

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



16.3

1:30 p.m. being the time set for public hearing on the application submitted by Consulting Group – Engineering/Representative on Specific Plan No. 360 Amendment No. 1/Tentative Tract Map No. 34651. The Specific Plan proposes to modify the acreage and density of various Planning Areas adopted under Specific Plan No. 360, and which further proposes to modify the roadway alignment of Avenue 38, adopted under Specific Plan No. 360, in order to ensure consistency with the alignment of adjacent Tentative Tract Map No. 35058 and the required roadway and drainage improvements; and, Approval of Tentative Tract Map No. 34651, Schedule C, which proposes to subdivide approximately 55 acres into eleven (11) residential lots, ranging in size from approximately 2.0 acres to 3.5 acres; with one (1) open space lot, and one (1) drainage lot, 4th District.


On Motion of Supervisor Benoit, seconded by Supervisor Ashley, and duly carried, IT WAS ORDERED that the above matter is continued to Tuesday, May 18, 2010 at 1:30 p.m.

Roll Call:

Ayes: Buster, Benoit and Ashley
Nays: None
Absent: Tavaglione and Stone

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on May 4, 2010 of Supervisors Minutes.

(seal) WITNESS my hand and the seal of the Board of Supervisors
Dated: May 4, 2010
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

By:  Deputy

AGENDA NO.
16.3

xc: Planning, Applicant, CØB

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

Planning Department

Ron Goldman · Planning Director

512B

DATE: April 6, 2010

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

05.04.10

SUBJECT: SPECIFIC PLAN NO. 360 AMENDMENT NO. 1 / TENTATIVE TRACT MAP NO. 34651
(Charge your time to these case numbers)

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

- | | |
|---|--|
| <input type="checkbox"/> Place on Administrative Action (Receive & File; EOT) | <input checked="" type="checkbox"/> Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA) |
| <input type="checkbox"/> Labels provided If Set For Hearing | <input checked="" type="checkbox"/> Publish in Newspaper: |
| <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day | (4th Dist) Desert Sun and Press Enterprise |
| <input type="checkbox"/> Place on Consent Calendar | <input checked="" type="checkbox"/> Mitigated Negative Declaration |
| <input type="checkbox"/> Place on Policy Calendar (Resolutions; Ordinances; PNC) | <input checked="" type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day |
| <input type="checkbox"/> Place on Section Initiation Proceeding (GPIP) | <input checked="" type="checkbox"/> Notify Property Owners (app/agencies/property owner labels provided) |
| | Controversial: <input type="checkbox"/> YES <input type="checkbox"/> NO |

Designate Newspaper used by Planning Department for Notice of Hearing:
(4th Dist) Desert Sun and Press Enterprise

Please schedule on the May 4, 2010 BOS Agenda

Documents to be sent to County Clerk's Office for Posting:

Notice of Determination
Fish & Game Receipt (CFG4330)

Do not send these documents to the County Clerk for posting until the Board has taken final action on the subject cases.

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

RJG
4.7.10

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

Planning Department

Ron Goldman · Planning Director

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

FROM: Riverside County Planning Department
 4080 Lemon Street, 9th Floor
P. O. Box 1409
Riverside, CA 92502-1409

38686 El Cerrito Road
Palm Desert, California 92211

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

Addendum to Mitigated Negative Declaration (EA 40918), Specific Plan No. 360A1, and Tentative Tract Map No. 34651

Project Title/Case Numbers

Matt Straite

County Contact Person

951-955-8631

Phone Number

N/A

State Clearinghouse Number (if submitted to the State Clearinghouse)

Corman Leigh Communities

Project Applicant

32823 Hwy 79 South, Temecula CA 92592

Address

Northerly of Interstate 10, southerly of 38th Street, and westerly of Washington Street.

Project Location

Specific Plan Amendment No. 360A1 proposes to modify the acreage and density of various Planning Areas adopted under Specific Plan No. 360 (see comparison table attached on CD) and further proposes to modify the roadway alignment of Avenue 38, adopted under Specific Plan No. 360 to ensure consistency with the adjacent Tentative Tract Map No. 35058 (TR35058). The number of Planning Areas (22) and dwelling units (460) has remained the same. The change accommodates a slight re-design due to the re-alignment of Avenue 38. The project has increased Open Space -Recreation by 1.4 acres, and Open Space Conservation has decreased by 1.8. The setback along Varner has reduced as a result of the relocation of the Regional Trail from Varner Road to Avenue 38. In contrast to the original plan, the project is no longer bifurcated by Avenue 38, instead the neighborhood is located only to the south of Avenue 38.

Tentative Tract Map No. 34651 proposes a Schedule C land division of approximately 55 acres into 13 minimum 2 acre parcels.

Project Description

_____ s to advise that the Riverside County _____, as the lead agency, has approved the above-referenced project on _____, and has made the following determinations regarding that project:

1. The project WILL NOT have a significant effect on the environment.
2. An Addendum to Mitigated Negative Declaration (EA40918) was prepared for this project and certified pursuant to the provisions of the California Environmental Quality Act (\$64.00 and evidence of prior EIR fee)
3. Mitigation measures WERE made a condition of the approval of the project.
4. A Mitigation Monitoring and Reporting Plan/Program WAS adopted.
5. A statement of Overriding Considerations WAS NOT adopted for the project.

This is to certify that the Mitigated Negative Declaration, with comments, responses, and record of project approval is available to the general public at: Riverside County Planning Department, 4080 Lemon Street, 9th Floor, Riverside, CA 92501.

Signature

Project Planner

Title

3-3-10

Date

Date Received for Filing and Posting at OPR: _____

Y:\Planning Case Files-Riverside office\SP00360\Sp360 PC Spetember 17th\NOD Form sp360.doc Revised 01/15/08

Please charge deposit fee case#: ZEA40918 ZCFG4330 .

FOR COUNTY CLERK'S USE ONLY

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

* REPRINTED * T0606955

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 600-6100

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

Received from: LEE CONSULTING GROUP \$64.00
paid by: CK 1138
paid towards: CFG04330 CALIF FISH & GAME: DOC FEE
CA FISH & GAME FEE FOR EA 40918
at parcel #:
appl type: CFG3

By _____ Jun 14, 2006 16:46
ANJOHNSO posting date Jun 14, 2006

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

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

Additional info at www.rctlma.org

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

R1000474

4080 Lemon Street Second Floor Riverside, CA 92502 (951) 955-3200	39493 Los Alamos Road Suite A Murrieta, CA 92563 (951) 600-6100	38686 El Cerrito Road Palm Desert, CA 92211 (760) 863-8277
--	--	--

Received from: LEE CONSULTING GROUP \$16.50
paid by: CK 9533
paid towards: CFG04330 CALIF FISH & GAME: DOC FEE
CA FISH & GAME FEE FOR EA 40918
at parcel #:
appl type: CFG3

By _____ Jan 14, 2010 08:06
SBROSTRO posting date Jan 14, 2010

Account Code	Description	Amount
658353120100208100	CF&G TRUST	\$16.50

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

Additional info at www.rctlma.org

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

J* REPRINTED * R0810638

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 694-5242

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

Received from: LEE CONSULTING GROUP \$.75
paid by: CASH
CA FISH & GAME FEE FOR EA 40918
paid towards: CFG04330 CALIF FISH & GAME: DOC FEE
at parcel:
appl type: CFG3

By _____ Oct 01, 2008 12:06
MBRASWEL posting date Oct 01, 2008

Account Code	Description	Amount
658353120100208100	CF&G TRUST	\$.75

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

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

J* REPRINTED * R0901578

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 694-5242

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

Received from: LEE CONSULTING GROUP \$117.00
paid by: CK 1858
CA FISH & GAME FEE FOR EA 40918
paid towards: CFG04330 CALIF FISH & GAME: DOC FEE
at parcel:
appl type: CFG3

By SBROSTRO Feb 04, 2009 08:41
posting date Feb 04, 2009

Account Code	Description	Amount
658353120100208100	CF&G TRUST	\$117.00

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

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

J* REPRINTED * R0810639

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 694-5242

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

Received from: LEE CONSULTING GROUP \$140.00
paid by: CK 1041
CA FISH & GAME FEE FOR EA 40918
paid towards: CFG04330 CALIF FISH & GAME: DOC FEE
at parcel:
appl type: CFG3

By _____ Oct 01, 2008 12:07
MBRASWEL posting date Oct 01, 2008

Account Code	Description	Amount
658353120100208100	CF&G TRUST	\$140.00

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

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

J* REPRINTED * R0718116

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 694-5242

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

Received from: LEE CONSULTING GROUP \$1,736.00
paid by: CK 1287
CA FISH & GAME FEE FOR EA 40918
paid towards: CFG04330 CALIF FISH & GAME: DOC FEE
at parcel:
appl type: CFG3

By _____ Dec 18, 2007 09:35
MBRASWEL posting date Dec 18, 2007

Account Code	Description	Amount
658353120100208100	CF&G TRUST	\$1,736.00

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

**PLANNING COMMISSION
MINUTE ORDER FEBRUARY 18, 2009
LA QUINTA COUNCIL CHAMBERS**

- I. AGENDA ITEM 6.2: TENTATIVE TRACT MAP NO. 34651** – Intent to Adopt a Mitigated Negative Declaration – Applicant: Palm Desert 53 Investment, LLC - Engineering/Representative: Lee Consulting Group. – Fourth Supervisorial District – Bermuda Dunes Zoning District – Western Coachella Valley Area Plan: Community Development: High Density Residential (CD-HDR) (8-14 Dwelling Unit per Acre) – Location: Northerly of Varner Road, southerly of Avenue 38, and westerly of Washington Street – 55 Gross Acres – Zoning: Controlled Development Areas (W-2) – APN(s): 626-130-019. (Quasi-Judicial)
- II. PROJECT DESCRIPTION**
The tentative tract map proposes to divide approximately 55 acres into 416 single-family residential lots.
- III. MEETING SUMMARY**
The following staff presented the subject proposal:
Project Planner, Maurice Borrows, at 760-863-7063 or e-mail mborrows@rctlma.org.
- The following did not wish to speak but want to be recorded as in favor of the subject proposal:
Rafik Albert, Applicant, 8921 Research Dr., Irvine, Ca. 92618
- The following did not wish to speak but want to be recorded as in opposition of the subject proposal:
Cheryl Isen, Neighbor, 79-015 Delta St., Bermuda Dunes, Ca. 92203
- No one spoke in a neutral position of the subject proposal.
- IV. CONTROVERSIAL ISSUES**
NONE
- V. PLANNING COMMISSION ACTION**
The Planning Commission, by a vote of 5-0, continued the subject proposal to April 29, 2009.
- VI. CD**
The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at cgriffin@rctlma.org.

**PLANNING COMMISSION
MINUTE ORDER APRIL 29, 2009
LA QUINTA COUNCIL CHAMBERS**

- I. AGENDA ITEM 3.2: TENTATIVE TRACT MAP NO. 34651** – Intent to Adopt a Mitigated Negative Declaration – Applicant: Palm Desert 53 Investment, LLC - Engineering/Representative: Lee Consulting Group. – Fourth Supervisorial District – Bermuda Dunes Zoning District – Western Coachella Valley Area Plan: Community Development: High Density Residential (CD-HDR) (8-14 Dwelling Unit per Acre) – Location: Northerly of Varner Road, southerly of Avenue 38, and westerly of Washington Street – 55 Gross Acres – Zoning: Controlled Development Areas (W-2) - APN(s): 626-130-019. (Continued from 2/18/09). (Quasi-Judicial)
- II. PROJECT DESCRIPTION**
The tentative tract map proposes to divide approximately 55 acres into 416 single-family residential lots.
- III. MEETING SUMMARY**
The following staff presented the subject proposal:
Project Planner, Maurice Borrows, at 760-863-7063 or e-mail mborrows@rctlma.org.

No one spoke in favor, neutral or in opposition of the subject proposal.
- IV. CONTROVERSIAL ISSUES**
NONE
- V. PLANNING COMMISSION ACTION**
The Planning Commission, by a vote of 4-0, (Commissioner Zuppardo Absent) continued the subject proposal off calendar.
- VI. CD**
The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at cgriffin@rctlma.org.

**PLANNING COMMISSION
MINUTE ORDER FEBRUARY 3, 2010
RIVERSIDE COUNTY ADMINISTRATIVE CENTER**

- I. AGENDA ITEM 5.2: SPECIFIC PLAN NO. 360 AMENDMENT NO. 1 / TENTATIVE TRACT MAP NO. 34651** - Intent to Adopt an Addendum to Mitigated Negative Declaration No. 40918 - Applicant: Lee Consulting Group - Engineering/Representative: RGP Planning - Fourth Supervisorial District - Bermuda Dunes Zoning District - Western Coachella Valley Area Plan: Open Space: Open Space Recreation (OS-R), Open Space Conservation (OS-C): Community Development: High Density Residential (HDR), Very High Density Residential (VHDR) - Location: Northerly of Varner Road, southerly of Avenue 38, and westerly of Washington Street - 55 Gross Acres - Zoning: Specific Plan (SP) (Legislative)
- II. PROJECT DESCRIPTION**
The Specific Plan Amendment proposes to modify the acreage and density of various Planning Areas adopted under Specific Plan No. 360. The Specific Plan Amendment further proposes to modify the roadway alignment of Avenue 38, adopted under Specific Plan No. 360, in order to ensure consistency with the alignment of adjacent Tentative Tract Map No. 35058 (TR35058) and the required roadway and drainage improvements. Tentative Tract Map No. 34651 proposes a Schedule C tentative tract map to divide approximately 55 acres into eleven (11) residential lots, ranging in size from approximately 2.0 acres to 3.5 acres; with one (1) open space lot, and one (1) drainage lot.
- III. MEETING SUMMARY**
The following staff presented the subject proposal:
Project Planner: Matt Straite, Ph: (951) 955-8631 or E-mail mstraite@rctlma.org
- The following spoke in favor of the subject proposal:
Mee Semcken, Applicant, 3365 Monterey Rd., San Marino, CA 91108
Jeremy Krout, 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, by a vote of 5-0, recommended to the Board of Supervisors;
- ADOPTION** of a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 40918**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment;
- CERTIFICATION** of an **ADDENDUM** to **ENVIRONMENTAL ASSESSMENT NO. 40918**, based on the finding that all impacts were adequately analyzed pursuant to applicable legal standards, and while some changes and/or additions are necessary, none of the conditions described in California Code of Regulations Section 15162 exist; and,
- APPROVAL** of **SPECIFIC PLAN AMENDMENT NO. 360A1**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report; and **APPROVAL** of **TENTATIVE TRACT MAP NO. 34651**, subject to the attached conditions of approval and based upon the findings and conclusions incorporated in the staff report.

Agenda Item No.: 5.2
Area Plan: Western Coachella Valley
Zoning District: Bermuda Dunes
Supervisory District: Fourth
Project Planner: Matt Straite
Planning Commission: March 3, 2010
Tract Map Continued From: April 29, 2009,
February 18, 2009

SPECIFIC PLAN AMENDMENT NO. 360A1
TENTATIVE TRACT MAP NO. 34651
E.A. Number: 40918
Applicant: Palm Desert 53 Investors, LLC
Engineer/Rep.: RGP Planning

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

Specific Plan Amendment No. 360A1 proposes to modify the acreage and density of various Planning Areas adopted under Specific Plan No. 360 (see comparison table attached on CD) and further proposes to modify the roadway alignment of Avenue 38, adopted under Specific Plan No. 360 to ensure consistency with the adjacent Tentative Tract Map No. 35058 (TR35058). The number of Planning Areas (22) and dwelling units (460) has remained the same. The change accommodates a slight re-design due to the re-alignment of Avenue 38. The project has increased Open Space - Recreation by 1.4 acres, and Open Space Conservation has decreased by 1.8. The setback along Varner has reduced as a result of the relocation of the Regional Trail from Varner Road to Avenue 38. In contrast to the original plan, the project is no longer bifurcated by Avenue 38, instead the neighborhood is located only to the south of Avenue 38.

Tentative Tract Map No. 34651 proposes a Schedule C land division of approximately 55 acres into 13 minimum 2 acre parcels.

The project is located in the Western Coachella Valley Area Plan, more specifically northerly of Varner Road, southerly of Avenue 38, and westerly of Washington Street, to the west of the Mirasera Specific Plan, (SP338).

FURTHER PLANNING CONSIDERATIONS:

March 3, 2010

The Tentative Tract Map was before the Planning Commission on February 18, 2009 and April 29, 2009 for updates on the realignment issues. The realignment of Avenue 38 affecting this project (TR34651) and the adjacent project (TR35058) has been finalized. The property owners submitted a letter of intent and agreement stating that they are in agreement with a common alignment acceptable to both parties.

The original specific plan (SP00360) has been approved and adopted by the Board of Supervisors on June 9, 2009.

SUMMARY OF FINDINGS:

- | | |
|-----------------------------------|--|
| 1. Existing Land Use (Ex. #1): | Vacant |
| 2. Surrounding Land Use (Ex. #1): | Vacant and the Fringe-Toed Lizard preserve to the north, adopted specific plan to the east, vacant property to the west; and Interstate 10 and City Palm Desert to the south |
| 3. Existing Zoning (Ex. #3): | Specific Plan (SP360) |
| 4. Surrounding Zoning (Ex. #3): | Natural -Assets (N-A) to the north; City of Palm Desert (PL-3) to the south; Specific Plan, Scenic |

- | | |
|----------------------------|--|
| 5. General Plan Land Use | Highway Commercial (C-P-S), and Controlled Development Areas (W-2-10) to the east; and W-2 to the west |
| 6. Project Data: | Community Development (CD): Specific Plan as reflected by the land use plan |
| 7. Environmental Concerns: | Total Acreage: 55
See attached environmental assessment and addendum |

RECOMMENDATIONS:

ADOPTION of a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 40918**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment;

CERTIFICATION of an **ADDENDUM** to **ENVIRONMENTAL ASSESSMENT NO. 40918**, based on the finding that all impacts were adequately analyzed pursuant to applicable legal standards, and while some changes and/or additions are necessary, none of the conditions described in California Code of Regulations Section 15162 exist; and,

APPROVAL of **SPECIFIC PLAN AMENDMENT NO. 360A1**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report; and

APPROVAL of **TENTATIVE TRACT MAP NO. 34651**, subject to the attached conditions of approval and based upon the findings and conclusions incorporated in the staff report.

CONCLUSIONS:

1. The proposed project is in conformance with the Community Development: Open Space Conservation; Open Space Recreation; and High Density Residential and the land uses proposed within the Specific Plan are all consistent with all the Riverside County General Plan.
2. The proposed project is consistent with the Specific Plan zoning classification of Ordinance No. 348, along with the proposed zoning ordinance for the Specific Plan and with all other applicable provisions of Ordinance No. 348.
3. The public's health, safety, and general welfare are protected through project design.
4. The proposed project is clearly compatible with the present and future logical development of the area.
5. The proposed project will not have a significant effect on the environment.
6. The proposed project is not located with a designated Conservation Area of the Coachella Valley Multi-Species Habitat Conservation Plan (MSHCP).

FINDINGS: The following findings are in addition to those incorporated in the summary of findings which is incorporated herein by and in the attached Environmental Assessment and Addendum there to:

1. The project site is designated Community Development: Specific Plan as reflected by the Specific Plan Land Use Plan in the Western Coachella Valley Area Plan.
2. The proposed use of residential development is a permitted use in the Specific Plan.
3. The uses as proposed in the Specific Plan, High Density Residential (HDR) 8-14 dwelling units per acre and Very High Density Residential (VHDR) 14-20 dwelling units per acre, are consistent with the surrounding uses and the Riverside County General Plan.
4. The project site is surrounded by properties which are designated Community Development: High Density Residential (CD:HDR 8-14 dwelling units per acre), Very High Density Residential (CD:VHDR 14-20 dwelling units per acre) and Open Space: Conservation Habitat (OS:CH).
5. The zoning for the subject site is Specific Plan.
6. The proposed residential uses of the Specific Plan Amendment and Tentative Tract Map are consistent with the development standards set forth in the Specific Plan.
7. The project site is surrounded by properties which are zoned Natural Assets (N-A), Specific Plan (SP), and Scenic Highway Commercial (C-P-S).
8. A Mitigated Negative Declaration has been adopted for SP360 on the project site. An addendum was created to address additional information presented for the Tract Map. CEQA does not require an additional Negative Declaration or EIR per 15162 because on the basis of substantial evidence in the light of the whole record:

(1) Per the attached EA40918 and Addendum, no substantial changes are proposed in the project which will require major revisions of the previous Mitigated Negative Declaration or increase in the severity of previously identified significant effects;

(2) Per the attached EA40918 and Addendum, no substantial changes are proposed with respect to the circumstances under which the project will be undertaken which would require major revisions of the previous Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and,

(3) Per the attached EA40918 and Addendum, no 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 Mitigated Negative Declaration was adopted.

