/or Numeric Effluent Levels. A Rain Event Action Plan is required when there is a 50% or

# Riverside County LMS CONDITIONS OF APPROVAL

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TRACT MAP Tract #: TR36813

Parcel: 273-450-019

#### 10. GENERAL CONDITIONS

10.BS GRADE. 6 MAP - NPDES INSPECTIONS (cont.)

RECOMMND

greater forecast of rain within the 48 hours, by the National Weather Service or whenever rain is imminent. The QSD or QSP must print and save records of the precipitation forecast for the project location area from (http://www.srh.noaa.gov/forecast) and must accompany monitoring reports and sampling test data. A Rain gauge is required on site. The Department of Building and Safety will conduct periodic NPDES inspections of the site throughout the recognized storm season to verify compliance with the Construction General Permit and Stormwater ordinances and regulations.

10.BS GRADE. 7 MAP - EROS CNTRL PROTECT

RECOMMND

Graded but undeveloped land shall provide, in addition to erosion control planting, any drainage facility deemed necessary to control or prevent erosion. Additional erosion protection may be required during the rainy season from October 1, to May 31.

10.BS GRADE. 8 MAP - DUST CONTROL

RECOMMND

All necessary measures to control dust shall be implemented by the developer during grading. A PM10 plan may be required at the time a grading permit is issued.

10.BS GRADE. 9 MAP - 2:1 MAX SLOPE RATIO

RECOMMND

Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved.

10.BS GRADE. 11 MAP - MINIMUM DRNAGE GRADE

RECOMMND

inimum drainage grade shall be 1% except on portland cement concrete where .35% shall be the minimum.

10.BS GRADE. 13 MAP - SLOPE SETBACKS

RECOMMND

Observe slope setbacks from buildings & property lines per the California Building Code as amended by Ordinance 457:

10.BS GRADE. 23 MAP - MANUFACTURED SLOPES

RECOMMND

Plant and irrigate all manufactured slopes equal to or greater than 3 feet in vertical height with drought tolerant grass or ground cover; slopes 15 feet or greater

# Riverside County LMS CONDITIONS OF APPROVAL

Page: 5

TRACT MAP Tract #: TR36813

Parcel: 273-450-019

#### 10. GENERAL CONDITIONS

10.BS GRADE. 23 MAP - MANUFACTURED SLOPES (cont.)

RECOMMND

in vertical height shall also be planted with drought tolerant shrubs or trees in accordance with the requirements of Ordinance 457.

10.BS GRADE. 24 MAP - FINISH GRADE

RECOMMND

Finish grade shall be sloped to provide proper drainage away from all exterior foundation walls in accordance with the California Building Code and Ordinance 457.

#### E HEALTH DEPARTMENT

10.E HEALTH. 1 USE - NOISE STUDY

RECOMMND

Noise Consultant: Urban Crossroads 41 Corporate Park, Suite 300 Irvine, CA 92606

Noise Study: Tentative Tract Map No. 36813, Preliminary Noise Impact Analysis, County of Riverside, March, 3, 2015

Based on the County of Riverside, Industrial Hygiene Program's review of the aforementioned Noise Study, TR36813 shall comply with the recommendations set forth under the Industrial Hygiene Program's response letter dated July 13, 2015 c/o Steve Uhlman.

For further information, please contact the Industrial Hygiene Program at (951) 955-8980.

### 10.E HEALTH. 2 USE - ECP COMMENTS

RECOMMND

If contamination or the presence of a naturally occurring hazardous material is discovered at the site, assessment, investigation, and/or cleanup may be required. Contact Riverside County Environmental Health - Environmental Cleanup Programs at (951) 955-8980, for further information.

# 10.E HEALTH. 5 MAP - USE OF ONSITE SYSTEMS

RECOMMND

he Department of Environmental Health (DEH) will accept for review the proposed use of Onsite Wastewater Treatment System (s) (OWTS) fo Tentative Tract Map/ Tentative Parcel Map#36813 based on preliminary onsite

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TRACT MAP Tract #: TR36813

Parcel: 273-450-019

#### 10. GENERAL CONDITIONS

10.E HEALTH. 5 MAP - USE OF ONSITE SYSTEMS (cont.) RECOMMND

wastewater feasibility report dated June 24, 2015 by Earth Strata, Inc. Upon building submittal, applicant must submit to DEH for review and approval, a detailed soils percolation report specific to each individual lot along with three copies of detailed contoured plot plans, wet stamped and signed by Professional of record drawn to scale (1"=10' to 1"=40') showing the location of all applicable detail as required in the DEH technical manual. If grading is proposed, applicant must show all pertinant detail on scaled precise grading plans wet stamped by the professional of record.

USE - POTABLE WATER SERVICE 10 E HEALTH. 7

RECOMMND

TR36813 is proposing potable water service from Western Municipal Water District (WMWD). It is the responsibility of the developer to ensure that all requirements to obtain potable water service are met with WMWD as well as all other applicable agencies.

Any existing onsite water well shall be properly removed or abandoned under permit with the Department of Environmental Health.

USE - SARWQCB CLEARANCE 10.E HEALTH. 8

RECOMMND

The Santa Ana Regional Water Quality Control Board (SARWQCB) has granted preliminary clearance for the entitlement of TR36813. Based on the letter written by Susan Beeson on September 29, 2015, in order to obtain final approval from the SARWQCB, additional items must be submitted to them for consideration. A final approval from the SARWQCB will be required prior to any development for this project.

FIRE DEPARTMENT

MAP-#50-BLUE DOT REFLECTORS 10.FIRE. 1

RECOMMND

Blue retroreflective pavement markers shall be mounted on private streets, public streets and driveways to indicate location of fire hydrants. Prior to installation, placement of markers must be approved by the Riverside County Fire Department.

TRACT MAP Tract #: TR36813 Parcel: 273-450-019

#### 10. GENERAL CONDITIONS

FLOOD RI DEPARTMENT

10.FLOOD RI. 1 MAP FLOOD HAZARD REPORT

RECOMMND

Bluebeam Session ID: 544-563-197
Tract Map 36813 is a proposal for a Schedule B subdivision to subdivide 38.3 acres into residential lots in the Woodcrest area. The site is located the north side of Van Buren Boulevard, approximately 500 feet west of Whispering Spur Drive. Change of Zone 07857, which proposes to change the current zoning of the site from One-Family Dwellings 1-Acre Minimum (R-1-1), Residential Agricultural 1-Acre Minimum (R-A-1), and Residential Agricultural 5-Acre Minimum (R-A-5) to One Family Dwellings 1/2-Acre Minimum (R-1-1/2), One Family Dwellings 1-Acre Minimum (R-1-1), and One Family Dwellings 2-Acre Minimum (R-1-2) is being processed concurrently.

The topography of the area consists of well-defined ridges and natural watercourses that traverse the property. A watercourse with a tributary drainage area of approximately 7 acres enters the site at the northeast corner in the proximity of Lot 11. This watercourse traverses the length of the site and exits at the southwest corner with the bulk of the onsite flows. Another watercourse with a tributary drainage area of 15 acres traverses the southeast corner of the site in the proximity of Lot 22. The northern portion of the site naturally drains to the northwest corner while the southeast corner drains to the south. The bulk of the site drains to the southwest corner of the site.

Offsite stormwater runoff tributary to the northeast and southeast corners of the site are collected in concrete swales contained within an easement/open space lot that is maintained by the Home Owners Association. The pad elevations for Lots 10, 11, 22 and 23 are shown to be a minimum of 1 foot above the water surface elevation for the swales (shown in cross sections B and G).

The developer is proposing to grade the site to collect all of the onsite stormwater runoff and convey it to the mitigation/bio-retention basin. This is a diversion of drainage areas and stormwater runoff with appropriate mitigation measures to offset any impacts to downstream property owners. Mitigation for any approved diversions shall be for the 100-year storm event in addition to the Increased Runoff Criteria . The basin has been sized for water quality mitigation and flowrate attenuation. All

TRACT MAP Tract #: TR36813 Parcel: 273-450-019

### 10. GENERAL CONDITIONS

10.FLOOD RI. 1 MAP FLOOD HAZARD REPORT (cont.)

RECOMMND

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outlet points will be designed to discharge stormwater runoff in a manner that post-developed flowrates are reduced to the same as or less than the pre-developed flowrates. Additionally, a drainage easement shall be obtained from the affected downstream property owner(s) for the release of concentrated storm flows. A copy of the recorded drainage easement shall be submitted to the District for review and approval prior to the issuance of any permits for the project.

In the event this drainage easement cannot be obtained from the affected property owner(s), then the alignment for the basin outlet shall be redesigned to have a direct connection to the culvert downstream within the road right-of-way and these drainage improvements must be reviewed and approved by the Transportation Department. The Transportation Department has given a conceptual approval for this basin outlet alternative.

This project is located within the Mockingbird Canyon watershed which lacks adequate drainage infrastructure; therefore the District is concerned about development occurring in this watershed. The cumulative effect of ongoing development will cause increased storm runoff, which will have a significant adverse impact on downstream properties. A practical and equitable mitigation measure for such an impact is the adoption and implementation of an Area Drainage Plan for Mockingbird Canyon. In view of the serious flooding problems, it is recommended that no development be permitted in the Mockingbird Canyon area until such time that the Board of Supervisors adopts the Mockingbird Canyon Area Drainage Plan. Alternatively, a Special Drainage Facility Agreement for the payment of "fees" to mitigate flood problems caused by the development could be offered by the developer to the County. The developer has written a letter to the Board requesting that a condition of approval be added to the project covering a Special Drainage Facility Agreement. The letter and the signed agreement have been submitted to the District for execution.

### 10.FLOOD RI. 2 MAP MOCKINGBIRD FEE

RECOMMND

This development is located within the Mockingbird Canyon area and the Developer has agreed to pay \$500.00 per lot to mitigate the effect of the impact upon drainage facilities caused by this development. An agreement between the

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#### 10. GENERAL CONDITIONS

10.FLOOD RI. 2 MAP MOCKINGBIRD FEE (cont.)

RECOMMND

Developer and the County to this effect has been executed concurrent with the Board of Supervisors approval of this project. Payment of this amount can be made at the time of recordation or may be deferred to the time of issuance of grading or building permits on the individual lots. The developer may elect to defer payment to the grading and building permit stage.

10.FLOOD RI. 3 MAP 10 YR CURB - 100 YR ROW

RECOMMND

The 10 year storm flow shall be contained within the curb and the 100 year storm flow shall be contained within the street right of way. When either of these criteria is exceeded, additional drainage facilities shall be installed. The property shall be graded to drain to the adjacent street or an adequate outlet.

10.FLOOD RI. 4 MAP 100 YR SUMP OUTLET

RECOMMND

Drainage facilities outletting sump conditions shall be designed to convey the tributary 100 year storm flows. Additional emergency escape shall also be provided.

10 FLOOD RI. 12 MAP INCREASED RUNOFF

RECOMMND

The development of this site will adversely impact downstream property owners by increasing the rate and volume of flood flows. To mitigate this impact, the developer has proposed a detention basin. Although final design of the basin will not be required until the improvement plan stage of this development, the applicant's engineer has submitted a preliminary hydrology and hydraulics study that indicates that the general size, shape, and location of the proposed basin is sufficient to mitigate the impacts of the development.

10 FLOOD RI. 13 MAP INCREASED RUNOFF CRITERIA

RECOMMND

The development of this site would increase peak flow rates on downstream properties. Mitigation shall be required to offset such impacts. An increased runoff basin shall be shown on the exhibit and calculations supporting the size of the basin shall be submitted to the District for review. The entire area of proposed development will be routed through a detention facility(s) to mitigate increased runoff. All basins must have positive drainage; dead

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10. GENERAL CONDITIONS

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10.FLOOD RI. 13 MAP INCREASED RUNOFF CRITERIA (cont.)

RECOMMND

storage basins shall not be acceptable.

A complete drainage study including, but not limited to, hydrologic and hydraulic calculations for the proposed detention basin shall be submitted to the District for review and approval.

Storms to be studied will include the 1-hour, 3-hour, 6-hour and 24-hour duration events for the 2-year, 5-year and 10-year return frequencies. Detention basin(s) and outlet(s) sizing will ensure that none of these storm events has a higher peak discharge in the post-development condition than in the pre-development condition. For the 2-year and 5-year events the loss rate will be determined using an AMC I condition. For the 10-year event AMC II will be used. Constant loss rates shall be used for the 1-hour, 3-hour and 6-hour events. A variable loss rate shall be used for the 24-hour events.

Low Loss rates will be determined using the following:

- 1. Undeveloped Condition --> LOW LOSS = 90%
- 2. Developed Condition --> LOW LOSS = .9 -(.8x%IMPERVIOUS)
- 3. Basin Site --> LOW LOSS = 10%

Where possible and feasible the on-site flows should be mitigated before combining with off-site flows to minimize the size of the detention facility required. If it is necessary to combine off-site and on-site flows into a detention facility two separate conditions should be evaluated for each duration/return period/before-after development combination studied; the first for the total tributary area (off-site plus on-site), and the second for the area to be developed alone (on-site). It must be clearly demonstrated that there is no increase in peak flow rates under either condition (total tributary area or on-site alone), for each of the return period/duration combinations required to be evaluated. A single plot showing the pre-developed, post-developed and routed hydrographs for each storm considered, shall be included with the submittal of the hydrology study.

No outlet pipe(s) shall be less than 18" in diameter. Where necessary an orifice plate may be used to restrict outflow rates. Appropriate trash racks shall be provided for all outlets less than 48" in diameter.

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#### 10. GENERAL CONDITIONS

10.FLOOD RI. 13 MAP INCREASED RUNOFF CRITERIA (cont.) (cont.) RECOMMND

The basin(s) and outlet structure(s) must be capable of passing the 100-year storm without damage to the facility. Embankment shall be avoided in all cases unless site constraints or topography make embankment unavoidable in the judgment of the General Manager-Chief Engineer.

Mitigation basins should be designed for joint use and be incorporated into open space or park areas. Sideslopes should be no steeper than 4:1 and depths should be minimized where public access is uncontrolled.

A viable maintenance mechanism, acceptable to both the County and the District, should be provided for detention facilities. Generally, this would mean a CSA, landscape district, parks agency or commercial property owners association. Residential homeowners associations are discouraged.

### 10.FLOOD RI. 18 MAP SUBMIT FINAL WQMP = PRELIM

RECOMMND

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In compliance with Santa Ana Region and San Diego Region Regional Water Quality Control Board Orders, and Beginning January 1, 2005, projects submitted within the western region of the unincorporated area of Riverside County for discretionary approval will be required to comply with the Water Quality Management Plan for Urban Runoff (WQMP). The WQMP addresses post-development water quality impacts from new development and redevelopment projects. The WQMP requirements will vary depending on the project's geographic location (Santa Ana, Santa Margarita or Whitewater River watersheds). The WQMP provides detailed guidelines and templates to assist the developer in completing the necessary studies. These documents are available on-line at: www.rcflood.org under Programs and Services, Stormwater

www.rcflood.org under Programs and Services, Stormwater Quality.

To comply with the WQMP a developer must submit a "Project Specific" WQMP. This report is intended to a) identify potential post-project pollutants and hydrologic impacts associated with the development; b) identify proposed mitigation measures (BMPs) for identified impacts including site design, source control and treatment control post-development BMPs; and c) identify sustainable funding and maintenance mechanisms for the aforementioned BMPs. A template for this report is included as 'exhibit A' in the

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#### 10. GENERAL CONDITIONS

10.FLOOD RI. 18 MAP SUBMIT FINAL WQMP = PRELIM (cont.)

V 4 10

RECOMMND

WOMP.

The developer has submitted a report that meets the criteria for a Preliminary Project Specific WQMP. The report will need to be revised to meet the requirements of a Final Project Specific WQMP. Also, it should be noted that if 401 certification is necessary for the project, the Water Quality Control Board may require additional water quality measures.

# 10 FLOOD RI. 20 MAP MOCKINGBIRD FEE

RECOMMND

This development is located within the Mockingbird Canyon area, and the Developer has agreed to pay \$500.00 per lot to mitigate the effect of the impact upon drainage facilities caused by this development. An agreement between the Developer and the County to this effect has been executed. Payment of this amount can be made at the time of recordation or may be deferred to the time of issuance of grading or building permits on the individual lots. The developer may elect to defer payment to the grading and building permit stage.

#### PLANNING DEPARTMENT

#### 10.PLANNING. 1 MAP- MAP ACT COMPLIANCE

RECOMMND

This land division shall comply with the State of California Subdivision Map Act and to all requirements of County Ordinance No. 460, Schedule B, unless modified by the conditions listed herein.

#### 10.PLANNING. 2 MAP - FEES FOR REVIEW

RECOMMND

Any subsequent review/approvals required by the conditions of approval, including but not limited to grading or building plan review or review of any mitigation monitoring requirement, shall be reviewed on an hourly basis, or other appropriate fee, as listed in ounty Ordinance No. 671. Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.

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#### 10. GENERAL CONDITIONS

10.PLANNING. 6 MAP - NO OFFSITE SIGNAGE

RECOMMND

There shall be no offsite signage associated with this land division, except as otherwise provided by Ordinance No. 679.3 (Kiosk Program).

10.PLANNING. 7 MAP - OFFSITE SIGNS ORD 679.4

RECOMMND

No offsite subdivision signs advertising this land

Division/development are permitted, other than those allowed under Ordinance No. 679.4. Violation of this condition of approval may result in no further permits of any type being issued for this subdivision until the unpermitted signage is removed.

10.PLANNING. 8 MAP - RES. DESIGN STANDARDS

RECOMMND

The design standards for the subdivision are as follows:

- a. Lots created by this map shall conform to the design standards of the R-1 zone.
- b. The front yard setback is 20 feet.
- c. The side yard setback on interior lots shall not be less than ten percent of the width of the lot, but not less than three feet in any event, and need not exceed a width of five feet.
- d. Side yards on corner and reversed corner lots shall be not less than ten feet from the existing street line or from any future street line as shown on any specifc plan of highways, whichever is nearer the proposed structure, upon which the main building sides, except that where the lot is less than 50 feet wide the yard need not exceed 20% of the width of the lot.
  - e. The rear yard setback shall not be less than ten feet.
- f. The minimum average width of that portion of a lot to be used as a building site shall be 60 feet with a minimum average depth of 100 feet. That portion of a lot used for access on flag lots shall have a minimum width of 20 feet. g.The minimum frontage of a lot shall be 60 feet, except that lots fronting on knuckles or cul-de-sacs may have a minimum frontage of 35 feet. Lot frontage along curvilinear streets may be measured at the building setback in accordance with zone development standards.
- h. The maximum height of any building shall not exceed three stories, with a maximum height of 40 feet.

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10. GENERAL CONDITIONS

10.PLANNING. 8 MAP - RES. DESIGN STANDARDS (cont.) RECOMMND

- i. The minimum lot size is 20,034 square feet for lot No. 31 and the maximum lot size is 109,898 square feet for lot No. 11.
- j. No more than 50% of the lot shall be covered by structure.
  - k. Residential driveway approaches shall be a minimum of 12 feet and a maximum of 30 feet in width, and 20 feet of full height curb is required between driveways within any one property frontage, in accordance with Ord. No. 461, Standard No. 207.

EXCEPT AS ALLOWED BY ORDINANCE NO. 348, AND THE COUNTYWIDE DESIGN STANDARDS AND GUIDELINES, THERE SHALL BE NO ENCROACHMENT INTO ANY SETBACK.

10 PLANNING. 9 MAP - ORD NO. 659 (DIF) RECOMMND

Prior to the issuance of either a certificate of occupancy or prior to building permit final inspection, the applicant shall comply with the provisions of Riverside County Ordinance No. 659, which requires the payment of the appropriate fee set forth in the Ordinance. Riverside County Ordinance No. 659 has been established to set forth policies, regulations and fees related to the funding and construction of facilities necessary to address the direct and cummulative environmental effects generated by new development projects described and defined in this Ordinance, and it establishes the authorized uses of the fees collected.

The fee shall be paid for each residential unit to be constructed within this land division.

10.PLANNING. 10 MAP - ORD 810 OPN SPACE FEE RECOMMND

Prior to the issuance of either a certificate of occupancy or prior to building permit final inspection, the applicant shall comply with the provisions of Riverside County Ordinance No. 810, which requires payment of the appropriate fee set forth in the Ordinance. Riverside County Ordinance No. 810 has been established to set forth policies, regulations and fees related to the funding and acquisition of open space and habitat necessary to address the direct and cumulative environmental effects generated by new development projects described and defined in this Ordinance.

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#### 10. GENERAL CONDITIONS

10.PLANNING. 10 MAP - ORD 810 OPN SPACE FEE (cont.)

RECOMMND

The fee shall be paid for each residential unit to be constructed within this land division.

#### 10 PLANNING. 11 MAP- REQUIRED MINOR PLANS

RECOMMND

For each of the below listed items, a minor plot plan application shall be submitted and approved by the County Planning Department pursuant to County Ordinance No. 348 (Plot Plans not subject to the California Environmental Quality Act and not subject to review by any governmental agency other than the Planning Department) along with the current fee.

- 1. Final Site Development Plan for each phase of development.
- 2. Model Home Complex Plan shall be filed and approved for each phase if models change between phases. A final site of development plot plan must be approved prior to approval, or concurrent with a Model Home Complex Plan.]
- [3. Landscaping Plan for typical front yard/slopes/open space. These three plans may be applied for separately for the whole tract or for phases.]
- [4. Landscaping plans totally in the road right-of-Way shall be submitted to the Transportation Department only.]
- [5. Each phase shall have a separate wall and fencing plan.]
- [6. Entry monument and gate entry plan.]

NOTE: The requirements of the above plot plans may be accomplished as one, or, any combination of multiple plot plans required by these conditions of approval. However, each requirement shall be cleared individually with the applicable plot plan condition of approval in the "PRIOR TO BUILDING PERMIT" (80 series) conditions.

# 10.PLANNING. 12 MAP - DESIGN GUIDELINES

RECOMMND

The project shall conform to Countywide Design Standards and Guidelines adopted January 13, 2004.

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#### 10. GENERAL CONDITIONS

10.PLANNING. 13 STKP- OFF-HIGHWAY VEHICLE USE

RECOMMND

No off-highway vehicle use shall be allowed on any parcel used for stockpiling purposes. The landowners shall secure all parcels on which a stockpile has been placed and shall prevent all off-highway vehicles from using the property.

10.PLANNING. 14 MAP - SUBMIT BUILDING PLANS

RECOMMND

The developer shall cause building plans to be submitted to the TLMA- Land Use Se tion for review by the Department of Building and Safety - Plan Check Division. Said plans shall be in conformance with the approved TENTATIVE MAP:

10 PLANNING. 16 MAP - LOW PALEO

RECOMMND

According to the County's General Plan, this site has been mapped as having a "Low Potential" for paleontological resources. This category encompasses lands for which previous field surveys and documentation demonstrates a low potential for containing significant paleontological resources subject to adverse impacts. As such, this project is not anticipated to require any direct mitigation for paleontological resources. However, should fossil remains be encountered during site development:

- 1.All site earthmoving shall be ceased in the area of where the fossil remains are encountered. Earthmoving activities may be diverted to other areas of the site.
- 2. The owner of the property shall be immediately notified of the fossil discovery who will in turn immediately notify the County Geologist of the discovery.
- 3. The applicant shall retain a qualified paleontologist approved by the County of Riverside.
- 4. The paleontologist shall determine the significance of the encountered fossil remains.
- 5.Paleontological monitoring of earthmoving activities will continue thereafter on an as-needed basis by the paleontologist during all earthmoving activities that may expose sensitive strata. Earthmoving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The supervising paleontologist will have the authority to reduce monitoring once he/she determines the

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10. GENERAL CONDITIONS

10.PLANNING. 16 MAP - LOW PALEO (cont.)

RECOMMND

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dropped below an acceptable level.

6.If fossil remains are encountered by earthmoving activities when the paleontologist is not onsite, these activities will be diverted around the fossil site and the paleontologist called to the site immediately to recover the remains.

7. Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be curated (assigned and labeled with museum\* repository fossil specimen numbers and corresponding fossil site numbers, as appropriate; places in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, an associated specimen data and corresponding geologic and geographic site data will be archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized data bases) at the museum repository by a laboratory technician. The remains will then be accessioned into the museum repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators. \* Per the County of Riverside "SABER Policy", paleontological fossils found in the County of Riverside should, by preference, be directed to the Western Science Center in the City of Hemet.

8. The property owner and/or applicant on whose land the paleontological fossils are discovered shall provide appropriate funding for monitoring, reporting, delivery and curating the fossils at the institution where the fossils will be placed, and will provide confirmation to the County that such funding has been paid to the institution.

10 PLANNING. 18 USE- GEO02446

RECOMMND

County Geologic Report (GEO) No. 2446, submitted for this project (TR36813) was prepared by Earth-Strata Inc.: "Preliminary Geotechnical Interpretive Report Proposed Van Buren Hills Residential Development, Assessor's Parcel Numbers 273-450-2, 273-450-3, 273-450-18 and 273-450-19, Located on the North of Van Buren Boulevard and West of

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#### 10. GENERAL CONDITIONS

#### 10.PLANNING. 18 USE- GEO02446 (cont.)

RECOMMND

Whispering Spur Street, Riverside Area, Riverside County, California", dated June 30, 2014.

#### GEO02446 concluded:

- 1.No active faults are known to project through the site and the site is not located within an Alquist-Priolo Earthquake Fault Zone.
- 2.Different types of ground failure, which include landslides, ground lurching, shallow ground rupture and liquefaction/lateral spreading are considered unlikely.
- 3. The potential for earthquake induced liquefaction and lateral spreading beneath the proposed structures is considered very low to remote.
- 4. The potential for subsidence is considered low to remote.
- 5. The potential for seismically induced flooding due to a tsunamis is considered nonexistent.
- 6. The likelihood for induced flooding due to a seiche is considered nonexistent.

### GEO 02446 recommended:

- 1. Vegetation including trees, grasses, weeds, brush, shrubs, or any other debris should be stripped from the areas to be graded.
- 2.Sub-drain systems should be installed in all canyon areas, buttresses, fill over cut slopes, and/or stabilization fills.

GEO No. 2446 satisfies the requirement for a geologic/geotechnical study for Planning/CEQA purposes. GEO No. 2446 is hereby accepted for Planning purposes. Engineering and other Building Code parameters were not included as a part of this review or approval. This approval is not intended and should not be misconstrued as approval for grading permit. Engineering and other building code parameters should be reviewed and additional comments and/or conditions may be imposed by the County upon application for grading and/or building permits.

# 10 PLANNING. 19 MAP - PDA4973R1 ACCEPTED

RECOMMND

County Archaeological Report (PDA) No. 4973rl submitted for this project (TR36813) was prepared by Archaeological Associates and is entitled: "\_Proposal to conduct Phase II Archaeological Significance Evaluations for the 30.01 acre

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#### 10. GENERAL CONDITIONS

10.PLANNING. 19 MAP - PDA4973R1 ACCEPTED (cont.)

RECOMMND

Van Buren Hills project northeast of the intersection of Van Buren and Pick Place, Woodcrest, Riverside County," dated March 23.

This study has been incorporated as part of this project, and has been accepted.

# 10 PLANNING. 20 MAP - IF HUMAN REMAINS FOUND

RECOMMND

The developer/permit holder or any successor in interest shall comply with the following for the life of this project:

Human remains require special handling, and must be treated with appropriate dignity. Pursuant to State Health and Safety Code Section 7050.5, if human remains are encountered, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Specific actions must take place pursuant to CEQA Guidelines °15064.5e, State Health and Safety Code Section 7050.5 and Public Resource Code (PRC) °5097.98. In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following procedures shall be followed: a) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

- i) A County Official is contacted.
- ii) The County Coroner is contacted to determine that no investigation of the cause of death is required, and If the Coroner determines the remains are Native American: iii) The Coroner shall contact the Native American Heritage
- iii) The Coroner shall contact the Native American Heritage Commission within 24 hours.
- b) The Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
- c) The Most Likely Descendent (MLD) may make recommendations to the landowner or the person responsible for the excavation work, for the treatment of human remains and any associated grave goods as provided in PRC °5097.98.
- d) Under the following conditions, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods on the property in a location not subject to further disturbance:
- i) The Commission is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission.
- (1) The MLD identified fails to make a recommendation; or

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10. GENERAL CONDITIONS

10.PLANNING. 20 MAP - IF HUMAN REMAINS FOUND (cont.)

RECOMMND

(2) The landowner or his authorized representative rejects the recommendation of the MLD, and the mediation.

