

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

923B



FROM: TLMA - Planning Department

SUBMITTAL DATE:

July 24, 2006

SUBJECT: Resolution No. 2006-266 Certifying Environmental Impact Report No. 451 for Tract Map No. 29835 and Change of Zone No. 7104

RECOMMENDED MOTION:

ADOPTION of Resolution No. 2006-266 to certify Environmental Impact Report No. 451.

Departmental Concurrence

REVIEWED BY EXECUTIVE OFFICE

DATE AG 7/26/06

David Mares for

Robert C. Johnson
Planning Director

RCJ:aa

Policy
 Policy

Consent
 Consent

Dep't Recomm.:
Per Exec. Ofc.:

3008 7/27/06 5:41:10 PM
RECEIVED RIVERSIDE COUNTY

Prev. Agn. Ref.

District: Third

Agenda Number:

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3 **RESOLUTION NO. 2006-266**
4 **CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 451**
5 **AND APPROVING TENTATIVE TRACT MAP NO. 29835**
6 **(MENIFEE WEST/UNDERWOOD ESTATES)**

7 **WHEREAS**, pursuant to the provisions of Government Code Section 65450 et seq., a
8 public hearing was held before the Riverside County Board of Supervisors in Riverside,
9 California on August 1, 2006 and before the Riverside County Planning Commission in
10 Riverside, California on February 22, 2006, March 1, 2006, May 3, 2006, and June 14, 2006 to
11 consider Tentative Tract Map No. 29835; and,

12 **WHEREAS**, all the procedures of the California Environmental Quality Act ("CEQA")
13 and the Riverside County CEQA implementing procedures have been satisfied, and
14 Environmental Impact Report (EIR) No. 451, prepared in connection with Tract No. 29835
15 (referred to alternatively herein as "the project"), is sufficiently detailed so that all the potentially
16 significant effects of the project on the environment and measures necessary to avoid or
17 substantially lessen such effects have been evaluated in accordance with the above-referenced
18 Act and Rules; and,

19 **WHEREAS**, the matter was discussed fully with testimony and documentation presented
20 by the public and affected government agencies; and,

21 **WHEREAS**, Public Resources Code Section 21081 requires that "no public agency shall
22 approve or carry out a project for which an environmental impact has been certified which
23 identifies one or more significant effects on the environment that would occur if the project is
24 approved or carried out unless both of the following occur:

- 25 (a) The public agency makes one or more of the following findings with respect to
26 each significant effect:
27 (1) Changes or alterations have been required in, or incorporated into, the
28 project which mitigate or avoid the significant effects on the environment.

FORM APPROVED
COUNTY COUNSEL

JUL 27 2006
BY [Signature]

1 (2) Those changes or alterations are within the responsibility and jurisdiction
2 of another public agency and have been, or can and should be, adopted by
3 that other agency.

4 (3) Specific economic, legal, social, technological, or other considerations,
5 including considerations for the provision of employment opportunities for
6 highly trained workers, make infeasible the mitigation measures or
7 alternatives identified in the environmental impact report.

8 (b) With respect to significant effects which were subject to a finding under paragraph
9 (3) of subdivision (a), the public agency finds that specific overriding economic,
10 legal, social, technological, or other benefits of the project outweigh the
11 significant effects on the environment.

12 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of
13 Supervisors of the County of Riverside, in regular session assembled on August 1, 2006, that:

14 A. Tract No. 29835 is a 235-acre residential subdivision located north of Chambers
15 Avenue, east of Antelope Road, and west of Palomar Road. It proposes the
16 construction of 543 dwelling units on 154 acres, with the remaining area to be
17 devoted to the following uses: 9.4 acres for parks and 71.6 acres for permanent
18 open space.

19 B. Tract No. 29835 is associated with Change of Zone No. 7104, which was
20 considered concurrently at the public hearing before the Planning Commission.
21 Change of Zone Case No. 7104 proposes to change the existing zoning
22 classification on the site from R-1, One-Family Dwelling to R-4, Planned
23 Residential, for the proposed residential areas on the site and to R-5, Open Area
24 Combining Zone-Residential Developments, for the hillside open space and park
25 areas on the site.

26 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the following
27 environmental impacts associated with Tract No. 29835 and Change of Zone No. 7104 are
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1 potentially significant unless otherwise indicated, but each of these impacts will be avoided or
2 substantially lessened by the identified mitigation measures, and that for each of the following
3 impacts, the Board of Supervisors finds in accordance with Public Resources Code Section
4 21081(a)(1) that "changes or alterations have been required in, or incorporated into, the project
5 which mitigate or avoid the significant effects on the environment," as follows:

6 A. Land Use and Planning

7 1. Impacts:

8 The project would lead to the development of a 543-lot residential
9 subdivision on an existing agricultural field. The proposed
10 development complies with the County General Plan, the Sun
11 City/Menifee Valley Area Plan, and other applicable regional
12 plans and policies. A Change of Zone would be needed to
13 comply with the County Zoning Ordinance. No significant
14 adverse impact is expected.

15 2. Mitigation:

16 None required.

17 B. Population and Housing

18 1. Impacts:

19 The project would lead to 543 housing units and a resident
20 population of approximately 1,668 people on-site (3.071 persons
21 per household). No housing displacement would occur, since the
22 existing residence on site would be retained. Loss of agricultural
23 jobs and short-term construction employment would occur.
24 Regional population and housing projections would not be
25 exceeded by the project. No significant adverse impact is
26 expected.

1 improvements to the intersection, and construction of a paved two-
2 lane extension of Rouse Road from the project site (at Palomar
3 Road) east to Menifee Road to provide site access, with a
4 minimum 32-foot wide pavement section.

