

**M. Adjacent and Surrounding Zoning:** City of Menifee, R-A-5 (Residential Agriculture, 5-acre minimum), A-1-5 (Light Agriculture, 5-acre minimum), R-1 (One-Family Dwelling)

**III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked below ( x ) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Aesthetics                     | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Recreation                          |
| <input type="checkbox"/> Agriculture & Forest Resources | <input type="checkbox"/> Hydrology / Water Quality     | <input checked="" type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Air Quality                    | <input type="checkbox"/> Land Use / Planning           | <input type="checkbox"/> Utilities / Service Systems         |
| <input type="checkbox"/> Biological Resources           | <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Other:                              |
| <input type="checkbox"/> Cultural Resources             | <input type="checkbox"/> Noise                         | <input type="checkbox"/> Other:                              |
| <input type="checkbox"/> Geology / Soils                | <input type="checkbox"/> Population / Housing          | <input type="checkbox"/> Mandatory Findings of Significance  |
| <input type="checkbox"/> Greenhouse Gas Emissions       | <input type="checkbox"/> Public Services               |  |

**IV. DETERMINATION**

On the basis of this initial evaluation:

**A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS NOT PREPARED**

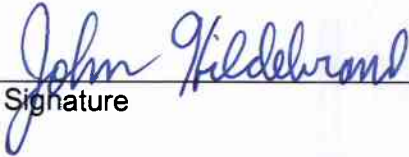
- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project, described in this document, have been made or agreed to by the project proponent. **A MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

**A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS PREPARED**

- I find that although the proposed project could have a significant effect on the environment, **NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED** because (a) all potentially significant effects of the proposed project have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, (b) all potentially significant effects of the proposed project have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, (c) the proposed project will not result in any new significant environmental effects not identified in the earlier EIR or Negative Declaration, (d) the proposed project will not substantially increase the severity of the environmental effects identified in the earlier EIR or Negative Declaration, (e) no considerably different mitigation measures have been identified and (f) no mitigation measures found infeasible have become feasible.
- I find that although all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, some changes or additions are necessary but none of the conditions described in California Code of Regulations, Section 15162 exist. An **ADDENDUM** to a previously-certified EIR or Negative Declaration has been prepared and will be considered by the approving body or bodies.

I find that at least one of the conditions described in California Code of Regulations, Section 15162 exist, but I further find that only minor additions or changes are necessary to make the previous EIR adequately apply to the project in the changed situation; therefore a **SUPPLEMENT TO THE ENVIRONMENTAL IMPACT REPORT** is required that need only contain the information necessary to make the previous EIR adequate for the project as revised.

I find that at least one of the following conditions described in California Code of Regulations, Section 15162, exist and a **SUBSEQUENT ENVIRONMENTAL IMPACT REPORT** is required: (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) Substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any the following:(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR or negative declaration;(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or,(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects of the project on the environment, but the project proponents decline to adopt the mitigation measures or alternatives.



Signature



Date

John Earle Hildebrand III  
Printed Name

For Steve Weiss, AICP – Planning Director

## V. ENVIRONMENTAL ISSUES ASSESSMENT

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>AESTHETICS</b> Would the project				
<b>1. Scenic Resources</b>				
a) Have a substantial effect upon a scenic highway corridor within which it is located?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan Figure 9 – “Scenic Highways” in the Sun City/Menifee Valley Area Plan

Findings of Fact:

a-b) Pursuant to the Riverside County General Plan Figure 9 – “Scenic Highways” exhibit in the Sun City/Menifee Valley Area Plan, the project site is located approximately two miles away from the I-215 freeway, which is a designated “County Eligible” Scenic Highway; however, due to the project site’s distance away from the I-215, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

<b>2. Mt. Palomar Observatory</b>				
a) Interfere with the nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source: GIS database, Ord. No. 655 (Regulating Light Pollution), Riverside County General Plan Figure 6 – “Mt. Palomar Nighttime Lighting Policy” in the Sun City/Menifee Valley Area Plan

Findings of Fact:

a) Pursuant to the Riverside County General Plan Figure 6 – “Mt. Palomar Nighttime Lighting Policy” exhibit in the Sun City/Menifee Valley Area Plan, the project site is located within “Zone B”. A change

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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in residential density from 1 dwelling unit per 5-acre minimum to 2-5 dwelling units per 1-acre minimum will result in the implementation of more lighting at build-out. Lighting requirements and any subsequent restrictions will be reviewed in conjunction with a future implementing project's lighting plan.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, impacts associated with this project are considered less than significant.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**3. Other Lighting Issues**

a) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

b) Expose residential property to unacceptable light levels?

Source: On-site Inspection, Project Application Description

Findings of Fact:

a-b) A change in residential density from 1 dwelling unit per 5-acre minimum to 2-5 dwelling units per 1-acre minimum will result in the implementation of more lighting at build-out. Lighting requirements and any subsequent restrictions will be reviewed in conjunction with a future implementing project's lighting plan.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, impacts associated with this project are considered less than significant.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**AGRICULTURE & FOREST RESOURCES** Would the project

**4. Agriculture**

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan Figure OS-2 "Agricultural Resources," GIS database, and Project Application Materials.

Findings of Fact:

a) Pursuant to the Riverside County General Plan Figure OS-2 "Agricultural Resources" exhibit, the project site is located within an area designated as "Local Importance". Farmland of Local Importance is either currently producing or has the capacity for production, but does not meet the criteria of Prime Farmland. The California State Department of Conservation makes these designations based on soil types and land use. However, the current land use is Rural Residential, which precludes the use of commercial farming. As a result, the loss of viable agricultural land is negligible. Impacts associated with this project are considered less than significant.

b) There are no Williamson Act contracts on the site. As a result, there are no impacts.

c-d) The properties surrounding the project site are zoned for residential. There are no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**5. Forest**

a) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in con-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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version of forest land to non-forest use?

Source: Riverside County General Plan Figure OS-3 "Parks, Forests, and Recreation Areas," and Project Application Materials.

Findings of Fact:

a-c) Pursuant to the Riverside County General Plan Figure OS-3 "Parks, Forests, and Recreation Areas" exhibit, the project site is not located within any designated forest land area. There will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**AIR QUALITY** Would the project

**6. Air Quality Impacts**

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors which are located within 1 mile of the project site to project substantial point source emissions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Involve the construction of a sensitive receptor located within one mile of an existing substantial point source emitter?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: SCAQMD CEQA Air Quality Handbook

Findings of Fact:

a-f) The proposed land use change will result in an increase in population and/or vehicle trips at time of build-out, based upon the proposed residential density change. However, there is no development plan associated with the project at this time. During the review of a future implementing project, appropriate air quality impact mitigation measures will be imposed upon the project.

There are no point source air pollution emitters within one mile of the project site.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This

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project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, impacts associated with this project are considered less than significant.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**BIOLOGICAL RESOURCES** Would the project

**7. Wildlife & Vegetation**

a) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: GIS database, WRCMSHCP and/or CVMSHCP, On-site Inspection

Findings of Fact:

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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a-g) Pursuant to the Riverside County GIS Database, the project site is not located within any Criteria Cells under the Multiple Species Habitat Conservation Plan ("MSHCP"). As a result, the Habitat Acquisitions and Negotiations Strategy ("HANS") application is not required. However, during the time of an implementing project, a biological assessment may be required to determine the site's biological resources and subsequently apply appropriate development mitigation measures.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, impacts associated with this project are considered less than significant.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**CULTURAL RESOURCES** Would the project

**8. Historic Resources**

a) Alter or destroy an historic site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source: On-site Inspection, Project Application Materials

Findings of Fact:

a-b) This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, impacts associated with this project are considered less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

**9. Archaeological Resources**

a) Alter or destroy an archaeological site.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>California Code of Regulations, Section 15064.5?</b>				
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Restrict existing religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source: Project Application Materials

Findings of Fact:

a-e) Pursuant to SB-18 requirements, Riverside County staff previously requested a list from the Native American Heritage Commission ("NAHC") of tribes whose historical extent includes the project site. Consultation request notices were sent to each of the Native American Tribes on the list on January 24, 2011. SB-18 provides for a 90-day review period in which all noticed tribes may request consultation regarding the proposed project. County staff received no consultation requests for this project during the 90-day review period. However, the Pechanga Tribe has requested in general, that when any Riverside County projects are located within their designated historical tribal extent, they are contacted for potential consultation.

New State legislation, AB-52, became effective on July 1, 2015. This legislation requires a lead agency to notify any Native American Tribe who has requested to consult, within 30-days after a project is deemed complete, unless an environmental Notice of Preparation ("NOP") was posted prior to July 1, 2015. This project includes the preparation of a Mitigated Negative Declaration of environmental effects, which was prepared after July 1, 2015. As a result, AB-52 notices were mailed to all requesting tribes on September 2, 2015, in compliance with the new legislation. County Staff received no requests for consultation on this project.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. At that time, further analysis through the preparation of a Biological Study and Cultural Resource Study, as well as tribal consultation, may be required. As a result, impacts associated with this project are considered less than significant.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

<b>10. Paleontological Resources</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Directly or indirectly destroy a unique paleontological resource, or site, or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Source: Riverside County General Plan Figure OS-8 "Paleontological Sensitivity"

Findings of Fact:

a) Pursuant to the Riverside County General Plan, Figure OS-8, the project site is primarily located within an area designated as "Low" and "Undetermined" Sensitivity. Prior to site disturbance and during the time of an implementing project, analysis through the preparation of a Biological Study and Cultural Resource Study may be required.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, impacts associated with this project are considered less than significant.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**GEOLOGY AND SOILS** Would the project

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>11. Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zones</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Be subject to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan Figure S-2 "Earthquake Fault Study Zones," GIS database, Geologist Comments

Findings of Fact:

a-b) Pursuant to the Riverside County General Plan Figure S-2 "Earthquake Fault Study Zones" exhibit, the project site is not located within close proximity to any fault zones. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

<b>12. Liquefaction Potential Zone</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Be subject to seismic-related ground failure, including liquefaction?

Source: Riverside County General Plan Figure S-3 "Generalized Liquefaction"

Findings of Fact:

a) Pursuant to the Riverside County General Plan Figure S-3 "Generalized Liquefaction" exhibit, the southern three-quarters of the project site is designated "Low Liquefaction" and the remainder of the project site shows no mapped liquefaction zones.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**13. Ground-shaking Zone**

a) Be subject to strong seismic ground shaking?

Source: Riverside County General Plan Figure S-4 "Earthquake-Induced Slope Instability Map," and Figures S-13 through S-21 (showing General Ground Shaking Risk)

Findings of Fact:

a) Every project in California has some degree of potential exposure to significant ground shaking. This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in an amendment to the site's Land Use and Zoning designation, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Analysis shall be prepared, to assess the potential impacts. This will include adherence to the California Building code, Title 24, which will mitigate to some degree, the potential for ground shaking impacts. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**14. Landslide Risk**

a) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, collapse, or rockfall hazards?

Source: On-site Inspection, Riverside County General Plan Figure S-5 "Regions Underlain by Steep Slope"

Findings of Fact:

a) Pursuant to the Riverside County General Plan Figure S-5 "Regions Underlain by Steep Slope" exhibit, a portion of the project site to the south, is located within an area consisting of some slope angles between 15% to 25%. The remainder of the project site is flat. This project includes a land use change only. As a result, no people or structures will be exposed to adverse effects associated with the slope areas. Additionally, any future development will be required to comply with the California Building Code, as it relates to slope development and grading.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**15. Ground Subsidence**

a) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in ground subsidence?

Source: Riverside County General Plan Figure S-7 "Documented Subsidence Areas Map"

Findings of Fact:

a) Pursuant to the Riverside County General Plan Figure S-7 "Documented Subsidence Areas Map" exhibit, a portion of the site located at the northeast, is identified as having "Susceptible" subsidence potential. This project includes a land use change only. As a result, no people or structures will be exposed to adverse effects associated with the subsidence zone. Additionally, any future development will be required to comply with the California Building Code, as it relates to development within the proximity of a fault zone and ground subsidence potential.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**16. Other Geologic Hazards**

a) Be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Source: On-site Inspection, Project Application Materials

Findings of Fact:

a) Diamond Lake is located approximately four miles to the east of the project site. The project site is not located within the Diamond Lake Dam Inundation zone and indicates a low likeliness for geologic hazards, such as seiche, mudflow, or volcanic hazard. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**17. Slopes**

a) Change topography or ground surface relief features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Create cut or fill slopes greater than 2:1 or higher than 10 feet?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Result in grading that affects or negates subsurface sewage disposal systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Source: Riv. Co. 800-Scale Slope Maps, Project Application Materials

Findings of Fact:

a-c) Pursuant to the Riverside County General Plan Figure S-5 "Regions Underlain by Steep Slope" exhibit, a portion of the project site to the south, is located within an area consisting of some slope angles between 15% to 25%. The remainder of the project site is flat. This project includes a land use change only. As a result, no people or structures will be exposed to adverse effects associated with the slope areas. Additionally, any future development will be required to comply with the California Building Code, as it relates to slope development and grading.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**18. Soils**

a) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have soils incapable of adequately supporting use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: U.S.D.A. Soil Conservation Service Soil Surveys, Project Application Materials, On-site Inspection

Findings of Fact:

a-c) This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**19. Erosion**

a) Change deposition, siltation, or erosion that may modify the channel of a river or stream or the bed of a lake?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in any increase in water erosion either on or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: U.S.D.A. Soil Conservation Service Soil Surveys

Findings of Fact:

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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a-b) This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**20. Wind Erosion and Blowsand from project either on or off site.**

a) Be impacted by or result in an increase in wind erosion and blowsand, either on or off site?

Source: Riverside County General Plan Figure S-8 "Wind Erosion Susceptibility Map," Ord. No. 460, Article XV & Ord. No. 484

Findings of Fact:

a) Pursuant to the Riverside County General Plan Figure S-8 "Wind Erosion Susceptibility Map" exhibit, the project site is located within an area of "Moderate" wind erosion.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**GREENHOUSE GAS EMISSIONS** Would the project

**21. Greenhouse Gas Emissions**

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Source: Riverside County General Plan

Findings of Fact:

a-b) This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in an amendment to the site's General Plan foundation component and change of Zone, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Analysis shall be prepared, to assess the potential impacts. Additionally, any future implementing project on this site will be required to comply with California's AB-32 greenhouse gas reduction requirements as well as Riverside County's Climate action Plan. Many of the identified potential mitigation measures resulting from GHG impacts are implemented during the construction phase of the project. As a result, impacts associated with this project are considered less than significant.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**HAZARDS AND HAZARDOUS MATERIALS** Would the project

**22. Hazards and Hazardous Materials**

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Project Application Materials

Findings of Fact:

a-b, d-e) This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and



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Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

c) The project will result in higher development intensity of the site than was proposed in the General Plan in 2003. The increase in density may result in an overburden of streets previously identified as evacuation routes for other projects. However, the Transportation Department will require any future development proposals on the site, to add mitigation to those projects to assure the streets will accommodate adequate emergency provisions. As a result, impacts associated with this project are considered less than significant.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**23. Airports**

a) Result in an inconsistency with an Airport Master Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require review by the Airport Land Use Commission?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) For a project within the vicinity of a private airstrip, or heliport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan Figure S-19 "Airport Locations," GIS database

Findings of Fact:

a-d) Pursuant to the Riverside County General Plan Figure S-19 "Airport Locations" exhibit, the project site is not located within an Airport Influence Area ("AIA") or compatibility zone and will not require review by the Airport Land Use Commission ("ALUC"). As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**24. Hazardous Fire Area**

a) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Source: Riverside County General Plan Figure S-11 "Wildfire Susceptibility," GIS database

Findings of Fact:

a) Pursuant to the Riverside County General Plan Figure S-11 "Wildfire Susceptibility" exhibit, the project site is not located within a "High" Wildfire Susceptibility Area or State Responsibility Area. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**HYDROLOGY AND WATER QUALITY** Would the project

**25. Water Quality Impacts**

a) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Include new or retrofitted stormwater Treatment Control Best Management Practices (BMPs) (e.g. water quality treatment basins, constructed treatment wetlands), the operation of which could result in significant environmental effects (e.g. increased vectors or odors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County Flood Control District Flood Hazard Report/Condition.

Findings of Fact:

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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a-h) Pursuant to the Riverside County General Plan Figure S-9 "100- and 500-Year Flood Hazard Zones" exhibit, the project site is not located within either a 100-year or 500-year floodplain zone. Approval of this project will result in a land use change. There is no grading proposed at this time that would alter any flows, violate any standards, impact ground water resources, create any runoff, or require any BMP's. No additional studies of the current conditions were conducted because there is no accompanying development project. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**26. Floodplains**

Degree of Suitability in 100-Year Floodplains. As indicated below, the appropriate Degree of Suitability has been checked.

NA - Not Applicable <input checked="" type="checkbox"/>	U - Generally Unsuitable <input type="checkbox"/>	R - Restricted <input type="checkbox"/>
a) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Changes in absorption rates or the rate and amount of surface runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam (Dam Inundation Area)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Changes in the amount of surface water in any water body?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan Figure S-9 "100- and 500-Year Flood Hazard Zones," Figure S-10 "Dam Failure Inundation Zone," Riverside County Flood Control District Flood Hazard Report/Condition, GIS database

Findings of Fact:

a-d) Pursuant to the Riverside County General Plan Figure S-9 "100- and 500-Year Flood Hazard Zones" exhibit, the project site is not located within either a 100-year or 500-year floodplain zone. Additionally, Diamond Valley Lake is located approximately four miles to the east of the project site. The project site is not located within the Diamond Valley Lake Dam Inundation zone. Approval of this project will result in a land use change. There is no grading proposed at this time that would alter any flows, violate any standards, impact ground water resources, create any runoff, or require any BMP's. No additional studies of the current conditions were conducted because there is no accompanying development project. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Analysis shall be prepared, to assess the potential impacts. As a result, there will be no impacts.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Mitigation: No mitigation is required

Monitoring: No monitoring is required

**LAND USE/PLANNING** Would the project

**27. Land Use**

a) Result in a substantial alteration of the present or planned land use of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Affect land use within a city sphere of influence and/or within adjacent city or county boundaries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan, GIS database, Project Application Materials

Findings of Fact:

a) This General Plan Amendment will result in a General Plan Foundation Component change from Rural (R) to Community Development (CD), a General Plan Land Use change from Rural Residential (RR) (5-acre minimum) to Medium Density Residential (MDR) (2-5 du/ac), and a Change of Zone from A-1-5 (Light Agriculture, 5-acre minimum) to R-1 (One-Family Dwelling) on a single 77.7-acre parcel.

The project site is located within the Estate Density Residential and Rural Residential Policy Area. Approval of this application is contingent upon removal of the project site from the Policy Area, as there would be a General Plan inconsistency otherwise. This policy area is within the Sun City / Menifee Valley Area Plan and states the following:

*"The residential area consists of rural estate development, with custom house development as the main pattern. The character is rural in intensity, but more in line with estate development as it has traditionally been developed. The low intensity qualities of this area are well established and strongly supported by local residents and property owners. Until the perspective changes significantly, growth and development should be focused elsewhere."*

The intent of this policy is to sustain a development pattern that conforms with a more "rural" pattern of settlement and that residential properties be subdivided in conformance with the existing land use which is a combination of Estate Density Residential (2-acre minimum) and Rural Residential (5-acre minimum). However, the policy also states that should the general consensus of the area change, denser development patterns could occur. There have been a number of other proposed General Plan Amendments within close proximity of the project site, requesting similar increased residential densities. They are as follows:

- General Plan Amendment No. 1129, located north of the project site, is a proposal to change from Estate Density Residential (2-acre minimum) to Medium Density Residential (2-5 du/ac) on 170-acres and includes a provision for a new high school. This project site is also located within the "Estate Density Residential and Rural Residential Policy Area".

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- General Plan Amendment No. 998, located approximately one mile to the southeast, is a proposal to change from Rural Residential (5-acre minimum) to Medium Density Residential (2-5 du/ac) on one parcel, totaling 160-acres.
- General Plan Amendment No. 976, located approximately a half mile to the east, is a proposal to change from Rural Residential (5-acre minimum) to Medium Density Residential (2-5 du/ac) on one parcel, totaling 271-acres.
- There have been other similar General Plan Amendment proposals in the immediate area, including Nos. 921 and 926 for conversion of the land use to Medium Density Residential (2-5 du/ac) as well. However, these two applications have been withdrawn, but may be resubmitted during the next Foundation cycle change, scheduled for Q1 or Q2 of 2016.

