

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

605 B



FROM: TLMA – Planning Department

SUBMITTAL DATE:
June 18, 2015

SUBJECT: SPECIFIC PLAN NO. 364, GENERAL PLAN AMENDMENT NO. 743, CHANGE OF ZONE NO. 7143, TENTATIVE TRACT MAP NO. 36450, and ENVIRONMENTAL IMPACT REPORT NO. 530 – Intent to certify an Environmental Impact Report - Applicant: Colinas Del Oro Land Company, LLC - First Supervisorial District – Meadowbrook Zoning Area – Elsinore Area Plan: Rural-Rural Mountainous (R:RM), Community Development- Very Low Density Residential (CD:VLDR) – Location: Westerly of Highway 74, southerly of Ethanac Road – 127.4 Gross Acres - Zoning: Rural Residential (R-R) – **REQUEST:** The Specific Plan proposes a master plan of 126.4 acres in the Community Development and Rural Foundations featuring residential and commercial designations as well as open space, trails and recreation space with a maximum dwelling unit count of 490 dwelling units. The Tentative Tract Map is a Schedule A subdivision of 126.4 acres into 245 residential lots with an average lot size of 6,518 sq. ft. The General Plan Amendment and Change of Zone propose to establish a Specific Plan on the site. The Environmental Impact Report proposes to study the possible impacts resulting from the project. Deposit based funds 100%.

Departmental Concurrence

Steve Weiss

Steve Weiss
Planning Director

(Continued on next page)

Juan Perez

Juan Perez
TLMA Agency Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$	\$	\$	\$	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$	\$	\$	\$	

SOURCE OF FUNDS: Deposit based funds

Budget Adjustment:

For Fiscal Year:

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

BY:

Tina Grande
Tina Grande

MINUTES OF THE BOARD OF SUPERVISORS

- Positions Added
- Change Order
- A-30
- 4/5 Vote

Prev. Agn. Ref.:

District: 1

Agenda Number:

16-1

RECOMMENDED MOTION: The Planning Commission and Staff Recommend that the Board of Supervisors:

TENTATIVELY CERTIFY ENVIRONMENTAL IMPACT REPORT NO. 530, which has been completed in compliance with the State CEQA Guidelines and the Riverside County CEQA implementation procedures; pending adoption of a resolution by the Board of Supervisors; and,

TENTATIVELY APPROVE GENERAL PLAN AMENDMENT NO. 743, amending the Land Use Designation of the project area from Community Development: Very Low Density Residential (CD:VLDR), and Rural: Rural Mountainous (R:RM) to Medium Density Residential (MDR), Medium High Density Residential (MDHR), Mixed Use (MU), Open Space-Recreation (OS-R), and Rural Mountainous (RM) as illustrated through the proposed Colinas del Oro Land Use Plan and to modify table 3 of the Elsinore Area Plan to include this Specific Plan; pending adoption of the General Plan Amendment resolution by the Board of Supervisors; and,

TENTATIVELY APPROVE SPECIFIC PLAN NO. 364, subject to the conditions of approval and based on the findings and conclusions incorporated in the staff report, pending adoption of the Specific Plan Resolution by the Board of Supervisors; and,

TENTATIVELY APPROVE CHANGE OF ZONE NO. 7143, amending the zoning designation of the project site from Rural Residential (RR) to Specific Plan (SP) as well as formalize the Specific Plan Boundary; pending adopting of the zoning ordinance for the Specific Plan; and,

APPROVE TENTATIVE TRACT MAP NO. 36450, subject to the conditions of approval and based on the findings and conclusions incorporated in the staff report.

BACKGROUND:

General Plan Amendment No. 743 was initiated by the Board of Supervisors on June 16, 2009.

Summary

The Specific Plan proposes a master planned community of 126.4 acres for 490 single family homes on 59.8 acres, 11.3 acres for mixed use development, 48.8 acres for open space, and 8.2 acres for infrastructure development.

The residential aspect of the proposed Specific Plan will encompass 59.8 acres and will incorporate both single family and multi-family dwelling units at varying densities and designs. Proposed densities consist of Medium Density Residential (MDR, 22.4 acres, 43-107 dwelling units), Medium High Density Residential (MHDR, 25.6 acres, 120-193 dwelling units), and Very High Density Residential (VHDR, 11.5 acres, 139-198 dwelling units). The mixed-use area of the proposed Specific Plan will encompass 11.4 acres and be designated for commercial retail, office space, and residential land uses. The mixed-use planning area will allow for residential dwelling units to be horizontally or vertically integrated adjacent to office and commercial space. Overall, there will be a maximum of 49 residential units located within the mixed-use area of the Specific Plan. Residential units for this planning area may consist of, but not limited to, multi-family attached townhomes, courtyards or stacked flats and live/work units.

The project lies between the City of Elsinore (1.7 miles south west), and the City of Perris (2.6 miles north east). There are currently several commercial designations up and down Highway 74. Additionally, the project is located along Highway 74 and near Ethanac Road, both are Expressways (184' ROW) in the General Plan. Highway 74 is an Expressway intended to carry large volumes of connecting traffic between the two cities. The eventual buildout of these roadways would alter the character of the area. In addition, under the proposed General Plan Update, the character of the immediate vicinity of the proposed Project, on both sides of SR 74 would be altered, based on the recommended land uses. The proposed General Plan Update (GPA960) currently being processed by Planning calls for approximately 80 acres of Commercial Retail (CR) and 75 acres of Medium High Density Residential (MHDR) within up to 1 mile of the proposed Project vicinity, adjacent to SR 74. Lastly, according to the proposed General Plan Update, the proposed Project site is being recommended to be developed as Light Industrial (LI). The proposed Project is a mixed use, commercial, residential, recreational and open space project, which will be more compatible with the future development in the area than uses permitted under the LI designation.

As modified by the Planning Commission, the project is being required to provide a Community center site and be responsible for construction. The center will be open to the entire community of Meadowbrook, not just the project.

A total of 48.8 acres of the project area will be dedicated for the development of parks, recreational facilities, and open space. Located within Planning Area 6 (PA 6), 30 acres of the project site will be designated for the use of hillside preservation and recreation. The Rural Mountainous area of the proposed Specific Plan will consist of 10.4 acres within Planning Area 7 (PA7) and will be an extension of Planning Area 6 (PA6). In addition to the hillside preservation and rural mountainous land uses, a 5.9 acre community park will be located within Planning Area 4a (PA4a) featuring a pool and other recreational amenities, and a 1.4 acre park will be located within Planning Area 3 (PA3) which will be partly open to the public. The tot-lot, the open areas and trails will be open to the public, the pool will be available only to those within the home owners association.

The Tentative Map proposes a Schedule "A" subdivision of 126.4 acres into 245 residential lots with an average lot size of 6,518 square feet and eight (8) lettered lots. The lettered lots will be intended for water quality basins, open space, and landscaping features. The lettered lots will be distributed throughout the project site and range from 0.05 to 42.69 acres.

The General Plan Amendment proposes to amend the Land Use Designation of the project site from Community Development: Very Low Density Residential (CD:VLDR), and Rural: Rural Mountainous (R:RM) to Medium Density Residential (MDR), Medium High Density Residential (MDHR), Mixed Use (MU), Open Space-Recreation (OS-R), and Rural Mountainous (RM) as illustrated by the proposed Colinas del Oro Land Use Plan.

The Change of Zone proposes to change the zoning of the project area from Rural Residential (RR) to Specific Plan (SP) as well as formalize the Specific Plan Boundary and create a Zoning Ordinance for the proposed Project.

The Environmental Impact Report has been prepared to inform decision-makers and the public of the potential significant environmental effects associated with changing the General Plan Land Use designation, creation of a Specific Plan, and rezoning approvals for the proposed Specific Plan.

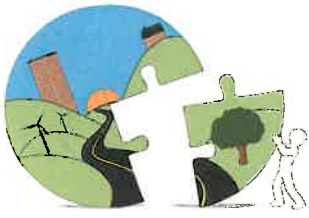
The project applicant held several community meetings and the project has been reviewed by the MAC. One of the community meetings on April 2, 2015 in the Good Hope Community Center, was attended by several County Staff members.

Impact on Citizens and Businesses

The impacts of this project have been evaluated through the environmental review and public hearing process by Planning staff and the Planning Commission.

ATTACHMENTS:

- A. Planning Commission Staff Report**
- B. Planning Commission Minutes**
- C. Planning Commission Memo**
- D. Specific Plan Zoning Ordinance**



*Steve Weiss AICP
Planning Director*

RIVERSIDE COUNTY PLANNING DEPARTMENT

Memorandum

Date: August 6, 2015

To: Board of Supervisors

From: Matt Straite, Planning Staff

RE: Additional Information for Specific Plan No. 364, Colinas Del Oro scheduled for Board on August 18, 2015

As a summary, the following speakers addressed the Board during the July 21, 2015 Board hearing regarding the proposed Specific Plan:

IN FAVOR	AGAINST
Michelle Randall	Gary Grant
David Milo	Paul Jacobs
Eddy Milo	Mrs. Miller
Bonnie Fields	Debbie Walsh
Elsa De Philips	
Jeff Logan	

Additionally, a memo dated June 18, 2015 was distributed to the Board containing a summary of the Planning Commissions proposed changes and additions to the project. The Planning Commission recommended two conditions of approval that were not included in that memo. One recommended condition would require the County to consider entering into agreements with future developers to contribute funds for the Community Center. Staff is not recommending this condition because it is infeasible and creates a requirement on the County, not the project applicant. The other recommended condition involved more stringent landscaping or water saving requirements for the project. Staff is not recommending this condition because the Board recently passed Ordinance No. 859.3 which imposes stricter landscaping requirements for development in the County. Therefore, staff is recommending approval of the project as provided in the staff report with these modifications to the Planning Commission's recommendation.

Y:\Planning Case Files-Riverside office\SP00364\PC-BOS Hearings\BOS\August 18, 2015\Planning Memo to the Board for August 18 2015 hearing.docx

Riverside Office · 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 77-588 El Duna Court, Suite H
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7040



MEMORANDUM

RIVERSIDE COUNTY COUNSEL

DATE: August 6, 2015

TO: Juan Perez
TLMA Agency Director

FROM: Shellie Clack
Deputy County Counsel

Aaron Gettis
Deputy County Counsel

RE: Johnson & Sedlack Letter Dated July 20, 2015
regarding Specific Plan No. 364

On July 20, 2015, Raymond Johnson from Johnson & Sedlack submitted a letter to the Board of Supervisors ("Board") regarding Item 16-1 appearing on the July 21, 2015 Board agenda. Agenda Item 16-1 was the consideration of General Plan Amendment No. 743, Specific Plan No. 364, Change of Zone No. 7143, Tentative Tract Map No. 36450 ("project" or "Project") and the project's associated Environmental Impact Report No. 530 ("EIR No. 530" or "Draft EIR"). On July 21st, the Board continued Item 16-1 to August 18, 2015.

The noticed forty-five day public comment period for the project's Draft EIR began on May 20, 2014. Mr. Johnson did not submit any written comments on the Draft EIR during the comment period. Mr. Johnson also did not submit any oral or written comments on the Draft EIR during the Planning Commission's public hearing that took place on April 15, 2015. State CEQA Guidelines Section 15088(a) provides that the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.

Although not required by the California Environmental Quality Act ("CEQA") to respond to Mr. Johnson's late comments received on July 20, 2015, this memorandum provides responses to these late comments. Attachment A labels each comment with a number and the corresponding response is provided below. Additionally, State CEQA Guidelines section 15088(a) requires that a lead agency only evaluate and respond to comments raised on environmental issues. Therefore, the responses set forth below will focus on Mr. Johnson's comments raising environmental issues.

RESPONSES

Response to Comment No. 1

This comment is duly noted. It lists the project applications and indicates that the comments contained in the letter are being submitted. This comment does not question the content or conclusions of the Draft EIR. Therefore, no further response is necessary.

Response to Comment Nos. 2 and 3

At this time, the Board will be making a tentative decision on the project and EIR No. 530. Depending on the Board's tentative decision, staff will prepare the necessary final documents for the project consistent with the Board's tentative decision. If the Board tentatively approves the project, staff will prepare the necessary resolution for adoption consistent with the Board's deliberations and tentative action which will include the findings of fact and statement of overriding considerations required by CEQA. This resolution approving the project and certifying EIR No. 530 will appear as a policy item on the Board's agenda in compliance with the Brown Act. The resolution will be available for public review and any member of the public may speak on the agenda item.

Additionally, this initial action on the project is tentative because Government Code Section 65356 requires a general plan amendment to be adopted by resolution. As a result, GPA No. 743 is not approved until the associated resolution is adopted. Moreover, the other associated land use actions including Specific Plan No. 364, Change of Zone No. 7143 and Tentative Tract Map No. 36450 cannot be implemented until the resolution is adopted for GPA No. 743.

Response to Comment No. 4

State CEQA Guidelines section 15097 requires the public agency to adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects. For this project, the mitigation measures set forth in the Draft EIR are included as conditions of approval for the project. If the Board approves the project, it will be approved subject to these conditions of approval. The conditions of approval are included in the project's staff report that was made available to the Board and the public.

Response to Comment No. 5

This comment is duly noted. It is a reiteration of the project description contained on pages 2-2 and 3-1 of EIR No. 530. This comment does not question the content or conclusions of the Draft EIR. Therefore, no further response is necessary.

Response to Comment No. 6

This comment is duly noted. It describes a purpose of the California Environmental Quality Act (CEQA). This comment does not question the content or conclusions of the Draft EIR. Therefore, no further response is necessary.

Response to Comment No. 7

This comment is duly noted. It is a statement of opinion without supporting substantial evidence. Therefore, no further response is necessary.

Response to Comment No. 8

This comment is duly noted. This comment is a statement of opinion without supporting substantial evidence. Therefore, no further response is necessary.

Response to Comment Nos. 9 and 10

EIR No. 530 compares the proposed project with the County's adopted General Plan. Throughout EIR No. 530, the proposed project is compared with the existing policies of the General Plan including, among others, the policies of the Elsinore Area Plan and the Rural Village Overlay Study Area. Additionally, Section 5.2.2, Environmental Setting of Draft EIR (pp. 5-7 through 5-9) fully describes the existing setting for the on-site and off-site project components.

In addition to comparing the proposed project to the County's adopted General Plan, the Draft EIR also includes a discussion on the County's proposed General Plan Update. The Draft EIR clearly provides that the General Plan Update is only a proposal and not yet adopted by the County Board of Supervisors. The discussion in the Draft EIR related to the proposed General Plan Update is meant for informational purposes and to show the area's potential future development. It does not replace the analysis in Draft EIR comparing the project to the adopted General Plan.

Response to Comment No. 11

The comment's references to the Woodward Park case obfuscate the analysis provided under the No Project Alternative in the Draft EIR. The Woodward Park case's fatal flaw was the lack of any comparison of the No Project Alternative to the existing environmental conditions or baseline. (Woodward Park Homeowners Ass'n v City of Fresno (2007) 150 Cal.App.4th 683, 716 ["The Guidelines on the no-project alternative do require attention to existing physical conditions 'as well as' to hypothetical future developments under existing plans."]).

The No Project Alternative under the Draft EIR evaluated the alternative based upon the site's existing physical conditions. The comparison of the project's impacts to the proposed land use designation for the project site under the proposed General Plan Update are in addition to the current County General Plan designation of the site. The analysis contained within FEIR p. 6-3 addresses the current General Plan Rural Village Overlay, as well as, the potential land uses under the proposed General Plan Update.

The Draft EIR studied a reasonable range of alternatives to the proposed project, including a reduced footprint alternative. There is substantial evidence in the record, as contained in Section 6, Alternatives, of the Draft EIR supporting the range of alternatives studied in it. The No Project Alternative evaluated the impacts based upon existing conditions, as well as a comparison of potential future development under both the existing General Plan and the

General Plan Update. By discussing both plans, the alternatives analysis provides a greater level of detail and analysis.

Response to Comment No. 12

This comment is duly noted. It provides the staff recommendation to the Board of Supervisors contained in the Staff Report. This comment does not question the content or conclusions of the Draft EIR. Therefore, no further response is necessary.

Response to Comment No. 13

At the July 21, 2015, public hearing, a memorandum was provided to the Board that detailed the construction of the community center. This comment does not question the content or conclusions of the Draft EIR. Therefore, no further response is necessary.

Response to Comment No. 14

While CEQA requires that aesthetic and visual impacts need to be considered as part of the environmental review process, there is no other aspect of CEQA that is more subjective than aesthetics. As such, the courts have provided lead agencies considerable deference as to its determination if a visual impact is significant or not. See *North Coast Rivers Alliance v Marin Municipal Water District* (2013) 216 Cal.App.4th 614; *Clover Valley Foundation v City of Rocklin* (2011) 197 Cal.App.4th 200.

The Draft and Final EIR found that no State designated or eligible scenic highway exists in the Meadowbrook Community area. (Draft EIR p. 5-10). However, the Riverside County General Plan and the Elsinore Area Plan identify SR 74 as a County Eligible Scenic Highway. The Draft EIR clearly identifies the potential visual impact due to the land use change on the SR 74, and concludes that with the changing land uses in the area as well as providing a 50' setback from the edge of the right-of-way, impacts will be less than significant. (Draft EIR p. 5-12).

Similar to the potential impacts to SR 74, the Draft EIR provides ample detail discussing the Project site's existing characteristics and that no unique or landmark features exist on the site. The Draft EIR concludes that the steeper slopes on the western perimeter (Planning Area 6 and 7) would not be developed and would remain as open space, helping maintain the existing viewshed. Further, an existing 200' SCE easement runs along the border of Project's northern edge, helping further buffer any visual impacts. (Draft EIR p. 5-13). Lastly, the Draft EIR discusses the fact that the Project is implementing the provisions and policies related to the Rural Village Overlay, which guides the ongoing land uses, densities, development intensity, and scale of development in this changing area of the County. (Draft EIR p. 5-14).

The Draft EIR concludes that the existing visual setting of the Project site will be altered and an increase in the intensity of development would occur. However, the Draft EIR concludes that since the Project would incorporate details from the required specific plan design guidelines, along with the various identified buffers, and the fact the Project is implementing the Rural Village Overlay provisions of the General Plan, that any visual and aesthetic impacts would remain less than significant. (Draft EIR p.1-5; 5-17).

As discussed, given the subjectivity of impacts as they relate to aesthetics, coupled with the deference provided to lead agencies to make their own significance determination, the Draft EIR provides a complete and thorough review and analysis as it relates to visual and aesthetic impacts under CEQA. While reasonable minds may disagree, the Draft EIR provided a sufficient discussion of the potential physical environmental impacts to ensure appropriate public review and further informed decision making on the part of the lead agency.

Response to Comment No. 15

Comment noted. Please see Response to Comment No. 14 above related to aesthetic and visual impacts and the level of detail provided in the Draft EIR. The Draft EIR provides suitable discussion and substantial evidence related to the lack of any significant physical environmental aesthetic impacts under CEQA. The comment only provides opinion that the Draft EIR is lacking in its discussion and evaluation of visual impacts. No further comment is necessary.

Response to Comment No. 16

The comment states an opinion that no substantial evidence exists that the public view sheds would be preserved and would not be impacted by the Project. Please refer to Response to Comment No. 14 above. As stated in the Draft EIR, the steeper slopes on the western perimeter (Planning Area 6 and 7) would not be developed and would remain as open space, helping maintain the existing viewshed. As stated in the Draft EIR, Planning Area 6 is identified as Open Space – Recreation and Planning Area 7 as Rural Mountainous, accounting for approximately 40.4 acres. (Draft EIR p. 5-14) The Draft EIR characterizes this land as “mountainous terrain with steep slopes that are not developable.” (Draft EIR p. 5-79).

The Draft EIR provided a substantive discussion of the potential for physical environmental impacts as they relate to aesthetics and concluded the Project would have a less than significant impact. This analysis is not altered by the comment’s reference to an opinion BonTerra Consulting as it relates to a habitat assessment report.