5 D. Geology and Soils

6 1. Impacts:

7 The project would involve grading activities, including the cut of
8 soils at the southern and central sections of the site and the fill of
9 the northern section of the site. The presence of scattered rock
10 outcrops on the site presents rockfall hazards and requires blasting
11 activities. Existing saturated soil conditions may make excavation
12 difficult and lead to intermittent seepage. Also, loose soils found
13 on-site have high expansion and erosion potential, may create
14 runoff hazards and are not suitable for support of structural loads.
15 Developing residential units near the hills that are located onsite
16 would be exposed to a risk of rockfall.

17 2. Mitigation:

18 As a standard condition, all structures built on the site would be
19 subject to pertinent requirements of the Uniform Building Code and
20 seismic design criteria. Blasting activities shall be conducted by a
21 licensed blasting company and in accordance with State and
22 County regulations. In order to prevent geologic hazards
23 associated with saturated soil conditions, soil expansion and
24 erosion, the recommendations of the geotechnical study for the site
25 shall be implemented to ensure that on-site soil and geologic
26 characteristics do not pose hazards to building, utility, and
27 roadway construction. To reduce the risk of rockfall, the
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1 geotechnical investigation recommends that the Engineering
2 Geologist evaluate natural slopes during grading so that specific
3 hazardous boulders can be identified and removed.

4 E. Water and Hydrology

5 1. Impacts:

6 Existing flood hazards at the site would be eliminated by the
7 proposed filling and raising of the ground elevation at the northern
8 section of the site. The proposed development would introduce
9 impervious areas and increase off-site runoff volume. A drainage
10 channel would be constructed on-site by the County Flood Control
11 District to connect to area-wide drainage facilities. This will
12 ensure adequate stormwater drainage and prevent flood hazards in
13 upstream areas and at the site. Runoff from the site would include
14 urban pollutants which may affect stormwater quality. The project
15 would need to implement best management practices (BMPs) during
16 construction and occupancy of the homes in accordance with
17 NPDES requirements. Flood hazards would be eliminated by the
18 proposed grading and the construction of on-site drainage facilities.

19 2. Mitigation:

20 As a standard condition, the project would need to file a Notice of
21 Intent and implement erosion control and a Stormwater Pollutant
22 Prevention Plan during construction and a Water Quality
23 Management Plan (WQMP) for long-term occupancy of the housing
24 unit, in accordance with the NPDES. The existing water well would
25 need to be abandoned in accordance with County Department of
26 Environmental Health guidelines. Approval of the storm drainage
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1 plans by the County Flood Control and Water Conservation District
2 would also be needed.

3 F. Air Quality – Construction Emissions

4 1. Impacts:

5 The proposed project would generate construction-related short-
6 term emissions, which would exceed SCAQMD thresholds.
7 Specifically, PM₁₀ emissions during portions of project development
8 would exceed significance threshold levels. Fugitive dust from
9 grading and rock crushing activities may also create a nuisance to
10 adjacent residents. NO_x emissions from construction equipment
11 would also exceed SCAQMD thresholds during mass grading
12 activities. VOC emissions may exceed the significance threshold
13 during construction activities.

14 2. Mitigation:

15 During grading activities, exposed soil areas shall be watered
16 twice per day. On windy days or when fugitive dust can be
17 observed leaving the project site, additional applications of water
18 shall be made to maintain a minimum 12 percent moisture content,
19 as defined by SCAQMD Rule 403. Under windy conditions where
20 velocities are forecast to exceed 25 miles per hour (as ascertained
21 by phone calls to the SCAQMD), all ground disturbing activities
22 shall be halted until winds are forecast to abate below this
23 threshold. The contractor may install on-site wind monitoring
24 equipment at the construction office and base the halt of grading
25 on actual measured wind gusts, instead of SCAQMD forecasts.
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1 The project shall also comply with SCAQMD Rules 402 and 403
2 regarding fugitive dust control. Rule 403 requires that fugitive
3 dust be controlled with best available control measures so that the
4 presence of such dust does not remain visible in the atmosphere
5 beyond the property line of the emissions source. Rule 402
6 requires dust suppression techniques to be implemented to prevent
7 fugitive dust from creation a nuisance off-site. These dust
8 suppression techniques include:

- 9 ♦ Portions of the construction site that will remain inactive for more
10 than three months shall be seeded and watered until grass cover is
11 grown or otherwise stabilized in a manner acceptable to the
12 County.
- 13 ♦ All on-site roads shall be paved as soon as feasible or watered
14 periodically or chemically stabilized.
- 15 ♦ All materials transported off-site shall be either sufficiently
16 watered or securely covered to prevent excessive amounts of dust.
- 17 ♦ The area disturbed by clearing, grading, earthmoving, or
18 excavation operations shall be minimized at all times.

19 All vehicles on the construction site shall travel at speeds less than
20 15 miles per hour. All material stockpiles subject to wind erosion
21 during construction activities, that will not be utilized within 3
22 days, shall be covered with plastic, an alternative cover deemed
23 equivalent to plastic, or sprayed with a non-toxic chemical
24 stabilizer. Where vehicles leave the construction site and enter the
25 adjacent public streets, the streets shall be swept daily or washed
26 down at the end of the work day to remove soil tracked onto the
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1 paved surface. Any visible track-out extending for more than 50
2 feet from the access point shall be swept or washed within 30
3 minutes of deposition. All diesel-powered vehicles and equipment
4 shall be properly operated and maintained. All diesel-powered
5 vehicles and gasoline-powered equipment shall be turned off when
6 not in use for more than 5 minutes. The construction contractor shall
7 utilize electric or natural gas-powered equipment in lieu of gasoline
8 or diesel-powered engines, where feasible.

9 As much as possible, the construction contractor shall time the
10 construction activities so as not to interfere with peak hour traffic. In
11 order to minimize obstruction of through traffic lanes adjacent to the
12 site, a flag person shall be retained to maintain safety adjacent to
13 existing roadways, if necessary. The construction contractor shall
14 also support and encourage ridesharing and transit incentives for the
15 construction crew.