10.PLANNING. 21 UNANTICIPATED RESOURCES

RECOMMND

The developer/permit holder or any successor in interest shall comply with the following for the life of this project:

- 1) If during ground disturbance activities, cultural resources are discovered that were not assessed by the archaeological reports and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. A cultural resources site is defined, for this condition, as being three or more artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to it sacred or cultural importance.
- a) All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted until a meeting is convened between the developer, the project archaeologist, the Native American tribal representative (or other appropriate ethic/cultural group representative), and the County Archaeologist to discuss the significance of the find.
- b) At the meeting, the significance of the discoveries shall be discussed and after consultation with the Native American tribal (or other appropriate ethnic/cultural group representative) and the archaeologist, a decision is made, with the concurrence of the County Archaeologist, as to the appropriate mitigation (documentation, recovery, avoidance, etc) for the cultural resource.
- c) Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate preservation or mitigation measures:

# 10 PLANNING. 22 MAP - PDA05015R3 ACCEPTED

RECOMMND

County Archaeological Report (PDA) No. 5015R3 submitted for this project (TR36813) was prepared by Robert White of Archaeological Associates and is entitled: "Cultural Resources Assessment of the 30.01-acre Van Buren Hills Estates Project Site located northeast of the intersection of Van Buren Boulevard and Pick Place, Woodcrest, Riverside County", dated April 2017.

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#### 10. GENERAL CONDITIONS

10.PLANNING. 22 MAP - PDA05015R3 ACCEPTED (cont.)

RECOMMND

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PDA05013r3concludes. Twelve sites were recorded and tested for evaluation purposes. None of the sites were determined to be eligible for the California Register and thus are not significant.

PDA05013r3 recommends:

- (1) Cultural and Native American monitoring during ground disturbing activities.
- (2) ESA fencing around features at sites 1, 2, 3a, 3b, 4.
- (3) Attempt to relocate features 11a, 8, 6a.
- (4) Residue analysis on a sample of the features that will be destroyed.

These documents are herein incorporated as a part of the record for project.

# 10.PLANNING. 23 MAP - ALUC Conditions

RECOMMND

- 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 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, sunflowe, and row crops, composting operations, trash transfer stations that are open on one or more sides, recyling 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. A notice shall be provided to all potential purchasers of the proposed lots and to tenants of the homes thereon that the Project site is located within the vicinity of an Airport and inconviences may occur such as, noise, vibrations and odors.
- 4. Any new aboveground detention or water quality basins

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#### 10. GENERAL CONDITIONS

10.PLANNING. 23 MAP - ALUC Conditions (cont.)

RECOMMND

on the site shall be designed so as to provide for a maximum 48-hour detention period following the concllusion 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/water quality basin that would provide food or cover for bird species that would be incompatible with aiport operations shall not be utilized in project landscaping.

10 PLANNING. 24 MAP - MITIGATION MONITOR PROG

RECOMMND

Biological Resources - MITIGATION MEASURE - Prior to the issuance of a grading permit, a biologist who holds a Memorandum of Understanding with the County of Riverside shall submit documentation that the appropriate mitigation credits have been purchased in accordance with the mitigation measures described in the Determination of Biologically Equivalent or Superior Preservation, dated: July 21, 2015, updated February 8, 2016 and prepared by Gonzales Environmental Consulting LLC. In the event that onsite mitigation is included in the mitigation package, the biologist shall provide a Mitigation Monitoring Plan (MMP) to the Environmental Programs Division for review and approval. The MMP shall include, but not be limited to; time lines, success criteria, reporting standards, financial assurances, and plans for conveyance of lands to a conservation agency for long term management. IMPLEMENTING/TIMING - Prior to issuance of a grading permit.

RESPONSIBLE PARTY - EPD

MONITORING/REPORTING METHOD - Documentation that the appropriate mitigation credits have been purchased.

Hydrology and Water Quality - MITIGATION MEASURE - The Applicant shall install a 3-acre bio-retention basin as indicated on TR36813 Exhibit 'A' and as stated in Conditions of Approval 10. FLOOD RI. 12 and 13. IMPLEMENTATION TIMINIG- General, on-going operational requirements.

RESPONSIBLE PARTY - Project Proponent and Riverside County Flood Control and Water Conservation District.

MONITORING/REPORT MEDTHOD - Installation of the 3-acre bio-retention basin.

Highway Noise - MITIGATION MEASURE-Exterior Noise Mitigation

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#### 10. GENERAL CONDITIONS

10.PLANNING. 24 MAP - MITIGATION MONITOR PROG (cont.)

RECOMMND

The lot numbering has changed since the time the noise report was completed. The lots noted below are the new lot numbers that will require the following noise barriers:

"Lots 22: 4 foot high barrier "Lot 24, 25, and 26: 7 foot high barrier "Lot 23: 8 foot high barrier

The barrier shall be constructed so the top of the wall extends the minimum height above the pad elevation. If the road at this point is elevated above the pad, the barrier shall above the highest point between the home and the road.

The barrier shall provide a weight of at least 4 pounds per square foot with no decorative cutouts or line-of-sight openings between shielded areas and the roadways. The barrier must present a solid face from top to bottom. All gaps (except weep holes) should be filled with grout or caulking.

Barrier may be constructed using one of the following:

"Masonry block

"Stucco veneer over wood framing (or foam core), or 1 inch thick tongue and groove wood of sufficient weight per square foot.

"Glass (1/4 inch thick), or other transparent material with sufficient weight per square foot

"Earth berm

"Any combination of these materials

Interior noise mitigation:

7. Windows: All windows and sliding glass doors shall be well fitted, well weather-stripped assemblies and shall have a minimum sound transmission class (STC) of 27.

Lots 22, 23, 24, 25 and 26 adjacent to Van Buren Boulevard shall require upgraded second floor windows and sliding glass doors with a minimum STC rating of 34.

- 8.Doors: All exterior doors shall be well weather-stripped solid core assemblies at least one and three-fourths-inch thick.
- 9. Walls: At any penetration of exterior walls by pipes,

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#### 10. GENERAL CONDITIONS

10.PLANNING. 24 MAP - MITIGATION MONITOR PROG (cont.) (cont.) RECOMMND

ducts, or conduits, the space between the wall and pipes, ducts or conduits shall be caulked or filled with mortar to form an airtight seal.

10.Roof: Roof sheathing of wood construction shall be well fitted or caulked plywood of at least one-half inch thick. Ceilings shall be well fitted, well-sealed gypsum board of at least one-half inch thick. Insulation with at least a rating of R-19 shall be used in the attic space.

11.Attic: Attic vents should be oriented away from Van Buren Boulevard. If such an orientation cannot be avoided, then acoustical baffles shall be placed in the attic space behind the vents.

12. Ventilation: Arrangements for any habitable room shall be such that any exterior door or window can be kept closed when the room is in use and still receive circulated air. A forced air circulation system (e.g. air-conditioning system) or active ventilation (e.g. fresh air supply) shall be provided which satisfies the requirements of the Uniform Mechanical Code.

A final noise study shall be prepared and approved by the Office of Industrial Hygiene prior to obtaining building permits for the Project. This report will finalize the mitigation measured as outlined above using precise grading plans and actual building design specifications. Additional noise abatement measures may be identified and incorporated into the project design at this time in order to meet the 45 CNEL interior noise level standard.

IMPLEMENTATION TIMING - Prior to Issuance of Building Permits for the Noise Study. Completion of the Noise Barriers prior to finalization of building permits.

RESPONSIBLE PARTY - Department of Building and Safety and Department of Env. Health

MONTORING/REPORTING METHOD -Submittal of Noise Study to Env. Health and finalization of building permits.

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#### 10. GENERAL CONDITIONS

TRANS DEPARTMENT

10.TRANS. 1 MAP - STD INTRO-3 (ORD 460/461)

RECOMMND

With respect to the conditions of approval for the referenced tentative exhibit, the land divider shall provide all street improvements, street improvement plans and/or road dedications set forth herein in accordance with Ordinance 460 and Riverside County Road Improvement Standards (Ordinance 461). It is understood that the tentative map correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Q's, and that their omission or unacceptablility may require the map to be resubmitted for further consideration. These Ordinances and all conditions of approval are essential parts and a requirement occurring in ONE is as binding as though occurring in all. All questions regarding the true meaning of the conditions shall be referred to the Transportation Department .

10.TRANS. 2 MAP - COUNTY WEB SITE

RECOMMND

Additional information, standards, ordinances, policies, and design guidelines can be obtained from the Transportation Department Web site: http://rctlma.org/trans/. If you have questions, please call the Plan Check Section at (951) 955-6527.

10 TRANS. 3 MAP - TS/EXEMPT

RECOMMND

The Transportation Department has not required a traffic study for the subject project. It has been determined that the project is exempt from traffic study requirements.

10.TRANS. 4 MAP - DRAINAGE 1

RECOMMND

The land divider shall protect downstream properties from damages caused by alteration of the drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities including enlarging existing facilities and/or by securing a drainage easement. All drainage easements shall be shown on the final map and noted as follows: "Drainage Easement - no building, obstructions, or encroachments by landfills are allowed". The protection shall be as approved by the Transportation Department.

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#### 10. GENERAL CONDITIONS

10.TRANS. 5 MAP - DRAINAGE 2

RECOMMND

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The land divider shall accept and properly dispose of all off-site drainage flowing onto or through the site. In the event the Transportation Department permits the use of streets for drainage purposes, the provisions of Article XI of Ordinance No. 460 will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, the subdivider shall provide adequate drainage facilities and/or appropriate easements as approved by the Transportation Department.

10 TRANS. 6

MAP - OFF-SITE PHASE

RECOMMND

Should the applicant choose to phase any portion of this project, said applicant shall provide off-site access roads to County maintained roads as approved by the Transportation Department.

10.TRANS. 7

MAP-CREDIT/REIMBURSEMENT 4 IMP

RECOMMND

In order to receive any fee credit or reimbursement for improvements, the project proponent shall contact the Transportation Department and enter into an agreement for fee credit or reimbursement prior to advertising. All work shall be preapproved by and shall comply with the requirements of the Transportation Department and the public contracts code in order to be eligible for fee credit or reimbursement.

To enter into an agreement, please contact our Funding Programs group at (951) 955-1667.

For more information regarding the public work bidding requirements please visit the following link: http://rctlma.org/trans/Land-Development/Funding-Programs/Road-and-Bridge-Benefit-District-RBBD/Public-Works-Bidding-Requirements.

10 TRANS. 8

MAP- TUMF CREDIT AGREEMENT

RECOMMND

If the applicant/developer is constructing a "TUMF" facility as a condition of approval for this project and will be seeking "TUMF" credits and/or reimbursements for the "TUMF" improvements built with this project, the applicant shall enter into a "TUMF Improvement and Credit Agreement" with the Transportation Department prior to the first building permit issuance as directed by the Director

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#### 10. GENERAL CONDITIONS

10.TRANS. 8 MAP- TUMF CREDIT AGREEMENT (cont.)

RECOMMND

of Transportation. Please contact (951) 955-6800 for additional information.

### 10.TRANS. 9 MAP - LC LANDSCAPE REQUIREMENT

RECOMMND

The developer/permit holder shall ensure that all common area landscaping is healthy, free of weeds, disease and pests and all plant materials are maintained in a viable growth condition.

Prior to the installation or rehabilitation of 500 square feet or more of landscaped area, the developer/ permit holder/landowner shall:

- 1) Submit landscape and irrigation plans to the County Transportation Department for review and approval. Such plans shall be submitted as a Minor Plot Plan subject to the appropriate fees and inspections as determined by the County, comply with Ordinance No. 859 and be prepared in accordance with the County of Riverside Guide to California Friendly Landscaping. Emphasis shall be placed on using plant species that are drought tolerant and low water using.
- 2) Ensure all landscape and irrigation plans are in conformance with the APPROVED EXHIBITS;
- 3) Ensure all landscaping is provided with a weather based irrigation controller(s) as defined by County Ordinance No. 859; and,
- 4) Ensure that irrigation plans which may use reclaimed water conform with the requirements of the local water purveyor; and,

The developer/permit holder is responsible for the maintenance, viability and upkeep of all slopes, landscaped areas, and irrigation systems until the successful completion of the Installation Inspection or those operations become the responsibility of the individual property owner(s), a property owner's association, or any other successor-in-interest, whichever occurs later.

#### WASTE DEPARTMENT

10.WASTE. 1 MAP - HAZARDOUS MATERIALS

RECOMMND

Hazardous materials are not accepted at Riverside County landfills. In compliance with federal, state, and local

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#### 10. GENERAL CONDITIONS

.10.WASTE. 1 MAP - HAZARDOUS MATERIALS (cont.)

RECOMMND

- ----

regulations and ordinances, any hazardous waste generated in association with the project shall be disposed of at a permitted Hazardous Waste disposal facility. Hazardous waste materials include, but are not limited to, paint, batteries, oil, asbestos, and solvents. For further information regarding the determination, transport, and disposal of hazardous waste, please contact the Riverside County Department of Environmental Health, Environmental Protection and Oversight Division.

10 WASTE. 3 MAP - LANDSCAPE PRACTICES

RECOMMND

Use mulch and/or compost in the development and maintenance of landscaped areas within the project boundaries.

Reduce the amount of green waste generated in common landscaped areas through grass recycling (where lawn clippings from a mulching type mower are left on lawn), or through on-site composting of green waste, or through the separation of green waste from other waste types to send to a composting facility.

Xeriscape and/or use drought tolerant/low maintenance vegetation in all landscaped areas of the project.

# 20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 2 MAP- EXPIRATION DATE

RECOMMND

The conditionally approved TENTATIVE MAP shall expire three years after the County of Riverside's original approval date, unless extended as provided by County Ordinance No. 460. Action on a minor change and/or revised map request shall not extend the time limits of the originally approved TENTATIVE MAP. If the TENTATIVE MAP expires before the recordation of the FINAL MAP, or any phase thereof, no recordation of the FINAL MAP, or any phase thereof, shall be permitted.

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# 40. PRIOR TO PHASING (UNITIZATION)

#### PLANNING DEPARTMENT

40.PLANNING. 1 MAP - CONCEPTUAL PHASE GRADING

RECOMMND

Prior to the approval of an application for a division into units or phasing plan for the TENTATIVE MAP, a conceptual grading plan covering the entire TENTATIVE MAP shall be submitted to the County Planning Department for review and approval. The conceptual grading plan shall comply with the following:

- A. Techniques which will be used to prevent erosion and sedimentation during and after the grading process shall be depicted or documented.
- B. Approximate time frames for grading and areas which may be graded during the higher probability rain months of January through March shall be identified.
- C. Preliminary pad and roadway elevations shall be depicted.
- D. Areas where temporary grading occurs on any phase other than the one being graded for development at a particular time shall be identified.

The approved conceptual grading plan shall be provided to the Building and Safety Grading Division and shall be used as a guideline for subsequent detailed grading plans for individual units or phases of the TENTATIVE MAP.

#### 50 PRIOR TO MAP RECORDATION

E HEALTH DEPARTMENT

50.E HEALTH. 1 MAP - SOLID WASTE SERVICE

RECOMMND

Prior to map recordation, the project must provide documentation from an approved waste hauler in regards to solid waste service. Please call (951)955-8980 for additional details.

50.E HEALTH. 2 MAP - WATER WILL SERVE

RECOMMND

Provide current documentation from the appropriate purveyor(s) for the establishment of water service for this project, PRIOR TO MAP RECORDATION.

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#### 50. PRIOR TO MAP RECORDATION

50.E HEALTH. 3 MAP - RWQCB OK

RECOMMND

A clearance letter from the Santa Ana Regional Water Quality Control Board is required.

#### EPD DEPARTMENT

50.EPD. 1 MAP - ECS

RECOMMND

Prior to final map recordation an Environmental Constraints Sheet shall be prepared and included with the final map.

The constrained areas will conform to the areas mapped as "Preserved Drainage Area," and are outside the mapped "Project Footprint" on Figure 4.3 of the document entitled "Determination of Biologically Equivalent or Superior Preservation TR36813," Dated July 21, 2015 updated February 8, 2016 and prepared by Gonzales Environmental Consulting LLC. These areas shall be mapped and labeled "Delineated Constraint Area (MSHCP Riverine) on the Environmental Constraints Sheet to the satisfaction of the Environmental Programs Division.

The ECS map must be stamped by the Riverside County Surveyor with the following notes:

"No disturbances may occur within the boundaries of the of the constraint areas."

"Brush management to reduce fuel loads to protect urban uses (fuel modification zones) will not encroach into the constraint areas."

"Night lighting shall be directed away from the constraint area. Shielding shall be incorporated in project designs to ensure ambient lighting in the constraint areas is not increased."

"The constraint areas shall be permanently fenced. The fencing shall provide a physical barrier to minimize unauthorized public access, domestic animal predation, illegal trespass or dumping in the constraint area. The fence shall have a minimum height of five feet at its shortest point. Fence posts shall be no more than five feet apart. The fence design shall be such that a sphere with a diameter of three inches cannot pass through the plane of the fence at any point below the minimum height."

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#### 50. PRIOR TO MAP RECORDATION

FIRE DEPARTMENT

50.FIRE. 2

MAP-#7-ECS-HAZ FIRE AREA

RECOMMND

Ecs map must be stamped by the Riverside County Surveyor with the following note: The land division is located in a Very High Fire Hazard Severity Zone in the Local Responsibility Area. Building setbacks and vegetation management plan shall be in accordance with the California Government Code and Public Resources Code. Buildings constructed on lots created by this land division shall comply with the special construction requirements of the California Building Code.

50 FIRE. 4

MAP-#47-SECONDARY ACCESS

RECOMMND

The secondary access design shall have concurrence and approval of both the Transportation Department and the Riverside County Fire Department. The Lot D interface with Van Buren Blvd will be subject to the Transportation and Fire Departments' reviews and approvals:

50 FIRE. 5

MAP-#46-WATER PLANS

RECOMMND

The applicant or developer shall furnish one copy of the water system plans to the Fire Department for review. Plans shall be signed by a registered civil engineer; contain a Fire Department approval signature block; and shall conform to hydrant type, location, spacing and minimum fire flow. Once plans are signed by the local water company, a copy shall be provided to the Fire Department.

FLOOD RI DEPARTMENT

50.FLOOD RI. 2 MAP SUBMIT PLANS

RECOMMND

A copy of the improvement plans, grading plans, final map, environmental constraint sheet, BMP improvement plans, and any other necessary documentation along with supporting hydrologic and hydraulic calculations shall be submitted to the District for review. All submittals shall be date stamped by the engineer and include a completed Flood Control Deposit Based Fee Worksheet and the appropriate plan check fee deposit.

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#### 50. PRIOR TO MAP RECORDATION

#### 50.FLOOD RI. 3 MAP ONSITE EASE ON FINAL MAP

RECOMMND

Onsite drainage facilities located outside of road right of way shall be contained within drainage easements shown on the final map. A note shall be added to the final map stating, "Drainage easements shall be kept free of buildings and obstructions".

# 50.FLOOD RI. 9 MAP SUBMIT FINAL WQMP

RECOMMND

A copy of the project specific WQMP shall be submitted to the District for review and approval.

#### 50.FLOOD RI. 11 MAP MOCKINGBIRD FEE

RECOMMND

A copy of the executed agreement between the Developer and the County and a separate instrument, that gives notice that the Developer has elected to defer payment of the drainage fee to the time of issuance of a grading or building permit, shall both be recorded at the time of filing for record of the final map or parcel map or the certificate of compliance evidencing the waiver of the parcel map. The separate instrument shall give specific notice that the fee is required to be paid by the owners of each created parcel to the Flood Control District prior to issuance of a grading or building permit for each parcel. Upon payment of any deferred land division drainage fees, the Flood Control District shall record a Notice in the Office of the County Recorder of Riverside County, that the land division drainage fees have been paid, stating the amount and date of payment.

### 50.FLOOD RI. 12 MAP DRAINAGE EASEMENT

RECOMMND

A drainage easement shall be obtained from the affected property owner(s) downstream for the release of concentrated and/or diverted storm flows. Document(s) shall be recorded and a copy of the recorded drainage easement shall be submitted to the District for review and approval prior to recordation of the final map or issuance of any permits for the project. In the event this drainage easement cannot be obtained from the affected property owner(s), then the alignment for the basin outlet shall be redesigned to have a direct connection to the culvert downstream within the road right-of-way and these drainage improvements must be reviewed and approved by the Transportation Department. The Transportation Department has given a conceptual approval for this basin outlet

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#### 50. PRIOR TO MAP RECORDATION

50.FLOOD RI. 12 MAP DRAINAGE EASEMENT (cont.)

RECOMMND

alternative.

#### PLANNING DEPARTMENT

50.PLANNING. 1 MAP - PREPARE A FINAL MAP

RECOMMND

After the approval of the TENTATIVE MAP and prior to the expiration of said map, the land divider shall cause the real property included within the TENTATIVE MAP, or any part thereof, to be surveyed and a FINAL MAP thereof prepared in accordance with the current County Transportation Department - Survey Division requirements, the conditionally approved TENTATIVE MAP, and in accordance with Article IX of County Ordinance No. 460.

50.PLANNING. 2 MAP - FINAL MAP PREPARER

RECOMMND

The FINAL MAP shall be prepared by a licensed land surveyor or registered civil engineer.

50 PLANNING. 3 MAP- SURVEYOR CHECK LIST

RECOMMND

he County Transportation Department - Survey Division shall review any FINAL MAP and ensure compliance with the following:

- A. All lots on the FINAL MAP shall be in substantial conformance with the approved TENTATIVE MAP relative to size and configuration.
- B. All lots on the FINAL MAP shall conform to the lot sizes as shown on the approved TENTATIVE MAP.
- C. All lot sizes and dimensions on the FINAL MAP shall be in conformance with the development standards of the R-1 zone, and with the Riverside County General Plan.
- D. All lots on the FINAL MAP shall comply with the length to width ratios, as provided in Ordinance No. 460.
- E. All knuckle or cul-de-sac lots shall have a minimum of 35 feet of frontage measured at the front lot line.
- F. The common open space areas shall be shown as a numbered lots on the FINAL MAP.

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#### 50. PRIOR TO MAP RECORDATION

50.PLANNING. 4 MAP- REQUIRED APPLICATIONS

RECOMMND

No FINAL MAP shall record until Change of Zone No. 7857 have been approved and adopted by the Board of Supervisors and has been made effective. This land division shall conform with the development standards of the designations and/or zone ultimately applied to the property.

50 PLANNING. 5 MAP - REQUIRED CHANGE OF ZONE

RECOMMND

The land divider shall file an application for a change of zone with the County Planning Department. No FINAL MAP shall be permitted to record unless and until his change of zone has been approved and adopted by the Board of Supervisors and is effective.

50 PLANNING. 7 MAP- ANNEX TO PARK DISTRICT

RECOMMND

The land divider shall submit written proof to the County Planning Department - Development Review Division that the subject property has been annexed to County Service Area No. 132?

50 PLANNING. 8 MAP- QUIMBY FEES (1)

RECOMMND

If a district, agency or other authority is created to collect Quimby Fees applicable to the project's area, the land divider shall submit to the County Planning Department - Development Review Division a duly and completely executed agreement with the Quimby Fee authorization organization which demonstrates satisfaction of the County that the land divider has provided payments of park & recreation fees and or dedication of land for TENTATIVE MAP in accordance with County Ordinance No. 460. If no such authorization is in effect at map recordation this condition shall not apply.

50 PLANNING. 12 MAP - ECS SHALL BE PREPARED

RECOMMND

The land divider shall prepare an Environmental Constraints Sheet (ECS) in accordance with County Ordinance No. 460, which shall be submitted as part of the plan check review of the FINAL MAP.

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#### 50. PRIOR TO MAP RECORDATION

#### 50.PLANNING. 13 MAP- ECS NOTE RIGHT-TO-FARM

RECOMMND

The following Environmental Constraints Note shall be placed on the ECS:

"Lot Nos.23, 24, 25 and 26, as shown on this map, are located partly or wholly within, or within 300 feet of, land zoned for primarily agricultural purposes by the County of Riverside. It is the declared policy of the County of Riverside that no agricultural activity, operation, or facility, or appurtenance thereof, conducted or maintained for commercial purposes in the unincorporated area of the County, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than three (3) years, if it wasn't a nuisance at the time it began. The term "agricultural activity, operation or facility, or appurtenances thereof" includes, but is not limited to, the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any apiculture, or horticulture, the raising of livestock, fur bearing animals, fish or poultry, and any practices performed by a farmer or on a farm as incident to, or in conjunction with, such farming operations, including preparation for market, delivery to storage or to market, or to carriers for transportation to market."

In the event the number of lots, or the configuration of lots, of the FINAL MAP differs from that shown on the approved TENTATIVE MAP, the actual language used above shall reflect those lots which are partly or wholly within 300 feet of agriculturally zoned (A-1, A-2, A-P, A-D) properties.

# 50.PLANNING. 17 MAP - ECS NOTE MAP CONSTRAINT

DRAFT

The following Environmental Constraints Note shall be placed on the ECS:

"No permits allowing any grading, construction, or surface alterations shall be issued which effect the delineated constraint areas without further investigation and/or mitigation as directed by the County of Riverside Planning Department. This constraint affects lots as shown on the

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#### 50. PRIOR TO MAP RECORDATION

50.PLANNING. 17 MAP - ECS NOTE MAP CONSTRAINT (cont.)

DRAFT

Environmental Constraints Sheet

50.PLANNING. 28 MAP - FEE BALANCE

RECOMMND

Prior to recordation, the Planning Department shall determine if the deposit based fees for the TENTATIVE MAP are in a negative balance. If so, any unpaid fees shall be paid by the land divider and/or the land divider's successor-in-interest.

50.PLANNING. 34 MAP- ECS AFFECTED LOTS

RECOMMND

In accordance with Ordinance No. 460, the following note shall be placed on the FINAL MAP:

# "ENVIRONMENTAL CONSTRAINT NOTE:

nvironmental Constraint Sheet affecting this map is on file in the Office of the Riverside County Surveyor in E.C.S.

Book \_\_\_\_, Page \_\_\_\_. [This affects [Lot] [Parcels] No(s) \_\_\_\_\_] [This affects all [Parcels] [Lots]]"

50 PLANNING. 35 MAP - ECS SHEET (CULTURAL)

RECOMMND

Prior to final map approval the developer/ applicant shall provide evidence to the Riverside County Planning Department that an Environmental Constraints Sheet has been included in the Grading Plans. This sheet shall indicate the presence of environmentally constrained area(s) and the requirements for avoidance of milling features as follows: Site 1, Site 2, Site 3a and 3b and site 4.

#### SURVEY DEPARTMENT

50.SURVEY. 1 MAP - EASEMENT

RECOMMND

Any easement not owned by a public utility, public entity or subsidiary, not relocated or eliminated prior to final map approval, shall be delineated on the final map in addition to having the name of the easement holder, and the nature of their interests, shown on the map.

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#### 50. PRIOR TO MAP RECORDATION

#### TRANS DEPARTMENT

50.TRANS. 1 MAP ACCESS RESTRICTION/SUR

RECOMMND

Lot access shall be restricted on Van Buren Boulevard and so noted on the final map.

50 TRANS. 2 MAP - STREET NAME SIGN

RECOMMND

The land divider shall install street name sign(s) in accordance with County Standard No. 816 as directed by the Transportation Department.

50 TRANS. 3 MAP - SOILS 2

RECOMMND

The developer/owner shall submit a preliminary soils and pavement investigation report addressing the construction requirements within the road right-of-way.

50.TRANS. 4 MAP - STREET LIGHTS-CSA/L&LMD

RECOMMND

The project proponent shall contact the County Service Area (CSA) Project Manager who determines whether the development is within an existing CSA or will require annexation into the CSA.

If the project is outside boundaries of a CSA, the project proponent shall contact the Transportation Department L&LMD 89-1-C Administrator and submit the following:

- 1. Completed Transportation Department application
- 2. Appropriate fees for annexation.
- 3. Two (2) sets of street lighting plans approved by Transportation Department.
- 4. "Streetlight Authorization" form from SCE or other electric provider.

# 50 TRANS 5 MAP - CORNER CUT-BACK I

RECOMMND

All corner cutbacks shall be applied per Standard 805, Ordinance 461, except for corners at Entry streets intersecting with General Plan roads, they shall be applied per Exhibit 'C' of the Countywide Design Guidelines.

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#### 50. PRIOR TO MAP RECORDATION

50.TRANS. 6 MAP - LIGHTING PLAN

RECOMMND

A separate street light plan is required for this project. Street lighting shall be designed in accordance with County Ordinance 460 and Streetlight Specification Chart found in Specification Section 22 of Ordinance 461. For projects within SCE boundaries use County of Riverside Ordinance 461, Standard No. 1000 or No. 1001.

50.TRANS. 7 MAP - ANNEX L&LMD/OTHER DIST

RECOMMND

Prior to map recordation, the project proponent shall comply with County requirements within public road rights-of-way, in accordance with Ordinance 461. Assurance of maintenance is required by filing an application for annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and/or any other maintenance district approved by the Transportation Department. Said annexation should include the following:

- (1) Landscaping along Van Buren Boulevard.
- (2) Streetlights.
- (3) Traffic signals located on Van Buren Boulevard at intersection of Whispering Spur Drive (Canyon View Drive).
- (4) Graffiti abatement of walls and other permanent structures along Van Buren Boulevard.
- (5) Street sweeping.

For street lighting, the project proponent shall contact the County Service Area (CSA) Project Manager who determines whether the development is within an existing CSA or will require annexation into the CSA.