Response to Comment No. 17

The comment is inaccurate in that the Project did not provide sufficient discussion related to aesthetics. Please see Response to Comment No. 14 and No. 16. The Draft EIR provides a detailed assessment of the issue and concludes that the impacts will be less than significant. No further comment is necessary.

Response to Comment No. 18

The comment incorrectly states that the EIR needed to discuss Governor Brown’s Executive Order B-30-15. CEQA requires that the Project’s impacts discuss the existing conditions at the time the Notice of Preparation (NOP) is published. In this case, the NOP was published in March 2012. The Draft EIR (State Clearinghouse No. 2012031045) was released for public review from May 20, 2014 to July 3, 2014, and the Final EIR submitted to the State Clearinghouse on April 1, 2015. Governor’s Executive Order B-30-15 was issued on April 29, 2015. Furthermore, to aid the commenter, the Executive Order is not a required regulation or law that needs to be, standing alone, evaluated pursuant to CEQA. The order is not a law or

regulation adopted by a public agency or through the public process, and has no legal authority alone. Instead, it sets the mark for a lead agency to voluntarily exercise these new suggested requirements to reduce GHGs below 40% from 1990 levels, until another regulatory agency with appropriate authority – or through case law - adopts a similar requirement. No additional analysis is required.

Response to Comment No. 19

This comment is a statement of opinion without supporting substantial evidence. The County has fully analyzed impacts to Biological Resources in the Draft EIR (See Draft EIR, Section 5.4, pp. 5-65 through 5-102). CEQA requires that the Project's impacts discuss the existing conditions at the time the Notice of Preparation (NOP) is published. In this case, the NOP was published in March 2012. According to the Draft EIR (p. 5-83), "If construction activities occur beyond April 2013, additional fairy shrimp surveys may be required to adequately address presence/absence within the Project site." The County notes this comment, but no further analysis as it pertains to fairy shrimp is required at this time. The comment provides no supporting evidence or information as to why updated surveys need to be completed as part of the Final EIR.

Please note within the Draft EIR, that MBA completed multiple surveys for potential special-status or sensitive fairy shrimp, including Riverside fairy shrimp, vernal pool fairy shrimp, and San Diego fairy shrimp. In fact, MBA sampled Pool no. 1 seven separate times during 2006 following pool inundation, and eight times in 2011. (Draft EIR, p. 5-89).

Response to Comment No. 20

CEQA requires that the Project's impacts discuss the existing conditions at the time the Notice of Preparation (NOP) is published. In this case, the NOP was published in March 2012. According to this comment, the 2013 Standards went into effect July 1, 2014. Regardless, at time of building plan submittal, all plans will be required to comply with the most recent adopted codes, including the most recent updates of Title 24. No additional analysis is required.

Regarding Mitigation Measure 5.6-12, the Conditions of Approval will be changed to match the language of the mitigation measure. As this does not alter the analysis or conclusions in the Draft or Final EIR, no further discussion or analysis is necessary.

Response to Comment No. 21.

This comment is duly noted. It reiterates the project description for land uses and the Specific Plan. This comment does not question the content or conclusions of the Draft EIR. Therefore, no further response is necessary.

Response to Comment No. 22

This comment is duly noted. It states the current Riverside County General Plan land use designations and zoning. This comment does not question the content or conclusions of the Draft EIR. Therefore, no further response is necessary.

Juan Perez
August 6, 2015
Page 7 of 12

Response to Comment No. 23

This comment is duly noted. It states the project is subject to the Riverside County General Plan, Elsinore Area Plan and the County Zoning Ordinance. This comment does not question the content or conclusions of the Draft EIR. Therefore, no further response is necessary.

Response to Comment No. 24

This comment is a statement of opinion and is duly noted. This comment does not raise an issue or comment specifically related to the Draft EIR's environmental analysis. Therefore, no further response is warranted.

Response to Comment No. 25

Page 5-232 of the Draft EIR provides that under the current General Plan, the 126.4 acre site has Very Low Density Residential (VLDR) and Rural Mountainous (RM) land use designations. These designations are proposed to be modified by the proposed project. The Draft EIR discusses project consistency with General Plan policies on pages 5-232 through 5-250.

Additionally, as provided in EIR No. 530, ELAP 6.1 of the Rural Village Overlay Study Areas provides that commercial uses, small-scale industrial uses and residential uses at densities higher than those levels depicted on the Area Plan may be approved within the Rural Village Overlay Study Area for Meadowbrook. This project is within the Rural Village Overlay Study Area for the Meadowbrook Community and is consistent with the General Plan's ELAP 6.1 because it proposed a mixed use development including neighborhood commercial retail uses and approximately 490 residential dwellings with clustering to preserve open space.

Response to Comment No. 26

This comment suggests that the project is inconsistent with the General Plan. This comment ignores the Draft EIR's discussion related to ELAP 6.1 of the Rural Village Overlay Study Areas. As provided on page 5-236 of the Draft EIR, ELAP 6.1 provides that commercial uses, small-scale industrial uses and residential uses at densities higher than those levels depicted on the Area Plan may be approved within the Rural Village Overlay Study Area for Meadowbrook. The project is consistent with ELAP 6.1 of the General Plan because it is proposing a mixed use development that includes neighborhood commercial retail uses and approximately 490 residential dwellings and the policy provides that commercial uses, small-scale industrial uses and residential uses at densities higher than those levels depicted on the Area Plan may be approved within the Rural Village Overlay Study Area for Meadowbrook.

The Draft EIR also provides the additional analysis referenced in the Rural Village Overlay Study Area and reviews the pattern of existing land uses, lot sizes, topography and infrastructure to determine appropriate designations and areas that would be considered for commercial uses, small scale industrial uses or residential development intensities higher than levels depicted on the Area Plan Map.

The project's Specific Plan No. 364 is implementing ELAP 6.1 by designing a mixed use development that preserves unique features of the area while also accommodating future growth. Developing a mixed use project will also reduce the number and length of motor vehicle trips to

other commercial, residential and recreational uses will be reduced. As provided on page 5-237, per the Traffic Impact Analysis for the project, implementation of the project will maintain the County's roadway Level of Service standard as described in the Level of Service section of the General Plan Circulation Element. Additionally, Section 5.15 of the DEIR analyzes the projects potential transportation and traffic impacts. As provided in Section 5.15, the project encourages alternative transportation modes, includes regional a community trails and road improvements will be made by the project developer. Section 5.15.5 of the DEIR sets forth the mitigation measures for potential project traffic impacts.

Response to Comment No. 27

The statement on p. 5-256 of the Draft EIR will be revised to be consistent with the language on p. 5-232 of the Draft EIR, which provides the following: "The Project will convert the existing vacant site to a more intensely developed urban site. Due to the existing undeveloped visual setting, the Project represents a substantial change in the land use and the land use planning designations of the Project site. The proposed uses of SP 364 will contribute to a redefinition of the Meadowbrook community as it transitions to a more intense urban/suburban community. This change will be most dramatic in the short-term as the Project development initially supplants the vacant property."

This clarification is consistent with the analysis and conclusions in Sections 5.9.4 -5.9.7 of the Draft EIR and will be made throughout the document. The project's Specific Plan No. 364 is implementing ELAP 6.1 by designing a mixed use development that preserves unique features of the area while also accommodating future growth. As noted in Response to Comment No. 26 the project is consistent with General Plan Policy ELAP 6.1.

Response to Comment No. 28

This comment is duly noted. The comment suggests additional mitigation related to the proposed building pads and their locations based upon the recommendation of the 2014 Geotechnical Plan Review Update. The comment ignores the substantive mitigation measures incorporated in the Draft EIR on pp. 5-265 to 5-266 (Mitigation Measures 5.10-1 through 5.10-6), which will reduce any physical environmental impacts related to the exposure of people to hazards from the prior mining operations to less than significant. Mitigation Measure 5.10-5 ensures no building pads would be constructed in the identified restricted zones; while Mitigation Measures 5.10-1 through 5.10-3 ensure that any open shafts, test excavations, stopes, or other prior mining operations are identified, filled, and capped. No additional supporting evidence as to why the suggested modification to the mitigation measure is superior to the mitigation proposed by the Project geologist and approved by the County Geologist or why the existing mitigation would not reduce the potential impact to less than significant. Therefore, no further response is necessary.

Response to Comment No. 29

See Response to Comment No. 28 regarding impacts and mitigation related to the Good Hope Mine. There is no substantive information or evidence provided that any potential impacts related to prior uses of explosives or blasting caps exist at the site that would result in any

potential physical environmental impacts. Regardless, as discussed in Mitigation Measure 5.10-3, any test excavations, shafts, or stopes identified would need to be properly surveyed and abandoned following local and state requirements and regulations. This would include mitigating for the presence of any abandoned explosives (dynamite or blasting caps). Therefore, any impacts would remain less than significant and no further response is necessary.

Response to Comment Nos. 30 and 31.

Participation in TUMF is mandatory (Page 5-365 of the Draft EIR). The payment of TUMF fees has not been waived by the County and the project will pay the applicable TUMF fees which will mitigate the potential impacts to traffic.

Response to Comment No. 32

This comment is duly noted. This comment suggests modifying Mitigation Measure 5.16.3-1 to exceed the 2013 California Energy Code. Currently, this mitigation measure requires all residential buildings, large public buildings, large private recreation buildings and large commercial buildings to exceed the 2008 Energy Code. The Notice of Preparation for Draft EIR was published in March of 2012. The 2013 California Energy Code became effective on July 1, 2014. At the time of building plan submittal, all plans will be required to comply with the most recently adopted Building Codes. No further response is necessary.

Response to Comment No. 33

This comment is duly noted. The comment suggests additional mitigation related to the expansion of the 15-inch sewer system. The Approved Ramsgate Water, Wastewater & Recycled Water Facilities Plan described on page 5-416 of the Draft EIR provides that the existing 15-inch sewer has a surplus capacity to accommodate approximately 1753 equivalent dwelling units (EDU's). As provided on page 5-416 of EIR No. 530, the project is estimated to have 467 EDUs which can be accommodated by the existing 15-inch sewer line. Additionally, EVMWD has issued a Will-Serve letter dated September 17, 2012 indicating that the project is eligible for service. Based on this information, the proposed sewer components design to meet the required EVMWD standards and the anticipated growth within the EVMWD area, any project impacts are considered less than significant. No further response is necessary.

Response to Comment No. 34

This comment describes a purpose of alternatives under CEQA. This comment does not identify a specific concern with the adequacy of the Draft EIR or note an issue or comment specifically related to the Draft EIR's environmental analysis. Therefore, no further response is warranted.

Response to Comment No. 35

The RPDA does discuss the Rural Village Overlay. As stated on p. 6-19 of the Draft EIR, since "the RPDA does not implement the Rural Village Overlay, land use/planning resources impacts from the RPDA would be greater than those of the Project." The comment states that this alternative needed to discuss consistency with the Rural Village Overlay. However, this is not an accurate statement. The Draft EIR clearly determined that the RPDA would not implement the Rural Village Overlay. Therefore, there is no justification that the alternatives analysis for the RPDA needed to discuss its consistency. No additional analysis is required.

Response to Comment No. 36

As stated on pp. 6-22 and 6-46 in the alternatives section of the Draft EIR, the “reduced number of units would have a comparable negative effect on the ability of the Project to meet Project costs”. As discussed, this will have a negative effect on the objectives since a number of the identified infrastructure and onsite improvements would not be completed. Additionally, the economic feasibility of the RPDA may be unlikely since implementation of the RPDA, with the fewer units, would not be a viable project. Therefore, while the lead agency may approve a project under CEQA with reduced physical environmental impacts instead of the proposed Project, the inability to meet the Project objectives make the RPDA an unacceptable alternative design or option.

Response to Comment No. 37

The comment merely states that the conclusion in the Draft EIR that any growth inducing impacts are less than significant is not supported by substantial evidence. No examples, data, or other details are provided in the comment that support this opinion. In fact, the Draft EIR discusses growth-inducing impacts in detail on page 7-1 and 7-2. The Draft EIR concludes that any infrastructure upgrades will only service the specific Project and the addition of 490 dwelling units and a small commercial development would not create the type of development that would not induce population growth in the area. No additional response is necessary. For additional details, see Section 5.12 Population and Housing in the Draft EIR.

Response to Comment No. 38

This comment describes Project roadway and landscape improvements along SR74. This comment does not identify a specific concern with the adequacy of the Draft EIR or note an issue or comment specifically related to the Draft EIR’s environmental analysis. Therefore, no further response is warranted.

Response to Comment No. 39

The comment raises concerns that the proposed upgrades related to the new pump station, reservoir, and related infrastructure, as well as the sewer lift station and force main, would be growth-inducing, and that the Draft EIR lacks evidence that these upgrades are necessary for the Project only and would not be utilized by future users. The comment is inaccurate in that the document lacks detail regarding the need for these improvements for the specific Project design. As stated on page 7-2 in the growth-inducing section of the Draft EIR, and as discussed below, “the off-site Project components, water and sewer service, will be extended to the Project site...the size of these facilities will be only sufficient to meet the needs of the Project.”

According to p. 5-415 of the Draft EIR, “the 12-inch and 16-inch pipelines do not meet the EVMWD design criteria for the maximum velocity and headloss requirements. The 18-inch meets the headloss requirement, but slightly exceeds the velocity requirement. In order to meet all of the requirements, it may be required to install a 20-inch pipeline to the Project entrance.” These facilities have been sized to meet Project demands in conformance with EVMWD requirements.

The infrastructure/pipelines are required due to the fact that the “Project requires the construction of new water supply (treatment, storage, and distribution components) facilities to meet the new water demand from the Project” and “will not be designed to meet the needs of any cumulative projects proposed for the Meadowbrook area.” (Draft EIR, p. 5-412). As illustrated under Table 5.16-16, the Project requires upwards of 258,100 gallons of potable water per day. Therefore, based upon this demand, EVMWD requires this level of water resource infrastructure to specifically meet the needs of the Project. (Draft EIR. p 5-413).

According to p. 5-416 of the Draft EIR, “Currently there is no gravity sewer near the Project site; therefore, the sanitary sewer flows from the Project site must be pumped, by a pressurized force main sewer line, to the nearest existing gravity sewer.” The Project would require a force main of roughly 9,530 feet in length, and designed for a velocity between 2.5 fps to 7 fps, in order to meet EVMWD’s requirements to service the proposed Project. Future projects in the Meadowbrook area would be unable to tie into the pressurized line.

It should be noted that the comment misinterprets the importance of the potential for growth-inducing impacts. The State CEQA Guidelines provide examples of potential growth-inducing activities, such as a “major expansion of a waste water treatment plant, [which] might, for example, allow for more construction in service areas”, State CEQA Guidelines section 15126.2(d). However, unlike that example, the upgrades and infrastructure are required specifically for the proposed Project. Further, even if some future developments may be able to utilize this water or sewer infrastructure, this is not representative of a removal of a significant obstacle that would now lead to future development of the area that would otherwise not occur.

Based on the responses to the previous comments to this letter, the EIR adequately evaluates the potential impacts of the proposed Project. No additional analysis is required.

Response to Comment No. 40

The Draft EIR acknowledges that the population and housing numbers have not been accounted for in regional projections and concludes that the residential population growth is cumulatively considerable as it will provide additional housing within the same local region and is not consistent with the regional growth forecasts and regional jobs/housing balance projections. (Draft EIR p. 5-307). According to p. 5-308 of the Draft EIR, “The Project represents 0.09% of the forecasted population for the SCAG Subregion in 2008 and 0.06% in 2035. As a percent of Project area forecast comprised of the surrounding cities and the Meadowbrook Community, the Project represents 0.31% in 2008 and 0.18% by 2035.

Additionally, the Project represents 1.3% of the forecasted population for the Elsinore Area Plan as projected for the area buildout in the General Plan for Riverside County. The Project comprises less than one-quarter of a percent of SCAG’s projections through 2035, and more than .08% of the County’s projections through 2030. These are cumulative impacts; however, they are not necessarily significant. However, the Project does not improve the region’s jobs/housing balance. Therefore, the residential population growth from the Project is considered cumulatively considerable and significant, only in terms of the jobs-housing balance.”

Juan Perez
August 6, 2015
Page 12 of 12

The remainder of the comment related to the potential for “precedent setting” by amending the General Plan, allowing “future projects [that] may follow suit in seeking similar amendments is statement of opinion without supporting substantial evidence.

Response to Comment No. 41

Based on the responses to the previous comments to this letter, EIR No. 530 adequately evaluates the potential impacts of the proposed Project, informs the public of the potential impacts associated with the Project, and provides the County of Riverside decision-makers with the information necessary to confer whether to approve the proposed Project. No additional analysis is required.

CONCLUSION

EIR No. 530 adequately evaluates the potential impacts of the proposed Project, informs the public of the potential impacts associated with the Project, and provides the County of Riverside decision-makers with the information necessary to confer whether to approve the proposed Project

MPC:nh

G:\PROPERTY\MCLACK\PLANNING AND LAND USE\MEMOS AND LETTERS\FINAL MEMO RE JOHNSON & SEDLACK COMMENTS ON SP NO. 364.DOCX

Attachment A

Johnson Sedlack

ATTORNEYS AT LAW

Raymond W. Johnson, Esq., AICP, LEED GA
Carl T. Sedlack, Esq., Retired
Abigail A. Smith, Esq.
Kimberly Foy, Esq.
Kendall Holbrook, Esq.

26785 Camino Seco, Temecula, CA 92590

E-mail: Ray@SoCalCEQA.com

Abby@SoCalCEQA.com
Kim@SoCalCEQA.com
Kendall@SoCalCEQA.com
Telephone: (951) 506-9925
Facsimile: (951) 506-9725

July 20, 2015

Board of Supervisors
County of Riverside
c/o Clerk of the Board
Kecia Harper-Ihem
4080 Lemon Street, 1st Floor
Riverside, CA 92501
cob@rcbos.org

VIA E-MAIL and U.S. MAIL

Re: *Agenda Item No. 16-1, Specific Plan No. 364, Tentative Tract Map No. 36450, Change of Zone No. 7143, General Plan Amendment No. 743, Environmental Impact Report No. 530 Colinas del Oro*

Greetings:

1

On behalf of concerned area residents, I hereby submit the following comments in opposition to the proposed approval of the Colinas del Oro Project, including Specific Plan No. 364, General Plan Amendment No. 743, Change of Zone No. 7143, Tentative Tract Map No. 36450, and Environmental Impact Report No. 530 ("the Project").

2

Findings of Fact

The Findings of Fact were not made available to the public prior to the meeting. Therefore, it is impossible to exhaust administrative remedies on this issues.

Even so, the findings required under CEQA cannot be made with respect to this Project, because not all significant effects of the Project have been eliminated or substantially lessened.

3

Statement of Overriding Considerations

The Statement of Overriding Considerations was not made available to the public prior to the meeting. Therefore it is impossible to exhaust administrative remedies on this issue.

CEQA Guidelines § 15093(b) provides that when the agency approves a project which will result in the occurrence of significant effects that are identified in the final EIR, but are not avoided or

substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The decision to approve a project in spite of significant environmental impacts requires the decision-making agency to balance the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks. (Guidelines § 15093(a).) The statement of overriding considerations shall be supported by *substantial evidence* in the record. (*Id.*) In *Sierra Club v. Contra Costa County* (1992) 10 Cal. App. 4th 1212, 1222, the court said, "Whereas the [mitigation and risibility] findings . . . typically focus on the feasibility of specific proposed alternatives and mitigation measures, the statement of overriding considerations focuses on the larger more general reasons for approving the project, such as the need to create new jobs, provide housing, generate taxes, and the like."

A statement of overriding considerations is improper with this Project. Substantial evidence in the record does not support the adoption of a statement of overriding considerations given the environmental impacts of the Project to at least population and housing balanced with the minimal benefit of more and higher concentrated housing in a rural area. The significant impact of lessening the County's job-housing balance cannot be outweighed by the "benefit" of providing homes in varying densities. A statement of overriding considerations is not supported for this Project.