These General Plan Amendments represent many property owners in the area who have collectively proposed a fundamental shift in land use for the area. To accommodate this shift and enable the project site to be developed at Medium Density Residential, the project site will be removed from the "Estate Density Residential and Rural Residential" policy area. Additionally, the project site is located adjacent to an existing unincorporated residential development to the west, constructed in the year 2001, at a medium density range of 2-5 du/ac and includes approximately 186 lots. Removing the project site from the policy area, in conjunction with the land use change, results in a logical extension of the existing Medium Density Residential Development, creating a compatible development pattern. For now, the remainder of the policy area will retain its current extent. As a result, impacts will be less than significant.

b) The project site is located in close proximity to the City of Menifee as well as the City of Murrieta; however, the project site is not located within a designated sphere of influence for either City. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**28. Planning**

a) Be consistent with the site's existing or proposed zoning?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Be compatible with existing surrounding zoning?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be compatible with existing and planned surrounding land uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be consistent with the land use designations and policies of the General Plan (including those of any applicable Specific Plan)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source: Riverside County General Plan Land Use Element, Staff review, GIS database

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Findings of Fact:**

a-e) This project will result in changes to the site's General Plan land use pattern. The project site has a current General Plan Land Use of Rural Residential (5-acre lot size minimum) and is proposed to be amended to Medium Density Residential (2-5 du/ac). The proposed land use amendment will result in a reasonable integration of smaller residential lot sizes into the area, which are compatible with the other existing residential lots to the west.

The existing Zoning for the project site is A-1-5 (Light Agriculture, 5-acre minimum) and is proposed to be changed to R-1 (One-Family Dwelling), in order to be in conformance with the new land use. The single family residential designation is consistent with the existing development to the west.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

**Mitigation:** No mitigation is required

**Monitoring:** No monitoring is required

**MINERAL RESOURCES** Would the project

**29. Mineral Resources**

a) Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be an incompatible land use located adjacent to a State classified or designated area or existing surface mine?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or property to hazards from proposed, existing or abandoned quarries or mines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Source:** Riverside County General Plan Figure OS-5 "Mineral Resources Area"

**Findings of Fact:**

a-d) Pursuant to the Riverside County General Plan Figure OS-5 "Mineral Resources Area" exhibit, the project site located within the "MRZ-3" Mineral Resource Area. However, due to the small size of the project site and the existing developments within the surrounding area, extracting minerals from the project would be unfeasible.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**NOISE** Would the project result in

**Definitions for Noise Acceptability Ratings**

Where indicated below, the appropriate Noise Acceptability Rating(s) has been checked.

NA - Not Applicable

A - Generally Acceptable

B - Conditionally Acceptable

C - Generally Unacceptable

D - Land Use Discouraged

**30. Airport Noise**

a) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport would the project expose people residing or working in the project area to excessive noise levels?

NA  A  B  C  D

b) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

NA  A  B  C  D

Source: Riverside County General Plan Figure S-19 "Airport Locations," County of Riverside Airport Facilities Map

Findings of Fact:

a-b) Pursuant to the Riverside County General Plan Figure S-19 "Airport Locations," County of Riverside Airport Facilities Map exhibit, the project site not located within a designated Airport Influence Area ("AIA"). As a result, there will be no significant impacts from airport noise.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**31. Railroad Noise**

NA  A  B  C  D

Source: Riverside County General Plan Figure C-1 "Circulation Plan", GIS database, On-site Inspection

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Findings of Fact:**

Pursuant to the Riverside County General Plan Figure C-1 "Circulation Plan" exhibit, the project site is not located near any railroads. As a result, there will be no significant impacts from railroad noise.

**Mitigation:** No mitigation is required

**Monitoring:** No monitoring is required

**32. Highway Noise**

NA  A  B  C  D

**Source:** On-site Inspection, Project Application Materials

**Findings of Fact:**

The project is not located near any highways. Interstate 215 is located approximately two miles to the west of the project site and Highway 79 is located approximately two miles to the east of the project site. Any noise generated from the Highway at this distance will be negligible. As a result, there will be no significant impacts from highway noise.

**Mitigation:** No mitigation is required

**Monitoring:** No monitoring is required

**33. Other Noise**

NA  A  B  C  D

**Source:** Project Application Materials, GIS database

**Findings of Fact:**

The project is not located near any other sources of potential noise, therefore, there will be no significant impacts from other noise.

**Mitigation:** No mitigation is required

**Monitoring:** No monitoring is required

**34. Noise Effects on or by the Project**

a) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

b) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
existing without the project?				
c) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan, Table N-1 ("Land Use Compatibility for Community Noise Exposure"), Project Application Materials

Findings of Fact:

a-d) This General Plan land use change to denser residential will result in the creation of higher noise impacts at build-out. However, all future onsite uses will be required to adhere to the Riverside County's allowable noise standards for Residential designations and will be analyzed at the time of an implementing project.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

<b>POPULATION AND HOUSING</b> Would the project				
<b>35. Housing</b>				
a) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Affect a County Redevelopment Project Area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Cumulatively exceed official regional or local population projections?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Source: Project Application Materials, GIS database, Riverside County General Plan Housing Element

Findings of Fact:

a-f) The existing General Plan Land Use of Rural Residential (RR) allows for development at a minimum of 1 dwelling unit per 5-acres. At maximum build-out under the existing land use over 77.7-acres, 15 lots could potentially be developed. This General Plan Amendment will result in a land use change to Medium Density Residential (MDR), which allows for development at 2-5 dwelling units per acre (du/ac). At build-out, this would result in a potential range between 155 and 388 dwelling units with a midpoint of 271 dwelling units over the same 77.7-acres.

Appendix E, of the 2003 Riverside County General Plan, provides assumptions used for residential build-out densities and population projections. The increase in dwelling units will result in a potential midpoint population increase from the existing land use (RR) to the proposed land use (MDR) of 770 persons using the General Plan assumption of 3.01 residents per unit and calculated using the following (3.01\*271 units)-(3.01\*15 units). This is a generalized average; calculated with standard values, codified in the Riverside County General Plan.

Currently, the project site is vacant; therefore, the project will not displace any existing housing nor will it affect an established redevelopment area. Once built-out, the project site could result in a population increase by approximately 770 persons; however, this change is a negligible increase to the overall population projections for Riverside County.

Additionally, as previously discussed, this is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, impacts will be less than significant.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**PUBLIC SERVICES** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

**36. Fire Services**

Source: Riverside County General Plan Safety Element

Findings of Fact:

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project site is currently vacant land, resulting in little need for public services at this time. However, there will be a net increase in dwelling units at the time of build-out, resulting from this land use change to a higher density. At time of future construction, resulting from an implementing project, costs associated with the increased need for Fire Services will be addressed through the County's Development Impact Fee schedule. As a result, there are no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**37. Sheriff Services**

Source: Riverside County General Plan

Findings of Fact:

The project site is currently vacant land, resulting in little need for public services at this time. However, there will be a net increase in dwelling units at the time of build-out, resulting from this land use change to a higher density. At time of future construction, resulting from an implementing project, costs associated with the increased need for Sheriff Services will be addressed through the County's Development Impact Fee schedule. As a result, there are no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**38. Schools**

Source: School District, GIS Database

Findings of Fact:

The project site is currently vacant land, resulting in little need for public services at this time. However, there will be a net increase in dwelling units at the time of build-out, resulting from this land use change to a higher density. At time of future construction, resulting from an implementing project, costs associated with the increased need for new School Services will be addressed through the County's Development Impact Fee schedule. As a result, there are no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**39. Libraries**

Source: Riverside County General Plan

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Findings of Fact:**

The project site is currently vacant land, resulting in little need for public services at this time. However, there will be a net increase in dwelling units at the time of build-out, resulting from this land use change to a higher density. At time of future construction, resulting from an implementing project, costs associated with the increased need for Library Services will be addressed through the County's Development Impact Fee schedule. As a result, there are no impacts.

**Mitigation:** No mitigation is required

**Monitoring:** No monitoring is required

**40. Health Services**

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Source:** Riverside County General Plan

**Findings of Fact:**

The project site is currently vacant land, resulting in little need for public services at this time. However, there will be a net increase in dwelling units at the time of build-out, resulting from this land use change to a higher density. At time of future construction, resulting from an implementing project, costs associated with the increased need for Health Services will be addressed through the County's Development Impact Fee schedule. As a result, there are no impacts.

**Mitigation:** No mitigation is required

**Monitoring:** No monitoring is required

**RECREATION**

**41. Parks and Recreation**

a) Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Would the project include the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Is the project located within a Community Service Area (CSA) or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Source:** GIS Database, Ord. No. 460, Section 10.35 (Regulating the Division of Land – Park and Recreation Fees and Dedications), Ord. No. 659 (Establishing Development Impact Fees), Parks & Open Space Department Review

**Findings of Fact:**

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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a-c) The project site is located within the "Lakeview / Nuevo / Romoland / Homeland" Community Service Area ("CSA"). A recreational facilities needs/expansion assessment will be conducted in the future, at the time of an implementing project. Upon build-out, the project site will be serviced through the CSA.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**42. Recreational Trails**

Source: Riv. Co. 800-Scale Equestrian Trail Maps, Open Space and Conservation Map for Western County trail alignments, Riverside County General Plan Figure 7 – "Trails and Bikeway System" in the Sun City/Menifee Valley Area Plan

Findings of Fact:

Pursuant to the Riverside County General Plan Figure 7 – "Trails and Bikeway System" exhibit, there are several identified "Community Trail" locations in proximity to the project site. Contributions to these trails will be determined upon time of implementing project review. Additionally, Quimby fees will be paid and/or implemented in the appropriate amount during the time of an implementing project. The project site is located within the "Lakeview / Nuevo / Romoland / Homeland" County Service Area and will be serviced through the CSA. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**TRANSPORTATION/TRAFFIC** Would the project

**43. Circulation**

a) Conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

b) Conflict with an applicable congestion management program, including, but not limited to level of

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Alter waterborne, rail or air traffic?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Cause an effect upon, or a need for new or altered maintenance of roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Cause an effect upon circulation during the project's construction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Result in inadequate emergency access or access to nearby uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Conflict with adopted policies, plans or programs regarding public transit, bikeways or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source: Riverside County General Plan

Findings of Fact:

a) The project site is located within the Highway 79 Policy Area of the Riverside County General Plan. Approval of this project will result in a General Plan Amendment and Zone Change, which will increase the project site's allowable build-out density. The Highway 79 Policy states "...ensure that overall within the Highway 79 Policy Area, development projects produce traffic generation at a level that is 9% less than the trips projected from the General Plan traffic model residential land use designations." This Policy intends to limit the existing build-out of the current Land Use Designation, due to potential infrastructure limitations. The proposed increase to the project site's density is in conflict with the Policy. Mitigation, which shall be adhered to during time of any implementing project, is proposed below. This mitigation will assure that the goals of the Policy are met at the implementation stage of development. The project is consistent with all other plans. With the proposed mitigation, the impacts are less than significant.

b) With implementation of the below mitigation, the resulting project will address any congestion management program through the standard fees and mitigation required at the time development is proposed. As previously discussed, the proposed project will result in an amendment to the General Plan Land Use, which could eventually lead to a higher level of development on the property.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing,

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, the impacts will be less than significant.

c-d) No air traffic or water traffic will be altered due to the proposed project. There will be no impact.

e-i) There is no implementing project in conjunction with this General Plan Land Use Amendment and Change of Zone, therefore there are no design changes to the streets or roads that may increase hazards due to road design. The increase in density will create a need to evaluate the impacts to the existing street design; however, the potential impacts would be too speculative at this stage, because the actual level of impact from the implementing development is not known at this time. The proposed change does not conflict with any adopted policies regarding public transit, bikeways or pedestrian access. The efficiency of transit will not change, and therefore not impact any policies regarding transit or other alternative means of travel. Once a development proposal or land use application to subsequently subdivide, grade, or build on the property is submitted, a subsequent review and EA shall be prepared assessing potential impacts.

**Mitigation:** This project has been determined to be consistent with the Highway 79 Policy Area, pursuant to the following (applied to the subsequent implementing project) or as approved by the TLMA Director:

- Prior to building permit issuance of any implementing project, the applicant shall participate in a funding mechanism program established by the County intended to implement the policies of the Highway 79 Policy Area. In the event a funding mechanism program is not established, the implementing project shall satisfy one the conditions below or the applicant may alternatively volunteer to contribute funds, in an amount determined by the TLMA Director, that the County may use to build additional transportation infrastructure or to acquire open space to offset the project's incremental impacts within the Highway 79 Policy Area.
- Prior to approval of an implementing project, the applicant shall demonstrate to the satisfaction of the TLMA Director , consistency with the Highway 79 Policy Area by demonstrating that the allowable number of residential dwelling units has been determined utilizing the most recent edition of the ITE (Institute of Transportation Engineers) Trip Generation in consideration of (a) transportation demand management (TDM) measures; (b) product types; (c) transportation improvements; or (d) any combination of (a), (b) and (c), such that the project is generating an amount equal to or less than the average daily vehicle trips that would have been generated if the project were constructed at a density of 9% below the midpoint of the density dictated by the existing General Plan Land Use designation. This mitigation does not apply to implementing projects which propose a non-residential land use development.
- If the policies within the Highway 79 Policy Area are amended which makes this mitigation measure no longer feasible or necessary, the applicant may process an amendment to these mitigation measures in compliance with CEQA. (*Stone v. Board of Supervisors* (1988) 205 CA3d 927 and *Mani Bros. Real Estate Group v. City of Los Angeles* (2007) 153 CA4th 1385). If the Highway 79 Policy Area is repealed, these mitigation measures shall not be applicable.

**Monitoring:** Monitoring will be achieved through review of the future implementing project.

**44. Bike Trails**

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Source: Riverside County General Plan Figure 7 – “Trails and Bikeway System” in the Sun City/Menifee Valley Area Plan

Findings of Fact:

Any demand or requirement for bike trails shall be reviewed and imposed upon a future implementing project. This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site’s General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**UTILITY AND SERVICE SYSTEMS** Would the project

**45. Water**

a) Require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?

b) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Source: Department of Environmental Health Review

Findings of Fact:

a-b) The project site is vacant and therefore the water service demand is currently negligible. However, this land use change in residential density from 5-acre lot minimums to 2-5 du/ac will create a greater net impact on water requirements upon build-out. An assessment of the availability of water to service the area, will be required prior to the approval of an implementing project. This will include a commitment from the water purveyor to provide water to the site (beyond what currently exists). However, at this stage, the specific size and need of water infrastructure to the area, is too speculative to analyze as there is no implementing project.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site’s General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.



Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Mitigation:** No mitigation is required

**Monitoring:** No monitoring is required

**46. Sewer**

a) Require or result in the construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities, the construction of which would cause significant environmental effects?

b) Result in a determination by the wastewater treatment provider that serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

**Source:** Department of Environmental Health Review

**Findings of Fact:**

a-b) The project site is vacant and therefore sewer demand is currently negligible. However, this land use change in residential density from 5-acre lot minimums to 2-5 du/ac will create a greater net impact on sewer capacity needs. The future implementing project will be required to connect to and construct a new sewer system. However, at this stage, the specific size and need of water infrastructure to the area, is too speculative to analyze as there is no implementing project.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

**Mitigation:** No mitigation is required

**Monitoring:** No monitoring is required

**47. Solid Waste**

a) Is the project served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

b) Does the project comply with federal, state, and local statutes and regulations related to solid wastes including the CIWMP (County Integrated Waste Management Plan)?

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Source: Riverside County General Plan, Riverside County Waste Management District correspondence

Findings of Fact:

a-b) The project site is vacant and therefore solid waste service is currently negligible. However, this land use change in residential density from 5-acre lot minimums to 2-5 du/ac will create a greater net impact on solid waste service needs upon build-out. However, at this stage, the specific size and need of water infrastructure to the area, is too speculative to analyze as there is no implementing project.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**48. Utilities**

Would the project impact the following facilities requiring or resulting in the construction of new facilities or the expansion of existing facilities; the construction of which could cause significant environmental effects?

a) Electricity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Storm water drainage?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Street lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Other governmental services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source:

Findings of Fact:

a-g) The type and scale of the future implementing project will determine the specific size, quantity, and design of additional utility services needed at the project site. At this stage, the utility requirements are too speculative to analyze.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Mitigation: No mitigation is required

Monitoring: No monitoring is required

**49. Energy Conservation**

a) Would the project conflict with any adopted energy conservation plans?

Source: Riverside County General Plan

Findings of Fact:

a) Any future implementing project will be required to comply with California's AB-32 greenhouse gas reduction requirements as well as Riverside County's Climate action Plan. Many of the potential mitigation measures are reviewed and subsequently implemented during the construction phase of the project.

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

**MANDATORY FINDINGS OF SIGNIFICANCE**

50. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

Source: Staff review, Project Application Materials

Findings of Fact:

Implementation of the proposed project would not substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife popu-

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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lations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. As a result, there will be no impacts.

51. Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, other current projects and probable future projects)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Source: Staff review, Project Application Materials

Findings of Fact: The project does not have impacts which are individually limited, but cumulatively considerable. This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

52. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Source: Staff review, project application

Findings of Fact: The proposed project would not result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly. This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Assessment shall be prepared, to determine potential impacts. As a result, there will be no impacts.

## VI. EARLIER ANALYSES

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

Earlier Analyses Used, if any: n/a

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

Location: County of Riverside Planning Department

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Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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4080 Lemon Street, 12th Floor  
Riverside, CA 92505

**VII. AUTHORITIES CITED**

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

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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## GPA00921 & CZ07763

### MITIGATION, MONITORING, AND REPORTING PROGRAM

Mitigation measures were incorporated into this project to reduce potential environmental impacts identified in Environmental Assessment No. 41744, resulting in a Mitigated Negative Declaration. Pursuant to Section 15097 (c), a written monitoring and reporting program has been compiled to verify implementation of adopted mitigation measures. "Monitoring" refers to the ongoing or periodic process of project oversight. "Reporting" refers to the written compliance review that will be presented to the responsible parties included in the table below. Any future implementing development project within the limits of GPA00921 and CZ07763 will be required to report to the County that these mitigation measures have been satisfied. The following table provides the required information which includes identification of the potential impacts, the various mitigation measures, applicable implementation timing, identification of the agencies responsible in implementation, and the monitoring/reporting method for each mitigation measure identified.

Impact Category	Mitigation Measure	Implementation Timing	Responsible Party	Monitoring/ Reporting Method
<b>Transportation /Traffic</b>	<p>The project has been determined to be consistent with the Highway 79 Policy Area pursuant to the following (applied to the subsequent implementing project) or as approved by the TLMA Director:</p> <ul style="list-style-type: none"> <li>• Prior to building permit issuance of any implementing project, the applicant shall participate in a funding mechanism program established by the County intended to implement the policies of the Highway 79 Policy Area. In the event a funding mechanism program is not established, the implementing project shall satisfy one the conditions below or the applicant may alternatively volunteer to contribute funds, in an amount determined by the TLMA Director, that the County may use to build additional transportation infrastructure or to acquire open space to offset the project's incremental impacts within the Highway 79 Policy Area.</li> <li>• Prior to approval of an implementing project, the applicant shall demonstrate to the satisfaction of the TLMA Director, consistency with the Highway 79 Policy Area by demonstrating that the allowable</li> </ul>	Prior to implementing project approval and/or prior to building permit issuance	Project Proponent	A report or fee must be submitted by any implementing project proponent

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

Impact Category	Mitigation Measure	Implementation Timing	Responsible Party	Monitoring/ Reporting Method
	<p>number of residential dwelling units has been determined utilizing the most recent edition of the ITE (Institute of Transportation Engineers) Trip Generation in consideration of (a) transportation demand management (TDM) measures; (b) product types; (c) transportation improvements; or (d) any combination of (a), (b) and (c), such that the project is generating an amount equal to or less than the average daily vehicle trips that would have been generated if the project were constructed at a density of 9% below the midpoint of the density dictated by the existing General Plan Land Use designation. This mitigation does not apply to implementing projects which propose a non-residential land use development.</p> <ul style="list-style-type: none"> <li>• If the policies within the Highway 79 Policy Area are amended which makes this mitigation measure no longer feasible or necessary, the applicant may process an amendment to these mitigation measures in compliance with CEQA. (Stone v. Board of Supervisors (1988) 205 CA3d 927 and Mani Bros. Real Estate Group v. City of Los Angeles (2007) 153 CA4th 1385). If the Highway 79 Policy Area is repealed, these mitigation measures shall not be applicable.</li> </ul>			



**Scott A. Mann**  
*Mayor*

**John V. Denver**  
*Mayor Pro Tem*  
*District 4*

**Greg August**  
*Councilmember*  
*District 1*

**Matthew Liesemeyer**  
*Councilmember*  
*District 2*

**Vacant**  
*Councilmember*  
*District 3*

October 8, 2015

John Earle Hildebrand III, Senior Project Associate  
Riverside County Planning Department  
4080 Lemon Street, 12<sup>th</sup> Floor  
Riverside, CA 92501

RE: General Plan Amendment No. 921

Dear Mr. Hildebrand III

Thank you for notifying the City regarding General Plan Amendment No. 921 and sending the Mitigated Negative Declaration (MND). The Community Development Department has reviewed the proposal and MND and is concerned with the General Plan Amendment request due to its apparent incompatibility with the existing rural residential uses located to the west of the project site in the City of Menifee and located north, south and east of the project site in the County of Riverside and its potential impacts on the environment, a number of which appear to be completely ignored by the MND.