INFORMATIONAL ITEMS:

1. As of this writing staff received no letters in opposition or in favor of this project.
2. The project site is not located within:

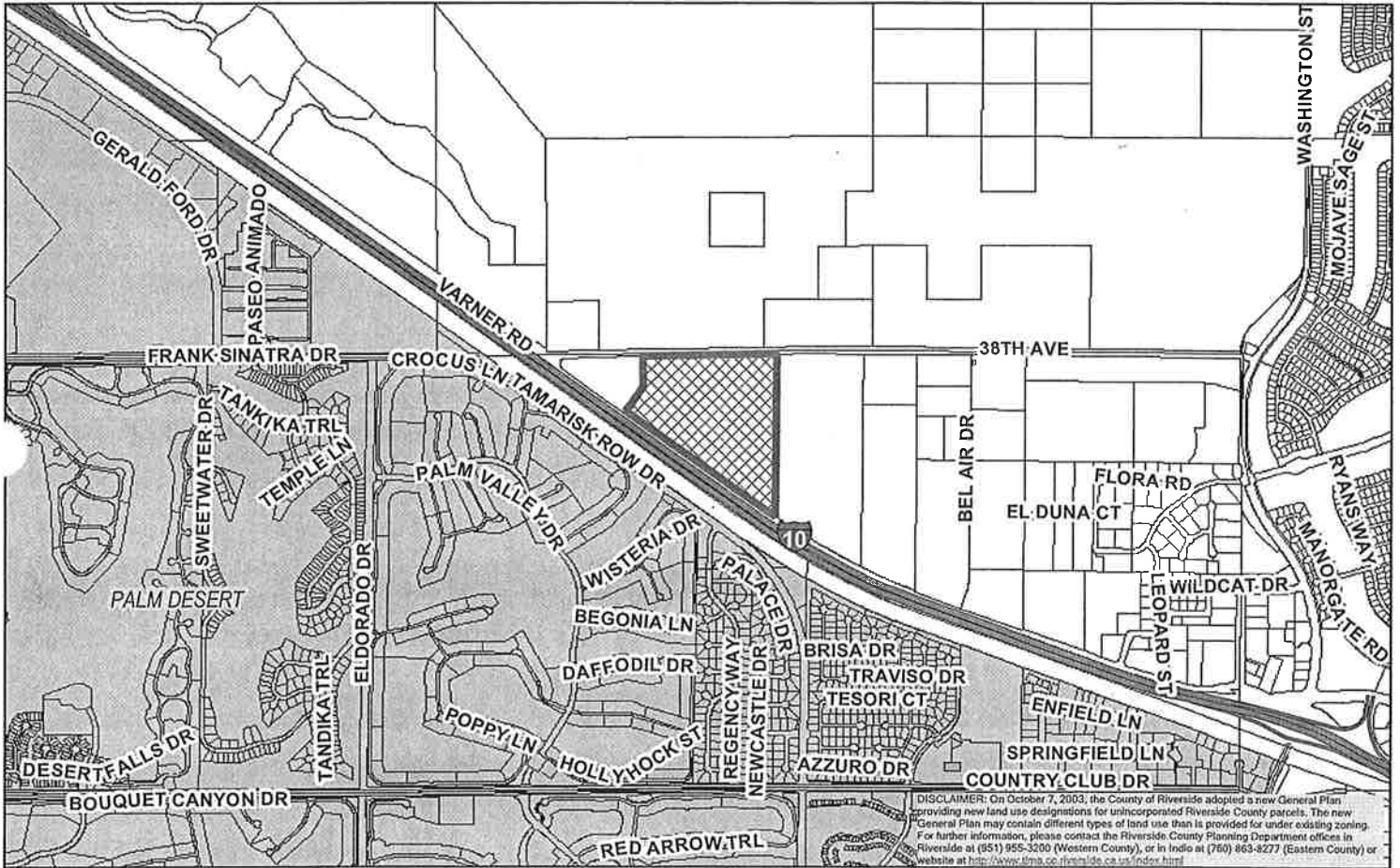
SPECIFIC PLAN AMENDMENT NO. 360 Amendment No. 1
TENTATIVE TRACT MAP NO. 34651
Planning Commission Staff Report: March 3, 2010
Page 4 of 4

- a. Fringe Toed Lizard sand source area
 - b. General Plan Policy Overlay Area
 - c. California Gnatcatcher, Quino Checkerspot Butterfly habitat.
3. The project site is located within:
 - a. The boundaries of the Desert Sands Unified School District.
 - b. Flood Zone AO of the FEMA Flood Plain.
 - c. The CVMHSCP fee area.
 - d. Compatibility Zone E of the Bermuda Dunes Airport.
 4. The subject site is currently designated as Assessor's Parcel Number 626-130-019.
 5. The project site is within a 100-year flood zone, thus, the property must be protected from flooding prior to any development on the site. Therefore, the property owner and the adjacent property owners have entered into multi-party agreements with the United States Army Corps of Engineers (USACOE) to participate in the construction of a portion of a regional drainage facility that will tie the project into other flood systems up and down stream.
 6. The proposed project is located within the boundaries of proposed Specific Plan No. 360 which was adopted by the Board of Supervisors.
 7. The project was filed with the Planning Department on June 29, 2006. The project was submitted with related Specific Plan No. 360. Both projects were processed concurrently in the Riverside office under Set No. ZCC003834.
 8. The project was reviewed by the desert office Land Development Committee two times on the following dates, December 18, 2008 and January 22, 2009.
 9. Deposit based fee charged for this project and the related specific plan, as of the time of staff report preparation, total \$119, 641.74.

Supervisor Wilson
 District 4
 Date Drawn: 2/05/09

TR34651
VICINITY MAP

Planner: Maurice Borrows
 Date: 2/18/09
 VICINITY MAP



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 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.ltrpa.co.riverside.ca.us/index.html>

District: Bermuda Dunes
 Township/Range: T5SR6E
 Section: 2

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
 Bk. Pg. 626-13
 Thomas
 Bros. Pg. 819 C1



DEVELOPMENT OPPORTUNITY



RIVERSIDE COUNTY PLANNING DEPARTMENT

District: Bermuda Dunes
Township/Range: T5SR6E
Section: 2



Assessors
Bk. Pg. 626-13
Thomas
Bros. Pg. 819 C1

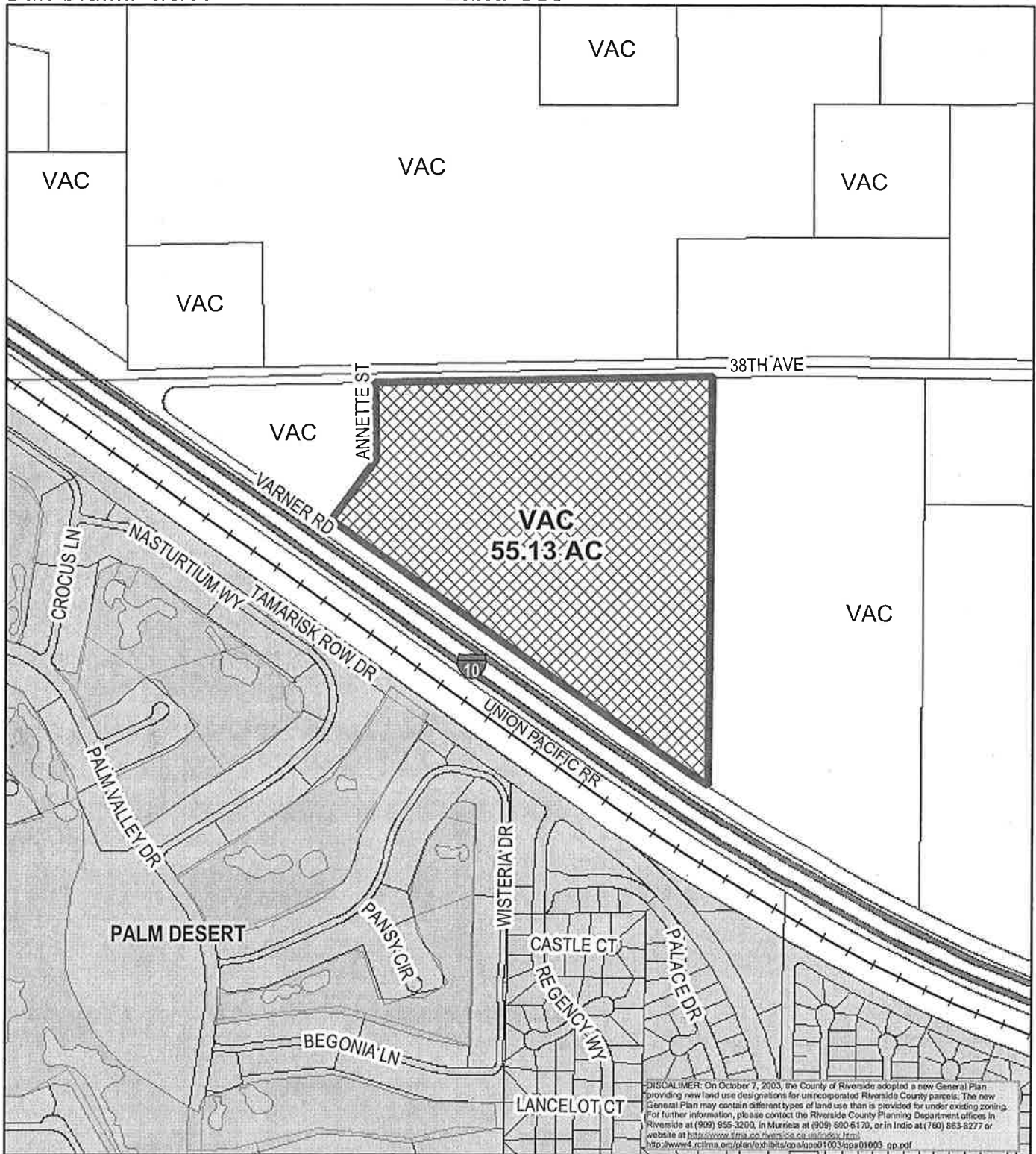


Supervisor Wilson
District 4
Date Drawn: 6/5/08

SP00360

Land Use

Planner: Matt Straite
Date: 7/09/08
Exhibit 1



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 website at http://www4.rctirpa.org/plan/exhibits/gp/adopted1003/gps01003_gp.pdf

Zone
District: Bermuda Dunes
Township/Range: T5SR6E
Section: 2

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 626-13
Thomas
Bros. Pg. 819 C1

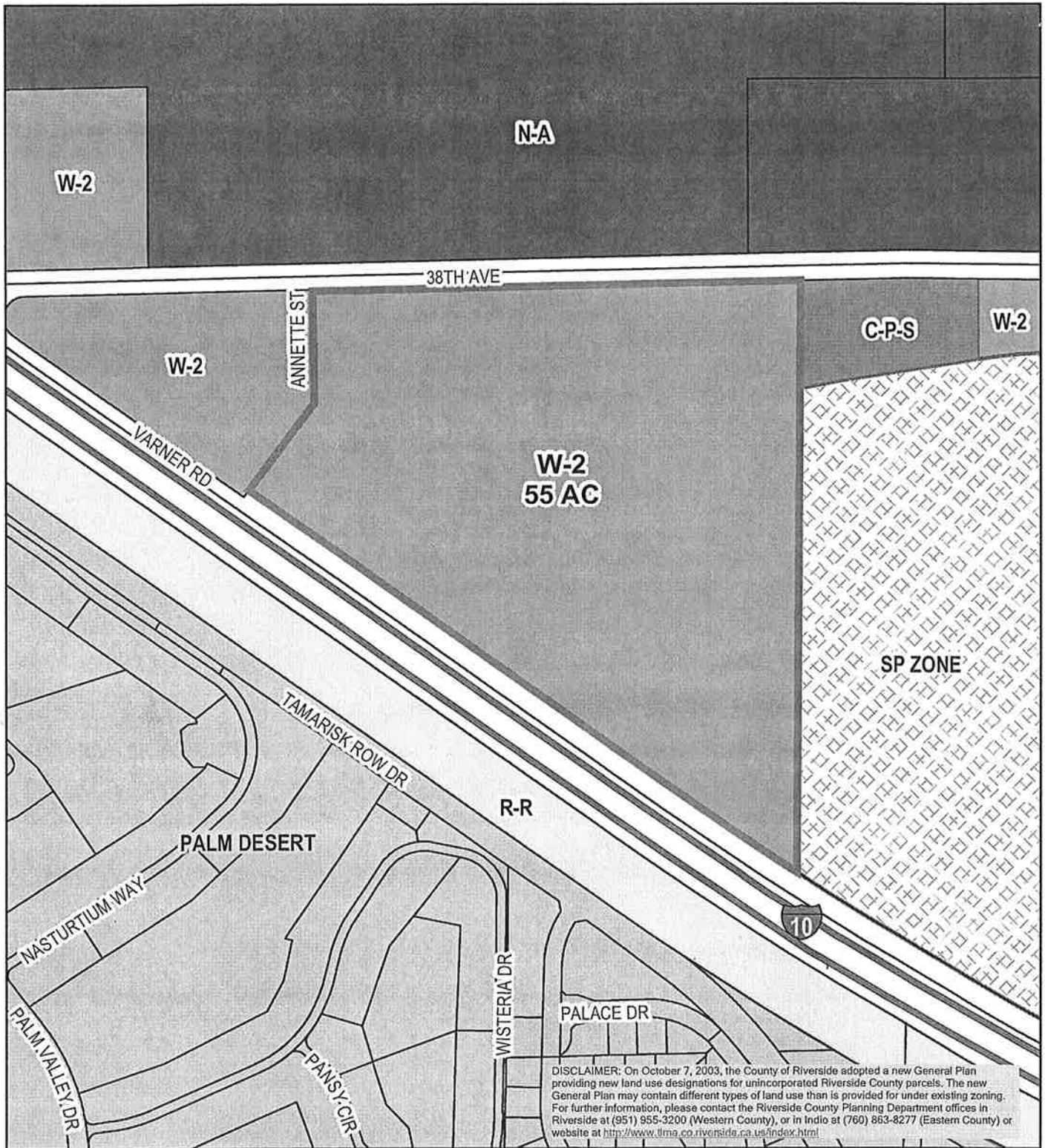


Supervisor: Wilson
District 4
Date Drawn: 2/05/09

TR34651

EXISTING ZONING

Planner: Maurice Borrows
Date: 2/18/09
Exhibit 2



RIVERSIDE COUNTY PLANNING DEPARTMENT

District: Bermuda Dunes
Township/Range: T5SR6E
Section: 2



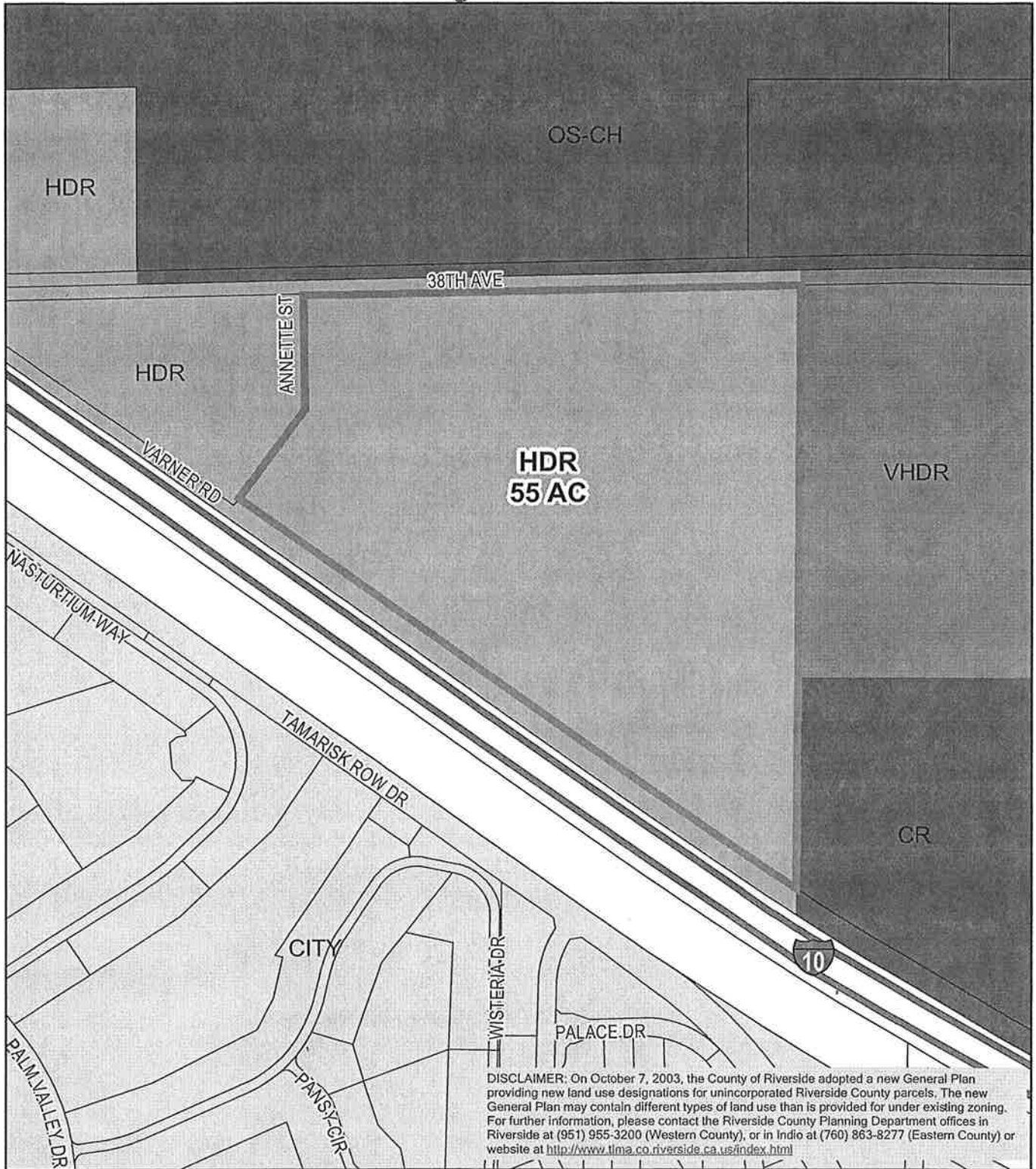
Assessors
Bk. Pg. 626-13
Thomas
Bros. Pg. 819 C1

Supervisor: Wilson
District 4
Date Drawn: 2/05/09

TR34651

Existing General Plan

Planner: Maurice Borrows
Date: 2/18/09
Exhibit 5



RIVERSIDE COUNTY PLANNING DEPARTMENT

District: Bermuda Dunes
Township/Range: T5SR6E
Section: 2



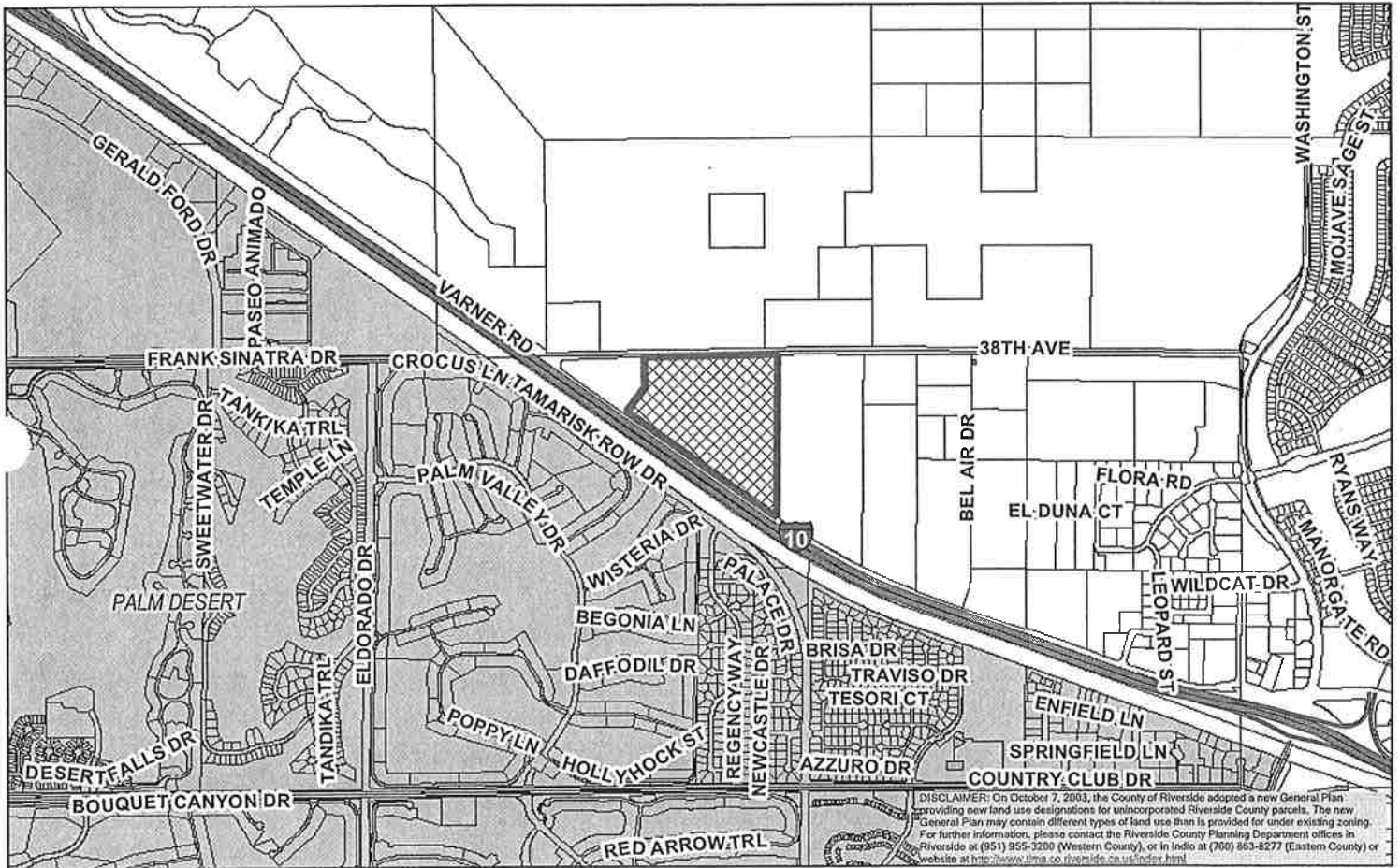
Assessors
Bk. Pg. 626-13
Thomas
Bros. Pg. 819 C1



Supervisor Wilson
District 4
Date Drawn: 2/05/09

TR34651 POLICY AREAS

Planner: Maurice Borrows
Date: 2/18/09
Exhibit 8



RIVERSIDE COUNTY PLANNING DEPARTMENT

District: Bermuda Dunes
Township/Range: T5SR6E
Section: 2

Assessors
Bk. Pg. 626-13
Thomas
Bros. Pg. 819 C1

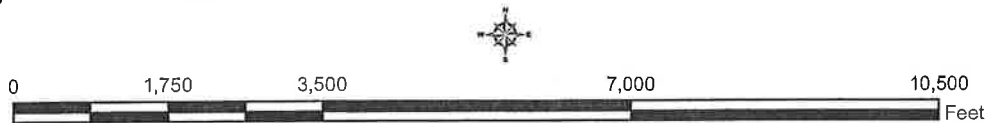
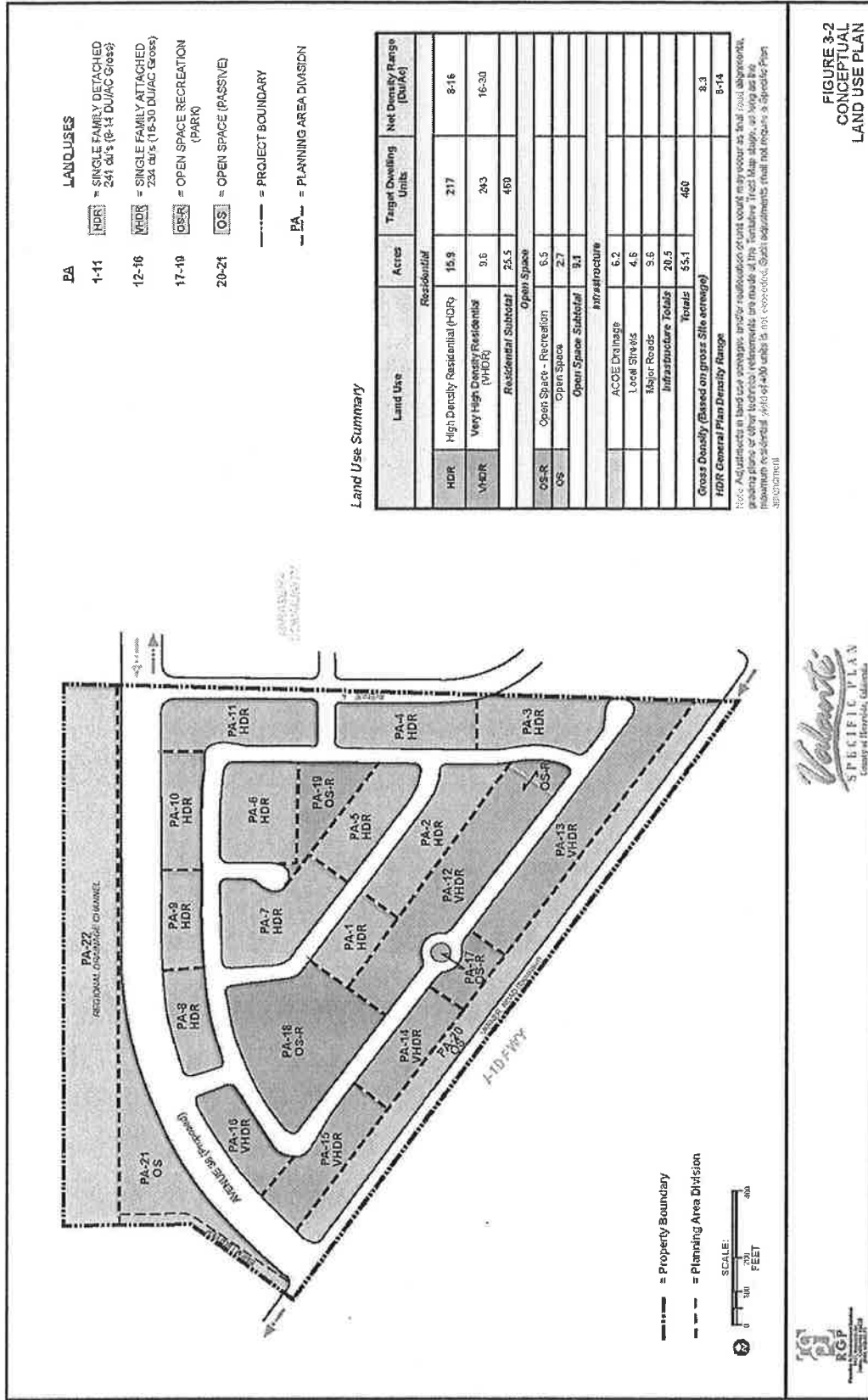


Figure 5 – Proposed SP 360 Amendment No. 1 Land Use Plan



Valante
 SPECIFIC PLAN
 County of Riverside, California



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

920 B



FROM: TLMA - Planning Department

SUBMITTAL DATE:

June 1, 2009

SUBJECT: **Specific Plan No. 360** (Mitigated Negative Declaration) – Applicant: Corman Leigh Communities – Engineer / Representative: RGP - Fourth Supervisorial District – Bermuda Dunes Zoning District – Western Coachella Valley Area Plan: Community Development: High Density Residential (CD:HDR 8-14 Dwelling Units Per Acre) – Location: Northerly of Interstate 10, southerly of 38th Street, and westerly of Washington Street – 55.13 Gross Acres - Zoning: Controlled Development (W-2).