Mitigation Monitoring and Reporting Program

The Mitigation Monitoring and Reporting Program was not made available to the public prior to the meeting. Therefore, it is impossible to exhaust administrative remedies on this issue.

4

CEQA requires the lead agency to establish a program to monitor and report on mitigation measures as part of the environmental review process. (Pub. Res. Code § 21081.6(a)(1).) The Mitigation Monitoring and Reporting Program is intended to ensure that mitigation measures in the EIR are fully implemented and must be adopted at the time the agency determines to carry out a project.

As detailed below, this Project's mitigation measures are deficient. The proposed mitigation here is vague, uncertain, and improperly defers mitigation measures (e.g. preparation of future noise studies). This is unacceptable.

Project Description

5

The proposed Project consists of a residential, mixed-use, and open space development with associated infrastructure improvements on a 126.4-acre site in an unincorporated area of Riverside County. The Project's proposed Specific Plan consists of seven Planning Areas: (PA1) 11.4 acre mixed-use residential commercial; (PA2) 11.5 acres of Very High Density Residential; (PA3) 25.6 acres of Medium High Density Residential; (PA4) 7 acres of Open Space – Recreation for a community park/community center; (PA5) 22.4 acres of Medium Density Residential; (PA6) 30 acres of Open Space – Recreation for an open space park; and (PA7) 10.04 acres of Rural Mountainous for an open space park. (FEIR p. 2-2)

The Project is located within the Elsinore Area Plan of the General Plan, southwest of the City of Perris and north of the City of Lake Elsinore. The Project site is known as Assessor's Parcel Numbers 345-190-016 and 345-200-013. The Project site is defined by residential properties and Ethanac Road to the north, residential property to the south, mountains to the west and residential property to the south, mountains to west and residential and some commercial retail uses to the east, as well as SR 74. (FEIR p. 3-1)

Currently, the Project site is vacant and there are no visible structure above ground. However, the vacated Good Hope Gold Mine, which operated from the 1880s to the 1950s, is located on the Project site. The Good Hope Gold Mine is located on the eastern half of the Project site, running in a north-south direction. There are six mining shafts located on the Project site that are associated with one or more artificial fill (mine tailing) areas: the Carson Shaft; the Cheetham Shaft; the Gasoline Shaft; the Main Shaft; the Miller Shaft; and the Old South Shaft. The Good Hope Mining claim will form a strip of land running from north to south that is restricted from development due to prior mining uses. (FEIR p. 3-1)

The Project applications include: Specific Plan No. 364 to establish a master planned community of 126.4 acres for 390 single family homes on 59.8 acres, 11.3 acres for mixed use development, 48.8 acres for open space, and 8.2 acres for infrastructure development; Tentative Tract Map No. 36450 creating a Schedule "A" subdivision of 126.4 acres into 245 residential lots with an average lot size of 6,518 square feet and eight (8) lettered lots for water quality basins, open space, and landscaping features; General Plan Amendment No. 743 amending the Land Use Designation of the Project site from Community Development: Very Low Density Residential (CD:VLDR), and Rural: Rural Mountainous (R:RM) to Medium Density Residential (MDR), Medium High Density Residential (MDHR), Mixed Use (MU), Open Space-Recreation (OS-R), and Rural Mountainous (RM); and Change of Zone No. 7143 changing the Project area's zoning from Rural Residential (RR) to Specific Plan (SP).

General Comments

6 The California Environmental Quality Act ("CEQA") was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document.

7 The EIR fails to adequately evaluate project impacts to/from aesthetics, greenhouse gases, land use and planning, transportation/traffic, and utilities. (Public Resources Code § 21002.1(a), (e); State CEQA Guidelines §§ 15128, 15126, 15123.)

8 Overall, the EIR for this project fails as an informational document. The EIR misleads decisionmakers and the public as to the extent and severity of the Project's environmental effects. The EIR is also often conclusory, making findings without evidentiary support as to the extent of project impacts and the potential mitigation. The findings are not support by substantial evidence in the record.

9

An EIR must compare the proposed project to an environmental baseline from which the agency determines whether an impact is significant. (Cal. Code Regs. § 15125(a).) “Where a proposed project is compared with an *adopted plan*, the analysis shall examine the existing physical conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced as well as the potential future conditions discussed in the plan.” (Cal. Code Regs. § 15125(c) [emphasis added].)

10

Although the Project’s baseline is described as the existing environment at the Project site, the EIR compares several of the Project’s impacts to the proposed land use designations for the Project site under General Plan Amendment No. 960. (See FEIR pp. 3-1—3-3, 5-12, 5-14—15, 5-17, 5-233, 5-253, 5-255, 5-256) By way of example, the aesthetics section states, “according to the proposed General Plan Update, the proposed Project site is being recommended to be developed as Light Industrial (LI). The proposed Project is a mixed use, commercial, residential, recreational and open space project, which will be more compatible with future development in the area than uses permitted under the LI designation.” (FEIR p. 5-12) Comparisons of proposed amendments to the existing general plan are illusory, and “can only mislead the public as to the reality of the impact and subvert full consideration of the actual environmental impacts which would result.” (*Env’tl Planning and Information Council of Western El Dorado County, Inc. v. County of El Dorado* (1982) 131 Cal. App. 3d 350, 358.) The FEIR goes beyond illusory comparisons to the approved general plan and makes improper comparisons of the proposed Project to the *proposed* general plan land use designations, which have yet to be approved by the County. The FEIR fails as an informational document and does not provide a realistic comparison of the Project to the existing environment.

11

When a project consists of the revision of a plan or policy, the project’s impacts are assessed against existing conditions and future conditions under the existing plan are treated as a “no-project” alternative. (*Woodward Park Homeowners Ass’n v. City of Fresno* (2007) 150 Cal. App. 4th 683, 707.) The FEIR wrongly relies on the proposed General Plan Update to overstate the impacts of the No Project Alternative (NPA). While the FEIR states the NPA “evaluates the environmental impacts resulting from a hypothetical continuance of the existing land uses,” the aesthetic resources section again discusses the land use designations for the Project site and surrounding area under the proposed General Plan Update. (FEIR p. 6-3) Comparisons to the proposed General Plan update are improper, as the No Project Alternative should focus its evaluation on the existing conditions and “future conditions under the *existing plan*,” not possible conditions under unapproved changes to the general plan. (*Woodward Park*, 150 Cal. App. 4th at 707.) Moreover, industrial use on the Project site is considered as an alternative to the Proposed Project under the Meadowbrook Study Alternative; consideration of the industrial use on the Project site should be limited to this alternative and not used in the consideration of impacts from the proposed Project against the existing environment. (FEIR p. 6-24)

12

The Staff Report recommends that the Board of Supervisors tentatively certify EIR No 530, tentatively approve General Plan Amendment No. 743, Specific Plan No. 364, and Change of Zone No. 7143, and approve Tentative Tract Map No. 36450. (Submittal to the Board of Supervisors, County of Riverside, State of California Agenda No. 16-1 p. 2.)

13

The Staff Report states that the Project, as modified by the Planning Commission, is required to provide a community center site and is responsible for its construction. (Submittal to the Board of Supervisors, County of Riverside, State of California Agenda No. 16-1 p. 3) However, the conditions of approval attached to Planning Commission Resolution No. 2015-005 Recommending Adoption of Specific Plan No. 364 and GPA 743 does not require construction of a community center. The only condition related to this is, "Prior to the issuance of the 294th Building Permit within the Specific Plan, the land for a Community Center shall be dedicated to a public agency." (Conditions of Approval Specific Plan Case #: SP00364 Parcel: 345-2000-013, p. 65.) There is no condition requiring the project application to construct a community center, and in order to ensure that a community center is constructed by the application, a condition of approval requiring such should be added

Aesthetics

14

The EIR lacks substantial evidence that impacts to a scenic highway corridor would be less than significant. For example, the FEIR states, "The Project will be different in terms of the existing development fabric in the Meadowbrook area. The Project will be different in terms of scale, intensity, massing, landscaping and overall feel within this community. The Project will highly disturb or eliminate primary scenic resources associated with the portion of the potential scenic highway corridor within which it is located. It will also substantially alter scenic resources accessible to the motoring public using the SR 74." (FEIR p. 5-12) Despite these impacts, the FEIR concludes the Project will not have significant impacts to a scenic highway corridor based primarily on the fact that a minimum 50' setback from the edge of the right-of-way would be provided as required by General Plan Policy LU13.4.

15

The FEIR states that because of the "analysis utilized for the scenic highway corridor discussion, implementation of the Project will not obstruct any prominent scenic vista or view open to the public." (FEIR p. 5-14) This finding that the Project will have no impact on a scenic vista or public views is unsupported. The surrounding development includes very low density rural residential and small scale rural commercial development along State Route (SR) 74. (FEIR p. 5-12) The Project will likely reduce the views of the hillsides on the western portion of the Project site from neighboring rural residential properties and the SR 74. The fact that no scenic vista has been officially designated does not definitely show no impact on a scenic vista will occur. The EIR notably fails to provide any photos of existing views/vistas from adjacent properties or roadways, and/or mock-ups of how the Project will impact those views and the visual character of the site. There is no evidence for finding no impact to scenic vistas or public views.

16

Although the steeper slopes on the western portion of the Project site will not be developed, the mixed use development would likely obstruct public views of the slopes from SR 74. (See *Habitat Assessment for Assessor's Parcel Numbers 345-190-002, 345-190-016 and 345-200-013 (127-Acre Property, Total Area Surveyed: 127-Acres) State Route 74 and Richard Street near City of Perris Lake Elsinore USGS 7.5 Minute Series Map Township 5S, Range 4W, Section 15*, BonTerra Consulting (February 16, 2011), p. 1, Attachment E-6.) There is no substantial evidence that public view sheds would be preserved and not significantly impacted by the Project.

Land Use and Planning

21 The Project is subject to the Riverside County General Plan³, Elsinore Area Plan⁴, and the County Zoning Ordinance⁵.

22 The existing regional land use categories for the Project site, as identified in the Elsinore Area Plan of the Riverside County General Plan, are Very Low Density Residential (VLDR) and Rural Mountainous (RM). The VLDR designation allows for dwelling unit per one acre lot and the RM designation allows one dwelling unit per 10 acres minimum lot size. The Project site currently has a zoning designation of Rural Residential (RR).

23 The Project proposes a General Plan Amendment of the land use designation to Specific Plan which will include the following land use designations: Medium Density Residential (MDR), Medium High Density Residential (MHDR), Very High Density Residential (VHDR), Mixed-Use (MU), Rural Mountainous (RM), and Open Space-Recreation (OS). The Project will create 22.4 acres of Medium Density Residential with an average density of 3.6 dwelling units per acre, 25.6 acres of Medium High Density Residential with an average density of 6.4 dwelling units per acre, and 11.5 acres of Very High Density Residential which allows 14-20 dwelling units per acre. The Project will also establish an 11.4 acre mixed-use area for commercial retail, office space, and residential land uses, permitting 49 residential units. The Project proposes a rezone to Specific Plan 364.

24 For the reasons discussed below, the Project is inconsistent with the goals and policies of adopted land use plans.

25 The Project conflicts various General Plan policies, and these conflicts are not mitigated by the proposed General Plan Amendment. The Project fundamentally conflicts with the General Plan insofar as it seeks to *amend* the existing land use designations to allow more density than permitted by the General Plan.

26 The Project conflicts with specific General Plan Policies related to preservation of rural areas, transportation, and planning. Conflicts exist as to the following General Plan policies, among others:

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 (LU-1) and the Area Plan Land Use Maps, in accordance with the following:

³ The County of Riverside General Plan is available at the following URL and is fully incorporated herein by reference. <http://planning.rctlma.org/ZoningInformation/GeneralPlan.aspx>

⁴ The Elsinore Area Plan appears at the following URL, and is fully incorporated herein by reference. http://planning.rctlma.org/Portals/0/genplan/general_plan_2013/2%20Area%20Plan%20Volume%201/ELAP_clean_112414.pdf

⁵ The County of Riverside Zoning Ordinance is available at the following URL and is fully incorporated herein by reference. http://planning.rctlma.org/Portals/0/zoning/ordinance/Ord._348.4791_clean_version.pdf

- d. Concentrate growth near community centers that provide a mixture of commercial, employment, entertainment, recreation, civic, and cultural uses to the greatest extent possible.
- 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.
- f. Site development to capitalize upon multi-modal transportation opportunities and promote compatible land use arrangements that reduce reliance on the automobile.

26 The proposed Project does not concentrate growth near community centers; rather, the Project would create a mixed-use commercial, residential project in an area surrounded by very low density rural residential and small scale rural commercial development. The Project site is located within the community of Meadowbrook, which is designated as Rural Village Overlay Study Area. The General Plan states the areas designated as Rural Village Overlay Study Areas "shall be studied in conjunction with a post-General plan adoption consistency zoning review, with regard to community and development patterns and land use compatibility, topography, available infrastructure, and other factors to determine their appropriate, final boundaries." (General Plan p. LU-74) The Countywide General Plan update (GPA No. 960) proposes to recognize Meadowbrook as a Rural Village Land Use Overlay; however, GPA No. 960 has not yet been approved by the County. (See County of Riverside General Plan Amendment No. 960, Public Review Draft, LU-77, February 2015 <<http://planning.rctlma.org/ZoningInformation/GeneralPlan/GeneralPlanAmendmentNo960EIRNo521CAPFebruary2015.aspx>>.) As the Project proposes to concentrate growth away from an existing commercial center, the Project conflicts General Plan Policy LU 2.1(d).

The Project conflicts with Policy LU 2.1(e) as the Project will concentrate growth in a rural community, away from existing urban and suburban areas. The Project will breakup an existing rural community, and allowing this suburban development will not preserve the rural character of Riverside County. The Project also conflicts with Policy LU 2.1(f) in that the Project does not capitalize upon multi-modal transportation opportunities and will not reduce reliance on the automobile. The Project is projected to generate a total of approximately 7,577 daily vehicle trips. (FEIR p. 5-353) The nearest bus stop is ¼ of a mile from the Project site, which may not be easily accessible for transit-dependent segments of the population, such as the disabled, seniors, low income, and children. (FEIR p. 5-364)

LU 6.5 Require buffering to the extent possible between urban uses and adjacent rural/equestrian oriented land uses. (AI 3)

LU 6.6 Require buffering between urban uses and adjacent rural/equestrian oriented land uses. (AI 3)

LU 8.1 Provide for permanent preservation of open space lands that contain important natural resources, hazards, water features, watercourses, and scenic and recreational values. (AI 10)

LU 12.2 Locate employment and service uses in areas that are easily accessible to existing or planned transportation facilities.

LU 17.6 Provide programs and incentives that allow rural areas to maintain and enhance their existing and desired character. (AI 9, 30)

LU 23.8 Allow mixed use projects to develop in commercially designated areas in accordance with the guidelines of the Community Center Land Use designation and with special consideration of impacts to adjacent uses. (AI 3)

AQ 8.8 Promote land use patterns which reduce the number and length of motor vehicle trips. (AI 26)

26

This Project will substantially increase the number of motor vehicle trips to approximately 7,577 daily vehicle trips. (FEIR p. 5-353) Currently there are no trips to/from the Project site as it is vacant. However, the increase in intensity of land use will result in significantly more trips than if the site were developed under the current zoning designation. (For example, estimated weekday vehicle trip generation for a residential zone that averages 1-2 dwelling units per acre is 12 trips per dwelling unit, or 12-24 trips per acre. The estimated weekday trips for a residential zone with 3-6 dwelling units per acre is 10 trips per dwelling unit, or 30-60 trips per acre.⁶) Thus the Project located away from community centers will not promote land use patterns that would reduce the number and length of vehicle trips; rather, the Project would increase motor vehicle trips and conflict with Policy AQ 8.8.

27

The FEIR states, "That intensification of development greater than that which presently occurs on the site results in unavoidable significant adverse impact of the Project in terms of impacts to the immediate adjacent uses, the existing site zoning and the Community of Meadowbrook." (FEIR p. 5-256) However, the FEIR concludes that the Project will not cause significant adverse land use and planning impacts. (*Id.*) Such conflicts must be resolved and any significant impacts should be mitigated to less than significant levels.

Mineral Resources

28

The 2014 Geotechnical Plan Review Update states, "all proposed building pads (commercial and residential) will need to be located outside the 'restricted zone' and the 'shaft/stoped area setback zones.' . . . Based on the actual surveyed locations of the shaft/stoped areas encountered during the closure of the mine and scaling of the mine's test excavations, shafts, and/or stopes, additional restricted areas, shaft setbacks zones, and/or post-tension zones may be required. As such, the developer should be cognizant of the potential for modified or eliminated lots, expanded restricted areas, shaft setbacks zones, and/or post-tension foundation zones." (Geotechnical Plan Review Update 100-Scale Tentative Tract Map Review Tentative Tract 36450, Off of Highway 74 Perris Area of Riverside County California for Colinas del Oro, p. 3)

⁶ The SANDAG Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region, is available at the following URL and is fully incorporated herein by reference.
<http://www.sandag.org/uploads/publicationid/publicationid_1140_5044.pdf>.

28 (January 17, 2014.) Mitigation Measure 5.10-5 requiring all proposed building pads to be located outside the "restricted zoned" should be modified to incorporate the recommendation of the 2014 Geotechnical Plan Review Update and require all proposed building pads (commercial and residential) to be located outside "restricted zone" and the "shaft/stoped area setback zones." There are four shaft/stoped area setback zones within the proposed commercial area of the Project site, which should be restricted from development. Conditional of Approval 30.Planning.83 SP_MM-5.10-5 should be similarly updated to ensure that any impacts from hazards associated with the building near the abandoned Good Hope Mine are reduced to less than significant levels.

29 Explosive such as dynamite and blasting caps are another type of safety hazard associated with abandoned mines. Explosives can become very unstable over time, and can explode if disturbed. (Abandoned Mine Lands, *Staying Safe* January 6, 2015 <<http://www.abandonedmines.gov/ss.html>>.) The Project should incorporate mitigation to ensure that people or property are not exposed to hazards from the abandoned Good Hope Mine and reduced potentially significant impacts to less than significant levels.

Transportation/Traffic

30 At the April 15, 2015 Planning Commission meeting there was discussion of the County waiving TUMF fees in exchange for the Project applicant giving the County the building being used to sell homes (3,000 sq. ft.), which would be turned into a "Community Center" after all homes are sold. However, participation in the Transportation Uniform Mitigation Fee (TUMF) program is mandatory. "Under the TUMF, developers of residential, industrial and commercial property are required to pay a development fee to fund regional transportation projects, which mitigates cumulative impacts to the roadway segments and intersections included in the TUMF program. The TUMF funds both local and regional arterial projects." (FEIR p. 5-366)

31 No specific mitigation for the Project requiring payment of the TUMF was included in the FEIR, because the application must pay this fee according to County ordinance. (See FEIR p. 5-365) Should the County waive the payment of TUMF fees, cumulative traffic impacts may not be fully mitigated and the Project would have significant, unmitigated effects.

Utilities and Service Systems

32 The FEIR states the Project will not have significant impacts to energy consumption impacts with the incorporation of mitigation. Mitigation Measure 5.16.3-1 requires all residential buildings, large public buildings, large private recreation buildings and large commercial buildings to exceed the 2008 California Energy Code – Title 24, Part 6 energy efficiency standards by 35%. (FEIR p. 5-423) AS discussed above, Title 2014 was updated with 2013 standards. The Project must, at a minimum, comply with the current code. The CEC states, "California's Building Energy Efficiency Standards are updated on an approximate three-year cycle. The 2013 Standards improve upon the 2008 Standards for new construction of, and additions and alterations to, residential and nonresidential buildings. The 2013 Standards went into effect July 1, 2014." *Id.* Also note that, "The 2013 Standards will use 25% less energy for lighting, heating, cooling, ventilation, and water heating than the 2008 Standards." *Id.* (emphasis

32

added). In order to achieve the same mitigation under the current code Mitigation Measure 5.16.3-1 should be changed to require all residential buildings, large public buildings, large private recreation buildings and large commercial buildings to exceed the 2013 California Energy Code – Title 24, Part 6 energy efficiency standards by 10%.