The General Plan Amendment would allow for the development of two (2) to five (5) dwelling units per acre, whereas the existing rural residential lots to the north and southwest of the project site within the City of Menifee are designated for two (2) acre minimum lot sizes and properties surrounding the site within the County of Riverside are also designated for two (2) acre minimum lot sizes. These residential uses comprise a well-established rural area of our community, the residents of which have consistently voiced the desire to remain rural and maintain large lot sizes. The existing land use designation of the project site, Rural Community: Estate Density Residential (RC: EDR) (two [2] acre minimum), is compatible and consistent with the existing properties surrounding the site, including those within our City. The Riverside County General Plan encourages protection of existing rural communities, such as the area encompassing the project site.

The Riverside County General Plan includes this project area within the "Estate Density Residential and Rural Residential Area East of Interstate 215" Policy Area. The Policy Area includes Policy SCMVAP 6.1 which states that "residential development in this area [i.e., the Policy Area] shall retain its existing estate density and rural character." It further requires that until the strong support for the preservation of the rural character of this area changes significantly, growth and development should be focused elsewhere. It is the City's belief that there is still strong support for the rural lifestyle in this area. If the community still supports preserving the rural character in this area, then a General Plan Amendment to

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Menifee, CA 92586  
Phone 951.672.6777  
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[www.cityofmenifee.us](http://www.cityofmenifee.us)



increase density and encourage non-rural development would be inconsistent with the County's General Plan policy noted above.

The initial study for the project indicates that an indicator of support in the change in land use is the submittal of various other general plan amendment applications in the vicinity of the site; however, there only appear to be three amendment applications that are in process. Two additional amendments are referenced in the MND, but they have been withdrawn and one of those referenced amendments refers to GPA No. 921, which is the current application. Amendment applications that have been withdrawn should not be cited as evidence that the area is ready for change. In regards to the three in process applications for amendments, it appears that there are two owners for two applications, but the third application may be multiple owners. The argument is unsubstantiated that there is "strong" support from property owners for a change in land use based on the applications in process. It appears that the number of property owners processing applications for amendments is less than a majority of property owners in the policy area.

The City is also concerned because we believe the MND fails to adequately address air quality, greenhouse gas, traffic, land use/planning, growth inducement and cumulative impacts. As the County is no doubt aware, in the event that there is a fair argument, supported by substantial evidence, that the General Plan Amendment No. 921 may result in significant impacts, the County is required to prepare an environmental impact report (EIR). (See, e.g., *City of Arcadia v. State Water Resources Control Bd.* (2006) 135 Cal.App.4th 1392.) This is a relatively low threshold, as CEQA encourages the preparation of EIRs. A mitigated negative declaration is permitted only if the initial study identified potential significant effects on the environment but revisions in the project plans would avoid or mitigate the effects to a point where "**clearly** no significant effect on the environment would occur" and there is **no** substantial evidence that the project as revised may have a significant effect on the environment. (*Keep Our Mountains Quiet v. County of Santa Clara* (2015) 236 Cal. App. 4th 714, 730 [emphasis added].) Under this standard, the lead agency is prohibited from weighing evidence, and if **any** substantial evidence is presented that a significant impact may occur, an EIR must be prepared. (*Friends of 'B' Street v. City of Hayward* (1980) 106 Cal.App.3d 998.)

The proposed land use designation change drastically increases the maximum allowable dwelling units that could be allowed on the project site from 15 to 272 (if using about 3.5 du/acre) and based on cumulative total for all the active general plan applications in the area (as referenced in the MND), would increase the number of dwelling units from 186 units to 2,376 (if using about 3.5 du/acre). Although there is no development proposal associated with the GPA Amendment No. 921, the increase in density allowed under the application and cumulative applications needs to be analyzed, even within a "programmatic level CEQA analysis." In other words, even a so-called "first tier" or "programmatic" CEQA document must analyze all *known* impacts, or those that are "reasonably feasible" to analyze. (*In re Bay-Delta* (2008) 43 Cal. 4th 1143, 1175.) Here, the increase from 186 to 2,376 maximum allowable residential units on the project site is known – therefore, the impacts of that change must be fully analyzed. It also bears noting that it is unusual for an MND, not an EIR, to serve as a "programmatic" CEQA document.

With regard to specific potential impacts, first, no air quality or greenhouse gas analysis or technical study has been completed to analyze the impacts of the significant change to the maximum allowable units in the residential area. Considering the biggest driver of air quality impacts is typically increased traffic, and the MND identifies a potentially significant impact resulting from increased traffic, there is a fair argument that the project may result in significant air quality impacts. (See, *Keep Our Mountains Quiet*, 236 Cal. App. 4th at 730 [substantial evidence that supports a fair argument that a project may result in an impact includes "reasonable assumptions predicated upon facts"].) At a minimum, the City requests that the County undertake an air quality technical study in connection with a revised MND, if not an EIR.

Second, City staff does not believe that the analysis in the MND's Land Use/Planning section adequately shows that impacts are less than significant with regard to a substantial alteration of the present or planned land use of the area or in regards to the project's affect to land use adjacent to city boundaries. As mentioned above, the proposed amendment is inconsistent with surrounding land uses and with the Estate Density Residential and Rural Residential Policy Area. The MND specifically states, "The project site is located in close proximity to the City of Menifee.....; however, the project site is not located within a designated sphere of influence for either City. As a result, there will be no impacts." The fact that the project site is not within the City of Menifee's Sphere of Influence does not mean that there is no impact to land uses adjacent to city boundaries. The specific question on the CEQA Initial Study Checklist requires the reviewer to analyze impacts to property that is also adjacent to city boundaries, not just property within a city sphere of influence. A MND is invalid if it artificially limits the impact area. (*County Sanitation District No. 2 v. County of Kern* (2005) 127 Cal.App.4<sup>th</sup> 1544, 1581.). Therefore, the MND does not adequately show that there is no impact to land uses in the City of Menifee adjacent to the project site, and instead, substantial evidence supports a fair argument that significant impacts may occur. City staff believes that the proposed amendment will cause impacts to rural land uses adjacent to the site to the northwest and southwest in the City of Menifee. Medium Density Residential is not a compatible land use adjacent to rural residential uses without significant buffering, primarily due to animal keeping and agricultural activities which occur on rural lots. Menifee residents in the area to the north and southwest of the project site have expressed a desire to maintain their rural lifestyle and view the Medium Density Residential land use designation as an encroachment of incompatible uses into their rural way of life.

Third, under the Population and Housing section of the MND, there is no analysis regarding the exceedance of official regional or local population projects or the inducement of substantial population growth in the area. As noted above, the general plan amendments would substantially increase the number of dwelling units that could be allowed within the property from 15 to 272 and in the area from 186 to 2,376, thereby causing a significant increase in population. The MND is silent on how the proposed amendment, and other amendments in process in the area, impact SCAG population projects which are used for regional transportation planning. The MND checks the box that the impact to growth in the area is "Less than Significant", but gives no analysis of how this impact is actually deemed to be "Less than Significant." Based on City staff review, there is substantial evidence supporting a fair argument that this impact may be potentially significant.

Fourth, a traffic study has not been completed to show that the change in land uses will not result in a need for increased roadway capacity or changes in the roadway classifications from what is identified in the County General Plan Circulation Element or City of Menifee Circulation Element. The City is concerned that the increase in density to the properties east of the City will increase traffic and vehicle trips in the City and may require additional lanes and signals not currently contemplated in both the County and City Circulation Elements. Impacts to Scott Road and the Scott Road/I-215 Interchange were not analyzed in the MND, but must be addressed. While the MND does identify a potentially significant impact from increased traffic, the MND concludes that this potentially significant impact will be reduced to a less than significant level by virtue of mitigation requiring participation in a County fee program. However, a future applicant's mere participation in a fee program and payment of its fair share amount to fund future improvements does not actually ensure that those future improvements will be constructed before the project's impacts occur, particularly considering that some of required improvements may be outside the County's jurisdiction (e.g., the relevant right of way may be owned by a city or Caltrans) and therefore outside of the lead agency's control. Accordingly, the MND cannot conclude that all impacts will be mitigated to a less than significant impact, and an EIR must be prepared.

Finally, the MND does not include an analysis of cumulative impacts (Question #51 in the MND), although the Land Use/Planning section justifies no impacts to a "substantial alteration of the present or planned land use of an area" by referring to other applications in process in the vicinity. (See also, CEQA Guidelines § 15064(h)(1); *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1996) 42 Cal.App.4<sup>th</sup> 608, 622-23.)

For all the reasons discussed above, the MND completely ignores a number of potentially significant impacts, which must be analyzed in an EIR. Moreover, the City of Menifee's Community Development Department is opposed to any project that would result in the development of an incompatible land use adjacent to the existing rural residential properties. In our opinion, in addition to resulting in a number of significant impacts on the environment, the approval of the proposed amendment would not be consistent with the Riverside County General Plan.

Thank you again for the opportunity to provide comments. We formally request to receive any hearing notice regarding this project. Notices can be sent to my attention at 29714 Haun Road, Menifee, CA 92586.

Sincerely,



Lisa Gordon  
Community Development Department

# ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



October 8, 2015

*VIA ELECTRONIC MAIL*

Planning Commission  
Riverside County  
4080 Lemon St  
Riverside CA 92501

**RE: Items 4.1 (GPA 921), 4.2 (GPA 948), and 4.3 (GPA 998);  
Hearing Date: October 21, 2015**

Dear Chair and Members of the Commission:

Endangered Habitats League (EHL) appreciates the opportunity to comment on three items before you. For your reference, EHL served on the advisory committees for all three components of the Riverside County Integrated Project.

Item 4.1, GPA 921 (Menifee Valley/Sun City)

***Recommend denial of GPA.*** This 78-acre Rural property is in an area previously identified in the General Plan for its rural character and it may function as a “community separator.” No significant new circumstances justify a foundation change to Community Development. *Indeed, with the incorporation of Menifee, any urbanization should proceed over time through an orderly process of annexation rather than through piecemeal tract maps in the unincorporated area.* No absorption analysis has demonstrated the need for more urban-designated land in the region, and even if so, there is no indication that this site is optimal from a greenhouse gas or planning perspective.

Item 4.2, GPA 948 (Cherry Valley)

***No position.*** However, staff’s original recommendation was to *deny* initiation due to no changed circumstances, lack of need for additional commercial, and conflicts with community character.

Item 4.3, GPA 998 (French Valley)

***Recommend denial of GPA.*** This 160-acre site and its surrounding area serve as a “Community Separator” for the City of Menifee to the west. GPA 998 would induce successive neighboring Foundation changes from Rural to Community Development *despite the complete absence of an absorption study showing that any additional urban land is actually needed.* Rather, the County should direct growth to the municipalities and an orderly process of annexation rather than approve piecemeal tract maps that are the epitome of suburban sprawl. We acknowledge the preliminary analysis of MSHCP

Criteria Cells, but internal density transfer at the *current* density would also serve the MSHCP.

It is mystifying why staff has *reversed* its previous recommendation to the Planning Commission for *denial* of this project. Staff previously stated that:

The subject site is located in the "French Valley" community within the Southwest Area Plan. The site is also located within the City of Murrieta's Sphere of Influence. The Rural: Rural Residential designation currently surrounds the site in all directions. The proposal would be inconsistent with the existing land use pattern in the area. Staff recognizes that there are multiple General Plan Foundation Amendment applications proposing Community Development land use designations in the immediate area of the site; however, there is currently no way of telling whether or not those cases will ultimately be approved.

The site has been identified as being a part of Cell Group "U" under the County's "Multiple Species Habitat Conservation Plan (MSHCP)." Cell group "U" will contribute to the assembly of Proposed Constrained Linkage 17. Conservation within this Cell Group will range from 65%-75% of the Cell Group with the majority of the conservation occurring within the eastern portion of the Cell Group. Increasing the intensity of the site may potentially conflict with the goal of the MSHCP and could create inconsistencies amongst the Land Use Element and the Multi-Purpose Open Space Element of the General Plan.

The topography of the southern portion of the site is a concern as well. Slopes in the southern portion of the lot potentially range from 15%-25%. The general area is identified as having a high susceptibility to seismically induced landslide and rockfall. According to the Safety Element of the General Plan, most of these areas, are designated for Open Space or Rural development as in this case. Increasing the intensity at the site may create an increase in potential public safety issues by exposing additional dwelling units to potential slope failures and landslides when developing or grading at a greater density. The proposed change would again create an internal inconsistency between the elements of the General Plan.

We urge retention of rural uses absent compelling planning reasons to amend the General Plan – reasons that have not been advanced.

Thank you for considering our views.

Yours truly,



Dan Silver  
Executive Director

Comments regarding GPA 921 October 21 2015

Dear Commissioners:

Rural Residents and Friends wishes to express a few concerns regarding this GPA.

Our first concern is the constant erosion of the "Estate Density Area East of the 215 Policy area" There seems to be no provisions or concern in following logical and transitional densities in order to buffer the surrounding rural properties to the north, northwest, and south of the property. The staff report calls out that indeed there are "similar" GPA's in the area, but the fact is that some of those are either stalled or not moving forward and have NOT been approved. The General Plan calls out that this area is a well supported Rural area and has always acted as a buffer with more intense land uses directly west. When you remove diversity in planning which is required by the policy area and the General Plan, you end up with nothing more than unchecked urban sprawl.

Our second concern is whether input from the Winchester MAC or the City of Menifee has been sought out, since increasing the density here will impact not only the Winchester LUP, but also traffic concerns on Scott Road in Menifee, which is already rated an F level of service and will have detrimental effects in what is already standstill traffic near the Scott Road bridge on the 215. Will this parcel be required to participate in the Scott Road CFD in order to mitigate infrastructure shortfalls?

Of final concern is the 3 high pressure gas lines running the entire

length of the property from north to south. What safety measures are being considered here? One of these gas lines dates back to the 1940's and a repeat of San Bruno should be an avoidable tragedy.

Thank you for the opportunity to comment.

Rick Croy for Rural Residents and Friends

Sept. 30 - 2015

Dear Mr. Hildebrand,

This letter is in regards to the notice I received regarding the General Plan Amendment # 921 which will change zoning # 7763.

I am unable to attend the hearing on Oct. 21, 2015 due to a previous schedule already for that date, hence this letter.

I'm sure you are aware of the high pressure gas lines that are in the area where homes are to be built. We constantly see the gas co. on that land & hear the pressure release. When we bought our home in 2006 we were not told of the existence of those gas lines. They apparently have been in place since the 1950's. Hopefully there won't be a time when an explosion occurs in the neighborhood. Certainly if such ever occurs there will be litigation towards all "powers that be" who knew about those gas lines. Please take all of the above information into consideration prior to a decision being made. Thankyou.

Respectfully,  
Gayle J Hobson.





October 8, 2015

SINCE 1950

Riverside County Planning Department  
P.O. Box 1409  
Riverside, CA 92502-1409

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Randy A. Record

**Legal Counsel**

Lemieux & O'Neill

Attn: John Hildebrand

**Subject: GPA No. 921 (Foundation and Entitlement/Policy) and  
CZ No. 7763 – Intent to Adopt a Mitigated Negative Declaration**

The subject project requires water and sewer services from EMWD with the potential requirement for on-site and offsite facilities and associated easements to adequately serve the project demands from existing EMWD facilities. The details of said service connection points will be further detailed in a separate document, known as EMWD's Plan of Service (POS), to be developed by the project proponent.

To that end, EMWD requires beginning dialogue with the project proponent at an early stage in site design and development, via a one-hour complimentary Due Diligence meeting. To set up this meeting, the project proponent should complete a Project Questionnaire (form NBD-058) and submit to EMWD. To download this form or for additional information, please visit our "New Development Process" web page, under the "Businesses" tab, at [www.emwd.org](http://www.emwd.org). This meeting will offer the following benefits:

1. Describe EMWD's development work-flow process
2. Identify project scope and parameters
3. Preliminary, high level review of the project within the context of existing infrastructure
4. Discuss potential candidacy for recycled water service

Following the Due Diligence meeting, to proceed with this project, a POS will need to be developed by the developer's engineer, and reviewed/approved by EMWD prior to submitting improvement plans for Plan Check. The POS process will provide the following:

1. Technical evaluation of the project's preliminary design
2. Defined facility and easement requirements, i.e. approved POS
3. Potential facility oversizing and cost estimate of EMWD's participation
4. Exception: for feasibility evaluation of a purchase acquisition, only a conceptual facilities assessment may be developed.

If you have questions or concerns, please do not hesitate to contact me.

Sincerely,

Maroun El-Hage, M.S., P.E., Senior Civil Engineer

Business Phone: 951-928-3777 Extension x4468

e-mail: [El-hagem@emwd.org](mailto:El-hagem@emwd.org)

## Hildebrand, John

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**From:** Georgia Denny <chickenmommy2@aol.com>  
**Sent:** Tuesday, October 20, 2015 10:19 AM  
**To:** Hildebrand, John  
**Subject:** OPPOSITION AGAINST GPA 921

Dear Mr. Hildebrand,

I am opposed to GPA 921. When was the notification sent and to whom for this public hearing? There was **not** a proper notification to the people living in the area. This could easily slip thru the system without the neighbors in the area knowing anything about it. The majority of the residents living in this rural area want to keep it rural, we need to be informed and should be informed properly! Please put my email in the file for **OPPOSITION AGAINST GPA 921** as part of this Public Hearing process set for tomorrow October 21, 2015.

Thank you,  
Georgia Denny

October 20, 2015

**LETTER IN OPPOSITION / To Riverside County Planning**

1 of 15

**Public Hearing DATE: October 21, 2015 This copy to be on file  
GPA 921 (CHG. OF ZONE NO. 7763)**

**Dear Mr. John Hildebrand:**

**Rural Residents oppose this GPA 921 on many grounds.**

**First and foremost, the residents in this area have spoken through many public testimonies, written letters, and approximately 100 plus signed petitions submitted to the County that we want this area to retain its rural intensity. This GPA 921 is right next to GPA 1129, the Rivani Project that also does not fit within the New County GPA 960. GPA 960 approved to keep this area in the Estate Density Policy Area.**

**Second, this area falls under the Winchester MAC Area. Winchester MAC doesn't know anything about this project. This hearing should be postponed until it has gone through the appropriate approval or denial stages of the County requirements.**

**Third and most important is something that we the Public do not understand how you the County, Real Estate Agents, Water District and Developers are getting around the law that was passed effective 3-1-1998 called:**

**DAM-FAILURE INUNDATION ZONE LAW Copy attached 11 pages  
(This is different than the 100 year NFIP flood zone)**

**This law states Agents and Seller of real property in California must disclose to buyers if the property is located in a Dam Failure Inundation Zone. Failure to make the required disclosure may render the seller or the seller's agent liable for actual damages suffered by the buyer. See all 11 pages of requirements for land sale and home sales for this area.**

**A notice is to be posted at the county recorder's office, county assessor's office, and county planning agency office that identifies the location of the map and any subsequent information received by the county regarding changes to the inundation area. We have yet to find this information posted anywhere for our viewing.**

**Nor are any of the people who have been buying homes in this area been told that the homes they are buying in this area are in a DAM-FAILURE INUNDATION ZONE. We asked for this info at a Co. Meeting and by e-mails and never received any.**

**California School Code for Construction of schools (copy attached 2 pages) states:**

**g. Pursuant to Education Code sections 17212 & 17212.5 the site is not within an area of flood or dam flood inundation unless the cost of mitigating the flood or inundation impact is reasonable. How can a school be built in an area the water level is going to be 40 feet deep, and mitigate this at a reasonable cost? The School is not yet a done deal !!!!! It needs State Approval to be built in this Dam Inundation Zone !!!!!**

**We can bet the school and the buyers of these properties have not been told this area is a Dam-Failure Inundation Zone. Are you going to make the developer's disclose this to every person who buys a home from them in this area going forward as part of their approval? Or are you going to be liable too. This is not being disclosed to home buyers in the area since the Dam was built. None of us were told our area changed to a Dam Inundation Zone either by the**

**Water District or County when they built the Dam. I now pay \$400 a year for Flood Coverage after finding this out on my own. All the research we the Public have done because of the Joseph Rivani Project of over 600 homes. He wants to build in this Dam Inundation Zone using the School as the Deal Breaker to get his project approved!!!!**

**We think it's about time people making these deals start following the Laws of the Land. What is right is right and what is being covered up and not disclosed to the Public is really an injustice to all of us who have lived in this area for many years. We know what is going on with all the developers and the money doing the talking in the area to get these projected passed trying to bypass the home owners in the area.**

**We live within the surrounding area of the GPA'S THAT ARE BEING ASKED TO BE APPROVED WITH NONE OF YOU COMING OUT TO SEE THE PROJECT SITES AND TO TAKE A LOOK AT WHAT THE AREA REALLY IS AND HOW IT'S JUST IN FRONT OF THE NORTH DAM.**

**HOW WOULD YOU LIKE TO LIVE IN AN AREA WHERE THE DAM COULD BREAK IF WE HAVE THAT BIG ONE THEY KEEP TALKING ABOUT; AND NOT KNOWING WHAT YOU SPENT YOUR LIFE SAVING ON AND LOST IT ALL BECAUSE OF GREEDY DEVELOPERS WHO CARE LESS ABOUT YOU?**

**HOW WOULD YOU LIKE YOU KIDS GOING TO A SCHOOL THAT COULD BE UNDER 40 FEET OF WATER, AND NEVER MAKE IT HOME IF THAT BIG ONE HITS.**

**THERE IS AN ACTIVE FAULT UNDER THE EAST SIDE DAM JUST IN CASE YOU DON'T KNOW THAT TOO.**

**RESPECTFULLY RURAL RESIDENTS OF THE AREA, AND THERE ARE MORE. YOU DIDN'T GIVE US AMPLE TIME, AS YOUR SIGNS ONLY WENT UP A WEEK AGO BEFORE THIS MEETING. ALL OUR NAMES ARE ON GPA 1129 TOO.**

**V. ROMBERGER  
P. SORUM  
G. SORUM  
D. SCALES  
M. SCALES  
J. ROMBERGER  
F. ROMBERGER  
L. FREDRICKS  
C. FREDRICKS**



LAW

## *Dam-failure Inundation Zone*

Effective March 1, 1998, Agents and Sellers of real property in California are required to disclose to all potential buyers whether the subject property is in an officially mapped dam-failure inundation zone.