16 The construction contractor shall utilize, as much as possible, pre-
17 coated/natural colored building materials. Water-based or low VOC
18 coatings that comply with the most stringent SCAQMD Rule 113
19 limits shall be used. Spray equipment with high transfer efficiency,
20 such as high volume-low pressure (HPLV) spray method, or manual
21 coatings application, such as paint brush, hand roller, trowel, spatula,
22 dauber, rag or sponge, shall be used to reduce VOC emissions,
23 where practical. If construction equipment powered by alternative
24 fuel sources (LPG/CNG) is available at comparable costs, the
25 developer shall specify that such equipment be used during all
26 construction activities on the project site. Where diesel equipment
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1 has to be used because there are no practical alternatives, the
2 construction contractor will use particulate filters, oxidation catalysts
3 and low sulfur diesel, as defined in SCAQMD Rule 431.2, i.e. diesel
4 with less than 15 ppm sulfur content. Oxidation catalyst equipment
5 will be used to the extent practicable.

6 G. Biological Resources

7 1. Impacts:

8 The proposed subdivision would remove existing vegetation and
9 habitat on the flat areas of the site and replace them with landscaping
10 materials. The on-site hills would be maintained as open space.
11 However, some sage scrub habitat at the on-site hills would be
12 disturbed by the proposed subdivision and would reduce habitats for
13 the California gnatcatcher.

14 2. Mitigation:

15 As a standard condition, the project would be required to pay the
16 Stephens Kangaroo Rat (SKR) and MSHCP fees to support the
17 preservation of habitat areas for sensitive species. A protocol
18 winter season survey and a 30-day pre-grading survey would be
19 performed prior to construction grading, in accordance with the
20 California Burrowing Owl Consortium 1993 Burrowing Owl
21 Survey Protocol and Mitigation Guidelines (CBOC, 1993). Trees
22 on or near the construction area shall be surveyed for active nests
23 before they are removed during the breeding season between
24 March 1 and September 15), in accordance with the Migratory
25 Bird Treaty Act (MBTA, 1918). If active nests are found, the trees
26 shall be protected and left in place and disturbed/removed only
27 after the breeding season. In addition, grading activities for the
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1 project shall be conducted outside of the breeding season for the
2 California gnatcatcher, which is generally from February 15 to
3 August 31 of each year. Otherwise, a focused survey shall be
4 conducted and occupied sage scrub habitat shall be fenced out and
5 not disturbed during the breeding season.

6 H. Noise

7 1. Impacts:

8 The proposed residential subdivision would create noise from
9 construction activities, vehicular traffic, and on-site activities.

10 Rock crushing has a reference noise level of 90 dB at 50 feet and
11 may affect adjacent residents on a temporary basis. Exterior noise
12 levels at 10 feet inside the lots abutting the perimeter roads would
13 exceed the County noise standard of 65 dB CNEL. Interior noise
14 levels at the second stories of dwelling units located along the
15 perimeter roadways abutting the site may exceed the Riverside
16 County interior noise standard of 45 dB CNEL.

17 2. Mitigation:

18 The project shall comply with construction time limits imposed as
19 part of the grading permit. In addition, any rock crushing activities
20 shall be conducted near the center of the site. Placement of piles of
21 boulders for processing and/or completed piles of crushed material
22 north, northwest and southeast of crushing operations would further
23 reduce noise propagation toward existing homes on and near the site.
24 Perimeter walls shall be provided along the northern and eastern site
25 boundaries, with reverse frontage lots provided along Rouse Road
26 and Antelope Road. An interior noise analysis shall also be
27 submitted in conjunction with building plan check to verify that
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1 structural noise reduction as follows will be achieved in a livable
2 upstairs space at the perimeter tier of homes by the specified
3 structural components (windows, walls, doors, roof/ceiling
4 assembly) shown on building plans:

- 5 • Major Roadway - 29 dB attenuation
- 6 • Secondary Roadways - 24 dB attenuation

7 All perimeter homes shall have central air conditioning as a standard
8 feature, to allow for window closure during warmer weather while
9 maintaining interior comfort. A make-up air intake should be
10 located on the side of the house away from the adjacent arterial
11 roadway. The duct should be sized to accommodate a 75-cfm
12 airflow rate. Attic vents on perimeter units should be equipped with
13 baffle plates and oriented away from perimeter roadways. Duct
14 openings facing the street should have a 90-degree elbow and have
15 duct lining on the last 5 feet from the opening.

16 I. Fire Protection Services

17 1. Impacts:

18 The proposed development would increase the demand for fire
19 protection services due to new structures and the introduction of
20 residents to the site. Impacts would include the need for additional
21 fire fighters, additional equipment, and the improvement of existing
22 facilities. RSA Ordinance 659 imposes a development fee to
23 projects within the RSA to help finance the needed roads, police
24 and fire service facilities to serve the area. Payment of fees by the
25 project would provide funding for needed service and facility
26 expansions. No new fire station would be needed to serve the
27 project.
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1 As part of the development, the proposed project would provide on-
2 site parks to serve the project's future residents. No other mitigation
3 measure is recommended.

4 N. Medical Services

5 1. Impacts:

6 The increase in demand for medical services that would result
7 from the introduction of 1,668 new residents on the project site
8 could be adequately served by existing medical service facilities in
9 the area and the region. The project would not result in the need
10 for new medical facilities that could result in significant
11 environmental impacts.

12 2. Mitigation:

13 None required.

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15 O. Water Services

16 1. Impacts:

17 Based on EMWD's consumption factor of 540 gallons per day per
18 medium density single family unit, full occupancy of the 543 housing
19 units within the proposed project would use 293,220 gallons of water
20 per day (gpd). This average daily demand represents 0.3% of
21 EMWD's average annual demand in 2005. The EMWD has indicated
22 that adequate water supplies would be available for the project during
23 periods of drought.

