SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA 318B

FROM: TLMA - Planning Department

SUBMITTAL DATE:
December 3, 2009

SUBJECT: SPECIFIC PLAN NO. 342, GENERAL PLAN AMENDMENT NO. 720, CIRCULATION ELEMENT GENERAL PLAN AMENDMENT NO. 721, CHANGE OF ZONE NO. 7055, ENVIRONMENTAL IMPACT REPORT NO. 471– Applicant: Nuevo Development Company. – Engineer/Representative: Lewis Operating Corporation and Albert A.Webb and Associates - Fifth Supervisorial District – Hemet/San Jacinto & Lakeview Zoning District - Lakeview/Nuevo Area Plan: Agriculture – Agriculture (AG-AG)(10 Acre Minimum); Community Development – Commercial Retail (CD-CR)(0.20-0.35 FAR), Low Density Residential (CD-LDR) (1/2 Acre Min), Light Industrial (CD-LI)(0.25-0.60 FAR), Public Facilities (CD-PF)(<0.60 FAR), Very Low Density Residential (CD-VLDR)(1 Acre Min); Rural Community – Low Density Residential (RC-LDR)(1/2 Acre Min), Very Low Density Residential; Rural – Rural Mountainous (R-RM)(10 Acre Min), Rural Residential (R-RR)(5 Acre Min); Open Space – Conservation (OS-C), Conservation Habitat (OS-CH)- Location: The project is located westerly of the city of San Jacinto, northerly of the Juniper Flats Mountains, northerly and southerly of the Ramona Expressway, and east of the San Jacinto River. – 2,785.56 Gross Acres - Zoning: Light Agriculture 10-Acre Minimum (A-1-10), Heavy Agriculture 10-Acre Minimum (A-2-10), Light Agriculture with Poultry 5-Acre Minimum (A-P), Rural Commercial ½-Acre Minimum (C-R), Manufacturing Service Commercial (M-SC), Natural Assets 20-Acre Minimum (N-A), Residential Agriculture ½-Acre Minimum (R-A), Residential Agriculture 1-Acre Minimum (R-A-1), Residential Agriculture 10-Acre Minimum (R-A-10), Residential Agriculture 2 ½-Acre Minimum (R-A-2 ½), Rural Residential ½-Acre Minimum (R-R), Natural Assets (N-A-640) - **REQUEST:** The **Specific Plan** proposes a maximum of 11,150 dwelling units to be constructed within seven (7) villages plus one (1) conservation area (991.2 acres). The proposed land uses include a range of residential products from Medium High Residential to Highest Residential with a density range of 5 to 40 units per acre, A Mixed Use Town Center, Public Facilities, Public Facilities/Open Space, and Parks. **General Plan Amendment 720** proposes a Foundation Element Amendment change from Rural, Agricultural and Open Space to the Community Development Foundation and changing the underlying land use designations from: Medium Density

Ron Goldman
Planning Director

RG:db

(CONTINUED ON ATTACHED PAGE)

REVIEWED BY EXECUTIVE OFFICE
DATE 12/3/09 9AM
Tina Grande
Departmental Concurrence

Dep't Recomm.: ☒ Policy ☐ Consent
Per Exec. Ofc.: ☒ Policy ☐ Consent

Prev. Agn. Ref. | **District:** Fifth | **Agenda Number:** 16.4

BOARD OF SUPERVISORS

December 15, 2009

PUBLIC COMMENT – ITEM 16.4

December 14, 2009

Riverside County Board of Supervisors
County Administrative Center
4080 Lemon Street, 1st floor
Riverside, CA 92502-1147

Subject: December 15, 2009 Public Hearing-Agenda Item 16.4 – Specific Plan No. 342 – Environmental Impact Report No. 471.

My April 21, 2009 comment letter on the Draft EIR for The Villages of Lakeview project (Specific Plan No. 342) expressed my concern that the ongoing failure of Riverside County to properly implement the California Environmental Quality Act (CEQA) will jeopardize the continued existence of the Stephens' Kangaroo Rat (SKR) and other MSHCP covered species. The Draft EIR for Specific Plan No. 342 does not provide the required analysis of mitigation measures or considers alternative actions to minimize the on-site incidental take of SKR. Rather the Draft EIR summarily concludes payment of the SKR mitigation fee will reduce SKR impacts to a level of non-significance.

The federal Endangered Species Act (ESA) Section 10(a) Incidental Take provisions requires Permit Applicants specify the steps to be taken to **minimize** and **mitigate** the impacts of incidental take to the maximum extent practicable.

The California Endangered Species Act (CESA), the state law equivalent to the federal ESA, cannot be less restrictive than the federal law. Accordingly, CESA specifies incidental take **shall be minimized and fully mitigated** and the **mitigation** required for the incidental take **shall** be roughly proportional in extent to the authorized take.

A copy of the May 6, 1996 Stephens' Kangaroo Rat Habitat Conservation Plan (SKRHCP) Management Authorization (MA) issued by the California Department of Fish and Game is attached and incorporated by reference into this comment letter. The state Management Authorization implementing the SKRHCP was issued to the Riverside County Habitat Conservation Agency (RCHCA) pursuant to the California Endangered Species Act (Fish and Game Code : 2080-2085) and the Natural Community Conservation Planning Act (NCCP Act / Fish and Game Code: 2800-2835). It is important to recognize the state NCCP Act does not exempt a project in a Natural Community Conservation Planning area from the California Environmental Quality Act (CEQA) or alters or affects the applicability of CEQA (Fish and Game Code : 2826).

Environmental Impact Report No. 471 failed to examine measures/alternatives to **minimize and fully mitigate** the impacts of incidental take the Villages of Lakeview project will precipitate on the endangered SKR and other MSHCP species. The 1996 Management Authorization (MA) issued by the California Department of Fish and Game to the RCHCA is not a CEQA exemption. Consequently, Environmental Impact Report No. 471 fails to comply with the mandates of both

2009-12-09754

CEQA and CESA. I am therefore requesting The Riverside Board of Supervisors defer consideration of Specific Plan No. 342 pending preparation of a legally adequate CEQA document.

Thank you for the opportunity to participate in the CEQA review of Specific Plan No. 342.

Sincerely

Tom Paulek

Tom Paulek
Wildlife Biologist
P O Box 4036
Idyllwild, CA 92549

Attachment: California Endangered Species Act Management Authorization for Implementation of the Stephens' Kangaroo Rat Habitat Conservation Plan -- May 6, 1996

BY _____

DATE _____ CITY OF HEMET

BY _____

DATE _____ CITY OF LAKE ELSINORE

BY _____

DATE _____ CITY OF MORENO VALLEY

BY _____

DATE _____ CITY OF MURRIETA

BY _____

DATE _____ CITY OF PERRIS

BY _____

DATE _____ CITY OF RIVERSIDE

BY _____

DATE April 23, 1996 CITY OF TEMECULA

BY _____
Andersons, Mayor

ATTEST:

_____
City Clerk, CMC, City Clerk

EXHIBIT A

CALIFORNIA ENDANGERED SPECIES ACT
MANAGEMENT AUTHORIZATION
FOR IMPLEMENTATION OF
STEPHENS' KANGAROO RAT HABITAT CONSERVATION PLAN
IN
WESTERN RIVERSIDE COUNTY
RIVERSIDE COUNTY HABITAT CONSERVATION AGENCY
(Tracking No. 2081-1996-17-5)

SUMMARY

The Riverside County Habitat Conservation Agency and its member agencies (the County of Riverside and the cities of Corona, Hemet, Lake Elsinore, Moreno Valley, Murrieta, Perris, Riverside and Temecula) (collectively referred to as 'the RCHCA') has requested a Management Authorization ('MA') pursuant to California Fish and Game Code Sections 2081 and 2835 for the Stephens' kangaroo rat (Dipodomys stephensi), a species listed as 'threatened' under the California Endangered Species Act, Fish and Game Code §2050, et. seq.

The RCHCA proposes to manage the Stephens' kangaroo rat in accordance with "The Habitat Conservation Plan for the Stephens' Kangaroo Rat in Western Riverside County' ('The SKRHCP'), which is made binding on the RCHCA by the Implementation Agreement by and among the Department of Fish and Game ('Department'), the United States Fish and Wildlife Service and RCHCA, dated May 6, 1996 ('the IA'). The SKRHCP addresses the potential impacts of development, natural habitat loss and species endangerment and creates a plan to mitigate impacts to the Stephens' kangaroo rat and its habitat due directly or indirectly to future development of both private and public lands within the SKRHCP area ('the Plan Area'). The 533,954 acre Plan Area provides for the establishment of a regional system of seven core area reserves for conservation of the Stephens' kangaroo rat and the ecosystem upon which it depends. The core reserves include 41,221 acres of habitat. Approximately 2,440 acres of additional occupied, core reserve lands will be permanently conserved through future land sale and exchange provisions. Portions of the Plan Area are potential habitat for, or are occupied by, the Stephens' kangaroo rat. The 'take' of individuals of the Stephens' kangaroo rat is prohibited unless authorized by the Department pursuant to Fish and Game Code Sections 2081 or 2835.

The Department has determined that the preservation, conveyance, acquisition, and long-term management of habitat for the Stephens' kangaroo rat under the SKRHCP will offset the impacts contemplated by the SKRHCP and will result in preserving core reserve areas sufficient to achieve sustainable populations of the Stephens' kangaroo rat. The Department has determined further that the impacts contemplated and offset in the SKRHCP will not result in jeopardy to the continued existence of the Stephens' kangaroo rat and that by securing the acquisition of habitat lands, the SKRHCP may protect the species from further degradation. The SKRHCP, as implemented by the IA and this MA, therefore meets the requirements of California Fish and Game Code Sections 2081 and 2835. Pursuant to Sections 2081 and 2835, the Department authorizes RCHCA to 'take' the Stephens' kangaroo rat, subject to the terms and conditions of this MA and the IA.

PROJECT LOCATION

The Plan Area is located in western Riverside County, generally defined as territory west of the San Jacinto Mountains. It extends from the San Bernardino County line to the border with San Diego County. The Cleveland National Forest flanks the western boundary, and the San Bernardino National Forest roughly defines most of the eastern boundary of the Plan Area. The total area of the SKRHCP consists of 533,954 acres, including the reserve areas which comprise 41,221 acres. The SKRHCP encompasses both privately owned and publicly owned land.

PROJECT DESCRIPTION

The RCHCA and member agencies desire to: (1) plan, approve and facilitate public and private development within the Plan Area; and (2) minimize and mitigate the impacts to Stephens' kangaroo rat and its habitat by providing for the substantial conservation of such species and their habitat in the core reserve areas. The future development activities contemplated by the SKRHCP and IA include: (1) land disturbances in the Plan Area within the jurisdiction of the RCHCA member agencies; (2) bona fide ongoing agricultural operations; (3) fire prevention and emergency response activities; (4) operation and maintenance of existing infrastructure facilities; (5) construction of public facilities and; (6) case-by-case approval of projects outside the Plan Area. These activities are referred to in this MA as 'the Project'.

HABITAT DESCRIPTION

Three major vegetation categories account for more than 94% (252,161 acres) of the natural lands within the Plan Area. Sage scrub covers 38%, followed by grasslands (31%) and chaparral (25%). Alkali playa and the total of all other vegetation types account for 3% respectively.

PROJECT IMPACTS

Over a 30-year period of appropriate Project build-out, the SKRHCP will likely result in permanent loss of Stephens' kangaroo rat occupied habitat. The type of occupied habitat subject to most of the loss will involve transitional areas where grasslands border coastal sage scrub, where sage scrub and grasslands are intermixed, areas of sparse sage scrub, and where native habitat has been removed or disturbed by agriculture and other open spaces.

SPECIES OF CONCERN

Based on recorded observations and data compiled for the Plan Area, Stephens' kangaroo rat are known to occupy approximately 30,000 acres within the SKRHCP area. The life history information and specific status for the Stephens' kangaroo rat is provided in the SKRHCP.

EFFECTS ON SPECIES OF CONCERN

The Stephens' kangaroo rat will be subject to direct and indirect adverse impacts and take resulting from the Project. The areas where primary impacts to the species may occur are identified in the SKRHCP.

HABITAT MANAGEMENT LANDS

Preservation of Lands

Under the SKRHCP, provisions are made for the establishment of seven core reserve areas comprising a total of 41,221 acres, of which 12,460 are occupied Stephens' kangaroo rat habitat. Provisions in the SKRHCP and IA provide for an additional 2,440 (approximately) acres of occupied habitat for inclusion in the core reserves. In association with the Project, the RCHCA must preserve, acquire, and convey the conserved habitat and offsite conservation lands as detailed in the IA. The preservation and management of the remaining 15,000 acres of occupied habitat for Stephens' kangaroo rat in the core reserve land, as detailed in the SKRHCP, will provide adequate habitat for the preservation and recovery of the Stephens' kangaroo rat.

SPECIFIC CONDITIONS REQUIRED

Conservation Program and Mitigation Measures

1. All conservation, mitigation, monitoring, and impact avoidance measures, as detailed in the SKRHCP and IA, shall be implemented by the RCHCA, as specified in the IA.

2. The term of this MA shall commence on the date that the IA is executed by the last of the parties thereto and shall terminate 30 years from that date. This period is subject to earlier termination pursuant to provisions of the IA.

DISCLAIMER

3. Upon timely satisfaction of the conditions of this MA and the IA, the RCHCA and member agencies will adequately mitigate impacts to the Stephens' kangaroo rat and will achieve compliance with the California Endangered Species Act, Fish and Game Code §2050, et seq. ('CESA') with regard to the Project. The RCHCA understands and recognizes that it has pendent responsibility for compliance with any and all other applicable laws and regulations.

4. Following execution of the SKRHCP and the Department's issuance of this MA, the RCHCA's decision whether or not to proceed with the Project shall be voluntary, and subject to all other pertinent law and regulations. As such, the RCHCA, its member agencies, the State of California and the Department shall each retain whatever liability each such entity would possess and for which they would otherwise be liable for past, present or future acts or failures to act without reference to this Management Authorization, and shall hold each other free and harmless from any violation of law, lien, suit or claim of injury or damage arising out of or connected with such actions or failures to act, including any joint and several obligation, judgment or other.

DEPARTMENT FINDINGS

Species of Concern

The Department has found and determined that the SKRHCP, as implemented by the IA and this MA, meet the requirements for purposes of California Fish and Game Code Sections 2081. In this regard, the Department has found and determined that if the terms and conditions of this MA are adhered to, the taking of Stephens' kangaroo rat, including the modification of its habitat, as contemplated by the SKRHCP, the IA, and this MA, will not result in jeopardy to its continued existence and may, through the preservation, acquisition, and conveyance of the core reserve lands, protect the species from further degradation. The SKRHCP and the IA, to the extent practicable, minimize and mitigate the impacts of the taking of the Stephens' kangaroo rat including, without limitation, the modification of its habitat.

Other Species

In the event that a species not enumerated in this MA is listed as endangered or threatened pursuant to Fish and Game Code Section 2070, or is a candidate for such listing pursuant to Fish and Game Code Section 2074.2, the Department shall consider, and if appropriate, expeditiously act to negotiate and execute, a Memorandum of Understanding with the RCHCA providing for the management of the species in order that the Project may proceed in accordance with CESA.

In determining whether any further mitigation measures are required to amend this MA to include an additional species, the Department shall: (1) take into consideration that the RCHCA has minimized and mitigated the impacts to the Stephens' kangaroo rat within the Plan Area to the maximum extent practicable; and, (2) cooperate with the RCHCA in good faith to minimize, consistent with CESA, any impediment to the Project's implementation resulting from the listing of a species not enumerated in this MA.

CALIFORNIA DEPARTMENT
OF FISH AND GAME

BY Jacqueline K. Savage

TITLE Director

DATE May 6, 1996

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
P.O. Box 9097
Moreno Valley CA 92552-9097
www.northfriends.org

December 15, 2009

Via E-Mail and Personal Delivery

Riverside County Board of Supervisors
4080 Lemon Street, 9th Floor
Post Office Box 1409
Riverside, CA 92502-1409

Re: Final Environmental Impact Report for the Villages of Lakeview Specific Plan No. 342, Change of Zone No. 07055, General Plan Amendment No. 720 & 721.

Dear Board of Supervisors:

The Friends of the Northern San Jacinto Valley are writing to reiterate our previous comments on the Villages of Lakeview (VOL) project which the County has failed to address in their Final Environmental Impact Report (FEIR).

The LANDMINES[1] in this EIR and are legion:

(1) Why was the truth about the "extraordinary" general plan amendment findings required hidden in the Appendix B? Where are these findings? (p. 2)

(2) Why is the payment of money accepted as the sole mitigation required for environmental impacts to the SJWA and Lakeview Mountains? (p. 4)

(3) When will this project be built? Why is it denied that this EIR will have to be re-written because the County has no idea when this project will be built? (p. 9)

(4) Where is the Development Agreement? (p. 9)

(5) Why has the truth about the dire condition of Southern California's water supply been denied and hidden? (p. 10)

(6) How will the public access the San Jacinto Wildlife Area? (p. 11)

(7) Where are the detailed Findings of Overriding Consideration to justify the eight significant environment impacts to this project which will be ignored? (p. 11)

(8) What has happened to the Village Refinement Plan? (p. 11)

[1] We all know that an EIR landmine is something critically important that is hard to find. There are many landmines in this EIR.

2009-12-097543

(9) What will the real fiscal impacts of this project to County residents be? (p. 12)

(10) Why does the EIR assume the Mid County Parkway still exists? (p. 12)

(1) WHY WAS THE TRUTH ABOUT THE "EXTRAORDINARY" GENERAL PLAN AMENDMENT FINDINGS REQUIRED HIDDEN IN THE APPENDIX B? WHERE ARE THESE FINDINGS?

"As described in the *RCIP General Plan Foundation Component Amendment Request and Required and Optional Findings for The Villages of Lakeview* (Foundation Amendment Request), which was prepared in May 2006 and is included in Appendix B (CD #3) of this DEIR, the second component of the General Plan Amendment will be a Foundation Amendment..." (FEIR 3.0-3) This sentence strongly implies that the required findings for an *extraordinary* general plan amendment have already been made, but they have not. A discussion of the basis for making these three findings was required to have been part of this EIR, but they are not.

Although the recommendation in the staff report (Appendix B p. 1) stated that the Board of Supervisors open the public hearing, consider public testimony, and direct staff to accept an amendment to the Foundation Component designation under the Administrative element (Chapter 10) of the General Plan, the testimony by staff, supervisors, the public and unidentified speakers made clear that the only action taken by the Board on June 6, 2009, was to allow the process to move forward; that no findings on the application for an *extraordinary* general plan amendment were being made; and that all the findings necessary for an extraordinary general plan amendment would be analyzed under CEQA in the EIR; and that the Board had to approve the findings before they could approve the general plan amendment when the VOL EIR came before them.

> The notice for the December 15 hearing does not list General Plan Amendments 720 and 721 as "*extraordinary*" general plan amendments which requires special findings to be made by the Board.
>
> The transcript of June 13, 2006:
>
> Mr. Gardner: "department recommends that permission be granted, for the proposal to proceed" (p. 3 l. 11-12)
>
> Mr. Gardner: "the purpose of this public land use is to consider whether or not this proposal should be allowed to be processed as an extraordinary foundation component amendment. In the event that the board of supervisors directs staff to accept the amendment, it will be further processed as a general plan amendment in the accordance with provision of law, including the California Environmental Quality Act, review and public hearings before the planning commission and the board of supervisors. (p. 4 l. 1-10)
>
> Mr. Gardner: "in order to approve an extraordinary amend amendment, the County must make the following findings." (p. 5 l. 7-9)
>
> Mr. Johnson: "the request for the board today is to allow the processing to begin. We're not actually asking the findings be made at this time..... that's something that can't occur until at the end of the project." (p. 14, l. 4-10)

Mr. Johnson: "by allowing this process to go forward doesn't mean that you agree 100 percent that those findings are going to be found. What the board would do is say, those findings have to be made before it ever could be approved by the board. (p. 15, l. 19-23)

Mr. Wilson: "all we're being asked today is to start the process. If we start the process, then we can get this data, get the information to study, so I think we're all on the same page." (p. 32, l. 2-5)

Unidentified speaker: "It has to be proven to you when this general plan amendment comes to you for approval a year, a year and a half from now that an extraordinary benefit has been met, and if it isn't, then the Board will not be able to make a foundation change. The Board has to agree that there has been a foundation." (p. 35, 2-8)

Mr. Ashley: "*My recommended motion is not to approve the change today or even consider today. It's only to allow the applicant to begin the process, which will include an environmental impact report and all kinds of analysis...*"(p. 44, l. 1-4)

The June 5, 2006 staff report states that in order to approve an Extraordinary Foundation Amendment the County must make the following findings:

a. The Foundation change is based on ample 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; and
b. 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, Principles, or Policies
h. A foundation Component amendment is necessary to facilitate implementation of open space or transportation corridor designations arising from the MSHCP and CETAP programs, and that could not be accomplished by a lesser change in the General Plan.

There is no discussion in the EIR of these required findings for an extraordinary general plan amendment. There is no discussion that this is an extraordinary, not a five-year cycle, general plan amendment.

Since these findings have not been made by the Board, and there is no discussion or basis in the EIR for making these findings under the changed circumstances in the last five years, these findings cannot be made and the extraordinary general plan amendment cannot be approved.

The changed circumstances which make these findings invalid include but are not limited to the following factors:

(1) The basis for the extraordinary general plan amendment was the VOL contributions to the Mid County Parkway. However, the very existence of the MCP is in question. The EIR has been withdrawn and a new NOP for the construction of the MCP, perhaps from the 215 east, perhaps not, has not been issued. There is no longer a MCP for the VOL to rely on for the general plan amendment or for the transportation element of the EIR.
(2) The EIR states that construction on the VOL project will not even begin until housing prices return to August 2007 levels, or when Mr. Lewis determines that the economy is advantageous for building. The EIR states that August 2007 levels were 25 percent above current levels, but two recent newspaper articles indicate that the drop in housing prices in Southern California and Riverside County since August 2007 has been more like 40% to 50%. Regardless of the actual

numbers, the EIR gives only conflicting estimates of when this project will begin, let alone when it will be completed. Between the unknown factors concerning all the other proposed projects in this area, the uncertainly of the MCP and the uncertainly of the construction of the VOL—all dependent on a local, US and world economy which is reeling from a financial crisis (continuing increased unemployment and home foreclosures, which has resulted in drastic cuts to the County budget); impacts of global warming; impacts of oil shortages; and the impacts of the wars in Iraq and Afghanistan—the possibility of this project ever being built is more than remote.

It is quite clear to even the casual observer that the one purpose of this project and its general plan amendment is to convert the zoning of all of the agriculture and open space area in the San Jacinto Valley to high density residential and surround the San Jacinto Wildlife Area with cities, including the new City of Lakeview. (See the Dairy Conversion Policy)

This reasoning does not further the purposes of the General Plan and therefore should not be the subject of an "extraordinary" general plan amendment. This "extraordinary" general plan amendment must be rejected. **The general plan amendments for the VOL and the new City of Lakeview must be discussed as part of the five-year general plan amendment cycle which is being prepared now.**

The comment by Ron Goldman, Planning Director, at the December 2, 2009 Planning Commission meeting, that the VOL general plan amendment had to be done separately, because the County could not afford a county-initiated general plan amendment for the new City of Lakeview, may have been a statement of economic reality, but is not legal.

It is not financially responsible for the County to approve a project which has provided zero evidence that it will be a fiscal benefit to the County (and much evidence that it will be a fiscal drain on the County), when the County cannot even afford to process a general plan amendment for this project or its vision of the new City of Lakeview.

(2) WHY IS THE PAYMENT OF MONEY ACCEPTED AS THE SOLE MITIGATION REQUIRED FOR ENVIRONMENTAL IMPACTS TO THE SJWA AND LAKEVIEW MOUNTAINS?

The riverside County Multi-Species Habitat Conservation Plan (MSHCP) requires that impacts to the San Jacinto Wildlife Area (SJWA) be mitigated to a level of non- significance.

Mitigation Measure (MM) Bio 10 states:

> "Compliance with 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 fees as set forth under Ordinance No. 8102."

This statement is not true. Nowhere does the MSHCP state that payment of fees absolves the Developer of all California Environmental Quality Act (CEQA) responsibilities; full CEQA review is still required. In fact, this EIR provides 14 Biological mitigation items for significant environmental impacts to the MSHCP species. However, this EIR fails in its attempt to comply with CEQA. The Developer cannot say, as he has, that it's okay if the mitigation measures do not actually work to reduce environmental impacts to a level of insignificance, because we have already paid our fees and therefore are not required to provide any mitigation at all to MSHCP biological impacts. The EIR cannot have it both ways—either they pay their fees and provide no mitigation, and take the chance that the court will not agree with them; or they fully comply with CEQA for ALL significant environmental impacts.

Although impacts to the SJWA have been admitted, they have not been identified and analyzed in detail and there is no substantial evidence that the mitigation offered will, in fact, reduce these impacts to a level of non-significance. **This EIR does not comply with CEQA and should not be certified.**

Section 6.1.4

Section 6.1.4 of the Western Riverside County Multiple Species Plan, *Guidelines Pertaining to the Urban/Wetlands Interface,* provides that all development adjacent to MSHCP Conservation Areas must comply fully with CEQA.

"The guidelines presented in this section are intended to address *indirect effects* associated with locating Development in proximity to the MSHCP Conservation Area, where applicable. Existing local regulations are generally in place which address the issues presented in this section. Specifically, the County of Riverside and the 14 Cities within the MSHCP Plan Area have provided general plans, zoning ordinances and policies that include mechanisms to regulate the development of land. *In addition, project review and impact mitigation that are currently provided through the CEQA process address these issues... To minimize edge effects, the following guidelines shall be implemented in conjunction with review of individual of individual public and private Development projects in proximity to the MSHCP".* (MSHCP Vol. 1, section 6)

This language makes clear that in addition to implementing the section 6.1.4 guidelines, all direct and indirect impacts of this Project must also be discussed under CEQA for the VOL.

The proponent admits the project will introduce up to 34,000 people (and associated pets) and that this, along with additional population increases in the surrounding county and city areas, results in direct and indirect impacts to sensitive wildlife species which cannot be fully mitigated. Nonetheless, the project proponent has the audacity to claim that Section 5.1 of the MSHCP means that money alone is sufficient mitigation. The EIR claims that section 5.1 states, "It is anticipated that new development in the Plan Area will fund not only the mitigation of the impacts associated with its proportionate share of regional development, but also the impacts associated with the future development of more than 332,000 residential units and commercial and industrial development projected to be built in the Plan Area over the next 25 years."

There is nothing in section 5.1 to indicate that the language in section 6.1.4 is meaningless. Even though there is funding to mitigate the impacts presumed, it does not mean that individual projects do not need to comply with CEQA in analyzing and mitigating for their impacts.

The Developer claims section 5.1 indicates that with compliance with the MSHCP, impacts associated with the Urban/Wildland interface impacts due to population increases were anticipated by the MSCHP EIR analysis and that the MSHCP EIR found such impacts less than significant through compliance with Section 6.1.4 and Core and Linkage aspects of the Plan.

This is not a true statement the language of section 6.1.4 which clearly states: *In addition, project review and impact mitigation that are currently provided through the CEQA process address these issues... To minimize edge effects, the following guidelines shall be implemented in conjunction with review of individual of individual public and private Development projects in proximity to the MSHCP.* (MSHCP Vol. 1, section 6) There is zero language in section 6.1.4 which even comes close to implying that if the guidelines of section 6.1.4 are complied with, Development proponents are absolved of their obligations under CEQA; in fact, section 6.1.4 states twice that Developments are required to analyze indirect impacts to the MSHCP reserves under CEQA, along with all the other environmental impacts of their project.

The VOL developer claims that "indirect impacts resulting from habitat modifications (i.e., vandalism, unauthorized trails, etc.) on any covered endangered, or threatened species, or on any species identified as a candidate, sensitive, or special status species through introduction of people from the project and cumulative projects in the area are **considered less than significant** because THE VILLAGES OF LAKEVIEW project is consistent with the MSHCP and is subject to mitigation measures (MM Bio 1, 2, 3, 9, and 11) and conditions of approval (page 5.4-34) which will ensure the indirect effects are mitigated."

This is not a true statement. The MSHCP does not carve out a special "free pass" for Development from the requirements of CQA if a significant environmental impact happens to be an indirect impact to a Conservation Area. To suggest such an exemption is to suggest a non-legislative amendment to CEQA; ALL significant impacts are subject to CEQA analysis and mitigation.

Mitigation measures (MM Bio 1, 2, 3, 9, and 11) and conditions of approval (page 5.4-34) do not reduce the significant indirect impacts of this project and cumulative projects in this area to a level of non- significance.

The Urban/Wildlife interface guidelines only apply to "indirect" impacts and therefore cannot be used as CEQA analysis for direct and cumulative impacts of the VOL to the SJWA and Lakeview Mts.

As to the "indirect" impacts, the discussion of compliance with section 6.1.4 does not meet the requirements of a CEQA analysis and provides no evidence that the EIR has complied with the minimum requirements of the Urban/Wildlife interface guidelines.

Drainage:

Section 6.1.4 requires the VOL to incorporate measures including but not limited to the NPDES requirements to ensure that the quantity and quality of runoff discharged to the Conservation Areas is not allowed in an adverse way when compared with existing conditions, in particular measures to avoid discharge of untreated surface runoff from developed and paved areas. Stormwater systems shall be designed to prevent the release of toxins, chemicals, petroleum products, *exotic plant materials,* or other elements that might degrade or harm biological resources or ecosystem processes within the Conservation Areas. Whatever methods are used, *regular maintenance* shall occur to ensure effective operations of runoff control systems.

The mitigation proposed in the EIR is that the Development will comply with the NPDSS permit requirements. The mitigation required for drainage sites prior to approval of future Tentative Tract maps within THE VILLAGES OF LAKEVIEW Specific Plan which are proposed prior to completion of the overall project drainage improvements, hydrology studies will be required to analyze potential impacts and identify any needed improvements within the tract and/or within the Specific Plan or offsite which are required to accommodate storm water flows and address water quality, as required by the County of Riverside and Regional Water Quality Control Board. Potential operational BMPs may include vegetated swales, sand filtration systems, water quality inlets, mechanical separators, and/or other proprietary devices as needed to treat expected pollutants from development (see **Table 5.8-D**).

The drainage mitigation provided by the proponent includes no language related to preventing the release of exotic plant materials or other elements which may harm biological resources. The requirement that the Central Basin be designed for future flexibility (MM Bio 9) only address the design of the Central Basin and is silent as to who and how the determination will be made to vary the flows through the Central Basin to mimic existing conditions in the 2-year and 10-year storm. Without a

requirement that this be done appropriately, someone who has the authority to take this action, and the ability of the public to ensure that this action is taken, this mitigation measure is a mirage.

In addition, it is unclear whether the land within the 500-foot setback, including the regional park and other open space areas, are required to comply with these mitigation measures.

TOXICS

The guidelines require that 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 Conservation Areas.

The EIR mitigation measure includes a WQMP (Water Quality Management Plan?), a Storm Water Pollution Prevention Program (SWPPP) and Best Management Practices (BMP's) for the houses, schools and parks within the Specific Plan, but it is unclear whether the WQMP, the SWPPP and the BMP's will also be enforced within the 500-foot setback, including the regional park and other open spaces where the VOL does not have jurisdiction. Additional mitigation measures MM Bio 11 and MM Bio 11b which require an Environmental Stewardship Program and an Integrated Pest Management (IPM) be implemented and enforced through CC&R's through the homeowner's association. Even if they wanted to, there is no showing that the Association has any legal authority to enforce an IPM on the property owners and renters in the VOL.

LIGHTING

Section 6.1.4 requires that night lighting be directed away from the Conservation Areas and that shielding shall be incorporated in project designs to ensure ambient lighting in the Conservation Areas is not increased.

The mitigation measures proposed in the EIR are woefully inadequate to protect species within the Conservation Areas from direct and ambient lighting.

First, it states that "no active park uses are planned closer than 200 feet from the SJWA boundary." However, the regional park and all the uses within the 500-foot setback have no plan at this time, are not covered by these lighting restrictions, and the lighting in the 500-foot buffer needed for security/safety are allowed to have direct and ambient lighting impact the Conservation Areas. The direct and ambient lighting into Sycamore Canyon Park from the industrial areas east of the Park placed for security/safety reasons are an ongoing source of conflict for the Park and sensitive species, including the Stephens' kangaroo rat and owls (night time prey and predators). To pretend to have a lighting requirement which does not apply within 500 feet of the Conservation Areas is worse than a mirage—it is a deliberate deception.

Second, the mitigation measures of MM Bio 1 [street lighting designed with internal baffles and has a zero cutoff to the horizon; will be 50 feet away from Lakeview Mts. And 400 feet from conservation areas and the SJWA; lighting of an unknown design will be required on private residential properties –single family only?--] will again be part of the CC&R's and will be enforced by the homeowner's association. This is neither mitigation nor enforcement. The design of the lights on housing is not specified or proved to be effective and the Homeowner's association is not a legal mitigation measure enforcement agency under CEQA.

NOISE

Section 6.1.4 requires that noise affecting the Conservation Areas shall incorporate setbacks, berms or wall to ensure that wildlife within the Conservation Areas is not subject to noise that would exceed residential noise standards.

The EIR states that the wildlife within the SJWA and Lakeview Mts. will not be subject to noise that would exceed exterior residential noise standards of 65 db. Section 6.1.4 discusses residential noise standards, which are 45 db for interior levels. If the MSHCP meant that the noise levels should be more for wildlife in their homes than for people in their homes, it would have said so. There is no evidence to show that a noise level of 65db is a level which will yield no significant impacts to the wildlife on the SJWA.

There is no indication that any noise standards at all will be imposed within the 500-foot setback to the SJWA, especially noise from night-time activities within the parks and open space.

In addition, there is no indication that setbacks, berms or walls will be required to block noise from the VOL homes and community centers, the Ramona Expressway/Mid County Parkway or what those impacts will be.

INVASIVES

Section 6.1.4 requires that the Developer shall consider the invasive, non-native plant species listed in Table 6-2 and shall consider revisions to landscape plans to avoid the use of invasive species for the portions of Development that are adjacent to the MSHCP Conservation Area, including proximity of the planting plans, species considered in the planting plans, resources being protected with the Conservation Areas and their relative sensitivity to invasion, and barriers to plant and seed dispersal such as walls, topography and other features.

The EIR provides that landscaped areas will avoid the use of invasive and non-native plants in Table 6-2 of the MSHCP. Of the species identified in table 6-2, 69 will not be used within the Specific Plan and 17 of them will be placed at least 150 feet from the existing and proposed conservation areas. This condition does not indicate what plants may be used within the regional parks and other open space areas by those who are outside the jurisdiction of the VOL and the Homeowner's association. The Specific Plan proposed a tree nursery (unspecified species) within the 500 foot setback.

Again, MM Bio 11 and MM Bio 11a [Environmental Stewardship Program and CC&R's] will be allegedly enforced through the Homeowner's Associations. This is a mirage.

The mitigation gives zero consideration to the proximity of the planting plans, species considered in the planting plans, resources being protected with the Conservation Areas and their relative sensitivity to invasion, and barriers to plant and seed dispersal such as walls, topography and other features.

In summary, none of the requirements of 6.1.4 complies with either the MSHCP requirement or with CEQA. There is no analysis of the details of the environmental impacts, no detailed mitigation directed to those impacts, and no mitigation monitoring plan which is enforceable.

BARRRIERS

The EIR states that barriers are required by the MSHCP, but gives no reference as to where in the MSHCP this requirement is contained.

The EIR states that the barriers will "minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping" on the Conservation Areas. The EIR does not state that the barriers will reduce these significant environmental impacts to a level of non-significance.

The barriers are described in MM Bio 2 and MM Bio 3: The barriers will be placed (as appropriate, whatever that means?) and the final design of the barriers will be based on consultation between the Developer, Planning Department and as approved by the County Environmental Programs Department. California Department of Fish and Game San Jacinto Wildlife Area Representatives will be consulted regarding final design of barriers along the SJWA edge.

As the design of these barriers is unknown and the public will have no opportunity to comment on their adequacy, they cannot be justified as CEQA mitigation for the admittedly significant environmental impacts to the SJWA and other Conservation Areas from unauthorized public access, domestic animal predation, illegal trespass, or dumping. Again, the mitigation for a significant environmental impact to the SJWA is an illusion and legally insufficient under CEQA.

MM Bio 3 states the CC&R's will restrict the number of domestic animals allowed per residence in the Resort Village (adjacent to the SJWA to two). Apparently this CC&R will not be enforced. This mitigation measure does not comply with CEQA—it does not apply to all Conservation Areas, it is not enforced by anyone, and there is zero evidence to show that it will reduce domestic animal predation by any amount whatsoever.

There is no language in the MSHCP which exempts direct and indirect impacts to the SJWA and other MSHCP Conservation Areas from CEQA. The analysis of these impacts and the mitigation for these impacts in the FEIR does not comply with the requirements of CEQA. **The Board should not approve the FEIR, but should require that the VOL recirculate the EIR after fully complying with CEQA.**

Lastly, the MSHCP requires that "edge effects associated with existing and future land uses in proximity to the MSHCP Conservation Area shall also be addressed through overall MSHCP management activities described in Section 5.0 of this document, particularly General Management Measures 1 and 8 described in Section 5.2.1" (MSHCP Vol. 1, section 6.1.4) There is nothing in the FEIR discussing compliance with this requirement of the MSHCP.

(3) WHEN WILL THIS PROJECT BE BUILT? WHY IS IT DENIED THAT THIS EIR WILL HAVE TO BE RE-WRITTEN BECAUSE THE COUNTY HAS NO IDEA WHEN THIS PROJECT WILL BE BUILT?

SUBSEQUENT OR SUPPLEMENTAL EIR

There is no doubt that this Specific Plan, General Plan Amendments and EIR are premature. There is no doubt that by the time Mr. Lewis is ready to build (if any of us are still alive at that time) that either a Subsequent (Guidelines 15162) or Supplemental 15163) EIR will need to be prepared—regardless of how many lawsuits are filed and how many times the EIR is redrafted. Until Mr. Lewis is committed to start construction within approximately one year of the certification of the EIR, it is likely that the EIR will be outdated and need revisions. Of course, these revisions will not take place voluntarily, but will require another lawsuit on behalf of the public. The only purpose of this exercise is to amend the general plan for intense development—the County does not really care what the details of the project are, as long as the agriculture and dairies disappear (see Dairy Policy Area)

THIS INEVITABLE SCENERIO IS INSANE PUBLIC POLICY AND IS ILLEGAL (or should be) UNDER CEQA AND CALIFORNIA PLANNING AND GENERAL PLAN LAW.

None of the findings which you are about to make today can be made on any rational basis or with any substantial evidence.

(4) WHERE IS THE DEVELOPMENT AGREEMENT?

Development Agreement

No Development Agreement has yet been presented. The "Development Agreement will include but not be limited to provisions related to the construction of public improvements, requirements to dedicate land for parks, open space, conservation, and transportation, as well as the potential payment of and/or credit for Development Agreement fees and other development related fees." FEIR 3.0-5

All of these factors are integral to the EIR and must be analyzed in a recirculated EIR, after the final Development Agreement is made available for public review. The Board cannot certify an EIR which includes the outlines of, but not the final language of, a development agreement. Many CEQA findings were made in the CEQA document based on vague promises regarding "*the construction of public improvements, requirements to dedicate land for parks, open space, conservation, and transportation, as well as the potential payment of and/or credit for Development Agreement fees and other development related fees.*" Without the final Development Agreement being subject to CEQA review, it is unknown what the final land use approval given to the Developer will be. Conversely, the Development Agreement cannot be approved at some later date, and have a separate CEQA document prepared for it. The whole project must be approved and have CEQA review concurrently, not piecemeal. (*Save Tara v. City of Hollywood (2008) 45 Cal. 4th 16; Riverwatch v. Olivenhain Municipal Water District (2009) 170 Cal. App. 4th 186.*

(5) WHY HAS THE TRUTH ABOUT THE DIRE CONDITION OF SOUTHERN CALIFORNIA'S WATER SUPPLY BEEN DENIED AND HIDDEN?

WATER SUPPLY

The water supply analysis uses as its first document the 2005 State Water Plan. The 2009 state water supply plan update final draft is now available and the highlights are attached. It talks about several different scenarios between now and the year 2050. At the time the VOL is ready to begin building, the water supply analysis provided for that EIR may vary wildly from the current water supply analysis, depending on which of the scenarios is unfolding at that time. (p. 15)

The 2009 Water Supply Plan is the state's blueprint for integrated water management and sustainability—statewide and regional. (p. 23) No longer will the VOL simply be able to obtain a Written Verification (WV) from EMWD at the tract map stage (FEIR 5.15-18) but all land use decisions will, hopefully, be based on statewide regional planning regulations and requirements. The Water Management Plans for the State Water Project, the Colorado River, groundwater management, MWD and EMWD will be based on the 2009 or subsequent Water Supply Plans, which will be significantly different that today's because of the many significant impacts of climate change and a host of other factors.

The conclusion of the 2009 State Water Plan makes clear that "We must adapt and evolve California's water systems more quickly and effectively to keep pace with ever changing conditions now and in the future. Population is growing while available water supplies are static and even decreasing. Climate Change, as evidenced by changes in snowpack, river flows, and sea levels[2], is profoundly impacting our water resources. The Delta and other watersheds and ecosystems continue to decline. The state's

[2] A 25% reduction in snowpack; changes in river flow; forests, important contributors to water supply and quality, will be more vulnerable; increase in water temperatures hurt spawning and native fish; lower streamflows create water quality problems; water temperatures will affect water demands; hydroelectric power may be less reliable; higher water temperatures will make the Delta intolerable to native species; sea level rise threatens the Delta; increased salinity in the Delta will degrade water quality and ecosystems. (p. 10-11)

current water and flood management systems are increasingly challenged by legal remedies and regulatory protections, with economic and social consequences. The entire system—water and flood management, watersheds, and ecosystems—has lost resilience and is changing in undesirable ways." (p. 22)

By 2050, because of climate change, California's mean temperature may rise 1.5 to 5.0 degrees; Sierra Nevada snowpack may decrease by 25-40 percent; more intense wet and dry periods can be expected; flood peaks will become higher and spring runoff lower; sea levels along the CA coast may rise 4-16 inches; higher sea levels will increase salinity in the Delta.

The water supply analysis in the EIR is inadequate, even if this project were to begin construction in 2010. Because it is unknown when construction will begin, if ever, no legally adequate water supply analysis is possible in 2009.

(6) HOW WILL THE PUBLIC ACCESS THE SAN JACINTO WILDLIFE AREA?

ACCESS TO SJWA

The EIR states that "planning areas and roads located adjacent to the SJWA and Lakeview Mountains will incorporate barriers (as appropriate) to minimize unauthorized access.... The exception will be public access locations, which will direct the public into authorized access areas with the Conservation Area" (i.e., SJWA and the Lakeview Mountains.)

The question we have asked previously, without answer, is whether this means that the VOL, not the DFG or other public agency will, in fact, be controlling access to these public areas. There is no restriction against making any of the communities, including the Resort Village adjacent to the SJWA, a gated community. As Davis Road, which goes through the VOL, is the only public access the SJWA, the public may be required to satisfy a private guard that he or she is authorized to enter the SJWA. This is a foreseeable and significant impact to the SJWA and must be addressed in a recirculated EIR.

(7) WHERE ARE THE DETAILED FINDINGS OF OVERRIDING CONSIDERATION TO JUSTIFY THE EIGHT SIGNIFICANT ENVIRONMENT IMPACTS TO THIS PROJECT WHICH WILL BE IGNORED?

Although the EIR finds unavoidable Adverse Impacts to (1) Aesthetics (2) Agricultural Resources; (3) Air Quality (4) Cultural (5) Land Use (6) Noise (7) Population and Housing and (8) Transportation, there is does not appear to be a *Statement of Overriding Considerations* as required by CEQA Guidelines sections 15043 and 15093(a).

If they will be available for the Board on December 15, this is not the first time that the public was not given access, except by asking when we accidentally found out about it during the Planning Commission hearing, to documents which did not appear on the agenda. No hard copies were provided, were not electronically attached to the staff report, but were given to the Planning Commissioners who used these documents in making their decisions.

(8) WHAT HAS HAPPENED TO THE VILLAGE REFINEMENT PLAN?

VILLAGE REFINEMENT PROCESS

After spending many hours discussing the minute details of the Village Refinement Plan or the Village Refinement Process and mentioning it 11 times in the DEIR, including in MM Aesthetics 2 to reduce

potential significant adverse impacts upon the scenic views from the Ramona Expressway, staff simply mentioned at the third Planning Commission hearing that the VRP concept had been dropped completely and that it would not longer be a requirement, but only a model that might be used by the County as the Villages were constructed. This is a potentially significant change to the EIR. All references to the VRP must be removed, especially from the mitigation measures and the EIR re-circulated.

(9) WHAT WILL THE REAL FISCAL IMPACTS OF THIS PROJECT TO COUNTY RESIDENTS BE?

The EIR contains no reliable fiscal impact analysis. Like so many other issues, such as the water supply, the economy of the world and therefore of Riverside County is changing so rapidly that it is impossible to know what the income and expense of this project will be in 2050 or beyond, when the project may or may not be completed.

It is irresponsible of the Board to even consider approving a Specific Plan in the midst of a dire budget crisis for the County, when essential services are being cut to County residents, on the hope that within the next 50 years, this project might prove of economic benefit to the County. In the meantime, agriculture land, which is of economic benefit to the County, will have been converted to high density residential land and lie fallow.

(10) WHY DOES THE EIR ASSUME THE MID COUNTY PARKWAY STILL EXISTS?

As is common knowledge to the Board, the EIR for the Mid-County Parkway has been withdrawn. Although there are rumors that a new NOP and EIR will be forthcoming, as of now, the project is legally dead.

Therefore, the Mid-County Parkway cannot be used as justification for the "extraordinary" general plan amendment or as mitigation for the significant transportation impacts of this project.

How can the general plan be amended and a Specific Plan be approved for a project that is going to be built at a completely unknown time in the future, when the whole justification for building the project, to provide funding for the Mid-County Parkway, has disappeared. There may never be a Mid-County Parkway. It appears that the County needs to approve this project so that the approval of the VOL SP can be used to justify the need for the mid-County parkway and the Mott project?

The County must cease its "which came first, the chicken or the egg" planning.

For all of the reasons stated by the many commentators opposed to this project contained the Administrative record, the Specific Plan, General Plan Amendments and the EIR must be denied.

Susan L. Nash
Friends of the Northern San Jacinto Valley
Board Member
[redacted]
(909)228-6710

Susan L. Nash

December 8, 2009

Dear Board of Supervisors,
I would like to make known I strongly oppose the Plan #342, The Villages of Lakeview. I moved to Nuevo 20 years ago because I wanted to live in a quiet rural community. Now you want to change everything and make it just like every other city with more traffic congestion and pollution. Where is the water for all those people to come from? When was the last time you went to Rancho California? It used to be a lovely little community and now it is ruined!

I kindly ask you to leave our community alone! We like it just as it is.

Thank you

Mary R Blovett

Mary R Blovett
Po Box 704
Nuevo, CA 92567

2009-12-097548.

12/2/09

I have lived in Nuevo/Lakeview since 1974.
I love it here because of the rural lifestyle.
I do not want the zoning changed.
This is the only community that does not have high density and would like it to remain that way.

Arleen Hess

2009 DEC 11 PM 1:31

2009 DEC 14 PM 1:31

RECEIVED RIVERSIDE

Save Nuevo! Write Letter Date below!

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A SPECIFIC PLAN, A GENERAL PLAN AMENDMENT, A CIRCULATION ELEMENT GENERAL PLAN AMENDMENT AND A CHANGE OF ZONE IN THE HEMET/SAN JACINTO & LAKEVIEW ZONING DISTRICT – LAKEVIEW/NUEVO AREA PLAN, FIFTH SUPERVISORIAL DISTRICT AND NOTICE OF INTENT TO CERTIFY AN ENVIRONMENTAL IMPACT REPORT

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, December 15, 2009 at 1:30 P.M.** to consider the application submitted by Nuevo Development Company – Lewis Operating Corporation and Albert A. Webb and Associates on **Specific Plan No. 342,** which proposes a maximum of 11,150 dwelling units to be constructed within seven (7) villages plus one (1) conservation area (991.2 acres), which includes a range of residential products from Medium High Residential to Highest Residential with a density range of 5 to 40 units per acre, a Mixed Use Town Center, Public Facilities, Public Facilities/Open Space, and Parks; **General Plan Amendment No. 720,** which proposes a Foundation Element Amendment change from Rural, Agricultural and Open Space to the Community Development Foundation and changing the underlying land use designations from: Medium Density Residential (2-5 DU/AC); Low Density Residential (1/2 AC Min.); Very Low Density Residential (1 AC Min.); Light Industrial; Public Facility; Retail; Agriculture; Rural Mountainous; and, Conservation, to a Specific Plan (SP) land use designation; **Circulation Element General Plan Amendment No. 721,** which proposes modifications to the Circulation Element and trails of the General Plan within the project boundaries and will include upgrading, downgrading, and elimination of numerous existing and proposed roadway classifications for several streets including 3rd Street, 5th Street, 6th Street, 10th Street, 9th Street, Yucca Avenue, Wolfskill Avenue, Hanson Avenue, and Bridge Street from designations shown on the current circulation element plan for the Lakeview/Nuevo Area Plan; and, **Change of Zone No. 7055,** which proposes to change the zoning from A-1-10, A-2-10, A-P, C-P-S, C-R, M-SC, R-1, R-A, R-A-1, R-A-10, R-A-2 ½, R-R Zone to Specific Plan (SP), or such other zones as the Board may find appropriate ("the project"). The project is located westerly of the city of San Jacinto, northerly of the Juniper Flats Mountains, northerly and southerly of the Ramona Expressway, and east of the San Jacinto River in the Hemet/San Jacinto & Lakeview Zoning District – Lakeview/Nuevo Area Plan, Fifth Supervisorial District.

The Planning Commission approved the project, found that the environmental effects have been addressed and recommended the tentative certification of **Environmental Impact Report No. 471.**

The project case file may be viewed from the date of this notice until the public hearing, Monday through Thursday, from 8:00 a.m. to 5:00 p.m. at the Clerk of the Board of Supervisors at 4080 Lemon Street, 1st Floor, Riverside, California 92501, and at the Riverside County Planning Department at 4080 Lemon Street, 9th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT RAYMOND JUAREZ, PROJECT PLANNER, AT (951) 955-9541 OR EMAIL rjuarez@rctlma.org.

Any person wishing to testify in support of or in opposition to the 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 written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item 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 to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Please send all written correspondence to Riverside County Clerk of the Board at 4080 Lemon Street, 1st Floor, P.O. Box 1147, Riverside, CA 92502-1147

Dated: December 3, 2009

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

2009_12_097540

CLERK OF THE BOARD COPY

December 11, 2009

Riverside County Board of Supervisors
County Administrative Center
4080 Lemon Street, 1st Floor
Riverside, Ca. 92501

Subject: Agenda Item No. 16.4, Specific Plan No. 342, MSHCP's Constrained Linkage 20 within the Villages of Lakeview

Dear Board of Supervisors,

I am sending you the correspondence I have had with the Environmental Programs Department (EPD) and the Regional Conservation Authority (RCA). I believe from the information provide you can see that the County has not followed the regulations and guidelines found within the MSHCP for the establishment of the Constrained Linkage 20. This linkage is found within the Villages of Lakeview property. The County errored both in not meeting the required size of this linkage, and by allowing a road to cross through this linkage without following the correct procedure found in the MSHCP for allowing non covered roads. Allowing these errors to remain within the TVOL Specific Plan is in direct violation of the MSHCP, and sets a bad precedent for future MSHCP issues.

I am requesting that the Riverside County Board of Supervisors vote to delay action on this development (agenda item No. 16.4), and to request that the County agencies who oversee the MSHCP review their recommendations for approval of these TVOL issues with the US fish and Wildlife Service and the Calif. Department of Fish & Game, as is required by the MSHCP (Section 6.6.2). Approval should not be given until these two agencies and the County come to an agreement as to (1) an acceptable establishment of the size of Constrained Linkage 20, and (2) an agreement as to whether this road will be allowed, and the proper procedure for requesting a non-covered road within the linkage.

Sincerely,

Robert S Hewitt

Robert S. Hewitt
42913 Johnston Ave.
Hemet, Ca. 92544

2009-12-097547

RECEIVED RIVERSIDE CO. BOARD OF SUPERVISORS
2009 DEC 14 PM 1:45

December 9, 2009

COPY

Carolyn Syms Luna, Director
Gregory A. Neal, Deputy Director
Environmental Programs Department
County Administrative Center
4080 Lemon Street, 12th Floor
Riverside, Ca. 92501

Subject: Proposed Road through Constrained Linkage 20, MSHCP

Dear Director Luna and Deputy Director Neal,

Thank you for your letter dated November 25, 2009 on my inquiry of the TVOL's proposed "JJ Street" that will cross the MSHCP Constrained Linkage 20. I appreciate your prompt response to my letter on October 27th.

When the MSHCP was being developed, the main objective was to reduce the restrictions and paperwork on developers outside of the MSCHP Reserves, Cores and Linkages. At the same time, the MSHCP was created to preserve, with as little human disturbance and encroachment as possible, those Reserves, Cores and Linkages for the threatened and endangered species, and the habitats needed for them to survive. The intent of the MSHCP, and I think most people would agree, was that the wildlife and their habitats would take precedent over any human enterprises proposed within the MSHCP areas, including allowing a new road to cross thru a sensitive area like a linkage. Unfortunately, when it comes to proposed projects within the MSHCP, it appears that the County feels obligated to put the developers objectives before the wildlife that the MSHCP is suppose to protect. Let's review some of the items covered in your letter:

Separate MSHCP Reviews

Linkages are usually very small, unique areas that connect two or more MSHCP Reserves. They not only act as connectors, but, according to their definition, they also act as permanent resident Live-in Habitat for the many plant and animal species that are found in the local area. When reviewing a proposed development, linkages should never be lumped together with all the other MSHCP criteria areas found in that proposed development. The success of each linkage's mandated function is too critical. They

should be reviewed separately to determine if what is being proposed by a developer within the linkage will have any significant negative effects to either the linkage's function as a corridor or its function as permanent resident Live-in Habitat. Any negative effects that require mitigation should be performed within the linkage, not elsewhere within the development.

Initial Linkage Size

HANS reviews usually take place before the DEIR is presented to the public. If that is true, the proposed 1000 foot width of Constrained Linkage 20 within TVOL, which was included in the DEIR, must have been approved by the County's reviewing agencies. What was the justification by the County to allow the initial 1,000 foot width when it would have contained less than half (41%) the required acres for this Linkage? In the RCA's Joint Project Review report (dated 6-16-2008), which can be found in the DEIR, it stated that the width of the linkage should be somewhere between 1,500 feet and 4,500 feet. Why didn't the County follow the recommendations found in the Joint Project Report and require a width within the 1,500-4,500 foot range before the DEIR came out for public review? What data was used by the County to justify the 1,000 foot width and/or the 1,500 foot width for establishing this linkage? Did someone just pick them out of thin air? These are nice round numbers, but how do they tie into the required 360 acres for this linkage?

Required Linkage Interior Acres

You state that "the corridor has been widened from its initial proposed width of 1,000 feet to 1,500 feet to ensure integrity of this Linkage". You also state that in the future, "the width of the corridor on each side of the Mid-County Parkway must be 1,500 (feet). Let's take a look at what would be accomplished if this 1,500 foot width is used. The average length of Constrained Linkage 20 along Bridge Street from the toe of the Lakeview Mountains to the San Jacinto River is approximately 6,500 feet. With a 1,500 foot width, that would make this Linkage contain approximately 224 acres, or approximately 62% of the acres required by the MSHCP. Why doesn't the County require that the total acres be the 360 acres required in the MSHCP? This 62% isn't even close. How can designating only 62% of the acres needed for this linkage be ensuring its integrity? How many of those 224 acres will loose their permanent resident Live-in Habitat with the placement of this roadway across the linkage, as well as the construction of the eight lane Mid-County Parkway? How many more acres will loose their permanent resident Live-in Habitat with additional roads that might be placed across this linkage? Are there any plans by the County to actually reach the MSHCP requirement of 360 acres?

The MSHCP states that the areas covered by these roads are not to be considered part of the total acres (Section 7.3.4, "Existing roads within the Criteria Areas are not anticipated to be included in the total acreage of additional reserve lands and will not be included in the MSHCP conservation plan"). It seems like this linkage will be a far cry from the 360 acre permanent resident Live-in Habitat linkage the MSHCP required. Maybe the

County needs to remember something that is emphasized in the MSHCP; "the larger the preserve (Reserves, Cores or Linkages), the greater the species richness and the greater the chances of long term viability of populations" (Section 3.1.4).