A dam-failure inundation zone is DIFFERENT than the "NFIP" flood zone for which a determination is required when borrowing a federally-backed mortgage loan. The National Flood Insurance Program (NFIP) flood zones are areas along streams or coasts where storm flooding is possible from a "100-year flood."

Dam-failure inundation, in contrast, is flooding which could result from the failure of a dam upstream as the result of an earthquake or other catastrophe.

This disclosure requirement was signed into law on October 6th, 1997, by Governor Pete Wilson. Based on California Assembly Bill 6X (called the "Torlakson Bill"), this new law outlines the specific procedures for existing natural hazard disclosures, and incorporates dam-failure inundation as an additional mandatory disclosure zone for clarifying flood zone disclosures.

A Standardized Natural Hazards Disclosure Statement form must now be completed with the appropriate information and signed by the Buyer and the Seller.

(See also new requirements for [Very High Fire Hazard Severity Zone disclosure](#) and [Seismic Hazard Mapping Act Zone disclosure](#).)

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# CALIFORNIA BAR JOURNAL

OFFICIAL PUBLICATION OF THE STATE BAR OF CALIFORNIA - AUGUST 1999



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## MCLE SELF-STUDY

### Natural Hazard Disclosure *LAW*

**Failure to comply with 1998 law may render seller of property or agent liable for actual damages**

By JEFFREY G. WAGNER

*see pg 3*

\* Urgency legislation signed by Gov. Wilson last year, which became effective June 1, 1998, may have a widespread impact on real estate transactions in California involving both residential and nonresidential properties. Sellers now must disclose to buyers if the property is located in a special flood hazard area, dam failure inundation area, earthquake fault zone, seismic hazard zone, high fire severity area or a wildland fire area. The disclosure requirements apply to all real estate transactions, including residential resales, new subdivision sales and commercial property transactions. Failure to make the required disclosure may render the seller or the seller's agent liable for actual damages suffered by the buyer.

The legislation mandates the specific form of disclosure that must be made for certain types of residential sales. The new consolidated natural hazard disclosure statement (NHDS) must be provided if: (1) the sale is subject to the real estate transfer disclosure statement (TDS) requirement of California Civil Code §§1102 through 1102.17 and the (2) the property is located within one of six designated natural hazard areas.

The TDS and NHDS requirements apply only to residential transactions and generally only to resale transactions, as most new subdivision sales are exempt. The NHDS represents a consolidation of six independent statutory disclosure requirements, three of which became law under the new legislation (special flood hazard area, dam inundation failure area, and high fire severity), and three of which were existing disclosure statutes amended by the new legislation (earthquake fault zone, seismic hazard area, and wildland fire area).

Each separate disclosure statute applies to the sale of "real property" and is



not restricted to transactions where a TDS is required to be provided. If the TDS requirement applies, the NHDS disclosure form must be made but the seller or agent may elect the form of disclosure to be given.

One purpose of the NHDS requirement was to locate in one area existing disclosure requirements set forth in different codes and often missed. One unexpected side effect is that it unearthed disclosure requirements previously thought by many to be applicable only to residential resale transactions. It is possible that subsequent legislation may reduce the scope of these disclosure requirements. Unless and until this occurs, however, the statutory language encompasses all real estate sales transactions. (AB 248 (Torlakson), currently pending in the Senate, proposes changes in some of the requirements.)

#### • WHEN MUST THE DISCLOSURE BE MADE?

Disclosure must be made if the seller or seller's agent has actual knowledge that the property is located within one of the designated hazard zones. Disclosure also must be made without regard to actual knowledge if the local jurisdiction has been provided with either (1) a list by parcel of the properties within the area (special flood and dam failure inundation areas) or (2) the required maps (high fire severity zones, wildland fire area, earthquake fault zones, and seismic hazard zones), and the required notice regarding the location of the list or map has been posted in the applicable local governmental offices. Thus, sellers and their agents will be considered to have constructive knowledge of any hazard area information available through local agencies.

#### • HOW DO YOU DETERMINE IF THE PROPERTY IS IN A HAZARD ZONE?

The immediate challenge to sellers, their agents and their attorneys is how to determine whether the property is located within one of the designated hazard areas. There are six natural hazard areas covering three types of hazards: flood, fire and earthquake. Each hazard has two types of designated areas: flood (100-year flood plain and dam failure inundation area); fire (high fire severity zone and wildland fire area); and earthquake (earthquake fault zone and seismic hazard zone).

Public and private sources for information are available. As might be expected, the legislation has sparked new business opportunities. A number of private businesses, including companies, will research a particular piece of property and provide a report for a fee. Appropriate due diligence should be taken to assess the qualification and financial strength of the provider as well as any contractual limitations on the provider's liability if the report is in error. Contractual limitations are to be

expected as the current fees charged for this service are not significant (approximately \$60 to \$75 per report). The seller or the seller's agent remains ultimately responsible to the buyer for any errors; and, as noted below, the potential liability may be significant.

The author, in a random and unscientific test of city and county agencies for information on hazard areas within their jurisdictions, found the experience frustrating and futile. Inquiries were met with silence or "Let me transfer you to another department." It is hoped that as information about the new requirements spreads, local agencies eventually will prove to be a good information source. Until this occurs, state agencies and private providers remain the most effective sources.

For those choosing to do the research on their own or to supplement or verify information provided by others, set forth below is a brief description of each hazard area and sources for information about whether a particular piece of property is located within the area.

#### **Special flood hazard areas (FEMA - Zones A and V)**

This area includes properties within Zones A and V of the flood insurance rate maps issued by the Federal Emergency Management Agency (FEMA). Zone A is the 100-year flood plain and Zone V is a 100-year coastal flood area. FEMA flood maps are readily available and most sales agents are familiar with the maps. The best source for confirmation of whether the property is located in a flood zone is the local planning department. Copies of FEMA's flood insurance rate maps can be obtained directly from FEMA for a small charge through its MAP Service Center (1-800/358-9616). A community panel number is necessary to obtain the correct map for a particular piece of property. This number should be available through the local planning or public works department. Additional information is available on FEMA's website at [www.fema.gov](http://www.fema.gov).



#### **Dam failure inundation area**

This area includes properties designated by the State Office of Emergency Services (OES) as subject to potential flooding in the event of partial or total failure of any dam that would result in death or personal injury. The OES has the responsibility to distribute inundation maps for these areas, and the maps are to be kept on file with the OES and the State Department of Water Resources. A notice is to be posted at the county recorder's office, county assessor's office, and county planning agency office that identifies the location of the map and any subsequent information received by the county regarding changes to the inundation areas.

Every county in California (except Del Norte) contains one or more dams



with a designated inundation area, and OES has delivered maps to each of these counties. According to OES, the best current source for finding the location of these maps is the county's local office of emergency services. This office will either have the map or know where the map is located. Map information is available on the internet. OES's web site is [www.oes.ca.gov](http://www.oes.ca.gov).

### **High fire severity zone**

In response to the Oakland hills fire, the legislature passed California Government Code §§51175 through 51188 to identify areas that are subject to a very high fire risk, to establish certain fire prevention maintenance standards, and to require disclosure to prospective purchasers of property in these areas. The Director of Forestry and Fire Protection is required to identify very high fire hazard severity zones and to transmit the information to all local agencies. If a county receives an official map identifying high fire zones within the county, it is required to post a notice in the county recorder's, assessor's, and planning agency's offices that identifies the location of the map.

As of June 1, 1999, maps were prepared for high fire severity zones in 25 counties. Each map covers one county. The maps are 36 inches by 48 inches and include roads, water features and other landmarks to aid in determining whether a particular property is located in the area. Maps may be ordered from the Teale Data Center, P.O. Box 13436, Sacramento CA 95813, 916/263-1767. The website is [www.gislab.teale.ca.gov](http://www.gislab.teale.ca.gov). The cost is \$35 per map plus \$10 shipping and tax. It is anticipated that the maps eventually will be available on the internet. Further information can be obtained from the State Board of Forestry in Sacramento.

### **Wildland fire area**

Wildland fire areas (or state responsibility areas) include properties where the state (rather than any local or federal agency) has the primary financial responsibility to prevent and suppress fires. The seller must disclose to any prospective purchaser that: (1) the property is located in the area, (2) the area may contain substantial fire risks and hazards, and (3) the property is subject to the fire prevention measures contained in California Public Resources Code §4291, such as the maintenance of firebreaks around all structures.

In addition, if the county has not assumed fire suppression responsibility in all areas of the county (including state responsibility areas), the seller must disclose that the state has no responsibility to provide fire protection to any building or structure located within the wildlands absent a cooperative agreement with the local agency under California Public Resources Code §4142.

The State Board of Forestry is required to classify wildland fire areas and to provide maps identifying the areas to the county assessor of each county that contains such areas. Notices are to be posted in the county recorder's, assessor's, and planning agency's offices identifying the location of the map.

Maps have been prepared for wildland fire areas in 56 counties (all but San Francisco and Sutter) and may be ordered from the Teale Data Center as described above. Each county map will show both the wildland fire areas and any high fire severity zones located in that county. Further information can be obtained from the State Board of Forestry in Sacramento

### **Earthquake fault zone (Alquist-Priolo Act)**

This area covers property located within a delineated earthquake fault zone as shown on an official earthquake fault zone map. The State Geologist is required to compile maps that delineate earthquake fault zones that encompass all potentially and recently active traces of the San Andreas, Calaveras, Hayward and San Jacinto faults. The State Geologist also is required to include such other faults that are sufficiently active and well-defined as to constitute a potential hazard to structures from surface faulting or fault creep. The zones are to be one-quarter mile or less in width but the State Geologist may designate a wider zone. The State Geologist is to provide copies of the official maps to each city and county with jurisdiction over the property located within the zone. Counties receiving maps must post notices in the county recorder's, assessor's, and planning agency's offices identifying the location of the maps.

As of May 1999, maps had been issued for earthquake fault zones in 100 cities in 36 counties. In order to obtain a copy of the map, you must first determine the name of the map. This can be done by obtaining a copy of Special Publication No. 42 entitled "Fault-Rupture Hazard Zones in California" issued by the California Division of Mines and Geology (DMG). It can be ordered for a small fee from DMG at 916/445-5716 (Sacramento), 213/620-3560 (Los Angeles), or 415/904-7707 (San Francisco). With the map name in hand, the map may be ordered for a small fee from BPS Reprographics Services, 149 Second St., San Francisco 94105, 415/512-6550. Additional information regarding earthquake fault zones may be obtained over the internet from DMG's website [www.consrv.ca.gov/dmg](http://www.consrv.ca.gov/dmg).

### **Seismic hazard zone**

Seismic hazard zones are areas delineated by the State Geologist that may be subject to strong ground shaking, liquefaction, landslides or other ground failures, and other seismic hazards caused by earthquakes. On completion of each official map identifying such areas, the State Geologist

must provide copies to each city and county having jurisdiction over lands within the zone. Upon receipt of a map, the county must post a notice in the county recorder's, assessor's, and planning agency's offices identifying the location of the map.

As of March 25, 1999, 40 official maps have been issued for seismic hazard areas in four counties (Los Angeles, Orange, San Francisco and Ventura). The map name is necessary in order to obtain a copy of the map. The map name can be obtained from the "Seismic Hazard Mapping Bulletin" issued by DMG. It can be ordered from DMG as described above and also is available from the internet at [www.consrv.ca.gov/dmg/shezp/disclose.html](http://www.consrv.ca.gov/dmg/shezp/disclose.html). The map itself can be ordered from BPS Repro-graphics as described above.

#### **• WHAT IF YOU ARE UNSURE WHETHER THE PROPERTY IS IN A HAZARD ZONE?**

For certain hazard areas (earthquake fault zone, seismic hazard zone, high fire severity zone or wildland fire area), if a map is available but the map or accompanying information is not of sufficient accuracy or scale that a reasonable person can determine whether the property is within the area, the seller or seller's agent must assume that the property is located within the area, mark "yes" on the applicable NHDS provision, and provide the NHDS to the buyer. "No" can be marked if an expert's report prepared pursuant to California Civil Code §1102.4(c) verifying that the property is not in the area is attached to the NHDS. Presumably in this situation, the NHDS still must be provided to the buyer (along with the expert's report) even if the NHDS shows the property is not within any of the six areas. The requirement to disclose if "unsure" does not apply to properties within FEMA Zone A or V or a dam failure inundation area. Apparently, the legislature felt that the information available on these areas is sufficiently clear to identify properties located within their boundaries.

It is uncertain whether the duty to disclose if "unsure" applies to TDS-exempt transactions. The statutory language presumes that the buyer will be provided with an NHDS, and TDS-exempt transactions are not required to use the NHDS. Corrective legislation may be necessary to clarify this ambiguity. Until this is resolved, the prudent course would be to assume that the duty to disclose if "unsure" applies to all real estate transactions in earthquake fault zones, seismic hazard zones, high fire severity zones and wildland fire areas.

#### **• WHO MUST MAKE THE DISCLOSURE?**

The seller's agent has the primary responsibility to make disclosure for properties located in an earthquake fault zone, seismic hazard zone, FEMA

Zone A or V, and dam failure inundation area. If the seller has no agent, the seller must make the disclosure. The seller is charged with the direct responsibility for making the disclosure for properties located in high fire severity zones and wildland fire areas.

#### • HOW MUST THE DISCLOSURE BE MADE?

If the transaction is subject to the TDS requirement, the disclosure must be made using either the NHDS set forth in California Civil Code §1102.6c(b) or a local form as long as the form includes substantially the same information and same warning required by the statutory disclosure form.

The mandated disclosure form contains a warning in bold print that the hazards may limit the buyer's ability to develop the property, to obtain insurance, or to receive assistance after a disaster.

For transactions where the seller is not required to provide a TDS but is subject to the independent statutory disclosure requirements, it may be advisable to use the mandated form or at least incorporate the substantive provisions of the form. The NHDS represents a convenient, consolidated and state-authorized mechanism for providing the necessary disclosures. It also may become the standard that establishes the minimum disclosure that must be met.

Practitioners should be aware, however, that the NHDS may not be sufficient in every transaction. A property's unique circumstances may require disclosure of additional hazard area information. The new requirements expressly provide that the specific disclosure obligations do not limit or abridge any disclosure duty created by any other provision of law (including presumably a common law disclosure duty) or required in order to avoid fraud, misrepresentation or deceit in the transaction.

#### • WHAT HAPPENS IF THE DISCLOSURE IS NOT MADE?

Failure to make the required disclosure will not invalidate the transaction; however, any person who willfully or negligently fails to make the required disclosure is liable in the amount of actual damages suffered by the transferee.

It takes little imagination to see the significant and frightening exposure a failure to disclose may mean to sellers and their agents. Fire, flood or earthquake victims may now have a new source of potential recovery, particularly if insurance proceeds are inadequate or nonexistent. It is uncertain whether the legislature understood that this new law has the potential of converting unwitting sellers into insurers against natural disasters. In the past, property owners generally have had little recourse when nature wreaks havoc; now many may be scrambling for their sales

documents to see if the proper disclosures were made.

This potential exposure for failure to disclose has been applicable to earthquake fault zones and seismic hazard areas for a number of years. The duty to disclose, however, was abated for some time because the maps were not available. With maps now available and information about disclosure obligations more widely known, liability for failing to disclose may rise dramatically.

Sellers of homes in large subdivisions sold in multiple phases over a period of years must be prepared to periodically check the hazard area information available for such projects. The releasing of hazard area maps is an ongoing process. Previously unmapped property may find itself eventually within a mapped hazard zone triggering a disclosure duty.

#### **\* CAN INFORMATION PROVIDED BY OTHERS INSULATE SELLERS AND AGENTS FROM POTENTIAL LIABILITY?**

Sellers and agents in transactions subject to the TDS disclosure requirements may receive some liability protection from California Civil Code §1102.4 if they rely on information received from public agencies or qualified experts. Neither the seller nor the agent is liable for any error, inaccuracy or omission if (1) it is based on information received from a public agency or qualified expert; (2) the error, inaccuracy, or omission was not within the personal knowledge of the seller or agent; and (3) the seller or agent exercised ordinary care in obtaining and transmitting the information. A "qualified" expert may be a licensed engineer, land surveyor, geologist, structural pest control operator, contractor or other expert dealing with matters within the scope of the professional's license or expertise.

It is uncertain whether this liability protection extends to transactions exempt from the TDS disclosure requirements. Each of the six separate statutory disclosure requirements specifically incorporates the liability provisions of California Civil Code §1102.13 (see discussion above), but none incorporates the liability protection provisions of §1102.4. There appears to be no reason for not extending these protections to TDS-exempt transactions. It is hoped the failure to do so was a legislative oversight that future legislation will correct.

#### **Conclusion**

It remains to be seen whether this new legislation simply adds more to the seller's already large disclosure pile or whether it also shifts significant liability on to sellers and agents. Most property owners understand and accept nature's risks and protect themselves as best they can through insurance. Few seek to blame human error for damages wrought by natural

disasters.

This may no longer be the case, and therein lies the problem with this new legislation.

Courts hopefully will be reluctant to tag a mere careless seller or agent with enormous disaster damages. This risk, however, may be too great to await a judicial response.

The legislature needs to act swiftly to address this liability issue. In the meantime, practitioners should notify their clients of these new disclosure requirements so that they do not find themselves as unwitting insurers against natural disasters.

• *Jeffrey G. Wagner is a partner in the law firm of Luce, Forward, Hamilton & Scripps, LLP, specializing in real property law with an emphasis in common interest developments.*

## California Real Estate Flooding | Dam Failure Disclosure

By Lisa Davies | 5/25/2018

Dams are erected to stop flooding, to generate hydroelectric power, and to control rivers, but they can wreak serious havoc if they break, and questions about a property being located in a dam inundation zone are on the rise. While the dam inundation zone may not sound as scary as an earthquake fault zone or a liquefaction zone, many foreign buyers and foreign national investors purchasing real estate in California have shown concerns about the property they want to buy being located in or near dam failure inundation zones.



Why are foreign national and home buyers so concerned about dam failure? Consider this: The Three Gorges Dam is a hydroelectric dam that spans the Yangtze River by the town of Sandouping, located in Yiling District, Yichang, Hubei province, China. The Three Gorges Dam is the world's largest power station in terms of installed capacity (22,500 MW), and is arguably the most notorious dam. The massive project has set records for the number of people displaced (more than 1.2 million), number of cities and towns flooded (13 cities, 140 towns, 1,350 villages), and length of reservoir (more than 600 kilometers). The project has allegedly been plagued by corruption, spiraling costs, environmental impacts, human rights violations, and resettlement difficulties.