If the project is outside boundaries of a CSA, the project proponent shall contact the Transportation Department L&LMD 89-1-C Administrator and submit the following:

- (1) Completed Transportation Department application.
- (2) Appropriate fees for annexation.
- (3) Two (2) sets of street lighting plans approved by Transportation Department.

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#### 50. PRIOR TO MAP RECORDATION

50.TRANS. 7

MAP - ANNEX L&LMD/OTHER DIST (cont.)

RECOMMND

(4) "Streetlight Authorization" form from SCE or other electric provider.

50 TRANS. 8

MAP - INTERSECTION/50' TANGENT

RECOMMND

All centerline intersections shall be at 90 degrees, plus or minus 5 degrees, with a minimum 50' tangent, measured from flowline/curbface or as approved by the Transportation Planning and Development Review Division Engineer.

50 TRANS, 9

MAP - IMP PLANS

RECOMMND

Improvement plans for the required improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the limit of construction at a grade and alignment as approved by the Riverside County Transportation Department. Completion of road improvements does not imply acceptance for maintenance by County.

NOTE: Before you prepare the street improvement plan(s), please review the Street Improvement Plan Policies and Guidelines from the Transportation Department Web site: http://rctlma.org/trans/General-Information/Pamphlets-Brochures

50 TRANS 10

MAP - TUMF CREDIT AGREEMENT

RECOMMND

If the applicant/developer is constructing a "TUMF" facility as a condition of approval for this project and will be seeking "TUMF" credits and/or reimbursements for the "TUMF" improvements built with this project, the applicant shall enter into a "TUMF Improvement and Credit Agreement" with the Transportation Department prior to the first building permit issuance as directed by the Director of Transportation. Please contact (951) 955-6800 for additional information.

50 TRANS, 11

MAP - CONSTRUCT RAMP

RECOMMND

Ramps shall be constructed at 4-way intersections per Standard No. 403, sheets 1 through 7 of Ordinance 461

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#### 50. PRIOR TO MAP RECORDATION

#### 50.TRANS. 12 MAP - UTILITY PLAN

RECOMMND

Electrical power, telephone, communication, street lighting, and cable television lines shall be designed to be placed underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department. The applicant is responsible for coordinating the work with the serving utility company. This also applies to existing overhead lines which are 33.6 kilovolts or below along the project frontage and between the nearest poles offsite in each direction of the project site. A disposition note describing the above shall be reflected on design improvement plans whenever those plans are required. A written proof for initiating the design and/or application of the relocation issued by the utility company shall be submitted to the Transportation Department for verification purposes.

### 50.TRANS. 13 MAP - SIGNING & STRIPING PLAN

RECOMMND

A signing and striping plan is required for this project. The applicant shall be responsible for any additional paving and/or striping removal caused by the striping plan or as approved by the Director of Transportation.

#### 50 TRANS. 14 MAP - DEDICATIONS

RECOMMND

Streets "A" thru "D" are reserved private streets and shall be improved with 36' full-width AC pavement, 6" concrete curb and gutter, within the 56' full-width private road easement in accordance with County Standard No. 105, Section "B", Ordinance 461, (36'/56'). The easement shall provide the offer of dedication for public utility purposes along with the right-of-ingress and egress for emergency vehicles.

Street "A" (between Van Buren Boulevard and street B) is a reserved private street and shall be improved with 50' full-width AC pavement; 6" concrete curb and gutter, within 80' private road easement in accordance with County Standard No. 103, Section "A", Ordinance 461. (50'/80') (Modified for increased easement width from 74' to 80' and increased improvement from 44' to 50' AC pavement.) The easement shall provide the offer of dedication for public utility purposes along with the right-of-ingress and egress for emergency vehicles.

NOTE: 1) 8' curbed raised median shall be constructed at

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#### 50. PRIOR TO MAP RECORDATION

50.TRANS. 14

MAP - DEDICATIONS (cont.)

RECOMMND

the centerline.

2) The nose of the median shall be 35' from the flowline of the adjacent street (minimum), call box, and a 38' radius turnaround and then the gate shall be constructed as directed by the Director of Transportation.

#### 50 TRANS. 15

MAP - EXISTING MAINTAINED

RECOMMND

Van Buren Boulevard (public road) along project boundary is a paved County maintained road designated as Urban Arterial Highway and shall be improved with 8" concrete curb and gutter, located 55' to 63' from centerline, 8" curbed landscape median, and match up asphalt concrete paving; reconstruct; or resurfacing of existing paving as determine by the Transportation Department within the 76' to 84' half-width dedicated right-of-way in accordance with County Standard No. 91, Ordinance 461. (Modified for increasing right-of-way from 76' to 76'-84' and increased improvements from 55' AC pavement to 55'-63' AC pavement.)

- NOTE: 1) A 5' meandering concrete sidewalk shall be constructed per County Standard No. 401, Ordinance 461 within the 21' parkway.
  - 2) No swale shall be constructed within the road right-of-way.
  - 3) The interface of lot D to Van Buren Boulevard shall be subject to the review of the Fire and Transportation Departments.

#### 50.TRANS. 16

MAP - LC LNDSCP COMMON AREA MA

RECOMMND

Prior to map recordation, the developer/permit holder shall submit Covenants, Conditions, and Restrictions (CC&R) to the Riverside County Counsel for review along with the required fees set forth by the Riverside County Fee Schedule.

For purposes of landscaping and maintenance, the following minimum elements shall be incorporated into the CC&R's:

1) Permanent public, quasi-public or private maintenance organization shall be established for proper management of

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50. PRIOR TO MAP RECORDATION

50.TRANS. 16 MAP - LC LNDSCP COMMON AREA MA (cont.)

RECOMMND

- the water efficient landscape and irrigation systems. Any agreements with the maintenance organization shall stipulate that maintenance of landscaped areas will occur in accordance with Ordinance No. 859 (as adopted and any amendments thereto) and the County of Riverside Guide to California Friendly Landscaping.
  - 2) The CC&R's shall prohibit the use of water-intensive landscaping and require the use of low water use landscaping pursuant to the provisions of Ordinance No. 859 (as adopted and any amendments thereto).
  - 3) The common maintenance areas shall include all those identified on the approved landscape maintenance exhibit.

The Planning Department shall clear this condition once a copy of the County Counsel approved CC&R's has been submitted to the Planning Department.

#### 60. PRIOR TO GRADING PRMT ISSUANCE

BS GRADE DEPARTMENT

60.BS GRADE. 1 MAP - NPDES/SWPPP

RECOMMND

Prior to issuance of any grading or construction permits = whichever comes first - the applicant shall provide the Building and Safety Department evidence of compliance with the following: "Effective March 10, 2003 owner operators of grading or construction projects are required to comply with the N.P.D.E.S. (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB) The permit requirement applies to grading and construction sites of "ONE" acre or larger. The owner operator can comply by submitting a "Notice of Intent" (NOI), develop and implement a STORM WATER POLLUTION PREVENTION PLAN (SWPPP) and a monitoring program and reporting plan for the construction site. For additional information and to obtain a copy of the NPDES State Construction Permit contact the SWRCB at www.swrcb.ca.gov .

Additionally, at the time the county adopts, as part of any ordinance, regulations specific to the N.P.D.E.S., this project (or subdivision) shall comply with them.

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#### 60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 2 MAP - GRADING SECURITY

RECOMMND

Grading in excess of 199 cubic yards will require a performance security to be posted with the Building and Safety Department. Single Family Dwelling units graded one lot per permit and proposing to grade less than 5,000 cubic yards are exempt.

60.BS GRADE. 3 MAP - IMPORT/EXPORT

RECOMMND

In instances where a grading plan involves import or export, prior to obtaining a grading permit, the applicant shall have obtained approval for the import/export location from the Building and Safety Department.

A separate stockpile permit is required for the import site. It shall be authorized in conjunction with an approved construction project and shall comply with the requirements of Ordinance 457.

If an Environmental Assessment, prior to issuing a grading permit, did not previously approve either location, a Grading Environmental Assessment shall be submitted to the Planning Director for review and comment and to the Building and Safety Department Director for approval.

Additionally, if the movement of import / export occurs using county roads, review and approval of the haul routes by the Transportation Department may be required.

60.BS GRADE. 4 MAP - GEOTECH/SOILS RPTS

RECOMMND

Geotechnical soils reports, required in order to obtain a grading permit, shall be submitted to the Building and Safety Department's Grading Division for review and approval prior to issuance of a grading permit. All grading shall be in conformance with the recommendations of the geotechnical/soils reports as approved by Riverside County.\* \*The geotechnical/soils, compaction and inspection reports will be reviewed in accordance with the RIVERSIDE COUNTY GEOTECHNICAL GUIDELINES FOR REVIEW OF GEOTECHNICAL AND GEOLOGIC REPORTS.

60.BS GRADE. 5 MAP - SLOPE STABIL'TY ANLY

RECOMMND

A slope stability report shall be submitted and approved by the County Geologist and/or Building and Safety Engineer for all proposed cut or fill slopes over 30 feet in

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## 60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 5 MAP - SLOPE STABIL'TY ANLY (cont.)

RECOMMND

v . -----

vertical height or cut slopes steeper than 2:1 (horizontal to vertical) - unless addressed in a previous report. Fill slopes shall not be steeper than 2:1 (horizontal to vertical).

60 BS GRADE. 6 MAP - DRNAGE DESIGN Q100

RECOMMND

All drainage facilities shall be designed in accordance with the Riverside County Flood Control & Water District's or Coachella Valley Water District's conditions of approval regarding this application. If not specifically addressed in their conditions, drainage shall be designed to accommodate 100 year storm flows.

60 BS GRADE. 7 MAP - OFFSITE GDG ONUS

RECOMMND

Prior to the issuance of a grading permit, it shall be the sole responsibility of the owner/applicant to obtain any and all proposed or required easements and/or permissions necessary to perform the grading herein proposed.

60.BS GRADE. 8 MAP - NOTRD OFFSITE LTR

RECOMMND

A notarized letter of permission from the affected property owners or easement holders shall be provided in instances where off site grading is proposed as part of the grading plan.

60.BS GRADE. 9 MAP - RECORDED ESMT REQ'D

RECOMMND

In instances where the grading plan proposes drainage facilities on adjacent offsite property, the owner/applicant shall provide a copy of the recorded drainage easement.

60.BS GRADE. 10 MAP - LOT TO LOT DRN ESMT

RECOMMND

A recorded easement is required for lot to lot drainage. The applicant/developer shall provide evidence that a mechanism of maintenance for the lot to lot drainage easement has been obtained.

60.BS GRADE. 11 MAP - APPROVED WQMP

RECOMMND

Prior to the issuance of a grading permit, the owner / applicant shall submit to the Building & Safety Department

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## 60. PRIOR TO GRADING PRMT ISSUANCE

60.BS GRADE. 11 MAP - APPROVED WQMP (cont.)

RECOMMND

Engineering Division evidence that the project - specific Water Quality Management Plan (WQMP) has been approved by the Riverside County Flood Control District or Riverside County Transportation Department and that all approved water quality treatment control BMPs have been included on the grading plan.

60.BS GRADE. 13 MAP - PRE-CONSTRUCTION MTG

RECOMMND

Upon receiving grading plan approval and prior to the issuance of a grading permit, the applicant is required to schedule a pre-construction meeting with the Building and Safety Department Environmental Compliance Division.

60.BS GRADE. 14 MAP- BMP CONST NPDES PERMIT

RECOMMND

Prior to the issuance of a grading permit, the owner / applicant shall obtain a BMP (Best Management Practices) Permit for the monitoring of the erosion and sediment control BMPs for the site. The Department of Building and Safety will conduct NPDES (National Pollutant Discharge Elimination System) inspections of the site based on Risk Level to verify compliance with the Construction General Permit, Stormwater ordinances and regulations until completion of the construction activities, permanent stabilization of the site and permit final.

60.BS GRADE. 15 MAP - SWPPP REVIEW

RECOMMND

Grading and construction sites of "ONE" acre or larger required to develop a STORM WATER POLLUTION PREVENTION PLAN (SWPPP) - the owner/applicant shall submit the SWPPP to the Building and Safety Department Environmental Compliance Division for review and approval prior to issuance of a grading permit.

EPD DEPARTMENT

60.EPD. 1 EPD - 30 DAY BURROWING OWL SUR

RECOMMND

Pursuant to Objective 6 and Objective 7 of the Species Account for the Burrowing Owl included in the Western Riverside County Multiple Species Habitat Conservation Plan, within 30 days prior to the issuance of a grading permit, a pre-construction presence/absence survey for the burrowing owl shall be conducted by a qualified biologist

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#### 60. PRIOR TO GRADING PRMT ISSUANCE

60.EPD. 1 EPD - 30 DAY BURROWING OWL SUR (cont.)

RECOMMND

and the results of this presence/absence survey shall be provided in writing to the Environmental Programs
Department. If it is determined that the project site is occupied by the Burrowing Owl, take of "active" nests shall be avoided pursuant to the MSHCP and the Migratory Bird Treaty Act. However, when the Burrowing Owl is present, relocation outside of the nesting season (March 1 through August 31) by a qualified biologist shall be required. The County Biologist shall be consulted to determine appropriate type of relocation (active or passive) and translocation sites. Occupation of this species on the project site may result in the need to revise grading plans so that take of "active" nests is avoided or alternatively, a grading permit may be issued once the species has been actively relocated.

If the grading permit is not obtained within 30 days of the survey a new survey shall be required.

60.EPD. 2 EPD - NESTING BIRD SURVEY

RECOMMND

Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. Since the project supports suitable nesting bird habitat, removal of vegetation or any other potential nesting bird habitat disturbances shall be conducted outside of the avian nesting season (February 1st through September 15th). If habitat must be cleared during the nesting season, a preconstruction nesting bird survey shall be conducted. The preconstruction nesting bird survey must be conducted by a biologist who holds a current MOU with the County of Riverside. If nesting activity is observed, appropriate avoidance measures shall be adopted to avoid any potential impacts to nesting birds. The nesting bird survey must be completed no more than 3 days prior to any ground disturbance. If ground disturbance does not begin within 3 days of the survey date a second survey must be conducted. Prior to the issuance of a grading permit the project proponent must provide written proof to the Riverside County Planning Department, Environmental Programs Division (EPD) that a biologist who holds an MOU with the County of Riverside has been retained to carry out the required survey. Documentation submitted to prove compliance prior to grading permit issuance must at a minimum include the name and contact information for the Consulting Biologist and a signed statement from the

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60.EPD. 2

60. PRIOR TO GRADING PRMT ISSUANCE

EPD - NESTING BIRD SURVEY (cont.)

RECOMMND

Consulting Biologist confirming that they have been contracted by the applicant to conduct a Preconstruction Nesting Bird Survey. In some cases EPD may also require a Monitoring and Avoidance Plan prior to the issuance of a grading permit. Prior to finalization of a grading permit or prior to issuance of any building permits the projects consulting biologist shall prepare and submit a report, documenting the results of the survey, to EPD for review.

60.EPD. 3 EPD - RIVERINE MITIGATION

RECOMMND

Prior to the issuance of a grading permit, a biologist who holds an MOU with the County of Riverside shall submit documentation that the appropriate mitigation credits have been purchased in accordance with the mitigation measures described in the Determination of Biologically Equivalent or Superior Preservation, dated: July 21, 2015, updated February 8, 2016 and prepared by Gonzales Environmental Consulting LLC.

In the event that onsite mitigation is included in the mitigation package, the biologist shall provide a Mitigation Monitoring Plan (MMP) to the Environmental Programs Division for review and approval. The MMP shall include, but not be limited to; time lines, success criteria, reporting standards, financial assurances, and plans for conveyance of lands to a conservation agency for long term management.

60 EPD. 4 EPD - TEMPORARY FENCE

RECOMMND

The areas mapped as "Preserved Drainage Area" and are outside of the mapped project footprint on Figure 4.3 of the document entitled "Determination of Biologically Equivalent or Superior Preservation" Dated July 21, 2015, updated February 8, 2016 and prepared by Gonzales Environmental Consulting, will be temporarily fenced to avoid impacts during grading and construction. Signs must clearly indicated that no impacts will occur within the fenced areas. A report will be submitted by a biologist documenting that the fencing has been completed and encompasses the entire jurisdictional feature. The only areas of the jurisdictional feature that will not be fenced are those that have been proposed and accounted for in section the Determination of Biologically Equivalent or Superior Preservation. The document must be prepared by a biologist who has an MOU with the County of Riverside. EPD

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#### 60. PRIOR TO GRADING PRMT ISSUANCE

60.EPD. 4 EPD - TEMPORARY FENCE (cont.)

RECOMMND

may also inspect the site prior to grading permit issuance to ensure compliance with this condition.

60.EPD. 5 EPD - PERMANENT FENCE

RECOMMND

Prior to the issuance of a grading permit, the applicant shall submit a proposed permanent fencing and signage plan for the protection of all biologically sensitive areas. The areas mapped as "Preserved Drainage Area" and are outside of the mapped project footprint on Figure 4.3 of the document entitled "Determination of Biologically Equivalent or Superior Preservation" Dated July 21, 2015, updated February 8, 2016 and prepared by Gonzales Environmental Consulting, shall be permanently fenced for protection as open space. The fencing shall provide a physical barrier to minimize unauthorized public access, domestic animal predation, illegal trespass or dumping in the delineated MSHCP Riverine area. The fence shall have a minimum height of five feet at its shortest point. Fence posts shall be no more than five feet apart. The fence design shall be such that a sphere with a diameter of three inches cannot pass through the plane of the fence at any point below the minimum height. The fencing plan will be reviewed and approved by the Riverside County Planning Department Environmental Programs Division (EPD). The fence shall not be installed until EPD staff has reviewed and approved the fencing plan. EPD staff shall have sole discretion in determining whether the proposed fencing will adequately protect the conservation area, and whether changes to the proposed fencing and signage plan are required.

FLOOD RI DEPARTMENT

60.FLOOD RI. 2 MAP SUBMIT PLANS

RECOMMND

A copy of the improvement plans, grading plans, BMP improvement plans and any other necessary documentation along with supporting hydrologic and hydraulic calculations shall be submitted to the District for review. The plans must receive District approval prior to the issuance of grading permits. All submittals shall be date stamped by the engineer and include a completed Flood Control Deposit Based Fee Worksheet and the appropriate plan check fee deposit.

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# 60. PRIOR TO GRADING PRMT ISSUANCE

60.FLOOD RI. 6 MAP PHASING

RECOMMND

If the map is to be constructed in phases, then each phase shall be protected from the developed condition 100-year tributary storm flows and the necessary water quality features to mitigate the impacts due to each phase shall be constructed in accordance with the approved final water quality management plan (WQMP). The construction and bonding of all necessary improvements along with easements and/or permission from affected property owners to safely collect and discharge the concentrated or diverted 100-year tributary flows of this phase shall be required prior to the recordation of the final map.

60 FLOOD RI. 8 MAP SUBMIT FINAL WQMP

INEFFECT

A copy of the project specific WQMP shall be submitted to the District for review and approval.

60.FLOOD RI. 9 MAP MOCKINGBIRD FEE

RECOMMND

This development is located within the Mockingbird Canyon area, and the Applicant has agreed to pay \$500.00 per lot to mitigate the effect of the impact upon drainage facilities caused by this development. A letter to the Board for this request and the signed Special Drainage Facility Agreement have been submitted to the District. The agreement between the Applicant and the County is required to be executed prior to any permit issuance or recordation of the final map.

Drainage fees shall be paid with cashier's check or money order only to the District at the time of the issuance of grading permits for the approved parcels or at the time of issuance of building permits if no grading permits are issued for the parcels.

60.FLOOD RI. 10 MAP DRAINAGE EASEMENT

RECOMMND

A drainage easement shall be obtained from the affected property owner(s) downstream for the release of concentrated and/or diverted storm flows. Document(s) shall be recorded and a copy of the recorded drainage easement shall be submitted to the District for review and approval prior to recordation of the final map or issuance of any permits for the project. If the developer cannot obtain such rights, the map shall be redesigned to eliminate the need for the easement. This may require a

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#### 60. PRIOR TO GRADING PRMT ISSUANCE

60.FLOOD RI. 10 MAP DRAINAGE EASEMENT (cont.)

RECOMMND

reduction in the amount of lots created with the map × 100

#### ININGING DEPARTMENT

60.ININGING. 25 MAP - CULTURAL SENSITIVITY TRA

RECOMMND

The Project Archaeologist and if required, a representative designated by the Tribe shall attend the pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all Construction Personnel. Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event unanticipated cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. This is a mandatory training and all construction personnel must attend prior to beginning work on the project site. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.

#### PLANNING DEPARTMENT

60.PLANNING. 1 MAP\*- PARCEL MAXIMUM GRADING

RECOMMND

All grading for any proposed new dwellings and/or accessorby buildings shall occur within the approved building pad sites shown on the TENTATIVE MAP.

60.PLANNING. 5 MAP - BUILDING PAD GRADING

RECOMMND

All grading for any proposed new dwellings and/or accessory buildings shall occur within the approved uilding pad sites shown on the TENTATIVE MAP.

60 PLANNING. 6 MAP - HILLSIDE DEV. STANDARDS DRAFT

The land divider/permit holder shall cause grading plans to be prepared which conform to the Hillside Development Standards: all cut and/or fill slopes, or individual combinations thereof, which exceed ten feet in vertical height shall be modified by n appropriate combination of a special terracing (benching) plan, increase slope ratio

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## 60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 6 MAP - HILLSIDE DEV. STANDARDS (cont.)

DRAFT

(i.e., 3:1), retaining walls, and/or slope planting combined with irrigation.

60.PLANNING. 7 MAP - SLOPE GRADING TECHNIQUES

RECOMMND

The land divider/permit holder shall cause grading plans to be prepared which show all cut slopes located adjacent to ungraded natural terrain and exceed ten (10) feet in vertical height to be contour-graded incorporating the following grading techniques:

- 1. The angle of the graded slope shall be gradually adjusted to the angle of the natural terrain.
- 2. Angular forms shall be discouraged. The graded form shall reflect the natural rounded terrain.
- 3. The toes and tops of slopes shall be rounded with curves with radii designed in proportion to the total height of the slopes where drainage and stability permit such rounding.
- 4. Where cut and/or fill slopes exceed 300 feet in horizontal length, the horizontal contours of the slope shall be curved in a continuous, undulating fashion.

#### 60 PLANNING. 8 MAP\*- GRADING & BRUSHING AREA

DRAFT

The land divider/permit holder shall cause grading plans to be prepared which restricts grading and brushing to public or private access roads, driveways, pad sites leach fields, existing agricultural areas, ] and fuel modification zones, as identified on the TENTATIVE MAP.

## 60.PLANNING. 15 MAP- SKR FEE CONDITION

RECOMMND

Prior to the issuance of a grading permit, the land divider/permit holder shall comply with the provisions of iverside County Ordinance No. 663, which generally requires the payment of the appropriate fee set forth in that ordinance. The amount of the fee required to be paid may vary depending upon a variety of factors, including the type of development application submitted and the applicability of any fee reduction or exemption provisions contained in Riverside County Ordinance No. 663. Said fee shall be calculated on the approved development project

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#### 60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 15 MAP- SKR FEE CONDITION (cont.)

RECOMMND

which is anticipated to be 38.3 acres (gross) in accordance with the TENTATIVE MAP. If the development is subsequently revised, this acreage amount may be modified in order to reflect the revised development project acreage amount.

60.PLANNING. 16 MAP - FEE BALANCE

RECOMMND

Prior to issuance of grading permits, the Planning

Department shall determine if the deposit based fees are in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer.

60 PLANNING. 17 MAP - GRADING PLAN REVIEW

RECOMMND

The land divider/permit holder shall cause a plan check application for a grading plan to be submitted to the County T.L.M.A - Land Use Division for review by the County Department of Building and Safety - Grading Division. Said grading plan shall be in conformance with the approved tentative map, in compliance with County Ordinance No. 457, and the conditions of approval for the tentative map.

60 PLANNING. 20 MAP - REQUIRED APPLICATIONS

RECOMMND

No grading permits shall be issued until Change of Zone No. 7857has been approved and adopted by the Board of Supervisors and has been made effective.

60.PLANNING. 21 MAP - PLANNING DEPT REVIEW

RECOMMND

As part of the plan check review of the proposed grading plan for the subject property, the Department of Building and Safety - Grading Division shall submit a copy of the proposed grading plan, along with the applicable Log/Permit Numbers for reference, to the County Planning Department to be reviewed for compliance with the approved tentative map.

60 PLANNING. 23 MAP - PROJECT ARCHAEOLOGIST

RECOMMND

Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist (Project Archaeologist) has been contracted to implement a Cultural Resource Monitoring Program. A Cultural Resource Monitoring Plan shall be

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#### 60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 23 MAP - PROJECT ARCHAEOLOGIST (cont.)

RECOMMND

developed that addresses the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried archaeological resources associated with this project. A fully executed copy of the contract and a wet-signed copy of the Monitoring Plan shall be provided to the County Archaeologist to ensure compliance with this condition of approval.

Working directly under the Project Archaeologist, an adequate number of qualified Archaeological Monitors shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored including off-site improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist.

#### 60.PLANNING. 24 MAP - NATIVE AMERICAN MONITOR

RECOMMND

Prior to the issuance of grading permits, the developer/permit applicant shall enter into an agreement with and retain a Native American Monitor from the appropriate tribe. (Morongo, Pechanga, Soboba)

The Native American Monitor shall be on-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading and trenching. In conjunction with the Archaeological Monitor, the Native American Monitor shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources.

The developer/permit applicant shall submit a fully executed copy of the contract to the County Archaeologist to ensure compliance with this condition of approval. Upon verification, the Archaeologist shall clear this condition. This agreement shall not modify any condition of approval or mitigation measure.

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## 60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 25 MAP - FEATURE RELOCATION

RECOMMND

Site(s) features 11a, 8 and 6a cannot be avoided through Project redesign. Prior to grading permit issuance, the Project Supervisor and Project Archaeologist shall meet onsite to determine the strategy for relocating the milling features to a permanent open space area predetermined and designated on a confidential map. Before construction activities are allowed to start and using professional archaeological methods, any visible artifacts shall be recovered and recorded, photo documentation of each feature in situ shall occur. The current Department of Parks and Recreation forms for the sites shall be updated, detailing which features were relocated, the process through which this was done, and updated maps using sub meter GIS technology to document the new location of each feature. The relocation information shall be included in the Phase IV Monitoring Report.

60.PLANNING. 26 MAP - TEMPORARY FENCING

RECOMMND

Temporary fencing shall be required for the protection of cultural site(s) features 1, 2, 3a and 3b and 4 during any grading activities within one hundred feet (100'). Prior to commencement of grading or brushing, the project archaeologist shall identify the site boundaries and determine an adequate buffer for protection of the site(s). Upon approval of buffers, the applicant shall direct the installation of fencing under the supervision of the project archaeologist. The fencing can be removed only after grading operations have been completed.

60 PLANNING. 27 MAP - RESIDUE ANALYSIS

RECOMMND

Prior to Grading Permit, specimens from #5 bedrock milling features will be collected and submitted for analysis of protein residues. These shall include: 6B, 7A, 10A or 10B, 10D, 11B. Results shall be included in the Phase IV Monitoring Report.

TRANS DEPARTMENT

60.TRANS. 1 MAP - IMP CREDIT/REIMBURSEMENT

RECOMMND

In order to receive any fee credit or reimbursement for improvements, the project proponent shall contact the Transportation Department and enter into an agreement for fee credit or reimbursement prior to advertising. All work

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#### 60. PRIOR TO GRADING PRMT ISSUANCE

60.TRANS. 1 MAP - IMP CREDIT/REIMBURSEMENT (cont.)

RECOMMND

requirements of the Transportation Department and the public contracts code in order to be eligible for fee credit or reimbursement.

To enter into an agreement, please contact our Funding Programs group at (951) 955-1667.

For more information regarding the public work bidding requirements please visit the following link: http://www.rctlma.org/trans/rbbd contractbidding.html.

# 60 TRANS. 2 MAP - SUBMIT GRADING PLAN

RECOMMND

When you submit a grading plan to the Department of Building and Safety, two sets of the grading plan (24" X 36") shall be submitted to the Transportation Department for review and subsequently for the required clearance of the condition of approval prior to the issuance of a grading permit.

Please note, if improvements within the road right-of-way are required per the conditions of approval, the grading clearance may be dependent on the submittal of street improvement plans, the opening of an IP account, and payment of the processing fee.

Otherwise, please submit required grading plan to the Transportation Department, Plan Check Section, 8th Floor, 4080 Lemon Street, Riverside, CA

Standard plan check turnaround time is 10 working days.

#### 70. PRIOR TO GRADING FINAL INSPECT

## PLANNING DEPARTMENT

#### 70.PLANNING. 2 MAP - PHASE IV REPORT

RECOMMND

Upon completion of the implementation phase, a Phase IV Cultural Resources Monitoring Report shall be submitted that complies with the Riverside County Planning Department's requirements for such reports for all ground disturbing activities associated with this grading permit. The report shall follow the County of Riverside Planning Department Cultural Resources (Archaeological)

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#### 70. PRIOR TO GRADING FINAL INSPECT

70.PLANNING. 2 MAP - PHASE IV REPORT (cont.)