RECOMMENDED MOTION:

ADOPTION OF RESOLUTION NO. 2009-168, which has been completed in compliance with the CEQA guideline.

Ron Goldman
Planning Director

RG:db

REVIEWED BY EXECUTIVE OFFICE

DATE 6/3/09
Tina Grande
Departmental Concurrence

DATE 6/1/09

FORM APPROVED COUNTY COI
BY: Minh C. Tran
MINH C. TRAN

Policy
 Policy

Consent
 Consent

Dep't Re
Per Exec. Ofc.:

Prev. Agn. Ref.

District: Fourth

Agenda Number:

3.48d

2 **RESOLUTION NO. 2009-168**
3 **ADOPTING SPECIFIC PLAN NO. 360**
4 **(VALANTE)**

5 **WHEREAS**, pursuant to the provisions of Government Code Section 65450 et. seq. public
6 hearings were held before the Riverside County Board of Supervisors in Riverside, California on March
7 3, 2009 and before the Planning Commission in La Quinta, California on September 17, 2008 to
8 consider Specific Plan No. 360 (Valante); and;

9 **WHEREAS**, the Board of Supervisors closed the March 3, 2009 public hearing and voted
10 unanimously to approve General Plan Amendment No. 881, Change of Zone Case No. 7582, Specific
11 Plan No. 360, and,

12 **WHEREAS**, all the procedures of the California Environmental Quality Act and the Riverside
13 County Rules to Implement the Act have been met and the environmental document, a mitigated negative
14 declaration, Environmental Assessment No. 40918, prepared or relied on is sufficiently detailed so that all
15 the potentially significant effects of the project on the environment and measures necessary to avoid or
16 substantially lessen such effects have been evaluated in accordance with the above-referenced Act and
17 Rules; and,

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

20 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the
21 Board of Supervisors of the County of Riverside, in regular session assembled on April 28, 2009 that:

- 22
- 23 A. Specific Plan No. 360 is a 55± acres of residential and open space uses comprised of
24 460 residential lots that will have a density of 8-14 du/per acres (high density
25 residential) generally bounded by Varner Avenue on the south and Avenue 38 on the
26 north.
27
- 28 B. Specific Plan No. 360 is associated with the Riverside County General Plan

1 Amendment No. 881, which was considered concurrently at the public hearings before
2 the Planning Commission and the Board. Specific Plan No. 360 is associated with
3 Change of Zone Case No. 7582, which was considered concurrently at the public
4 hearings before the Planning Commission and Board. Change of Zone Case No. 7582
5 proposes to change designation from Controlled Development (W-2) to Specific Plan
6 (SP). The SP zoning designation would revise the existing development standards by
7 replacing them with those standards required to implement Specific Plan No. 360.

8 **BE IT FURTHER RESOLVED** by the Board of Supervisors that Specific Plan No. 360 is
9 consistent with the Riverside County General Plan.

10 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it has reviewed and considered
11 Environmental Assessment No. 40918 in evaluating Specific Plan No. 360 that Environmental
12 Assessment No. 40918 is an accurate and objective statement that complies with the California
13 Environmental Quality Act and reflects the County's independent judgment, and that Environmental
14 Assessment No. 40918 is incorporated herein by this reference.

15 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **CERTIFIES** Environmental
16 Assessment No. 40918, and **ADOPTS** the Mitigation Monitoring Plan specified therein.

17 **BE IT FURTHER RESOLVED** by the Board of Supervisors that Specific Plan No. 360, on file
18 with the Clerk of the Board, including the final conditions of approval and exhibits, is hereby adopted
19 as the Specific Plan of Land Use for the real property described and shown in the plan, and said real
20 property shall be developed substantially in accordance with the plan, unless the plan is amended by the
21 Board.

22 **BE IT FURTHER RESOLVED** by the Board of Supervisors that copies of Specific Plan No.
23 360 shall be placed on file in the Office of the Clerk of the Board, in the Office of the Planning
24 Director, and in the Office of the Building and Safety Director, and that no applications for subdivision
25 maps, conditional use permits or other development approvals shall be accepted for the real property
26 described and shown in the plan, unless such applications are substantially in accordance therewith.

27 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the custodians of the
28

FORM APPROVED COUNTY COUNSEL
 BY: *Minh C. Tran* DATE: 6/1/09

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

919 B



FROM: TLMA- Planning

SUBMITTAL DATE:
 June 1, 2009

SUBJECT: RESOLUTION NO. 2009-118 - FIRST CYCLE OF GENERAL PLAN AMENDMENTS (LAND USE ELEMENT) FOR 2009 (GPA Nos. 826, 876, 881, 883, 912, 971, 1047 and 1073).

RECOMMENDED MOTION: ADOPTION of Resolution No. 2009-118 amending the Riverside County General Plan in accordance with the Board's actions taken on General Plan Amendment (GPA) Nos. 826, 876, 881, 883, 912, 971, 1047 and 1073.

BACKGROUND: Board of Supervisors Resolution No. 2009-118 for the first General Plan Amendment Cycle of 2009 is organized in numeric order. The table below groups the General Plan Amendments by Supervisorial District:

SUPERVISORIAL DISTRICT	AREA PLAN	CASE NO.	PAGE NO.	LETTER
Second	Jurupa Area Plan	GPA No. 912	12	E
Second	Eastvale Area Plan	GPA No. 971	15	F
Third	Southwest Area Plan	GPA No. 1047	18	G
Fourth	Eastern Coach. Valley Area Plan	GPA No. 826	1	A
Fourth	Western Coach. Valley Area Plan	GPA No. 876	4	B
Fourth	Western Coach. Valley Area Plan	GPA No. 881	7	C
County-Wide	County-Wide	GPA No. 883	10	D
County-Wide	County-Wide	GPA No. 1073	20	H

Ron Goldman
 Ron Goldman
 Planning Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:
	Annual Net County Cost:	\$ 0	For Fiscal Year:

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:
 APPROVE
 BY: *Tina Grande*
 Tina Grande
 County Executive Office Signature

Dept Recomm. Consent Policy
 Per Exec. Ofc.: Consent Policy

[Large blank area for comments or signatures]

Prev. Agn. Ref.: District: ALL Agenda Number: **3.48 a**

INDIVIDUAL AMENDMENTS:

The General Plan Amendments comprising the first cycle of 2009 are described below:

GPA No. 826 affects the Eastern Coachella Valley Area Plan, and amends the designation on approximately 507 acres located northerly of Avenue 62, easterly of State Highway 86S, southerly of Avenue 60, and westerly of Lincoln Street from Agriculture and Commercial Retail to Specific Plan within the Community Development Foundation Component.

GPA No. 876 affects the Western Coachella Valley Area Plan, and amends the designation on approximately 4.5 acres located northerly of 41st Avenue, easterly of Washington Street and westerly of Yucca Lane from Very Low Density Residential to Commercial Office within the Community Development Foundation Component.

GPA No. 881 affects the Western Coachella Valley Area Plan, and amends the designation on approximately 55.13 acres located northerly of Interstate 10, southerly of 38th Street, and westerly of Washington Street from High Density Residential to Specific Plan within the Community Development Foundation Component.

GPA No. 883 is County-wide and amends to incorporate the provision of child care facilities (i.e., large family day care homes and child care centers) into the Riverside County General Plan Vision Statement and the Land Use Element in all five supervisorial districts. All five General Plan Land Use Foundation Components will be amended to allow for large family day care homes and/or child care centers. This amendment is associated with Ordinance Amendment No. 348-4596, which was considered concurrently with this amendment.

GPA No. 912 affects the Jurupa Area Plan, and amends the designation on approximately 0.36 acres located northerly of Mission Boulevard and westerly of La Rue Street from Highest Density Residential to Commercial Retail within the Community Development Foundation Component.

GPA No. 971 affects the Eastvale Area Plan, and amends the designation on approximately 5.53 acres located northerly of A Street, easterly of Raymond Drive, southerly of Schleisman Road and westerly of Hamner Avenue from Medium Density Residential to Commercial Retail within the Community Development Foundation Component.

GPA No. 1047 affects the Southwest Area Plan and amends the designation on approximately 10.12 acres located northerly of Robertson Way and westerly of Mesa Road from Rural Mountainous to Rural Residential within the Rural Foundation Component.

GPA No. 1073 is County-wide and amends the General Plan Policy LU-6.2 clarifying that although a Public Facilities land use designation exists, public facilities may be allowed in any land use designation except the Open Space-Conservation and the Open Space- Habitat land use designations. The purpose of the proposed amendment is to reconcile the General Plan and the Zoning Ordinance.

2 **RESOLUTION NO. 2009-118**

3 **1st CYCLE GENERAL PLAN AMENDMENTS FOR 2009**

4
5 **WHEREAS**, pursuant to the provisions of Government Code Section 65350 et seq., public
6 hearings were held before the Riverside County Board of Supervisors on **December 16, 2008, January 6,**
7 **2009, February 3 and 10, 2009, March 3, and 31, 2009 and June 2, 2009** and before the Riverside
8 **County Planning Commission on September 17, 2008, October 1, 2008, November 5, and 19, 2008,**
9 **December 3, 2008, February 4, 2009 and May 13, 2009** to consider proposed amendments to the
10 **Jurupa Area Plan, Eastvale Area Plan, Eastern Coachella Valley Area Plan, Western Coachella**
11 **Valley Area Plan, Southwest Area Plan and the text of the Vision Statement and the Land Use**
12 **Element** of the Riverside County General Plan; and,

13 **WHEREAS**, all the provisions of the California Environmental Quality Act (CEQA) and
14 Riverside County CEQA implementing procedures have been satisfied; and,

15 **WHEREAS**, the above matters were discussed fully with testimony and documentation presented
16 by the public and affected government agencies; now, therefore,

17 **WHEREAS**, the proposed general plan amendments are hereby declared to be severable and if
18 any proposed amendment is adjudged unconstitutional or otherwise invalid, the remaining proposed
19 amendments shall not be affected thereby; now, therefore,

20 **BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of Supervisors
21 of the County of Riverside, and in regular session assembled on April 28, 2009 that:

22 A. General Plan Amendment No. 826 (GPA00826) is a proposal to amend the Eastern
23 Coachella Valley Area Plan by amending the Land Use Map designation from Agriculture (AG) and
24 Community Development: Commercial Retail (CD:CR) to Specific Plan (SP) within the Community
25 Development Foundation Component, on an approximately 507.0-acre site located northerly of Avenue
26 62, southerly of Avenue 60, easterly of State Highway 86 South and westerly of Lincoln Street in the
27 Lower Coachella Valley Zoning District of the Fourth Supervisorial District, as shown on the exhibit
28

1 entitled "CZ7402 GPA826 SP362 Proposed General Plan," a copy of which is attached hereto and
2 incorporated herein by reference. This amendment is associated with Specific Plan No. 362 and Change
3 of Zone No. 7402, which were considered concurrently with this amendment at the public hearings before
4 the Planning Commission and the Board of Supervisors. Specific Plan No. 362 proposes a master
5 planned community of 507.0 acres developed around a new College of the Desert (COD) East Valley
6 Campus (EVC), which is planned on 95 of the 507 total acres. The project is comprised of 2,560 single
7 and multi-family dwelling units. In addition the project incorporated land uses that will permit a
8 community center, fire station, mixed use areas, commercial, office park uses and a 2.3 acre site for
9 electrical sub station. Change of Zone No. 7402 proposes to change the existing zoning from Agriculture,
10 with a 10 acre minimum lot size (A-2-10) and Commercial Retail (0.20-0.35 FAR) to Specific Plan and
11 establish a boundary of the Specific Plan.
12

13
14 **BE IT FURTHER RESOLVED** by the Board of Supervisors, based on the evidence presented
15 on this matter, both written and oral, including Environmental Impact Report No. 489, that:

- 16 1. The site is located in the Lower Coachella Valley area of the Eastern Coachella Valley
17 Area Plan.
- 18 2. The Eastern Coachella Valley Area Plan Land Use Map determines the extent, intensity,
19 and location of land uses.
- 20 3. The site is currently designated Agriculture (AG) on approximately 477 acres and
21 Commercial Retail (CR) within the Community Development Foundation on
22 approximately 30 acres.
- 23 4. The proposed amendment would change the land use designation on the site from
24 Agriculture and Commercial Retail to Specific Plan (SP) within the Community
25 Development Foundation Component.
26
27
28

1 land designated as Agriculture may be changed to other Foundation and land use
2 designations without additional review by the Agriculture Task Forces established for this
3 purpose. The general plan divides the County into three areas subject to the 7% threshold:
4 the Palo Verde Valley Area Plan, the Desert Center Area Plan, and the Eastern Desert
5 Land Use Plan (i.e., Eastern County); the area covered by the Eastern Coachella Valley
6 and Western Coachella Valley Area Plans (i.e., Coachella Valley); and, the area covered
7 by all other Area Plans (i.e., Western County). The general plan establishes an Agricultural
8 Task Force for each of these areas. The proposed amendment is located within the
9 Coachella Valley. County records indicate that the proposed amendment will not exceed
10 the seven percent (7%) threshold for this cycle within the Coachella Valley and so does not
11 require additional review by the Agricultural Task Force.
12

13
14 16. The proposed amendment is consistent with the goals and policies of the Eastern Coachella
15 Valley Area Plan and with all policies of the Riverside County General Plan, as adopted on
16 October 7, 2003.

17 17. The proposed amendment is within the scope of, and is adequately evaluated by,
18 Environmental Impact Report No. 489. The findings contained in Board Resolution No.
19 2009-076 Adopting Specific Plan No. 362 (Panorama: A College Town) which certifies
20 Environmental Impact Report No. 489 are incorporated herein by reference.

21 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **ADOPTS** General Plan
22 Amendment No. 826 (GPA00826) from Heavy Agriculture (AG) and Commercial Retail (CR) within the
23 Community Development Component to Specific Plan (SP) within the Community Development
24 Foundation Component, as described herein and as shown on Exhibit 6, entitled, "CZ7402 GPA826
25 SP362 Proposed General Plan."

26 B. General Plan Amendment No. 876 (GPA00876) is a proposal to amend the Western
27 Coachella Valley Area Plan by amending the Land Use Map designation from Community Development:
28

1 Very Low Density Residential (CD:VLDR) to Commercial Office (C-O) within the Community
2 Development Foundation Component, on an approximately 4.5 acre site located northerly of 41st Avenue,
3 easterly of Washington Street and westerly of Yucca Lane in the Bermuda Dunes Zoning District of the
4 Fourth Supervisorial District, as shown on Exhibit 6, entitled, "CZ7529 PP22845 GPA00876 Proposed
5 General Plan," a copy of which is attached hereto and incorporated herein by reference. This amendment
6 is associated with Plot Plan No. 22845 and Change of Zone No. 7529, which were considered
7 concurrently with this amendment at the public hearings before the Planning Commission and the Board
8 of Supervisors. Plot Plan No. 22845 proposes to construct and operate an approximate 40,000 square foot
9 professional office complex consisting of two (2) one-story office buildings equaling about 20,000 square
10 feet apiece. Change of Zone No. 7529 proposes to change the existing zoning from One-Family Dwelling,
11 with a 20,000 sq. ft. minimum lot size (R-1-20,000) to the Commercial Office (C-O) zone.
12

13 **BE IT FURTHER RESOLVED** by the Board of Supervisors, based on the evidence presented
14 on this matter, both written and oral, including Environmental Assessment No. 41413, that:
15

- 16 1. The site is located in the Western Coachella Valley Area Plan.
- 17 2. The Western Coachella Valley Area Plan Land Use Map determines the extent, intensity,
18 and location of land uses.
- 19 3. The site is currently designated Very Low Density Residential with a 1 acre minimum lot
20 size within the Community Development Foundation Component.
- 21 4. The proposed amendment would change the land use designation on the site to Commercial
22 Office.
- 23 5. Pursuant to Section 65863 of the Government Code based upon the facts presented within
24 the staff analysis, the reduction in density is consistent with the adopted General Plan,
25 including the Housing Element. The remaining sites identified in the Housing Element of
26 the adopted General Plan are adequate to accommodate the County's share of regional
27 housing needs pursuant to Government Code Section 65584. This is based on the fact that
28 the Housing Element covering the 2001 through 2005 planning period determined there

1 was surplus of land in the Western County for all income categories (Housing Element
2 Table H-49).

3 6. The site bordered on the north by properties designated as Very Low Density Residential
4 (VLDR) to the east, south and north; High Density Residential (HDR) to the northwest;
5 and Commercial Office (CO) to the west and southwest.

6 7. The site is currently zoned One-Family Dwelling (R-1-20,000). The associated Change of
7 Zone No. 7529 proposing to change the site from One-Family Dwelling (R-1-20,000) to
8 Commercial Office (C-O).

9 8. The site is surrounded by properties, which are zoned One-Family Dwellings (R-1-12,000)
10 to the north, east and south; Limited Multiple Family Dwellings (R-2A-3,500) to the west;
11 General Residential (R-3) to the northwest; and General Residential (R-3-4,000) to the
12 southwest.

13 9. Surrounding land uses include scattered single-family residences to the north, east and
14 south, a 17,000 square foot church with accessory buildings to the west; multi-tenant
15 buildings to the northwest; and JFK Memorial Hospital medical building to the southwest.

16 10. The proposed amendment does not involve a change in the Riverside County Vision, any
17 General Plan Principle, or any Foundation Component designation in the General Plan.

18 11. The proposed amendment would contribute to the achievement of the purposes of the
19 General Plan.

20 12. Special circumstances or changes have emerged that were unanticipated in preparing the
21 General Plan.

22 13. The proposed general plan amendment will not be detrimental to public health, safety, and
23 welfare.
24
25
26
27
28

1 14. The proposed amendment is consistent with the goals and policies of the Western
2 Coachella Valley Area Plan and with all policies of the Riverside County General Plan, as
3 adopted on October 7, 2003.

4 15. The findings of the initial study performed pursuant to Environmental Assessment No.
5 41413 (a copy of which is attached hereto) are incorporated herein by reference. The
6 initial study determined that the proposed general plan amendment, plot plan and change
7 of zone ("the project") would have unavoidable impacts on, or be impacted by, Land Use
8 /Planning, Biological Resources, Transportation/Traffic, Air Quality, Geology/Soils,
9 Hazards & Hazardous Materials, Hydrology/Water Quality, Noise, and Aesthetics.
10 However, it was determined that each of these impacts was insignificant or would be
11 mitigated to a level of non-significance through the conditions of approval (including
12 referenced government agency letters) applied to the associated project. The initial study
13 concluded that the project, as mitigated, would not have a significant effect on the
14 environment.
15
16

17 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **ADOPTS** the Environmental
18 Assessment No. 41413 and **ADOPTS** General Plan Amendment No. 876 (GPA00876) from Very Low
19 Density Residential within the Community Development Component to Commercial Office (C-O) (0.35-
20 1.0 FAR) within the Community Development Component, as described herein and as shown on the
21 Exhibit 6, entitled, "CZ7529 PP22845 GPA00876 Proposed General Plan."
22

23 C. General Plan Amendment No. 881 (GPA00881) is a proposal to amend the Western
24 Coachella Valley Area Plan by amending the Land Use Map designation from High Density Residential
25 (CD:HDR 8-14 du/ac) within the Community Development Foundation Component to Specific Plan
26 (CD:SP) within the Community Development Foundation Component, on an approximately 55.13-acre
27 site located northerly of Interstate 10 and southerly of 38th Street in the Bermuda Dunes Zoning District of
28

1 the Fourth Supervisorial District, as shown on Exhibit 6, entitled, "General Plan Amendment No. 881
2 (SP360) Proposed General Plan," a copy of which is attached hereto and incorporated herein by reference.
3 This amendment is associated with Specific Plan No. 360 and Change of Zone No. 7582, which were
4 considered concurrently with this amendment at the public hearings before the Planning Commission and
5 the Board of Supervisors. Specific Plan 360 proposes to divide 55.13 acres into ten (10) planning areas
6 for residential and open space uses comprised of 460 residential lots. Change of Zone No. 7582 proposes
7 to change the zoning on the proposed amendment site ("the site") from Controlled Development (W-2) to
8 Specific Plan Zone.
9

10 **BE IT FURTHER RESOLVED** by the Board of Supervisors, based on the evidence presented
11 on this matter, both written and oral, including Environmental Assessment No. 40918, that:

- 12 1. The site is located in the Western Coachella Valley Area Plan (WCVAP).
- 13 2. The Western Coachella Valley Area Plan Land Use Map determines the extent, intensity,
14 and location of land uses within the WCVAP.
- 15 3. The site is currently designated High Density Residential (HDR) (8-14 du/ac) within the
16 Community Development Foundation Component.
- 17 4. The proposed amendment would change the WCVAP land use designation on the site from
18 High Density Residential (HDR) (8-14 du/ac) within the Community Development
19 Foundation Component to Specific Plan (SP) within the Community Development
20 Foundation Component.
- 21 5. Surrounding land use designations (in clockwise order) include Open Space Conservation
22 Habitat to the north, Very High Density Residential and Commercial Retail to the east, and
23 High Density Residential to the west. Properties across Interstate 10 are located in the City
24 of Palm Desert.
25
26
27
28

- 1 6. The site is zoned W-2 (Controlled Development Areas). The associated Change of Zone
2 No. 7582 proposes to change the zoning on the site to Specific Plan Zone.
- 3 7. The project site is surrounded by properties which are zoned Natural Assets (N-A),
4 Specific Plan (SP), and Scenic Highway Commercial (C-P-S).
- 5 8. The proposed amendment does not involve a change in the Riverside County Vision, any
6 General Plan Principle, or any Foundation Component designation in the General Plan.
- 7 9. The proposed amendment would contribute to the achievement of the purposes of the
8 General Plan.
- 9 10. Special circumstances or changes have emerged that were unanticipated in preparing the
10 General Plan.
- 11 11. The proposed general plan amendment will not be detrimental to public health, safety, and
12 welfare.
- 13 12. The proposed amendment is consistent with the policies of the Western Coachella Valley
14 Area Plan and with all policies of the Riverside County General Plan, as adopted on
15 October 7, 2003.
- 16 13. The findings of the initial study performed pursuant to Environmental Assessment No.
17 40918 (a copy of which is attached hereto) are incorporated herein by reference. The
18 Environmental Assessment determined that the proposed general plan amendment, specific
19 plan, and Change of Zone ("the project") would have unavoidable impacts on, or be
20 impacted by, Air Quality, Biological Resources, Geology/Soils, Hydrology/Water Quality,
21 Noise, Public Services, Transportation/Traffic, and Mandatory Findings of Significance.
22 However, it was determined that each of these impacts was insignificant or would be
23 mitigated to a level of non-significance through the conditions of approval (including
24 referenced government agency letters) applied to the associated project. The initial study
25
26
27
28

1 concluded that the project, as mitigated, would not have a significant effect on the
2 environment.