Linkage Uses

From your statement "fencing shall be utilized to guide wildlife to the undercrossing" and your continued reference to this linkage as a corridor, it seems that the County views the purpose of this Linkage only to act as a corridor between the Lakeview Mountains and the San Jacinto River. Apparently, that is why allowing this JJ Street is no big deal, as long as an undercrossing is installed. But the MSHCP views this permanent resident Live-in linkage as much more than that. In section 3.1.4 of the MSHCP, it states "Linkages are areas providing permanent resident Live-in Habitat as well as movement habitat for a particular species. The linkage contains resources that meet the life history requirements for the species the linkage is intended to serve. Known as landscape linkages, these areas are capable of sustaining a full range of community/ecosystem processes, thus enabling seed dispersal and animal movement over a period of generations. Linkages, therefore, serve to ameliorate (to make better) habitat fragmentation and isolation by permitting the following: (1) the travel, migration, and meeting of mates for wide-ranging animals; (2) plant propagation; (3) interchange of genetic material; (4) movement of populations in response to environmental changes and disasters; and (5) colonization of available habitat by individuals." How were the effects of this loss in permanent resident Live-in Habitat (both in total linkage size and by allowing this additional road) addressed and were they mitigated within the Linkage as they should have been? What mitigation measures, if any, were required for allowing this road to be placed in this linkage?

Agency Review

I find your statement that "comments from USFWS & CDGF requesting that JJ Street be removed are merely comments and not requirements of the MSHCP" very interesting. The MSHCP states that the RCA is suppose to coordinate the implementation of the Plan with the Wildlife Agencies (MSHCP 6.6.2). This JJ Street is a major change to Constrained Linkage 20. What kind of coordination took place if the County only looked at the agency recommendations as "merely comments"? Why didn't the County follow the recommendations of the USFWS and CDFG for protecting this vital MSHCP linkage? After all, the County had to get the approval of these two agencies for the MSHCP to be approved. One would think that these two agency's "comments" would carry far more weight than the desires of the developer; especially a developer who had been told years earlier that their proposed road would not be allowed within the linkage without a major amendment. Does the County intend to continue to favor each developer's proposals over the recommendations of the Wildlife Agencies when it comes to protecting the MSHCP Reserves, Cores and Linkages?

You state in your letter that "the wildlife undercrossing will be constructed in accordance with the guidelines in Section 7.5.2 of the MSHCP..." How can the County follow the guidelines in Section 7.5.2 when that road is not even allowed, according to the MSHCP, without an amendment? In Section 7.3.5 it states "Evaluations of planned roadways with respect to conservation of biological resources have been conducted throughout the MSHCP planning process. As a result, only those planned roadways identified in this section are Covered Activities within the criteria areas. Roadways other than those identified in this section are not covered without an amendment to the MSHCP..." The MSHCP doesn't state that some roadways will be allowed without an amendment (regardless of whether you call them frontage roads, or connector roads, or part of an overall infrastructure plan). Where does it say that the County can pick and choose those parts of the MSHCP they want to address and ignore the rest, especially when it benefits a developer placing a non approved road within a very sensitive linkage? The County did not follow the procedures spelled out in the MSHCP, and therefore has no justification for allowing this JJ Street.

Additional Roads in the Linkage

Right now there is a proposal for the 2,200 dwelling-unit Motte Ranch development just west of Constrained Linkage 20. I have been told the NOP will be issued very soon. That would mean the County has completed its initial HANS process review for this project. The Motte Ranch development will need two ways in and out of their development, as required by the County. One will be the proposed Mid-County off ramp. The other will no doubt be across Constrained Linkage 20 to Bridge Street. Will the County allow another road to cross through this linkage? Regardless of how many undercrossing you require, how many roads will be allowed to cross this linkage before the County determines that the negative impacts to the permanent resident Live-in Habitat would be too great?

What should the Linkage Look Like?

What the County should do is simple. In the case of the Constrained Linkage 20, the north boundary would be the San Jacinto River. The south boundary would be the toe of the Lakeview Mountains. The east boundary would be Bridge Street as required in Section 7.3.5, Table 7-4. The west boundary should be established so that the total interior acreage is 360 acres, calculated after removing the acreage for the Mid-County parkway. This would make the minimum width for this linkage 2,465 feet. There should be no zigzags in these boundaries (such as that proposed by TVOL where the recently added 500 feet do not line up with the rest of the linkage). Then the County should tell all prospective developers that this is where the linkage will be located. No intrusions, no encroachments, and no crossings within this linkage will be allowed. It's that simple. Why won't the County Agencies do that? Is it because the County will not put the protection of this permanent resident Live-in linkage above the desires of the developer?

County Obligations

The County has met its obligation to developers by the formation of the MSHCP and by having thousands of acres outside the MSHCP Reserves, Cores and Linkages that are open to development. Inside the MSHCP areas, the County has as its No. 1 obligation to establish the MSHCP Reserves, Cores and Linkages, and preserve the listed plant and animal species and their habitats. Nowhere in the MSHCP could I find that the County has an obligation to find a way to approve every developer's encroachment within a Reserve, Core or Linkage. As far as Constrained Linkage 20 is concerned, the County has:

1. Failed to analyze the effects this road will have on the linkage separately from all other MSHCP areas within the development.
2. Failed to meet the MSHCP required 360 acres for this linkage.
3. Failed to protect the permanent resident Live-in Habitat that is suppose to be found in this linkage.
4. Failed to follow the MSHCP requirements for not allowing any non covered roads without a major amendment.
5. Failed to coordinate with the Wildlife Agencies concerning linkage size and allowing additional roads to cross the linkage.
6. Failed the MSHCP by setting a disastrous precedent of allowing urban uses within our Reserves, Cores and Linkages.

Conclusion

The County may have succeeded in meeting the goals of the developer by allowing this road in an area the MSHCP specifically restricts from any new roads. Unfortunately, the County has failed miserably to its obligation to the MSHCP to protect this linkage for the plants and animals that will utilize it. Why is this issue important? It sets a very bad precedent. If this encroachment is allowed, many other Reserves, Cores and Linkages will be degraded by other urban development proposals within their boundaries. I can only hope that in the future the County will follow the intent, and the written word, of the MSHCP and protect these unique areas.

Sincerely,

Robert S Hewitt

Robert S. Hewitt
42913 Johnston Ave.
Hemet, Ca. 92544

Cc: Charles Landry, Regional Conservation Authority (RCA)
Ron Goldman, Riverside County Planning Department

Carolyn Syms Luna
Director

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

Environmental Programs Department

November 25, 2009

COPY

Mr. Robert S. Hewitt
42913 Johnston Ave.
Hemet, CA 92544

Dear Mr. Hewitt,

The Environmental Programs Department is in receipt of your letter dated October 27, 2009, concerning Constrained Linkage 20 of the Western Riverside County MSHCP. In response to your concern regarding JJ Street, we would like to provide the following information for your better understanding of the MSHCP and how consistency is determined under the structure of the Plan.

JJ Street is part of the specified development which has been analyzed through the Habitat Acquisition Negotiation Strategy (HANS) process. Therefore, take is covered under the MSHCP as long as such activities do not preclude the Linkage to function. In order to ensure the proper functioning of the linkage, and in response to comments received from the wildlife agencies, the corridor has been widened from its initial proposed width of 1,000 feet to 1,500 feet to ensure the integrity of this Linkage.

The MSHCP also lists methods to further minimize edge effects through implementation of Urban Wildlands Interface Guidelines (UWIG), as outlined in Section 6.1.4 of the MSHCP. The proposed Specific Plan has been conditioned to implement specific measures that will further reduce these impacts. At this time, there is no final design on how the wildlife undercrossing shall be constructed, but the width of the corridor on each side of the future Mid-County Parkway must be 1,500 in accordance with the Joint Project Review concurrence findings at the conclusion of the Joint Project Review. In addition, per input from the Wildlife Agencies, fencing shall be utilized to guide wildlife to the undercrossing.

The comments from USFWS & CDFG requesting that JJ Street be removed are merely comments and not requirements of the MSHCP, but have been taken into consideration. By setting this land aside, as shown on the final HANS exhibit dated May 18, 2009, the Villages of Lakeview project has met their current obligation under the implementation structure of the MSHCP. The wildlife undercrossing will be constructed in accordance with the guidelines in Section 7.5.2 of the MSHCP to ensure this impact is consistent with the criteria specific to this Linkage and the overall MSHCP.

Sincerely,

ENVIRONMENTAL PROGRAMS DEPARTMENT

Gregory A. Neal
Deputy Director

GAN:ms

November 30, 2009

COPY

Charles Landry, Executive Director
Regional Conservation Authority
Riverside Centre Building
3403 10th Street, Suite 320
Riverside, Ca 92501

Subject: Proposed Road through Constrained Linkage 20, MSHCP, Reply to RCA letter dated November 24, 2009

Dear Executive Director Landry,

Thank you for your letter on November 24th regarding the Villages of Lakeview's proposed JJ Street crossing the MSHCP's Constrained Linkage 20. I appreciate your prompt reply. I strongly disagree with your statement "Generally speaking, your October 27, 2009 and November 22, 2009 letter have misinterpreted the Multiple Species Habitat Conservation Plan (MSHCP)". I don't think I have misinterpreted the MSHCP plan at all. I attended some of the early planning meetings for the development of the MSHCP. One of the main reasons for the development of this plan was to address the Building Industry's concerns about the enormous paperwork and environmental restrictions that were placed on developers in Riverside County. The idea for the MSHCP was to locate and preserve the many threatened and endangered species that existed in Riverside County, and those that might fall under these definitions for the foreseeable future. These plant and animal species, and the habitat they would need to survive and flourish, would be preserved with as little human intrusion as possible. This would allow those properties outside of the MSHCP preserve areas to be developed with fewer restrictions and reduced paperwork for each developer.

This was a good compromise that I thought would be a workable solution to both the Building Industry and the environmental groups. Unfortunately, the County seems to be taking the approach that when it comes to these MSHCP reserve areas and linkages, the desires of the developer outweigh the protection and preservation of the plant and animal species. Each preserve and linkage should be established and protected from all intrusions by human activities. The MSHCP criteria areas must take precedent over all proposed developments within their boundaries. Allowing one intrusion after another only degrades the MSHCP and eventually makes these areas worthless for the purpose they were intended for. You do not preserve an area by allowing it to be reduced in size, or reshaped to meet the plans of outside interests, or, as in this case, by allowing roads to enter or cross through them.

Concerning the Constrained Linkage 20, you made the statement "When MSHCP Consistency was performed for the project, the frontage road was considered as part of the overall development project. Therefore, since the development project was deemed consistent with the MSHCP through the JPR, so was the frontage road". The County should never have combined their analysis of MSHCP areas elsewhere in the development with determining any negative affects this proposed road would have on the linkage. MSHCP linkages are unique areas that connect two or more habitat areas. They are usually small, fragile areas of live-in habitat that must be protected in their entirety. In section 3.1.4 of the MSHCP, it states "Linkages are areas providing permanent resident Live-in Habitat as well as movement habitat for a particular species. The linkage contains resources that meet the life history requirements for the species the linkage is intended to serve. Known as landscape linkages, these areas are capable of sustaining a full range of community/ecosystem processes, thus enabling seed dispersal and animal movement over a period of generations. Linkages, therefore, serve to ameliorate (to make better) habitat fragmentation and isolation by permitting the following: (1) the travel, migration, and meeting of mates for wide-ranging animals; (2) plant propagation; (3) interchange of genetic material; (4) movement of populations in response to environmental changes and disasters; and (5) colonization of available habitat by individuals."

To lump the Constrained Linkage 20 together with all other MSHCP concerns for this TVOL project does a great disservice to the viability of this linkage. This linkage, and any proposed intrusions into the linkage, must be evaluated separately. To say that this frontage road should be allowed and whatever detrimental impacts it might have on the linkage will be mitigated elsewhere in the development is totally unacceptable. How does the County know that allowing this road will not adversely affect the goals for this linkage mentioned in the previous paragraph? Each new road crossing the linkage will increase the edge effects. How does the County know that allowing this road would not detrimentally alter the edge effects that were analyzed specifically for this linkage? How many additional roads will be allowed to cross this linkage? Does the County feel that this additional road across the linkage will have no detrimental effects to the live-in habitat? It will obviously reduce the habitat available to <u>all</u> species. The County must analyze the effects of this road specifically on this linkage, regardless of what mitigation measures TVOL has proposed in another part of their development.

Your statement "The construction of the frontage road, along with the rest of the roadways included as part of the Villages of Lakeview project would not trigger a Major Amendment to the MSHCP" is not true according to what is written in the MSHCP. In Section 7.3.5 it states "Evaluations of planned roadways with respect to conservation of biological resources have been conducted throughout the MSHCP planning process. As a result, <u>only</u> those planned roadways identified in this section are Covered Activities within the criteria areas. Roadways other than those identified in this section <u>are not covered without an amendment to the MSHCP</u>..." The MSHCP does not say anything about allowing additional roads within a linkage without an amendment because they are a part of a circulation plan. It doesn't matter if it is part of the TVOL's roadway plans. The County's justification for allowing this road through Constrained Linkage 20 is wrong, the County's interpretation of what is allowed in this linkage is wrong, and the road should not be allowed.

At the end of your letter you stated "...based on the above responses it should be clear that the MSHCP accommodates roads to be constructed throughout the Plan Area, as long as these roads are shown to be consistent with the MSHCP". The MSHCP does not say that at all! That statement is the County's interpretation of what they think the MSHCP allows them to do. The MSHCP does not talk about allowing a frontage road to cross through this linkage, or any other linkage for that matter. Aside from the Ramona Expressway, the MSHCP does not designate any road, no matter what you want to call it, that would be allowed to cross this linkage. You can not allow this road simply because the developer will place an undercrossing that will connect with the MCP undercrossing. This linkage is supposed to be, in itself, a protected habitat, free from as much human intrusion as possible. This linkage is not just a connector. It will not only allow animal species to cross from the Lakeview Mountains to the SJWA, but will also provide the habitat necessary for many species to survive. Many of these species may live their entire life-span within the linkage - plants and animals that many people have never heard of and may never see. This is also an important part of this linkage, and this road will be detrimental to those species. The County seems to think that the only species that will be using this linkage are large animals that can be trained to pass under each additional road by way of a "back alley" of concrete box culverts. This linkage is much more than that.

For the MSHCP to be accepted, the County had to get the approval of both the US Fish and Wildlife Service (USFWS) and the Calif. Dept. of Fish & Game (CDFG). So why is it that the recommendations of both the USFWS and CDFG to remove this road are being ignored by the County? The MSHCP states that the RCA is supposed to coordinate the implementation of the Plan with the Wildlife Agencies (MSHCP 6.6.2). Did the County consult with these agencies? From these agency's letters, it does not appear so. Does the County feel that these two agency's requests are wrong or unjustified? Does the County feel that their expertise in species and habitat preservation is far superior to that of the USFWS and CDFG?

It doesn't matter what TVOL is proposing for their internal circulation roads. It doesn't matter if this is going to be a frontage road. The MSHCP does not state that non covered roads will be allowed. TVOL was made aware of the Constrained Linkage 20 several years ago. They were asked to keep all of their roads out of the linkage. They do not have the right to degrade this linkage for their own personal benefit. Their desires do not override the requirements of the MSHCP. The County should not justify this road just because TVOL owns property on both sides of the linkage. The County has no right to place the needs of a developer above the establishment and preservation of this vital Live-in linkage. It's time for the County to just say no.

Sincerely,

Robert S Hewitt

Robert S. Hewitt
42913 Johnston Ave.
Hemet, Ca. 92544

Cc: Riverside County Planning Commission

Regional Conservation Authority
Western Riverside County

COPY

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November 24, 2009

Mr. Robert S. Hewitt
42913 Johnston Avenue
Hemet, CA 92544

RE: PROPOSED FRONTAGE ROAD ASSOCIATED WITH VILLAGES OF LAKEVIEW PROJECT RESPONSE TO YOUR COMMENT LETTER

Dear Mr. Hewitt:

The Regional Conservation Authority (RCA) is in receipt of your two letters dated October 27, 2009 and November 22, 2009 regarding the Villages of Lakeview project which were both addressed to not only the RCA but also to the County of Riverside Environmental Programs Department (EPD). The RCA will only response on behalf of our Authority, and cannot speak for or respond for the County.

Generally speaking, your October 27, 2009 and November 22, 2009 letter have misinterpreted the Multiple Species Habitat Conservation Plan (MSHCP). Your October 27, 2009 letter requests specific responses to three questions. Below are your questions verbatim from this letter, and the RCA's responses follow each question.

1. *Are EPD and/or RCA aware of this road proposal crossing the Constrained Linkage 20? Do both agencies agree that this road is not allowed under the MSHCP plan? If not, what justification is being used to approve this road? Has the Planning Department been made aware of the EPD and/or the RCA's position on this proposed road?*

RCA Response:

The RCA was aware of a frontage road that was proposed as part of the Villages of Lakeview Joint Project Review (JPR). As reported in the JPR for the Villages of Lakeview project, the frontage roadway will need to be designed to meet the MSHCP requirements for wildlife crossings since it is being designed to cross Proposed Constrained Linkage 20. When MSHCP Consistency was performed for the project, the frontage road was considered as part of the overall development project. Therefore, since the development project was deemed consistent with the MSHCP through the JPR, so was the frontage road.

2. *Does the EPD or the RCA agree that this proposed road would be considered a Major Amendment? Has a public meeting been held to discuss this change in the MSHCP plan? What were the published results of that meeting?*

RCA Response:

It is the RCA's understanding that the proposed frontage road is being proposed as part of the Villages of Lakeview project, for that project's circulation plan. The roadway was considered part of the impacts from the Villages of Lakeview project. The construction of the frontage road, along with the rest of the roadways included as part of the Villages of Lakeview project would not trigger a Major Amendment to the MSHCP. Therefore no public hearings related to a Major Amendment have been held to the RCA's knowledge.

3. *Has either the EPD or the RCA reviewed this road proposal with The Villages of Lakeview developer?*

RCA Response:

The frontage road was included as part of the project analyzed in the JPR, and the JPR did recognize that accommodations for wildlife crossings would need to be made for this roadway since it would cross through an area designated for the Proposed Constrained Linkage 20.

As for your November 22, 2009 letter, based on the above responses it should be clear that the MSHCP accommodates roads to be constructed throughout the Plan Area, as long as those roads are shown to be consistent with the MSHCP. Specific "Covered Activities", such as the Ramona Expressway expansion were specifically addressed in Section 7 of the MSHCP. Internal circulation roads associated with development projects are typically not deemed to be "Covered Activities" on their own merits. Instead, project roads, such as "JJ Street" proposed by the Villages of Lakeview project, are analyzed for their consistency with the MSHCP along with the development they are supporting. As stated in the JPR for the Villages of Lakeview project, JJ Street will be required to accommodate wildlife movement, per Section 7 of the MSHCP since it does cross through Proposed Constrained Linkage 20.

I hope this answers your questions satisfactorily.

Sincerely,

Charles Landry
Executive Director

October 27, 2009

COPY

Carolyn Syms Luna, Director
Environmental Programs Department
County Administrative Center
4080 Lemon Street, 12th Floor
Riverside, Ca. 92501

Charles Landry, Executive Director
Regional Conservation Authority
Riverside Centre Building
3403 10th Street, Suite 320
Riverside, Ca 92501

Subject: Proposed road through Constrained Linkage 20, MSHCP

Dear Director Luna and Executive Director Landry,

In Specific Plan N0. 342 of The Villages of Lakeview (TVOL) development, there is a proposal for a road (labeled "JJ Street" in the SP and DEIR) to cross the area designated for Constrained Linkage 20 in the MSHCP Plan. This JJ Street will be located just south of Ramona Expressway and connect to two proposed sections of the TVOL development.

Under the MSHCP, the only road approved to cross through the Constrained Linkage 20 is Ramona Expressway, which will later become the Mid County Parkway or MCP (MSHCP, Section 3, Constrained Linkage 20, Covered Activities). There are no other approved roads that will be allowed to enter or travel across this Linkage (Bridge Street is required to be located outside of the linkage on its east side). The MSHCP states that if there is a proposal for a non-approved road to enter or cross this Linkage, it must be considered a Major Amendment, subject to approval of the RCA after public review (MSHCP, Section 6.10.3).

In a letter from the California Department of Fish & Game dated April 15, 2009 to the Planning Department, it states "the Department has several issues: the width of the area conserved for Proposed linkage 20, placing a road through the linkage, and fencing to protect the linkage". "The Department recommends that the linkage be widened, the linkage fenced, and the proposed road (JJ Street) through the linkage are removed". In a letter from the US Fish and Wildlife Service dated April 24, 2009 to Ron Goldman, Planning Director, it states "We request that Street JJ be removed from the proposed project to minimize the number of road crossings within this Linkage".

TVOL is claiming that this JJ Street is a frontage road for the MCP and thus is exempt from the public review process. After reviewing the Mid County Parkway DEIR, I could not find anywhere where it states that there will be a frontage road along the MCP at this location, and that this frontage road would be a part of the Mid County Parkway Plan. The environmental analysis for a MCP undercrossing for this Linkage did not include any analysis for a frontage road (MCP, Appendix I, Attachment F, Crossing #10), which would increase the undercrossing length by an additional 60-100 feet. If this "frontage" road is allowed, would another "frontage" road be allowed on the north side of the MCP? As an example, the proposed Motte Ranch development on the north side had in its NOP a map showing Marvin Road either located as a frontage road or farther north as an independent road, both of which would be crossing the Constrained Linkage 20.

Would you please answer the following questions?

1. Are EPD and/or RCA aware of this road proposal crossing the Constrained Linkage 20? Do both agencies agree that this road is not allowed under the MSHCP plan? If not, what justification is being used to approve this road? Has the Planning Department been made aware of the EPD and/or the RCA's position on this proposed road?

2. Does the EPD or the RCA agree that this proposed road would be considered a Major Amendment? Has a public meeting been held to discuss this change in the MSHCP plan? What were the published results of that meeting?

3. Has either the EPD or the RCA reviewed this road proposal with The Villages of Lakeview developer?

It is my understanding that the MSHCP lands, and the linkages and corridors between them, would take preference over a developers wish to connect his parcels. Allowing this and other roads to enter or cross through the linkages is counter productive to accomplishing the goals of the MSHCP. In the case of Constrained Linkage 20, this linkage is supposed to be a live-in connection with as little human interference as possible. This road can simply not be allowed if we are to meet the MSHCP goals.

I would appreciate a quick response to these questions, as TVOL is coming before the County Planning Commission again on November 4th.

Sincerely,

Robert S. Hewitt

Robert S. Hewitt
42913 Johnston Ave.
Hemet, Ca. 92544

To whom it may concern:

I am a resident of Nuevo and I love it here. The violence is low the people are friendly, and it's a great small town feel. To urbanize a rural place is a mistake. Eventually if you urbanize all places like Nuevo there will be no more country side, no more freedom to have big lots to see your kids run around in a big yard, and much more great things would disappear.

Not only would it be a mistake to urbanize Nuevo because the small town feel people enjoy would fade but also Nuevo would lose its self. It would be like losing a loved one that will never come back something you will regret for ever. To make gated communities and nicer upscale homes in Nuevo is also segregating the original true Nuevan's against the new people. That would not be smart and how would you feel to attend a school were half live on the gated side and the other half live on the un-gated side. It's wrong and would make you or your children feel like they are not good enough and could lead to bad behavior.

Think about it Nuevan's gain nothing, crime rates will rise dramatically, gangs will start in your neighborhood, the wild life will be affected, water price will increase because to many people and not enough water, and the truth is people who want a place that is in an urban life style can move or not come here at all because this is a free country and no one is holding them against their will here and just because they are here they shouldn't change my town, especially because this is only one of a few small towns left in Southern California and we would love to keep it that way.

I insist that the environmental impact report is too old and the area needs reassessment, and that mitigation needs to take place to address the continuity of open space, the utilization of grey water use in irrigation for all new development, and the adoption of environmentally sensitive lighting as well to reduce the negative impacts on our wildlife areas and our natural resources.

X JOHN LYNCH

print name

X John C Lynch

signature Nuevo

2009_12-097549

To whom it may concern:

I am a resident of Nuevo and I love it here. The violence is low the people are friendly, and it's a great small town feel. To urbanize a rural place is a mistake. Eventually if you urbanize all places like Nuevo there will be no more country side, no more freedom to have big lots to see your kids run around in a big yard, and much more great things would disappear.

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X Claudia Stoutenburgh

print name

X

signature

To whom it may concern:

I am a resident of Nuevo and I love it here. The violence is low the people are friendly, and it's a great small town feel. To urbanize a rural place is a mistake. Eventually if you urbanize all places like Nuevo there will be no more country side, no more freedom to have big lots to see your kids run around in a big yard, and much more great things would disappear.

Not only would it be a mistake to urbanize Nuevo because the small town feel people enjoy would fade but also Nuevo would lose its self. It would be like losing a loved one that will never come back something you will regret for ever. To make gated communities and nicer upscale homes in Nuevo is also segregating the original true Nuevan's against the new people. That would not be smart and how would you feel to attend a school were half live on the gated side and the other half live on the un-gated side. It's wrong and would make you or your children feel like they are not good enough and could lead to bad behavior.

Think about it Nuevan's gain nothing, crime rates will rise dramatically, gangs will start in your neighborhood, the wild life will be affected, water price will increase because to many people and not enough water, and the truth is people who want a place that is in an urban life style can move or not come here at all because this is a free country and no one is holding them against their will here and just because they are here they shouldn't change my town, especially because this is only one of a few small towns left in Southern California and we would love to keep it that way.

I insist that the environmental impact report is too old and the area needs reassessment, and that mitigation needs to take place to address the continuity of open space, the utilization of grey water use in irrigation for all new development, and the adoption of environmentally sensitive lighting as well to reduce the negative impacts on our wildlife areas and our natural resources.

X Sharon Banks

print name

X Sharon Banks

signature

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I am a resident of Nuevo and I love it here. The violence is low the people are friendly, and it's a great small town feel. To urbanize a rural place is a mistake. Eventually if you urbanize all places like Nuevo there will be no more country side, no more freedom to have big lots to see your kids run around in a big yard, and much more great things would disappear.

Not only would it be a mistake to urbanize Nuevo because the small town feel people enjoy would fade but also Nuevo would lose its self. It would be like losing a loved one that will never come back something you will regret for ever. To make gated communities and nicer upscale homes in Nuevo is also segregating the original true Nuevan's against the new people. That would not be smart and how would you feel to attend a school were half live on the gated side and the other half live on the un-gated side. It's wrong and would make you or your children feel like they are not good enough and could lead to bad behavior.

Think about it Nuevan's gain nothing, crime rates will rise dramatically, gangs will start in your neighborhood, the wild life will be affected, water price will increase because to many people and not enough water, and the truth is people who want a place that is in an urban life style can move or not come here at all because this is a free country and no one is holding them against their will here and just because they are here they shouldn't change my town, especially because this is only one of a few small towns left in Southern California and we would love to keep it that way.

I insist that the environmental impact report is too old and the area needs reassessment, and that mitigation needs to take place to address the continuity of open space, the utilization of grey water use in irrigation for all new development, and the adoption of environmentally sensitive lighting as well to reduce the negative impacts on our wildlife areas and our natural resources.

X JANE LUALEMAO

print name

X

signature

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X Junior Frazer

print name

X Jr Frazer

signature

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X Yesenia Ponce

print name

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signature

[redacted]

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X Carmen Garcia

print name

X Carmen Garcia

signature

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X Jean Brown

print name

X Jean Brown

signature

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X Tina Jackson

print name

X

signature

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X Carly Jackson

print name

X Carly Jackson

signature

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X DIANE LYNCH

print name

X Diane Lynch

signature

Residential (2-5 DU/AC); Low Density Residential (1/2 AC Min.); Very Low Density Residential (1 AC Min.); Light Industrial; Public Facility; Retail; Agriculture; Rural Mountainous; and, Conservation, to a Specific Plan (SP) land use designation. **Circulation Element General Plan Amendment 721** proposes modifications to the Circulation Element and trails of the General Plan within the project boundaries. The project will include upgrading, downgrading, and elimination of numerous existing and proposed roadway classifications for several streets including 3rd Street, 5th Street, 6th Street, 10th Street 9th Street, Yucca Avenue, Wolfskill Avenue, Hanson Avenue, and Bridge Street from designations shown on the current circulation element plan for the Lakeview/Nuevo Area Plan. The **Change of Zone** proposes to change the zoning of the subject properties from A-1-10, A-2-10, A-P, C-P-S, C-R, M-SC, R-1, R-A, R-A-1, R-A-10, R-A-21/2, R-R Zone to Specific Plan (SP). The **Environmental Impact Report** analyzed the significant environmental impacts of the project. APN(s): 425-100-002, 425-100-015, et al.

AT THE DECEMBER 2ND PLANNING COMMISSION HEARING, THE PLANNING DEPARTMENT RECOMMENDED APPROVAL; and THE PLANNING COMMISSION RECOMMENDS:

TENTATIVE CERTIFICATION of **ENVIRONMENTAL IMPACT REPORT NO. 471**, based on the findings incorporated in the EIR, and subject to resolution adoption;

APPROVAL of **GENERAL PLAN AMENDMENT NO. 720 (Land Use) and 721 (Circulation)**, amending the Land Use Designation for the subject property from Land Use: Community Development; Very Low Density Residential- Community Development (VLDR-CD), Agriculture with a Community Development Overlay, Medium Density Residential (MDR) (2-5 du/ac), Heavy Industrial (HI 0.15 - 0.50 FAR), Light Industrial (LI 0.25 - 0.60 FAR), Open Space: Open Space Conversation (OS-C), Rural Community: Very Low Density Residential- Rural Community (VLDR-RC), Low Density Residential- Rural Community (LDR-RC), Rural: Rural Residential (RR), Rural Mountainous (RM), Agriculture: Agriculture (AG), to Specific Plan as reflected by the land use diagram; amend roadway and trail classifications per attached exhibit; based on the findings and conclusions incorporated in the staff report; and, pending final adoption of the General Plan Amendment Resolution;

APPROVAL of **SPECIFIC PLAN NO. 342,** 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,

APPROVAL of **CHANGE OF ZONE NO. 7055**, amending the zoning classification for the subject property from Light Agriculture 10 acre min. (A-1-10), Heavy Agriculture 10 acre Min. (A-2-10), Light Agriculture with Poultry (A-P), Scenic Highway Commercial (C-P-S), Commercial Retail (C-R), Manufacturing- Service Commercial (M-SC), One- Family Dwelling (R-1), Residential Agriculture (R-A), Residential Agriculture 1 acre Min. (R-A-1), Residential Agriculture 10 acre Min. (R-A-10), Residential Agriculture 2 ½ acre Min. (R-A-21/2), Rural-Residential (R-R) to Specific Plan (SP) in accordance with the Zoning Exhibit; an amendment to Ordinance 348 to incorporate the Specific Plan Zoning Ordinance; based upon the findings and conclusions incorporated in the staff report; and, pending Ordinance adoption.

PLANNING COMMISSION
MINUTE ORDER DECEMBER 2, 2009
RIVERSIDE COUNTY ADMINISTRATIVE CENTER

I. **AGENDA ITEM 7.1: SPECIFIC PLAN NO. 342 / GENERAL PLAN AMENDMENT NO. 720 (LAND USE) / GENERAL PLAN AMENDMENT 721 (CIRCULATION) / CHANGE OF ZONE NO. 7055 / ENVIRONMENTAL IMPACT REPORT NO. 471** – Applicant: Nuevo Development Company LLC. – Engineer/Representative: Lewis Operating Corporation - Fifth Supervisorial District – Lakeview Area and Hemet/San Jacinto & Lakeview Zoning District – Lakeview/Nuevo Area Plan: Agriculture: Agriculture (AG:AG) (10 Acre Minimum), Community Development: Commercial Retail (CD:CR) (0.20 - 0.35 Floor Area Ratio), Community Development: Low Density Residential (CD:LDR) (1/2 Acre Minimum), Community Development: Light Industrial (CD:LI) (0.25 - 0.60 Floor Area Ratio), Community Development: Public Facilities (CD:PF) (< 0.60 Floor Area Ratio), Community Development: Very Low Density Residential (CD: VLDR) (1 Acre Minimum), Rural Community: Low Density Residential (RC:LDR) (1/2 Acre Minimum), Rural Community: Very Low Density Residential (RC:VLDR) (1 Acre Minimum), Rural: Rural Mountainous (R:RM) (10 Acre Minimum), Rural: Rural Residential (R:RR) (5 Acre Minimum), Open Space: Conservation (OS:C), and Open Space: Conservation Habitat (OS:CH) Location: The project is located westerly of the City of San Jacinto, northerly of the Juniper Flats Mountains, northerly and southerly of the Ramona Expressway, and easterly of the San Jacinto River – 2,786 Gross Acres - Zoning: Light Agriculture 10-Acre Minimum (A-1-10), Heavy Agriculture 10-Acre Minimum (A-2-10), Light Agriculture with Poultry 5-Acre Minimum (A-P), Rural Commercial ½-Acre Minimum (C-R), Manufacturing Service Commercial (M-SC), Natural Assets 20-Acre Minimum (N-A), Residential Agriculture ½-Acre Minimum (R-A), Residential Agriculture 1-Acre Minimum (R-A-1), Residential Agriculture 10-Acre Minimum (R-A-10), Residential Agriculture 2 ½-Acre Minimum (R-A-2 ½), Rural Residential ½-Acre Minimum (R-R), Natural Assets (N-A-640). (Continued from 9/16/09, 10/21/09 and 11/4/09). (Legislative)

II. **PROJECT DESCRIPTION**

The Specific Plan proposes a maximum of 11,350 dwelling units to be constructed within seven (7) villages within 2,786 Gross Acres. The proposed land uses include: Medium High Residential (MH) (5 – 8 Dwelling Units per Acre) for 2,520 dwelling units on 490 Gross Acres; High Residential (H) (8 – 14 Dwelling Units per Acre) for 3,310 units on 371 Gross Acres; Very High Residential (VH) (14 – 22 Dwelling Units per Acre) for 2,420 units on 183 Gross Acres; Mixed Use Town Center (MU) for 3,100 units and 500,000 square feet of commercial on 288 Gross Acres; Public Facilities (PF) on 59 Gross Acres; Public Facilities/Open Space (PF/OS) on 95 Gross Acres; Parks on 155 Gross Acres ; Open Space (OS) on 998 Gross Acres; and 147 acres of right-of-way (ROW). General Plan Amendment No. 720 involves a "Foundation" change from Rural/Agricultural and Open Space to Community Development and changing the underlying land use designations from; Medium Density Residential (2-5 Dwelling Units per Acre); Low Density Residential (1/2 Acre Minimum); Very Low Density Residential (1 Acre Minimum); Light Industrial; Public Facility; Retail; Agriculture; Rural Mountainous; and, Conservation, to a Community Development Specific Plan (SP) land use designation. General Plan Amendment No. 721 proposes an amendment to the Circulation Element to delete, modify or add any Circulation Element roadways interior to or along the boundary of the Specific Plan to implement the roadway network illustrated in Exhibit B.2.6C - General Plan Roadway Classifications. This Exhibit is available for inspection through the contacts or at the location identified below in this notice. Key changes proposed to the County Circulation Element include, but are not limited to: the elimination of Yucca Avenue as a through street within the project boundary, the rerouting of 10th Street/Wolfskill Avenue as an Arterial and Secondary roadway east of Hansen Avenue. (The existing alignment of Wolfskill will remain a local street east of Hansen and will not be upgraded.) Hansen Avenue along the project boundary will be reclassified from a Major roadway (118' right-of-way) to a Collector Street, and Bridge Street, 3rd

Street, 5th Street, and 6th Street will be eliminated on the project site and will not have direct access to Ramona Expressway as access to Ramona will be shifted to Town Center and Park Center Boulevards exclusively in this vicinity. Additionally, the above General Plan Amendment will amend the Circulation Element Trails and Bikeways System to include the Community Trail designation for a number of the trails proposed within the project boundary. A view of all the proposed trails within the project area is shown on Exhibit B.8.18.b, Project Trails Plan which is available for inspection through the contacts or at the location identified below in this notice. The Change of Zone is a request to change the zoning of the subject properties from A-1-10, A-2-10, A-P, C-P-S, C-R, M-SC, R-1, R-A, R-A-1, R-A-10, R-A-$2^{1/2}$, and R-R Zone to Specific Plan (SP). The Project is also proposing a Zoning Ordinance to implement the Specific Plan. The Environmental Impact Report analyzes the environmental impacts of the proposed project- APN(s): 425-100-002, 425-100-015, et al.

III. MEETING SUMMARY

The following staff presented the subject proposal:
Project Planner, Matt Straite, at 951-955-8631 or e-mail mstraite@rctlma.org.

The following spoke in favor of the subject proposal:
Randall Lewis, Applicant
Leon Swails, Applicant
Mike Naggar, Other Interested Person, 445 D. St., Perris, California 92570

The following spoke in a nuetral position of the subject proposal:
Debra O'Brien, Other Interested Person, 22010 Polley St., Nuevo, California 92567

The following spoke in opposition of the subject proposal:
Ann McKibben, Other Interested Person
George Hague, Other Interested Person, 26711 Ironwood Ave., Moreno Valley, California 92555
Joyce Schwartz, Other Interested Person, P.O. Box 11327, Nuevo, California 92567
Sharon Duber, Other Interested Person, 585 Parnevik Drive, Hemet, California 92545
Clinton Stoutenburgh, Other Interested Person, 22450 Wybenga Ln., Nuevo, California 92567
Sue Nash, Other Interested Person

The following gave time to Sue Nash:
Paul Paulek, Other Interested Person

The following gave time to Sharon Duber:
Kathy Smigun, Other Interested Person, Reinhardt Canyon, Hemet, California 92545

IV. CONTROVERSIAL ISSUES

The Villages of Lakeview project has addressed many controversial issues including affordable housing, greenhouse gasses, energy requirements, parks, and land use compatibility.

V. PLANNING COMMISSION ACTION

The Planning Commission, by a vote of 4-1 (Commissioner Roth Opposed); recommended to the Board of Supervisors with modifications:

TENTATIVELY CERTIFY the **ENVIRONMENTAL IMPACT REPORT NO. 471**, based on the findings incorporated in the EIR, and subject to resolution adoption by the Riverside County Board of Supervisors; and,

APPROVAL of **GENERAL PLAN AMENDMENT NO. 720 (Land Use) and 721 (Circulation)**, amending the Land Use Designation for the subject property from Land Use: Community Development; Very Low Density Residential- Community Development (VLDR-CD), Agriculture with a Community Development Overlay, Medium Density Residential (MDR) (2-5 du/ac), Heavy Industrial (HI 0.15 - 0.50 FAR), Light Industrial (LI 0.25 - 0.60 FAR), Open Space: Open Space Conversation (OS-C),
Rural Community: Very Low Density Residential- Rural Community (VLDR-RC), Low Density Residential- Rural Community (LDR-RC), Rural: Rural Residential (RR), Rural Mountainous (RM), Agriculture: Agriculture (AG), to Specific Plan as reflected by the land use diagram; based on the findings and conclusions incorporated in the staff report; and, pending final adoption of the General Plan Amendment Resolution by the Board of Supervisors; and,

APPROVAL of **SPECIFIC PLAN NO. 342,** 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,

APPROVAL of **CHANGE OF ZONE NO. 7055**, amending the zoning classification for the subject property from Light Agriculture 10 acre min. (A-1-10), Heavy Agriculture 10 acre Min. (A-2-10), Light Agriculture with Poultry (A-P), Scenic Highway Commercial (C-P-S), Commercial Retail (C-R), Manufacturing- Service Commercial (M-SC), One- Family Dwelling (R-1), Residential Agriculture (R-A), Residential Agriculture 1 acre Min. (R-A-1), Residential Agriculture 10 acre Min. (R-A-10), Residential Agriculture 2 ½ acre Min. (R-A-21/2), Rural- Residential (R-R) to Specific Plan (SP) in accordance with the Zoning Exhibit; based upon the findings and conclusions incorporated in the staff report; and, pending Ordinance adoption by the Board of Supervisors; and,

ADOPTION of the **RESOLUTION RECOMMENDING ADOPTION** of General Plan Amendment No. 720 and 721, Specific Plan 342, and Change of Zone No. 7055 to the Riverside County Board of Supervisors.

SEE ADDENDUM STAFF REPORT

VI. CD

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at cgriffin@rctlma.org.

PLANNING COMMISSION
MINUTE ORDER NOVEMBER 18, 2009
LA QUINTA COUNCIL CHAMBERS

I. **AGENDA ITEM 8.1: SPECIFIC PLAN NO. 342 / GENERAL PLAN AMENDMENT NO. 720 (LAND USE) / GENERAL PLAN AMENDMENT 721 (CIRCULATION) / CHANGE OF ZONE NO. 7055 / ENVIRONMENTAL IMPACT REPORT NO. 471** – Applicant: Nuevo Development Company LLC. – Engineer/Representative: Lewis Operating Corporation - Fifth Supervisorial District – Lakeview Area and Hemet/San Jacinto & Lakeview Zoning District – Lakeview/Nuevo Area Plan: Agriculture: Agriculture (AG:AG) (10 Acre Minimum), Community Development: Commercial Retail (CD:CR) (0.20 - 0.35 Floor Area Ratio), Community Development: Low Density Residential (CD:LDR) (1/2 Acre Minimum), Community Development: Light Industrial (CD:LI) (0.25 - 0.60 Floor Area Ratio), Community Development: Public Facilities (CD:PF) (< 0.60 Floor Area Ratio), Community Development: Very Low Density Residential (CD: VLDR) (1 Acre Minimum), Rural Community: Low Density Residential (RC:LDR) (1/2 Acre Minimum), Rural Community: Very Low Density Residential (RC:VLDR) (1 Acre Minimum), Rural: Rural Mountainous (R:RM) (10 Acre Minimum), Rural: Rural Residential (R:RR) (5 Acre Minimum), Open Space: Conservation (OS:C), and Open Space: Conservation Habitat (OS:CH) Location: The project is located westerly of the City of San Jacinto, northerly of the Juniper Flats Mountains, northerly and southerly of the Ramona Expressway, and easterly of the San Jacinto River – 2,786 Gross Acres - Zoning: Light Agriculture 10-Acre Minimum (A-1-10), Heavy Agriculture 10-Acre Minimum (A-2-10), Light Agriculture with Poultry 5-Acre Minimum (A-P), Rural Commercial ½-Acre Minimum (C-R), Manufacturing Service Commercial (M-SC), Natural Assets 20-Acre Minimum (N-A), Residential Agriculture ½-Acre Minimum (R-A), Residential Agriculture 1-Acre Minimum (R-A-1), Residential Agriculture 10-Acre Minimum (R-A-10), Residential Agriculture 2 ½-Acre Minimum (R-A-2 ½), Rural Residential ½-Acre Minimum (R-R), Natural Assets (N-A-640). (Continued from 9/16/09, 10/21/09 and 11/4/09). (Legislative)

II. **PROJECT DESCRIPTION**

The Specific Plan proposes a maximum of 11,350 dwelling units to be constructed within seven (7) villages within 2,786 Gross Acres. The proposed land uses include: Medium High Residential (MH) (5 – 8 Dwelling Units per Acre) for 2,520 dwelling units on 490 Gross Acres; High Residential (H) (8 – 14 Dwelling Units per Acre) for 3,310 units on 371 Gross Acres; Very High Residential (VH) (14 – 22 Dwelling Units per Acre) for 2,420 units on 183 Gross Acres; Mixed Use Town Center (MU) for 3,100 units and 500,000 square feet of commercial on 288 Gross Acres; Public Facilities (PF) on 59 Gross Acres; Public Facilities/Open Space (PF/OS) on 95 Gross Acres; Parks on 155 Gross Acres ; Open Space (OS) on 998 Gross Acres; and 147 acres of right-of-way (ROW). General Plan Amendment No. 720 involves a "Foundation" change from Rural/Agricultural and Open Space to Community Development and changing the underlying land use designations from; Medium Density Residential (2-5 Dwelling Units per Acre); Low Density Residential (1/2 Acre Minimum); Very Low Density Residential (1 Acre Minimum); Light Industrial; Public Facility; Retail; Agriculture; Rural Mountainous; and, Conservation, to a Community Development Specific Plan (SP) land use designation. General Plan Amendment No. 721 proposes an amendment to the Circulation Element to delete, modify or add any Circulation Element roadways interior to or along the boundary of the Specific Plan to implement the roadway network illustrated in Exhibit B.2.6C - General Plan Roadway Classifications. This Exhibit is available for inspection through the contacts or at the location identified below in this notice. Key changes proposed to the County Circulation Element include, but are not limited to: the elimination of Yucca Avenue as a through street within the project boundary, the rerouting of 10th Street/Wolfskill Avenue as an Arterial and Secondary roadway east of Hansen Avenue. (The existing alignment of Wolfskill will remain a local street east of Hansen and will not be upgraded.) Hansen Avenue along the project boundary will be reclassified from a Major roadway (118' right-of-way) to a Collector Street, and Bridge Street, 3rd

PLANNING COMMISSION
MINUTE ORDER NOVEMBER 18, 2009
LA QUINTA COUNCIL CHAMBERS

Street, 5th Street, and 6th Street will be eliminated on the project site and will not have direct access to Ramona Expressway as access to Ramona will be shifted to Town Center and Park Center Boulevards exclusively in this vicinity. Additionally, the above General Plan Amendment will amend the Circulation Element Trails and Bikeways System to include the Community Trail designation for a number of the trails proposed within the project boundary. A view of all the proposed trails within the project area is shown on Exhibit B.8.18.b, Project Trails Plan which is available for inspection through the contacts or at the location identified below in this notice. The Change of Zone is a request to change the zoning of the subject properties from A-1-10, A-2-10, A-P, C-P-S, C-R, M-SC, R-1, R-A, R-A-1, R-A-10, R-A-$2^{1/2}$, and R-R Zone to Specific Plan (SP). The Project is also proposing a Zoning Ordinance to implement the Specific Plan. The Environmental Impact Report analyzes the environmental impacts of the proposed project- APN(s): 425-100-002, 425-100-015, et al.

III. MEETING SUMMARY

The following staff presented the subject proposal:
Project Planner, Matt Straite, at 951-955-8631 or e-mail mstraite@rctlma.org.

The following spoke in favor of the subject proposal:
R. Chris Lightburne, Applicant's Representative, 27127 Calle Arroyo, San Juan Capistrano, California 92625

The following spoke in a nuetral position of the subject proposal:
Scott R. Sewell, Dept. of Fish & Game
Debra O'Brien, Other Interested Person, 22010 Polley St., Nuevo, California 92567

The following spoke in opposition of the subject proposal:
Kathy Smigun, Other Interested Person, 24515 California Ave., Hemet, California 92545
Joyce Schwartz, Other Interested Person, P.O. Box 11327, Nuevo, California 92567
Sharon Duber, Other Interested Person, 585 Parnevik Drive, Hemet, California 92545

IV. CONTROVERSIAL ISSUES

The Villages of Lakeview project has addressed many controversial issues including affordable housing, greenhouse gasses, energy requirements, parks, and land use compatibility.

V. PLANNING COMMISSION ACTION

The Planning Commission, by a vote of 4-0 (Commissioner Zuppardo Absent); continued the subject proposal to December 2, 2009.

VI. CD

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at cgriffin@rctlma.org.

PLANNING COMMISSION
MINUTE ORDER NOVEMBER 4, 2009
RIVERSIDE COUNTY ADMINISTRATIVE CENTER

I. **AGENDA ITEM 6.2: SPECIFIC PLAN NO. 342 / GENERAL PLAN AMENDMENT NO. 720 (LAND USE) / GENERAL PLAN AMENDMENT 721 (CIRCULATION) / CHANGE OF ZONE NO. 7055 / ENVIRONMENTAL IMPACT REPORT NO. 471** – Applicant: Nuevo Development Company LLC. – Engineer/Representative: Lewis Operating Corporation - Fifth Supervisorial District – Lakeview Area and Hemet/San Jacinto & Lakeview Zoning District – Lakeview/Nuevo Area Plan: Agriculture: Agriculture (AG:AG) (10 Acre Minimum), Community Development: Commercial Retail (CD:CR) (0.20 - 0.35 Floor Area Ratio), Community Development: Low Density Residential (CD:LDR) (1/2 Acre Minimum), Community Development: Light Industrial (CD:LI) (0.25 - 0.60 Floor Area Ratio), Community Development: Public Facilities (CD:PF) (< 0.60 Floor Area Ratio), Community Development: Very Low Density Residential (CD: VLDR) (1 Acre Minimum), Rural Community: Low Density Residential (RC:LDR) (1/2 Acre Minimum), Rural Community: Very Low Density Residential (RC:VLDR) (1 Acre Minimum), Rural: Rural Mountainous (R:RM) (10 Acre Minimum), Rural: Rural Residential (R:RR) (5 Acre Minimum), Open Space: Conservation (OS:C), and Open Space: Conservation Habitat (OS:CH) Location: The project is located westerly of the City of San Jacinto, northerly of the Juniper Flats Mountains, northerly and southerly of the Ramona Expressway, and easterly of the San Jacinto River – 2,786 Gross Acres - Zoning: Light Agriculture 10-Acre Minimum (A-1-10), Heavy Agriculture 10-Acre Minimum (A-2-10), Light Agriculture with Poultry 5-Acre Minimum (A-P), Rural Commercial ½-Acre Minimum (C-R), Manufacturing Service Commercial (M-SC), Natural Assets 20-Acre Minimum (N-A), Residential Agriculture ½-Acre Minimum (R-A), Residential Agriculture 1-Acre Minimum (R-A-1), Residential Agriculture 10-Acre Minimum (R-A-10), Residential Agriculture 2 ½-Acre Minimum (R-A-2 ½), Rural Residential ½-Acre Minimum (R-R), Natural Assets (N-A-640). (Continued from 9/16/09 and 10/21/09). (Legislative)

II. **PROJECT DESCRIPTION**

The Specific Plan proposes a maximum of 11,350 dwelling units to be constructed within seven (7) villages within 2,786 Gross Acres. The proposed land uses include: Medium High Residential (MH) (5 – 8 Dwelling Units per Acre) for 2,520 dwelling units on 490 Gross Acres; High Residential (H) (8 – 14 Dwelling Units per Acre) for 3,310 units on 371 Gross Acres; Very High Residential (VH) (14 – 22 Dwelling Units per Acre) for 2,420 units on 183 Gross Acres; Mixed Use Town Center (MU) for 3,100 units and 500,000 square feet of commercial on 288 Gross Acres; Public Facilities (PF) on 59 Gross Acres; Public Facilities/Open Space (PF/OS) on 95 Gross Acres; Parks on 155 Gross Acres ; Open Space (OS) on 998 Gross Acres; and 147 acres of right-of-way (ROW). General Plan Amendment No. 720 involves a "Foundation" change from Rural/Agricultural and Open Space to Community Development and changing the underlying land use designations from; Medium Density Residential (2-5 Dwelling Units per Acre); Low Density Residential (1/2 Acre Minimum); Very Low Density Residential (1 Acre Minimum); Light Industrial; Public Facility; Retail; Agriculture; Rural Mountainous; and, Conservation, to a Community Development Specific Plan (SP) land use designation. General Plan Amendment No. 721 proposes an amendment to the Circulation Element to delete, modify or add any Circulation Element roadways interior to or along the boundary of the Specific Plan to implement the roadway network illustrated in Exhibit B.2.6C - General Plan Roadway Classifications. This Exhibit is available for inspection through the contacts or at the location identified below in this notice. Key changes proposed to the County Circulation Element include, but are not limited to: the elimination of Yucca Avenue as a through street within the project boundary, the rerouting of 10th Street/Wolfskill Avenue as an Arterial and Secondary roadway east of Hansen Avenue. (The existing alignment of Wolfskill will remain a local street east of Hansen and will not be upgraded.) Hansen Avenue along the project boundary will be reclassified from a Major roadway (118' right-of-way) to a Collector Street, and Bridge Street, 3rd Street, 5th Street, and 6th Street will be eliminated on the project site and will not have direct access to Ramona Expressway as access to Ramona will be shifted to Town Center and Park

Center Boulevards exclusively in this vicinity. Additionally, the above General Plan Amendment will amend the Circulation Element Trails and Bikeways System to include the Community Trail designation for a number of the trails proposed within the project boundary. A view of all the proposed trails within the project area is shown on Exhibit B.8.18.b, Project Trails Plan which is available for inspection through the contacts or at the location identified below in this notice. The Change of Zone is a request to change the zoning of the subject properties from A-1-10, A-2-10, A-P, C-P-S, C-R, M-SC, R-1, R-A, R-A-1, R-A-10, R-A-$2^{1/2}$, and R-R Zone to Specific Plan (SP). The Project is also proposing a Zoning Ordinance to implement the Specific Plan. The Environmental Impact Report analyzes the environmental impacts of the proposed project- APN(s): 425-100-002, 425-100-015, et al.

III. MEETING SUMMARY

The following staff presented the subject proposal:
Project Planner, Matt Straite, at 951-955-8631 or e-mail mstraite@rctlma.org.

The following spoke in favor of the subject proposal:
Mike Foley, Neighbor, 31431 Contour, Lakeview, California
Thomas Upton, Neighbor, 29850 Lakeview Ave., Lakeview, California
Cassandra Shett-Hammond, 29277 Harley Ct., Nuevo, California 92567
Debbie Lauda, 31382 Electric Ave., Nuevo, California
Tommy Thompson, Neighbor, 22205 Rosaway Ave., Nuevo, California 92567
Diane Shott, Other Interested Party, 31260 Meadow Blossom, Nuevo, California

The following spoke in a nuetral position of the subject proposal:
Scott R. Sewell, Dept. of Fish & Game
Paul Marorro, Other Interested Person, P.O. Box 2183, Temecula, California 92593
Michele Fahley, Other Interested Person, P.O. Box 1477
Ann Hoover, Other Interested Person, P.O. Box 2183, Temecula, California 92593
Debra O'Brien, Other Interested Person, 22010 Polley St., Nuevo, California 92567
Joe Ontiveros, Other Interested Person, 23906 Soboba Rd., San Jacinto, California 92583
Mike Naggar, Other Interested Person, 445 S. D. Street, Perris, California 92570

The following spoke in opposition of the subject proposal:
Jason Rhine, Other Interested Person, 1600 Sacramento Inn Way, #222, Sacramento, California 95815
Joyce Schwartz, Other Interested Person, P.O. Box 11327, Nuevo, California 92567
Susan Nash, Other Interested Person
George Hague, Other Interested Person, 26711 Ironwood Ave., Moreno Valley, California 92555
Clinton Stoutenburgh, Other Interested Person, 22450 Wybenga Ln, Nuevo, California 92567
Sharon Duber, Other Interested Person, 585 Parnevik Drive, Hemet, California 92545

The following gave time to Sharon Duber:
Kathy Smigun, Other Interested Person, 24515 California Ave., Hemet, California 92545

The following gave time to Clinton Stoutenburgh:

Pat Ratliff, Other Interested Person, 21845 Poppy Lane, Nuevo, California 92567

The following gave time to George Hague:
Ann McKibben, Other Interested Person, 23296 Sonnet Dr., Moreno Valley, California 92557

IV. CONTROVERSIAL ISSUES

The Villages of Lakeview project has addressed many controversial issues including affordable housing, greenhouse gasses, energy requirements, parks, and land use compatibility.

V. PLANNING COMMISSION ACTION

The Planning Commission, by a vote of 5-0; continued the subject proposal to November 18, 2009.

VI. CD

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at cgriffin@rctlma.org.