RECOMMND

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Investigations Standard Scopes of Work posted on the TLMA website. The report shall include results of any feature relocation or residue analysis required as well as evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting.

70.PLANNING. 3 MAP - ARTIFACT DISPOSITION

RECOMMND

Prior to Grading Permit final, the developer shall prompt the archaeologist to provide evidence to the satisfaction of the County Archaeologist that all archaeological materials recovered during the archaeological investigations (this includes collections made during an earlier project, such as testing of archaeological sites that took place years ago), have been curated at the Western Science Center, a curation facility that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers and tribal members for further study. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid,

#### 80. PRIOR TO BLDG PRMT ISSUANCE

BS GRADE DEPARTMENT

80.BS GRADE. 1 MAP - NO B/PMT W/O G/PMT

RECOMMND

Prior to the issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the Building and Safety Department.

80.BS GRADE. 2 MAP - ROUGH GRADE APPROVAL

RECOMMND

Prior to the issuance of any building permit, the applicant shall obtain rough grade approval and/or approval to construct from the Building and Safety Department. The Building and Safety Department must approve the completed grading of your project before a building permit can be issued. Rough Grade approval can be accomplished by complying with the following:

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80. PRIOR TO BLDG PRMT ISSUANCE

80.BS GRADE. 2 MAP - ROUGH GRADE APPROVAL (cont.)

RECOMMND

- 1.Submitting a "Wet Signed" copy of the Soils Compaction Report containing substantiating data from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for his/her certification of the project.
- 2. Submitting a "Wet Signed" copy of the Rough Grade certification from a Registered Civil Engineer certifying that the grading was completed in conformance with the approved grading plan.
- 3. Requesting a Rough Grade Inspection and obtaining rough grade approval from a Riverside County inspector.
- 4. Rough Grade Only Permits: In addition to obtaining all required inspections and approval of all final reports, all sites permitted for rough grade only shall provide 100 percent vegetative coverage to stabilize the site prior to receiving a rough grade permit final.

Prior to release for building permit, the applicant shall have met all rough grade requirements to obtain Building and Safety Department clearance.

#### E HEALTH DEPARTMENT

80.E HEALTH. 1 USE - PERC TEST REQD

RECOMMND

A satisfactory detailed soils percolation report performed in accordance with the procedures outlined in the County of Riverside, Department of Environmental Health Technical Guidance Manual shall be required.

80.E HEALTH. 2 USE - SEPTIC PLOT PLAN

RECOMMND

A set of three detailed plans drawn to scale (1"=40' of the proposed subsurface sewage disposal system including the 100% expansion area is required.

80.E HEALTH. 3 USE - E.HEALTH CLEARANCE REQ.

RECOMMND

ENVIRONMENTAL HEALTH CLEARANCE IS REQUIRED PRIOR TO THE ISSUANCE OF THIS BUILDING PERMIT.

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#### 80. PRIOR TO BLDG PRMT ISSUANCE

EPD DEPARTMENT

80.EPD. 1

MAP - PERMANENT FENCE INSTALL

RECOMMND

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Prior to the issuance of a building permit, The areas mapped as "Preserved Drainage Area" and are outside of the mapped project footprint on Figure 4.3 of the document entitled "Determination of Biologically Equivalent or Superior Preservation, " dated July 21, 2015, updated February 8, 2016 and prepared by Gonzales Environmental Consulting, shall be permanently fenced for protection as open space according to the fencing plan approved by the Riverside County Environmental Programs Division (EPD). The fencing shall have a minimum height of five feet at its shortest point. Fence posts shall be no more than five feet apart. The fence design shall be such that a sphere with a diameter of three inches cannot pass through the plane of the fence at any point below the minimum height. EPD staff shall inspect the finished fence, and have sole discretion in determining whether the fence is consistent with the fencing plan.

#### FIRE DEPARTMENT

80.FIRE, 1

MAP-RESIDENTIAL FIRE SPRINKLER

RECOMMND

Residential fire sprinklers are required in all one and two family dwellings per the California Residental Code, California Building Code and the California Fire Code.

Contact the Riverside County Fire Department for the Residential Fire Sprinkler standard.

West County- Riverside Office 951-955-4777 East County- Palm Desert Office 760-863-8886

80.FIRE. 2

MAP-#50C-TRACT WATER VERIFICA

RECOMMND

The required water system, including all fire hydrant(s), shall be installed and accepted by the appropriate water agency and the Riverside County Fire Department prior to any combustible building material placed on an individual lot. Contact the Riverside County Fire Department to inspect the required fire flow, street signs, all weather surface, and all access and/or secondary.

Approved water plans must be a the job site.

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#### 80. PRIOR TO BLDG PRMT ISSUANCE

#### FLOOD RI DEPARTMENT

## 80.FLOOD RI. 2 MAP SUBMIT PLANS

RECOMMND

A copy of the improvement plans, grading plans, BMP improvement plans and any other necessary documentation along with supporting hydrologic and hydraulic calculations shall be submitted to the District for review. The plans must receive District approval prior to the issuance of building permits. All submittals shall be date stamped by the engineer and include a completed Flood Control Deposit Based Fee Worksheet and the appropriate plan check fee deposit.

# 80 FLOOD RI. 4 MAP SUBMIT FINAL WQMP

RECOMMND

A copy of the project specific WQMP shall be submitted to the District for review and approval.

#### 80.FLOOD RI. 5 MAP MOCKINGBIRD FEE

RECOMMND

This development is located within the Mockingbird Canyon area, and the Applicant has agreed to pay \$500.00 per lot to mitigate the effect of the impact upon drainage facilities caused by this development. A letter to the Board for this request and the signed Special Drainage Facility Agreement have been submitted to the District. The agreement between the Applicant and the County is required to be executed prior to any permit issuance or recordation of the final map.

Drainage fees shall be paid with cashier's check or money order only to the District at the time of the issuance of grading permits for the approved parcels or at the time of issuance of building permits if no grading permits are issued for the parcels.

## PLANNING DEPARTMENT

## 80.PLANNING. 1 MAP - ROOF MOUNTED EQUIPMENT

RECOMMND

Roof-mounted mechanical equipment shall not be permitted within the subdivision, however, solar equipment or any other energy saving devices shall be permitted with County Planning Department approval:

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#### 80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 2 MAP - UNDERGROUND UTILITIES

RECOMMND

All utility extensions within a lot shall be placed underground.

80.PLANNING. 5 MAP- PARKING SPACES

RECOMMND

Parking spaces are required in accordance with County Ordinance No. 348. All parking areas and driveways shall be surfaced with asphaltic concrete to current standards as approved by the Riverside County Department of Building and Safety.

80.PLANNING. 6 MAP - CONFORM FINAL SITE PLAN

DRAFT

Final clearance shall be obtained from the County Planning Department - Development Review Division stipulating that the building plans submitted conform to the approved Final Plan of Development.

80.PLANNING. 9 MAP - ACOUSTICAL STUDY

DRAFT

The land divider/permit holder shall cause an acoustical study to be performed by an acoustical engineer to establish appropriate mitigation measures

that shall be applied to individual dwelling units within the subdivision to reduce the first and second story ambient interior and exterior levels to 45 Ldn and 65 Ldn, respectively. The study shall be submitted, along with the appropriate fee, to the County Environmental Health Department - Industrial Hygiene Division for review and approval. The approved mitigation measures, if any, shall be forwarded from the Environmental Health Department to the County Department of Building and Safety and the County Planning Department for implementation into the final building plans.

80.PLANNING. 11 MAP- SCHOOL MITIGATION

RECOMMND

Impacts to the Riverside Unified School District shall be mitigated in accordance with California State law. Compliance with the school mitigation requirement shall be shown by the payment of the appropriate fees.

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#### 80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 12 MAP - FEE BALANCE

RECOMMND

Prior to issuance of building permits, the Planning Department shall determine if the deposit based fees are in a negative balance. If so, any outstanding fees shall be paid by the applicant/developer.

80 PLANNING. 14 MAP- ENTRY MONUMENT PLOT PLAN

RECOMMND

The land divider/permit holder shall file four (4) sets of an Entry Monument and Gate plot plan to the County Planning Department for review and approval. Said plan shall be submitted to the Department in the form of a plot plan application pursuant to County Ordinance No. 348, Section 18.30.a.(1) (Plot Plans not subject to the California Environmental Quality Act and not subject to review by any governmental agency other than the Planning Department), along with the current fee. The plan shall be in compliance with Section 18.12, and the TENTATIVE MAP conditions of approval.

The plot plan shall contain the following elements:

- 1. A color photosimulation of a frontal view of all/the entry monument(s) and gate(s) with landscaping.
- 2. A plot plan of the entry monuments) and/or gate(s) with landscaping drawn to an engineer's scale. If lighting is planned, the location of lights, their intended direction, and proposed power shall be indicated.
- 3. An irrigation plan for the entry monument(s) and/or gate(s)

NOTE: The requirements of this plot plan may be incorprorated with any minor plot plan required by the conditions of approval for this subdivision. However, this ENTRY MONUMENT nd GATES PLAN condition of approval shall be clearedd individually.

80 PLANNING. 15 MAP - MODEL HOME COMPLEX

RECOMMND

If the land developer is proposing a model nome complex a plot plan application shall be submitted to the County Planning Department pursuant to the County Ordinance No. 348 (Plot Plans not subject to the California Environmental Quality Act and not subject to review by any governmental agency other than the Planning Department), along with the

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#### 80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 15 MAP - MODEL HOME COMPLEX (cont.)

RECOMMND

current fee.

The Model Home Complex plot plan shall contain the following elements:

- 1. An engineer's scaled plan showing the model home lots, lot numbers, tract number, and north arrow.
- 2. Show front, side and rear yard setbacks:
- 3. Provide two dementioned off street parking spaces per model and one parking space for office use. The plan must have one accessible parking space.
- 4. Show detailed fencing plan including height and location.
- 5. Show typical model tour sign locations and elevation.
- 6. Six (6) sets of photographic or color laser prints (8" X 10") of the sample board and colored elevations shall be submitted for permaanent filing and agency distribution after the Plannning Department has reviewed and approved the sample board and colored elevations in accordance with the approved Design Manual and other applicable standards. All writing must be legible. Six (6) matrix sheets showing structure colors and texture schemes shall be submitted.
- 7. Provide a Model Home Complex landscape and irrigation plan.

NOTES: The Model Home Complex plot plan shall not be approved without Final Site Development Plan approval, or concurrent approval of both. See the Planning Department Model Home Complex application for detailed requirements.

The requirements of this plot plan may be incorporated with any minor plot plan required by the subdivision's conditions of approval. However, this MODEL HOME COMPLEX condition of approval shall be cleared individually.

80.PLANNING. 16 MAP - BUILDING SEPARATION 2

RECOMMND

Building separation between all buildings shall not be less than ten (10) feet. Additional encroachments are only allowed as permitted by County Ordinance No. 348.

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#### 80. PRIOR TO BLDG PRMT ISSUANCE

"80.PLANNING. 18 MAP\*- Walls/Fencing Plans

RECOMMND

The land divider/permit holder shall file seven (7) sets of a Wall/Fencing Plan to the County Planning Department for review and approval. Said plan shall be submitted to the Department in the form of a plot plan application pursuant to County Ordinance No. 348, (Plot Plans not subject to the California Environmental Quality Act and not subject to review by any governmental agency other than the Planning Department), along with the current fee. The plan shall be in compliance with Ordinance No. 348 and the TENTATIVE MAP conditions of approval.

- A. The plan shall show all project fencing including, but not limited to, perimeter fencing, side and rear yard fencing, and open space or park fencing. A typical frontal view of all fences shall be shown on the fencing plan.
- B. All utility service areas and enclosures shall be screened from view with landscaping or decorative barriers or baffle treatments, as approved by the Planning Department.
- C. All wood fencing shall be treated with heavy oil stain to match the natural shade to prevent bleaching from irrigation spray.
- D. Front yard return walls shall be constructed of masonry slump stone or material of similar appearance, maintenance, and structural durability) and shall be a minimum of five feet in height.
- E. Side yard gates are required on one side of front yard, and shall be constructed of wrought iron, wood, vinyl or tubular steel. Side and rear yard fencing shall be masonry, slump stone or other material of similar appearance, maintenance, and structural durability. Chain link fencing is not permitted. All construction must be of good quality and sufficient durability with an approved stain and/or sealant to minimize water staining. (Applicants shall provide specifications that shall be approved by the Planning Department).
- F. All new residences constructed on lots of less than 20,000 square feet shall include rear and side yard fencing constructed of masonry block that is a minimum of five (5) feet in height. The maximum height of walls or fencing shall be six (6) feet in height. In the desert areas, block

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80.PLANNING. 18

80. PRIOR TO BLDG PRMT ISSUANCE

MAP\*- Walls/Fencing Plans (cont.)

RECOMMND

walls are discouraged on the perimeter in favor of increased setbacks with extensive drought tolerant landscaping, berms and fencing such as split rails.

- G. xcept for the desert areas, all lots having rear and/or side yards facing local streets or otherwise open to public view shall have fences or walls constructed of decorative block.
- H. Corner lots shall be constructed with wrap-around decorative block wall returns. (Note: exceptions for the desert area discussed above.)
- I. Side yard gates are required on one side of the home and shall be constructed of powder-coated wrought iron or tubular steel.
- J. Wrought iron or tubular steel fence sections may be included within tracts where view opportunities and/or terrain warrant its use. Where privacy of views is not an issue, tubular steel or wrought iron sections should be constructed in perimeter walls in order to take advantage of casual view opportunities.

TRANS DEPARTMENT

80.TRANS. 1 MAP - ANNEX L&LMD/OTHER DIST

RECOMMND

Prior to issuance of an occupancy permit, the project proponent shall complete annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, and/or other maintenance district approved by the Transportation Department for continuous maintenance within public road rights-of-way, in accordance with Ordinance 461, Comprehensive Landscaping Guidelines & Standards, and Ordinance 859. Said annexation should include the following:

- (1) Landscaping along Van Buren Boulevard.
- (2) Streetlights.
- (3) Traffic signals located on Van Buren Boulevard at intersection of Whispering Spur Drive (Canyon View Drive).

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#### 80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 1 MAP - ANNEX L&LMD/OTHER DIST (cont.)

RECOMMND

- (4) Graffiti abatement of walls and other permanent structures along Van Buren Boulevard.
- (5) Street sweeping.

## 80 TRANS. 2 MAP - LC LANDSCAPE PLOT PLAN

RECOMMND

Prior to issuance of building permits, the developer/permit holder shall file a Landscaping Minor Plot Plan Application to the Riverside County Transportation Department for review and approval along with the current fee. The landscaping plans shall be in conformance with the APPROVED EXHIBITS; in compliance with Ordinance No. 348, Section 18.12; Ordinance No. 859; and, be prepared consistent with the County of Riverside Guide to California Friendly Landscaping. At minimum, plans shall include the following components:

- 1) Landscape and irrigation working drawings "stamped" by a California certified landscape architect;
- 2) Weather based controllers and necessary components to eliminate water waste;
- 3) A copy of the "stamped" approved grading plans; and,
- 4) Emphasis on native and drought tolerant species. When applicable, plans shall include the following components:
- 1) Identification of all common/open space areas;
- 2) Natural open space areas and those regulated/conserved by the prevailing MSHCP;
- 3) Shading plans for projects that include parking lots/areas;
- 4) The use of canopy trees (24" box or greater) within the parking areas;
- 5) Landscaping plans for slopes exceeding 3 feet in height;
- 6) Landscaping and irrigation plans associated with entry monuments. All monument locations and dimensions shall be provided on the plan; and/or,
- 7) If this is a phased development, then a copy of the approved phasing plan shall be submitted for reference. NOTE:
- 1) Landscaping plans for areas within the road right-of-way shall be submitted for review and approval by the Transportation Department only.
- 2)When the Landscaping Plot Plan is located within a special district such as Valley-Wide Recreation and Park District, Jurupa Community Services District, Coachella Valley Water District, a County Service Area (CSA) or other

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#### 80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 2 MAP - LC LANDSCAPE PLOT PLAN (cont.) RECOMMND

maintenance district, the developer/permit holder shall submit plans for review to the appropriate special district for simultaneous review. The permit holder shall show evidence to the Transportation Department that the subject District has approved said plans.

As part of the plan check review process and request for condition clearance, the developer/permit holder shall show proof of the approved landscaping plot plan by providing the Plot Plan number. The Transportation department shall verify the landscape route is approved and the Plot Plan is in TENTAPPR status. Upon verification of compliance with this condition and the APPROVED EXHIBITS, the Transportation Department shall clear this condition.

80 TRANS. 3

MAP - LC LANDSCAPE SECURITIES

RECOMMND

Prior to the issuance of building permits, the developer/permit holder shall submit an estimate to replace plantings, irrigation systems, ornamental landscape elements, walls and/or fences, in amounts to be approved by the Riverside County Transportation Department, Landscape Division. Once the Transportation Department has approved the estimate, the developer/permit holder shall submit the estimate to the Riverside County Department of Building and Safety who will then provide the developer/permit holder with the requisite forms. The required forms shall be completed and submitted to Building and Safety for processing and review in conjunction with County Counsel. Upon determination of compliance, the Department of Building and Safety shall clear this condition.

#### NOTE:

A cash security shall be required when the estimated cost is \$2,500.00 or less. It is highly encouraged to allow adequate time to ensure that securities are in place. The performance security shall be released following a successful completion of the One Year Post-Establishment Inspection, and the inspection report confirms that the planting and irrigation components are thriving and in good working order consistent with the approved landscaping plans.

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#### 80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 4

MAP - LC LNDSCPNG PROJ SPECIFC

RECOMMND

In addition to the requirements of the Landscape and Irrigation Plan submittal, the following project specific conditions shall be imposed:

- 1. Typical Front Yard landscaping plans (construction document level package) shall be submitted to Planning/Transportation Departments for approval. Front yards shall not have turf lawns.
- 2.Common areas and open space landscaping plans (construction document level package) shall be submitted to Planning/Transportation Departments for approval.
- 3.Project shall comply with the latest version of Ord. 859.3 or later with an ETo of .50, or less. Project shall comply with the latest State Model Water Efficient Landscape Ordinance. Project shall comply with the local servicing water purveyor/district/company landscape requirements including those related to recycled water. 4.Project shall prepare water use calculations as outlined in Ord 589.3.
- 5.Project shall use point source irrigation type, except as needed within stormwater BMP areas as noted in an approved WOMP document.
- 6.Trees shall be hydrozoned separately.
- 7. Hydroseeding is not permitted in stormwater BMP areas, container stock will be required.
- 8. Project shall use County standard details for which the application is available in County Standard Detail Format.
- 9. Monuments, boulders, and fan palms shall be located outside the County Maintained Road Right-of-Way.
- 10.Plant species noted in MSHCP documents shall not be used if MSHCP areas are adjacent to the project.
- 11.Landscape improvements located within County maintained ROW (Van Buren Blvd) shall be annexed and design/installed per LLMD 89-1-C/CFD standards

#### WASTE DEPARTMENT

80.WASTE. 1

MAP - WASTE RECYCLE PLAN (WRP)

RECOMMND

Prior to building permit issuance, a Waste Recycling Plan (WRP) shall be submitted to the Riverside County Department of Waste Resources for approval. At a minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that will be generated by construction

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#### 80. PRIOR TO BLDG PRMT ISSUANCE

80.WASTE. 1 MAP - WASTE RECYCLE PLAN (WRP) (cont.)

RECOMMND

and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During project construction, the project site shall have, at a minimum, two (2) bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.

#### 90 PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 1 MAP - WOMP BMP INSPECTION

RECOMMND

Prior to final building inspection, the applicant shall obtain inspection of all treatment control BMPs and/or clearance from the Building and Safety Department. All structural BMPs described in the project - specific WQMP and indicated on the approved grading plan shall be constructed and installed in conformance with the approved plans and specifications. The Building and Safety Department must inspect and approve the completed WQMP treatment control BMPs for your project before a building final can be obtained.

90.BS GRADE. 2 MAP - WQMP BMP CERT REQ'D

RECOMMND

Prior to final building inspection, the applicant/owner shall submit a "Wet Signed" copy of the Water Quality Management Plan (WQMP) Certification from a Registered Civil Engineer certifying that the project - specific WQMP treatment control BMPs have been installed in accordance with the approved WQMP.

90 BS GRADE. 3 MAP - BMP GPS COORDINATES

RECOMMND

Prior to final building inspection, the applicant/owner shall provide the Department of Building Safety with GPS coordinates for the location of the project - specific WQMP treatment control BMPs.

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#### 90. PRIOR TO BLDG FINAL INSPECTION

90.BS GRADE. 4 MAP - WQMP BMP REGISTRATION

RECOMMND

Prior to final building inspection, the applicant/owner shall register the project - specific WQMP treatment control BMPs with the Department of Building Safety Business Registration Division. Any person or entity that owns or operates a facility conditioned to install WQMP treatment control BMPs shall register such facility for annual inspections.

90.BS GRADE. 5 MAP - WOMP ANNUAL INSP FEE

RECOMMND

Prior to final building inspection, the applicant shall make payment to the Building and Safety Department for the Water Quality Management Plan (WQMP) Annual Inspection.

90.BS GRADE. 6 MAP - REQ'D GRDG INSP'S

RECOMMND

The developer / applicant shall be responsible for obtaining the following inspections required by Ordinance 457.

- 1. Precise grade inspection.
- a.Precise Grade Inspection can include but is not limited to the following:
- 1. Installation of slope planting and permanent irrigation on required slopes.
- 2. Completion of drainage swales, berms and required drainage away from foundation.
- b. Inspection of completed onsite drainage facilities
- c. Inspection of the WQMP treatment control BMPs

#### 90.BS GRADE. 7 MAP - PRECISE GRDG APPROVAL

RECOMMND

Prior to final building inspection, the applicant shall obtain precise grade approval and/or clearance from the Building and Safety Department. The Building and Safety Department must approve the precise grading of your project before a building final can be obtained. Precise Grade approval can be accomplished by complying with the following:

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#### 90. PRIOR TO BLDG FINAL INSPECTION

90.BS GRADE. 7 MAP - PRECISE GRDG APPROVAL (cont.)

RECOMMND

- 1. Requesting and obtaining approval of all required grading inspections.
- 2. Submitting a "Wet Signed" copy of the Precise (Final) Grade Certification for all lots included in the grading permit from a Registered Civil Engineer certifying that the precise grading was completed in conformance with the approved grading plan.
- 3.Submitting a "Wet Signed" copy of the Certification certifying the installation of any onsite storm drain systems not inspected by Riverside County Flood Control District or the Riverside County Transportation Department.
- 4. Submitting a "Wet Signed" copy of the Water Quality Management Plan (WQMP) Certification from a Registered Civil Engineer certifying that the Water Quality Management Plan treatment control BMPs have been installed in accordance with the approved WQMP.

Prior to release for building final, the applicant shall have met all precise grade requirements to obtain Building and Safety Department clearance.

#### FIRE DEPARTMENT

90.FIRE. 1 MAP - FIRE SPRINKLER SYSTEM

INEFFECT

Fire sprinkler systems are required in all new one and two family dwellings. Plans shall be submitted to the Fire Department for review and approval prior to fire sprinkler installation.

#### FLOOD RI DEPARTMENT

90.FLOOD RI. 2 MAP BMP - EDUCATION

RECOMMND

The developer shall distribute environmental awareness education materials on general good housekeeping practices that contribute to protection of stormwater quality to all initial residents. The developer may obtain NPDES Public Educational Program materials from the District's website: www.rcwatershed.org/about/materials-library.

The developer must provide to the District's Plan Check Department a notarized affidavit stating that the

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#### 90. PRIOR TO BLDG FINAL INSPECTION

90.FLOOD RI. 2 MAP BMP - EDUCATION (cont.)

RECOMMND

distribution of educational materials to the tenants is assured prior to the issuance of occupancy permits.

1. CA ...

If conditioned for a Water Quality Management Report (WQMP), a copy of the notarized affidavit must be placed in the report. The District MUST also receive the original notarized affidavit with the plan check submittal in order to clear the appropriate condition. Placing a copy of the affidavit without submitting the original will not guarantee clearance of the condition.

#### 90 FLOOD RI. 3 MAP IMPLEMENT WOMP

RECOMMND

All structural BMPs described in the project-specific WQMP shall be constructed and installed in conformance with approved plans and specifications. It shall be demonstrated that the applicant is prepared to implement all non-structural BMPs described in the approved project specific WQMP and that copies of the approved project-specific WQMP are available for the future owners/occupants. The District will not release occupancy permits for any portion of the project exceeding 80% of the total recorded residential lots within the map or phase within the map prior to the completion of these tasks.

#### PLANNING DEPARTMENT

## 90.PLANNING. 1 MAP- BLOCK WALL ANTIGRAFFITI

RECOMMND

The land divider/permit holder shall construct a [six (6)]eight (8)] foot double sided split face tan block wall around the east, west and north boundry lines of the subject property and between each property. There shall be no precision block walls or one sided split face block walls. The required walls shall be subject to the approval of the County Department of Building and Safety. An anti-graffiti coating shall be provided on all block walls, and written verification from the developer shall be provided to both the TLMA - Land Use Division, and the Development Review Division.

#### 90 PLANNING. 2 MAP- FENCE REQUIRED

RECOMMND

The land divider/permit holder shall construct six (6) foot high precision, split face walls and tube steel fencing as shown on the Conceptual Master Landscape Plan

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## 90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 2 MAP- FENCE REQUIRED (cont.)

RECOMMND

for TENTATIVE TRACT MAP. The required wall and fence plan shall be subject to the approval of the County Department of Building and Safety.

90 PLANNING. 3 MAP- QUIMBY FEES (2)

RECOMMND

If a district, agency or other authority is created to collect Quimby Fees applicable to the project's area, the land divider/permit holder shall present certification to the Riverside County Planning Department that payment of parks and recreation fees and/or dedication of land for park use in accordance with County Ordinance No. 460 has taken place. If no such authority is in effect at map recordation, this condition shall not apply.

90 PLANNING. 4 MAP - CONCRETE DRIVEWAYS

RECOMMND

The land divider/permit holder shall cause all driveways to be constructed of cement concrete.

90 PLANNING. 5 MAP - FENCING COMPLIANCE

RECOMMND

Walls and Fencing shall be provided throughout the subdivision in accordance with the approved final site development plans.

90 PLANNING, 10 MAP- SKR FEE CONDITION

RECOMMND

Prior to the issuance of a certificate of occupancy, or upon building permit final inspection, whichever comes first, the land divider/permit holder shall comply with the provisions of Riverside County Ordinance No. 663, which generally requires the payment of the appropriate fee set forth in that ordinance. The amount of the fee required to be paid may vary, depending upon a variety of factors, including the type of development application submitted and the applicability of any fee reduction or exemption provisions contained in Riverside County Ordinance No. 663. Said fee shall be calculated on the approved development project which is anticipated to be 38.3 acres (gross) in accordance with TENTATIVE MAP. If the development is subsequently revised, this acreage amount may be modified in order to reflect the revised development project acreage amount.

# Riverside County LMS CONDITIONS OF APPROVAL

Page: 73

TRACT MAP Tract #: TR36813

Parcel: 273-450-019

#### 90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 11 MAP- MITIGATION MONITORING

RECOMMND

The land divider/permit holder shall prepare and submit a written report to the Riverside County Planning Department demonstrating compliance with all these conditions of approval and mitigation measures of this permit and

Environmental Assessment No. 42694.

The Planning Director may require inspection or other monitoring to ensure such compliance.

90 PLANNING. 12 MAP- ROLL-UP GARAGE DOORS

RECOMMND

All residences shall have automatic roll-up garage doors.

TRANS DEPARTMENT

90.TRANS. 1 MAP - WRCOG TUMF

RECOMMND

Prior to the issuance of an occupancy permit, the project proponent shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 824:

90.TRANS. 2 MAP - STREETLIGHTS INSTALL

RECOMMND

Install streetlights along the streets associated with development in accordance with the approved street lighting plan and standards of County Ordinance 460 and 461. Streetlight annexation into L&LMD or similar mechanism as approved by the Transportation Department shall be completed.

It shall be the responsibility of the Developer to ensure that streetlights are energized along the streets of those lots where the Developer is seeking Building Final Inspection (Occupancy).

90.TRANS. 4 MAP - UTILITY INSTALL

RECOMMND

Electrical power, telephone, communication, street lighting, and cable television lines shall be placed underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department. This also applies to existing overhead lines which are 33.6 kilovolts or below along the project frontage and between the nearest poles offsite in each direction of the project site.

## Riverside County LMS CONDITIONS OF APPROVAL

Page: 74

TRACT MAP Tract #: TR36813

Parcel: 273-450-019

#### 90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 4

MAP - UTILITY INSTALL (cont.)

RECOMMND

A certificate should be obtained from the pertinent utility company and submitted to the Department of Transportation as proof of completion.