24 2. Mitigation:

25 The proposed development would comply with State and local
26 regulations regarding the use of water-efficient appliances and water
27 conservation measures. Coordination with EMWD regarding the
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1 extension of water lines to the site would be made to ensure timely
2 service. This would include the payment of the required connection
3 fees.

4 P. Sewer Services

5 1. Impacts:

6 Sewage generation from the proposed subdivision project is
7 estimated at approximately 162,900 gallons per day, based on
8 EMWD's sewage generation factor of 300 gallons per unit per day.
9 There is capacity at the Perris Valley Reclamation Plant to serve the
10 sewage treatment needs of the project.

11 2. Mitigation:

12 The developer shall coordinate with EMWD on the extension of
13 sewer lines to serve the site to ensure that sewer service is
14 available to future dwelling units constructed on the site. This
15 would include payment of the required connection fees.

16 Q. Storm Drainage

17 1. Impacts:

18 Storm drainage runoff volume from the site would increase due to
19 the paving and creation of impervious surfaces on-site, associated
20 with internal roadways, driveways, dwelling units, and other
21 structures. This increase in runoff volumes would be handled by
22 planned storm drain facilities that would precede project
23 development. A 12-foot wide open drainage channel would be
24 constructed from the eastern boundary of the site, running west and
25 then north toward the northern edge of the site and toward a
26 proposed channel to be located approximately 300 feet north of
27 McLaughlin Road. The stormwater runoff from the developed site
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1 would flow into this channel for off-site discharge. The increase in
2 runoff volume from the site is not expected to adversely affect the
3 capacity or flow at the San Jacinto River or the planned off-site
4 facilities, since the developed site has been included in the design of
5 planned facilities as part of the adopted Romoland Drainage Master
6 Plan and the ongoing update of the Area Drainage Plan for the
7 Homeland/Romoland Area.

8 2. Mitigation:

9 As a standard condition, the project would be required to comply
10 with NPDES requirements, including the implementation of a
11 stormwater pollution prevention plan during construction. Approval
12 of the storm drainage plans by the County Flood Control and Water
13 Conservation District would be needed.

14 R. Solid Waste Disposal

15 1. Impacts:

16 Approximately 2,036 to 3,530 tons of construction wastes may be
17 generated. In addition, the 543 homes on the site have the potential
18 to generate 1,021 tons of solid wastes per year or 5,593 pounds per
19 day (2.8 tons per day). Waste Management has indicated that it
20 provides service on demand and, thus, can adequately serve the
21 project with no adverse impact on existing waste collection services.
22 Solid wastes and recyclables from the proposed development would
23 be brought by Waste Management to their materials recovery facility
24 for sorting and recycling prior to final disposal at El Sobrante or
25 Badlands Landfill. There is available capacity at these landfills to
26 accommodate the landfill demand from the project. No adverse
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1 impacts on solid waste disposal services and landfills are anticipated
2 with project implementation.

3 2. Mitigation:

4 None required.

5 S. Telephone Services

6 1. Impacts:

7 Construction and occupancy of the proposed project would require
8 service connections to existing telephone lines running on Rouse
9 Road and near the site and the extension of existing lines into
10 individual lots on the site.

11 2. Mitigation:

12 The proposed development would need to coordinate with Verizon
13 on the timely provision of services.

14 T. Cultural Resources

15 1. Impacts:

16 Six archaeological sites were found on the site, although only four
17 of the sites contain important resources. Grading activities to
18 construct the proposed development would destroy these cultural
19 resources. Thus, the proposed subdivision project would lead to
20 the disturbance and destruction of important prehistoric and
21 historic resources on the project site.

22 2. Mitigation:

23 As a standard condition, if human remains are discovered during
24 ground disturbance activities, all work shall be halted and the
25 County Coroner shall be notified immediately by the developer
26 (Section 5097.98 of the Public Resources Code and Section 7050.5
27 of the Health and Safety Code). The Coroner will determine
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1 whether the remains are of forensic interest. If the Coroner, with
2 the aid of the County-approved archaeologist, determines that the
3 remains are prehistoric, he/she will contact the Native American
4 Heritage Commission (NAHC). The NAHC will be responsible
5 for designating the most likely descendant (MLD), who will be
6 responsible for the ultimate disposition of the remains, as required
7 by Section 7050.5 of the California Health and Safety Code. The
8 MLD will make his/her recommendation within 24 hours of their
9 notification by the NAHC. This recommendation may include
10 scientific removal and non-destructive analysis of human remains
11 and items associated with Native American burials (Section
12 70580.5 of the Health and Safety Code). For resource and data
13 recovery of the archaeological sites that cannot be avoided, the
14 developer shall implement a data recovery program focused on the
15 excavation of a sufficient sample of each deposit to exhaust the
16 research potential of the sites. This measure is applicable to the
17 sites because the important element of each site is represented by
18 the information potential of the artifacts and data within the
19 subsurface deposits. The specifics of the data recovery program
20 shall be prepared and submitted to the County of Riverside in a
21 research design. The research design shall include the various
22 research questions that can be discussed with information from the
23 four sites. The sampling methodology and sample size shall be
24 presented which will adequately recover a sufficient quantity of
25 information to adequately address the research questions and
26 exhaust the research potential of the site. The research design
27 must be approved by the County and in accordance with the
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1 participation agreement between the developer and the Pechanga
2 Tribe, and the data recovery program completed prior to the start
3 of grading at the site. If the data recovery program results in new
4 impacts to significant cultural resources, the County, developer
5 and the Pechanga Tribe will discuss whether additional testing
6 and/or mitigation measures are necessary.

7 As part of the mitigation program, an archaeologist and a member
8 of the Pechanga Tribe shall monitor the grading of any areas where
9 archaeological sites and deposits have been recorded to ensure that
10 any features or deposits not previously studied are identified and
11 subjected to further data recovery efforts. The archaeological
12 monitor shall have the responsibility to redirect grading away from
13 any important deposits that are uncovered, and subsequently, to
14 initiate the evaluation of any discoveries to determine if further
15 data recovery work is necessary. Should any discoveries
16 necessitate further work, this shall be accomplished in an
17 expeditious manner. At the conclusion of the monitoring process, a
18 report shall be presented to the County to confirm the monitoring
19 effort and describe any archaeological work that was required.