33

The claim that the Project increase of 340 EDU's will not impact sewer services, because the existing 15-inch sewer system can accommodate the demand with the surplus capacity is not supported by substantial evidence. Sewer demands are based on population projections for EVMWD's service area. The population projections are based on land use designations in the General Plan. The existing 15-inch sewer's 1753 EDU surplus capacity is intended to accommodate future projected growth within the area. Based on the current land use designation, the Project site was assumed to be approximately 127 EDU's. By increasing the Project to 467 EDU's, the Project will reduce the 15-inch sewer's surplus capacity that exists to accommodate growth anticipated under the General Plan. There is no substantial evidence that the Project's increases demand will not impact sewer services. The Project should be conditioned on expanding the capacity of the 15-inch sewer system to accommodate for the increase in demand.

Alternatives

34

CEQA requires that an EIR describe and evaluate a reasonable range of alternatives to the proposed project, which avoid or minimize the significant impacts associated with the proposed project. (CEQA Guidelines § 15126.69 (a), (d).) Where an alternative is feasible, it must be adopted in lieu of the proposed project. (Pub. Res. Code § 21002.) Where an alternative is deemed infeasible, the agency must make findings of infeasibility. (Pub. Res. Code 21081 (a)(3).) These findings shall be supported by substantial evidence in the record. (Pub. Res. Code § 21801.5.) A project may not be approved unless said findings are made. (Pub. Res. Code § 21081.)

35

There is no discussion of the Rural Village Overlay or whether the Project or Reduced Project Density Alternative (RPDA) are consistent with the Rural Village Overlay Study Area in the General Plan. The conclusion that impacts to land use would be greater from the RPDA than the Project is not supported by substantial evidence. (See FEIR p. 6-19)

36

The FEIR concludes that among the alternatives the RPDA is the "environmentally superior alternative." However, the FEIR concludes that the RPDA is not feasible, because the reduced number of units has a comparable negative effect on the ability of the Project to meet Project costs. This conclusory statement is not substantial evidence that the RPDA Project would be infeasible, and the RPDA cannot be rejected without substantial evidence to support findings of infeasibility.

Growth Inducing Impacts

37

An EIR must evaluate any significant environmental effects the project might cause by *bringing development and people into the area affected*. (CEQA Guidelines § 15126.2(a).) An EIR must specifically discuss "growth inducing impacts." (Guidelines § 15126.2(d).) Growth-inducing impacts may occur, for instance, when a project removes obstacles for growth, such as increasing

37 | the capacity of an essential public service. (*Id.*) Here, **the conclusion of less than significant growth-inducing impacts is not supported by substantial evidence.**

38 | The Project involves the construction of SR 74 from the north Project boundary to the south Project boundary at its ultimate half-section width as an Expressway including landscaping and parkway improvements. (FEIR, p. 4-5)

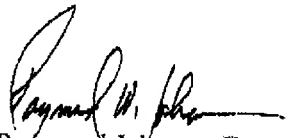
39 | The Project will be required to construct (1) a new pump station and 12-inch water line to connect the pump station to a new reservoir site and (2) 1.6 million gallon (MG) reservoir and a 20-inch water line to connect to the Project site. (FEIR p. 4-8.) The Project will also be required to construct a sewer lift station and force main from the subject site to an existing gravity sewer line, which are “designed to meet the required EVMWD standards and the anticipated growth within the EVMWD area” (FEIR p. 5-417.) The Project is located within the Meadowbrook area, a rural residential and agricultural area with primarily private septic systems; wastewater collection and wastewater treatment facilities will be required to serve the Meadowbrook area. (FEIR p. 5-415.) The sewer lift station and force main will bring new services to the area and remove obstacles for future growth. Without restrictions on the proposed 12-inch and 20-inch water lines that prohibits other projects from tying into the proposed water lines, future projects could utilize these facilities, thereby removing obstacles to growth. There is no substantial evidence that the water and sewer lines will only be sufficient to meet the needs of the Project and that the Project would not be growth inducing. To the extent that future projects in the Meadowbrook area could tie into the proposed water and sewer line, the off-site Project components could provide water and sewer facilities and remove obstacles to growth.

40 | The Project’s population and housing numbers have not been accounted for in regional projections, and therefore, the Project’s population and housing are not consistent with the growth projected for the area. The Project creates the potential for negative “precedent setting” insofar as it proposes an amendment to the General Plan to accommodate the higher densities; future projects may follow suit in seeking similar amendments. This Project also represents a development pressure on surrounding agricultural uses and large lots to convert to high density residential or commercial.

41 | Conclusion

For the above reasons, we respectfully ask that you deny the Project and deny certification of the FEIR. Thank you for your consideration of the above comments.

Sincerely,


Raymond Johnson, Esq., AICP, LEED GA
JOHNSON & SEDLACK

1 (3) The development standards for combined residential/commercial
2 development in Planning Area 1 of Specific Plan No. 364 shall be the same as those
3 standards identified in Article VIII, Section 8.2 of Ordinance No. 348, except that the
4 development standards set forth in Article VIII, Section 8.2 a., b., c., d., e., and f. shall be
5 deleted and replaced with the following:

- 6 A. The minimum lot width shall be sixty feet (60').
- 7 B. The front of the building shall not be less than ten feet (10') from the
8 property line.
- 9 C. The side yard shall not be less than five feet (5').
- 10 D. Except for lots with alleys, the rear yard shall not be less than ten feet (10').
11 Lots with alleys have no rear yard requirements.
- 12 E. Where the front, side or rear yard is adjacent to a residential lot with a
13 minimum lot size of half an acre or larger, all buildings shall not be less
14 than twenty-five feet (25') from the adjacent residential property line.
- 15 F. The maximum building height shall be fifty feet (50').
- 16 G. Fireplaces and air conditioning units shall be allowed to encroach into the
17 required front, side or rear setbacks a maximum of two feet (2'). No air
18 conditioning units are permitted in the front of a residential building.
19 Encroachments for balconies, porches, decks and attached patio covers shall
20 be allowed to encroach into the required front and rear setbacks a maximum
21 of seven feet (7'). No other structural encroachments shall be permitted in
22 the front, side or rear yard except as provided for in Section 18.19 of
23 Ordinance No. 348.
- 24 H. Trash collection areas shall be screened by landscaping or architectural
25 features in such a manner as not to be visible from a public street or from
26 any adjacent residential area.
- 27 I. Outside storage areas are prohibited.
- 28

1 J. All lighting fixtures, including spot lights, electrical reflectors and other
2 means of illumination for signs, buildings, landscaping, parking, loading,
3 unloading and similar areas, shall be focused, directed and arranged to
4 prevent glare or direct illumination on residential uses.

5 (4) The development standards for detached clustered residential development
6 in Planning Area 1 of Specific Plan No. 364 shall be the same as those standards identified
7 in Article VII of Ordinance No. 348 except Sections 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9,
8 7.10, and 7.11 of Ordinance No. 348 shall be deleted and replaced with the following:

- 9 A. The minimum lot size shall be 7,200 square feet.
- 10 B. The minimum lot width shall be thirty-one feet (31').
- 11 C. The minimum front yard setback (to a habitable portion of the main
12 building) shall be five feet (5') from the right of way.
- 13 D. The minimum setback for a porch shall be five feet (5') from the right of
14 way.
- 15 E. The minimum distance between the front of a building and any adjacent
16 building shall be twenty feet (20') at the first story and thirty feet (30') at
17 the second story, regardless of lot lines.
- 18 F. For motor courts, which shall be defined herein as single family detached
19 homes grouped around a common private drive, all side yards shall not be
20 less than four feet (4').
- 21 G. For garden courts, which shall be defined herein as single family detached
22 homes grouped around a private lawn, side yards on corner lots shall not be
23 less than five feet (5') and interior side yards shall not be less than four feet
24 (4').
- 25 H. The minimum rear yard for garden courts shall be five feet (5').
- 26 I. The minimum rear yard for motor courts shall be eight feet (8').
- 27
- 28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- J. Driveways shall be less than three feet (3') in length or at least eighteen feet (18') in length; driveway lengths between three feet (3') and eighteen feet (18') are prohibited.
- K. The minimum distance between the front of a building to the side of another building shall be twenty feet (20').
- L. The minimum distance between the side of a building and the rear of another building shall be ten feet (10').
- M. The minimum distance between the rear of a building and the rear of another building shall be fifteen feet (15').
- N. The minimum distance between the rear of a building and the rear of another building across an alley or motor court shall be thirty feet (30').
- O. The minimum distance between the rear of a building and any adjacent building (not including detached garages on the same lot) shall be ten feet (10') at the first story, twenty feet (20') at the second story, and thirty feet (30') between garages, regardless of lot lines.
- P. The maximum lot coverage shall be 60%.
- Q. The maximum building height shall be forty feet (40').
- R. The minimum private open space shall be one hundred eighty square feet (180') with a minimum width of twelve feet (12') and length of ten feet (10').

(5) The development standards for attached clustered residential development in Planning Area 1 of Specific Plan No. 364 shall be the same as those standards identified in Article VII of Ordinance No. 348 except Sections 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, and 7.11 of Ordinance No. 348 shall be deleted and replaced with the following:

- A. The minimum lot size shall be 5,000 square feet.
- B. The minimum lot width shall be sixty feet (60').

- 1 C. The minimum front yard setback (to a habitable portion of the main
2 building) shall be ten feet (10') from the right of way.
- 3 D. For townhomes, which shall be defined herein as multi-family attached row
4 homes with garages typically in the rear of the building, the minimum
5 setback for porches shall be five feet (5') from the property line.
- 6 E. For courtyards, which shall be defined herein as multi-family attached row
7 homes grouped around a common private drive or along a drive lane, the
8 minimum setback for porches shall be twelve feet (12') from the property
9 line.
- 10 F. For townhomes and courtyards, side yards shall not be less than ten feet
11 (10').
- 12 G. For townhomes, the distance between buildings shall not be less than
13 twenty-five feet (25').
- 14 H. For courtyards, the distance between buildings shall not be less than twenty
15 feet (20').
- 16 I. The rear yard distance between buildings (to habitable portion of the main
17 building) shall not be less than twenty feet (20').
- 18 J. Driveways shall be less than three feet (3') in length or at least eighteen feet
19 (18') in length; driveway lengths between three feet (3') and eighteen feet
20 (18') are prohibited.
- 21 K. The minimum private open space shall be one hundred square feet (100')
22 with a minimum width of ten feet (10') and length of eight feet (8').
- 23 L. The maximum building height shall be forty-eight feet (48').

24 (6) The development standards for congregate care residential facilities within
25 Planning Area 1 of Specific Plan No. 364 shall be the same standards as those identified in
26 Article XIXe, Section 19.102 of Ordinance No. 348.

27
28

1 (7) Except as provided above, all other zoning requirements shall be the same
2 as those requirements identified in Article VII, Article VIII, Article IXb and Article XIXe
3 of Ordinance No. 348.

4 b. Planning Area 2

5 (1) The uses permitted in Planning Area 2 of Specific Plan No. 364 shall be the
6 same as those uses permitted in Article VII, Section 7.1 of Ordinance No. 348 except that
7 the uses permitted in Section 7.1.a.(1), (2), (3), (4), (6), (7), (8), (9), (10), (11), and (12);
8 Section 7.1.b.(2), (3), (5), (6), (7), (8), (9), and (10); and Section 7.1.c.(1) and (2) shall not
9 be permitted. In addition, the uses permitted under Section 7.1.b. shall include public
10 schools, detached clustered residential development and attached clustered residential
11 development.

12 (2) The development standards for detached clustered residential development in
13 Planning Area 2 of Specific Plan No. 364 shall be the same as those standards identified in
14 Article VII of Ordinance 348 except Sections 7.2, 7.3, 7.4, 7.6, 7.7, 7.8, 7.9, 7.10, and 7.11
15 of Ordinance No. 348 shall be deleted and replaced with the following:

- 16 A. The minimum lot size shall be 7,200 square feet.
- 17 B. The minimum lot width shall be thirty-one feet (31').
- 18 C. The minimum front yard setback (to a habitable portion of the main
19 building) shall be five feet (5') from the right of way.
- 20 D. The minimum setback for a porch shall be five feet (5') from the right of
21 way.
- 22 E. The minimum distance between the front of a building and any adjacent
23 building shall be twenty feet (20') at the first story and thirty feet (30') at
24 the second story, regardless of lot lines.
- 25 F. All side yards for motor courts shall not be less than four feet (4').
- 26 G. All side yards for garden courts shall not be less than five feet (5').
- 27 H. The rear yard for garden courts shall not be less than five feet (5').

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- I. The rear yard for motor courts shall not be less than eight feet (8').
- J. Driveways shall be less than three feet (3') in length or at least eighteen feet (18') in length; driveway lengths between three feet (3') and eighteen feet (18') are prohibited.
- K. The minimum distance between the front of a building and the side of a building shall be twenty feet (20').
- L. The minimum distance between the front of a building and the side of another building shall be ten feet (10').
- M. The minimum distance between the rear of a building and the rear of another building shall be fifteen feet (15').
- N. The minimum distance between the rear of a building and the rear of another building across an alley or motor court shall be thirty feet (30').
- O. The minimum distance between the rear of a building and any adjacent building (not including detached garages on the same lot) shall be ten feet (10') at the first story, twenty feet (20') at the second story, and thirty feet (30') between garages, regardless of lot lines.
- P. The maximum coverage shall be 60%.
- Q. The maximum building height shall be forty feet (40').
- R. The minimum private open space shall be one hundred eighty square feet (180') with a minimum width of twelve feet (12') and length of ten feet (10').

(3) The development standards for attached clustered residential development in Planning Area 2 of Specific Plan No. 364 shall be the same as those standards identified in Article VII of Ordinance No. 348 except Sections 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, and 7.11 of Ordinance No. 348 shall be deleted and replaced with the following:

- A. The minimum lot size shall be 7,200 square feet.
- B. The minimum lot width shall be sixty feet (60').

- 1 C. The minimum front yard setback (to a habitable portion of the main
2 building) shall be ten feet (10') from the right of way.
- 3 D. The minimum setback for townhome porches shall be five feet (5') from the
4 right of way.
- 5 E. The minimum setback for courtyard porches shall be twelve feet (12') from
6 the right of way.
- 7 F. Side yards on corner lots (facing street) shall not be less than ten feet (10'),
8 with five feet (5') of public space and five feet (5') of private space.
- 9 G. For townhomes and courtyards, interior side yards shall not be less than ten
10 feet (10').
- 11 H. For townhomes, the distance between buildings shall not be less than
12 twenty-five feet (25').
- 13 I. For courtyards, the distance between buildings shall not be less than twenty
14 feet (20').
- 15 J. The rear yard (to the habitable portion of the main building) shall not be
16 less than ten feet (10').
- 17 K. The minimum distance between the rear of a building and the rear of
18 another building shall be twenty feet (20').
- 19 L. Driveways shall be less than three feet (3') in length, or at least eighteen
20 feet (18') in length; driveway lengths between three feet (3') and eighteen
21 feet (18') are prohibited.
- 22 M. The minimum private open space shall be one hundred square feet (100')
23 with a minimum width of ten feet (10') and length of eight feet (8').
- 24 N. The maximum building height shall be forty-eight feet (48').

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

27 c. Planning Areas 3 and 5

1 (1) The uses permitted in Planning Areas 3 and 5 of Specific Plan No. 364
2 shall be the same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348,
3 except that the uses permitted pursuant to Section 6.1.a.(2), (3), (5), (7) and (8); Section
4 6.1.b.(3), (4), (5), and (6); Section 6.1.c.(1); and Section 6.1.e.(1) shall not be permitted.
5 In addition, the uses permitted under Section 6.1.b. shall include public schools, detached
6 clustered residential development and attached clustered residential development.

7 (2) The development standards for residential development in Planning Area 3
8 and 5 of Specific Plan No. 364 shall be the same as those standards identified in Article VI,
9 Section 6.2 of Ordinance No. 348, except that the development standards set forth in
10 Section 6.2.a, b, c, d, e(1), e(2), e(3), and e(4) shall be deleted and replaced with the
11 following:

- 12 A. The minimum lot size shall be 4,000 square feet for Planning Area 3 and
13 5,000 square feet for Planning Area 5.
- 14 B. The minimum lot width for standard lots shall be fifty feet (50').
- 15 C. The minimum lot width for lots along a cul-de-sac shall be thirty-five feet
16 (35').
- 17 D. The minimum front yard setback (to a habitable portion of the main
18 building) shall be twelve feet (12') from the right of way.
- 19 E. The minimum setback for front-entry garages shall be twenty feet (20')
20 from the right of way and fifteen feet (15') for side-entry garages.
- 21 F. The minimum front yard setback for porches shall be eight feet (8') from
22 the right of way.
- 23 G. Side yards for interior lots shall be not less than five feet (5').
- 24 H. Side yards on corner lots (facing street) shall not be less than ten feet (10')
25 with five feet (5') of public space and five feet (5') of private space.
- 26 I. Fireplaces and air conditioning units shall be allowed to encroach into the
27 required side yard setback a maximum of two feet (2'). Covered Patios,
28

1 balconies and decks shall be allowed to encroach into the required rear yard
2 setback a maximum of five feet (5'). No other structure encroachment shall
3 be permitted in the front, side, or rear yard, except as provided for in
4 Section 18.19 of Ordinance No. 348.

5 J. The rear yard shall not be less than fifteen feet (15').

6 K. The maximum building height shall be forty feet (40').

7 L. The maximum lot coverage shall be 60% for single story dwellings and
8 50% for two story dwellings.

9 M. All playground equipment and public gathering areas within Planning Areas
10 3 and 5 shall be shaded in accordance with the Shade Standards described in
11 Section IV.E.2 of Specific Plan No. 364.

12 (3) The development standards for detached clustered residential development in
13 Planning Areas 3 and 5 of Specific Plan No. 364 shall be the same as those standards
14 identified in Section Article VI, 6.2 of Ordinance No. 348, except that the development
15 standards set forth in Section 6.2.a, b, c, d, e(1), e(2), e(3), and e(4) shall be deleted and
16 replaced with the following:

17 A. The minimum lot size shall be 3,000 square feet.

18 B. The minimum lot width for standard lots shall be twenty-five feet (25'). The
19 minimum lot width for lots along a cul-de-sac shall be twenty feet (20').

20 C. The minimum front yard setback (to a habitable portion of the main
21 building) shall be ten feet (10') from the right of way.

22 D. The minimum front yard setback from the right of way to garages shall be
23 twenty feet (20').

24 E. Covered porches and balconies may encroach into the required front yard
25 setback a maximum of five feet (5'). No other structure encroachment shall
26 be permitted in the front, side, or rear yard, except as provided for in
27 Section 18.19 of Ordinance No. 348.
28

- 1 F. The side yard shall not be less than four feet (4').
- 2 G. The rear yard shall not be less than five feet (5').
- 3 H. The minimum setback for garages located to the rear of lot shall be two feet
- 4 (2') from the property line.
- 5 I. The minimum distance between the rear of a building and any adjacent
- 6 building (not including detached garages on the same lot) shall be ten feet
- 7 (10') at the first story and twenty feet (20') at the second story, regardless of
- 8 lot lines.
- 9 J. The minimum private open space shall be four hundred (400) square feet
- 10 with a minimum width of fifteen feet (15') and length of fifteen feet (15').
- 11 K. The maximum lot coverage shall be 60%.