Potential flooding because of dam failure poses a threat in any part of the world where water has been channeled, dammed, or harnessed, and California is no exception. Why so many dams? Around the middle of the 20th Century, dams were seen as the essence of progress – man harnessing nature to generate power for unlimited real estate development and for converting deserts into farms. So America went on a dam building binge. California has over 1,400 regulated dams – each comes with its own map showing its own source for destructive potential.

Unlike fires and earthquakes, dam failure in does not happen often - but it has happened in the past and when it does, it can be devastating. Hundreds of dam failures have occurred throughout U.S. history. These failures have caused immense property and environmental damages and have taken thousands of lives. If you are a new homebuyer, you would want to consider the vulnerability of a property to flooding and the cost of the flood insurance the property would require.

On the morning of July 17, 1995, the Folsom Dam failed and 40,000 cubic feet of water per second began pouring out of the filled reservoir at 8:00 a.m. The National Weather Service issued a flash-flood warning for areas along the American River and police and sheriff's deputies cleared dozens of people from the river banks and closed nearby roads and parks.

On September 21, 1998, at 5:47 a.m., one of two five million gallon city water storage tanks in the City of Westminster ruptured, sending a six foot high wall of water charging through the community in a raging torrent of fury. Unfortunately, several people were hurt in this calamity, and nearly seventy residents had to be evacuated. Thirty homes were red-tagged, and ten homes were scheduled for demolition. The violent wall of water smashed into living rooms, hoisted vehicles onto garages, and cars and trucks were thrown upon one another.

Effective June 1998, section 8589.4 of the California Government Code Law made the disclosure of Flood and Inundation Zones mandatory in every real estate transaction in the State of California.

Property I.D. Corporation is the premier providing accurate dam inundation . These determinations are based on maps and criteria issued by the Office of Emergency Services and include required local city and county data.

**Featured Articles**

# Title 5, California Code of Regulations

This is an excerpt of *California Code of Regulations, Title 5* that relate to school facilities construction. The complete text of the *California Code of Regulations, Title 5* may be downloaded from the Office of Administrative Law.

## Division 1, Chapter 13, Subchapter 1

### School Facilities Construction

#### Article 1. General Standards

See  
pg 2  
# 50

#### §14001. Minimum Standards.

Educational facilities planned by school districts shall be:

- a. Evolved from a statement of educational program requirements which reflects the school district's educational goals and objectives.
- b. Master-planned to provide for maximum site enrollment.
- c. Located on a site which meets California Department of Education standards as specified in Section 14010.
- d. Designed for the environmental comfort and work efficiency of the occupants.
- e. Designed to require a practical minimum of maintenance.
- f. Designed to meet federal, state, and local statutory requirements for structure, fire, and public safety.
- g. Designed and engineered with flexibility to accommodate future needs.

Note: Authority cited: sections 17251(b) and 33031, *Education Code*. Reference: Section 17017.5 and 17251(b), *Education Code*.

#### Article 2. School Sites

#### § 14010. Standards for School Site Selection.

All districts shall select a school site that provides safety and that supports learning. The following standards shall apply:

- a. The net usable acreage and enrollment for a new school site shall be consistent with the numbers of acres and enrollment established in Tables 1-6 of the 2000 Edition, "School Site Analysis and Development" published by the California Department of Education and incorporated into this section by reference, in toto, unless sufficient land is not available or circumstances exist due to any of the following:
  1. Urban or suburban development results in insufficient available land even after considering the option of eminent domain.
  2. Sufficient acreage is available but it would not be economically feasible to mitigate geological or environmental hazards or other site complications which pose a threat to the health and/or safety of students and staff.
  3. Sufficient acreage is available but not within the attendance area of the unhouseed students or there is an extreme density of population within a given attendance area requiring a school to serve more students on a single site. Choosing an alternate site would result in extensive long-term bussing of students that would cause extreme financial hardship to the district to transport students to the proposed school site.
  4. Geographic barriers, traffic congestion, or other constraints would cause extreme financial hardship for the district to transport students to the proposed school site.
- b. If a school site is less than the recommended acreage required in subsection (a) of this section, the district shall demonstrate how the students will be provided an adequate educational program including physical education as described in the district's adopted course of study.
- c. The property line of the site even if it is a joint use agreement as described in subsection (a) of this section shall be at least the following distance from the edge of respective power line easements:



1. 100 feet for 50-133 kV line.
  2. 150 feet for 220-230 kV line.
  3. 350 feet for 500-550 kV line.
- d. If the proposed site is within 1,500 feet of a railroad track easement, a safety study shall be done by a competent professional trained in assessing cargo manifests, frequency, speed, and schedule of railroad traffic, grade, curves, type and condition of track need for sound or safety barriers, need for pedestrian and vehicle safeguards at railroad crossings, presence of high pressure gas lines near the tracks that could rupture in the event of a derailment, preparation of an evacuation plan. In addition to the analysis, possible and reasonable mitigation measures must be identified.
  - e. The site shall not be adjacent to a road or freeway that any site-related traffic and sound level studies have determined will have safety problems or sound levels which adversely affect the educational program.
  - f. Pursuant to *Education Code* sections 17212 and 17212.5, the site shall not contain an active earthquake fault or fault trace.
  - g. Pursuant to *Education Code* sections 17212 and 17212.5, the site is not within an area of flood or dam flood inundation unless the cost of mitigating the flood or inundation impact is reasonable.
  - h. The site shall not be located near an above-ground water or fuel storage tank or within 1500 feet of the easement of an above ground or underground pipeline that can pose a safety hazard as determined by a risk analysis study, conducted by a competent professional, which may include certification from a local public utility commission.
  - i. The site is not subject to moderate to high liquefaction or landslides.
  - j. The shape of the site shall have a proportionate length to width ratio to accommodate the building layout, parking and playfields that can be safely supervised and does not exceed the allowed passing time to classes for the district.
  - k. The site shall be easily accessible from arterial roads and shall allow minimum peripheral visibility from the planned driveways in accordance with the Sight Distance Standards established in the "Highway Design Manual," Table 201.1, published by the Department of Transportation, July 1, 1990 edition, and incorporated into this section by reference, in toto.
  - l. The site shall not be on major arterial streets with a heavy traffic pattern as determined by site-related traffic studies including those that require student crossings unless mitigation of traffic hazards and a plan for the safe arrival and departure of students appropriate to the grade level has been provided by city, county or other public agency in accordance with the "School Area Pedestrian Safety" manual published by the California Department of Transportation, 1987 edition, incorporated into this section by reference, in toto.
  - m. Existing or proposed zoning of the surrounding properties shall be compatible with schools in that it would not pose a potential health or safety risk to students or staff in accordance with *Education Code* Section 17213 and *Government Code* Section 65402 and available studies of traffic surrounding the site.
  - n. The site shall be located within the proposed attendance area to encourage student walking and avoid extensive bussing unless bussing is used to promote ethnic diversity.
  - o. The site shall be selected to promote joint use of parks, libraries, museums and other public services, the acreage of which may be included as part of the recommended acreage as stated in subsection (a) of this section.
  - p. The site shall be conveniently located for public services including but not limited to fire protection, police protection, public transit and trash disposal whenever feasible.
  - q. The district shall consider environmental factors of light, wind, noise, aesthetics, and air pollution in its site selection process.
  - r. Easements on or adjacent to the site shall not restrict access or building placement.
  - s. The cost and complications of the following shall be considered in the site selection process and should not result in undue delays or unreasonable costs consistent with State Allocation Board standards:
    1. Distance of utilities to the site, availability and affordability of bringing utilities to the site.
    2. Site preparation including grading, drainage, demolition, hazardous cleanup, including cleanup of indigenous material such as serpentine rock, and off-site development of streets, curbs, gutters and lights.
    3. Eminent domain, relocation costs, severance damage, title clearance and legal fees.
    4. Long-term high landscaping or maintenance costs.
    5. Existence of any wildlife habitat that is on a protected or endangered species list maintained by any state or federal agency, existence of any wetlands, natural waterways, or areas that may support migratory species, or evidence of any environmentally sensitive vegetation.
  - t. If the proposed site is on or within 2,000 feet of a significant disposal of hazardous waste, the school district shall contact the Department of Toxic Substance Control for a determination of whether the property should be considered a Hazardous Waste Property or Border Zone Property.
  - u. At the request of the governing board of a school district, the State Superintendent of Public Instruction may grant exemptions to any of the standards in this section if the district can demonstrate that mitigation of specific

Scan

# COUNTY OF RIVERSIDE

## TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

### Planning Department

Ron Goldman · Planning Director

**DATE:** March 23, 2010

**TO:** Clerk of the Board of Supervisors

**FROM:** Planning Department - Riverside Office

**SUBJECT:** GPA00921

(Charge your time to these case numbers)

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

- Place on Administrative Action (Receive & File; EOT)
    - Labels provided If Set For Hearing
      - 10 Day  20 Day  30 day
  - Place on Consent Calendar
  - Place on Policy Calendar (Resolutions; Ordinances; PNC)
  - Place on Section Initiation Proceeding (GPIP)
  - Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA)
  - Publish in Newspaper:
    - \*\*SELECT Advertisement\*\***
    - \*\*SELECT CEQA Determination\*\***
      - 10 Day  20 Day  30 day
  - Notify Property Owners (app/agencies/property owner labels provided)
- Controversial:  YES  NO

**Designate Newspaper used by Planning Department for Notice of Hearing:** NONE - GPIP

**Please schedule on the 04/06/2010 BOS Agenda**

**Documents to be sent to County Clerk's Office for Posting:**  
NONE - GPIP

Riverside Office · 4080 Lemon Street, 9th Floor  
P.O. Box 1409, Riverside, California 92502-1409  
(951) 955-3200 · Fax (951) 955-3157

Desert Office · 38686 El Cerrito Road  
Palm Desert, California 92211  
(760) 863-8277 · Fax (760) 863-7555

Ron  
2.23.10

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



**FROM:** TLMA - Planning Department

**SUBMITTAL DATE:**  
March 23, 2010

REVIEWED BY EXECUTIVE OFFICE

DATE

Tina Grande

Departmental Concurrence

**SUBJECT: GENERAL PLAN AMENDMENT NO. 921** – Foundation-Regular – Applicant: Dr. Sook P Choh – Engineer/Representative: Rick Engineering/Mick Ratican - Third Supervisorial District - Winchester Zoning District - Sun City/Menifee Valley Area Plan: Rural: Rural Residential (RUR-RR) (5 Acre Minimum Lot Size) – Location: Northerly of Scott Road, southerly of Wickerd Road, easterly of El Centro and westerly of Leon Road. - 77.72 Gross Acres - Zoning: Light Agriculture- 5 Acre Minimum Lot Size (A-1-5) - **REQUEST:** This General Plan Amendment proposes to amend General Plan Foundation Component of the subject site from Rural to Community Development and to amend the General Plan Land Use designation of the subject site from Rural Residential (RUR-RR) (5 Acre Minimum Lot Size) within the Highway 79 Policy Area to Medium Density Residential (CD:MDR) (2-5 du/ac). - APN(s): 466-220-029

**RECOMMENDED MOTION:**

The Planning Director recommends that the Board of Supervisors adopt an order initiating proceedings for the above referenced general plan amendment based on the attached report. The initiation of proceedings by the Board of Supervisors for the amendment of the General Plan, or any element thereof, shall not imply any such amendment will be approved.

**BACKGROUND:**

The initiation of proceedings for any General Plan Amendment (GPA) requires the adoption of an order by the Board of Supervisors. The Planning Director is required to prepare a report and recommendation on every GPA application and submit it to the Board of Supervisors. Prior to the submittal to the Board, comments on the application are requested from the Planning

Ron Goldman  
Planning Director

Initials:

Continued on attached page

Policy  
 Policy

Consent  
 Consent

Dep't Rec  
Per Exec. Ofc.:

**Prev. Agn. Ref.**

**District:** Third

**Agenda Number:**

Commission, and the Planning Commission comments are included in the report to the Board. The Board will either approve or disapprove the initiation of proceedings for the GPA requested in the application. The consideration of the initiation of proceedings by the Planning Commission and the Board of Supervisors pursuant to this application does not require a noticed public hearing. However, the applicant was notified by mail of the time, date and place when the Planning Commission and the Board of Supervisors would consider this GPA initiation request.

If the Board of Supervisors adopts an order initiating proceedings pursuant to this application, the proposed amendment will thereafter be processed, heard and decided in accordance with all the procedures applicable to GPA applications, including noticed public hearings before the Planning Commission and Board of Supervisors. The adoption of an order initiating proceedings does not imply that any amendment will be approved. If the Board of Supervisors declines to adopt an order initiating proceedings, no further proceedings on this application will occur.

The Board of Supervisors established the procedures for initiation of GPA applications with the adoption of Ordinance No. 348.4573 (effective May 8, 2008), which amended Article II of that ordinance.

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

I. **AGENDA ITEM 5.10: GENERAL PLAN AMENDMENT NO. 921** - Foundation / Regular - Applicant: Dr. Sook P. Choh - Engineer/Representative: Rick Engineering / Mick Ratican - Third Supervisorial District - Winchester Zoning District - Sun City / Menifee Valley Area Plan: Policy Area(s) - Highway 79 Policy Area; Estate Density Residential & Rural Residential Policy Area: Rural: Rural Residential (RUR-RR) (5 Acre Minimum Lot Size) - Location: North of Scott Road, east of El Centro Lane, south of Wickerd Road, and westerly of Leon Road - 77.72 Gross Acres - Zoning: Light Agriculture - 5 Acre Minimum Lot Size (A-1-5) - APN: 466-220-029.

II. **PROJECT DESCRIPTION**

This General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Rural (RUR) to Community Development and to amend General Plan Land Use designation of the subject site from Rural Residential (RUR:RR) (5 Acre Minimum Lot Size) to Medium Density Residential (2-5 Dwelling Units per Acre).

III. **MEETING SUMMARY**

The subject proposal did not require a presentation.

Project Planner, Tamara Harrison, at (951) 955-9721 or e-mail [tharriso@rctlma.org](mailto:tharriso@rctlma.org).

The following spoke in favor of the subject proposal:

Mick Ratican, Applicant's Representative

No one spoke in a neutral position or in opposition of the subject proposal.

IV. **CONTROVERSIAL ISSUES**

NONE

V. **PLANNING COMMISSION ACTION**

The Planning Commission, recommended to the Board of Supervisors;

**INITIATION of the GENERAL PLAN AMENDMENT**

VI. **CD**

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

**Agenda Item No.: 5.10**  
**Area Plan: Sun City/Menifee Valley**  
**Zoning District: Winchester**  
**Supervisory District: Third**  
**Project Planner: Tamara Harrison**  
**Planning Commission: December 2, 2009**

**General Plan Amendment No. 921**  
**Applicant: Dr. Sook P Choh**  
**Engineer/Representative: Rick Engineering**

## **COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS**

### **RECOMMENDATIONS:**

The Planning Director's recommendation that the Board of Supervisors adopt an order initiating proceedings for GPA00921 from Rural: Rural Residential to Community Development: Medium Density Residential and the Planning Commission made the comments below. The Planning Director continues to recommend adoption of an order initiating proceedings for the general plan amendment. For additional information regarding this case, see the attached Planning Department Staff Report(s).

### **PLANNING COMMISSION COMMENTS TO THE PLANNING DIRECTOR:**

The following comment(s) were provided by the Planning Commission to the Planning Director:

**Commissioner John Roth:** Commissioner Roth indicated that he was concerned about continuing to allow Community Development designations in rural areas. Mr. Roth indicated that rural areas were being destroyed and eliminated one piece at a time. Mr. Roth inquired as to where the demarcation line would be between Community Development and Rural in the area.

**Commissioner John Snell:** No Comments

**Commissioner John Petty:** No Comments

**Commissioner Jim Porras:** No Comments

**Commissioner Jan Zuppardo:** No Comments

**Agenda Item No.: 5.10**  
**Area Plan: Sun City/ Menifee Valley**  
**Zoning District: Winchester Area**  
**Supervisory District: Third**  
**Project Planner: Tamara Harrison**  
**Planning Commission: December 2, 2009**

**General Plan Amendment No. 921**  
**Applicant: Dr. Sook P. Choh**  
**Engineer/Representative: Rick Engineering**

## **COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT**

### **PROJECT DESCRIPTION AND LOCATION:**

The applicant proposes to amend the General Plan Foundation Component from "Rural" (RUR) to "Community Development" (CD) and the General Plan Land Use designation from "Rural Residential" (RR) (5 acre minimum lot size) to "Medium Density Residential" (MDR) (2-5 du/ac) for an approximately 77.72 acre site. The project is located northerly of Scott Road, southerly of Wickerd Road, easterly of Briggs Road and westerly of Leon Road.

### **POTENTIAL ISSUES OF CONCERN:**

The subject site is located in the "Winchester" community within the "Sun City/ Menifee Valley" area plan. Community Development: Medium Density Residential and Rural: Rural Residential lies to the west of the site and Rural Community: Estate Density Residential lies to the north. Rural: Rural Residential can be found to the east of the site and the City of Menifee lies to the south of the site directly across Scott Road. The proposal would be a reasonable extension of the Community Development Foundation given the site's proximity to the City of Menifee and existing Community Development designations.

Tract Map No. 31347 which lies west of the subject site across El Centro Road, approved 69 lots with a 7,200 square foot minimum lot size in 2004 and demonstrates some change that has occurred in the area since the adoption of the General Plan in 2003. The City of Menifee incorporated in October of 2008 and also presents some change for the area since the adoption of the General Plan. Due to nearby developments, water and sewer are available at the site.

The site is located within the boundaries of the Multiple Species Habitat Plan (MSHCP); however, the site does not fall within a criteria cell. The site will be required to conform to additional plan wide requirements of the MSHCP such as Riparian/Riverine Policies, Specific Species Surveys, Urban/Wildlands Interface Guidelines (UWIG) and Narrow Endemic Plant Species Policies and Determination of Biologically Equivalent or Superior Preservation Analysis (DBESP) as applicable.

The subject site also falls within the General Plan's "Highway 79" policy area. The current proposal is inconsistent with the General Plan's Highway 79 Policy Area. The policy area requires that residential development be proposed at 9% below the mid-point of the existing designation due to transportation infrastructure and capacity deficiencies. The policy did not include provisions to increase potential densities within the policy area as proposed by this amendment. A workshop was held at the regular Planning Commission meeting on September 30, 2009 in order to discuss the Highway 79 Policy area and the regular Foundation General Plan Amendments that fall within the policy area. As a result of the workshop, the Planning Commission recommended that those Foundation General Plan Amendments within the policy area be brought forward on a case by case basis in order to determine the appropriateness of each proposal and that the Highway 79 policies be reviewed during the General Plan update for potential amendments.

The parcel is also located at the southwestern edge of the General Plan's "Estate Density Residential and Rural Residential Area East of Interstate 215" policy area. The policy requires that "residential development in this area shall retain its existing estate density and rural character." The current proposal is inconsistent with the policy and the subject site would need to be removed from the policy area as part of the General Plan Amendment.

**RECOMMENDATION:**

The Planning Director's recommendation is to adopt an order initiating proceedings for General Plan Amendment No. 921 from Rural: Rural Residential to Community Development: Medium Density Residential. The initiation of proceedings for the amendment of the General Plan does not imply that any such amendment will be approved.

**INFORMATIONAL ITEMS:**

1. This project was filed with the Planning Department on February 6, 2008.
2. Deposit Based Fees charged for this project as of the time of staff report preparation, total \$3912.76.
3. The project site is currently designated as Assessor's Parcel Number: 466-220-029.