Commence of the second

90 TRANS. 4

MAP - 80% COMPLETION

RECOMMND

Occupancy releases will not be issued to Building and Safety for any lot exceeding 80% of the total recorded residential lots within any map or phase of map prior to completion of the following improvements:

- a) Primary and Alternate (secondary) access roads shall be completed and paved to finish grade according to the limits indicated in the improvement plans and as noted elsewhere in these conditions.
- Interior roads shall be completed and paved to finish grade according to the limits indicated in the improvement plans and as noted elsewhere in these conditions. All curbs, gutters, sidewalks and driveway approaches shall be installed. The final lift of Asphalt Concrete on interior streets shall be placed prior to the release of the final 20% of homes or the production models or at any time when construction of new homes within the development has stopped. The developer shall be required to cap pave in front of occupied homes up to the nearest capped street within the tract boundary. The subdivision will remain responsible for the maintenance of these facilities until all improvements within the tract boundary shall be completed and accepted into the County maintained system.
- c) Storm drains and flood control facilities shall be completed according to the improvement plans and as noted elsewhere in these conditions. Written confirmation of acceptance for use by the Flood Control District, if applicable, is required.
- d) Water system, including fire hydrants, shall be installed and operational, according to the improvement plans and as noted elsewhere in these conditions. All water valves shall be raised to

# Riverside County LMS CONDITIONS OF APPROVAL

Page: 75

TRACT MAP Tract #: TR36813

Parcel: 273-450-019

## 90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 4

MAP - 80% COMPLETION (cont.)

RECOMMND

pavement finished grade. Written confirmation of acceptance from water purveyor is required.

- e) Sewer system shall be installed and operational, according to the improvement plans and as noted elsewhere in these conditions. All sewer manholes shall be raised to pavement finished grade. Written confirmation of acceptance from sewer purveyor is required.
- f) Landscaping and irrigation, water and electrical systems shall be installed and operational in accordance with County Ordinance 461.

90 TRANS 5

MAP - LANDSCAPING

RECOMMND

The project proponent shall comply in accordance with landscaping requirements within public road rights-of-way, (or within easements adjacent to the public rights-of-way), in accordance with Ordinance 461, Comprehensive Landscaping Guidelines & Standards, and Ordinance 859.

Landscaping shall be improved within Van Buren Boulevard.

90 TRANS. 6

MAP - LC LNDSCP INSPECT DEPOST

RECOMMND

Prior to building permit final inspection, the developer/permit holder shall file an Inspection Request Form and deposit sufficient funds to cover the costs of the Pre-Installation, the Installation, and One Year Post-Establishment landscape inspections. In the event that an open landscape case is not available, then the applicant shall open a FEE ONLY case to conduct inspections. The deposit required for landscape inspections shall be determined by the Riverside County Landscape Division. The Transportation Department shall clear this condition upon determination of compliance.

90 TRANS. 7

MAP - LNDSCPE INSPCTN RQRMNTS

RECOMMND

The permit holder's landscape architect responsible for preparing the Landscaping and Irrigation Plans (or on-site representative) shall arrange for a INSTALLATION INSPECTION with the Transportation Department at least five (5) working days prior to the installation of any landscape or irrigation components.

# Riverside County LMS CONDITIONS OF APPROVAL

Page: 76

TRACT MAP Tract #: TR36813

11.00

Parcel: 273-450-019

#### 90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 7

MAP - LNDSCPE INSPCTN RQRMNTS (cont.)

RECOMMND

Upon successful completion of the INSTALLATION INSPECTION, the applicant will arrange for an 6th month INSTALLATION INSPECTION at least five 5 working days prior to the building final inspection or issuance of occupancy permit, whichever occurs first and comply with the Transportation Department's Milestone 80 conditions entitled "USE-LANDSCAPING SECURITY" and the Milestone 90 condition entitled "LANDSCAPE INSPECTION DEPOSIT." Upon successful completion of the INSTALLATION INSPECTION, the County Transportation Department's Landscape Inspector and the permit holder's landscape architect (or on-site representative) shall execute a Landscape Certificate of Completion that shall be submitted to the Transportation Department and the Department of Building and Safety. The Transportation Department shall clear this condition upon determination of compliance.

90.TRANS. 8

MAP - LC COMPLY W/ LNDSCP/ IRR

RECOMMND

The developer/permit holder shall coordinate with their designated landscape representative and the Riverside County Transportation Department's landscape inspector to ensure all landscape planting and irrigation systems have been installed in accordance with APPROVED EXHIBITS, landscaping, irrigation, and shading plans. Transportation Department will ensure that all landscaping is healthy, free of weeds, disease and pests; and, irrigation systems are properly constructed and determined to be in good working order. The developer/permit holder's designated landscape representative and the Riverside County Transportation Department's landscape inspector shall determine compliance with this condition and execute a Landscape Certificate of Completion. Upon determination of compliance, the Transportation Department shall clear this condition.

WASTE DEPARTMENT

90.WASTE. 1

MAP - WASTE REPORTING FORM

RECOMMND

Prior to building final inspection, evidence (i.e., receipts or other types of verification) to demonstrate project compliance with the approved Waste Reporting Plan (WRP) shall be presented by the project proponent to the Planning Division of the Riverside County Department

# Riverside County LMS CONDITIONS OF APPROVAL

Page: 77

TRACT MAP Tract #: TR36813

Parcel: 273-450-019

#### 90. PRIOR TO BLDG FINAL INSPECTION

90.WASTE. 1 MAP - WASTE REPORTING FORM (cont.)

RECOMMND

of Waste Resources. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled.

# LAND DEVELOPMENT COMMITTEE INITIAL CASE TRANSMITTAL RIVERSIDE COUNTY PLANNING DEPARTMENT - RIVERSIDE P.O. Box 1409

Riverside, CA 92502-1409

DATE: January 7, 2015

#### TO:

Riv. Co. Transportation Dept. Riv. Co. Environmental Health Dept.

Riv. Co. Fire Department

Riv. Co. Building & Safety – Grading Riv. Co. Building & Safety – Plan Check

Regional Parks & Open Space District. Riv. Co. Environmental Programs Dept. P.D. Geology Section-D. Jones P.D. Landscaping Section-M. Hughes

Riv. Co. Surveyor – B. Robinson
Riv. Co. Waste Management Dept.

County Service Area No. 149 c/o EDA

1st District Supervisor

1st District Planning Commissioner

City of Riverside

Riverside Unified School District Western Municipal Water Dist. Southern California Edison

Southern California Gas Co.

# GENERAL PLAN AMENDMENT NO. 1140, CHANGE OF ZONE NO. 7857, AND TENTATIVE TRACT MAP NO.

36813 – EA42694 – Applicant: Peter Pitassi – Engineer/Representative: Rick Engineering Company – First Supervisorial District – Lake Mathews Zoning District – Lake Mathews/Woodcrest Area Plan: Rural Community: Very Low Density Residential (RC:VLDR) (1 Acre Minimum) – Location: Northerly side of Van Buren Blvd, easterly of Pick Place, and westerly of Whispering Spur Street – 38.3 Gross Acres – Zoning: One-Family Dwellings – 1 Acre Minimum (R-1-1), Residential Agricultural – 1 Acre Minimum (R-A-1), and Residential Agricultural – 5 Acre Minimum (R-A-5) – REQUEST: The General Plan Amendment proposes to amend the General Plan Land Use Designation from Rural Community: Very Low Density Residential (RC: VLDR) (1 Acre Minimum) to Rural Community: Low Density Residential (RC: LDR) (½ Acre Minimum). The Change of Zone proposes to change the site's zoning from One-Family Dwellings – 1 Acre Minimum (R-A-1), Residential Agricultural – 1 Acre Minimum (R-A-1), and Residential Agricultural – 5 Acre Minimum (R-A-5) to One Family Dwellings (R-1). The Tentative Tract Map is a Schedule B subdivision of 38.3 acres into 41 residential lots with a minimum 0.5 acre lot size, and three (3) lettered lots for water quality detention basin, emergency access, and drainage. – APNs: 273-450-002, 003, 017, 018, and 019

Please review the attached map(s) and/or exhibit(s) for the above-described project. This case is scheduled for a <u>LDC meeting on January 29, 2015</u>. All LDC Members please have draft conditions in the Land Management System on or before the above date. If it is determined that the attached map(s) and/or exhibit(s) are not acceptable, please have corrections in the system and DENY the routing on or before the above date. Once the route is complete, and the approval screen is approved with or without corrections, the case can be scheduled for a public hearing.

All other transmitted entities, please have your comments, questions and recommendations to the Planning Department on or before the above date. Your comments/recommendations/conditions are requested so that they may be incorporated in the staff report for this particular case.

Should you have any questions regarding this project, please do not hesitate to contact **Damaris Abraham**, Project Planner, at (951) 955-5719 or email at <a href="mailto:dabraham@rctlma.org">dabraham@rctlma.org</a> / **MAILSTOP# 1070**.

COMMENTS:

DATE:	SIGNATURE:	
PLEASE PRINT NAME AND TITLE:		
TELEPHONE:		

If you do not include this transmittal in your response, please include a reference to the case number and project planner's name. Thank you.

# ROALUG J

# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

July 17, 2017

Ms. Deborah Bradford, Project Planner County of Riverside Planning Department 4080 Lemon Street, 12<sup>th</sup> Floor

Riverside CA 92501

(VIA HAND DELIVERY)

VICE CHAIRMAN Steve Manos Lake Elsinore

Rod Ballance

CHAIR

COMMISSIONERS

Arthur Butler Riverside

> John Lyon Riverside

Glen Holmes Hemet

Russell Betts Desert Hot Springs

> Steven Stewart Palm Springs

> > 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.rcatuc.org

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW – REVISED DIRECTOR'S DETERMINATION – Revised Director's determination based on the new proposed zoning of R-1 One-Family Dwellings submitted by the applicant/Riverside County Planning

File No.: ZAP1263MA17 – Letter 1 of 2 Related File No.: CZ7857 (Change of Zone)

APNs: 273-450-002, -003, -017, -018, -019

Dear Ms. Bradford:

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 County of Riverside Case No. CZ7857 (Change of Zone), a proposal to change the zoning on 38.3 acres designated Rural Community: Very Low Density Residential on the Lake Mathews/Woodcrest Area Plan located northerly of Van Buren Boulevard, westerly of Whispering Spur Lane, and easterly of Pick Place from R-1-1, R-A-1, and R-A-5 to R-1-½, R-1-1, and R-1-2. R-1 (One-Family Dwellings).

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 Airport Land Use Compatibility Plan, residential density is not restricted.

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.

This finding of consistency relates to airport compatibility issues and does not necessarily constitute an endorsement of the proposed Change of Zone. As the site is located within Compatibility Zone E, both the existing and proposed zoning of this property are consistent with the March ALUCP.

If you have any questions, please contact Paul Rull, ALUC Urban Regional Planner IV, at (951) 955-6893 or John Guerin, ALUC Principal Planner, at (951) 955-0982.

Sincerely,

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

# AIRPORT LAND USE COMMISSION

Simon A. Housman, ALUC Director

Attachments: Notice of Airport in Vicinity

cc: Van Buren Hills, LLC (Attn.: Charlene Kussner) (applicant/landowner)

Gary Gosliga, Airport Manager, March Inland Port Airport Authority

Denise Hauser or Daniel Rockholt, March Air Reserve Base

ALUC Case File

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SEC. 27, T. 3S., R. 5W S. B. B. & M. C BOX SPRINGS FEEDER 22 & VAN BUREN BLVD LEGEND ONE-FAMILY DWELLINGS R-1MAP NO. CHANGE OF OFFICIAL ZONING PLAN LAKE MATTHEWS DISTRICT CHANGE OF ZONE CASE NO. 07857 AMENDING ORDINANCE NO. 348 ADOPTED BY ORDINANCE NO. 348.XXXX \_ , 2017 RIVERSIDE COUNTY BOARD OF SUPERVISORS APN 273-450-002, 273-450-003, 273-450-017, 273-450-018, 273-450-019

PLOT DATE: 01-MAY-2017

JR 17140A

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# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

June 8, 2017

Ms. Deborah Bradford, Project Planner

County of Riverside Planning Department

4080 Lemon Street, 12th Floor

Riverside CA 92501

(VIA HAND DELIVERY)

VICE CHAIRMAN Steve Manos Lake Elsinore

CHAIR

Riverside

Rod Ballance

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW –

DIRECTOR'S DETERMINATION

Arthur Buffer Riverside

COMMISSIONERS

File No.: ZAP1263MA17 – Letter 1 of 2 Related File No.: CZ7857 (Change of Zone)

John Lyon Riverside 273-450-002, -003, -017, -018, -019

Glen Holmes Hemet

Dear Ms. Bradford:

APNs:

Russeil Betts **Desert Hot Springs** 

Steven Stewart Palm Springs

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 ALUC Resolution No.15-01 (as adopted on August 13, 2015), staff reviewed County of Riverside Case No. CZ7857 (Change of Zone), a proposal to change the zoning on 38.3 acres designated Rural Community: Very Low Density Residential on the Lake Mathews/Woodcrest Area Plan located northerly of Van Buren Boulevard, westerly of Whispering Spur Lane, and easterly of Pick Place from R-1-1, R-A-1, and R-A-5 to R-1-1/2, R-1-1, and R-1-2.

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 Airport Land Use Compatibility Plan, residential density is not restricted.

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.

www.realuc.org

This finding of consistency relates to airport compatibility issues and does not necessarily constitute an endorsement of the proposed Change of Zone. As the site is located within Compatibility Zone E, both the existing and proposed zoning of this property are consistent with the March ALUCP.

If you have any questions, please contact Paul Rull, ALUC Urban Regional Planner IV, at (951) 955-6893 or John Guerin, ALUC Principal Planner, at (951) 955-0982.

Sincerely,

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Simon A. Housman, ALUC Director

# **AIRPORT LAND USE COMMISSION**

Attachments: Notice of Airport in Vicinity

ce: Van Buren Hills, LLC (Attn.: Charlene Kussner) (applicant/landowner)

Gary Gosliga, Airport Manager, March Inland Port Airport Authority

Denise Hauser or Daniel Rockholt, March Air Reserve Base

ALUC Case File

Y:\AIRPORT CASE FILES\March\ZAP1263MA17\ZAP1263MA17.CZLTR.doc



# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

June 8, 2017

Ms. Deborah Bradford, Project Planner County of Riverside Planning Department 4080 Lemon Street, 12<sup>th</sup> Floor Riverside CA 92501 (VIA HAND DELIVERY)

Rod Ballance Riverside VICE CHAIRMAN Steve Manos

Lake Elsinore

**CHAIR** 

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

COMMISSIONERS

Arthur Butler Riverside

> John Lyon Riverside

Glen Holmes Hemet

Russell Betts Desert Hot Springs

> Steven Stewart Palm Springs

> > STAFF

Director Simon Housman

John Guerin Paul Rull Barbara Santos

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

www.rcaluc.org

CTOR'S DETERMINATION

File No.: ZAP1263MA17 – Letter 2 of 2 Related File No.: TR36813 (Tentative Tract Map)

273-450-002, -003, -017, -018, -019

Dear Ms. Bradford:

APNs:

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. TR36813 (Tentative Tract Map No. 36813), a proposal to subdivide 38.3 acres located within the boundaries if the Lake Mathews/Woodcrest Area Plan, northerly of Van Buren Boulevard, westerly of Whispering Spur Lane, and easterly of Pick Place, into 38 single-family residential lots.

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 Airport Land Use Compatibility Plan, residential density is not restricted.

The elevation of the site is more than 500 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 20,000 feet from the runway at Riverside Municipal Airport. 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 County of Riverside applies the following recommended 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

### AIRPORT LAND USE COMMISSION

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 proposed lots and to tenants of the homes thereon.
- 4. Any new aboveground detention or water quality basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention/water quality 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 Urban Regional Planner IV, at (951) 955-6893 or John Guerin, ALUC Principal Planner, at (951) 955-0982.

Sincerely,

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Simon A. Housman, ALUC Director

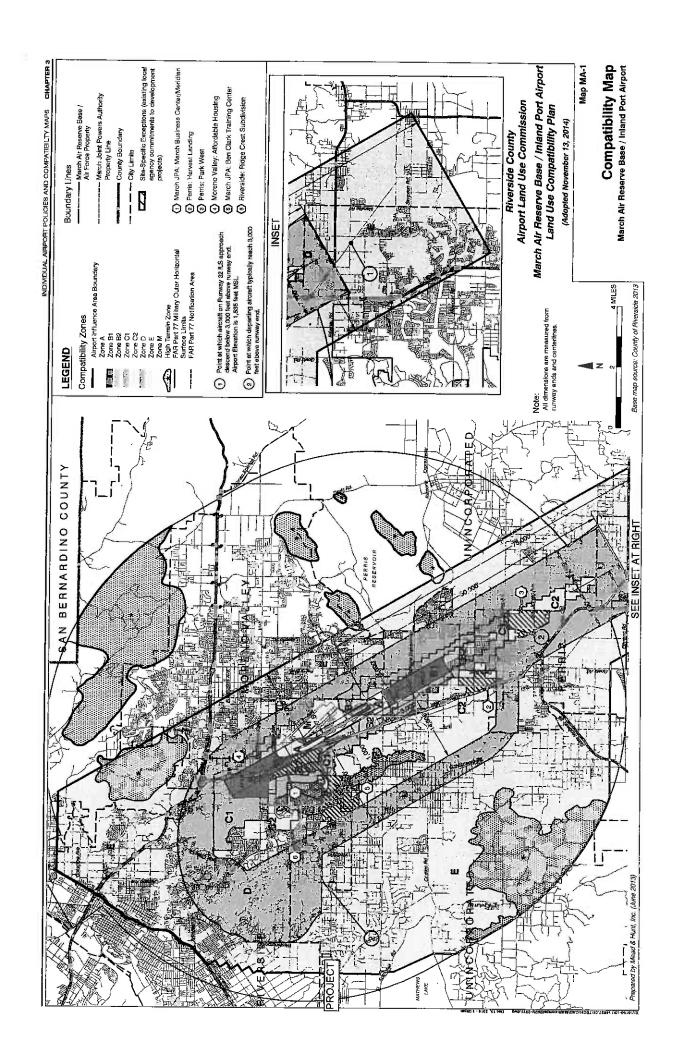
Attachments: Notice of Airport in Vicinity

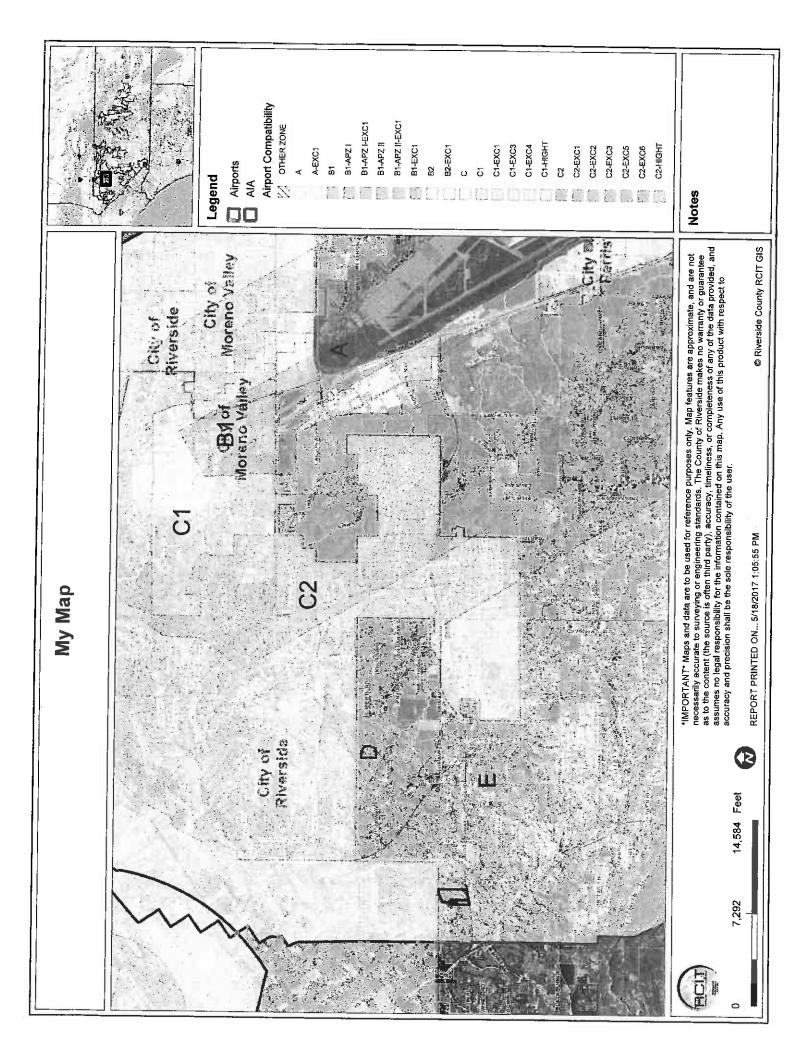
cc: Van Buren Hills, LLC (Attn.: Charlene Kussner) (applicant/landowner)
Gary Gosliga, Airport Manager, March Inland Port Airport Authority
Denise Hauser or Daniel Rockholt, March Air Reserve Base
ALUC Case File

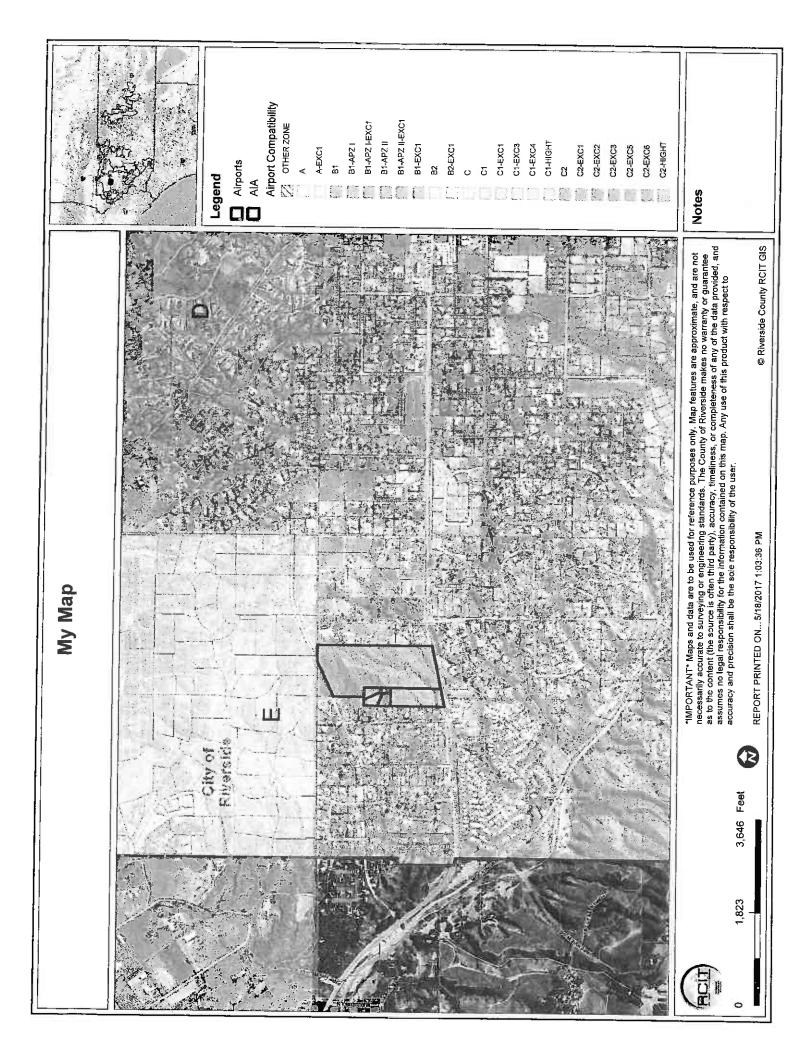
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# NOTICE OF AIRPORT IN

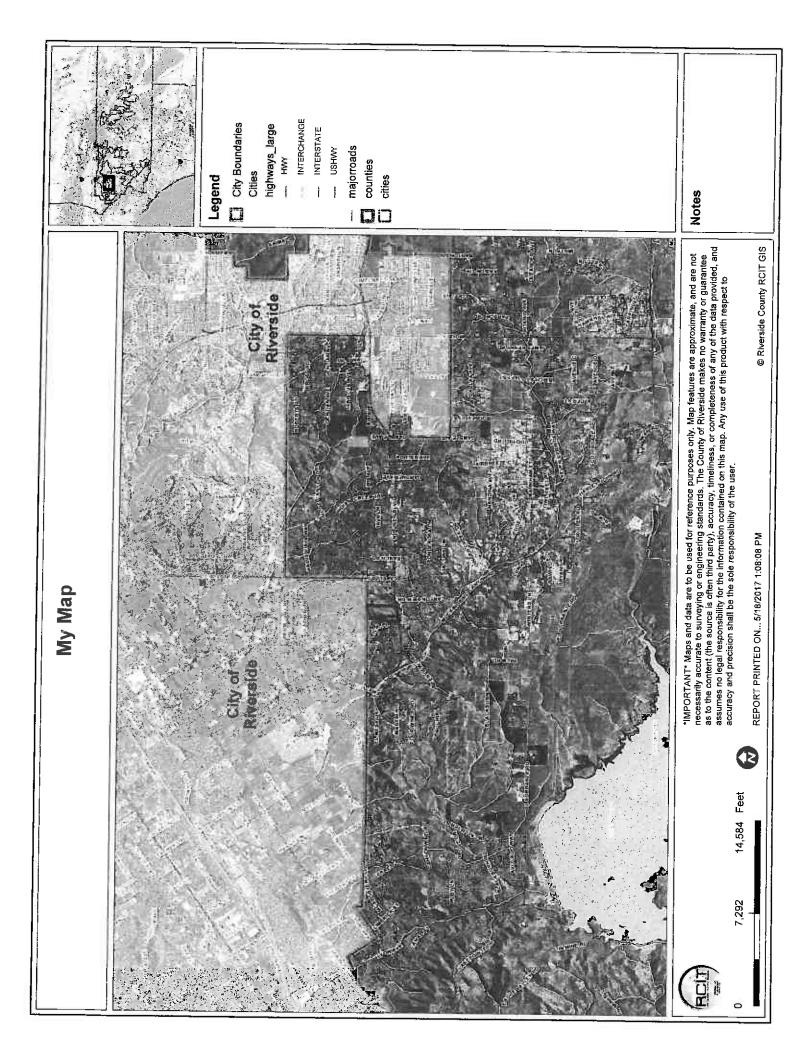
annoyances [can vary from person to person. You may∭ airport, within what is known as an airport influence vibration, or odors). Individual sensitivities to those wish to consider what airport annoyances], if any, are This property is presently located in the vicinity of an associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) 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, (13)(A)







# adjacent\_highways State Highways; 60 State Highways 3 INTERCHANGE City Boundaries highways\_large INTERSTATE Interstate 3 Interstate US HWY USHWY ΗW PU counties Cities cities Legend Notes © Riverside County RCIT GIS \*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. REPORT PRINTED ON... 5/18/2017 1:07:03 PM My Map 12 29,168 Feet 14,584 Norco Corona HCIT



# INTERCHANGE hydrographylines City Boundaries INTERSTATE Major Roads OFFRAMP ONRAMP waterbodies roadsanno highways USHWY Collector Arterial Lakes Rivers ¥ counties Cities roads cities Legend Notes \*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. © Riverside County RCIT GIS REPORT PRINTED ON... 5/16/2017 1:09:29 PM Му Мар 1 7,292 Feet 3,646 **FCIT**

# INTERCHANGE hydrographylines City Boundaries INTERSTATE OFFRAMP ONRAMP waterbodies roadsanno USHWY highways ¥MH Rivers counties Cities cities Legend Notes \*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. REPORT PRINTED ON... 5/18/2017 1:04:43 PM Му Мар 13 3,646 Feet 1,823 FOI I

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# INTERCHANGE hydrographylines City Boundaries INTERSTATE OFFRAMP ONRAMP waterbodies USHWY roadsanno highways Rivers ¥ H Lakes counties Cities Legend Notes \*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. © Riverside County RCIT GIS REPORT PRINTED ON... 5/18/2017 1:20:52 PM My Map 1 3,646 Feet 1,823

# hydrographylines INTERCHANGE City Boundaries INTERSTATE OFFRAMP ONRAMP waterbodies USHWY roadsanno highways Lakes Rivers HWY counties Cities cities Legend Notes \*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. © Riverside County RCIT GIS REPORT PRINTED ON... 5/18/2017 1:21:29 PM My Map 13 1,823 Feet 911 回

# Van Buren Hills Estates TR36813



# CHANGE OF

IN THE COUNTY OF RIVERSIDE, CALIFORNIA

# PRIMARY EXHIBIT

NORTH LINE SEC. 27 T3S R5W

1 N 894025W 20152

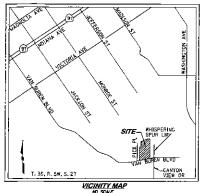
PREPARED: MARCH 19, 2014 CHANGE OF ZONE CASE NO. 07857

-FN 2"1P W/PP AND NAIL "LS 5390 LIP D.15" NO REFERENCE ACCEPTED AS NI=4CORNER SEC. 27 T3S R5W

VACANT ZONE R-A-5

N 89140'25" W 626.84'