12 (4) The development standards for attached clustered residential development in

13 Planning Areas 3 and 5 of Specific Plan No. 364 shall be the same as those standards

14 identified in Article VII of Ordinance No. 348, except that the development standards set

15 forth in Sections 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, and 7.11 of Ordinance No. 348

16 shall be deleted and replaced with the following:

- 17 A. The minimum lot size shall be 7,200 square feet.
- 18 B. The minimum lot width shall be thirty-one feet (31').
- 19 C. The minimum front yard setback (to a habitable portion of the main
- 20 building) shall be eight feet (8') from the right of way.
- 21 D. The minimum setback from the right of way to front entry garages shall be
- 22 twenty feet (20').
- 23 E. Covered porches and balconies may encroach into the required front yard
- 24 setback a maximum of two feet (2'). Covered patios, balconies and decks
- 25 may encroach into the required rear yard setback a maximum of four feet
- 26 (4'). No other structure encroachment shall be permitted in the front, side,
- 27 or rear yard, except as provided for in Section 18.19 of Ordinance No. 348.
- 28

- 1 F. The minimum distance between the front of a building and any adjacent
2 building shall be twenty feet (20'), regardless of lot lines.
- 3 G. Side yards on corner lots (facing street) shall not be less than ten feet (10')
4 with five feet (5') of public space and five feet (5') of private space.
- 5 H. Side yards for interior lots shall not be less than five feet (5').
- 6 I. The rear yard shall not be less than eight feet (8').
- 7 J. Driveways shall be less than three feet (3') in length or at least eighteen feet
8 (18') in length; driveway lengths between three feet (3') and eighteen feet
9 (18') are prohibited.
- 10 K. The minimum distance between the front of a building and the side of
11 another building shall be twenty feet (20').
- 12 L. The minimum distance between the side of a building and the side of
13 another building shall setback shall be ten feet (10').
- 14 M. The minimum distance between the rear of a building and the rear of
15 another building shall be fifteen feet (15').
- 16 N. The minimum distance between the rear of a building and the rear of
17 another building across alley or motor court shall be thirty feet (30').
- 18 O. The minimum private open space shall be two hundred (200) square feet
19 with a minimum width of ten feet (10') and length of ten feet (10').
- 20 P. The maximum lot coverage shall be 60%.
- 21 Q. The maximum building height shall be forty feet (40').

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

24 d. Planning Area 4A

25 (1) The uses permitted in Planning Area 4A of Specific Plan No. 364 shall be the
26 same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No. 348, except
27 that the uses permitted in Section 8.100.a., b., and c. shall not be permitted. In addition,
28

1 the permitted uses identified under Section 8.100.a. shall also include public schools,
2 public parks, private recreation areas, and trails.

3 (2) The development standards for Planning Area 4A of Specific Plan No. 364 shall
4 be the same as those standards identified in Article VIIIe, Section 8.101 of Ordinance No.
5 348.

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

8 e. Planning Area 4B

9 (1) The uses permitted in Planning Area 4B of Specific Plan No. 364 shall be
10 the same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No. 348,
11 except that the uses permitted in Section 8.100.a., b., and c., shall not be permitted. In
12 addition, the permitted uses identified under Section 8.100.a. shall also include public
13 schools, non-commercial community centers, libraries, and senior centers.

14 (2) The development standards for Planning Area 4B of Specific Plan No. 364
15 shall be the same as those standards identified in Article VIIIe, Section 8.101 of Ordinance
16 No. 348.

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

19 f. Planning Area 6 and 7

20 (1) The uses permitted in Planning Areas 6 and 7 of Specific Plan No. 364 shall
21 be the same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No. 348,
22 except that the uses permitted pursuant to Section 8.100.a., b., and c. shall not be
23 permitted. In addition, the permitted uses identified under Section 8.100.a. shall also
24 include natural open space, overlooks, and trails.

25 (2) The development standards for Planning Areas 6 and 7 of Specific Plan No.
26 364 shall be the same as those standards identified in Article VIIIe, Section 8.101 of
27 Ordinance No. 348.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

Section 3. This ordinance shall take effect 30 days after its adoption.

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

By: _____
Chairman

ATTEST:
CLERK OF THE BOARD:
KECIA HARPER-IHEM

By: _____
Deputy

(SEAL)

APPROVED AS TO FORM

July _____, 2015

By: _____
MICHELLE CLACK
Deputy County Counsel

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

605 B



FROM: TLMA – Planning Department

SUBMITTAL DATE:
June 18, 2015

SUBJECT: SPECIFIC PLAN NO. 364, GENERAL PLAN AMENDMENT NO. 743, CHANGE OF ZONE NO. 7143, TENTATIVE TRACT MAP NO. 36450, and ENVIRONMENTAL IMPACT REPORT NO. 530 – Intent to certify an Environmental Impact Report - Applicant: Colinas Del Oro Land Company, LLC - First Supervisorial District – Meadowbrook Zoning Area – Elsinore Area Plan: Rural-Rural Mountainous (R:RM), Community Development- Very Low Density Residential (CD:VLDR) – Location: Westerly of Highway 74, southerly of Ethanac Road – 127.4 Gross Acres - Zoning: Rural Residential (R-R) – **REQUEST:** The Specific Plan proposes a master plan of 126.4 acres in the Community Development and Rural Foundations featuring residential and commercial designations as well as open space, trails and recreation space with a maximum dwelling unit count of 490 dwelling units. The Tentative Tract Map is a Schedule A subdivision of 126.4 acres into 245 residential lots with an average lot size of 6,518 sq. ft. The General Plan Amendment and Change of Zone propose to establish a Specific Plan on the site. The Environmental Impact Report proposes to study the possible impacts resulting from the project. Deposit based funds 100%.

Departmental Concurrence

Steve Weiss

Steve Weiss
Planning Director

(Continued on next page)

Juan Perez

Juan Perez
TLMA Agency Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$	\$	\$	\$	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$	\$	\$	\$	

SOURCE OF FUNDS: Deposit based funds

Budget Adjustment:

For Fiscal Year:

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

BY:

Tina Grande

Tina Grande

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.:

District: 1

Agenda Number:

16-1

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: SPECIFIC PLAN NO. 364, GENERAL PLAN AMENDMENT NO. 743, CHANGE OF ZONE
NO. 7143, TENTATIVE TRACT MAP NO. 36450, and ENVIRONMENTAL IMPACT REPORT NO. 530**

DATE: June 18, 2015

PAGE: Page 2 of 4

RECOMMENDED MOTION: The Planning Commission and Staff Recommend that the Board of Supervisors:

TENTATIVELY CERTIFY ENVIRONMENTAL IMPACT REPORT NO. 530, which has been completed in compliance with the State CEQA Guidelines and the Riverside County CEQA implementation procedures; pending adoption of a resolution by the Board of Supervisors; and,

TENTATIVELY APPROVE GENERAL PLAN AMENDMENT NO. 743, amending the Land Use Designation of the project area from Community Development: Very Low Density Residential (CD:VLDR), and Rural: Rural Mountainous (R:RM) to Medium Density Residential (MDR), Medium High Density Residential (MDHR), Mixed Use (MU), Open Space-Recreation (OS-R), and Rural Mountainous (RM) as illustrated through the proposed Colinas del Oro Land Use Plan and to modify table 3 of the Elsinore Area Plan to include this Specific Plan; pending adoption of the General Plan Amendment resolution by the Board of Supervisors; and,

TENTATIVELY APPROVE SPECIFIC PLAN NO. 364, subject to the conditions of approval and based on the findings and conclusions incorporated in the staff report, pending adoption of the Specific Plan Resolution by the Board of Supervisors; and,

TENTATIVELY APPROVE CHANGE OF ZONE NO. 7143, amending the zoning designation of the project site from Rural Residential (RR) to Specific Plan (SP) as well as formalize the Specific Plan Boundary; pending adopting of the zoning ordinance for the Specific Plan; and,

APPROVE TENTATIVE TRACT MAP NO. 36450, subject to the conditions of approval and based on the findings and conclusions incorporated in the staff report.

BACKGROUND:

General Plan Amendment No. 743 was initiated by the Board of Supervisors on June 16, 2009.

Summary

The Specific Plan proposes a master planned community of 126.4 acres for 490 single family homes on 59.8 acres, 11.3 acres for mixed use development, 48.8 acres for open space, and 8.2 acres for infrastructure development.

The residential aspect of the proposed Specific Plan will encompass 59.8 acres and will incorporate both single family and multi-family dwelling units at varying densities and designs. Proposed densities consist of Medium Density Residential (MDR, 22.4 acres, 43-107 dwelling units), Medium High Density Residential (MHDR, 25.6 acres, 120-193 dwelling units), and Very High Density Residential (VHDR, 11.5 acres, 139-198 dwelling units). The mixed-use area of the proposed Specific Plan will encompass 11.4 acres and be designated for commercial retail, office space, and residential land uses. The mixed-use planning area will allow for residential dwelling units to be horizontally or vertically integrated adjacent to office and commercial space. Overall, there will be a maximum of 49 residential units located within the mixed-use area of the Specific Plan. Residential units for this planning area may consist of, but not limited to, multi-family attached townhomes, courtyards or stacked flats and live/work units.

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: SPECIFIC PLAN NO. 364, GENERAL PLAN AMENDMENT NO. 743, CHANGE OF ZONE
NO. 7143, TENTATIVE TRACT MAP NO. 36450, and ENVIRONMENTAL IMPACT REPORT NO. 530**

DATE: June 18, 2015

PAGE: Page 3 of 4

The project lies between the City of Elsinore (1.7 miles south west), and the City of Perris (2.6 miles north east). There are currently several commercial designations up and down Highway 74. Additionally, the project is located along Highway 74 and near Ethanac Road, both are Expressways (184' ROW) in the General Plan. Highway 74 is an Expressway intended to carry large volumes of connecting traffic between the two cities. The eventual buildout of these roadways would alter the character of the area. In addition, under the proposed General Plan Update, the character of the immediate vicinity of the proposed Project, on both sides of SR 74 would be altered, based on the recommended land uses. The proposed General Plan Update (GPA960) currently being processed by Planning calls for approximately 80 acres of Commercial Retail (CR) and 75 acres of Medium High Density Residential (MHDR) within up to 1 mile of the proposed Project vicinity, adjacent to SR 74. Lastly, according to the proposed General Plan Update, the proposed Project site is being recommended to be developed as Light Industrial (LI). The proposed Project is a mixed use, commercial, residential, recreational and open space project, which will be more compatible with the future development in the area than uses permitted under the LI designation.

As modified by the Planning Commission, the project is being required to provide a Community center site and be responsible for construction. The center will be open to the entire community of Meadowbrook, not just the project.

A total of 48.8 acres of the project area will be dedicated for the development of parks, recreational facilities, and open space. Located within Planning Area 6 (PA 6), 30 acres of the project site will be designated for the use of hillside preservation and recreation. The Rural Mountainous area of the proposed Specific Plan will consist of 10.4 acres within Planning Area 7 (PA7) and will be an extension of Planning Area 6 (PA6). In addition to the hillside preservation and rural mountainous land uses, a 5.9 acre community park will be located within Planning Area 4a (PA4a) featuring a pool and other recreational amenities, and a 1.4 acre park will be located within Planning Area 3 (PA3) which will be partly open to the public. The tot-lot, the open areas and trails will be open to the public, the pool will be available only to those within the home owners association.

The Tentative Map proposes a Schedule "A" subdivision of 126.4 acres into 245 residential lots with an average lot size of 6,518 square feet and eight (8) lettered lots. The lettered lots will be intended for water quality basins, open space, and landscaping features. The lettered lots will be distributed throughout the project site and range from 0.05 to 42.69 acres.

The General Plan Amendment proposes to amend the Land Use Designation of the project site from Community Development: Very Low Density Residential (CD:VLDR), and Rural: Rural Mountainous (R:RM) to Medium Density Residential (MDR), Medium High Density Residential (MDHR), Mixed Use (MU), Open Space-Recreation (OS-R), and Rural Mountainous (RM) as illustrated by the proposed Colinas del Oro Land Use Plan.

The Change of Zone proposes to change the zoning of the project area from Rural Residential (RR) to Specific Plan (SP) as well as formalize the Specific Plan Boundary and create a Zoning Ordinance for the proposed Project.

The Environmental Impact Report has been prepared to inform decision-makers and the public of the potential significant environmental effects associated with changing the General Plan Land Use designation, creation of a Specific Plan, and rezoning approvals for the proposed Specific Plan.

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: SPECIFIC PLAN NO. 364, GENERAL PLAN AMENDMENT NO. 743, CHANGE OF ZONE
NO. 7143, TENTATIVE TRACT MAP NO. 36450, and ENVIRONMENTAL IMPACT REPORT NO. 530**

DATE: June 18, 2015

PAGE: Page 4 of 4

The project applicant held several community meetings and the project has been reviewed by the MAC. One of the community meetings on April 2, 2015 in the Good Hope Community Center, was attended by several County Staff members.

Impact on Citizens and Businesses

The impacts of this project have been evaluated through the environmental review and public hearing process by Planning staff and the Planning Commission.

ATTACHMENTS:

- A. Planning Commission Staff Report**
- B. Planning Commission Minutes**
- C. Planning Commission Memo**
- D. Specific Plan Zoning Ordinance**



RIVERSIDE COUNTY
PLANNING DEPARTMENT

Steve Weiss, AICP
Planning Director

DATE: June 18, 2015

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

SUBJECT: Specific Plan No. 364, General Plan Amendment No.743, Change of Zone No. 7143 and Tentative Tract Map No. 36450

(Charge your time to these case numbers)

The attached item(s) require the following action(s) by the Board of Supervisors:

- | | |
|--|---|
| <input type="checkbox"/> Place on Administrative Action <small>(Receive & File; EOT)</small> | <input checked="" type="checkbox"/> Set for Hearing <small>(Legislative Action Required; CZ, GPA, SP, SPA)</small> |
| <input type="checkbox"/> Labels provided If Set For Hearing
<input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day | <input checked="" type="checkbox"/> Publish in Newspaper:
(1st Dist) Press Enterprise |
| <input type="checkbox"/> Place on Consent Calendar | <input checked="" type="checkbox"/> Environmental Impact Report |
| <input type="checkbox"/> Place on Policy Calendar <small>(Resolutions, Ordinances; PNC)</small> | <input checked="" type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day |
| <input type="checkbox"/> Place on Section Initiation Proceeding <small>(GPIP)</small> | <input checked="" type="checkbox"/> Notify Property Owners <small>(app/agencies/property owner labels provided)</small> |

Designate Newspaper used by Planning Department for Notice of Hearing:
(1st Dist) Press Enterprise

Please schedule for hearing June 21

Riverside Office · 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 77-588 Duna Court, Suite H
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7040

"Planning Our Future... Preserving Our Past"



RIVERSIDE COUNTY
PLANNING DEPARTMENT

**PLANNING COMMISSION
MINUTE ORDER
APRIL 15, 2015**

I. AGENDA ITEM 4.1

SPECIFIC PLAN NO. 364, GENERAL PLAN AMENDMENT NO. 743, CHANGE OF ZONE NO. 7143, TENTATIVE TRACT MAP NO. 36450, and ENVIRONMENTAL IMPACT REPORT NO. 530 – Intent to Certify an Environmental Impact Report - Applicant: Colinas Del Oro Land Company, LLC - First Supervisorial District – Meadowbrook Zoning Area – Elsinore Area Plan: Rural - Rural Mountainous (R:RM), Community Development - Very Low Density Residential (CD:VLDR) – Location: Westerly of Highway 74 and southerly of Ethanac Road – 127.4 Gross Acres - Zoning: Rural Residential (R-R).

PROJECT DESCRIPTION:

The Specific Plan proposes a split foundation master plan of 126.4 acres featuring residential and commercial designations as well as open space, trails and recreation space with a maximum dwelling unit count of 490 dwelling units. The Tentative Tract Map is a Schedule A subdivision of 126.4 acres into 245 residential lots with an average lot size of 6,518 sq. ft. The General Plan Amendment and Change of Zone propose to establish a Specific Plan on the site. The Environmental Impact Report proposes to study the possible impacts resulting from the project.

II. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Planner: Matt Straite at (951) 955-8631 or email mstraite@rctlma.org.

Spoke in favor of the proposed project:

- Mike Naggar, Applicant's Representative, 445 S. D Street, Perris (951) 551-7730
- Matthew Fagan, Applicant's Representative, Temecula (951) 265-5428
- Mark Jones, Interested Party, 31608 Railroad Cyn. Rd., Canyon Lake (951) 244-0048
- Alberto Maybeno, Interested Party, 26477 Bluebell St., Menifee (951) 231-5900
- Jeff Logan, Interested Party

Spoke in opposition to the proposed project:

- Paul Jacobs, Interested Party, Temecula
- Garry Grant, Neighbor, 27068 Jarvis St., Perris (951) 657-9319
- Michelle Randall, Interested Party
- Ms. Holstrom, Interested Party, Moreno Valley (gave her time to Michelle Randall)
- Jackie McDonald, Neighbor, 21401 Sharp Rd., Perris (951) 657-9275
- Debbie Walsh, Interested Party, Mead Valley
- Nancy Gruttman-Tyler, Neighbor, 20221 Walnut St., Perris (757) 344-8879

CD The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Mary Stark, TLMA Commission Secretary, at (951) 955-7436 or email at mcstark@rctlma.org.



RIVERSIDE COUNTY
PLANNING DEPARTMENT

**PLANNING COMMISSION
MINUTE ORDER
APRIL 15, 2015**

Spoke in a neutral position to the proposed project:

- Eric Larson, Neighbor, 1010 N. Batavia E410, Orange (562) 895-2879

Did not claim their position:

- Robert Gibbons, 25098 Avenida Valencia, Homeland (951) 926-9763

III. CONTROVERSIAL ISSUES:

Yes. Neighbors are opposing for a host of reasons.

IV. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Leach, 2nd by Commissioner Sanchez,

A vote of 5-0

APPROVED PLANNING COMMISSION RESOLUTION NO. 2015-04; and

RECOMMENDS THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:

TENTATIVE CERTIFICATION of **ENVIRONMENTAL IMPACT REPORT NO. 530**; and,

TENTATIVELY APPROVE of **GENERAL PLAN AMENDMENT NO. 743**; and,

TENTATIVELY APPROVE of **CHANGE OF ZONE NO. 7143**; and,

TENTATIVELY APPROVE of **SPECIFIC PLAN NO. 364**; and,

TENTATIVELY APPROVE of **TENTATIVE TRACT MAP NO. 36450** as modified at hearing.

CD The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Mary Stark, TLMA Commission Secretary, at (951) 955-7436 or email at mcstark@rctlma.org.



**PLANNING COMMISSION
MINUTE ORDER
APRIL 15, 2015**

Spoke in a neutral position to the proposed project:

- Eric Larson, Neighbor, 1010 N. Batavia E410, Orange (562) 895-2879

Did not claim their position:

- Robert Gibbons, 25098 Avenida Valencia, Homeland (951) 926-9763

III. CONTROVERSIAL ISSUES:

Yes. Neighbors are opposing due to the location of one of the street. ??

IV. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Leach, 2nd by Commissioner Sanchez,

A vote of 5-0

APPROVED PLANNING COMMISSION RESOLUTION NO. 2015-04; and

RECOMMENDS THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:

TENTATIVE CERTIFICATION of **ENVIRONMENTAL IMPACT REPORT NO. 530;** and,

TENTATIVELY APPROVE of **GENERAL PLAN AMENDMENT NO. 743;** and,

TENTATIVELY APPROVE of **CHANGE OF ZONE NO. 7143;** and,

TENTATIVELY APPROVE of **SPECIFIC PLAN NO. 364;** and,

TENTATIVELY APPROVE of **TENTATIVE TRACT MAP NO. 36450** as modified at hearing.

CD The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Mary Stark, TLMA Commission Secretary, at (951) 955-7436 or email at mcstark@rctlma.org.