PLANNING COMMISSION
MINUTE ORDER OCTOBER 21, 2009
RIVERSIDE COUNTY ADMINISTRATIVE CENTER

I. **AGENDA ITEM 5.1: SPECIFIC PLAN NO. 342 / GENERAL PLAN AMENDMENT NO. 720 (LAND USE) / GENERAL PLAN AMENDMENT 721 (CIRCULATION) / CHANGE OF ZONE NO. 7055 / ENVIRONMENTAL IMPACT REPORT NO. 471** – Applicant: Nuevo Development Company LLC. – Engineer/Representative: Lewis Operating Corporation - Fifth Supervisorial District – Lakeview Area and Hemet/San Jacinto & Lakeview Zoning District – Lakeview/Nuevo Area Plan: Agriculture: Agriculture (AG:AG) (10 Acre Minimum), Community Development: Commercial Retail (CD:CR) (0.20 - 0.35 Floor Area Ratio), Community Development: Low Density Residential (CD:LDR) (1/2 Acre Minimum), Community Development: Light Industrial (CD:LI) (0.25 - 0.60 Floor Area Ratio), Community Development: Public Facilities (CD:PF) (< 0.60 Floor Area Ratio), Community Development: Very Low Density Residential (CD: VLDR) (1 Acre Minimum), Rural Community: Low Density Residential (RC:LDR) (1/2 Acre Minimum), Rural Community: Very Low Density Residential (RC:VLDR) (1 Acre Minimum), Rural: Rural Mountainous (R:RM) (10 Acre Minimum), Rural: Rural Residential (R:RR) (5 Acre Minimum), Open Space: Conservation (OS:C), and Open Space: Conservation Habitat (OS:CH) Location: The project is located westerly of the City of San Jacinto, northerly of the Juniper Flats Mountains, northerly and southerly of the Ramona Expressway, and easterly of the San Jacinto River – 2,786 Gross Acres - Zoning: Light Agriculture 10-Acre Minimum (A-1-10), Heavy Agriculture 10-Acre Minimum (A-2-10), Light Agriculture with Poultry 5-Acre Minimum (A-P), Rural Commercial ½-Acre Minimum (C-R), Manufacturing Service Commercial (M-SC), Natural Assets 20-Acre Minimum (N-A), Residential Agriculture ½-Acre Minimum (R-A), Residential Agriculture 1-Acre Minimum (R-A-1), Residential Agriculture 10-Acre Minimum (R-A-10), Residential Agriculture 2 ½-Acre Minimum (R-A-2 ½), Rural Residential ½-Acre Minimum (R-R), Natural Assets (N-A-640). (Continued from 9/16/09). (Legislative)

II. **PROJECT DESCRIPTION**

The Specific Plan proposes a maximum of 11,350 dwelling units to be constructed within seven (7) villages within 2,786 Gross Acres. The proposed land uses include: Medium High Residential (MH) (5 – 8 Dwelling Units per Acre) for 2,520 dwelling units on 490 Gross Acres; High Residential (H) (8 – 14 Dwelling Units per Acre) for 3,310 units on 371 Gross Acres; Very High Residential (VH) (14 – 22 Dwelling Units per Acre) for 2,420 units on 183 Gross Acres; Mixed Use Town Center (MU) for 3,100 units and 500,000 square feet of commercial on 288 Gross Acres; Public Facilities (PF) on 59 Gross Acres; Public Facilities/Open Space (PF/OS) on 95 Gross Acres; Parks on 155 Gross Acres ; Open Space (OS) on 998 Gross Acres; and 147 acres of right-of-way (ROW). General Plan Amendment No. 720 involves a "Foundation" change from Rural/Agricultural and Open Space to Community Development and changing the underlying land use designations from; Medium Density Residential (2-5 Dwelling Units per Acre); Low Density Residential (1/2 Acre Minimum); Very Low Density Residential (1 Acre Minimum); Light Industrial; Public Facility; Retail; Agriculture; Rural Mountainous; and, Conservation, to a Community Development Specific Plan (SP) land use designation. General Plan Amendment No. 721 proposes an amendment to the Circulation Element to delete, modify or add any Circulation Element roadways interior to or along the boundary of the Specific Plan to implement the roadway network illustrated in Exhibit B.2.6C - General Plan Roadway Classifications. This Exhibit is available for inspection through the contacts or at the location identified below in this notice. Key changes proposed to the County Circulation Element include, but are not limited to: the elimination of Yucca Avenue as a through street within the project boundary, the rerouting of 10th Street/Wolfskill Avenue as an Arterial and Secondary roadway east of Hansen Avenue. (The existing alignment of Wolfskill will remain a local street east of Hansen and will not be upgraded.) Hansen Avenue along the project boundary will be reclassified from a Major roadway (118' right-of-way) to a Collector Street, and Bridge Street, 3rd Street, 5th Street, and 6th Street will be eliminated on the project site and will not have direct access to Ramona Expressway as access to Ramona will be shifted to Town Center and Park

Center Boulevards exclusively in this vicinity. Additionally, the above General Plan Amendment will amend the Circulation Element Trails and Bikeways System to include the Community Trail designation for a number of the trails proposed within the project boundary. A view of all the proposed trails within the project area is shown on Exhibit B.8.18.b, Project Trails Plan which is available for inspection through the contacts or at the location identified below in this notice. The Change of Zone is a request to change the zoning of the subject properties from A-1-10, A-2-10, A-P, C-P-S, C-R, M-SC, R-1, R-A, R-A-1, R-A-10, R-A-$2^{1/2}$, and R-R Zone to Specific Plan (SP). The Project is also proposing a Zoning Ordinance to implement the Specific Plan. The Environmental Impact Report analyzes the environmental impacts of the proposed project- APN(s): 425-100-002, 425-100-015, et al.

III. MEETING SUMMARY

Subject proposal did not require a presentation.
Project Planner, Matt Straite, at 951-955-8631 or e-mail mstraite@rctlma.org.

The following spoke in favor of the subject proposal:
Mike Foley, Neighbor, 31431 Contour, Lakeview, California
Thomas Upton, Neighbor, 29850 Lakeview Ave., Lakeview, California
Cassandra Shett-Hammond, 29277 Harley Ct., Nuevo, California 92567
Debbie Lauda, 31382 Electric Ave., Nuevo, California
Tommy Thompson, Neighbor, 22205 Rosaway Ave., Nuevo, California 92567
Diane Shott, Other Interested Party, 31260 Meadow Blossom, Nuevo, California

The following did not wish to speak but want to be recorded as in favor of the subject proposal:
Kadee Shott, Neighbor, 31260 Meadow Blossom, Nuevo, California

The following spoke in a neutral position of the subject proposal:
Anna Hoover, Other Interested Person, P.O. Box 2183, Temecula, California 92592
Paul Macarro, Other Interested Person, 32177 Corte Sabrinas, Temecula, California 92592

The following gave time to Paul Macarro:
Brenda Tomaras, Other Interested Person

The following spoke in opposition of the subject proposal:
Dr. Marilyn Rogers, Neighbor, 21925 Garden Dr., Nuevo, California 92567
Susan Nash, Other Interested Person
Ray Heimstra, Other Interested Person, 3741 Merced Dr., #F2, Riverside, California 92503
Autumm DeWoody, Interested Person, 3741 Merced Dr., #F2, Riverside, California 92503
Debra O'Brien, Other Interested Person
Joyce Schwartz, Other Interested Person, P.O. Box 11327, Nuevo, California 92567
George Hague, Other Interested Person, 26711 Ironwood Ave., Moreno Valley, California 92555
Clinton Stoutenburgh, Other Interested Person, 22450 Wybenga Ln, Nuevo, California 92567

The following gave time to Clinton Stoutenburgh:
Sharon Duber, Other Interested Person, 585 Parnevik Drive, Hemet, California 92545

The following gave time to Joyce Schwartz:
Jackie Nouwels, Other Interested Person, P.O. box 1312, Hemet, California 9546

The following gave time to George Hague:
Tom Paulek, Other Interested Person, P.O. Box, Idyllwild, California 92549
Ann McKibben, Other Interested Person, 23296 Sonnet Dr., Moreno Valley, California 92557

The following did not wish to speak but wanted to be recorded as in opposition of the subject proposal:
Pat Ratliff, Other Interested Person, 21845 Poppy Lane, Nuevo, California 92567

IV. CONTROVERSIAL ISSUES

The Villages of Lakeview project has addressed many controversial issues including affordable housing, greenhouse gasses, energy requirements, parks, and land use compatibility.

V. PLANNING COMMISSION ACTION

The Planning Commission, by a vote of 5-0; continued the subject proposal to November 4, 2009.

VI. CD

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at cgriffin@rctlma.org.

PLANNING COMMISSION
MINUTE ORDER SEPTEMBER 16, 2009
RIVERSIDE COUNTY ADMINISTRATIVE CENTER

I. **AGENDA ITEM 5.1: SPECIFIC PLAN NO. 342 / GENERAL PLAN AMENDMENT NO. 720 (LAND USE) / GENERAL PLAN AMENDMENT 721 (CIRCULATION) / CHANGE OF ZONE NO. 7055 / ENVIRONMENTAL IMPACT REPORT NO. 471** – Applicant: Nuevo Development Company LLC. – Engineer/Representative: Lewis Operating Corporation - Fifth Supervisorial District – Lakeview Area and Hemet/San Jacinto & Lakeview Zoning District – Lakeview/Nuevo Area Plan: Agriculture: Agriculture (AG:AG) (10 Acre Minimum), Community Development: Commercial Retail (CD:CR) (0.20 - 0.35 Floor Area Ratio), Community Development: Low Density Residential (CD:LDR) (1/2 Acre Minimum), Community Development: Light Industrial (CD:LI) (0.25 - 0.60 Floor Area Ratio), Community Development: Public Facilities (CD:PF) (< 0.60 Floor Area Ratio), Community Development: Very Low Density Residential (CD: VLDR) (1 Acre Minimum), Rural Community: Low Density Residential (RC:LDR) (1/2 Acre Minimum), Rural Community: Very Low Density Residential (RC:VLDR) (1 Acre Minimum), Rural: Rural Mountainous (R:RM) (10 Acre Minimum), Rural: Rural Residential (R:RR) (5 Acre Minimum), Open Space: Conservation (OS:C), and Open Space: Conservation Habitat (OS:CH) Location: The project is located westerly of the City of San Jacinto, northerly of the Juniper Flats Mountains, northerly and southerly of the Ramona Expressway, and easterly of the San Jacinto River – 2,786 Gross Acres - Zoning: Light Agriculture 10-Acre Minimum (A-1-10), Heavy Agriculture 10-Acre Minimum (A-2-10), Light Agriculture with Poultry 5-Acre Minimum (A-P), Rural Commercial ½-Acre Minimum (C-R), Manufacturing Service Commercial (M-SC), Natural Assets 20-Acre Minimum (N-A), Residential Agriculture ½-Acre Minimum (R-A), Residential Agriculture 1-Acre Minimum (R-A-1), Residential Agriculture 10-Acre Minimum (R-A-10), Residential Agriculture 2 ½-Acre Minimum (R-A-2 ½), Rural Residential ½-Acre Minimum (R-R), Natural Assets (N-A-640). (Legislative)

II. **PROJECT DESCRIPTION**

The Specific Plan proposes a maximum of 11,350 dwelling units to be constructed within seven (7) villages within 2,786 Gross Acres. The proposed land uses include: Medium High Residential (MH) (5 – 8 Dwelling Units per Acre) for 2,520 dwelling units on 490 Gross Acres; High Residential (H) (8 – 14 Dwelling Units per Acre) for 3,310 units on 371 Gross Acres; Very High Residential (VH) (14 – 22 Dwelling Units per Acre) for 2,420 units on 183 Gross Acres; Mixed Use Town Center (MU) for 3,100 units and 500,000 square feet of commercial on 288 Gross Acres; Public Facilities (PF) on 59 Gross Acres; Public Facilities/Open Space (PF/OS) on 95 Gross Acres; Parks on 155 Gross Acres ; Open Space (OS) on 998 Gross Acres; and 147 acres of right-of-way (ROW). General Plan Amendment No. 720 involves a "Foundation" change from Rural/Agricultural and Open Space to Community Development and changing the underlying land use designations from; Medium Density Residential (2-5 Dwelling Units per Acre); Low Density Residential (1/2 Acre Minimum); Very Low Density Residential (1 Acre Minimum); Light Industrial; Public Facility; Retail; Agriculture; Rural Mountainous; and, Conservation, to a Community Development Specific Plan (SP) land use designation. General Plan Amendment No. 721 proposes an amendment to the Circulation Element to delete, modify or add any Circulation Element roadways interior to or along the boundary of the Specific Plan to implement the roadway network illustrated in Exhibit B.2.6C - General Plan Roadway Classifications. This Exhibit is available for inspection through the contacts or at the location identified below in this notice. Key changes proposed to the County Circulation Element include, but are not limited to: the elimination of Yucca Avenue as a through street within the project boundary, the rerouting of 10th Street/Wolfskill Avenue as an Arterial and Secondary roadway east of Hansen Avenue. (The existing alignment of Wolfskill will remain a local street east of Hansen and will not be upgraded.) Hansen Avenue along the project boundary will be reclassified from a Major roadway (118' right-of-way) to a Collector Street, and Bridge Street, 3rd Street, 5th Street, and 6th Street will be eliminated on the project site and will not have direct access to Ramona Expressway as access to Ramona will be shifted to Town Center and Park

Center Boulevards exclusively in this vicinity. Additionally, the above General Plan Amendment will amend the Circulation Element Trails and Bikeways System to include the Community Trail designation for a number of the trails proposed within the project boundary. A view of all the proposed trails within the project area is shown on Exhibit B.8.18.b, Project Trails Plan which is available for inspection through the contacts or at the location identified below in this notice. The Change of Zone is a request to change the zoning of the subject properties from A-1-10, A-2-10, A-P, C-P-S, C-R, M-SC, R-1, R-A, R-A-1, R-A-10, R-A-$2^{1/2}$, and R-R Zone to Specific Plan (SP). The Project is also proposing a Zoning Ordinance to implement the Specific Plan. The Environmental Impact Report analyzes the environmental impacts of the proposed project- APN(s): 425-100-002, 425-100-015, et al.

III. MEETING SUMMARY

Subject proposal did not require a presentation.
Project Planner, Matt Straite, at 951-955-8631 or e-mail mstraite@rctlma.org.

The following spoke in favor of the subject proposal:
Mike Foley, Neighbor, 31431 Contour, Lakeview, California
Thomas Upton, Neighbor, 29850 Lakeview Ave., Lakeview, California
Cassandra Shett-Hammond, 29277 Harley Ct., Nuevo, California 92567
Debbie Lauda, 31382 Electric Ave., Nuevo, California
Tommy Thompson, Neighbor, 22205 Rosaway Ave., Nuevo, California 92567
Diane Shott, Other Interested Party, 31260 Meadow Blossom, Nuevo, California

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The following spoke in a neutral position of the subject proposal:
Anna Hoover, Other Interested Person, P.O. Box 2183, Temecula, California 92592
Paul Macarro, Other Interested Person, 32177 Corte Sabrinas, Temecula, California 92592

The following gave time to Paul Macarro:
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Autumm DeWoody, Interested Person, 3741 Merced Dr., #F2, Riverside, California 92503
Debra O'Brien, Other Interested Person
Joyce Schwartz, Other Interested Person, P.O. Box 11327, Nuevo, California 92567
George Hague, Other Interested Person, 26711 Ironwood Ave., Moreno Valley, California 92555
Clinton Stoutenburgh, Other Interested Person, 22450 Wybenga Ln, Nuevo, California 92567

The following gave time to Clinton Stoutenburgh:
Sharon Duber, Other Interested Person, 585 Parnevik Drive, Hemet, California 92545

The following gave time to Joyce Schwartz:
Jackie Nouwels, Other Interested Person, P.O. box 1312, Hemet, California 9546

The following gave time to George Hague:
Tom Paulek, Other Interested Person, P.O. Box, Idyllwild, California 92549
Ann McKibben, Other Interested Person, 23296 Sonnet Dr., Moreno Valley, California 92557

The following did not wish to speak but wanted to be recorded as in opposition of the subject proposal:
Pat Ratliff, Other Interested Person, 21845 Poppy Lane, Nuevo, California 92567

IV. CONTROVERSIAL ISSUES

The Villages of Lakeview project has addressed many controversial issues including affordable housing, greenhouse gasses, energy requirements, parks, and land use compatibility.

V. PLANNING COMMISSION ACTION

The Planning Commission, by a vote of 5-0; continued the subject proposal to October 21, 2009.

VI. CD

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at cgriffin@rctlma.org.

Agenda Item No.:
Area Plan: Lakeview/Nuevo
Zoning Area: Hemet-San Jacinto and Lakeview Area
Supervisorial District: Fifth
Project Planner: Matt Straite
Planning Commission: December 2, 2009
Continued from: November 18, November 4, October 21, 2009 and September 16, 2009

Specific Plan No. 342
General Plan Amendment No.720 (Land Use)
General Plan Amendment No.721 (Circulation)
Change of Zone No. 7055
Environmental Impact Report No. 471
Applicant: Nuevo Development Company LLC
Engineer/Rep.: Albert A. Webb and Associates

COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT ADDENDUM

During the Planning Commission Hearing on December 2nd the Planning Commission requested two changes that have yet to be reflected in the exhibits provided. The conditions of approval have been revised to reflect changes to the affordability conditions proposed in the December 2 Staff Report.

Solar Photovoltaic is required to be presented as an option to each and every homeowner. The Commission wanted to ensure that the project would be fair in how they demonstrated this option to future homeowners. Condition of approval, 10.Planning.17 will be modified to include a requirement for at least one home in each model home complex to include an alternative energy generating demonstration for future homeowners. Competitive bidding will be required to ensure a fair price for photovoltaic installation.

Second, the Specific Plan previously required a 30 foot landscape setback along the interface with Wolfskill Avenue and Poppy Road. During the hearing this was expanded to 100 feet, including a linier park to further buffer the project from the existing rural community. The Specific Plan will be updated to include this requirement as a development standard.

Throughout the Planning Commission Hearing process several letters were submitted to the Director, Planning Staff, and the Planning Commission for your consideration. The County will respond in writing to all CEQA related concerns in each letter. Responses are still being drafted at this time. The letters are attached to this addendum staff report on a CD.

Agenda Item No.: 7.1
Area Plan: Lakeview/Nuevo
Zoning Area: Hemet-San Jacinto and Lakeview Area
Supervisorial District: Fifth
Project Planner: Matt Straite
Planning Commission: December 2, 2009
Continued from: November 18, November 4, October 21, 2009 and September 16, 2009

Specific Plan No. 342
General Plan Amendment No.720 (Land Use)
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Change of Zone No. 7055
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Applicant: Nuevo Development Company LLC
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COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

Specific Plan No. 342, General Plan Amendments 720 and 721, Change of Zone 7055 and Environmental Impact Report 471, The Villages of Lakeview Specific Plan, proposes a master-planned community comprised of approximately 2,800 acres in the Lakeview/Nuevo area of Western Riverside County featuring a maximum of 11,150[1] dwelling units to be constructed within 7 Villages (there are 8 Villages but Village 8 is not intended for development). The number of dwelling units allowed within each Village ranges from generally 500-3,000, but no more than 11,150 dwelling units in total will be developed.

The project site is located in Western Riverside County in the unincorporated area of Lakeview/Nuevo between the Cities of Perris and San Jacinto. The project is bisected by the Ramona Expressway, as well as a Metropolitan Water District aqueduct. Most of the project area is south of the Ramona Expressway; however, there is a portion of the project area in the northwest corner which is located north of Ramona Expressway. This northern portion of the project is adjacent to the San Jacinto Wildlife Area, managed by the California Department of Fish and Game.

ISSUES RAISED IN LAST HEARING:

The project was before the Commission on November 18th, 2009. During the meeting Staff presented on seven outstanding items, plus the issue of water for the project was discussed. Some of the items on the list were addressed to the satisfaction of the Commission, others require more information. The Commission requested additional information on the items below:

1. Condition 10.Planning.17 "Alternative Energy Generating Devices."
2. Dairy setbacks
3. Affordable Housing.
4. Transitions from rural densities to project proposed densities.

1. Condition 10.Planning.17 "Alternative Energy Generating Devices"

At the previous hearing, the Commission, staff and the applicant continued to discuss the Alternative Energy Generating Devices condition of approval. The Commission directed staff to propose a revised condition that would address the goal of using less electricity through performance standards. Below is the proposed 10 series condition of approval language:

CTM 11-24

[1] Note: Updated land use plans for the project and the Resort phase reflecting the 200 unit reduction as well as a new land use table have been attached to the staff report.

The project shall implement renewable energy generation to the standards listed below in three different categories. Any requests for modification to this condition shall require a Substantial Conformance application to the SPECIFIC PLAN,, approved by the Planning Commission.

- *NON RESIDENTIAL- Each implementing plot plan or use permit over 10,000 square feet within the SPECIFIC PLAN shall incorporate renewable energy generating technology sufficient to provide for at least twenty five percent (25%) of the total implementing projects average (not peak) electricity requirements (schools and joint use facilities are subject to Nuview Union School District approval). All qualifying products shall meet an industry acceptable standard.*

- *MULTI FAMILY RESIDENTIAL- Each implementing multi family residential plot plan or tentative tract map within the SPECIFIC PLAN with three or more dwelling units shall incorporate renewable energy generating technology sufficient to provide for at least twenty five percent (25%) of the total implementing projects average (not peak) electricity requirements. All qualifying products shall meet an industry acceptable standard.*

- *SINGLE FAMILY RESIDENTIAL- 30% of all detached single family units within the SPECIFIC PLAN shall incorporate renewable energy generating technology sufficient to provide for at least twenty five percent (25%) of the total implementing projects average (not peak) electricity requirements. All qualifying products shall meet an industry acceptable standard.*

Alternatively, this condition can be satisfied by constructing, in conjunction with Edison or similar agency, one or more larger renewable energy generation projects on or offsite that collectively generate at least twenty five percent (25%) of the entire SPECIFIC PLAN power requirements (assuming full buildout of the SPECIFIC PLAN). If said facility(ies) are constructed offsite, they shall be within the Lakeview Nuevo area plan or a City that neighbors the area plan.

The text regarding the Director's ability to modify the condition has been removed. This means that any changes to the condition will require Commission action. Much of the language in these standards has been modeled after a proposed ordinance from the City of San Juan Capistrano (they expect a final action by their City Council on the Ordinance in January 2010)[2]. Culver City has a similar ordinance, an outline of which has also been attached. Culver City's does not require single family structures to use photovoltaics, San Juan Capistrano's does.

The 25% total power requirement used in the performance standard condition was modeled after San Juan Capistrano's proposed ordinance (attached). Their ordinance derived the requirement by factoring in requirements from LEED, other performance standard certification programs, and the needs of the Building Industry Association.

San Juan Capistrano's proposed ordinance contains provisions for in lieu fees and conservation measures to substitute for the photovoltaic requirement. Both of these possible alternatives have been discussed by the Commission. San Juan Capistrano's approach requires the Director to permit the use of either alternative. Applying an in-lieu fee alternative may be possible for the Villages of Lakeview project, this could be worked into the condition; however, allowing conservation measures to satisfy the condition would be challenging because the project is already required to increase efficiency 35% beyond 2007 Title 24.

[2] Based on a phone call with Senior Civil Engineer Ziad Mazboudi from the City of San Juan Capistrano 11/24/09.

In addition to the performance standard conditions, there was some discussion regarding a requirement for all commercial and residential structures to include required infrastructure needed to add traditional photovoltaic devices to rooftops. Rather than create a new Development Standard for the Specific Plan, Staff proposes to add such a requirement to the solar option standard which is Standard Number 6 in the Lakeview Green Design section of the Project-Wide Development Plans and Standards of the Specific Plan. The entire standard is shown below with the new text shown in italics:

> To increase renewable energy sources and reduce greenhouse gas emissions, homebuilders are required to: 1) *to facilitate the possibility of future installation by the homebuyer, homebuilders shall include conduit consistent with Article 690 of the California Electrical Code to each structure to accommodate other renewable energy generating technology,* 2) offer to homebuyers solar panels, photovoltaic cells, solar thermal systems or other renewable energy generating technology as part of the homebuilder's option program, *3)* or be consistent with the Governor's Million Solar Roofs plan.

As a point of additional information to the Commission, the average solar photovoltaic panel weighs about 2.8 pounds per square foot. The County allows solar photovoltaic panels installed on a rooftop to be no more than six pounds per square foot without structural modifications to a roof. Therefore, additional requirements for structural reinforcement would likely not be required. Panels located anywhere besides the roof require ructural plan regardless of the weight (see attached County requirements for Solar Photovoltaic panels).

2. Dairy Setbacks

Staff contacted the City of Chino regarding both the number of complaints they receive from the dairy proximity, and to inquire on notification requirements to new homeowners.

The City indicated that complaints have been filled with the department. Complaints are not tracked in any way, however the City indicated that the number has fallen dramatically as the dairy land develops. The City currently receives very few complaints, most regard the flies more than the smells.

To address the issue the City instituted a number noticing precautions. There are four notification requirements-

1. The City uses a **Right to Farm Ordinance**, very similar to the County's. All property within 1,320 feet of the residential property is required to be notified about the farmers right to farm. This disclosure includes the actual distance between the property and the AG zoning designation. Notification is not required for pasture land. This disclosure is signed by the homeowner, sent to the City and kept at the front counter in the event that a complaint is made.
2. A **map** showing all zoning and General Plan Land Use designations surrounding 1,320 feet of the home site is required. This disclosure is signed by the homeowner, sent to the City and kept at the front counter in the event that a complaint is made.
3. Supplemental to the Right to Farm disclosure, a third disclosure is required explaining that the neighboring dairy farms are **not required to stop** farming activities, and that farming may continue into perpetuity. This disclosure goes into very specific detail on nuisances that may impact the homeowner based on the dairy operations, such as noise, dust, smells, flies, etc.

4. Lastly, very similar to the individual maps required as part of the homeowner disclosures, **a map in all sales trailers** is required to be posted showing neighboring zoning and Land Use to the entire subdivision map.

Sample forms from the City of Chino have been attached to the staff report. In addition to these notification requirements the Preserve Specific Plan in Chino requires 100 foot buffers between active dairy uses (pastures not included) and urban uses. These buffers are temporary until the dairy uses cease. Buffers may include parks and streets.

3. Affordable Housing

At the November 18th hearing the Planning Commission, staff, the applicant, and EDA-Housing Authority all seemed comfortable with the terms of the condition presented in the staff report. The Commission directed staff to redraft the condition to read more clearly. Staff and Counsel crafted the requirements into four conditions. The first is a 10 series condition that will not have to be satisfied. This condition contains most of the provisions discussed by the Commission, the basic plan. A second condition, at the 30 series level, requires an agreement to be executed between the applicant and the County EDA. The last two are actual trigger points that require all necessary approvals to be attained and all construction completed, the first condition requires 250 affordable units at 3,000 building permits, the second requires the other 250 at 6,000 building permits, or roughly half way through the project. This set of conditions adds the 50 additional units requested by the Commission for a total of 500 affordable units. The conditions in their entirety are shown below-

10 Planning XX **Affordable For-Rent Units**

The applicant shall complete a total of five hundred (500) affordable for-rent units. All five hundred (500) affordable for-rent units shall be built within the Specific Plan boundaries unless otherwise mutually agreed to by the applicant and the County of Riverside Board of Supervisors.

All affordable for- rent units shall be built to the same standards and appearance to other market rate for-rent units within the Specific Plan

All very low income and low income affordable for- rent units shall be mixed within the moderate affordable for- rent units in the Specific Plan.

-Age Restriction
Two hundred fifty (250) of the affordable for- rent units shall be age restricted (55 years and older), (referred to as "Age Restricted Units").

Two hundred fifty (250) of the affordable for-rent units shall be non-age restricted, (referred to as "Non-Age Restricted Units").

-Income Mix
The Age Restricted Units shall contain the following income mixes: 10% very low income (earning 50% or less of the County Median Income), 15% low income (earning 80% or less of the County Median Income), 75% moderate income (earning 120% or less of the County Median Income).

The Non-Age Restricted Units shall contain the following income mixes: 10% very low income (earning 50% or less of the County Median Income), 15% low income (earning 80% or less of the County Median Income), 75% moderate income (earning 120% or less of the County Median Income).

-Additional Affordable for- Rent Units
Upon the request of the County, the applicant shall include additional very low income and low income affordable for-rent units in the Specific Plan. Any implementing multi-family for- rent project shall not exceed 30% very low income and 30% low income. In the event the County requests more than the required 500 affordable for-rent units in the Specific Plan, the County shall pay the difference between a moderate affordable for rent unit and the very low and/or low income unit.

30. Planning XX **Affordable For Rent Monitoring Agreement**

Prior to the approval of any implementing project within the Specific Plan (Tentative Tract/Parcel Maps, Conditional Use Permits, Public Use Permits, Plot Plans and Temporary Use Permits (longer than 6 months), the following condition shall be placed on the implementing project verbatim (at "60 Series" = prior to issuance of grading permits) -

"the applicant shall cause an agreement ("Monitoring Agreement") to be entered into by and between the applicant and the County of Riverside, through its Economic Development Agency (referred to as "EDA").

The Monitoring Agreement shall include, but not be limited to, the following: 1) a provision for an annual fee paid to EDA to administer the program, 2) provisions for annual inspections and audits by EDA to assure consistency with the terms of the Monitoring Agreement, 3) a minimum term of affordability, 4) provisions for covenants and deed restrictions on all structures for the life of the Agreement and other applicable law."

100. Planning XX **Affordability construction (1)**

Prior to the issuance of the 3,000th building permit with the Specific Plan, the applicant shall acquire all necessary approvals for and construct at least two hundred fifty (250) affordable for-rent units in accordance with 10 Planning XX. All necessary approvals include, but are not limited to, Tentative Tract/Parcel Maps, Conditional Use Permits, Public Use Permits, Plot Plans and Temporary Use Permits (longer than 6 months).

100. Planning XX **Affordability construction (2)**

Prior to the issuance of the 6,000th building permit with the Specific Plan, the applicant shall acquire all necessary approvals for and construct the remaining two hundred fifty (250) affordable for-rent units in accordance with 10 Planning XX. All necessary approvals include, but are not limited to, Tentative Tract/Parcel Maps, Conditional Use Permits, Public Use Permits, Plot Plans and Temporary Use Permits (longer than 6 months).

4. Transitions from rural densities to project proposed densities.

At the time the staff report was written the applicant had scheduled a meeting with the author of the Lakeview/Nuevo design guidelines, Mr. Bob Lacoss with PDS West, and some key community members to address the issue of the rural transition. The meeting will take place after the staff report is distributed. An update will be provided at the Hearing.

ADDITIONAL INFORMATION:

Additionally, the Commission asked to see

- An additional chart regarding the fiscal impact to the County.
  - The chart has been provided as an attachment.
- More information from the California Department of Fish and Game.
  - At the time this staff report was written no new information had been received from the CDFG.
- The Commission asked to hear from the Environmental Programs Department regarding JJ Street and its consistency with the MSHCP.
  - EPD will be present at the December 2nd hearing.

SUMMARY OF FINDINGS:

1. Existing Land Use (Ex. #1):	Nutrilite farmland, the McAnally chicken ranch, Metropolitan Water District (MWD) aqueduct and basin, a closed Lakeview dump, a thoroughbred farm, an abandoned RV park, and dryland and irrigated farmland.
2. Surrounding Land Use (Ex. #1):	North: Vacant land, Bernasconi Hills, and the San Jacinto Wildlife Area. West and Southwest: vacant land, commercial and scattered single family residential. Southeast: vacant land and the Lakeview Mountains.
3. Proposed Zoning (Ex. #2):	Specific Plan (SP)
4. Surrounding Zoning (Ex. #2):	North: Natural Assets – 640 Acre Minimum (N-A-640), Light Agriculture – 10 Acre Minimum (A-1-10) and Heavy Agriculture 10 acre Min. (A-2-10). South: Rural Residential (R-R), Residential Agriculture 1 acre Min. (R-A-1), Residential Agriculture 2 ½ acre Min. (R-A-2.5), and Residential Agriculture 10 acre Min. (R-A-10). East: City of San Jacinto. West: Scenic Highway Commercial (C-P-S), Specific Plan 239 - Stone Ridge Zone (SP),

	Natural Assets – 640 Acre Minimum (N-A-640), and Residential Agriculture (R-A) and One Family Dwelling (R-1).
5. Proposed General Plan:	Specific Plan as reflected by the land use diagram
6. Project Data:	Total Acreage: 2,800 Acres Total Proposed Open Space Acreage: approximately 1000 Acres
7. Environmental Concerns:	See EIR #471

STAFF RECOMMENDS THAT THE PLANNING COMMISSION:

TENTATIVELY CERTIFIES the **ENVIRONMENTAL IMPACT REPORT NO. 471**, based on the findings incorporated in the EIR, and subject to resolution adoption by the Riverside County Board of Supervisors; and,

RECOMMENDS APPROVAL of **GENERAL PLAN AMENDMENT NO. 720 (Land Use) and 721 (Circulation)**, amending the Land Use Designation for the subject property from Land Use: Community Development; Very Low Density Residential- Community Development (VLDR-CD), Agriculture with a Community Development Overlay, Medium Density Residential (MDR) (2-5 du/ac), Heavy Industrial (HI 0.15 - 0.50 FAR), Light Industrial (LI 0.25 - 0.60 FAR), Open Space: Open Space Conversation (OS-C),
Rural Community: Very Low Density Residential- Rural Community (VLDR-RC), Low Density Residential-Rural Community (LDR-RC), Rural: Rural Residential (RR), Rural Mountainous (RM),
Agriculture: Agriculture (AG), to Specific Plan as reflected by the land use diagram; based on the findings and conclusions incorporated in the staff report; and, pending final adoption of the General Plan Amendment Resolution by the Board of Supervisors; and,

RECOMMENDS APPROVAL of **SPECIFIC PLAN NO. 342,** 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,

RECOMMENDS APPROVAL of **CHANGE OF ZONE NO. 7055**, amending the zoning classification for the subject property from Light Agriculture 10 acre min. (A-1-10), Heavy Agriculture 10 acre Min. (A-2-10), Light Agriculture with Poultry (A-P), Scenic Highway Commercial (C-P-S), Commercial Retail (C-R), Manufacturing-Service Commercial (M-SC), One- Family Dwelling (R-1), Residential Agriculture (R-A), Residential Agriculture 1 acre Min. (R-A-1), Residential Agriculture 10 acre Min. (R-A-10), Residential Agriculture 2 ½ acre Min. (R-A-21/2), Rural- Residential (R-R) to Specific Plan (SP) in accordance with the Zoning Exhibit; based upon the findings and conclusions incorporated in the staff report; and, pending Ordinance adoption by the Board of Supervisors; and,

ADOPTS the **RESOLUTION RECOMMENDING ADOPTION** of General Plan Amendment No. 720 and 721, Specific Plan 342, and Change of Zone No. 7055 to the Riverside County Board of Supervisors.

CONCLUSIONS:

1. Upon adoption of the Land Use and Circulation General Plan Amendments the proposed 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 proposed 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 proposed 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: Air Quality, Agriculture, Population/Housing, Land Use, Aesthetics, Cultural Resources, Noise and Traffic.

5. The public's health, safety, and general welfare are protected through project design.

6. The proposed project is conditionally compatible with the present and future logical development of the area.

7. The proposed project will have a significant effect on the environment.

8. The proposed project will not preclude reserve design for the Multi-Species Habitat Conservation Plan (MSHCP).

FINDINGS: The following findings are in addition to those incorporated in the summary of findings in the EIR which is incorporated herein by reference.

1. The project site is designated Land Use: Very Low Density Residential- Community Development (VLDR-CD), Agriculture with a Community Development Overlay, Medium Density Residential (MDR) (2-5 du/ac), Heavy Industrial (HI 0.15 - 0.50 FAR), Light Industrial (LI 0.25 - 0.60 FAR), Open Space: Open Space Conversation (OS-C), Rural Community: Very Low Density Residential- Rural Community (VLDR-RC), Low Density Residential- Rural Community (LDR-RC), Rural: Rural Residential (RR), Rural Mountainous (RM), Agriculture: Agriculture (AG), in the Lakeview Nuevo Area plan. Upon adoption of the General Plan amendment the project will be consistent with the Land Uses as proposed on the Specific Plan Land Use Plan.

2. The project site is surrounded by properties which are designated Very Low Density Residential-Community Development (VLDR-CD), Agriculture with a Community Development Overlay, Medium Density Residential (MDR) (2-5 du/ac), Heavy Industrial (HI 0.15 - 0.50 FAR), Light Industrial (LI 0.25 - 0.60 FAR), Open Space: Open Space Conversation (OS-C), Rural Community: Very Low Density Residential- Rural Community (VLDR-RC), Low Density Residential- Rural Community (LDR-RC), Rural: Rural Residential (RR), Rural Mountainous (RM), Agriculture: Agriculture (AG), in the Lakeview Nuevo Area plan.

3. This project is partially located with a Community Development Overlay of the RCIP General Plan. The project is consistent with the goals and intentions of this overlay.

4. 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.

5. The zoning for the subject site is Light Agriculture 10 acre min. (A-1-10), Heavy Agriculture 10 acre Min. (A-2-10), Light Agriculture with Poultry (A-P), Scenic Highway Commercial (C-P-S), Commercial Retail (C-R), Manufacturing- Service Commercial (M-SC), One- Family Dwelling (R-1), Residential Agriculture (R-A), Residential Agriculture 1 acre Min. (R-A-1), Residential Agriculture 10 acre Min. (R-A-10), Residential Agriculture 2 ½ acre Min. (R-A-21/2), Rural- Residential (R-R).

6. The proposed uses are consistent with the development standards set forth in the Specific Plan and the Specific Plan zoning ordinance.

7. 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 Min. (A-2-10), Rural Residential (R-R), Residential Agriculture 1 acre Min. (R-A-1), Residential Agriculture 2 ½ acre Min. (R-A-2 1/2), Residential Agriculture 10 acre Min. (R-A-10), Scenic Highway Commercial (C-P-S), and Residential Agriculture (R-A) and One Family Dwelling (R-1).

8. Residential, agricultural and commercial uses have been constructed and are operating in the project vicinity.

9. 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). This project fulfills those requirements.

10. The project has completed the Habitat Assessment Negotiation Strategy (HANS # 313) process and the Joint Project Review (JPR) process. A total of 967.5 acres of conservation is required within the boundaries of this project.

11. Environmental Impact Report (EIR) No. 471 was prepared and circulated as required by the California Environmental Quality Act (CEQA). A Final EIR has been prepared and includes responses to comments received during the comment period.

INFORMATIONAL ITEMS:

1. 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 Redevelopment area; or,
   e. 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 Community Service Area 146;
   d. A 100-year flood plain an area drainage plan, and the Perris Dam Inundation area;
   e. The Stephens Kangaroo Rat Fee Area;
   f. Partly within a High Fire Area;
   g. Several MSHCP Cells; and,
   h. A low and moderate liquefaction area.

3. Attachments:
   1) Additional charts for fiscal impact analysis
   2) County requirements for Solar Photovoltaic panels
   3) Sample City of Chino Agricultural notification forms
   4) City of San Juan Capistrano Staff Report and Ordinance requiring Solar Photovoltaic
   5) Culver City Photovoltaic requirement summary
   6) Job Center Map per WRCOG analysis
   7) APN Listing
   8) Zoning Ordinance
   9) Additional General Plan Consistency Analysis
   10) An additional chart regarding the fiscal impact to the County

4. This project was filed with the Planning Department on 5/6/04

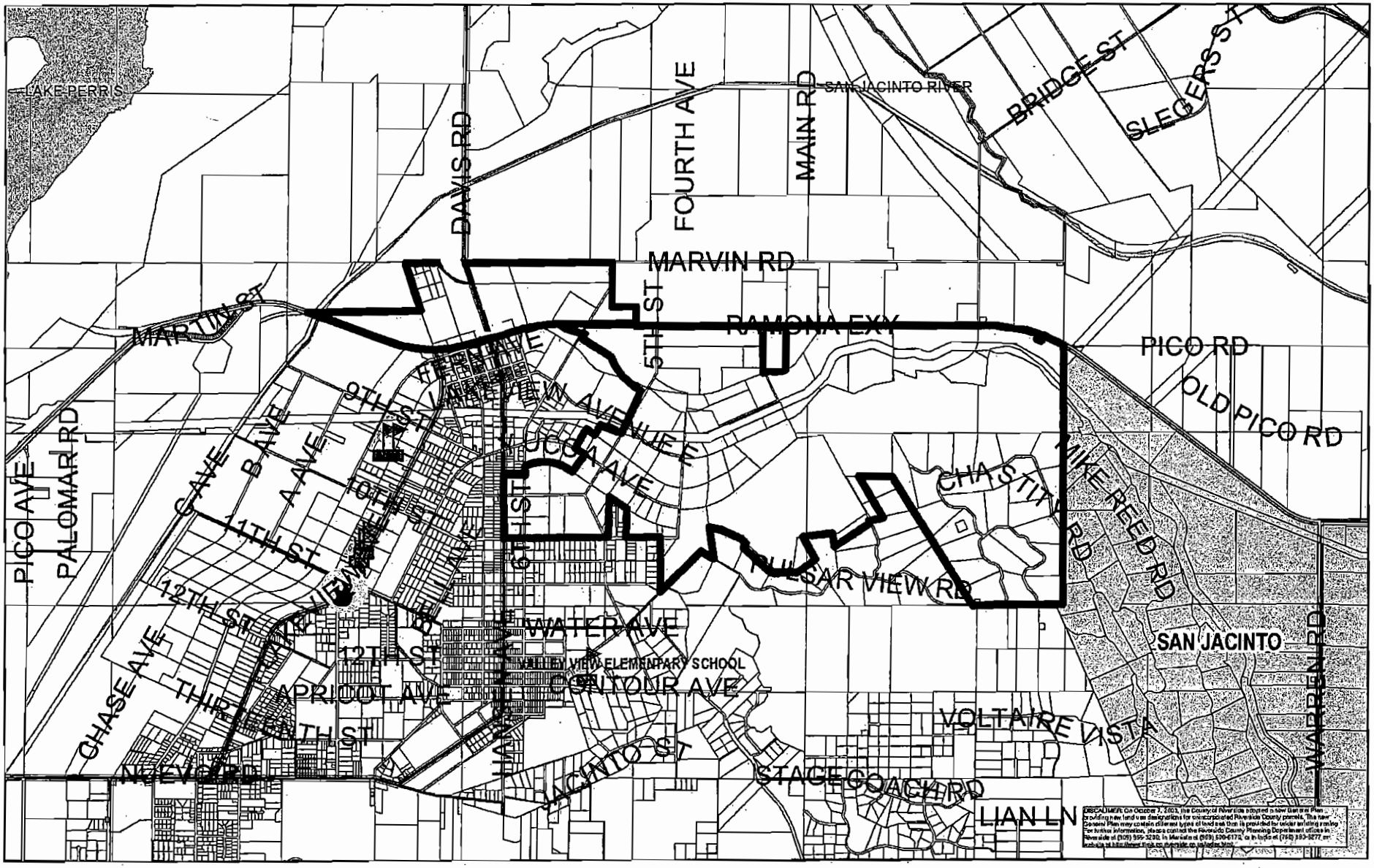
5. This project was reviewed by the Land Development Committee two times on the following dates 4/19/07 and 5/15/08.

6. Deposit Based Fees charged for this project, as of the time of staff report preparation, total $1,075,500.00

Supervisor Ashley
District 5
DATE DRAWN: 7/31/06

SP00342
VICINITY MAP

Planner: Adam Rus..
Date: 8/9/06
Vicinity Map



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone Area: **Lakeview**
Township/Range: T4SR2W
Section : 9

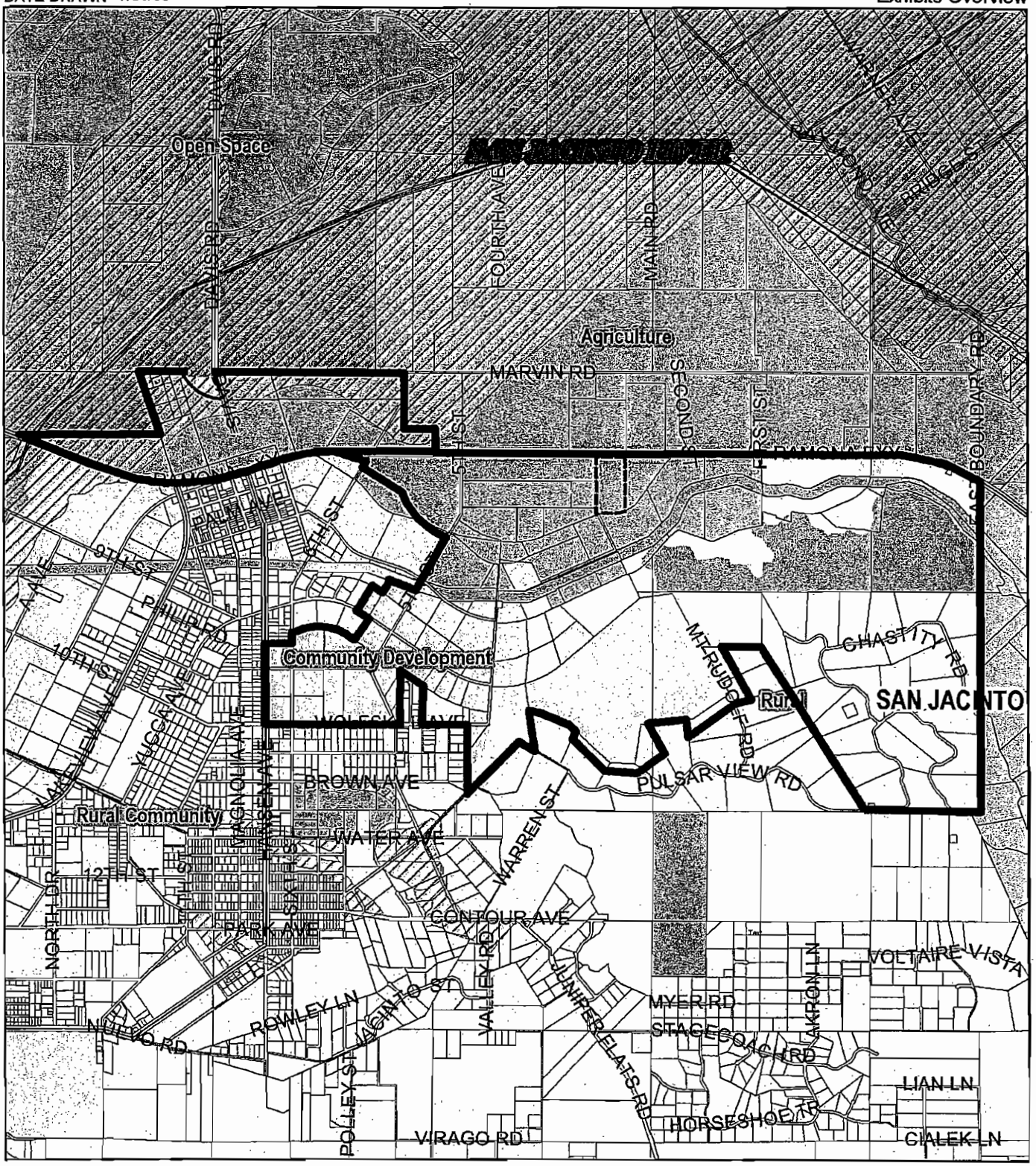
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ASSESSORS BK. PG. 425-14
THOMAS BROS.PG 779 D3

Supervisor Ashley
District 5
DATE DRAWN 7/31/06

SP00342
DEVELOPMENT OPPORTUNITY

Planner: Adam Rush
Date: 8/1//06
Exhibits Overview



RIVERSIDE COUNTY PLANNING DEPARTMENT

Area Plan: Lakeview
Township/Range: T4SR2W
SECTION: 9

N W E S

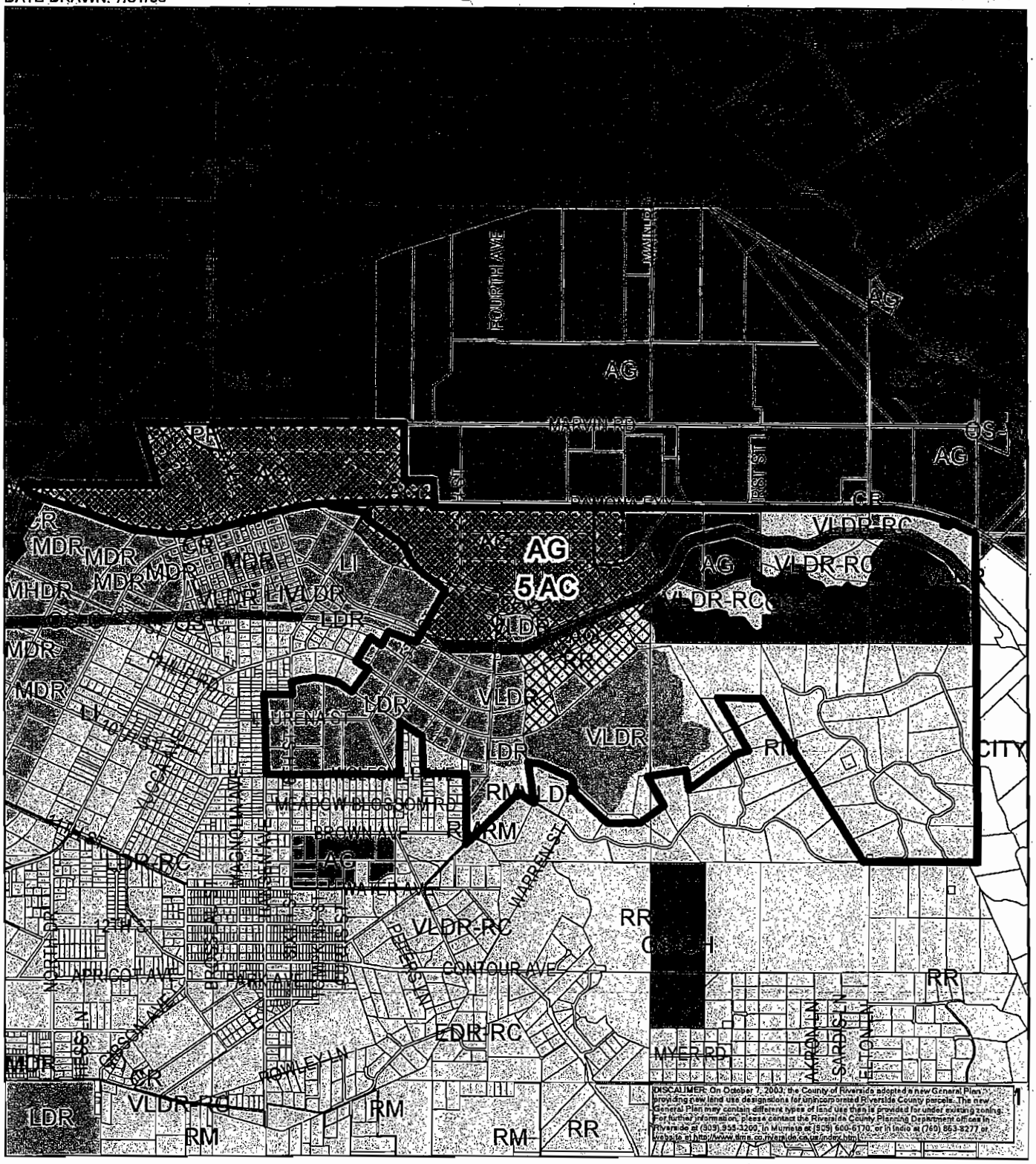
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ASSESSORS BK. PG. 425-14
THOMAS BROS.PG 779 D3

Supervisor Ashley
District 5
DATE DRAWN: 7/31/06

SP00342
Existing General Plan

Planner: Adam Rush
Date: 8/9/06
Exhibit 5



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone Area: Lakeview

Township/Range: T4SR2W

Section : 9

0 1,750 3,500 7,000 10,500 Feet

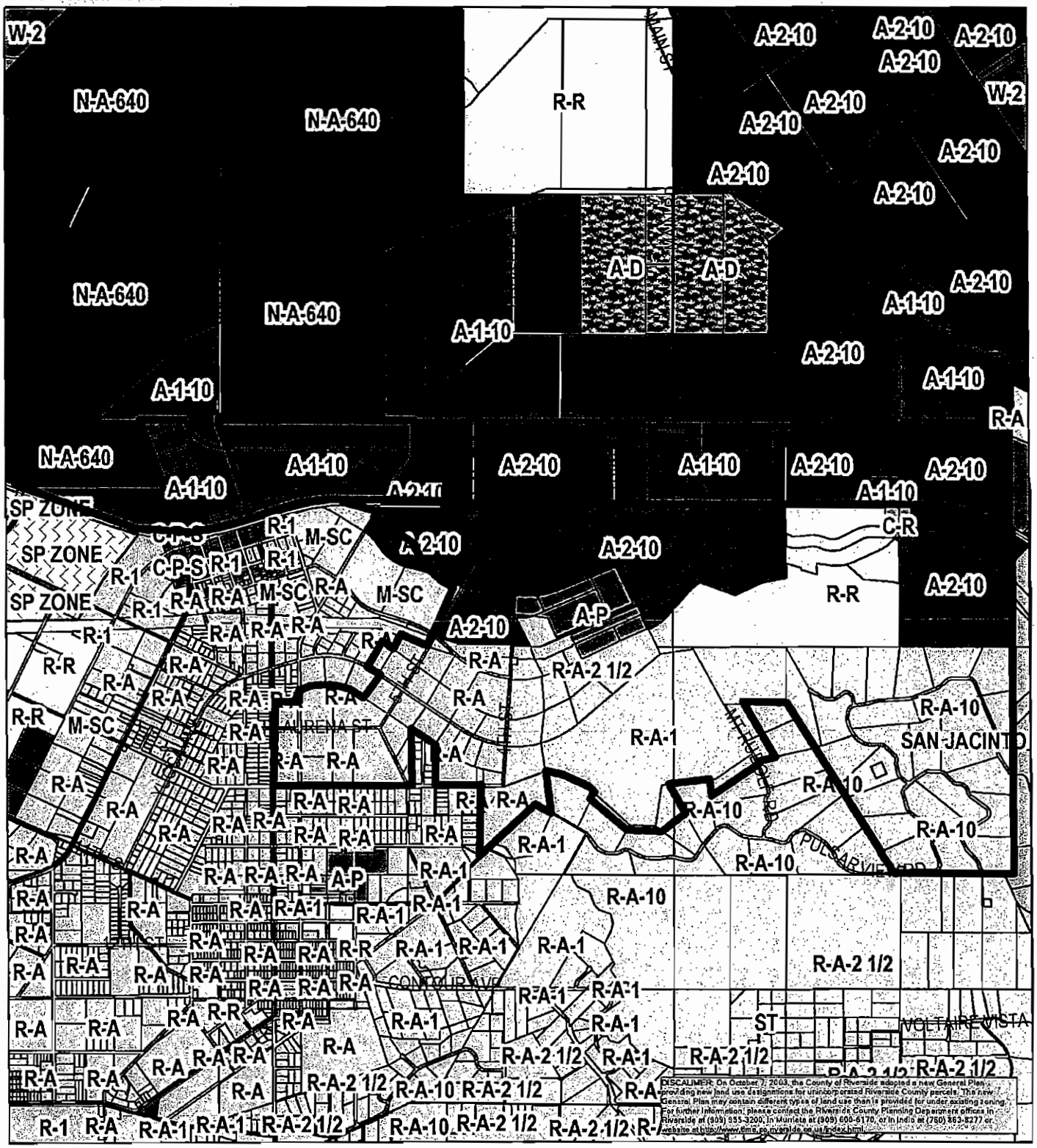
ASSESSORS BK. PG. 425-14

THOMAS BROS.PG 779 D3

Supervisor Ashley
District 5
DATE DRAWN: 7/31/05

SP00342
EXISTING ZONING

Planner: Adam Rush
Date: 8/9/06
Exhibit 2



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone Area: Lakeview
Township/Range: T4SR2W
Section : 9

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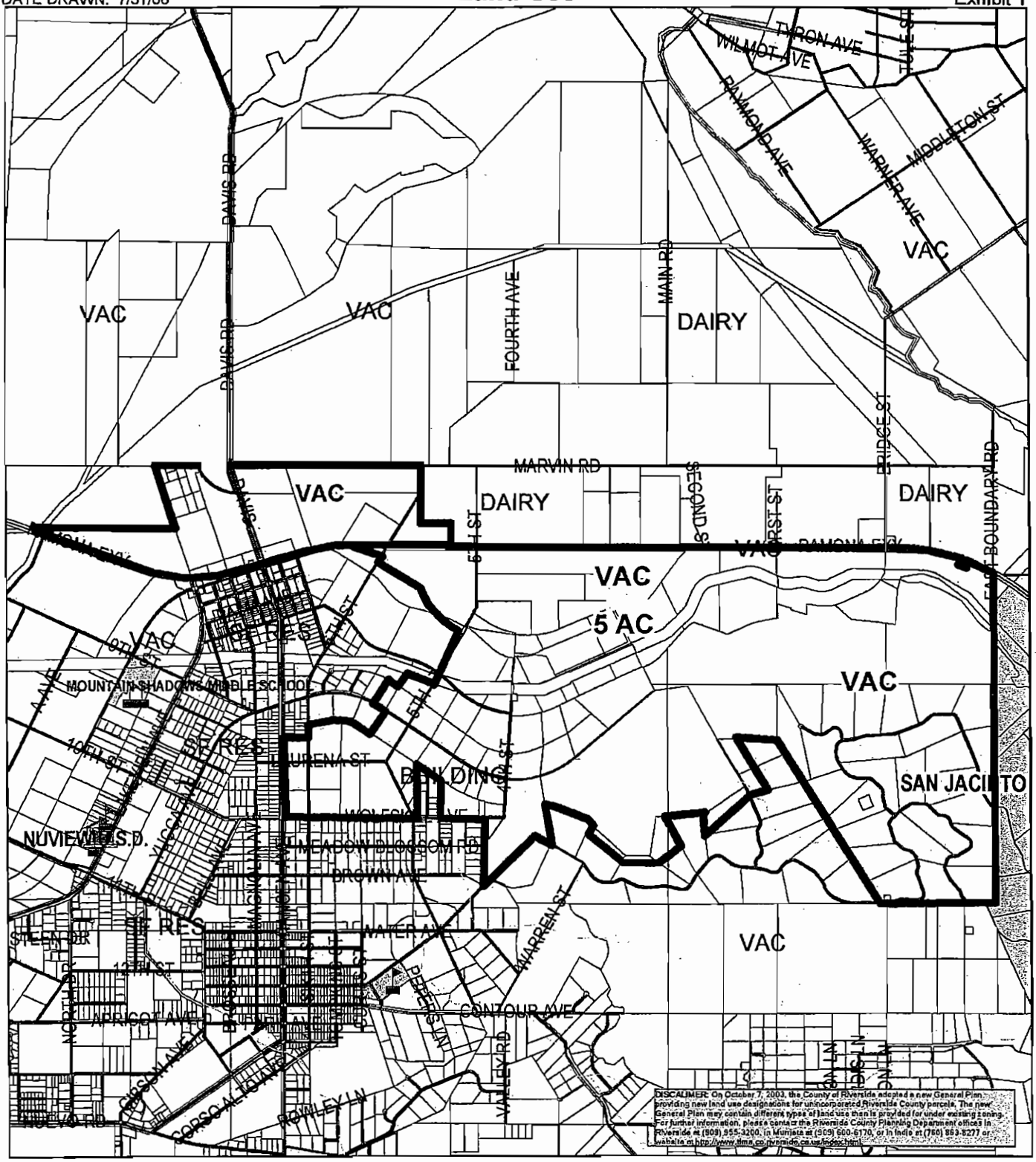
0 1,850 3,700 7,400 11,100 Feet

ASSESSORS BK. PG. 425-14
THOMAS BROS.PG 779 D3

Supervisor Ashley
District 5
DATE DRAWN: 7/31/06

SP00342
Land Use

Planner: Adam Rush
Date: 8/1/06
Exhibit 1



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone Area: Lakeview
Township/Range: T4SR2W
Section : 9

N
W E
S

0 2,050 4,100 8,200 12,300
Feet

ASSESSORS BK. PG. 425-14
THOMAS BROS.PG 779 D3

Planning Commission **County of Riverside**

RESOLUTION

RECOMMENDING ADOPTION OF

GENERAL PLAN AMENDMENT NO. 720 and 721

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 November 4, 2009, 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 Rules; 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 November 4, 2009, that it has reviewed and considered the environmental document prepared or relied on and recommends the following based on the staff report and the findings and conclusions stated therein:

TENTATIVE CERTIFICATION of ENVIRONMENTAL IMPACT REPORT NO. 471, based on the findings incorporated in the EIR, and subject to resolution adoption by the Riverside County Board of Supervisors; and,

RECOMMEND APPROVAL of GENERAL PLAN AMENDMENT NO. 720 (Land Use) and 721 (Circulation), amending the Land Use Designation for the subject property from Land

Use: Community Development; Very Low Density Residential- Community Development (VLDR-CD), Agriculture with a Community Development Overlay, Medium Density Residential (MDR) (2-5 du/ac), Heavy Industrial (HI 0.15 - 0.50 FAR), Light Industrial (LI 0.25 - 0.60 FAR), Open Space: Open Space Conversation (OS-C), Rural Community: Very Low Density Residential- Rural Community (VLDR-RC), Low Density Residential- Rural Community (LDR-RC), Rural: Rural Residential (RR), Rural Mountainous (RM), Agriculture: Agriculture (AG), to Specific Plan as reflected by the land use diagram; based on the findings and conclusions incorporated in the staff report; and, pending final adoption of the General Plan Amendment Resolution by the Board of Supervisors.