20 U. Visual Quality and Aesthetics

21 1. Impacts:

22 The proposed project would change the visual quality of the site
23 from an agricultural land to a residential subdivision, although the
24 hills would remain as open space. New sources of light and glare
25 would also be created on the site. The proposed development
26 would be separated from adjacent uses by vacant land, roads, a
27 block wall/berm, and perimeter landscaping. Changes in visual
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1 quality and neighborhood compatibility are not expected to be
2 significant since they reflect new developments that are currently
3 occurring at nearby tracts. The proposed project is consistent with
4 the ongoing trend towards the development of the Menifee area
5 and adjacent agricultural lands and rural residential uses with
6 suburban residential communities.

7 2. Mitigation:

8 As a standard condition, building plans would be subject to design
9 review during the plan check phase and the project would comply
10 with Ordinance No. 655 regarding nighttime lighting.

11 V. Energy and Mineral Resources

12 1. Impacts:

13 Energy use and demand would not be significant. No mineral
14 resources are present on the site or would be affected by the
15 project. No adverse impacts on energy or mineral resources are
16 expected with the project. Compliance with energy conservation
17 regulations would reduce energy demands.

18 2. Mitigation:

19 None required.

20 W. Human Health and Safety

21 1. Impacts:

22 No hazardous materials in quantities that would pose public health
23 and safety risks would be used by future residents. Existing
24 hazardous material concerns on the site include ongoing
25 agricultural activities, an aboveground storage tank for diesel fuel,
26 surface soil stains, petroleum drums, clarifier, septic tanks and
27 leach field, farm equipment, and old storage sheds. Agricultural
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1 chemical residue in on-site soils may present hazards to residents
2 of the proposed project.

3 2. Mitigation:

4 As a standard condition, construction and demolition activities shall
5 comply with applicable regulations regarding hazardous materials
6 use, handling, storage, transport, and disposal. This includes clearing
7 and demolition activities for the existing storage sheds. The site is
8 still in agricultural use at this time and is expected to remain in
9 agricultural use until the proposed residential subdivision is approved
10 and grading and building permits are obtained. Thus, soil testing
11 would not accurately reflect the chemical levels in the soils if done at
12 this date. In addition, the proposed grading plan would involve the
13 cut and fill of the site and the spreading of soils to achieve balanced
14 grading. Thus, soil conditions at any one area would change
15 depending on the movement of soils during grading. Prior to grading
16 and construction of the residences, a test of the topsoil within the
17 areas previously used for agriculture shall be conducted to determine
18 levels of agricultural chemical residue and any necessary
19 remediation. Results of the testing shall be submitted to the
20 Department of Environmental Health to identify the need for
21 remediation. If the results of the random soil testing show chemical
22 levels are below regulatory levels, development may proceed
23 accordingly. Remediation and/or removal of contaminated soils
24 shall be made prior to development of the site, if chemical levels are
25 above regulatory standards, and remediation completed until
26 chemical levels are below regulatory levels.
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1 X. Open Space and Conservation

2 1. Impacts:

3 The site is not designated for open space or conservation. The
4 proposed project would lead to the preservation of 71.6 acres of
5 hillside open space and 9.4 acres for a sports park and tot lot on the
6 site.

7 2. Mitigation:

8 None required.

9 Y. Agricultural Resources

10 1. Impacts:

11 Existing agricultural activities will be discontinued with the
12 proposed project, leading to the loss of Farmland of Local
13 Importance. No Prime, State-wide Important or Unique Farmland
14 would be affected and loss in crop value would be less than one
15 percent. The Land Evaluation and Site Assessment (LESA) shows
16 that the project would not have a significant adverse impact on
17 agricultural lands.

18 2. Mitigation:

19 None required.

20 Z. Airports

21 1. Impacts:

22 The project site is not located within an airport influence area.

23 2. Mitigation:

24 None required.

1 AA. Disaster Preparedness

2 1. Impacts:

3 The project contains no critical uses or industrial areas, and flood
4 hazards on site would be removed as part of the project.

5 2. Mitigation:

6 None required.

7 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the following impacts
8 potentially resulting from the adoption of Tract No. 29835 and Change of Zone No. 7104 cannot
9 be fully mitigated and will be only partially avoided or lessened by the mitigation measures
10 hereinafter specified, therefore the County makes the finding set forth in Public Resources Code
11 Section 21081(a)(3) that: specific economic, legal, social, technological, or other considerations;
12 including considerations for the provision of employment opportunities for highly trained
13 workers, make infeasible the mitigation measures or alternatives identified in the environmental
14 impact report, and as required by Public Resources Code Section 21081(b), the County finds that
15 for each of the significant impacts which are subject to a finding under Section 21081(a)(3), that
16 specific overriding economic, legal, social, technological, or other benefits of the project
17 outweigh the significant effects on the environment, and adopts the statement of overriding
18 considerations set forth herein:

19 A. Air Quality – Vehicle Emissions and Cumulative Impacts

20 1. Impacts:

21 The proposed project would generate long-term vehicle emissions,
22 which would exceed SCAQMD thresholds. CO, NOx, and ROG
23 emissions from project-generated traffic would exceed thresholds
24 of significance. When the air quality impacts of the project are
25 added with the emissions from other development projects in the
26 vicinity, the cumulative impacts would also be significant.