3 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **ADOPTS** the Mitigated
4 Negative Declaration for Environmental Assessment No. 40918 and **ADOPTS** General Plan Amendment
5 No. 881 (GPA00881) from High Density Residential (8-14 du/ac) within the Community Development
6 Foundation Component to Specific Plan (SP) within the Community Development Foundation
7 Component, as described herein and as shown on Exhibit 6, entitled, "General Plan Amendment No. 881
8 (SP360) Proposed General Plan."

10 D. General Plan Amendment No. 883 (GPA00883) is a County-initiated general plan
11 amendment (GPA) to incorporated the provision of child care facilities (i.e., large family day care homes
12 and child day care centers) into the Riverside County General Plan Vision Statement and, the Land Use
13 Element through the development of incentives and density/intensity threshold requirements, in all five
14 Supervisorial districts, as shown in Exhibit A, entitled, GPA No. 883 Child Care Facilities and Services, a
15 copy of which is attached hereto and incorporated herein by reference. All five General Plan Land Use
16 Foundation Components will be amended to allow for large family day care homes and/or child day care
17 centers. The specific land use designations which will be amended to allow for large family day care
18 homes and/or child day care centers are: Agriculture (AG); Rural: Rural Residential (RR), Rural
19 Mountainous (RM), and Rural Desert (RD); Rural Community: Estate Density Residential (EDR), Very
20 Low Density Residential (VLDR), and Low Density Residential (LDR); Open Space: Recreation (R) and
21 Rural (RUR); Community Development: Estate Density Residential (EDR), Very Low Density
22 Residential (VLDR), Low Density Residential (LDR), Medium Density Residential (MDR), Medium
23 High Density Residential (MHDR), High Density Residential (HDR), Very High Density Residential
24 (VHDR), Highest Density Residential (HHDR), Commercial Retail (CR), Commercial Tourist (CT),
25 Commercial Office (C-O), Light Industrial (LI), Business Park (BP), Public Facilities (PF), Community
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1 Center (CC), and Mixed Use Planning Area (MUPA). This amendment is associated with Ordinance
2 Amendment No. 348-4596, is countywide and would regulate land use in the unincorporated areas of
3 Riverside County, to allow for the development of child care facilities with preparation of a plot plan or
4 conditional use permit in the following zones: Rural Residential (R-R), One-Family Dwellings (R-1),
5 One-Family Dwellings-Mountain Resort (R-1A), Residential Agriculture (R-A), Multiple Family
6 Dwellings (R-2), Limited Multiple Family Dwellings (R-2A), General Residential (R-3), Village Tourist
7 Residential (R-3A), Mobilehome Subdivision and Mobilehome Park (R-T), Mobilehome Subdivision-
8 Rural (R-T-R), Planned Residential (R-4), Open Area Combining Zone –Residential Developments (R-
9 5), Residential Incentive (R-6), General Commercial (C-1/C-P), Tourist Commercial (C-T), Scenic
10 Highway Commercial (C-P-S), Rural Commercial (C-R), Commercial-Office (C-O), Rubidoux Village
11 Commercial (R-VC), Industrial Park (I-P), Manufacturing-Service Commercial (M-SC), Manufacturing-
12 Medium (M-M), Manufacturing-Heavy (M-H), Light Agriculture (A-1), Heavy Agriculture (A-2),
13 Citrus/Vineyard (C/V), Commercial Citrus/Vineyard (C-CV), Controlled Development Areas (W-2),
14 Regulated Development Areas (R-D), Natural Assets (N-A), Controlled Development Area with
15 Mobilehomes (W-2-M), and Specific Plan (SP) and was considered concurrently with this amendment at
16 the public hearings before the Planning Commission and Board of Supervisors.
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19 **BE IT FURTHER RESOLVED** by the Board of Supervisors, based on the evidence presented
20 on this matter, both written and oral, including Environmental Assessment No. 41593, that:

- 21 1. The project is Countywide and affects a variety of land use designations.
- 22 2. The project is Countywide and affects a variety of zoning designations.
- 23 3. The project will allow for development of quality, affordable and accessible child care for
24 residents of Riverside County.
- 25 4. The proposed amendment will further the Vision of the Riverside County General Plan.
- 26 5. The proposed amendment would contribute to the achievement of the purposes of the
27 General Plan.
- 28 6. The proposed general plan amendment will protect public health, safety, and welfare.

1 7. The proposed amendment is compatible with the Western Riverside Multiple Species
2 Habitat Conservation Plan (WRMSHCP) and the Coachella Valley Multiple Species
3 Habitat Conservation Plan (CVMSHCP).

4 8. The findings of the initial study performed pursuant to Environmental Assessment No.
5 41593 (a copy of which is attached hereto) are incorporated herein by reference. The initial
6 study determined that proposed General Plan Amendment (“the project”) did not identify
7 any potentially significant impacts and that no mitigation measures are required for the
8 project.

9 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **ADOPTS** the Negative
10 Declaration for Environmental Assessment No. 41593, and **ADOPTS** General Plan Amendment No. 883
11 (GPA00883) to amend the County of Riverside General Plan Vision Statement and the Land Use Element
12 to incorporate the provision of child care facilities (i.e., large family day care homes and/or child day care
13 centers) as described herein and as shown in the exhibit entitled, “Exhibit A, entitled, GPA No. 883 Child
14 Care Facilities and Services.”

15
16 E. General Plan Amendment No. 912 (GPA00912) is a proposal to amend the Jurupa Area
17 Plan by amending the Land Use Map designation from Highest Density Residential (CD:HHDR) (20+
18 du/ac) within the Community Development Foundation Component to Commercial Retail (CD:CR)
19 (0.20-0.35 Floor Area Ratio) within the Community Development Foundation Component, on an
20 approximately 0.36-acre site located northerly of Mission Boulevard and westerly of La Rue Street in the
21 Rubidoux Zoning District of the Second Supervisorial District, as shown on Exhibit A, entitled,
22 “GPA00912 Proposed General Plan,” a copy of which is attached hereto and incorporated herein by
23 reference. This amendment is associated with Plot Plan No. 23272, which was considered concurrently
24 with this amendment at the public hearings before the Planning Commission and the Board of
25 Supervisors. Plot Plan No. 23272 proposes the construction of a Community Shopping Center on a 0.36
26 acre lot.
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1 **BE IT FURTHER RESOLVED** by the Board of Supervisors, based on the evidence presented
2 on this matter, both written and oral, including Environmental Assessment No. 41725, that:

- 3 1. The site is located in the Rubidoux Community of the Jurupa Area Plan.
- 4 2. The Jurupa Area Plan Land Use Map determines the extent, intensity, and location of land
5 uses within the.
- 6 3. The site is currently designated Highest Density Residential (HHDR) within the
7 Community Development Foundation Component.
- 8 4. The proposed amendment would change the land use designation on the site from Highest
9 Density Residential (HHDR) within the Community Development Foundation Component
10 to Commercial Retail (CR) within the Community Development Foundation Component.
- 11 5. Pursuant to Section 65863 of the Government Code based upon the facts presented within
12 the staff analysis, the reduction in density is consistent with the adopted General Plan,
13 including the Housing Element. The remaining sites identified in the Housing Element of
14 the adopted General Plan are adequate to accommodate the County's share of regional
15 housing needs pursuant to Government Code Section 65584. This is based on the fact that
16 the Housing Element covering the 2001 through 2005 planning period determined there
17 was surplus of land in the Western County for all income categories (Housing Element
18 Table H-49).
- 19 6. The project site is bordered by properties which are designated Community Development:
20 Highest Density Residential (CD:HHDR) to the north and east, Community Development:
21 Very High Density Residential (CD:VHDR) to the west, and Community Development:
22 Commercial Retail (CD:CR) to the south.
- 23 7. The site is currently zoned General Commercial (C-1/C-P).
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- 1 8. The project site is surrounded by properties which are zoned General Commercial (C-1/C-
2 P) to the north, south, and west and Residential Incentive (R-6) to the east.
- 3 9. The project site is bordered by Mobile Homes to the north and west, apartments to the east,
4 commercial and residential to the south.
- 5 10. The proposed amendment does not involve a change in the Riverside County Vision, any
6 General Plan Principle, or any Foundation Component designation in the General Plan.
- 7 11. The proposed amendment would contribute to the achievement of the purposes of the
8 General Plan.
- 9 12. Special circumstances or changes have emerged that were unanticipated in preparing the
10 General Plan.
- 11 13. The proposed general plan amendment will not be detrimental to public health, safety, and
12 welfare.
- 13 14. The proposed amendment is consistent with the goals and policies of the Rubidoux
14 Redevelopment Area Plan and with all policies of the Riverside County General Plan, as
15 adopted on October 7, 2003.
- 16 15. The findings of the initial study performed pursuant to Environmental Assessment No.
17 41725 (a copy of which is attached hereto) are incorporated herein by reference. The
18 Environmental Assessment determined that the proposed General Plan Amendment and
19 Plot Plan ("the project") would have unavoidable impacts on, or be impacted by,
20 Geology/Soils, Hazards & Hazardous Materials, Hydrology/Water Quality, and
21 Transportation/Traffic. However, it was determined that each of these impacts was
22 insignificant or would be mitigated to a level of non-significance through the conditions of
23 approval (including referenced government agency letters) applied to the associated
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1 project. The initial study concluded that the project, as mitigated, would not have a
2 significant effect on the environment.

3 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **ADOPTS** the Mitigated
4 Negative Declaration for Environmental Assessment No. 41725 and **ADOPTS** General Plan Amendment
5 No. 912 (GPA00912) from Highest Density Residential within the Community Development Foundation
6 Component to Commercial Retail (CR) within the Community Development Foundation Component, as
7 described herein and as shown on Exhibit 6, entitled, "GPA00912 Proposed General Plan."

8 F. General Plan Amendment No. 971 (GPA00971) is a proposal to amend the Eastvale Area
9 Plan by amending the Land Use Map designation from Medium Density Residential (CD:MDR) (2-5
10 dwelling units per acre) within the Community Development Foundation Component to Commercial
11 Retail (CD:CR) (0.20-0.35 Floor Area Ratio) within the Community Development Foundation
12 Component, on an approximately 5.53-acre site located northerly of A Street, easterly of Raymond Drive,
13 southerly of Schleisman Road, and westerly of Hamner Avenue in the Prado-Mira Loma Zoning District
14 of the Second Supervisorial District, as shown on Exhibit 6, entitled, "GPA00971 Proposed General
15 Plan," a copy of which is attached hereto and incorporated herein by reference. This amendment is
16 associated with Change of Zone No. 7632, and Conditional Use Permit No. 3587, which were considered
17 concurrently with this amendment at the public hearings before the Planning Commission and the Board
18 of Supervisors. Change of Zone No. 7632 proposes to change the projects zoning classifications from
19 Heavy Agriculture with a 10 acre minimum lot size (A-2-10) and Heavy Agriculture with a 5 acre
20 minimum lot size (A-2-5) to General Commercial (C-1/C-P). Conditional Use Permit No. 3587 proposes
21 to construct a Retail Shopping Center consisting of four (4) single-story structures on a 5.53 gross acre
22 parcel which will include a 17,340 square foot drug store, a 9,300 square foot structure for retail shops
23 consisting of seven (7) suites, an 8,800 square foot structure for retail shops consisting of six (6) suites,
24 and a 13,969 square foot market.
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1 **BE IT FURTHER RESOLVED** by the Board of Supervisors, based on the evidence presented
2 on this matter, both written and oral, including Environmental Assessment No. 41800, that:

- 3 1. The site is located in the Prado-Mira Loma Area of the Eastvale Area Plan.
- 4 2. The Eastvale Area Plan Land Use Map determines the extent, intensity, and location of land
5 uses within the.
- 6 3. The site is currently designated Medium Density Residential (MDR) within the Community
7 Development Foundation Component.
- 8 4. The proposed amendment would change the land use designation on the site from Medium
9 Density Residential (MDR) within the Community Development Foundation Component to
10 Commercial Retail (CR) within the Community Development Foundation Component.
- 11 5. Pursuant to Section 65863 of the Government Code based upon the facts presented within the
12 staff analysis, the reduction in density is consistent with the adopted General Plan, including
13 the Housing Element. The remaining sites identified in the Housing Element of the adopted
14 General Plan are adequate to accommodate the County's share of regional housing needs
15 pursuant to Government Code Section 65584. This is based on the fact that the Housing
16 Element covering the 2001 through 2005 planning period determined there was surplus of
17 land in the Western County for all income categories (Housing Element Table H-49).
- 18 6. The project site is bordered by properties which are designated Community Development:
19 Medium Density Residential (CD:MDR) to the north, east, west and south.
- 20 7. The site is currently zoned Heavy Agriculture with a 5 acre minimum lot size (A-2-5).
- 21 8. The project site is surrounded by properties which are zoned Heavy Agriculture with a 5 acre
22 minimum (A-2-5) to the north, One Family Dwellings (R-1) and Rural Residential (R-R) to
23 the east, One Family Dwellings (R-1) to the south, and Planned Residential (R-4) to the west.
- 24 9. The project site is vacant.
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- 1 10. The surrounding land uses include: vacant land to the north and west and residential land
2 uses to the east and south.
- 3 11. The proposed amendment does not involve a change in the Riverside County Vision, any
4 General Plan Principle, or any Foundation Component designation in the General Plan.
- 5 12. The proposed amendment would contribute to the achievement of the purposes of the
6 General Plan.
- 7 13. Special circumstances or changes have emerged that were unanticipated in preparing the
8 General Plan.
- 9 14. The proposed general plan amendment will not be detrimental to public health, safety,
10 and welfare.
- 11 15. The proposed amendment is consistent with the goals and policies of the Eastvale Area
12 Plan and with all policies of the Riverside County General Plan, as adopted on October 7,
13 2003.
- 14 16. The findings of the initial study performed pursuant to Environmental Assessment No.
15 41800 (a copy of which is attached hereto) are incorporated herein by reference. The
16 Environmental Assessment determined that the proposed General Plan Amendment,
17 Change of Zone and Conditional Use Permit ("the project") would have unavoidable
18 impacts on, or be impacted by, Biological Resources, Hydrology/Water Quality,
19 Transportation/Traffic and Utilities/Service Systems. However, it was determined that
20 each of these impacts was insignificant or would be mitigated to a level of non-significance
21 through the conditions of approval (including referenced government agency letters)
22 applied to the associated project. The initial study concluded that the project, as mitigated,
23 would not have a significant effect on the environment.

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27 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **ADOPTS** the Mitigated
28 Negative Declaration for Environmental Assessment No. 41800 and **ADOPTS** General Plan Amendment

1 No. 971 (GPA00971) from Medium Density Residential within the Community Development Foundation
2 Component to Commercial Retail (CR) within the Community Development Foundation Component, as
3 described herein and as shown on Exhibit 6, entitled, "GPA00971 Proposed General Plan."

4 G. General Plan Amendment No. 1047 (GPA01047) is a proposal to amend the Southwest
5 Area Plan by amending the Land Use Map designation from Rural Mountainous (R:RM) (10 acre min. lot
6 size) within the Rural Foundation Component to Rural Residential (R:RR) (5 acre min. lot size) within the
7 Rural Foundation Component, on an approximately 10.12-acre site located northerly of Robertson Way
8 and westerly of Mesa Road in the Rancho California Zoning Area of the Third Supervisorial District, as
9 shown on Exhibit A, entitled, "CZ7639 PM32749 GPA01047 Proposed General Plan," a copy of which is
10 attached hereto and incorporated herein by reference. This amendment is associated with Change of Zone
11 No. 7639 and Parcel Map No. 32749, which were considered concurrently with this amendment at the
12 public hearings before the Planning Commission and the Board of Supervisors. Change of Zone No.
13 7639 proposes to change the site's zoning classification from Light Agriculture with a 10 acre minimum
14 lot size to Light Agriculture with a 5 acre minimum lot size and Parcel Map No. 32749, proposes to
15 subdivide 10.12 acres into two (2) residential parcels with a minimum parcel size of five (5) gross acres.
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18 **BE IT FURTHER RESOLVED** by the Board of Supervisors, based on the evidence presented
19 on this matter, both written and oral, including Environmental Assessment No. 41889, that:

- 20 1. The site is located in the Rancho California Community of the Southwest Area Plan.
- 21 2. The Southwest Area Plan Land Use Map determines the extent, intensity, and location of
22 land uses within the.
- 23 3. The site is currently designated Rural Mountainous (RM) within the Rural Foundation
24 Component.
- 25 4. The proposed amendment would change the land use designation on the site from Rural
26 Mountainous (RM) within the Rural Foundation Component to Rural Residential (RR)
27 within the Rural Foundation Component.
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- 1 5. The Rural Mountainous (RM) land use designation generally applies to areas of at least 10
2 acres, where a minimum 70% of the area has slopes of 25% or greater. However, only
3 0.4% of project site contains slopes greater the 25% thus the Rural Mountainous (RM)
4 land use designation is not justified by the topography. Additionally, the properties to the
5 east and south are located on the parcels of five (5) acres or more.
- 6 6. The project site is surrounded by properties which are designated Rural Mountainous
7 (R:RM) to the north, east and west and Rural Residential (RR) to the south.
- 8 7. The site is currently zoned Light Agriculture (A-1).
- 9 8. The project proposes to change the site's zoning classification from Light Agriculture with
10 a 10 acre minimum lot size (A-1-10) to Light Agriculture with a 5 acre minimum lot size
11 (A-1-5).
12
- 13 9. The project site is surrounded by properties which are zoned Light Agriculture with a 10
14 acre minimum lot size (A-1-10) to the north and west, Light Agriculture with a 5 acre
15 minimum lot size (A-1-5) to the south, and Residential Agriculture with a 5 acre minimum
16 lot size (R-A-5) to the east.
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- 18 10. The proposed amendment does not involve a change in the Riverside County Vision, any
19 General Plan Principle, or any Foundation Component designation in the General Plan.
- 20 11. The proposed amendment would contribute to the achievement of the purposes of the
21 General Plan.
22
- 23 12. Special circumstances or changes have emerged that were unanticipated in preparing the
24 General Plan.
- 25 13. The proposed general plan amendment will not be detrimental to public health, safety, and
26 welfare.
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1 14. The proposed amendment is consistent with the goals and policies of the Southwest Area
2 Plan and with all policies of the Riverside County General Plan, as adopted on October 7,
3 2003.

4 15. The findings of the initial study performed pursuant to Environmental Assessment No.
5 41889 (a copy of which is attached hereto) are incorporated herein by reference. The
6 Environmental Assessment determined that the proposed General Plan Amendment,
7 Change of Zone and Parcel Map ("the project") would have unavoidable impacts on, or be
8 impacted by, Agriculture Resources and Biological Resources. However, it was
9 determined that each of these impacts was insignificant or would be mitigated to a level of
10 non-significance through the conditions of approval (including referenced government
11 agency letters) applied to the associated project. The initial study concluded that the
12 project, as mitigated, would not have a significant effect on the environment.
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15 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **ADOPTS** the Mitigated
16 Negative Declaration for Environmental Assessment No. 41889 and **ADOPTS** General Plan Amendment
17 No. 1047 (GPA01047) from Rural Mountainous (RM) within the Rural Foundation Component to Rural
18 Residential (RR) within the Rural Foundation Component, as described herein and as shown on Exhibit 6,
19 entitled, "CZ7639 PM32749 GPA01047 Proposed General Plan."

20 H. General Plan Amendment No. 1073 (GPA01073) is a County-initiated general plan
21 amendment (GPA) affecting all five Supervisorial Districts to amend the language found in the Land Use
22 Policy No. 6.2 (LU 6.2) of the Land Use Element in order to allow public facilities in any land use
23 designation except for the Open Space-Conservation and the Open Space-Habitat land use designations.
24 This amendment would clarify that although a Public Facilities land use designation exists, public
25 facilities may be allowed in any land use designation except the Open Space-Conservation and the Open
26 Space-Habitat land use designations, as shown in Exhibit #1, entitled, "General Plan Amendment to Land
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1 Use Element Policy 6.2 (LU 6.2),” a copy of which is attached hereto and incorporated herein by
2 reference.

3 **BE IT FURTHER RESOLVED** by the Board of Supervisors, based on the evidence presented
4 on this matter, both written and oral that:

- 5 1. The proposed project affects properties located throughout unincorporated areas of
6 Riverside County.
- 7 2. When the County updated its General Plan in 2003, it created a Public Facilities land use
8 designation that was applied to those areas occupied by then existing public facilities and
9 to those areas where the County believed future public facilities may be appropriate.
- 10 3. The intent of this designation was not to require that future public facilities be located
11 exclusively on land designated “Public Facilities.”
- 12 4. As currently written, Land Use Element Policy 6.2 (LU-6.2) may be interpreted to
13 unduly restrict the location of needed public facilities, contrary to the provisions of
14 Ordinance No. 348.
- 15 5. The proposed project would clarify this intent by expressly providing that public facilities
16 may be allowed in any location except on land located within the Open Space-Conservation
17 and Open Space-Habitat land use designations.
- 18 6. The proposed project is consistent with County Ordinance No. 348, Land Use Ordinance
19 of Riverside County, which currently provides that federal, state, county and city projects
20 may be located in any zone and the proposed project would, therefore, harmonize these
21 important planning documents.
- 22 7. Any project proposed under Section 18.2.a. must comply with the legal requirements of
23 CEQA and the proposed amendment would in no way abridge this requirement when a
24 public facility is proposed within the unincorporated County.
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- 1 8. As currently written, LU-6.2 does not expressly prohibit such facilities in the Open Space -
2 Conservation and the Open Space - Habitat land use designations. Such a prohibition is
3 critical due to the sensitive nature of areas designated Open Space – Conservation and
4 Open Space – Habitat.
- 5 9. The proposed amendment would protect habitat and other environmental resources
6 associated with these designations from any significant effects on the environment
7 associated with locating public facilities in these areas. Eliminating the potential for public
8 facilities in these areas would have a positive effect upon the environment and corrects the
9 existing deficiencies.
- 10 10. Section 18.2.a. of Ordinance No. 348 (Zoning Ordinance) has existed in its current form
11 for at least thirty years and the purpose of the proposed amendment is to reconcile the
12 General Plan and the Zoning Ordinance.
- 13 11. The proposed amendment would contribute to the achievement of the purposes of the
14 General Plan.
- 15 12. Special circumstances or changes have emerged that were unanticipated in preparing the
16 General Plan.
- 17 13. The proposed general plan amendment will not be detrimental to public health, safety,
18 and welfare.
- 19 14. The proposed amendment is consistent with the goals and policies of the County-wide Plan
20 and with all policies of the Riverside County General Plan, as adopted on October 7, 2003.
- 21 15. The proposed project is covered by the general rule that the California Environmental
22 Quality Act (CEQA) applies only to projects, which have the potential for causing a
23 significant effect on the environment. Where it can be seen with certainty that there is no
24 possibility that the activity in question may have a significant effect on the environment,
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1 the activity is not subject to CEQA (Section 15061(b) (3)). It can be seen with certainty
2 that there is no possibility that the proposed project will have a significant effect on the
3 environment, as any project proposed under Section 18.2.a. of Ordinance No. 348 must
4 comply with the legal requirements of CEQA. The proposed amendment would in no way
5 abridge this requirement when a public facility is proposed within the unincorporated
6 County, and the proposed amendment would expressly prohibit such facilities in the Open
7 Space - Conservation and the Open Space - Habitat land use designations, thereby
8 reducing potential impacts associated with the development of such facilities in these
9 sensitive areas, having a positive effect upon the environment.
10

11 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **ADOPTS** a Notice of
12 Exemption from CEQA pursuant to Section 15061(b) (3) of the Act, and **ADOPTS** General Plan
13 Amendment No. 1073 (GPA01073) to amend Land Use Policy No. 6.2 of the Land Use Element, as
14 described herein and as shown in Exhibit #1, entitled, "General Plan Amendment to Land Use Element
15 Policy 6.2 (LU 6.2)."
16

17 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the custodians of the
18 documents upon which this decision is based are the Clerk of the Board of Supervisors and the County
19 Planning Department, and that such documents are located at 4080 Lemon Street, Riverside, California.
20

21 FORM APPROVED COUNTY COUNSEL

22 BY: Minh C. Tran 6/10/09
23 MINH C. TRAN DATE

24 Y:\Advanced Planning\GENERAL PLAN CYCLES\2007 Cycle\4th Cycle\FINAL Cycle 4 2007 Board Resolution.doc
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SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

921B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
June 1, 2009

SUBJECT: CHANGE OF ZONE 7582 – (Mitigated Negative Declaration) – Applicant: Corman Leigh Communities – Engineer / Representative: RGP - Fourth Supervisorial District – Bermuda Dunes Zoning District – Western Coachella Valley Area Plan: Community Development: High Density Residential (CD:HDR 8-14 Dwelling Units Per Acre) – Location: Northerly of Interstate 10, southerly of 38th Street, and westerly of Washington Street – 55.13 Gross Acres - Zoning: Controlled Development (W-2) - **REQUEST:** The Change of zone proposes to change the projects current zoning classification from Controlled Development Zone (W-2) to Specific Plan (SP).