TABLE B.1.1, DETAILED LAND USE SUMMARY

PA #	Village	Land Use Designation	Gross Acres	Target DU	Target Commercial SF
1	Resort	Open Space	2		
2	Resort	Open Space	3		
3	Resort	Open Space	11		
4	Resort	Open Space	14		
5	Resort	Park	54		
6	Resort	Park	3		
7	Resort	Park	34		
8	Resort	Park	13		
9	Resort	H	9	120	
10	Resort	MH	23	180	
11	NOT USED				
12	Resort	H	47	420	
13	NOT USED				
14	Resort	H	27	160	
15	Resort	H	21	230	
16	Resort	H	27	290	
17	Resort	H	15	160	
18	NOT USED				
19	Resort	H	12	150	
20	Resort	H	10	70	
21	Resort	Park	3		
22	Resort	Park	2		
23	NOT USED				
24	NOT USED				
25	NOT USED				
26	Town Center	Mixed Use	28		
27	Town Center	Mixed Use	35		
28	Town Center	Mixed Use	53		
29	Town Center	Mixed Use	45		
30	Town Center	Mixed Use	60		
31	Town Center	Mixed Use	23		
32	NOT USED				
33	Town Center	Mixed Use	22		
34	Town Center	Mixed Use	3		
35	Town Center	Mixed Use	6		
36	Town Center	Mixed Use	13		
37	Park	Park	1.5		
38	Park	Public Facility	41		
39	Park	Park	36		25,000
40	Park	Public Facility/O.S.	33		
41	Park	H	37	300	

TABLE B.1.1, DETAILED LAND USE SUMMARY

PA #	Village	Land Use Designation	Gross Acres	Target DU	Target Commercial SF
42	Park	VH	16	240	
43	Park	H	18	180	
44	Park	Public Facility	0.5		
45	Park	MH	19	100	
46	Park	MH	23	120	
47	NOT USED				
48	Park	Park	1		
49	Park	Park	0.5		
50	Park	H	16	170	
51	Park	MH	29	150	
52	Park	H	37	400	
53	Garden	MH	115	640	
54	NOT USED				
55	Foothill	H	27	230	
56	Foothill	H	23	250	
57	Foothill	MH	27	110	
58	Foothill	MH	55	250	
59	Foothill	Park	4		
60	Foothill	Open Space	20		
61	Pinnacle	H	16	130	
62	Pinnacle	VH	11	170	
63	Pinnacle	VH	12	180	
64	Pinnacle	H	28	300	
65	Pinnacle	Public Facility/O.S.	8		
66	Pinnacle	MH	31	150	
67	Pinnacle	MH	17	80	
68	Pinnacle	MH	117	570	
69	Pinnacle	MH	34	170	
70	Pinnacle	Open Space	45		
71	Pinnacle	Park	3		
72	NOT USED				
73	Enclave	H	71	550	
74	Enclave	Public Facility/O.S.	29		
75	Enclave	VH	40	480	
76	NOT USED				
77	Enclave	VH	27	350	
78	Enclave	Open Space	14		
79	NOT USED				
80	NOT USED				
81	Mountain	Public Facility	15		
82	NOT USED				

TABLE B.1.1, DETAILED LAND USE SUMMARY

PA #	Village	Land Use Designation	Gross Acres	Target DU	Target Commercial SF
83	Mountain	Public Facility/O.S.	27		
84	Mountain	Open Space	895		
85	Mountain	Public Facility	2		
86	Mountain	Public Facility	0.5		
		ROW	147		
GRAND TOTAL			**2,786**	**11,150**	**500,000 ***

* This number will be used throughout each of the Planning Areas in the Town Center Village, as described in **Section 11. Administration.**

Attachment No. 1

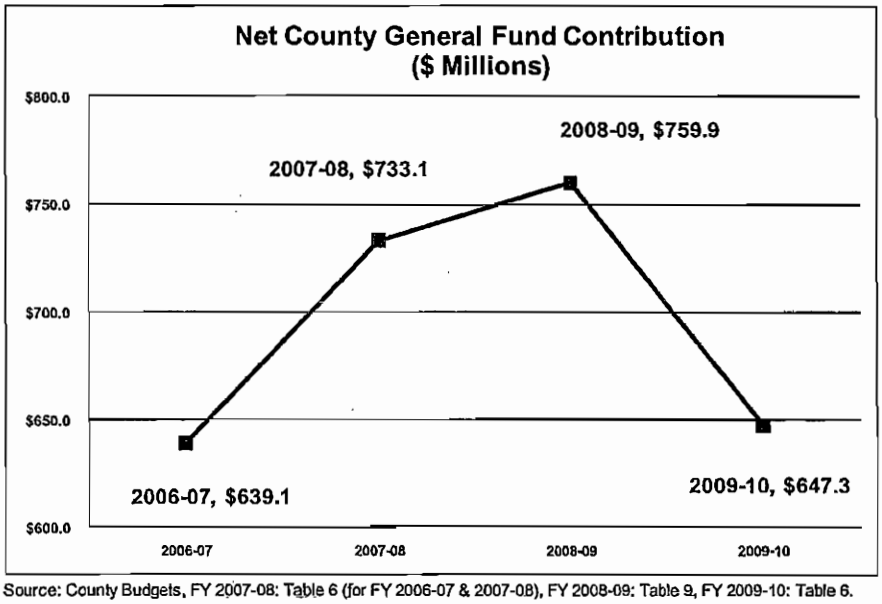
Additional Fiscal Impact Information

At the last Planning Commission hearing, information regarding the fiscal impact report's analysis of and assumptions regarding 2007 and 2009 fiscal conditions was requested. The following analysis responds to this request. This information is provided to clarify the information previously presented in the fiscal impact report.

Fiscal Conditions - County Spending Levels

- As shown in the table below , County spending (as measured by the Net County General Fund Contribution), increased significantly from Fiscal Year ("FY") 2006-07 through 2007-08 and 2008-09 and has since decreased to levels consistent with 2006-07 in fiscal year 2009-10. In addition, the County anticipates further reductions in spending over the next two fiscal years.

- County discretionary revenues peaked in 2007-08 and have fallen since then.

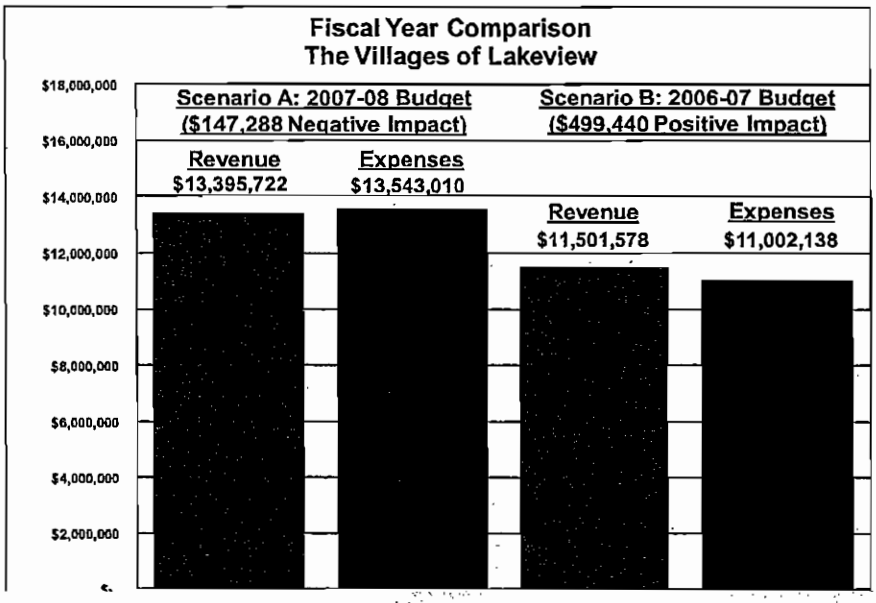


Source: County Budgets, FY 2007-08: Table 6 (for FY 2006-07 & 2007-08), FY 2008-09: Table 9, FY 2009-10: Table 6.

Positive Impact of County Fiscal Conditions on The Village of Lakeview Fiscal Impact Report

- The fiscal impact report was based on 2007-08 fiscal conditions and recessionary home pricing. This resulted in a slightly negative impact of $147,288. Scenario A in the table below shows the revenes and expenses depicted in the fiscal impact report.

- If adjusted for current fiscal conditions (based on the 2006-07 Budget), the fiscal impact analysis results in a positive fiscal impact to the County of $499,400 as shown below in Scenario B.



Attachment No. 2

COUNTY OF RIVERSIDE
DEPARTMENT OF BUILDING AND SAFETY

MIKE LARA
DIRECTOR

SUBMITTAL REQUIREMENTS
PHOTOVOLTAIC POWER SYSTEM PERMITS

Solar installations meeting all of the following requirements can be issued over the counter without plan review intake when all of the following is noted on the plans.

1) Solar inverter must have a manufacture installed disconnecting means that prevents anti-islanding. (Parallel feeding utility lines during a power outage)

2) Overcurrent protection for both alternating and direct current must be installed in the inverter or field installed at the time of installation.

3) Main service panel must have a permanent plaque indicating a second power source is installed, and a disconnecting means must be field installed in all ungrounded conductors at the main service panel.

4) Roof mounted solar photovoltaic systems must have ground fault circuit interrupter protection and weigh less than 6 lbs per square foot. When photovoltaic systems weight greater than 6 lbs per square foot, calculations must be provided by a licensed professional engineer or architect to verify supporting members are adequate for existing and proposed loads. Only one layer of roofing is permitted.

5) Solar photovoltaic systems placed on a support system that are mounted on the ground and do not exceed 6 ft in height. Ground mounted systems placed on a support system will require an engineered foundation design.

The following information must be provided:

1) Plot plan approved by Land Use

2) Attach all manufacturer equipment list and specification sheets, installation instruction and U.L. listing to the plans.

3) Plans are to be signed by State of California licensed contractor with any of the following classifications "A", "B", "C-46", "C-10", or licensed electrical engineer. Provide signature and contractor license number on each sheet.

4) Any plan showing high-strength concrete footings, shop-fabricated support structures, or field welding must be stamped by a registered architect, structural engineer, or civil engineer.

PHOTOVOLTAIC POWER SYSTEM PERMITS

5) Two complete sets of plans with a one-line diagram; minimum sheet size 18" x 24" which include the following:

   a. Show the location of the main electrical service, AC/DC disconnects all solar voltaic equipment, and PV arrays on the roof plan including method of attachment.

   b. Single Line Diagram: show array configuration, conduit and conductor sizes with derating calculations.

   c. Inverter Information: show model number, specification cut sheets, and maximum D.C. input.

   d. PV Module Information: show open circuit voltage Voc, short circuit current (Isc) maximum series fuse.

   e. Array Information: show number of modules in series, number of parallel source circuits.

   f. Wiring and Over Current Protection: show conductor ampacities, adjusted with all derating factors. Show location of all over current devices (ODC).

   g. System Label and Warnings: show required signage on the plans per 2007 California Electrical Code Article 690.

   h. Grounding Details: show equipment grounding conductor, grounding electrode conductor from the inverter to ground rod or ufer ground.

   i. Disconnects: show AC/DC disconnects at inverter. DC disconnect are required prior to DC array conductors penetrating the surface of the roof or entering the building.

   j. System Calculations: Show open circuit voltage (Voc) of each module connected in series times 1.13 temperature correction factor. The ampacity of module inter-connections cables, after corrections for conditions of use, must not be less than 1.56 times module short circuit current (Isc) marked on the back of the module.

Attachment No. 3

Community Development Department
BUILDING DIVISION
13220 Central Avenue, PO Box 667 • Chino, California 91708-0667•(909) 591-9813; Fax: (909) 464-0777

New Home Construction Ordinance Information

In completing the New Home Construction Ordinance Information Forms please notify Sales Office Personnel that the following items must be completed for each Lot/Address sold and **submitted as one (1) complete packet for each phase.**

1. Builder Acknowledgement Form
2. Buyer Notification of Surrounding Land Uses with site plan as per the attached sample
3. Completed walkthrough form (no sample provided, this should be the builders standard format on 8 ½" X 11" paper)
4. Features and Amenities List on small CD approximately 3"x 5" (CD-R)

Community Development Department
BUILDING DIVISION
13220 Central Avenue, PO Box 667 • Chino, California 91708-0667•(909) 591-9813; Fax: (909) 464-0777

City of Chino
New Home Construction Ordinance
Buyer Acknowledgement Form

Lot # _____ Tract # _____

Street Address: _____
Name of person(s) Purchasing Home _____
_____

The City of Chino new home construction ordinance requires the developer of any residential dwelling to provide the following information to every potential buyer:

1. The list of features and amenities filed with the city building official;
2. The brand name of each of the major components contained in the features and amenities list, which will be or has been installed in the residential dwelling being purchased;
3. The manufacturer's warranties for each component contained in the features and amenities list;
4. Any and all representation regarding the quality of construction of the residential dwelling including the warranty that the dwelling is constructed in a good workmanlike manner;
5. Any and all discrepancies between the residential dwelling unit purchased and the developer's model dwelling displayed by the developer;
6. The buyer's right to inspect and approve the functionality of each major component contained in the features and amenities list and the quality of construction of the residential dwelling and the developer to remedy any substantial defects therein;
7. The distance between the residential dwelling unit being purchased from any property which is being used or zoned for an agricultural use and a disclaimer regarding the length of time that the agricultural use or zone shall continue. (The Chino Municipal code also requires the developer to provide information to the buyer regarding present general plan designations, zoning and land use for properties within 1,320' of the project site.)
8. The City of Chino has adopted a new homeowner ordinance to assure all homebuyers that if there are any discrepancies or code violations that the building official would notify the developer to correct same. Per city ordinance, the building official has the responsibility to resolve all complaints between the homeowner and the developer. If any discrepancies should arise during your walk through or within a 90day period of occupancy, notify the building official in writing. A copy of the letter must be sent to the developer also. Keep in mind that a reasonable amount of time be allowed the developer to correct any items of complaint.

I hereby acknowledge that the above information has been received.

_____
Signature Date

_____
Signature Date

Community Development Department
BUILDING DIVISION
13220 Central Avenue, PO Box 667 • Chino, California 91708-0667•(909) 591-9813; Fax: (909) 464-0777

City of Chino

Buyer Notification of Surrounding Land Uses

Please be advised that many properties within the City of Chino are presently being used for agricultural purposes or are zoned for agricultural purposes. The distance between this residential dwelling and the nearest property currently being used for agricultural purposes is _____. The distance between this residential dwelling and the nearest property zoned for agricultural purposes is _____.

In addition, you are hereby advised that the seller of this residential unit cannot represent the period of time that nearby properties used or zoned for agricultural purposes will continue to be so used or zoned. Because the nearby properties used or zoned for agricultural purposes involve complex and legal factual questions, no representation can be made, nor should be made, regarding the length of time that these nearby properties will continue to be used or zoned for agricultural purposes.

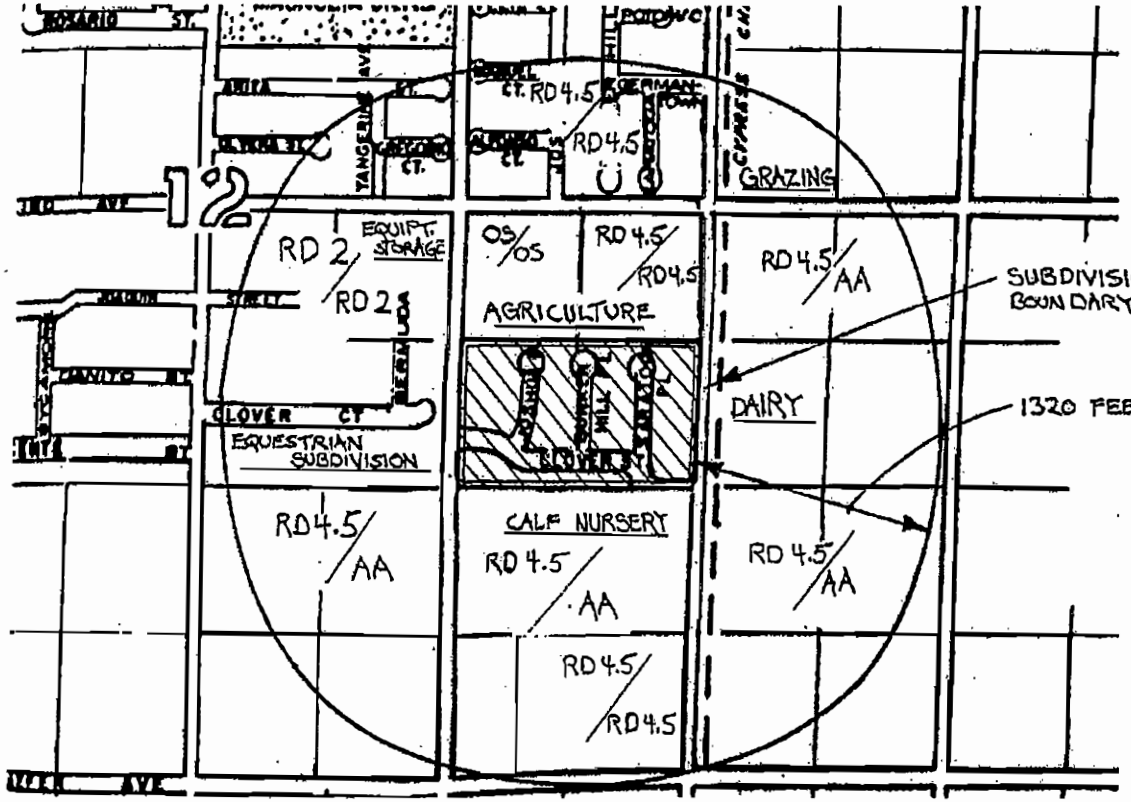
This is to certify that I have received information regarding the present general plan designations, zoning and land uses for all properties within 1,320 feet around _____.
(Project Description)

I am aware of the agricultural, dairies, calf raising and horse operations in the area, and the potential for odors and insects associated with those land uses. I also understand that these uses may continue indefinitely.

Date: _____ _____
(Buyer)

Lot: _____ _____
(Buyer)

Address: _____ Trace: _____
_____
_____



(SAMPLE)

LEGEND

RD2/AA ← GENERAL PLAN DESIGNATION

AA ← CURRENT ZONING

DAIRY ← CURRENT LAND USE

RD2 —— RESIDENTIAL - 2 UNITS/ACRE
RD4.5 —— RESIDENTIAL - 4.5 UNITS/ACRE
AA —— AGRICULTURAL
OS —— OPEN SPACE - PARK

Attachment No. 4

City of San Juan Capistrano Staff Report and Ordinance requiring Solar Photovoltaic

11/17/2009

G2a

AGENDA REPORT

TO: Joe Tait, Interim City Manager

FROM: Nasser Abbaszadeh, Public Works Director

SUBJECT: Consideration of an Ordinance Establishing Mandatory Solar Photovoltaic Requirements.

RECOMMENDATION:

By motion, approve the introduction and first reading of an ordinance establishing mandatory solar photovoltaic requirements.

SUMMARY AND RECOMMENDATION

On December 18, 2007, the City Council adopted a sustainability charter, and adopted a green building and temporary solar energy incentive programs. In adopting the sustainability charter, the City Council expressed their desire in the City meeting its current environmental, economic and social needs without compromising the ability of future generations to do the same. The City Council finds that solar photovoltaic systems are readily available, and the use of these systems will promote the City's commitment to become a sustainable city.

Staff recommends that the City Council approve first reading and introduction of an ordinance adding Chapter 16 to Title 8 of the San Juan Capistrano Municipal Code establishing mandatory solar photovoltaic requirements.

BACKGROUND:

San Juan Capistrano is part of the great Los Angeles County Basin, which climate and topography are known to trap air pollutants that are known to be harmful to human health; and solar photovoltaic power generation consumes no fossil fuels, generates no air pollution and will therefore increase energy efficiency and will reduce air pollution and Greenhouse gases in the Orange County Basin and San Juan Capistrano.

California Health and Safety code, section 13146 requires local jurisdictions to enforce the California Code of Regulations (CCR), Title 24, also known as the California Building Standards Code. The California Health and Safety Code, section 17958 (a) allows local jurisdictions to establish more restrictive building standards than those contained in the California Building Standards Code, if the amendment is reasonably necessary because of local climatic, geologic, or topographic conditions energy efficiency is an important part of a sustainable San Juan Capistrano.

Solar photovoltaic power generation consumes no fossil fuels, generates no air pollution and will therefore increase energy efficiency, reduce greenhouse gases and reduce air pollution in the Los Angeles Basin and in San Juan Capistrano.

The proposed ordinance requires subdivisions and commercial/industrial developments in the City to provide 25% of their energy demand through solar photovoltaic panels. The ordinance provides various alternatives in cases where such system cannot be implemented. The result of this ordinance will not just reduce the energy demand and greenhouse gases, but will also lower the utility bills, hence providing a financial incentive to these developments over the long term.

COMMISSION/BOARD REVIEW AND RECOMMENDATIONS:

N/A

FINANCIAL CONSIDERATIONS:

The proposed ordinance does not have immediate financial impact on the City's finance.

The City has an established permit system for inspection of the installation of solar photovoltaic system, with an established fee structure. This ordinance does not affect the fee structure.

NOTIFICATION:

Building Industry Association of Southern California

RECOMMENDATION:

By motion, approve the introduction and first reading of an ordinance establishing mandatory solar photovoltaic requirements.

Respectfully submitted,

For Nasser Abbaszadeh, PE
Public Works Director

Prepared by,

For Ziad Mazboudi, PE, LEED AP, CPSWQ, CPESC
Senior Civil Engineer

Attachment(s): 1. Solar Photovoltaic Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JUAN CAPISTRANO, CALIFORNIA, ADDING CHAPTER 16 TO TITLE 8 OF THE SAN JUAN CAPISTRANO MUNICIPAL CODE ESTABLISHING MANDATORY SOLAR PHOTOVOLTAIC REQUIREMENTS.

WHEREAS, on December 18, 2007, the City Council adopted a sustainability charter, and adopted green building and solar energy incentive programs; and

WHEREAS, in adopting the sustainability charter, the Council committed to become a sustainable city that continues to meet its current environmental, economic and social needs without compromising the ability of future generations to do the same; and

WHEREAS, the City Council finds that solar photovoltaic systems are readily available, and the use of these systems will promote the City's commitment to become a sustainable city; and

WHEREAS, San Juan Capistrano is part of the great Orange County Basin, which climate and topography are known to trap air pollutants that are known to be harmful to human health; and

WHEREAS, solar photovoltaic power generation consumes no fossil fuels, generates no air pollution and will therefore increase energy efficiency and will reduce air pollution and Greenhouse gases in the Orange County Basin and San Juan Capistrano; and

WHEREAS, the City Council of the City of San Juan Capistrano desires to establish a mandatory solar photovoltaic requirement for building construction projects.

NOW THEREFORE, the City Council of the City of San Juan Capistrano, California, DOES HEREBY ORDAIN as follows:

SECTION 1. Based on the foregoing recitations and findings, Chapter 16 of Title 8 of the San Juan Capistrano Municipal Code is hereby established to read as follows:

CHAPTER 16. SOLAR PHOTOVOLTAIC SYSTEMS

§8-16.01 Definitions.
§8-16.02 Photovoltaic System Requirement.
§8-16.03 Alternatives.
§8-16.04. Inspections.

§8-16.01 DEFINITIONS.

Terms defined herein shall have the following meanings when used in this Chapter:

"City" shall mean the City of San Juan Capistrano.

"Director" shall mean the Community Development Director of the City of San Juan Capistrano or his or her designee.

"Gross Floor Area" shall mean the floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts.

"Solar Photovoltaic System" shall mean the total components and subsystems that, in combination, convert solar energy into electrical energy suitable for connection to a utilization load, consistent with, and subject to, Article 690 of the 2007 California Electrical Code.

"Valuation" shall have the same meaning as established in Section 8-2.02(i) of this Code.

§8-16.02 REQUIREMENT.

(a) Individual building construction. All new buildings of 10,000 square feet or more of gross floor area, additions equal to 10,000 square feet or more of gross floor area, and renovations to existing buildings of 10,000 square feet or more of gross floor area shall be equipped with a solar photovoltaic system or such other alternative method authorized under Section 8-16.03, such that at least 25% of the new building's or the building addition's or the renovated part of the building's projected energy demand is met by such photovoltaic system or alternative.

(b) New subdivisions. New single family dwelling residential subdivisions of five or more parcels shall be designed to provide solar photovoltaic systems such that a minimum of 25% of their projected energy demand is met through the use of photovoltaic systems based on the total dwelling units. All institutional, commercial and industrial subdivisions may comply with the requirement of subdivision (a) for each building, or alternatively, for all the buildings within the subdivision collectively based on the total gross floor area of the same.

(c) Except as otherwise expressly provided in this chapter, this Section shall not apply to construction of individual single family and/or two-family dwellings.

(d) For qualifying projects, the number of panels required for any given system, shall be the total required energy demand of the project, divided by the energy production capability of a single panel as specified on the project. When calculating the number of panels required, fractional panels equal to or greater than one half panel shall be rounded up to the nearest whole number; fractional panels less than one half shall be rounded down to the nearest whole number.

§8-16.03 ALTERNATIVES.

Upon the written approval of the Director, an applicant who is unable to install the required solar photovoltaic system due to the configuration of the proposed construction project may meet the requirements of this chapter as follows:

(a) Alternative Technology. Notwithstanding the ability of an applicant to install a solar photovoltaic system due to the configuration of the proposed construction project, subject to the reasonable satisfaction of the Director, an applicant may comply with the requirement of this Chapter by utilizing an alternative technology or design shown to have achieved equal or better energy savings as that provided by a photovoltaic system required by this Chapter.

(b) Efficiency Increase. An applicant may reduce the proposed energy demand of a new building by 25% through various energy conservation measures, such as more efficient equipments, glazing, roofing, or other available options to meet the requirements of this chapter. If the project is an addition, then the same applies, to meet 25% of the addition's energy demand. The applicant could propose to perform energy conservation improvements to the addition or to the entire building to reach the 25% demand reduction of the addition. If the project is a renovation, then the applicant could propose to perform improvements to the renovated portion of the building or to the entire building to reach the 25% energy demand reduction of the renovated area. The reduction of energy demand may include a combination of a solar photovoltaic system, alternative technology, and/or alternative design.

(c) Alternate Location. An applicant may install a photovoltaic system equivalent to the system required by this Chapter on another building located in San Juan Capistrano owned by the applicant.

(d) In-lieu Fee. An applicant may pay an in-lieu fee in an amount equal to the cost of the solar photovoltaic system required pursuant to this Chapter. Fees generated from in-lieu payments pursuant to this Section shall be appropriated and disbursed only for solar photovoltaic designs and installations on City or public buildings and facilities, or for alternative energy conservation measures as approved by the City Council. The City may use these funds for citywide energy audits or energy conservation educational programs and related activities. The City Council may adopt policies to provide for the distribution of funds to assist in the installation of solar photovoltaic systems on buildings owned and operated by nonprofit agencies. The amount and process for the

collection and utilization of fees permitted by this Section shall be established by resolution of the City Council.

§8-16.04 INSPECTIONS.

No final inspection shall be approved for a construction project subject to the requirements of this Chapter, nor shall a certificate of occupancy be issued for such project, prior to the installation of the solar photovoltaic system being completed, inspected and fully operational, unless an alternative pursuant to Section 8-16.03 has been implemented and approved.

SECTION 2. California Building Standards Law Findings.

Pursuant to the provisions of the California Building Standards Law, California Health and Safety Code §§ 18941.5, 17958, 17958.5 and 17958.7, the City Council hereby finds that the amendments to the State Building Standards and Housing Laws, more particularly the California Building and Energy Codes, adopted herein are necessary because of climatic, geological or topographical conditions of property in the City's jurisdiction, and as more specifically described as follows:

A. Energy efficiency is an important part of a sustainable San Juan Capistrano, and San Juan Capistrano is part of the great Orange County Basin, which climate and topography are known to trap air pollutants that are known to be harmful to human health; and

B. Solar photovoltaic power generation consumes no fossil fuels, generates no air pollution or Greenhouse gases and will therefore increase energy efficiency and will reduce air pollution in the Orange County Basin and San Juan Capistrano.

SECTION 3. Effective Date. The regulations adopted by this ordinance shall not apply to construction for which a valid permit has been issued as of the effective date of this ordinance.

SECTION 4. SEVERABILITY. If any section, subsection, clause or phrase of this Ordinance or any part thereof is for any reason held to be invalid, unconstitutional or unenforceable by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of the Ordinance. The City Council declares that it would have passed each section, subsection, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause or phrase would be declared invalid, unconstitutional or unenforceable.

SECTION 5. CERTIFICATION. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within fifteen (15) days after passage and adoption as required by law; or, in the alternative, the City Clerk may cause to be published a

summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the Office of the City Clerk five (5) days prior to the date of adoption of this Ordinance; and, within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2009.

_____
MAYOR

ATTEST:

_____
CITY CLERK

Attachment No. 5

9770 CULVER BOULEVARD, CULVER CITY, C.A., 90232-0507 www.culvercity.org

Culver CITY
BUILDING SAFETY DIVISION

Effective Spring 2008

Culver CITY GOING GREEN

Culver City Building Safety Division Mandatory Solar Photovoltaic Requirement

All new construction in Culver City of 10,000 s.f. or greater, additions of 10,000 s.f. or greater, and major renovations of 10,000 s.f. or greater are required to install 1 kw of solar photovoltaic power per 10,000 s.f. of applicable building area.

The requirement doesn't apply to one and two family structures, garages, or parking structures.

"Major" renovation of 10,000 s.f. or greater is defined as a renovation of over 50% of the value of the applicable portion of the existing building, as determined by the L.A. County tax assessor's value of the applicable portion of the building, or a certified appraisal of the applicable portion of the building.

Alternate: A project developer may choose to install the required amount of solar photovoltaic power on a different building or structure also located in Culver City, with the approval of Culver City staff.
A project developer may choose to pay an in-lieu fee to the City of Culver City in an amount equal to the installed cost of the required amount of photovoltaic power, with the approval of Culver staff. The in-lieu fee will be based on the current market installed cost of solar photovoltaic power at the time of the payment.

Solar photovoltaic power must be installed concurrently with the other electric work to be installed in the project. The solar photovoltaic power may be installed under its own electrical permit or may be installed as part of the overall electrical permit.

Solar photovoltaic systems may be either grid-intertie systems or may be stand alone systems.

Please also refer to the "Culver City Solar PV Inspection and Submittal guidelines"

Please consult the Culver City Building Safety Division Electrical Inspector for further information, and please note that all solar photovoltaic systems are also reviewed by the Culver City Fire Prevention Division for general firefighter roof access.

CRAIG JOHNSON, RA, CBO, BUILDING OFFICIAL
BUILDING SAFETY DIVISION TEL 310-253-5800 FAX 310-253-5824

City of Culver City, California

City Council Agenda Item Report

Meeting Date: 02/25/08	Item Number: A-2
AGENDA ITEM: Introduction of an Ordinance Establishing a Mandatory 1 Kilowatt Solar Photovoltaic Requirement for Each 10,000 Square Feet of Gross Floor Area of New Construction for Commercial and Multi-Family Projects, Including Additions Equal to 10,000 Square Feet or More of Gross Floor Area, and Major Renovations to Existing Buildings of 10,000 Square Feet or More of Gross Floor Area.	
Contact Person/Dept.: Craig Johnson/Building; Heather Baker/City Attorney	Phone Number: (310) 253-5802; (310) 253-5660
Fiscal Impact: Yes [X] No []	General Fund: Yes [X] No []
Public Hearing: []	Action Item: [X] Attachments: [X]
Public Notification: Master Notification List (02/20/08)	
Department Approval: Sol Blumenfeld (02/14/08) Carol Schwab (by H. Baker) (02/14/08)	City Attorney Approval: Carol Schwab (by H. Baker) (02/14/08)
Fiscal Impact Review: Jeff Muir (02/20/08)	City Manager Approval: Jerry B. Fullwood (02/20/08)

RECOMMENDATION:

Staff recommends the City Council adopt an Ordinance (Attachment 1) establishing a mandatory 1 kilowatt solar photovoltaic requirement for each 10,000 square feet of gross floor area of new construction for commercial and multi-family projects, including additions equal to 10,000 square feet or more of gross floor area, and major renovations to existing buildings of 10,000 square feet or more of gross floor area.

BACKGROUND/DISCUSSION:

At the City Council meeting of January 22, 2008, the Council introduced a proposed Ordinance, with revisions, by a unanimous vote (5-0). (See the January 22, 2008 City Council Agenda Item Report – Attachment 2): From the dais, the City Council suggested the following revisions to the Ordinance prior to its introduction:

- §15.02.1005 – The method for rounding in calculating the number of panels for a qualifying project has been revised so that a fractional panel equal to or greater than one half is rounded up and a fractional panel less than one half is rounded down.

- §15.02.1010 – The Community Development Director has been designated with the authority to approve any exception to the solar photovoltaic requirement contemplated by this Section.
- §15.02.1010.B. –This Section has been clarified to require that an alternate building for the installation of a solar photovoltaic system be located in Culver City.
- §15.02.1015.A. – The fee waiver has been revised to be capped at Five Thousand Dollars ($5,000), and the fee waiver provision will sunset after ten years.

The City Attorney opined these were not "substantive amendments" to the Ordinance, and the City Council introduced the Ordinance as amended that evening.

On February 11, 2008, the Ordinance, as revised above, was brought back for adoption. At that time, the City Council determined that it wanted to further revise the solar photovoltaic requirement to include:

- Additions equal to 10,000 square feet or more of gross floor area; and
- "Major" renovations to existing buildings of 10,000 square feet or more of gross floor area, where such renovation is equal to at least 50% of the valuation of the existing building.

The exceptions to the solar photovoltaic requirement relating to one and two family residences, parking structures, garages, and renovations or additions to existing buildings (except as otherwise provided above), would still apply.

Due to the substantive nature of the change to the Ordinance as originally introduced, the City Attorney recommends the Council re-introduce the Ordinance this evening. Should the City Council introduce the Ordinance this evening, the Ordinance will then be brought back to the City Council on March 10, 2008 for adoption.

FISCAL ANALYSIS:

To illustrate a sample project, a simple financial analysis of a new required project is as follows:

A three story building with 3,334 sq. ft. per floor would meet the minimum 10,000 sq. ft. qualification requiring installation of a 1 kilowatt (kw) photovoltaic system. A 1 kw system would cost approximately $11,000 and the estimated payback would be 16.5

years. However, due to the added energy savings for a project, if the system is financed as part of overall building construction, this payback may produce a positive cash flow of $3.00 per month or $34 per year based on a 30 year loan and including Federal tax credits and State tax rebates. The system will also produce energy savings of 1,151 kw hours per year resulting in the economic benefit of energy savings irrespective of project financing. As proposed, the proportionate cost for the energy system is less than one-half of one percent of the overall building construction cost.

From the City's perspective there will be less reliance upon utilities and less UUT revenue generated on a per project basis. The 10,000 sq. ft. threshold means that the effect will be small. (For example, if the proposed Ordinance had been in full effect in FY 06-07, even with the current expanded applicability, it is estimated there would have been a loss of less than $1,000 in UUT revenues for all qualifying projects)

ATTACHMENTS:

1. Ordinance (redline and final versions)
2. January 22, 2008 City Council Agenda Item Report

MOTIONS:

That the City Council:

Introduce an Ordinance establishing a mandatory 1 kw solar photovoltaic requirement for each 10,000 square feet of gross floor area of new construction for commercial and multi-family projects, including additions equal to 10,000 square feet or more of gross floor area, and major renovations to existing buildings of 10,000 square feet or more of gross floor area.

ATTACHMENT 1

ORDINANCE NO. 2008-_____

AN ORDINANCE OF THE CITY OF CULVER CITY, CALIFORNIA, AMENDING CHAPTER 15.02 OF THE CULVER CITY MUNICIPAL CODE TO ADD SUBCHAPTER 15.02.1000, *et seq.*, ESTABLISHING A MANDATORY 1KW SOLAR PHOTOVOLTAIC REQUIREMENT PER 10,000 SQUARE FEET OF GROSS FLOOR AREA OF NEW CONSTRUCTION.

WHEREAS, California Health and Safety Code §13146 requires local jurisdictions to enforce the California Code of Regulations (CCR), Title 24, also known as the California Building Standards Code; and

WHEREAS, California Health and Safety Code § 17958(a) allows local jurisdictions to establish more restrictive building standards than those contained in the California Building Standards Code, if the amendment is reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, California Public Resources Code §25402.1 states that a local agency may adopt more restrictive energy standards when they are cost-effective and approved by the California Energy Commission ("CEC"); and

WHEREAS, energy efficiency is an important part of a sustainable Culver City, and Culver City is part of the greater Los Angeles Basin, which climate and topography are known to trap air pollutants that are known to be harmful to human health; and

WHEREAS, solar photovoltaic power generation consumes no fossil fuels, generates no air pollution and will therefore increase energy efficiency and will reduce air pollution in the Los Angeles Basin and Culver City; and

WHEREAS, the City Council of the City of Culver City desires to establish a

mandatory 1kw solar photovoltaic requirement per 10,000 square feet of new construction for commercial and multi-family projects; and

WHEREAS, on June 21, 2007, the CEC approved the City's application for a "Locally Adopted Energy Standard" for a mandatory 1kw solar photovoltaic requirement per 10,000 square feet of new construction for commercial and multi-family projects.

NOW THEREFORE, the City Council of the City of Culver City, California, **DOES HEREBY ORDAIN** as follows:

SECTION 1. Based on the foregoing recitations and findings, Chapter 15.02 of the Culver City Municipal Code is hereby amended to add subchapter 15.02.1000, *et seq.* as follows:

SOLAR PHOTOVOLTAIC SYSTEMS

§15.02.1000 Definitions.

§15.02.1005 Requirement.

§ 15.02.1010 Exceptions.

§ 15.02.1015 Building Permit Fees and Inspections.

§ 15.02.1000 DEFINITIONS.

Terms defined herein shall have the following meanings when used in this Subchapter:

Building Official shall mean the Building Official of the City of Culver City or his or her designee.

California Energy Efficiency Standards shall mean the California Energy Efficiency Standards set forth in Title 24, Part 6 of the California Code of Regulations.

City shall mean the City of Culver City.

Director shall mean the Community Development Director of the City

2

of Culver City or his or her designee.

Solar Photovoltaic System shall mean a system that generates electricity from the sun.

§ 15.02.1005 REQUIREMENT.

All new buildings of 10,000 square feet or more of gross floor area, additions equal to 10,000 square feet or more of gross floor area, and major renovations to existing buildings of 10,000 square feet or more of gross floor area where such renovation is equal to at least fifty percent (50%) of the valuation of the existing building, ~~excluding one and two family residences, parking structures, garages, and renovations or additions to existing buildings,~~ shall be equipped with a 1kw solar photovoltaic system per each 10,000 square feet of gross floor area, or fraction thereof. Except as otherwise expressly provided, this Section shall not apply to one and two family residences, parking structures, garages, and renovations or additions to existing buildings. For qualifying projects, the number of panels required for any given system shall be the total required energy production of the project, divided by the energy production capability of a single panel as specified on the project. When calculating the number of panels required, fractional panels equal to or greater than one half shall be rounded up to the nearest whole number; fractional panels less than one half shall be rounded down to the nearest whole number.

§ 15.02.1010 EXCEPTIONS.

Upon the written approval of the Director, an applicant who is unable to install the required solar photovoltaic system due to the configuration of the proposed construction project shall comply with one of the following options in order to satisfy the requirements set forth in Section 15.02.1005:

A. *In-lieu Fee.* An applicant shall pay an in lieu fee in an amount equal to the cost of a solar photovoltaic system installed in a comparable project. Fees generated from in lieu payments pursuant to this subsection, shall be appropriated and disbursed only for solar photovoltaic designs and installations on City buildings or facilities. The amount and process for the collection, utilization and return of fees contemplated by this Section shall be established by resolution of the City Council.

B. *Alternate Location.* An applicant shall install a solar photovoltaic system equivalent to a system installed in a comparable project on another building located in Culver City owned by the applicant.

§ 15.02.1015 BUILDING PERMIT FEES AND INSPECTIONS.

A. Plan check and permit fees in an amount not to exceed Five Thousand Dollars ($5,000) shall be waived for solar photovoltaic installations. This subsection, 15.02.1015.A, shall remain in effect until March 12, 2018, and as of that date is repealed, unless a later enacted statute, enacted before March 12, 2018, deletes or extends that date.

B. The value of the required solar photovoltaic system shall not be required to be included in the overall construction valuation of the project for the purposes of determining building permit fees.

C. No final inspection shall be approved for a construction project subject to the requirements of this Subchapter, nor shall a temporary or final certificate of occupancy be issued for such project, prior to the installation of the solar photovoltaic system being completed, inspected and fully operational, unless otherwise excepted pursuant to Section 15.02.1010.

SECTION 2. Pursuant to Section 619 of the City Charter, this Ordinance shall take effect thirty (30) days after the date of its adoption. Pursuant to Sections 616 and 621 of the City Charter, prior to the expiration of fifteen (15) days after the adoption,

the City Clerk shall cause this Ordinance, or a summary thereof, to be published in the Culver City News and shall post this Ordinance or a summary thereof in at least three places within the City.

SECTION 3. The City Council hereby declares that, if any provision, section, subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason of any preemptive legislation, then the City Council would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this ordinance and as such they shall remain in full force and effect.

APPROVED AND ADOPTED this _____ day of _____, 2008.

_____
ALAN CORLIN, Mayor
City of Culver City, California

ATTEST:

APPROVED AS TO FORM:

_____
CHRISTOPHER ARMENTA, City Clerk

_____
CAROL A. SCHWAB, City Attorney

ORDINANCE NO. 2008-_____

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WHEREAS, California Public Resources Code §25402.1 states that a local agency may adopt more restrictive energy standards when they are cost-effective and approved by the California Energy Commission ("CEC"); and

WHEREAS, energy efficiency is an important part of a sustainable Culver City, and Culver City is part of the greater Los Angeles Basin, which climate and topography are known to trap air pollutants that are known to be harmful to human health; and

WHEREAS, solar photovoltaic power generation consumes no fossil fuels, generates no air pollution and will therefore increase energy efficiency and will reduce air pollution in the Los Angeles Basin and Culver City; and

WHEREAS, the City Council of the City of Culver City desires to establish a

mandatory 1kw solar photovoltaic requirement per 10,000 square feet of new construction for commercial and multi-family projects; and

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7

of Culver City or his or her designee.

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8

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B. *Alternate Location.* An applicant shall install a solar photovoltaic system equivalent to a system installed in a comparable project on another building located in Culver City owned by the applicant.

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APPROVED AND ADOPTED this _____ day of _____, 2008.

_____
ALAN CORLIN, Mayor
City of Culver City, California

ATTEST:

_____
CHRISTOPHER ARMENTA, City Clerk

APPROVED AS TO FORM:

_____
CAROL A. SCHWAB, City Attorney

16

Attachment No. 6

Lewis Community Developers

1156 North Mountain Avenue / P. O. Box 670 / Upland, California 91785-0670
Telephone: (909) 946-7529 FAX: (909) 949-6795

November 23, 2009

Mr. Matt Straite
Project Planning
County of Riverside, Administrative Center
4080 Lemon Street
P.O. Box 1409
Riverside, CA 92502

Dear Matt,

Based on a request from the Planning Commission, I have attached a map that shows nearby job centers as projected by WRCOG. The employment figures shown are rounded WRCOG projections for 2035. One job center missing that the City of San Jacinto hopes to create is one located at Ramona Expressway and SR 79 that the City calls the *Gateway*. In addition, I provided 2035 city population projections from WRCOG for context.

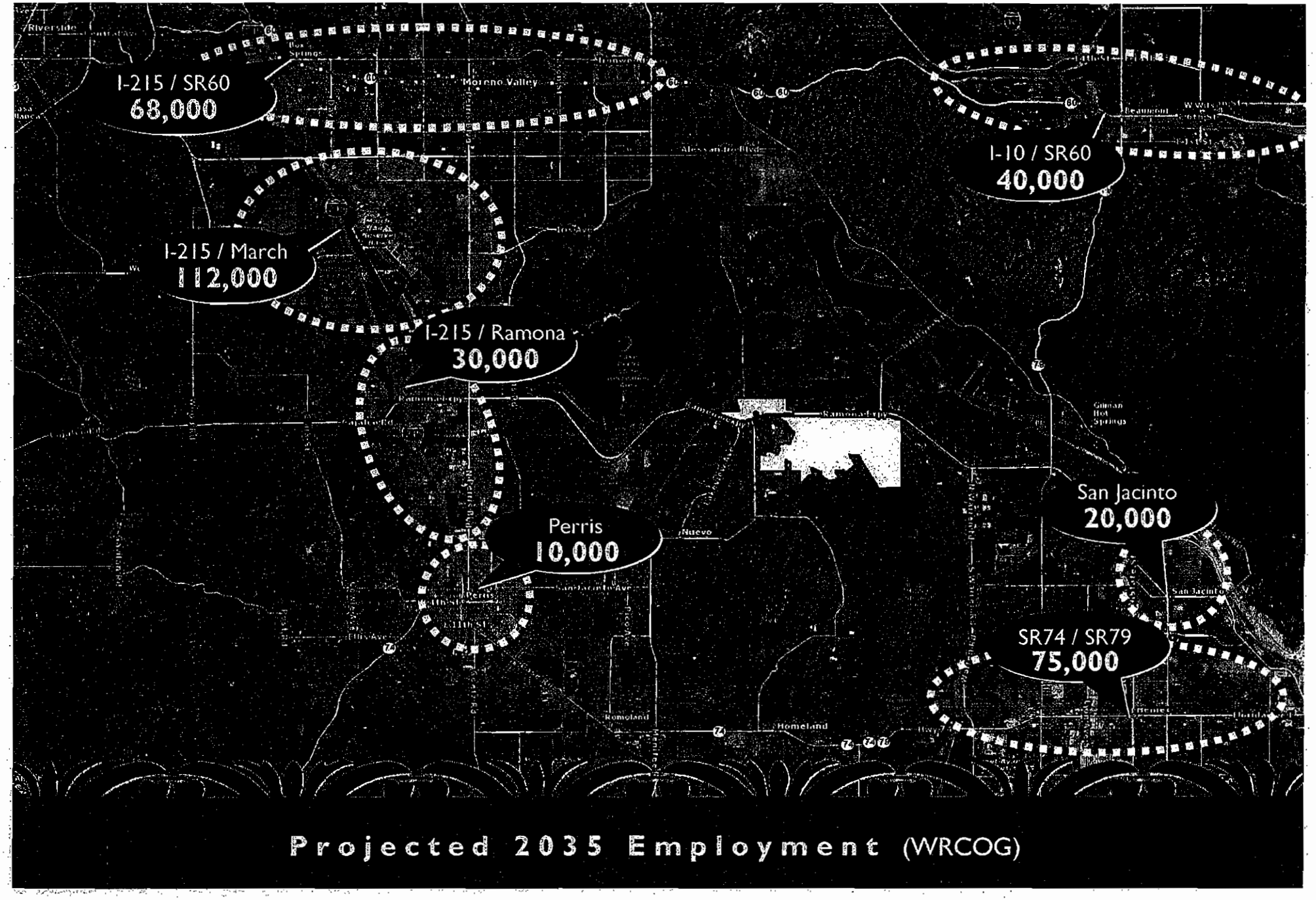
As the issue of jobs/housing balance was addressed in the Draft and Final EIRs, the information attached provides additional clarification to respond to questions regarding issues addressed in the Draft and Final EIRs. The information does not identify any new impacts or affect the analysis of impacts that were addressed in the project EIR, but clarifies or provides additional details regarding information previously provided.

Thank you for your interest and consideration in The Villages of Lakeview.