1 B. Open Space and Conservation - Cumulative

2 1. Impacts:

3 The cumulative impacts of future development projects on open
4 space and conservation include the loss of open areas in the
5 Menifee area, along with the intensification of urban development.
6 Areas designated for open space are likely to remain as open
7 space. However, areas that are designated for development are
8 likely to be developed with structures, buildings, and other
9 improvements. The construction of the proposed project and the
10 related projects would lead to the loss of vacant and undeveloped
11 land in Menifee area, along with the permanent protection of open
12 space areas and the provision of park facilities. The cumulative
13 loss of open space would be significant when the amount of
14 existing vacant and undeveloped land is compared to the amount
15 of land proposed for urban development under the County's
16 General Plan.

17 2. Mitigation:

18 No mitigation is available to reduce the conversion of open space
19 areas to urban uses and this impact is considered significant and
20 unavoidable.

21 C. Agricultural Resources - Cumulative

22 1. Impacts:

23 Future development on the site and the surrounding area would
24 lead to the loss of agricultural lands in the area and add to
25 increasing conversion of agricultural land to urban and other uses.
26 The sites where the related projects and the proposed subdivision
27 would be located are mainly designated as other land, grazing
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1 land, and farmland of local importance. Small islands of Prime
2 Farmland, Farmland of State-wide Importance, Farmland of Local
3 Importance have been identified in areas where development
4 would occur as a result of the implementation of the proposed
5 project and related projects. These areas cover only a small
6 percentage of all Important Farmland in the County and
7 cumulative impacts on agricultural land are not expected to be
8 significant enough to affect regional agricultural production.
9 However, the cumulative loss of agricultural lands and resources
10 due to urban development would be significant when the amount
11 of existing agricultural land uses (approximately 260,431 acres in
12 2003) is compared to the amount of land proposed for preservation
13 as agricultural lands and the areas proposed for urban development
14 under the County's General Plan.

15 2. Mitigation:

16 The cumulative adverse impacts on agricultural resources are
17 expected to remain unavoidable and significant.

18 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it has considered the
19 following alternatives identified in EIR No. 451 in light of the environmental impacts which
20 cannot be avoided or substantially lessened and has rejected those alternatives as infeasible for
21 the reasons hereinafter stated:

22 A. No Project Alternative

- 23 1. The No Project Alternative, as required by CEQA, infers that the
24 project site would remain in its existing undeveloped condition. No
25 development would occur on-site and agricultural activities would
26 continue, as has been occurring in the past. The local roadway
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1 system would not be completed, since Antelope Road would not be
2 constructed through the site. In addition, flood hazards along the
3 northern section of the site would not be eliminated.

4 2. Under the No Project Alternative, the project site would remain in
5 agricultural use and would not be developed. Onions and wheat
6 would continue to be grown on the project site. Under the No
7 Project Alternative, no change in existing land uses would occur in
8 the neighborhood. This alternative would not be consistent with
9 the residential designation of the site under the County's General
10 Plan and Zoning Ordinance.

11 3. Under the No Project Alternative, no new trips would be added to
12 existing traffic on Rouse, Antelope, Palomar, and Chambers Roads
13 under this alternative. No roadway improvements would be
14 implemented on-site and near the site. Antelope Road would not be
15 constructed through the site under this alternative.

16 4. Under the No Project Alternative, no changes to existing drainage
17 patterns would occur and no improvements to on-site and off-site
18 drainage channels are expected under this alternative. Flood
19 hazards would remain at the northern section of the site. No
20 drainage channels or infrastructure would be provided to serve the
21 project area.

22 5. Under the No Project Alternative, hazardous materials use on the
23 site would include use of fertilizers, pesticides and herbicides for
24 agricultural activities. This would continue under the No Project
25 Alternative.

6. The No Project Alternative would eliminate all other impacts associated with the construction of structures and introduction of residents to the site.
7. Because the No Project Alternative would eliminate or reduce development-related environmental impacts, it is considered to be "Environmentally Superior" to the project.
8. The No Project Alternative would not meet project objectives because the project site would not be developed in accordance with its General Plan designation and this alternative would not meet any of the objectives related to the development of housing to meet demand in the Menifee area and to increase housing opportunities in the region.
9. The No Project Alternative would negate all benefits associated with the project objectives of providing local amenities to serve residents of the site and the surrounding area.
10. The No Project Alternative would eliminate public benefits associated with the project, including the preservation of the on-site hills, provision of on-site and off-site storm drain facilities to serve the area and provision of an on-site community park.
11. It is uneconomical to maintain the project site in its current state over the long-term, given its location within a developing area. Pressure to develop the land for higher economic uses will continue. Therefore, the No Project Alternative may postpone rather than preclude more intensive land uses and the later development may be haphazard and piecemeal.

1 B. Site Layout Alternative

- 2 1. The Site Layout Alternative considers the development of a
3 residential subdivision in accordance with previous general plan
4 and zoning designations for the site. The layout of the lots would
5 be slightly different than what is currently proposed. This
6 alternative would result in approximately 84.90 acres of open space
7 areas, with 510 residential lots.
- 8 2. Under the Site Layout Alternative, the project site would be
9 developed with 510 single-family homes. This alternative would
10 feature 7,200-square-foot lots on blocks extending north-south
11 through the site. Development density would be 2.16 units per
12 acre, which is less than the allowable development density of four
13 units per acre. Therefore, similar to the proposed project, this
14 alternative would be consistent with the County's General Plan,
15 Area Plan, and Zoning.
- 16 3. The Site Layout Alternative would result in similar impacts
17 associated with on-site resources since the same project site would
18 be disturbed to construct this alternative.
- 19 4. The Site Layout Alternative is expected to result in proportionately
20 smaller impacts than the impacts associated with the proposed
21 project. Thus, population and housing increase, traffic, noise,
22 demand for school services, pollutant emissions, and utility
23 demand would be lower than that anticipated from the proposed
24 project.
- 25 5. The Site Layout Alternative would reduce the demand-driven
26 environmental impacts, but it would result in the same significant
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1 environmental impacts associated with the resources present on the
2 project site.