BOX SPAINGS FEEDER



OWNER/APPLICANT VAN BUREN HILLS, LLC 10621 CIVIC CENTER DRIVE RANCHO CUCAMONGA, CA 91730 (909)-481-1151 CONTACT: PETER J. PITASSI

**ENGINEER** PICK ENGINEERING COMPANY 1770 JOWA AVE, SUITE 100 RIVERSIDE, CA 92507 (951) 782-0707 CONTACT: PICHARD D'NEILL

UTILITY PURVEYORS WATER WIND SEWERS SEPTIC DASS SOUTHERN CALIFORNIA GAS COMPANY OFFICE SEPTIC CALIFORNIA EDISON TELEPHONES ATAT CABILE TY TIME WANNER STORM DRAIN RIVERSIDE COUNTY FI CONTROL DESTRICT CONTROL DESTRICT FIRE: RIVERSIDE COUNTY FIRE DEPARTMENT

SCHOOL DISTRICT

APN'S 273-450-002, 273-450-003, 273-450-017, 273-450-018, 273-450-019

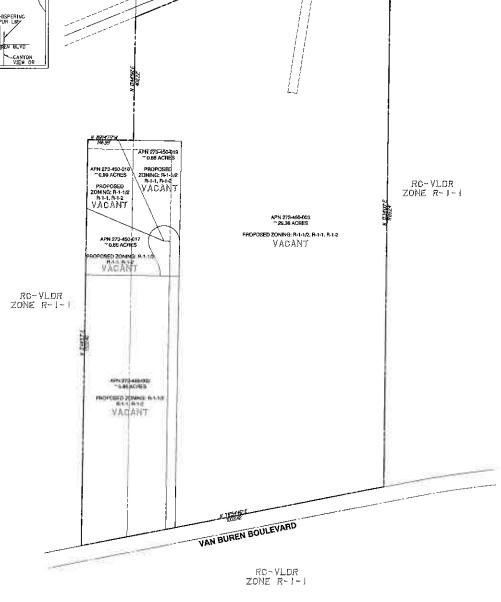
THOMAS BROTHERS MAP
2012 SAN BERNARDINO/RIVERSIDE EDITION
PAGE 745, GRID F3 AND F4

ZONING AND LAND USE EXISTING ZONING: R-1-1, R-4-1, R-4-5 EXISTING LAND USE: RC-VLDR EXISTING SURROUNDING LAND USE: RC-VLDR PROPOSED ZONING: R-1-1/2, R-1-1, R-1-2 PROPOSED LAND USE: RC-VLDR

FINAL ZONE DESIGNATION WILL BE DETERMINED AT THE OF FINAL MAP RECORDATION FINAL LOTS WILL BE ASSIGNED BASED ON THE LARGEST APPLICIBLE AREA SUFFIX,

PROJECT ACREAGE

FLOODPLAIN
THE ENTIRE PROJECT SITE LIES WITHIN A
DELINEATED FEMA ZONE X IUNSHADED



LEGAL DESCRIPTION

THE PORTION OF THE MORTHWEST QUARTER AND THE NORTHEAST QUARTER OF SECTION 27, TOWNSHEP 3 SOUTH, RANGE 5 WEST, SAM BERNARDING BASE AND MERDIAN, LOCATED WITHIN THE COUNTY OF RIVERSIDE IN THE STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

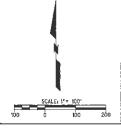
BOUNDED ON THE WEST BY THE EAST LINE OF TRACT NO. 9412 FILED IN MAP BOOK 105 PAGES 6 THROUGH 9 INCLUSIVE OF MAPS OF SAID RIVERSIDE COUNTY;

BOUNDED ON THE SOUTH BY THE NORTHERLY SIDE LINE OF VAN BUREN BOLLEVARD BEING THE STRIP OF LAND 100 FEET WIDE, COMPONABLE BY THE COUNTY OF RIVERSIDE FOR PUBLIC HIGHWAY PURPOSES, BY ORDER OF CONDENSATION, A EXPETIED COPY OF WHICH WAS RECORDED MAY 1, 1942, IN BOOK 540, PAGE 355, OF OFFICIAL RECORDS OF SAID RIVERSIDE DUINTY;

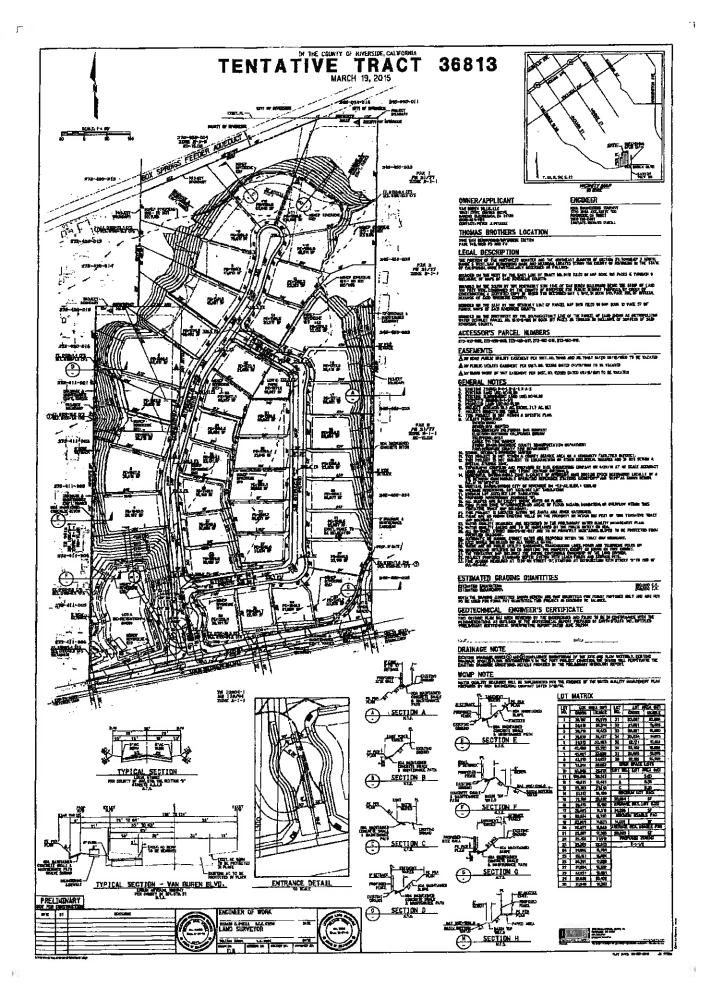
BOUNDED ON THE EAST BY THE WESTERLY LINE OF PARCEL MAP 5419 FILED IN MAP BOOK 10 PAGE 57 OF PARCEL MAPS OF SAID RIVERSIDE COUNTY;

BOUNDED ON THE NORTHWEST BY THE SOUTHEASTERLY LINE OF THE PARCEL OF LAND SHOWN AS METROPOLITAN WATER DISTRICT PARCEL NO. 16:10-5-105 IN BOOK 137 PAGES 95 THROUGH 96 MICLUSIVE OF SURVEYS OF SAID REVENUE OF COUNTY





DATE





# PLANNING DEPARTMENT

# Steve Weiss, AICP Planning Director

July 13, 2015

Joseph Ontiveros Cultural Resource Director Soboba Band of Luiseño Indians P.O. BOX 487 San Jacinto, Ca 92581

SUBJECT: ASSEMBLY BILL 52 (AB 52) FORMAL NOTIFICATION (GPA1140, CZ07857, TR36813)

Dear Mr. Ontiveros:

This serves to notify you of a proposed project located within the Lake Mathews/Woodcrest area of Riverside County. A map depicting the location and a project description can be found below. Pursuant to Public Resources Code section 21080.3.1(d), if you wish to initiate consultation on this proposed project, please send a consultation request within thirty (30) days of receiving this letter to Heather Thomson via email at <a href="https://doi.org/10.1001/jhtml.org">https://doi.org/10.1001/jhtml.org</a> or by contacting her at (951) 955-2873.

Project Description:

GENERAL PLAN AMENDMENT NO. 1140, CHANGE OF ZONE NO. 7857, AND TENTATIVE TRACT MAP NO. 36813 – EA42694 – Applicant: Peter Pitassi – Engineer/Representative: Rick Engineering Company – First Supervisorial District – Lake Mathews Zoning District – Lake Mathews/Woodcrest Area Plan: Rural Community: Very Low Density Residential (RC:VLDR) (1 Acre Minimum) – Location: Northerly side of Van Buren Blvd, easterly of Pick Place, and westerly of Whispering Spur Street – 38.3 Gross Acres – Zoning: One-Family Dwellings – 1 Acre Minimum (R-1-1), Residential Agricultural – 1 Acre Minimum (R-A-1), and Residential Agricultural - 5 Acre Minimum (R-A-5) – REQUEST: The General Plan Amendment proposes to amend the General Plan Land Use Designation from Rural Community: Very Low Density Residential (RC: VLDR) (1 Acre Minimum) to Rural Community: Low Density Residential (RC: LDR) (1/2 Acre Minimum). The Change of Zone proposes to change the site's zoning from One-Family Dwellings – 1 Acre Minimum (R-1-1), Residential Agricultural – 1 Acre Minimum (R-A-5) to One Family Dwellings (R-1). The Tentative Tract Map is a Schedule B subdivision of 38.3 acres into 41 residential lots with a minimum 0.5 acre lot size, and three (3) lettered lots for water quality detention basin, emergency access, and drainage. – APNs: 273-450-002, 003, 017, 018, and 019

Sincerely.

PLANNING DEPARTMENT

Heather Thomson Archaeologist

email cc: Damaris Abraham, Urban Regional Planner III, DABRAHAM@rctlma.org

Attachment: Project Vicinity Map

Marin Shares



# PLANNING DEPARTMENT

Steve Weiss, AICP Planning Director

July 13, 2015

Anna Hoover, Cultural Analyst Pechanga Cultural Resources Department P.O. Box 2183 Temecula, CA 92593

SUBJECT: ASSEMBLY BILL 52 (AB 52) FORMAL NOTIFICATION (GPA1140, CZ07857, TR36813)

Dear Ms. Hoover:

This serves to notify you of a proposed project located within the Lake Mathews/Woodcrest area of Riverside County. A map depicting the location and a project description can be found below. Pursuant to Public Resources Code section 21080.3.1(d), if you wish to initiate consultation on this proposed project, please send a consultation request within thirty (30) days of receiving this letter to Heather Thomson via email at <a href="https://doi.org/10.1001/jht

**Project Description:** 

GENERAL PLAN AMENDMENT NO. 1140, CHANGE OF ZONE NO. 7857, AND TENTATIVE TRACT MAP NO. 36813 – EA42694 – Applicant: Peter Pitassi – Engineer/Representative: Rick Engineering Company – First Supervisorial District – Lake Mathews Zoning District – Lake Mathews/Woodcrest Area Plan: Rural Community: Very Low Density Residential (RC:VLDR) (1 Acre Minimum) – Location: Northerly side of Van Buren Blvd, easterly of Pick Place, and westerly of Whispering Spur Street – 38.3 Gross Acres – Zoning: One-Family Dwellings – 1 Acre Minimum (R-1-1), Residential Agricultural – 1 Acre Minimum (R-A-1), and Residential Agricultural – 5 Acre Minimum (R-A-5) – REQUEST: The General Plan Amendment proposes to amend the General Plan Land Use Designation from Rural Community: Very Low Density Residential (RC: LDR) (1/2 Acre Minimum). The Change of Zone proposes to change the site's zoning from One-Family Dwellings – 1 Acre Minimum (R-1-1), Residential Agricultural – 1 Acre Minimum (R-A-1), and Residential Agricultural – 5 Acre Minimum (R-A-5) to One Family Dwellings (R-1). The Tentative Tract Map is a Schedule B subdivision of 38.3 acres into 41 residential lots with a minimum 0.5 acre lot size, and three (3) lettered lots for water quality detention basin, emergency access, and drainage. – APNs: 273-450-002, 003, 017, 018, and 019

Sincerely,

PLANNING DEPARTMENT

Heather Thomson Archaeologist

email cc: Damaris Abraham, Urban Regional Planner III, DABRAHAM@rctlma.org

Attachment: Project Vicinity Map

Ocartha Thomson



# RIVERSIDE COUNTY

# PLANNING DEPARTMENT

Steve Weiss, AICP Planning Director

July 20, 2015

Pattie Garcia Director of Tribal Historic Preservation Agua Caliente Band of Cahuilla Indians 5401 Dinah Shore Drive Palm Springs, CA 92264

SUBJECT: ASSEMBLY BILL 52 (AB 52) FORMAL NOTIFICATION (GPA1140, CZ07857, TR36813)

Dear Ms. Garcia:

This serves to notify you of a proposed project located within the Lake Mathews/Woodcrest area of Riverside County. A map depicting the location and a project description can be found below. Pursuant to Public Resources Code section 21080.3.1(d), if you wish to initiate consultation on this proposed project, please send a consultation request within thirty (30) days of receiving this letter to Heather Thomson via email at <a href="https://doi.org/10.1001/jht

**Project Description:** 

GENERAL PLAN AMENDMENT NO. 1140, CHANGE OF ZONE NO. 7857, AND TENTATIVE TRACT MAP NO. 36813 – EA42694 – Applicant: Peter Pitassi – Engineer/Representative: Rick Engineering Company – First Supervisorial District – Lake Mathews Zoning District – Lake Mathews/Woodcrest Area Plan: Rural Community: Very Low Density Residential (RC:VLDR) (1 Acre Minimum) – Location: Northerly side of Van Buren Blvd, easterly of Pick Place, and westerly of Whispering Spur Street – 38.3 Gross Acres – Zoning: One-Family Dwellings – 1 Acre Minimum (R-1-1), Residential Agricultural – 1 Acre Minimum (R-A-1), and Residential Agricultural - 5 Acre Minimum (R-A-5) – REQUEST: The General Plan Amendment proposes to amend the General Plan Land Use Designation from Rural Community: Very Low Density Residential (RC: VLDR) (1 Acre Minimum) to Rural Community: Low Density Residential (RC: LDR) (1/2 Acre Minimum). The Change of Zone proposes to change the site's zoning from One-Family Dwellings – 1 Acre Minimum (R-1-1), Residential Agricultural – 1 Acre Minimum (R-A-1), and Residential Agricultural - 5 Acre Minimum (R-A-5) to One Family Dwellings (R-1). The Tentative Tract Map is a Schedule B subdivision of 38.3 acres into 41 residential lots with a minimum 0.5 acre lot size, and three (3) lettered lots for water quality detention basin, emergency access, and drainage. – APNs: 273-450-002, 003, 017, 018, and 019

Sincerely,

PLANNING DEPARTMENT

Heather Thomson Archaeologist

email cc: Damaris Abraham, Urban Regional Planner III, DABRAHAM@rctlma.org

Attachment: Project Vicinity Map

floor in John will

Riverside Office · 4080 Lemon Street, 12th Floor P.O. Box 1409, Riverside, California 92502-1409 (951) 955-3200 · Fax (951) 955-3157 Desert Office · 77588 El Duna Court, Suite H Palm Desert, California 92211 (760) 863-8277 · Fax (760) 863-7040



# PLANNING DEPARTMENT

Steve Weiss, AICP Planning Director

July 13, 2015

Jim McPherson Cultural Resources Department Rincon Band of Luiseño Indians 1 West Tribal Road Valley Center, CA 92082

SUBJECT: ASSEMBLY BILL 52 (AB 52) FORMAL NOTIFICATION (GPA1140, CZ07857, TR36813)

Dear Mr. McPherson:

This serves to notify you of a proposed project located within the Lake Mathews/Woodcrest area of Riverside County. A map depicting the location and a project description can be found below. Pursuant to Public Resources Code section 21080.3.1(d), if you wish to initiate consultation on this proposed project, please send a consultation request within thirty (30) days of receiving this letter to Heather Thomson via email at <a href="https://doi.org/10.1001/jhtml.org">https://doi.org/10.1001/jhtml.org</a> or by contacting her at (951) 955-2873.

Project Description:

GENERAL PLAN AMENDMENT NO. 1140, CHANGE OF ZONE NO. 7857, AND TENTATIVE TRACT MAP NO. 36813 – EA42694 – Applicant: Peter Pitassi – Engineer/Representative: Rick Engineering Company – First Supervisorial District – Lake Mathews Zoning District – Lake Mathews/Woodcrest Area Plan: Rural Community: Very Low Density Residential (RC:VLDR) (1 Acre Minimum) – Location: Northerly side of Van Buren Blvd, easterly of Pick Place, and westerly of Whispering Spur Street – 38.3 Gross Acres – Zoning: One-Family Dwellings – 1 Acre Minimum (R-1-1), Residential Agricultural – 1 Acre Minimum (R-A-1), and Residential Agricultural - 5 Acre Minimum (R-A-5) – REQUEST: The General Plan Amendment proposes to amend the General Plan Land Use Designation from Rural Community: Very Low Density Residential (RC: VLDR) (1/2 Acre Minimum) to Rural Community: Low Density Residential (RC: LDR) (1/2 Acre Minimum). The Change of Zone proposes to change the site's zoning from One-Family Dwellings – 1 Acre Minimum (R-1-1), Residential Agricultural – 1 Acre Minimum (R-A-5) to One Family Dwellings (R-1). The Tentative Tract Map is a Schedule B subdivision of 38.3 acres into 41 residential lots with a minimum 0.5 acre lot size, and three (3) lettered lots for water quality detention basin, emergency access, and drainage. – APNs: 273-450-002, 003, 017, 018, and 019

Sincerely,

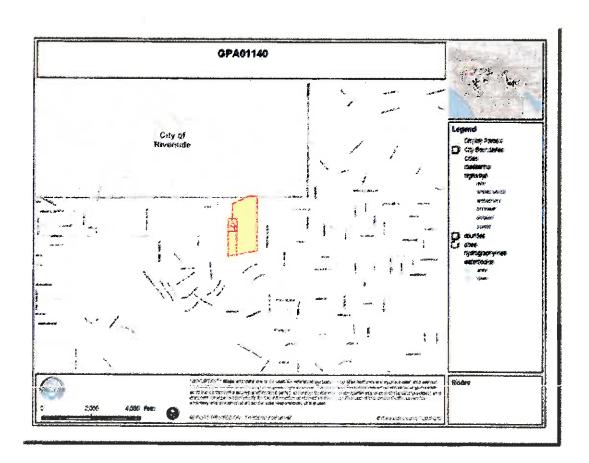
PLANNING DEPARTMENT

Heather Thomson Archaeologist

email cc: Damaris Abraham, Urban Regional Planner III, DABRAHAM@rctlma.org

Attachment: Project Vicinity Map

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# PLANNING DEPARTMENT

Carolyn Syms Luna Director

# APPLICATION FOR CHANGE OF ZONE

# **CHECK ONE AS APPROPRIATE:**

	2			
There are three different situations where a Plannir	ng Review Only Change of Zone will be accepted:			
<ul> <li>☐ Type 1: Used to legally define the boundaries</li> <li>☐ Type 2: Used to establish or change a SP zon</li> <li>☐ Type 3: Used when a Change of Zone application</li> </ul>				
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.				
CASE NUMBER: <u>CZ 07857</u> DATE SUBMITTED: <u>12-17/14</u>				
APPLICATION INFORMATION	•			
Applicant's Name: Peter Pitassi	E-Mail: _ppitassi@diversifiedpacific.com			
Mailing Address: 10621 Civic Center Drive				
Rancho Cucamonga, CA 91730 S	Street			
City	State ZIP			
Daytime Phone No: ( 909 ) 481-1150	Fax No: ( 909 ) 481-1151			
Engineer/Representative's Name: Rick Engineeri	ng Company E-Mail: nsmith@rickengineering.com			
Riverside, CA 92507	Street			
City	State ZIP			
Daytime Phone No: ( 951 ) 782-0707	Fax No: (_951_)782-0723			
Property Owner's Name: Van Buren Hills, LLC	E-Mail: =			
Mailing Address: 10621 Civic Center Drive				
Rancho Cucamonga, CA 91730 <sup>S</sup>	treet			
City	State ZIP			
Daytime Phone No: ( 909 ) 481-1151	Fax No: (_909_) 481-1151			

Riverside Office · 4080 Lemon Street, 12th Floor P.O. Box 1409, Riverside, California 92502-1409 (951) 955-3200 · Fax (951) 955-1811 Desert Office · 38686 El Cerrito Road Palm Desert, California 92211 (760) 863-8277 · Fax (760) 863-7555

# <u>APPLICATION FOR CHANGE OF ZONE</u>

if the property is owned by more than one person, attach a separate page that reference the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other

assigned agent.	
AUTHORIZATION FOR CONG	CURRENT FEE TRANSFER
The signature below authorizes the Planning Depart process by transferring monies among concurrent approcess by transferring monies among concurrent apprecess collected in excess of the actual cost of provid funds are needed to complete the processing of your application will cease until the outstanding balance is the processing of the application. The applicant unabove, and that there will be NO refund of fees while review or other related activities or services, even in ultimately denied.  Peter Pitassi  PRINTED NAME OF APPLICANT	oplications to cover processing costs as necessary ing specific services will be refunded. If additional application, you will be billed, and processing of the paid and sufficient funds are available to continue nderstands the deposit fee process as described on have been experited as part of the application
AUTHORITY FOR THIS APPLICATION IS HEREBY	GIVEN:
I certify that I am/we are the record owner(s) or author correct to the best of my knowledge. An authorize indicating authority to sign the application on the owner	ed agent must submit a letter from the owner(s)
All signatures must be originals ("wet-signed"). Photo-	copies of signatures are <b>not</b> acceptable.
Phil Burum  PRINTED NAME OF PROPERTY OWNER(S)	THE OF PROPERTY AND ASSESSED.
PRINTED NAME OF PROPERTY OWNER(S)	SIGNATURE OF PROPERTY OWNER(S)
PRINTED NAME OF PROPERTY OWNER(S)	SIGNATURE OF PROPERTY OWNER(S)
If the property is owned by more than one perso application case number and lists the printed names the property.	on, attach a separate sheet that references the and signatures of all persons having an interest in

# **PROPERTY INFORMATION:**

Assessor's Parcel Number(s):	273-450 <sub>-002</sub> , -003,	-017, -018, -019	
Section: 27	Township: 3 S	outh Rang	e: 5 West
Approximate Gross Acreage:	38.3 Acres		
General location (nearby or cr	oss streets): North o	f Van Buren Blvd	, South o
N/A,	East of Pick Pla	.ce West	of Whispering Spur Street

# APPLICATION FOR CHANGE OF ZONE

Thomas Brothers map, edition year, page number, and coordinates: Page 745, Grid F3, F4
Proposal (describe the zone change, indicate the existing and proposed zoning classifications. If within a Specific Plan, indicate the affected Planning Areas):
Existing Zoning Classifications: R-1-1, R-A-1, R-A-5
Proposed Zoning Classification: R-1
Related cases filed in conjunction with this request:
General Plan Amendment (GPA01140)
Tentative Tract Map 36813

# RIVERSIDE COUNTY PLANNING DEPARTMENT CASE SUBMITTAL PACKAGE

To insure that all applications are processed smoothly, and to minimize time between submittal of the application and completion, the applicant must provide the following information, plans, and fees, together with the completed application.

APPLICATIONS WILL NOT BE ACCEPTED UNLESS ALL REQUIRED INFORMATION IS PRESENT.

		Zone Ch	ange	Туре	}
		Standard	1	2	3
1.	Completed and signed application.	X	х	X	х
1	Change of Zone Deposit-based fee.	Х	х	X	х
13.	Twenty (20) copies of complete and accurate site plan exhibit (See Primary Exhibit Checklist below). Exhibits must be folded no larger than 8.5" x 14" in size.	X	x	7.6° %	х
4.	One (1) copy of Assessor's Map, with the subject property identified.	ο <b>9</b> 7 χ	х	1	Х
5.	One (1) copy of property's legal description as recorded in the Office of the County Recorder.	Х	х		Х
6.	Submittal of the current fees for County of Riverside County Counsel review of Specific Plan Zoning Ordinance text (separate check, not to be deposited into Change of Zone deposit set.)			X	
7.	Ten (10) paper copies and an electronic copy (Microsoft Word format) of the entire existing Specific Plan zoning ordinance text, with the proposed zoning ordinance text changes shown in red-lined/strikeout for comparison.			X	

### CHANGE OF ZONE PRIMARY EXHIBIT

The following minimum information is required on the primary exhibit. IF ANY REQUIRED INFORMATION IS NOT APPLICABLE TO A SPECIFIC PROJECT, AN EXPLANATORY NOTE MUST BE PLACED ON THE EXHIBIT NEXT TO THE REVISION BLOCK, EXPLAINING WHY THE INFORMATION IS NOT NECESSARY. All exhibits must be clearly drawn and legible. NOTE: Additional information may be required during review of the land use proposal, including information not specifically required by this checklist. Exhibits must be folded to a size no larger than 8½ " x 14".

1.	Name, address, and telephone number of applicant.
2.	Name, address, and telephone number of landowner.
3.	Name, address, and telephone number of exhibit preparer.
4.	Assessor's Parcel Numbers and, if available, address of the property.
5.	Scale (number of feet per inch) Use Engineer's Scale for all maps/exhibits.
6.	North arrow.
7.	Date Exhibit Prepared.

# APPLICATION FOR CHANGE OF ZONE

- 8. Title of Exhibit (i.e. "Change of Zone").
- 9. Complete legal description of property.
- 10. Overall dimensions and total net and gross acreage of property.
- 11. 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.)
- 12. Thomas Brothers map page and coordinates. (Identify edition year used)
- 13. Location of adjoining property and lot lines.
- 14. Existing and proposed zoning and land use of property.
- 15. Existing use and zoning of property immediately surrounding subject property.
- 16. If project is within a Specific Plan, indicate the Specific Plan Planning Area number and the land use designation of subject property and all surrounding property.
- 17. Names of utility purveyors and school district(s) including providers of water, sewer, gas, electricity, telephone, and cable television.
- 18. FEMA mapped floodplains and floodways including zone designations.

### CHANGE OF ZONE FINAL MAP REQUIREMENTS

SUBSEQUENT REQUIREMENTS FOR TYPE 1, TYPE 3, AND STANDARD CHANGE OF ZONE APPLICATIONS:

<u>Prior to completion of administrative review of the Change of Zone application</u>, the applicant must prepare and submit a Change of Zone Final Map to County Geographical Information Systems (GIS) Staff for review and approval (see No. 14). If the Map is deemed unacceptable, it must be revised and resubmitted until such time it is deemed acceptable. The Change of Zone Final Map must include all of the elements/information listed below:

- 1. The Change of Zone Final Map shall be drawn clearly depicting the new zoning boundaries with a complete legal description on an 18" x 26" sheet. All writing must be clearly drawn and legible. Because the map will ultimately be published in a newspaper at a significantly reduced size (approximately 2 x 3) in order to satisfy the legal requirements of adopting the change of zone, the map preparer should consider using a font size similar to that used in either Format A or B, whenever possible. No freehand drawn maps will be accepted. Section lines may be used in place of bearings whenever the proposed zoning boundaries exactly follow these lines.
- 2. If the site or property is located in a Zoning District, follow the format that applies (FORMAT A). Type/insert the Zoning District name between "CHANGE OF OFFICIAL ZONING PLAN" and "DISTRICT;" or,
- 3. If the site or property is located in a Zoning Area, follow the format that applies (FORMAT B). Put the Zoning Area name just above section, township, and range description (at the top part of the format).
- 4. The property in question must be drawn to acceptable scale (see acceptable scales list, #8 below) with all proposed zonings and their boundaries clearly delineated (use solid bold line

- type). Boundaries must be taken to adjacent centerline of street(s) regardless of ownership boundaries, exceptions are possible when applicable. All bearings, distances, and radial bearings are required, unless a recorded map description exists and can be used instead. Recorded map descriptions cannot be used to describe portions of the property. When needed, use a data reference table. Use additional formatted pages if necessary for drawing of property and/or data reference table.
- 5. Show all streets adjacent to property and nearest cross streets, state their names, and denote centerlines. Please, see samples provided. It is very important that distances and bearings be provided to the nearest section point for locational purposes in the County's coordinate system. If no section points are available, a distance and bearing to nearest cross street intersection will be sufficient.
- 6. Provide section numbers at all section centers or corners near the property (if applicable). Provide section(s), township(s), and range(s) where property is located at the upper center of map. (See samples.)
- 7. Label the proposed zoning classification label(s) in bold letters in center of zoning boundary or boundaries. Use arrows when not enough space is available. (See samples.)
- 8. Show map scale in feet at the lower right of the map (see samples). Acceptable scales include: 1 inch = 50, 60, 80, 100, 200, 300, 400, 500, 600, 800, 1,000, 2,000, 3,000, 4,000, 5,000, 8,000 feet. In special circumstances 1 inch = 1,500, 2,400 feet may be used. Direction of North arrow should remain as indicated in FORMAT A and B, unless it is absolutely necessary to depict the map with a different orientation.
- 9. Type the change of zone number (no preceding zero is necessary), at the lower center of the map and assessors' parcel number at the bottom left corner. (See samples.)
  - **Note:** The County will assign a map number, ordinance number, and date, at a later time. Leave those areas blank until instructed otherwise. The applicant/engineer will be contacted and given the information in order to add it to the map, just prior to final adoption.
- 10. Type the proposed zoning classification under "Legend" (inside box) and the zoning classification description(s) next to box (see samples). Use extra space for multiple zoning classifications, when needed.
- 11. If the proposed zoning is "SP Zone" with individual Planning Areas, a typed legal description will be required for each Planning Area, and for the exterior boundary of the entire change of zone. All distances and bearings, as well as radial bearings for non-tangent curves, need to be shown on the map (exterior boundary and boundaries for each Planning Area). If the drawing scale does not allow enough space to clearly show all the information then the property may be shown in sections and enlarged in additional pages (detail areas are also acceptable) and data reference tables are also an option. Label each Planning Area with the corresponding number (e.g. "P.A. 23.")
- 12. For further information and assistance in drawing a Change of Zone Final Map, please contact the TLMA GIS/Information Resources by phone at (951) 955-3288/955-6211, or by mail at 4080 Lemon Street, 14<sup>th</sup> Floor, Riverside, CA 92502.