RECOMMENDED MOTION:

ADOPTION of Ordinance 348.4646, proposing to change the site's zoning classification from Controlled Development Zone (W-2) to Specific Plan (SP) based upon final adoption by the Board of Supervisors.



Ron Goldman
Planning Director

RG:db

REVIEWED BY EXECUTIVE OFFICE

FORM APPROVED COUNTY COU

DATE 6/3/09 DATE 6/1/09

BY: MINH C. TRAN
Tina Grande
Departmental Concurrence

Policy

Consent

Policy

Consent

Prev. Agn. Ref.

District: Fourth

Agenda Number:

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ORDINANCE NO. 348.4646

AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 348 RELATING TO ZONING

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Section 4.1 of Ordinance No. 348, and Official Zoning Plan Map No. 30.094 Change of Zone Case No. 7582” which map is made a part of this ordinance.

Section 2. Article XVIIa of Ordinance No. 348 is amended by adding thereto a new Section 17.112 to read as follows:

SECTION 17.112 S.P. ZONE REQUIREMENTS AND STANDARDS FOR SPECIFIC PLAN NO. 360.

a. Planning Areas 1 through 11.

(1) The uses permitted in Planning Areas 1 through 11 of Specific Plan No. 360 shall be the same as those permitted in Article VII, Section 7.1 of Ordinance 348, except that those permitted uses pursuant to Article VII, Section 7.1.a. (2), (3), (4), (10), (11), (12); Section 7.1.b. (2), (5), (6), (7), (9); and Section 7.1.c. (1), (2) shall not be permitted.

(2) The development standards for Planning Areas 1 through 11 of Specific Plan No. 360 shall be the same as those standards identified in Article VII, Section 7.2 thru 7.11 of Ordinance No. 348 except that the development standards set forth in Article VII, Section 7.3, 7.4, 7.5, 7.6, 7.7, 7.9, and 7.10 shall be deleted and replaced with the following.

A. **REQUIRED LOT AREA.** Minimum lot size and lot coverage calculation includes paseos and private drives within lots. For single family detached home lots designed pursuant to Specific Plan No. 360 Figure 4-3 HDR

1 Prototype 2 – Patio Homes, lot area shall be no less than 2,000 square feet. For
2 single family detached home lots designed pursuant to Specific Plan No. 360
3 Figure 4-1 HDR Prototype 1 – Courtyard Homes, lot area shall be no less than
4 2,400 square feet. All others will be 2,400 square feet.

5 B. FRONT YARD REQUIRED. The front yard shall not be less
6 than five feet (5'), measured from the existing street line or from any future street
7 line as shown on any specific plan of highways, whichever is nearer to the
8 proposed structure.

9 C. SIDE YARDS REQUIRED. Building setbacks measured from
10 the side property lines. For all designs of home lots, the minimum side yard
11 setback shall be 5 feet (5').

12 D. REAR YARD REQUIRED. Building setbacks measured from
13 the rear property lines. For all housing types, the minimum rear yard setback shall
14 be 12 feet (12'). Where a garage abuts a private drive, the minimum rear yard
15 setback shall be 2 feet (2') from a private drive.

16 E. LOT COVERAGE PERMITTED. For single family detached
17 home lots designed pursuant to Specific Plan No. 360 Figure 4-3 HDR Prototype
18 2 – Patio Homes, building lot coverage shall in no case shall be more than 70
19 percent of any lot. For all other housing types, coverage shall in no case be more
20 than 60 percent of any lot.

21 F. DISTANCE REQUIRED BETWEEN MAIN BUILDINGS. For
22 all designs of home lots, no garage shall be closer than 28 feet (28') to another
23 opposing garage. For single family detached home lots designed pursuant to
24 Specific Plan No. 360 Figure 4-3 HDR Prototype 2 – Patio Homes, no front of a
25 home shall be closer than 12 feet (12') to another opposing front of a home. For
26 single family detached home lots designed pursuant to Specific Plan No. 360, no
27 front of a home shall be closer than 15 feet (15') to another opposing front of a
28 home. For all other housing types, no front of a home shall be closer than 15 feet

1 (15') to another opposing front of a home. For all housing types, no front of a
2 home shall be closer than 15 feet (15') to the side of another home. For all
3 housing types, no side of a home shall be closer than 10 feet (10') to the side of
4 another home.

5 G. AREA PER DWELLING UNIT. Every main building hereafter
6 erected or structurally altered shall have a lot or building site area of not less than
7 2000 square feet for each dwelling unit in such main building:

8 (3) In addition to the development standards identified under Section 7.2
9 through 7.11, the following development standards shall also be included:

10 H. MINIMUM REQUIRED PRIVATE OPEN SPACE. The
11 minimum required private open space is 250 square feet per unit. Required private
12 open space area is inclusive of any required setback area.

13 I. MINIMUM PRIVATE OPEN SPACE DIMENSIONS. For
14 single family detached home lots, the minimum required private open space
15 dimensions are 12 feet (12') by 12 feet (12'). For single family detached home
16 lots, the minimum required private open space dimensions are 15 feet (15') by 15
17 feet (15'). For all other designs of home lots, the minimum required private open
18 space dimensions are 15 feet (15') by 15 feet (15').

19 (4) All other zoning requirements for Planning Areas 1 through 11 of Specific
20 Plan No. 360 shall be the same as those requirements identified in Article VII of Section
21 7.1, Ordinance No. 348.

22 b. Planning Areas 12 through 16.

23 (1) The uses permitted in Planning Areas 12 through 16 of Specific Plan No.
24 360 shall be the same as those permitted in Article VIII, Section 8.1 of Ordinance 348,
25 except that those permitted uses pursuant to Article VIII, Section 8.1.a. (2), (3), (11), (9),
26 (6), (13), (14), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), (27), (28); and
27 Section 8.1.b. (1), (2) shall not be permitted.

28 (2) The development standards for Planning Areas 12 through 16 of Specific

1 Plan No. 360 shall be the same as those standards identified in Article VIII, Section 8.2
2 of Ordinance No. 348 except that the development standards set forth in Article VIII,
3 Section 8.2.a., b., c., d., f., h. shall be deleted and replaced with the following:

- 4 a. The minimum lot area shall be 2000 square feet.
- 5 b. Building setbacks are measured from the front and rear property
6 lines. The minimum front yard setback shall be 5 feet (5'). The minimum
7 garage setback from a private drive shall be 2 feet (2').
- 8 c. Building setbacks are measured from the side property line. The
9 minimum side yard setback shall be 5 feet (5'). No garage shall be closer
10 than 28 feet (28') to another opposing garage. No front of a home shall be
11 closer than 15 feet (15') to another opposing front of a home. No front of a
12 home shall be closer than 15 feet (15') to the side of another home. No
13 side of a home shall be closer than 15 feet (15') to the side of another
14 home.
- 15 d. No lot shall have more than 70 percent of its net area covered with
16 buildings or structures.
- 17 e. All buildings and structures shall not exceed 45 feet in height.

18 (3) The development standards set forth in Article VIII, Section 8.2. shall also
19 include the following:

- 20 a. The minimum required private open space is 40 square feet per
21 unit. Required private open space area is inclusive of any required setback
22 area.
- 23 b. The minimum required private open space dimensions are 6 feet
24 (6') by 6 feet (6').

25 (4) All other zoning requirements for Planning Areas 12 through 16 of
26 Specific Plan No. 360 shall be the same as those requirements identified in Article VIII of
27 Ordinance No. 348.

28 c. Planning Areas 17 through 19.

1 (1) The uses permitted in Planning Areas 17 through 19 of Specific Plan No.
2 360 shall be the same as those permitted in Article VIIIe, Section 8.100 of Ordinance
3 348, except that those permitted uses pursuant to Article VIIIe, Section 8.100.a. (1), (3),
4 (5), shall not be permitted. The permitted uses identified under Section 8.100.a. shall also
5 include basketball courts, volleyball courts, tennis courts, bocce ball courts, barbeques,
6 shade structures, Frisbee Golf, pools, spas, walking trails, open turf fields, community
7 gardens, playgrounds, tot lots and fountains and other similar uses.

8 (2) The development standards for Planning Areas 17 through 19 of Specific
9 Plan No. 360 shall be the same as those standards identified in Article VIIIe, Section
10 8.101. of Ordinance No. 348 except that the development standards set forth in Article
11 VIII, Section 8.101.d. shall be deleted and replaced with the following:

12 a. Planning Areas 17 through 19 of Specific Plan No. 360 are
13 ancillary uses to Planning Areas 1 through 16; therefore, automobile storage space
14 will be satisfied through required residential parking requirements in Planning
15 Areas 1 through 16.

16 (3) All other zoning requirements for the Planning Areas 17 through 19 of
17 Specific Plan No. 360 shall be the same as those requirements identified in Article VIIIe.
18 of Ordinance No. 348.

19 e. Planning Areas 20 through 22.

20 (1) The uses permitted in Planning Areas 20 through 22 of Specific Plan No.
21 360 shall be the same as those permitted in Article VIIIe, Section 8.100 of Ordinance
22 348, except that those permitted uses pursuant to Article VIIIe, Section 8.100.a. (1), (3),
23 (5), shall not be permitted. The permitted uses identified under Section 8.100.a. shall
24 also include par courses, Frisbee Golf, bocce ball courts, drainage facilities, shade
25 structures, walking trails, open turf fields, community gardens and fountains and other
26 similar uses.

27 (2) The development standards for Planning Areas 20 through 22 Specific
28 Plan No. 360 shall be the same as those standards identified in Article VIIIe, Section

1 8.101. of Ordinance No. 348.

2 (3) All other zoning requirements for Planning Areas 20 through 22 of
3 Specific Plan No. 360 shall be the same as those requirements identified in Article VIIIe
4 of Ordinance No. 348. except that the development standards set forth in Article VIII,
5 Section 8.101.d. shall be deleted and replaced with the following:

6 a. Planning Areas 20 through 22 of Specific Plan No. 360 are
7 ancillary uses to Planning Areas 1 through 16; therefore, automobile
8 storage space will be satisfied through required residential parking
9 requirements in Planning Areas 1 through 16.

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

11
12 BOARD OF SUPERVISORS OF THE COUNTY
13 OF REVERSIDE, STATE OF CALIFORNIA

14 By: _____
15 Chairman, Board of Supervisors

16 ATTEST:

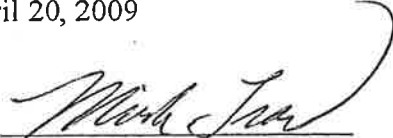
17 CLERK OF THE BOARD

18
19
20 By: _____

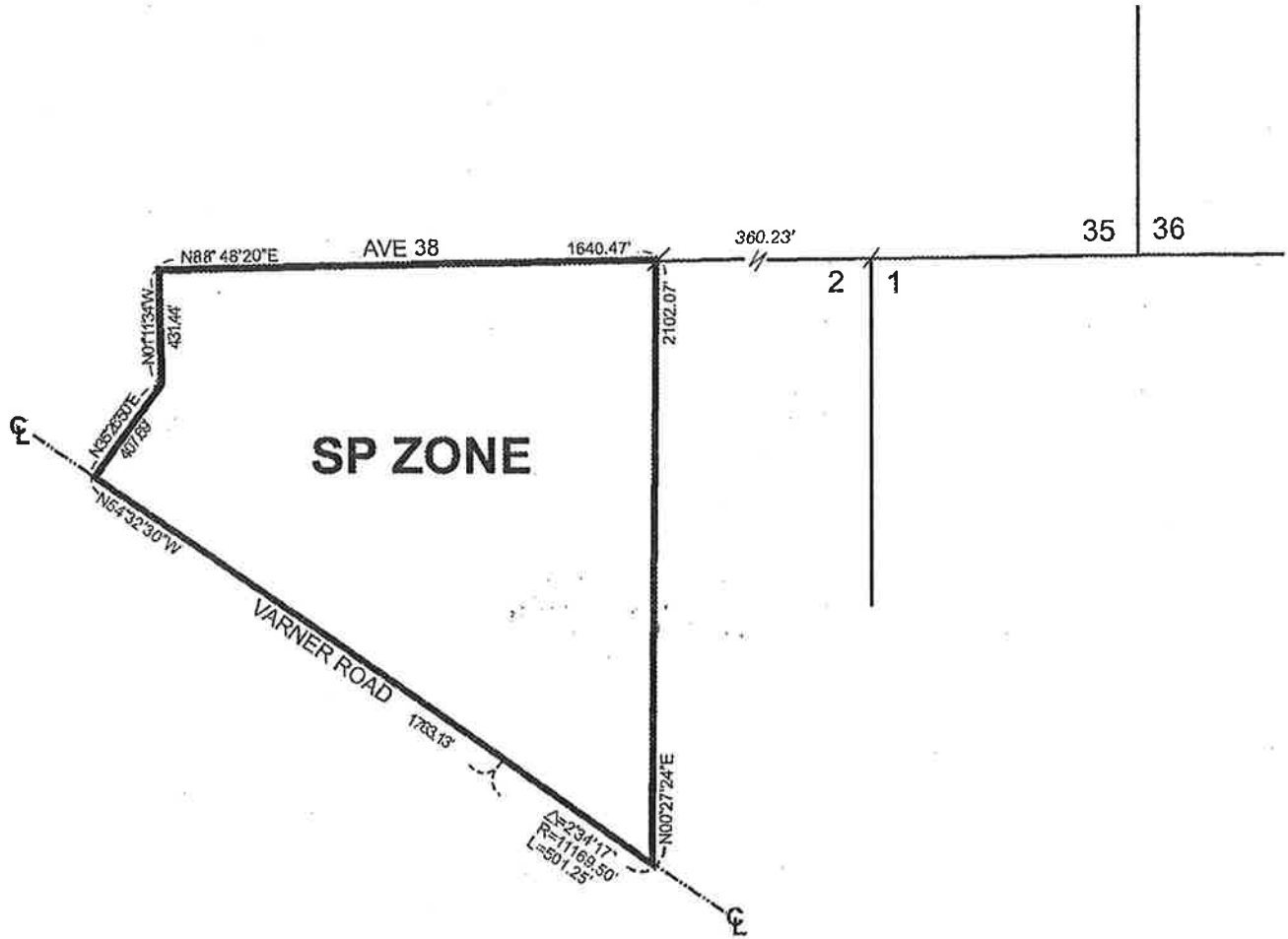
21 Deputy

22
23 (Seal)

24 APPROVED AS TO FORM
25 April 20, 2009

26
27 By: 
28 MINH C. TRAN
Deputy County Counsel

SEC. 2, T5S, R6E S.B.B. & W.



LEGEND

SP ZONE SPECIFIC PLAN (SP 360)

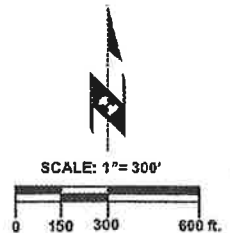
MAP NO. 30.094

CHANGE OF OFFICIAL ZONING PLAN
BERMUDA DUNES DISTRICT

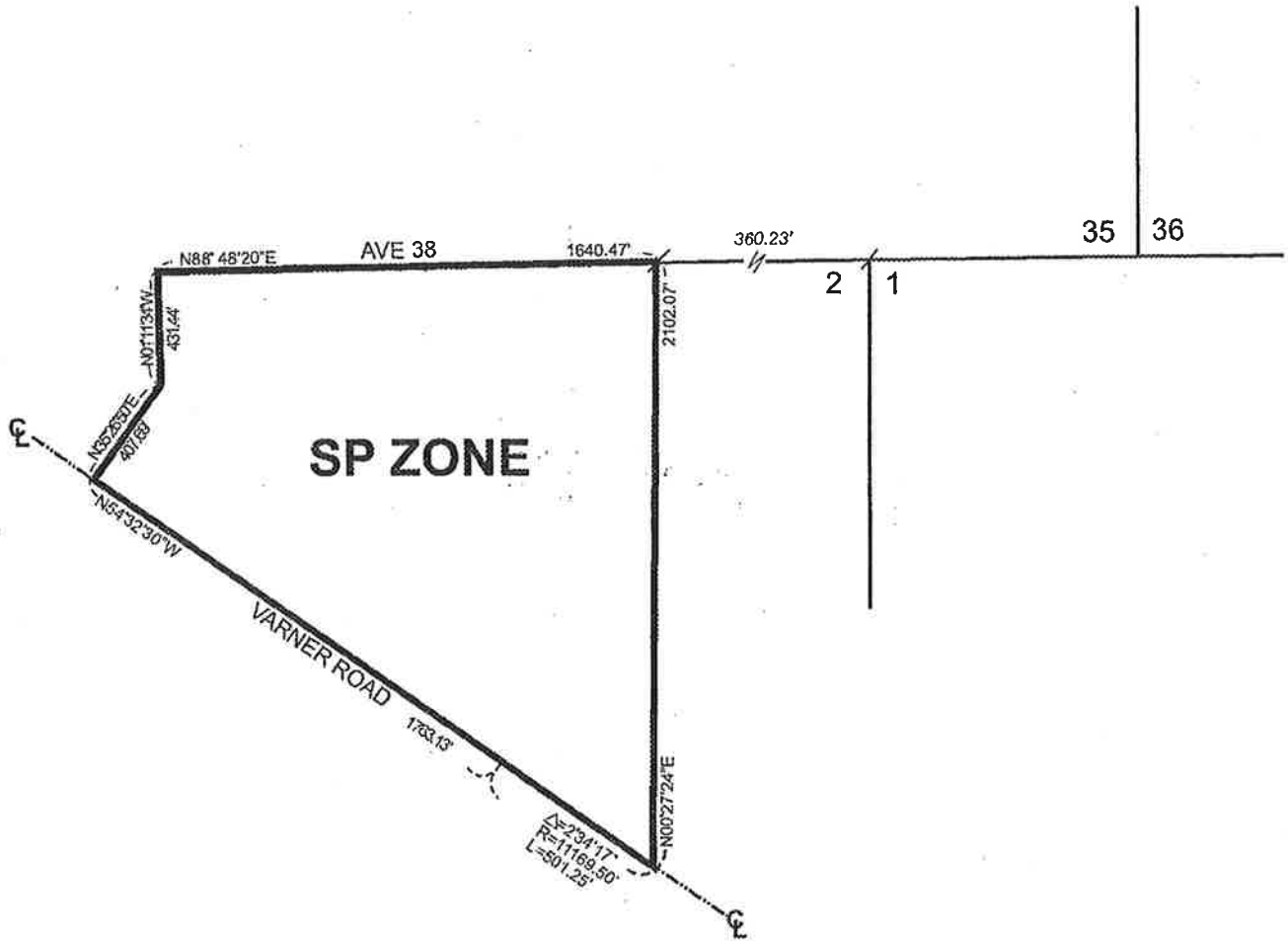
CHANGE OF ZONE CASE NO. 7582
AMENDING ORDINANCE NO. 348
ADOPTED BY ORDINANCE NO. 348.4646
DATE JUNE 9, 2009

RIVERSIDE COUNTY BOARD OF SUPERVISORS

ASSESSORS PARCEL NO. 626-130-019



SEC. 2, T5S, R6E S.B.B. & W.



LEGEND

SP ZONE SPECIFIC PLAN (SP 360)

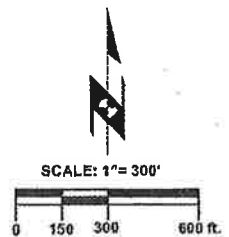
MAP NO. 30.094

CHANGE OF OFFICIAL ZONING PLAN
BERMUDA DUNES DISTRICT

CHANGE OF ZONE CASE NO. 7582
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ADOPTED BY ORDINANCE NO. 348.4646
DATE JUNE 9, 2009

RIVERSIDE COUNTY BOARD OF SUPERVISORS

ASSESSORS PARCEL NO. 626-130-019



Initial Study/Environmental Assessment

EA No. 40918

Valante Specific Plan No. 360 General Plan Amendment No. 881 Change of Zone No. 07582 Western Coachella Valley, CA



Prepared for:

County of Riverside Planning Department
4080 Lemon Street, 9th Floor
Riverside, CA 92502

Prepared by:

RGP Planning & Development Services
8921 Research Drive
Irvine, CA 92618

Applicant:

Palm Desert Investors, LLC.
4060 W. Washington Blvd.
Los Angeles, CA 90018

August 2008

ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Valanté Specific Plan, Palm Desert, California

Environmental Assessment (E.A.) Number: 40918

Project Case Type (s) and Number(s): General Plan Amendment No.881, Change of Zone No.07582, and Specific Plan No. 360

Lead Agency Name: County of Riverside Planning Department

Address: 4080 Lemon St 9th Floor, Riverside, CA 92502

Contact Person: Matt Straite, Project Planner

Telephone Number: (951) 955-8631

Applicant's Name: Palm Desert Investors, LLC.