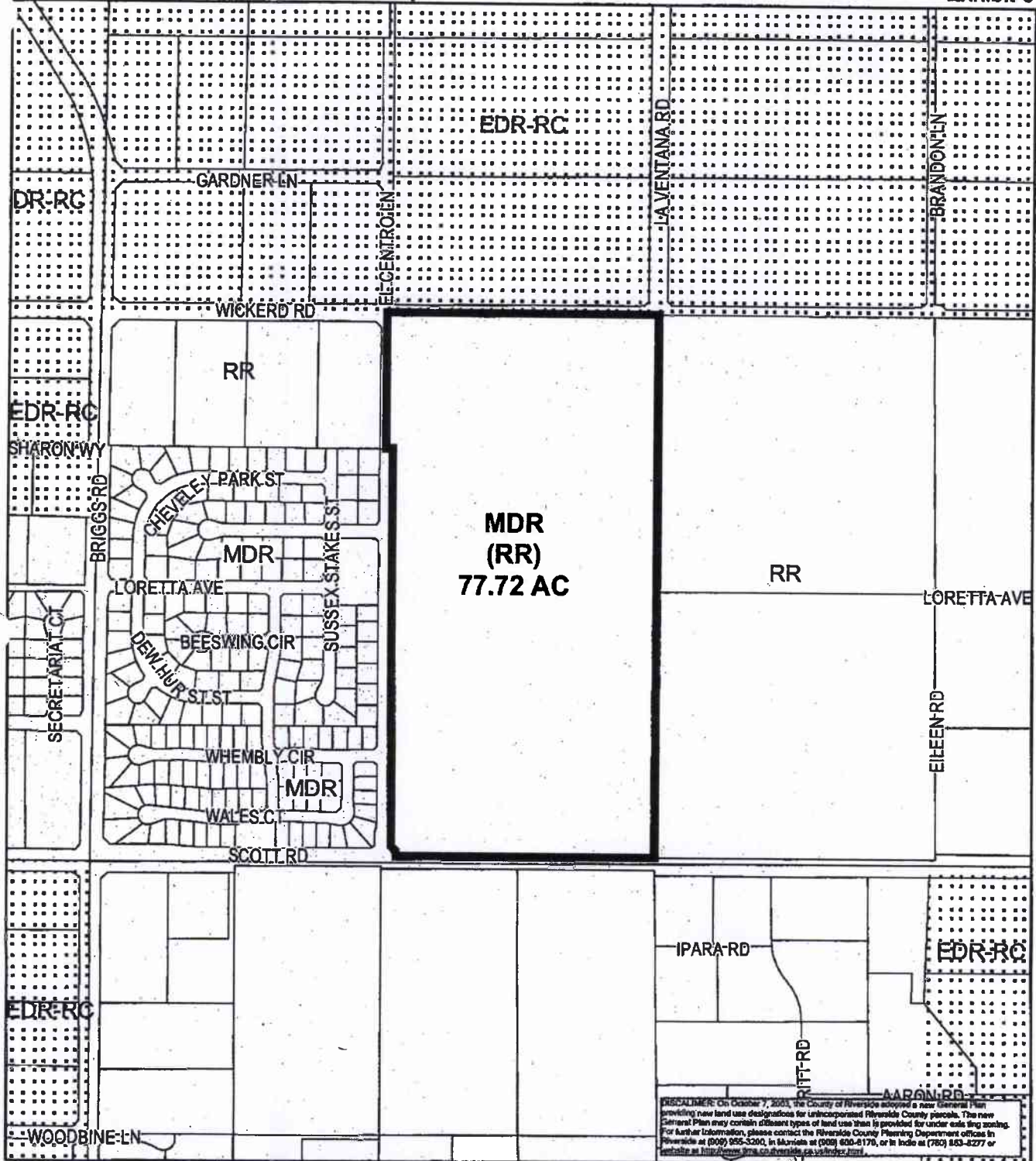


Supervisor Stone  
District 3  
Date Drawn: 2/20/08

# GPA00921

Planner: Amy Aldana  
Date: 2/21/08  
Exhibit 6

## Proposed General Plan



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 types 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, in Murrieta at (951) 600-6170, or in Indio at (760) 863-8277 or visit our website at <http://www.pra.ca.riverside.ca.us/index.html>.

### RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone  
Area: Winchester  
Township/Range: T6SR2W  
Section: 18



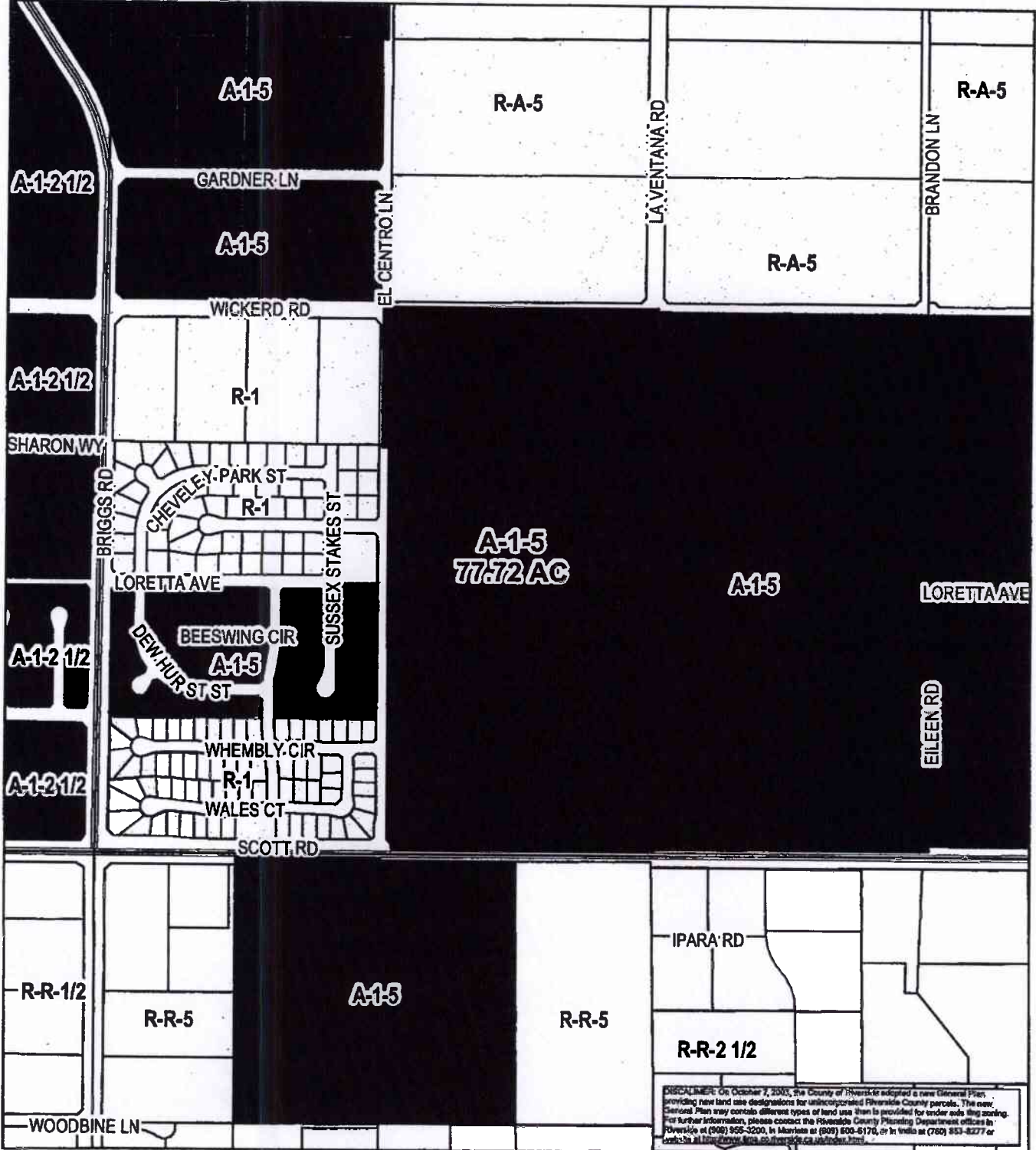
Assessors  
Bk.Pg. 466-22  
Thomas  
Bros. Pg. 869 A7



Supervisor Stone  
 District 3  
 Date Drawn: 2/20/08

**GPA00921**  
**EXISTING ZONING**

Planner: Amy Aldana  
 Date: 2/21/08  
 Exhibit 2



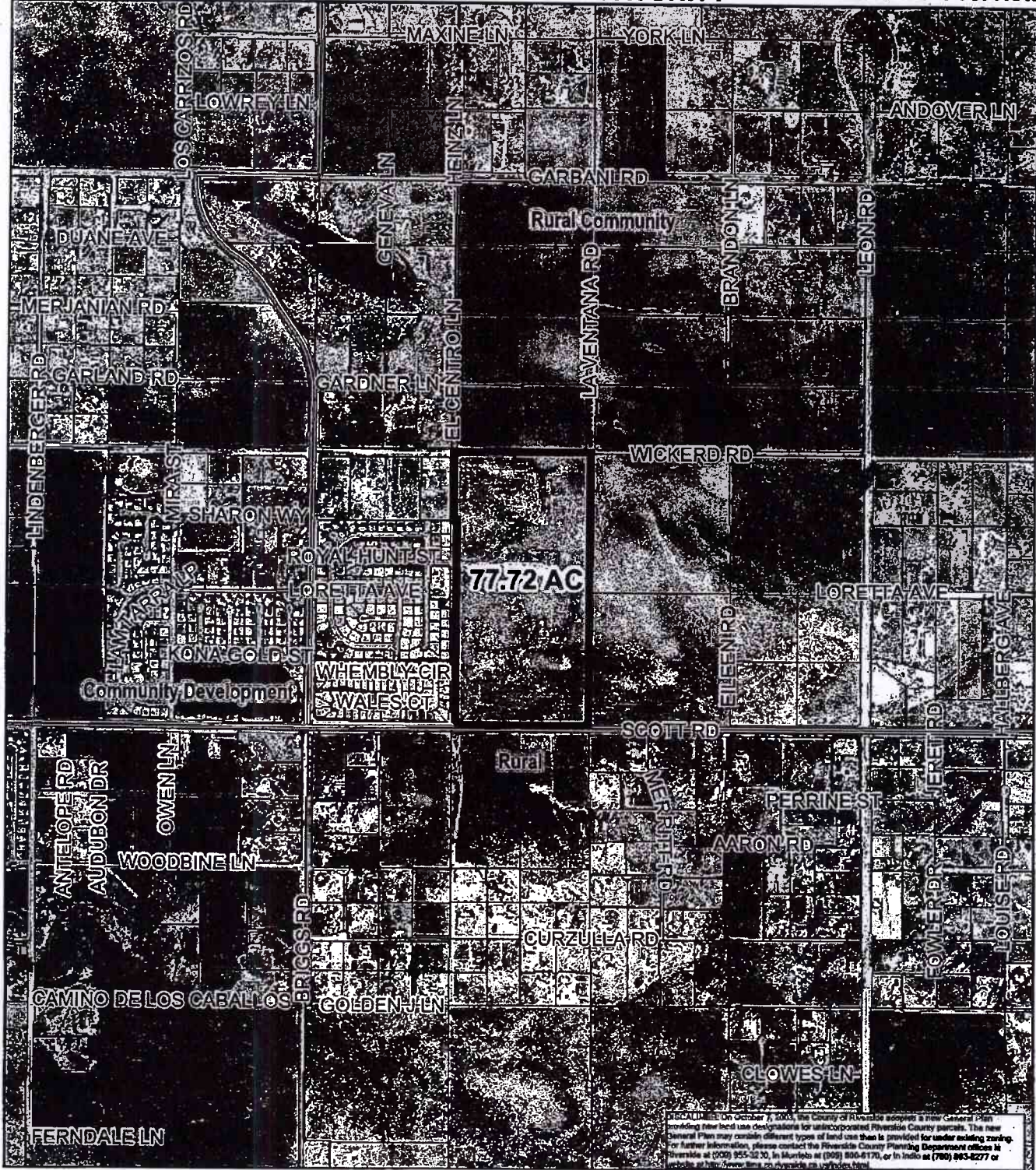
DISCLAIMER: On October 7, 2005, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under this zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200, in Maricopa at (909) 608-6170, or in Indio at (760) 853-8277 or visit to all Internet sites: <http://www.riverside.ca.gov/planning.htm>.

Zone  
 Area: Winchester  
 Township/Range: T6SR2W  
 Section : 18

**RIVERSIDE COUNTY PLANNING DEPARTMENT**

Assessors  
 Bk. Pg. 466-22  
 Thomas  
 Bros. Pg. 869 A7

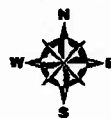




RECALLED: On October 1, 2008, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-1230, in Murietta at (951) 800-6170, or in Indio at (760) 863-8277 or visit us at <http://www.planning.riverside.ca.gov/plan.html>

RIVERSIDE COUNTY PLANNING DEPARTMENT

Area  
Plan: Winchester  
Township/Range: T6SR2W  
Section: 18

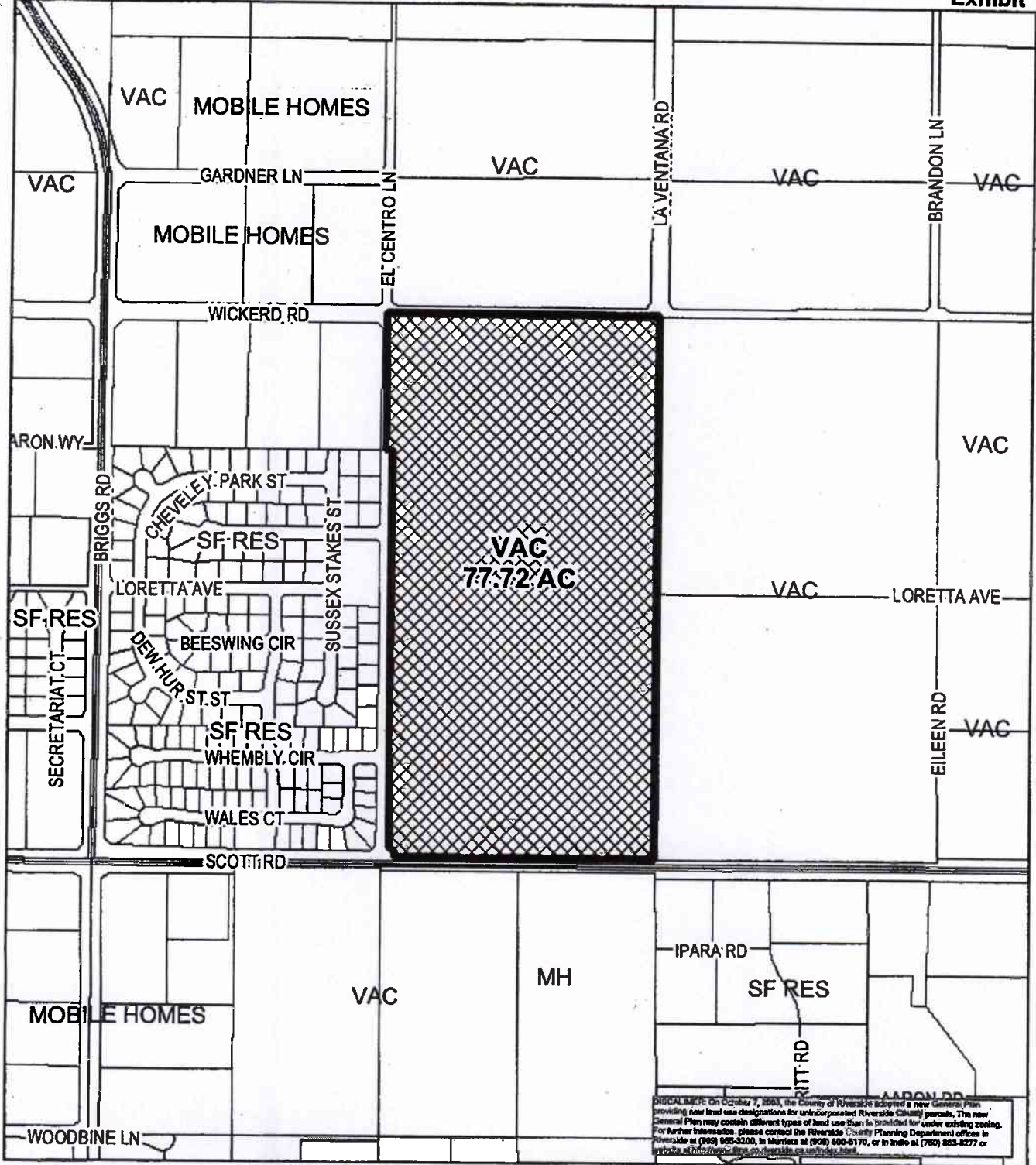


Assessors  
Bk. Pg. 466-22  
Thomas  
Bros. Pg. 869 A7

Supervisor Stone  
 District 3  
 Date Drawn: 2/20/08

**GPA00921**  
 Land Use

Planner: Amy Aldana  
 Date: 2/21/08  
 Exhibit 1



**RIVERSIDE COUNTY PLANNING DEPARTMENT**

**Zone**  
**Area:** Winchester  
**Township/Range:** T6SR2W  
**Section:** 18



**Assessors**  
**Bk. Pg.** 466-22  
**Thomas**  
**Bros. Pg.** 869 A7



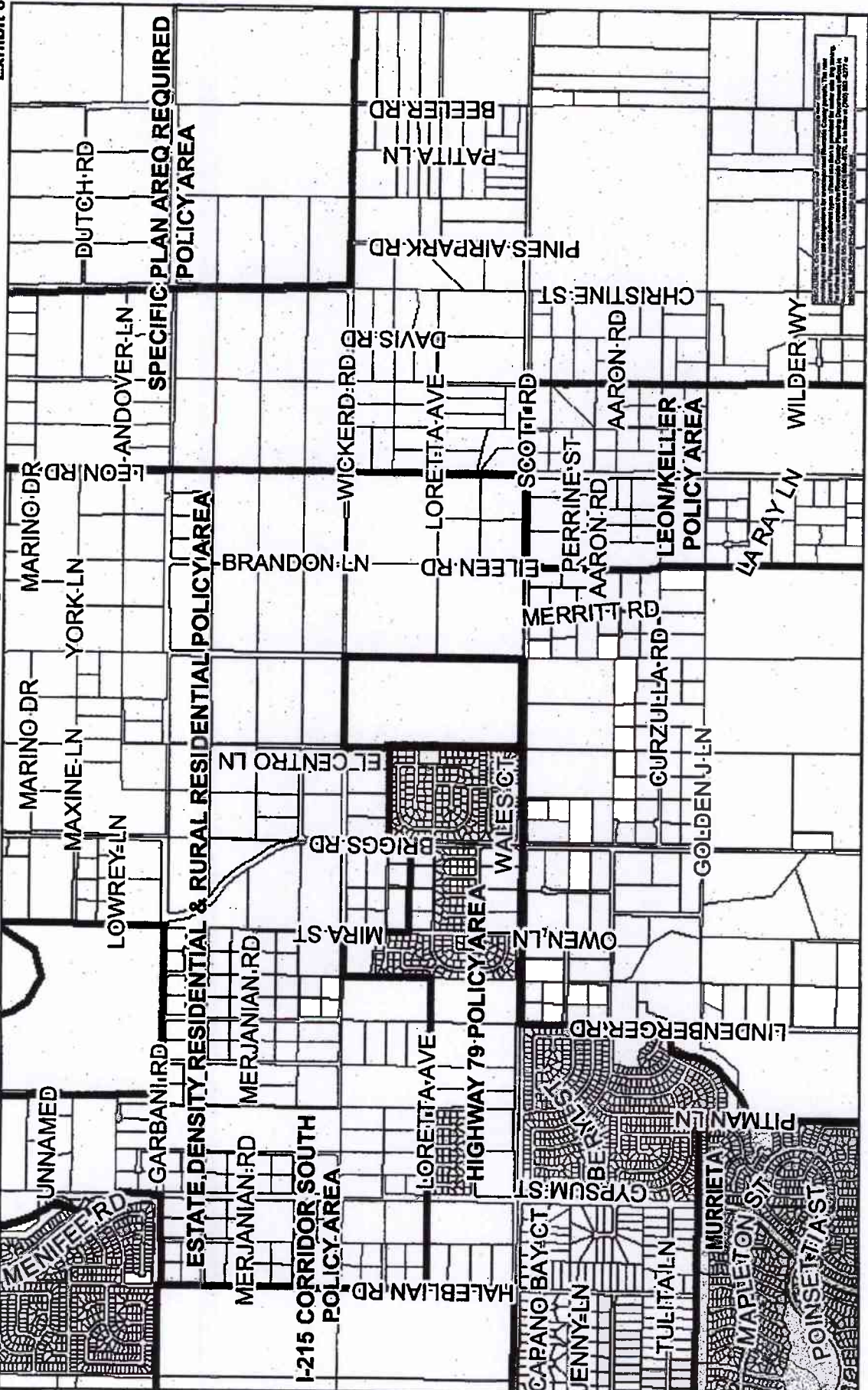
DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200, in Murietta at (951) 400-6170, or in Indio at (760) 863-8277 or website at <http://www.riverside.ca.us/index.html>.