13. Two (2) full size (18" x 26") paper copies of the Change of Zone Final Map must be either delivered to the front counter (attn. Stella Spadafora or Christina Lindsay, TLMA/GIS) on the 14<sup>th</sup> floor of the County Administrative Center, 4080 Lemon Street, Riverside CA, 92502, or mailed to the address indicated above, for review and approval, prior to scheduling the project for public hearing. In addition, a separate typed legal description (on 8½" x 11" paper) of the property depicted on the Change of Zone Final Map must also be submitted. Simple maps do not require a separate typed legal description. It's important that all maps and paper information that is submitted be labeled with the Change of Zone number.

When the maps are submitted, GIS will check the format, run closures utilizing the map and legal descriptions provided, and make sure that the boundaries agree with what the Planning Commission has approved, in order for the map to be given approval. This check can take anywhere between one to four weeks, depending on each case individually, and whether or not there are corrections needed. The more accurate and clear a map is, the faster the review process will be done.

After the Board of Supervisors approves the Change of Zone, the Change of Zone Final Map will be scheduled before the Board for adoption. County Counsel and Clerk of the Board require at least 2 weeks for placing the item in the agenda and completing all necessary paper work.

- 14. County Counsel will assign a map and ordinance number, as well as the scheduled date that the Change of Zone Final Map will be adopted. This information will be then provided to the applicant/engineer of the change of zone, to be added to the final map. A final package will at that time be required, and must contain the newest information. The final map package will consist of the following:
  - A. Two (2) full size paper copies (18" x 26") of the Change of Zone Final Map.
  - B. Two (2) reduced paper copies (8½" x 11") of the Change of Zone Final Map.
  - C. One (1) digital image of the Change of Zone Final Map in format and media acceptable to the TLMA GiS staff (e.g. format: TiFF, PDF, or JPEG; media: diskette, Compact Disc (CD) or Digital Video Disc (DVD)). No DWG or DXF formats will be accepted. **Media should be clearly labeled with the Change of Zone number.**

The final package needs to be submitted at least one week prior to the adoption date.



# COUNTY OF RIVERSIDE TRANSPORTATION AND LAND MANAGEMENT AGENCY



Juan C. Perez Agency Director

Carolyn Syms Luna Director, Juan C. Perez Director. Mike Lara

Code

Planning Department

Transportation Department

Director, Building & Safety Department Enforcement Department

### LAND USE and PERMIT APPLICATION PROCESSING AGREEMENT

Agreement for Payment of Costs of Application Processing

### TO BE COMPLETED BY APPLICANT:

and_	Peter Pitassi	_ hereafter "Applicant" and _	Phil Burum	_" Property Owner".
	ription of application/permit use: nange of Zone			

# Section 1. Deposit-based Fees

**Purpose:** The Riverside County Board of Supervisors has adopted ordinances to collect "Deposit-based Fees" for the costs of reviewing certain applications for land use review and permits. The Applicant is required to deposit funds to initiate staff review of an application. The initial deposit may be supplemented by additional fees, based upon actual and projected labor costs for the permit. County departments draw against these deposited funds at the staff hourly rates adopted by the Board of Supervisors. The Applicant and Property Owner are responsible for any supplemental fees necessary to cover any costs which were not covered by the initial deposit.

### Section 2. Applicant and Property Owner Responsibilities for Deposit-based Fee Applications

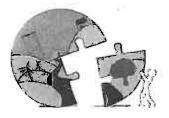
- A. Applicant agrees to make an initial deposit in the amount as indicated by County ordinance, at the time this Agreement is signed and submitted with a complete application to the County of Riverside. Applicant acknowledges that this is an initial deposit and additional funds may be needed to complete their case The County of Riverside will not pay interest on deposits. Applicant understands that any delays in making a subsequent deposit from the date of written notice requesting such additional deposit by County of Riverside, may result in the stoppage of work.
- B. Within 15 days of the service by mail of the County of Riverside's written notice that the application permit deposit has been reduced to a balance of less than 20% of the initial deposit or that the deposit is otherwise insufficient to cover the expected costs to completion, the Applicant agrees to make an additional payment of an amount as determined by the County of Riverside to replenish the deposit. Please note that the processing of the application or permit may stop if the amount on deposit has been expended. The Applicant agrees to continue making such payments until the County of Riverside is reimbursed for all costs related to this application or permit. The County of Riverside is entitled to recover its costs, including attorney's fees, in collecting unpaid accounts that would have been drawn on the deposit were it not depleted.
- C. The Property Owner acknowledges that the Applicant is authorized to submit this agreement and related application(s) for land use review or permit on this property. The Property Owner also acknowledges that should the Applicant not reimburse the County of Riverside for all costs related to this application or permit, the Property Owner shall become immediately liable for these costs which shall be paid within15 days of the service by mail of notice to said property Owner by the County.
- D. This Agreement shall only be executed by an authorized representative of the Applicant and the Property Owner. The person(s) executing this Agreement represents that he/she has the express authority to enter into this agreement on behalf of the Applicant and/or Property Owner.

- E. This Agreement is not assignable without written consent by the County of Riverside. The County of Riverside will not consent to assignment of this Agreement until all outstanding costs have been paid by Applicant.
- F. Deposit statements, requests for deposits or refunds shall be directed to Applicant at the address identified in Section 4.

Section 3. To ensure quality service, Applicant is responsible to provide one-week written notice to the County of Riverside Transportation and Land Management Agency (TLMA) Permit Assistance Centers if any of the information below changes.

Section 4. Applicant and Owner Information

• •	
1. PROPERTY INFORMATION:	
Assessors Parcel Number(s): <u>273-045-002</u> , -003, -017, -01	8, -019
Property Location or Address:	
North of Van Buren Blvd, between Pick Pl and Whispe	ering Spur St
2. PROPERTY OWNER INFORMATION:	
Property Owner Name: Phil Burum	Phone No.: 909-481-1151
Firm Name: Van Buren Hills, LLc	Email: <u>pburum@diversifiedpacific.com</u>
Address: 10621 Civic Center Drive	
Rancho Rucamonga, CA 91730	
3. APPLICANT INFORMATION:	
Applicant Name: Peter Pitassi	Phone No.: 909-481-1150
Firm Name: Van Buren Hills, LLc	Email: ppitassi@diversifiedpacific.com
Address (if different from property owner)	
4. SIGNATURES:  Signature of Applicant:  Print Name and Title: Peter Pitassi, Senior Vice Preside  Signature of Property Owner:  Print Name and Title: Phil Burum. Owner  Signature of the County of Riverside, by  Print Name and Title:	
Application or Permit (s)#:	
Set #:Application	Date:



# PLANNING DEPARTMENT

Juan C. Perez
Interim PlanningDirector

# APPLICATION FOR SUBDIVISION AND DEVELOPMENT

CHECK ONE AS APPROPRIATE:	1			
<ul><li>■ TRACT MAP</li><li>□ REVISED MAP</li><li>□ PARCEL MAP</li></ul>	☐ MINOR CHANG ☐ REVERSION T ☐ AMENDMENT		☐ VESTING MAP ☐ EXPIRED RECORDABLE MAP	
INCOMPLETE APPLICATIONS WILL NOT BE	ACCEPTED.		,	
CASE NUMBER: TR 36813		_ DATE SUBMITTED:		
APPLICATION INFORMATION A	pplicant's		, •	
Name: Peter Pitassi		E-Mail: ppitas	ssi@diversifiedpacific.com	
Mailing Address: 10621 Civic Cente				
Ranch	Street no CucamongaCA		91730	
City	State	•	ZIP	
Daytime Phone No: (909 ) 481-	1150	Fax No: ( <u>909</u> )	481116151	
Engineer/Representative's Name:	Rick Engineering Con	npany	E-Mail: nsmith@rickengineering.com	
Mailing Address: 1770 lowa Ave Su				
Rivers	Street side CA		92507	
City	State		ZIP	
Daytime Phone No: (951 ) 782-	0707	Fax No: ( <u>951</u> )	782-0723	
Property Owner's Name: Van Bure	n Hills, LLC	E-Mail:		
Mailing Address: 10621 Civic Cente				
Ranch	Street no Cucamonga CA		91730	
City	State		ZIP	
Daytime Phone No: (909 ) 481-	1150	Fax No: ( <u>909</u> )	481-1151	

Riverside Office · 4080 Lemon Street, 12th Floor P.O. Box 1409, Riverside, California 92502-1409

(951) 955-3200 · Fax (951) 955-1811

Desert Office · 77-588 El Duna Court, Suite H Palm Desert, California 92211 (760) 863-8277 · Fax (760) 863-7040

If additional persons have an ownership interest in the subject property in addition to that indicated above, attach a separate sheet that references the application case number and lists the names, mailing

### APPLICATION FOR SUBDIVISION AND DEVELOPMENT

addresses, and phone numbers of those persons having an interest in the real property or properties involved in this application.

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

# AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The signature below authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of your application, you will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be **NO** refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

above, and that there will be NO refund of fees will	hich have been expended as part of the application if the application is withdrawn or the application is		
All signatures must be originals ("wet-signed"). Pho	tocopies of signatures are not acceptable.		
Peter Pitassi			
<u>PRINTED NAME</u> OF APPLICANT	SIGNATURE OF APPLICANT		
AUTHORITY FOR THIS APPLICATION IS HEREB	Y GIVEN:		
I certify that I am/we are the record owner(s) or authorized to the best of my knowledge. An authorized indicating authority to sign the application on the owner.	orized agent and that the information filed is true and zed agent must submit a letter from the owner(s) ner's behalf.		
All signatures must be originals ("wet-signed"). Pho-	tocopies of signatures are <b>not</b> acceptable.		
Phil Burum	- India		
PRINTED NAME OF PROPERTY OWNER(S)	SIGNATURE OF PROPERTY OWNER(S)		
PRINTED NAME OF PROPERTY OWNER(S)	SIGNATURE OF PROPERTY OWNER(S)		
If the subject property is owned by persons who have not signed as owners above, attach a separate sheet that references the application case number and lists the printed names and signatures of all persons having an interest in the property.			
See attached sheet(s) for other property owner's	s signatures.		
PROPERTY INFORMATION:			
Assessor's Parcel Number(s): 273-450002, -003, -0	17, -018, -019		
Section: 27 Township: 3 South	Range: 5 West		
Approximate Gross Acreage: 38.3 Acres			

APPLICATION FOR SUBDIVISION AND DEVELOPMENT
General location (cross streets, etc.): North of Van Buren Blvd , South
N/A, East of Pick Place, West of Whispering Spur Street
Thomas Brothers map, edition year, page number, and coordinates: Page 745, Grid F3, F4
Proposal (describe project, indicate the number of proposed lots/parcels, units, and the schedule of tr subdivision, whether the project is a Vesting Map or Planned Residential Development (PRD):
A 38.3 acre site with 41 proposed single family residential lots. Proposed development is Schedule "B".
Related cases filed in conjunction with this request:  Change of Zone
General Plan Amendment 01140 (Related EA)
Is there a previous development application filed on the same site: Yes 🔲 No 🔳
If yes, provide Case No(s) (Parcel Map, Zone Change, etc
EA No. (if known) EIR No. (if applicable):
Have any special studies or reports, such as a traffic study, biological report, archaeological reporgeological or geotechnical reports, been prepared for the subject property? Yes 🔳 No 🗌
If yes, indicate the type of report(s) and provide a copy:  Biological report, Geotechnical Report
Is water service available at the project site: Yes 🔳 No 🗌
If "No," how far must the water line(s) be extended to provide service? (distance in feet/miles)
s sewer service available at the site? Yes 🔲 No 🔳
If "No," how far must the sewer line(s) be extended to provide service? (distance in feet/miles) 1+ mi
Will the proposal eventually require landscaping either on-site or as part of a road improvement or othe common area improvements? Yes $lacksquare$ No $lacksquare$
Will the proposal result in cut or fill slopes steeper than 2.1 or higher than 10 feet? Yes 🔳 No 🗌
How much grading is proposed for the project site?
Estimated amount of cut = cubic yards:
Estimated amount of fill = cubic yards

<u>APPLICATI</u>	ON FOR SUBDIVISION	AND DEVELOPME	NT		
Does the pro	oject need to import or ex	«port dirt? Yes □	No 🔳		
Import		Export		Neither	X
What is the	anticipated source/destin	ation of the import/e	xport?		
What is the	anticipated route of trave	I for transport of the	soil material?		
How many a	inticipated truckloads? _	N/A		-	truck loads.
What is the	square footage of usable				
	esidential subdivision, is o collect fees for park and				or County Service Area
If yes, does	the subdivision intend to	dedicate land or pay	Quimby fees,	or a com	bination of both?
Dedicate lan	d 🗌 Pay Quimby fees	Combination	of both 🗌		
Is the subdiv	rision located within 8½ n	niles of March Air Re	serve Base?	Yes 🔳	No 🗌
lf yes, will an	ny structure exceed fifty-fo	eet (50') in height (a	bove ground le	evel)? Ye	s 🔲 No 🔳
Does the sub	odivision exceed more th	an one acre in area?	Yes 🔳 No	o 🔲	
	pment project located wi System (RCLIS) (http				
	Santa Ana River	☐ Santa Margarit	a River [	☐ Whitew	vater River

# Government Code Section 65962.5 requires the applicant for any development project to consult specified state-prepared lists of hazardous waste sites and submit a signed statement to the local agency indicating whether the project is located on or near an identified site. Under the statute, no application shall be accepted as complete without this signed statement. I (we) certify that I (we) have investigated our project with respect to its location on or near an identified hazardous waste site and that my (our) answers are true and correct to the best of my (our) knowledge. My (Our) investigation has shown that: The project is not located on or near an identified hazardous waste site. The project is located on or near an identified hazardous waste site. Please list the location of the hazardous waste site(s) on an attached sheet. Owner/Representative (1) Date Date

Owner/Representative (2) \_\_\_\_\_\_ Date \_\_\_\_\_

Checklist for Identifying Pro	Djects Requiring a Project-Specific Water Quality Management Plan (	WQN	IP)
	within the Santa Ana River Region		
Project File No.	TR 36813		
Project Name:	Van Buren Hills		
Project Location:	North of Van Buren Blvd, between Pick Place and Whispering Spur Street		
Project Description:	38.3 acre single family residential with 41 proposed lots		
Proposed Project Consists of, or	ringhi dogi	VEC	NO
Significant Pegevelopment: The addition	or replacement of 5,000 square feet or more of impervious surface on an already developed site.	YES	NO
Does not include routine maintenance acti	or replacement of 3,000 square reet of more of impervious surface on an affeatly developed site. vities that are conducted to maintain original line and grade, hydraulic capacity, original purpose of relopment activity required to protect public health and safety.		×
	00 square feet or more of impervious surface (collectively over the entire project site), including		$\Box$
residential housing subdivision requiring condominiums, or apartments, etc.)	a Final Map (i.e. detached single family home subdivisions, multi-family attached subdivisions,		
New Industrial and commercial developme	nt where the land area1 represented by the proposed map or permit is 10,000 square feet or more.		x
Mixed use developments that create 10,00	0 square feet or more of impervious surface (collectively over the entire project site).		
Automotive repair shops (Standard Industri	al Classification (SIC) codes <sup>2</sup> 5013, 5014, 5541, 7532, 7533, 7534, 7536, 7537, 7538, 7539).		x
Restaurants (SIC code 5812) where the lar	nd area of development is 5,000 square feet or more.	П	×
Hillside developments disturbing 5,000 squ	uare feet or more which are located on areas with known erosive soil conditions or where natural	П	х
slope is 25 percent or more.			
Developments of 2,500 square feet of imp	ervious surface or more adjacent to (within 200 feet) or discharging directly into ESA's. "Directly"		x
	"discharging directly" means outflow from a drainage conveyance system that is composed entirely		
	development site, and not commingled with flows from adjacent lands.		
storage of motor vehicles.	exposed to stormwater, where "parking lot" is defined as a land area or facility for the temporary		х
	3 square feet or more of impervious surface with a projected average daily traffic of 100 or more		×
vehicles per day.	o opposite test of more of importious surface with a projection average unity manie of 100 of more		ث
	Projects, that are implemented by a permittee and similar in nature to the priority projects described		×
above and meets the thresholds described			
	nditions or activity pose the potential for significant adverse impacts to water quality.	$\Box$	×
<sup>1</sup> Land area is based on acreage disturbed			
	http://www.osha.gov/pls/imis/sicsearch.html.		
	DETERMINATION: Circle appropriate determination.		
If <u>any</u> question answered "YES"	Project requires a project-specific WQMP.		
If <u>all</u> questions answered "NO"	Project requires incorporation of Site Design and source control BMPs impose Conditions of Approval or permit conditions.	d thr	ough

### APPLICATION FOR SUBDIVISION AND DEVELOPMENT

Checklist for Identifying Pro	jects Requiring a Project-Specific Standard Stormwater Mitigation Plan (SSMP)		
	within the Santa Margarita River Region		
Project File No.			
Project Name:			
Project Location:			
Project Description:			
Project Applicant Information:			
Proposed Project Consists of, or include	8:	YE	S NO
Redevelopment. The creation, addition or replacent	nent of at least 5,000 square feet of impervious surfaces on an already developed site and the existing		
development and/or the redevelopment project fails	under the project categories or locations listed below in this table. Where redevelopment results in an		
requirements the numeric sizing enterior IMCA Description	faces of previously existing development, and the existing development was not subject to SSMP		
Tequirements, the numeric sizing chiena (MS4 Perm	it requirement F.1.d. (6)] applies only to the addition or replacement, and not to the entire development of more than 50% of the impervious surfaces of a previously existing development, the numeric sizing		
criteria applies to the entire development.	or more than 50% or the impervious surfaces or a previously existing development, the numeric sizing	1	
New Development The creation of 10,000 square	e feet or more of impervious surfaces (collectively over the entire project site) including commercial,	<del></del>	
industrial, residential, mixed-use, and public projects.	e reet of more of impervious surfaces (confectively over the entire project site) including confinercial,	╙	ш
	red in any one of the following Standard Industrial Classification (SIC) Codes 5013-Motor vehicle supplies		П
or parts, 5014-Tires & Tubes, 5541-Gasoline Serv	ice Stations,7532-Top, Body & Upholstery Repair Shops and Paint Shops, 7533-Automotive Exhaust		ш
System Repair Shops, 7534-Tire Retreading and Re	pair Shops, 7536–Automotive Glass Replacement Shops, 7537–Automotive Transmission Repair Shops,		
7538-General Automotive Repair Shops, 7539-Autor			
Restaurants (Standard Industrial Classification (St	C) Code 5812: Establishments primarily engaged in the retail sale of prepared food and drinks for on-	П	
premise or immediate consumption, including, but r	not limited to: Automats (eating places), Beaneries, Box lunch stands, Buffets (eating places), Cafes,	_	
Cafeterias, Carry-out restaurants, Caterers, Coffee s	hops, Commissary restaurants, Concession stands, prepared food (e.g., in airports and sports arenas),		
Contract feeding, Dairy bars, Diners (eating places)	, Dining rooms, Dinner theaters, Drive-in restaurants, Fast food restaurants, Food bars, Food service		
(institutional), Frozen custard stands, Grills, (eating pl	laces), Hamburger stands, Hot dog (frankfurter) stands, Ice cream stands, Industrial feeding, Lunch bars,		
Lunch counters, Luncheonettes, Lunchrooms, Oyster	bars, Pizza parlors, Pizzerias, Refreshment stands, Restaurants, Sandwich bars or shops, Snack shops,		
Soda fountains, Soft drink stands, Submarine sandv	vich shops, and Tea rooms.) Where the land area for development is greater than 5,000 square feet.		
Restaurants where land development is less than 5,	000 square feet shall meet all SSMP requirements except for structural treatment control BMPs [MS4]		
	eria requirement [MS4 Permit Requirement F.1.d.(6)] and hydro modification requirement [MS4 Permit		
requirement F.1.h].		_	
All miliside development greater than 5,000 squa	re feet. Any development that creates greater than 5,000 square feet of impervious surface which is	Ш	ᆜ
Environmentally Sonsitive Areas (ESAs)1. All doug	where the development will include grading on any natural slope that is 25% or greater.  Plopment located within or directly adjacent to or discharging directly to an ESA (where discharges from	$\overline{}$	-
the development or redevelopment will enter receiving	ing waters within the ESA), which either creates 2,500 square feet of impervious surface on a proposed	Ш	ш
project site or increases the area of imperviousness of	of a proposed project site to 10% or more of its naturally occurring condition. "Directly adjacent" means		
situated within 200 feet of the ESA. "Discharging din	ectly to" means outflow from a drainage conveyance system that is composed entirely of flows from the		
subject development or redevelopment site, and not c	ommingled with flows from adjacent lands.		
	land area or facility for the temporary parking or storage of motor vehicles used personally for business	П	
or commerce.	, , , , , , , , , , , , , , , , , , , ,	ш	
Streets, roads, highways, and freeways include	s any paved impervious surface that is 5,000 square feet or greater used for the transportation of	П	
automobiles, trucks, motorcycles, and other vehicles.	the person and the second seco		_
Retail Gasoline Outlets (RGOs), Includes RGOs tha	t meet the following criteria: (a) 5,000 square feet or more, or (b) a projected Average Daily Traffic (ADT)		
of 100 or more vehicles per day.	it most the remaining smaller (a) 5,000 advance took of more, or (b) a projected Afficiage Daily Trainic (ADT)	_	
Areas that include but are not limited to all CWA Se	ction 303(d) impaired water bodies; areas designated as Areas of Special biological Significance by the	State	Water
Resources Control Board (Water Quality Control Plan	for the San Diego Basin (1994) and amendments); State Water Quality Protected Areas; water bodies	desi	anated
with the RARE beneficial use by the State Water Reso	purces Control Board (Water Quality Control Plan for San Diego Basin (1994) and amendments); areas de	signa	ated as
preserves or their equivalent under the Natural Com	munities Conservation Program within the Cities and County of Orange; and any other equivalent envi	rorim	entally
sensitive areas which have been identified by the (	Co-permittees. The Basin Plan for the San Diego Basin (beneficial uses listed in Chapter 2) can be	vie\	wed or
downloaded from www.waterboards.ca.gov/sandiego/	water_issues/programs/basin_plan/docs/update082812/Chpt_2_2012.pdf. The most recent CWA Section	1 303	B(d) list
can be found at www.swrcb.ca.gov/rwqcb9/water_issu			
O.	ETERMINATION: Circle appropriate determination.		
f any question answered "YES" Project re	quires a project-specific SSMP (also referred to as a WQMP).		
	·		[
	equires incorporation of Site Design Best Management Practices (BMPs) and Source	e Co	ontrol
BMPs imp	posed through Conditions of Approval or permit conditions.		

# APPLICATION FOR SUBDIVISION AND DEVELOPMENT

Checklist for Identifying P	rojects Requiring a Project-Specific Water Quality Management Plan (\) within the Whitewater River Region	WQI	MP)
Project File No.			
Project Name:			
Project Location:			
Project Description:			
<b>Project Applicant Informatio</b>	n:		
Proposed Project Consists of includes:	New Construction on a Previously Disturbed or Undisturbed Parcel, and	YES	NO
Single-family hillside residences that crea	te 10,000 square feet, or more, of impervious area where the natural slope is 25% or greater.		
Single-family hillside residences that crea conditions are known.	te 10,000 square feet of impervious area where the natural slope is 10% or greater where erosive soil		
Commercial and Industrial developments	of 100,000 square feet or more.		
Gasoline Service Stations,7532-Top, Bo 7534-Tire Retreading and Repair Shops,	strial Classification (SIC) Codes 5013-Motor vehicle supplies or parts, 5014-Tires & Tubes, 5541- dy & Upholstery Repair Shops and Paint Shops, 7533-Automotive Exhaust System Repair Shops, 7536-Automotive Glass Replacement Shops, 7537-Automotive Transmission Repair Shops, 7538- Automotive Repair Shops, not elsewhere classified)		
Retail gasoline outlets disturbing greater t	han 5,000 square feet.		
In the retail sale of prepared food and drir Beaneries, Box lunch stands, Buffets of restaurants, Concession stands, prepare Dining rooms, Dinner theaters, Drive-in of Grills, (eating places), Hamburger stands Luncheonettes, Lunchrooms, Oyster bars, Soda fountains, Soft drink stands, Submar	square feet. (Standard Industrial Classification (SIC) Code 5812: Establishments primarily engaged liks for on-premise or immediate consumption, including, but not limited to: Automats (eating places), (eating places), Cafes, Cafeterias, Carry-out restaurants, Caterers, Coffee shops, Commissary d food (e.g., in airports and sports arenas), Contract feeding, Dairy bars, Diners (eating places), restaurants, Fast food restaurants, Food bars, Food service (institutional), Frozen custard stands, Hot dog (frankfurter) stands, Ice cream stands, Industrial feeding, Lunch bars, Lunch counters, Pizza parlors, Pizzerias, Refreshment stands, Restaurants, Sandwich bars or shops, Snack shops, ine sandwich shops, and Tea rooms.)		
Home subdivisions with 10 or more housing			
Parking lots of 5,000 square feet or more,	or with 25 or more parking spaces, and potentially exposed to Urban Runoff.		
	DETERMINATION: Circle appropriate determination.		
If any question answered "YES"	Project requires a project-specific WQMP.		
If <u>all</u> questions answered "NO"	Project requires incorporation of Site Design Best Management Practices (BI Source Control BMPs imposed through Conditions of Approval or permit conditions.	MPs)	) and

### NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) REQUIREMENTS

In 1987, Congress amended the Clean Water Act to require the permitting of stormwater discharges from municipal storm drain systems. The Riverside County Board of Supervisors adopted Riverside County Ordinance No. 754.1 establishing stormwater/urban runoff management and discharge controls to protect and enhance the water quality of Riverside County watercourses, water bodies, groundwater, and wetlands in a manner pursuant to and consistent with the Federal Clean Water Act.

Preventing pollution is much easier, and less costly than cleaning up polluted stormwater. Runoff from construction and grading sites can carry sediments and other pollutants into storm drains. Also, a developed site can contribute damaging new pollutants to the surrounding environment. A variety of "best management practices" (BMPs) can be used to prevent different types of stormwater pollution. Construction-related water quality impacts shall be addressed in accordance with County Ordinances, and shall comply with the Regional Water Quality Control Board Construction Permit, where applicable. New developments and redevelopments within the Santa Ana Region Watershed of Riverside County must mitigate their post construction water quality impacts by complying with Section 6 of the Damp. New developments and redevelopment projects within Santa Margarita Region Watershed must mitigate their post construction water quality impacts by complying with Section 6 of the individual Co-permittee Jurisdictional Runoff Management Plan (JRMP). Some development and redevelopment projects may be required to submit a project-specific WQMP/SSMP in compliance with Section 6 of the DAMP and with Section 6 of the individual Co-permittee JRMP. Projects within the Whitewater watershed may refer to Appendix H of the Whitewater River Region Stormwater Management Plan (SWMP). These documents are available on-line at:

http://rcflood.org/NPDES/SantaAnaWS.aspx,

http://rcflood.org/NPDES/SantaMargaritaWS.aspx, and

http://rcflood.org/NPDES/WhitewaterWS.aspx

Noncompliance with Riverside County Ordinance No. 754.1 may result in the imposition of substantial penalties by the local Regional Water Quality Control Board.