Applicant's Address: 4060 W. Washington Blvd., Los Angeles, CA 90018

I. PROJECT INFORMATION

A. Project Description: Valanté Specific Plan Project

1. Project Location

The proposed 55.13-acre project site is located in the western portion of Coachella Valley in unincorporated Riverside County, California. The Regional Location Map (Figure 1) displays the location of the project site in its regional context. The project site is located south of Avenue 38 and north of the Interstate 10 freeway (I-10) and Varner Road, and approximately ¼ mile west of Washington Street. The City of Palm Desert is located on the south side of the I-10. Immediately north of Avenue 38 and the Project site is the Coachella Valley Preserve. The Site Vicinity Map (Figure 2) depicts the project site in relation to the immediately surrounding communities and circulation systems. The Jurisdictional Boundary Map (Figure 3) shows the project site outside of the sphere of influence of the City of Palm Desert.

2. Project Description

The Project is an infill single-family detached and attached residential community offering:

- A variety of housing opportunities designed to address a diversity of life styles within walking distance to open space and planned commercial and office centers;
- Pedestrian and bicycle mobility;
- Neighborhood interaction through provision of active and passive open space, gathering areas, and a network of paseos and sidewalks;
- Connectivity among neighborhoods and surrounding land uses;
- A range of housing types with an overall density range of 8 to 14 dwelling units per acre (DU/ac) compatible with the site's Community Development: High Density Residential (CD:HDR) General Plan land use designation and surrounding high density planned residential neighborhoods immediately to the west and east; and
- High quality architectural and landscape design.

The Valanté Specific Plan provides the following land uses:

- Up to 460 single family detached and attached dwelling units on approximately 26 acres (47% of the site);
- More than 9.6 acres in neighborhood park and open space (17% of the site); and
- Approximately 20 acres for regional drainage infrastructure improvements and major circulation improvements (36% of the site).

Three off-site elements affected the project design and density, including:

1. Existing and proposed circulation improvements including the realignment and construction of Avenue 38 and widening of Varner Road are shown on Figure 4;
2. The Army Corps of Engineers' (ACOE) and Coachella Valley Water District (CVWD) planned regional drainage facility to the north of the project site that will protect the site and surrounding areas from 100-year floods; and,
3. The adjacency of the I-10 to the project site.

The first two elements are independent of the proposed project because they are components of the adjacent Mirasera Specific Plan (SP 00388) and the ACOE. Integrating these three elements into the land use plan for the 55-acre site requires approximately 14 acres or about 25% of the project site.

As shown on Figure 5 (Land Use Plan), Table 1 (Land Use Summary), and Table 2, Detailed Land Use Breakdown, the proposed project will encompass up to 460 homes on approximately 26 acres, which is a gross density of 8.3 DU/ac. For the purposes of determining project consistency with the County General Plan CD:HDR land use designation allowed density of 8-14 du/ac, the density calculation uses the gross acreage of the Project Site, which includes the new Avenue 38 and Varner Road ROW dedications. Therefore, the project density is consistent with the CD:HDR General Plan land use designation.

All vehicular access into the Valanté community will be via Avenue 38. From Avenue 38, the residences will be accessed from two separate intersections, for a total of four access points along Avenue 38. The intersection nearest Varner Road is considered the primary access. Access into the residential neighborhoods will be via two private, non-gated roads on either side of Avenue 38. The community will also have pedestrian and bicycle connections with the community of Mirasera to the east and the local area via a regional multi-use trail along Avenue 38 and Varner Road north of Avenue 38, as well as a proposed pedestrian connection at the southeast corner of the Project Site adjacent to Mirasera.

There is also a 3.4-acre, 70+ foot wide swath of passive, landscaped open space with trails along the site's Varner Road frontage that serves as a visual transitional area from the I-10 Freeway and Varner Road.

The overall Valanté community was planned as two neighborhoods designed around central community greens and recreational open space areas, and connected by an extensive pedestrian circulation system. The two distinct neighborhoods are formed around the planned realignment of Avenue 38, which will bifurcate the Project Site with a 118-foot ROW.

The park and open space areas (approximately 9.6 acres) are designed to offer a mix of active and passive uses with amenities such as barbecues, a gazebo, community swimming pool and spa area, open turf areas and walking/jogging trails.

The Whitewater River Basin Flood Control project is a cooperative effort between the ACOE and CVWD to implement flood protection measures within the Thousand Palms area of the Whitewater River Basin. The project, which was approved under the Water Resources Development Act of 2000, consists of constructing three levees to protect the Thousand Palms area from flooding and convey storm water to the Coachella Valley fringe-toed lizard (FTL) preserve. These As part of the Whitewater River Basin (Thousand Palms) Flood Control Project, the ACOE and Coachella Valley Water District (CVWD) will construct a regional drainage facility along the entire northern project site boundary to protect adjacent properties and the project site from 100-year flood events. At 170 feet wide, this drainage facility accounts for approximately 6.2 acres or approximately 11% of the project site. This flood control channel will change the project site's Federal Emergency Management Agency (FEMA) flood zone designation from Zone AO (inside the 100-year flood area) to Zone C (outside the 100-year flood area).

The CVWD's drainage facility plan has been integrated into the proposed project but might not be complete prior to site buildout. Therefore, to provide interim flood protection and detention capacity for stormwater run-on from adjacent properties, approximately 2.3 acres along the western boundary of the Valanté site will be used to temporarily augment drainage facility capacity until the regional drainage facility is built by the CVWD. Once the regional drainage facility is completed, this area will be allowed to be developed for residential and open space/park use.

The Specific Plan also incorporates green building/sustainable guidelines. Energy efficient building design guidelines and materials include:

- To reduce high electricity costs for residents, dual-pane windows are required.
- Ultra-low emissivity ("e"), dual-pane vinyl windows should be considered as a standard feature.
- Radiant barriers should be installed in homes as a standard feature to reduce summer heat gain and winter heat loss, and hence to reduce building heating and cooling energy usage.
- Utilize engineered wood for rough carpentry where feasible to reduce wood waste.
- Homes shall be pre-plotted and pre-wired for photovoltaics.
- Use of low volatile organic compound (VOC), water-based wood finishes and construction adhesives are encouraged.

Sustainable landscaping guidelines include:

- Appropriate plant selections with low water and maintenance requirements, along with drip irrigation and other water conserving irrigation techniques, will be used to ensure that Valante adheres to community-wide water conservation techniques.
- For all common landscape areas, evapotranspiration – weather-based irrigation controllers should be installed to optimize watering amounts and times and limit water charges to the homeowners association.
- The landscape concept for Valante will primarily incorporate plants and trees that are native to the Coachella Valley climate or that will be drought tolerant, hardy and durable under the desert conditions and prevailing winds.
- Shade trees should be utilized as much as possible, particularly adjacent to walkways and seating areas to create refuge from the sun.
- Consider paths made from permeable materials such as decomposed granite.

Green building interior finishes and indoor air quality improvements include:

- Take extra care to assure proper sealing of plenums, air handlers, and ducts to eliminate leaks in a duct system. Duct mastic is a preferred flexible sealant that can move with the expansion, contraction, and vibration of the duct system components. Choose water-based products that are the least toxic and easiest to clean up where feasible.
- To improve indoor air quality, low or no-volatile VOC paint, adhesives and carpet is encouraged.
- Energy Star® appliances, such as dishwashers and refrigerators should be installed in homes as a standard feature.
- Offer Energy Star® ceiling fans with compact fluorescent lights (CFL) in living areas and bedrooms as optional upgrades.
- CFL bulbs or similar energy efficient lighting should be used in private and public spaces where feasible.
- Install High Efficiency HVAC Filters (MERV 6+) where feasible.
- Retractable, cabinet-integrated, dual-bins for rubbish and recycling should be considered in homes as a standard feature.
- High-efficiency water heaters with an efficiency rating of 0.8 or greater or tankless (instantaneous) water heaters are encouraged to be offered as an upgrade for SFD and SFA homes. Provide buyers informational materials regarding energy saving features and rebate opportunities as reasons for opting for the upgrade.
- Install super low flow or dual flush toilets where feasible.
- Rapidly renewable materials, such as bamboo and recycled content linoleum flooring should be offered as optional items to home buyers.

The discretionary actions and approvals for the Valanté Specific Plan include:

- Approval of Mitigated Negative Declaration/Environmental Assessment/Initial Study (MND/EA/IS) (EA#40918);
- Amendment to the RCIP General Plan Land Use Plan to apply a Specific Plan Designation on the Community Development: High Density Residential designated project site (GPA#881);
- Amendment of Riverside County Ordinance No. 348 to incorporate the Valanté Specific Plan;
- Adoption of a Change of Zone from W-2 (Controlled Development Area) to Specific Plan (CZ#07582); and
- Adoption of Valanté Specific Plan along with the zoning ordinance.

Other subsequent actions and approvals include:

- Approval of tentative tract map(s);
- Issuance of grading permits;
- Issuance of building permits;
- Approval of water, sewer and storm drain plans;
- Approval of flood control plan;
- Approval of flood zone amendment; and
- Issuance of National Pollutant Discharge Elimination System (NPDES) Construction Permit.

B. Type of Project: Site Specific ; Countywide ; Community ; Policy .

C. Total Project Area:

Residential Acres: 55.13	Lots: 1	Units: 460	Projected Number of Residents: +/- 1472
Commercial Acres: 0	Lots:	Sq. Ft. of Bldg. Area: 0	Est. No. of Employees: NA
Industrial Acres: 0	Lots:	Sq. Ft. of Bldg. Area: 0	Est. No. of Employees: NA
Other: 0			

D. Assessor's Parcel No(s): 626-130-019

E. Street References: South of Avenue 38, north of the I-10 and Varner Road, and ¼ mile west of Washington Street in the Coachella Valley, unincorporated Riverside County, California.

F. Section, Township & Range Description or reference/attach a Legal Description: Township 5 South, Range 6 East, Section 2 – "Parcel 1 of Parcel Map 20001, in the County of Riverside, State of California, as shown by map on file in Book 130, Pages 20 and 21 of parcel maps, in the Office of the County Recorder of said County."

G. Brief description of the existing environmental setting of the Project site and its surroundings: The site is essentially flat and is bordered by the proposed Mirasera Specific Plan (SP 338) on the east, undeveloped land on the west, Avenue 38 and the Coachella Valley Preserve (natural area set aside for the preservation of the fringe-toed lizard and desert fauna and flora) to the north, and Varner Road and I-10 on the south.

II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

A. General Plan Elements/Policies:

- 1. Land Use:** The proposed project, which includes 460 units at a density of 8.3 units per acre, meets the requirement of the Community Development: High Density Residential (CD:HDR) (8 - 14 dwelling units per acre) General Plan Land Use Designation.
- 2. Circulation:** Adequate circulation facilities exist and are proposed to serve the proposed project. The proposed project meets all other applicable circulation policies of the General Plan.
- 3. Multipurpose Open Space:** The project would provide recreation facilities suited for its residents and would pay Development Impact Fees. The proposed project meets with all other applicable Multipurpose Open Space element policies.
- 4. Safety:** The proposed project is not located within any special hazard zone (including fault zone, high fire hazard area, dam inundation zone, liquefaction potential, etc.). The proposed project meets all other applicable Safety Element policies.
- 5. Noise:** Sufficient mitigation against Interstate I-10 traffic noise has been provided for in the design of the project. The proposed project meets all other applicable Noise Element policies.

- 6. Housing:** The proposed project meets all applicable policies contained within the Housing Element.
- 7. Air Quality:** The proposed project has been conditioned to control any fugitive dust during grading and construction activities. The proposed project meets all other applicable Air Quality element policies.
- B. General Plan Area Plan(s):** Western Coachella Valley
- C. Foundation Component(s):** Community Development (CD)
- D. Land Use Designation(s):** High Density Residential (CD:HDR) (8 - 14 dwelling units per acre)
- E. Overlay(s), if any:** N/A
- F. Policy Area(s), if any:** N/A
- G. Adjacent and Surrounding Area Plan(s), Foundation Component(s), Land Use Designation(s), Zoning Classification(s), Overlay(s) and Policy Area(s), if any:** Specific Plan, C-P-S (Scenic Highway Commercial) and W-2 (Controlled Development Area) to the east, N-A (Natural Assets) to the north, and W-2 and Specific Plan to the west. To the south is the I-10 freeway.
- H. Adopted Specific Plan Information**
- Name and Number of Specific Plan, if any: N/A
 - Specific Plan Planning Area, and Policies, if any: N/A
- I. Existing Zoning:** Controlled Development Area (W-2)
- J. Proposed Zoning, if any:** Specific Plan (SP)

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"/> Public Services
<input type="checkbox"/> Agriculture Resources	<input type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Land Use/Planning	<input checked="" type="checkbox"/> Transportation/Traffic
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Utilities/Service Systems
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> Geology/Soils	<input type="checkbox"/> Population/Housing	<input checked="" type="checkbox"/> Mandatory Findings of Significance

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 **NOTHING FURTHER IS REQUIRED** because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project.

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

1/2/10

Date

Matt Straite

Printed Name

For Ron Goldman, 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
AESTHETICS Would the project				
1. Scenic Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Have a substantial effect upon a scenic highway corridor within which it is located?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 Integrated Project (RCIP) General Plan Circulation Element Figure C-9 "Scenic Highways" and Western Coachella Valley Area Plan (WCVAP) Figure 9 "Scenic Highways."

Findings of Fact:

a)The project site is adjacent to I-10, a County Eligible Scenic Highway. As such, the project shall comply with the goals and policies contained in the Scenic Highway section of the RCIP WCVAP. The WCVAP Policy 18.1 for Scenic Highways states:

"Protect the scenic highways in the Western Coachella Valley from change that would diminish the aesthetic value of adjacent properties in accordance with policies in the Scenic Corridors sections of the Land Use, Multipurpose Open Space, and Circulation Elements."

The following are the General Plan Policies related to Scenic Highways that are relevant to WCVAP Policy 18.1:

- LU 13.1 – Preserve and protect outstanding scenic vistas and visual features for the enjoyment of the traveling public.
- LU 13.2 – Incorporate riding, hiking, and bicycle trails and other compatible public recreational facilities within scenic corridors.

- LU 13.3 – Ensure that the design and appearance of new landscaping, structures, equipment, signs, or grading within Designated and Eligible State and County scenic highway corridors are compatible with the surrounding scenic setting or environment.
- LU 13.4 – Maintain at least a 50-foot setback from the edge of the right-of-way for new development adjacent to Designated and Eligible State and County Scenic Highways.

All of the WCVAP and RCIP scenic highway policies are applied equally to any form of development, whether residential or commercial.

Although, the project will modify the view from the freeway, the project's development setback from the I-10 ROW is over 180 ft., and the project design will comply with all of the applicable Riverside County General Plan goals and policies related to scenic highway corridors. Therefore, impacts to scenic highway corridors will be less than significant. Therefore, no mitigation measures are required.

Between the existing improved area of the I-10 and the project site, there is an approximate 5 to 10 foot dirt strip with weeds and a wood/wire fence. Between this dirt strip and the project site is Varner Road, which is currently 2 lanes and approximately 24 feet in width; however, Varner Road will be expanded to six lanes within a 118 foot ROW as part of the proposed project pursuant to the General Plan Circulation Element.

The Valanté Specific Plan's site design takes into consideration its unique setting between the I-10 freeway and the hillside open space to the north. The Valanté Specific Plan allows a maximum of three stories, which will limit the obstruction of views of the Little San Bernardino Mountain range to the northeast of the project site. The frontage along Varner Road is planned with a 70 foot open space buffer with native landscaping, riding and hiking trails and three to four-foot berms, rather than using block walls along the I-10-facing property boundary so as to preserve the view corridor along the I-10 and provide a transitional area between the I-10 and the development areas. Impacts to a scenic highway corridor will be less than significant.

b) There are no scenic resources on the undeveloped project site. Therefore, development of the project site will not affect any scenic resources.

Mitigation Measures:

No mitigation measures are required.

Monitoring:

No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
2. Mt. Palomar Observatory Interfere with the night time 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, Ordinance No. 655, RCIP, WCVAP Policies 15.1 and 15.2 and Figure 6, Mt. Palomar Nighttime Lighting Policy.

Findings of Fact:

The intent of Ordinance No. 655 is to restrict the permitted use of certain light fixtures emitting into the night sky undesirable light rays which have a detrimental effect on astronomical observation and research. This project is located 41.96 miles from the Mt. Palomar Observatory in Zone B. Ordinance No. 655 requires all outdoor lighting, other than street lighting, to be low to the ground or shielded and hooded to avoid shining onto adjacent properties and streets. The proposed project will conform to the requirements of Ordinance No. 655. Compliance with Ordinance No. 655 will ensure potential impacts are less than significant.

Mitigation Measures:

No mitigation measures are required.

Monitoring:

No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
3. Other Lighting Issues	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Expose residential property to unacceptable light levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source:

Site Visit, Project Description.

Findings of Fact:

a) There is no existing lighting on the project site. The proposed project would result in a new source of light and glare from the addition of streetlights, security lighting, residential lighting, as well as transient vehicular lighting from cars traveling on adjacent roadways. As discussed above, Riverside County Ordinance No. 655 is applicable to the project site. Therefore, the project must comply with Ordinance No. 655, including, but not limited to Low Pressure Sodium Vapor (LPSV) street lights. Pursuant to Ordinance No. 655, the project's onsite lighting will be directed downward or shielded and hooded to avoid shining onto adjacent properties and streets. The lighting per Ordinance No. 655 will be similar to other residential and commercial areas surrounding the site. Therefore, impacts would be reduced to a level of less than significant.

b) The proposed project is not expected to create unacceptable light levels because of conformance with Ordinance No. 655. Therefore, the proposed project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or expose residential property to unacceptable light levels. Impacts would be less than significant.

Mitigation Measures:

No mitigation measures are required.

Monitoring:

No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
AGRICULTURE RESOURCES Would the project				
4. Agriculture	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing agricultural use, or a Williamson Act (agricultural preserve) contract (Riv. Co. Agricultural Land Conservation Contract Maps)?	<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:

RCIP Open Space Element Figure OS-2 "Agricultural Resources," GIS database and Project Materials.

Findings of Fact:

a-d) The project site is not used as agriculture, is not in an agriculture preserve, and is not currently under a Williamson Act contract. The site is also not designated as Prime Farmland or Farmland of Local Importance and is not located within 300 feet of agriculturally zoned property. Additionally, the proposed project will not involve other changes in the existing environment that will result in the conversion of farmland to non-agricultural uses. Therefore, no impact is anticipated to agricultural resources.

Mitigation Measures:

No mitigation measures are required.

Monitoring:

No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
AIR QUALITY Would the project				
5. Air Quality Impacts	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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:

Air Quality Impact Analysis for Valanté Specific Plan #00360, Palm Desert, California by Giroux & Associates dated June 13, 2007, RCIP Land Use Element, Air Quality Element, and Circulation Element, Riverside County RCIP/General Plan EIR (SCH No. 2002051143), SCAQMD Website, and 2003 AQMP

Findings of Fact:

a) The project is located in the Coachella Valley Planning Area (CVPA) of the Salton Sea Air Basin (SSAB). The Southern California Air Quality Management District (SCAQMD) is the agency principally responsible for comprehensive air pollution control in the SSAB. The SCAQMD is responsible for the development of the regional Air Quality Management Plan (AQMP) and efforts to regulate pollutant emissions from a variety of sources. The SCAQMD is directly responsible for reducing emissions from stationary (area and point), mobile, and indirect sources. It has responded to this requirement by preparing a sequence of Air Quality Management Plans (AQMPs). The 2003 AQMP was prepared to accommodate growth, to reduce the high levels of pollutants within the areas under the jurisdiction of SCAQMD, and to return clean air to the region. Projects that are considered to be consistent with the AQMP would not interfere with attainment, because this growth is included in the projections used to

formulate the AQMP. Therefore, projects, uses, and activities that are consistent with the applicable assumptions used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP, even if they exceed the SCAQMD's recommended daily emissions thresholds.

Projects that are consistent with the projections of employment and population forecasts identified in the Growth Management Chapter of SCAG's Regional Comprehensive Plan and Guide (RCPG) are considered consistent with the AQMP growth projections. Since SCAG's regional growth forecasts are based upon land uses specified in county and city general plans, the development proposed under the County's General Plan would also be consistent with the SCAG's regional forecast projections. In turn, this development would also be consistent with the AQMP growth projections. As part of adoption of the County of Riverside's General Plan in 2003, the General Plan EIR (SCH No. 2002051143) analyzed the General Plan growth projections for consistency with the AQMP and concluded that the County's General Plan is consistent with the 2003 AQMP.

The proposed project is consistent with the County's General Plan land use designation of Community Development: High Density Residential. Therefore, the proposed project is consistent with the 2003 AQMP and project impacts are less than significant.

b) The project will introduce sensitive receptors (residences) into the SCAB, which has non-attainment status for ozone, carbon monoxide, and particulate matter (PM₁₀).

Construction Impacts:

Dust is the primary concern during construction. Short-term construction emissions would result from site preparation/grading, building construction, and construction worker commute. All construction activities would comply with SCAQMD Rule 403 regarding the control of fugitive dust. All construction projects in the Coachella Valley are required to use strongly enhanced dust control procedures. The construction activity emissions associated with the proposed project are shown below:

Average daily PM₁₀ emissions during site grading and other disturbance are stated in the SCAQMD Handbook to be 26.4 pounds/acre. This estimate is based upon required dust control measures in effect in 1993 when the AQMD CEQA Air Quality Handbook was prepared. Rule 403 was subsequently strengthened to require use of a greater array of fugitive dust control on construction projects. All construction projects in the Coachella Valley are required to use strongly enhanced control procedures. Use of enhanced dust control procedures such as continual soil wetting, use of supplemental binders, early paving, etc. can achieve a substantially higher PM₁₀ control efficiency. Daily emissions with use of reasonably available control measures (RACMs) for PM₁₀ can reduce emission levels to around ten (10) pounds per acre per day. With the use of best available control measures (BACMs) the California Air Resources Board URBEMIS2002 computer model predicts that emissions can be reduced to 1-2 pounds per acre per day.

For the proposed project, the Air Resource Board URBEMIS2002 computer model predicts that 23.8 acres could be under simultaneous heavy construction at some point during the build-out lifetime of the project. With the use of only minimum construction dust control, daily PM₁₀ emissions during site grading could reach 628 pounds per day ($23.8 \times 26.4 = 628$ lb/day). The SCAQMD significance threshold of 150 pounds per day would be exceeded. With the use of RACMs, daily PM₁₀ emissions during site grading could be reduced to 238 pounds per day ($23.8 \times 10.0 = 238$ lb/day) still in excess of allowable standards 59%. A more comprehensive control program will be required to achieve a less-than-significant impact. As shown in the URBEMIS2002 computer model output, PM₁₀ emissions

from soil disturbance can be reduced to 22.4 pounds per day with the application of all available mitigation. Potentially significant PM₁₀ impacts can thus be mitigated to less-than-significant levels.

Current research in particulate-exposure health effects suggests that the most adverse impact derives from ultra-small diameter particulate matter comprised of chemically reactive pollutants such as sulfates, nitrates or organic material. A new national clean air standard for particulate matter of 2.5 microns or smaller in diameter (called "PM_{2.5}") was adopted in 1997. Very little construction activity particulate matter is in the PM_{2.5} range. Soil dust is also more chemically benign than typical urban atmospheric PM_{2.5}. Project-related construction activity PM₁₀ is not predicted to exceed the 150-pound/day threshold. With only a small fraction of PM_{2.5} within the PM₁₀ generation level, this suggests a minimal potential PM_{2.5} impact.

In addition to fine particles that remain suspended in the atmosphere semi-indefinitely, construction activities generate many larger particles with shorter atmospheric residence times. This dust is comprised mainly of large diameter inert silicates that are chemically non-reactive and are further readily filtered out by human breathing passages. These fugitive dust particles are therefore more of a potential soiling nuisance as they settle out on parked cars, outdoor furniture, or landscape foliage rather than being any adverse health hazard. The deposition distance of most such dust particles is very close to the source (typically 100 feet). There are no concentrations of dust-sensitive receptors within the primary dust deposition impact zone. The nearest residences are across Varner Road and the I-10 Freeway.