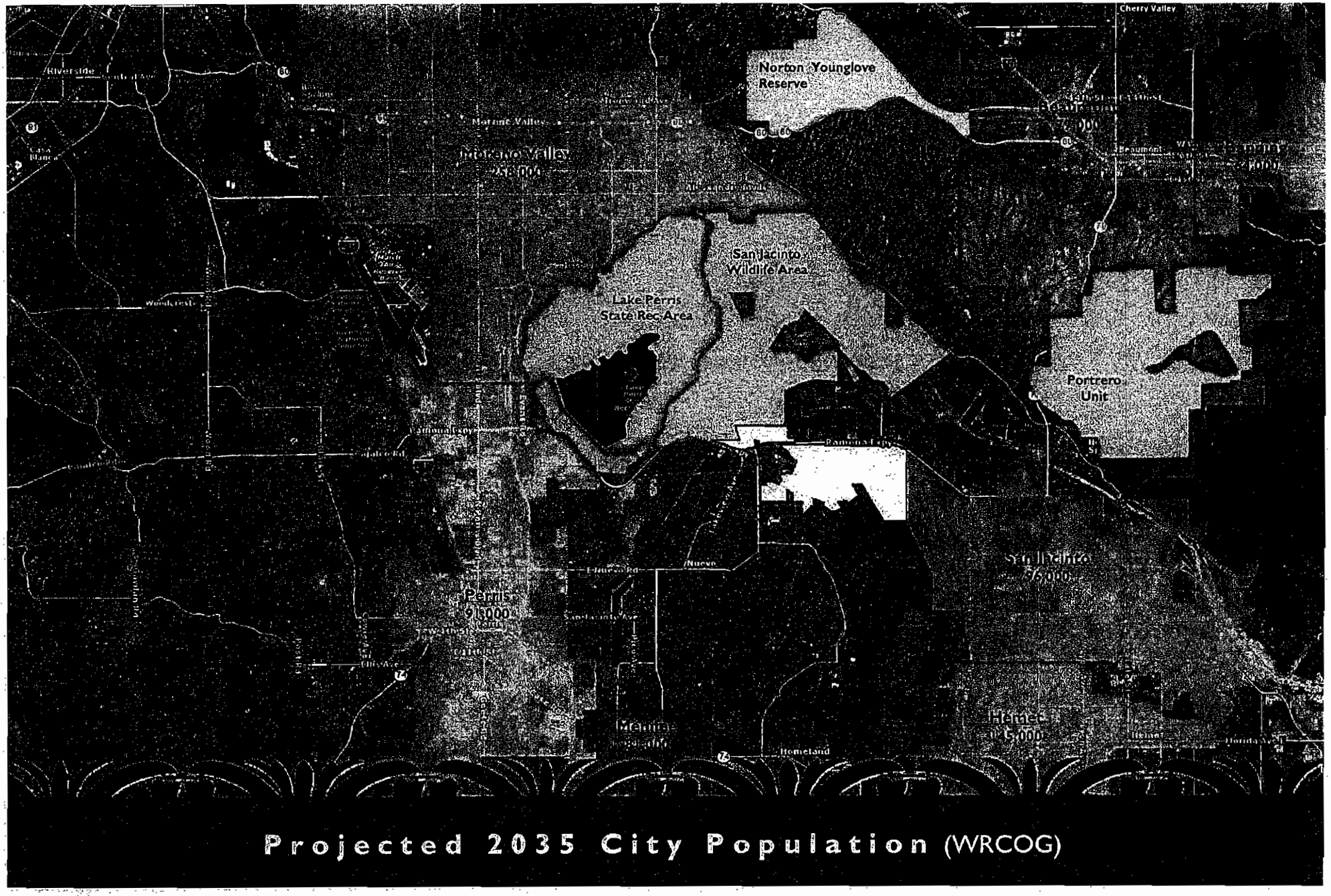
Sincerely,

Andrew Petitjean
Vice President
Planned Community Development

Attachments



Projected 2035 Employment (WRCOG)



Projected 2035 City Population (WRCOG)

Attachment No. 7

APN LIST
PLANNING COMMISSION PUBLIC HEARING
SPECIFIC PLAN 342
THE VILLAGES OF LAKEVIEW

July 11, 2009

ON RECORD				SPECIFIC PLAN REFERENCE	
APN #	Acres	Owner (Last Name)	Total Acres	Reference Name	Adjusted Acres
426082003	**0.28**	**PADIAS (NOT UNDER CONTRACT)**	**0.28**	**PADIAS: 4 OF 4 HOMES ON DAVIS RD.**	**0.28**
425160001	77.63	NUTRILITE (UNDER CONTRACT)		NUTRILITE: SUBJECT TO LLA	63.62
426050004	6.90	NUTRILITE (UNDER CONTRACT)		NUTRILITE: SUBJECT TO LLA	6.27
426150001	14.38	NUTRILITE (UNDER CONTRACT)		NUTRILITE: SUBJECT TO LLA	2.95
426150004	18.69	NUTRILITE (UNDER CONTRACT)		NUTRILITE: SUBJECT TO LLA	1.60
426160054	41.22	NUTRILITE (UNDER CONTRACT)		NUTRILITE: SUBJECT TO LLA	0.00
426160055	41.22	NUTRILITE (UNDER CONTRACT)	200.04	NUTRILITE: SUBJECT TO LLA	6.34
425140009	34.51	ROSS (UNDER CONTRACT)		ROSS	
425140011	15.00	ROSS (UNDER CONTRACT)	49.51	ROSS	49.51
426030002	1.11	Nuevo Development Company, LLC		FUENTES	
426030003	1.20	Nuevo Development Company, LLC		FUENTES	
426030005	4.44	Nuevo Development Company, LLC		FUENTES	
426030006	2.22	Nuevo Development Company, LLC		FUENTES	
426030009	4.44	Nuevo Development Company, LLC		FUENTES	
426030010	2.22	Nuevo Development Company, LLC		FUENTES	
426030018	0.73	Nuevo Development Company, LLC	16.36	FUENTES	16.36
426040003	0.36	Nuevo Development Company, LLC	0.36	VALDEZ: 1 OF 4 HOMES ON DAVIS RD.	0.36
426040004	0.53	Nuevo Development Company, LLC	0.53	CABRERA: 2 OF 4 HOMES ON DAVIS RD.	0.53
426040007	1.17	Nuevo Development Company, LLC	1.17	HEWITT: 3 OF 4 HOMES ON DAVIS RD.	1.17
425190001	1.30	Nuevo Development Company, LLC	1.30	GRACIANO	1.30
425170019	15.52	Nuevo Development Company, LLC		AWAD	
425170020	13.39	Nuevo Development Company, LLC	28.91	AWAD	28.91
426200052	1.30	Nuevo Development Company, LLC		HAVENS	
426200053	13.44	Nuevo Development Company, LLC	14.74	HAVENS	14.74
426160026	10.30	Nuevo Development Company, LLC		ABUDAYYEH	
426160027	9.54	Nuevo Development Company, LLC		ABUDAYYEH	
426160028	17.92	Nuevo Development Company, LLC		ABUDAYYEH	
426160029	9.54	Nuevo Development Company, LLC		ABUDAYYEH	
426160030	8.88	Nuevo Development Company, LLC		ABUDAYYEH	
426200028	4.81	Nuevo Development Company, LLC		ABUDAYYEH	
426200029	4.62	Nuevo Development Company, LLC		ABUDAYYEH	
426200030	9.28	Nuevo Development Company, LLC	74.89	ABUDAYYEH	74.89
425260002	21.08	Nuevo Development Company, LLC		BLACKSTONE: SUBJECT TO LLA (17.93)	4.58
425260003	17.20	Nuevo Development Company, LLC		BLACKSTONE: SUBJECT TO LLA (17.93)	3.39
425260004	9.45	Nuevo Development Company, LLC		BLACKSTONE: SUBJECT TO LLA (17.93)	7.96
425260005	10.43	Nuevo Development Company, LLC		BLACKSTONE: SUBJECT TO LLA (17.93)	2.00
425250012	21.84	Nuevo Development Company, LLC		BLACKSTONE: SUBJECT TO LLA (21.57)	8.49
425240012	19.58	Nuevo Development Company, LLC		BLACKSTONE: SUBJECT TO LLA (21.57)	7.93

ON RECORD				SPECIFIC PLAN REFERENCE	
APN #	Acres	Owner (Last Name)	Total Acres	Reference Name	Adjusted Acres
425240013	19.66	Nuevo Development Company, LLC	119.24	BLACKSTONE: SUBJECT TO LLA (21.57)	5.15
425180001	11.00	Nuevo Development Company, LLC		SHERMAN RANCH	
425190002	165.60	Nuevo Development Company, LLC		SHERMAN RANCH	
425190009	83.20	Nuevo Development Company, LLC		SHERMAN RANCH	
426160019	4.77	Nuevo Development Company, LLC		SHERMAN RANCH	
426160022	9.15	Nuevo Development Company, LLC		SHERMAN RANCH	
426160025	9.15	Nuevo Development Company, LLC		SHERMAN RANCH	
426200016	9.18	Nuevo Development Company, LLC		SHERMAN RANCH	
426200025	9.18	Nuevo Development Company, LLC		SHERMAN RANCH	
426200026	9.55	Nuevo Development Company, LLC		SHERMAN RANCH	
426200027	4.79	Nuevo Development Company, LLC		SHERMAN RANCH	
425170011	6.04	Nuevo Development Company, LLC		SHERMAN RANCH	
425170016	33.20	Nuevo Development Company, LLC		SHERMAN RANCH	
425170022	12.50	Nuevo Development Company, LLC		SHERMAN RANCH	
425190016	48.13	Nuevo Development Company, LLC		SHERMAN RANCH	
426160021	6.25	Nuevo Development Company, LLC		SHERMAN RANCH	
426160024	8.52	Nuevo Development Company, LLC		SHERMAN RANCH	
426200034	3.70	Nuevo Development Company, LLC		SHERMAN RANCH	
425170003	3.48	Nuevo Development Company, LLC	437.39	SHERMAN RANCH	437.39
426350009	3.92	Nuevo Development Company, LLC	3.92	SHERMAN RANCH	3.92
426020009	49.81	Nuevo Development Company, LLC		NUTRILITE - NORTH OF RAMONA	
426020013	7.11	Nuevo Development Company, LLC		NUTRILITE - NORTH OF RAMONA	
426030004	3.11	Nuevo Development Company, LLC		NUTRILITE - NORTH OF RAMONA	
426030011	2.22	Nuevo Development Company, LLC		NUTRILITE - NORTH OF RAMONA	
426030012	28.84	Nuevo Development Company, LLC		NUTRILITE - NORTH OF RAMONA	
426030013	32.50	Nuevo Development Company, LLC		NUTRILITE - NORTH OF RAMONA	
426040001	19.90	Nuevo Development Company, LLC		NUTRILITE - NORTH OF RAMONA	
426040002	35.00	Nuevo Development Company, LLC		NUTRILITE - NORTH OF RAMONA	
426050001	44.10	Nuevo Development Company, LLC		NUTRILITE - NORTH OF RAMONA	
426050002	50.01	Nuevo Development Company, LLC		NUTRILITE - NORTH OF RAMONA	
426050003	19.50	Nuevo Development Company, LLC		NUTRILITE - NORTH OF RAMONA	
426050009	20.35	Nuevo Development Company, LLC		NUTRILITE - NORTH OF RAMONA	
426071001	1.66	Nuevo Development Company, LLC		NUTRILITE - NORTH OF RAMONA	
426071002	2.45	Nuevo Development Company, LLC		NUTRILITE - NORTH OF RAMONA	
426071003	2.83	Nuevo Development Company, LLC		NUTRILITE - NORTH OF RAMONA	
426081001	2.15	Nuevo Development Company, LLC		NUTRILITE - NORTH OF RAMONA	
426081002	0.19	Nuevo Development Company, LLC		NUTRILITE - NORTH OF RAMONA	
426082002	5.00	Nuevo Development Company, LLC		NUTRILITE - NORTH OF RAMONA	
425140006	20.51	Nuevo Development Company, LLC		NUTRILITE - SOUTH OF RAMONA	
425160002	47.62	Nuevo Development Company, LLC		NUTRILITE - SOUTH OF RAMONA	
425160003	10.00	Nuevo Development Company, LLC		NUTRILITE - SOUTH OF RAMONA	
425160004	12.20	Nuevo Development Company, LLC		NUTRILITE - SOUTH OF RAMONA	
425160005	51.20	Nuevo Development Company, LLC		NUTRILITE - SOUTH OF RAMONA	
425160006	20.22	Nuevo Development Company, LLC		NUTRILITE - SOUTH OF RAMONA	
425160007	4.57	Nuevo Development Company, LLC	493.05	NUTRILITE - SOUTH OF RAMONA	493.05
426030007	1.06	Nuevo Development Company, LLC	1.06	PAULI - NEAR BURN DUMP	1.06
426030017	1.60	Nuevo Development Company, LLC	1.60	HANSON - NW CORNER	1.60

ON RECORD				SPECIFIC PLAN REFERENCE	
APN #	Acres	Owner (Last Name)	Total Acres	Reference Name	Adjusted Acres
426200017	16.26	Nuevo Development Company, LLC		CANNATA - THOROUGHBRED FARM	
426200018	18.65	Nuevo Development Company, LLC		CANNATA - THOROUGHBRED FARM	
426200022	11.50	Nuevo Development Company, LLC		CANNATA - THOROUGHBRED FARM	
426200023	14.28	Nuevo Development Company, LLC		CANNATA - THOROUGHBRED FARM	
426200024	27.39	Nuevo Development Company, LLC		CANNATA - THOROUGHBRED FARM	
426200031	7.87	Nuevo Development Company, LLC		CANNATA - THOROUGHBRED FARM	
426200032	1.77	Nuevo Development Company, LLC		CANNATA - THOROUGHBRED FARM	
426200035	11.50	Nuevo Development Company, LLC		CANNATA - THOROUGHBRED FARM	
426200036	3.94	Nuevo Development Company, LLC		CANNATA - THOROUGHBRED FARM	
426390001	8.50	Nuevo Development Company, LLC		CANNATA - THOROUGHBRED FARM	
426390002	8.50	Nuevo Development Company, LLC		CANNATA - THOROUGHBRED FARM	
426400015	7.62	Nuevo Development Company, LLC	137.78	CANNATA - THOROUGHBRED FARM	137.78
425140001	25.17	Nuevo Development Company, LLC		MCANALLY CHICKEN RANCH	
425140002	7.29	Nuevo Development Company, LLC		MCANALLY CHICKEN RANCH	
425140007	18.94	Nuevo Development Company, LLC		MCANALLY CHICKEN RANCH	
425140010	12.55	Nuevo Development Company, LLC		MCANALLY CHICKEN RANCH	
425140012	27.03	Nuevo Development Company, LLC		MCANALLY CHICKEN RANCH	
425170001	6.24	Nuevo Development Company, LLC		MCANALLY CHICKEN RANCH	
425170014	9.18	Nuevo Development Company, LLC		MCANALLY CHICKEN RANCH	
425170015	6.15	Nuevo Development Company, LLC		MCANALLY CHICKEN RANCH	
425170031	9.90	Nuevo Development Company, LLC		MCANALLY CHICKEN RANCH	
425170033	12.10	Nuevo Development Company, LLC		MCANALLY CHICKEN RANCH	
425170035	20.04	Nuevo Development Company, LLC	154.59	MCANALLY CHICKEN RANCH	154.59
425170002	0.48	Nuevo Development Company, LLC		B&A - PART OF SHERMAN RANCH	
425170004	10.01	Nuevo Development Company, LLC		B&A - PART OF SHERMAN RANCH	
425170005	0.04	Nuevo Development Company, LLC		B&A - PART OF SHERMAN RANCH	
425170012	5.65	Nuevo Development Company, LLC		B&A - PART OF SHERMAN RANCH	
425170013	2.86	Nuevo Development Company, LLC		B&A - PART OF SHERMAN RANCH	
425170017	8.00	Nuevo Development Company, LLC		B&A - PART OF SHERMAN RANCH	
425170018	9.47	Nuevo Development Company, LLC		B&A - PART OF SHERMAN RANCH	
425170021	12.57	Nuevo Development Company, LLC		B&A - PART OF SHERMAN RANCH	
426160003	3.31	Nuevo Development Company, LLC		B&A - PART OF SHERMAN RANCH	
426160007	5.41	Nuevo Development Company, LLC	57.80	B&A - PART OF SHERMAN RANCH	57.80
425190012	57.40	Nuevo Development Company, LLC	57.40	PFEIFER - MOSTLY MOUNTAINS	57.40
425100002	126.59	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425120002	37.54	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425120005	1.04	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425120009	23.21	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425120010	22.38	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425120011	36.28	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425180002	190.93	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425230004	19.43	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425230005	21.12	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425230006	18.68	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425230007	18.61	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425230008	19.38	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425230009	19.56	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	

ON RECORD				SPECIFIC PLAN REFERENCE	
APN #	Acres	Owner (Last Name)	Total Acres	Reference Name	Adjusted Acres
425230010	19.88	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425230011	20.06	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425230012	19.51	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425230013	19.92	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425230014	18.97	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425230017	18.04	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425230018	19.39	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425230020	19.48	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425230021	18.84	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425240001	19.71	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425240002	20.93	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425240003	19.61	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425240004	20.09	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425240005	18.67	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425240010	19.89	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425240015	19.46	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425240016	18.83	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425240017	17.48	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425250017	20.12	Nuevo Development Company, LLC		LACERTE - MOSTLY MOUNTAINS	
425250018	19.47	Nuevo Development Company, LLC	943.10	LACERTE - MOSTLY MOUNTAINS	943.10
425170028	0.00	EASTERN MUNICIPAL WATER DIST		EMWD	
425230022	0.50	EASTERN MUNICIPAL WATER DIST		EMWD	
425240018	1.93	EASTERN MUNICIPAL WATER DIST	2.43	EMWD	3.13
425100015	0.00	MWD		MWD AQUEDUCT	
425120007	0.00	MWD		MWD AQUEDUCT	
425120008	0.00	MWD		MWD AQUEDUCT	
425140008	0.00	MWD		MWD AQUEDUCT	
425170006	0.04	MWD		MWD AQUEDUCT	
425170027	0.00	MWD		MWD AQUEDUCT	
425170029	0.00	MWD		MWD AQUEDUCT	
425170030	0.00	MWD		MWD AQUEDUCT	
425170034	1.76	MWD		MWD AQUEDUCT	
425170036	1.51	MWD		MWD AQUEDUCT	
426160020	1.22	MWD		MWD AQUEDUCT	
426160033	1.52	MWD		MWD AQUEDUCT	
426160034	14.79	MWD		MWD AQUEDUCT	
426160035	2.52	MWD		MWD AQUEDUCT	
426160036	9.55	MWD	32.91	MWD AQUEDUCT	99.30
425160008	9.48	MWD		MWD BASIN	
426160031	31.92	MWD	41.40	MWD BASIN	41.94
SUB-TOTAL	2,871.76		2,871.76		2,740.39
				NORTH OF RAMONA ADJUSTMENT	5.22
				SOUTH OF RAMONA ADJUSTMENT	39.95
TOTAL SPECIFIC PLAN				BASED ON RECORD DATA	2,785.56

Attachment No. 8

MEMORANDUM

RIVERSIDE COUNTY COUNSEL

October 15, 2009

TO: Matt Straite
Contract Planner Supervisor

FROM: Larisa McKenna MD
Deputy County Counsel

RE: Specific Plan Zoning Ordinance for SP 342 CZ 7055

Please see the attached revised Specific Plan zoning ordinance with my stamped approval and signature. If you have any questions please do not hesitate to call. Upon Board submittal we will issue a 348 number and complete the information regarding the mapin Section 1. Thank you.

Law Library Building
3535 Tenth Street•Suite 300•Riverside CA•92501•(951)955-6300•FAX (951)955-6322/955-6363

ORDINANCE NO. 348.___

AN ORDINANCE OF THE COUNTY OF RIVERSIDE

AMENDING ORDINANCE NO. 348 RELATING TO ZONING

The Board of Supervisors of the County of Riverside Ordains as Follows:

Section 1. Section 4.1 of Ordinance No. 348, and Official Zoning Plan Map Nos.__. and ___., as 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 Nos. __.___ and __.__, 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.

a. Planning Areas 1, 2, 3, and 4.

(1) The uses permitted in Planning Areas 1, 2, 3, and 4 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 pursuant to Section 8.100.a.(1), (2),(3) and (8); Section 8.100.b.(1) and Section 8.100.c.(1) shall not be permitted. In addition, the uses permitted under Article VIIIe Section 8.100.a. shall include flood control basins and facilities; trails; paseos; h iking areas; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director 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 1, 2, 3, and 4 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 5, 7, 21, and 22.

(1) The uses permitted in Planning Areas 5, 7, 21, and 22 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 pursuant to Article VIIIe, Section 8.100.a. (2) and (8), Section 8.100.b.(1) and Section 8.100.c. (1) shall not be permitted. In addition, the uses permitted under Article VIIIe, Section 8.100.a. shall include unlighted parks; flood control basins and facilities; transit center; lift station; community gardening activities; trails; paseos; and hiking areas. In addition, the uses permitted under Article VIIIe, Section 8.100.a. shall also include these temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met: food stands; Christmas tree farms, pumpkin patches, and fairs and carnivals; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director 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 5, 7, 21, and 22 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.

c. Planning Areas 6 and 8.

(1) The uses permitted in Planning Areas 6 and 8 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 pursuant to Article VIIIe, Section 8.100.a.(2) and (8), Section 8.100.b.(1), and Section 8.100.c.(1) shall not be permitted. In addition, the uses permitted under Article VIII.e, Section 8.100.a. shall include unlighted parks; swimming pools; community gardening activities; trails; paseos; hiking areas; permanent rock climbing walls; skateboard parks and other similar facilities; amphitheaters with non acoustic amplifications and shielded lighting. In addition, the uses permitted under Article VIIIe, Section 8.100.a. shall also include these temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met: food stands; Christmas tree farms, pumpkin patches, and fairs and carnivals; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director 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 6 and 8 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.

d. Planning Areas 9, 10, 12, 14, 15, 16, 17, 19, 20, 41, 42, 43, 45, 46, 50, 51, 52, 53, 55, 56, 57, 58, 61, 62, 63, 64, 66, 67, 68, 69, 73 and 75.

(1) The uses permitted in Planning Areas 9, 10, 12, 14, 15, 16, 17, 19, 20, 41, 42, 43,

45, 46, 50, 51, 52, 53, 55, 56, 57, 58, 61, 62, 63, 64, 66, 67, 68, 69, 73, and 75 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 pursuant to Section 6.1.a.(3), (5), (7) and (8); Section 6.1.b.(1) and (4); and Section 6.1.c.(1) shall not be permitted. In addition, the uses permitted under Section 6.1.a. shall include two-family dwellings; multiple family dwellings; schools; non-profit community centers; parks; community recreation facilities; swimming pools; pedestrian paseos; temporary real estate tract offices located within a subdivision to be used only for and during the original sale of the subdivision, but not to exceed a period of five (5) years in any event; temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met: food stands; Christmas tree farms, pumpkin patches, and fairs and carnivals; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director 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 single-family residential fee simple lots within Planning Areas 9, 10, 12, 15, 16, 17, 19, 20, 41, 42, 43, 45, 50, 51, 52, 53, 55, 56, 57, 58, 61, 62, 63, 64, 66, 67, 68, 69, 73, and 75 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.a, b., c., d., e.(1), (2), (3), and (4), and g. shall be deleted and replaced with the following:

A. The height of buildings shall not exceed forty-five feet (45').

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'). Lot frontage along curvilinear streets shall be measured at the building setback in accordance with zone development standards.

E. The front yard shall be not less than ten feet (10'), 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.

F. 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.

G. 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 within one foot (1') of the rear property line, and garages shall be permitted within five feet (5') of the rear property line.

H. 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. 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.

I. In no case shall more than sixty percent (60%) of any lot be covered by a dwelling footprint.

(3) The development standards for detached high density single family home products not on fee simple lots as defined by Section 21.59a of Ordinance 348 within Planning Areas 9, 10, 12, 14, 15, 16, 17, 19, 20, 41, 42, 43, 45, 46, 50, 51, 52, 53, 55, 56, 57, 58, 61, 62, 63, 64, 66, 67, 68, 69, 73, and 75 of Specific Plan No. 342 shall be the same standards as those identified in Article XVIII, Section 18.5 of Ordinance No. 348 except that the development standards set forth in Article XVIII, Section 18.5.b. and c. shall be deleted and replaced with the following:

A. The height of buildings shall not exceed forty-five feet (45').

B. Lot area shall be not less than two thousand (2,000) square feet.

C. The minimum average width of each lot shall be thirty-five feet (35') and the minimum average depth shall be fifty-eight feet (58').

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'). Lot frontage along curvilinear streets shall be measured at the building setback in accordance with zone development standards.

E. The front yard shall be not less than three feet (3'), 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.

F. Side yards on interior and through lots shall be not less than three feet (3'). 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.

G. 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.

H. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two feet and one-half (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. 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.

I. In no case shall more than seventy-five percent (75%) of any lot be covered by a dwelling.

J. All residential development that contains non fee-simple lots shall submit a Planned Residential Development application in conjunction with a land subdivision application.

(4) Attached two-family and multi-family residential uses homes as defined by Section 21.59a of Ordinance 348 permitted in Planning Areas 9, 10, 12, 15, 16, 17, 19, 20, 41, 42, 43, 45, 46, 50, 51, 52, 53, 55, 56, 57, 58, 61, 62, 63, 64, 66, 67, 68, 69, 73, and 75 of Specific Plan No. 342 shall be subject to the standards for Planned Residential Developments set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the standards set forth in Section 18.5.b., c., e. and j. shall be deleted and replaced with the following:

A. The height of buildings shall not exceed forty-five feet (45').

B. The distance between buildings shall be no less than six feet (6').

C. The minimum building setbacks from a project's exterior streets and boundary lines shall be two and one-half feet (2.5'). The minimum building setback from interior drives shall be 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.

D. The number of dwelling units in one building shall not exceed eighteen (18) units.

E. Pedestrian walkways with a minimum width of four feet (4') shall be installed between the dwelling units and the recreational areas of the project.

F. No dwelling shall be constructed unless it has a minimum floor living area of not less than 750 square feet. Porches, garages, patios and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.

(5) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VI of Ordinance No. 348.

e. Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36.

(1) The uses permitted included in Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 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 pursuant to Section 8.1.a. (2), (3), (4), (6), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (23), (24), (25), (27), and (28); 8.1.b.(1), (2), (3), and (4); and 8.1.c. shall not be permitted. In addition, the permitted uses identified under Section 8.1.a shall also include: amphitheaters; antique shops; art gallery; museum; library; assisted living facilities; bakery shops; financial institutions; beauty shops; bicycle sales and rentals; blueprint and duplicating services; ceramic sales / manufacturing; coffee shops; community gardening activities; community recreation facilities; confectionary stores; delicatessens; flood control drainage basins and facilities; florist shops; gift shops; growing produce for non-commercial use; health centers; hobby shops; household goods sales and repair; ice cream shops; interior decorating shops; jewelry stores; lakes, including noncommercial fishing; locksmith shops; manufacturer's agent; multi-family dwelling units; news stores;

noncommercial community assembly facilities; nursery schools / preschool day care; on-site identification signs, max size – 10 square feet; Parcel/ postal store; parking lots and structures; parks; swimming pools; community gardening; permanent rock climbing walls; photography shops and studios; refreshment stands; restaurants, NOT including drive-in or take-out; shoe stores / repair shops; Studios for fine arts; tailor shops; temporary real estate tract offices (for 5 years); toy shops; trails / paseos; travel agencies; watch repair shops; temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met: food stands; Christmas tree farms, pumpkin patches, and fairs and carnivals; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. In addition, the permitted uses identified under Section 8.1.b shall also include: art supply shops; auditoriums/conference rooms; auto parts and supply; bakery goods distributor; book stores; car washes; catering services; convenience stores - no gas sales; dance halls; drug stores; dry goods stores; employment agencies; equipment rental services; feed & grain stores; gasoline service stations; golf cart sales and service; hardware stores; leather goods; food market, retail or wholesale; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director 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) Unless one of the overlay zones as outlined in Section 3 of this ordinance is utilized, the development standards for the base zone classification of Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 of Specific Plan No. 342 shall be

the same as those standards identified in Article VIII, Section 8.2 and Article XVIII, Section 18.5 except that the development standards set forth in Article VIII, Section 8.2 a, b, c, d, f and h; and those development standards set forth in Article XVIII, Section 18.5 b, c, d, e, f, g, i, j, and k, shall be deleted and replaced by the following:

A. Detached single-family (cluster) homes shall not exceed 40 feet in height, and attached multi-family structures shall not exceed 55 feet in height.

B. All residential uses shall incorporate at least 50 square feet/dwelling unit of open space. Private usable open space shall have a minimum dimension on any one side of 6 feet.

C. Rooftop open space may be used as private open space when directly accessible to the unit(s) it serves.

D. The minimum setback between buildings shall be 6 feet for clustered single family units, and 10 feet for attached multi-family units.

E. Multi Family Residential building setbacks from a project's exterior streets and boundary lines shall be 10 feet. Detached Single Family Residential or Multi-Family Residential arranged in a Row House fashion shall be no less than 3 feet from the exterior street right of ways and primary access shall be located along the exterior streets.

F. The minimum block length shall be 700 feet, the maximum shall be 1,320 feet.

G. A maximum of 25% of any project area may be utilized for commercial purposes.

f. <u>Planning Areas 37, 48, and 49</u>.

(1) The uses permitted in Planning Areas 37, 48, and 49 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 pursuant to Article VIIIe, Section 8.100.a (8) and Section 8.100.b.(1) shall not be permitted. In addition, the uses permitted under Article VIIIe, Section 8.100.a. shall include unlighted parks; swimming pools; community gardening activities; trails; paseos; hiking areas; driving ranges not associated with a golf course; miniature golf facilities; amphitheaters with non acoustic lighting amplifications; temporary real estate tract offices located within a subdivision; to be used only for and during the original sale of the subdivision, but not to exceed a period of five (5) years in any event. In addition, the uses permitted under Article VIIIe, Section 8.100.a. shall also include these temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met: food stands; Christmas tree farms, pumpkin patches, and fairs and carnivals; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director 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 37, 48, and 49 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.

g. Planning Area 39.

(1) The uses permitted in Planning Area 39 of Specific Plan No. 342 shall be the same as those permitted in Article VIIIe, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to Article VIIIe, Sections 8.100.a.(8),8.100.b.(1), and 8.100.c.(1) shall not be permitted. In addition, the permitted uses identified

under Section 8.100.a shall include parks; sc hools; libraries; pub lically owned museums; non-commercial community centers and recreation facilities; day care facilities; community theater and arboretum; swimming pools; community gardening activities; trails; paseos; hiking areas; permanent rock climbing walls; driving ranges not associated with a golf course; miniature golf facilities; temporary real estate tract offices not to exceed a period of five (5) years in any event. In addition, the uses permitted under Article VIIIe, Section 8.100.a. shall also include these temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met: food stands; Christmas tree farms, pumpkin patches, and fairs and carnivals; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director 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 uses identified under Section 8.100.a. shall also include the following uses, so long as the use does not exceed 5,000 square feet, or the total commercial uses do not exceed 25,000 square feet: art supply stores; auditoriums and conference rooms; bakery shops; financial institutions; barber and beauty shops; bicycle sales and repair shops; book stores; ceramic sales and manufacturing; confectionary or candy stores; coffee shops; delicatessens; florist shops; food markets; gift shops; hardware stores; hobby shops; jewelry stores; ice cream shops; news stores; parking lots and structures; refreshment stands; restaurants and other eating establishments; shoeshine stands; signs for on-site advertising; watch repair shops, golf cart sales and service; churches; wedding chapels; health centers. In addition, the permitted uses identified under Section 8.100.b shall include: bars and dry

cleaners.

(3) The development standards for Planning Areas 39 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 standards identified in Article VIIIe, Section 8.101(a), (b), and (e) shall be deleted and replaced with the following:

A. There is no minimum lot area requirement.

B. There are no yard requirements.

C. No building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34 of Ordinance 348. In no event, however, shall a building or structure exceed seventy-five (75') feet in height, unless a variance is approved pursuant to Section 18.27 of Ordinance 348.

D. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of 1,320 feet.

h. Planning Areas 60 and 70.

(1) The uses permitted in Planning Areas 60 and 70 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 pursuant to Article VIIIe, Section 8.100.a.(1), (2), (3), (4), (5) and (8); Section 8.100.b.(1) and Section 8.100.c.(1) shall not be permitted. In addition, the uses permitted under Section 8.100.a. shall include fire fuel modification areas; trails; paseos; on-site directional or instructional signs; kiosks; hiking areas; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director 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 60 and 70 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.

i. Planning Area 77.

(1) The uses permitted in Planning Area 77 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 pursuant to Article VI, Section 6.1.a. (3), (5), (6), (7) and (8); Section 6.1.b.(1), (2), (4) and (5); and Section 6.1.c.(1) shall not be permitted. In addition, the uses permitted under Article VI, Section 6.1.a. shall include two-family dwellings; multiple family dwellings; parks; pedestrian paseos; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. In addition, the uses permitted in Article VI, Section 6.1.b shall include the following: community recreation facilities; swimming pools; nursery schools / preschool day care with off-street parking and on a minimum ½ acre lot; offices, including business, law, medical, dental, chiropractic, architectural, engineering, community planning; restaurants and other eating establishments; financial institutions; office equipment sales and service; barber and beauty shops; health and exercise centers; feed and grain sales; churches; schools; community centers; monuments; boat and RV storage; mini storage; and temporary real estate tract offices located within a subdivision, to be used only for and during the original sale of the subdivision, but not to exceed a period of five (5) years in any event; and temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met: food stands; Christmas tree farms, pumpkin patches, and fairs and carnivals, and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not

change the character of that use. In addition, the uses permitted under Article VI, Section 6.1.c shall include the following: commercial fertilizer operations-the stockpiling, drying, mechanical processing and sale of farm animal manure produced on and off the premises. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director 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 single-family residential lots within Planning Area 77 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.(1), (2), (3), and (4) and g. shall be deleted and replaced with the following:

A. Lot area shall be not less than two thousand eight hundred (2,800) square feet.

B. The minimum average width of each lot shall be forty feet (40') and the minimum average depth shall be seventy feet (70').

C. 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'). Lot frontage along curvilinear streets shall be measured at the building setback in accordance with zone development standards.

D. The front yard shall be not less than ten feet (10'), 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.

E. 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.

F. 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 within one foot (1') of the rear property line, and garages shall be permitted within five feet (5') of the rear property line.

G. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two feet and one-half (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. 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.

H. In no case shall more than fifty percent (60%) of any lot be covered by a dwelling footprint.

I. All residential development that contains non fee-simple lots as defined at Article XVIII, section 18.5 of Ord. 348 shall submit a Planned Residential Development application in conjunction with a land subdivision application.

(3) The development standards for detached high density single family home products as defined by Section 21.59a of Ordinance 348 within Planning Area 77 of Specific Plan No. 342 shall be the same standards as those identified in Article XVIII, Section 18.5 of Ordinance No. 348 except that the development standards set forth in Article XVIII, Section 18.5.b. and c. shall be deleted and replaced with the following:

A. Lot area shall be not less than two thousand (2,000) square feet.

B. The minimum average width of each lot shall be thirty-five feet (35') and the minimum average depth shall be fifty-eight feet (58').

C. 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'). Lot frontage along curvilinear streets shall be measured at the building setback in accordance with zone development standards.

D. The front yard shall be not less than three feet (3'), 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.

E. Side yards on interior and through lots shall be not less than three feet (3'). 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.

F. 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.

G. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two feet and one-half (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. 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.

H. In no case shall more than sixty percent (60%) of any lot be covered by a dwelling.

(4) Attached two-family and multi-family residential uses homes as defined by Section 21.59a of Ordinance 348 permitted in Planning Area 77 of Specific Plan No. 342 shall be subject to the standards for Planned Residential Developments set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the standards set forth in Section 18.5.b., c., e. and j. shall be deleted and replaced with the following:

A. The height of buildings shall not exceed forty-five feet (45'). The distance between buildings shall be no less than six feet (6').

B. The minimum building setbacks from a project's exterior streets and boundary lines shall be two and one-half feet (2.5'). The minimum building setback from interior drives shall be 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.

C. The number of dwelling units in one building shall not exceed eighteen (18) units.

D. Pedestrian walkways with a minimum width of four feet (4') shall be installed between the dwelling units and the recreational areas of the project.

E. No dwelling shall be constructed unless it has a minimum floor living area of not less than 750 square feet. Porches, garages, patios and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.

(5) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VI of Ordinance No. 348.

j. Planning Areas 59 and 71.

(1) The uses permitted in Planning Areas 59 and 71 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 pursuant to Section 8.100.a.(1), (3), and (8); Section 8.100.b.(1) and Section 8.100.c.(1) shall not be permitted. In addition, the uses permitted under Article VIIIe, Section 8.100.a. shall include trails; paseos; hiking areas; kiosks; instructional signs; parking lots; riding academies and stables; unlighted parks; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use; swimming pools; community gardening activities; permanent rock climbing walls; skateboard parks and other similar facilities; driving ranges not associated with a golf course; miniature golf facilities; amphitheaters with non acoustic lighting amplifications; temporary Christmas tree sales and uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met: food stands; Christmas tree farms, pumpkin patches, and fairs and carnivals; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director 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 59 and 71 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.

k. Planning Areas 78 and 84.

(1) The uses permitted in Planning Areas 78 and 84 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 pursuant to Section 8.100.a.(1), (2), (3), (4), (6), and (8); Section 8.100.b.(1); and Section 8.100.c.(1) shall not be permitted. In addition, the uses permitted under Article VIIIe, Section 8.100.a. shall include trails; paseos; hiking areas; kiosks; instructional signs; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director 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 78 and 84 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.

l. Planning Area 81.

(1) The uses permitted in Planning Area 81 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 pursuant to Section 8.100.a.(1), (2), (3), (4), (8), 8.100.b.(1), and 8.100.c.(1) shall not be permitted. In addition, those uses permitted pursuant to Article VIIIe, Section 8.100.a shall include on-site directional or instructional signs; kiosks; trails; paseos; and hiking areas; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director 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 81 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.

Section 3. Mixed Use Overlays

(1) INTENT. This section of the ordinance hereby creates three Mixed Use Overlay Zones (MUOZ) for Specific Plan 342. Although the allowable uses as listed in Section 2.f.1 of this ordinance are applicable over all three MUOZ, the development standards and required findings are unique to each MUOZ. The developer of a project may decide to apply the development standards of the Section 2.f., or use an Overlay Zone, but may not use both. The MUOZ are intended to encourage a mixture of compatible and synergistic land uses, such as residential with compatible non-residential uses including office, retail, personal services, public spaces and other community amenities with a particular focus on fostering pedestrian activity. Each of the three distinct Overlays are described below. The intent of the individual MUOZ are as follows:

A. MUOZ-1 provides uses and standards for areas appropriate for the development of traditional commercial development with the possibility of office uses combined with retail. Development may be developed as vertically or horizontal mixed use. All development shall maintain strong pedestrian integration with neighboring Planning Areas and schools. Singular use structures in this overlay are acceptable. It is envisioned that this overlay will permit primarily traditional retail, restaurant and commercial services intended to develop early in the Specific Plan and provide basic services.

B. MUOZ-2 provides uses and standards for areas appropriate for the development of the highest density residential development with strong retail and office use integration. Development will be vertical or very high density horizontal with the intent of creating a pedestrian focused core with residential uses coupled with retail and/or office uses. Limited singular use structures are acceptable. It is envisioned that most, if not all, of the MUOZ-2 will be mixed uses.

C. MUOZ-3 provides uses and standards for areas appropriate for the development of the office uses with limited retail and residential use integration. Development will be horizontally or vertically mixed use with strong pedestrian and vehicular integration with neighboring Planning Areas. Residential uses in this Overlay are not a requirement of the Overlay but are provided as an option. It is envisioned, though not required, that about thirty percent (30%) of the overlay will be mixed use.

(2) APPLICABILITY.

A. The MUOZ zones shall only be used with the Town Center Village of Specific Plan 342 as defined by Specific Plan. The boundary of the Town Center Village shall be legally defined by zoning ordinance in conjunction with approval of the Village Refinement Plan (VRP) for the Town Center Village as outlined in Specific Plan No. 342.

B. The boundaries of the individual MUOZ to be used in the Town Center Village must be legally defined by a change of zone in conjunction with approval of the Village Refinement Plan (VRP) for the Town Center Village as outlined in Specific Plan No. 342. All overlays within the Village must be mapped at the time that the Village Refinement Plan is approved if an overlay is to be employed within the Village. Changes to the boundaries of the overlays shall require a change of zone application to be approved.

C. The provisions of the MUOZ zones shall further apply to all currently approved, and future developments for individual parcels, tracts and parcel maps, and use plans within the Town Center Village unless it is otherwise specified in this section.

(3) DEFINITIONS. As used in this section, the following terms shall have the following meanings:

A. Base Zone. The set of allowable uses and zoning standards that are applicable over the entire Town Center Village found in Section 2.f.1 of this Ordinance.

B. Mixed Use Structure. A building or structure that contains at least one floor devoted to allowed nonresidential uses and at least one devoted to allowed residential uses.

C. Block. Traditional grid pattern development with street length limitations, defined within each village, to foster a pedestrian friendly environment. The grid pattern is required to have at least one of the streets defining such a grid be a public street.

D. Mixed Use Dwelling. A dwelling located above the ground floor of a permitted commercial, retail, office or institutional use permitted by a MUOZ.

E. Horizontal Mixed Use. A mixing of uses in a development project or with neighboring structures, though not necessarily in the same building.

F. Vertical Mixed Use . A mixing of uses within the same structure, usually with residential over commercial though this is not required to meet the definition.

G. Pedestrian Friendly. Landscaping, amenities, sidewalk design, structure placement, all designed with an emphasis on creating a lively, walkable, and comfortable environment.

H. Covenants, Conditions and Restrictions (CC &Rs). A document used to

describe restrictive limitations placed on real property and its uses, and which usually are made a condition of holding legal title to, or leasehold interest in, the real property in question.

I. Overlay Zone. A set of zoning requirements that are superimposed upon an underlying zone. Overlay zones are generally used when a particular area requires special protection or has a special neighborhood concern. Development of land subject to overlay zoning requires compliance with the regulations of both the underlying zone and overlay zone.

J. Human Scale. The design of neighborhoods, buildings, and recreational spaces that are welcoming and inviting to pedestrian uses, and also encourage the reduced use of automobiles. Density of the neighborhoods and the heights of the buildings are not restricted in this definition.

K. Conventional Shopping Center. A development of retail and/or other commercial establishments that are planned, developed, owned and managed as a single property, typically with on-site parking provided. The center's size and orientation will be generally determined by the market characteristics of the trade area served by the center.

L. Project. A development proposal by one or more applicants proposing a single structure or series of structures, under one development application.

(4) REQUIRED FINDINGS. In order for the applicable hearing body to approve a project in Town Center Village, the following findings must be made-

A. The project is consistent with the Village Refinement Program for the Town Center Village.

B. The project integrates with neighboring uses in vehicular connection, pedestrian connection on and off street, architectural styles and landscaping.

C. The development is designed to a human scale.

D. Efforts have been adequately made so that parking areas have been located where they can be conveniently and safely accessed and not interfere with

pedestrian activity.

E. Parking does not dominate street frontage and is screened appropriately.

F. The project is complimentary to a mix of uses and blends with surrounding development.

G. Uses and structures are sited and designed to complement one another.

(5) Mixed Use Overlay Zone 1

A. The uses permitted in Mixed Use Overlay Zone 1 (MUOZ-1) of Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 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 pursuant to Section 8.1.a. (1), (2), (3), (4), (6), (7), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (23), (24), (25), (27), and (28); 8.1.b.(1), (2), (3), and (4); and 8.1.c. shall not be permitted. In addition, the following permitted uses identified under Article VIII, Section 8.1.a shall also include: amphitheaters; antique shops; art gallery; library; museum; art supply shops and studios; assisted living facilities; auto parts and supply; bakery shops; financial institutions; barber / beauty shops; bicycle sales and rentals; blueprint and duplicating services; book stores; bowling alleys; car washes; catering services; ceramic sales / manufacturing; churches; clinics; coffee shops; community recreation facilities; confectionary / candy stores; costume design studios; dance halls; delicatessens; department stores; drug stores; employment agencies; equipment rental services; feed & grain stores; fishing and casting pools; flood control drainage facilities; florist shops; food markets / frozen food lockers; gift shops; golf cart sales and service; growing of produce for non-commercial use; hardware stores; health centers; hobby shops; hotels / motels; household goods sales and repair; ice cream shops; interior decorating shops; jewelry stores; lakes, including noncommercial fishing; leather goods; locksmith shops;

manufacturer's agent; market, retail or wholesale; meat markets, but no slaughtering; mortuaries; music stores; noncommercial community association facilities; nurseries / garden supply; offices, including business, law, medical, dental, chiropractic, architectural, engineering, community planning, and real estate; on-site identification signs, max size – 10 square feet; outdoor storage of materials; paint and wall paper stores; parcel, postal store; parking lots and structures; parks; swimming pools; party supply stores; pet shops and pet supply; pharmacy, incidental to office use on site; photography shops and studios; plumbing shops, not including contractors; radio / television studios; recycling facilities; refreshment stands; restaurants, NOT including drive-in or take-out; schools, business and professional; shoe stores / repair shops; sporting goods stores; sports and recreational facilities; stained glass assembly; stationary stores; studios for fine arts; tailor shops; temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met: food stands; Christmas tree farms, pumpkin patches, and fairs and carnivals; temporary real estate tract offices located within a subdivision to be used only for and during the original sale of the subdivision, but not to exceed a period of five (5) years in any event; theaters, not drive-in; tire sales and service, no recapping; tobacco shops; toy shops; trails / paseos; travel agencies; watch repair shops; wholesale businesses. In addition, the following permitted uses identified under Article VIII, Section 8.1.b shall also include: animal hospitals; auto repair garages, not including body and fender shops or spray painting; automobile sales and rental agencies; bars / cocktail lounges; billiard and pool halls; boat/marine sales, parking and storage; cleaning and dyeing shops; convenience stores - no gas sales; gasoline service stations; labs; film, dental, medical, research, or testing; laundromats; miniature golf facilities; multi-family dwelling units;

restaurants; single family dwelling units; stations: bus, railroad, taxi. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director 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.

B. The development standards for Mixed Use Overlay Zone 1 of Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 of Specific Plan No. 342 shall be the same as those standards identified in Article IX, Section 9.4 and Article XVIII, Section 18,5, except that the development standards set forth in Article IX, Section 9.4 b, c, d, and e; and those development standards set for in Article XVIII, Section 18.5 b, c, d, e, f, g, i, j, and k, shall be deleted and replaced by the following:

1. Attached multi-family structures shall not exceed 55 feet in height. All other buildings shall not exceed 55 feet in height, with architectural projections adding 2% to the height of the building.

2. All residential uses shall incorporate at least 50 square feet/dwelling unit of open space. Private usable open space shall have a minimum dimension on any one side of 6 feet.

3. The minimum setback between buildings shall be 10 feet for attached multi-family units. No setback is required between commercial structures.

5. Building setbacks from a project's exterior streets and boundary lines shall be 10 feet.

6. A maximum of 30% of any project area may be utilized for residential purposes unless residential units are placed above commercial uses in which case there are no limits.

C. This finding must be made for all projects within MUOZ-1, in addition to

those referenced in Section 3(4) of this Ordinance:

1. The project maintains a strong pedestrian integration to neighboring areas and schools intended to ensure a strong pedestrian environment.

(6) Mixed Use Overlay Zone 2

A. The uses permitted in Mixed Use Overlay Zone 2 (MUOZ-2) of Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 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 pursuant to Section 8.1.a. (1), (2), (3), (4), (6), (7), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (23), (24), (25), (27), and (28); 8.1.b.(1), (2), (3), and (4); and 8.1.c. shall not be permitted. In addition, the following permitted uses identified under Article VIII, Section 8.1.a shall also include: antique shops; art gallery; library; museum; art supply shops and studios; auditoriums/conference rooms; auto parts, supply, repair, not including body and fender shops or spray painting; bakery shops; financial institutions; barber / beauty shops; bicycle sales and rentals; blueprint and duplicating services; book stores; bowling alleys; catering services; ceramic sales / manufacturing; cleaning and dyeing shops; clinics; coffee shops; community recreation facilities; confectionary / candy stores; costume design studios; dance halls; delicatessens; department stores; drug stores; employment agencies; equipment rental services; feed & grain stores; fishing and casting pools; flood control drainage facilities; florist shops; food markets / frozen food lockers; gift shops; golf cart sales and service; growing of produce for non-commercial use; hardware stores; hobby shops; hotels / motels; household goods sales and repair; ice cream shops; interior decorating shops; jewelry stores; labs: film, dental, medical, research, or testing; lakes, including noncommercial fishing; laundromats;

leather goods; locksmith shops; manufacturer's agent; market, retail or wholesale; meat markets, but no slaughtering; mortuaries; multi-family dwelling units; music stores; noncommercial community association facilities; nursery schools / preschool day care; offices, including business, law, medical, dental, chiropractic, architectural, engineering, community planning, and real estate; on-site identification signs, max size – 10 square feet; paint and wall paper stores; parcel, postal store; parking lots and structures; parks; swimming pools; party supply stores; pet shops and supply; pharmacy, incidental to office use on site; photography shops and studios; plumbing shops, not including contractors; printers and publishers; radio / television studios; recording studios; recycling facilities; refreshment stands; restaurants, not including drive-in or take-out; schools, business and professional; shoe stores / repair shops; signs, on-site advertising; sporting goods stores; stained glass assembly; stationary stores; stations: bus, railroad, taxi; studios for fine arts; tailor shops; theaters, not drive-in; tire sales and service, no recapping; tobacco shops; toy shops; trails / paseos; travel agencies; watch repair shops; temporary real estate tract offices located within a subdivision to be used only for and during the original sale of the subdivision, but not to exceed a period of five (5) years in any event; temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met: food stands; Christmas tree farms, pumpkin patches, and fairs and carnivals. In addition, the following permitted uses identified under Article VIII, Section 8.1.b shall also include: auto repair garages, not including body and fender shops or spray painting; bakery goods distributor; bars / cocktail lounges; billiard and pool halls; convenience stores - no gas sales; gasoline service stations; nurseries / garden supply; pawn shops; restaurant; bars; sports and recreational facilities. Any use that is not specifically listed herein may be considered a

permitted or conditionally permitted use provided that the Planning Director 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.

B. The development standards for Mixed Use Overlay Zone 2 of Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 of Specific Plan No. 342 shall be the same as those standards identified in Article IX, Section 9.4 and Article XVIII, Section 18.5, except that the development standards set forth in Article IX, Section 9.4 b, c, d, and e; and those development standards set for in Article XVIII, Section 18.5 b, c, d, e, f, g, i, j, and k, shall be deleted and replaced by the following:

1. Attached multi-family structures shall not exceed 55 feet in height. All other buildings shall not exceed 55 feet in height. At least one architectural projection shall be required and shall be at least 2% higher than the primary structure however at no time shall any architectural projection over 20 feet be permitted on any structure.
2. The maximum floor to area ratio for mixed-use projects is 3.0. All other projects cannot exceed a floor area ratio of 1.0.
3. All residential uses shall incorporate at least 50 square feet/dwelling unit of open space. Private usable open space shall have a minimum dimension on any one side of 50 feet.
4. Rooftop open space may be used as private open space when directly accessible to the unit(s) it serves.
5. The minimum setback between buildings shall be; 10 feet between residential units, and 10 feet between all residential structures and commercial structures if structures do not exceed three (3) stories, otherwise no setback is required. No setback is required between commercial uses.

6. Building setbacks from a project's exterior streets and boundary lines shall be 10 feet.

7. The minimum block length shall be 200 feet and the maximum shall be 700 feet.

8. At least one structure on each block will be required to use a design related architectural projection.

9. All ground floor nonresidential uses shall be less than 7,500 square feet unless residential uses are located above the non-residential use. A 20% increase can be granted by the Planning Director. All office or commercial uses above the ground floor have no limit.

10. If residential uses are located above nonresidential uses then the ground floor use shall be less than 50,000 square feet. A 20% increase can be granted by the Planning Director. All office or commercial uses above the ground floor have no limit.

11. All singular use nonresidential structures shall be less than 5,000 square feet.

12. A minimum of sixty percent (60%) of non-residential street-facing building façades between two feet and eight feet in height must be comprised of clear windows that allow views of indoor space or product display areas.

13. Buildings must have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement.

14. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

15. No curb cuts are allowed for lots that abut alleys.

16. Residential structures may place residential uses on the ground

floor of a structure provided said structure is contiguous to a non-residential ground floor use.

C. These findings must be made for all projects within MUOZ-2, in addition to those referenced in Section 3.4 of this Ordinance:

1. The project integrates residential and nonresidential uses with a pedestrian focused core or if the project is a single use structure/project it is contiguous (less than ten feet (10')) to a differing use.

2. The project provides usable public and private open spaces, including but not limited to plazas in commercial areas that enhance commercial activity.

(7) Mixed Use Overlay Zone 3

A. The uses permitted in Mixed Use Overlay Zone 3 (MUOA-3) of Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 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 pursuant to Section 8.1.a. (1), (2), (3), (4), (6), (7), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (23), (24), (25), (27), and (28); 8.1.b.(1), (2), (3), and (4); and 8.1.c. shall not be permitted. In addition, the following permitted uses identified under Article VIII, Section 8.1.a shall also include: ambulance services; art gallery; library; museum; art supply shops and studios; auditoriums / conference rooms; auto parts, supply and repair garages, not including body and fender shops or spray painting; bakery goods distribution and shops; financial institutions; barber / beauty shops; bicycle sales and rentals; blueprint and duplicating services; book stores; bowling alleys; car washes; catering services; ceramic sales / manufacturing; cleaning and dyeing shops; coffee shops; community recreation facilities; confectionary / candy stores; delicatessens; department

stores; drug stores; employment agencies; equipment rental services; feed & grain stores; fishing and casting pools; flood control drainage basins and facilities; florist shops; gift shops; golf cart sales and service; growing of produce for non-commercial use; hardware stores; hobby shops; hotels / motels; household goods sales and repair; ice cream shops; interior decorating shops; jewelry stores; labs: film, dental, medical, research, or testing; lakes, including noncommercial fishing; laundromats; leather goods; locksmith shops; manufacturer's agent; market, retail or wholesale; meat markets, but no slaughtering; mortuaries; multi-family dwelling units; music stores; noncommercial community assembly facilities; nurseries / garden supply; offices, including business, law, medical, dental, chiropractic, architectural, engineering, community planning, and real estate; on-site identification signs, max size – 10 square feet; outdoor storage of materials; paint and wall paper stores; parcel, postal store; parking lots and structures; parks; swimming pools; party supply stores; pet shops and supply; pharmacy, incidental to office use on site; photography shops and studios; plumbing shops, not including contractors; printers and publishers; radio / television studios; recording studios; recycling facilities; refreshment stands; schools, business and professional; senior housing; shoe stores / repair shops; signs, on-site advertising; sporting goods stores; stained glass assembly; stationary stores; stations: bus, railroad, taxi; tailor shops; theaters, not drive-in; tire sales and service, no recapping; tobacco shops; toy shops; trailer and boat storage; trails / paseos; travel agencies; watch repair shops; wholesale businesses; temporary real estate tract offices located within a subdivision to be used only for and during the original sale of the subdivision, but not to exceed a period of five (5) years in any event; temporary uses (those lasting less than 3 months) provided the procedures outlined in Section 18.30.d.(1) are met: food stands; Christmas tree farms,

pumpkin patches, and fairs and carnivals. In addition, the following permitted uses identified under Article VIII, Section 8.1.b shall also include: animal hospitals; automobile sales and rental agencies; bars / cocktail lounges; billiard and pool halls; boat/marine sales, parking and storage; clinics; convenience stores - no gas sales; gasoline service stations; miniature golf facilities; pawn shops; restaurants; sports and recreational facilities; studios for fine arts; truck and trailer rental; and truck sales and service. Any use that is not specifically listed herein may be considered a permitted or conditionally permitted use provided that the Planning Director 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.

B. The development standards of MUOZ-3 of Planning Areas 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36 of Specific Plan No. 342 shall be the same as those identified in Article IXd, Section 9.73 of Ordinance No. 348 and Article XVIII, Section 18.5, except that the development standards set forth in Article IXd, Section 9.73 b, c, d, e, and m; and those development standards set for in Article XVIII, Section 18.5 b, c, d, e, f, g, i, j, and k, shall be deleted and replaced by the following:

1. Attached multi-family structures shall not exceed 55 feet in height. All other buildings shall not exceed 55 feet in height, with at least one architectural projection shall be at least 2% higher than the primary structure however at no time shall any architectural projection over 20 feet be permitted on any structure.

2. The maximum floor to area ratio for mixed-use projects is 3.0. All other projects have a floor area ratio of 1.0.

3. All residential uses shall incorporate at least 50 square feet/dwelling unit of open space. Private usable open space shall

have a minimum dimension on any one side of 50 feet.

4. Rooftop open space may be used as private open space when directly accessible to the unit(s) it serves.

5. The minimum setback between buildings shall be 6 feet between clustered single family units and other clustered single family units, 10 feet between attached multi-family units and other residential units, and 10 feet between all residential structures and commercial structures. No setback is required between non-residential uses.

6. Building setbacks from a project's exterior streets and boundary lines shall be 10 feet.

7. The minimum block length shall be 200 feet and the maximum shall be 1,320 feet. At least one structure on each block will be required to use a design related architectural projection.

Section 4. Conflict between ordinance requirements. If there is any conflict between the requirements of this and any other ordinance, the more stringent requirements shall apply.

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Section 5. This ordinance shall take affect 30 days after its adoption.

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

By_____
Chairman, Board of Supervisors

ATTEST:
CLERK TO THE BOARD

By_____
(Deputy)

(SEAL)

APPROVED AS TO FORM:
October 14, 2009

By_____
LARISA REITHMEIER-MCKENNA
Deputy County Counsel

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Additional General Plan Consistency Summary of TVOL[1]

General Plan Policies	Relationship of the Project to the Policy
LU.2.1. Accommodate land use development in accordance with the patterns and distribution of use and density depicted on the General Plan Land Use Map (Figure LU-1) and the Area Plan Land Use Maps, in accordance with the following: (AI 1, 3, 5, 9, 27, 29, 30, 41, 60, 91) a. Provide a land use mix at the countywide and area plan levels based on projected need and supported by evaluation of impacts to the environment, economy, infrastructure, and services.	THE VILLAGES OF LAKEVIEW Specific Plan will exceed the housing needs based on the County's original evaluation of the Lakeview/Nuevo Planning Area. As seen in *Table 5.9-A – Lakeview/Nuevo Area Plan Projected Buildout,* the project proposes approximately 9 times the residential density and double the commercial square footage depicted by the General Plan Land Use Map. Although THE VILLAGES OF LAKEVIEW has a mix of residential densities and other land uses, the amount of growth proposed by THE VILLAGES OF LAKEVIEW was not anticipated by the Lakeview/Nuevo Area Plan. The overall intent of LU.2.1.a. is to provide a land use mix with a project that is well supported with the evaluation of the impacts to the environment, the economy, infrastructure and services. This intent is met by The Villages of Lakeview project. The FEIR and SP provide a thorough plan and analysis which includes both a Fiscal Impact Analysis and a Jobs/Housing Report, infrastructure plans that have been reviewed and approved by County Transportation, County Flood and EMWD, and the project is participating both financially and through development of community buildings, libraries and trails (both on and off-site). The General Plan (GP) Amendment process is intended to refine the GP since the GP looks at very broad scale which may need to be thoughtfully refined over the years of implementation. The amendment process exists to grant some flexibility. "Circumstances will change, imperfections in the General Plan will be discovered, and events will occur that require changes in the General Plan" and "it is clear that the timing, rationale, and process for amending the General Plan are critical ingredients in maintaining the long term viability of the General Plan" (Administration Element of the GP under the Certainty System discussion). The General Plan explains that certain required findings for each type of amendment. This project proceeded through the amendment process as required and was able to make these findings in June of 2006 when the Board of Supervisors allowed the project to proceed with the process of amending the GP. Therefore, these GP-established thresholds for changes to GP land uses have been met by the project meets. With a recommendation of adoption by staff, and with a subsequent discretionary action adopting the projects General Plan Amendments (GPA), the Board will be indicating that project is consistent with the General Plan.

[1] The original EIR indicated that the project was inconsistent with a number of County General Plan policies. This summary provides additional analysis indicating that the project, as a whole, is consistent with the General Plan.

Additional General Plan Consistency Summary of TVOL[1]

General Plan Policies	Relationship of the Project to the Policy
LU.2.1. Accommodate land use development in accordance with the patterns and distribution of use and density depicted on the General Plan Land Use Map (Figure LU-1) and the Area Plan Land Use Maps, in accordance with the following: (AI 1, 3, 5, 9, 27, 29, 30, 41, 60, 91) e. Concentrate growth near or within existing urban and suburban areas to maintain the rural and open space character of Riverside County to the greatest extent possible.	Currently, Lakeview/Nuevo Area Plan anticipates that the western half of the planning area, near the city of Perris, would be comprised of primarily residential development growth concentrated near an existing suburban area and to maintain the rural and open space character of this portion of Riverside County. The proposed THE VILLAGES OF LAKEVIEW Specific Plan proposes new suburban areas in proximity to other areas within the Lakeview/Nuevo Area Plan that are designated for urban and suburban development and to the existing rural community of Lakeview/Nuevo. There are areas within THE VILLAGES OF LAKEVIEW that are currently designated for agricultural and rural uses, and open space; and portions of the project area were provided with a "Community Development Overlay" by Riverside County GP. This project also provides for approximately 1,000 acres of open space for conservation through the RCA on its land use plan, and concentrates development away from biologically sensitive areas thus preserving the Lakeview Mountains as open space in perpetuity. The project is proposed to concentrate growth near the existing Ramona Expressway (future CETAP Mid County Parkway) which is a corridor intended to link and focus urban/suburban areas. Regardless, this project will present a change in residential densities next to existing rural properties and is not located adjacent to any existing urban or suburban area. However, with the implementation of the proposed buffers and setbacks from the existing adjacent agricultural uses (300 feet), rural community (on- and off-site trails and extra 30-foot setback), and wildlife area (500 feet), implementation of the Design Guidelines of the Lakeview/Nuevo Area Plan, and THE VILLAGES OF LAKEVIEW Specific Plan, the impacts to the existing rural properties will be minimized. In the end, THE VILLAGES OF LAKEVIEW Specific Plan will be left with approximately 2,800 acres (the entire project site) of land within the Community Development Foundation. After the project is implemented per THE VILLAGES OF LAKEVIEW Specific Plan, approximately 48 percent will be residential, commercial, and civic land uses; and 52 percent will remain in various forms of open space (conservation, parks, trails, earthen drainage channels, landscape setbacks, terrace slopes, and open space). The city of San Jacinto borders the project to the east. Although today the area is primarily dairies and agriculture, the San Jacinto General Plan and a large specific plan identify the area immediately to the east of

Additional General Plan Consistency Summary of TVOL[1]

General Plan Policies	Relationship of the Project to the Policy
	the project as developed commercial/industrial and residential area. Thus, because the project preserves nearly 1,000 acres of conservation open space and over 50% of the project is some type of open space, provides buffers and design standards that will transition to less dense existing areas, is located along a CETAP corridor, and is located immediately adjacent to suburban/urban uses planned in San Jacinto, the project provides consistency with the General Plan. See also discussion under LU2.1.a, above.
LU3.1 Accommodate land use development in accordance with the patterns and distribution of use and density depicted on the General Plan Land Use Maps (RCIP Figure VI-1) and the Area Plan Land Use Maps in accordance with the following concepts: b. Assist in and promote the development of infill and underutilized parcels which are located in Community Development areas, as identified on the General Plan Land Use Map.	The project is not a traditional "infill" project. A large portion of the proposed THE VILLAGES OF LAKEVIEW Specific Plan is proposed for inclusion to a Community Development Overlay area as identified by the RCIP GP. However, the existing properties within the geographic area of THE VILLAGES OF LAKEVIEW have not developed in accordance with those designations, so the existing land uses of the geographic area of THE VILLAGES OF LAKEVIEW are considered underutilized. However, not all new development which will be required to meet projected population demand within the County in the next 25 years can be accommodated with infill development. Therefore, because this project does develop parcels located with Community Development areas, is not a traditional infill project, and will assist in meeting the County's housing demand in the future, it is consistent with the intent of the General Plan.
LU 4.1 Require that new developments be located and designed to visually enhance, not degrade the character of the surrounding area through consideration of the following concepts: h. Encourage the provision of public art.	Although not specifically discussed in the Specific Plan, public art is not discouraged. Although originally inconsistent with this policy, mitigation measure **MM Land Use 3** was included to encourage 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. Therefore, the project when complete will be consistent with this General Plan policy.
LU 10.1 Provide sufficient commercial and industrial development opportunities in order to increase local employment levels and thereby minimize long-distance commuting.	The Land Use Designations within the center of the project area are intended for commercial development with a maximum of 500,000 square feet of commercial floor area which equates to approximately 1,000 jobs. The project also proposes approximately 11,350 homes, which would equate to approximately 34,000 inhabitants which will create a secondary tier of jobs such as landscape maintenance, mail carriers, teachers, etc. Since the project area in situated in a rural area, outside

Additional General Plan Consistency Summary of TVOL[1]	
General Plan Policies	**Relationship of the Project to the Policy**
	of an existing urban core, the number of available jobs in the area is currently limited. Although this project will increase local employment opportunities, many of the residents of the proposed project will need to commute outside of the community. To address this potential need for commuting, the project includes a transit center and the applicant is required to coordinate with the local transit company to see that service is provided (**MM Air 13**). A community vehicle which can provide commuter service to the Perris Valley Metrolink line is also required (**MM Air 11**) and trips within the project as well. Because commuting may be required, the project is designed to allow residents to stay out of their cars once they return home. In addition to the clustered and mixed use land plan, Development Standards and mitigation measures require the project to: engage in public outreach efforts aimed at informing residents about opportunities to utilize walking, public transportation, carpooling, and bicycles; provide adequate bicycle parking, designate parking spaces for high-occupancy vehicles and provide larger parking spaces to accommodate vans used for ride sharing at the transit center, library, public community center, Central Park parking area, and in commercial areas. In addition, the project will hold acreage within the Town Center for office uses, so that not all jobs created are commercial/retail. Thus, the project provides both jobs and ways to reduce individual vehicle trips for commuting, and reduces the need for vehicle trips within the community which contributes to why the project is consistent with the General Plan overall, despite this individual inconstancy.
LU 10.2 Ensure adequate separation between pollution producing activities and sensitive emission receptors, such as hospitals, residences, and schools.	The Ramona Expressway is anticipated to produce pollution, in the form of diesel exhaust, which sensitive receptors will not be adequately separated from causing an inconsistency with this policy. California Air Resources Board guidance for siting new sensitive land uses to help reduce adverse air quality impacts include a 500-foot buffer between sensitive land uses and freeways or urban roads with 100,000 vehicles per day (i.e. Ramona Expressway). No hospitals are proposed within the project. Schools within the project are planned to be located at least 500 feet away from Ramona Expressway or other major arterial roads consistent with CARB guidance. Residential land uses are proposed within 500 feet of such roadways, however, within the project. This is the case throughout the GP, which contributes to why the project is consistent with the General Plan overall, despite this individual inconstancy.