Agenda Item No.: 4.1
Area Plan: Elsinore
Zoning Area: Meadowbrook
Supervisorial District: First
Project Planner: Matt Straite
Planning Commission: April 15, 2015

SPECIFIC PLAN NO. 364
TENTATIVE TRACT MAP NO. 36450
CHANGE OF ZONE NO. 7143
GENERAL PLAN AMENDMENT NO. 743
ENVIRONMENTAL IMPACT REPORT NO. 530
Applicant: Colinas Del Oro Land Company, LLC
Engineer/Representative: Mike Naggar and Associates

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

SPECIFIC PLAN NO. 364 proposes a master planned community of 126.4 acres for 490 single family homes on 59.8 acres, 11.3 acres for mixed use development, 48.8 acres for open space, and 8.2 acres for infrastructure development.

The residential aspect of the proposed Specific Plan will encompass 59.8 acres and will incorporate both single family and multi-family dwelling units at varying densities and designs. Proposed densities consist of Medium Density Residential (MDR), Medium High Density Residential (MHDR), and Very High Density Residential (VHDR).

- **Medium Density Residential (MDR)(2-5 du/ac):** A total of 80 Medium Density Residential units are proposed on 22.4 acres with an average density of 3.6 dwelling units per acre. Medium Density units will be located predominantly within Planning Area No. 5 of the Specific Plan. Designs of the residential units will consist of, but not limited to, traditional detached and paired single family residential and multi-family attached duplexes and triplexes.
- **Medium High Density Residential (MDHR)(5-8 du/ac):** A total of 163 Medium High Density Residential units are proposed on 25.6 acres with an average density of 6.4 dwelling units per acre. Medium High Density dwellings will be located within Planning Area No. 3 (PA3). Residential designs of the units will range from, but not limited to, paired single-family detached or multi-family attached duplexes and triplexes.
- **Very High Density Residential (VHDR)(14-20 du/ac):** A total of 198 Very High Density Residential units will be located on 11.5 acres within Planning Area No. 2 (PA 2). Proposed residential units for this planning area may consist of, but not limited to, clustered single-family detached dwellings or attached multi-family townhomes or courtyard homes.

The mixed-use area of the proposed Specific Plan will encompass 11.4 acres and be designated for commercial retail, office space, and residential land uses. The mixed-use planning area will allow for residential dwelling units to be horizontally or vertically integrated adjacent to office and commercial space. Overall, there will be a maximum of 49 residential units located within the mixed-use area of the Specific Plan. Residential units for this planning area may consist of, but not limited to, multi-family attached townhomes, courtyards or stacked flats and live/work units.

A total of 48.8 acres of the project area will be dedicated for the development of parks, recreational facilities, and open space. Located within Planning Area 6 (PA 6), 30 acres of the project site will be designated for the use of hillside preservation and recreation. The Rural Mountainous area of the proposed Specific Plan will consist of 10.4 acres within Planning Area 7 (PA7) and will be an extension of Planning Area 6 (PA6). In addition to the hillside preservation and rural mountainous land uses, a 5.9 acre community park will be located within Planning Area 4a (PA4a), 1.1 acre Community Center

**SPECIFIC PLAN NO. 364
TENTATIVE TRACT MAP NO. 36450
CHANGE OF ZONE NO. 7143
GENERAL PLAN AMENDMENT NO. 743
ENVIRONMENTAL IMPACT REPORT NO. 530
Planning Commission Staff Report: April 15, 2015
Page 2 of 10**

located within Planning Area 4b (PA4b) and a 1.4 acre park will be located within Planning Area 3 (PA3).

TENTATIVE TRACT MAP NO. 36450 proposes a Schedule "A" subdivision of 126.4 acres into 245 residential lots with an average lot size of 6,518 square feet and eight (8) lettered lots. The lettered lots will be intended for water quality basins, open space, and landscaping features. The lettered lots will be distributed throughout the project site and range from 0.05 to 42.69 acres.

GENERAL PLAN AMENDMENT NO. 743 proposes to amend the Land Use Designation of the project site from Community Development: Very Low Density Residential (CD:VLDR), and Rural: Rural Mountainous (R:RM) to Medium Density Residential (MDR), Medium High Density Residential (MDHR), Mixed Use (MU), Open Space-Recreation (OS-R), and Rural Mountainous (RM) as illustrated by the proposed Colinas del Oro Land Use Plan.

CHANGE OF ZONE NO. 7143 proposes to change the zoning of the project area from Rural Residential (RR) to Specific Plan (SP) as well as formalize the Specific Plan Boundary and create a Zoning Ordinance for the proposed Project.

ENVIRONMENTAL IMPACT REPORT NO. 530 has been prepared to inform decision-makers and the public of the potential significant environmental effects associated with changing the General Plan Land Use designation, creation of a Specific Plan, and rezoning approvals for the proposed Specific Plan.

The proposed project is located within the unincorporated area of Riverside County in the community of Meadowbrook. More specifically, the project is located westerly of Highway 74 and southerly of Ethanac Road.

PROJECT BACKGROUND:

General Plan Amendment No. 743 was initiated by the Board of Supervisors on June 16, 2009.

ISSUES OF POTENTIAL CONCERN:

Good Hope Mine:

The Good Hope Mine, founded in the 1880's and active until the 1950's, is located within the proposed site of the Colinas del Oro Specific Plan (SP 364). To determine whether historical or archeological items remain on site, a Phase 1 Cultural Resources Assessment was conducted by Professional Archaeological Services. Originally conducted in August, 2005 and revised in November, 2010, the assessment identified that the entrance to the Good Hope Mine had been closed and sealed, mine tailings had been primarily removed, and only remnants of the mining site remained. Remnants identified by the investigator, primarily broken bricks, were considered non-significant of historical or archeological value. Of what little remains of the Good Hope Mine, the investigator determined that the Good Hope Mine is not a significant or important historical resource under CEQA (Refer to Phase 1 Cultural Assessment of EIR 530). In order to reduce the potential impact of resources not identified during the Cultural Assessment, mitigation measures defined in EIR 530 require monitors to be present during the ground disturbing activities of the development.

Proposed Density:

Located within close proximity of the proposed Colinas Del Oro Specific Plan (SP364), are scattered single family residential homes to the east, vacant property to the west and north, and a tract housing subdivision to the southwest. Within the proposed development, the applicant is proposing residential densities of Very High Density Residential (14-20 dwellings per acre)(11.5 acres), Medium High Density Residential (5-8 dwellings per acre)(25.6 acres), and Medium Density Residential (2-5 dwellings per acre)(22.4 acres). The proposed project density, however, is consistent with the General Plan based mainly on the existing "Rural Village Overlay Study Area." Identified in the Elsinore Area Plan, this policy overlay (along State Highway 74) was identified in 2003 as an area with a mix of existing business and residential uses. The General Plan explains that the GP designations in this area required additional analysis due to the mix of existing uses in order to determine the most appropriate Land Use designations. Although the intent was to have the County do a larger area-wide analysis (which has not yet occurred), this Specific Plan has performed a more detailed analysis of the area as it relates to this proposed project.

The project lies between the City of Elsinore (1.7 miles south west), and the City of Perris (2.6 miles north east). There are currently several commercial designations up and down Highway 74. Additionally, the project is located along Highway 74 and near Ethanac, both Expressways (184' ROW) in the General Plan. Highway 74 is an Expressway intended to carry large volumes of connecting traffic between the two cities. The eventual buildout of these roadways would alter the character of the area (one for the reasons for the overlay). In addition, under the proposed General Plan Update, the character of the immediate vicinity of the proposed Project, on both sides of SR 74 would be altered, based on the recommended land uses. If approved by the Board of Supervisors, approximately 80 acres of Commercial Retail (CR) and 75 acres of Medium High Density Residential (MHDR) would be permitted within up to 1 mile of the proposed Project vicinity, adjacent to SR 74. Utilizing a CR floor area ratio of 0.25 this equates to roughly, 871,000 feet of CR uses. Utilizing the mid-range of the permitted density range of the MHDR designation of 6.5 d.u./acre, this equates to roughly 487 dwelling units in the MHDR development fabric, also within up to 1 mile from the proposed Project site. Lastly, according to the proposed General Plan Update, the proposed Project site is being recommended to be developed as Light Industrial (LI). The proposed Project is a mixed use, commercial, residential, recreational and open space project, which will be more compatible with the future development in the area than uses permitted under the LI designation.

Planning Area 4b Community Center:

Planning Area 4b is designated as a Community Center. The project applicant and the Specific Plan intend to have this property reserved for a possible future Community Center but the project does not envision actually building any structures on the site, just dedicating the land.

Potential Environmental Impacts:

Based on data provided in the DEIR/FEIR, it is concluded the Project could result in significant impacts to the following environmental issues: population and housing. All other potential impacts were determined to be less than significant without mitigation or can be reduced to a less than significant level with implementation of the mitigation measures.

SUMMARY OF FINDINGS:

1. Existing General Plan Land Use (Ex. #5): Medium Density Residential (MDR), Medium High Density Residential (MHDR), Very High Density Residential (VHDR), Mixed-Use (MU), Rural Mountainous (RM), Open Space-Recreation (OS-R) as reflected on the Land Use Plan of the proposed Colinas del Oro Specific Plan.
2. Surrounding General Plan Land Use (Ex. #5): Rural Community-Very Low Density Residential (RC: VLDR) and Rural-Rural Mountainous (R:RM) to the north, Rural Community-Very Low Density Residential (RC:VLDR) and Community Development-Commercial Retail (CD: CR) to the east, Rural Community-Very Low Density Residential (RC: VLDR) and Community Development-Commercial Retail (CD:CR) to the south, and Rural-Rural Mountainous (R:RM), and Rural Community-Very Low Density Residential (RC: VLDR) to the west.
3. Proposed Zoning (Ex. #2): Specific Plan No. 364 (Colinas Del Oro)
4. Surrounding Zoning (Ex. #2): To the north and west of the project area is Rural Residential (R-R), and to the south and east is Rural Residential (R-R) and Scenic Highway Commercial (C-P-S).
5. Existing Land Use (Ex. #1): The project area is currently undeveloped.
6. Surrounding Land Use (Ex. #1): Vacant property to the west and north of the project site and scattered single family residential to the east and south.
7. Project Data:
 - Total Acreage: 126.4
 - Total Proposed Lots: 449
 - Proposed Min. Lot Size: 6,518 sq. ft.
 - Schedule: A
8. Environmental Concerns: Refer to Environmental Impact Report No. 530

RECOMMENDATIONS:

APPROVAL of the **PLANNING COMMISSION RESOLUTION NO. 2015-04** recommending adoption of General Plan Amendment No.743 and Specific Plan No. 364 to the Riverside County Board of Supervisors;

THE PLANNING COMMISSION RECOMMENDS THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:

TENTATIVE CERTIFICATION of **ENVIRONMENTAL IMPACT REPORT NO. 530**, which has been completed in compliance with the EIR Guidelines and the Riverside County CEQA implementation procedures; pending final adoption of a Resolution for EIR530 and SP364; and,

TENTATIVE APPROVAL of **GENERAL PLAN AMENDMENT NO. 743**, amending the Land Use Designation of the project area from Community Development: Very Low Density Residential (CD:VLDR), and Rural: Rural Mountainous (R:RM) to Medium Density Residential (MDR), Medium High Density Residential (MDHR), Mixed Use (MU), Open Space-Recreation (OS-R), and Rural Mountainous (RM) as illustrated through the proposed Colinas del Oro Land Use Plan and to modify table 3 of the Elsinore Area Plan to include this Specific Plan; and,

TENTATIVE APPROVAL of **CHANGE OF ZONE NO. 7143**, amending the zoning designation of the project site from Rural Residential (RR) to Specific Plan (SP) as well as formalize the Specific Plan Boundary and create a Zoning Ordinance for the proposed project; and,

TENTATIVE APPROVAL of **SPECIFIC PLAN NO. 364**, 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,

TENTATIVE APPROVAL of **TENTATIVE TRACT MAP NO. 36450**, based on the findings and conclusions incorporated in the staff report and pending adoption of the Specific Plan Resolution by the Board of Supervisors.

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

1. The project site is designated Very Low Density Residential (VLDR) and Rural Mountainous (RM) on the Elsinore Area Plan.
2. The Project site is located within a "Rural Village Overlay" in the General Plan, which allows a concentration of development within rural areas. Rural Villages accommodate a range of residential and local-serving commercial, educational, cultural, and recreational opportunities. This policy requires additional analysis of the area to determine Land Use Designations. Such analysis was performed in the EIR.
3. This GPA would create a split foundation Specific Plan. Those areas in Community Development would become a Community Development section of the Specific Plan, changing the existing Land Use designations from VLDR to residential and mixed uses. The Rural Mountainous area is in the Rural Foundation of the General Plan and would remain in the Rural Foundation, but with a Specific Plan Land Use Designation of Rural Mountainous.
4. There are currently several commercial designations up and down Highway 74.
5. Highway 74 is an Expressway intended to carry large volumes of connecting traffic between the two cities. The eventual buildout of these roadways would alter the character of the area (one for the reasons for the overlay).

6. The proposed residential use with a minimum of 6,518 square feet, is permitted use in the Very Low Density Residential and Rural Mountainous designations.
 7. General Plan Amendment No. 743 falls into the Entitlement category, because it is changing from Community Development Very Low Residential to Community Development Specific Plan.
 8. General Plan Amendment No. 743 does not involve a change in or conflict with:
 - I. the Riverside County Vision;
 - II. any general planning principle set forth in General Plan Appendix B;
 - III. or any foundation component designation in the General Plan.
- a. Chapter 5 of the Draft EIR (Land Use and Planning) analyzed the Project's consistency with applicable policies in the General Plan. Based on analysis in Draft EIR, the Project would be consistent with the applicable General Plan goals and policies.

Specifically, the Project is consistent with the vision for Riverside County as a "family of special communities in a remarkable environmental setting, as articulated in the General Plan Vision Statement." (General Plan). The Project's plan for a residential community of homes in varying densities, recreational areas, open spaces, streets, and other infrastructure based on the planning principles of clustered development, protection of natural resources and buffering is consistent with the County's vision. Other Project attributes include the following:

- Land consumption has been minimized as a result of a clustered, more compact development pattern.
- The clustered development would result in higher densities, up to 14 units per acre on the Northeastern portion of the site, and more varied housing types than what is typically found in the Elsinore Area Plan.
- The Project will provide a wide range of pedestrian trails and interconnectivity.
- The project will also be bringing a range of residential and local-serving commercial, educational, cultural, and recreational opportunities to the area, thus being consistent with the Rural Village Area Policy which helps the project implement the intent of the General Plan.

Further, the Project is consistent with the planning principles in General Plan Appendix B for the reasons included in Draft EIR Table.

Finally, General Plan Amendment No. 743 does not involve a conflict in any foundation component designation as the existing foundation component designation of Rural will remain unchanged.

- b. General Plan Amendment No. 743 would contribute to the purposes of the General Plan. As noted above, the Project's plan for a residential community of homes in varying densities, recreational areas, open spaces, streets, and other infrastructure based on the planning principles of clustered development, protection of natural resources and buffering is consistent with the County's vision. Specifically, since the current proposal to preserve the Northwestern

Site as open space will help, in part, the County achieve MSHCP conservation goals. Finally, the Project is consistent with the purposes of the General Plan as analyzed in Draft EIR.

- C. Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan.
- (a) GPA 743 would allow the Project to be planned in a comprehensive manner with clustered development such that the land uses and development intensity proposed for the eastern portion of the site would be an appropriate transition from the nonresidential uses to the west, while preserving property within the western portion of the site to buffer the open spaces west of the Project Site.
 - (b) New information about the Project Site's characteristics and the propriety of a specific plan, including the proposal to preserve the hillsides, has emerged since the General Plan was adopted. As background, the General Plan recognized that specific plans are highly customized policy or regulatory tools that provide a bridge between the General Plan and individual development projects in a more area-specific manner than is possible with community-wide zoning ordinances. The specific plan is a tool that provides land use and development standards that are tailored to respond to special conditions and aspirations unique to the area being proposed for development.
 - (c) A detailed examination of the Project Site has revealed valuable information about the site's physical characteristics. The land plan created as a result of the site-specific analysis would cluster development to provide substantial new local and regional benefits as well as protect natural resources. The Specific Plan would preserve the hillsides in order to ensure protection of habitat and the wildlife travel route as well as to provide trails and passive recreational opportunities. Development density would be clustered on the eastern portion of the site where topography and access are most suitable for development and avoid the tailings area of the mine that was previously located on the site. In order to do so, a specific plan is necessary to implement the plan. The specific plan would allow for a comprehensive plan that would help achieve the County's vision of coordinated communities surrounded by aesthetically pleasing settings. Accordingly, the detailed analysis of the Project Site's resources and the propriety of a specific plan constitute new information that has emerged since the General Plan was adopted, thereby warranting GPA 743.
9. Substantial evidence in the form of the Environmental Impact report, technical studies and the Specific Plan demonstrate that the project would not create an internal inconsistency among the elements of the General Plan.
10. The proposed zoning for the subject site is Specific Plan No. 364 (SP).
11. The project site is surrounded by properties which are designated Rural Residential (R-R) to the north and west and Rural Residential (R-R) and Scenic Highway Commercial (C-P-S) to both the south and east.

12. To the south and east is single family residential and to the north and west is vacant property.
13. The proposed project site is not located within a Criteria Cell of the Western Riverside Multiple Species Conservation Plan (MSHCP) and as such, is not targeted for long term conservation by the MSHCP.
14. The proposed project site is not located within a City Sphere of Influence. The closest city influence sphere would be that of the City of Perris which is located slightly north of the project area.
15. This land division is located within a CAL FIRE state responsibility area.
16. This land division has been designed so that each lot, and the subdivision as a whole, is in compliance sections 4290 and 4291 of the Public Resources Code by providing a defensible space within each lot of 100 feet from each side, front and rear of a pad site, requiring that the site have fuel modification standards acceptable to the Riverside County Fire Department, requiring a minimum 10-foot clearance of all chimneys or stovetop exhaust pipes, no buildings shall covered or have dead brush overhand the roof line and requiring that the roof structure shall be maintained free of leaves, needles, or other vegetation.
17. Fire protection and suppression services will be available for the subdivision through Riverside County Fire Department.
18. The project meets the regulations regarding road standards for fire equipment access adopted pursuant to **Section 4290 of the Public Resources Code** and Riverside County Ordinance No. 787 by road standards for fire equipment access, standards for signs identifying streets, roads, and buildings, minimum private water supply reserves for emergency fire use, fuel brakes, and green belts.
19. The following impact could not be mitigated to a level of less than significance after the implementation of relevant conditions of approval, regulations, or mitigation measures identified in both the Draft EIR and Final EIR.

Population/Housing:

The project represents 0.09 percent of the forecasted population for the SCAG Subregion in 2008 and 0.06 percent in 2035. As a percent of Project area forecast compromised of the surrounding cities and the Meadowbrook Community, the Project represents 0.31 percent in 2008 and 0.18 percent by 2035. Additionally, the Project represents 0.31 percent of the forecasted population for the Elsinore Area Plan as projected for the area buildout in the General Plan for Riverside County. The project compromises less than one-quarter of a percent of the SCAG's projections through 2035, and more than .08 percent of the County's projections through 2030. Any Project impacts are considered less than significant. However, the Project does not improve the region's job/housing balance. Therefore, the residential population growth from the Project is considered cumulatively considerable and significant, only in terms of the job-housing balance.

CONCLUSIONS:

1. The Colinas del Oro Specific Plan (SP) No. 364 is in conformance with the Specific Plan Land Use Designations, and with all other elements of the Riverside County General Plan.
2. The proposed project is consistent with the Specific Plan zoning classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
3. The proposed project is consistent with the Schedule "A" map requirements of Ordinance No. 460, and with other applicable provisions of Ordinance No. 460.
4. The public's health, safety, and general welfare are protected through project design.
5. The proposed project is conditionally compatible with the present and future logical development of the area.
6. The proposed project will have a significant effect on the environment.
7. The proposed project will not preclude reserve design for the Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP).