Exhaust emissions will result from on and off-site heavy equipment. The types and numbers of equipment will vary among contractors such that such emissions cannot be quantified with certainty. Equipment exhaust emissions were calculated presuming that grading will be balanced on-site, and that initial heavy grading and infrastructure development will gradually shift toward building construction and then for finish construction, paving, landscaping, etc. The URBEMIS2002 computer model was used to calculate emissions from the following prototype construction equipment fleet:

Grading	Construction	Paving
Scrapers (4)	Forklift (1)	Paver (1)
Dozer (2)	Tractor/Loader/Backhoe (2)	Roller (1)
Grader (1)	Off Hwy Tractor (1)	
Tractor/Loader/Backhoe (1)		
Off Hwy Tractor (1)		

The California ARB's URBEMIS2002 computer model was also used to estimate daily mitigated emissions during grading and finish construction, with the following results (lb/day):

Construction Activity Emissions (pounds/day)

Activity	ROG	NOx	CO	SO ₂	PM ₁₀ Exhaust	PM ₁₀ Fug.	PM ₁₀ Total	PM _{2.5} *
Construction, Grading								
No Mitigation	22.6	149.2	187.7	0.0	6.3	238.0	244.3	55.8
With Mitigation	20.4	74.8	187.7	0.0	1.3	21.2	22.4	5.7
Building, Painting and Paving								

No Mitigation	105.3	43.4	82.8	0.0	1.6	0.5	2.1	0.2
With Mitigation	105.3	43.4	82.8	0.0	0.7	0.5	1.2	0.8
SCAQMD Threshold	75	100	550	150	-	-	150	55

Source: URBEMIS2002 Model, Output in Appendix

* = (0.208 x fugitive dust) + 100% exhaust

The County will impose Standard Conditions of Approval (COAs) and best management practices (BMPs) for many air quality impacts. For example, a County COA for air quality is as follows:

- All necessary measures to control dust shall be implemented by the developer during grading.

With mitigation, only ROG emissions may exceed the SCAQMD threshold. ROG emissions exceed the SCAQMD threshold by as much as 40% during painting and paving, even with application of paintings and coatings using low-VOC. However, mitigation of this impact may be accomplished by using pre-coated building materials and using high pressure-low volume (HPLV) paint applicators, and by employing an extended painting schedule (using less than 100 gallons per day of low-VOC paint). If the painting schedule were extended to 9 months rather than the model assumed 6 months, average ROG emissions would be reduced to 70.2 pounds per day which is less than the 75 lbs/day threshold.

Operational Impacts:

A project's long-term air pollution emissions are generally derived from two sources: (1) mobile source emissions that result from project-related vehicle trips, and (2) stationary-source emissions due to the project's energy demands (i.e., natural gas combustion).

Project operational emissions of criteria pollutants are summarized in the table below.

Project-Related Operational Emissions (lb/day)

Activity	ROG	NOx	CO	SOx	PM ₁₀ *	PM _{2.5} *
On-Road Vehicles	34.4	35.5	387.6	0.3	37.3	6.3
"Area Sources"	37.1	4.8	11.9	0.1	0.1	<1
TOTAL	71.5	40.3	399.5	0.4	37.4	6.3
Significance Threshold	75	100	550	150	150	55
Percent of Thresholds	95	40	73	<1	25	11

*assumes PM₁₀ is mainly paved roadway dust and PM_{2.5} +0.169 X PM₁₀

Source: URBEMIS2002 Air Quality Model, Output in Technical Appendix.

The proposed project's long-term operations will not cause the SCAQMD's recommended threshold levels to be exceeded. Project-related emission levels for the two ozone precursor pollutants (ROG and NOx) would represent 95 and 40 percent of the significance threshold, respectively. Carbon monoxide (CO) would similarly not exceed the suggested significance threshold by a large margin of safety. Operational emissions will be at a less-than-significant level.

CO Hotspot Analysis:

Micro-scale air quality impacts have traditionally been analyzed in environmental documents where the air basin was a non-attainment area for carbon monoxide (CO). However, the SCAQMD has demonstrated in the CO attainment re-designation request to EPA that there are no "hot spots" anywhere in the air basin, even at intersections with much higher volumes, much worse congestion, and much higher background CO levels than anywhere in the project area. If the worst-case intersections in the air basin have no "hot spot" potential, any local impacts near the facility will be well below thresholds with an even larger margin of safety.

To verify this conclusion, a CO screening analysis was performed at the closest impacted intersection surrounding the project. One-hour CO concentrations were calculated on the sidewalks adjacent to these intersections. P.M. peak one-hour levels (ppm above background) were as follows:

One-Hour CO Concentrations (ppm)

Intersections	Existing	Existing w/Project	2008 No Project	2008 w/Project	Build-out no Project	Build-Out with Project
PM Peak Hours						
Cook St/ Varner Rd	0.2	0.2	2.6	2.6	0.9	0.9
Avenue 38/ Varner Rd	0.1	0.3	0.6	1.0	0.5	0.6
Washington St/ Varner Rd	1.4	1.6	2.6	2.7	1.1	1.1
AM Peak Hours						
Cook St/ Varner Rd	0.2	0.2	1.4	1.5	0.7	0.7
Avenue 38/ Varner Rd	0.1	0.2	0.4	0.7	0.5	0.5
Washington St/ Varner Rd	1.5	1.6	1.9	2.2	0.6	0.7

Existing peak one-hour local CO background levels in 2005 in the project vicinity were 2.0 ppm. Combined worst-case background (2.0 ppm) plus local (2.7 ppm) equate to one-hour CO levels of 4.7 ppm which are far below the one-hour standard of 20 ppm. Micro-scale impacts associated with CO are less than significant.

The AQIA prepared by Giroux & Associates for the Valanté Specific Plan studied the long-term air emissions, including a CO screening analysis for the project. Since the AQIA was completed, the number of dwelling units in the project description for the Specific Plan changed from 475 DU to 460 DU. The potential increase of CO concentrations at the intersections will have a corresponding reduction with the change in unit count from 475 to 460 DU since the traffic associated with the 15 homes will not be generated. Nevertheless, because the AQIA has analyzed potential air quality impacts under a scenario that would have greater potential impacts than the proposed project, the above analysis has not been changed to reflect the lower dwelling unit count. Furthermore, the CO screening analysis concluded 475 units will not cause CO levels to exceed the one-hour standard of 20 ppm.

c) Cumulative air quality impacts associated with buildout of the County's General Plan was addressed on a regional basis by the County's RCIP/General Plan EIR. The General Plan EIR concluded that air quality is a significant and unmitigable impact of General Plan implementation. Therefore, the proposed project would not result in cumulative air quality impacts beyond those previously disclosed by the General Plan EIR. The RCIP/General Plan EIR (SCH No. 2002051143) is

on file and available for public viewing at the Riverside County Planning Department 4080 Lemon Street, 9th Floor Riverside, CA and is incorporated herein by reference.

d) The SCAQMD has developed analysis parameters to evaluate ambient air quality on a local level in addition to the more regional emissions-based thresholds of significance. These analysis elements are called Local Significance Thresholds (LSTs). LSTs were developed in response to Governing Board's Environmental Justice Enhancement Initiative 1-4 and the LST methodology was provisionally adopted in October 2003 and formally approved by SCAQMD's Mobile Source Committee in February 2005.

Use of an LST analysis for a project is optional because LSTs were derived for economically or socially disadvantaged communities not representative of Palm Desert. LSTs are only applicable to the following criteria pollutants: oxides of nitrogen (NO_x), carbon monoxide (CO), and particulate matter (PM₁₀ and PM_{2.5}). LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard, and are developed based on the ambient concentrations of that pollutant for each source receptor area and distance to the nearest sensitive receptor.

The URBEMIS model estimates that the daily construction disturbance "footprint" will be 23.8 acres. LST pollutant concentration data is currently only published for 1, 2 and 5 acre sites. As shown in the appendix, extrapolating the smaller footprint data to determine the pollutant concentrations representative of the proposed project site for a source-receptor distance of 50 meters, the following thresholds are determined (pounds/day):

Coachella Valley	CO	NO _x	PM ₁₀	PM _{2.5}
LST Threshold	7,421	1,087	155	32
Proposed Project	83-188*	43-74*	1-22*	1-6*

*with mitigation

All mitigated emissions will be below LST thresholds during construction. Therefore, LST impacts are less than significant and no mitigation measures are required.

A number of studies have identified health-related concerns for siting pollution-sensitive land uses close to freeways. The biggest concern is from diesel trucks that emit microscopic soot particles. Passenger vehicles emit benzene and 1, 3-butadiene. Diesel is responsible for 70% of any roadway exposure risk. A recent (2002) particulate study near a freeway with many diesel trucks (710 Freeway) found the following drop-off rate of particulate matter (particulate level compared to "background") at 1,000 feet from the freeway edge:

Distance from travel lanes (feet)	25'	50'	100'	200'	300'	500'	1,000'
Particulate Ratio	3.85	3.00	1.98	1.38	1.12	1.06	1.00

The particulate level (and associated diesel risk) drops dramatically at 300 feet and beyond from the freeway. The project proposes residential uses at approximately 200 feet from the nearest I-10 travel lanes. The southern most development will be on the fringe of the freeway diesel exhaust "plume". Although the closest homes are not within a heavy diesel exposure zone, prudent protection is suggested in the form of upgraded filters on the ventilation system for homes within 250 feet of the southern site boundary.

Additionally, diesel trucks are expected to be 80% cleaner in the next 10-15 years. Prevailing winds are also generally parallel to the freeway instead of directed toward the project site. These factors will further enhance the health protection afforded by the proposed upgraded filters. Therefore, impacts

associated with diesel risk will be less than significant with the incorporation of upgraded filters on the ventilation system for homes within 250 feet of the southern site boundary as a mitigation measure.

e) In the 2003 AQMP, the SCAQMD considers point sources to be generally large emitters with one or more emission sources at a permitted facility with an identified location, such as power plants and refineries. These point source emitters or similar land uses do not occur within one mile of the site; therefore; no impact is anticipated from substantial point source emitters.

f) Potential sources that may emit odors during construction activities include the use of architectural coatings and solvents. SCAQMD Rule 1113 limits the amount of volatile organic compounds from architectural coatings and solvents. Via mandatory compliance with SCAQMD Rules, no construction activities or materials are proposed which would create objectionable odors. The proposed project uses include residential homes, parks and open space. These land uses are not considered uses that emit noxious or objectionable odors and would not include any of the types of uses identified by SCAQMD as being associated with odor complaints. Therefore, the proposed project would not create objectionable odors affecting a substantial number of people during construction or operation.

Mitigation Measures:

In addition to the COAs and BMPs (e.g., SCAQMD Rules 403 and 1113, dust control, etc.) for air quality impacts, the proposed project will comply with the following mitigation measures:

MM-AQ1 (ROG Emissions/Painting/Coatings) –Applicant will employ an extended painting schedule of 9 months or longer from the start of the painting of the first unit to completion of painting of the last unit using low-VOC paint and using high pressure-low volume (HPLV) paint applicators). The Applicant will also use pre-coated building materials during the construction.

MM-AQ2 (Dust Control) – A total of 23.8 acres of land will be disturbed at one time during construction. Applicant shall implement the following mitigation measures to control dust:

- Limit the simultaneous disturbance area to as small an area as practical.
- Terminate soil disturbance when winds exceed 25 mph.
- Stabilize previously disturbed areas if subsequent construction is delayed.
- Water exposed surfaces and unpaved haul routes at least three times daily.
- Cover all stockpiles with tarps when left unattended for more than 72 hours.
- Reduce speed on unpaved roads and haul routes to less than 15 mph.

The construction contractor(s) shall provide temporary stabilization of disturbed soils in compliance with the County's landscaping and grading requirements whenever active construction is not occurring on a portion of the site. Options for stabilization may include, but shall not be limited to, one or more of the following:

- Hydraulic Mulch
- Hydroseeding
- Soil Binders
- Straw/Wood Mulch

MM-AQ3 (Emissions) – Applicant will implement the following measures to reduce emissions impacts:

- Require 90-day low-NOx tune-ups for off-road equipment.
- Limit allowable idling to 5 minutes for trucks and heavy equipment.
- Require use of Tier 3-rated engines for scrapers and dozers used in grading.

- Require installation of soot filters on all diesel equipment >100 HP.

MM-AQ4 (Off-Site Impacts) – Applicant will implement the following measures to reduce off-site air quality impacts:

- Encourage car pooling for construction workers through the use of various incentives, including, but not limited to subsidies for car or van pooling or use of alternative (e.g. bicycle) or public transportation.
- Limit lane closures to off-peak travel periods.
- Park construction vehicles off traveled roadways.
- Wet down or cover dirt hauled off-site.
- Wash or sweep access points daily.
- Encourage receipt of construction materials during non-peak traffic hours.
- Sandbag construction sites for erosion control.

MM-AQ5 (Freeway Proximity) – Applicant will implement the following measure to reduce potential adverse health impacts from diesel exhaust exposure:

- Homeowners within 250 feet of the southernmost residential facades shall be provided with upgraded furnace filters capable of removing 95% of particulate matter of 1 micron or greater. The homeowners shall be provided with information on maintenance procedures and replacement information of such filters, including where to purchase the filters.

Monitoring:

Monitoring shall be done by the Building and Safety Department.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
BIOLOGICAL RESOURCES Would the project				
6. Wildlife & Vegetation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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, Site Visit, "Biological Resources Technical Report" by Helix Environmental Planning" dated August 2007 and "Rare Plant, Desert Tortoise, and Burrowing Owl Habitat Assessment" by Helix Environmental Planning dated August 2007.

Findings of Fact:

a) Applicable existing regional plans and public open space include the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and the Coachella Valley Flat-Tailed Lizard Habitat Conservation Plan (CVFTL HCP). Open space and preserve areas that occur in the project vicinity include the CVFTL Preserve (across Avenue 38 from the project site) and Joshua Tree National Park (10 miles southwest of the project site).

The project site is within the CVMSHCP area. At the time this report was prepared, the Final Recirculated CVMSHCP was approved by the CVAG Executive Committee and the Coachella Valley Conservation Commission (CVCC) at a special joint meeting and Public Hearing on Monday, September 10, 2007. The CVMSHCP then went to all other participating cities and the County of Riverside for their consideration.

In October 2007 all participating cities and the County adopted the CVMSHCP. Following the adoption of the CVMSHCP, it was transmitted to the State and Federal Wildlife agencies for their review issuance of permits. According to the Coachella Valley Association of Governments (CVAG), the CVMSHCP is anticipated to be fully approved and permitted by Fall 2008.^[2]

On January 29, 2008 the Riverside County Board of Supervisors adopted Riverside County Ordinance 875. The ordinance establishes a development impact mitigation fee for funding the preservation of natural ecosystems in accordance with the CVMSHCP. Riverside County Ordinance 875 becomes effective March 29, 2008 or immediately upon issuance of the appropriate permits authorizing "take" in connection with the CVMSHCP by the appropriate Federal and State wildlife agencies—whichever occurs last.^[3] Until the permits are issued, there are no fees or other project requirements that pertain to the CVMSHCP.

Following the wildlife agencies' issuance of permits for the CVMSHCP, project building permits would be subject to mitigation fee provisions pursuant to Ordinance 875, which will assist in the

^[2] <http://www.cvmshcp.org/index.htm>

^[3] http://www.rctlma.org/building/content/temp/bs_bp_ord875_cvmshcp.aspx

implementation of the CMVSHCP by contributing to the formation of the conservation area identified in the document. The project site is not within an area of special conservation concern under the approved CVMSHCP Plan; therefore, development of the property will not conflict with the CVMSHCP.

The project site is within the CVFTL Fee Area (Ordinance 663.10). The site is not within the FTL Preserve area or within designated Coachella Valley Fringe-toed Lizard Habitat. In addition, the project site is located approximately 8 miles southwest of the area designated as Critical Habitat for the Mojave population of the desert tortoise. The project site is located approximately 5 miles north of the area designated as Critical Habitat for the Peninsular bighorn sheep.

The project site does not conflict with the provisions of any of the above adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or State conservation plan. Impacts associated with the project are less than significant.

b-c) A site assessment and various focused surveys were conducted on the project site. Field studies included general surveys for flora and fauna, jurisdictional waters, vegetation mapping, and focused surveys for the desert tortoise and burrowing owl. An aerial of the project site is shown on Figure 6, Aerial Photograph of Project Site. A total of 10 plant species were observed on the site during the surveys, none of which were designated as listed species at the federal or state level. The site is dominated by native Sonoran creosote bush scrub habitat with a row of tamarisk that occurs just inside the eastern boundary of the site. This habitat is not a sensitive habitat.

During the general habitat assessment survey, one focus was determining the suitability of the habitat for the federally listed endangered Coachella Valley milk-vetch (CVMV). CVMV is one of the covered species under the CVMSHCP. Due to existing rainfall conditions that were 10% below normal for this area during the 2006-07 rainfall season, rare plant surveys focusing on the potential presence of the federally listed endangered CVMV were not conducted. The project site does contain habitat suitable for the federally listed endangered CVMV. However, no sensitive dune species were observed. Without mitigation, the permanent loss of this species could be considered significant.

Potential mitigation measures include avoiding or minimizing impacts to CVMV habitat or providing a minimum 1:1 replacement of CVMV plants that are impacted. This mitigation could be accomplished by compensating for impacts through planting CVMV seeds collected from the project site. EIR 00486 (Mirasera) identified a receptor site for planting CVMV seeds collected during onsite pre-construction surveys for CVMV. Impacts to the CVMV would also be fully mitigated by participation in the CVMSHCP via payment of mitigation fees pursuant to Riverside County Ordinance 875.

The CVMSHCP considers the CVMV to be adequately conserved with the conservation plans incorporated into the CVMSHCP, which include the protection and management, in perpetuity, 11,650 acres of the CVMV habitat, including 89 of the 122 known occurrences. Additionally, 7,707 acres of habitat within existing conservation lands will be monitored and managed. Therefore, payment of the CVMSHCP fee prior to issuance of building permits as is anticipated to be required for the project will assure compliance with the CVMSHCP. The fees will be used to acquire and manage CVMV habitat for conservation purposes and manage existing habitat. Thus, participation in the CVMSHCP would mitigate potential impacts to the CVMV. Absent state and federal permit issuance for the CVMSHCP, MM-Bio 1 requires a pre-construction survey for CVMV and collection of seeds for planting in the Palm Springs round-tailed squirrel mitigation site identified in EIR no. 00486.

One sensitive animal species, a single adult burrowing owl was detected during surveys. Under the California Fish and Game Code and the Migratory Bird Treaty Act (MBTA), passive relocation will be

required to reduce impacts to a level of less than significant. Any relocation activities should be performed outside the burrowing owl nesting season (generally March 1 through August 31).

The USFWS presence/absence protocol survey for the desert tortoise found no tortoise or tortoise sign. Therefore, the project will result in no impacts to the desert tortoise.

Focused surveys were not conducted for round-tailed ground squirrels (Palm Springs sub-species) because the preferred habitat for this species of special concern is mesquite/mesquite-dominated habitat. Therefore, potential impacts would not be considered significant because the project site is outside of areas identified as essential for conservation of this sub-species and the absence of preferred habitat.



Figure 1 – Aerial Photograph of Project Site

Project construction would result in the loss of approximately 50 acres of Sonoran Creosote Bush Scrub habit which constitutes less than a hundredth of one percent of the total of this habitat acreage identified within the CVMSHCP. Therefore, project impacts to this habitat would not be considered significant. The tamarisk on site is an exotic species and impacts to this vegetation are not considered significant. Impacts to the small amount (less than 0.5 acre) of desert dune community are less than significant because no sensitive dune species are known to exist.

d) As shown on Figure 6, the I-10 to the south of the site forms a significant barrier to wildlife movement. Across the I-10 is the developed City of Palm Desert. To the northwest of the site is Avenue 38 and the Delfino Resorts community that is currently under construction. To the east is the approved master planned Mirasera community. To the north of the site is the CVFTL Preserve. The project site does not provide a linkage between the CVFTL Preserve to other open space that would promote wildlife movement through the site. Therefore, it is unlikely that project development would adversely affect wildlife corridors or movement of wildlife in the area. In addition, the new planned ACOE flood control channel on the northern boundary of the project site and southern boundary of Avenue 38 will also impede wildlife movement through the site from northwest to southeast. The project site is not a nursing ground for any wildlife species.

e-f) No jurisdictional waters were observed on or immediately adjacent to the project site. Since activities on the project site will not impact wetland or non-wetland Waters of the U. S., consultation with the Army Corps of Engineers (ACOE), CDFG, and RWQCB will not be required. Therefore, the proposed project would not have an adverse effect on federally protected wetlands, riparian habitat or other sensitive natural community.

g) There are no local ordinances regarding biological issues that would need to be addressed as a result of the project. Therefore, the proposed project would not conflict with local policies or ordinances protecting biological resources.

Mitigation Measures:

MM-Bio1: Prior to issuance of grading permits, a pre-construction survey for CVMV shall be conducted during the appropriate blooming period to flag individual plants for seed collection. At the appropriate time, seed shall be collected by a qualified biologist and shall be planted within the Palm Springs round-tailed squirrel mitigation site identified in EIR no. 00486 (Mirasera). Prior to planting, a report prepared by a qualified biologist shall be submitted to the environmental programs department for review and approval detailing the results of the blooming period survey and seed collection. Thereafter, on an annual basis for a period of 5 years, a qualified biologist shall submit a report to the environmental programs department for review and approval concerning the planting and monitoring of the receptor site. If the site is determined to be occupied with CVMV, appropriate mitigation measures, including avoiding or minimizing impacts or providing a minimum 1:1 replacement of CVMV plants that are impacted, will be identified to reduce impacts to less than significant. State and federal wildlife agency issuance of permits for the CVMSHCP prior to site disturbance or grading in CVMV habitat areas shall render this mitigation measure null and void.

MM-Bio2: As a condition of the grading permit, a pre-construction survey for burrowing owls will be conducted within 30 days of project construction. If burrowing owls are found on-site, relocation

activities will be performed outside the burrowing owl nesting season (generally March 1 through August 31).

Monitoring:

Monitoring will be performed by the Planning and Building Departments as well as the Environmental Programs Department.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
CULTURAL RESOURCES Would the project				
7. Historic Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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:

"Cultural Resources Survey and Paleontological Record Search of Valanté: Parcel Number 626-130-019 in Riverside County California" prepared by SWCA Environmental Consultants dated May 15, 2007.

Findings of Fact:

a-b) No prehistoric or historic-period cultural resources were located within the project area during the intensive pedestrian survey for cultural resources. The records search conducted at the Eastern Information Center found that no recorded cultural resources sites were found on the project site. Twelve cultural resource studies have been conducted within the half-mile radius of the site and two cultural resources have been recorded within the one-half mile radius of the site. An examination of historic maps showed no structures on the project site and no agricultural use. Based on the survey results, archaeological construction monitoring is not recommended by SWCA Environmental Consultants. However, the County's COAs that may be applicable to the proposed project for cultural resources are COA 10: Planning 4, 5 and COA 30: Planning 24, 25, 33, 34.

Mitigation Measures:

No mitigation measures are required beyond the COAs presented above.