### **INDEMNIFICATION AGREEMENT**

This INDEMNIFICATION AGREEMENT ("Agreement"), made by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California ("COUNTY"), and Van Buren Hills, LLC, a Delaware Limited Liability Company registered to transact business in California ("PROPERTY OWNER"), relating to the PROPERTY OWNER'S indemnification of the COUNTY under the terms set forth herein:

### **WITNESSETH:**

WHEREAS, the PROPERTY OWNER has a legal interest in the certain real property described as APN 273-450-019, 273-450-018, 273-450-002 and 273-450-003 ("PROPERTY"); and,

WHEREAS, on December 17, 2014, PROPERTY OWNER filed an application for Tract No. 36813 and Change of Zone No. 7857 ("PROJECT"); and,

WHEREAS, judicial challenges of projects requiring discretionary approvals, including, but not limited to, California Environmental Quality Act determinations, are costly and time consuming. Additionally, project opponents often seek an award of attorneys' fees in such challenges; and,

WHEREAS, since property owners are the primary beneficiaries of such approvals, it is appropriate that such owners bear the expense of defending against any such judicial challenge, and bear the responsibility of any costs, attorneys' fees and damages which may be awarded to a successful challenger; and,

WHEREAS, in the event a judicial challenge is commenced against the PROJECT, the COUNTY has requested and the PROPERTY OWNER has agreed to defend, indemnify and hold harmless the COUNTY, its agents, officers, or employees from any claim, action or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void or annul any approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the PROJECT or its associated environmental documentation ("LITIGATION"); and,

**WHEREAS**, this Agreement is entered into by the COUNTY and PROPERTY OWNER to establish specific terms concerning PROPERTY OWNER'S indemnification obligation for the PROJECT.

**NOW, THEREFORE**, it is mutually agreed between COUNTY and PROPERTY OWNER as follows:

1. Indemnification. PROPERTY OWNER, at its own expense, shall defend, indemnify and hold harmless the COUNTY, its agents, officers, and

employees from and against any claim, action or proceeding brought against the COUNTY, its agents, officers, and employees to attack, set aside, void or annul any approval of the PROJECT including any associated costs, damages, and expenses including, but not limited to, costs associated with Public Records Act requests submitted to the COUNTY related to the PROJECT and an award of attorneys' fees and costs incurred or arising out of the above-referenced claim, action or proceeding brought against the COUNTY ("Indemnification Obligation.")

- 2. **Defense Cooperation.** PROPERTY OWNER and the COUNTY shall reasonably cooperate in all aspects of the LITIGATION. Nothing contained in this Agreement, however, shall be construed to limit the discretion of COUNTY, in the interest of the public welfare, to settle, defend, appeal or to decline to settle or to terminate or forego defense or appeal of the LITIGATION. It is also understood and agreed that all litigation pleadings are subject to review, revision and approval by COUNTY's Office of County Counsel.
- 3. Representation and Payment for Legal Services Rendered. COUNTY shall have the absolute right to approve any and all counsel retained to defend COUNTY in the LITIGATION. PROPERTY OWNER shall pay the attorneys' fees and costs of the legal firm retained by PROPERTY OWNER to represent the COUNTY in the LITIGATION. Failure by PROPERTY OWNER to pay such attorneys' fees and costs may be treated as an abandonment of the PROJECT and as a default of PROPERTY OWNER's obligations under this Agreement.
- 4. Payment for COUNTY's LITIGATION Costs. Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. LITIGATION costs include any associated costs, fees, damages, and expenses as further described in Section 1. herein as Indemnification Obligation. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the PROJECT, PROPERTY OWNER shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). PROPERTY OWNER shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the LITIGATION. Within ten (10) days of written notice from COUNTY, PROPERTY OWNER shall make such additional deposits. Collectively, the initial deposit and additional deposits shall be referred to herein as the "Deposit."
- 5. **Return of Deposit.** COUNTY shall return to PROPERTY OWNER any funds remaining on deposit after ninety (90) days have passed since final adjudication of the LITIGATION.

6. **Notices.** For all purposes herein, notices shall be effective when personally delivered, delivered by commercial overnight delivery service, or sent by certified or registered mail, return receipt requested, to the appropriate address set forth below:

COUNTY:

Office of County Counsel Attn: Melissa Cushman 3960 Orange Street, Suite 500

Riverside, CA 92501

PROPERTY OWNER: Van Buren Hills, LLC Attn: Peter Pitassi 10621 Civic Center Dr.

Rancho Cucamonga, CA 91730

- 7. **Default and Termination**. This Agreement is not subject to termination, except by mutual agreement or as otherwise provided herein. In the event of a default of PROPERTY OWNER's obligations under this Agreement, COUNTY shall provide written notification to PROPERTY OWNER of such alleged default and PROPERTY OWNER shall have ten (10) days after receipt of written notification to cure any such alleged default. If PROPERTY OWNER fails to cure such alleged default within the specified time period or otherwise reach agreement with the COUNTY on a resolution of the alleged default, COUNTY may, in its sole discretion, do any of the following or combination thereof:
  - a. Deem PROPERTY OWNER's default of PROPERTY OWNER's obligations as abandonment of the PROJECT and as a breach of this Agreement;
  - b. Rescind any PROJECT approvals previously granted;
  - c. Settle the LITIGATION.

In the event of a default, PROPERTY OWNER shall remain responsible for any costs and attorney's fees awarded by the Court or as a result of settlement and other expenses incurred by the COUNTY related to the LITIGATION or settlement.

- 8. **COUNTY Review of the PROJECT.** Nothing in this Agreement shall be construed to limit, direct, impede or influence the COUNTY's review and consideration of the PROJECT.
- 9. Complete Agreement/Governing Law. This Agreement represents the complete understanding between the parties with respect to matters set forth herein. This Agreement shall be construed in accordance with the laws of the State of California.
- 10. **Successors and Assigns**. The obligations specific herein shall be made, and are binding on the successors in interest of the PROPERTY OWNER, whether the succession is by agreement, by operation of law or by any other means.

- 11. Amendment and Waiver. No modification, waiver, amendment or discharge of this Agreement shall be valid unless the same is in writing and signed by all parties.
- 12. **Severability**. If any term, provision, covenant or condition of this Agreement is held to be invalid, void or otherwise unenforceable, to any extent, by any court of competent jurisdiction, the remainder of this Agreement shall not be affected thereby, and each term, provision, covenant or condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.
- 13. Survival of Indemnification. The parties agree that this Agreement shall constitute a separate agreement from any PROJECT approval, and if the PROJECT, in part or in whole, is invalidated, rendered null or set aside by a court of competent jurisdiction, the parties agree to be bound by the terms of this Agreement, which shall survive such invalidation, nullification or setting aside.
- 14. *Interpretation*. The parties have been advised by their respective attorneys, or if not represented by an attorney, represent that they had an opportunity to be so represented in the review of this Agreement. Any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be applied in interpreting this Agreement.
- 15. Captions and Headings. The captions and section headings used in this Agreement are inserted for convenience of reference only and are not intended to define, limit or affect the construction or interpretation of any term or provision hereof.
- 16. Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed in the Courts of Riverside County, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court or jurisdiction.
- 17. Counterparts; Facsimile & Electronic Execution. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document. To facilitate execution of this Agreement, the parties may execute and exchange facsimile or electronic counterparts, and facsimile or electronic counterparts shall serve as originals.

- 18. **Joint and Several Liability.** In the event there is more than one PROPERTY OWNER, the liability of PROPERTY OWNER shall be joint and several, and PROPERTY OWNER each of them shall be jointly and severally liable for performance of all of the obligations of PROPERTY OWNER under this Agreement.
- 19. **Effective Date**. The effective date of this Agreement is the date the parties sign the Agreement. If the parties sign the Agreement on more than one date, then the last date the Agreement is signed by a party shall be the effective date.

IN WITNESS WHEREOF, the parties hereto have duly caused this Agreement to be executed by their authorized representatives as of the date written.

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	•	, ,	<b>4</b> I		

COUNTY OF RIVERSIDE,

a political subdivision of the State of California

By: \_\_\_\_

Assistant Director of TLMA – Community Development

Dated: 7/13/17

FORM APPROVED COUNTY COUNSEL

MELISSA R. CUSHMAN

### PROPERTY OWNER:

Van Buren Hills, LLC, a Delaware Limited Liability Company

By:

Diversified Pacific Development Group, LLC,

a California Limited Liability Company Its Manager

Peter J. Pitassi

Authorized Agent

Dated:

### **CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	
A notary public or other officer completing this certificate is attached, and not	icate verifies only the identity of the individual who signed the the truthfulness, accuracy, or validity of that document.
State of California  County of <u>Gan Bernardino</u> On <u>July 5, 2017</u> before me,  Date  personally appeared <u>Peter J. Pit</u>	) ) GIMONE Basso, Notary Public, Here Insert Name and Title of the Officer  ass i  Name(s) of Signer(s)
subscribed to the within instrument and acknow	y evidence to be the person(s); whose name(x) is/age wledged to me that he/she/they executed the same in his/her/their-signature(x) on the instrument the person(x), acted, executed the instrument.
SIMONE BASSO Notary Public - California San Bernardino County Commission # 2164524 My Comm. Expires Oct 9, 2020	I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.  WITNESS my hand and official seal.  Signature  Signature of Notary Public
Place Notary Seal Above	
Though this section is optional, completing this	PTIONAL is information can deter alteration of the document or is form to an unintended document.
Description of Attached Document  Title or Type of Document:  Number of Pages: Signer(s) Other The	an Named Above:
Capacity(ies) Claimed by Signer(s)  Signer's Name:  Corporate Officer — Title(s):  Partner — Limited General  Individual Attorney in Fact  Trustee Guardian or Conservator  Other:  Signer Is Representing:	Signer's Name: Corporate Officer — Title(s): Partner — Limited
□ Other:	_ Other:

### NOTICE OF PUBLIC HEARING and INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

A PUBLIC HEARING has been scheduled, pursuant to Riverside CountyLand Use Ordinance No. 348, before the RIVERSIDE COUNTY PLANNING COMMISSION to consider the project shown below:

CHANGE OF ZONE NO. 7857 AND TENTATIVE TRACT MAP NO. 36813 – Intent to Adopt a Mitigated Negative Declaration – Applicant: Peter Pitassi – Engineer/Representative: Rick Engineering Company – First Supervisorial District – Lake Mathews Zoning District – Lake Mathews/Woodcrest Area Plan: Rural Community: Very Low Density Residential (RC-VLDR) (1 Acre Minimum) – Location: Northerly side of Van Buren Blvd, easterly of Pick Place, and westerly of Whispering Spur Street – 38.3 Gross Acres – Zoning: One-Family Dwellings – 1 Acre Minimum (R-1-1) – Residential Agricultural – 1 Acre Minimum (R-A-1) – Residential Agricultural – 5 Acre Minimum (R-A-5) – REQUEST: The Change of Zone proposes to change the site's Zoning Classification from One-Family Dwellings – 1 Acre Minimum (R-1-1) – Residential Agricultural – 5 Acre Minimum (R-A-5) to One Family Dwellings (R-1), and the Tentative Tract Map is a Schedule "B" Subdivision of 38.3 acres into 38 residential lots with lots ranging in size from 0.5 acres to 2.5 acres and four (4) lettered lots for open space, a tot lot, emergency secondary access and a bio-retention basin.

TIME OF HEARING: 9:00 am or as soon as possible thereafter.

DATE OF HEARING: OCTOBER 4, 2017

PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER

BOARD CHAMBERS, 1ST FLOOR

4080 LEMON STREET, RIVERSIDE, CA 92501

For further information regarding this project please contact Project Planner Deborah Bradford at (951) 955-6646 or email at dbradfor@rivco.org, or go to the County Planning Department's Planning Commission agenda web page at <a href="http://planning.rctlma.org/PublicHearings.aspx">http://planning.rctlma.org/PublicHearings.aspx</a>.

The Riverside County Planning Department has determined that the above project will not have a significant effect on the environment and has recommended adoption of a mitigated negative declaration. The Planning Commission will consider the proposed project and the proposed mitigated negative declaration, at the public hearing. The case file for the proposed project and the proposed mitigated negative declaration may be viewed Monday through Friday, 8:30 a.m. to 5:00 p.m., at the County of Riverside Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501. For further information or an appointment, contact the project planner.

Any person wishing to comment on a proposed project may do so, in writing, between the date of this notice and the public hearing or appear and be heard at the time and place noted above. All comments received prior to the public hearing will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that, as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands, within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to: RIVERSIDE COUNTY PLANNING DEPARTMENT

Attn: Deborah Bradford

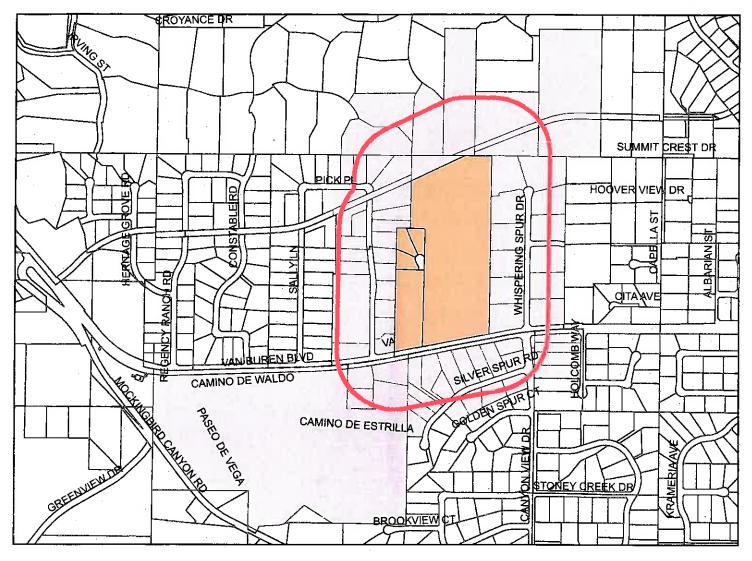
P.O. Box 1409, Riverside, CA 92502-1409

# PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN , certify that on 6 12 2017
The attached property owners list was prepared by Riverside County GIS
APN (s) or case numbers <u>CZO7857 TR36813</u> Fo
Company or Individual's Name Planning Department
Distance buffered 600
Pursuant to application requirements furnished by the Riverside County Planning Department
Said list is a complete and true compilation of the owners of the subject property and all other
property owners within 600 feet of the property involved, or if that area yields less than 2
different owners, all property owners within a notification area expanded to yield a minimum of
25 different owners, to a maximum notification area of 2,400 feet from the project boundarie
based upon the latest equalized assessment rolls. If the project is a subdivision with identifie
off-site access/improvements, said list includes a complete and true compilation of the names an
mailing addresses of the owners of all property that is adjacent to the proposed off-sit
improvement/alignment.
I further certify that the information filed is true and correct to the best of my knowledge.
understand that incorrect or incomplete information may be grounds for rejection or denial of th
application.
NAME: Vinnie Nguyen
TITLE GIS Analyst
ADDRESS: 4080 Lemon Street 2 <sup>nd</sup> Floor
Riverside, Ca. 92502
TELEPHONE NUMBER (8 a.m. – 5 p.m.). (951) 955-8158

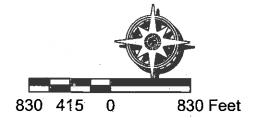
D. Brasford 6/12/17

## CZ07857 / TR36813 ( 600 feet buffer )



### **Selected Parcels**

273-450-029	273-420-020	273-450-031	273-411-005	273-030-052	273-430-005	273-420-017	273-430-010	273-030-050	245-090-010	
245-090-011	245-090-047	245-090-012	245-090-016	245-090-019	273-411-004	245-090-038	273-430-001	273-430-020	273-430-019	
273-510-002	273-420-011	245-090-015	273-510-001	273-411-001	273-420-013	273-450-022	273-510-004	273-420-009	273-411-002	
273-420-015	273-410-003	273-430-003	273-450-026	273-420-018	245-070-058	245-070-059	273-411-006	273-420-019	273-430-012	
273-430-004	273-430-006	273-420-016	273-030-056	273-430-016	273-430-018	273-030-053	273-420-012	273-430-008	273-450-028	
273-420-025	273-450-004	273-410-004	273-411-003	273-430-009	273-510-003	273-450-033	273-450-023	273-030-051	273-450-024	
273-420-010	273-450-027	273-430-011	273-420-014	273-430-007	273-450-002	273-450-003	273-450-017	273-450-018	273-450-019	
273-450-032	273-430-002	273-430-021	273-410-005	273-410-006	273-430-017	273-450-030	273-450-025			





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ASMT: 245070059, APN: 245070059 JUDY SHOWALTER

15833 RIDGEWAY AVE RIVERSIDE CA 92508

ASMT: 245090015, APN: 245090015

SHELLI LOHMAN, ETAL 7772 VICTORIA AVE RIVERSIDE CA 92504

ASMT: 245090019, APN: 245090019

CITY OF RIVERSIDE 3900 MAIN ST RIVERSIDE CA 90522

ASMT: 245090038, APN: 245090038

GINA WISHARD, ETAL 14315 MERLOT CT RIVERSIDE CA 92508

ASMT: 245090047, APN: 245090047

JOANN SMITH, ETAL 15980 SUMMIT CREST DR RIVERSIDE CA 92506

ASMT: 273030050, APN: 273030050

CARRIE FONTES 16375 HOLCOMB WAY RIVERSIDE, CA. 92504

ASMT: 273030051, APN: 273030051

ARLENE SHEPEARD, ETAL 16395 HOLCOMB WAY RIVERSIDE, CA. 92504 ASMT: 273030052, APN: 273030052

ARNE STROUT 16415 HOLCOMB WAY RIVERSIDE, CA. 92504

ASMT: 273030053, APN: 273030053

SUSAN ODONNELL, ETAL 16435 HOLCOMB WAY RIVERSIDE, CA. 92504

ASMT: 273030056, APN: 273030056 CAREFREE COMMUNITIES CA, ETAL

C/O DAVID A NAPP

6991 E CAMELBACK STE B310 SCOTTSDALE AZ 85251

ASMT: 273410003, APN: 273410003

LUCIANA MIRTICH, ETAL

16311 PICK PL

RIVERSIDE, CA. 92504

ASMT: 273410004, APN: 273410004

LEVARA COX, ETAL 16295 PICK PL

RIVERSIDE, CA. 92504

ASMT: 273410006, APN: 273410006

WALTER LANE

15360 VAN BUREN BLV RIVERSIDE CA 92504

ASMT: 273411001, APN: 273411001

PATRICIA PURCELL, ETAL

16300 PICK PL

RIVERSIDE, CA. 92504



ASMT: 273411002, APN: 273411002 PAMELA SEIFEN, ETÄL 16322 PICK PL

5962™<sup>™</sup>

RIVERSIDE, CA. 92504

ASMT: 273411003, APN: 273411003

ROBERT LANG 16346 PICK PL RIVERSIDE, CA. 92504

ASMT: 273411004, APN: 273411004

JODY PORTELLA, ETAL

16368 PICK PL

RIVERSIDE, CA. 92504

ASMT: 273411005, APN: 273411005

ALIDA PLASCENCIA, ETAL

16390 PICK PL

RIVERSIDE, CA. 92504

ASMT: 273411006, APN: 273411006

KALVIN KELIN 16414 PICK PL

RIVERSIDE, CA. 92504

ASMT: 273420009, APN: 273420009

SHIRLEY GARRETT, ETAL

16144 PICK PL

RIVERSIDE, CA. 92504

ASMT: 273420010, APN: 273420010

DARNELL SMITH, ETAL

**16168 PICK PL** 

RIVERSIDE, CA. 92504

ASMT: 273420011, APN: 273420011

DONALD CASSELL

16186 PICK PL

RIVERSIDE, CA. 92504

ASMT: 273420012, APN: 273420012

LISA ELDER, ETAL 16204 PICK PL

RIVERSIDE, CA. 92504

ASMT: 273420013, APN: 273420013

LISE MILLER, ETAL

16222 PICK PL

RIVERSIDE, CA. 92504

ASMT: 273420014, APN: 273420014

LINDA OLDALE, ETAL

16248 PICK PL

RIVERSIDE, CA. 92504

ASMT: 273420015, APN: 273420015

JEAN ARNOLD

16264 PICK PL

RIVERSIDE, CA. 92504

ASMT: 273420016, APN: 273420016

JAY TEELE, ETAL

16286 PICK PL

RIVERSIDE, CA. 92504

ASMT: 273420017, APN: 273420017

JENNA DIRKSWAGER, ETAL

16271 PICK PL

RIVERSIDE, CA. 92504



5962<sup>tm/mc</sup>

ASMT: 273420018, APN: 273420018 JESSICA RAMIREZ, ETAL C/O JESSICA RAMIREZ 16255 PICK PL RIVERSIDE, CA. 92504

ASMT: 273420019, APN: 273420019 JOCELYN IPSEN, ETAL

16237 PICK PL

RIVERSIDE, CA. 92504

ASMT: 273420020, APN: 273420020

ANDREW FRANCO 16137 PICK PL RIVERSIDE, CA. 92504

ASMT: 273430001, APN: 273430001

DANIELLE JENKINS 16365 CANYON VIEW DR RIVERSIDE, CA. 92504

ASMT: 273430002, APN: 273430002

NANCY CRAIG, ETAL 15730 SILVER SPUR RD RIVERSIDE, CA. 92504

ASMT: 273430003, APN: 273430003

JOANN CORRALES, ETAL 18647 SUNSET KNOLL DR RIVERSIDE CA 92504

ASMT: 273430004, APN: 273430004

LAWRENCE HOBBS 15690 SILVER SPUR RD RIVERSIDE, CA. 92504 ASMT: 273430005, APN: 273430005

EDITH OROSCO, ETAL 15670 SILVER SPUR RD RIVERSIDE, CA. 92504

ASMT: 273430006, APN: 273430006

NEDRA DECOUD, ETAL 15650 SILVER SPUR RD RIVERSIDE, CA. 92504

ASMT: 273430007, APN: 273430007

DILYS CROMPTON, ETAL 15610 SILVER SPUR RD RIVERSIDE, CA. 92504

ASMT: 273430008, APN: 273430008

TERESA GONZALEZ, ETAL 15590 SILVER SPUR RD RIVERSIDE, CA. 92504

ASMT: 273430009, APN: 273430009

VIRGINIA LOPEZ, ETAL 23935 CALIFORNIA AVE HEMET CA 92545

ASMT: 273430010, APN: 273430010

BEVERLY TINSON, ETAL 15570 SILVER SPUR RD RIVERSIDE, CA. 92504

ASMT: 273430011, APN: 273430011 JACQUELYN SCOTT COOK, ETAL 15550 SILVER SPUR RD RIVERSIDE, CA. 92504



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ASMT: 273430012, APN: 273430012 LINDA RHEA, ETAL 15530 SILVER SPUR RD RIVERSIDE, CA. 92504

ASMT: 273430017, APN: 273430017 SUSAN MATEJKA, ETAL 15667 SILVER SPUR RD

RIVERSIDE, CA. 92504

ASMT: 273430018, APN: 273430018 OUR FARMLANDS 3800 ORANGE ST NO 250 RIVERSIDE CA 92501

ASMT: 273430019, APN: 273430019 MONIQUE RODRIGUEZ, ETAL 15731 SILVER SPUR RD RIVERSIDE, CA. 92504

ASMT: 273450004, APN: 273450004 OPEN SP DIST, ETAL 4600 CRESTMORE RD JURUPA VALLEY CA 92509

ASMT: 273450019, APN: 273450019 VAN BUREN HILLS 10621 CIVIC CENTER DR RANCHO CUCAMONGA CA 91730

ASMT: 273450022, APN: 273450022 MOON KOH, ETAL 16145 WHISPERING SPUR DR RIVERSIDE, CA. 92504 ASMT: 273450023, APN: 273450023 INEZ SHENOUDE, ETAL 11931 WEMBLEY RD LOS ALAMITOS CA 90720

ASMT: 273450024, APN: 273450024 DARLLA WILLIAMS, ETAL 16285 WHISPERING SPUR DR RIVERSIDE, CA. 92504

ASMT: 273450025, APN: 273450025 YOGEESH ASHRAM 16345 WHISPERING SPUR DR RIVERSIDE, CA. 92504

ASMT: 273450026, APN: 273450026 ANDREA FERRARA, ETAL 16340 WHISPERING SPUR DR RIVERSIDE, CA. 92504

ASMT: 273450027, APN: 273450027 STAMFORD TRADING LTD C/O SAUL KENT 16280 WHISPERING SPUR DR RIVERSIDE, CA. 92504

ASMT: 273450028, APN: 273450028 PENNY ISLES, ETAL 16210 WHISPERING SPUR DR RIVERSIDE, CA. 92504

ASMT: 273450029, APN: 273450029 AFRODITA BERNARDINO, ETAL 16140 WHISPERING SPUR DR RIVERSIDE, CA. 92504



ASMT: 273450030, APN: 273450030 KEVIN KLINE, ETAL 16080 WHISPERING SPUR DR RIVERSIDE, CA. 92504

ASMT: 273450031, APN: 273450031 ANISSA HERNANDEZ 35339 SIERRA VISTA RD YUCAIPA CA 92399

ASMT: 273450032, APN: 273450032 LETICIA CHARNETSKY, ETAL 15905 CALUMET CT RIVERSIDE CA 92506

ASMT: 273450033, APN: 273450033 ADELINA BENNETT, ETAL 223 AMERICAN RIVER CYN DR FOLSOM CA 95630

ASMT: 273510001, APN: 273510001 OLGA CHUQUIMIA, ETAL 16465 PICK PL RIVERSIDE, CA. 92504

ASMT: 273510002, APN: 273510002 WILMA PROCIDA, ETAL 16485 PICK PL RIVERSIDE, CA. 92504

ASMT: 273510003, APN: 273510003 VICKIE KUSSIN, ETAL 16460 PICK PL RIVERSIDE, CA. 92504 ASMT: 273510004, APN: 273510004 MARLENE CARRANZA, ETAL 16480 PICK PL RIVERSIDE, CA. 92504

# 1-800-GO-AVERY

Van Buren Hills, LLC Attn: Peter Pitassi 10621 Civic Center Dr. Rancho Cucamonga, CA 91730

Rick Engineering Co. Attn: Nate Smith 1770 Iowa Ave., Suite 100 Riverside, CA 92507

Riverside Unified School Dist. 3380 14<sup>th</sup> St. P.O Box 2800 Riverside, CA 92516

So. California Edison Co. P.O. Box 800 Rosemead, CA 91770

So. California Gas Co. 4495 Howard Ave. Riverside, CA 92507 Repliez à la hachure afin de révéler le rebord Pop-up<sup>MC</sup>

Van Buren Hills, LLC Attn: Peter Pitassi 10621 Civic Center Dr. Rancho Cucamonga, CA 91730

cnardement

ap suas

Western Municipal Water Dist. 14205 Meridian Pkwy. Riverside, CA

City of Riverside Community Devel. Director 3900 Main St. San Jacinto, CA 92583

So. California Edison Co. P.O. Box 800 Rosemead, CA 91770 iquettes faciles à pelet Filises le gabarit AVERY® 5160®

Rick Engineering Co. Attn: Nate Smith 1770 Iowa Ave., Suite 100 Riverside, CA 92507

Riverside Unified School Dist. 3380 14<sup>th</sup> St. P.O Box 2800 Riverside, CA 92516

City of Riverside Community Devel. Director 3900 Main St. San Jacinto, CA 92583

So. California Gas Co. 4495 Howard Ave. Riverside, CA 92507

CM Consulting Inc attn: Charlene Kussne 30299 Buck Tail Dr. Canyon Lake, CA 9258

CM Consulting Inc. attn: Charlene Kussner 30299 Buck Tail Dr. Caryon Lake, CA 92587

Feed Paper



# PLANNING DEPARTMENT

Charissa Leach, P.E. Assistant TLMA Director

SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the California Public Resources	Code.
TR36813/CZ07857 Project Title/Case Numbers	
Deborah Bradford 951-955-6646 County Contact Person Phone Number	
State Clearinghouse Number (if submitted to the State Clearinghouse)  Peter Pitassi  10621 Civic Center Drive, Rancho Cucamonga.	CA 91730
Project Applicant  Address  North of Van Buren Boulevard, east of Pick Place, and west of Whispering Spur Street.	
A schedule "B" subdivision of 38.3 acres into 38 residential lots, and four (4) lettered lots for open space, a tot lot, en basin, and a Change of Zone to alter the zoning of the site from One-Family Dwellings (R-1-1), Residential Agricult Agricultural five-acre minimum(R-A-5) to One-Family Dwelling (R-1).  Project Location	
This is to advise that the Riverside County <u>Board of Supervisors</u> , as the lead agency, has approved the above-refethe following determinations regarding that project:	erenced project on, and has made
<ol> <li>The project WILL NOT have a significant effect on the environment.</li> <li>An Mitigated Negative Declaration was prepared for the project pursuant to the provisions of the California Enand reflect the independent judgment of the Lead Agency.</li> <li>Mitigation measures WERE made a condition of the approval of the project.</li> <li>A Mitigation Monitoring and Reporting Plan/Program WAS adopted.</li> <li>A statement of Overriding Considerations WAS NOT adopted</li> <li>Findings were made pursuant to the provisions of CEQA.</li> </ol>	
This is to certify that the earlier EA, with comments, responses, and record of project approval is available to the Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501.	ne general public at: Riverside County Planning
Project Planner	
Signature Title	Date
Date Received for Filing and Posting at OPR:	
FOR COUNTY CLERK'S USE ONLY	

### COUNTY OF RIVERSIDE SPECIALIZED DEPARTMENT RECEIPT

Permit Assistance Center

4080 Lemon Street Second Floor

39493 Los Alamos Road Suite A

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