Supervisor Stone  
District 3

Date Drawn: 2/20/08

**GP#0921**  
**POLICY AREAS**

Planner: ...y Aldana  
Date: 2/21/08  
Exhibit 8



Zone Winchester  
Area:  
Township/Range: T6SR2W  
Section : 18

**RIVERSIDE COUNTY PLANNING DEPARTMENT**



Assessors  
Bk. Pg. 466-22  
Thomas  
Bros. Pg. 869 A7

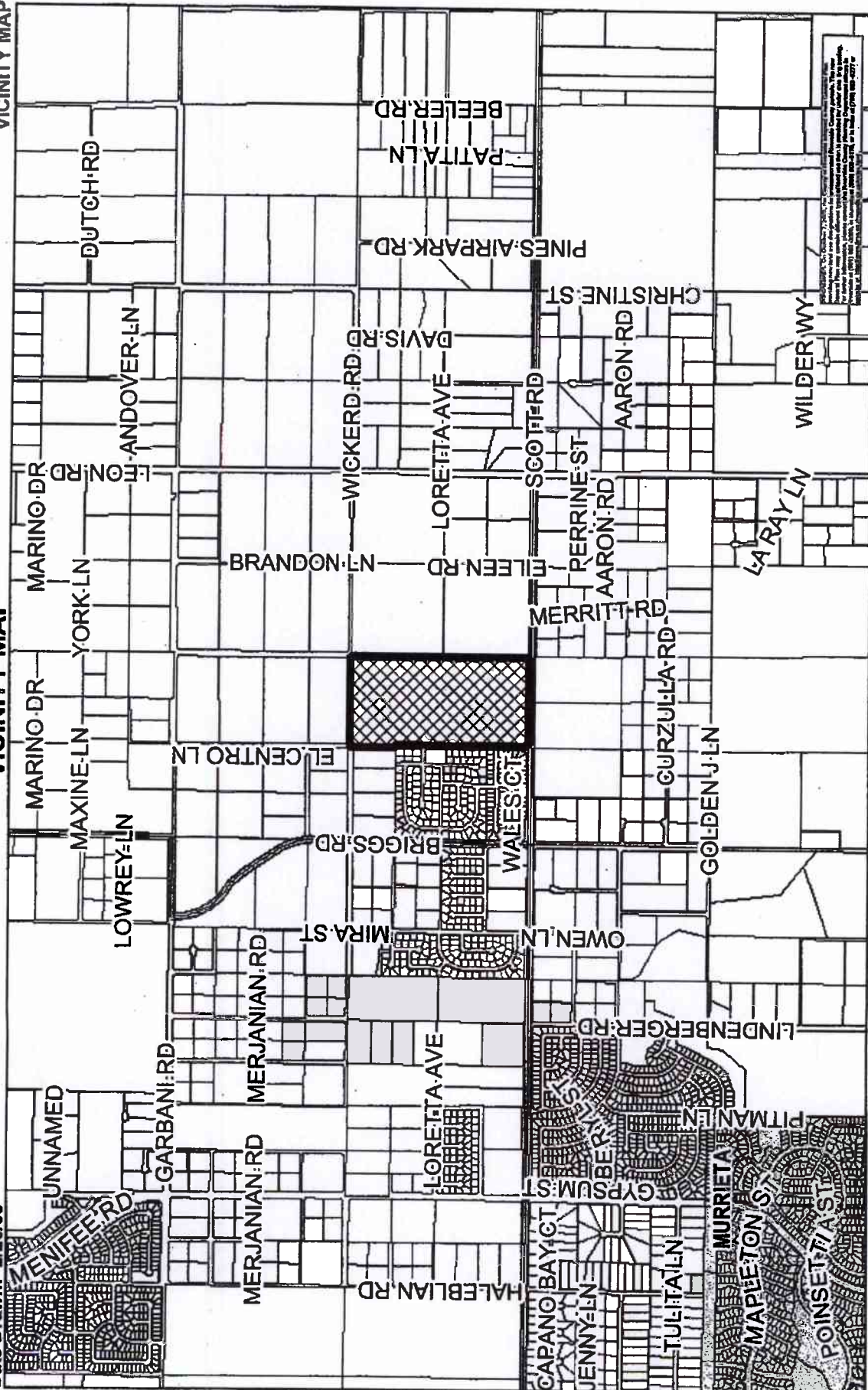
Planning Department  
Riverside County Planning Department  
1000 North Main Street, Suite 200  
Riverside, CA 92503  
Telephone: (951) 943-3000  
Fax: (951) 943-3002  
www.riversidecountyplanning.com

Supervisor Stone  
District 3

Date Drawn: 2/20/08

# GP AU0921 VICINITY MAP

Planner: Amy Aldana  
Date: 2/21/08  
VICINITY MAP



Copyright 2008 by Riverside County Planning Department. All rights reserved. This map is a representation of the information provided to the County Planning Department. The County Planning Department is not responsible for the accuracy of the information provided. For more information, please contact the County Planning Department at (951) 253-2000. The County Planning Department is not responsible for the accuracy of the information provided. For more information, please contact the County Planning Department at (951) 253-2000.

## RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone Area: Winchester  
Township/Range: T6SR2W  
Section: 18

Assessors  
Bk. Pg. 466-22  
Thomas Bros. Pg. 869 A7



**APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN**

JUSTIFICATION FOR AMENDMENT (Please be specific. Attach more pages if needed.)

It is felt that amending Assessor Parcel Number 466-220-029 from Rural Foundation Component with a Land Use Designation of Rural Residential to Community Development Foundation Component with a Land Use Designation of Medium Density Residential would be in keeping with current development in the area. This parcel is adjacent to areas currently constructed or under construction with a Land Use Designation of Medium Density Residential. Site topography is conducive to Medium Density Residential. Site fronts Scott Road which is a Urban Arterial Highway about 2 miles to access to the I-215 Freeway. All utilities exist at the site, topography lends it self to this type of project, site is close to the freeway, and medium density residential land use designation is consistent with projects in the area.

**III. AMENDMENTS TO POLICIES:**

*(Note: A conference with Planning Department staff is required before application can be filed. Additional information may be required.)*

A. LOCATION IN TEXT OF THE GENERAL PLAN WHERE AMENDMENT WOULD OCCUR:

Element: \_\_\_\_\_ Area Plan: \_\_\_\_\_

B. EXISTING POLICY (If none, write "none." (Attach more pages if needed): \_\_\_\_\_

C. PROPOSED POLICY (Attach more pages if needed): \_\_\_\_\_

**IHM Kyung Hwa Kay  
c/o Joong H Choh  
4N 680 Ware Woods Dr.  
St. Charles, IL 60175  
GPA921-Owner**

**Jaeihm Hyun  
c/o Joong H. Choh  
4N 680 Ware Woods Dr.  
St. Charles, IL 60175  
GPA921-Owner**

**Jae E. Han  
c/o Joong H. Choh  
4N 680 Ware Woods Dr.  
St. Charles, IL 60175  
GPA921-Owner**

**Rick Engineering / Mick Ratican  
1223 University Ave. STE# 240  
Riverside, CA 92507  
GPA921-Engineer**

**Byongjin Gene Et Al  
c/o Joong H. Choh  
4N 680 Ware Woods Dr.  
St. Charles, IL 60175  
GPA921-Owner**

**Dr. Sook P. Choh  
4N 680 Ware Woods Dr.  
St. Charles, IL 60175  
GPA921-Applicant**



**NOTICE OF PUBLIC HEARING**  
and  
**INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION**

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

**GENERAL PLAN AMENDMENT NO. 921** (Foundation and Entitlement/Policy) and **CHANGE of ZONE NO. 7763** – Intent to Adopt a Mitigated Negative Declaration – Applicant: Sook P. Choh – Engineer/Representative: Rick Engineering – Supervisorial District: Third – Area Plan: Sun City/Menifee Valley – Zone Area: Winchester – Zone: A-1-5 (Light Agriculture, 5-acre minimum) – Policy Areas: Estate Density Residential and Highway 79 – Location: North of Scott Road, south of Wickerd Road, east of El Centro, and west of Leon Road. – Project Size: 77.7 acres – **REQUEST:** Proposal to amend the project site's General Plan Foundation Component from Rural (R) to Community Development (CD), amend its Land Use Designation from Rural Residential (RR) (5-acre minimum) to Medium Density Residential (MDR) (2-5 du/ac), amend the General Plan Sun City/Menifee Area Plan Figure 4: Policy Areas Map, and change the site's zoning classification from A-1-5 (Light Agriculture, 5-acre minimum) to R-1 (One-Family Dwelling) on one parcel, totaling 77.7 acres.

**TIME OF HEARING:**                   **9:00 am** or as soon as possible thereafter  
**OCTOBER 21, 2015**  
RIVERSIDE COUNTY ADMINISTRATIVE CENTER  
BOARD CHAMBERS, 1ST FLOOR  
4080 LEMON STREET  
RIVERSIDE, CA 92501

For further information regarding this project, please contact Project Planner, John Hildebrand, at 951-955-1888 or email [jhildebr@rctlma.org](mailto:jhildebr@rctlma.org) or go to the County Planning Department's Planning Commission agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

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

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

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

Please send all written correspondence to:  
RIVERSIDE COUNTY PLANNING DEPARTMENT  
Attn: John Hildebrand  
P.O. Box 1409, Riverside, CA 92502-1409

# NOTICE OF PUBLIC HEARING SCHEDULING REQUEST FORM

DATE SUBMITTED: 09/21/2015

TO: Planning Commission Secretary

FROM: John Hildebrand

(Riverside)

PHONE No.: (951) 955-1888

E-Mail: jhildebr@rctlma.org

SCHEDULE FOR: Planning Commission on 10/21/2015

20-Day Advertisement: Advertisement Adopt Mitigate Negative Declaration

GENERAL PLAN AMENDMENT NO. 921 (Foundation and Entitlement/Policy) and CHANGE of ZONE NO. 7763 – Intent to adopt a Mitigated Negative Declaration – APPLICANT: Sook P. Choh – ENGINEER/REPRESENTATIVE: Rick Engineering – SUPERVISORIAL DISTRICT: Third – AREA PLAN: Sun City/Menifee Valley – ZONE AREA: Winchester – ZONE: A-1-5 (Light Agriculture, 5-acre minimum) – POLICY AREAS: Estate Density Residential and Highway 79 – LOCATION: North of Scott Road, south of Wickerd Road, east of El Centro, and west of Leon Road. – PROJECT SIZE: 77.7 acres – REQUEST: Proposal to amend the project site's General Plan Foundation Component from Rural (R) to Community Development (CD), amend its Land Use Designation from Rural Residential (RR) (5-acre minimum) to Medium Density Residential (MDR) (2-5 du/ac), amend the General Plan Sun City/Menifee Area Plan Figure 4: Policy Areas Map, and change the site's zoning classification from A-1-5 (Light Agriculture, 5-acre minimum) to R-1 (One-Family Dwelling) on one parcel, totaling 77.7 acres – APN: 466-220-029.

## STAFF RECOMMENDATION:

- APPROVAL (CONSENT CALENDAR)
- APPROVAL
- APPROVAL WITHOUT DISCUSSION
- CONTINUE WITH DISCUSSION TO \_\_\_\_\_.
- CONTINUE WITHOUT DISCUSSION TO \_\_\_\_\_.
- CONTINUE WITHOUT DISCUSSION OFF CALENDAR
- DENIAL
- SCOPING SESSION
- INITIATION OF THE GENERAL PLAN AMENDMENT
- DECLINE TO INITIATE THE GENERAL PLAN AMENDMENT
- \_\_\_\_\_

Provide one set of mailing labels, including surrounding property owners, Non-County Agency and Interested Parties and, owner, applicant, and engineer/representative (*Confirmed to be less than 6 months old from date of preparation to hearing date*)

Provide one set of labels for owner, applicant, and engineer/representative.

Fee Balance: \$4,437.21, as of 09/21/2015.

CFG Case # CFG05093 - Fee Balance: \$ 64.00

Estimated amount of time needed for Public Hearing: 10 Minutes (*Min 5 minutes*)

Controversial: YES  NO

Provide a very brief explanation of controversy (1 short sentence) Located within Highway 79 & EDR Policy Areas

Y:\Planning Case Files-Riverside office\GPA00921\GPA00921\_PC\_BOS\_2015\GPA00921\_PC\_Hearing\_Notice.docx

Revised: 9/21/15

# PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 9/2/2015.

The attached property owners list was prepared by Riverside County GIS,

APN (s) or case numbers CZ07763/GPA00921 For

Company or Individual's Name Planning Department,

Distance buffered 600'.

Pursuant to application requirements furnished by the Riverside County Planning Department, Said list is a complete and true compilation of the owners of the subject property and all other property owners within 600 feet of the property involved, or if that area yields less than 25 different owners, all property owners within a notification area expanded to yield a minimum of 25 different owners, to a maximum notification area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the project is a subdivision with identified off-site access/improvements, said list includes a complete and true compilation of the names and mailing addresses of the owners of all property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial of the application.

NAME: Vinnie Nguyen

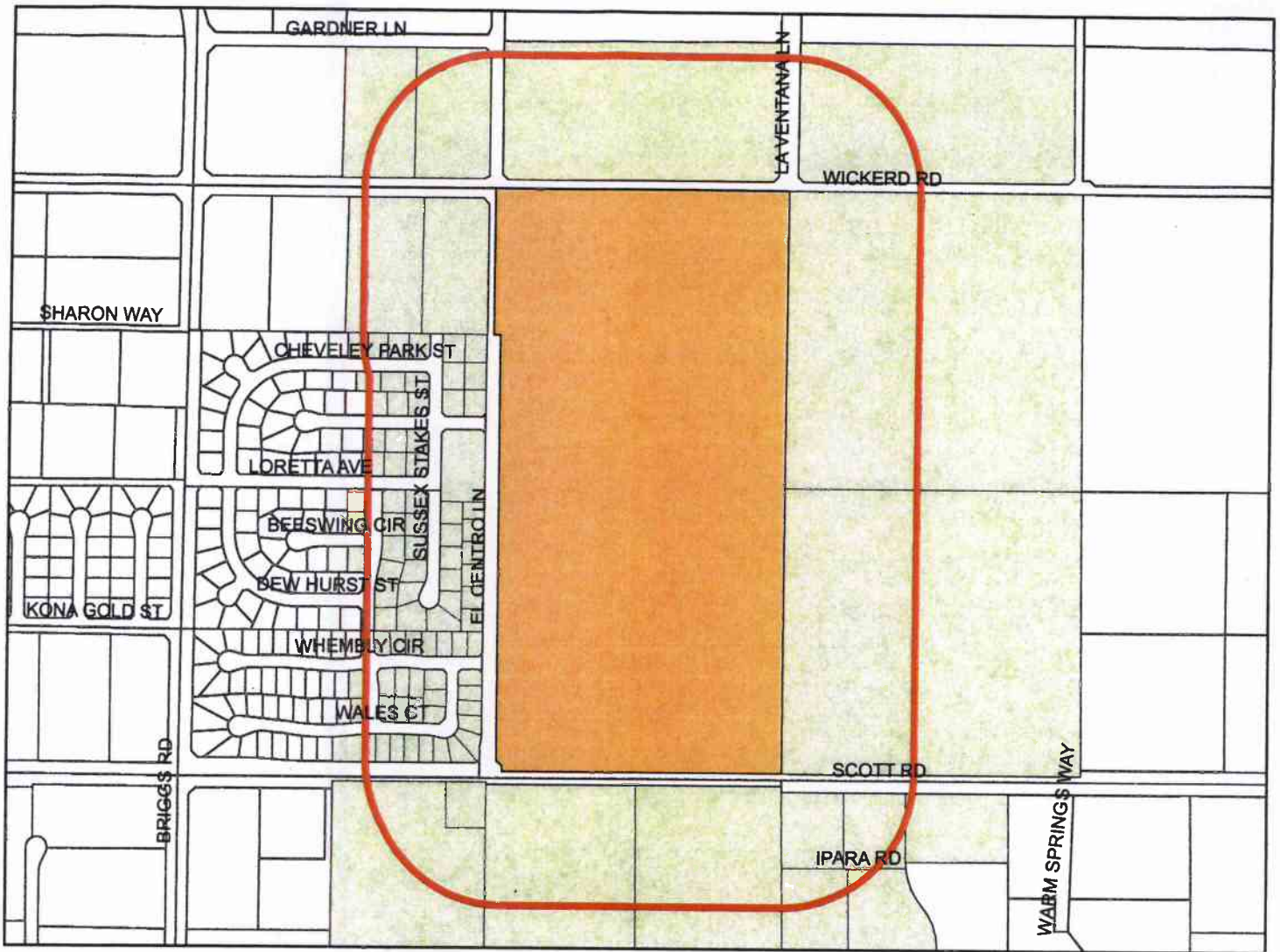
TITLE GIS Analyst

ADDRESS: 4080 Lemon Street 2<sup>nd</sup> Floor

Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. – 5 p.m.): (951) 955-8158

## CZ07763 / GPA00921 (600 feet buffer)



### Selected Parcels

466-370-018	466-382-001	466-390-002	466-370-022	466-390-003	466-380-023	466-392-002	466-210-019	466-391-051	466-370-005
466-380-005	466-220-003	466-380-024	472-010-007	472-010-008	466-390-004	466-382-006	466-370-013	466-372-018	466-370-021
466-370-017	466-391-049	472-020-003	466-381-015	466-391-042	466-370-024	472-010-010	466-392-003	466-391-052	466-391-045
466-370-010	466-391-048	466-380-006	466-391-046	466-370-003	466-380-022	466-392-007	466-220-029	466-380-020	466-382-004
466-380-008	466-370-008	466-220-022	466-372-009	466-380-025	466-370-015	466-391-047	472-020-008	466-390-007	466-220-021
466-370-014	466-370-016	466-382-003	472-010-009	466-210-032	466-210-036	466-370-020	466-381-017	466-392-009	466-392-004
466-370-004	466-370-002	466-390-006	466-391-053	466-392-001	466-370-001	466-391-050	466-380-009	466-382-002	466-391-023
466-392-005	466-391-043	472-020-004	466-382-005	466-370-011	466-372-019	466-220-009	466-210-020	466-381-014	466-370-012
466-370-009	466-380-021	466-392-008	466-392-006	466-370-006	466-391-044	466-390-005	472-020-001	472-020-002	466-370-023
466-380-007	466-381-016	466-370-007	466-370-019	466-380-010	466-383-001	466-390-001	466-391-022		



830 415 0 830 Feet

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

ASMT: 466210019, APN: 466210019  
MARTHA MONGE, ETAL  
30145 GARDNER LN  
MENIFEE, CA. 92584

ASMT: 466220022, APN: 466220022  
MARK JACKSON, ETAL  
32575 EL CENTRO LN  
MENIFEE, CA. 92584

ASMT: 466210020, APN: 466210020  
ARLINE WYSCARVER, ETAL  
30155 GARDNER LN  
SUN CITY CA 92584

ASMT: 466220029, APN: 466220029  
GENE BYONGJIN, ETAL  
C/O HYUN JAEIHM  
1 HEATH WAY  
S BARRINGTON IL 60010

ASMT: 466210032, APN: 466210032  
JV DEV  
C/O JIM LYTLE  
41391 KALMIA ST NO 200  
MURRIETA CA 92562

ASMT: 466370001, APN: 466370001  
MATT BURNELL, ETAL  
32875 EL CENTRO LN  
MENIFEE, CA. 92584

ASMT: 466210036, APN: 466210036  
JVRL 220  
C/O AMBER MANAGEMENT  
29826 HAUN RD NO 305  
MENIFEE CA 92584

ASMT: 466370002, APN: 466370002  
LINA GLORE  
32855 EL CENTRO LN  
MENIFEE, CA. 92584

ASMT: 466220003, APN: 466220003  
CALVARY CHAPEL OF MENIFEE  
29220 SCOTT RD  
MENIFEE CA 92584

ASMT: 466370003, APN: 466370003  
GRETCHEN DALEY, ETAL  
32835 EL CENTRO LN  
MENIFEE, CA. 92584

ASMT: 466220009, APN: 466220009  
MARIE MARCELLIN, ETAL  
C/O MARIE E MARCELLIN  
21 S ENCINO RD  
LAGUNA BEACH CA 92651

ASMT: 466370004, APN: 466370004  
DESIREE HENRY, ETAL  
32815 EL CENTRO LN  
MENIFEE, CA. 92584

ASMT: 466220021, APN: 466220021  
DONG KIM, ETAL  
32043 CAMINO RABAGO  
TEMECULA CA 92592

ASMT: 466370005, APN: 466370005  
KIMBERLY LYNN, ETAL  
32795 EL CENTRO LN  
MENIFEE, CA. 92584



ASMT: 466370006, APN: 466370006  
JUNE SZUEBER, ETAL  
C/O JUNE A SZUEBER  
32770 SUSSEX STAKES ST  
MENIFEE, CA. 92584

ASMT: 466370007, APN: 466370007  
LAURA NGUYEN, ETAL  
32790 SUSSEX STAKES ST  
MENIFEE, CA. 92584

ASMT: 466370008, APN: 466370008  
SYLVIA GUTMAN, ETAL  
32810 SUSSEX STAKES ST  
MENIFEE, CA. 92584

ASMT: 466370009, APN: 466370009  
RYAN TIEGS  
32830 SUSSEX STAKES ST  
MENIFEE, CA. 92584

ASMT: 466370010, APN: 466370010  
PAMELA SANICOLA, ETAL  
32850 SUSSEX STAKES ST  
MENIFEE, CA. 92584

ASMT: 466370011, APN: 466370011  
GABRIELLE HENSLEY, ETAL  
32870 SUSSEX STAKES ST  
MENIFEE, CA. 92584

ASMT: 466370012, APN: 466370012  
ROSALYN OMOYELE  
32861 SUSSEX STAKES ST  
MENIFEE, CA. 92584

ASMT: 466370013, APN: 466370013  
DANIEL CARTER  
32841 SUSSEX STAKES ST  
MENIFEE, CA. 92584

ASMT: 466370014, APN: 466370014  
MARILEE MORBO, ETAL  
32821 SUSSEX STAKES ST  
MENIFEE, CA. 92584

ASMT: 466370015, APN: 466370015  
LETICIA AGUAYO, ETAL  
32801 SUSSEX STAKES ST  
MENIFEE, CA. 92584

ASMT: 466370016, APN: 466370016  
MARIA POPP, ETAL  
32781 SUSSEX STAKES ST  
MENIFEE, CA. 92584

ASMT: 466370017, APN: 466370017  
DENISE MIARS  
32761 SUSSEX STAKES ST  
MENIFEE, CA. 92584

ASMT: 466370018, APN: 466370018  
DOROTHY AYALA, ETAL  
32774 CHERRY HINTON ST  
MENIFEE, CA. 92584

ASMT: 466370019, APN: 466370019  
ELIZABETH CALDERA, ETAL  
32794 CHERRY HINTON ST  
MENIFEE, CA. 92584



ASMT: 466370020, APN: 466370020  
ANDREA DIXON, ETAL  
32814 CHERRY HINTON ST  
MENIFEE, CA. 92584

ASMT: 466370021, APN: 466370021  
PATRICIA CRUZ, ETAL  
32834 CHERRY HINTON ST  
MENIFEE, CA. 92584

ASMT: 466370022, APN: 466370022  
HOLLY HUMPHREYS, ETAL  
31805 TEMECULA PKY NO 378  
TEMECULA CA 92592

ASMT: 466370023, APN: 466370023  
YU LIN, ETAL  
32874 CHERRY HINTON ST  
MENIFEE, CA. 92584

ASMT: 466372009, APN: 466372009  
ARTHUR HATHAWAY, ETAL  
30197 BEESWING CIR  
MENIFEE, CA. 92584

ASMT: 466372018, APN: 466372018  
DANNY STEIDINGER  
30198 BEESWING CIR  
MENIFEE, CA. 92584

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CHERYL ZABLOW, ETAL  
30193 LORETTA AVE  
MENIFEE, CA. 92584