Monitoring:

Monitoring of COAs shall be conducted by the B&S Grading Division of the Planning and Development Department.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
8. Archaeological Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 California Code of Regulations, Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Restrict existing religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source:

"Cultural Resources Survey and Paleontological Record Search of Valanté: Parcel Number 626-130-019 in Riverside County California" prepared by SWCA Environmental Consultants dated May 15, 2007.

Findings of Fact:

a-b) No archaeological sites were found on the project site. Based on the survey results, archaeological construction monitoring is not recommended by SWCA Environmental Consultants. However, the County's COA for cultural resources presented in response 7a above will be imposed on project approvals.

c) There are no known human burials on the project site. However, the discovery of human remains is always a possibility. The County's COA that are applicable to the proposed project for the discovery of human remains are COA 10: Planning 4,5 and COA 30: Planning 24, 33, 34.

d) A search of the Sacred Lands File by the Native American Heritage Commission (NAHC) found no presence of Native American sacred lands or traditional cultural properties within the immediate project area. Letters requesting additional information have been sent to contacts provided by the NAHC. The County's COAs presented in response 7a above will be imposed on project approvals.

Mitigation Measures:

The County's COAs will mitigate all impacts to potential cultural resources on the project site.

Monitoring:

Monitoring of these COAs will be performed by the Planning and Building and Safety Departments

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
9. Paleontological Resources 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"/>

Source:

"Cultural Resources Survey and Paleontological Record Search of Valanté: Parcel Number 626-130-019 in Riverside County California" prepared by SWCA Environmental Consultants dated May 15, 2007.

Findings of Fact:

The Project site is entirely underlain by recent alluvium. Recent alluvium is determined to have a low paleontological sensitivity rating. However, geologic sediments with a high paleontological sensitivity may occur at a depth of ten feet below the surface or greater. A detailed review of museum collections records was performed by the Vertebrate Paleontology Division of the San Bernardino County Museum. The records search found no previously recorded Paleontological localities on the project site.

Mitigation Measures:

MM-P1: If grading plans show that project-related excavations go deeper than ten (10) feet, a qualified paleontological monitor shall be retained by the site developer(s) to check for fossils. Should construction/development activities uncover paleontological resources, work will be halted in that area and moved to other parts of the project site and a qualified paleontologist shall be contacted to determine the significance of these resources. The paleontologist shall have authority to divert grading away from exposed fossils temporarily in order to recover the fossil specimens. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

MM-P2: All fossils and associated data recovered during the paleontological monitoring shall be repositied in a public museum or other approved curation facility.

Monitoring:

Monitoring shall be conducted by the Building and Safety Department.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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GEOLOGY AND SOILS

Definitions for Land Use Suitability Ratings

Where indicated below, the appropriate Land Use Suitability Rating(s) has been checked.

NA - Not Applicable S - Generally Suitable PS - Provisionally Suitable

U - Generally Unsuitable R - Restricted

a. Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

10. Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zones

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?

A-P Zones NA PS U R
 CFH Zones NA PS U R

Source:

RCIP General Plan Safety Element – Hearing Draft Figure S-1 Mapped Faulting in Riverside County and Figure S-2 Earthquake Fault Study Zones, County GIS, and Preliminary Geotechnical Investigation Report Proposed Residential Development Assessor Parcel Number (APN) 626-130-

019-4 Tentative Tract Map No. 34651, Southeast Corner of 38th Avenue and Varner Road, Palm Desert Area, Unincorporated Riverside County, California by Leighton and Associates dated October 2, 2006.

Findings of Fact:

The site is located in a region of generally high seismicity, as is all of Southern California. The San Andreas Fault zone within the Coachella Valley includes the Garnet Hill, the Banning, and the Mission Creek Faults which traverse along the northeast margin of the valley. The Coachella Valley segment of the San Andreas Fault system may be capable of generating a magnitude seven or greater earthquake within the next 50 years. Therefore, during the life of the project, the site is expected to experience strong ground motions from earthquakes on regional and or local causative faults.

Per the Leighton Report, the nearest known active fault is the Southern section of the San Andreas Fault, which is located approximately 3.4 miles northeast of the site. The site is not located within or adjacent to an "Earthquake Fault Zone" as identified in the Alquist-Priolo Geologic Hazards Zones Are of 1972 and as most recently revised in 1999. As indicated in the Leighton Report, the potential for ground rupture at the site during a seismic event is considered very low at this time. No mitigation measures beyond standard conditions of approval (COAs) and best management practices (BMPs) are required.

Mitigation Measures:

No mitigation is required.

Monitoring:

No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
11. Liquefaction Potential Zone Seismic-related ground failure, including liquefaction? NA <input type="checkbox"/> S <input checked="" type="checkbox"/> PS <input type="checkbox"/> U <input type="checkbox"/> R <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source:

Uniform Building Code (UBC), RCIP Safety Element – Hearing Draft Figure S-3 "Generalized Liquefaction", and Preliminary Geotechnical Investigation Report Proposed Residential Development Assessor Parcel Number (APN) 626-130-019-4 Tentative Tract Map No. 34651, Southeast Corner of 38th Avenue and Varner Road, Palm Desert Area, Unincorporated Riverside County, California by Leighton and Associates, Inc. dated October 2, 2006.

Findings of Fact:

The site is located within a zone mapped as having moderate liquefaction potential (RCIP Figure S-3 "Generalized Liquefaction"). However, subsurface explorations indicated that shallow ground water conditions do not exist locally, nor have they existed historically. Therefore, it is Leighton's professional opinion that this site possesses a very low potential for liquefaction as a consequence of the design basis earthquake.

Even though the potential for liquefaction occurring is very low, a seismically induced settlement can occur during a strong seismic event. Compliance with UBC and Leighton's geotechnical recommendations for design and construction are intended to reduce the potential for major structural damage. Grading and earthwork recommendations have been provided to reduce the potential adverse effects of seismically-induced settlements as a result of the design seismic event.

Land subsidence associated with groundwater-level declines has been recognized as a potential problem in the Coachella Valley. The site is within a documented area of subsidence of 0.2 foot (2.4 inches) measured between June 17, 1998 and October 4, 2000. However, evidence of differential subsidence and associated ground fissuring was not observed during the Leighton field investigation or aerial photograph review of the site. Leighton has concluded that the differential subsidence gradient is gentle for the site.

To reduce the risks associated with seismically induced liquefaction and the associated hazards of seismically induced lateral spreading or subsidence, the proposed project will conform to site-specific geotechnical recommendations and the UBC. Potentially unstable soils discovered during excavation are required by provisions of the UBC to be removed and replaced, or otherwise treated to provide appropriate foundation support and to protect them from failures such as liquefaction. Adherence to the Seismic Zone 4 soil and foundation support parameters in Chapters 16 and 18 of the UBC and the grading requirements in Chapters 18 and A33 of the UBC, as required by County and State law, ensures the maximum practicable protection available from soil failures under static or dynamic conditions for structures and their associated trenches, slopes and foundations. By monitoring and enforcing the requirements of the UBC, as described previously, the County would ensure the structural integrity of the completed project. In view of these regulatory requirements, seismically induced ground failures would be reduced to a less-than-significant level.

Mitigation Measures:

No mitigation is required.

Monitoring:

No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
12. Ground-shaking Zone	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Strong seismic ground shaking?				
NA <input type="checkbox"/> S <input checked="" type="checkbox"/> PS <input type="checkbox"/> U <input type="checkbox"/> R <input type="checkbox"/>				

Source:

UBC and Preliminary Geotechnical Investigation Report Proposed Residential Development Assessor Parcel Number (APN) 626-130-019-4 Tentative Tract Map No. 34651, Southeast Corner of 38th Avenue and Varner Road, Palm Desert Area, Unincorporated Riverside County, California by Leighton and Associates, Inc. dated October 2, 2006.

Findings of Fact:

As discussed in Section 10 above, no known active faults have been identified on the project site and the site is not located within or adjacent to a designated Alquist-Priolo Earthquake Fault Zone. However, the project site is located within the seismically active region of southern California. The nearest known active faults are the Mission Springs Fault and Southern Branch of the of the San

Andreas Fault of the San Andreas Fault Complex, which located to the north of, and in the immediate vicinity of, the site. Historically, the San Andreas Fault Zone has produced earthquakes with a moment magnitude in the range of 6.0 Mw to 7.5 Mw.

The project site would be subject to seismic ground shaking from a regional earthquake. The level of ground shaking that would be experienced at the project site from one of these faults or any other active faults in the region would be a function of several factors including earthquake magnitude, type of faulting, rupture propagation path, distance from the epicenter, earthquake depth, duration of shaking, site topography, and site geology. To reduce the risks associated with seismically induced ground shaking, engineered design and earthquake-resistant construction increases safety and allows development in seismic areas. The UBC requires the developer to take the location and type of subsurface materials into consideration when designing or retrofitting foundations and structures for a particular site. Because the Proposed Project is in Seismic Zone 4, structures are required to be designed in accordance with parameters of Chapter 16 of the current UBC. Therefore, adequate structural protection in the event of an earthquake would be provided, thus reducing impacts from strong seismic ground shaking to a less than significant level.

Mitigation Measures:

No mitigation is required.

Monitoring:

No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
13. Landslide Risk	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?				
NA <input checked="" type="checkbox"/> S <input type="checkbox"/> PS <input type="checkbox"/> U <input type="checkbox"/> R <input type="checkbox"/>				

Source:

On-site Inspection, RCIP Figure S-5 "Regions Underlain by Steep Slope" and Figure S-4 "Earthquake-Induced Slope Instability Map", and Preliminary Geotechnical Investigation Report Proposed Residential Development Assessor Parcel Number (APN) 626-130-019-4 Tentative Tract Map No. 34651, Southeast Corner of 38th Avenue and Varner Road, Palm Desert Area, Unincorporated Riverside County, California by Leighton and Associates, Inc. dated October 2, 2006.

Findings of Fact:

Topographically, the site is relatively flat and slopes gently downward towards the southeast. The site is at approximately 140 feet above mean sea level. In addition, based on the County's Earthquake-Induced Slope Instability Map, the site is not in an area susceptible to earthquake-induced landslides. Therefore, the project site is not subject to landslide, collapse, or rockfall hazards. There is no evidence of past landslides on-site or in the project vicinity. The proposed project will adhere to the Seismic Zone 4 soil and foundation support parameters of the UBC, as required by County and State law. There are no impacts associated with landslides risk.

Mitigation Measures:

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. Ground Subsidence

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:

RCIP Safety Element – Hearing Draft Figure S-7, Documented Subsidence Areas, Preliminary Geotechnical Investigation Report Proposed Residential Development Assessor Parcel Number (APN) 626-130-019-4 Tentative Tract Map No. 34651, Southeast Corner of 38th Avenue and Varner Road, Palm Desert Area, Unincorporated Riverside County, California by Leighton and Associates, Inc. dated October 2, 2006.

Findings of Fact:

Land subsidence associated with groundwater-level declines has been recognized as a potential problem in the Coachella Valley. The project site is within a documented area of subsidence of 0.2 foot (2.4 inches) measured between June 17, 1998 and October 4, 2000. However, evidence of differential subsidence and associated ground fissuring was not observed during Leighton’s field investigation or aerial photograph review for the site. The Preliminary Geotechnical Investigation Report indicates that the differential subsidence gradient is gentle for the project site. During a strong seismic event, seismically induced settlement can occur within loose to moderately dense, dry, or saturated granular soils. Settlement caused by ground shaking is often non-uniformly distributed, resulting in differential settlement. After site preparation, the total seismically-induced settlement is estimated to be up to about 4 ½ inches. Current UBC standards and the Geotechnical Report’s recommendations for design and construction are intended to reduce the potential for major structural damage.

Mitigation Measures:

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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15. Other Geologic Hazards

Such as seiche, mudflow or volcanic hazard?

Source:

Site visit, Project Application, and Preliminary Geotechnical Investigation Report Proposed Residential Development Assessor Parcel Number (APN) 626-130-019-4 Tentative Tract Map No. 34651, Southeast Corner of 38th Avenue and Varner Road, Palm Desert Area, Unincorporated Riverside County, California by Leighton and Associates, Inc. dated October 2, 2006.

Findings of Fact:

Tsunamis and seiches do not pose hazards due to the inland location of the site and lack of nearby bodies of standing water at the site elevation. There are also no known active volcanoes in the project vicinity. Mudflows are usually associated with slopes and the project site is relatively flat.

Mitigation Measures:

No mitigation measures are required.

Monitoring:

No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
16. Slopes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Change topography or ground surface relief features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
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"/>

Source:

Riverside County 800 Scale Slope Maps, Preliminary Geotechnical Investigation Report Proposed Residential Development Assessor Parcel Number (APN) 626-130-019-4 Tentative Tract Map No. 34651, Southeast Corner of 38th Avenue and Varner Road, Palm Desert Area, Unincorporated Riverside County, California by Leighton and Associates, Inc. dated October 2, 2006,

Findings of Fact:

a-c) The project site is relatively level and will not be significantly modified as a result of the project. Minor surface grading and leveling will be required. No cut or fill slopes great than 2:1 or higher than 10 feet will be created. Compliance with Riverside County Building and Safety Ordinance No. 457 is required regardless of the project's proposed changes to topography. Ordinance No. 457 will assure cut or fill slopes are manufactured appropriately. Prior to the issuance of grading permits, the County of Riverside requires Building and Safety review of the grading plans to assure the grading plans will not affect or negate subsurface sewage plans. Compliance with Ordinance No. 457 and the UBC will reduce potential impacts due to changes in topography and cut and fill slopes as a result of the proposed project to a less than significant level. There are no known subsurface sewage disposal systems on-site. The proposed regional drainage channel to be located on the northern portion of the

site will incorporate 2:1 and 3:1 slopes which will not have an impact on the project. The drainage channel has been environmentally reviewed and analyzed under the Mirasera EIR.

Mitigation Measures:

As discussed above, the County will impose COAs and BMPs upon project approval. In addition, the project will be required to implement the site-specific recommendations in the October 2006 Leighton Preliminary Geotechnical Investigation Report. These site-specific recommendations address temporary and permanent slopes, drainage, site preparation including any structural removals, compaction, utility trenches, fill materials, geotechnical observation, post-tensioned foundation and slab systems, preliminary foundations design parameters, slab-on-grade, settlement considerations, retaining walls, seismic coefficients, corrosion, and preliminary pavement design parameters. No other mitigation measures are required.

Monitoring:

No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
17. Soils	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source:

U.S.D.A. Soil Conservation Service Soil Surveys, RCIP Safety Element – Hearing Draft Figure S-6, Engineering Geologic Materials Map, application materials, site visit, and Preliminary Geotechnical Investigation Report Proposed Residential Development Assessor Parcel Number (APN) 626-130-019-4 Tentative Tract Map No. 34651, Southeast Corner of 38th Avenue and Varner Road, Palm Desert Area, Unincorporated Riverside County, California by Leighton and Associates, Inc. dated October 2, 2006.

Findings of Fact:

a) The geologic materials encountered at the site mainly consisted of quaternary-age alluvium. The alluvial soils were deposited as part of a complex fluvial/channel depositional environment that resulted in interbedded sands and silts. Erosion is always a consideration in arid regions. Desert soils are susceptible to wind and water erosion. Trenching, grading, and compacting associated with construction of structures, modification/relocation of underground utility lines, and landscape/hardscape installation could expose areas of soil to erosion by wind or water during these construction processes. The addition of paved and landscaped areas would, over the long term, decrease the potential for erosion because fewer exposed soils would exist at the site.

Because one of the major effects of loss of topsoil is sedimentation in receiving waters, erosion control standards are set by the Regional Water Quality Control Board (RWQCB) through

administration of the National Pollutant Discharge Elimination System (NPDES) permit process for storm drainage discharge. The NPDES permit requires implementation of nonpoint source control of stormwater runoff through the application of a number of BMPs. These BMPs are meant to reduce the amount of constituents, including eroded sediment, that enter streams and other water bodies. A Storm Water Pollution Prevention Plan (SWPPP), as required by the RWQCB, must describe the stormwater BMPs (structural and operational measures) that would control the quality (and quantity) of stormwater runoff.

The project site is relatively flat; therefore, it is not subject to significant erosion by water through surface drainage during construction. Earth-disturbing activities associated with construction would be temporary and would be regulated by the NPDES permitting process. Construction of the project would eliminate exposed, unvegetated areas, which would tend to decrease erosion. Specific erosion impacts would depend largely on the effectiveness of the required erosion control programs for the site and the length of time soils would be subject to conditions that would be affected by erosion processes.

The project site is greater than one acre in size, and, therefore, is subject to the provisions of the General Construction Activity Stormwater Permit adopted by the State Water Resources Control Board (SWRCB). The developer for the Proposed Project must submit a Notice of Intent (NOI) to the SWRCB for coverage under the Statewide General Construction Activity Stormwater Permit and must comply with all applicable requirements, including the preparation of a SWPPP, applicable NPDES Regulations, and BMPs. The SWPPP must describe the site, the project, construction period erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of post-construction sediment and erosion, maintenance responsibilities, and non-stormwater management controls. Inspection of construction site before and after storms is required to identify stormwater discharge from the construction activity and to identify and implement controls where necessary.

In addition, all construction activities would be required to comply with Chapter 33 of the UBC, which regulates excavation activities and the construction of foundations and retaining walls, and Appendix Chapter 33 of the UBC, which regulates grading activities, including drainage and erosion control. Compliance with the NPDES permit process and the UBC requirements would minimize effects from erosion. The County's monitoring and enforcing the requirements of the NPDES permit and the Building Code, as described previously, would ensure the control of potential erosion.

Because the NPDES permit requirements of the RWQCB and the UBC must be satisfied prior to project construction, the potential hazards posed by substantial soil erosion or the loss of topsoil would be regulated and reduced to a less-than-significant level.

b) The on-site near-surface soils generally exhibit a very low to possibly low expansion potential. Also indicated in Section 14 above, an evaluation of soil conditions is required and must contain recommendations for ground preparation and earthwork specific to the site that become an integral part the construction design. As part of the construction permitting process, the County requires completed reports of soil conditions at the specific construction sites to identify potentially unsuitable soil conditions including liquefaction, subsidence, and collapse. The evaluations must be conducted by registered soil professionals, and measures to eliminate inappropriate soil conditions must be applied, depending on the soil conditions. The design of foundation support must conform to the analysis and implementation criteria described in the UBC. Adherence to the County's codes and policies would ensure the maximum practicable protection available for users of buildings and infrastructure and their associated trenches, slopes, and foundations.

The County's monitoring and enforcing the requirements of the UBC, as described previously, would ensure that expansive soils were stabilized or removed and replaced prior to their being used for foundation support. Because the requirements of the UBC must be satisfied prior to project construction, the potential hazards posed by expansive soils would be regulated and reduced to a less-than-significant level.

Mitigation Measures:

No mitigation is required.

Monitoring:

No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
18. Erosion	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Change deposition, siltation or erosion which may modify the channel of a river or stream or the bed of a lake?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in any increase in water erosion either on or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source:

U.S.D.A. Soil Conservation Service Soil Surveys and Preliminary Geotechnical Investigation Report Proposed Residential Development Assessor Parcel Number (APN) 626-130-019-4 Tentative Tract Map No. 34651, Southeast Corner of 38th Avenue and Varner Road, Palm Desert Area, Unincorporated Riverside County, California by Leighton and Associates, Inc. dated October 2, 2006

Findings of Fact:

a) The proposed project is in relatively flat terrain. The site is not adjacent to a river, stream, or lake bed. Therefore, the project will not result in a significant change in disposition, siltation or erosion. The County's COAs and BMPs in conjunction with the SWPPP will minimize the potential for erosion and siltation during construction.

Although the proposed project is not adjacent to a natural body of water, the site will be adjacent to regional flood control channel that is being constructed as part of the Whitewater River Basin (Thousand Palms) Flood Control Project, which is being implemented by the ACOE and Coachella Valley Water District (CVWD). On-site drainage will flow into the flood control channel after passing through catch basins. The impacts associated to the channel have been analyzed during the approval process of the Whitewater River Basin Flood Control Project.

b) As indicated in Section 17a above, the project site is greater than one acre in size, and, therefore, is subject to the provisions of the General Construction Activity Stormwater Permit adopted by the SWRCB. The developer for the Proposed Project must comply with all applicable requirements of the above Permit, including the preparation of a SWPPP, applicable NPDES Regulations, and BMPs. The SWPPP must describe the site, the project, construction period erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of

post-construction sediment and erosion, maintenance responsibilities, and non-stormwater management controls. Inspection of construction site before and after storms is required to identify stormwater discharge from the construction activity and to identify and implement controls where necessary.

In addition, all construction activities would be required to comply with Chapter 33 of the UBC, which regulates excavation activities and the construction of foundations and retaining walls, and Appendix Chapter 33 of the UBC, which regulates grading activities, including drainage and erosion control. Compliance with the NPDES permit process and the CBC requirements would minimize effects from erosion. The County's monitoring and enforcing the requirements of the NPDES permit and the Building Code, as described previously, would ensure the control of potential erosion.

Because the NPDES permit requirements of the RWQCB and the UBC must be satisfied prior to project construction, any increase in water erosion either on or off site would be regulated or reduced to a less-than-significant level.

Mitigation Measures:

As discussed above, the County will impose COAs and BMPs upon project approval. In addition, the project will be required to implement the site-specific recommendations in the October 2006 Leighton Preliminary Geotechnical Investigation Report. These site-specific recommendations address temporary and permanent slopes, drainage, site preparation including any structural removals, compaction, utility trenches, fill materials, geotechnical observation, post-tensioned foundation and slab systems, preliminary foundations design parameters, slab-on-grade, settlement considerations, retaining walls, seismic coefficients, corrosion, and preliminary pavement design parameters. No other mitigation measures are required.

Monitoring:

No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
19. Wind Erosion and Blows and from project either on or off site. Be impacted by or result in an increase in wind erosion and blows and, either on or off site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source:

RCIP Figure S-8 "Wind Erosion Susceptibility Map", Ordinance 460, Sec. 14.2 & Ordinance 484, and Preliminary Geotechnical Investigation Report Proposed Residential Development Assessor Parcel Number (APN) 626-130-019-4 Tentative Tract Map No. 34651, Southeast Corner of 38th Avenue and Varner Road, Palm Desert Area, Unincorporated Riverside County, California by Leighton and Associates, Inc. dated October 2, 2006.

Findings of Fact:

The project site is located in a very high to high wind erosion susceptibility area. The County requires a site-specific wind erosion study as a COA and BMP in areas of very high to high wind erosion susceptibility and a disclosure about wind erosion susceptibility on property title, building design to resist wind loads, and builder education about the wind environment and design features. The grading

contract will need to secure an approved PM₁₀ plan and comply with the provisions contained therein. Continued compliance with the PM₁₀ plan will assure that there are no significant impacts associated with blowsand.

Mitigation Measures:

MM Geo1: The applicant will prepare a site-specific wind erosion study prior to approval of the tentative tract map.

MM Geo2: The applicant will obtain an approved PM₁₀ plan prior to issuance of grading plans.

Monitoring:

Monitoring shall be conducted by the Planning, Building and Safety Department.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS Would the project				
20. Hazards and Hazardous Materials	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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:

Phase I Environmental Site Assessment Report, Palm Desert 53, APN 626-130-10 Unincorporated Riverside County, California by Leighton and Associates, Inc., October 18, 2006.

Findings of Fact:

a-b) The proposed residential use would not result in any activities or uses that would pose a potential health hazard to the local population through the release of hazardous materials into the environment. No hazardous materials would be utilized other than typical household and vehicle maintenance materials (i.e., cleaning supplies, paints, fertilizers, oil, grease). The use of these materials would be