3 6. The Site Layout Alternative would not meet project objectives
4 because it would not provide the same local amenities on-site to
5 serve residents of the site and the surrounding area.

6 7. The Site Layout Alternative would reduce the benefits associated
7 with the project objective of meeting housing demand in the area
8 with units that would be marketable within the developing
9 economic profile of the project area. Moreover, a reduced number
10 of housing units would affect the development costs and the
11 absorption of units, increasing the costs to the consumer and the
12 County.

13 C. Resource Protection Alternative

14 1. The Resource Protection Alternative considers the development of a
15 residential subdivision that preserves the sites where biological and
16 cultural resources are present on-site. This alternative considers the
17 development of a smaller land area of the site, resulting in fewer
18 lots with the same lot sizes. A preliminary site plan for this
19 alternative shows that approximately 480 lots may be developed on
20 the project site, with an on-site park and approximately 94.8 acres
21 of open space.

22 2. The Resource Protection Alternative has been developed specifically
23 to protect and preserve the biological and cultural resources on the
24 site. The resources present on the site would be preserved through
25 the designation of areas where these resources are located as
26 permanent open space. This would result in the hills and the base of
27 the hills being preserved as open space, as they support coastal sage
28

1 scrub and gnatcatcher habitat, along with scattered locations where
2 archaeological resources have been found.

3 3. The Resource Protection Alternative would confine development
4 largely to the agricultural fields and Antelope Road would not cross
5 the site (due to the presence of archaeological sites along the
6 alignment).

7 4. Under the Resource Protection Alternative, Antelope Road would
8 not be constructed as a continuous road through the site under this
9 alternative. This could affect area-wide circulation and traffic
10 volumes.

11 5. While the Resource Protection Alternative would result in reduced
12 environmental impacts on many issues, this project would not
13 meet the objectives related to the development of housing to meet
14 demand in the Menifee area and would not reflect the current
15 development trend for residential tracts in the surrounding area.
16 This would also not allow for the improvement of Antelope Road
17 through the project site.

18 6. Under the Resource Protection Alternative, the preservation of the
19 drainage channels and detention basins under this alternative would
20 not provide the area-wide storm drain facilities to support existing
21 and future developments in the project area.

22 7. The Resource Protection Alternative would reduce benefits
23 associated with the project objective meeting housing demand in
24 the area with units that would be marketable within the developing
25 economic profile of the project area. Moreover, a reduced number
26 of housing units would affect the development costs and the
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1 absorption of units, increasing the costs to the consumer and the
2 County.

3 C. Land Use Alternative

- 4 1. Under the Land Use Alternative, the project site would be
5 developed in general accordance with the land use designations
6 and SR 79 Policy Area of the General Plan update under the RCIP.
7 This alternative considers the development of residential uses at a
8 density of 3.19 units per acre for areas designated as Medium
9 Density Residential and 5.92 units per acre on the flat areas of the
10 site designated as Medium High Density Residential and the
11 preservation of the hillsides. This alternative would result in
12 approximately 554 dwelling units and 83.01 acres of open space and
13 a park.
- 14 2. The Land Use Alternative would increase the demand-driven
15 environmental impacts due to the higher number of housing units,
16 but it would result in the same significant environmental impacts
17 associated with the resources present on the project site.
- 18 3. The Land Use Alternative would not meet project objectives
19 related to the preservation of important natural resources as open
20 space elements of the project site.

21 D. Alternative Sites

- 22 1. Alternative sites are vacant properties in the surrounding area with
23 lot areas of approximately 235 acres, similar to the project site,
24 which may serve as alternative sites to the project. All these
25 vacant areas are too numerous to consider separately as alternative
26 sites. Also, most of these sites have been proposed for
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1 development under various specific plans and tentative tracts.
2 These vacant sites are under separate ownership and would need to
3 be bought by the applicant in order to develop the proposed
4 residential subdivision on these alternative sites.

- 5 2. An alternative site to the east of the site is a flat agricultural land,
6 which has been subdivided into 5-acre lots. The development of
7 these lots for residential uses would have direct impacts on
8 surrounding streets, Menifee Road, McCall Boulevard, SR 74, the
9 I-215 freeway and thus, would require the same roadway
10 improvements needed at area intersections.
- 11 3. Other vacant sites throughout the project area may be developed
12 with the proposed residential subdivision. However, they would
13 not offer any real advantage in terms of environmental impacts
14 when compared to the proposed project. Since the number off
15 housing units and size of the site would be the same, the demand
16 driven impacts of development on an alternative site would be the
17 same as the project.
- 18 4. An Alternative Site would not necessarily reduce or avoid the
19 impacts of the project. The site may also contain its own sensitive
20 resources that would need to be preserved or mitigated.
- 21 5. Moving the project to an alternative site would not eliminate the
22 development pressures for development on the project site due to
23 the presence of adjacent developments and the demand for housing
24 in the project area.

25 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it has balanced the
26 benefits of Tract No. 29835 and Change of Zone No. 7104 against the unavoidable adverse
27 environmental effects thereof, and has determined that the following benefits outweigh and
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1 render acceptable those environmental effects in accordance with Public Resources Code Section
2 21081(b):

- 3 A. The project would preserve the existing hills on the site as permanent open space.
4 This area would cover 71.6 acres or 30.5 percent of the site.
- 5 B. The project would provide a 9.4-acre community park to serve the recreational
6 needs of the residents of the proposed development and the surrounding
7 residential areas.
- 8 C. The project would eliminate existing flood hazards on the site.
- 9 D. The project would provide the necessary storm drain infrastructure through the
10 site and from the site to the proposed channel to the north, completing the needed
11 drainage facilities to serve the area.
- 12 E. The project would provide housing to meet the demand for in the region.
- 13 F. The project would provide traffic mitigation measures to address project specific
14 and cumulative circulation impacts, thereby contributing to improvements at
15 critical intersections and roadways.
- 16 G. The project would provide funding for various elements of regional infrastructure
17 through the County's mitigation fee programs.
- 18 H. The project would provide area-wide drainage facilities to better contain and
19 direct the flow of stormwater runoff, thereby minimizing flooding and related
20 hazards both on-site and downstream.