Additional General Plan Consistency Summary of TVOL[1]

General Plan Policies	Relationship of the Project to the Policy
LU 17.3 Ensure that development does not adversely impact the open space and rural character of the surrounding area.	THE VILLAGES OF LAKEVIEW Specific Plan ensures that development within the Lakeview Mountains will be avoided by designating the entire area as Open Space. Additionally, sensitive archeological sites and sensitive biological resources within the open space will be preserved. The project includes the development of a relatively high-density residential development near a rural community. Setbacks, trail easements, and trailheads will allow for appropriate transitions to surrounding uses and compatibility issues can be addressed to retain rural character adjacent to existing rural areas through the implementation of the Lakeview/Nuevo Design Guidelines. The intensity of the development will also place a greater number of people within easy reach of open space. Over 1,000 acres of open space will be preserved as part of this project. As part of the management of the open space, limited recreational uses will be allowed within this area (trails, horseback riding, etc.). However, with the introduction of over 30,000 people into the area, potential significant indirect impacts to archaeological resources within the project open space and the San Jacinto Wildlife Area will still remain. Subsequent to the release of the DEIR for public review, the project proponent met with California Department of Fish and Game (CDFG), which operates the San Jacinto Wildlife Area (SJWA), to address possible indirect impacts. Additional mitigation language has been added to MM Bio 1 and others to ensure that CDFG involvement is required as the project is implemented so that indirect impacts to the SJWA are less than significant. Therefore, because the project preserves important open space and is designed to provide appropriate transitions to the rural community this GP policy has been met and the Board actions will be indicating that project is consistent with the General Plan, if approved.
LU 22.1 Accommodate the development of single- and multi-family residential units in areas appropriately designated by the General Plan and area plan land use maps.	The proposed project provides a range of densities that will allow for both single- and multi-family residences to be built within the specific plan area which is consistent with the General Plan vision and the Community Development Foundation, and this policy.

Additional General Plan Consistency Summary of TVOL[1]

General Plan Policies	Relationship of the Project to the Policy
	See discussion of land use designations under the General Plan and Area Plan under Policy LU.2.1, above, which clarifies that while the project is somewhat inconsistent with current Area Plan map and vision, it is consistent with General Plan vision and intent,
N 1.2Guide noise tolerant land uses into areas irrevocably committed to land uses that are noise producing, such as transportation corridors, or within the projected noise contours of any adjacent airports.	The project places residential land uses in with commercial land uses, and also places sensitive land uses next to Ramona Expressway, a major transportation corridor, therefore the project is not consistent with this policy. On face value, this is the case, however, County policy, and project Development Standards and mitigation measures require that roadway noise be mitigated to less than significant levels through construction of sound barriers and/or modifications to building construction. The project is not affected by airport noise. Thus, with adherence to County policy, and project Development Standards and mitigation measures, the project will be consistent with this policy as the project is implemented.
C 4.9 Encourage, where feasible, the construction of overpasses or undercrossings where trails intersect arterials, urban arterials, expressways, or freeways.	Currently, The Villages of Lakeview does not propose the construction of overpasses or undercrossings at trail / major road intersections. As the implementation of trails throughout the project has been refined and clarified, the Specific Plan (SP) and the Village Refinement Plan (VRP) for the Resort Village indicate that the trails which connect the project's southern area to its northern area will be connected over and/or under Ramona Expressway. Therefore, the project will be consistent with this GP policy.

LU 16.1 Encourage retaining agriculturally designated lands where agricultural activity can be sustained at an operational scale, where it accommodates lifestyle choice, and in locations where impacts to and from potentially incompatible uses, such as residential uses, are minimized, through incentives such as tax credits.	THE VILLAGES OF LAKEVIEW Specific Plan would not retain the Agriculture (AG) designated lands within its project area. The Lakeview/Nuevo Area Plan contains 2,031 acres of AG designated land, which is 7.3 percent of all the land comprising this Area Plan. Within Riverside County, only the San Jacinto Valley Area Plan designates a greater percentage of land to AG with 9.4 percent. The majority of the Lakeview/Nuevo AG designated land is concentrated along the northern boundary of Lakeview area and separated from other communities by dedicated conservation lands or parklands. THE VILLAGES OF LAKEVIEW project propose development upon approximately 106 acres of AG land not covered by a Community Development Overlay (CDO). A Community Development Overlay exists over 714 acres of this AG land allowing this property to be developed with a wide variety of land uses permitted under the Community Development Foundation. These approximately 820 acres represents 40 percent of all the AG designated land within the Lakeview/Nuevo Area Plan. The proposed project is consistent with the CDO and CDF intent. The approximately 106 acres of AG designated land will be converted to CDF within the standard 2.5-year provision of 7% agriculturally designated land conversions. The first 2½-Year Cycle commenced January 1, 2004. The County of Riverside General Plan accounted for approximately 22,000 acres of land designated as Agriculture Foundation in the 2003 General Plan in the western part of the County. This does not account for subsequent annexations, incorporations, or policy areas. As of April 2008, less than 100 acres of land designated as Agriculture Foundation had been converted to other land use Foundation designations since the adoption of the General Plan. This represents less than 1 percent over 4½ years. The current Agricultural Foundation conversion cycle allowance for 1/1/09 – 6/30/11 is approximately 4,500 acres of agricultural land because prior cycles had such few acres converted. Therefore, even if the project were to convert all approximately 800 acres during this cycle, it would be well within the allowance. Based on the conversions that have already taken place, the County has not exceeded the land that can be converted every 2½ years and the project will not exceed the limits established in this General Plan process. Therefore, although agricultural land will be converted to development, the project is consistent with the GP because over 700 of the over 800 acres of existing

	agriculture that will be lost are designated CDO, and because the conversion of the remaining approximately 106 acres during the 21/2-year 7% cycle is well below the allotments set up as part of the GP, the project is consistent with the General Plan.
LU 16.2 Protect agricultural uses, including those with industrial characteristics (dairies, poultry, hog farms, etc.) by discouraging inappropriate land division in the immediate proximity and allowing only uses and intensities that are compatible with agricultural uses.	The Ramona Expressway and the Lakeview Mountains will separate most of the proposed residential development from the remaining Agriculturally designated land to the north. To avoid potential impact, a 300-foot setback between development and offensive agricultural uses is required as mitigation within this DEIR. See discussions regarding LU 16.1, above, and LU 16.4, below.
LU 16.4 Encourage conservation of productive agricultural lands. Preserve prime agricultural lands for high-value crop production.	THE VILLAGES OF LAKEVIEW Specific Plan and its related General Plan Amendments will eliminate the AG (agricultural) designation within the project boundaries. Designated Farmland is a resource based on soil types which is regulated by the California Department of Conservation. The Department of Conservation maintains maps identifying important farmland across the state. Based on the maps for Western Riverside County, the project site is identified as having Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance. Prime Farmland includes lands with the best combination of physical and chemical features for the production of agricultural crops, and encompasses approximately 367 acres of the project site. Farmland of Statewide Importance encompasses approximately 246 acres. Unique Farmland includes 23 acres on site. Farmland of Local Importance encompasses approximately 839 acres, which includes a broad spectrum of lands. Currently, there is approximately 250 acres of active agriculturally productive lands, 89 acres of active egg production, and 150 acres active thoroughbred ranch. The proposed project does not accommodate the preservation of these designated Farmlands, however, some local agricultural uses may be allowed such as community and/or demonstration gardens. Mitigation measures within Section 5.2 of this DEIR require agricultural easements on off-site lands within the area, setbacks from some existing agriculture, and community gardens on-site. Although this is consistent with Policy LU 16.4, it does not reduce potential significant impacts to less than significant from a CEQA perspective See discussions regarding LU 16.1, above.
LNAP 8.2 Maintain the County's roadway Level of Service standards as described in the Level of Service section of the General Plan Circulation Element.	A traffic report was prepared for the project that addresses potential future traffic, roadway and intersection levels of service, planned roadway improvements and mitigation measures. On-site project intersections are all proposed to accommodate projected

traffic at County General Plan standards or better. As development occurs, roadway levels of service will fluctuate, however, because not all roads/intersections off-site which rely on TUMPF, DIF, RBBD or other funding may be completed concurrently with project phasing. Therefore, on a temporary basis, the project may result in Levels of Service that do not meet County standards. At full build-out of the current General Plan roadway system and the project, some roadway segments and intersections will not meet required standards (see Section 5.14 of this DEIR).

Substantial changes to the area's transportation facilities will occur as a result of project implementation; however, these changes are consistent with and are anticipated in the General Plan. Generally speaking, the existing roads within and around the project site are two-lane rural roads, including Ramona Expressway within the unincorporated portion of the County. The County General Plan calls for Ramona Expressway to be improved from two and four lanes to up to six and eight lanes at some locations. This is a substantial change; however it is one that the County contemplates with or without the proposed project. Likewise, by Phase 3 of project build-out, Nuevo Road from Murrieta Road to Dunlap Road is anticipated to be increased from a two-lane Arterial to a six-lane Arterial; and from Dunlap Road to Menifee Road, a two-lane Urban Arterial to an eight-lane Urban Arterial, as anticipated in the General Plan. Again, this is a substantial change; however it is one that the County has envisioned as taking place. Many of the more rural-type roadways within and around the project site will be upgraded to accommodate greater traffic volumes.

It should be noted, however, that to maintain the heart of the Lakeview community, the County has identified Hansen Avenue as a local road that is to remain rural in size and character, even if other parallel roads (Reservoir Avenue) must be larger. The County is currently processing a General Plan Amendment to the Circulation Element that proposes to change the road classification of Hansen Avenue from a Major (4-lane) road to a Collector (2-lane). Likewise, Lakeview Avenue is mandated in the mitigation measures and COA to remain a smaller size road consistent with the rural community.

County Transportation Department staff worked with the applicant and EIR preparer, through mitigation measures and conditions of approval "triggers" or "thresholds" which when met will require implementation of identified circulation improvements. Triggers require all improvements in a phased manner such that facilities are constructed or under construction before development outpaces the roadway network. Through the use of occupancy-based triggers, the traffic mitigation

	measures require that intersection and roadway segment facilities be built by the applicant, or require that the County have a construction contract and full funds in place, in advance of development needs. Thus, the only delay might be the time that it takes to construct all or part of a particular intersection or roadway segment that is identified for improvement. By imposing that the project implement various improvements prior to development through the identified "triggers," the County has assured that mitigation for potential project impacts will be implemented. In addition to project-imposed mitigation, the project is also required to contribute to funding programs that provide for regional transportation improvements, such as the Transportation Uniform Mitigation Fee (TUMF), Development Impact Fee – Ordinance 659 (DIF) and the future Road and Bridge Benefit District (RBBD) for the Lakeview/Nuevo area.

CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 SP - Hold Harmless (1) RECOMMND

The applicant or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside (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 an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning this SPECIFIC PLAN. The COUNTY will promptly notify the applicant of any such claim, action, or proceeding against the COUNTY and will cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant of any such claim, action, or proceeding or fails to cooperate fully in the defense, the subdivider shall not, thereafter, be responsible to defend, indemnify, or hold harmless the COUNTY.

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, Dated June 2009.

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

CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

10. EVERY. 2 SP - Definitions (cont.) RECOMMND

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
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.
8. The 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:

1. Mitigation Monitoring/Reporting Program.
2. Draft EIR
3. 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.
5. Responses of the County to significant

10. GENERAL CONDITIONS

10. EVERY. 3 SP - SP Document (cont.) RECOMMND

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.

10. EVERY. 4 SP - Ordinance Requirements 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.

10. EVERY. 5 SP - Limits of SP DOCUMENT 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 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 Uniform 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.

CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

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.

10.BS GRADE. 5 SP*-NO GRADING & SUBDIVIDING RECOMMND

If grading of the entire - or any portion there of - Specific Plan site is proposed, UNDER A SUBDIVISION OR LAND USE CASE ALREADY APPROVED FOR THIS SPECIFIC PLAN, at the same time that application for further subdivision of any of its parcels is being applied for, an exception to Ordinance 460, Section 4.5.B, shall be obtained from the Planning Director, prior to issuance of the grading permit (Ord. 460 Section 3.1). THIS EXCEPTION WILL NOT APPLY TO ANY CASE HAVING ONLY AN APPROVED SPECIFIC PLAN.

E HEALTH DEPARTMENT

10.E HEALTH. 1 GENERAL COMMENTS - SP 342 RECOMMND

Department of Environmental Health (DEH) has reviewed SP 342 Screen Check#3 and offers the following comments:

1) Eastern Municipal Water District (EMWD) water and sewer service will be proposed for all habitable structures. It is the responsibility of the developer to ensure that all requirements associated with obtaining EMWD water and sewer are met.
2) Per current Memorandum of Understanding (MOU) between EMWD and the County of Riverside, no "will-serve" letters from EMWD for water and sewer service are required at this time. If this current MOU is either rescinded or revised, the developer will be required to comply with any necessary changes.
3) If any public food facility and/or public swimming pool is proposed, the developer shall contact Department of Environmental Health, District Environmental Services (DES) Division at (951) 358-5172 to obtain information regarding DES plan check and permitting requirements.

CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

FIRE DEPARTMENT

10.FIRE. 1 SP-#56-IMPACT MITIGATION RECOMMND

The project proponents shall participate in the fire protection impact mitigation program as adopted by the Riverside County Board of Supervisors.

10.FIRE. 3 SP-#95-HAZ FIRE AREA 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.

10.FIRE. 4 SP-#71-ADVERSE IMPACTS 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. The 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 impacts. 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.

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-ROOFING MATERIAL RECOMMND

All buildings shall be constructed with fire retardant roofing material as described in section 1503 of the Uniform Building Code. Any wood shingles or shakes shall

CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

10.FIRE. 6 SP-#96-ROOFING MATERIAL (cont.) RECOMMND

have a Class B rating and shall be approved by the Fire Department prior to installation.

10.FIRE. 7 SP-#97-OPEN SPACE RECOMMND

Prior to approval of any development for lands adjacent to open space areas, a fire protection/vegetaion management (fuel modificatin) 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 to 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. Given the project's proposed development plan, up to 1 fire stations may be needed to meet anticipated service demands, given project densities.

10.FIRE. 10 SP-#101-DISCL/FLAG LOT RECOMMND

1) FLAG LOTS WILL NOT BE PERMITTED BY THE FIRE DEPARTMENT.

) A portion of this project lies within the VERY HIGH FIRE HAZARD SEVERITY ZONE.

3) A fire fuel analysis of the open space/wildlands within and outside the project area may be required prior to submitting a fuel modification plan.

NOTICE:
The transferor of real property shall disclose to the transferee that this project lies within a VERY HIGH FIRE HAZARD area.

CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

10.FIRE. 11 SP-#47 SECONDARY ACCESS RECOMMND

In the interest of Public Safety, the project shall provide an Alternate or Secondary Access(s) as stated in the Transportation Department Conditions. Said Alternate or Secondary Access(s) shall have concurrence and approval of both the Transportation and Fire Departments and shall be maintained through out any phasing.

FLOOD RI DEPARTMENT

10.FLOOD RI. 2 SP FLOOD HAZARD REPORT RECOMMND

Specific Plan 342, The Villages of Lakeview, proposes a mixed land use community of residential and commercial uses, parks, public facilities, and open space on 2,789 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 five development phases (1A, 1B, 2, 3A, and 3B) each consisting of several planning areas.

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 1A 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). Furthermore, Phase 1A and the western edge of Phase 1B are within the Zone X floodplain limits shown on FIRM Panel 06065C 1435G. This floodplain is 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 flow rates, still impact the site. 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-inch squash pipes, convey only the smallest, most frequent storm runoff across Ramona Expressway; larger storm flows would overtop it.

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

10.FLOOD RI. 2 SP FLOOD HAZARD REPORT (cont.) RECOMMND

Portions of Phases 1A, 1B and 2 are within the boundaries of the Lakeview/Nuevo Area Drainage Plan (ADP) for which drainage fees have been established by the Riverside County 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 $2,093 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 in Figure B.3.11D. Line D of the District's Lakeview MDP would be constructed to convey the outflow from the District's Lakeview Dam to the existing Nuevo Channel. In addition, a training dike, as proposed in the Lakeview MDP, would be constructed to direct some of the 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 on-site flows of Phases 3A, 3B 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 seven separate locations. It is assumed that discharges from the storm drains would be spread out to mimic the natural drainage pattern of the area to the satisfaction of RCFCD.
If the developer is unable to mimic the natural drainage patterns as described above, 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).

On-site flows from Phases 1A, 1B and the western half of Phase 2 are conveyed by storm drains, to Central Park basin to open channels to a water quality basin at the northwest corner of the specific plan where they are discharged into the San Jacinto River floodplain. A portion of the

10. GENERAL CONDITIONS

10.FLOOD RI. 2 SP FLOOD HAZARD REPORT (cont.) (cont.) RECOMMND

detention basin is depicted on Metropolitan Water District's property; if use of this property cannot be obtained then the detention basin shall be shifted into Central Park (PA 39) as approved by RCFCD. At the northwest corner of the project, an adequate outlet for the channel shall be provided. The unlined open channel north of Ramona Expressway would also serve as a park. The maintenance of the park facilities shall be resolved early in the design process.

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 with the first house. Thus, a series of conceptual drainage plans that correspond to the development of the five 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 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.

The conceptual drainage plans for each phase are presented in Exhibits B.3.11G through B.3.11K. The size, type, and alignment of the facilities will likely be modified as the result of specific development proposals. Each phase of the Specific Plan shall stand alone and shall construct the necessary drainage facilities.

Phase 1A Interim Drainage Plan (Exhibit B.3.11G to be replaced by Phase 1A exhibit)
1) Prior to the issuance of any grading permit or recordation, whichever comes first, of any final map with

CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

10.FLOOD RI. 2 SP FLOOD HAZARD REPORT (cont.) (cont.) (cont.RECOMMND

lots within the Zone A San Jacinto River floodplain, a Conditional Letter of Map Revision shall be obtained from FEMA.
2)Phase 1A planning areas shall be protected from the 100-year storm water which includes the outflow from the Lakeview dam outlet by constructing on-site storm drain facilities on the phase 1A south boundary along the north side of Ramona expressway. This facility will include a combination of open channel and underground facility and will outlet into Line A.
3)Prior to the issuance of any grading permit or recordation of any final map within Phase 1A, obtain approved plans for all of Line A as shown on Exhibit B.3.11G subsequently replaced by Phase 1A exhibit., including the collection facility on the south side of Ramona Expressway; execute bond agreements and cooperative agreements for the facilities; and obtain off-site rights of way to the satisfaction of the District.

Phase 1B Interim Drainage Plan (Exhibit B.3.11H)

Significant interim facilities would be constructed with this phase. At the time of the development of the southeast corner of Phase 1B (which drains to Lines C and D-1), the developer proposes to convey the flows discharged from those storm drains in an unlined channel to a RCB crossing the MWD aqueduct. From there, the channel would daylight and flows spread out but then the flows would be recollected in a series of large interim detention ponds/sumps. These interim detention ponds/sumps would be sized to hold storm-flows from less than 100-year event 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. Transportation 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 water could be pumped from the basin to be directed there.

1)Prior to issuance of any grading permit or recordation, whichever occurs first, of any final map within Planning Areas west of 5th Street (SS Boulevard and RR 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

10. GENERAL CONDITIONS

10.FLOOD RI. 2 SP FLOOD HAZARD REPORT (cont.) (cont.) (cont.RECOMMND

recordation, whichever comes first, of any final map within the Planning Areas east of 5th Street (SS Boulevard and RR 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 off-site 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 off-site 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 1B that drains to Lines C and D-1, the developer shall obtain approved construction drawings for Lines C and D-1, 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. The Developer shall obtain approved construction drawings for Debris Basin #1 prior to the issuance of any grading permit or recordation of final map, of the portion of Phase 1B that drains to Line D that are impacted by flows discharged from the hillside

Phase 2 Interim Drainage Plan (Exhibit B.3.11I)

During the development of Phase 2, it is likely The Villages of Lakeview will pass the 4001st occupancy permit milestone which triggers the widening of the Ramona Expressway from 5th Street to Warren Road. When Ramona Expressway is widened from two lanes to four lanes, the ultimate drainage facilities shall be constructed and the interim detention ponds/sumps shall not be used for Flood Control proposes. The outlet for the ultimate facilities (Lines D & E) 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 Planning Areas 46, 50, 51 and 52 would require additional

10. GENERAL CONDITIONS

10.FLOOD RI. 2 SP FLOOD HAZARD REPORT (cont.) (cont.) (cont.RECOMMND

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, the detention basin proposed partially on Metropolitan Water District's property can be shifted into Central Park (PA 39) if the developer cannot obtain rights to use MWD's property.

Since the timing of individual developments in Phase 2 cannot be set, and therefore the related drainage improvements may be any combination of ultimate and interim facilities, the District will defer writing particular conditions of approval until the time such development applications are submitted. However, the general guidance of the preceding three paragraphs will apply.

Phase 3A Interim Drainage Plan (Exhibit B.3.11J)

1) The development of Planning Area 75 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 #8 and #9 prior to the issuance of any grading permit or recordation of final maps in Planning Area 73 that are 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-1, the developer shall obtain approved construction drawings for Line B-1 to an adequate outlet on the north side of the Ramona Expressway; execute bond agreements and cooperative agreements for the facility; and obtain off-site 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 that drains to the Specific Plan's Line B-2, the developer shall obtain approved construction drawings for Line B-2 to an adequate outlet on the north side of the Ramona Expressway; execute bond agreements and cooperative agreements for the facility; and obtain off-site rights of way to the satisfaction of the District.

CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

10.FLOOD RI. 2 SP FLOOD HAZARD REPORT (cont.) (cont.) (cont.RECOMMND

5) Prior to the issuance of any grading permit or recordation, whichever comes first, of any final map that drains to the Specific Plan's Lines B-3 and B-4, the developer shall obtain approved construction drawings for Lines B-3 and B-4 to an adequate outlet on the north side of the Ramona Expressway; execute bond agreements and cooperative agreements for the facility; and obtain off-site rights of way to the satisfaction of the District.

6) Prior to the issuance of any grading permit or recordation, whichever comes first, of any final map in Planning Area 77, the developer shall obtain approved construction drawings for a drainage facility that collects the 100-year runoff tributary to the Planning Area from the east and conveys it to an adequate outlet on the north side of the Ramona Expressway; execute bond agreements and cooperative agreements for the facility; and obtain off-site 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 in Planning Areas 29, 31, 33 and 34, the developer shall obtain approved construction drawings for Debris Basin #7 and construct Line F to connect it to an adequate outlet; execute bond agreements and cooperative agreements for the facilities; and obtain off-site rights of way to the satisfaction of the District.

Phase 3B Interim Drainage Plan (Exhibit B.3.11K)

1) The development of Planning Areas 61, 62, 63, 64, 67 and 69 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.
2) The developer shall obtain approved construction drawings for Debris Basins # 1 through #7 prior to the issuance of any grading permit or recordation of final maps in Planning Areas 66 and 68 that are impacted by flows discharged 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 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 off-site rights of way to the satisfaction of the District.

CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

10.FLOOD RI. 2 SP FLOOD HAZARD REPORT (cont.) (cont.) (cont.RECOMMND

4)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 F system, the developer shall obtain approved construction drawings for Lines F-1 and F-2 to an adequate outlet; execute bond agreements and cooperative agreements for the facility; and obtain off-site rights of way to the satisfaction of the District.
5)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-2, the developer shall obtain approved construction drawings for Line D-2 to an adequate outlet; execute bond agreements and cooperative agreements for the facility; and obtain off-site rights of way to the satisfaction of the District.

The Specific Plan discusses water quality issues and proposes a regional water Quality feature at the northwest part of the project within Phase 1A. 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 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 at the time the specific project is submitted.

PLANNING DEPARTMENT

10.PLANNING. 1 SP - GEO NO. 1437 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", and dated May 21, 2003.

1.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".

10. GENERAL CONDITIONS

10.PLANNING. 1 SP - GEO NO. 1437 (cont.) RECOMMND

2.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 Unincorporated Riverside County, California".

3.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".

4.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".

5.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".

6.Leighton & Associates, Inc., December 10, 2004, "Preliminary Rockfall Hazard Evaluation, The Villages of Lakeview, Lakeview Area of Unincorporated Riverside County, California".

7.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".

GEO NO. 1437 concluded no sever 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.

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.

10. GENERAL CONDITIONS

10.PLANNING. 1 SP - GEO NO. 1437 (cont.) (cont.) RECOMMND

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. 5 SP - MAINTAIN AREAS & PHASES RECOMMND

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 TRANSPER 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, as outlined in Table B.11.5 of 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.11.6 of the SPECIFIC PLAN, shall be added or subtracted from the total number of permitted dwelling units in the Mixed Use Town Center VILLAGE as a whole to ensure the 11,350 dwelling unit total for the SPECIFIC PLAN. Thus, target dwelling units are permitted to be transferred to and from the Mixed Use Town center VILLAGE. Any other transfers require a Specific Plan Amendment.

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.

CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

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 40, 44, 65, 74, and 83. This does not include MWD 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.

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.

CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

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.

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 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. 15 GEN - IF HUMAN REMAINS FOUND RECOMMND

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

If human remains are encountered, State Health and Safety

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

10.PLANNING. 15 GEN - IF HUMAN REMAINS FOUND (cont.) RECOMMND

Code Section 7050.5 states that 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 within the period specified by law. 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 County and the property owner concerning the treatment of the remains as 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 Planning /Director.

10.PLANNING. 16 GEN - INADVERTANT ARCHAEO FIND RECOMMND

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

If during ground disturbance activities at any phase of project development 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 its' sacred or cultural importance.

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(s) and the Planning Director to discuss the significance of the find.

2.At the meeting, the significance of the discoveries shall be discussed and after consultation with the Native

CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

10.PLANNING. 16 GEN - INADVERTANT ARCHAEO FIND (cont.) RECOMMND

American tribal representatives 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.

3.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. 17 SP - ALTERNATIVE ENRGY GEN DVS RECOMMND

All non-residential structures over 10,000 square feet shall augment electricity usage by adding other renewable energy generating devices to the structure, to the satisfaction of the Planning Director. The intent is to reduce the consumption of electricity.

10.PLANNING. 18 SP - ADDENDA TO CRMP 1 of 3 RECOMMND

Master Cultural Resources Management Plan for Prehistoric Sites for SP 00342 TVOL

This Master Cultural Resources Management Plan shall have addenda submitted and approved by the County prior to approval of any implementing project for SP 00342. This CRMP is based upon recommendations found in Chapter 9 of PD-A-4426.

The Villages of Lakeview (TVOL) Specific Plan will require 15 years or more to complete full build-out of the 2,786-acre project area. Of the 19 prehistoric sites that are eligible for listing in the California Register of Historical Resources (CRHR) or the National Register of Historic Places (NRHP), none is located in the portion of the TVOL project area proposed for the first phase of development, and potential direct and indirect project impacts to eligible prehistoric sites may not occur for several years. Because the TVOL project is a specific plan, essentially a zoning designation, design details and grading plans that are prepared to accompany tentative tract maps and other development projects are not yet available. Therefore, the general processes by which direct and indirect adverse impacts to prehistoric resources will be treated are described in this master Cultural Resources Management Plan (CRMP) for prehistoric sites, which forms

10. GENERAL CONDITIONS

10.PLANNING. 18 SP - ADDENDA TO CRMP 1 of 3 (cont.) RECOMMND

the basis for the mitigation measures recommended for impacts to prehistoric sites.

Scope of the CRMP

The TVOL Specific Plan, Figure D-12, describes 19 prehistoric sites, also described in Chapter 6 of PD-A-4426, and recorded as RIV-394, RIV-397, RIV-806, RIV-1842, RIV-2585, RIV-4155, RIV-4156/H, RIV-4158, RIV-8698, RIV-8699, RIV-8700, RIV-8702, RIV-8703, RIV-8704, RIV-8705, RIV-8706, RIV-8707, RIV-8711 and RIV-8712 as well as two isolates, I6 and I7, that could possibly have associated intact subsurface cultural deposits. As noted in Chapter 8 of PD-A-4426, 6 of the 19 prehistoric sites (RIV-1842, RIV-4156/H, RIV-4158, RIV-8702, RIV-8703, and RIV-8706) and a portion of a seventh (RIV-8712) are subject to direct adverse impacts from grading within areas of the project site to be developed. The remaining sites (RIV-394, RIV-397, RIV-806, RIV-2585, RIV-4155, RIV-8698, RIV-8699, RIV-8700, RIV-8704, RIV-8705, RIV-8707, and RIV-8711) and a large portion of RIV-8712 will be preserved in open-space planning areas but may nevertheless be subject to potential indirect effects from the project.

Mitigation measures for impacts to each of the 19 sites based on currently available information are presented in this CRMP, with provisions for these to be updated and refined as individual tentative tracts and other projects within the TVOL Specific Plan are proposed over the life of the plan. These updates will be prepared and submitted to the County of Riverside (County) in the form of addenda to the master CRMP. Each CRMP Addendum will be subject to environmental review for individual tentative tracts pursuant to implementation of the TVOL Specific Plan.

Addenda to the Master CRMP

When a tentative tract or other proposed project within the TVOL Specific Plan area is filed on land containing, or within 500 feet of, prehistoric sites RIV-394, RIV-397, RIV-806, RIV-1842, RIV-2585 RIV-4155, RIV-4156/H, RIV-4158, RIV-8698, RIV-8699, RIV-8700, RIV-8702, RIV-8703, RIV-8704, RIV-8705, RIV-8706, RIV-8707, RIV-8711, or RIV-8712, an addendum to the master CRMP shall be prepared to address the sites affected by that tentative tract or project. These addenda will include Site Preservation Plans (SPPs)

10. GENERAL CONDITIONS

10.PLANNING. 18 SP - ADDENDA TO CRMP 1 of 3 (cont.) (cont.) RECOMMND

for sites to be preserved in place, and Data Recovery Plans (DRPs) for sites that cannot be avoided and require archaeological excavation as mitigation, as provided by the California Environmental Quality Act (CEQA) Guidelines (California Code of Regulations [CCR] Title 14, Section 15126.4[b][3]). As also required by the CEQA Guidelines (CCR Title 14, Sections 15064.5[e] and [f]), each CRMP Addendum shall contain a Discovery Plan with detailed provisions for the treatment of unanticipated discoveries during project construction, including human remains.

Each SPP and DRP will contain a brief description of the site(s) it addresses, review the previous archaeological investigations conducted at the site(s), and consider the TVOL 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 of PD-A-4426, the SPP or DRP will present specific measures to be implemented as conditions of project approval.

Consultation

Each CRMP Addendum will be prepared in consultation with the Native American tribes consulted for the project (Tribes), the Tribal Traditional Resources Advisory Committee (TTRAC), and landowners (including the Western Riverside County Regional Conservation Authority [RCA] for sites located within Open Space planning areas), and shall be reviewed and accepted by the County Planning Director as part of the environmental review for each implementing project, as appropriate.

Implementation Schedule

An addendum to the CRMP shall be prepared when a tentative tract or other project that could affect a CRHR- or NRHP-eligible prehistoric site is proposed for approval pursuant to the TVOL Specific Plan. The addendum shall be submitted for review and acceptance to the County archaeologist prior to County approval of the associated tentative tract. Any cultural resource mitigation measures recommended in the CRMP Addendum shall be implemented as conditions of approval for the tract. Mitigation measures involving archaeological fieldwork shall be completed prior to issuance of grading permits, and evidence of completion,

10. GENERAL CONDITIONS

10.PLANNING. 18 SP - ADDENDA TO CRMP 1 of 3 (cont.) (cont.) (RECOMMND

in the form of technical reports and curation agreements for disposition of recovered archaeological collections, shall be required prior to issuance of occupancy permits.

Site Preservation Plans

When an archaeological property is proposed for preservation in place as the preferred treatment required by the CEQA Guidelines (CCR Title 14, Section 15126.4[b][3]), an SPP shall be prepared as part of the CRMP Addendum for the tentative tract that contains or is within 500 feet of that site.
An SPP shall, at a minimum, include the following:
-Discussion of the CRHR and NRHP significance of a property.
-Scientific and cultural values for which the site is being preserved.
-A discussion that explains why it is in the public interest to preserve the site. The discussion should indicate whether, why, and how the public may benefit from site preservation.
-Examples of other preservation efforts relevant to the property type.
-Proposed methods of site protection, including but not limited to fencing, landscaping, public interpretation, or lighting.
-Proposed parties to administer and operate site protection measures, including Homeowners' Associations (HOAs), Native American tribes, or other entities.
-Evidence that site protection measures, including conservation easements or other deed restrictions, are in place and will be transferred to the RCA or other open-space land holder.
-Provisions for ongoing Native American consultation and coordination, if Native American values or concerns are present or are likely to be present.
-Qualifications of key personnel.
-Cost proposal.
-Any required permits.
-Plan for public involvement and educational or interpretive programs, focusing particularly on the community or communities that may have interest in the results.

Data Recovery Plans

10. GENERAL CONDITIONS

10.PLANNING. 18 SP - ADDENDA TO CRMP 1 of 3 (cont.) (cont.) (RECOMMND

The level of archaeological work conducted for this study was sufficient to determine site boundaries and make recommendations for eligibility of sites for listing in the NRHP and CRHR. However, it was not sufficient to develop detailed DRPs for the sites or portions of sites that cannot be avoided and thus require data recovery to mitigate impacts. Therefore, some sites that cannot be avoided will require additional testing before DRPs can be prepared to mitigate impacts.

To develop the DRP for a site, a testing program that involves a subsurface sample of at least 1 percent of the total site area shall be conducted (test excavation of 1 per 100 m2 of site area). Excavation may involve mechanical or hand excavation or a combination of both, depending on the site conditions and the results of consultation with the County and interested Tribes. The purpose of the testing program is to determine the extent and complexity of the subsurface cultural deposits, if any, and to develop an appropriate level of data recovery to address research questions that pertain to data classes contained within the site deposits. The appropriate level of data recovery shall be based on a representative sample of each data class needed to answer the research questions pertinent to the CRHR and NRHP significance of the site.

When an archaeological property is eligible for listing in the CRHR or NRHP for its information content only (Criteria 4 and d, respectively), potential adverse effects to the property may be resolved through data recovery to recover important information that would have been otherwise lost as a result of an undertaking.
A DRP shall, at a minimum, include the following:
-Discussion of the CRHR and NRHP significance of a property.
-Research questions that are directly pertinent to those data sets that qualify the property for inclusion in the CRHR and NRHP.
-A discussion that explains why it is in the public interest to pursue answers to these research questions. The discussion should indicate whether, why, and how the public may benefit from the scope and nature of the information developed through data recovery, and demonstrate that the costs of proceeding with the data recovery are prudent and reasonable.

10. GENERAL CONDITIONS

10.PLANNING. 18 SP - ADDENDA TO CRMP 1 of 3 (cont.) (cont.) (RECOMMND

-Results of previous research relevant to the property type.
-Proposed investigations (data needed to address research questions and the proposed methods and techniques to acquire that data, including any special studies).
-Field methods and techniques that will clearly and cost-effectively address the property's structure and content in terms of the defined research questions and the property's stratigraphic and geomorphic context.
-Laboratory processing and analyses, with justification of their cost-effectiveness and of their relevance to the property and its research values.
-Methods and techniques used in artifact, data, and other record management.
-Provisions for ongoing Native American consultation and coordination, if Native American values or concerns are present or are likely to be present.
-Qualifications of key personnel.
-Disposition, including curation, of recovered materials and records resulting from implementation of the DRP.
-Cost proposal.
-Any required permits.
-Report preparation schedule, including the names of parties and repositories to whom reports will be distributed upon completion.
-Monitoring provisions and procedures for evaluating and treating discoveries of unexpected finds during the course of the project, which may include consultation with other parties.
-Explicit provisions for disseminating research findings to professional peers in a timely manner.
-Plan for public involvement and educational or interpretive programs, focusing particularly on the community or communities that may have interest in the results.

This condition continues on condition 10.PLANNING.19

10.PLANNING. 19 SP - ADDENDA TO CRMP 2 of 3 RECOMMND

This condition is a continuation of condition 10 PLANNING.18

Discovery Plans

Each CRMP Addendum shall contain a Discovery Plan with

10. GENERAL CONDITIONS

10.PLANNING. 19 SP - ADDENDA TO CRMP 2 of 3 (cont.) RECOMMND

detailed provisions for the treatment of unanticipated discoveries during project construction, including human remains. The provisions of the Discovery Plan should be consistent with state law as contained in Health and Safety Code Section 7050.5, and PRC Sections 5097.94 and 5097.98.

A discovery plan shall, at a minimum, include the following:
-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 an historical or unique archaeological resource, as defined in the CEQA Guidelines (CCR Title 14, Section 5064.5), avoidance or other appropriate measures as discussed in the CRMP shall be implemented.
-If evidence of potentially significant prehistoric or historic resources is uncovered during project-related grading, the extent of monitoring shall be amended and the presence of a Native American observer(s) shall be incorporated into the monitoring program.
-If human remains are uncovered at any time, all activities in the immediate area of the find shall be halted by the developer or its contractor and the County Coroner shall be notified immediately pursuant to Health & Safety Code Section 7050.5 and PRC Section 5097.98. If the Coroner determines that the remains are of Native American origin, the Coroner shall proceed as directed in Section 15064.5(e) of the CEQA Guidelines.

Site-Specific Mitigation Measures

The Master CRMP contains the following mitigation measures for each prehistoric site, which shall be reviewed and updated in an Addendum for each tentative tract or other project that affects prehistoric sites.

Sites Located within Public Facilities Planning Area:
RIV-394, RIV-8707

Neither of these two sites-RIV-394, a single boulder with four mortars, or RIV-8707, with a single slick-is subject to direct adverse impacts, and no mitigation measures for direct impacts are needed. Current plans for the Public

10. GENERAL CONDITIONS

10.PLANNING. 19 SP - ADDENDA TO CRMP 2 of 3 (cont.) (cont.) RECOMMND

Facilities planning area call for water tanks to be placed and a pipeline to be installed south and west of the sites. To mitigate potential indirect effects from possible vandalism, future development within the Public Facilities planning area, and activities within the nearby fuel modification zone, 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 SPPs for these sites should include provisions for the sites to be flagged and avoided, and for archaeological and Native American monitors to be present during all activities that could cause ground disturbance.

Specific measures for these sites, to be funded by the developer, are:
-Flagging of site boundary and 5-m (16-foot) buffer area prior to ground-disturbing activities within 30 m (100 feet) of site
-Monitoring by Native Americans and archaeologists during ground-disturbing activities.

Sites Located within Open Space Planning Areas: RIV-397, RIV-806, RIV-2585, RIV-4155, RIV-8698, RIV-8699, RIV-8700, RIV-8704, RIV-8705, and RIV-8711

These 10 sites, 8 of which are composed of milling features only, one of which is a small rockshelter, and one of which is a rockshelter with rock art and a midden deposit, all are located within Open Space planning areas that will be deeded to the RCA and managed by that agency. Thus, they are not subject to direct impacts from grading or other ground disturbance associated with development. However, due to their proximity to residential planning areas, and recreational trails and other uses, they are subject to potential indirect effects. Recommendations to avoid or minimize indirect impacts to these sites are discussed below.

RIV-397

To provide for long-term management and protection of site RIV-397, an SPP shall be prepared by the developer prior to approval of any tentative tract within 500 feet of the site. The SPP shall be based on consultation among the

CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

10.PLANNING. 19 SP - ADDENDA TO CRMP 2 of 3 (cont.) (cont.) (RECOMMND

Tribes, TTRAC, RCA, and the County, and 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.

-Flagging of site boundary and 5-m (16-foot) buffer area prior to ground-disturbing activities within 30 m (100 feet) of site
-Graffiti removal (if possible and culturally appropriate)
-Detailed recording of rock art
-Capping of exposed cultural deposits with fill and restoration of native vegetation
-Fencing or other site protective measures developed in consultation with Tribes, land owner, and County
-Provisions for ongoing maintenance and protection through a conservation easement or other deed restriction held by an HOA, Tribe, or other entity approved by the County shall be established prior to any land transfer to the RCA or other open-space land holder.

RIV-806

No direct impacts are anticipated to this site and therefore no mitigation measures are recommended. Although the site may be subject to potential indirect impacts from increased use of the project area, there are no mitigation measures recommended for indirect impacts.

RIV-2585, 4155, 8698, 8699, 8700, 8704, 8705, and 8711

These eight sites consist of varying numbers of milling features, including both slicks and mortars, some with associated cultural deposits. No direct impacts to these sites are anticipated; however, indirect impacts could occur as a result of recreational use of nearby trails, and activities within adjacent fuel modification zones. To mitigate potential indirect effects from possible vandalism, and activities within the fuel modification zone, an SPP for each site shall be prepared by the developer prior to approval of any tentative tract within 500 feet of the site. The SPPs for these sites should include provisions for the sites to be flagged and avoided,

10. GENERAL CONDITIONS

10.PLANNING. 19 SP - ADDENDA TO CRMP 2 of 3 (cont.) (cont.) (RECOMMND

and for archaeological and Native American monitors to be present during all activities that could cause ground disturbance within 100 feet of the sites.

Specific measures for these sites, to be funded by the developer, are:
-Flagging of site boundary and 5-m (16-foot) buffer area prior to ground-disturbing activities.
-Monitoring by Native Americans and archaeologists during ground-disturbing activities within 30 m (100 feet) of site

-Provisions for ongoing maintenance and protection through a conservation easement or other deed restriction held by an HOA, Tribe, or other entity approved by the County shall be established prior to any land transfer to the RCA or other open-space land holder.

This condition continues on 10.PLANNING.20

10.PLANNING. 20 SP - ADDENDA TO CRMP 3 of 3 RECOMMND

This condition is a continuation of condition 10.PLANNING.19

Sites Located within Residential Planning Areas: RIV-1842, RIV-4156/H, RIV-4158, RIV-8702, RIV-8703, and RIV-8706

These six sites are all located within residential planning areas, and thus will be subject to direct adverse effects from grading and other activities associated with project development. Each will require preparation and implementation of a DRP to mitigate adverse impacts from site destruction. Should any site currently subject to direct impacts and in need of a DRP be avoided though future final design, an SPP shall be required for that site rather than a DRP. Details of the DRP specific to each site are discussed below.

RIV-1842

This small to moderate-sized milling complex site includes two milling features with milling slicks. Trenching investigations identified ground stone fragments, flaked stone artifacts, a faunal bone, and midden deposit approximately 40-80 m west of the milling-feature area. Midden deposit was encountered as deep as 120 cm below

10. GENERAL CONDITIONS

10.PLANNING. 20 SP - ADDENDA TO CRMP 3 of 3 (cont.) RECOMMND

ground surface. The southern boundary of the site is defined by a negative trench. The northern boundary has not been so clearly determined; the northernmost trench contained several artifacts, but no midden deposit. An area immediately south of the milling features has been heavily disturbed and currently has a man-made berm and depression with some concrete debris. Overall, whereas the surface condition of the site is fair, the midden deposits suggest some subsurface integrity and the potential to hold additional cultural materials.

The DRP for RIV-1842 should 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 should be excavated, analyzed, and interpreted in a subsequent data recovery level of work. The results of the data recovery shall be documented in a professional report and public interpretive information. All collections resulting from data recovery excavations shall be curated in perpetuity in a facility within Riverside County that meets the standards of the State of California Guidelines for the Curation of Archaeological Collections (Office of Historic Preservation [OHP] 1993) and Title 36, Part 79 of the Code of Federal Regulations (36 CFR 79), unless repatriation has been determined by the County. Such standards include: climate control, security, adequate staffing, access by qualified researchers and descendant groups.

Specific measures for this site, to be funded by the developer, are:
-Additional testing of at least 1 percent of the site area to confirm extent of cultural deposit
-Excavation of representative sample based on the results of the testing
-Preparation of professional report and public interpretive information
-Appropriate disposition of all cultural resource collections resulting from data recovery excavations to be determined in consultation with the applicant, the County, and consulted tribes

10. GENERAL CONDITIONS

10.PLANNING. 20 SP - ADDENDA TO CRMP 3 of 3 (cont.) (cont.) RECOMMND

This site contains four milling features with a total of six slicks and one mortar. Although three trenches were excavated in the vicinity of the site with negative results, the immediate site area was not tested and subsurface deposits cannot be ruled out.

The DRP for RIV-4156/H should 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 in a subsequent data recovery level of work. The results of the data recovery shall be documented in a professional report and public interpretive information. All collections resulting from data recovery excavations shall be curated in perpetuity in a facility within Riverside County that meets the standards of the State of California Guidelines for the Curation of Archaeological Collections (OHP 1993) and 36 CFR 79, unless repatriation has been determined by the County.

Specific measures for this site, to be funded by the developer, are:
-Additional testing of at least 1 percent of the portions of the site subject to direct impacts to confirm extent of cultural deposit
-Excavation of representative sample of the portions of the site subject to direct impacts based on the results of the testing
-Preparation of professional report and public interpretive information
-Appropriate disposition of all cultural resource collections resulting from data recovery excavations to be determined in consultation with the applicant, the County, and consulted tribes.

RIV-4158

This site is believed to be a redeposited assortment of artifacts removed from other nearby sites. Trenching results indicate that, although RIV-4158 appears to contain sparse subsurface archaeological deposits, this site may retain relatively little subsurface integrity.

The DRP for RIV-4158 shall include provisions for additional testing to assess the composition and structure

10. GENERAL CONDITIONS

10.PLANNING. 20 SP - ADDENDA TO CRMP 3 of 3 (cont.) (cont.) (RECOMMND

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. All collections resulting from data recovery excavations shall be curated in perpetuity in a facility within Riverside County that meets the standards of the State of California Guidelines for the Curation of Archaeological Collections (OHP 1993) and 36 CFR 79, unless repatriation has been determined by the County.

Specific measures for this site, to be funded by the developer, are:
-Additional testing of at least 1 percent of the site area to confirm extent of cultural deposit
-Excavation of representative sample based on the results of the testing
-Preparation of professional report and public interpretive information
-Appropriate disposition of all cultural resource collections resulting from data recovery excavations to be determined in consultation with the applicant, the County, and consulted tribes.

RIV-8702, RIV-8703, and 8706

Sites RIV-8702, with a single milling slick on one boulder, RIV-8703, with seven milling slicks on two different boulders, and RIV-8706, with three slicks, each on a separate boulder, will be subject to direct adverse effects from grading for residential uses.

The DRPs for these sites should 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 should be excavated, analyzed, and interpreted in a subsequent data recovery level of work. The results of the data recovery shall be documented in a professional report and public interpretive information. All collections resulting from data recovery excavations should be curated in perpetuity in a facility that meets the standards of the State of California Guidelines for the Curation of Archaeological Collections (OHP 1993) and 36 CFR 79, unless repatriation has been determined by the

10. GENERAL CONDITIONS

10.PLANNING. 20 SP - ADDENDA TO CRMP 3 of 3 (cont.) (cont.) (RECOMMND

County.

Specific measures for these sites, to be funded by the developer, are:
-Additional testing of at least 1 percent of the site area to confirm extent of cultural deposit
-Excavation of representative sample based on the results of the testing
-Preparation of professional report and public interpretive information
-Appropriate disposition of all cultural resource collections resulting from data recovery excavations to be determined in consultation with the applicant, the County, and consulted tribes.

Site Located Partially within Open Space Planning Areas and Partially within Residential Planning Areas: RIV-8712

Site RIV-8712 covers an area of 78.5 acres containing five previously recorded sites, now defined as loci within the larger site complex. Most of the site area is within an Open Space planning area that covers more than 47 acres (60 percent) of the site area. Approximately 12.5 acres (16 percent) of the site have already been disturbed by previous construction of the CRA and the Inland Feeder Pipeline. The remaining portions of the site, less than approximately 19 acres, or 24 percent of the site area, will be subject to direct adverse effects.

To provide for long-term management and protection of the portions of RIV-8712 to be preserved, an SPP shall be prepared prior to approval of any tentative tract within 500 feet of the site. The SPP shall be based on consultation among the Tribes, TTRAC, RCA, and the County, and shall include provisions for protection of the site area from vandalism through appropriate fencing, landscaping, and interpretation.

Specific measures for the SPP, to be funded by the developer, include:
-Fencing or other site protective measures developed in consultation with Tribes, land owner, and County
-Provisions for ongoing maintenance and protection through a conservation easement or other deed restriction held by an HOA, Tribe, or other entity approved by the County shall be established prior to any land transfer to the RCA or

10. GENERAL CONDITIONS

10.PLANNING. 20 SP - ADDENDA TO CRMP 3 of 3 (cont.) (cont.) (RECOMMND

other open-space land holder. -Nomination of the site to the CRHR.

The DRP for the portion of RIV-8712 subject to direct impacts 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 should be excavated, analyzed, and interpreted in a subsequent data recovery level of work. The results of the data recovery should be documented in a professional report and public interpretive information. All collections resulting from data recovery excavations should be curated in perpetuity in a facility that meets the standards of the State of California Guidelines for the Curation of Archaeological Collections (OHP 1993) and 36 CFR 79, unless repatriation has been determined by the County.

Specific measures for the DRP, to be funded by the developer, include:
-Additional testing of at least 1 percent of the portions of the site subject to direct impacts to confirm extent of cultural deposit
-Excavation of representative sample of the portions of the site subject to direct impacts based on the results of the testing
-Preparation of professional report and public interpretive information
-Appropriate disposition of all cultural resource collections resulting from data recovery excavations to be determined in consultation with the applicant, the County, and consulted tribes.

Isolates 6 and 7

Isolates 6 and 7 are subsurface items identified during the excavation of Trenches 51 and 68. Located approximately 60 m apart, the materials do not meet the criteria for consideration as a site. However, one flaked stone artifact was identified on the surface between Trenches 51 and 68 and, as it is possible that additional materials are present below the surface between the trenches, this area is recommended for additional subsurface testing. We recommend excavation of four additional trenches around Trenches 51 and 68 and four more between Trenches 65 and 50 to the east. This work shall be conducted for and reported

10. GENERAL CONDITIONS

10.PLANNING. 20 SP - ADDENDA TO CRMP 3 of 3 (cont.) (cont.) (RECOMMND

in the CRMP Addendum to be prepared for the tentative tract containing these resources. If the results of the testing indicate the presence of an intact subsurface cultural deposit which cannot be avoided through future final design, a DRP for the newly identified site shall be prepared according to the provisions of the CRMP. The DRP shall be reviewed and approved by the County archaeologist prior to approval of any tentative tract containing or within 500 feet of the site. All DRP measures for the site shall be implemented prior to issuance of a grading permit for the associated tentative tract. A technical report of findings, including disposition of the recovered archaeological collection, for the DRP shall be submitted and approved by the County archaeologist prior to issuance of occupancy permits for the associated tentative tract.

Specific measures, to be funded by the developer, include:
-Additional trenching; preparation and implementation of DRP if results are positive.

Curation

The County shall make every reasonable effort to ensure that cultural materials and records resulting from excavation or surface collections pursuant to this CRMP are curated in accordance with 36 CFR 79, Curation of Federally Owned and Administered Archaeological Collections, and California Guidelines for the Curation of Archeological Collections, or as may be stipulated in any agreement document pertaining to a project covered by this CRMP or its Addenda, unless repatriation to the Most Likely Descendant tribe(s) as designated by the Native American Heritage Commission has been determined by the County. If cultural materials are curated, the developer/permit holder is responsible for all costs associated with curation. Repatriation shall not occur until after the Phase IV Archaeological Monitoring report has been submitted and accepted by the Riverside County Planning Department for each phase of monitoring work.

10.PLANNING. 21 SP - SPECIAL INTEREST MONITOR RECOMMND

As a result of both archaeological investigation PD-A-4426 and information sbmitted during consultations from several Native American tribes participating in this project review, tribal monitoring shall be required in all areas

10. GENERAL CONDITIONS

10.PLANNING. 21 SP - SPECIAL INTEREST MONITOR (cont.) RECOMMND

of the Specific Plan.

Prior to the issuance of any grading permits, the developer/permit holder shall enter into contract with the designated tribes and retain, under a single cooperative agreement between the tribes, monitor(s) designated by the Pechanga Band of Luiseno Indians, San Manuel Band of Mission Indians, and the Soboba Band of Luiseno Indians. These tribal groups shall be known as the Special Interest Monitors (SI Monitors) for this Specific Plan, the approved Master Cultural Resources Mitigation Plan (CRMP) and any approved addenda to the CRMP for future implementing projects. The contracts shall address the treatment and ultimate disposition and/or curation in a Riverside County approved curation facility.

The SI Monitors shall be on-site during all initial ground disturbing activities and excavation of each portion of the project designated for archaeological monitoring including clearing, grubbing, tree or tank removals, grading, trenching, stockpiling of materials, rock crushing, structure demolition, blasting, and any other approved earth-disturbing activitiy. The SI Monitors shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery or other appropriate mitigation of cultural resources in coordination with the Project Archaeologist under the approved Master CRMP or Addendum.

The developer/permit holder shall submit a fully executed copy of the contract/agreement to the Riverside County Planning Department (County Archaeologist) to ensure compliance with this condition of approval. The contract/agreement shall not in any way modify or negate any approved condition of approval or mitigation measure for the Specific Plan. Upon verification, the Planning Department shall clear this condition at the implementing project level.

NOTE:
1) The Cultural Resources Professional (Project Archaeologist) is responsible for implementing mitigation and standard professional practices for cultural resources in accordance with the approved Cultural Resources Mitigation Plan and related addenda for this Specific Plan.

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

10.PLANNING. 21 SP - SPECIAL INTEREST MONITOR (cont.) (cont.)RECOMMND

The Professional shall consult with the County, developer/permit holder and special interest group monitors throughout the process.

2) Special interest monitoring does not replace any required cultural resources (archaeological) monitoring, but rather serves as a supplement for consultation and advisory purposes for the groups' interests only.

3) The agreement with the Tribes shall not modify any condition of approval or mitigation measure.

4) The developer/permit holder shall contact the Planning Director for consideration of this condition after forty-five (45) days, if an agreement with the designated Special Interest groups has not been established after a demonstrated good-faith effort.

5) Should repatriation be preferred, it shall not occur until after the Phase IV monitoring report has been submitted to the Riverside County Planning Department for review and acceptance after each phase of monitoring work. Should curation be determined, the developed/permit holder is responsible for all costs.