INFORMATIONAL ITEMS:

1. As of this writing, no letters, in support or opposition have been received.
2. The project site is not located within:
 - a. City Sphere of Influence;
 - b. Agriculture Preserve;
 - c. A Fault Zone;
 - d. A Western Riverside MSHCP Criteria Area;
 - e. Airport Influence Area;
 - f. County Service Area; or a
 - g. The Stephens Kangaroo Rat Fee Area.
3. The project site is located within:
 - a. State Responsibility Fire Area;
 - b. Low Liquefaction Area; and
 - c. Perris and Perris High Unified School District.
4. The subject site is currently designated as Assessor's Parcel Numbers 345-190-016 and 345-200-013.

RESOLUTION No. 2015-004
RECOMMENDING ADOPTION OF
SPECIFIC PLAN NO. 364 AND GPA 743

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 April 15, 2015, to consider the above-referenced matter; and,

WHEREAS, all the procedures of the California Environmental Quality Act and the Riverside County Rules to Implement the Act have been met and the environmental document prepared or relied on is sufficiently detailed so that all the potentially significant effects of the project on the environment and measures necessary to avoid or substantially lessen such effects have been evaluated in accordance with the above-referenced Act and Procedures; and,

WHEREAS, the matter was discussed fully with testimony and documentation presented by the public and affected government agencies; now, therefore,

BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Planning Commission of the County of Riverside, in regular session assembled on April 15, 2015, 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:

ADOPTION of the environmental document, EIR 530;

APPROVAL of Specific Plan No. 364; and,

APPROVAL of General Plan Amendment No. 0743.

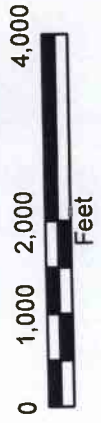
RIVERSIDE COUNTY PLANNING DEPARTMENT
CZ07143 GPA00743 SP00364
VICINITY/POLICY AREAS

Date Drawn: 01/21/2015
 Vicinity Map

Supervisor Jeffries
 District 1



Author: Vinnie Nguyen



Zoning Area: Meadowbrook

DISCLAIMER: On October 1, 2003, the County of Riverside adopted a new General Plan providing for land use designations for unincorporated areas. The new General Plan provides for the same information as the previous General Plan. For further information, please contact the Riverside County Planning Department at (951)955-3200 (Western County) or in Plain Desert at (760)963-8377 (Eastern County) or visit <http://www.riversideca.gov>

RIVERSIDE COUNTY PLANNING DEPARTMENT
CZ07143 GPA00743 SP00364

Supervisor Jeffries
District 1

Date Drawn: 01/21/2015
Exhibit 1

LAND USE



Zoning Area: Meadowbrook

Author: Vinnie Nguyen

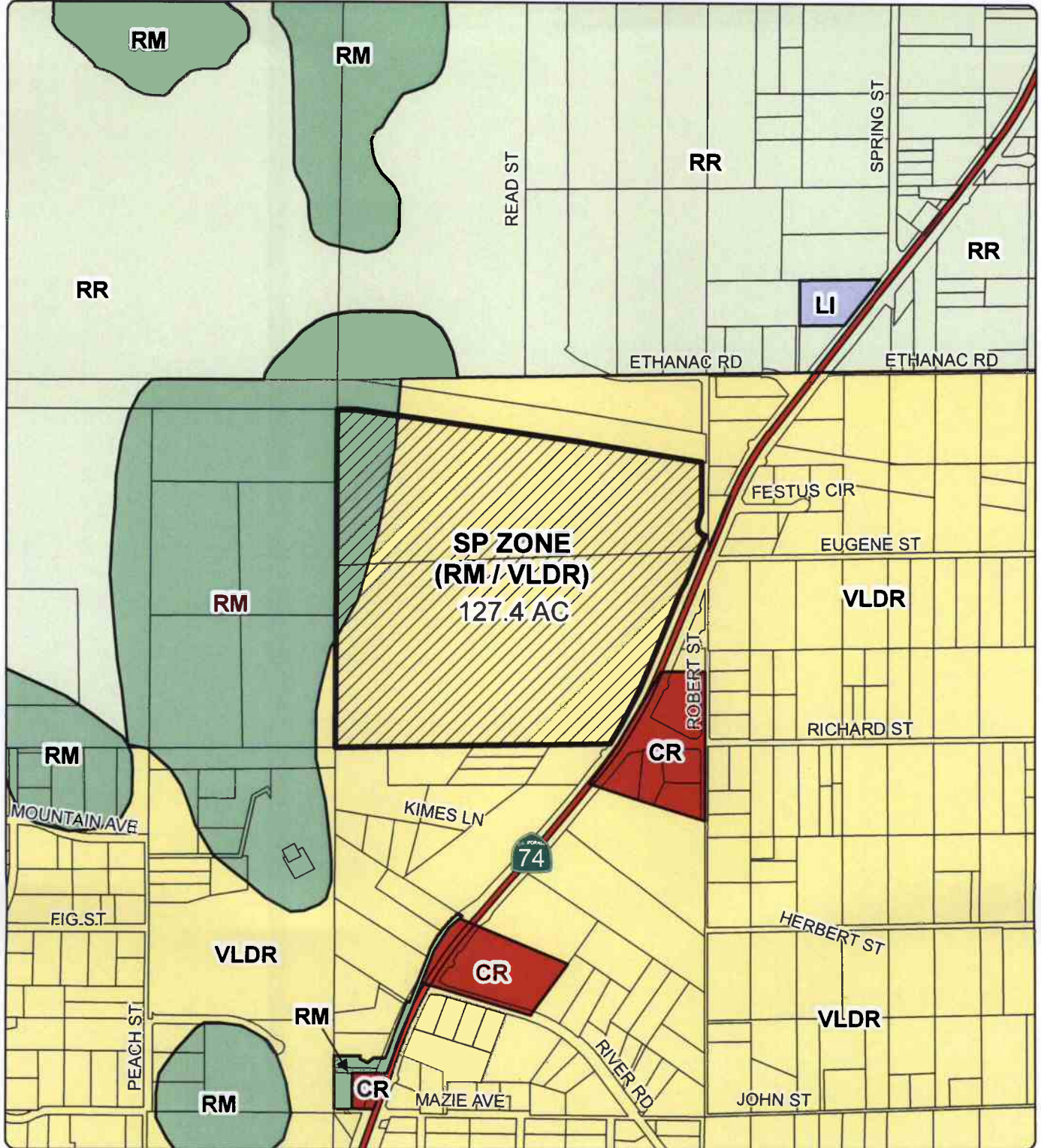


DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)963-8277 (Eastern County) or Website <http://planning.ctdms.org>

RIVERSIDE COUNTY PLANNING DEPARTMENT
CZ07143 GPA00743 SP00364
PROPOSED GENERAL PLAN

Supervisor Jeffries
 District 1

Date Drawn: 01/21/2015
 Exhibit 6



Zoning Area: Meadowbrook

Author: Vinnie Nguyen

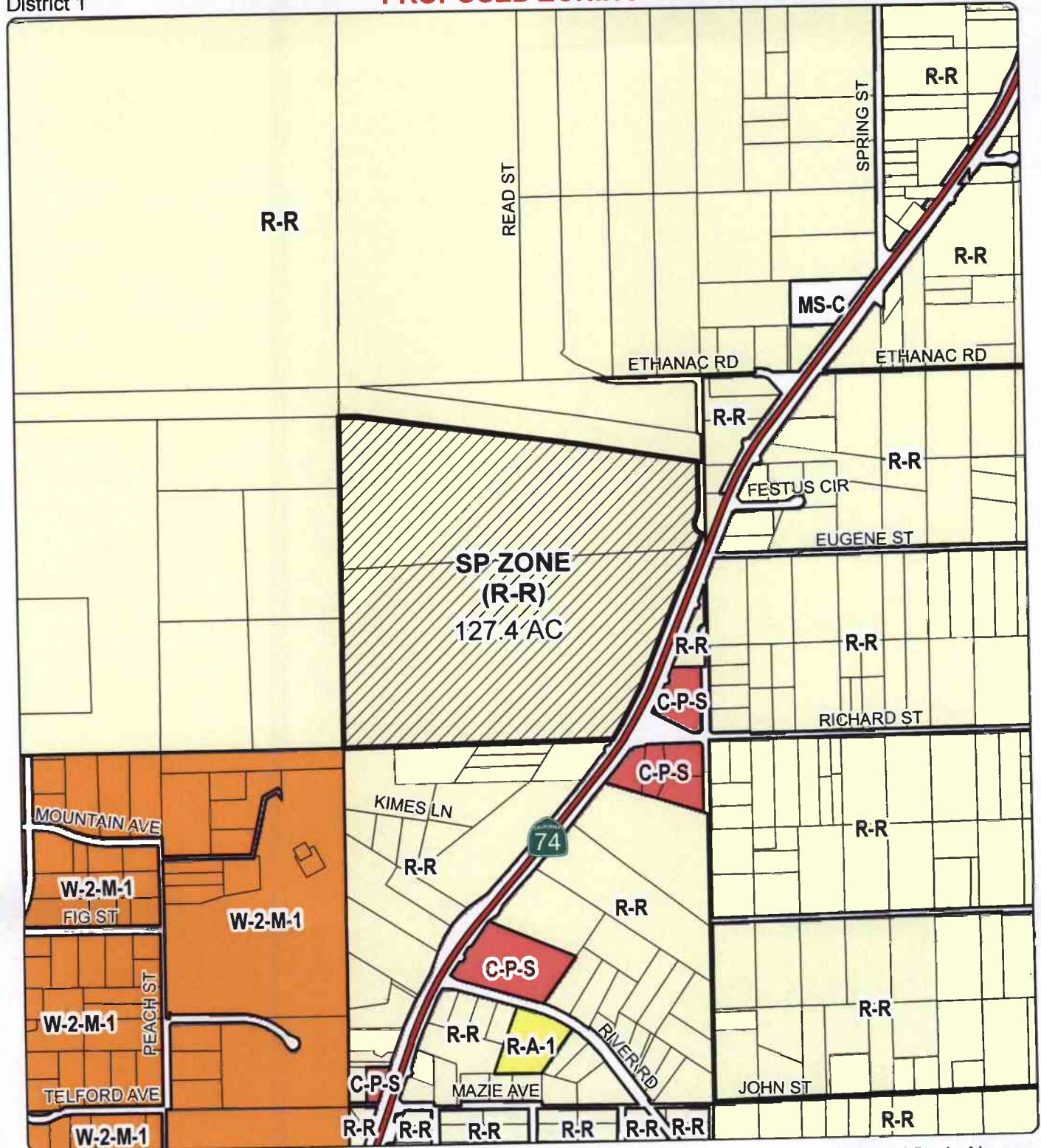


DISCLAIMER. On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)963-8277 (Eastern County) or Website <http://planning.rctdms.org>

RIVERSIDE COUNTY PLANNING DEPARTMENT
CZ07143 GPA00743 SP00364
PROPOSED ZONING

Supervisor Jeffries
 District 1

Date Drawn: 01/21/2015
 Exhibit 3



Zoning Area: Meadowbrook

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <http://planning.rctlma.org>

Section I - Executive Summary

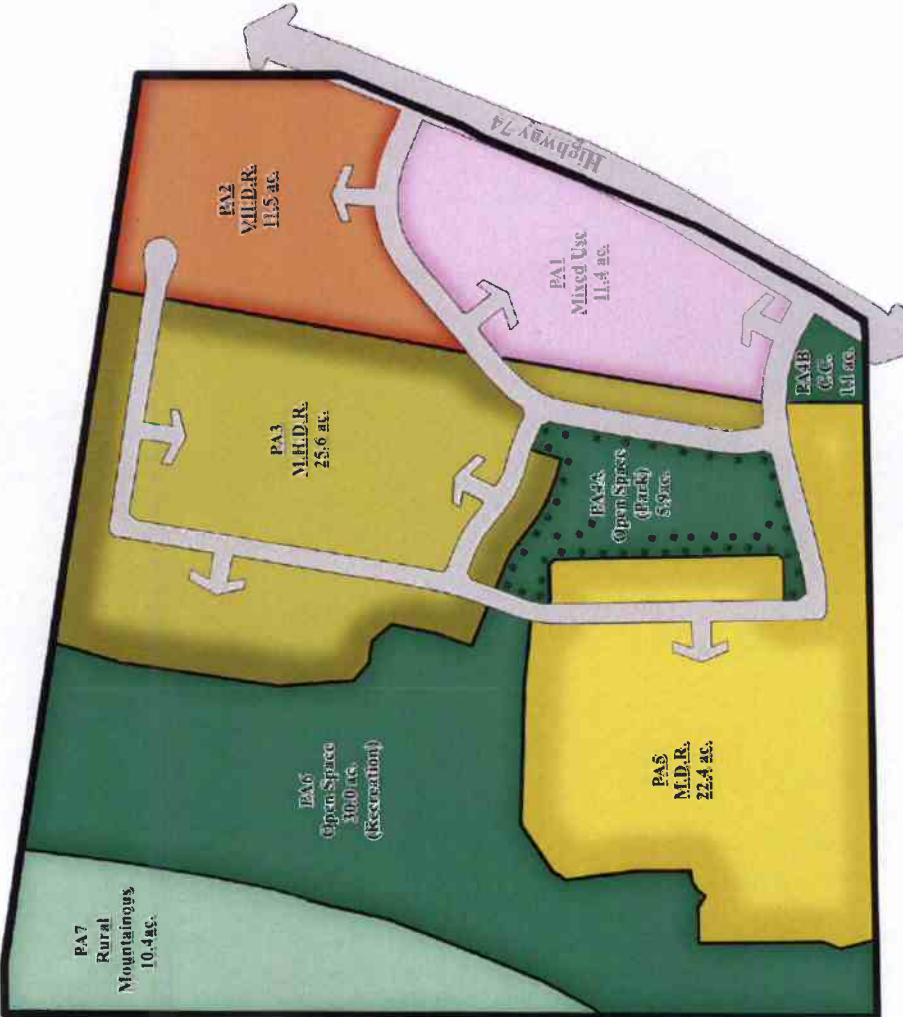
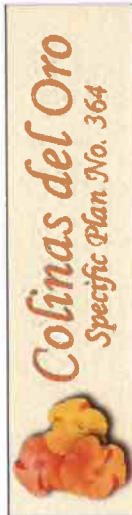


Table I-1
Specific Plan Land Use Summary

Land Use	Acres	Target Density	Target Dwelling Units	Project Density Range
Residential				
Medium Density Residential – PA 5	22.4	3.6	80	43-107
2-5 dwelling units per acre				
Medium High Density Residential – PA 3	25.6 ¹	6.4	163	120-193
5-8 dwelling units per acre				
Very High Density Residential – PA 2	11.5	---	198 ²	139-198
14-20 dwelling units per acre				
- Residential Subtotals	59.8	7.4	441	
Non-Residential				
Mixed-Use – PA 1	11.4	---	49 ²	N/A
Residential, Commercial				
Open Space – Recreation – PA 3	---	---	---	N/A
Mini-Parks				
Open Space – Recreation – PA 4A & 4B	7.0	---	---	N/A
Community Park/ Recreation Center / Community Center				
Open Space – Recreation – PA 6	30.0	---	---	N/A
Open Space Park				
Rural Mountains – PA 7	10.4	---	---	N/A
Open Space Park				
Major Circulation	8.1	---	---	N/A
SR 74, Streets 'A' - 'E'				
- Non-Residential Subtotals	66.6	---	---	N/A
Project Totals	126.4	3.9	490	N/A

1 Includes Open Space – Recreation PA 3 Mini-Parks (±1.4) acres.

2 The target density within the Very High Density Residential and Mixed Use areas will be determined at the Plot Plan stage of development; however, the total number of units cannot exceed 247 overall, and cannot exceed the target range for each of the respective Planning Areas. A minimum of 49 units shall be constructed in PA1.



SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 SP- Definitions

RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of Specific Plan No. 364 shall be henceforth defined as follows:

SPECIFIC PLAN = Specific Plan No. 364 Screencheck No. 2.

CHANGE OF ZONE = Change of Zone No. 7143.

GPA = Comprehensive General Plan Amendment No. 743.

EIR = Environmental Impact Report No. 530.

10. EVERY. 2 SP- SP Document

RECOMMND

Specific Plan No. 364 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 Planning Area in both graphical and narrative formats.

b. Final Environmental Impact Report No. 530 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 environmental point raised in the review and consultation process.
6. Technical Appendices

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

10. GENERAL CONDITIONS

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

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. 3 SP - Ordinance Requirements RECOMMND

The development of the property shall be in accordance with the mandatory requirements of 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. 4 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 o above, the design guidelines and development standards of the SPECIFIC PLAN or hillside development and grading shall apply in place of more general County guidelines and standards.

10. EVERY. 5 SP - HOLD HARMLESS RECOMMND

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

(a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the SPECIFIC PLAN; and,

(b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning the SPECIFIC PLAN, including, but not limited to, decisions made in response to California Public Records Act requests.

The COUNTY shall promptly notify the applicant/permittee of any such claim, action, or proceeding and shall cooperate fully in the defense. If the COUNTY fails to promptly

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

10. GENERAL CONDITIONS

10. EVERY. 5 SP - HOLD HARMLESS (cont.) RECOMMND

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

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

BS GRADE DEPARTMENT

10.BS GRADE. 1 SP- ORD. NOT SUPERSEDED RECOMMND

Anything to the contrary, proposed by this Specific Plan, shall not supersede the following: All grading shall conform to the California Building code, County General Plan, Ordinance 457 and all other relevant laws, rules and regulations governing grading in Riverside County.

10.BS GRADE. 2 SP- GEO/SOIL TO BE OBEYED RECOMMND

All grading shall be performed in accordance with the recommendations of the included -County approved- geotechnical/soils reports for this Specific Plan.

10.BS GRADE. 3 SP-ALL CLEARNC'S REQ'D B-4 PMT RECOMMND

Prior to issuance of a grading permit, all certifications affecting grading shall have written clearances. This includes, but is not limited to, additional environmental assessments, erosion control plans, geotechnical/soils reports, and departmental clearances.

E HEALTH DEPARTMENT

10.E HEALTH. 1 EVMWD WATER AND SEWER SERVICE RECOMMND

All projects within the Specific Plan shall be required to connect to Elsinore Valley Municipal Water DIstrict (EVMWD). It is the responsibility of the each project to

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

10. GENERAL CONDITIONS

10.E HEALTH. 1 EVMWD WATER AND SEWER SERVICE (cont.) RECOMMND

ensure that all requirements to obtain water and sewer service are met with EVMWD as well as all other applicable agencies.

10.E HEALTH. 2 RETENTION BASINS - NO VECTORS RECOMMND

Any proposed retention basin shall be constructed and maintained in a manner that prevents vector breeding and vector nuisances.

PLANNING DEPARTMENT

10.PLANNING. 3 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. 4 SP - NO P.A. DENSITY TRANSFER RECOMMND

Density transfers between Planning Areas within the SPECIFIC PLAN shall not be permitted, except through the Specific Plan Amendment process.

10.PLANNING. 5 SP - UNANTICIPATED RESOURCES RECOMMND

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

If during ground disturbance activities, unanticipated cultural resources* are discovered, the following procedures shall be followed:

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

2)The developer shall call the County Archaeologist immediately upon discovery of the cultural resource to

01/28/15
09:56

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 5

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

10. GENERAL CONDITIONS

10.PLANNING. 5 SP - UNANTICIPATED RESOURCES (cont.) RECOMMND

convene the meeting.

3)At the meeting with the aforementioned parties, the significance of the discoveries shall be discussed and a decision is to be made, with the concurrence of the County Archaeologist, as to the appropriate mitigation (documentation, recovery, avoidance, etc) for the cultural resource.

4)Further ground disturbance shall not resume within the area of the discovery until a meeting has been convened with the aforementioned parties and a decision is made, with the concurrence of the County Archaeologist, as to the appropriate mitigation measures.

* A cultural resource site is defined, for this condition, as being a feature and/or three or more artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to sacred or cultural importance.

** If not already employed by the project developer, a County approved archaeologist shall be employed by the project developer to assess the value/importance of the cultural resource, attend the meeting described above, and continue monitoring of all future site grading activities as necessary.