21 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the State CEQA
22 Guidelines (Title 14 Cal. Code of Regs Section 15126 (d)) require an EIR to discuss how a
23 proposed project could directly or indirectly lead to economic, population, or housing growth. A
24 project may be growth-inducing if it removes obstacles to growth, taxes community service
25 facilities or encourages other activities which cause significant environmental effects. The
26 discussion is as follows:
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1 A. Economic, Population or Housing Growth

2 The project proposes a total of 543 dwelling units. It is anticipated that a
3 population of 1,668 persons, based upon population generation factors of 3.071
4 persons per single family dwelling unit, would result at full build-out.

5 B. Removal of an Impediment to Growth

6 The project would induce the growth of community support systems in the
7 project area, including roads, utilities and services, economic institutions, as well
8 as additional medical, educational and cultural facilities, such as hospitals,
9 schools and museums and libraries. The project would extend roadways, as well
10 as utility and energy systems, which could eliminate potential development
11 constraints and serve as a growth-inducement in adjacent areas.

12 C. Precedent - Setting Effects

13 The project site is located in an area transitioning between urban land uses to the
14 south and west of the project site and lower density residential and agricultural
15 land uses to the north and east. Several residential tracts have been constructed
16 and approved to the west and southwest of the site. Agricultural lands to the
17 north and east contain rural density residential developments and are most
18 susceptible to these growth-inducing impacts.

19 **BE IT FURTHER RESOLVED** by the Board of Supervisors that Tract No. 29835 and
20 Change of Zone No. 7104 will implement applicable elements of the Riverside County General
21 Plan as follows:

22 A. Land Use Element

23 The project is within an area that exhibits characteristics conducive to
24 accommodating growth. More specifically, in terms of available and proposed
25 infrastructure, and the approved pattern of urban development, the project site
26 meets the qualifications for urban development and has been designated for
27 residential uses under the County's General Plan and the Sun City Menifee Valley
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1 Area Plan. Factors pertaining to circulation, flooding, school generation rates,
2 sewer and water availability and utilities have been addressed through
3 development standards, mitigation measures and the conditions of approval. The
4 project is participating in regional transportation improvements and other major
5 circulation improvements in the area. Project-related employment opportunities,
6 recreational facilities, open space, flood control facilities, water and sewer
7 facilities, and residential dwelling units are intended to serve the future residents
8 of the Sun City Menifee Valley area

9 B. Circulation Element

10 The project would improve on-site roads in accordance with their roadway
11 classification and provide half-width improvements for roadways along the site
12 boundaries. In addition, the project would provide a four-lane extension of
13 Antelope Road to McCall Boulevard and a two-lane extension of Rouse Road to
14 Menifee Road and install a traffic signal at the Antelope Road/McCall Boulevard
15 intersection. It would also contribute to the Transportation Uniform Mitigation
16 Fee (TUMF) program to fund area-wide and regional transportation facilities.

17 C. Multi-Purpose Open Space Element

18 The Multi-Purpose Open Space Element calls for the preservation of open space
19 areas in the County for the preservation of natural resources and providing
20 recreation opportunities. While the project site is not located within an area
21 designated by the County for open space, the proposed project would include the
22 preservation of 71.6 acres of hillside areas on the southern and western sections of
23 the site. This open space area would preserve the biological and cultural
24 resources present on-site, as well as provide recreational opportunities for area
25 residents.

1 D. Safety Element

2 The project would involve the filling of the northern section of the site, which
3 current has flood hazards and the construction of on-site and off-site storm drain
4 facilities to serve the stormwater disposal needs of the site and adjacent areas.
5 Thus, the project would eliminate on-site flood hazards, consistent with the goals
6 of the Safety Element.

7 E. Noise Element

8 The Noise Element identifies goals and policies to maintain acceptable noise
9 levels throughout the County. Perimeter walls shall be provided along the northern
10 and eastern site boundaries, with reverse frontage lots provided along Rouse Road
11 and Antelope Road. Noise control measures shall also be incorporated into
12 housing design to ensure interior noise levels meet County standards.

13 F. Housing Element

14 The project would provide 543 new housing units for the Menifee area and
15 promotes the Housing Element goal of providing a selection of housing that is
16 decent, safe, sound, in close proximity to jobs and daily activities, and which
17 varies by location, type, design, and price.

18 G. Air Quality Element

19 The air quality impacts of the project have been analyzed in EIR No. 451 and
20 mitigation provided for impacts associated with construction emissions and long
21 term vehicle and stationary emissions.

22 H. Administration Element

23 The project provides time frames for development and a fiscal impact report. The
24 fiscal impact analysis does not project a significant adverse impact on County
25 services at project build-out.

1 **BE IT FURTHER RESOLVED** by the Board of Supervisors that Tract No. 29835 and
2 Change of Zone No. 7104 are consistent with the General Plan and the Sun City Menifee Valley
3 Area Plan.

4 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it has reviewed and
5 considered EIR No. 451 in evaluating Tract No. 29835 and Change of Zone No. 7104, that EIR
6 No. 451 is an accurate and objective statement that complies with the California Environmental
7 Quality Act and reflects the County's independent judgment, and that EIR No. 451 is
8 incorporated herein by this reference.

9 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **CERTIFIES** EIR
10 No. 451, **ADOPTS** the Mitigation Monitoring Plan specified herein, **ADOPTS** the Statement of
11 Overriding Considerations as set forth above and **APPROVES** the Tentative Tract Map No.
12 29835.

13 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the custodian of the
14 documents upon which this decision is based are the Clerk of the Board of Supervisors and the
15 County Planning Department and that such documents are located at 4080 Lemon Street,
16 Riverside, California.

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