10.PLANNING. 22 SP - COMMUNITY REINVESTMENT RECOMMND

The Master Developer has committed to establish a $1 million community reinvestment fund that will provide services to the greater Lakeview-Nuevo community. The Master Developer will contribute up to a maximum of $100,000 per year. The community reinvestment fund will be managed by the Lakeview Community Service Organization. To ensure the total $1 million community reinvestment fund is established and fully funded, the project shall provide an annual report to the Planning Director no later than March 31 of each year. The annual report sets forth the current balance of funding; the financial contribution made by the Master Developer in the prior year; and the community services provided in the prior year. The first annual report shall be submitted within fifteen (15) months after the issuance of the 1st building permit.

S IFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

TRANS DEPARTMENT

10.TRANS. 1 SP - SP342/TS CONDITIONS RECOMMND

The Transportation Department has reviewed the Traffic Impact Study Report for SP 00342 (traffic study), including Addendum 1 and Addendum 2. The traffic 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 a minimum of Level of Service 'C', except that Level of Service 'D' may be allowed in community development areas at intersections of any combination of secondary highways, major highways, arterials, urban arterials, expressways or state highways and ramp intersections.

The traffic study evaluates the following intersections and indicates that it is possible to achieve adequate levels of service based on the various traffic study assumptions:

Note: Intersection numbering corresponds to the traffic study for The Villages of Lakeview Specific Plan (SP 342).

1. I-215 Southbound Ramps / Ramona Expressway
2. I-215 Northbound Ramps / Ramona Expressway
3. Perris Boulevard / Ramona Expressway
4. Evans Road / Ramona Expressway
5. Lake Perris Drive / Ramona Expressway
6. Rider Street / Ramona Expressway
7. Antelope Road / Ramona Expressway
8. Bernasconi Road / Ramona Expressway
9. Reservoir Avenue / Ramona Expressway
10. Lakeview Avenue / Ramona Expressway
11. Hansen Avenue / Ramona Expressway
12. Town Center Boulevard / Ramona Expressway
13. 5th Street / Ramona Expressway
14. 3rd Street / Ramona Expressway
15. Park Center Boulevard / Ramona Expressway
16. Bridge Street / Ramona Expressway
17. Warren Road / Ramona Expressway
18. Sanderson Avenue (SR-79)/ Ramona Expressway
19. Bridge Street / Gilman Springs Road
20. Warren Road / Gilman Springs Road
21. SR-79 Southbound Ramps / Gilman Springs Road
22. SR-79 Northbound Ramps / Gilman Springs Road
23. Warren Road / Cottonwood Avenue

S CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

10.TRANS. 1 SP - SP342/TS CONDITIONS (cont.) RECOMMND

24. Hansen Avenue / Lakeview Avenue East
25. Reservoir Avenue / 9th Street
26. Lakeview Avenue / 9th Street
27. Hansen Avenue / Yucca Avenue
28. Evans Road / Rider Street
29. Redlands Avenue / Placentia Avenue
30. Redlands Avenue / Orange Avenue
31. Evans Road / Orange Avenue
32. Bradley Road / Orange Avenue
33. Foothill Avenue / Orange Avenue
34. Antelope Road West / Orange Avenue
35. Antelope Road East / Orange Avenue
36. Bernasconi Road / Orange Avenue
37. Reservoir Avenue / 10th Street
38. Lakeview Avenue/ 10th Street
39. Yucca Avenue / 10th Street
40. Hansen Avenue / 10th Street-Wolfskill Avenue
41. North Drive / Lakeview Avenue
42. Hansen Avenue / Contour Avenue
43. Murrieta Road / Nuevo Road
44. Evans Road / Nuevo Road
45. Dunlap Drive/Nuevo Road
46. Foothill Avenue / Nuevo Road
47. Antelope Road / Nuevo Road
48. Menifee Road / Nuevo Road
49. Menifee Road / Nuevo Road (Realigned)
50. Lakeview Avenue/ Nuevo Road
51. Menifee Road / San Jacinto Avenue
52. Menifee Road / Ellis Avenue
53. Menifee Road / Mapes Road
54. Reservoir Avenue / AA Street
55. AA Street / NN Street
56. CC Street / BB Street
57. School Access / PP Street
58. QQ Street / PP Street
59. Hansen Avenue / Project Access
60. WW Street / Wolfskill Avenue
61. WW Street / SS Boulevard
62. Project Access / SS Boulevard
63. SS Boulevard / MM Street
64. SS Boulevard / Lakeview Avenue
65. Town Center Boulevard / Retail Access
66. SS Blvd-RR Street / Town Center Blvd- Park Center Blvd
67. EE Street / Park Center Boulevard
68. MM Street / Park Center Boulevard
69. Park Center Boulevard / FF Street

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

10.TRANS. 1 SP - SP342/TS CONDITIONS (cont.) (cont.) RECOMMND

70.Park Center Boulevard / VV Street
71.RR Street / DD Street
72.EE Street / DD Street
73.EE Street / FF Street
74.OO Street / MM Street
75.KK Street / MM Street
76.LL Street / MM Street
77.FF Street / GG Street
78.TT Street / GG Street
79.II Street / HH Street
80.HH Street / JJ Street
81.II Street / JJ Street
82.TT Street / JJ Street
83.TT Street / UU Street
1A. Perris Boulevard / Markham Street
2A. Perris Boulevard / Harley Knox Boulevard
3A. Gilman Springs Road / Alessandro Boulevard
4A. Lambs Canyon Road (SR-79) / California Avenue
5A. Beaumont Avenue (SR-79) / 1st Street
6A. State Street (SR-79) / Ramona Expressway (SR-79)
7A. Warren Road / Esplanade Avenue
8A. Winchester Road (SR-79) / SR-74
9A. California Avenue / Florida Avenue (SR-79)
10A. Warren Road / Florida Avenue (SR-79)
11A. Myers Street / Florida Avenue (SR-79)
12A. Palomar Road / Ethanac Road (SR-74)
13A. Menifee Road / Ethanac Road (SR-74)
14A. Briggs Road / Ethanac Road (SR-74)
15A. Menifee Road / McCall Boulevard
16A. Redlands Avenue / Nuevo Road
17A. Harvill Avenue / Cajalco Expressway

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.

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

10.TRANS. 2 SP - SP342/TS OVERRIDING CONS. RECOMMND

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. The project will be required to pay TUMF fees. An "*" indicates intersections where TUMF fees can be used for intersection improvements. In addition the project will pay Lakeview Nuevo RBBD fees, a portion of which will help fund improvements at the I-215 ramps at Ramona Expressway.

2. I-215 Northbound Ramps (NS) at Ramona Expressway (EW) *
3. Perris Boulevard (NS) at Ramona Expressway (EW)
4. Evans Road (NS) at Ramona Expressway *
5. Lake Perris Drive (NS) at Ramona Expressway (EW)
6. Rider Street (NS) at Ramona Expressway (EW)
17. Warren Road (NS) at Ramona expressway (EW)
18. Sanderson Avenue (NS) at Ramona Expressway (EW) *
28. Evans Road (NS) at Rider Street (EW)
43. Murrieta Road (NS) at Nuevo Road (EW)
44. Evans Road (NS) at Nuevo Road (EW) *
45. Dunlap Drive (NS) at Nuevo Road (EW)

At the following intersection, adequate level of service is achieved when the project traffic is considered independently of cumulative projects. Achievement of a satisfactory level of service cannot be achieved in the cumulative condition for the last phase of project build-out due to physical constraints which include the location of the railroad tracks and the width of the bridge over the I-215. The following intersection would require improvements that would be the responsibility of others due to their location in jurisdictions other than unincorporated Riverside County, also necessitating a finding of overriding considerations. The project is required to pay TUMF and Lakeview Nuevo RBBD fees which are in part designated to the intersection identified.

I-215 Southbound Ramps (NS) at Ramona Expressway (EW)

At the following intersections, achievement of satisfactory level of service could be delayed because improvements would be implemented later than the time they would be needed based on the traffic study Addendum #2 dated September 19, 2008, or the applicant's fair share of the improvements could be satisfied through the payment of

10. GENERAL CONDITIONS

10.TRANS. 2 SP - SP342/TS OVERRIDING CONS. (cont.) RECOMMND

fees, thereby temporarily delaying the improvement and achievement of satisfactory level of service until later than the time they would be needed. Where either of these conditions exists, a temporary finding of overriding considerations will be necessary. For the following intersections, the project is required to pay TUMF and/or Signal Program fees which are in part designated to the intersections identified.

52. Menifee Road (NS) at Ellis Avenue (EW) (cumulative impact only)
3A. Gilman Springs Road (NS) at Alessandro Boulevard (EW) (project impact in Phase 3)
13A. Menifee Road (NS) at Ethanac Road (EW) (project impact in Phase 3)

An acceptable level of service can be achieved at the following intersections after the completion of improvements to Reservoir Avenue. However, achievement of satisfactory level of service through widening Lakeview to 4 lanes is not considered practical or compatible with the rural character of the area, necessitating a finding of overriding considerations:

26. Lakeview Avenue (NS) at 9th Street (EW)
38. Lakeview Avenue (NS) at 10th Street (EW)
41. Lakeview Avenue (NS) at North Drive (EW)
50. Lakeview Avenue (NS) at Nuevo Road (EW)

Findings of Overriding Considerations will be needed for the following roadway segments because improvements would be implemented later than the time they would be needed according to the traffic study Addendum #2 dated September 19, 2008:

¡Lakeview Avenue between Nuevo Road and 9th Street (temporary impact until Reservoir Avenue is constructed as a four lane facility between Nuevo Road and Ramona Expressway). Lakeview Avenue is retained as a two-lane facility to maintain the rural character of the community.

¡Nuevo Road between Menifee Road and Lakeview Avenue (cumulative impact only and temporary impact until Reservoir Avenue is constructed as a four lane facility between Nuevo Road and Ramona Expressway). Lakeview Avenue is retained as a two-lane facility to maintain the rural

10. GENERAL CONDITIONS

10.TRANS. 2 SP - SP342/TS OVERRIDING CONS. (cont.) (cont.RECOMMND

character of the community.

¡Reservoir Avenue between Nuevo Road and 10th Street (temporary impact until Reservoir Avenue is constructed as a four lane facility between Nuevo Road and Ramona Expressway). Lakeview Avenue is retained as a two-lane facility to maintain the rural character of the community.

¡Hansen Avenue between Contour Avenue and 10th Street (cumulative impact only and temporary impact until Reservoir Avenue is constructed as a four lane facility between Nuevo Road and Ramona Expressway). Hansen Avenue is retained as a two-lane facility to maintain the rural character of the community.

¡Ramona Expressway between Hansen Avenue and 5th Street (temporary impact until improvements are made prior to the issuance of the occupancy permit for the 2,201st residential unit, or building permits for an equivalent amount of non-residential uses. Improvement to four lanes would be needed prior to issuance of 1,551st occupancy permit or equivalent.

¡Ramona Expressway between 5th Street and Warren Road (temporary impact until improvements are made prior to the issuance of the occupancy permit for the 4,001st residential unit, or building permits for an equivalent amount of non-residential uses). Improvement to four lanes needed prior to issuance of 2,091st occupancy permit or equivalent.

A general finding of overriding considerations will be needed for the following roadway segments to allow for temporary conditions where a construction contract has been awarded but the actual construction of the improvement is not completed until after the threshold that would trigger the need for the improvement.

¡Ramona Expressway between Rider Street and Hansen Avenue (project specific and cumulative)
¡Nuevo Road between Dunlap Road and Menifee Road (project specific and cumulative)
¡Reservoir Avenue between Nuevo Road and 10th Street (project specific and cumulative)
¡Reservoir Avenue between 9th Street and Ramona Expressway (cumulative only)

10. GENERAL CONDITIONS

10.TRANS. 2 SP - SP342/TS OVERRIDING CONS. (cont.) (cont.RECOMMND

A general finding of overriding considerations will be needed for the following roadway segments to allow for temporary conditions where fair share fees and/or funding has been provided by TVOL but no guarantee of timing for the construction may cause a temporary delay:

¡Gilman Springs Road between Bridge Street and Alessandro Boulevard (project specific)
¡Menifee Road between Ellis Avenue and San Jacinto Avenue (cumulative only)

A general finding of overriding considerations will be needed for the following roadway segments because they will be the responsibility of other jurisdictions or agencies:

¡Warren Road between Esplanade Avenue and Florida Avenue, widening to four lanes. (Primarily in Hemet)
¡Nuevo Road between Evans Road and Dunlap Road, widening to four lanes (project level impacts) and to six lanes (cumulative level impacts). (In Perris)
¡Ramona Expressway between I-215 and Evans Road, widening from four to six lanes (project level impacts) and to eight lanes (cumulative level impacts). (In Perris)
¡Warren Road between Cottonwood Avenue and Esplanade Avenue, widening from two to four lanes (project level impacts). (San Jacinto)
¡Sanderson Avenue (SR-79) between Gilman Springs Road and Ramona Expressway (San Jacinto)
¡Warren Road between Ramona Expressway and Cottonwood Avenue, widening from two to four lanes (project level impacts) and to six lanes (cumulative level impacts). (San Jacinto)

10.TRANS. 3 SP - SP342/TS DEF. OF PHASES RECOMMND

For purposes of defining phases of development within SP00342, the following planning areas are included in each phase identified:

Phase 1A - Planning Areas: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 14, 15, 16, 17, 19, 20, 21, 22, 26, 27, and 81

Phase 1B - Planning Areas: 41, 53, 55, 56, 57, 58, 59, and

S CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

10.TRANS. 3 SP - SP342/TS DEF. OF PHASES (cont.) RECOMMND

60

Phase 2 - Planning Areas: 30, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 48, 49, 50, 51, and 52

Phase 3A - Planning Areas: 29, 31, 33, 34, 35, 36, 65, 73, 74, 75, 77, 78, 83, 84, 85, and 86
Phase 3B - Planning Areas: 28, 61, 62, 63, 64, 66, 67, 68, 69, 70, and 71

Planning area numbers missing from the sequence above are not used in the Specific Plan.

The intent of SP 342 is to phase development in the following order, with some tolerance for overlap:

1A
1B
2
3A
3B

If development occurs in a different order, or if there is substantial overlapping of phases, then a new traffic study shall be completed to determine if any improvements from the prior un-built phase need to be constructed to mitigate impacts caused by the phase being developed.

For purposes of cross-referencing phasing as described in SP342 to phasing described in the Traffic Impact Study Report, the following planning areas are identified by phase in the Traffic Impact Study Report:

Phase 1 - Planning Areas: 1, 2, 3, 4, 5, 6, 7, 8, 10, 12, 14, 17, 19, 20, 21, 22, 26, 27, 41, 53, 55, 56, 57, 58, 59, 60, and 81

Phase 2 - Planning Areas: 9, 15, 16, 29, 30, 37, 39, 42, 43, 45, 46, 48, 49, 50, 51, 52, 76 (SP merged with 77), 77, 78, and 79 (SP merged with 73)

Phase 3 - Planning Areas: 28, 31, 33, 34, 35, 36, 61, 62, 63, 64, 66, 67, 68, 69, 70, 71, 73, and 75

The Traffic Impact Study Report did not analyze the following planning areas as either (1) no development is

S CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

10. GENERAL CONDITIONS

10.TRANS. 3 SP - SP342/TS DEF. OF PHASES (cont.) (cont.) RECOMMND

proposed in these planning areas that would generate traffic; or (2) the planning area no longer exists due to renumbering: 38, 40, 44, 65, 72 (merged with 74), 74, 80 (merged with 83), 83, 84, 85, and 86.

All references to phasing below shall refer to Project phasing.

10.TRANS. 4 SP - SP342/TS INFRA. FUNDING RECOMMND

The County is in the process of establishing a Road and Bridge Benefit District (RBBD) for the Lakeview/Nuevo area, which includes this project site, in order to improve the existing transportation infrastructure to mitigate cumulative traffic impacts not mitigated by TUMF. A "Lakeview/Nuevo Nexus Study" is underway to determine the appropriate RBBD fee to fund the necessary transportation infrastructure improvements.

The first priority of the RBBD is to fully fund the engineering and environmental work for improvements along the Ramona Expressway corridor. The County is leading the effort to construct a 4-lane roadway improvement project between the end of the existing 4-lane roadway in Perris and the end of the existing 4-lane roadway at Warren Road in San Jacinto. This would be an 8-mile segment of four-lane roadway including, grade separations at Reservoir Avenue, Town Center Boulevard, and Park Center Boulevard. The County intends to use RBBD and TUMF fees as applicable and as needed for the preparation of planning, environmental and design documents for these improvements along the Ramona Parkway project.

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.

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

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 PROGRAMS DEPARTMENT) FOR REVIEW. IF ANY OWLS ARE FOUND ONSITE RELOCATION WILL BE REQUIRED IN ACCORDANCE WITH THE EIR.

30.EPD. 2 SP-PA 81/TANKAREA CONSERVATION RECOMMND

Conservation acreage within PA 81 post water tank site as shown on the MSHCP Open Space Exhibit dated 05/11/09 (the star symbol indicating PA 81) 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 81 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 81, 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.

30.EPD. 3 SP -NO GRADING IN CONSERVATION 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 PA 78. 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.

S :IFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

30.EPD. 4 SP - FENCING/BARRIER PLAN 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 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.

30. PRIOR TO ANY PROJECT APPROVAL

30.EPD. 7 SP - MSHCP BMPS (cont.) RECOMMND

A qualified biologist currently holding a MOU with the County shall be consulted in developmet of BMPs and a 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 967.5 acres as shown on the MSHCP Open Space Exhibit dated 05/11/09 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 within the boundary of SP00342.

Prior to the acceptance of this dedication the applicant

S CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

30.EPD. 10 SP - MSHCP CONVEYANCE (cont.) RECOMMND

shall provide a preliminary title report & Phase 1 Environmental Site Assessment for the area to be dedicated 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 78 GRADING/CONVEYANCE RECOMMND

Prior to issuance of any grading permits within PA 78 (south of Ramona Expressway at western end of SP) 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 78 this area shall be dedicated to the RCA for conservation.

FLOOD RI DEPARTMENT

30.FLOOD RI. 1 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:

S :IFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 1 SP - M/M PROGRAM (GENERAL) (cont.) RECOMMND

"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. 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

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 3 SP - DURATION OF SP VALIDITY (cont.) RECOMMND

eighty five percent (85%) of the 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:

Building and Safety Department	1 copy
Department of Environmental Health	1 copy
Fire Department	1 copy
Flood Control and Water Conservation District	1 copy
Transportation Department	1 copy
County Planning Department in Riverside	3 copies
City of Perris	1 copy
City of San Jacinto	1 copy
City of Moreno Valley	1 copy
Executive Office - CSA Administrator	1 copy
Clerk of the Board of Supervisors	1 copy
Any park provider if not the CSA	1 copy

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."

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

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:

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

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 13 SP - ADDENDUM EIR (cont.) RECOMMND

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 informaiton (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,

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 15 SP - SUBSEQUENT EIR (cont.) RECOMMND

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 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:

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 17 SP - AMENDMENT REQUIRED (cont.) RECOMMND

"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:

1. 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

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 19 SP - AG/DAIRY NOTIFICATION (cont.) RECOMMND

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:

1. 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

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 21 SP - CC&R RES PUB COMMON AREA (cont.) RECOMMND

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

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 21 SP - CC&R RES PUB COMMON AREA (cont.) (cont.)RECOMMND

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', 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,

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;

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 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

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 22 SP - CC&R RES PRI COMMON AREA (cont.) RECOMMND

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 property owners' association or the owners of each 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 property owners' association established herein shall manage and continuously maintain the 'common area', more particularly described on Exhibit '___', attached hereto, and shall not sell or transfer the '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 owners 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

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 22 SP - CC&R RES PRI COMMON AREA (cont.) (cont.)RECOMMND

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, 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 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

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 22 SP - CC&R RES PRI COMMON AREA (cont.) (cont.)RECOMMND

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.
34. Trails shall be located no less than 50 feet from the wildlife area.
(MM Bio3)
- 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. 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 Game. (MM Bio 11)

- 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

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 22 SP - CC&R RES PRI COMMON AREA (cont.) (cont.)RECOMMND

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 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.

-A community garden, established by the Master Developer, shall be run by the Homeowners' Association or County Service Area so as to be available to the public for the purpose of gardening. This helps implement EIR Mitigation Measure Ag 3.

-A community vehicle shall be provided by, and run by, the

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 22 SP - CC&R RES PRI COMMON AREA (cont.) (cont.) RECOMMND

association(s) (or like entity) for resident transport. It shall be an electric or alternative fuel vehicle. This helps implement EIR Mitigation Measure Air 11.

-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 shall require through, landscape review, and enforce that Turf be limited to 33% of the landscaped area of a conventional singlefamily detached lot.

- 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. 23 SP - ARCHAEO M/M 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 projects:

"PRIOR TO THE ISSUANCE OF GRADING PERMITS, the project applicant shall enter into an agreement with a qualified archaeologist in accordance with the Master Cultural Resources Mitigation Plan approved for this Specific Plan. This agreement shall include, but not be limited to, the preliminary mitigation and monitoring procedures to be implemented during the process of grading, as found in the EIR. A copy of said implementing agreement shall be submitted to the Planning Department. No grading permits will be issued unless the preliminary mitigation and monitoring procedures required prior to

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 23 SP - ARCHAEO M/M PROGRAM (cont.) RECOMMND

grading permits as described in the EIR are substantially complied with. On-going tribal consultation is required for all implementing mitigation or preservation plans."

30.PLANNING. 24 SP - PALEO M/M 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 ISSUANCE OF GRADING PERMITS, the project applicant shall enter into an agreement with a qualified paleontologist. This agreement shall include, but not be limited to, the preliminary mitigation and monitoring procedures to be implemented during the process of grading. A copy of said agreement shall be submitted to the Planning Department. No grading permits will be issued unless the preliminary mitigation and monitoring procedures as described in the EIR are substantially complied with."

30.PLANNING. 25 SP - GENERIC M/M 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 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."

30.PLANNING. 26 SP - F&G CLEARANCE RECOMMND

Prior to the approval of any implementing project within planning areas 14, 8, 1, 5, 68, 69, 67, 62, 63, 81, 84 and 77 of the SPECIFIC PLAN (i.e. tract map, parcel map, use permit, plot plan, etc.) which may propose grading or construciton within or along the banks of any blue-lined stream, the following condition shall be placed on the implementing project:

S :IFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 26 SP - F&G CLEARANCE (cont.) RECOMMND

"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 within planning areas 14, 8, 1, 5, 68, 69, 67, 62, 63, 81, 84, and 77 of the SPECIFIC PLAN (i.e. tract map, parcel map, use permit, plot plan, etc.) which may propose grading or construciton 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:

"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

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 28 SP - SKR FEE CONDITION (cont.) RECOMMND

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. 29 SP - POST GRADING REPORT 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 project applicant shall provide to the Planning Department a post grading report. The report shall describe how the mitigation and monitoring program as described in the EIR and pre-grading agreements with the qualified archaeologist,paleontologist, and tribal representatives were complied with."

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. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 31 SP - ARCHAEOLOGIST RETAINED RECOMMND

Prior to the approval of any land division or development permit (use permit, plot plan, etc.), a condition of approval shall be applied to the land division or development/use permit to ensure that the unique archaeological resources identified in the Cultural Resources Report (PD-A-4426, prepared by SRI in 2008) entitled "Mystic Paavo': Cultural Resources Survey and Evaluation of The Villages of Lakeview Specific Plan, Riverside County, California", prepared as part of this Specific Plan's environmental documentation have been adequately addressed in accordance with the adopted Cultural Resources Management Plan contained in PD-A-4426, and any adopted implementation-level mitigation plan as described in the project EIR.

Prior to the issuance of grading permits, an archaeologist certified by the County (Project Archaeologist) shall be retained by the developer/permit holder for archaeological monitoring and any necessary mitigation measures. All areas within the specific plan shall have full time archaeological monitoring. A pre-grading meeting between the Project Archaeologist, Native American observers (SI Monitors), the grading contractor, and the developer's representative (On-site Superintendent) shall take place. All pre-grade meetings shall include a cultural sensitivity component for the grading contractor presented by the Project Archaeologist and the SI Monitors. During grading operations, the Project Archaeologist (or the Project Archaeologist's on-site representative) and the SI Monitors shall actively monitor all project related grading within the specific plan area and related off-site areas When deemed necessary by the Project Archaeologist, the Project Archaeologist's on-site representative(s), or SI Monitor, the Project Archaeologist shall notify the On-Site Superintendent to temporarily divert, redirect, or halt grading activity to allow recovery of unique archaeological resources. Prior to the issuance of any grading permits, a copy of a fully executed contract for archaeological monitoring, including the NAME, ADDRESS and TELEPHONE NUMBER of the retained Project Archaeologist shall be submitted to the Planning Department (County Archaeologist) and the B&S Grading Division for review and acceptance.

S CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

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.

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

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 36 SP - PALEO PRIMP & MONITOR (cont.) RECOMMND

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.

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."

S :IFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

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 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

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 37 SP - LC LNDSCP COMMON AREA MT (cont.) RECOMMND

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 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. 40 SP - AG SETBACKS RECOMMND

All proposed residences, school buildings, and commercial structures shall be setback a minimum of 300 feet from active agricultural uses of an offensive nature at the time implementing project approval. Agricultural uses of an offensive nature shall be defined as: corrals, chicken houses, dairy waste ponds, manure stockpiles, commercial livestock. 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 or private road rights-of-way, parking lots, and service or maintenance areas. The setback shall apply to all existing interim conditions as they exist at the time of any implementing project approval.

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

S. CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 41 SP - BLD PERM/DWLNG TRK (cont.) RECOMMND

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.11.5 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. 42 SP - PUB LAND ARC MAINT RECOMMND

Prior to the approval of any implementing projects containing or within 500 feet of a known archaeological resource as indicated in the EIR, the applicant shall provide evidence to the Planning Director of a secured and fully executed agreement with an entity or tribe, accepted by the Planning Director, for the long-term stewardship of all archaeological resources within all lands to be dedicated to the RCA, or Planning Areas 60, 70, 78, 81, 84, and 86. Said entity shall have the expertise to manage and protect significant prehistoric cultural resources in archaeological settings. Funding, if required, for long-term stewardship shall be secured by the applicant as part of said agreement so that no burden to the RCA shall be implied. Said stewardship shall last at least fifty (50) years from the date of the conveyance of the land to the RCA unless other options are identified in the specific addenda to the CRMP. The RCA shall grant any and all access easements necessary to maintain said sites. All maintenance activity shall be done in cooperation with all affected tribes and the County Archeologist or designated appointee. Long-term management of any archaeological resource conveyed to the RCA shall be in accordance with applicable addenda to the Cultural Resource Management Plan and any Site Protection Plans prepared pursuant to the CRMP. This condition applies separatly and uniquely to each implimenting project that may require an addendum to the CRMP and which affects archaeological sites for which SPPs are prepared. The entity to manage long-term-stewardship of preserved sites for each implementing project shall be identified in the SPP prepared for that project.

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 43 SP - PUBLIC ART RECOMMND

Public art and/or historic interpretation art or exhibits, shall be incorporated into the project as outlined in Mitigation Measure land Use 3 of the EIR.

This condition shall only be added to the VILLAGES that contain the appropriate number of units to trigger the dwelling unit count. Once met, the condition shall not be added to other VILLAGE condition sets.

30.PLANNING. 44 SP - HUNTING NOISE RECOMMND

Prior to the approval of any implementing project within the Resort VILLAGE of 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 a 90 series condition:

"In regards of Hunting noise notification, the project shall comply with all requirements of Mitigation Measure Noise 11 of the EIR."

30.PLANNING. 46 SP - INTERIM FACILITIES RECOMMND

Each Implementing Project shall construct any required interim/temporary facilities to alleviate flooding and water quality impacts associate with each proposed phase of development as outlined in Mitigation Measure Utility 3 of the EIR.

30.PLANNING. 48 SP - RAMONA WALL DESIG RECOMMND

Prior to the approval of any implementing project within the Resort VILLAGE of the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"Irrespective of the illustrations shown in the VILLAGE REFINEMENT PLAN for the Resort, the perimeter walls along the Ramona Expressway shall incorporate aesthetic elements to break up the singular consistent massing. Aesthetic elements shall include but not be limited to the following: Undulation, change in materials, enhanced landscaping, and break points at least every 200 feet shall be used to add interest to both the community wall and/or the sound wall, whichever is visible from the Ramona Expressway. This wall shall also incorporate different finish elements and

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 48 SP - RAMONA WALL DESIG (cont.) RECOMMND

similar devises to add articulation and shadow to the design. The final wall details, including any alternatives to those proposed in this condition, shall be to the satisfaction of the Planning Director."

30.PLANNING. 49 SP - SCENIC HWAY SETBACK RECOMMND

The General Plan LU 13.4 states"Maintain at least a 50-foot setback from the edge of the right-of-way for new development adjacent to Designated and Eligible State and County Scenic Highways." The project shall be required to provide a 50 foot Scenic Highway Corridor setback along the Ramona Expressway and it shall be visible from the ultimate Right of Way and fully landscaped. In the event that the General Plan Policy no longer applies, this condition shall no longer apply.

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. 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,

S :IFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 51 SP - SCHOOL MITIGATION (cont.) RECOMMND

plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO BUILDING PERMITS, impacts to the Perris High School Union School District shall be mitigated in accordance with state law."

30.PLANNING. 53 SP - CULTURAL RESOURCES REPORT RECOMMND

Prior to 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 final inspection of the first building permit for any phase of work within the Specific Plan, the developer/permit holder shall prompt the Cultural Resources Professional (Project Archaeologist) to submit two (2) certified copies of a Phase IV Cultural Resources Monitoring report that complies with the Riverside County Planning Department's requirements for such reports. The report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meetings. The Planning Department (County Archaeologist) shall review the report to determine adeqate mitigation compliance. Provided the report is adequate, the Planning Department shall clear this condition. Final copies of all reports shall also be submitted to the Eastern Information Center and the appropriate tribes represented by the Special Interest Monitors."

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.

S :IFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

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 - SP342/PAYMENT OF RBBD FEE RECOMMND

Prior to the issuance of building permits for any implementing project for SP 342, each implementing project within any phase of SP 342 shall be asked to pay the RBBD fee once it has been established and adopted. In the event the RBBD is not formed prior to the time when an implementing project is ready to record a map or obtain a building permit (for non-residential projects), the proponent of the implementing project will have the option of paying an estimated RBBD fee or constructing those RBBD roadway improvements identified by the Transportation Department based on the Traffic Impact Study Report needed to mitigate its proportional share of cumulative impacts, or as approved by the Transportation Department.

Proposed project-level mitigation measures shall be coordinated with the RBBD to ensure that they are in conformance with the ultimate improvements planned by the RBBD. The applicant shall be eligible to receive proportional credits against the RBBD for construction of project level mitigation included in the RBBD.

30.TRANS. 4 SP - SP342/TS REQUIRED RECOMMND

The project proponent shall prepare a traffic impact study for each "Village" of development within the SP. The Village-level traffic analysis will be a refinement of the SP Traffic Impact Analysis. Traffic studies for individual implementing projects may be required for individual implementing projects within the boundaries of Specific Plan No. 342, at the discretion of the Transportation Department. Traffic studies for individual implementing projects, if needed, shall identify the impacts of the implementing project and needed roadway improvements to be constructed prior to each implementing project.

If development within SP 342 occurs in a different order than stated in 10 TRANS SP - SP342/TS DEF. OF PHASE, or if phases overlap substantially, a new traffic study may be

S IFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 4 SP - SP342/TS REQUIRED (cont.) RECOMMND

required to determine if any improvements from the prior un-built phase need to be constructed to mitigate impacts by the phase being developed.

30.TRANS. 5 SP - SP342/RAMONA EXPRWY IMPR. RECOMMND

Prior to the 1st occupancy, applicant shall:

¡Widen Ramona Expressway to 4 lanes from westerly of Lakeview to easterly of Hansen
¡Signalize the intersection at Lakeview Avenue and Ramona Expressway.

At such time as the project phasing requires the construction of AA Street and its connection via Reservoir Avenue to Ramona Expressway, applicant shall install a traffic signal at the intersection of Reservoir Avenue and Ramona Expressway, connect Reservoir Avenue to Lakeview Avenue via an alignment approved by the Transportation Department, and close the intersection at Lakeview Avenue and Ramona Expressway. The new signal at Reservoir Avenue and Ramona Expressway is eligible for traffic signal fee credit in accordance with the County's DIF Program.

As an alternative, the project proponent shall provide a village-level traffic study to demonstrate that an interim/temporary solution is possible to mitigate the traffic impacts of the project and to provide accessibility until the grade separated interchange at Reservoir Avenue and Ramona Expressway is completed.

Prior to the issuance of occupancy permits for the 1,201st dwelling unit, or an equivalent amount of non-residential building permits:

_Applicant shall widen Ramona Expressway to 4 lanes with a median between Lakeview Avenue and the existing 4-lane section of Ramona Expressway located easterly of the City of Perris, OR

_The County shall have awarded a construction contract, with full funding in place, for this improvement.

_The widening of this section of Ramona Expressway may require construction of a bridge. The project shall receive credit against the TUMF fees and RBBD fees for this

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 5 SP - SP342/RAMONA EXPRWY IMPR. (cont.) RECOMMND

improvement. In the event that the cost of these improvements exceeds the project's TUMF and RBBD contributions for this phase, County shall make its best efforts to secure additional funds from the TUMF Program or other Regional funding programs administered by WRCOG or RCTC to contribute the additional funding, and/or identify funds collected from other development in the proposed Lakeview/Nuevo RBBD area to fully fund these improvements.

_In addition to the County's efforts to secure funding for the road widening and bridge improvements from WRCOG and RCTC, applicant will establish a Community Facilities District (CFD) or other acceptable funding mechanism to fully fund any shortfall in the delivery of the four lane improvement. The funds generated by the CFD shall be used to fund the improvements and applicant shall receive corresponding credits against RBBD and TUMF fees that the current or future phase of development would generate.

_The applicant shall install a traffic signal at Bridge Street/Ramona Expressway, and widen Ramona Expressway to 4 through lanes through the intersection, this improvement is eligible for traffic signal fee credit, or

_The County shall have awarded a construction contract, with full funding in place, for this improvement.

Prior to the issuance of occupancy permits for the 2,201st dwelling unit, or an equivalent amount of non-residential building permits :

_Applicant shall widen Ramona Expressway to 4 through lanes with a median from Hansen Avenue easterly to 5th Street, OR

_The County shall have awarded a construction contract, with full funding in place, for this improvement.

_In the event that the cost of these improvements exceeds the project's TUMF and RBBD contributions for this phase, County shall make its best efforts to secure additional funds from the TUMF Program or other Regional funding programs administered by WRCOG or RCTC to contribute the additional funding, and/or identify funds collected from other development in the proposed Lakeview/Nuevo RBBD area to fully fund these improvements.

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 5 SP - SP342/RAMONA EXPRWY IMPR. (cont.) (cont.RECOMMND

_In addition to the County's efforts to secure funding for the road widening improvements from WRCOG and RCTC, applicant will establish a Community Facilities District (CFD) for its then current phase of development. The funds generated by the CFD shall be used to fund the improvements and applicant shall receive corresponding credits against RBBD and TUMF fees that the current phase of development would generate.

Prior to the issuance of occupancy permits for the 4,001st dwelling unit, or an equivalent amount of non-residential building permits:

_Applicant shall widen Ramona Expressway to 4 lanes with a striped median from 5th Street to connect to the existing 4 lane section west of Warren Road, Or

_The County shall have awarded a construction contract, with full funding in place, for this improvement.

_In the event that the cost of these improvements exceeds the project's TUMF and RBBD contributions for this phase, County shall make its best efforts to secure additional funds from the TUMF Program or other Regional funding programs administered by WRCOG or RCTC to contribute the additional funding, and/or identify funds collected from other development in the proposed Lakeview/Nuevo RBBD area to fully fund these improvements.

_In addition to the County's efforts to secure funding for the road widening improvements from WRCOG and RCTC, applicant will establish a Community Facilities District (CFD) for its then current phase of development. The funds generated by the CFD shall be used to fund the improvements and applicant shall receive corresponding credits against RBBD and TUMF fees that the current phase of development would generate.

Prior to the issuance of occupancy permits for the 8,681st dwelling unit, or an equivalent amount of non-residential building permits:

_Applicant shall widen Ramona Expressway from Reservoir Avenue to Hansen Avenue from 4 lanes to 6 lanes or provide equivalent capacity through 4 lanes with grade separations at intersections, OR

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 5 SP - SP342/RAMONA EXPRWY IMPR. (cont.) (cont.RECOMMND

_The County shall have awarded a construction contract, with full funding in place, for this improvement.

_In the event that the cost of these improvements exceeds the project's TUMF and RBBD contributions for this phase, County shall make its best efforts to secure additional funds from the TUMF Program or other Regional funding programs administered by WRCOG or RCTC to contribute the additional funding, and/or identify funds collected from other development in the proposed Lakeview/Nuevo RBBD area to fully fund these improvements.

_In addition to the County's efforts to secure funding for the road widening improvements from WRCOG and RCTC, applicant will establish a Community Facilities District (CFD) for its then current phase of development. The funds generated by the CFD shall be used to fund the improvements and applicant shall receive corresponding credits against RBBD and TUMF fees that the current phase of development would generate.

Prior to the issuance of occupancy permits for the 9,141st dwelling unit, or an equivalent amount of non-residential building permits:

_Applicant shall widen Ramona Expressway from Hansen Avenue to Park Center Boulevard from 4 lanes to 6 lanes or provide equivalent capacity through 4 lanes with grade separations at intersections, OR

_The County shall have awarded a construction contract, with full funding in place, for this improvement.

_In the event that the cost of these improvements exceeds the project's TUMF and RBBD contributions for this phase, County shall make its best efforts to secure additional funds from the TUMF Program or other Regional funding programs administered by WRCOG or RCTC to contribute the additional funding, and/or identify funds collected from other development in the proposed Lakeview/Nuevo RBBD area to fully fund these improvements.

_In addition to the County's efforts to secure funding for the road widening improvements from WRCOG and RCTC, applicant will establish a Community Facilities District

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 5 SP - SP342/RAMONA EXPRWY IMPR. (cont.) (cont.RECOMMND

(CFD) for its then current phase of development. The funds generated by the CFD shall be used to fund the improvements and applicant shall receive corresponding credits against RBBD and TUMF fees that the current phase of development would generate.

Prior to the issuance of occupancy permits for the 9,551st dwelling unit, or an equivalent amount of non-residential building permits:

_Applicant shall widen Ramona Expressway from Reservoir Avenue westerly to the Perris City limits from 4 lanes to 6 lanes or provide equivalent capacity through 4 lanes with grade separations at intersections, OR

_The County shall have awarded a construction contract, with full funding in place, for this improvement.

_In the event that the cost of these improvements exceeds the project's TUMF and RBBD contributions for this phase, County shall make its best efforts to secure additional funds from the TUMF Program or other Regional funding programs administered by WRCOG or RCTC to contribute the additional funding, and/or identify funds collected from other development in the proposed Lakeview/Nuevo RBBD area to fully fund these improvements.

_In addition to the County's efforts to secure funding for the road widening and bridge improvements from WRCOG and RCTC, applicant will establish a Community Facilities District (CFD) for its then current phase of development. The funds generated by the CFD shall be used to fund the improvements and applicant shall receive corresponding credits against RBBD and TUMF fees that the current phase of development would generate.

Prior to the issuance of occupancy permits for the 9,811th dwelling unit, or an equivalent amount of non-residential building permits:

_Applicant shall widen Ramona Expressway from Park Center Boulevard to Bridge Street from 4 lanes to 6 lanes or provide equivalent capacity through 4 lanes with grade separations at intersections, OR

_The County shall have awarded a construction contract,

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 5 SP - SP342/RAMONA EXPRWY IMPR. (cont.) (cont.RECOMMND

with full funding in place, for this improvement.

_In the event that the cost of these improvements exceeds the project's TUMF and RBBD contributions for this phase, County shall make its best efforts to secure additional funds from the TUMF Program or other Regional funding programs administered by WRCOG or RCTC to contribute the additional funding, and/or identify funds collected from other development in the proposed Lakeview/Nuevo RBBD area to fully fund these improvements.

_In addition to the County's efforts to secure funding for the road widening improvements from WRCOG and RCTC, applicant will establish a Community Facilities District (CFD) for its then current phase of development. The funds generated by the CFD shall be used to fund the improvements and applicant shall receive corresponding credits against RBBD and TUMF fees that the current phase of development would generate.

30.TRANS. 6 SP - SP342/TS INSTALLATION RECOMMND

To the extent that others have not installed the signals prior to the time they are needed for SP 342, the proponent of SP 342 and all subsequent implementing projects within the Specific Plan shall be responsible for design, construction, and installation of traffic signals at the following off-site intersections or as approved by the Transportation Department.

The timing of the off-site signal needs in each phase will be determined based on detailed village-level traffic studies.

The need for signals at on-site intersections will be determined based on detailed village-level traffic studies.

Phase 1A Signals

The following signals shall be installed prior to the issuance of the 1601st residential occupancy permit, or the issuance of an equivalent amount of non-residential building permits, or earlier if determined to be necessary on the basis of village-level traffic studies:

¡Bridge Street (NS) at Ramona Expressway (EW)

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 6 SP - SP342/TS INSTALLATION (cont.) RECOMMND

¡Lakeview Avenue (NS) at Ramona Expressway (EW) - temporary connection, disconnected when signal or grade separation is installed at Reservoir Avenue (realigned) (NS) at Ramona Expressway (NS)
¡Hansen Avenue/Davis Road (NS) at Ramona Expressway (EW) (modification)
¡ On-site signals as needed to support development

Additional Signals in Phase 1B

The following signals shall be installed prior to the issuance of the 3201st residential occupancy permit, or the issuance of an equivalent amount of non-residential building permits, or earlier if determined to be necessary on the basis of village-level traffic studies:

¡Reservoir Avenue (NS) at 10th Street (EW)
¡5th Street/Town Center Boulevard (NS), or location in vicinity, at Ramona Expressway (EW) - temporary signal, disconnected when Town Center is connected to Ramona Expressway at its ultimate location
¡Menifee Road (NS) at Nuevo Road (EW)
¡On-site signals as needed to support development

Additional Signals in Phase 2

The following signals shall be installed prior to the issuance of the 5,101st residential occupancy permit, or the issuance of an equivalent amount of non-residential building permits, or earlier if determined to be necessary on the basis of village-level traffic studies:

¡Bridge Street (NS) at Gilman Springs Road (EW)
¡Yucca Avenue (NS) at 10th Street (EW)
¡On-site signals as needed to support development

Additional Signals in Phase 3A

The following signals shall be installed prior to the issuance of the 6,801st residential occupancy permit, or the issuance of an equivalent amount of non-residential building permits, or earlier if determined to be necessary on the basis of village-level traffic studies:

¡Menifee Road (NS) at San Jacinto Road (EW)
¡Menifee Road (NS) at Mapes Road (EW)

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 6 SP - SP342/TS INSTALLATION (cont.) (cont.) RECOMMND

¡Menifee Road (NS) at Nuevo Road (EW) (relocated)
¡Reservoir Avenue (NS) at 10th Street (EW) (Modification to add lanes)
¡Park Center Boulevard (NS), or location in vicinity, at Ramona Expressway(EW) - temporary signal to be removed when Park Center is connected to Ramona Parkway at its ultimate location.
¡Yucca Avenue (NS) at 10th Street (EW) (Modification to add lanes)
¡On-site signals as needed to support development

Additional Signals in Phase 3B

The following signals shall be installed prior to the issuance of the 9,081st residential occupancy permit, or the issuance of an equivalent amount of non-residential building permits, or earlier if determined to be necessary on the basis of village-level traffic studies:

¡Foothill Avenue (NS) at Nuevo Road (EW)
¡Antelope Road (NS) at Nuevo Road (EW)
¡On-site signals as needed to support development

30.TRANS. 7 SP - SP342/TS PHASE1A RD IMPR. RECOMMND

The SP 0342 proponent and subsequent implementing projects shall make the following roadway improvements:

Roadways internal to the project shall be constructed as needed for development; as determined on the basis of village-level traffic studies.

30.TRANS. 8 SP - SP342/TS PHASE1B RD IMPR. RECOMMND

Additional Roadway Improvements in PHASE 1B

Prior to the issuance of the 2,391st residential occupancy permit, or building permit for an equivalent amount of non-residential buildings, the applicant shall construct Reservoir Avenue as a two-lane facility between Nuevo Road and 10th Street, OR funding for this improvement shall be assured, otherwise.

Prior to the issuance of the 2,581st residential occupancy permit, or building permit for an equivalent amount of non-residential buildings, the applicant shall improve

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 8 SP - SP342/TS PHASE1B RD IMPR. (cont.) RECOMMND

Nuevo Road from two lanes to four lanes between Dunlap Road and Foothill Avenue, OR funding for this improvement shall be assured, otherwise.

Prior to the issuance of the 2,741st residential occupancy permit, or building permit for an equivalent amount of non-residential buildings, the applicant shall improve Nuevo Road from two lanes to four lanes between Foothill Avenue and Menifee Road, OR funding for this improvement shall be assured, otherwise.

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/TS PHASE2 RD IMPR. RECOMMND

Additional Roadway Improvements in PHASE 2

Prior to the issuance of the 4,331st residential occupancy permit, or building permit for an equivalent amount of non-residential buildings, the applicant shall improve 10th Street from two to four lanes between Reservoir Avenue and Hanson Avenue, OR funding for this improvement shall be assured, otherwise.

Roadways internal to the project shall be constructed as needed for development; as determined on the basis of village-level traffic studies.

30.TRANS. 10 SP - SP342/TS PHASE3A RD IMPR. RECOMMND

Additional Roadway Improvements in PHASE 3A

Prior to the issuance of the 6,671st residential occupancy permit, or building permit for an equivalent amount of non-residential buildings, the applicant shall improve Reservoir Avenue from two lanes to four lanes between Nuevo Road and 10th Street, OR funding for this improvement shall be assured, otherwise.

Roadways internal to the project shall be developed as needed for development and as determined on the basis of village-level traffic studies.

S IFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 11 SP - SP342/TS PHASE3B RD IMPR. RECOMMND

Additional Roadway Improvements in PHASE 3B

Roadways internal to the project shall be developed as needed for development and as determined on the basis of village-level traffic studies.

30.TRANS. 12 SP - SP342/TS PH 1A GEOMETRICS RECOMMND

Intersection Improvements in Phase 1A

The following intersection improvements shall be provided prior to the issuance of the 1,601st residential occupancy permit, or the issuance of an equivalent amount of non-residential building permits, or earlier if determined to be necessary on the basis of village-level traffic studies:

The City of Perris and the County of Riverside are coordinating with Caltrans on the improvements at the I-215 interchange ramps. The following geometrics are included in the current Caltrans improvement plan for this intersection and are expected to be completed by this phase. The intersection of I-215 Southbound Ramps (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: one left-turn lane, one shared left-turn/through lane, one right-turn lane
Eastbound: one through lane, one shared through/right-turn lane
Westbound: one left-turn lane, two through lanes

The intersection of Hansen Avenue/Davis Road (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one shared through/right-turn lane
Southbound: one left-turn lane, one shared through/right-turn lane
Eastbound: one left-turn lane, one through lane, one shared through/right-turn lane
Westbound: one left-turn lane, one through lane, one shared through/right-turn lane

S CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 12 SP - SP342/TS PH 1A GEOMETRICS (cont.) RECOMMND

The intersection of Lakeview Avenue (NS) at Ramona Expressway (EW) shall be improved to provide signalization and the following geometrics:

Northbound: one left-turn lane, one shared through/right-turn lane
Southbound: one left-turn lane, one shared through/right-turn lane
Eastbound: one left-turn lane, one through lane, one right-turn lane
Westbound: one left-turn lane, one through lane, one right-turn lane

The intersection of Lakeview Avenue (NS) at 10th Street (EW) shall be improved to provide signalization and the following geometrics:

Northbound: one left-turn lane, one shared through/right-turn lane
Southbound: one left-turn lane, one shared through/right-turn lane
Eastbound: one left-turn lane, one through lane, one right-turn lane
Westbound: one left-turn lane, one shared through lane/right-turn lane

The intersection of Reservoir Avenue (NS) at 10th Street shall be improved to provide the following geometrics:

Northbound: one shared left turn/through/right-turn lane
Southbound: one shared left turn/through/right-turn lane
Eastbound: one shared left turn/through/right-turn lane
Westbound: one shared left turn/through/right-turn lane

**The intersection of Bridge Street (NS) at Ramona Expressway (EW), shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: one left-turn lane, one right-turn lane
Eastbound: one left-turn lane, two through lanes
Westbound: one left turn lane, two through lanes, one right-turn lane

S 'IFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 13 SP - SP342/TS PH 1B GEOMETRICS RECOMMND

Additional Intersection Improvements in PHASE 1B

The following intersection improvements shall be provided prior to the issuance of the 3,201st residential occupancy permit, or the issuance of an equivalent amount of non-residential building permits, or earlier if determined to be necessary on the basis of village-level traffic studies:

The intersection of Reservoir Avenue (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one through lane, one right-turn lane
Southbound: one left-turn lane, one shared through/right-turn lane
Eastbound: one left-turn lane, one through lane, one right-turn lane
Westbound: one through lane, one shared through/right-turn lane

OR

A village-level traffic study shall be provided to demonstrate that an interim/temporary solution is possible to mitigate the traffic impacts of the project and to provide accessibility until the grade separated interchange at Reservoir Avenue and Ramona Expressway is completed.

The intersection of 5th Street (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one right-turn lane
Southbound: N/A
Eastbound: two through lanes, one right-turn lane
Westbound: one left-turn lane, two through lanes

The intersection of Reservoir Avenue (NS) at 10th Street shall be improved to provide signalization and the following geometrics:

Northbound: one left turn lane, one shared through/right-turn lane
Southbound: one left turn lane, one shared

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 13 SP - SP342/TS PH 1B GEOMETRICS (cont.) RECOMMND

through/right-turn lane
Eastbound: one left turn lane, one shared
through/right-turn lane
Westbound: one left turn lane, one shared
through/right-turn lane

The intersection of Lakeview Avenue (NS) at Nuevo Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: one left-turn lane, one right-turn lane
Eastbound: one left-turn lane, one through lane
Westbound: one shared through/right-turn lane

30.TRANS. 14 SP - SP342/TS PH 2 GEOMETRICS RECOMMND

Additional Intersection Improvements in Phase 2

If, prior to the recordation of the first tract or the issuance of a building permit for any non-residential uses in Phase 2, funding is assured for the County-led improvements along the Ramona Expressway corridor, the conditions preceded by ** may be waved at the discretion of the County.

The following intersection improvements shall be provided prior to the issuance of the 5,101st residential occupancy permit, or the issuance of an equivalent amount of non-residential building permits, or earlier if determined to be necessary on the basis of village-level traffic studies:

**The intersection of Antelope Road (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

Northbound: one shared left-turn/right-turn lane
Southbound: N/A
Eastbound: one through lane, one shared
through/right-turn lane
Westbound: one left-turn lane, two through lanes

**The intersection of Bernasconi Road (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 14 SP - SP342/TS PH 2 GEOMETRICS (cont.) RECOMMND

Northbound: one left-turn lane, one shared through/right-turn lane
Southbound: one left-turn lane, one shared through/right-turn lane
Eastbound: one left-turn lane, one through lane, one shared through/right-turn lane
Westbound: one left-turn lane, one through lane, one shared through/right-turn lane

**The intersection of Hansen Avenue/Davis Road (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one shared through/right-turn lane
Southbound: one left-turn lane, one shared through/right-turn lane
Eastbound: one left-turn lane, two through lanes, one right-turn lane
Westbound: one left-turn lane, two through lanes, one right-turn lane

**The intersection of Town Center Boulevard (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one shared through/right-turn lane
Southbound: one left-turn lane, one shared through/right-turn lane
Eastbound: one left-turn lane, two through lanes, one right-turn lane
Westbound: one left-turn lane, one through lane, one shared through/right-turn lane

**The intersection of Park Center Boulevard (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one right-turn lane
Southbound: N/A
Eastbound: two through lanes, one right-turn lane
Westbound: one left-turn lane, two through lanes

The intersection of Bridge Street (NS) at Gilman Springs Road (EW) shall be improved to provide the following

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 14 SP - SP342/TS PH 2 GEOMETRICS (cont.) (cont.)RECOMMND

geometrics:

Northbound: one left-turn lane, one right-turn lane
Southbound: N/A
Eastbound: one shared through/right-turn lane
Westbound: one left-turn lane, one through lane

The intersection of Reservoir Avenue (NS) at 10th Street (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, two through lanes, one free flow right-turn lane
Southbound: one left-turn lane, one through lane, one shared through/right-turn lane
Eastbound: one left-turn lane, one through lane, one shared through/right-turn lane
Westbound: two left-turn lanes, two through lanes, one right-turn lane

The intersection of Reservoir Road/Menifee Road (NS) at Nuevo Road (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one through lane, one right-turn lane
Southbound: one left-turn lane, one through lane, one right-turn lane
Eastbound: one left-turn lane, one shared through/right-turn lane
Westbound: one left-turn lane, one shared through/right-turn lane

The intersection of Yucca Avenue (NS) at 10th Street (EW) shall be signalized and improved to provide the following geometrics:

Northbound: one left-turn lane, one shared through/right-turn lane
Southbound: one left-turn lane, one shared through/right-turn lane
Eastbound: one left-turn lane, one through lane, one shared through/right-turn lane
Westbound: one left-turn lane, one through lane, one shared through/right-turn lane

The intersection of Antelope Road (NS) at Nuevo Road (EW)

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 14 SP - SP342/TS PH 2 GEOMETRICS (cont.) (cont.)RECOMMND

shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: one shared left-turn/right-turn lane
Eastbound: one left-turn lane, two through lanes
Westbound: one through lane, one shared through/right-turn lane

The intersection of Lakeview Avenue (NS) at 10th Street (EW) shall be signalized and improved to provide the following geometrics:

Northbound: one left-turn lane, one shared through/right-turn lane
Southbound: one left-turn lane, one shared through/right-turn lane
Eastbound: one left-turn lane, one through lane, one shared through/right-turn lane
Westbound: one left-turn lane, one through lane, one shared through/right-turn lane

The intersection of Hansen Avenue (NS) at 10th Street (EW) shall be signalized and improved to provide the following geometrics:

Northbound: one left-turn lane, one shared through/right-turn lane
Southbound: one left-turn lane, one shared through/right-turn lane
Eastbound: one left-turn lane, one through lane, one shared through/right-turn lane
Westbound: one left-turn lane, one through lane, one shared through/right-turn lane

30.TRANS. 15 SP - SP342/TS PH 3A GEOMETRICS RECOMMND

Additional Intersection Improvements in Phase 3A (Eastern Area)

If, prior to the recordation of the first tract in Phase 3A, or the issuance of a building permit for any non-residential uses in Phase 3A, the County-led improvements along the Ramona Expressway corridor have been constructed and open to traffic, the conditions preceded by ** may be waved at the discretion of the County.

S. CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 15 SP - SP342/TS PH 3A GEOMETRICS (cont.) RECOMMND

The following intersection improvements shall be provided prior to the issuance of the 6,801st residential occupancy permit, or the issuance of an equivalent amount of non-residential building permits, or earlier if determined to be necessary on the basis of village-level traffic studies:

The City of Perris and the County of Riverside are coordinating with Caltrans on the improvements at the I-215 interchanges ramps. The above geometrics are included in the current Caltrans improvement plan for this intersection and are expected to be completed by this phase. The intersection of I-215 NB Ramps (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

Northbound: one shared left-turn/through lane, one right-turn lane
Southbound: N/A
Eastbound: one left-turn lane, two through lanes
Westbound: two through lanes, one free-flow right-turn lane

The intersection of Antelope Road (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

Northbound: one shared left-turn/through lane, one right-turn lane
Southbound: N/A
Eastbound: two through lanes, one right-turn lane
Westbound: one left-turn lane, two through lanes

**The intersection of Reservoir Avenue (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one through lane, one free flow right-turn lane
Southbound: one left-turn lane, one through lane, one right-turn lane
Eastbound: one left-turn lane, two through lanes, one right-turn lane
Westbound: two left-turn lanes, two through lanes, one right-turn lane

**The intersection of QQ Street/Town Center Boulevard (NS) at Ramona Expressway (EW) shall be improved to provide the

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 15 SP - SP342/TS PH 3A GEOMETRICS (cont.) (cont.RECOMMND

following geometrics:

Northbound: two left-turn lanes, one through lane, one right-turn lane
Southbound: one left-turn lane, one through lane, one right-turn lane
Eastbound: one left-turn lane, two through lanes, one free flow right-turn lane
Westbound: one left-turn lane, two through lanes, one right-turn lane

**The intersection of Park Center Boulevard (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one free flow right-turn lane
Southbound: N/A
Eastbound: two through lanes, one right-turn lane
Westbound: two left-turn lanes, two through lanes

**The intersection of Bridge Street (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: one left-turn lane, one right-turn lane
Eastbound: one left-turn lane, two through lanes
Westbound: two through lanes, one right-turn lane

**The intersection of Warren Road (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

Northbound: two left-turn lanes, one shared through/right-turn lane
Southbound: one shared left-turn/through/right-turn lane
Eastbound: one left-turn lane, two through lanes, one right-turn lane
Westbound: one left-turn lane, two through lanes, one right-turn lane

The intersection of Reservoir Avenue (NS) at 9th Street (EW) shall be improved to provide the following geometrics:

Northbound: one through lane, one shared through/right-turn lane

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 15 SP - SP342/TS PH 3A GEOMETRICS (cont.) (cont.RECOMMND

Southbound: one left-turn lane, two through lanes
Eastbound: N/A
Westbound: one shared left-turn/right-turn lane

The intersection of Reservoir Avenue (NS) at 10th Street (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, two through lanes, one free flow right-turn lane
Southbound: two left-turn lanes, one through lane, one shared through/right-turn lane
Eastbound: one left-turn lane, one through lane, one shared through/right-turn lane
Westbound: two left-turn lanes, two through lane, one right-turn lane

The intersection of Lakeview Avenue (NS) at 10th Street (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one shared through/right-turn lane
Southbound: one left-turn lane, one shared through/right-turn lane
Eastbound: one left-turn lane, one through lane, one shared through/right-turn lane
Westbound: one left-turn lane, one through lane, one shared through/right-turn lane

The intersection of Antelope Road (NS) at Nuevo Road (EW) shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: one shared left-turn/right-turn lane
Eastbound: one left-turn lane, two through lanes
Westbound: one through lane, one shared through/right-turn lane

The intersection of Reservoir Road/Menifee Road (NS) at Nuevo Road (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, two through lanes, one right-turn lane
Southbound: one left-turn lane, two through lanes, one free flow right-turn lane
Eastbound: two left-turn lanes, one shared

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 15 SP - SP342/TS PH 3A GEOMETRICS (cont.) (cont.RECOMMND

through/right-turn lane
Westbound: one left-turn lane, one shared through/right-turn lane

The intersection of Menifee Road (NS) at San Jacinto Road (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one shared through/right-turn lane
Southbound: one left-turn lane, one through lane, one right-turn lane
Eastbound: one left-turn lane, one shared through/right-turn lane
Westbound: one left-turn lane, one shared through/right-turn lane

30.TRANS. 16 SP - SP342/TS PH 3B GEOMETRICS RECOMMND

Additional Intersection Improvements in Phase 3B (Western Area)

If, prior to the recordation of the first tract in Phase 3B, or the issuance of a Certificate of Occupancy for any non-residential uses in Phase 3B, the County-led improvements along the Ramona Expressway corridor have been constructed and open to traffic, the conditions preceded by ** may be waved at the discretion of the County.

The following intersection improvements shall be provided prior to the issuance of the 9,081st residential occupancy permit, or the issuance of an equivalent amount of non-residential building permits, or earlier if determined to be necessary on the basis of village-level traffic studies:

**The intersection of Antelope Road (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one right-turn lane
Southbound: N/A
Eastbound: two through lanes, one shared through/right-turn lane
Westbound: one left-turn lane, three through lanes

**The intersection of Reservoir Avenue (NS) at Ramona

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 16 SP - SP342/TS PH 3B GEOMETRICS (cont.) RECOMMND

Expressway (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one through lane, one free flow right-turn lane
Southbound: one left-turn lane, one through lane, one right-turn lane
Eastbound: two left-turn lane, three through lanes, one right-turn lane
Westbound: two left-turn lanes, three through lanes, one right-turn lane
**The intersection of QQ Street/Town Center Boulevard (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

Northbound: two left-turn lanes, one through lane, one right-turn lane
Southbound: one left-turn lane, one through lane, one right-turn lane
Eastbound: two left-turn lane, three through lanes, one free flow right-turn lane
Westbound: two left-turn lane, three through lanes, one right-turn lane

**The intersection of Park Center Boulevard (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one free flow right-turn lane
Southbound: N/A
Eastbound: three through lanes, one right-turn lane
Westbound: two left-turn lanes, three through lanes

**The intersection of Bridge Street (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

Northbound: N/A
Southbound: one left-turn lane, one right-turn lane
Eastbound: one left-turn lane, three through lanes
Westbound: three through lanes, one right-turn lane

**The intersection of Bernasconi Road (NS) at Ramona Expressway (EW) shall be improved to provide the following geometrics:

30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 16 SP - SP342/TS PH 3B GEOMETRICS (cont.) (cont.RECOMMND

Northbound: one left-turn lane, one shared through/right-turn lane
Southbound: one left-turn lane, one shared through/right-turn lane
Eastbound: one left turn lane, two through lane, one shared through/right-turn lane
Westbound: one left-turn lane, two through lane, one shared through/right-turn lane

The intersection of Hansen Avenue (NS) at 10th Street/SS Boulevard (EW) shall be improved to provide the following geometrics:

Northbound: one left-turn lane, one through lane, one right-turn lane
Southbound: one left-turn lane, one shared through/right-turn lane
Eastbound: one left-turn lane, two through lanes, one right-turn lane
Westbound: one left-turn lane, one through lane, one shared through/right-turn lane

The intersection of Reservoir Avenue (NS) at 10th Street (EW) shall be improved to provide the following geometrics:

Northbound: two left-turn lanes, two through lanes, one free flow right-turn lane
Southbound: two left-turn lanes, two through lanes, one right-turn lane
Eastbound: two left-turn lanes, one through lane, one right-turn lane
Westbound: two left-turn lanes, two through lanes, one right-turn lane

30.TRANS. 17 SP - SP342/TS INTERIM IMPROVE. RECOMMND

All improvements listed for Phases 1A, 1B, 2, 3A, and 3B are requirements for interim conditions only. Full right-of-way and roadway half sections adjacent to the property for the ultimate roadway cross-section per the County's Road Improvement Standards and Specifications must be provided.

S CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

PLANNING DEPARTMENT

100.PLANNING. 1 SP - MONUM PLN REQ (1) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 2,601st building permit within the SPECIFIC PLAN, detailed plans for the Lakeview Nuevo Rural Gateway Entry, along the intersection of Hansen Avenue and 10th Street shall be approved by the Planning Department. The Planning Department shall ensure plans are consistent with all requirements of the Department of Transportation and County Service Area No. 146 or similar provider The detailed monument plans shall conform to the design criteria as pictured in Exhibit 10 of the Lakeview Nuevo Design Guidelines.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 2 SP - MONUM CONST (1) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 3,201st building permit within the SPECIFIC PLAN, the Lakeview Nuevo Rural Gateway Entry, along the intersection of Hansen Avenue and 10th Street shall be constructed and fully operable with all required maintenance agreements secured.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 3 SP - MONUM PLN REQ (2) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

S IFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 3 SP - MONUM PLN REQ (2) (cont.) RECOMMND

PRIOR TO THE ISSUANCE OF THE 2,601st building permit within the SPECIFIC PLAN, detailed plans for the Lakeview Nuevo Rural Gateway Entry, along the intersection of Lakeview Avenue and 10th Street shall be approved by the Planning Department. The Planning Department shall ensure plans are consistent with all requirements of the Department of Transportation, and County Service Area No. 146 or similar provider. The detailed monument plans shall conform to the design criteria as pictured in Exhibit 10 of the Lakeview Nuevo Design Guidelines.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 4 SP - MONUM CONST (2) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 3,201st building permit within the SPECIFIC PLAN, the Lakeview Nuevo Rural Gateway Entry, along the intersection of Lakeview Avenue and 10th Street shall be constructed and fully operable with all required maintenance agreements secured.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 5 SP - COMM SEP PLN REQ RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 8,001st building permit within the SPECIFIC PLAN, detailed plans for the Lakeview Nuevo Rural Gateway Entry/Community Separator located at the far eastern edge of the SPECIFIC PLAN shall be approved by the Planning Department. The Planning Department shall ensure plans are consistent with all County Service Area No. 146

S JIFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 5 SP - COMM SEP PLN REQ (cont.) RECOMMND

or similar provider requirements. The detailed monument plans shall conform to the design criteria as pictured in the VILLAGE REFINEMENT PLAN for the Enclave VILLAGE and as specified in the SPECIFIC PLAN. Any CEQA review required for project implementation shall be performed independently.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 6 SP - COMM SEP CONST RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 8,501st building permit within the SPECIFIC PLAN, the Lakeview Nuevo Rural Gateway Entry/Community Separator located at the far eastern edge of the SPECIFIC PLAN shall be constructed and fully operable with all required maintenance agreements secured.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 7 SP - TRAIL HD PLANS REQ RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 8,001st building permit within the SPECIFIC PLAN, detailed plans for a Trail Head shall be approved by the Planning Department. The Planning Department shall ensure plans are consistent with all County Service Area No. 146 or similar provider requirements. The Trail Head shall be located near the eastern edge of the SPECIFIC PLAN, or as located in the VILLAGE REFINEMENT PLAN for the Enclave VILLAGE. The detailed Trail Head plans shall conform to the design criteria as specified in the VILLAGE REFINEMENT PLAN for

S. CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 7 SP - TRAIL HD PLANS REQ (cont.) RECOMMND

the Enclave VILLAGE.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 8 SP - TRAIL DH CONST RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 8,501st dwelling unit permit within the SPECIFIC PLAN, the Trail Head located near the eastern edge of the SPECIFIC PLAN, or as located in the VILLAGE REFINEMENT PLAN for the Enclave VILLAGE shall be constructed and fully operable with all required maintenance agreements secured; provided, however, in no event shall the Trail Head be constructed and fully operable any later than five (5) years following the construction of the 8,001st dwelling unit.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 9 SP - PUB CTR PLANS REQ (1) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 3,701st building permit within the SPECIFIC PLAN, detailed plans for at least 20,000 square feet of the Community Center in Central Park shall be approved by the Planning Department. The plans shall reflect the total buildout of the entire planned campus as illustrated in the Specific Plan. Buildings beyond the required 20,000 center can be shown as conceptual only, but shall be shown for master planning purposes. The Planning Department shall ensure plans are consistent with all requirements of the County Service Area No. 146 or similar provider. The Community Center plans shall conform to the design criteria as specified in the VILLAGE REFINEMENT

S :IFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 9 SP - PUB CTR PLANS REQ (1) (cont.) RECOMMND

PLAN for the Park VILLAGE as approved by the Planning Commission.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 10 SP - PUB CTR CONST (1) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE CONSTRUCTION OF THE 4,501st dwelling unit within the SPECIFIC PLAN, at least 20,000 square feet of the Community Center in Central Park shall be constructed and fully operable with all required maintenance agreements secured; provided, however, in no event shall the 20,000 square feet of the Community Center in Central Park be constructed and fully operable any later than five (5) years following the construction of the 4,001st dwelling unit.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 11 SP - PUB CTR PLANS REQ (2) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 6,501st building permit within the SPECIFIC PLAN, detailed plans for at least 20,000 square feet of the Community Center in Central Park shall be approved by the Planning Department. This shall be an additional 20,000 square feet to the 20,000 required in 100.Planning.09. The two shall provide a combined 40,000 of Community Center. The Planning Department shall ensure plans are consistent with all requirements of the County Service Area No. 146 or similar provider. The Community Center plans shall conform to the design criteria as specified in the VILLAGE REFINEMENT PLAN for the Park

S CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 11 SP - PUB CTR PLANS REQ (2) (cont.) RECOMMND

VILLAGE as approved by the Planning Commission.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 12 SP - PUB CTR CONST (2) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE CONSTRUCTION OF THE 7,501st dwelling unit within the SPECIFIC PLAN, at least 20,000 square feet of the Community Center in Central Park shall be constructed and fully operable with all required maintenance agreements secured; provided, however, in no event shall the 20,000 square feet of the Community Center in Central Park be constructed and fully operable any later than five (5) years following the construction of the 7,001st dwelling unit.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 13 SP - LIB PLANS REQ (1) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 601st building permit within the SPECIFIC PLAN, detailed plans for a joint use library within the school in the Resort shall be approved by the Planning Department. The Planning Department shall ensure plans are consistent with all requirements of the County Librarian and County Service Area No. 146 or silimar provider. The library plans shall conform to the design criteria as specified in the VILLAGE REFINEMENT PLAN for the Resort VILLAGE as approved by the Planning Commission. The library in the Resort is planned to be part of a school. In the event that the school changes its location the Planning Director can alter the terms of this

S. JIFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 13 SP - LIB PLANS REQ (1) (cont.) RECOMMND

Condition of Approval.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 14 SP - LIB CONST (1) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 1,201st dwelling unit permit within the SPECIFIC PLAN, the library within the school in the Resort shall be constructed and fully operable with all required maintenance agreements secured; provided, however, in no event shall the library within the school in the Resort be constructed and fully operable any later than five (5) years following the construction of the 701st dwelling unit. In the event that the school changes its location the Planning Director can alter the terms of this Condition of Approval.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 15 SP - LIB PLANS REQ (2) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 5,201st building permit within the SPECIFIC PLAN, detailed plans for a public library with at least 20,000 square feet within the Community Center campus in the Central Park shall be approved by the Planning Department. The Planning Department shall ensure plans are consistent with all requirements of the County Librarian and County Service Area No. 146 or similar provider. The Library plans shall conform to the design criteria as specified in the VILLAGE REFINEMENT PLAN for the Park VILLAGE as approved by the Planning Commission. The Library within the Community Center may not replace or

S :IFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 15 SP - LIB PLANS REQ (2) (cont.) RECOMMND

cause to have closed the Library in the Resort VILLAGE.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 16 SP - LIB CONST (2) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 6,001st dwelling unit permit within the SPECIFIC PLAN, the Library within Central Park shall be constructed and fully operable with all required maintenance agreements secured; provided, however, in no event shall the Library within Central Park be constructed and fully operable any later than five (5) years following the construction of the 5,500st dwelling unit.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 17 SP - PB TRL PLN REQ (1) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 4,801st building permit within the SPECIFIC PLAN, detailed plans for a portion of the Parkbelt Trail shall be approved by the Planning Department. Said portion shall be between Hanson Avenue and the intersection of MM Boulevard and Park Center Boulevard on the eastern edge of Phase 2, substantially conforming with the Parkbelt Trail Exhibit shown in the VILLAGE REFINEMENT PLAN for the Park VILLAGE, or to the satisfaction of the Planning Director. The Planning Department shall ensure plans are consistent with all requirements of the Metropolitan Water District (MWD) and County Service Area No. 146 or similar provider. The final route design shall be in substantial conformance with the Parkbelt Trail Exhibit shown in the VILLAGE REFINEMENT

S. CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 17 SP - PB TRL PLN REQ (1) (cont.) RECOMMND

PLAN for the Park VILLAGE as determined by the Planning Director and County Service Area No. 146 or similar provider and shall conform with the design criteria as specified in the VILLAGE REFINEMENT PLAN for the Park VILLAGE as approved by the Planning Commission.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 18 SP - PB TRL CONST (1) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 5,501st dwelling unit permit within the SPECIFIC PLAN, the Parkbelt Trail referenced in condition 100.Planning.17, substantially conforming with the Parkbelt Trail Exhibit shown in the VILLAGE REFINEMENT PLAN for the Park VILLAGE, shall be constructed and fully operable with all required maintenance agreements secured; provided, however, in no event shall the Parkbelt Trail be constructed and fully operable any later than five (5) years following the construction of the 5001st dwelling unit.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 19 SP - PB TRL PLN REQ (2) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 7,801st building permit within the SPECIFIC PLAN, detailed plans for the Parkbelt Trail between the eastern edge of Phase 3a, which is the eastern edge of the SPECIFIC PLAN and the intersection of MM Boulevard and Park Center Boulevard on the western edge of Phase 3a, substantially conforming with the Parkbelt Trail Exhibit shown in the VILLAGE REFINEMENT PLAN for the

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 19 SP - PB TRL PLN REQ (2) (cont.) RECOMMND

Enclave VILLAGE, shall be approved by the Planning Department. The Planning Department shall ensure plans are consistent with all requirements of the Metropolitan Water District (MWD) and County Service Area No. 146 or similar provider. The final route design shall be in substantial conformance with the Parkbelt Trail Exhibit shown in the VILLAGE REFINEMENT PLAN for the Pinnacle or Enclave VILLAGE as determined by the Planning Director and County Service Area No. 146 or similar provider and shall conform with the design criteria as specified in the VILLAGE REFINEMENT PLAN for the Enclave or Pinnacle VILLAGE, whichever is first, as approved by the Planning Commission.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 20 SP - PB TRL CONST (2) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 8,501st dwelling unit permit within the SPECIFIC PLAN, the Parkbelt Trail between the eastern edge of Phase 3a, which is the eastern edge of the SPECIFIC PLAN and the intersection of MM Boulevard and Park Center Boulevard on the western edge of Phase 3a, substantially conforming with the Parkbelt Trail Exhibit as shown in the VILLAGE REFINEMENT PLAN for the Enclave or Pinnacle VILLAGE, shall be constructed and fully operable with all required maintenance agreements secured; provided, however, in no event shall the Parkbelt Trail be constructed and fully operable any later than five (5) years following the construction of the 8,001st dwelling unit.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 21 SP - DG TRL PLN REQ (1) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 21 SP - DG TRL PLN REQ (1) (cont.) RECOMMND

take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 2,601st building permit within the SPECIFIC PLAN, detailed plans for the Lakeview Nuevo Design Guidelines Double Sided Trail along Hansen Avenue south of the intersection with the MWD Aqueduct property and north of Montgomery Avenue, shall be approved by the Planning Department. The Planning Department shall ensure plans are consistent with all requirements of the Department of Transportation and County Service Area No. 146 or similar provider. The final design shall be in substantial conformance with the standards shown for Street 'A' in the Lakeview Nuevo Design Guidelines, or as approved by the Director of Planning.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 22 SP - DG TRL CONST (1) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 3,201st dwelling unit permit within the SPECIFIC PLAN, the Lakeview Nuevo Design Guidelines Double Sided Trail along Hansen Avenue between the intersection of Hanson Ave. and the MWD aqueduct and Montgomery Avenue shall be constructed and fully operable with all required maintenance agreements secured; provided, however, in no event shall the Double Sided Trail be constructed and fully operable any later than five (5) years following the construction of the 2,701st dwelling unit.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 23 SP - DG TRL PLN REQ (2) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to

S. CIFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 23 SP - DG TRL PLN REQ (2) (cont.) RECOMMND

take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 2,601st building permit within the SPECIFIC PLAN, detailed plans for the Lakeview Nuevo Design Guidelines Double Sided Trail along Wolfskill Avenue between Hansen Avenue and Poppy Road, and a double sided trail along Poppy Road between Wolfskill Avenue and Corso Alto Avenue shall be approved by the Planning Department. The Planning Department shall ensure plans are consistent with all requirements of the Department of Transportation and County Service Area No. 146 or similar provider. The final design shall be in substantial conformance with the standards shown for Street 'A' in the Lakeview Nuevo Design Guidelines, or as approved by the Director of Planning.

Alternatively, the trails should be constructed in conjunction with the streets specified in the condition. In the event that the street construction is not planned near the indicated building permit trigger point of this condition, then the timing of the implementation of this condition shall be subject to the Planning Directors discretion.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 24 SP - DG TRL CONST (2) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 3,201st dwelling unit permit within the SPECIFIC PLAN, the Lakeview Nuevo Design Guidelines Double Sided Trail along a double sided trail along Wolfskill Avenue between Hanson Avenue and Poppy Road, and a double sided trail along Poppy Road between Wolfskill Avenue and Corso Alto Avenue shall be constructed and fully operable with all required maintenance agreements secured; provided, however, in no event shall the Double Sided Trail be constructed and fully operable any later than five (5) years following the

S IFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 24 SP - DG TRL CONST (2) (cont.) RECOMMND

construction of the 2,701st dwelling unit.

Alternatively, the trails should be constructed in conjunction with the streets specified in the condition. In the event that the street construction is not planned near the indicated building permit trigger point of this condition, then the timing of the implementation of this condition shall be subject to the Planning Directors discretion.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 25 SP - GB TRL PLN REQ (1) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 101st building permit within the SPECIFIC PLAN, detailed plans for the Greenbelt Trail between the San Jacinto River main channel north of the Ramona Expressway bridge and Davis Road shall be approved by the Planning Department. The Planning Department shall ensure plans are consistent with all requirements of the Riverside County Flood Control Department and County Service Area No. 146 or similar provider. The final route and design shall be determined by the applicant, the Director of Planning and County Service Area No. 146 or similar provider. A public maintenance provider shall also be identified prior to approval and all access easements required to perform maintenance shall be identified and recorded. The design of the trail shall be consistent with the standards shown in the Resort VILLAGE REFINEMENT PLAN, as approved by the Planning Commission. Any required non-public rights of way will be the responsibility of the applicant.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 26 SP - GB TRL CONST (1) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 501st dwelling unit permit within the SPECIFIC PLAN, the Greenbelt Trail between San Jacinto River main channel north of the Ramona Expressway bridge and Davis Road shall be constructed and fully operable with all required maintenance agreements secured; provided, however, in no event shall the Greenbelt Trail be constructed and fully operable any later than five (5) years following the construction of the 1st dwelling unit.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 27 SP - GB TRL PLN REQ (2) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 1,301st building permit within the SPECIFIC PLAN, detailed plans for the Greenbelt Trail between Davis Road and the far eastern edge of the Resort VILLAGE as depicted in the Resort VILLAGE REFINEMENT PLAN, shall be approved by the Planning Department. The Planning Department shall ensure plans are consistent with all requirements of the Riverside County Flood Control Department and County Service Area No. 146 or similar provider. The final route and design shall be determined by the applicant, the Director of Planning and County Service Area No. 146 or similar provider A public maintenance provider shall also be identified prior to approval and all access easements required to perform maintenance shall be identified and recorded. The design of the trail shall be consistent with the standards shown in the Resort VILLAGE REFINEMENT PLAN, as approved by the Planning Commission. Any required non-public rights of way will be the responsibility of the applicant.

To track total dwelling unit counts see condition

S :IFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 27 SP - GB TRL PLN REQ (2) (cont.) RECOMMND

"10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 28 SP - GB TRL CONST (2) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 1,751st dwelling unit permit within the SPECIFIC PLAN, the Greenbelt trail between Davis Road and the far eastern edge of the Resort VILLAGE as depicted in the Resort VILLAGE REFINEMENT PLAN, shall be constructed and fully operable with all required maintenance agreements secured; provided, however, in no event shall the Greenbelt Trail be constructed and fully operable any later than five (5) years following the construction of the 1,251st dwelling unit.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 29 SP - TRANSIT CENTER RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 1,981st building permit within the SPECIFIC PLAN The Transit Center, in substantial conformance with the Resort VILLAGE REFINEMENT PLAN, including a bus stop opportunity and park-n-ride lot to facilitate carpooling and/or use of public transportation shall be constructed and fully operable with all required maintenance agreements secured. Additionally, this location may be temporary. As the Town Center Village builds out the applicant and the County will consult with RTA on possible alternative locations, closer to density.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

S :IFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 30 SP - COMM GDN PLN REQ RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 1,375th building permit within the SPECIFIC PLAN, detailed park plans shall be approved by the Planning Department. The Planning Department shall ensure plans are consistent with all requirements of County Service Area No. 146 or similar provider. The detailed park plans shall conform to the design criteria outlined in the VILLAGE REFINEMENT PLAN for the Resort VILLAGE and as specified in the SPECIFIC PLAN. 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.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 31 SP - COMM GDN CONST RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 1,751st dwelling unit permit within the SPECIFIC PLAN, the Community Garden shall be constructed and fully operable with all required maintenance agreements secured; provided, however, in no event shall the Community Garden be constructed and fully operable any later than five (5) years following the construction of the 1,251st dwelling unit.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 34 SP - COMM VEHICLE RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to

S :IFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 34 SP - COMM VEHICLE (cont.) RECOMMND

take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

Prior to the issuance of the 4,061st building permit within the Specific Plan, the Master Developer shall provide proof that a community vehicle was purchased or leased for operation by the Homeowners' Association (HOA). The vehicle shall provide weekday commuter service, at reasonable hours, at a reasonable operating cost to the HOA, between regional transit destinations and the transit center within the project site, at a minimum. Said vehicle shall be electric, utilize a hybrid electric/fuel operating system or equivalent in fuel reduction terms.

This condition cannot be DEFERRED or set to NOT APPLICABLE.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 35 SP - ENV STEWARDHIP RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 1,600th building permit within the SPECIFIC PLAN proof of the establishment of an ongoing Environmental stewardship program shall be provided to the Director of Planning. The program shall include methods of community education such as interpretive and directional signs, demonstrations, and pamphlets. 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.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 36 SP - TRL UNDERCROSSING RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 36 SP - TRL UNDERCROSSING (cont.) RECOMMND

take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 9,141st building permit within the SPECIFIC PLAN the bridge and trail undercrossing located about one hundred and forty feet (140') to the west of the QQ Street (Town Center Blvd.) interchange along Ramona Expressway, shall be constructed and fully operable with all required maintenance agreements secured. The bridge and trail crossing shall be in substantial conformance with the depiction in the Resort VILLAGE REFINEMENT PLAN.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 37 SP - OFF SITE PARKS RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

All entitlements necessary to construct the location(s) of offsite parks required to bring the project into conformance with the 5 acre per thousand standard, shall be completed prior to the issuance of the 1,000th residential building permit. Prior to clearance of this condition, the counter technicians shall contact the Planning Director for authorization.

This condition shall be added to each VILLAGE REFINEMENT PLAN condition set until the condition is satisfied. When satisfied the condition shall be set to MET in all existing VILLAGE REFINEMENT PLAN condition sets. The condition need not be added to additional VILLAGE REFINEMENT PLAN condition sets once it has been satisfied.

This condition cannot be DEFERRED or set to NOT APPLICABLE. This condition need only be added to the VILLAGES that contain the appropriate number of units to trigger the dwelling unit count. Once met, the condition need not be added to other VILLAGE condition sets.

S IFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 37 SP - OFF SITE PARKS (cont.) RECOMMND

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 38 SP - PA12 PRI REC CONST RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 41st residential building permit within the SPECIFIC PLAN a private recreation facility shall be constructed and opened on part of PA 12 and the public parkland shall be constructed and opened on adjacent PA 6. The design shall substantially conform to the design criteria as specified in the VILLAGE REFINEMENT PLAN for the Resort VILLAGE.

This condition is intended to require the private community recreation center for the first phase to open at the same time the models open, prior to occupancy of any residential unit intended for use as a dwelling. Given the size of the first phase, there could be many different models.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 39 SP - PA14 PRK PLN REQ RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 375th building permit within the SPECIFIC PLAN, detailed plans for six (6) acres of public parkland on part of Planning Area Fourteen (PA14) (a joint-use park) shall be approved by the Planning Department. The design shall substantially conform to the design criteria as specified in the VILLAGE REFINEMENT PLAN for the Resort VILLAGE.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 40 SP - PA14 PRK CONST RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 751st building permit within the SPECIFIC PLAN, six (6) acres of public parkland shall be constructed and opened on part of Planning Area Fourteen (PA14) (a joint-use park).

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 41 SP - PA8 GB PLN REQ RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 1,375th building permit within the SPECIFIC PLAN, detailed plans for thirteen (13) acres of public parkland in Planning Area Eight (PA8) (active area of the Greenbelt) shall be approved by the Planning Department. The design shall substantially conform to the design criteria as specified in the VILLAGE REFINEMENT PLAN for the Resort VILLAGE.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 42 SP - PA8 GB CONST RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 1,751st building permit within the SPECIFIC PLAN, thirteen (13) acres of public parkland shall be constructed and opened on Planning Area Eight (PA8) (active area of the Greenbelt).

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 42 SP - PA8 GB CONST (cont.) RECOMMND

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 43 SP - PARKLAND RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 2,751st building permit within the SPECIFIC PLAN at least twenty eight (28) acres total of parkland that received credit shall be constructed and opened. All designs shall substantially conform to the design criteria as specified in the VILLAGE REFINEMENT PLAN for the Resort VILLAGE.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 44 SP - OFST PRK PLN (1) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 3,145th building permit within the SPECIFIC PLAN detailed plans for the eighteen (18) acres of public parkland shall be approved by the Planning Department.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 45 SP - OFST PRK CONST (1) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 3,251st building permit within

S :IFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 45 SP - OFST PRK CONST (1) (cont.) RECOMMND

the SPECIFIC PLAN 18 acres of public parkland shall be constructed and opened at the offsite park(s). The balance of parkland planned at the location(s) shall be dedicated to Riverside County (agency to be determined at time of dedication to the stasfaction of the Planning Director) in a raw land condition. Appropriate public maintenance providers shall be established with or prior to satisfaction of this condition.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 46 SP - PA39 PLN REQ (1) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 3,875th building permit within the SPECIFIC PLAN detailed plans for the sports park portion of the Central Park shall be approved by the Planning Department. All designs shall substantially conform to the design criteria as specified in the VILLAGE REFINEMENT PLAN for the Park VILLAGE.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 47 SP - PA39 CONST (1) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 4,251st building permit within the SPECIFIC PLAN the sports park portion of the Central Park shall be constructed and opened.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 48 SP - PA39 PLN REQ (2) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 5,375th building permit within the SPECIFIC PLAN detailed plans for the second half (non-sports) of Central Park shall be approved by the Planning Department. All designs shall substantially conform to the design criteria as specified in the VILLAGE REFINEMENT PLAN for the Park VILLAGE.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 49 SP - PA39 CONST (2) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 5,751st building permit within the SPECIFIC PLAN the second half (non-sports) of Central Park shall be constructed and opened.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 50 SP - PA39 ADD LAND DEDI RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 5,751st building permit within the SPECIFIC PLAN an additional 4 acres, or as approved by the Planning Director, shall be dedicated to the County for future expansion of the Community Facilities and /or park areas within Planning Area 39.

The intent of this condition is create a location for

S IFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 50 SP - PA39 ADD LAND DEDI (cont.) RECOMMND

additional community facilities that may be possible through a future County program. In the event that the land dedicated by this condition is not used for additional community facilities structures, it shall be used for additional park space and shall be creditied accordingly. Either way the land shall fully landscaped and irrigated at time of dedication. Satasfaction of this condtion shall be at the discrection of the Planning Director.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 51 SP - OFST PRK PLN (2) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 7,875th building permit within the SPECIFIC PLAN detailed plans for eighteen (18) additional acres of offsite public parkland shall be submitted to and approved by the Planning Department.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 52 SP - OFST PARK CONT (2) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 8,251st building permit within the SPECIFIC PLAN eighteen (18) additional acres of public parkland shall be constructed and opened at the offsite park(s). Appropriate public maintenance providers shall be established with or prior to satisfaction of this condition.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 53 SP - OFST PRK PLN (3) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 9,625th building permit within the SPECIFIC PLAN detailed plans for eighteen (18) additional acres of offsite public parkland shall be submitted to and approved by the Planning Department. The actual amount of parkland required may be less depending on the final unit count for the SPECIFIC PLAN. Such action will be at the discretion of the Planning Director. Appropriate public maintenance providers shall be established prior to satisfaction of this condition.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 54 SP - OFST PRK CONT (3) RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 10,000st building permit within the SPECIFIC PLAN 18 additional acres of public parkland shall be constructed and opened at the offsite park(s).

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 55 SP - FINAL PARK COUNT RECOMMND

Whenever a condition of approval uses the term "building permit" to trigger an event or to cause another action to take place, the condition shall be interpreted to mean "Dwelling Units" as enumerated within the TOTAL DWELLING UNIT TRACKING MATRIX.

PRIOR TO THE ISSUANCE OF THE 11,350th building permit within the SPECIFIC PLAN 147.3 acres total of parkland shall be constructed and opened for The Villages of

SPECIFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 55 SP - FINAL PARK COUNT (cont.) RECOMMND

Lakeview. Parks may be on site or off-site.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 56 SP - AFFORDLT AGRMT (1) RECOMMND

PRIOR TO THE ISSUANCE OF THE 1251st building permit within the SPECIFIC PLAN, all discretionary applications (not including grading applications) for at least two hundred and fifty (250) affordable for-rent apartment units shall be approved. All affordable housing units required to satisfy this condition shall be built within the project boundaries unless otherwise requested by the County. This condition represents half of the affordable for-rent apartment units created for/by the project. The project shall complete a total of five hundred (500) for-rent apartment units. At least 250 shall be age restricted units, and at least 250 shall be non-age restricted. The age restricted units shall be for senior citizens earning 120% or less of the area median income. The unit mix for the age restricted units shall be selected by applicant. The non-age restricted units shall consist of 53 dwelling units affordable to individuals or families earning 50% or less of the area median income, 53 dwelling units affordable to individuals or families earning 80% or less of the area median income and 144 dwelling units affordable to individuals or families earning 120% or less of the area median income.
An agreement between the applicant for the affordable for-rent apartment units and the County Economic Development Agency (EDA) shall be approved in conjunction with the entitlements. The agreement shall include, at a minimum, a provision for an annual fee paid to EDA to administer the program; provisions for annual inspections/audits by EDA to assure consistency with the terms of the agreement; a minimum term of affordability, and provisions for covenants and deed restrictions on all structures for the life of the agreement. All units shall be comparable and similar in appearance to market rate apartment units within the SPECIFIC PLAN.

This condition cannot be DEFERRED or set to NOT APPLICABLE.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

S :IFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 57 SP - AFFORDLT CONST (1) RECOMMND

PRIOR TO THE ISSUANCE OF THE 2,501st building permit within the SPECIFIC PLAN, at least two hundred and fifty (250) affordable for-rent apartment units shall be constructed.

This condition cannot be DEFERRED or set to NOT APPLICABLE.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 58 SP - AFFORDLT AGRMT (2) RECOMMND

PRIOR TO THE ISSUANCE OF THE 4251st building permit within the SPECIFIC PLAN, all discretionary applications (not including grading applications) for at least two hundred and fifty (250) affordable for-rent apartment units shall be approved. All affordable housing units required to satisfy this condition shall be built within the project boundaries unless otherwise requested by the County. This condition represents half of the affordable for-rent apartment units created for/by the project. The project shall complete a total of five hundred (500) for-rent apartment units. At least 250 shall be age restricted units, and at least 250 shall be non-age restricted. The age restricted units shall be for senior citizens earning 120% or less of the area median income. The unit mix for the age restricted units shall be selected by applicant. The non-age restricted units shall consist of 53 dwelling units affordable to individuals or families earning 50% or less of the area median income, 53 dwelling units affordable to individuals or families earning 80% or less of the area median income and 144 dwelling units affordable to individuals or families earning 120% or less of the area median income.
An agreement between the applicant for the affordable for-rent apartment units and the County Economic Development Agency (EDA) shall be approved in conjunction with the entitlements. The agreement shall include, at a minimum, a provision for an annual fee paid to EDA to administer the program; provisions for annual inspections/audits by EDA to assure consistency with the terms of the agreement; a minimum term of affordability, and provisions for covenants and deed restrictions on all structures for the life of the agreement. All units shall be comparable and similar in appearance to market rate apartment units within the SPECIFIC PLAN.

S :IFIC PLAN Case #: SP00342 Parcel: 426-160-019

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 58 SP - AFFORDLT AGRMT (2) (cont.) RECOMMND

This condition cannot be DEFERRED or set to NOT APPLICABLE.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

100.PLANNING. 59 SP - AFFORDLT CONST (2) RECOMMND

PRIOR TO THE ISSUANCE OF THE 6001st building permit within the SPECIFIC PLAN, at least two hundred and fifty (250) affordable for-rent apartment units shall be constructed.

This condition cannot be DEFERRED or set to NOT APPLICABLE.

To track total dwelling unit counts see condition "10.Planning.10 DU/BUILDING PERMIT MATRIX."

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

RCA Joint Project Review (JPR)

JPR #: 07 07 16 01
Date: 6/16/08

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 attached	SU1 – San Jacinto River SU2 – Lakeview Mtns West	L & Independent	2161, 2252, 2253, 2258, 2259, 2355, 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

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

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

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?

Yes. 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?

Yes. 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 brodiaea, 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?

Yes. 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

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

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 long-term 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,

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

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:

SPECIFIC PLAN NO. 342 / GENERAL PLAN AMENDMENT NO. 720 (Land Use) / GENERAL PLAN AMENDMENT 721 (Circulation) / CHANGE OF ZONE NO. 7055 / ENVIRONMENTAL IMPACT REPORT NO. 471 – Applicant: Nuevo Development Company LLC. – Engineer/Representative: Lewis Operating Corporation - Fifth Supervisorial District – Lakeview Area and Hemet/San Jacinto & Lakeview Zoning District – Lakeview/Nuevo Area Plan: Agriculture: Agriculture (AG:AG) (10 Acre Minimum), Community Development: Commercial Retail (CD:CR) (0.20 - 0.35 Floor Area Ratio), Community Development: Low Density Residential (CD:LDR) (1/2 Acre Minimum), Community Development: Light Industrial (CD:LI) (0.25 - 0.60 Floor Area Ratio), Community Development: Public Facilities (CD:PF) (< 0.60 Floor Area Ratio), Community Development: Very Low Density Residential (CD: VLDR) (1 Acre Minimum), Rural Community: Low Density Residential (RC:LDR) (1/2 Acre Minimum), Rural Community: Very Low Density Residential (RC:VLDR) (1 Acre Minimum), Rural: Rural Mountainous (R:RM) (10 Acre Minimum), Rural: Rural Residential (R:RR) (5 Acre Minimum), Open Space: Conservation (OS:C), and Open Space: Conservation Habitat (OS:CH) Location: The project is located westerly of the City of San Jacinto, northerly of the Juniper Flats Mountains, northerly and southerly of the Ramona Expressway, and easterly of the San Jacinto River – 2,786 Gross Acres - Zoning: Light Agriculture 10-Acre Minimum (A-1-10), Heavy Agriculture 10-Acre Minimum (A-2-10), Light Agriculture with Poultry 5-Acre Minimum (A-P), Rural Commercial ½-Acre Minimum (C-R), Manufacturing Service Commercial (M-SC), Natural Assets 20-Acre Minimum (N-A), Residential Agriculture ½-Acre Minimum (R-A), Residential Agriculture 1-Acre Minimum (R-A-1), Residential Agriculture 10-Acre Minimum (R-A-10), Residential Agriculture 2 ½-Acre Minimum (R-A-2 ½), Rural Residential ½-Acre Minimum (R-R), Natural Assets (N-A-640) - **REQUEST:** The Specific Plan proposes a maximum of 11,350 dwelling units to be constructed within seven (7) villages within 2,786 Gross Acres. The proposed land uses include: Medium High Residential (MH) (5 – 8 Dwelling Units per Acre) for 2,520 dwelling units on 490 Gross Acres; High Residential (H) (8 – 14 Dwelling Units per Acre) for 3,310 units on 371 Gross Acres; Very High Residential (VH) (14 – 22 Dwelling Units per Acre) for 2,420 units on 183 Gross Acres; Mixed Use Town Center (MU) for 3,100 units and 500,000 square feet of commercial on 288 Gross Acres; Public Facilities (PF) on 59 Gross Acres; Public Facilities/Open Space (PF/OS) on 95 Gross Acres; Parks on 155 Gross Acres ; Open Space (OS) on 998 Gross Acres; and 147 acres of right-of-way (ROW). General Plan Amendment No. 720 involves a "Foundation" change from Rural/Agricultural and Open Space to Community Development and changing the underlying land use designations from; Medium Density Residential (2-5 Dwelling Units per Acre); Low Density Residential (1/2 Acre Minimum); Very Low Density Residential (1 Acre Minimum); Light Industrial; Public Facility; Retail; Agriculture; Rural Mountainous; and, Conservation, to a Community Development Specific Plan (SP) land use designation. General Plan Amendment No. 721 proposes an amendment to the Circulation Element to delete, modify or add any Circulation Element roadways interior to or along the boundary of the Specific Plan to implement the roadway network illustrated in Exhibit B.2.6C - General Plan Roadway Classifications. This Exhibit is available for inspection through the contacts or at the location identified below in this notice. Key changes proposed to the County Circulation Element include, but are not limited to: the elimination of Yucca Avenue as a through street within the project boundary, the rerouting of 10th Street/Wolfskill Avenue as an Arterial and Secondary roadway east of Hansen Avenue. (The existing alignment of Wolfskill will remain a local street east of Hansen and will not be upgraded.) Hansen Avenue along the project boundary will be reclassified from a Major roadway (118' right-of-way) to a Collector Street, and Bridge Street, 3rd Street, 5th Street, and 6th Street will be eliminated on the project site and will not have direct access to Ramona Expressway as access to Ramona will be shifted to Town Center and Park Center Boulevards exclusively in this vicinity. Additionally, the above General Plan Amendment will amend the Circulation Element Trails and Bikeways System to include the Community Trail designation

for a number of the trails proposed within the project boundary. A view of all the proposed trails within the project area is shown on Exhibit B.8.18.b, Project Trails Plan which is available for inspection through the contacts or at the location identified below in this notice. The Change of Zone is a request to change the zoning of the subject properties from A-1-10, A-2-10, A-P, C-P-S, C-R, M-SC, R-1, R-A, R-A-1, R-A-10, R-A-$2^{1/2}$, and R-R Zone to Specific Plan (SP). The Project is also proposing a Zoning Ordinance to implement the Specific Plan. The Environmental Impact Report analyzes the environmental impacts of the proposed project- APN(s): 425-100-002, 425-100-015, et al. (Legislative)

TIME OF HEARING:	9:00 a.m. or as soon as possible thereafter.
DATE OF HEARING:	September 16, 2009
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 Matt Straite, Project Planner at 951-955-8631 or e-mail mstraite@rctlma.org, or go to the County Planning Department's Planning Commission agenda web page at www.tlma.co.riverside.ca.us/planning/pc.html

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 documents related to the proposed project, and the final environmental impact report, may be viewed Monday through Thursday, from 8:00 A.M. to 5:00 P.M. at the Planning Department office, located at 4080 Lemon St. 9th 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 comments, 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: Matt Straite
P.O. Box 1409, Riverside, CA 92502-1409

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 8/24/09,

The attached property owners list was prepared by Riverside County GIS,

APN (s) or case numbers SP00342 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.

I 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 2nd Floor

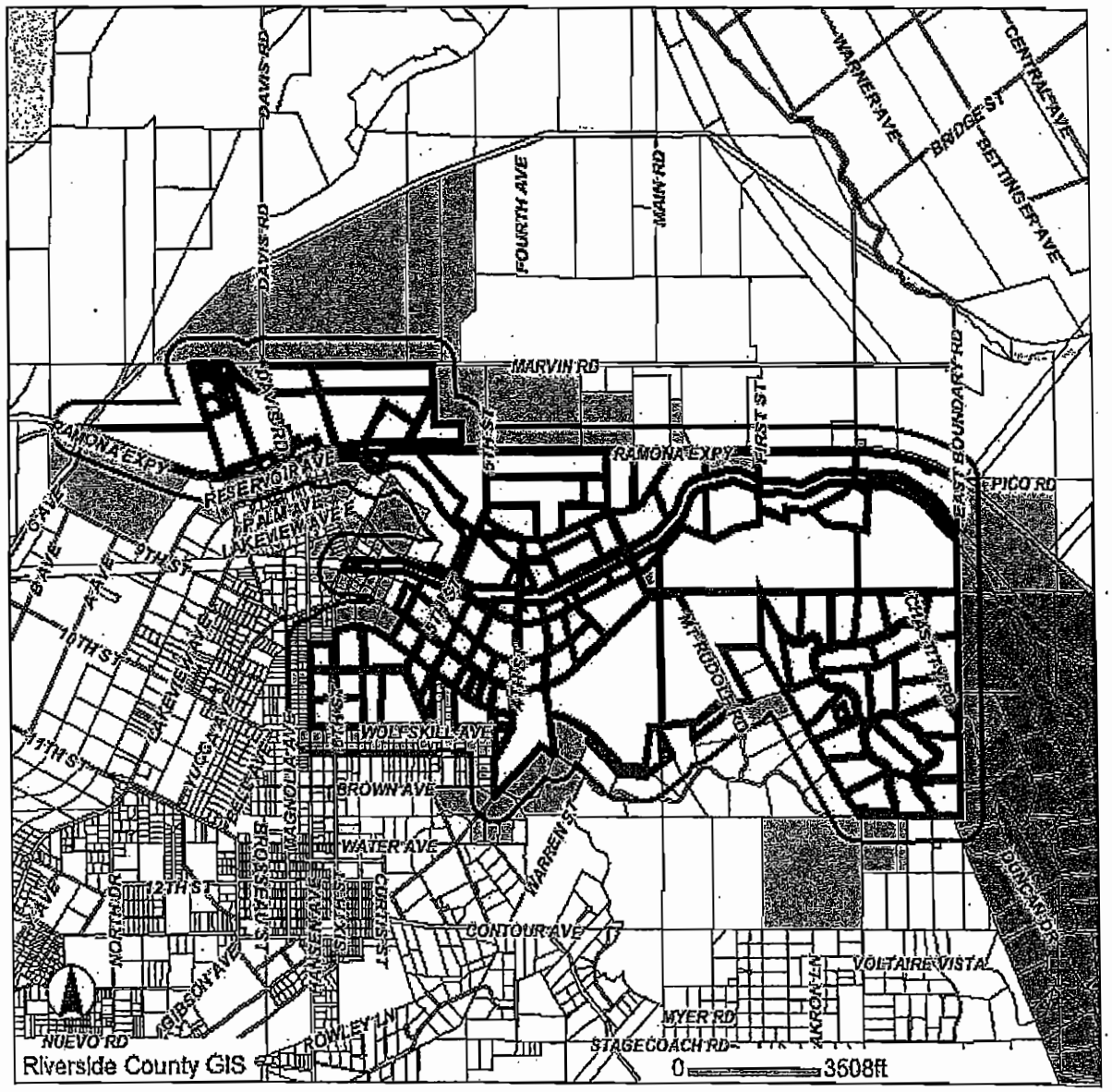
Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. – 5 p.m.): (951) 955-8158

8/27/09 CO

EXPIRES: 2/27/10

600 feet buffer



Selected parcel(s):

425-030-010	425-040-008	425-040-009	425-040-022	425-070-015	425-070-028	425-100-003
425-100-005	425-100-014	425-100-016	425-110-004	425-120-012	425-130-010	425-130-013
425-140-011	425-150-009	425-150-010	425-180-001	425-190-006	425-190-007	425-190-018
425-210-016	425-240-014	425-260-001	426-020-005	426-020-006	426-020-007	426-020-011
426-030-002	426-030-003	426-030-022	426-060-001	426-060-002	426-060-003	426-060-004
426-072-002	426-073-002	426-074-002	426-074-003	426-074-004	426-074-005	426-074-006
426-074-007	426-075-009	426-075-010	426-075-011	426-075-012	426-075-013	426-075-014
426-075-015	426-082-003	426-083-007	426-083-008	426-083-009	426-083-010	426-083-011
426-140-020	426-140-023	426-140-029	426-140-030	426-140-037	426-140-043	426-140-044
426-140-045	426-140-046	426-140-047	426-150-005	426-150-006	426-150-015	426-150-021
426-160-014	426-160-037	426-160-038	426-160-039	426-160-040	426-160-041	426-160-042
426-160-043	426-160-044	426-160-045	426-160-046	426-160-048	426-160-049	426-160-050
426-160-052	426-160-056	426-200-013	426-200-014	426-200-015	426-200-056	426-200-057
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426-210-024	426-210-037	426-210-038	426-210-039	426-210-040	426-210-041	426-210-044
426-210-050	426-210-061	426-210-062	426-210-063	426-210-069	426-210-070	426-210-071
426-340-001	426-340-004	426-340-005	426-340-006	426-340-007	426-340-014	426-340-015
426-340-032	426-340-033	426-340-036	426-340-037	426-340-067	426-340-068	426-340-069
426-340-070	426-340-071	426-340-072	426-340-074	426-340-075	426-340-076	426-340-077

426-340-078	426-350-002	426-350-007	426-350-011	426-350-034	426-350-035	426-350-036
426-350-037	426-350-041	426-350-047	426-350-048	426-350-049	426-350-050	426-350-051
426-350-053	426-350-054	426-370-005	426-380-001	426-380-004	426-380-005	426-380-006
426-380-007	426-380-008	426-380-010	426-380-011	426-380-012	426-380-013	426-380-014
426-380-015	426-380-016	426-380-017	426-380-018	426-380-021	426-380-022	426-380-023
426-380-024	426-380-025	426-380-026	426-400-001	426-400-002	426-400-005	426-400-010
426-400-011	426-400-014	426-400-016	426-400-017	426-400-020	426-400-021	426-400-022
426-410-002	426-410-003	426-410-004	426-410-005	426-410-008	426-410-009	426-410-011
426-410-012	426-410-013	426-410-014	426-410-015	426-410-016	426-410-017	426-410-018
426-410-019	426-410-020	426-410-021	426-410-022	426-410-023	426-410-024	426-410-025
426-410-027	426-410-028	427-140-026	427-140-029	427-140-033	427-140-054	427-180-003
427-200-003	427-200-015					

IMPORTANT
This information is made available through the Riverside County Geographic Information System. The information is for reference purposes only. It is intended to be used as base level information only and is not intended to replace any recorded documents or other public records. Contact appropriate County Department or Agency if necessary. Reference to recorded documents and public records may be necessary and is advisable.

MAP PRINTED ON...08/27/2009

APN: 425030010 ASMT: 425030010
STATE OF CALIFORNIA
C/O DEPT OF FISH & GAME
330 GOLDEN SHORE STE 50
LONG BEACH CA 90802

APN: 425040008 ASMT: 425040008
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Att: Cathy Perring
Corporate Office
3788 McCray St | Riverside, CA 92506

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

Planning Department

Ron Goldman · Planning Director

TO: ☐ Office of Planning and Research (OPR)
P.O. Box 3044
Sacramento, CA 95812-3044
☒ County of Riverside County Clerk

FROM: Riverside County Planning Department
☒ 4080 Lemon Street, 9th Floor
P. O. Box 1409
Riverside, CA 92502-1409

☐ 38686 El Cerrito Road
Palm Desert, California 92211

SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the California Public Resources Code.

SPECIFIC PLAN NO. 342, GENERAL PLAN AMENDMENT NO. 720 (Land Use) & 721 (Circulation), CHANGE OF ZONE NO. 7055 and ENVIRONMENTAL IMPACT REPORT NO. 471
Project Title/Case Numbers

Matt Straite
County Contact Person

951-955-8631
Phone Number

SCH# 2006071095
State Clearinghouse Number (if submitted to the State Clearinghouse)

Nuevo Development Company LLC
Project Applicant

P.O Box 670 Upland, CA
Address

The project is located west of the City of San Jacinto, north of the Juniper Flats Mountains, north and south of the Ramona Expressway, and east of the San Jacinto River
Project Location

The Specific Plan proposes a maximum of 11,150 dwelling units to be constructed within seven (7) villages and one (1) conservation area on 2,786 Gross Acres. The proposed land uses include: Medium High Residential (MH) (5 – 8 Dwelling Units per Acre) for 2,520 dwelling units on 490 Gross Acres; High Residential (H) (8 – 14 Dwelling Units per Acre) for 3,310 units on 371 Gross Acres; Very High Residential (VH) (14 – 22 Dwelling Units per Acre) for 2,420 units on 183 Gross Acres; Mixed Use Town Center (MU) for 3,100 units and 500,000 sq. ft. of commercial on 288 Gross Acres; Public Facilities (PF) on 59 Gross Acres; Public Facilities/Open Space (PF/OS) on 95 Gross Acres; Parks on 155 Gross Acres ; Open Space (OS) on 998 Gross Acres; and 147 acres of right-of-way (ROW). General Plan Amendment No. 720 involves a "Foundation" change from Rural/Agricultural and Open Space to Community Development and changing the underlying land use designations from; Medium Density Residential (2-5 DU/AC); Low Density Residential (1/2 AC Min.); Very Low Density Residential (1 AC Min.); Light Industrial; Public Facility; Retail; Agriculture; Rural Mountainous; and, Conservation, to a Community Development Specific Plan (SP) land use designation. General Plan Amendment No. 721 proposes a circulation amendment. Change of Zone No. 7055, amending the zoning classification for the subject property from Light Agriculture 10 acre min. (A-1-10), Heavy Agriculture 10 acre Min. (A-2-10), Light Agriculture with Poultry (A-P), Scenic Highway Commercial (C-P-S), Commercial Retail (C-R), Manufacturing- Service Commercial (M-SC), One- Family Dwelling (R-1), Residential Agriculture (R-A), Residential Agriculture 1 acre Min. (R-A-1), Residential Agriculture 10 acre Min. (R-A-10), Residential Agriculture 2 ½ acre Min. (R-A-21/2), Rural- Residential (R-R)
Project Description

This is to advise that the Riverside County Board of Supervisors as the lead agency, has approved the above-referenced project on _____, and has made the following determinations regarding that project:

1. The project WILL have a significant effect on the environment.
2. An Environmental Impact Report was prepared for the project pursuant to the provisions of the California Environmental Quality Act ($2,768.25 + $64.00).
3. Mitigation measures WERE made a condition of the approval of the project.
4 A Mitigation Monitoring and Reporting Plan/Program WAS adopted.
5. A statement of Overriding Considerations was adopted for the project.

This is to certify that the Environmental Impact Report, with comments, responses, and record of project approval is available to the general public at: Riverside County Planning Department, 4080 Lemon Street, 9th Floor, Riverside, CA 92501.

Signature	*Title*	*Date*

Date Received for Filing and Posting at OPR: _____

DM/rj
Revised 8/25/2009
Y:\Planning Case Files-Riverside office\SP00342\Hearings\PC October 21 2009\NOD Form.doc

Please charge deposit fee case#: ZEAN/A ZCFG5289 .

FOR COUNTY CLERK'S USE ONLY

COUNTY OF RIVERSIDE O* REPRINTED * R0913433
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 694-5242

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

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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

By_____ Sep 21, 2009 11:19
SBROSTRO posting date Sep 21, 2009

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Account Code	Description	Amount
658353120100208100	CF&G TRUST	$2,768.25
583531201002081 00	CF&G TRUST: RECORD FEES	$64.00

Overpayments of less than $5.00 will not be refunded!

COPY 2-TLMA ADMIN * REPRINTED *

RAMONA BAND OF CAHUILLA

56310 Highway 371, Suite B
Post Office Box 391670
Anza, California 92539

Tel: (951) 763-4105
Fax: (951) 763-4325
E-mail: admin@ramonatribe.com

"A SOVEREIGN NATION"

December 15, 2009

County of Riverside
Board of Supervisors
C/o Riverside County Clerk of the Board
4080 Lemon Street, 1st Floor
P.O. Box 1147
Riverside, CA 92502-1147

Via email, facsimile, and USPS

Re: Specific Plan No. 342; General Plan Amendment No. 720; Circulation Element General Plan Amendment No. 721; Change of Zone No. 7055

Dear Board of Supervisors:

The Ramona Band of Cahuilla, a federally recognized Indian tribe, submits these comments with regards to proposed project/actions listed above. The comments submitted by the Ramona Band of Cahuilla are based on the Tribe's concerns for the protection of unique and irreplaceable cultural resources, such as Cahuilla village and burial sites and archaeological items that may be displaced by ground-disturbing work associated with any project within the aboriginal or shared homelands of the Cahuilla people.

The Ramona Band of Cahuilla Indians is also concerned about the proper and lawful treatment of any cultural or ceremonial items, Native American human remains, or sacred items discovered during planning and/or development of the proposed project.

There are numerous and significant cultural resources found within the proposed project/actions' area of potential effect. To date, the Ramona Band of Cahuilla has been working as a consulting tribe with other affected Tribes, the developer, and the developer's archaeologists regarding the proposed project/actions, as the proposed project/actions have the potential to adversely impact important and significant resources the Tribes hold dear and wish to protect from further intrusions and impacts.

Considering that numerous and significant cultural resources are found with in the area of potential effect and these invaluable resources are located within the aboriginal territory of many Tribes, including that of the Ramona Band of Cahuilla, we request that the County of Riverside consider and implement the following recommendations regarding cultural resources as conditions of approval of the proposed project/actions:

1) The development of a mitigation plan that specifically addresses the impact(s) the proposed project/actions may have on cultural resources within the area of potential effect. The mitigation plan shall be prepared through consultation with the potentially affected Tribes. The mitigation plan shall address the entirety of the proposed project/actions, including future projects/maps associated with the proposed project/actions. The mitigation plan shall be executed and filed with the County prior to the County or its agencies providing permits and/or approvals for any work associated with the proposed project/action.

2) The affected Tribes shall be allowed to monitor, at the developer or applicant's expense, any and all ground disturbing or other work which has the potential to impact cultural resources.

3) Development of a process/procedure for handling inadvertent discoveries.

3) The affected Tribes shall be allowed to assist with the design of future or new maps associated with the proposed project/actions.

The Ramona Band of Cahuilla also supports any other recommendations the County or other affected Tribes may provide which aim to protect and preserve the cultural resources within the proposed project/action's area of potential affect and which safeguard the rights of the affected Tribes to protect and preserve the cultural resources which may be impacted by the proposed project/actions.

The Ramona Band of Cahuilla appreciates this opportunity to work with the County of Riverside, on a government-to-government basis to address the Tribe's concerns regarding the invaluable and finite resources located within our aboriginal territory.

Please feel free to contact me at (951)941-4943 if you have any questions or wish to discuss this matter further.

Sincerely,

John Gomez, Jr.
Project Coordinator, Ramona Band of Cahuilla

Cc: County of Riverside Archaeologist