ASMT: 466380005, APN: 466380005  
SUBRINA NICHOLS, ETAL  
C/O SUBRINA NICHOLS  
30194 LORETTA AVE  
MENIFEE, CA. 92584

ASMT: 466380006, APN: 466380006  
REMEDIOS SMALL, ETAL  
30214 LORETTA AVE  
MENIFEE, CA. 92584

ASMT: 466380007, APN: 466380007  
THAVONE PHETSARATH  
30234 LORETTA AVE  
MENIFEE CA 92584

ASMT: 466380008, APN: 466380008  
LOLITA BALLESTEROS, ETAL  
C/O LOLITA BALLESTEROS  
30235 ROYAL HUNT ST  
MENIFEE, CA. 92584

ASMT: 466380009, APN: 466380009  
AMALIA PATINO, ETAL  
30215 ROYAL HUNT ST  
MENIFEE, CA. 92584

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VICTOR HERRERA  
30195 ROYAL HUNT ST  
MENIFEE, CA. 92584

ASMT: 466380020, APN: 466380020  
JACQUI SHANHOLTZER, ETAL  
30196 ROYAL HUNT ST  
MENIFEE, CA. 92584

ASMT: 466380021, APN: 466380021  
SHARON ANDERSON, ETAL  
30216 ROYAL HUNT ST  
MENIFEE, CA. 92584

ASMT: 466381016, APN: 466381016  
THERESSIA HOLLIS  
30220 CHEVELEY PARK ST  
MENIFEE, CA. 92584

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MICHAEL ADAMS, ETAL  
30236 ROYAL HUNT ST  
MENIFEE, CA. 92584

ASMT: 466381017, APN: 466381017  
DEBORAH MCNEELEY, ETAL  
30240 CHEVELEY PARK ST  
MENIFEE, CA. 92584

ASMT: 466380023, APN: 466380023  
AUDREY VAN WEEMS  
30241 CHEVELEY PARK ST  
MENIFEE, CA. 92584

ASMT: 466382001, APN: 466382001  
ANDREW MORALES  
32650 SUSSEX STAKES ST  
MENIFEE, CA. 92584

ASMT: 466380024, APN: 466380024  
LUZ FERNANDEZ, ETAL  
30221 CHEVELEY PARK ST  
MENIFEE, CA. 92584

ASMT: 466382002, APN: 466382002  
GAYLE HOBSON, ETAL  
32670 SUSSEX STAKES ST  
MENIFEE, CA. 92584

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JIAQI ZHUANG, ETAL  
30181 CHEVELEY PARK ST  
MENIFEE, CA. 92584

ASMT: 466382003, APN: 466382003  
DIANE SHIMIZU, ETAL  
32690 SUSSEX STAKES ST  
MENIFEE, CA. 92584

ASMT: 466381014, APN: 466381014  
ROSA CANDELA  
30180 CHEVELEY PARK ST  
MENIFEE, CA. 92584

ASMT: 466382004, APN: 466382004  
MELISSA TRUAX, ETAL  
32695 EL CENTRO LN  
MENIFEE, CA. 92584

ASMT: 466381015, APN: 466381015  
CHRISTINE FARLAND, ETAL  
30200 CHEVELEY PARK ST  
MENIFEE, CA. 92584

ASMT: 466382005, APN: 466382005  
ERIKA HAWKINS, ETAL  
32675 EL CENTRO LN  
MENIFEE, CA. 92584





ASMT: 466382006, APN: 466382006  
KENDRA DORSEY, ETAL  
32655 EL CENTRO LN  
MENIFEE, CA. 92584

ASMT: 466390007, APN: 466390007  
KATHERINE DAUZ, ETAL  
30154 WHEMBLY CIR  
MENIFEE, CA. 92584

ASMT: 466383001, APN: 466383001  
WL HOMES  
1628 JOHN F KENNEDY BLVD S  
PHILADELPHIA PA 19103

ASMT: 466391022, APN: 466391022  
WOODSIDE 05S  
11870 PIERCE ST NO 250  
RIVERSIDE CA 92505

ASMT: 466390002, APN: 466390002  
BRANDI ROBLES, ETAL  
30214 WHEMBLY CIR  
MENIFEE, CA. 92584

ASMT: 466391023, APN: 466391023  
PEGGY JACKSON  
30138 WALES CT  
MENIFEE, CA. 92584

ASMT: 466390003, APN: 466390003  
ASHLEY COLLINS  
30202 WHEMBLY CIR  
MENIFEE, CA. 92584

ASMT: 466391042, APN: 466391042  
JAN ADAMS, ETAL  
30155 WALES CT  
MENIFEE, CA. 92584

ASMT: 466390004, APN: 466390004  
LAURIE TURNER, ETAL  
30190 WHEMBLY CIR  
MENIFEE, CA. 92584

ASMT: 466391043, APN: 466391043  
TERRY KING, ETAL  
30167 WALES CT  
MENIFEE, CA. 92584

ASMT: 466390005, APN: 466390005  
SUZANNE HATHCOCK  
30178 WHEMBLY CIR  
MENIFEE, CA. 92584

ASMT: 466391044, APN: 466391044  
ROBIN GEERDES, ETAL  
30179 WALES CT  
MENIFEE, CA. 92584

ASMT: 466390006, APN: 466390006  
LIST FAMILY  
16200 DAVIS RD  
MORENO VALLEY CA 92555

ASMT: 466391045, APN: 466391045  
MARIA HARO, ETAL  
30191 WALES CT  
MENIFEE, CA. 92584

ASMT: 466391046, APN: 466391046  
DONNA KATCHADOORIAN, ETAL  
15986 SKYRIDGE DR  
RIVERSIDE CA 92503

ASMT: 466391053, APN: 466391053  
MARIGOLD OWNERS ASSN  
C/O KEYSTONE COM INC  
3088 PIO PICO DR STE 200  
CARLSBAD CA 92008

ASMT: 466391047, APN: 466391047  
KAREN KEELING, ETAL  
30215 WALES CT  
MENIFEE, CA. 92584

ASMT: 466392001, APN: 466392001  
JULIE WILLIS, ETAL  
32931 EDINBOROUGH WAY  
MENIFEE, CA. 92584

ASMT: 466391048, APN: 466391048  
DONNA MCNAUGHT TORRES, ETAL  
30227 WALES CT  
MENIFEE, CA. 92584

ASMT: 466392002, APN: 466392002  
DOLORES CERAME, ETAL  
32943 EDINBOROUGH WAY  
MENIFEE, CA. 92584

ASMT: 466391049, APN: 466391049  
CANDICE REED, ETAL  
900 CRESTVIEW DR  
MESQUITE NV 89027

ASMT: 466392003, APN: 466392003  
ERIC RICE  
32955 EDINBOROUGH WAY  
MENIFEE, CA. 92584

ASMT: 466391050, APN: 466391050  
MICHAEL ALBERTS  
32950 EDINBOROUGH WAY  
MENIFEE, CA. 92584

ASMT: 466392004, APN: 466392004  
ROWENA DOMINGO, ETAL  
30186 WALES CT  
MENIFEE, CA. 92584

ASMT: 466391051, APN: 466391051  
BETTY KLEIN  
32938 EDINBOROUGH WAY  
MENIFEE, CA. 92584

ASMT: 466392005, APN: 466392005  
CHERYL BARTKUS, ETAL  
30174 WALES CT  
MENIFEE, CA. 92584

ASMT: 466391052, APN: 466391052  
JULIETA VINLUAN, ETAL  
32926 EDINBOROUGH WAY  
MENIFEE, CA. 92584

ASMT: 466392006, APN: 466392006  
ARMAND ARCHIBEK, ETAL  
30162 WALES CT  
MENIFEE, CA. 92584



ASMT: 466392007, APN: 466392007  
HENG ING  
30159 WHEMBLY CIR  
MENIFEE, CA. 92584

ASMT: 466392008, APN: 466392008  
SARA GRIFFITH  
30171 WHEMBLY CIR  
MENIFEE, CA. 92584

ASMT: 466392009, APN: 466392009  
DANETTE MOORE, ETAL  
30183 WHEMBLY CIR  
MENIFEE, CA. 92584

ASMT: 472010007, APN: 472010007  
DAVID WRIGHT, ETAL  
6203 VARIEL AVE NO 116  
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ASMT: 472010008, APN: 472010008  
ROBERT CHEN, ETAL  
C/O KUANGLIEH HAN  
3545 HOLMES CIR  
HACIENDA HEIGHTS CA 91745

ASMT: 472010009, APN: 472010009  
JUDITH SCHREIBER  
8751 SAILPORT DR  
HUNTINGTON BEACH CA 92646

ASMT: 472010010, APN: 472010010  
EMWD  
P O BOX 8300  
PERRIS CA 92572

ASMT: 472020002, APN: 472020002  
TANYA INV  
C/O JENNIE IPARAGUIRRE  
775 N SANDERSON AVE  
SAN JACINTO CA 92582

ASMT: 472020003, APN: 472020003  
ELLEN PETRYCA, ETAL  
30515 IPARA RD  
MENIFEE, CA. 92584

ASMT: 472020004, APN: 472020004  
CYNTHIA COLLINS, ETAL  
33095 MERRITT RD  
MENIFEE, CA. 92584

ASMT: 472020008, APN: 472020008  
ANN MCGRATH, ETAL  
31265 MURRIETA RD  
MENIFEE CA 92584



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4N 680 Ware Woods Dr.  
St. Charles, IL 60175

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Dr. Sook P. Choh  
4N 680 Ware Woods Dr.  
St. Charles, IL 60175

**GPA00921 – Applicant**  
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4N 680 Ware Woods Dr.  
St. Charles, IL 60175

**GPA00921 – Owner**  
Dr. Sook P. Choh  
4N 680 Ware Woods Dr.  
St. Charles, IL 60175

**GPA00921 – Owner**  
Dr. Sook P. Choh  
4N 680 Ware Woods Dr.  
St. Charles, IL 60175

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Dr. Sook P. Choh  
4N 680 Ware Woods Dr.  
St. Charles, IL 60175

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Dr. Sook P. Choh  
4N 680 Ware Woods Dr.  
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Dr. Sook P. Choh  
4N 680 Ware Woods Dr.  
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4N 680 Ware Woods Dr.  
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**GPA00921 – Owner**  
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**GPA00921 – Representative**  
Rick Engineering c/o Richard O'Neil  
1770 Iowa Avenue, Suite 100  
Riverside, CA 92507

**GPA00921 – Representative**  
Rick Engineering c/o Richard O'Neil  
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Riverside, CA 92507

**GPA00921 – Representative**  
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Riverside, CA 92507

**GPA00921 – Representative**  
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1770 Iowa Avenue, Suite 100  
Riverside, CA 92507

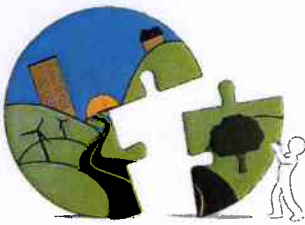
**GPA00921 – Representative**  
Rick Engineering c/o Richard O'Neil  
1770 Iowa Avenue, Suite 100  
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# RIVERSIDE COUNTY PLANNING DEPARTMENT

*Steven Weiss, AICP  
Planning Director*

TO:  Office of Planning and Research (OPR)  
P.O. Box 3044  
Sacramento, CA 95812-3044  
 County of Riverside County Clerk

FROM: Riverside County Planning Department  
 4080 Lemon Street, 12th Floor  
P. O. Box 1409  
Riverside, CA 92502-1409

38686 El Cerrito Road  
Palm Desert, California 92211

**SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the California Public Resources Code.**

GPA00921 & CZ07763  
Project Title/Case Numbers

John Hildebrand  
County Contact Person

(951) 955-1888  
Phone Number

N/A  
State Clearinghouse Number (if submitted to the State Clearinghouse)

Sook P. Choh  
Project Applicant

4N 680 Ware Woods Drive, St. Charles, IL 60175  
Address

North of Scott Road, south of Wickerd Road, east of El Centro, and west of Leon Road  
Project Location

Proposal to amend the Riverside County General Plan Foundation Component from Rural (R) to Community Development (CD), amend the General Plan Land Use from Rural Residential (R:RR) (5-acre minimum) to Medium Density Residential (CD:MDR) (2-5 du/ac), amend the Estate Density Residential and Rural Residential Policy Area map by removal of this project site from its boundary, and a Change of Zone, to change the Zoning designation from A-1-5 (Light Agriculture, 5-acre minimum) to R-1 (One-Family Dwelling) on one parcel, totaling 77.7 acres.  
Project Description

This is to advise that the Riverside County Board of Supervisors, as the lead agency, has approved the above-referenced project on October 21, 2015, and has made the following determinations regarding that project:

1. The project WILL NOT have a significant effect on the environment.
2. A MITIGATED NEGATIVE DECLARATION was prepared for the project pursuant to the provisions of the California Environmental Quality Act and reflects the independent judgment of the Lead Agency.
3. Mitigation measures WERE made a condition of the approval of the project.
4. A Mitigation Monitoring and Reporting Plan/Program WAS NOT adopted.
5. A statement of Overriding Considerations WAS NOT adopted
6. Findings were made pursuant to the provisions of CEQA.

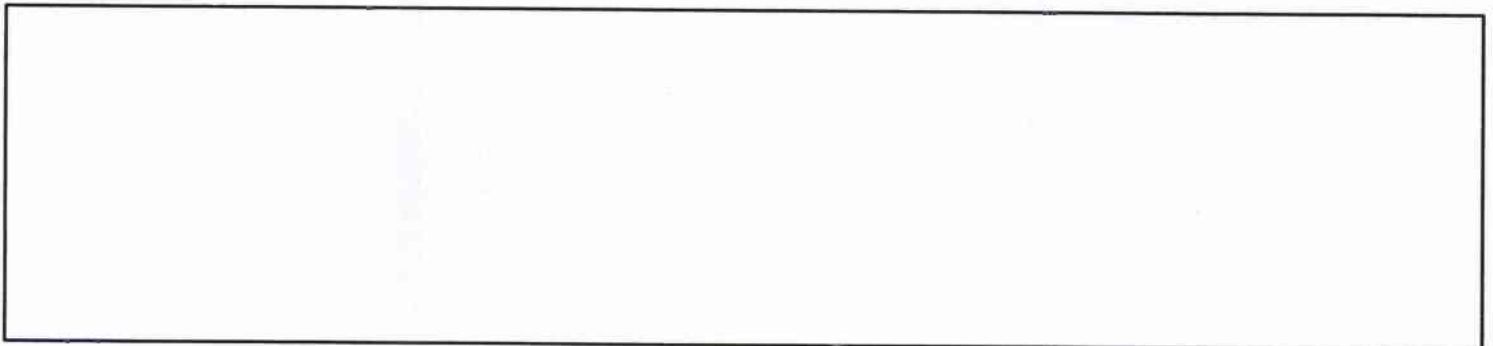
This is to certify that the earlier EA, with any comments, responses, and record of project approval is available to the general public at: Riverside County Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501.

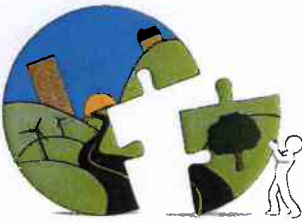
John Hildebrand  
Signature

Project Planner  
Title

09/01/2015  
Date

Date Received for Filing and Posting at OPR: \_\_\_\_\_





# RIVERSIDE COUNTY PLANNING DEPARTMENT

Steven Weiss, AICP  
Planning Director

## MITIGATED NEGATIVE DECLARATION

Project/Case Number: GPA00921 and CZ07763

Based on the Initial Study, it has been determined that the proposed project, subject to the proposed mitigation measures, will not have a significant effect upon the environment.

PROJECT DESCRIPTION, LOCATION, AND MITIGATION MEASURES REQUIRED TO AVOID POTENTIALLY SIGNIFICANT EFFECTS. (see Environmental Assessment and Conditions of Approval)

**COMPLETED/REVIEWED BY:**

By: John Hildebrand Title: Project Planner Date: August 26, 2015

Applicant/Project Sponsor: Sook P. Choh Date Submitted: February 14, 2008

**ADOPTED BY:** Board of Supervisors

Person Verifying Adoption: \_\_\_\_\_ Date: \_\_\_\_\_

The Mitigated Negative Declaration may be examined, along with documents referenced in the initial study, if any, at:

Riverside County Planning Department 4080 Lemon Street, 12th Floor, Riverside, CA 92501

For additional information, please contact John Hildebrand at (951) 955-1888.

Revised: 10/16/07  
Y:\Planning Master Forms\Templates\CEQA Forms\Mitigated Negative Declaration.docx

Please charge deposit fee case#: ZEA41744 ZCFG05093

**FOR COUNTY CLERK'S USE ONLY**

COUNTY OF RIVERSIDE  
SPECIALIZED DEPARTMENT RECEIPT  
Permit Assistance Center

\* REPRINTED \* R0801285

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(951) 955-3200

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Murrieta, CA 92563  
(951) 600-6100

38686 El Cerrito Road  
Palm Desert, CA 92211  
(760) 863-8277

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

Received from: CHOH DR SOOK P \$64.00  
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CFG FOR EA41744  
at parcel #:  
appl type: CFG3

By \_\_\_\_\_ Feb 06, 2008 14:59  
MGARDNER posting date Feb 06, 2008

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Account Code	Description	Amount
658353120100208100	CF&G TRUST: RECORD FEES	\$64.00

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

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COUNTY OF RIVERSIDE  
SPECIALIZED DEPARTMENT RECEIPT  
Permit Assistance Center

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39493 Los Alamos Road  
Suite A  
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(951) 600-6100

38686 El Cerrito Road  
Palm Desert, CA 92211  
(760) 863-8277

\*\*\*\*\*  
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Received from: CHOH DR SOOK P  
paid by: CK 134 \$2,210.00  
paid towards: CFG05093 CALIF FISH & GAME: DOC FEE  
CFG FOR EA41744  
at parcel #:  
appl type: CFG3

By \_\_\_\_\_ Sep 28, 2015 09:16  
MGARDNER posting date Sep 28, 2015

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Account Code	Description	Amount
658353120100208100	CF&G TRUST	\$2,210.00

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Additional info at [www.rctlma.org](http://www.rctlma.org)