10.PLANNING. 6 SP - MM-5.3-1 RECOMMND

Construction emissions will not exceed adopted significance thresholds with the application of watering exposed surfaces three times a day.

10.PLANNING. 7 SP - MM-5.3-2 RECOMMND

Operational emissions will not exceed adopted significance thresholds for NOx and ROG with the application of allowing gas hearths only.

10.PLANNING. 8 SP - MM-5.3-4 RECOMMND

Where heavy equipment will be used within 160 feet of odor sensitive uses, heavy equipment shall be fueled by alternative fuels, such as natural gas or biodiesel.

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

10. GENERAL CONDITIONS

10.PLANNING. 9 SP - MM-5.6-12 RECOMMND

In as much as rapid draw-down of the water table would cause a sudden change in the stress field conditions within the mine, pumping groundwater for irrigation or other purposes is not recommended.

10.PLANNING. 10 SP - MM-5.11-2 RECOMMND

All construction equipment shall be required to minimize noise from construction activities. Equipment mufflers shall be maintained in proper operating order. All equipment shall be operated in the quietest manner feasible.

10.PLANNING. 11 SP - MM-5.11-3 RECOMMND

To the extent feasible, the noisiest operations shall be scheduled to occur simultaneously in the construction program to avoid prolonged periods of annoyance.

10.PLANNING. 12 SP - MM-5.11-4 RECOMMND

During construction, best efforts should be made to locate stockpiling and/or stationary noise-generating construction equipment from the property line of existing sensitive receptors, when and where feasible.

10.PLANNING. 13 SP - MM-5.11-5 RECOMMND

To reduce noise impacts associated with noise-generating construction equipment, temporary diesel-or gasoline-powered generators, and where a portable diesel-or gasoline-powered generator is necessary, it shall have a maximum noise muffling capacity and be located as far as technically feasible placed from noise sensitive uses.

10.PLANNING. 14 SP - MM-5.11-6 RECOMMND

No music or electronically reinforced speech from construction workers shall be audible at noise-sensitive property.

10.PLANNING. 15 SP - MM-5.11-7 RECOMMND

All Project workers exposed to noise levels above 80 dBA shall be provided with personal protective equipment for

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

10. GENERAL CONDITIONS

10.PLANNING. 15 SP - MM-5.11-7 (cont.) RECOMMND

hearing protection (i.e., earplugs and/or earmuffs); areas where noise levels are routinely expected to exceed 80 dBA shall be clearly posted with signs requiring hearing protection be worn.

10.PLANNING. 16 SP - MM-5.11-8 RECOMMND

If blasting is required, blasts should be restricted to the hours of 8 a.m. to 4 p.m.

10.PLANNING. 17 SP - MM-5.16.3-5 RECOMMND

Gas service shall remain available to all existing customers during construction of new and replacement gas lines within the project site.

TRANS DEPARTMENT

10.TRANS. 1 GEN - SP LANDSCAPING PLANS RECOMMND

All landscaping plans shall be prepared in accordance with Ordinance No. 859.2 (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. 859.2 and the SPECIFIC PLAN, then the requirements of Ordinance No. 859.2 shall prevail.

20. PRIOR TO A CERTAIN DATE

E HEALTH DEPARTMENT

20.E HEALTH. 1 SP - INDUSTRIAL HYGIENE RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e. tract map, parcel map, use permit, plot plan, etc.) a noise study shall be required.

20.E HEALTH. 2 ENVIRONMENTAL CLEANUP PROGRAM RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e. tract map, parcel map, use permit, plot plan, etc.), the project applicant shall submit to the Department of Environmental Health, Environmental Cleanup

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

20. PRIOR TO A CERTAIN DATE

20.E HEALTH. 2 ENVIRONMENTAL CLEANUP PROGRAM (cont.) RECOMMND

Programs (ECP) an original copy of an Environmental Site Assessment (ESA), Phase 1 study. An ESA Phase 2 study may be required at the discretion of ECP if the information provided in the ESA Phase 1 indicates the requirements.

PLANNING DEPARTMENT

20.PLANNING. 1 SP - 90 DAYS TO PROTEST RECOMMND

The applicant has ninety (90) days from the date of the approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations, and/or exactions imposed on this project as a result of the approval or conditional approval of this project.

30. PRIOR TO ANY PROJECT APPROVAL

BS GRADE DEPARTMENT

30.BS GRADE. 1 SP - CONTAMINATED SOIL RECOMMND

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (i.e. tract map or parcel map, use permit, plot plan etc.), the following condition shall be placed on the implementing project:

Prior to the issuance of a grading permit, the applicant/ developer shall provide a soils report addressing the site conditions including but not limited to the following:

1-Indicate all contaminates in the soil and provide remediation requirements to mitigate any hazardous conditions on the site.

2-Indicate whether any remediation efforts will be conducted as part of the grading permit process.

3-If remediation is required by any other department or agency provide documentation from those departments or agencies stating that the remediation efforts have been satisfied.

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30.BS GRADE. 2 SP - MINE TAILINGS, SHAFTS RECOMMND

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (i.e. tract map or parcel map, use permit, plot plan etc.), the following condition shall be placed on the implementing project:

Prior to the issuance of a grading permit, the applicant/ developer shall provide a soils report addressing the existing mine tailing and final sealing of the test excavation, shafts, and/or stopes and proper closure of the previous mine located onsite. The existing conditions shall be clearly delineated on the grading plan.

30.BS GRADE. 3 SP - SOIL REMEDIATION COMPL RECOMMND

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (i.e. tract map or parcel map, use permit, plot plan etc.), the following condition shall be placed on the implementing project:

Prior to issuance of any building permit, the applicant/ developer shall provide documentation that the soil remediation has been completed and is safe for the intended use.

30.BS GRADE. 4 SP - MINE TAILINGS, SHAFTS RECOMMND

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (i.e. tract map or parcel map, use permit, plot plan etc.), the following condition shall be placed on the implementing project:

Prior to issuance of any building permit, the applicant/ developer shall provide documentation that the existing mine tailings and final sealing of the test excavations, shafts, and/or slopes and proper closure of the previous mine located onsite has been completed. Provide documentation from any State Agencies indicating that remediation efforts have been completed.

EPD DEPARTMENT

30.EPD. 1 SP - 30 DAY BURROEING OWL RECOMMND

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (i.e. tract map or parcel map, use permit, plot plan etc.), the following condition

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30.EPD. 1 SP - 30 DAY BURROEING OWL (cont.)

RECOMMND

shall be placed on the implementing project:

Pursuant to Objective 6 and Objective 7 of the Species Account for the Burrowing Owl included in the Western Riverside County Multiple Species Habitat Conservation Plan, within 30 days prior to the issuance of a grading permit, a pre-construction presence/absence survey for the burrowing owl shall be conducted by a qualified biologist and the results of this presence/absence survey shall be provided in writing to the Environmental Programs Department. If it is determined that the project site is occupied by the Burrowing Owl, take of "active" nests shall be avoided pursuant to the MSHCP and the Migratory Bird Treaty Act. However, when the Burrowing Owl is present, relocation outside of the nesting season (March 1 through August 31) by a qualified biologist shall be required. The County Biologist shall be consulted to determine appropriate type of relocation (active or passive) and translocation sites. Occupation of this species on the project site may result in the need to revise grading plans so that take of "active" nests is avoided or alternatively, a grading permit may be issued once the species has been actively relocated.

If the grading permit is not obtained within 30 days of the survey a new survey shall be required.

30.EPD. 2 SP - MBTA SURVEY

RECOMMND

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (i.e. tract map or parcel map, use permit, plot plan etc.), the following condition shall be placed on the implementing project:

Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Game (CDFG) Codes. Since the project supports suitable nesting bird habitat, removal of vegetation or any other potential nesting bird habitat disturbances shall be conducted outside of the avian nesting season (February 1st through August 31st). If habitat must be cleared during the nesting season, a preconstruction nesting bird survey shall be conducted. The preconstruction nesting bird survey must be conducted by a biologist who holds a current MOU with the County of Riverside. Surveys shall cover all potential nesting habitat areas that could be disturbed by each phase

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30.EPD. 2 SP - MBTA SURVEY (cont.) RECOMMND

of construction. Surveys shall also include areas within 500 feet of the boundaries of the active construction areas. The biologist shall prepare and submit a report, documenting the results of the survey, to the Environmental Programs Division (EPD) of the Riverside County Planning Department for review and approval. If nesting activity is observed, appropriate avoidance measures shall be adopted to avoid any potential impacts to nesting birds.

30.EPD. 3 SP - MITIGATION RECOMMND

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (i.e. tract map or parcel map, use permit, plot plan etc.), the following condition shall be placed on the implementing project:

In the document entitled Determination of Biologically Equivalent or Superior Preservation TR36450 and Colinas Del Oro Specific Plan 364, it is stated that to mitigate the direct effects on 0.622 acres of onsite riparian/riverine areas, Lansing Industries Inc., proposes to purchase 0.622 acres of compensatory mitigation credits. This would be at a 1:1 ratio. The Environmental Programs Division will require mitigation credits to be purchased at a 2:1 ratio. The 2:1 ratio is the minimum standard for impacts to riparian/riverine areas.

PARKS DEPARTMENT

30.PARKS. 1 SP - TRAIL MAINT 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:

The applicant shall enter into a trail maintenance agreement with the Regional Park and Open-Space District, or form or annex into an existing County managed Landscape Lighting Maintenance District accepting trails maintenance as approved by the Riverside County Planning Department for the maintenance of the all regional trail(s) identified on the project. The applicant, or successors-in-interest or assignees, shall be responsible for the maintenance of said

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30.PARKS. 1 SP - TRAIL MAINT (cont.) RECOMMND

trails and easement areas such time as the maintenance is taken over by the appropriate maintenance District or entity. The applicant must provide a letter of agreement to the Planning department and the Park District (if other than the District) that trail maintenance will be provided.

30.PARKS. 2 SP - SP & TRACT MAP CONSIST 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:

The applicant shall submit a final map that indicates all trail(s) within the specific plan are consistent with the tract map to the Regional Park and Open-Space District for review and approval.

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:

"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

rior 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.

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 2 SP - NON-IMPLEMENTING MAPS (cont.)

RECOMMND

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."

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 twenty (20) 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 [eighty percent (80%) of the maximum amount of dwelling units allowed by the SPECIFIC PLAN as most recently amended.] [the issuance of the 613th building permit.]) The specific plan amendment will update the entire specific plan document to reflect current development requirements.

This condition shall be considered as NOT APPLICABLE 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 ny 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:

"Five (5) 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 -

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 4 SP - SUBMIT FINAL DOCUMENTS (cont.)

RECOMMND

Documents". The final SP/EIR documents shall be distributed in the following fashion:

Building and Safety Department	1 copy
Transportation Department	1 copy
County Planning Department in Riverside	1 copy
Clerk of the Board of Supervisors	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."

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. [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 Hygiene Division for review and approval.

This condition shall be considered MET if the relevant study has been approved by the Planning Department and the

01/28/15
09:56

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 15

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 6 SP- ACOUSTICAL STUDY REQD (cont.) RECOMMND

Department of Environmental Health-Industrial Hygiene 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. 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 environmental impacts have arisen since the certification of the EIR. Although the EIR adequately addressed the environmental impacts of the SPECIFIC PLAN as a whole, more detailed technical information (i.e. traffic studies, updated biological studies, etc.) have been required by the

01/28/15
09:56

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 16

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 13 SP - ADDENDUM EIR (cont.)

RECOMMND

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, 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

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 15 SP - SUBSEQUENT EIR (cont.)

RECOMMND

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 significant 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 GPA, 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 GPA, the CHANGE OF ZONE, and the EIR have been approved, adopted, and certified by the Board of Supervisors, respectively. 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:

"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:

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 17 SP - AMENDMENT REQUIRED (cont.) RECOMMND

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); or
3. 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. 18 SP- PARK AGENCY REQUIRED 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 project:

"PRIOR TO MAP RECORDATION of any subdivision, or other residential development application, all portions of this implementing project not currently within the boundaries of a County Service Area, shall be annexed into the County Service Area or a similar entity such as a County Service Area/District that has been designated by the Board of Supervisors, pursuant to Section 10.35(G) of Ordinance No. 460, to receive park dedications and fees. Documentation of said annexation shall be provided to the Planning Department. Should the CSA indicate a desire not to annex the area, this COA can be set to "NOT APPLY."

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

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 20

SP- PA PROCEDURES (cont.)

RECOMMND

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 this [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

rior 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 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;

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30. PLANNING. 21

SP- CC&R RES PUB COMMON AREA (cont.)

RECOMMND

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) 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, 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

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 21 SP- CC&R RES PUB COMMON AREA (cont.) (cont.) RECOMMND

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, 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:

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30. PLANNING. 22 SP- CC&R RES PRI COMMON AREA (cont.)

RECOMMND

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 if 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, 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, 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 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

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 22 SP- CC&R RES PRI COMMON AREA (cont.) (cont.) RECOMMND

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, this Declaration shall control."

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. 28 SP - SKR FEE CONDITION RECOMMND

Prior to the approval of any implementing project 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 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 approved development project which is anticipated to be 126.4 acres in accordance with the SPECIFIC PLAN. 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

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 28 SP - SKR FEE CONDITION (cont.) RECOMMND

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 agreement[s] with the qualified [archaeologist/paleontologist/other] 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 Perris and Perris Union High School District shall be mitigated in accordance with state law."

30.PLANNING. 32 SP - IF HUMAN REMAINS FOUND 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 permit, and shall read as follows:

The Project applicant(s) shall include the following wording on all construction contract documentation:

If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resource Code section 5097.98. The County Coroner shall be notified of the find immediately. If the remains are determined to be prehistoric, the coroner shall notify the

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 32 SP - IF HUMAN REMAINS FOUND (cont.) RECOMMND

Native American Heritage Commission, which will determine and notify the appropriate NATIVE AMERICAN TRIBE who is the most likely descendent. The descendent shall inspect the site of the discovery and make a recommendation as to the appropriate mitigation. After the recommendations have been made, the land divider, a Native American Tribe representative, and a County representative shall meet to determine the appropriate mitigation measures and corrective actions to be implemented.

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. An entry monument shall be shown on the Exhibit ____.
2. The entry monument shall be in substantial conformance to the design guidelines of Planning Area __ of the SPECIFIC PLAN, as shown on pages __ to __.
3. 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. 35 SP - CULTURAL RESOURCE PRO RECOMMND

PRIOR TO ISSUANCE OF GRADING PERMITS: the applicant/developer shall retain and enter into a monitoring and mitigation service contract with a County approved Archaeologist for professional services relative to review of grading plans, preparation of a monitoring plan for all areas of disturbance that may impact previously undisturbed deposits (if any), and monitoring of site grading for areas of previously undisturbed deposits. The applicant/developer shall submit a fully executed copy of the contract for archaeological monitoring and mitigation services to the County Archaeologist to ensure compliance with this condition of approval. Upon verification, the Planning Department shall clear this condition.

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 35 SP - CULTURAL RESOURCE PRO (cont.)

RECOMMND

Note: The project Archaeologist is responsible for implementing CEQA-based mitigation using standard professional practices for cultural resources archaeology. The project Archaeologist shall coordinate with the County, applicant/developer and any required tribal or other special interest group monitor throughout the process as appropriate. All documentation regarding the arrangements for the disposition and curation and/or repatriation of cultural resources shall be provided to the County for review and approval prior to issuance of the grading permit.

The archaeologist shall also be responsible for preparing the Phase IV monitoring report. This condition shall not modify any approved condition of approval or mitigation measure.

30.PLANNING. 36 SP - NATIVE AMERICAN MONITOR

RECOMMND

Prior to the issuance of grading permits, the developer/permit applicant shall enter into a contract and retain a Native American Monitor. The contract shall address the treatment and ultimate disposition of cultural resources which may include repatriation and/or curation in a Riverside County approved curation facility.

The Native American Monitor shall be on-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Native American Monitor shall have the limited authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the appropriate Cultural Resources Professional such as an Archaeologist, Historic Archaeologist, Architectural Historian and/or Historian.

The developer/permit applicant shall submit a fully executed copy of the contract to the County Archaeologist to ensure compliance with this condition of approval. Upon verification, the Archaeologist shall clear this condition.

NOTE:

1)The Cultural Resources Professional is responsible for implementing mitigation and standard professional practices

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 36

SP - NATIVE AMERICAN MONITOR (cont.)

RECOMMND

for cultural resources. The Professional shall coordinate with the County, developer/permit applicant and Native American Monitors throughout the process.

2)Native American monitoring does not replace any required Cultural Resources monitoring, but rather serves as a supplement for coordination and advisory purposes for all groups' interests only.

3)The developer/permit applicant shall not be required to further pursue any agreement for special interest monitoring of this project if after 60 days from the initial attempt to secure an agreement the developer/permit applicant, through demonstrable good faith effort, has been unable to secure said agreement from the Native American Monitors. A good faith effort shall consist of no less than 3 written attempts from the developer/permit applicant to the tribe to secure the required special interest monitoring agreement and appropriate e-mail and telephone contact attempts. Documentation of the effort made to secure the agreement shall be submitted to the County Archaeologist for review and consideration.

4)Should repatriation be preferred, it shall not occur until after the Phase IV monitoring report has been submitted to the Riverside County Archaeologist. Should curation be preferred, the developer/permit applicant is responsible for all costs.

This agreement shall not modify any condition of approval or mitigation measure.

30.PLANNING. 37

SP - MM-5.3-5

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Prior to issuance of building permits:

The project shall incorporate Energy Efficient Project Design (consistent with Section II.J, Energy Efficiency, of Specific Plan No. 364), which includes photovoltaic solar roofs.

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 38

SP -MM-5.3-3

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Prior to project approval:

A construction activity management plan shall be prepared and implemented if any levels of heavy metals exist in the tailings piles that may be of concern if they become airborne. The plan will identify necessary stabilization measures to be undertaken and a monitoring program that verifies the effectiveness of those measures.

30.PLANNING. 39

SP - MM-5.4-1

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Prior to the issuance of a grading permit:

To mitigate the direct effects on 0.622 acres of onsite Riparian/Riverine Areas, the applicant shall purchase 1.244 acres (or at a ratio determined by the appropriate resource agency(s) of compensatory mitigation credits at a 2:1 ratio or ratio determined by the appropriate resource agency(s).

30.PLANNING. 40

SP - MM-5.4-2

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Prior to the issuance of a grading permit:

A Waste Discharge Report (WDR) shall be required prior to impacting areas under the jurisdiction of the RWQCMB.

30.PLANNING. 41

SP - MM-5.4-3

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed

SPECIFIC PLAN Case #: SP00364

Parcel: 345-200-013

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 41 SP - MM-5.4-3 (cont.)

RECOMMND

on the implementing project:

Prior to the issuance of grading permits:

Vegetation removal should be planned outside the nesting season for raptors (February 1 to June 30) and outside the peak nesting season for birds (March 1 to June 30) if practicable. If vegetation removal would occur during those time periods, a pre-construction survey for active nests would be required. Restrictions may be placed on construction activities in the vicinity of any active nest observed until the nest is no longer active, as determined by a qualified Biologist.

30.PLANNING. 42 SP - MM-5.4-4

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Prior to the issuance of building permits:

Construction of the off-site water improvements will have an unavoidable temporary impact on Riverine Areas. To reduce unavoidable temporary impacts to insignificant levels, the off-site water improvements will be confined to the area located within the disturbed streambed where the dam-like structure was constructed and native riparian resources were removed. Construction of the off-site water improvements will include normal trenching and backfill activities. Replacement of like materials and stabilization will occur immediately after the water line is placed in the trench. Removal of the dam-like structure will be an improvement to existing conditions. The channel and banks of the blue-line stream will be recontoured to correspond with existing conditions up- and downstream, thus restoring the natural flow regime in the blue-line stream.

30.PLANNING. 43 SP - MM-5.5-1

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project: