

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



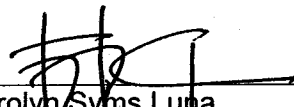
311 B

**FROM:** TLMA - Planning Department

**SUBMITTAL DATE:**  
July 12, 2011

**SUBJECT:** AGRICULTURAL PRESERVE NO. 1001, AGRICULTURAL PRESERVE NO. 1002, ENVIRONMENTAL IMPACT REPORT NO. 504, SPECIFIC PLAN NO. 369, GENERAL PLAN AMENDMENT NO. 846 (LAND USE), GENERAL PLAN AMENDMENT NO. 889 (CIRCULATION), CHANGE OF ZONE NO. 7481 – Certify an Environmental Impact Report – Applicant: Brookfield California Land Holdings - Fourth Supervisorial District – Lower Coachella Valley Zoning District – Eastern Coachella Valley Area Plan: Agriculture: Agriculture (AG) (10 Acre Minimum), Community Development: Public Facilities (CD:PF) (less than 0.60 Floor to Area Ratio) and Community Development: Light Industrial (CD:LI) (0.25 to 0.60 Floor to Area Ratio) – Location: Southerly of Avenue 57, westerly of Fillmore Street, northerly or Avenue 60 and easterly of Polk Street – 612.1 Gross Acres - Zoning: Heavy Agriculture - 20 Acre Minimum (A-2-20), Manufacturing Service Commercial (M-SC) – **REQUEST: Agricultural Preserve No. 1001** proposes to diminish Coachella Valley Agricultural Preserve No. 18 and cancel the associated land conservation contract on a portion of the site consisting of two parcels totaling 52 gross acres. **Agricultural Preserve No. 1002** proposes to disestablish Coachella Valley Agricultural Preserve No. 62 and cancel the associated land conservation contract on a portion of the project site consisting of three parcels totaling 131 gross acres. The **Environmental Impact Report** has analyzed the impacts of the project. The **Specific Plan** proposes a master-planned community on 612.1 acres supporting traditional single-family residential, multi-family residential, and open space land uses including recreational parks and drainage areas. The Specific Plan proposes 2,354 residential dwelling units, a 45.3 acre public park, a private clubhouse on 4 acres, a covered irrigation storage pond, and regional trails.

Frank Coyle, Deputy Director for

  
Carolyn Syms Luma  
Planning Director

Initials:  
CSL:vc

(continued on attached pages)

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Benoit, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED that the above matter is tentatively approved as recommended, and staff is directed to prepare the necessary documents for final action.

Ayes: Buster, Stone, Benoit, and Ashley  
Nays: None  
Absent: Tavaglione  
Date: July 26, 2011  
xc: Planning(2), Applicant, Co.Co.

Kecia Harper-Ihem  
Clerk of the Board

By:   
Deputy

**Prev. Agn. Ref.**

**District:** Fourth

**Agenda Number:**

16.2

REVIEWED BY EXECUTIVE OFFICE

DATE: 6/30/11 PM  
Tina Grande

Departmental Concurrence

Policy

Consent

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

The Honorable Board of Supervisors

Re: AGRICULTURAL PRESERVE NO. 1001, AGRICULTURAL PRESERVE NO. 1002, ENVIRONMENTAL IMPACT REPORT NO. 504, SPECIFIC PLAN NO. 369, GENERAL PLAN AMENDMENT NO. 846 (LAND USE), GENERAL PLAN AMENDMENT NO. 889 (CIRCULATION), CHANGE OF ZONE NO. 7481

Page 2 of 4

The overall project density ranges from 2 to 14 D.U./Ac. In addition, the Specific Plan designates 2.5 acres for an electrical substation and 46 acres for major roadway improvements. **General Plan Amendment No. 846 (Land Use)** proposes to amend the Riverside County General Plan Land Use Element as it applies to the 612.1 acre project site by changing the Land Use designations from Agriculture (AG), Public Facility (PF), and Light Industrial (LI) to Medium Density Residential (MDR), Medium High Density Residential (MHDR), High Density Residential (HDR), Open Space - Recreation (OS-R) and Open Space - Water (OS-W), as reflected on the proposed Land Use Plan. **General Plan Amendment No. 889 (Circulation)** proposes to amend the Circulation Element of the General Plan to 1) downgrade 58<sup>TH</sup> Avenue between Polk Street and Orange Avenue from a Major Highway (118' right-of-way) to a Secondary Highway (100' right-of-way), and 2) eliminate the segment of 58<sup>TH</sup> Avenue from Orange Avenue to Fillmore Street from the General Plan Circulation Element entirely. The **Change of Zone** proposes to change the site's zoning designation from Heavy Agriculture (A-2-20) and Manufacturing-Service Commercial (M-SC) to Specific Plan (SP), and to amend Ordinance No. 348 to incorporate the Specific Plan zoning standards.

**RECOMMENDED MOTION:**

**1) THE PLANNING DIRECTOR RECOMMENDS TO THE BOARD OF SUPERVISORS:**

**APPROVAL of AGRICULTURAL PRESERVE CASE NO. 1001**, a proposal to diminish Coachella Valley Agricultural Preserve No. 18 and cancel the associated land conservation contract as depicted on Map No. 1001, subject to the Conditions of Approval and based on the findings and conclusions contained in Attachment No. 1; and,

**APPROVAL of AGRICULTURAL PRESERVE CASE NO. 1002**, a proposal to disestablish Coachella Valley Agricultural Preserve No. 62 and cancel the associated land conservation contract as depicted on Map No. 1002, subject to the Conditions of Approval and based on the findings and conclusions contained in Attachment No. 1; and,

**2) AT THE SEPTEMBER 10, 2010 PLANNING COMMISSION HEARING, THE PLANNING DEPARTMENT RECOMMENDED APPROVAL; and THE PLANNING COMMISSION RECOMMENDS:**

**TENTATIVE CERTIFICATION of ENVIRONMENTAL IMPACT REPORT NO. 504**, which has been completed in compliance with the EIR Guidelines and CEQA, pending final adoption of Resolution 2011-082 for EIR504 and SP369; and,

**TENTATIVE APPROVAL of GENERAL PLAN AMENDMENT NO. 846** amending the Land Use designation for the subject property from Agriculture (AG), Public Facility (PF), and Light Industrial (LI) to Medium Density Residential (MDR), Medium High Density Residential (MHDR), High Density Residential (HDR), Open Space - Recreation (OS-R) and Open Space - Water (OS-W), as reflected on the proposed Land Use Plan, pending final adoption of the General Plan Resolution by the Board of Supervisors; and,

The Honorable Board of Supervisors

Re: AGRICULTURAL PRESERVE NO. 1001, AGRICULTURAL PRESERVE NO. 1002, ENVIRONMENTAL IMPACT REPORT NO. 504, SPECIFIC PLAN NO. 369, GENERAL PLAN AMENDMENT NO. 846 (LAND USE), GENERAL PLAN AMENDMENT NO. 889 (CIRCULATION), CHANGE OF ZONE NO. 7481

Page 3 of 4

**TENTATIVE APPROVAL** of **GENERAL PLAN AMENDMENT NO. 889** to amend the Circulation Element of the General Plan to 1) downgrade 58<sup>TH</sup> Avenue between Polk Street and Orange Avenue from a Major Highway (118' right-of-way) to a Secondary Highway (100' right-of-way), and 2) eliminate the segment of 58<sup>TH</sup> Avenue from Orange Avenue to Fillmore Street from the General Plan Circulation Element entirely, pending final adoption of the General Plan Resolution by the Board of Supervisors; and,

**TENTATIVE APPROVAL** of **SPECIFIC PLAN NO. 369**, subject to the attached conditions of approval, and based on the findings and conclusions incorporated in the staff report, pending final adoption of Resolution 2011-082 for EIR504 and SP369; and,

**TENTATIVE APPROVAL** of **CHANGE OF ZONE NO. 7481**, amending the zoning classification for the subject property from Heavy Agriculture (A-2-20) and Manufacturing-Service Commercial (M-SC) to Specific Plan (SP) and to amend Ordinance No. 348 to incorporate the Specific Plan zoning standards pending final adoption of the zoning ordinance by the Board of Supervisors.

#### **BACKGROUND:**

Specific Plan No. 369, General Plan Amendment Nos. 846 and 889, and Change of Zone No. 7481 are being processed concurrently with two Agricultural Preserve cases. The Environmental Impact Report studied the impacts of the Agricultural Preserve cases in addition to the accompanying entitlements. The Specific Plan and accompanying entitlements constitute the applicant's proposed alternative land use of the site upon cancellation of the current land conservation contracts and diminishment/disestablishment of the parcels from the affected agricultural preserves. The Specific Plan proposes a master-planned community on 612.1 acres supporting traditional single-family residential, multi-family residential and open space land uses including recreational parks and drainage areas. The Specific Plan proposes 2,354 residential dwelling units, a 45.3 acre public park, a private clubhouse on 4 acres, a covered irrigation storage pond, and regional trails.

Brookfield California Land Holdings, LLC, is requesting consideration of two Agricultural Preserve Cases, Agricultural Preserve Case No. 1001 (AG01001) and Agricultural Preserve Case No. 1002 (AG01002).

AG01001 proposes to diminish Coachella Valley Agricultural Preserve No. 18, Map No. 132, and cancel the land conservation contract as it applies to a portion of the Specific Plan (which is the alternate proposed land use) site consisting of two parcels totaling 52 gross acres of the 612.1 gross acre subject site. On April 23, 2008, the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) considered an application to diminish Coachella Valley Agricultural Preserve No. 18, Map No. 132, as depicted on Map No. 1001.

AG01002 proposes to disestablish Coachella Valley Agricultural Preserve No. 62, Map No. 298, and cancel the land conservation contract as it applies to a portion of the Specific Plan site consisting of three parcels totaling 131 gross acres of the 612.1 gross acre subject site. On April 23, 2008, the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC)

The Honorable Board of Supervisors

Re: AGRICULTURAL PRESERVE NO. 1001, AGRICULTURAL PRESERVE NO. 1002, ENVIRONMENTAL IMPACT REPORT NO. 504, SPECIFIC PLAN NO. 369, GENERAL PLAN AMENDMENT NO. 846 (LAND USE), GENERAL PLAN AMENDMENT NO. 889 (CIRCULATION), CHANGE OF ZONE NO. 7481

Page 4 of 4

considered an application to disestablish Coachella Valley Agricultural Preserve No. 62, Map No. 298, as depicted on Map No. 1002.

Pursuant to Government Code Section 51284.1, a copy of the complete application for tentative cancellation was submitted to the State Department of Conservation (SDC) for a mandatory 30-day review and comment period. Staff received no responses. Appraisals are attached to this Form 11.

CAPTAC recommended DENIAL of the proposed diminishment and disestablishment citing that the cancelation was not consistent with the provisions of the Agricultural Land Conservation Act of 1965; however, the Planning Department does not concur with CAPTAC's conclusion and is recommending APPROVAL of the diminishment, the disestablishment, and cancellation of the associated land conservation contracts, based on the findings and conclusions found in Attachment No. 1.

Additionally, the following Conditions of Approval were added after the Planning Commission Hearing:

30.Planning.35 through 37 have been added to address concerns by CVWD. Previously this was all one Condition of Approval, but it has been separated into three conditions to allow applicants to address the CVWD concerns at different milestones within the project.

30.Planning.38 through 45 have been added to address the Agriculture Preserve issues which the Planning Commission have no jurisdiction over.

30.Planning.46 through 48 regarding tile drains have been added. These were added to maintain consistency with surrounding entitlements. The conditions were added as a result of discussions at the Planning Commission.

30.Planning.49 was added during the Planning Commission Hearings to address affordable housing needs.

100.Planning.4 was revised based on direction from the Planning Commission to eliminate an undercrossing and add a requirement for fencing along both sides of the street that bisects the park in Planning Area 22.

**Riverside County Board of Supervisors  
Request to Speak**



Submit request to Clerk of Board (right of podium),  
Speakers are entitled to three (3) minutes, subject  
Board Rules listed on the reverse side of this form.

**SPEAKER'S NAME:** Joel Morse

**Address:** \_\_\_\_\_  
(only if follow-up mail response requested)

**City:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Phone #:** 714-505-6360 x105

**Date:** 7/26/2011 **Agenda #:** 16.2

**PLEASE STATE YOUR POSITION BELOW:**

**Position on "Regular" (non-appealed) Agenda Item:**

X **Support**      \_\_\_\_\_ **Oppose**      \_\_\_\_\_ **Neutral**

*Available As owners Representative.*

**Note:** If you are here for an agenda item that is filed  
for "Appeal", please state separately your position on  
the appeal below:

\_\_\_\_\_ **Support**      \_\_\_\_\_ **Oppose**      \_\_\_\_\_ **Neutral**

**I give my 3 minutes to:** \_\_\_\_\_

## **BOARD RULES**

### **Requests to Address Board on "Agenda" Items:**

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

### **Requests to Address Board on items that are "NOT" on the Agenda:**

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

### **Power Point Presentations/Printed Material:**

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

### **Individual Speaker Limits:**

**Individual speakers are limited to a maximum of three (3) minutes.** Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

### **Group/Organized Presentations:**

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

### **Addressing the Board & Acknowledgement by Chairman:**

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.

ATTN: Nate Picket  
CALTRANS District #8  
464 W. 4th St., 6th Floor  
Stop 728  
San Bernardino, CA 92401-1400

Coachella Valley  
Parks & Recreation District  
45-305 Oasis St.  
Indio, CA 92201-4337

Coachella Valley Water District  
85995 Avenue 52  
Coachella, CA 92236

Applicant/Owner:  
Brookfield California Land Holdings  
Attn: John Stewart  
1522 Brookhollow Dr., Ste. 1  
Santa Ana, CA 92705

Eng-Rep:  
T & B Planning Consultants, Inc.  
17542 East 17<sup>th</sup> St., Ste. 100  
Tustin, CA 92780





COUNTY OF RIVERSIDE  
SPECIALIZED DEPARTMENT RECEIPT  
Permit Assistance Center

J\* REPRINTED \* R1004232

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: BROOKFIELD CALIFORNIA LAND HLDGS \$24.00  
paid by: CK 50226  
CALIFORNIA FISH AND GAME FOR EA41243  
paid towards: CFG04626 CALIF FISH & GAME: DOC FEE  
at parcel:  
appl type: CFG3

By \_\_\_\_\_ Apr 20, 2010 16:32  
SBROSTRO posting date Apr 20, 2010

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

Account Code	Description	Amount
658353120100208100	CF&G TRUST	\$24.00

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

COUNTY OF RIVERSIDE  
SPECIALIZED DEPARTMENT RECEIPT  
Permit Assistance Center

J\* REPRINTED \* R0911654

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: BROOKFIELD CALIFORNIA LAND HLDGS \$2,768.25  
paid by: CK 807423  
CALIFORNIA FISH AND GAME FOR EA41243  
paid towards: CFG04626 CALIF FISH & GAME: DOC FEE  
at parcel:  
appl type: CFG3

By \_\_\_\_\_ Aug 13, 2009 14:28  
SBROSTRO posting date Aug 13, 2009

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

Account Code	Description	Amount
658353120100208100	CF&G TRUST	\$2,768.25

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

COUNTY OF RIVERSIDE  
SPECIALIZED DEPARTMENT RECEIPT  
Permit Assistance Center

J\* REPRINTED \* R0701343

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: BROOKFIELD CALIFORNIA LAND HLDGS \$64.00  
paid by: CK 00804300  
CALIFORNIA FISH AND GAME FOR EA41243  
paid towards: CFG04626 CALIF FISH & GAME: DOC FEE  
at parcel:  
appl type: CFG3

By \_\_\_\_\_ Jan 24, 2007 13:02  
VDOMINGU posting date Jan 24, 2007

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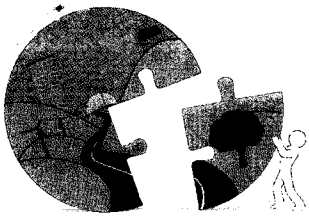
Account Code	Description	Amount
658353120100208100	CF&G TRUST: RECORD FEES	\$64.00

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

RIVERSIDE COUNTY  

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PLANNING DEPARTMENT



*Carolyn Syms Luna*  
*Director*

## Memorandum

**DATE:** 7/26/11  
**TO:** The Board of Supervisors  
**FROM:** Planning  
**RE:** **Additional information for Agenda Item 16.2, SP369, Thermal 551**

Since the publication of the Form 11 for the Project one additional letter has been received from the Endangered Habitat League dated July 21, 2011. The letter is attached.

Y:\Planning Case Files-Riverside office\SP00369\BOS\SP369 BOS Memo.docx

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

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

*"Planning Our Future... Preserving Our Past"*

July 21, 2011

*VIA ELECTRONIC MAIL AND FACSIMILE*

The Hon. Bob Buster, Chairman  
Board of Supervisors  
County of Riverside  
4080 Lemon St., 12<sup>th</sup> Floor  
Riverside, CA 92501

**RE: Item 16.2: Specific Plan No. 369, GPA No. 846 (Hearing Date: July 26, 2011)  
– OPPOSITION**

Dear Chairman Buster and Members of the Board:

The Endangered Habitats League (EHL) appreciates the opportunity to provide written testimony on this proposed project. We urge *denial*.

This General Plan Amendment for 2,354 housing units on agricultural land in the Coachella Valley, in association with other parts of the “South Valley Improvement Plan,” constitutes large-scale and – from a planning perspective – unjustified sprawl. It mocks the notion of a comprehensive General Plan Update, in which alternative growth scenarios for the County are examined and compared prior to adoption.

In your decision-making, we urge you to ask the following questions, which *should* have been asked by the Planning Department, TLMA, and the Planning Commission:

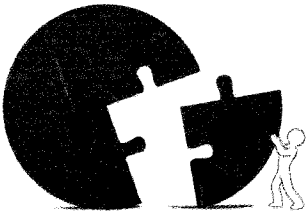
What is the absorption capacity of the *existing* General Plan to accommodate growth in the region compared with the actual population increase anticipated? *In other words, is there an objective need to rezone more land for urban development?* If no objective need, wouldn't adding to an existing surplus of housing capacity create a more disorganized and disjointed pattern of growth? Wouldn't this contribute to inefficient and costly infrastructure and service provision?

How does this project fit into the County's strategy for reducing greenhouse gas emissions and complying with SB 375? How will it lead to the key goal of reducing the number of vehicles-miles-traveled per person?

If landowner desires continue to dictate the pattern of development in Riverside County, then the public interest is not served.

With best regards,

Dan Silver  
Executive Director



# RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna  
Director

311 B  
07-26-2011

DATE: June 29, 2011

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

SUBJECT: ENVIRONMENTAL IMPACT REPORT NO. 504, AGRICULTURAL PRESERVE NO. 1001, AGRICULTURAL PRESERVE NO. 1002, SPECIFIC PLAN NO. 369, GENERAL PLAN AMENDMENT NO. 846 (LAND USE), GENERAL PLAN AMENDMENT NO. 889 (CIRCULATION), CHANGE OF ZONE NO. 7481

(Charge your time to these case numbers)

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

- Place on Administrative Action (Receive & File; EOT)  Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA)
- Labels provided If Set For Hearing:
  - 10 Day  20 Day
  - t) Desert Sun and Press Enterprise
  - Environmental Impact Report
  - 10 Day  20 Day  30 day
  - / Property Owners (app/agencies/property owner labels provided)
  - Final Decision:  YES  NO
- Place on Consent Calendar
- Place on Policy Calendar (F)
- Place on Section Initiation

97

16.2 7/26/11

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

OK  
KI

Please schedule on the July 26, 2011 BOS Agenda

**Documents to be sent to County Clerk's Office for Posting within five days:**

Notice of Determination and Mit Neg Dec Forms  
Fish & Game Receipt (CFG4626)

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

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

"Planning Our Future... Preserving Our Past"

**ATTACHMENT NO. 1**  
**January 3, 2011**

**AGRICULTURAL PRESERVE CASE NO. 1001 and 1002 (AG01001 and AG01002)**

**CONDITIONS OF APPROVAL for Agriculture Preserve Case No. 1001 and 1002 (AG01001 and AG01002):**

The applicant shall comply with the following conditions prior to issuance of each individual Certificate of Final Cancellation as outlined in Government Code Section 51283.4:

1. The cancellation fee of \$129,750.00 for AG1001 and \$327,500.00 for AG1002 shall be paid; and,
2. All conditions necessary for the County to issue grading permits for any portion of Specific Plan No. 369 shall have been met.
3. The landowner shall notify the Board of Supervisors when all conditions and contingencies enumerated in the Certificate of Tentative Cancellation have been satisfied.

Within 30 days of receipt of such notice, and upon determination that the conditions and contingencies have been satisfied, the Board of Supervisors shall cause to be executed and recorded a Certificate of Final Cancellation.

**FINDINGS for Agricultural Preserve Case No. 1001 (AG01001):**

1. A 52 gross acre portion of the 612.1 gross acre site is subject to an agricultural preserve contract.
2. The site is southerly of Avenue 57, westerly of Fillmore Street, northerly or Avenue 60 and easterly of Polk St in the Coachella Valley Area of eastern Riverside County.
3. The project site is currently vacant.
4. According to the Natural Resource Conservation Service, the soils Capability Classification as indicated in the USDA Soil Survey for Eastern Riverside County indicates that the site is one hundred (100) percent within Class III, Class IV, and Class VI.
5. D.D. Dunlap Trust and Dorothy Dunlap Trust entered into a land conservation contract with the County of Riverside for land within Coachella Valley Agricultural Preserve No. 18. This contract is dated January 1, 1971 and was recorded on February 24, 1971 as Instrument No. 18027 in the Office of the County Recorder of Riverside, California.



## ATTACHMENT NO. 1

January 3, 2011

### AGRICULTURAL PRESERVE CASE NO. 1001 and 1002 (AG01001 and AG01002)

6. The subject parcels affected by the proposed diminishment are included under this single contract.
7. The cancellation is for land on which a Notice of Non-Renewal has been served pursuant to Section 401 of the Rules and Regulations Governing Agricultural Preserves in Riverside County and Government Code Section 51245. A Notice of Non-Renewal was filed with the Planning Department on March 8, 2007, and was recorded by the Riverside County Clerk and Recorder on March 12, 2007 as Instrument No. 2007-0167248. Accordingly, the Board, by a majority of its members, finds that the cancellation is for land on which a notice of non-renewal has been served.
8. Pursuant to the owner's notice of non-renewal submitted on March 8, 2007, the land conservation contract on the subject parcels will expire on March 8, 2017 (GC§51245 and R&T Code §426(c)).
9. Specific Plan No. 369 and accompanying entitlements are being processed with this Agricultural Preserve case. Specific Plan No. 369 and accompanying entitlements constitute the applicant's proposed alternative land use of the site upon cancellation of the current land conservation contract and diminishment of the parcels from the affected agricultural preserve. The Specific Plan proposes a master-planned community on 612.1 acres supporting traditional single-family residential, multi-family residential and open space land uses including recreational parks and drainage areas. The Specific Plan proposes 2,354 residential dwelling units, a 45.3 acre public park, a private clubhouse on 4 acres, a covered irrigation storage pond, and regional trails.
10. Upon approval of Specific Plan No. 369 and accompanying entitlements, the proposed alternative use will be consistent with the existing Riverside County General Plan and the proposed zoning.
11. The cancellation fee was determined by the Riverside County Assessor's Office to be \$129,750.00.
12. The cancellation of the contract for the identified 52 gross acres (of the Specific Plan's 612.1 gross acres) is in the public interest, because it would further implement the Board sponsored redevelopment vision for the area as envisioned by the South Valley Implementation Program (SVIP). The alternative land uses that will be developed will be an economic benefit for the SVIP Area and the Coachella Valley, as a whole.
13. The cancellation is not likely to result in the removal of adjacent lands from agricultural use, beyond that which is already planned for the area. The Board of

## **ATTACHMENT NO. 1**

**January 3, 2011**

### **AGRICULTURAL PRESERVE CASE NO. 1001 and 1002 (AG01001 and AG01002)**

Supervisors have approved a number of actions intended to create an advanced planning effort (commonly referred to as the South Valley Implementation Program or SVIP) designed to address the transitioning nature of the area south of the Jacqueline Cochran Airport from agriculture to urban uses. This project is at the northern boundary of this effort, and is one of the first implementation steps of the larger advanced planning, Board authorized, vision for the area.

- a. On February 7, 2006 the Board of Supervisors directed staff to develop a South Valley Implementation Program and Community Facilities Phasing and Funding Strategy. This program is intended to comprehensively study and ensure desirable land use, transportation and community facilities needs to foster a sustainable, well-planned and livable community in this newly developing area of the county. (BOS Agenda Item 3.45; February 7, 2006)
- b. A subsequent Board Directive initiated a General Plan Amendment for the SVIP and initiation of a Road and Bridges Benefit District (BOS Agenda Item 3.59; June 26, 2007)
- c. The Board actions to further a planned transition to the area are supported by approved and partially constructed developments that fall within the boundaries of the SVIP area. The approval of these projects was intended to further the vision and goals of the SVIP. Such projects include the Panorama Specific Plan (SP362) and Kohl Ranch Specific Plan (SP303) revisions.
- d. In 1990, due to the close proximity to the airport, the County rezoned a number of parcels (including AG01001 subject parcels) surrounding the airport to Industrial Park (IP), General Commercial (C-1/C-P), Scenic Highway Commercial (C-P-S) and Manufacturing – Service Commercial (M-SC) to support future airport and interstate land uses.
- e. In 2003 Riverside County General Plan designated Land Uses on the subject parcels and to the north and northeast Light Industrial – Community Development (LI-CD), to the northwest Medium High Density Residential – Community Development (MHDR-CD), and to the west Public Facilities.
- f. With sponsorship by the County Economic Development Department, the Board of Supervisors approved the Thermal and Jacqueline Cochran Airport Redevelopment Area to address blighted conditions in the area including the project site.

**ATTACHMENT NO. 1**  
**January 3, 2011**

**AGRICULTURAL PRESERVE CASE NO. 1001 and 1002 (AG01001 and AG01002)**

14. Infrastructure for the area is available near the site; furthermore, the streets for the area have been conditioned to be constructed for this and other projects consistent with the provisions of the South Valley Implementation Program (SVIP) and the proposed Road and Bridged benefit District intended to implement the SVIP.

**CONCLUSIONS for Agricultural Preserve Case No. 1001 (AG01001):**

1. The cancellation is for land on which a notice of non-renewal has been served.
2. The cancellation will not result in the removal of adjacent lands from agricultural use beyond that already envisioned by the Board of Supervisors and the General Plan. Therefore, though the removal of adjacent lands from agricultural use may occur, such removal would not be a direct consequence of Project implementation or the proposed cancellation. Rather, the proposed cancellation would enable implementation of the vision proposed for the area. Accordingly, the Board, by a majority of its members, finds that the proposed cancellation is not likely to result in the removal of adjacent lands from agricultural use.
3. The cancellation is for an alternative use which will be consistent with the applicable provisions of the County General Plan upon project approval.
4. The cancellation will not result in discontinuous patterns of urban development, as the proposed alternative use implements the SVIP.
5. Development of the contracted land would provide more contiguous patterns of development than development of proximate non-contracted land by promoting the logical extension of infrastructure and development in the area.

**FINDINGS for Agricultural Preserve Case No. 1002 (AG01002):**

1. A portion of the 612.1 gross acre site is subject to an agricultural preserve contract.
2. The site is southerly of Avenue 57, westerly of Fillmore Street, northerly of Avenue 60 and easterly of Polk St in the Coachella Valley Area of eastern Riverside County.
3. The project site is currently vacant.

**ATTACHMENT NO. 1**  
**January 3, 2011**

**AGRICULTURAL PRESERVE CASE NO. 1001 and 1002 (AG01001 and AG01002)**

4. According to the Natural Resource Conservation Service, the soils Capability Classification as indicated in the USDA Soil Survey for Eastern Riverside County indicates that the site is one hundred (100) percent within Class III, Class IV, and Class VI.
5. Vince Farms entered into a land conservation contract with the County of Riverside for land within Coachella Valley Agricultural Preserve No. 67. This contract is dated January 1, 1974 and was recorded on February 24, 1974 as Instrument No. 23563 in the Office of the County Recorder of Riverside, California.
6. The subject parcels affected by the proposed diminishment are included under this single contract.
7. The cancellation is for land on which a Notice of Non-Renewal has been served pursuant to Section 401 of the Rules and Regulations Governing Agricultural Preserves in Riverside County and Government Code Section 51245. A Notice of Non-Renewal was filed with the Planning Department on October 25, 2004, and was recorded by the Riverside County Clerk and Recorder on November 25, 2004 as Instrument No. 2004-0931653. Accordingly, the Board, by a majority of its members, finds that the cancellation is for land on which a notice of non-renewal has been served.
8. Pursuant to the owner's notice of non-renewal submitted on October 25, 2004, the land conservation contract on the subject parcels will expire on October 25, 2014 (GC§51245 and R&T Code §426(c)).
9. Specific Plan No. 369 and accompanying entitlements are being processed with this Agricultural Preserve case. Specific Plan No. 369 and accompanying entitlements constitute the applicant's proposed alternative land use of the site upon cancellation of the current land conservation contract and diminishment of the parcels from the affected agricultural preserve. The Specific Plan proposes a master-planned community on 612.1 acres supporting traditional single-family residential, multi-family residential and open space land uses including recreational parks and drainage areas. The Specific Plan proposes 2,354 residential dwelling units, a 45.3 acre public park, a private clubhouse on 4 acres, a covered irrigation storage pond, and regional trails.
10. Upon approval of Specific Plan No. 369 and accompanying entitlements, the proposed alternative use will be consistent with the existing Riverside County General Plan and the proposed zoning.

## ATTACHMENT NO. 1

January 3, 2011

### AGRICULTURAL PRESERVE CASE NO. 1001 and 1002 (AG01001 and AG01002)

11. The cancellation fee was determined by the Riverside County Assessor's Office to be \$327,500.00.
12. The cancellation of the contract for the identified 131 gross acres (of the Specific Plan's 612.1 gross acres) is in the public interest, because it would further implement the Board sponsored redevelopment vision for the area as envisioned by the South Valley Implementation Program (SVIP). The alternative land uses that will be developed will be an economic benefit for the SVIP Area and the Coachella Valley, as a whole.
13. The cancellation is not likely to result in the removal of adjacent lands from agricultural use, beyond that which is already planned for the area. The Board of Supervisors have approved a number of actions intended to create an advanced planning effort (commonly referred to as the South Valley Implementation Program or SVIP) designed to address the transitioning nature of the area south of the Jacqueline Cochran Airport from agriculture to urban uses. This project is at the northern boundary of this effort, and is one of the first implementation steps of the larger advanced planning, Board authorized, vision for the area.
  - a. On February 7, 2006 the Board of Supervisors directed staff to develop a South Valley Implementation Program and Community Facilities Phasing and Funding Strategy. This program is intended to comprehensively study and ensure desirable land use, transportation and community facilities needs to foster a sustainable, well-planned and livable community in this newly developing area of the county. (BOS Agenda Item 3.45; February 7, 2006)
  - b. A subsequent Board Directive initiated a General Plan Amendment for the SVIP and initiation of a Road and Bridges Benefit District (BOS Agenda Item 3.59; June 26, 2007)
  - c. The Board actions to further a planned transition to the area are supported by approved and partially constructed developments that fall within the boundaries of the SVIP area. The approval of these projects was intended to further the vision and goals of the SVIP. Such projects include the Panorama Specific Plan (SP362) and Kohl Ranch Specific Plan (SP303) revisions.
  - d. In 1990, due to the close proximity to the airport, the County rezoned a number of parcels (including the subject parcels) surrounding the airport to Industrial Park (IP), General Commercial (C-1/C-P), Scenic Highway Commercial (C-P-S) and Manufacturing – Service Commercial (M-SC) to support future airport and interstate land uses.

**ATTACHMENT NO. 1**  
**January 3, 2011**

**AGRICULTURAL PRESERVE CASE NO. 1001 and 1002 (AG01001 and AG01002)**

- e. With sponsorship by the County Economic Development Department, the Board of Supervisors approved the Thermal and Jacqueline Cochran Airport Redevelopment Area to address blighted conditions in the area including the project site.
14. Infrastructure for the area is available near the site; furthermore, the streets for the area have been conditioned to be constructed for this and other projects consistent with the provisions of the South Valley Implementation Program (SVIP) and the proposed Road and Bridged benefit District intended to implement the SVIP.

**CONCLUSIONS for Agricultural Preserve Case No. 1002 (AG01002):**

1. The cancellation is for land on which a notice of non-renewal has been served.
2. The cancellation will not result in the removal of adjacent lands from agricultural use beyond that already envisioned by the Board of Supervisors and the General Plan. Therefore, though the removal of adjacent lands from agricultural use may occur, such removal would not be a direct consequence of Project implementation or the proposed cancellation. Rather, the proposed cancellation would enable implementation of the vision proposed for the area. Accordingly, the Board, by a majority of its members, finds that the proposed cancellation is not likely to result in the removal of adjacent lands from agricultural use.
6. The cancellation is for an alternative use which will be consistent with the applicable provisions of the County General Plan upon project approval.
3. The cancellation will not result in discontinuous patterns of urban development, as the proposed alternative use implements the SVIP.
4. Development of the contracted land would provide more contiguous patterns of development than development of proximate non-contracted land by promoting the logical extension of infrastructure and development in the area.

**Agenda Item No.:**  
**Area Plan: Eastern Coachella Valley**  
**Zoning District: Lower Coachella Valley**  
**Supervisory District: Fourth**  
**Project Planner: Matt Straite**  
**Planning Commission: September 15,**  
**2010**

**Environmental Impact Report No. 504**  
**Specific Plan No. 369**  
**General Plan Amendment No. 846**  
**General Plan Amendment No. 889**  
**Change of Zone No. 7481**  
**Applicant: Brookfield Land Holdings**  
**Engineer/Rep.: T&B Planning**

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

The following changes were made at the direction of the Planning Commission-

1. Specific Plan exhibits were revised:

- Insertion of the original active conceptual park plan replacing the underpass with the protected crosswalk
- Revision of the descriptive text for the park replacing the underpass with the protected crosswalk
- Replacement of the exhibit showing the underpass with the crosswalk
- Insertion of additional Development Standards in the Recreation section of the SP which describe the park design criteria so that this information stays with the project:
  - ALUC Requirements – Open Lands, Wildlife Hazard
  - Landfill Cover system protection requirements
  - Soccer fields
  - Parking
  - Fencing
- Revise the maintenance discussion and charts to describe the option of the DRD or CSA 125/152 (or functional equivalent) being responsible for the park maintenance.
- Revise the Fencing Plan to show fencing along Ave 59.
- We would remain silent on the issue of lighted fields

2. The following edits were made to the Conditions of Approval:

- The conditions were modified to permit either the Desert Recreation District or a County CSA to maintain and operate the parks.
- 100 Planning 004: Park Plans for PA 22 and 26 required prior to the issuance of the 589th Building Permit (25%)
- 100 Planning 005: PA 22 developed prior to the 785th (33%) Building Permit
- 100 Planning 008: PA 26 constructed prior to the 1553rd (66%) Building Permit
- Addition of Transportation Condition requiring participation in the RBBB.
- Addition of a Condition requiring the main parks to be submitted as plot plans to the Planning Commission
- 30.Planning.35 through 37 have been added to address concerns by CVWD. Previously this was all one condition of approval, but it has been separated into

three conditions to allow applicants to address the CVWD concerns at different milestones within the project.

- 30.Planning.38 through 45 have been added to address the Agriculture Preserve issues which the Planning Commission have no jurisdiction over.
- 30.Planning.46 through 48 regarding tile drains have been added. These were added to maintain consistency with surrounding entitlements. The conditions were added as a result of discussions at the Planning Commission.
- 30.Planning.49 was added during the Planning Commission Hearings to address affordable housing needs.
- 100.Planning.4 was revised based on direction from the Planning Commission to eliminate an undercrossing and add a requirement for fencing along both sides of the street that bisects the park in Planning Area 22.

3. The Zoning Ordinance was provided to the Planning Commission before the hearing. The final zoning ordinance is provided with this addendum for reference.



04/19/11  
06:57

Riverside County LMS  
CONDITIONS OF APPROVAL

Page: 1

SPECIFIC PLAN Case #: SP00369

Parcel: 757-200-003

100. PRIOR TO ISSUE GIVEN BLDG PRMT

PLANNING DEPARTMENT

100.PLANNING. 1 SP - PARK PLANS REQ PA19

RECOMMND

PRIOR TO THE ISSUANCE OF THE 375th building permit within the SPECIFIC PLAN, detailed park plans shall be submitted to and approved by the Planning Department for the Clubhouse/park site designated as Planning Area 19. PA 19 is intended to be a private recreation center maintained by a Home Owners Association. The detailed plans shall conform with the design criteria in the SPECIFIC PLAN document for PA 19. The park plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the park and its facilities.

100.PLANNING. 2 SP - PARK CONST PA19

RECOMMND

PRIOR TO THE ISSUANCE OF THE 589th building permit within the SPECIFIC PLAN, the Clubhouse/park designated as Planning Area 19 shall be constructed and fully operable.

100.PLANNING. 4 SP - PARK PLANS REQ PA22

RECOMMND

PRIOR TO THE ISSUANCE OF THE 588th building permit within the SPECIFIC PLAN, detailed park plans shall be submitted to and approved by the Planning Department and the Desert Recreation District or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance" for the park site designated as the Planning Area 22. The detailed park plans shall conform with the design criteria in the SPECIFIC PLAN document for PA 22 and with the requirements of the Desert Recreation District or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance," Ordinance No. 859 (as adopted and any amendments thereto), and the Riverside County Guide to California Friendly Landscaping. Per direction from the Commission, fencing shall be added along both sides of street bisecting PA22 to prevent mid-block crossings. The park plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the park and its facilities.

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100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 6 SP - PARK PLANS REQ PA26

RECOMMND

PRIOR TO THE ISSUANCE OF THE 785th building permit within the SPECIFIC PLAN, detailed park plans shall be submitted to and approved by the Planning Department and the Desert Recreation District or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance" for the park site designated as the Planning Area 26. The detailed park plans shall conform with the design criteria in the SPECIFIC PLAN document for PA 26 and with the requirements of the Desert Recreation District or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance," Ordinance No. 859 (as adopted and any amendments thereto), and the Riverside County Guide to California Friendly Landscaping. The park plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the park and its facilities.

100.PLANNING. 8 SP - PARK PLANS REQ PA21

RECOMMND

PRIOR TO THE ISSUANCE OF THE 1,893th building permit within the SPECIFIC PLAN, detailed park plans shall be submitted to and approved by the Planning Department and the Desert Recreation District, CVWD or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance" for the park site designated as the Planning Area 21. The detailed park plans shall conform with the design criteria in the SPECIFIC PLAN document for PA 21 and with the requirements of the Desert Recreation District, CVWD or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance," Ordinance No. 859 (as adopted and any amendments thereto), and the Riverside County Guide to California Friendly Landscaping. The park plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the park and its facilities.

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30. PRIOR TO ANY PROJECT APPROVAL

PLANNING DEPARTMENT

30.PLANNING. 35 SP - CVWD COMPLIANCE (1)

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the applicant shall provide written assurance that all issues listed as "prior to implimenting project approval" in the letter from the Coachella Valley Water District dated Spetember 28, 2009 have been addressed to the satastfaction of Coachella Valley Water District. Specifically the letter requests:

-Submit final construction plans for all the proposed flood control facilities and a detailed hydrological and hydraulic design report for review and approval.

30.PLANNING. 36 SP - CVWD COMPLIANCE (2)

RECOMMND

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

"PRIOR TO BUILDING FINAL INSPECTION the applicant shall provide written assurance that all issues listed as "prior to occupancy" in the letter from the Coachella Valley Water District dated Spetember 28, 2009 have been addressed to the satastfaction of Coachella Valley Water District. Specifically the letter requests:

-Complete construction of on-site flood control facilities required to mitigate flood flows from the north and the concrete slope protection along the bank of the CVSC adjacent to the project. ò

-At the completion of the construction of the flood control facilities, submit for review and approval the "as-built" topography, construction drawings and engineering analysis to verify that the design capacity is adequate.

-Obtain a Letter of Map Revision (LOMR) through the Federal Emergency Management Agency, which removes the development from the special flood hazard area.

-Grant easements through the property for CVWD access to the Coachella Valley Stormwater Channel in a form and content reasonably acceptable to CVWD.

SPECIFIC PLAN Case #: SP00369

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 36            SP - CVWD COMPLIANCE (2) (cont.)            RECOMMND

-Deed to CVWD ownership and maintenance of the constructed slope protection along the bank of the Coachella Valley Stormwater Channel. The developer should contact CVWD to obtain the standard acceptance documents."

30.PLANNING. 37            SP - CVWD COMPLIANCE (4)            RECOMMND

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

"Evidence shall be provided that the following requirements indicated in the letter from the Coachella Valley Water District dated September 28, 2009 have been addressed to the satisfaction of Coachella Valley Water District, PRIOR TO ISSUANCE OF GRADING PERMITS:

-Obtain a Conditional Letter of Map Revision (CLOMAR) through the Federal Emergency Management Agency.

-Execute an agreement with the CVWD which shall include provisions outlined in the CVWD Ordinance No. 1234.

-Submit to the CVWD a flood control facility operations manual for review and approval.

-Grant flooding easements over the flood control facilities in a form and content reasonably acceptable to the CVWD."

30.PLANNING. 38            SP - AG PRES 1001 CANCEL (1)            RECOMMND

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

"Prior to recordation of an implementing final map within Planning Area 18 the Board of Supervisors shall have issued a Certificate of Final Cancellation for Agricultural Preserve Case No. 1001, located with Coachella Valley Agricultural Preserve No. 18 Map No. 132, and shall have adopted a resolution. Compliance with this condition will satisfy a similar condition applied to this project within

SPECIFIC PLAN Case #: SP00369

Parcel: 757-200-003

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 38                    SP - AG PRES 1001 CANCEL (1) (cont.)                    RECOMMND

the 60. Series titled "MAP - AG PRES 1001 CANCEL (2)."

30.PLANNING. 39                    SP - AG PRES 1001 CANCEL (2)                    RECOMMND

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

"Prior to issuance of a grading permit with Planning Area 18, the Board of Supervisors shall have issued a Certificate of Final Cancellation for Agricultural Preserve Case No. 1001, located with Coachella Valley Agricultural Preserve No. 18 Map No. 132, and shall have adopted a resolution. Compliance with this condition will satisfy a similar condition applied to this project within the 50. Series titled "MAP - AG PRES 1001 CANCEL (1)"

30.PLANNING. 40                    SP - AG PRES 1001 (NONR) (1)                    RECOMMND

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

"Prior to recordation of an implementing final map within Planning Area 18, the Board of Supervisors shall have adopted a resolution diminishing the subject property for AG1001 from Coachella Valley Agricultural Preserve No. 18 Map No. 132. Compliance with this condition will satisfy a similar condition applied to this project within the 50. Series titled "MAP - AG PRES 1001 CANCEL (2)"

30.PLANNING. 41                    SP - AG PRES 1001 (NONR) (2)                    RECOMMND

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

"Prior to issuance of a grading permit within Planning Area 18, the Board of Supervisors shall have adopted a resolution disestablishing the subject property for AG1001 from Coachella Valley Agricultural Preserve No. 18 Map No. 132; Compliance with this condition will satisfy a similar condition applied to this project within the 50. Series



SPECIFIC PLAN Case #: SP00369

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 44 SP - AG PRES 1002 (NONR) (1) (cont.)

RECOMMND

diminishing the subject property for AG1002 from Coachella Valley Agricultural Preserve No. 62 Map No. 298. Compliance with this condition will satisfy a similar condition applied to this project within the 50. Series titled "MAP - AG PRES 1002 CANCEL (2)"

30.PLANNING. 45 SP - AG PRES 1002 (NONR) (2)

RECOMMND

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

"Prior to issuance of a grading permit within Planning Areas 1, 2, 3, 4, 5, 22, 23c, 24c, 25a, 25b, or 27, the Board of Supervisors shall have adopted a resolution disestablishing the subject property for AG1002 from Coachella Valley Agricultural Preserve No. 62 Map No. 298; Compliance with this condition will satisfy a similar condition applied to this project within the 50. Series titled "MAP - AG PRES 1002 CANCEL (1)"

30.PLANNING. 46 SP - TILE DRAINS (1)

RECOMMND

PRIOR TO THE APPROVAL OF ANY IMPLEMENTING PROJECT (i.e. Tentative Map, Plot Plan, Conditional Use Permit, and/or Public Use Permit) the following condition of approval shall be satisfied:

"Given the high ground water table in the project area all implementing projects must provide a letter from Coachella Valley Water District (CVWD) indicating that the subsurface drainage facilities (tile drains) in the implementing project area can accommodate the new urban drainage to the satisfaction of CVWD."

30.PLANNING. 47 SP - TILE DRAINS (2)

RECOMMND

PRIOR TO THE APPROVAL OF ANY IMPLEMENTING PROJECT (i.e. Tentative Map, Plot Plan, Conditional Use Permit, and/or Public Use Permit) the following condition of approval shall be satisfied:

"Given the high ground water table in the project area all implementing projects must provide a letter from Coachella Valley Water District (CVWD) indicating that the boundaries

SPECIFIC PLAN Case #: SP00369

Parcel: 757-200-003

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 47 SP - TILE DRAINS (2) (cont.)

RECOMMND

shown on the APPROVED TENTATIVE MAP and/or SITE PLAN shall become annexed, incorporated, and/or included to the satisfaction of the Colorado River Basin Water Quality Control Board into the National Pollution Discharge Elimination System Permit (NPDES) program as detailed by CVWD and as well the project shall annexed, incorporated, and/or included to the satisfaction of the Colorado River Basin Water Quality Control Board into the Waste Discharge Requirements for the discharge of stormwater into the Whitewater River Watershed, which is known as the MS4 Permit, to the satisfaction of CVWD."

30.PLANNING. 48 SP - TILE DRAINS (3)

RECOMMND

PRIOR TO THE APPROVAL OF ANY IMPLEMENTING PROJECT (i.e. Tentative Map, Plot Plan, Conditional Use Permit, and/or Public Use Permit) the following condition of approval shall be satisfied:

"Given the high ground water table in the project area all implementing projects must provide a letter from Coachella Valley Water District (CVWD) indicating that the boundaries shown on the APPROVED TENTATIVE MAP and/or SITE PLAN shall become annexed, incorporated, and/or included to the satisfaction of CVWD into a future district(s) for recovery of capital and operation/maintenance costs associated with any tile/subsurface drainage system, to the satisfaction of CVWD."

30.PLANNING. 49 SP - AFFORDABILITY

RECOMMND

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

"A countywide ordinance or similar mechanism for the inclusion of affordable dwellings was being established at the time the Specific Plan was approved. Prior to grading permit issuance on any implementing project (including, but not limited to, tract maps, parcel maps, use permits, plot plans, etc.), the project applicant agrees to comply with the terms of the aforementioned inclusionary ordinance, or similar mechanism, which may include the payment of a fee and/or the inclusion of affordable dwelling units in the implementing project. If no such ordinance or similar mechanism is established prior to the approval of any



SPECIFIC PLAN Case #: SP00369

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 49

SP - AFFORDABILITY (cont.)

RECOMMND

implementing project, then the project applicant shall reach a written agreement with the Riverside County Economic Development Department (EDA) and furnish evidence of said agreement to the Planning Department. Said agreement may include the following:

1. Not less than 15% of all homeownership units within the implementing project should be made available at housing costs affordable to Moderate and Lower income households.
2. The above 15% inclusionary pro rata requirement should be imposed on a per implementing project distribution and across all product types.

3. FOR SALE UNITS

a. On a per planning area basis, 15% of all homeownership units should be made available at housing costs affordable to Moderate and Lower income households. A Moderate income household is defined in Section 50093 of the Health and Safety Code as households whose income does not exceed 120% of the area median income, adjusted for family size, as published annually by the California State Department of Housing and Community Development. A Lower income household is defined in Section 50079.5 of the Health and Safety Code as households whose income does not exceed 80% of the area median income, adjusted for family size, as published annually by the California State Department of Housing and Community Development.

b. The affordable homeownership units should be distributed evenly as affordable amongst the lower income population and the moderate income population (7.5% of units affordable to a lower income household and 7.5% of units affordable to a moderate income household).

c. The affordable homeownership opportunities should be restricted to remain owner occupied as defined by Section 50092.1 of the Health and Safety Code for a minimum of 25 years.

d. The affordable homeownership units should be made available at price points creating an affordable housing cost:

i. The affordable housing cost for lower income households is defined in Section 50052.5(b)(3) of the Health and Safety Code as the product of 30% times 70% of the area median income adjusted for family size as appropriate for the housing unit

ii. The affordable housing costs for moderate income households is defined in Section 50052.5(b)(4) of the Health and Safety Code as the product of 35% time 110% of the area median income adjusted for family size appropriate

CIFIC PLAN Case #: SP00369

Parcel: 757-200-003

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 49 SP - AFFORDABILITY (cont.) (cont.)

RECOMMND

for the housing unit.

iii. Household size appropriate to the unit means an amount equal to the number of bedrooms in the unit plus one person (i.e., for a two-bedroom unit, 3 people; for a three-bedroom unit, four people) as defined in Section 50052.5(h); provided that this determination of appropriate household size shall only be considered and determined at initially occupancy of the affordable homeownership unit

iv. For purposes of determining affordable housing cost, Title 25 of the California Code of Regulations Section 6820 defines the "Monthly Housing Payments" to include an estimate of the following costs for the upcoming twelve months:

1. Principal and interest on the mortgage loan
  2. Property taxes and assessments
  3. Fire and casualty insurance
  4. Property maintenance and repair costs
  5. A reasonable allowance for utilities, (including garbage collection, sewer, water, electricity, gas and other fuels, but not telephone service) taking into account an adequate level of service
  6. Homeowner association fees
- e. A regulatory agreement should be recorded on the title records of the individual homes to run with the land and for a minimum period of 25 years.
- f. The regulatory agreement should include a restriction against allowing the affordable homeownership units from becoming investor owned and tenant occupied for a minimum period of 25 years.
- g. Such a regulatory agreement will require annual monitoring.
- h. The affordable homeownership units should not be concentrated within any portion of the proposed map or planning area and should, instead, be evenly distributed.
- i. The affordable homeownership units should be evenly distributed by product type, size and bedroom count.
- j. The affordable homeownership units should have identical interior and exterior design and finishes in relation to the market rate units so as to create an indistinguishable situation between the two.

4. FOR RENT UNITS

a. On a per planning area basis, 15% of all rental units should be made available at housing costs affordable to Low and Very-Low Income households. A low income household is defined in Section 50079.5 of the Health and Safety Code as household whose income does not exceed 80% of the area

SPECIFIC PLAN Case #: SP00369

Parcel: 757-200-003

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 49                    SP - AFFORDABILITY (cont.) (cont.) (cont.)                    RECOMMND

median income, adjusted for family size, as published annually by the California State Department of Housing and Community Development. A very low income household is defined in Section 50105 of the Health and Safety Code as households whose income does not exceed 50% of the area median income, adjusted for family size, as published annually by the California State Department of Housing and Community Development.

b.The affordable rental units should be distributed evenly as affordable amongst the lower income population and the very low income population (7.5% of units affordable to a lower income household and 7.5% of units affordable to a very low income household)

c.The affordable housing units should be made available at rents creating an affordable housing cost:

i.The affordable rent for a very low income household is defined in Section 50053(b)(2) of the California Health and Safety Code as the product of 30% times 50% of the area median income adjusted for family size appropriate for the housing unit.

ii.The affordable rent for a lower income household is defined in Section 50053(b)(3) of the California Health and Safety Code as the product of 30% times 60% of the area median income adjusted for family size appropriate for the housing unit.

iii.Household size appropriate to the unit means an amount equal to the number of bedrooms in the unit plus one person (i.e., for a two-bedroom unit, 3 people; for a three-bedroom unit, four people) as defined in Section 50052.5(h); provided that the maximum monthly housing cost of the affordable rental unit shall be adjusted annually by the formula set forth above upon the promulgation of revised income limits concerning median income for the area by regulation of the California Department of Housing and Community Development.

iv.For purposes of determining affordable rent, Title 25 of the California Code of Regulations Section 6918 defines the "rent" to include an estimate of the following costs for the upcoming twelve months:

- 1.Use and occupancy of a housing unit and land and facilities associated therewith.
- 2.Any separately charged fees or services charges assessed by the lessor which are required of all tenants, other than security deposits.
- 3.A reasonable allowance for utilities not included in the above costs, including garbage collection, sewer, water,

SPECIFIC PLAN Case #: SP00369

Parcel: 757-200-003

30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 49 SP - AFFORDABILITY (cont.) (cont.) (cont.) (cRECOMMND

electricity, gas, and other heating, cooking, and refrigeration fuels. Utilities do not include telephone service. Such an allowance shall take into consideration the cost of an adequate level of service.

4. Possessory interest taxes or other fees or charges assessed for use of the land and facilities associated therewith by a public or private entity other than the lessor.

d. A regulatory agreement should be recorded on the title records of the individual properties to run with the land and for a minimum period of 30 years.

e. Such a regulatory agreement should impose minimum requirements for on-site professional and permanent property management.

f. Such a regulatory agreement will require annual monitoring.

g. The affordable rental units should not be concentrated within any portion of the proposed map, planning area or multi-family complex and should, instead, be evenly distributed.

h. The affordable rental units should be evenly distributed by product type, size and bedroom count.

i. The affordable rental units should have identical interior and exterior design and finishes in relation to the market rate units so as to create an indistinguishable situation between the two."

100. PRIOR TO ISSUE GIVEN BLDG PRMT

PLANNING DEPARTMENT

100.PLANNING. 2 SP - PARK CONST PA19 RECOMMND

PRIOR TO THE ISSUANCE OF THE 589th building permit within the SPECIFIC PLAN, the Clubhouse/park designated as Planning Area 19 shall be constructed and fully operable.

100.PLANNING. 4 SP - PARK PLANS REQ PA22 RECOMMND

PRIOR TO THE ISSUANCE OF THE 588th building permit within the SPECIFIC PLAN, detailed park plans shall be submitted to and approved by the Planning Department and the Desert Recreation District or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance" for the park site designated as the Planning

SPECIFIC PLAN Case #: SP00369

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100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 4 SP - PARK PLANS REQ PA22 (cont.)

RECOMMND

Area 22. The detailed park plans shall conform with the design criteria in the SPECIFIC PLAN document for PA 22 and with the requirements of the Desert Recreation District or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance," Ordinance No. 859 (as adopted and any amendments thereto), and the Riverside County Guide to California Friendly Landscaping. Per direction from the Commission, fencing shall be added along both sides of street bisecting PA22 to prevent mid-block crossings. The park plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the park and its facilities.

100.PLANNING. 6 SP - PARK PLANS REQ PA26

RECOMMND

PRIOR TO THE ISSUANCE OF THE 785th building permit within the SPECIFIC PLAN, detailed park plans shall be submitted to and approved by the Planning Department and the Desert Recreation District or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance" for the park site designated as the Planning Area 26. The detailed park plans shall conform with the design criteria in the SPECIFIC PLAN document for PA 26 and with the requirements of the Desert Recreation District or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance," Ordinance No. 859 (as adopted and any amendments thereto), and the Riverside County Guide to California Friendly Landscaping. The park plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the park and its facilities.

# MEMORANDUM

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RIVERSIDE COUNTY COUNSEL

September 13, 2010

TO: Matt Straite  
Contract Planner Supervisor

FROM: Tiffany North *M.D. North*  
Deputy County Counsel

RE: SP 369 CZ 7481

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Please see the attached Specific Plan zoning ordinance with my stamped approval and signature. If you have any questions please do not hesitate to call. Once this goes to the Board for final adoption we will need to complete the first paragraph with the map information and add the 348 Ordinance number. Thank you.

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ORDINANCE NO. 348. \_\_\_\_\_

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

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

Section 1. Section XXX of Ordinance No. 348, and Official Zoning Plan Map No. XXX, as amended, are further amended by placing in effect in the Lower Coachella Valley District the zone or zones as shown on the map entitled "Change of Official Zoning Plan Amending Ordinance No. 348, Map No. XXX, Change of Zone Case No. 07481," 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 XXX to read as follows:

"Section XXX SP ZONE REQUIREMENTS AND STANDARDS FOR SPECIFIC PLAN NO. 369.

a. Planning Areas 1 and 12.

(1) The uses permitted in Planning Area 1 of Specific Plan No. 369 shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348. No use, other than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of Ordinance 348 shall be permitted within Planning Area 1 of Specific Plan No. 369 until such time as Map No. 298 of Coachella Valley Agricultural Preserve No. 62 has been diminished or disestablished in the planning area and any corresponding Williamson Act contract is no longer in effect for Planning Area 1.

Thereafter, the uses permitted in Planning Area 1 of Specific Plan No. 369 shall be the same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 6.1.a.(2), (3), (4), (5), (7).a, (7).b, (7).c, (7).d., (7).e, (8), (9); Section 6.1.b.(2), (3), (4), (5); Section 6.1.c.(1); Section 6.1.d; and Section 6.1.e.(1), shall not be permitted. In addition, the uses permitted under Section 6.1.b shall include private recreational parks/areas.

1 (2) The uses permitted for Planning Area 12 of Specific Plan No. 369 shall be the  
2 same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the  
3 uses permitted pursuant to Section 6.1.a.(2), (3), (4), (5), (7).a, (7).b, (7).c, (7).d., (7).e, (8), (9);  
4 Section 6.1.b.(2), (3), (4), (5); Section 6.1.c.(1); Section 6.1.d; and Section 6.1.e.(1) shall not be  
5 permitted. In addition, the uses permitted under Section 6.1.b shall include private recreational  
6 parks/areas.

7 (3) The development standards for agricultural uses and incidental uses thereto within  
8 Planning Area 1 of Specific Plan No. 369 shall be the same as those standards in Article XIII,  
9 Section 13.2 of Ordinance No. 348.

10 (4) The development standards for uses other than agricultural uses and incidental  
11 uses thereto within Planning Area 1 and the development standards for uses in Planning Area 12  
12 of Specific Plan No. 369 shall be the same as those standards identified in Section 6.2 of  
13 Ordinance No. 348, except that the development standards set forth in Section 6.2.a, b, c, d, e(1),  
14 e(2), e(3), and e(4) shall be deleted and replaced with the following:

- 15 A. The minimum lot size shall be 5,000 square feet. The minimum lot width  
16 shall be 50 feet.
- 17 B. The front yard setback shall be a minimum of 15 feet. The minimum side  
18 yard distance between buildings shall be at least 10 feet, regardless of lot  
19 lines. Side yard setbacks shall be a minimum of 5 feet. Side yard setbacks  
20 on corner lots shall be a minimum of 10 feet. The rear yard setback shall  
21 be a minimum of 15 feet.
- 22 C. The maximum building height shall be 35 feet.
- 23 D. The maximum lot coverage shall be 60% for single story dwelling and  
24 50% for two story dwellings.
- 25 E. A minimum of 200 square feet of private open space shall be provided.  
26 All dimensions for each private open space shall be a minimum of 8 feet.
- 27 F. Any driveway shall be less than 3 feet in length or at least 18 feet in  
28 length; driveway lengths between 3 feet and 18 feet are not permitted.



1 G. Encroachments for fireplaces, AC units and media centers shall not exceed  
2 more than 2 feet into the front, side, or rear setback. No AC units are  
3 permitted in front of the main residential building. Encroachments for  
4 balconies, porches, decks, and attached patio covers shall not exceed more  
5 than 7 feet into the front or rear setback. The side yard with gate access  
6 shall at all times maintain a 5 feet clearance regardless of encroachments.

7 H. All playground equipment within Planning Areas 1 and 12 shall be shaded  
8 in accordance with the Shade Standards described in Section IV.E.3 of  
9 Specific Plan No. 369.

10 (5) If lots within Planning Areas 1 and 12 of Specific Plan No. 369 are developed  
11 with rear-loaded homes, the development standards for Planning Areas 1 and 12 shall be the  
12 same as those standards identified in Section 6.2 of Ordinance No. 348, except that the  
13 development standards set forth in Section 6.2.a, b, c, d, e(1), e(2), e(3), and e(4) shall be deleted  
14 and replaced with the following:

15 A. The minimum front yard setback shall be 10 feet. The minimum rear yard  
16 setback to the garage shall be 3 feet. In addition, the minimum rear yard  
17 setback on the second floor shall be 3 feet for 50% of the living area and 9  
18 feet for the remaining 50% of the second story.

19 B. Any driveway shall be less than 3 feet in length or at least 18 feet in  
20 length; driveway lengths between 3 feet and 18 feet are not permitted.

21 C. Encroachments for balconies, porches, decks, and attached patio covers  
22 shall not exceed 5 feet into the rear or front setback.

23 D. All other development standards for lots with rear-loaded homes in  
24 Planning Areas 1 and 12 shall be the same as the development standards  
25 for single-family detached homes in Planning Areas 1 and 12 as set forth  
26 in subsection a. (4) of this Section.

27 (6) If lots within Planning Areas 1 and 12 of Specific Plan No. 369 are developed  
28 with paired Z-lot homes, the development standards for Planning Areas 1 and 12 of Specific Plan

1 No. 369 shall be the same as those standards identified in Section 6.2 of Ordinance No. 348,  
2 except that the development standards set forth in Section 6.2.a, b, c, d, e(1), e(2), e(3), and e(4)  
3 shall be deleted and replaced with the following:

- 4 A. The minimum front yard setback shall be 12 feet. The minimum corner  
5 side yard setback shall be 8 feet. The minimum side yard distance  
6 between structures shall be at least 10 feet. The minimum rear yard  
7 setback shall be 5 feet to the garage and 15 feet to the main residential  
8 building.
- 9 B. There shall be a minimum 20 feet separation between the second stories of  
10 adjacent buildings.
- 11 C. Encroachments for balconies, porches, decks, and attached patio covers  
12 shall not exceed more than 10 feet into the rear setback.
- 13 D. Any driveway shall be less than 3 feet in length or at least 18 feet in  
14 length; driveway lengths between 3 feet and 18 feet are not permitted.
- 15 E. All other development standards for lots with paired Z-lot homes in  
16 Planning Areas 1 and 12 shall be the same as the development standards  
17 for single family detached homes in Planning Areas 1 and 12 as set forth  
18 in subsection a. (4) of this Section.

19 (7) Except as provided above, all other zoning requirements shall be the same as  
20 those requirements identified in Article XIII of Ordinance No. 348 for agricultural uses and  
21 incidental uses thereto and Article VI of Ordinance No. 348 for all other uses.

22 b. Planning Areas 2, 5, 10, 11 and 18.

23 (1) The uses permitted in Planning Areas 2 and 18 of Specific Plan No. 369 shall be  
24 the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348. No use,  
25 other than an agricultural use and any use incidental thereto permitted in Article XIII, Section  
26 13.1 of Ordinance 348 shall be permitted within Planning Areas 2 and 18 of Specific Plan No.  
27 369 until such time as Map No. 298 of Coachella Valley Agricultural Preserve No. 62 and Map  
28 No. 134 of Coachella Valley Agricultural Preserve No. 18 (applicable to Planning Areas 2 and

1 18, respectively) have been diminished or disestablished in the planning area and any  
2 corresponding Williamson Act contract is no longer in effect for the planning area.

3 Thereafter, the uses permitted in Planning Areas 2 and 18 of Specific Plan No. 369 shall  
4 be the same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that  
5 the uses permitted pursuant to Section 6.1.a.(2), (3), (4), (5), (7).a, (7).b, (7).c, (7).d., (7).e, (8),  
6 (9); Section 6.1.b.(2), (3), (4), (5); Section 6.1.c.(1); Section 6.1.d; and Section 6.1.e.(1), shall  
7 not be permitted. In addition, the uses permitted under Section 6.1.b shall include private  
8 recreational parks/areas.

9 (2) The uses permitted for Planning Areas 5, 10, and 11 of Specific Plan No. 369  
10 shall be the same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except  
11 that the uses permitted pursuant to Section 6.1.a.(2), (3), (4), (5), (7).a, (7).b, (7).c, (7).d., (7).e,  
12 (8), (9); Section 6.1.b.(2), (3), (4), (5); Section 6.1.c.(1); Section 6.1.d; and Section 6.1.e.(1),  
13 shall not be permitted. In addition, the uses permitted under Section 6.1.b shall include private  
14 recreational parks/areas.

15 (3) The development standards for agricultural uses and incidental uses thereto within  
16 Planning Areas 2 and 18 of Specific Plan No. 369 shall be the same as those standards in Article  
17 XIII, Section 13.2 of Ordinance No. 348.

18 (4) The development standards for uses other than agricultural uses and incidental  
19 uses thereto within Planning Areas 2, 5, 10, 11, and 18 of Specific Plan No. 369 shall be the  
20 same as those standards identified in Section 6.2 of Ordinance No. 348, except that the  
21 development standards set forth in Section 6.2.a, b, c, d, e(1), e(2), e(3), and e(4) shall be deleted  
22 and replaced with the following:

- 23 A. The minimum lot size shall be 7,200 square feet. The minimum lot width  
24 shall be 72 feet.
- 25 B. The front yard setback shall be a minimum of 15 feet. The minimum side  
26 yard distance between buildings shall be at least 15 feet. Side yards  
27 setbacks on corner lots shall be a minimum of 15 feet with a minimum  
28 setback of 5 feet on each side. The rear yard setback shall be a minimum

1 of 20 feet. The minimum setback for garages shall be 18 feet. The  
2 minimum side-in garage setback shall be 15 feet.

3 C. Building height shall not exceed 35 feet.

4 D. The maximum lot coverage shall be 50% of any lot with a single-story  
5 dwelling and 40% of any lot with a two-story dwelling.

6 E. Encroachments for fireplaces, AC units and media centers shall not exceed  
7 more than 2 feet into the minimum front, side, or rear setback. No AC  
8 units are permitted in front of the main residential building.  
9 Encroachments for balconies, porches, decks, and attached patio covers  
10 shall not exceed more than 12 feet into the minimum front or rear setback.  
11 The side yard with gate access shall at all times maintain a 5 feet clearance  
12 regardless of encroachments.

13 F. All playground equipment shall be shaded in accordance with the Shade  
14 Standards described in Section IV.E.3 of Specific Plan No. 369.

15 (5) Except as provided above, all other zoning requirements shall be the same as  
16 those requirements identified in Article XIII of Ordinance No. 348 for agricultural uses and  
17 incidental uses thereto and Article VI of Ordinance No. 348 for all other uses.

18 c. Planning Areas 3 and 15.

19 (1) The uses permitted in Planning Area 3 of Specific Plan No. 369 shall be the same  
20 as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348. No use, other than  
21 an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of  
22 Ordinance 348 shall be permitted within Planning Area 3 of Specific Plan No. 369 until such  
23 time as Map No. 298 of Coachella Valley Agricultural Preserve No. 62 has been diminished or  
24 disestablished in the planning area and any corresponding Williamson Act contract is no longer  
25 in effect for the planning area.

26 Thereafter, the uses permitted in Planning Area 3 of Specific Plan No. 369 shall be the  
27 same as those uses permitted in Article VII, Section 7.1 of Ordinance No. 348, except that the  
28 uses permitted pursuant to Section 7.1.a.(2), (3), (4), (10), (11), (12); Section 7.1.b.(3), (5), (6),

1 (7) and (9); and Section 7.1.c.(1) and (2) shall not be permitted. In addition, the uses permitted  
2 under Section 7.1.b shall include private recreational parks/areas.

3 (2) The uses permitted in Planning Area 15 of Specific Plan No. 369 shall be the  
4 same as those uses permitted in Article VII, Section 7.1 of Ordinance No. 348, except that the  
5 uses permitted pursuant to Section 7.1.a.(2), (3), (4), (10), (11), (12): Section 7.1.b.(3), (5), (6),  
6 (7) and (9); and Section 7.1.c.(1) and (2) shall not be permitted. In addition, the uses permitted  
7 under Section 6.1.b shall include private recreational parks/areas.

8 (3) The development standards for agricultural uses and incidental uses thereto within  
9 Planning Area 3 of Specific Plan No. 369 shall be the same as those standards in Article XIII,  
10 Section 13.2 of Ordinance No. 348.

11 (4) The development standards for uses other than agricultural uses and incidental  
12 uses thereto within Planning Area 3 and the development standards for uses in Planning Area 15  
13 of Specific Plan No. 369 shall be the same as those standards identified in Article VII of  
14 Ordinance 348 except Sections 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, and 7.11 of Ordinance  
15 No. 348 shall be deleted and replaced with the following development standards:

16 A. The minimum lot size shall be 4,500 square feet. The minimum lot width  
17 shall be 45 feet.

18 B. The front yard setback shall be a minimum of 15 feet. The minimum  
19 corner side yard setback shall be 10 feet. All other side yard setbacks  
20 shall be 5 feet. The minimum side yard distance between structures shall  
21 be at least 10 feet. The minimum rear yard setback shall be 15 feet. The  
22 minimum garage setback shall be 18 feet.

23 C. The maximum building height shall be 35 feet.

24 D. The maximum lot coverage shall be 60% for single story buildings and  
25 50% for two story buildings. Lot coverage includes, but is not limited to,  
26 garages, covered porches, and balconies.

27 E. Encroachments for fireplaces, AC units and media centers shall not exceed  
28 more than 2 feet into the front, side, or rear setbacks. No AC units shall

1 be permitted in front of the structure. Encroachments for balconies,  
2 porches, decks, and attached patio covers shall not exceed 10 feet into the  
3 front or rear setback. The side yard with gate access shall at all times  
4 maintain a 5 feet clearance regardless of encroachments.

5 F. All playground equipment shall be shaded in accordance with the Shade  
6 Standards described in Section IV.E.3 of Specific Plan No. 369.

7 (5) If Planning Areas 3 and 15 of Specific Plan No. 369 are developed with rear-  
8 loaded homes, the development standards for Planning Areas 3 and 15 shall be the same as those  
9 standards identified in Article VII of Ordinance 348, except that the development standards set  
10 forth in Section 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, and 7.11 of Ordinance No. 348 shall be  
11 deleted and replaced with the following:

12 A. The minimum front yard setback shall be 10 feet. The minimum rear yard  
13 setback on the second floor shall be 3 feet for 50% of the living area and 9  
14 feet for the remaining 50% of the second story.

15 B. Encroachments for balconies, porches, decks, and attached patio covers  
16 shall not exceed 5 feet into the rear setback.

17 C. Any driveway shall be less than 3 feet in length or at least 18 feet in  
18 length; driveway lengths between 3 feet and 18 feet are not permitted.

19 D. All other development standards for lots with rear-loaded homes in  
20 Planning Areas 3 and 15 shall be the same as the development standards  
21 for single-family detached homes in Planning Areas 3 and 15 as set forth  
22 in subsection c. (4) of this Section.

23 (6) If lots with Planning Areas 3 and 15 of Specific Plan No. 369 are developed with  
24 paired Z-lot homes, the development standards for Planning Areas 1 and 12 of Specific Plan No.  
25 369 shall be the same as those standards identified in Article VII of Ordinance 348, except that  
26 the development standards set forth in Section 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, and 7.11  
27 of Ordinance No. 348 shall be deleted and replaced with the following:

28 A. The minimum front yard setback shall be 12 feet. The minimum corner

1 side yard setback shall be 8 feet. All other side yard setbacks shall be 5  
2 feet. The minimum side yard distance between buildings shall be at least  
3 10 feet.

- 4 B. There shall be a minimum 20 feet separation between the second stories of  
5 adjacent buildings.
- 6 C. Encroachments for balconies, porches, decks, and attached patio covers  
7 shall not exceed 5 feet into the rear setback.
- 8 D. Any driveway shall be less than 3 feet in length or at least 18 feet in  
9 length; driveway lengths between 3 feet and 18 feet are not permitted.
- 10 E. All other development standards for lots with paired Z-lot homes in  
11 Planning Areas 3 and 15 shall be the same as the development standards  
12 for single family detached homes in Planning Areas 3 and 15 as set forth  
13 in subsection c. (4) of this Section.

14 (7) If lots within Planning Areas 3 and 15 of Specific Plan No. 369 are developed  
15 with cluster homes, the development standards for Planning Areas 3 and 15 shall be the same as  
16 those standards identified in Article VII of Ordinance 348, except that the development standards  
17 set forth in Section 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, and 7.11 of Ordinance No. 348 shall  
18 be deleted and replaced with the following:

- 19 A. The minimum front yard setback shall be 10 feet. The minimum rear yard  
20 setback shall be 10 feet.
- 21 B. There shall be a minimum 20 feet separation between the first stories of  
22 adjacent buildings. There shall be a minimum 30 feet separation between  
23 the second stories of adjacent buildings.
- 24 C. Encroachments for balconies, porches, decks, and attached patio covers  
25 shall not exceed more than 5 feet into the rear setback.
- 26 D. Any driveway shall be less than 3 feet in length or at least 18 feet in  
27 length; driveway lengths between 3 feet and 18 feet are not permitted.
- 28 E. All other development standards for lots with cluster homes in Planning

1 Areas 3 and 15 shall be the same as the development standards for single  
2 family detached homes in Planning Areas 3 and 15 as set forth in  
3 subsection c. (4) of this Section.

4 (8) Except as provided above, all other zoning requirements shall be the same as  
5 those requirements identified in Article XIII of Ordinance No. 348 for agricultural uses and  
6 incidental uses thereto and Article VII of Ordinance No. 348 for all other uses.

7 d. Planning Area 4.

8 (1) The uses permitted in Planning Area 4 of Specific Plan No. 369 shall be the same  
9 as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348. No use, other than  
10 an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of  
11 Ordinance 348 shall be permitted within Planning Area 4 of Specific Plan No. 369 until such  
12 time as Map No. 298 of Coachella Valley Agricultural Preserve No. 62 has been diminished or  
13 disestablished in the planning area and any corresponding Williamson Act contract is no longer  
14 in effect for Planning Area 4.

15 Thereafter, the uses permitted in Planning Area 4 of Specific Plan No. 369 shall be the  
16 same as those uses permitted in Article VII, Section 7.1 of Ordinance No. 348, except that the  
17 uses permitted pursuant to Section 7.1.a.(2), (3), (4), (10), (11), (12); Section 7.1.b.(3), (5), (6),  
18 (7) and (9); and Section 7.1.c.(1) and (2) shall not be permitted. In addition, the uses permitted  
19 under Section 7.1.b shall include private recreational parks/areas.

20 (2) The development standards for agricultural uses and incidental uses thereto within  
21 Planning Area 4 of Specific Plan No. 369 shall be the same as those standards in Article XIII,  
22 Section 13.2 of Ordinance No. 348.

23 (3) If lots in Planning Area 4 of Specific Plan No. 369 are developed with paired Z-  
24 lot homes, the planning area development standards shall be the same as those identified in  
25 Article VII of Ordinance No. 348 except that the development standards set forth in Sections 7.2,  
26 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, and 7.11 of Ordinance No. 348 shall be deleted and replaced  
27 with the following:

28 A. The minimum lot size shall be 3,600 square feet. The minimum lot width



1 shall be 45 feet.

2 B. The minimum front yard setback shall be 12 feet. The minimum corner  
3 side yard setback shall be 8 feet. All other side yard setbacks shall be at  
4 least 4 feet. The minimum rear yard setback shall be 5 feet to the garage  
5 and 15 feet to the main residential building. The garage setback from the  
6 front property line shall be 18 feet.

7 C. The maximum building height shall be 35 feet.

8 D. The maximum lot coverage shall be 30%.

9 E. Encroachments for fireplaces, AC units and media centers shall not exceed  
10 more than 2 feet into the front, side, or rear setbacks. Encroachments for  
11 balconies, porches, decks, and attached patio covers shall not exceed 5 feet  
12 into the front or rear setback. No AC units shall be permitted in front of  
13 the structure. The side yard with gate access shall at all times maintain a 5  
14 feet clearance regardless of encroachments.

15 F. Any driveway shall be less than 3 feet in length or at least 18 feet in  
16 length; driveway lengths between 3 feet and 18 feet are not permitted.

17 G. All playground equipment within Planning Area 4 shall be shaded in  
18 accordance with the Shade Standards described in Section IV.E.3 of  
19 Specific Plan No. 369.

20 (4) If lots in Planning Area 4 of Specific Plan No. 369 are developed with cluster  
21 homes, the planning area development standards shall be the same as those identified in Article  
22 VII of Ordinance No. 348 except that the development standards set forth in Section 7.2, 7.3, 7.4,  
23 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, and 7.11 of Ordinance No. 348 shall be deleted and replaced with the  
24 following:

25 A. The minimum front yard setback shall be 10 feet. The minimum rear yard  
26 setback shall be 10 feet.

27 B. There shall be a minimum 20 feet separation between the first stories of  
28 adjacent buildings. There shall be a minimum 30 feet separation between

1 the second stories of adjacent buildings.

2 C. Any driveway shall be less than 3 feet in length or at least 18 feet in  
3 length; driveway lengths between 3 feet and 18 feet are not permitted.

4 D. All other development standards for lots with cluster homes in Planning  
5 Area 4 shall be the same as the development standards for paired Z-lot  
6 homes in Planning Area 4 as set forth in subsection d. (3) of this Section.

7 (5) Except as provided above, all other zoning requirements shall be the same as  
8 those requirements identified in Article XIII of Ordinance No. 348 for agricultural uses and  
9 incidental uses thereto and Article VII of Ordinance No. 348 for all other uses.

10 e. Planning Areas 6, 16, and 17

11 (1) The uses permitted in Planning Areas 6, 16, and 17 of Specific Plan No. 369 shall  
12 be the same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that  
13 the uses permitted pursuant to Section 6.1.a.(2), (3), (4), (5), (7), (8), (9); Section 6.1.b. (3), (4),  
14 (5); Section 6.1.c.(1); Section 6.1.d; and Section 6.1.e.(1), shall not be permitted. In addition, the  
15 uses permitted under Section 6.1.b shall include private recreational parks/areas.

16 (2) If Planning Areas 6, 16, and 17 of Specific Plan No. 369 are developed with  
17 single family detached homes, the development standards for Planning Areas 6, 16, and 17 of  
18 Specific Plan No. 369 shall be the same as those standards identified in Section 6.2 of Ordinance  
19 No. 348, except that the development standards set forth in Section 6.2.a, b, d, e(1), e(2), e(3),  
20 and e(4) shall be deleted and replaced with the following:

21 A. The minimum lot size shall be 6,000 square feet. The minimum lot width  
22 shall be 60 feet.

23 B. The front yard setback shall be a minimum of 15 feet. The minimum side  
24 yard distance between buildings shall be at least 10 feet. Side yards  
25 setbacks on corner lots shall not be less than 10 feet. The rear yard  
26 setback shall not be less than 15 feet. All other side yard setbacks shall  
27 not be less than 5 feet. The minimum setback for garages shall be 18 feet.  
28 The minimum side-in garage setback shall be 15 feet.

- 1 C. The maximum building height shall be 35 feet.
- 2 D. The maximum lot coverage shall be 50% for single story dwellings and
- 3 40% for two story dwellings.
- 4 E. Encroachments for fireplaces, AC units and media centers shall not exceed
- 5 2 feet into the minimum front, side, or rear setback. Encroachments for
- 6 balconies, porches, decks, and attached patio covers shall not exceed 7 feet
- 7 into the minimum front or rear setback. No AC units shall be permitted in
- 8 front of the structure. The side yard with gate access shall at all times
- 9 maintain a 5 feet clearance regardless of encroachments.
- 10 F. All playground equipment within Planning Areas 6, 16, and 17 shall be
- 11 shaded in accordance with the Shade Standards described in Section
- 12 IV.E.3 of Specific Plan No. 369.

13 (3) If lots within Planning Areas 6, 16, and 17 of Specific Plan No. 369 are developed  
14 with rear-loaded homes, the development standards for Planning Areas 6, 16, and 17 of Specific  
15 Plan No. 369 shall be the same as those standards identified in Section 6.2 of Ordinance No. 348,  
16 except that the development standards set forth in Section 6.2.a, b, d, e(1), e(2), e(3), and e(4)  
17 shall be deleted and replaced with the following:

- 18 A. The minimum front yard setback shall be 10 feet. The minimum rear yard
- 19 setback on the second floor shall be 3 feet for 50% of the living area and 9
- 20 feet for the remaining 50% of the second story .
- 21 B. Any driveway shall be less than 3 feet in length or at least 18 feet in
- 22 length; driveway lengths between 3 feet and 18 feet are not permitted.
- 23 C. Encroachments for balconies, porches and decks shall not exceed 5 feet
- 24 into the minimum rear setback.
- 25 D. All other development standard for lots with rear-loaded homes in Planning
- 26 Areas 6, 16, and 17 shall be with the same as the development standards for
- 27 single family detached homes in Planning Areas 6, 16, and 17 as set forth
- 28 in subsection e. (2) above.

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

3 f. Planning Areas 7 and 13.

4           (1) The uses permitted in Planning Areas 7 and 13 of Specific Plan No. 369 shall be  
5 the same as those uses permitted in Article VII, Section 7.1 of Ordinance No. 348, except that  
6 the uses permitted pursuant to Section 7.1.a.(2), (3), (4), (10), (11), (12); Section 7.1.b.(2), (3),  
7 (7), (8); and Section 7.1.c.(1), (2) shall not be permitted. In addition, the uses permitted under  
8 Section 7.1.b shall include private recreational parks/areas.

9           (2) Planning Areas 7 and 13 of Specific Plan No. 369 shall be developed with duplex,  
10 triplex, or townhomes. The development standards for uses in Planning Areas 7 and 13 of  
11 Specific Plan No. 369 shall be the same as those identified in Article VII of Ordinance No. 348  
12 except that the development standards set forth in Section 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9,  
13 7.10, and 7.11 of Ordinance No. 348 shall be deleted and replaced with the following:

- 14           A. The minimum lot size shall be 5,000 square feet.
- 15           B. The front yard setback shall be a minimum of 15 feet. Side yards  
16 setbacks on corner lots shall be a minimum of 10 feet. All other side yard  
17 setbacks shall be a minimum of 5 feet. The rear yard setback shall be a  
18 minimum of 15 feet.
- 19           C. The minimum building separation shall be 30 feet. Side yard setbacks  
20 between duplex, triplex, or townhomes structures shall be a minimum of  
21 10 feet
- 22           D. The maximum building height shall not exceed 35 feet.
- 23           E. Encroachments for fireplaces, AC units and media centers shall not  
24 exceed more than 2 feet into the yard setback. Encroachments for  
25 balconies, porches, decks, and attached patio covers shall not exceed 5 feet  
26 into the front or rear setbacks. No AC units shall be permitted in front of  
27 the structure. The side yard with gate access shall at all times maintain a 5  
28 feet clearance regardless of encroachments.

1 F. Any driveway shall be less than 3 feet in length or at least 18 feet in  
2 length; driveway lengths between 3 feet and 18 feet are not permitted.

3 G. All playground equipment within Planning Areas 7 and 13 shall be shaded  
4 in accordance with the Shade Standards described in Section IV.E.3 of  
5 Specific Plan No. 369.

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

8 g. Planning Areas 8 and 14.

9 (1) The uses permitted in Planning Areas 8 and 14 of Specific Plan No. 369 shall be  
10 the same as those uses permitted in Article VII, Section 7.1 of Ordinance No. 348, except that  
11 the uses permitted pursuant to Section 7.1.a.(2), (3), (4), (10), (11), (12); Section 7.1.b.(2), (3),  
12 (6), (7), (8); and Section 7.1.c.(1) and (2) shall not be permitted. In addition, the uses permitted  
13 under Section 7.1.b shall include private recreational parks/areas.

14 (2) Planning Areas 8 and 14 of Specific Plan No. 369 shall be developed with cluster  
15 single family homes. The development standards for uses in Planning Areas 8 and 14 of Specific  
16 Plan No. 369 shall be the same as those identified in Article VII of Ordinance No. 348 except  
17 that the development standards set forth in Section 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, and  
18 7.11 of Ordinance No. 348 shall be deleted and replaced with the following:

19 A. The minimum lot size shall be 2,500 square feet.

20 B. The front yard setback shall be a minimum of 10 feet for units not facing a  
21 shared driveway. Side yards setbacks on corner lots shall be a minimum  
22 of 10 feet. All other side yard setbacks shall be a minimum of 5 feet. The  
23 rear yard setback shall be a minimum of 10 feet.

24 C. The minimum building separation (front to front – first story) shall be 20  
25 feet. The minimum building separation (front to front – second story)  
26 shall be 30 feet. The minimum building separation (rear to rear) shall be  
27 20 feet. The minimum building separation (side to side) shall be 10 feet.  
28 The minimum building separation (garage to garage) shall be 30 feet.

- 1 D. The maximum building height shall not exceed 35 feet.
- 2 E. Encroachments for fireplaces, AC units and media centers shall not
- 3 exceed 2 feet into the minimum side setback. Encroachments for
- 4 balconies, porches, decks, and attached patio covers shall not exceed 7 feet
- 5 into the minimum front or rear setback. No AC units shall be permitted in
- 6 front of the structure. The side yard with gate access shall at all times
- 7 maintain a 5 feet clearance regardless of encroachments.
- 8 F. Any driveway shall be less than 3 feet in length or at least 18 feet in
- 9 length; driveway lengths between 3 feet and 18 feet are not permitted.
- 10 G. All playground equipment shall be shaded in accordance with the Shade
- 11 Standards described in Section IV.E.3 of Specific Plan No. 369.

12 (3) Except as provided above, all other zoning requirements shall be the same as

13 those requirements identified in Article VII of Ordinance No. 348.

14 h. Planning Area 9.

15 (1) The uses permitted in Planning Area 4 of Specific Plan No. 369 shall be the same

16 as those uses permitted in Article VII, Section 7.1 of Ordinance No. 348, except that the uses

17 permitted pursuant to Section 7.1.a.(2), (3), (4), (10), (11), (12); Section 7.1.b.(3), (5), (6), and

18 (7); and Section 7.1.c.(1) and (2) shall not be permitted. In addition, the uses permitted under

19 Section 7.1.b shall include private recreational parks/areas.

20 (2) Planning Area 9 of Specific Plan No. 369 shall be developed with rear-loaded

21 single family homes. The development standards for uses in Planning Area 9 of Specific Plan

22 No. 369 shall be the same as those identified in Article VII of Ordinance No. 348 except that the

23 development standards set forth in Section 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, and 7.11 of

24 Ordinance No. 348 shall be deleted and replaced with the following:

- 25 A. The minimum lot size shall be 3,600 square feet. The minimum lot width
- 26 shall be 45 feet.
- 27 B. The front yard setback shall be a minimum of 10 feet. The separation
- 28 between structures shall not be less than 10 feet. Side yards setbacks on

1 corner lots shall be a minimum of 10 feet. All other side yard setbacks  
2 shall be a minimum of 5 feet. The minimum rear yard setback on the  
3 second floor shall be 3 feet for 50% of the living area and 9 feet for the  
4 remaining 50% of the second story.

- 5 C. The maximum building height shall not exceed 35 feet.
- 6 D. The maximum lot coverage shall be 65% for single story structures and  
7 50% for two story structures.
- 8 E. There shall be a 20 foot separation between the second stories of adjacent  
9 buildings.
- 10 F. There shall be 50 square feet of landscaping at the T-intersection of a  
11 private alley or where an alley abuts a trail connection.
- 12 G. Encroachments for fireplaces, AC units and media centers shall not  
13 exceed 2 feet into the minimum side setback. Encroachments for  
14 balconies, porches, decks, and attached patio covers shall not exceed 7 feet  
15 into the minimum front or rear setback. No AC units shall be permitted in  
16 front of the structure. The side yard with gate access shall at all times  
17 maintain a 5 feet clearance regardless of encroachments.
- 18 H. Any driveway shall be less than 3 feet in length or at least 18 feet in  
19 length; driveway lengths between 3 feet and 18 feet are not permitted.
- 20 I. All playground equipment shall be shaded in accordance with the Shade  
21 Standards described in Section IV.E.3 of Specific Plan No. 369.

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

24 i. Planning Areas 19, 20, 21, 23A, 23B, 23C, 23D, 23E, 23F, 23G, 24A, 24B, 24C, 24D,  
25 24E, 25A, 25B, and 28.

26 (1) The uses permitted in Planning Areas 23B, 23C, 23D, and 24C of Specific Plan  
27 No. 369 shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No.  
28 348. No use, other than an agricultural use and any use incidental thereto permitted in Article

1 XIII, Section 13.1 of Ordinance 348 shall be permitted within Planning Areas 23B, 23C, 23D,  
2 and 24C of Specific Plan No. 369 until such time as Map No. 298 of Coachella Valley  
3 Agricultural Preserve No. 62 and Map No. 132 of Coachella Valley Agricultural Preserve No. 18  
4 (applicable to Planning Areas 23B, 23C, and 24C, and applicable to 23D, respectively) have been  
5 diminished or disestablished in the planning area and any corresponding Williamson Act contract  
6 is no longer in effect for the planning area.

7 Thereafter, for Planning Areas 23B, 23C, 23D, and 24C of Specific Plan No. 369 the uses  
8 permitted shall be the same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance  
9 No. 348, except that the uses permitted pursuant to Section 8.1.a(1), (3); Section 8.1.b(1); and  
10 Section 8.1.c(1) shall not be permitted. In addition, the uses permitted under Section 8.100 shall  
11 include clubhouses, recreational parks/areas, detention basins, open space, paseos, irrigation  
12 storage ponds and related facilities, trails, pools, tot lots, bathrooms, spas, picnic areas, BBQ  
13 facilities, fitness centers, and other similar related uses.

14 (2) The uses permitted in Planning Areas 19, 20, 21, 23A, 23E, 23F, 23G, 24A, 24B,  
15 24D, 24E, 25A, 25B and 28 of Specific Plan No. 369 shall be the same as those uses permitted in  
16 Article VIIIe, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to  
17 Section 8.1.a(1), (3); Section 8.1.b(1); and Section 8.1.c(1) shall not be permitted. In addition,  
18 the uses permitted under Section 8.100 shall include clubhouses, recreational parks/areas,  
19 detention basins, open space, irrigation storage ponds and related facilities, trails, paseos, pools,  
20 tot lots, bathrooms, spas, picnic areas, BBQ facilities, fitness centers, and other similar related  
21 uses.

22 (3) The development standards for agricultural uses and incidental uses thereto within  
23 Planning Areas 23B, 23C, 23D, and 24C of Specific Plan No. 369 shall be the same as those  
24 standards in Article XIII, Section 13.2 of Ordinance No. 348.

25 (4) The development standards for uses other than agricultural uses and incidental  
26 uses thereto within Planning Areas 19, 20, 21, 23A, 23B, 23C, 23D, 23E, 23F, 23G, 24A, 24B,  
27 24C, 24D, 24E, 25A, 25B, and 28 of Specific Plan No. 369 shall be the same as those standards  
28 identified in Section 8.101 of Ordinance No. 348. Additionally, the following development



1 standard shall apply:

2 A. All playground equipment shall be shaded in accordance with the Shade  
3 Standards described in Section IV.E.3 of Specific Plan No. 369.

4 (5) Except as provided above, all other zoning requirements shall be the same as  
5 those requirements identified in Article XIII of Ordinance No. 348 for agricultural uses and  
6 incidental uses thereto and Article VIIIe of Ordinance No. 348 for all other uses.

7 j. Planning Areas 22 and 26.

8 (1) The uses permitted in Planning Areas 22 and 26 of Specific Plan No. 369 shall be  
9 the same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No. 348, except  
10 that the uses permitted pursuant to Section 8.1.a(1), (3); Section 8.1.b(1); and Section 8.1.c(1)  
11 shall not be permitted. In addition, the uses permitted under Section 8.100 shall include public  
12 recreational parks/areas.

13 (2) The development standards for Planning Areas 22 and 26 of Specific Plan No.  
14 369 shall be the same as those standards identified in Section 8.101 of Ordinance No. 348.  
15 Additionally, the following standards shall apply:

16 A. Sports fields and lawn areas may be lighted; however, lighting shall be  
17 directed in a manner that minimizes light pollution impacts on nearby  
18 residential units. Lighting of sports fields and lawn areas shall conform to  
19 the requirements of Riverside County Ordinance No. 655.

20 B. All playground equipment shall be shaded in accordance with the Shade  
21 Standards described in Section IV.E.3 of Specific Plan No. 369.

22 C. Drinking fountains and public restrooms shall be provided.

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

25 k. Planning Area 27.

26 (1) The uses permitted in Planning Area 27 of Specific Plan No. 369 shall be the  
27 same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348. No use, other  
28 than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of

1 Ordinance 348 shall be permitted within Planning Area 27 of Specific Plan No. 369 until such  
2 time as Map No. 298 of Coachella Valley Agricultural Preserve No. 62 has been diminished or  
3 disestablished in the planning area and any corresponding Williamson Act contract is no longer  
4 in effect for the planning area.

5 Thereafter, for Planning Area 27 of Specific Plan No. 369 the uses permitted shall be the  
6 same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No. 348, except that  
7 the uses permitted pursuant to Section 8.1.a(1), (2), (3), (4), and (8); Section 8.1.b(1); and  
8 Section 8.1.c(1) shall not be permitted. In addition, the uses permitted under Section 8.100 shall  
9 include electrical substations, maintenance roads, and other related facilities and equipment.

10 (2) The development standards for agricultural uses and incidental uses thereto within  
11 Planning Area 27 of Specific Plan No. 369 shall be the same as those standards in Article XIII,  
12 Section 13.2 of Ordinance No. 348.

13 (3) If Planning Area 27 of Specific Plan No. 369 is developed with utility land uses,  
14 the development standards for such uses shall be the same as those standards identified in  
15 Section 8.101 of Ordinance No. 348, except that the development standards pursuant to Section  
16 8.101.a, b, c, and e shall be deleted and replaced with the following:

17 A. The maximum building height shall be 75 feet.

18 B. There is no minimum lot size or front, side, or back minimum width  
19 requirements.

20 (4) Except as provided above, all other zoning requirements shall be the same as  
21 those requirements identified in Article XIII of Ordinance No. 348 for agricultural uses and  
22 incidental uses thereto and Article VIIIe of Ordinance No. 348 for all other uses.

23 I. Definitions. For the purpose of this ordinance, certain words and terms used herein are  
24 herewith defined. Definitions in this Section are in addition to those defined in Article XXI of  
25 Ordinance No. 348. When not inconsistent with the context, words used in the present tense  
26 include the future tense; words in the singular number include the plural number and words in  
27 the plural number include the singular number. The masculine gender includes the feminine and  
28 neuter gender. The word "shall" is always mandatory and not merely directory. The word "may"

1 is permissive.

2 (1) Cluster Home. A type of development which places more than one dwelling unit  
3 intended for sale, not for rent, on one lot, usually clustered around one common drive  
4 way or drive aisle. Cluster homes must use condominium subdivisions per the  
5 Subdivision Map Act.

6 (2) Paired Z-lot. A type of development which situates a detached single family dwelling  
7 so that at least one wall is on a property line; however, a minimum setback between  
8 structures is required. Often this will include reciprocal easements so that open space  
9 for one homeowner will be situated in another homeowner's property. Alternatively,  
10 the lot line may change to follow the proposed structure placement. The reciprocal  
11 easements are a required condition of development.

12 (3) Rear-loaded home. A type of development with attached or detached dwelling units  
13 which features a vehicular entrance (driveway) to the back of the lot usually attached  
14 to an alley. In a Rear-loaded home development, all dwelling main entrances (front  
15 doors) must face a street.”

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1 Section 3. This ordinance shall take effect 30 days after its adoption.  
2

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

5 By: \_\_\_\_\_  
6 Chairman, Board of Supervisors  
7

8  
9 ATTEST:

10 CLERK OF THE BOARD  
11


12 By

13 Deputy

14 (SEAL)  
15

16 APPROVED AS TO FORM

17 September 13, 2010  
18

19  
20 By:   
21 TIFFANY N. NORTH  
22 Deputy County Counsel  
23

24  
25 TNN:md  
26 091310  
27 G:\PROPERTY\TNORTH\SP 369\SP 369.091310.FINAL.DOC  
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**RESOLUTION NO. 2011-082  
CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 504,  
ADOPTING SPECIFIC PLAN NO. 369 (THERMAL 551)  
AND APPROVING  
AGRICULTURAL PRESERVE CONTRACT CANCELLATION NO. 01001  
AGRICULTURAL PRESERVE CONTRACT CANCELLATION NO. 01002**

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**WHEREAS**, pursuant to the provisions of Government Code Section 65450 et. seq., a public hearing was held before the Riverside County Board of Supervisors in Riverside, California on MONTH DAY, 2011, and before the Riverside Planning Commission on MONTH DAY, 2010, to consider Specific Plan No. 369 (Thermal 551), General Plan Amendment No. 846, General Plan Amendment No. 889, Change of Zone No. 7481, Agricultural Preserve Contract Cancellation No. 01001, and Agricultural Preserve Contract Cancellation No. 01002; and,

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**WHEREAS**, all procedures of the California Environmental Quality Act (CEQA) and Riverside County CEQA implementing procedures have been satisfied, and Environmental Impact Report (EIR) No. 504, prepared in connection with Specific Plan No. 369, General Plan Amendment No. 846, General Plan Amendment No. 889, Change of Zone No. 7481, Agricultural Preserve Contract Cancellation No. 01001, and Agricultural Preserve Contract Cancellation No. 01002 (collectively referred to herein as “the Project”), is sufficiently detailed so that all of the potentially significant effects of the Project on the environment and measures necessary to avoid or substantially lessen such effects have been evaluated in accordance with the California Environmental Quality Act and Procedures; and,

20  
21

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

22  
23

**BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of Supervisors of the County of Riverside, in regular session assembled on MONTH DAY, 2011 that:

- 24  
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27  
28
- A. Specific Plan No. 369 (Thermal 551, “SP No. 369”) proposes to establish a master-planned residential community on the 612.1-acre site, which would allow for the construction and operation of up to 2,354 residential dwelling units, an irrigation storage pond, clubhouse, public and private parks, paseos, open spaces, roads, and other supporting infrastructure.

1 B. SP No. 369 is associated with General Plan Amendment No. 846 which was considered  
2 concurrently at the public hearing before the Board of Supervisors. General Plan Amendment  
3 No. 846 (GPA No. 00846) proposes to amend the Riverside County General Plan Land Use  
4 Element as it applies to the 612.1-acre Project site by: a) changing the Riverside County General  
5 Plan Foundation Component designation applied to portions of the site from "Agriculture" to  
6 "Community Development;" and b) changing the land use designation applied to the site by the  
7 General Plan and Eastern Coachella Valley Area Plan (ECVAP) from "Agriculture (AG)," "Light  
8 Industrial (LI)," and "Public Facilities (PF)" to "Medium Density Residential (MDR)," "Medium  
9 High Density Residential (MHDR)," "High Density Residential (HDR)," "Open Space -  
10 Recreation (OS-R)," "Open Space - Water (OS-W)," and "Public Facilities (PF)," as reflected on  
11 the Specific Plan Land Use Diagram. Upon approval of GPA No. 846, and in accordance General  
12 Plan Policy LU 1.10, Specific Plan No. 369 would establish land uses and residential densities for  
13 the 612.1-acre site, and the land use designations depicted on the Eastern Coachella Valley Area  
14 Plan Land Use Plan (ECVAP) would be provided for "...informational and illustrative purposes  
15 only." The proposed GPA also would amend Table 3 of the ECVAP ("Adopted Specific Plans in  
16 Eastern Coachella Valley Area Plan") to include a description of Specific Plan No. 369 (Thermal  
17 551), and would amend Figure 4 of the ECVAP ("Policy Areas") to depict the proposed  
18 boundaries of SP No. 369.

19 C. SP No. 369 is associated with General Plan Amendment No. 889 which was considered  
20 concurrently at the public hearing before the Board of Supervisors. General Plan Amendment  
21 No. 889 (GPA No. 00889) would amend the Circulation Element of the General Plan to  
22 downgrade Avenue 58 between Polk Street and Orange Avenue from a Major Highway to a  
23 Secondary Highway and eliminate the segment of Avenue 58 from Orange Avenue to Fillmore  
24 Street from the General Plan Circulation Element entirely.

25 D. SP No. 369 is associated with Change of Zone (CZ No. 7481) which was considered  
26 concurrently at the public hearing before the Board of Supervisors. CZ No. 7481 proposes to  
27 change the zoning classifications for the on the 612.1-acre Project site from Heavy Agriculture  
28

1 (A-2) and Manufacturing-Service Commercial (M-SC) to Specific Plan (SP) and to implement  
2 the SP No. 369 zoning ordinance standards.

3 E. SP No. 369 is associated with Agricultural Preserve Contract Cancellation No. 01001 which  
4 was considered concurrently at the public hearing before the Board of Supervisors.  
5 Agricultural Preserve Contract Cancellation No. 01001 (AG 01001) proposes to diminish  
6 Assessor Parcel Numbers 757-090-(007 and 020) from the boundaries of Coachella Valley  
7 Agricultural Preserve No. 18, Map No. 132, and cancel the Land Conservation Contract dated  
8 January 1, 1971 and recorded February 24, 1971, as Instrument No. 18027, as it applies to  
9 those two parcels.

10 F. SP No. 369 is associated with Agricultural Preserve Contract Cancellation No. 01002 which  
11 was considered concurrently at the public hearing before the Board of Supervisors.  
12 Agricultural Preserve Contract Cancellation No. 01002 (AG 01002) proposes to diminish  
13 Assessor Parcel Numbers 757-210-(004, 005, 015) from the boundaries of Coachella Valley  
14 Agricultural Preserve No. 62, Map No. 298, and cancel the affected Land Conservation  
15 Contract dated January 1, 1974, and recorded February 28, 1974, as Instrument No. 23563,  
16 thereby disestablishing Coachella Valley Agricultural Preserve No. 62, Map No. 298, in its  
17 entirety.

18 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the following environmental  
19 impacts associated with the Project are potentially significant unless otherwise indicated, but each of these  
20 impacts will be avoided or substantially reduced to a level that is less-than-significant with the  
21 implementation of the proposed Project design features; mandatory compliance with federal, state, and  
22 local regulations; and by the identified mitigation measures. Cumulative impacts were analyzed for the  
23 proposed project through a combination of a "list" and "summary of projections" approach, based on  
24 information available from the Riverside County Planning Department for recently approved or proposed  
25 development projects within the vicinity of the proposed Project, as well as information contained in  
26 long-range planning documents for the Project vicinity (as summarized in EIR Tables 5-1 and 5-2).

27  
28 A. Land Use and Planning

1                   1. Impacts.

2                   The Project site is not located adjacent to a city or county boundary line, nor  
3                   is the Project site located within the sphere of influence of any city. As  
4                   such, the Project would not directly affect an adjacent city or county  
5                   boundary, and Project implementation would not directly affect the land  
6                   uses of any other jurisdictions. The proposed Project also would not  
7                   physically disrupt or divide the physical arrangement of an established  
8                   community. Significant impacts would not occur.

9                   Although the proposed Project would convert the site from its existing  
10                  “Agriculture” General Plan Foundation Component designation to  
11                  “Community Development,” such conversions are allowed in the ECVAP  
12                  pursuant to the General Plan Administration Element. The General Plan  
13                  Administration Element allows for the conversion of lands from the  
14                  “Agriculture” Foundation Component provided that such conversions do  
15                  not exceed 7% of the total land area within the ECVAP over the course of  
16                  the 2.5-year Agricultural Foundation Component Amendment Cycle, and  
17                  provided that the proposal furthers the objectives of the General Plan or  
18                  otherwise does not impede their implementation. Proposals to exceed the  
19                  7% land area conversion also are allowed in the ECVAP, subject to a  
20                  favorable recommendation from the Agricultural Task Force established  
21                  pursuant to the Administration Element. As concluded in EIR No. 504, the  
22                  proposed Project would be consistent with the General Plan Administration  
23                  Element policies regulating the conversion of lands within the “Agriculture”  
24                  Foundation Component to non-agricultural use, the proposed Project would  
25                  further the objectives of the Riverside County General Plan (or would  
26                  otherwise not impede their implementation), and the Project site is located  
27                  in a portion of Coachella Valley that is in the process of transitioning from  
28



1 agricultural to urban land uses; accordingly, implementation of the  
2 proposed Project would result in less than significant environmental impacts  
3 associated with the substantial alteration of the present or planned land use  
4 of the area.

5 Although implementation of the Project would result in the conversion of  
6 the present agricultural land use of the site to non-residential use, and would  
7 not be compatible with the site's Heavy Agriculture (A-2-20) and  
8 Manufacturing-Service Commercial (M-SC) zoning designations,  
9 development of the Project as proposed would be consistent with the  
10 development trend in the area. In addition, as part of the Project, a Change  
11 of Zone is proposed to change the zoning designations on the site to be  
12 consistent with the various land uses proposed by Specific Plan No. 369.  
13 Furthermore, the conversion of the site from agricultural to urban land use  
14 is consistent with the General Plan Administration Element policies  
15 regulating such conversions. Accordingly, implementation of the proposed  
16 Project would not substantially conflict with the planned zoning for the site  
17 in a manner that would result in significant environmental impacts, and  
18 impacts would be less than significant.

19 Project implementation has the potential to conflict with agricultural zoning  
20 designations and/or actively cultivated lands adjacent to the site. However,  
21 the proposed Project would be required to comply with Riverside County  
22 Ordinance No. 625, the "Right to Farm" ordinance. Ordinance No. 625  
23 states that if any agricultural operation that has been in place for at least  
24 three years and was not considered a nuisance operation at the time the  
25 operation began, no change in surrounding land uses shall cause said  
26 operation to become a nuisance. Therefore, with mandatory compliance  
27 with Riverside County Ordinance No. 625, impacts due to a conflict with  
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1 existing surrounding zoning designations and/or existing or planned  
2 surrounding land uses would be reduced to a level below significance.

3 Although the proposed Project would introduce residential land uses to a  
4 site designated for Agriculture use by the General Plan, an extensive  
5 analysis of the Project's consistency with the General Plan is provided in  
6 Section 4.1 of EIR No. 504. Based on the analysis contained in EIR No.  
7 504, it was determined that the proposed Project would be consistent with  
8 all applicable policies of the Riverside County General Plan, although  
9 approval of General Plan Amendment Nos. 00846 and 00889 would be  
10 necessary to ensure Project consistency with the Eastern Coachella Valley  
11 Area Plan (ECVAP) Land Use Map and General Plan Circulation Element.  
12 General Plan Amendment No. 00846 would amend the land use  
13 designations as applied to the site by the ECVAP, which would provide  
14 consistency with the land uses proposed by SP No. 369. GPA No. 00889  
15 would amend the Circulation Element to downgrade the classification for  
16 Avenue 58 between Polk Street and Orange Avenue from a Major Highway  
17 to a Secondary Highway, and would eliminate a segment of Avenue 58  
18 between Orange Avenue and Fillmore Street from the Circulation Element  
19 entirely. Therefore, with approval of GPA Nos. 00846 and 00889,  
20 development of the Project as proposed would be consistent with the  
21 various General Plan and Area Plan policies, resulting in a less than  
22 significant impact.

23  
24 2. Mitigation.

25 No mitigation is required beyond standard compliance with Riverside  
26 County Ordinance No. 625. With mandatory compliance with Ordinance  
27 No. 625, impacts would be less than significant.  
28

1 B. Aesthetics

2 1. Impacts.

3 Although the Project site would be visible from two scenic highway  
4 corridors (State Highway 111 and Interstate 10), the developed features of  
5 the Project site would not be prominently visible; the Project would be  
6 subject to compliance with the Countywide Design Standards and  
7 Guidelines and the design guidelines and development standards that are  
8 included in the draft Thermal 551 Specific Plan No. 369; and the residential  
9 homes proposed for the Project would be two stories tall or less, indicating  
10 a limited potential to obstruct scenic views. Accordingly, impacts to scenic  
11 highway corridors would be less than significant.

12 Due to its distance from the Project site, the proposed Project would have  
13 no potential to interfere with the night time use of the Mt. Palom  
14 Observatory; a significant impact would not occur.

15 With implementation of the proposed Project, scenic views of off-site hills,  
16 which represent the only scenic resource visible within the Project's  
17 viewshed, would remain visible from public viewpoints, including from  
18 surrounding roadways' public rights-of-way. Because development would  
19 not damage or obstruct views of any scenic resources within the Project  
20 area, impacts would be less than significant.

21 Under existing conditions, the proposed Project site consists of a private  
22 agricultural operation that does not afford any public viewing locations or  
23 scenic vistas. Land uses surrounding the site are similarly dedicated to  
24 agricultural production. Accordingly, implementation of the proposed  
25 Project would not obstruct any prominent scenic vista or view open to the  
26 public, and a significant impact would not occur.

27 Adherence to the Countywide Design Standards and Guidelines and the  
28

1 design guidelines and development standards that are included in the SP  
2 No. 369 related to architecture, landscape architecture, lighting, fencing and  
3 signage would ensure that the proposed development is attractive and not  
4 aesthetically offensive. Therefore, the Project would not result in  
5 significant impact associated with the creation of an aesthetically offensive  
6 site open to public view, and impacts would be less than significant.

7 Design guidelines included in SP No. 369 provide standards for outdoor  
8 lighting including, but not limited to, a requirement that all outdoor lighting  
9 be positioned to eliminate reflected or direct light and glare onto adjoining  
10 properties. With adherence to the design guidelines of the proposed  
11 Specific Plan, impacts associated with light or glare which could adversely  
12 affect day or nighttime views in the area would be less than significant.

13 With incorporation of the SP No. 369 Design Guidelines relating to Project  
14 lighting, as well as required compliance with the Countywide Design  
15 Guidelines provisions relating to residential lighting, Project  
16 implementation would not expose residential property to unacceptable light  
17 levels, and impacts would be less than significant.

18 2. Mitigation.

19 No mitigation is required.

20 C. Agricultural Resources

21 1. Impacts.

22 The proposed Project would result in the diminishment of Coachella Valley  
23 Agricultural Preserve No. 18, the disestablishment of Coachella Valley  
24 Agricultural Preserve No. 62, and the cancellation of two land conservation  
25 contracts under the Williamson Act. However, the Project will diminish  
26 and/or disestablish the Agricultural Preserves and cancel the land  
27 conservation contracts in accordance with the provisions and procedures of  
28

1 the Williamson Act, thereby precluding a significant impact due to  
2 conflict with a Williamson Act contract. Conflicts with nearby existing  
3 agricultural uses would be precluded through mandatory compliance with  
4 Riverside County Ordinance No. 625. Accordingly, the Project would  
5 result in less than significant impacts associated with conflicts with existing  
6 agricultural use or a Williamson Act contract.

7 Although the Project site is surrounded by land zoned for primarily  
8 agricultural purposes, mandatory compliance with Riverside County  
9 Ordinance No. 625 would ensure that significant impacts associated with  
10 the development of non-agricultural uses within 300 feet of agriculturally  
11 zoned property are reduced to less than significant levels.

12 2. Mitigation.

13 No mitigation is required beyond standard compliance with Riverside  
14 County Ordinance No. 625.1. With mandatory compliance with Ordinance  
15 No. 625.1, impacts would be less than significant.

16 D. Air Quality

17 1. Impacts.

18 The Project does not propose any land uses that are considered to be point  
19 source emitters; therefore, significant impacts would not occur to sensitive  
20 receptors (existing residential homes) located within 1.0 mile of the Project  
21 site.

22 Although the proposed Project would result in the introduction of sensitive  
23 receptors to the site, the proposed Project would not be impacted by point-  
24 source emissions from the nearby Colmac Energy, Inc. Power Production  
25 Facility, the Jacqueline Cochran Regional Airport, or the Union Pacific Rail  
26 Line, which are the only point-source emitters in the Project vicinity.  
27 Impacts from off-site point-source emitters would therefore be less than  
28

1 significant.

2 Sensitive receptors located near the Project site have the potential to be  
3 affected by odors generated during short-term construction activities such as  
4 machine operation, paving and painting. Odors would be reduced  
5 substantially, however, with mandatory compliance to South Coast Air  
6 Quality Management District ("SCAQMD") regulatory requirements. Also,  
7 any odor impact generated during construction would be short-term in  
8 nature and cease upon completion of the Project's respective construction  
9 phases (grading, paving, and building construction). For these reasons,  
10 short-term construction-related odors are considered less than significant.  
11 The Project proposes residential, recreation, and infrastructure (roadway  
12 and electrical substation) land uses. The operation of these land uses are  
13 not typically known to emit objectionable odors. As a result, no long-term  
14 odor impacts would adversely affect nearby sensitive receptors and impacts  
15 are considered less than significant.

16 EIR No. 504 evaluates the Project's impacts due to greenhouse gas  
17 emissions. As explained in EIR No. 504, in the absence of a numeric  
18 significance threshold from regulatory agencies, EIR No. 504 identifies as a  
19 threshold of significance compliance with the California Assembly Bill 32  
20 (AB 32, Global Warming Solutions Act of 2006) as a threshold of  
21 significance for evaluating the Project's potential to cumulatively contribute  
22 to adverse effects associated with greenhouse gas emissions. Therefore, the  
23 selected threshold evaluates whether the Project would comply with the AB  
24 32 mandate to reduce Project-related emissions by 28.3% as compared to  
25 "business usual," which is defined as compliance with the 2006  
26 amendments to Title 24 requirements. Implementation of the proposed  
27 Project, including both construction and long-term operation, would result  
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1 in the average annual emissions of approximately 53,688.29 metric tons  
2 year of CO<sub>2</sub> Equivalent (CO<sub>2</sub>E). These level of emissions, in the absence of  
3 mitigation, would cumulatively contribute to adverse environmental effects  
4 associated with Global Climate Change and would represent a direct  
5 conflict with the mandates of Assembly Bill 32. The proposed Project is  
6 not, however, anticipated to conflict with any applicable plan, policy, or  
7 regulation adopted for the purpose of reducing emissions of greenhouse  
8 gases, assuming compliance with the mitigation identified to address the  
9 Project's cumulatively significant greenhouse gas emission impacts.

10 2. Mitigation.

11 The Project has been modified to mitigate or avoid the potentially  
12 significant impacts by the following mitigation measures, which are hereby  
13 adopted and made enforceable through inclusion in and implementation  
14 the Mitigation, Monitoring, and Reporting Program.

- 15 a. During grading and construction activities, the applicant/builder  
16 shall comply with the requirements of SCAQMD Rule 403, Fugitive  
17 Dust.
- 18 b. In accordance with SCAQMD Rules 431.1 and 431.2, ultra-low  
19 sulfur fuel diesel shall be used for stationary construction  
20 equipment.
- 21 c. Construction contractors shall adhere to the idling restrictions as set  
22 forth in California Air Resources Board (CARB) Section 2485,  
23 Airborne Toxic Control Measure to Limit Diesel Fueled Motor  
24 Vehicle Idling.
- 25 d. Street sweepers shall comply with SCAQMD Rules 1186 and  
26 1186.1.
- 27 e. All trucks hauling dirt, sand, soil, or other loose materials are to be  
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1 covered or shall maintain at least two feet of freeboard (i.e.,  
2 minimum vertical distance between top of the load and the top of the  
3 trailer) in accordance with the requirements of California Vehicle  
4 Code Section 23114.

5 f. In accordance with SCAQMD Rule 1113, the applicant and all  
6 subsequent contractors shall utilize Zero-VOC paints and/or High  
7 Pressure Low Volume (HPLV) applications.

8 g. Nontoxic chemical soil stabilizers shall be applied according to  
9 manufacturers' specifications to all inactive construction sites  
10 (previously graded areas inactive for ten days or more).

11 h. Active construction sites shall be watered at least three times per  
12 day. During clearing, grading, earthmoving, excavation, or  
13 transportation of cut or fill materials, water trucks or sprinkler  
14 systems shall be used to prevent dust from leaving the site and to  
15 create a crust after each day's activities cease.

16 i. Locations where grading is to occur shall be thoroughly watered  
17 prior to earthmoving.

18 j. Construction access roads shall be paved at least 100 feet onto the  
19 site from main road.

20 k. Traffic speeds on all unpaved roads shall be reduced to 15 miles per  
21 hour ("mph") or less. During construction, water trucks or sprinkler  
22 systems shall be used to keep all areas of vehicle movement damp  
23 enough to prevent dust from leaving the site. At a minimum, this  
24 would include wetting down such areas in the late morning, after  
25 work is completed for the day, and whenever wind exceeds 15 mph.

26 l. All excavating and grading operations shall be temporarily  
27 suspended when wind speeds exceed 25 mph (measured as  
28



1 instantaneous gusts) and make dust control extremely difficult.

2 m. All streets shall be swept once a day if visible soil materials are  
3 carried to adjacent streets (recommend water sweepers with  
4 reclaimed water).

5 n. Soil stockpiled for more than two days shall be covered, kept moist,  
6 or treated with soil binders to prevent dust generation.

7 o. Trucks transporting soil, sand, cut or fill materials, and/or  
8 construction debris to or from the site shall be tarped from the point  
9 of origin.

10 p. Immediately after clearing, grading, earthmoving, or excavation is  
11 completed, the entire area of disturbed soil shall be treated or  
12 replanted until the area is paved or otherwise developed so that dust  
13 generation will not occur.

14 q. All contractors shall time the construction activities so as to not  
15 interfere with peak hour traffic and minimize obstruction of through  
16 traffic lanes adjacent to the site. If necessary, a flag person shall be  
17 retained by the construction supervisor to reduce vehicle conflicts,  
18 thereby reducing engine idling times.

19 r. All contractors shall support and encourage ridesharing and transit  
20 incentives for the construction crew.

21 s. All contractors shall select the construction equipment used on site  
22 based on low emission factors and high energy efficiency.

23 t. All contractors shall ensure that construction grading plans include a  
24 statement that all construction equipment will be tuned and  
25 maintained in accordance with the manufacturer's specifications.

26 u. All contractors shall use electric- or diesel-powered equipment,  
27 lieu of gasoline-powered engines, where feasible.  
28

- v. Prior to approval of grading or building plans, the Riverside County Building and Safety Department shall review proposed grading or building plans to ensure that a note is included that requires the use of electricity from power poles instead of using portable diesel or gasoline powered generators.
- w. During site construction activity, off-road construction equipment shall utilize lean NOx catalyts to the extent feasible if such technology is available for use at the time of construction.
- x. Prior to the approval of implementing projects such as Site Plans, Plot Plans, or Tentative Maps, the County shall verify that the project will construct, contribute, or dedicate land for the provision of on-site bicycle trails linking the site to designated bicycle commuting routes, as specified by the Thermal 551 Specific Plan to encourage alternative modes of transportation and reduce reliance on the automobile for short trips.
- y. Prior to the approval of implementing projects such as Site Plans, Plot Plans, or Tentative Maps, the County shall verify that the project will provide site improvements such as street lighting, street furniture, route signs, and sidewalk or pedestrian trails as specified by the Thermal 551 Specific Plan to encourage alternative modes of transportation and reduce reliance on the automobile for short trips.
- z. Prior to the issuance of building permits, the County shall verify that the homes and commercial buildings will be constructed that exceed minimum statewide energy construction requirements beyond Title 24 requirements, including, but not limited to:
  - i. Use of low emission water heaters
  - ii. Use of energy efficient appliances

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iii. Increased insulation

aa. During project construction, on-site off-road construction equipment shall utilize biodiesel fuel (a minimum of B20), except for equipment where use of biodiesel fuel would void the equipment warranty. The applicant shall provide documentation to the County that verifies that certain pieces of equipment are exempt, a supply of biodiesel has been secured, and that the construction contractor is aware that the use of biodiesel is required. As a conservative measure, no reduction in GHG emissions was taken for the implementation of this measure as it is unknown if biodiesel can be readily applied to the various pieces of construction equipment that will be necessary for the project.

bb. In order to reduce Project-related air pollutant and greenhouse gas (GHG) emissions, and promote sustainability through conservation of energy and other natural resources, building and site plan designs shall ensure that the Project energy efficiencies surpass applicable 2008 California Title 24 Energy Efficiency Standards by a minimum of 20 percent. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the County prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent beyond 2008 Title 24 standards:

i. Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling, as deemed acceptable by the County of

1 for the development of 2,000 dwelling units or more. The Project proposes  
2 the development of 2,354 housing units; therefore, up to one new fire  
3 station/company may be needed to meet anticipated service demands.  
4 Because the Project would adhere to Riverside County Ordinance No. 659  
5 that requires a development impact fee (DIF) payment to the County for  
6 impacts to public services and facilities, including fire stations, cumulative  
7 and direct impacts are considered less than significant. Payment of the DIF  
8 fee would ensure that funds are available for capital improvements, such as  
9 land/equipment purchases and fire station construction.

10 The proposed Project would result in an approximate population increase of  
11 7,138 residents. The incremental increase in population to the region could  
12 result in an incremental increase in criminal activity such as burglaries,  
13 thefts, auto thefts, vandalism, etc. However, according to the Riverside  
14 Sheriff's Department, there is not a direct correlation between population  
15 growth, the number of crimes committed, and the number of Sheriff's  
16 Department personnel needed to respond to these increases. As the  
17 population and use of an area increases, however, additional financing of  
18 equipment and manpower needs are required to meet the increased demand.  
19 The proposed Project would result in an increase in the cumulative demand  
20 for services from the Riverside Sheriff's Department.

21 To obtain the desirable level of service, build-out of the proposed Project  
22 would generate a need for approximately nine (9) additional deputies. Staff  
23 necessary to support the additional deputies would include an appropriate  
24 level of civilian, investigation, and supervisory personnel. The Project  
25 would be required to comply with Riverside County Ordinance No. 659 that  
26 requires a development impact fee (DIF) payment to the County for impacts  
27 to public services and facilities, including sheriff facilities and services.  
28

1 Payment of the DIF fee would ensure that funds are available for either to  
2 purchase of new equipment and/or the hiring of additional sheriff personnel  
3 to maintain the County's desired level of service for sheriff protection. In  
4 addition, implementation of a Neighborhood Watch Program between the  
5 Project's Home Owner Association and the Sheriff's Department as  
6 stipulated in the General Plan Mitigation Measure 4.15.2B would further  
7 reduce impacts on sheriff resources to below the level of significance.

8 According to enrollment information provided by the Coachella Valley  
9 Unified School District (CVUSD), the proposed Project would generate  
10 students in excess of available capacity at the elementary, middle, and high  
11 school levels. Written correspondence from the CVUSD indicates that the  
12 school district is not currently planning on constructing a new school near  
13 the Project area. The district accommodates fluctuations in enrollment by  
14 placing portable classrooms at the schools sites most needed. The Project is  
15 required to pay fees to the CVUSD in accordance with CA. Public  
16 Education Code § 17072.10 – 18. This mandatory fee payment would  
17 reduce the Project's impact to public school facilities to below a level of  
18 significance.

19 Development of the proposed Project would increase the region's  
20 population, creating an additional demand for library facilities and services.  
21 The proposed Project would generate 7,318 residents. To attain the  
22 County's minimum level of service standard of 1.2 titles-per-capita, the  
23 Project-generated population would require an additional 8,566 book titles.  
24 To attain the County of Riverside standard of 0.5 square foot of library  
25 space per capita, the Project would create the demand for 3569.0 square feet  
26 of additional library space.  
27

28 The Project's projected population was not accounted for in the County of

1 Riverside General Plan EIR (October 2003) analysis. However, as  
2 described in the Riverside County General Plan FEIR, "the increase in the  
3 County's tax base and the availability of State funding will provide the  
4 funding for the future need." Additionally, mandatory compliance with  
5 County Ordinance No. 659 requires a development impact fee payment to  
6 the County that is partially allocated for the purchase of new library books.  
7 As such, impacts to library facilities and resources would be reduced to a  
8 less than significant level with the mandatory payment of development  
9 impact fees.

10 The proposed Project is estimated to result in an increase in population that  
11 would likely result in an increased demand for medical facilities. The  
12 provision of private health care is largely based on economic factors and  
13 demand and is beyond the scope of analysis required for this EIR. The  
14 Project's projected population was not accounted for in the Riverside  
15 County General Plan FEIR (October 2003) analysis. However, as described  
16 in the Riverside County General Plan FEIR, "the increase in total  
17 population at build-out is not substantial because the increase in the  
18 County's tax base will provide additional funding for [public] medical  
19 facilities that will be determined by periodic medical needs assessments."  
20 Additionally, mandatory compliance with County Ordinance No. 659  
21 requires a development impact fee payment to the County that is partially  
22 allocated to public health services and facilities. As such, impacts to public  
23 medical facilities and resources associated with the proposed Project would  
24 be reduced to a level of less than significant.  
25

26 2. Mitigation.

27 No mitigation is required.

28 P. Recreation

1                   1. Impacts.

2                   Although the Project provides a sufficient amount and diversity of  
3                   recreational opportunities on-site to meet the need of its population, the  
4                   Project is located in a region that contains a variety of federal, state,  
5                   regional and local parks and recreational facilities that can be used by  
6                   Project residents. The population increase associated with the Project  
7                   would provide an incremental demand in usage of these off-site facilities.  
8                   However, it is also true that existing and/or future area wide residents may  
9                   utilize the recreation resources provided within the Thermal 551  
10                  community, thereby offsetting any impacts associated with an incremental  
11                  physical deterioration of existing recreational facilities caused by the  
12                  addition of Project residents. Moreover, as a standard condition of Project  
13                  approval, the applicant would be required to pay a per-dwelling unit D  
14                  fee, a portion of which would be utilized to maintain existing recreation  
15                  resources within the County. Accordingly, implementation of the proposed  
16                  Project would not result in the substantial deterioration, nor the  
17                  acceleration, of any park facilities within the County.

18                  Development of recreational features within the Project site will have a  
19                  physical impact on the environment. However, these recreational and trail  
20                  features are integral to the Project and as such, impacts resulting from their  
21                  construction and operation are described throughout the analyses in EIR No.  
22                  504. In summary, construction of the proposed on-site recreational  
23                  facilities under the Project would result in potentially significant short-term  
24                  environmental impacts to air quality, biological resources, cultural  
25                  resources, hydrology, and land use. Where potentially significant impacts  
26                  are identified in these respective sections of the EIR, mitigation measures  
27                  are recommended to reduce the impact to below the level of significance.  
28

1 No off-site parks or recreational improvements are proposed or required.  
2 Accordingly, implementation of the proposed Project would not require the  
3 construction or expansion of park facilities that could result in  
4 environmental impacts beyond the impacts already studied in EIR No. 504  
5 associated with the construction of on-site facilities. No new impacts would  
6 occur.

7 The Project proposes a 45.3-acre public park, a 5.0-acre park/detention  
8 basin, a 0.8-acre park, a 4.0-acre clubhouse area, 2.6-acre of private  
9 recreation areas, seven private recreation areas/pocket parks (located within  
10 residential Planning Areas 4, 8, 9, 12, 13, 14, and 15), and 13.1 acres of  
11 paseos, which would be consistent with the pending South Valley  
12 Implementation Program (SVIP). The Project site is located within the  
13 boundaries of the Desert Recreation District (DRD), and the population  
14 generation rates for the Project are established in the DRD Master Plan. In  
15 accordance with Riverside County standards regarding Quimby Act  
16 required parkland (5 acres/1,000 residents), and in accordance with  
17 standards set by the DRD Master Plan (also 5 acres/1,000 residents), the  
18 Project is required to provide 35.7 acres of parkland. Credits toward  
19 fulfilling Riverside County Park and Recreation Fees and Dedications  
20 requirements were determined in accordance with the specifications as  
21 stipulated in Riverside County Ordinance No. 460 (Section 10.35.I.7.d) and  
22 as specified in the DRD Master Plan. Under the Riverside County  
23 Ordinance No. 460, public, active recreation facilities receive a 100%  
24 credit, and passive or private facilities may receive a 50% credit.  
25 Accordingly, the Thermal 551 community would provide 124.9 acres of  
26 open space and recreational amenities, of which 45.3 acres can be credited  
27 to Quimby Act requirements under DRD. This amount of parkland would  
28



1 exceed the minimum parkland requirements by 9.6 acres, resulting in  
2 impact to the DRD.

3 The Project proposes an equestrian-friendly Regional Combination trail  
4 adjacent to Avenue 60 (within a CVWD easement located within Planning  
5 Areas 22A and 22B), and a Class I Bike/Pedestrian trail on top of the  
6 Coachella Valley Stormwater Channel levee to accommodate the north-  
7 south regional backbone trails designated for the site by the Eastern  
8 Coachella Valley Area Plan. The Project also proposes a 13.1-acre network  
9 of paseos, five- and six-foot sidewalks adjacent to roadways, and other  
10 pedestrian walkways connecting residential planning areas with the entire  
11 trail system. Impacts associated with the construction of these on-site trails  
12 are evaluated throughout the EIR, and, where impacts are identified,  
13 mitigation is proposed to reduce such effects to less than significant level.  
14 No additional impacts would result to recreational trails from Project  
15 implementation.

16  
17 2. Mitigation.

18 No mitigation is required.

19 Q. Utilities and Service Systems

20 1. Impacts.

21 Impacts associated with the installation of water infrastructure within the  
22 Thermal 551 Specific Plan's grading footprint are documented throughout  
23 EIR No. 504. Where appropriate, mitigation measures are provided to  
24 reduce or avoid environmental impacts associated with line installation to  
25 below levels of significance. Impacts associated with the off-site  
26 installation of water transmissions lines from Middleton Road Storage Site  
27 to the intersection of Avenue 66 and Tyler Street are not analyzed as part of  
28 the EIR, because these improvements are part of development of the Kohl

1 Ranch Specific Plan No. 303. Impacts associated with the installation of  
2 off-site water transmission lines are evaluated in the EIR that accompanies  
3 the Kohl Ranch Specific Plan and a Negative Declaration prepared by the  
4 CVWD (SCH No. 2002101147). In conjunction with the Economic  
5 Development Agency (EDA) and the CVWD, a 24-inch extension of the  
6 transmission facilities is proposed to be extended east in Avenue 66 to Polk  
7 Street and north along Polk Street to Airport Boulevard (Avenue 56).  
8 Impacts associated with the off-site installation of these water transmissions  
9 lines are also not analyzed as part of this EIR, as the CVWD and EDA are  
10 responsible for their construction and will be responsible for associated  
11 CEQA compliance. The proposed facility would be constructed  
12 irrespective of the proposed Project, and impacts associated with its  
13 construction are therefore not attributable to Project implementation.

14 The CVWD prepared a Water Supply Assessment for the proposed Project,  
15 dated December 10, 2008 and approved by the CVWD Board of Directors  
16 on April 14, 2009, that indicates their ability to serve the proposed Project  
17 from existing sources. The Project incorporates features to reduce its water  
18 demand, including the use of agricultural water for irrigation purposes.  
19 Impacts due to water supply would be less than significant.

20 Wastewater from the Project site would be transported to the Mid-Valley  
21 Wastewater Reclamation Plant (MVWRP), located approximately 1.0 mile  
22 southeast of the Project site. The estimated average daily wastewater flows  
23 generated by the Project would be 0.657 mgd, and the estimated peak daily  
24 waste water flows for the Project would be 1.12 mgd. When the demands  
25 of the Project are combined with the additional demands associated with  
26 other proposed and current projects occurring in the service area, and taking  
27 into account the planned upgrades, the Mid-Valley Wastewater Reclamation  
28

1 Plant would be able to serve the proposed Project without exceeding  
2 planned capacity; therefore, impacts to wastewater treatment capacity are  
3 less than significant.

4 Waste generated by the Project would be handled by either the Coachella  
5 Valley Transfer Station (CVTS) and Edom Hill Transfer Station (EHTS),  
6 and ultimately is disposed of at the Lamb Canyon Landfill or the Badlands  
7 Landfill. Construction of Phases 1-3 of the Project would generate between  
8 0.18 and 0.44 percent of the permitted daily disposal capacity at the Lamb  
9 Canyon Landfill, and between 0.11 and 0.26 percent of the anticipated daily  
10 disposal tonnage at this landfill. In the event that waste of the Project  
11 would be disposed at the Badlands Landfill, construction debris from the  
12 Project site would comprise between 0.13 and 0.33 percent of the permitted  
13 daily disposal capacity. Given the estimated solid waste quantity generated  
14 by the Project on a daily basis during construction, it is anticipated that the  
15 Lamb Canyon Landfill and Badlands Landfill would have sufficient daily  
16 capacity to accept the construction waste generated by the Project.

17 In the buildout condition, the Project would generate 0.5 percent of the  
18 permitted daily disposal capacity at the Lamb Canyon Landfill, and 0.3  
19 percent of the anticipated daily disposal tonnage at this landfill. Waste  
20 generated by the Project would comprise 0.4 percent of the daily disposal  
21 capacity at the Badlands Landfill. Because the Project would generate a  
22 relatively small amount of solid waste per day, as compared to the permitted  
23 daily capacities for the Lamb Canyon Landfill and Badlands Landfill, it is  
24 anticipated that these regional landfill facilities would have sufficient daily  
25 capacity to accept solid waste generated by the Project. As such, direct  
26 impacts are evaluated as less than significant. However, the proposed  
27 Project would incrementally decrease available landfill capacity, and this is  
28

1 regarded as a cumulatively significant impact, for which mitigation is  
2 required.

3 Project implementation would convert the site from agricultural land uses to  
4 a master-planned community primarily containing residential land uses.  
5 This transition would increase the demand placed upon existing sources of  
6 energy. Specifically, the proposed Project would increase consumption of  
7 energy for motor vehicle movement, space and water heating, lighting,  
8 refrigeration, heating and air conditioning, operation of construction  
9 equipment, use of miscellaneous appliances, and energy required to produce  
10 the construction materials and all other material aspects of the proposed  
11 Project. The proposed Project would not be regarded as an energy-intensive  
12 land use; however, energy resources would be consumed by construction  
13 activities and throughout the lifetime of the Project. SP No. 369  
14 incorporates guidelines that promote energy efficiency, water conservation,  
15 and the minimization of landfill waste. Although the proposed Project  
16 would consume energy and have an impact on available energy resources,  
17 with the implementation of proposed energy conservation measures and  
18 through long range planning by energy purveyors, the demands related to  
19 the Project can be accommodated and impacts are not significant. As such,  
20 the Project would have a less than significant impact on energy  
21 conservation plans.  
22

23 Due to long-range planning efforts by the energy purveyors, including the  
24 SVIP, Project implementation is not anticipated to result in the need for the  
25 construction or expansion of off-site electricity generation or gas generation  
26 facilities, although some new distribution lines would be necessary which  
27 are accounted for by EIR No. 504. Any future need for regional energy  
28 facilities related to cumulative growth in the service areas of Imperial

1 Irrigation District (IID) and SoCal Gas would be determined by the service  
2 agencies as part of their long-range growth projections. No off-site impacts  
3 would occur from the provision of communication systems utilities, as all  
4 lines would be installed within the disturbance areas of approved roadway  
5 rights-of-way and/or easements. Impacts associated with the on-site  
6 construction of drainage facilities are evaluated throughout EIR No. 504.  
7 Impacts associated with on-site storm drain facility construction are either  
8 less than significant, or were reduced to the maximum possible extent  
9 through the incorporation of mitigation measures and/or Project design  
10 features. Impacts associated with the construction of the slope protection  
11 features off-site also are evaluated throughout EIR No. 504 under  
12 appropriate subject headings. In all cases, impacts were found to be less  
13 than significant, or would be reduced to a level below significant with the  
14 incorporation of mitigation measures. Likewise, all physical environmental  
15 impacts associated with street lighting and maintenance would occur within  
16 the boundaries of the Project site, the impacts of which are described  
17 throughout EIR No. 504. No known other facilities would require off-site  
18 construction or maintenance as a result of the proposed Project.

19  
20 2. Mitigation.

21 The Project has been modified to mitigate or avoid the potentially  
22 significant impacts by the following mitigation measures, which are hereby  
23 adopted and made enforceable through inclusion in and implementation of  
24 the Mitigation, Monitoring, and Reporting Program.

- 25 a. The Project Developer shall provide educational information related to  
26 recycling requirements to all initial homebuyers in the community.

27 **BE IT FURTHER RESOLVED** by the Board of Supervisors that all applicable regulatory  
28 requirements and feasible mitigation measures to reduce environmental impacts have been considered and

1 are applied as conditions of the Project approval, yet the following impacts to Land Use, Agriculture, Air  
2 Quality, and Circulation and Traffic resulting from the Project's approval cannot be fully mitigated and  
3 will be only partially avoided or lessened by the mitigation measures hereinafter specified; a statement of  
4 overriding findings is therefore included herein. Cumulative impacts were analyzed for the proposed  
5 project through a combination of a "list" and "summary of projections" approach, based on information  
6 available from the Riverside County Planning Department for recently approved or proposed development  
7 projects within the vicinity of the proposed Project, as well as information contained in long-range  
8 planning documents for the Project vicinity (as summarized in EIR Tables 5-1 and 5-2).

9 A. Land Use (Adopted Regional Plan Consistency)

10 1. Impacts.

11 Although the proposed Project would be consistent with the Southern  
12 California Association of Governments (SCAG) Regional Comprehensive  
13 Plan and Guide, the SCAG Regional Transportation Plan, the SCAG  
14 Governments Compass Growth Vision, the RWQCB Colorado River Basin  
15 Coachella Valley 2005 Urban Water Management Plan, and the Jacqueline  
16 Cochran Airport Comprehensive Land Use Plan, The Project would exceed  
17 the growth assumptions in the South Coast Air Quality Management  
18 District (SCAQMD) Air Quality Management Plan (AQMP) because the  
19 AQMP uses General Plan buildout assumptions, and the Project would not  
20 be consistent with the County's Agricultural, Light Industrial, and Public  
21 Facility land use designations. Thus, the Project would result in an  
22 inconsistency with the AQMD and result in a significant impact. In  
23 addition, the Project would exceed the California Ambient Air Quality  
24 Standards (CAAQS) during construction activity for emissions of VOC and  
25 NOx, CO, PM10, and PM2.5 and during long-term operations for emissions  
26 of VOC, NOx, CO, PM10, and PM2.5 (even after implementation of  
27 recommended mitigation measures). The Project would also exceed the  
28

1 localized emissions threshold for PM10 during construction activities. For  
2 these reasons, the Project is not consistent with the AQMP, resulting in a  
3 significant impact.

4 2. Mitigation.

5 Mitigation to reduce the Project's air quality emissions during both  
6 construction and long-term operation is provided in Section 4.4 of EIR No.  
7 504 (refer to Mitigation Measures 4.4-1 through 4.4-28 commencing on  
8 Page 11 of this Resolution No. 2011-082) and is hereby adopted and will be  
9 implemented as provided for in the Mitigation, Monitoring, and Reporting  
10 Program. As such, the proposed Project has been modified to partially  
11 avoid or lessen significant impacts; however, the Project's significant  
12 impact due to a conflict with the AQMP cannot be fully mitigated to below  
13 a level of significance.

14 B. Agriculture (Conversion of Important Farmland Types)

15 1. Impacts.

16 Implementation of the proposed Project would convert approximately 582.7  
17 acres of land designated as Prime Farmland and approximately 29.4 acres of  
18 the Project site designated as Farmland of Local Importance to non-  
19 agricultural use. With implementation of the proposed Project, farming  
20 activities on the site would be eliminated and precluded from occurring in  
21 the future. Project impacts to Farmland of Local Importance are not  
22 considered to be significant because there are no local policies or  
23 ordinances protecting such resources, and these resources generally are not  
24 considered by the State Department of Conservation to comprise an  
25 important agricultural resource. However, the conversion of 582.7 acres of  
26 Prime Farmland to non-agricultural land uses represents a significant impact  
27 of the proposed Project.  
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2. Mitigation.

Mitigation is not available for the Project's significant unavoidable impacts associated with the conversion of 582.7 acres of Prime Farmland to non-agricultural use. The Project would be required to comply with County Ordinance No. 625, which would help reduce indirect impacts due to land use incompatibility with adjacent off-site farmlands; however, compliance with Ordinance No. 625 would not reduce the Project's direct impacts to Prime Farmland. No agricultural mitigation banks exist in Riverside County, and in an opinion issued on the County's General Plan Program EIR (October 2, 2003), the County found that an agricultural land mitigation bank is not a valid form of mitigation for farmland conversion impacts.

C. Agriculture (Indirect Impacts to Off-Site Farmland)

1. Impacts.

There is a potential that implementation of the proposed Project could encourage other surrounding properties to cease agricultural operations and seek a General Plan Amendment to pursue a non-agricultural land use designation. Examples where such conversions could occur include lands located between the Coachella Valley Storm Water Channel and the Project site, and other agricultural operations located between the Project site and the Jacqueline-Cochran Airport. Although the Project would be required to comply with Riverside County Ordinance No. 625.1, this ordinance addresses only the nuisance of existing agricultural operations on proposed residential developments. Therefore, although the Project is not anticipated to conflict with these existing off-site agricultural operations, there is a potential that the Project could result in changes to the surrounding environment which would encourage the conversion of off-site agricultural



1 properties to a non-agricultural use. This is evaluated as a significant  
2 impact of the proposed Project.

3 2. Mitigation.

4 Mitigation is not available for the potential conversion of off-site  
5 agricultural lands to a non-agricultural use. The decision of whether to  
6 pursue a non-agricultural use would be determined by each individual land  
7 owner, and there is no feasible mitigation available which would ensure that  
8 surrounding lands are not so converted. The potential conversion of  
9 existing off-site agricultural lands to a non-agricultural use represents a  
10 significant impact for which mitigation is not available.

11 D. Air Quality (Conflicts with Air Quality Plans)

12 1. Impacts.

13 The SCAQMD is required to adopt and implement an Air Quality  
14 Management Plan (AQMP) to serve as a blueprint to bring the area under its  
15 jurisdiction into compliance with State and federal air quality standards. The  
16 most recent version of the SCAQMD's AQMP was adopted by the  
17 SCAQMD in August of 2003, and the California Air Resources Board  
18 (CARB) subsequently adopted the plan in October of 2003; the AQMP was  
19 then approved by the EPA in 2004. Criteria for determining consistency  
20 with the AQMP are defined in Chapter 12, Section 12.2 and Section 12.3 of  
21 the SCAQMD's CEQA Air Quality Handbook. As documented in EIR No.  
22 504, the proposed Project would not be consistent with AQMP Consistency  
23 Criterion No. 1 because the Project would exceed the CAAQS during  
24 construction activities for emissions of VOC, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>  
25 (even after implementation of recommended mitigation measures).  
26 Additionally, the Project would exceed the CAAQS during long-term  
27 operational activity for emissions of VOC, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>  
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1 (even after implementation of recommended mitigation measures). The  
2 proposed Project also would not be consistent with AQMP Consistency  
3 Criterion No. 2 because the Project is not consistent with the site's  
4 Agriculture, Public Facility, and Light Industrial land use designations  
5 applied to the Project site by the Riverside County General Plan and Eastern  
6 Coachella Valley Area Plan; therefore, it is assumed that implementation of  
7 the Project would exceed the growth projections in the General Plan and/or  
8 the growth projections established by SCAG. Accordingly, implementation  
9 of the proposed Project would directly conflict with the SCAQMD AQMP,  
10 which represents a significant and unavoidable impact of the proposed  
11 Project.

12 2. Mitigation.

13 Although mitigation is identified to reduce the Project's construction- and  
14 operational-related emissions (refer to Mitigation Measures 4.4-1 through  
15 4.4-28 commencing on Page 11 of this Resolution No. 2011-082), the  
16 Project would remain inconsistent with the SCAQMD AQMP because the  
17 Project represents growth that was not anticipated by the Riverside County  
18 General Plan. Moreover, even with the implementation of Mitigation  
19 Measures 4.4-1 through 4.4-28, short-term construction impacts would not  
20 be reduced to a less than significant level for emissions of VOC, NOX, CO,  
21 PM10, and PM2.5, the proposed Project still would exceed the localized  
22 thresholds for emissions of PM10 during short-term construction activity,  
23 long-term operational impacts would remain significant for emissions of  
24 VOC, NOx, CO, and PM10 during 2012, and long-term operational impacts  
25 for emissions of VOC, NOx, CO, PM10, and PM2.5 during 2014 or 2016  
26 also would remain significant. Accordingly, the Project's conflict with the  
27 SCAQMD AQMP represents a significant and unavoidable impact of the  
28

1 proposed Project.

2 E. Air Quality (Air Quality Standards and Violations)

3 1. Impacts.

4 Near-term construction activities would exceed the SCAQMD criteria  
5 thresholds for emissions of VOC, NOx, PM10, and PM2.5. The Project  
6 also would exceed the localized standard for PM10 and PM2.5 during  
7 construction activities, and a significant direct impact would occur in the  
8 near-term. Direct significant impacts due to VOC, NOx, CO, and PM10  
9 emissions would occur during long-term operation of the proposed Project  
10 for Phase I in 2012 in both the summer and winter conditions. Direct  
11 significant impacts due to VOC, NOx, CO, PM10, and PM2.5 emissions  
12 also would occur during long-term operation of the proposed Project for  
13 Phases II and III in 2014 and 2016, respectively, in both the summer and  
14 winter conditions. Long-term operation of the Project would not, however,  
15 exceed the localized significance thresholds, nor would the Project result in  
16 the creation of any CO hotspots.

17 2. Mitigation.

18 The proposed Project has been modified to partially avoid or lessen  
19 significant impacts; however, impacts cannot be fully mitigated below a  
20 level of significance. Mitigation measures are hereby adopted (refer to  
21 Mitigation Measures 4.4-1 through 4.4-28 commencing on Page 11 of this  
22 Resolution No. 2011-082) and will be implemented as provided in the  
23 Mitigation, Monitoring, and Reporting Program.

24 F. Air Quality (Cumulatively Considerable Net Increase of Non-Attainment Pollutants)

25 1. Impacts.

26 The proposed Project site is located within the Salton Sea Air Basin  
27 (SSAB), which fails to meet the national air quality standards for CO,  
28

1 PM10, PM2.5, and 8-hour ozone, and fails to meet the state air quality  
2 standards for PM10, PM2.5, and 1-hour ozone. As such, the SSAB is  
3 considered in non-attainment status for these pollutants. Because the SSAB  
4 is located in a non-attainment area for particulate matter, and when  
5 considered with particulate emissions of other projects in the SSAB and  
6 within the vicinity of the Project site, the particulate emissions produced by  
7 the Project would result in a cumulatively significant impact. Also, ozone-  
8 forming emissions produced by the Project (VOC, NOx, and CO), when  
9 considered in conjunction with emissions from other projects in the SSAB,  
10 would be regarded as cumulatively significant. Any development in the  
11 SSAB, including the proposed Project, would cumulatively contribute to  
12 these pollutant violations.

13  
14 2. Mitigation.

15 Although mitigation is identified to reduce the Project's construction- and  
16 operational-related emissions (refer to Mitigation Measures 4.4-1 through  
17 4.4-28 commencing on Page 11 of this Resolution No. 2011-082), short-  
18 term construction impacts would not be reduced to a less than significant  
19 level for emissions of VOC, NOX, CO, PM10, and PM2.5, the proposed  
20 Project still would exceed the localized thresholds for emissions of PM10  
21 during short-term construction activity, long-term operational impacts  
22 would remain significant for emissions of VOC, NOx, CO, and PM10  
23 during 2012, and long-term operational impacts for emissions of VOC,  
24 NOx, CO, PM10, and PM2.5 during 2014 or 2016 also would remain  
25 significant. Accordingly, the Project's near- and long-term emission of  
26 criteria pollutants for which the SSAB is considered in non-attainment  
27 status represents a significant and unavoidable impact of the proposed  
28 Project for which additional feasible mitigation is not available.

1 G. Circulation and Traffic (Substantial Increase in Traffic)

2 1. Impacts.

3 The traffic generation for the proposed Project is based upon the  
4 development of 2,090 single-family detached residential dwelling units, 264  
5 condominium/townhouse units, and 45.3-acres of public parks (including a  
6 22.9-acre park and a 22.4-acre park). For Phase I buildout in 2012, the  
7 proposed Project is projected to generate a total of approximately 12,696  
8 trip-ends per day with 977 vehicles per hour during the AM peak hour and  
9 1,316 vehicles per hour during the PM peak hour. For Phase II buildout in  
10 2014, the proposed Project is projected to generate an additional 4,779 trip-  
11 ends per day with 372 vehicles per hour during the AM peak hour and 490  
12 vehicles per hour during the PM peak hour. Buildout of Phase I and Phase  
13 II is projected to result in a total of 17,475 trip-ends per day, with 1,349  
14 vehicles per hour during the AM peak hour and 1,806 vehicles per hour  
15 during the PM peak hour. For Phase III buildout in 2016, the proposed  
16 Project is projected to generate an additional 4,299 trip-ends per day with  
17 335 vehicles per hour during the AM peak hour and 442 vehicles per hour  
18 during the PM peak hour. Buildout of the Project (Phases I, II, and III  
19 combined) is projected to generate a net total of approximately 21,775 trip-  
20 ends per day with 1,683 vehicles per hour during the AM peak hour and  
21 2,248 vehicles per hour during the PM peak hour.

22 As part of the proposed grading activities, which would occur in  
23 conjunction with the first phase of the proposed development,  
24 approximately 2,031,481 cubic yards of fill would be imported from off-site  
25 locations which would require an additional 550 truck trips per day during  
26 construction activities. At the time of EIR preparation, a source for imp  
27 soil materials had not been identified. Because the location of the import  
28

1 material is unknown, it is not possible to identify future haul routes to be  
2 utilized by construction equipment during import activities. There is a  
3 potential that the additional truck trips could result in the degradation of the  
4 Level of Service (LOS) at study area intersections. The potential for this  
5 near-term construction impact is evaluated as potentially significant, and  
6 mitigation would be required and would be identified as part of a required  
7 future focused traffic study to be performed as a condition of grading permit  
8 issuance.

9 For Existing Plus Ambient Plus Project (EAP) in 2012 conditions, the  
10 proposed Project would result in a significant direct impact to the  
11 intersections of Polk Street at Airport Boulevard and a significant  
12 cumulative impact to the intersection of SR-86 at Airport Boulevard. Three  
13 study area intersections also would require signalization under EAP 2012  
14 conditions, which are evaluated as significant direct impacts of the Project.

15 For Existing Plus Ambient Plus Project Plus Cumulative (EAPC) in 2012  
16 conditions, the following additional intersections would be impacted, which  
17 represents cumulatively significant impacts of the proposed Project:

- 18 i. Harrison Street (NS) at: Airport Boulevard (EW), Avenue 62 (EW),  
19 and Avenue 64 (EW);
- 20 ii. Tyler Street (NS) at: Airport Boulevard (EW) and Avenue 62  
21 (EW);
- 22 iii. Polk Street (NS) at: Avenue 62 (EW) and Airport Boulevard (EW);
- 23 iv. Grapefruit Boulevard (State Route 111) (NS) at: Airport Boulevard  
24 (EW), Main Street (EW), and Church Street (EW);
- 25 v. Fillmore Street (NS) at: Grapefruit Boulevard (State Route 111)  
26 (EW), Avenue 62, and Avenue 64 (EW);
- 27 vi. Pierce Street (State Route 195) (NS) at: Avenue 62 (EW); and  
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1                   vii. State Route 86 (SR-86) (NS): Airport Boulevard (EW).

2                   In addition, eight (8) additional study area intersections would warrant  
3                   signalization under EAPC 2012 conditions, which represents a cumulatively  
4                   significant impact of the Project.

5                   For 2014 EAP conditions, implementation of Phase 2 of the proposed  
6                   Project would result in significant direct impacts at the intersection of SR-  
7                   86S at Airport Boulevard. Two (2) additional study area intersections also  
8                   may warrant signalization under EAP 2014 conditions, although these  
9                   intersections are anticipated to operate at acceptable levels of service as  
10                  cross-street stop-controlled intersections, and no significant impact is  
11                  identified.

12                  For 2014 EAPC conditions, the following intersections are projected to  
13                  operate at unacceptable levels of service, in addition to those intersections  
14                  previously identified as impacted in prior phases; the addition of Project  
15                  traffic to these intersections are evaluated as cumulatively significant:

- 16                    i. Harrison Street (NS) at: Avenue 54;
- 17                    ii. Polk Street (NS) at: Church Street (EW) and Airport Boulevard  
18                    (EW); and
- 19                    iii. Grapefruit Boulevard (State Route 111) (NS) at: o Airport  
20                    Boulevard (EW).

21                  In addition, the Project would contribute to the need for signalization at the  
22                  intersection of Polk Street at Avenue 60, in addition to the intersections  
23                  identified for signalization as part of previous phases; accordingly, the  
24                  addition of Project traffic to this intersection represents a cumulatively  
25                  significant impact.

26                  For EAP 2016 conditions, Project implementation would result  
27                  unacceptable levels of service at the intersections of Grapefruit  
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1 Boulevard/Airport Boulevard, and at the intersection of Fillmore  
2 Street/Grapefruit Boulevard; these impacts are evaluated as significant  
3 direct impacts of the proposed Project. Two (2) additional study area  
4 intersections also may warrant signalization under EAP 2016 conditions,  
5 although these intersections are anticipated to operate at acceptable levels of  
6 service as cross-street stop-controlled intersections, and no significant  
7 impact is identified.

8 For EAPC 2016 conditions, the Project would contribute to deficient levels  
9 of service at the following intersections, in addition to those identified  
10 previously for EAP 2012, EAPC 2012, EAP 2014, EAPC 2014, and EAP  
11 2016 conditions; impacts to the following intersections represent  
12 cumulatively significant impacts of the proposed Project:

- 13 i. Harrison Street (NS) at: Airport Boulevard (EW) and Avenue 62  
14 (EW);
- 15 ii. Polk Street (NS) at: Airport Boulevard (EW), Church Street (EW),  
16 Avenue 60 (EW), and Avenue 62 (EW);
- 17 iii. Grapefruit Boulevard (State Route 111) (NS) at: Airport Boulevard  
18 (EW) and Main Street (EW);
- 19 iv. Fillmore Street (NS) at: Avenue 62 (EW);
- 20 v. Pierce Street (NS) at: Avenue 62 (EW); and
- 21 vi. State Route 86 (SR-86) (NS) at: Airport Boulevard (EW).

22 For EAPC 2016 conditions, the intersection of Grapefruit Boulevard at  
23 Main Street is anticipated to meet signalization warrants (in addition to  
24 intersections identified for signalization in previous phases), which  
25 represents a cumulatively significant impact of the proposed Project.

26 Under General Plan buildout conditions, and following incorporation of  
27 mitigation measures identified to address the Project's impacts occurring  
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1 during each phase of implementation, the following intersections are shown  
2 to operate at a deficient level of service. Since the proposed Project would  
3 contribute to, but would not directly cause, the deficient levels of service at  
4 these intersections, Project impacts to the following intersections represent  
5 cumulatively significant impacts under General Plan buildout conditions:

- 6 i. Harrison Street (NS) at: Avenue 54, Airport Boulevard (EW),  
7 Avenue 62 (EW), and Avenue 64 (EW);
- 8 ii. Tyler Street (NS) at: Avenue 54 (EW), Airport Boulevard (EW),  
9 and Avenue 62 (EW);
- 10 iii. Polk Street (NS) at: Airport Boulevard (EW), Avenue 60 (EW), and  
11 Avenue 62 (EW);
- 12 iv. Fillmore Street (NS) at: Grapefruit Boulevard (EW), Avenue 60  
13 (EW), Avenue 62 (EW), and Avenue 64 (EW);
- 14 v. Pierce Street (NS) at: Avenue 62 (EW);
- 15 vi. SR-86S Southbound Ramps (NS) at: Airport Boulevard (EW); and
- 16 vii. SR-86S Northbound Ramps (NS) at: Airport Boulevard (EW)

17 An additional nine (9) study area intersections also would meet traffic  
18 signal warrants under General Plan buildout conditions; the addition of  
19 Project traffic to these intersections represents a significant cumulative  
20 impact of the proposed Project.

21 The General Plan EIR identified I-10 as a freeway that would experience  
22 over-capacity LOS conditions for General Plan buildout conditions, and  
23 states that all freeways are under the authority of Caltrans. Pursuant to  
24 CEQA, Riverside County was required to make certain findings and to  
25 adopt a Statement of Overriding Considerations for these unmitigable  
26 impacts in order to certify the Program EIR. Therefore, although the  
27 proposed Project is anticipated to result in cumulatively significant impacts  
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1 to the I-10 Freeway under long-term conditions, mitigation for such impacts  
2 are not currently available. Although the proposed Project would contribute  
3 funds towards the Riverside County Transportation Uniform Mitigation Fee  
4 Ordinance (TUMF), the TUMF does not currently identify funding or  
5 improvements for freeway mainlines. It is not within the authority of the  
6 Project applicant to ensure that the TUMF Ordinance is updated to identify  
7 funding for improvements to freeway mainlines. Moreover, establishment  
8 of a fee program for freeway mainline facilities would require concurrence  
9 from the State Department of Transportation, and therefore cannot be  
10 assured by the Lead Agency (Riverside County). In the event that the  
11 TUMF is updated in the future to identify funding and improvements to  
12 freeway mainlines, the Project's TUMF contributions would serve to reduce  
13 cumulatively significant impacts to freeway mainlines. However, TUMF  
14 funding for improvements to freeway mainlines cannot be assured;  
15 accordingly, the Project's cumulatively significant impacts to I-10 in the  
16 long-term scenario represents a cumulatively significant and unmitigable  
17 impact to circulation and traffic.

18 Although implementation of the mitigation measures identified in EIR No.  
19 504 would reduce the Project's significant direct and cumulative impacts to  
20 study area intersections to the maximum feasible extent, the following  
21 intersections would require extensive improvements in the EAPC 2012  
22 condition (i.e., buildout of Phase 1 of the proposed Project) for which  
23 funding is not currently available. Implementation of the improvements  
24 required for the following intersections cannot feasibly be accomplished by  
25 the proposed Project due to the cost of the required improvements. It is  
26 anticipated that many of the following intersections would be identified for  
27 funding in the future by the DIF, TUMF, or other funding mechanisms;  
28

1 however, because the first phase of the proposed Project would contribute  
2 to cumulatively significant impacts the following intersections, Project  
3 impacts are evaluated as cumulatively significant and unavoidable:

- 4 i. Harrison Street (SR-86) at Avenue 62;
- 5 ii. Harrison Street (SR-86) at Avenue 64;
- 6 iii. Tyler Street at Airport Boulevard;
- 7 iv. Tyler Street at Avenue 62;
- 8 v. Polk Street at Avenue 62;
- 9 vi. Grapefruit Boulevard (State Route 111) at Airport Boulevard;
- 10 vii. Grapefruit Boulevard (State Route 111) at Main Street;
- 11 viii. Grapefruit Boulevard (State Route 111) at Church Street;
- 12 ix. Fillmore Street at Avenue 62;
- 13 x. Pierce Street at Avenue 62;
- 14 xi. Fillmore at Avenue 64; and
- 15 xii. SR-86S at Airport Boulevard.

16 Although implementation of the mitigation measures identified in EIR No.  
17 504 would reduce the Project's significant direct and cumulative impacts to  
18 study area intersections to the maximum feasible extent, the following  
19 additional intersections would require extensive improvements in the EAPC  
20 2014 condition (i.e., buildout of Phases 1 and 2 of the proposed Project) for  
21 which funding is not currently available. Implementation of the  
22 improvements required for the following intersections cannot feasibly be  
23 accomplished by the proposed Project due to the cost of the required  
24 improvements. It is anticipated that many of the following intersections  
25 would be identified for funding in the future by the DIF, TUMF, or other  
26 funding mechanisms; however, because the first phase of the proposed  
27 Project would contribute to cumulatively significant impacts the following  
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1 intersections, Project impacts are evaluated as cumulatively significant and  
2 unavoidable:

- 3 i. Harrison Street at Avenue 54;
- 4 ii. Harrison Street at Airport Boulevard;
- 5 iii. Harrison Street at Avenue 62;
- 6 iv. Tyler Street at Airport Boulevard;
- 7 v. Polk Street at Airport Boulevard;
- 8 vi. Polk Street at Church Street;
- 9 vii. Grapefruit Boulevard (State Route 111) at Airport Boulevard;
- 10 viii. Fillmore Street at Grapefruit Boulevard (State Route 111); and
- 11 ix. SR-86S at Airport Boulevard.

12 Although implementation of the mitigation measures identified in EIR No.  
13 504 would reduce the Project's significant direct and cumulative impacts to  
14 study area intersections to the maximum feasible extent, the following  
15 additional intersections would require extensive improvements in the EAPC  
16 2016 condition (i.e., Project buildout) for which funding is not currently  
17 available. Implementation of the improvements required for the following  
18 intersections cannot feasibly be accomplished by the proposed Project due  
19 to the cost of the required improvements. It is anticipated that many of the  
20 following intersections would be identified for funding in the future by the  
21 DIF, TUMF, or other funding mechanisms; however, because the first phase  
22 of the proposed Project would contribute to cumulatively significant  
23 impacts the following intersections, Project impacts are evaluated as  
24 cumulatively significant and unavoidable:

- 25 i. Fillmore Street at Avenue 60;
- 26 ii. Harrison Street at Airport Boulevard;
- 27 iii. Harrison Street at Avenue 62;
- 28

- iv. Polk Street at Airport Boulevard;
- v. Polk Street at Church Street;
- vi. Polk Street at Avenue 60;
- vii. Polk Street at Avenue 62;
- viii. Grapefruit Boulevard (State Route 111) at Airport Boulevard;
- ix. Pierce Street at Avenue 62;
- x. SR-86S at Airport Boulevard.

Although implementation of the mitigation measures identified in EIR No. 504 would reduce the Project's significant direct and cumulative impacts to study area intersections to the maximum feasible extent, the following additional intersections would require extensive improvements under long-term General Plan buildout conditions (with traffic from Phases 1 through 3 of the Project) for which funding is not currently available. Implementation of the improvements required for the following intersections cannot feasibly be accomplished by the proposed Project due to the cost of the required improvements. It is anticipated that many of the following intersections would be identified for funding in the future by the DIF, TUMF, or other funding mechanisms; however, because the first phase of the proposed Project would contribute to cumulatively significant impacts the following intersections, Project impacts are evaluated as cumulatively significant and unavoidable:

- i. Fillmore Street at Avenue 54;
- ii. Harrison Street at Airport Boulevard;
- iii. Harrison Street at Avenue 62;
- iv. Harrison Street at Avenue 64;
- v. Tyler Street at Avenue 54;
- vi. Tyler Street at Airport Boulevard;

- vii. Tyler Street at Avenue 62;
- viii. Polk Street at Airport Boulevard;
- ix. Polk Street at Avenue 60;
- x. Polk Street at Avenue 62;
- xi. Fillmore Street at Grapefruit Boulevard (SR-111);
- xii. Fillmore Street at Avenue 60;
- xiii. Fillmore Street at Avenue 62;
- xiv. Fillmore Street at Avenue 64; and
- xv. Pierce Street at Avenue 62.

2. Mitigation.

The proposed Project has been modified to partially avoid or lessen significant impacts; however, impacts cannot be fully mitigated below a level of significance. The following mitigation measures are hereby adopted and will be implemented as provided in the Mitigation, Monitoring, and Reporting Program.

a. Prior to the issuance of the 1st building permit for any dwelling unit within the Specific Plan, the Project applicant or master developer shall construct the following improvements to the intersection of Polk Street at Airport Boulevard are operational, with appropriate fee credit eligibility for improvements identified for funding by the DIF:

- xiii. Construction of a traffic signal;
- xiv. Construction of a northbound left turn lane;
- xv. Conversion of the existing northbound shared left turn lane to a dedicated right turn lane.

b. Prior to the issuance of the 1st building permit for any dwelling unit within the Specific Plan, the Project applicant or master developer shall construct the traffic signal controls and timing at the intersection of SR-86 and

1 Airport Boulevard has been adjusted so as to achieve an acceptable level  
2 service.

3 c. Prior to the issuance of the 1,304th building permit within the Specific  
4 Plan, the Project applicant or master developer shall construct the following  
5 improvements to the intersection of SR-86S at Airport Boulevard are  
6 operational:

7 xvi. Implement overlap phasing on southbound right turn lane;

8 xvii. Construct eastbound left turn lane;

9 xviii. Construct westbound left turn lane; and

10 xix. Re-stripe eastbound and westbound de facto right turn lanes as  
11 dedicated right turn lanes.

12 d. Prior to the issuance of the 1,860th building permit within the Specific  
13 Plan, the Project applicant or master developer shall construct the following  
14 improvements are operational:

15 xx. Grapefruit Boulevard (State Route 111) at Airport Boulevard:

16 1. Construct an eastbound left turn lane;

17 2. Construct a westbound left turn lane; and

18 3. Re-stripe the existing eastbound and westbound de  
19 facto right turn lanes as dedicated right turn lanes.

20 xxi. Fillmore Street at Grapefruit Boulevard (SR-111):

21 1. Construct a traffic signal.

22 e. Prior to the issuance of the final building permit for each phase of the  
23 proposed development, the Project shall participate in funding for  
24 construction of off-site improvements that are needed to serve existing plus  
25 ambient plus Project plus other development conditions through the  
26 payment of Western Riverside County Transportation Uniform Mitigation  
27 Fees (TUMF) and Development Impact Fees (DIF).  
28

1 f. Prior to the issuance of the final building permit for each phase of the  
2 proposed development, the Project shall participate in funding or  
3 construction of off-site improvements that are needed to serve existing plus  
4 ambient plus Project plus other development conditions through the  
5 payment of SVIP road and bridge benefit district (RBBB) fees, if the  
6 proposed SVIP RBBB program is finalized at that time.

7 **BE IT FURTHER RESOLVED** by the Board of Supervisors of the County of Riverside that  
8 State CEQA Guidelines (Section 12126, subdivision (g)), requires an EIR to discuss how a proposed  
9 Project could directly or indirectly lead to economic, population, or housing growth. The following  
10 growth-inducing impacts were considered in relation to the proposed Project:

- 11 A. The Project would construct approximately 2,354 homes requiring various service  
12 connections in the area. It would also generate a local population of approximately 7,138  
13 beyond that estimated under the existing General Plan and ECVAP. Thus, the Project  
14 would directly induce growth to the area and would thereby increase the demand for police,  
15 fire, medical, education, transit, water/wastewater and other such services. The proposed  
16 Project also would involve improvements to existing utility services which could  
17 potentially induce development in adjacent areas.
- 18 B. Simultaneous or concurrent commercial and industrial development projects identified in  
19 the Project area also can be considered a major source of or trigger for growth. For  
20 commercial and industrial type projects anticipated by the County in the Project area, new  
21 employees hired would ideally seek housing opportunities closer to their jobs. The  
22 County's long-range planning efforts for the Project area identify areas of future  
23 commercial, industrial, and residential development, which lends to better planning,  
24 creating a balance of jobs and housing. It also involves provisions for the phasing and  
25 funding of infrastructure and public service facilities for all projects identified in the  
26 Project area. The concurrent or cumulative development of residential land uses in the  
27 Eastern Coachella Valley is inherently growth inducing and will result in impacts to  
28



1 Riverside;

2 ii. Increase in insulation such that heat transfer and thermal  
3 bridging is minimized;

4 iii. Limit air leakage through the structure or within the heating  
5 and cooling distribution system to minimize energy  
6 consumption;

7 iv. Incorporate dual-paned or other energy efficient windows;

8 v. Incorporate energy efficient space heating and cooling  
9 equipment;

10 vi. Interior and exterior energy efficient lighting which exceeds  
11 the California Title 24 Energy Efficiency performance  
12 standards shall be installed, as deemed acceptable by County  
13 of Riverside. Automatic devices to turn off lights when they  
14 are not needed shall be implemented;

15 vii. To the extent that they are compatible with landscaping  
16 guidelines established by the County of Riverside, shade  
17 producing trees, particularly those that shade paved surfaces  
18 such as streets and parking lots and buildings shall be  
19 planted at the Project site;

20 viii. Paint and surface color palette for the Project shall  
21 emphasize light and off-white colors which will reflect heat  
22 away from the buildings;

23 ix. All buildings shall be designed to accommodate renewable  
24 energy sources, such as photovoltaic solar electricity  
25 systems, appropriate to their architectural design.

26  
27 cc. To reduce energy demand associated with potable water  
28 conveyance, the Project shall implement the following:

- i. Landscaping palette emphasizing drought tolerant plants;
- ii. Use of water-efficient irrigation techniques;
- iii. U.S. EPA Certified WaterSense labeled or equivalent faucets, high-efficiency toilets (HETs), and water-conserving shower heads.

E. Biological Resources

1. Impacts.

There are no aquatic features on the site that are not directly related to the long-term agricultural use of the site (i.e., the two agricultural ponds), and there are no streambeds or watercourses (including jurisdictional drainages and/or waters of the U.S.) present on the Project site. In addition, no sensitive habitats, such as riparian plant communities, exist on-site. Some areas outside of the Project site but immediately adjacent to and/or within the off-site impact area contain natural/quasi-natural vegetation communities, including Desert Saltbush Scrub and Cottonwood Willow Riparian. Impacts to these vegetation communities would not be considered significant. Because sensitive natural vegetation communities and riparian habitats do not exist on the site, no impacts would occur from Project implementation.

Implementation of the proposed Project would not conflict with the provisions of an adopted local, regional or State conservation plan. According to the regional Coachella Valley Multiple Species Habitat Conservation Plan ("CVMSCHP"), the Project site does not lie within any of the CVMSHCP conservation areas and as such, the Project site is not designated for conservation, and a significant impact due to a conflict with the provisions of an adopted Habitat Conservation Plan, Nature Conservation Community Plan, or other approved local, regional, or state

1 conservation plan would not occur with Project implementation. Proj  
2 compliance with the CVMSHCP requires the payment of fees that would be  
3 collected prior to final inspection or issuance of a certificate of occupancy.

4 The County of Riverside implements Oak Tree Management Guidelines,  
5 but since no oak trees are present on the Project site, these guidelines are  
6 not applicable. No other known local biological resource policies apply to  
7 the site; therefore, significant impacts would not occur.

8 No endangered, threatened, or sensitive plant species were found within  
9 Project impact areas during field surveys, and no endangered, threatened, or  
10 sensitive plants are expected to occur due to the lack of suitable growing  
11 conditions for sensitive species. Accordingly, implementation of the  
12 Project would have no impact on sensitive plant species.

13 No burrowing owls were observed during the June 2007 or July 2008 fie  
14 surveys, but a focused burrowing owl survey was not conducted as part of  
15 these surveys. Even though the species was not observed on-site during the  
16 surveys in December 2004, June 2007, or July 2008, the species has the  
17 potential to move onto the site prior to grading. If the species is present  
18 prior to initiation of land disturbance activities, avoidance of such activities  
19 during the nesting/breeding season would be required in order to avoid  
20 conflict with the Migratory Bird Treaty Act ("MBTA") and California Fish  
21 & Game Code.

22 The snowy egret was observed foraging on-site in 2008. The potential for  
23 the snowy egret to occupy the site is low. Similarly, the snowy egret has a  
24 low potential to occur within the off-site impact area, specifically within the  
25 Coachella Valley Stormwater Channel. The snowy egret is protected by  
26 law by the Migratory Bird Treaty Act (MBTA). Project implementation,  
27 including initial clearing/grading activities, has the potential to disturb  
28

1 snowy egret nests. If the snowy egret nests on-site or within the off-site  
2 impact area prior to initiation of land disturbance activities, avoidance of  
3 such activities during the nesting/breeding season would be required in  
4 order to avoid conflict with the Migratory Bird Treaty Act ("MBTA") and  
5 California Fish & Game Code.

6 The black-tailed gnatcatcher was observed on-site in 2008. The potential  
7 for the black-tailed gnatcatcher to occur on-site is low and would be  
8 restricted to foraging activities. The black-tailed gnatcatcher is protected by  
9 law by the MBTA. Project implementation, including initial  
10 clearing/grading activities, has the potential to disturb black-tailed  
11 gnatcatcher nests. If the black-tailed gnatcatcher nests on-site or within the  
12 off-site impact area prior to initiation of land disturbance activities,  
13 avoidance of such activities during the nesting/breeding season would be  
14 required in order to avoid conflict with the Migratory Bird Treaty Act  
15 ("MBTA") and California Fish & Game Code.

16 The loggerhead shrike was observed on-site in 2004. The loggerhead shrike  
17 is a protected species by the MBTA. Project implementation, including  
18 initial clearing/grading activities, has the potential to disturb loggerhead  
19 shrike nests. If the loggerhead shrike nests on-site or within the off-site  
20 impact area prior to initiation of land disturbance activities, avoidance of  
21 such activities during the nesting/breeding season would be required in  
22 order to avoid conflict with the Migratory Bird Treaty Act ("MBTA") and  
23 California Fish & Game Code.

24 Off-site improvements have the potential to impact the desert pupfish,  
25 should the species be present within the off-site impact area. The desert  
26 pupfish is a federal- and state-designated endangered species. However,  
27 impacts would be considered less than significant for this species, as the  
28

1 desert pupfish is a Covered Species under the CVMSHCP and the Project  
2 site not is included in the Conservation Area . Once approved, Project  
3 consistency with the CVMSHCP would only require the payment of fees,  
4 since the Project site is located outside of areas designated for conservation  
5 under the CVMSHCP . Project compliance with the CVMSHCP requires  
6 the payment of fees that would be collected prior to final inspection or  
7 issuance of a certificate of occupancy.

8 Portions of the Project site and the off-site impact area contain trees that  
9 may provide suitable nesting habitat for several species protected by the  
10 MBTA, including: the great egret, great blue heron, black-crowned night  
11 heron, white-faced ibis, vermilion flycatcher, crissal thrasher, yellow  
12 warbler, yellow-breasted chat, and summer tanager. Project  
13 implementation, including initial clearing/grading activities, has the  
14 potential to disturb the above-listed species nests. Impacts could include  
15 nest destruction and/or indirect disturbance to the nest from construction  
16 effects such as elevated noise levels and dust. If the above-listed species  
17 nest on-site or within the off-site impact area prior to initiation of land  
18 disturbance activities, avoidance of such activities during the  
19 nesting/breeding season would be required in order to avoid conflict with  
20 the Migratory Bird Treaty Act ("MBTA") and California Fish & Game  
21 Code.. Additionally, some of the above species are Covered Species under  
22 the CVMSHCP and the Project site is not included in the Conservation  
23 Area. Once approved, Project consistency with the CVMSHCP would only  
24 require the payment of fees, since the Project site is located outside of areas  
25 designated for conservation under the CVMSHCP . Project compliance  
26 with the CVMSHCP requires the payment of fees that would be collected  
27 prior to final inspection or issuance of a certificate of occupancy.  
28

1 Although no signs of raptor nesting were observed at the time of the 2007  
2 or 2008 biological field survey, the potential exists for raptor nesting to  
3 occur during each breeding season (approximately February through July).  
4 Raptor species are protected under the MBTA. If an active raptor nest(s) is  
5 present on the site at the time construction activities commence, impacts to  
6 the nest site would be considered significant. Impacts could include nest  
7 destruction and/or indirect disturbance to the nest from construction effects  
8 such as elevated noise levels and dust. If the raptor nest on-site or within  
9 the off-site impact area prior to initiation of land disturbance activities,  
10 avoidance of such activities during the nesting/breeding season would be  
11 required in order to avoid conflict with the Migratory Bird Treaty Act  
12 (“MBTA”) and California Fish & Game Code

13 Project impacts on raptor foraging habitat, while individually limited could  
14 be cumulatively considerable when viewed in connection with the effects of  
15 past projects, the effects of other current projects, and the effects of  
16 probable future projects. However, impacts would be considered less than  
17 significant for raptor foraging habitat, as the Project site is not included in a  
18 Conservation Area. Once approved, Project consistency with the  
19 CVMSHCP would only require the payment of fees, since the Project site is  
20 located outside of areas designated for conservation under the plan. Project  
21 compliance with the CVMSHCP requires the payment of fees that would be  
22 collected prior to final inspection or issuance of a certificate of occupancy.  
23 Impacts to the prairie falcon, southwestern willow flycatcher, the California  
24 black rail, the Yuma clapper rail, and the Least Bell’s vireo would be less  
25 than significant due to a lack of suitable nesting habitat on-site or because  
26 these species are “Covered Species” under the CVMSHCP. Some of the  
27 above species are Covered Species under the CVMSHCP and the Project  
28

1 site is not included in the Conservation Area. Once approved, Project  
2 consistency with the CVMSHCP would only require the payment of fees,  
3 since the Project site is located outside of areas designated for conservation  
4 under the CVMSHCP . Project compliance with the CVMSHCP requires  
5 the payment of fees that would be collected prior to final inspection or  
6 issuance of a certificate of occupancy.

7 Impacts to remaining species observed on-site or with the potential to occur  
8 on-site are less than significant due to the low likelihood of occurrence on-  
9 site.

10 The only aquatic features on the Project site are the two man-made  
11 agricultural ponds. Thus, there are no federal USACE jurisdictional  
12 features located on-site that are subject to regulation by Section 404 of the  
13 Clean Water Act. Implementation of the proposed Project would  
14 necessitate off-site improvements, which would include construction of a  
15 concrete revetment slope within the Coachella Valley Stormwater Channel  
16 in order to stabilize the western bank. It is assumed that the Coachella  
17 Valley Stormwater Channel contains jurisdictional drainages or waters of  
18 the United States. As such, a significant impact would occur and mitigation  
19 would be required in the form of permitting from the United States Army  
20 Corps of Engineers (ACOE) and/or the California Department of Fish and  
21 Game (CDFG).

22 The Project site is not used as a nature wildlife nursery site. The majority  
23 of the site is actively farmed during the growing season; thus, it is not  
24 conducive to wildlife movement. No rivers, streams or other water bodies  
25 that support fish are present on the property. Terrestrial wildlife movement  
26 through the site is impeded by the surrounding roadways and land uses.

27 Removal of the trees on the Project site may have an adverse impact on  
28

1 nesting activity of native resident or migratory birds. The California Fish  
2 and Game Code (Section 3503) prohibits the destruction of native resident  
3 and migratory bird eggs and nests. Bird species observed at the proposed  
4 project site include the Western Kingbird and the Cliff Swallow, both are  
5 protected under the MBTA and the potential exists for the birds to nest on-  
6 site. Therefore, implementation of the proposed Project has the potential to  
7 interfere with the movement and/or nesting of birds protected by the  
8 MBTA, and a potentially significant impact would result prior to mitigation.  
9 If the Western Kingbird and the Cliff Swallow nest on-site or within the off-  
10 site impact area prior to initiation of land disturbance activities, avoidance  
11 of such activities during the nesting/breeding season would be required in  
12 order to avoid conflict with the Migratory Bird Treaty Act ("MBTA") and  
13 California Fish & Game Code. Implementation of the off-site  
14 improvements necessary to implement the Project would temporarily  
15 disrupt the Coachella Valley Stormwater Channel as slope revetment  
16 construction takes place. The Coachella Valley Stormwater Channel  
17 contains both resident and migratory fish species; however, the only  
18 sensitive fish species with the potential to be impacted by these off-site  
19 improvements is the desert pupfish. The desert pupfish is a federal- and  
20 state-designated endangered species. However, impacts would be  
21 considered less than significant for this species, as the desert pupfish is a  
22 Covered Species under the CVMSHCP and the Project site not is included  
23 in the Conservation Area . Once approved, Project consistency with the  
24 CVMSHCP would only require the payment of fees, since the Project site is  
25 located outside of areas designated for conservation under the CVMSHCP .  
26 Project compliance with the CVMSHCP requires the payment of fees that  
27 would be collected prior to final inspection or issuance of a certificate of  
28



1 occupancy.

2 2. Mitigation.

3 The Project has been modified to mitigate or avoid the potentially  
4 significant impacts by the following mitigation measures, which are hereby  
5 adopted and made enforceable through inclusion in and implementation of  
6 the Mitigation, Monitoring, and Reporting Program.

7 a. Thirty days prior to ground disturbance or issuance of a grading permit,  
8 a pre-construction survey shall be performed by a County-approved  
9 biologist to ensure a violation of the MBTA and/or California Fish and  
10 Game Code (Section 3503.5) does not occur. For the burrowing owl,  
11 the burrowing owl pre-construction survey shall follow the CVMSHCP-  
12 approved survey protocol standards. If any breeding burrowing owls  
13 are observed, avoidance and mitigation measures shall follow California  
14 Department of Fish and Game protocol. The biologist shall prepare a  
15 burrowing owl relocation and mitigation report and submit said report to  
16 the County of Riverside Environmental Programs Department for  
17 review.

18 b. Grading and tree removal shall not occur during the nesting season  
19 (February 1 through August 31). If grading or tree removal must occur  
20 during the nesting season, the Developer shall contract a qualified  
21 biologist to conduct a nest survey within the on-site and off-site impact  
22 area to ensure a violation of the MBTA does not occur. The nest survey  
23 shall be conducted just prior to the start of any ground disturbing  
24 activity or tree removals to determine if any nesting is taking place. If  
25 found to contain any nesting raptors, the tree shall be avoided until the  
26 nesting attempt is completed. The biologist shall contact the California  
27 Department of Fish and Game to determine the necessary protocol for  
28

1 nest avoidance according to the nesting species located on-site. The  
2 CDFG generally recommends a minimum 500 foot buffer zone shall be  
3 established around active raptor nest(s) and a minimum 100 to 300 foot  
4 buffer zone shall be established around active sound bird nest(s). This  
5 buffer zone shall be adequately delineated by the contracted biologist.  
6 A nest survey report shall be prepared by the Project biologist if nests  
7 are present and the report shall identify the nest location(s), buffer  
8 distance(s), and any additional recommendations of the biologist to  
9 ensure the protection of the observed species.

- 10 c. During the months of February 1 to August 31, a qualified biologist  
11 shall conduct an intensive nest search in all trees slated for removal to  
12 avoid destruction of migratory bird nests. Tree removal may be delayed  
13 until October, to ensure reproductive success for native species using  
14 the site. If the nests are empty, they may be removed by a qualified  
15 biologist with permission by the California Department of Fish and  
16 Game.
- 17 d. Following the issuance of an encroachment permit from the Coachella  
18 Valley Water District to implement off-site improvements impacting the  
19 Coachella Valley Stormwater Channel and prior to issuance of grading  
20 permits, a qualified biologist shall conduct a jurisdictional delineation of  
21 the off-site impact area. If jurisdictional drainages or waters of the  
22 United States are identified within the off-site impact area, the applicant  
23 shall obtain a 404 Permit/Nationwide Permit from the U.S. Army Corps  
24 of Engineers and certification under Section 401 of the Clean Water Act  
25 from the Regional Water Quality Control Board (RWQCB). The  
26 RWQCB requires restrictions to control urban runoff from the site,  
27 requires on-site treatment of runoff to improve water quality, and  
28

1 imposes Best Management Practices (BMPs) on the construction.

2 e. Following the issuance of an encroachment permit from the Coachella  
3 Valley Water District to implement off-site improvements impacting the  
4 Coachella Valley Stormwater Channel and prior to issuance of grading  
5 permits, a qualified biologist shall conduct a jurisdictional delineation of  
6 the off-site impact area. If jurisdictional drainages or waters are  
7 identified within the off-site impact area, the applicant shall consult with  
8 the California Department of Fish and Game to obtain any required  
9 streambed alteration agreement pursuant to CDFG Code Section 1600.

10 F. Circulation and Traffic

11 1. Impacts.

12 With required compliance to the Specific Plan Zoning Ordinance, impacts  
13 associated with inadequate provisions for parking would be less than  
14 significant.

15 The proposed Project would construct on-site roadways to accommodate  
16 future development and through traffic would be accommodated by the  
17 planned roadway system. The future availability of transit service, planned  
18 traffic signal improvements, and planned roadway improvements would  
19 accommodate the growing population and would help prevent significant  
20 impacts caused by higher traffic volumes. Although the Project would  
21 result in significant impacts to area roadways and intersections,  
22 implementation of the mitigation identified for such impacts would ensure  
23 that Project implementation does not exceed any additional level of service  
24 standards established by the County Congestion Management Plan; a  
25 significant impact would not occur.

26  
27 Although the Project site is located adjacent to the Jacqueline Cochran  
28 Regional Airport, the residential density proposed by the Project is

1 consistent with density requirement for Airport Compatibility Zones D and  
2 E, and the park uses proposed by the Project are consistent with the land  
3 uses permitted for Airport Compatibility Zones D and E. The Plant Palette  
4 set forth for the proposed Project in SP No. 369 prohibits the use of any  
5 plant materials that would attract large quantities of birds, which could  
6 create a strike hazard for aircraft. Furthermore, the on-site irrigation pond  
7 would be covered, and the Open Space/Detention land uses would drain off  
8 stormwater runoff within 48 hours; therefore, neither the irrigation storage  
9 pond nor the Open Space/Detention areas would attract birds and create a  
10 strike hazard. Thus, the Project site's close proximity to the Airport would  
11 not result in a change to air traffic patterns, and would not result in  
12 substantial safety risks to Project residents. Significant impacts would not  
13 occur.

14 There are no navigable waterways located in the vicinity of the proposed  
15 Project; therefore, impacts to waterborne transportation would not occur.  
16 Although the Project site is located approximately 0.1 miles west of a Union  
17 Pacific Railroad tracks, Project traffic that would cross the railroad tracks  
18 would not interfere with rail traffic due to crossing gates that yield to  
19 oncoming rail traffic. Additionally, the movement of people and goods to  
20 and from the Project site would not involve transportation by railroad;  
21 therefore, rail impacts would not occur.

22 Although the Project site is located adjacent to the Jacqueline Cochran  
23 Regional Airport, the Project would not affect air traffic because the  
24 Jacqueline Cochran Regional Airport does not carry commercial  
25 passengers, and the Project applicant has not identified any features of the  
26 proposed Project with the potential to influence any air traffic-related  
27 decisions or designs at the Jacqueline Cochran Regional Airport. The  
28

1 Project does not propose any hazards to flight, which include physical (e.g.  
2 tall objects), visual, or electronic hazards that could interfere with the safety  
3 of aircraft operations. Therefore, a significant impact would not occur.

4 No unsafe circulation design features are proposed on-site, as all onsite  
5 roadways would be constructed in accordance with appropriate County  
6 standards for roadway design. There also are no proposed conditions off-  
7 site that would comprise hazardous design features or incompatible uses.

8 Although the Project would generate a large volume of traffic that would  
9 traverse two existing at-grade railroad crossings located along Airport  
10 Boulevard/56th Avenue and 62nd Avenue, these crossings already include  
11 appropriate signage, striping, and crossing guards to notify motorists of on-  
12 coming trains. Therefore, because all roadway improvements would be  
13 designed to County standards and because no conflict is anticipated  
14 between rail and motor vehicle traffic due to existing safety design  
15 measures at the existing crossings, a significant impact would not occur.

16 Maintenance of the roadway facilities proposed by the Project would not  
17 result in any significant impacts to the environment other than those which  
18 have been identified in other portions of the EIR. Significant impacts  
19 would not occur.

20 Project implementation would result in new residential structures and parks,  
21 thereby increasing the need for emergency access to the site. The  
22 requirement to provide adequate paved access to the Project area would be  
23 required as a condition of Project approval. With required adherence to  
24 County requirements for emergency access, a significant impact would not  
25 occur.

26  
27 The proposed Project would accommodate a regional/equestrian trail to the  
28 south along the Avenue 60 Project boundary; several types of pedestrian

1 paseos, trails, and sidewalks; and a Class I Bicycle / Pedestrian Trail along  
2 the eastern length of the Project boundary. The Project site is currently  
3 served by the SunLine Transit Agency approximately 0.4 miles to the north,  
4 and the Project would provide the necessary roadway improvements (e.g.  
5 sidewalks fronting the Project site) to enable Project residents to utilize  
6 transit services. The Project would not conflict with adopted transportation  
7 policies supporting alternative transportation; therefore, significant impacts  
8 would not occur.

9 During Project construction, roadway segments and intersections may be  
10 temporarily affected and temporary construction detours may be necessary.  
11 This is regarded as a short-term significant impact for which mitigation  
12 would be required.

13  
14 2. Mitigation.

15 The Project has been modified to mitigate or avoid the potentially  
16 significant impacts by the following mitigation measures, which are hereby  
17 adopted and made enforceable through inclusion in and implementation of  
18 in the Mitigation, Monitoring, and Reporting Program.

- 19 a. Prior to the commencement of construction for each phase of the  
20 proposed Project, a traffic management plan shall be developed to the  
21 satisfaction of the Riverside County Transportation Department by the  
22 construction supervisor to minimize traffic flow interference from  
23 construction activities. Construction traffic shall be scheduled to not  
24 interfere with peak hour traffic on adjacent roadways and to minimize  
25 obstruction of through traffic lanes. If necessary, a flag person shall be  
26 retained by the construction supervisor to control construction traffic  
27 into and out of the site, and to maintain safety on adjacent roadways  
28 during construction.

- 1 b. Prior to the issuance of grading permits, a focused Traffic Impa  
2 Analysis for the fill material haul route(s) shall be conducted by the  
3 Project's traffic engineer. This analysis shall identify any significant  
4 impacts that would occur with the Project's study area as a result of the  
5 import of fill material, and mitigation measures shall be set forth to  
6 maintain an appropriate level of service at these intersections.
- 7 c. Prior to the issuance of grading permits, the Riverside County  
8 Transportation Department shall verify that any improvements  
9 identified in the focused Traffic Impact Analysis for the fill material  
10 haul route(s) have been completed.

11 G. Cultural Resources

12 1. Impacts.

13 An historic-period residence was identified within the Project area, which  
14 was constructed in approximately 1952; however, research conducted by  
15 the Project's historic consultant determined that the structure is not eligible  
16 for listing in the California Register of Historical Resources, and thus does  
17 not meet CEQA's definition of a "historical resource." The historic-period  
18 stormwater channel that would be impacted by off-site improvements  
19 associated with the proposed Project also was determined not to meet the  
20 definition of a "historical resource" as provided in CEQA. An  
21 approximately 11.0-acre central portion of the Project site was used as a  
22 non-hazardous burn-soil cover type landfill by the County of Riverside  
23 from 1948 to October 1, 1972. The landfill does not date to a time period of  
24 high potential for historic significance for this part of Riverside County or  
25 specific historically significant area; therefore, the landfill would not  
26 qualify as a "historical resource" and no further archaeological testing  
27 additional research is required. No other archaeological features or artifact  
28

1 deposits, either prehistoric or historic in origin, were discovered within or  
2 adjacent to the Project site or within the off-site impact area during  
3 historical site surveys. Therefore, implementation of the Project would not  
4 alter or destroy a historic site or cause an adverse change in the significance  
5 of a historic resource. As such, impacts to historic resources would not  
6 occur.

7 Although no archaeological surface artifacts were identified during surveys  
8 of the proposed Project site, buried resources may be present beneath the  
9 surface of the site, resulting in a potentially significant impact if resources  
10 are discovered during Project grading or other ground disturbing activities.  
11 The Project site and the off-site impact area do not contain a cemetery and  
12 no known formal cemeteries are located within the immediate site vicinity;  
13 however, the potential exists that human remains may be uncovered during  
14 grading and excavation activities particularly in areas where the depth of  
15 excavation is beyond the soil disturbing depths currently supporting the  
16 farming operations on-site. In the event that human remains are discovered  
17 during Project grading or other ground disturbing activities, the Project  
18 would be required to comply with the applicable provisions of California  
19 Health and Safety Code §7050.5 California Public Resources Code §5097  
20 et. seq. Mandatory compliance with these provisions of California state law  
21 would ensure that potential impacts to human remains would remain at a  
22 level below significance. Additionally, ground disturbing activities may  
23 result in the discovery of previously undocumented religious or sacred sites  
24 within the Project site, which is regarded as a significant impact if resources  
25 are uncovered.

26 According to Riverside County General Plan EIR Figure 4.7.2,  
27 "Paleontological Sensitivity Areas," the Project site is mapped within an  
28



1 area having a paleontological sensitivity of "High A." The proposed  
2 Project's potential impact on nonrenewable fossil resources is high for  
3 Holocene-age invertebrate fossils, which is evaluated as a potentially  
4 significant impact. Additionally, Project implementation would result in the  
5 loss of scattered mollusk shells and shell fragments which is regarded as a  
6 significant impact due to their paleontological uniqueness.

7 **2. Mitigation.**

8 The Project has been modified to mitigate or avoid the potentially  
9 significant impacts by the following mitigation measures, which are hereby  
10 adopted and made enforceable through inclusion in and implementation of  
11 the Mitigation, Monitoring, and Reporting Program.

12 a. Prior to any clearing, grubbing and/or earth moving activities, a  
13 qualified archaeologist approved by the County of Riverside shall  
14 retained by the Developer to prepare and implement a mitigation plan  
15 and a discovery clause/treatment plan to address the handling and  
16 management of any archaeological resources and other site specific data  
17 encountered during any ground disturbing activities associated with  
18 construction of the Project. The treatment plan, which is subject to  
19 approval by the County Archaeologist, shall be developed in  
20 consultation with the culturally affiliated Native American tribe(s) (if  
21 tribe(s) choose to participate) and shall account for treatment of any  
22 archaeological remains and associated data uncovered by brushing,  
23 grubbing, or earthmoving.

24 b. In preparing the mitigation plan and discovery clause/treatment plan, the  
25 contracted archaeologist shall consult with the culturally affiliated  
26 Native American tribe(s) (if tribe(s) choose to participate) for input and  
27 counsel. A pre-grading meeting between the archaeologist, the  
28

1 designated Native American representative, and the excavation and  
2 grading contractor shall take place to ensure an understanding of the  
3 protective measures identified and listed in the mitigation plan and  
4 discovery clause/treatment plan.

- 5 c. The archaeological mitigation plan and discovery clause/treatment plan  
6 shall include, but not be limited to, the following content: 1) procedures  
7 for ensuring proper resource recovery, permanent storage, maintenance,  
8 archiving and recordation at a pre-determined repository, such as the  
9 San Bernardino County Museum or a museum within Riverside County,  
10 of discovered archaeological artifacts and associated specimen, geologic  
11 and geographic site data; 2) consultation requirements between the  
12 archaeological and construction staff; 3) general monitoring  
13 requirements including area(s) to be monitored, monitoring schedule,  
14 duration, etc; 4) protocols for discoveries that may include temporary  
15 diversion of grading activities, complete "stop" work orders,  
16 requirements for processing of discovered data, etc. A curation  
17 agreement shall be submitted by the contracted archaeologist, who must  
18 be registered with the County, to the County Archaeologist prior to the  
19 issuance of grading permits.
- 20 d. The Project Developer shall enter into a pre-excavation agreement with  
21 the culturally affiliated Native American tribe(s). The agreement shall  
22 document archeological monitoring requirements and specify the  
23 disposition of any significant resources discovered during monitoring.
- 24 e. Archaeological and tribal monitoring shall be conducted on a full-time  
25 basis for all grading and ground disturbing activities, including  
26 archaeological testing, until the contracted archaeologist, in consultation  
27 with the culturally affiliated Native American tribe(s) and the County of  
28

1 Riverside, determines that resources are not likely to be encountered.  
2 archaeological remains are found by the archaeological monitor,  
3 earthmoving shall be diverted temporarily around the deposits until they  
4 have been evaluated, recorded, excavated, and/or recovered as  
5 necessary. Earthmoving shall be allowed to proceed through the site  
6 when the archaeological supervisor, in consultation with the culturally  
7 affiliated Native American tribe(s) and the County of Riverside,  
8 determines the artifacts are recovered and/or the site is mitigated to the  
9 extent necessary.

10 f. If a previously unknown archaeological site is encountered and it  
11 requires additional mitigation, a plan or proposal shall be prepared by  
12 the contracted archaeologist, in consultation with the culturally affiliated  
13 Native American tribe(s) (if tribe(s) choose to participate) and County  
14 of Riverside, outlining the plan of action that needs to be implemented  
15 to mitigate the new site.

16 g. A Phase IV final report of archaeological findings shall be prepared by  
17 the contracted archaeologist for submission to the Eastern Information  
18 Center (EIC) and the County of Riverside. The report shall be  
19 submitted to the EIC and the County of Riverside prior to the 50th final  
20 inspection within the Project. The report shall describe parcel history,  
21 summarize field and laboratory methods used, if applicable, and include  
22 any testing or special analysis information conducted to support the  
23 findings. The report shall also include a discussion of the significance of  
24 any recovered artifacts. The report and inventory, when submitted to the  
25 EIC and County of Riverside, will signify completion of the program to  
26 mitigate impacts to archaeological resources. Transfer of ownership  
27 from the property owner to the culturally affiliated Native American  
28

1                   tribe(s) of any non-burial associated artifacts recovered during  
2                   monitoring shall occur on or after the report has been submitted.

3                   h. Prior to the issuance of grading permits for any implementing project  
4                   within the Specific Plan, the Developer shall enter into an agreement  
5                   with a qualified paleontologist. This agreement shall include, but not be  
6                   limited to, the preliminary mitigation and monitoring procedures to be  
7                   implemented during the process of grading. A copy of said agreement  
8                   shall be submitted to the Riverside County Planning Department prior to  
9                   the issuance of any grading permits.

10                  i. The excavation of areas identified as likely to contain paleontologic  
11                  resources shall be monitored by a qualified paleontological monitor.  
12                  Monitoring of earth-moving activities for paleontological resources is  
13                  recommended for grading in the undisturbed areas or after the top two  
14                  feet of surface materials have been removed from the farmed areas. The  
15                  monitor shall be prepared to quickly salvage fossils as they are  
16                  unearthed to avoid construction delays. The monitor also shall remove  
17                  samples of sediments that are likely to contain the remains of small  
18                  fossil invertebrates and vertebrates. The monitor must have the power  
19                  to temporarily halt or divert grading equipment to allow for removal of  
20                  abundant or large specimens.

21                  j. Collected Samples of sediments should be washed to recover small  
22                  invertebrate and vertebrate fossils. Recovered specimens should be  
23                  prepared so that they can be identified and permanently preserved.

24                  k. A curation agreement shall be prepared by the project's qualified  
25                  paleontologist (as listed on the County's Paleontology Consultant List)  
26                  and shall be submitted to the County Archaeologist prior to the issuance  
27                  of grading permits. Any specimens uncovered during grading or earth-  
28

1 moving activities shall be identified, curated, and placed into  
2 repository with permanent retrievable storage.

- 3 1. A report of findings, including an itemized inventory of recovered  
4 specimens, shall be prepared upon completion of the paleontological  
5 monitoring program. This report must be prepared by a qualified  
6 paleontologist (as listed on the County's Paleontology Consultant List).  
7 The report shall include a discussion of the significance of all recovered  
8 specimens. The report shall be submitted to the EIC and the County of  
9 Riverside prior to the 50th final inspection within the Project. The report  
10 and inventory, when submitted to the County of Riverside, will signify  
11 completion of the program to mitigate impacts to paleontologic  
12 resources.

13  
14 H. Energy Resources

15 1. Impacts.

16 The proposed Project would not be regarded as an energy intensive land  
17 use, because energy resources would be consumed by construction activities  
18 and throughout the lifetime of the Project at consumption rates typical of  
19 residential communities. Also, the Thermal 551 Specific Plan includes  
20 several sustainability and energy efficiency guidelines. In addition to  
21 guidelines proposed by the Thermal 551 Specific Plan, the State of  
22 California regulates energy consumption under Title 24 of the California  
23 Code of Regulations would apply to the proposed Project, as would General  
24 Plan policies and applicable General Plan EIR Mitigation measures  
25 addressing energy conservation. Although the proposed Project would  
26 consume energy and use available energy resources, with  
27 implementation of the proposed energy efficiency guidelines contained in  
28

1 the Thermal 551 Specific Plan, the applicable General Plan policies and  
2 General Plan EIR mitigation measures, and through long range planning  
3 efforts by energy purveyors, the energy demands of the Project can be  
4 accommodated and impacts related to the construction of new gas or electric  
5 facilities are not significant. Impacts due to the construction of  
6 infrastructure on-site are evaluated throughout EIR No. 504, and such  
7 impacts are reduced to a level below significant through the application of  
8 mitigation measures included in the EIR.

9  
10 2. Mitigation.

No mitigation is required.

11 I. Geology and Soils

12 1. Impacts.

13 The Project site is not located within a designated State of California  
14 Alquist-Priolo Earthquake Fault Zone. The closest major active fault trace,  
15 associated with the San Andreas Fault zone, is located approximately 3.0  
16 miles northeast of the Project site and is well constrained to the Mecca and  
17 Indio Hills in this area. Therefore, because the Project site does not contain  
18 any known faults, the proposed Project would not be subject to risks  
19 associated with the rupture of a known fault, and a significant impact would  
20 not occur.

21 There are no known active volcanoes within the Project vicinity. No sloped  
22 landforms exist within the vicinity of the Project site that could affect the  
23 site with mudflow. Because the Pacific Ocean is located approximately  
24 100.0 miles west of the site, there is no potential for tsunamis to impact the  
25 site. The closest large body of water is the Salton Sea, located  
26 approximately 7.7 miles southeast of the site and situated at an elevation 87  
27 feet below the proposed Project site. Due to the distance from the Project  
28

1 site to the Salton Sea, along with the Project site's location at a high  
2 elevation, impacts from seiches associated with the Salton Sea are  
3 considered non-existent. Although the Coachella Valley Stormwater  
4 Channel is located adjacent to the east of the Project site, it is not an  
5 enclosed or semi-enclosed basin that would be conducive to reverberation  
6 and creation of a seiche. Seiche-like sloshing within on-site pools may  
7 develop during a major seismic event; however, effects of this seiche-like  
8 sloshing would be less than significant and would only impact a limited  
9 area directly adjacent to the pool. Flooding of adjacent residential  
10 structures would not occur. Furthermore, the planned 3.0-acre irrigation  
11 storage pond may develop seiche-like sloshing during a major seismic  
12 event; however, the pond would be relatively shallow, confined by a berm,  
13 and surrounded by a landscaped buffer zone. As a result, seiche-like  
14 sloshing that may occur within the irrigation storage pond would be less  
15 than significant and would not result in flooding of adjacent residential  
16 structures.

17 Given the relatively flat topography of the Project site, minimal grading  
18 would be necessary in order to implement the proposed Project. After  
19 consideration of remedial grading, pad location adjustments,  
20 overexcavation, and import from the Coachella Valley Stormwater Channel,  
21 the Project would require an estimated 4,765,457 cubic yards of imported  
22 fill material. Import of earth materials would be necessary to ensure the  
23 proper function of proposed drainage and sewer facilities. Although  
24 grading would occur to accommodate backbone infrastructure such as water  
25 and sewer lines and conveyance systems for project drainage, the flat  
26 character of the site would generally be maintained and there would be no  
27 substantial changes to the site topography. Impacts would not be  
28

1 significant.

2 All of the cut and fill slopes necessary to develop the site as proposed are  
3 anticipated to be less than 10 feet in vertical height and would achieve a  
4 maximum slope gradient of 2:1 (horizontal to vertical). Compliance with  
5 the Specific Plan Grading Development Standards would be assured  
6 through future County review of grading plans, therefore impacts would not  
7 occur. Thus, significant impacts caused by slopes would not occur.

8 According to a Phase I Preliminary Environmental Site Assessment, one  
9 subsurface residential septic tank is present on the Project site near the  
10 intersection of Avenue 59 and Fillmore Street. A septic tank may also be  
11 present near the residence located along Fillmore Street in the northeast part  
12 of the Project site. These septic tanks, along with associated disposal  
13 systems and an existing subsurface leach-drain system, would be abandoned  
14 and removed in accordance with County Environmental Health Department  
15 requirements to allow for the construction of a new, on-site sanitary sewer  
16 system to convey Project related wastewater off site for treatment. The  
17 Project would not adversely affect or negate a sewage disposal system that  
18 is planned for continued operation; thus, no impacts would occur.

19 Grading would remove the project site's existing vegetative cover and  
20 expose the underlying soils, which would increase the rate of runoff and  
21 increase erosion susceptibility during grading and construction activities.  
22 Exposed soils, along with any fill materials being stockpiled on the site for  
23 use in the grading operation, would be subject to erosion due to the removal  
24 of stabilizing vegetation and exposure of these erodible materials to wind  
25 and water. Erosion by wind would be highest during periods of high wind  
26 speeds. Erosion by water would be greatest during the first rainy season  
27 after grading (before landscaping becomes established).  
28



1 Erosion control measures would be implemented as part of the require  
2 Storm Water Pollution and Prevention Plan (SWPPP) that will incorporate  
3 Best Management Practices (BMPs) during construction. County  
4 Ordinance No. 484.2 also establishes requirements for the control of  
5 blowing sand, which would apply to the Project during construction. With  
6 adherence to the SWPPP and Ordinance No. 484.2, the potential for erosion  
7 by water and the transport of soil material by water within the proposed  
8 Project boundaries and off site would be reduced to below a level of  
9 significance.

10 Following construction, wind and water erosion on the Project site would be  
11 reduced, as the disturbed areas would be landscaped or covered with  
12 impervious surfaces and drainage would be controlled through a storm drain  
13 system. The SWPPP for the Project also requires post-construction  
14 measures to ensure ongoing erosion protection.

15 As implementation of the SWPPP is mandatory, impacts relating to wind  
16 and water erosion are less than significant.

17 According to the geotechnical reports conducted by Neblett & Associates,  
18 Inc., on-site surface soils are classified with a very low to low/moderate  
19 expansion rating in accordance the International Building Code (IBC).  
20 Therefore, soil expansion is not anticipated to be a critical factor in design,  
21 and impacts would be less than significant.

22 During construction of the Project, existing vegetative cover would be  
23 removed, soils would be exposed, and soil erosion would occur by wind and  
24 water. Following development of the Project site and the introduction of  
25 impervious surfaces and landscaping, erosion and loss of topsoil would be  
26 substantially reduced.

27 Short-term erosion would not be extensive enough to result in the  
28

1 modification of a river or stream channel or a lake bed. The Project would  
2 be required to comply with CA Water Code § 13260-13274 by submitting a  
3 National Pollution Discharge Elimination System (NPDES) application for  
4 a permit to the Regional Water Quality Control Board, Colorado River  
5 Basin, Region 7. This NPDES Permit requires the Project applicant to  
6 prepare and submit to the County for approval a Project-specific Water  
7 Quality Management Plan (WQMP). Compliance with the NPDES permit  
8 would ensure the reduction of sediment leaving the site. The NPDES  
9 permit requires the incorporation of best management practices (BMPs) into  
10 the Project design, both during construction and for the duration of the  
11 Project's lifetime. The BMPs are intended to reduce potential runoff,  
12 sedimentation, and erosion hazards.

13 Development of the project site would result in an increase of impermeable  
14 surfaces, which could increase the rate and quantity of runoff resulting in  
15 potential off-site soil erosion by water. As part of the Project, the County  
16 would require the construction of stormwater facilities (such as detention  
17 basins) to reduce flows to pre-development conditions. With mandatory  
18 compliance with requirements of the NPDES permit, and implementation of  
19 the required SWPPP, WQMP and BMPs, impacts would be considered less  
20 than significant.

21 The potential for seismic effects to the site is considered within the normal  
22 range of risk for the Coachella Valley, and Southern California generally.  
23 According to the site-specific geotechnical reports, the site is underlain by  
24 inter-layered sandy and clayey soils, shallow groundwater levels, and is in  
25 close proximity to the San Andres Fault Zone and other fault systems. The  
26 preliminary liquefaction analysis indicates that the potential for liquefaction  
27 is moderate to high within the sandy and silty soil horizons. Furthermore,  
28

1 the uppermost soils of the site are relatively loose to medium dense as  
2 result of agricultural uses and were found to be unsuitable to support  
3 structures in their existing conditions. Due to the presence of loose sandy  
4 layers in areas of the Project site, there is also the potential for dynamic  
5 settlement resulting from seismic forces, heavy rainfall, or irrigation issues,  
6 and weight of structures. As a result, subsidence is a potentially significant  
7 Project impact, with differential settlement estimated at approximately 1.0  
8 inches over 30 feet. According to the Project-specific geotechnical analysis,  
9 potential total dynamic settlements under severe seismic conditions range  
10 from 4.0 to 6.8 inches. As such, liquefaction and ground subsidence  
11 impacts are regarded as significant and require mitigation.

12 Any disturbances to the on-site tile drain system also may disrupt the  
13 proposed Project's drainage system, resulting in a potentially significant  
14 impact requiring mitigation. In addition, moisture intrusion into living  
15 areas in desert climates is a widespread problem where soil capillarity is  
16 high and the climate is arid and hot. The upward migration of moisture in  
17 vapor phase through the slab-on-grade is inevitable under normal living  
18 conditions as they exist within a closed environment (e.g., residence). This  
19 is due to temperature and, more importantly, humidity gradients under a  
20 building slab or other covered area. This water vapor can build up over time  
21 and cause extensive damage and possibly health risks if not controlled.  
22 Moisture intrusion is regarded as an adverse soil condition, resulting in a  
23 significant impact requiring mitigation.

24 While no known active fault lines cross through the site, a seismic event on  
25 the San Andreas Fault and its segments nearest to the site may result in  
26 secondary impacts to the Project, including ground shaking. S  
27 acceleration from possible earthquakes on nearby faults may achieve a peak  
28

1 ground acceleration of 0.81 g ("g" force) having a 10.0% possibility of  
2 occurrence in 50 years. The site is located in Seismic Zone 4 as defined by  
3 the International Building Code. Zone 4 is the highest seismic hazard zone.  
4 A major earthquake in the Southern California area above 7.0 magnitude on  
5 the Richter Scale originating from nearby segments of the San Andreas  
6 Fault zone near the Project, could cause moderate to severe ground shaking  
7 at the site. Such an occurrence would be considered a critical seismic event  
8 during the design life of proposed Project; therefore, people and property  
9 would be exposed to a risk of loss, injury or death. This is evaluated as a  
10 potentially significant impact for which mitigation would be required.

11 The Project site and its surrounding vicinity are relatively flat  
12 topographically and void of any slopes and rock outcrops. Therefore, there  
13 is no potential for landslide or rockfall to occur on or near the site.  
14 Additionally, there is a low potential for lateral spreading (movement) of  
15 the ground because of the nearly level ground surface character. For these  
16 reasons, no impacts are identified in relation to landslide, rockfall or lateral  
17 spreading.

18 A chemical analysis was conducted on the Project site as part of the  
19 geotechnical field investigation, which revealed that the native soils on site  
20 exhibit negligible to moderate sulfate ion concentrations indicating that  
21 soils would have a negligible to moderate corrosive effect on concrete.  
22 Based on the current land use of the site, the fill soils exposed near pad  
23 grades may be corrosive to underground metallic pipes and other  
24 installations. In addition, salt accumulation in near-surface soils is a  
25 common occurrence in the Coachella Valley, which could potentially harm  
26 Project landscaping and corrode Project building materials. The presence of  
27 corrosive soils could adversely affect impact to structural foundations and  
28

1 underground utility systems. The corrosive characteristics of on-site soil  
2 represent an unstable soil condition, resulting in a significant impact for  
3 which mitigation is required.

4 2. Mitigation.

5 The Project has been modified to mitigate or avoid the potentially  
6 significant impacts by the following mitigation measures, which are hereby  
7 adopted and made enforceable through inclusion in and implementation of  
8 the Mitigation, Monitoring, and Reporting Program.

9 a. Prior to the issuance of grading permits and in compliance with the  
10 requirements of Riverside County ordinances, a detailed design-level  
11 geotechnical report(s) shall be submitted to the County's Geologist for  
12 review and approval concurrent with each tract map or parcel map  
13 application. The report(s) shall identify and address site-specific (a)  
14 underlying soil conditions (including corrosive and expansive soil  
15 conditions), (b) liquefaction potential, (c) seismic parameters and  
16 building requirements, (d) tile drain and subdrainage system conditions,  
17 and (e) slope stability and rockfall hazards. The measures  
18 recommended in the final geotechnical report(s) shall be identified on  
19 applicable grading plans and shall be implemented to the satisfaction of  
20 the County Geologist. Grading shall be performed in accordance with  
21 applicable provisions of the Standard Grading Specifications contained  
22 in the design-level geotechnical reports.

23  
24 b. To provide uniform and acceptable support for planned construction, the  
25 entire site shall be over-excavated to a depth recommended by the  
26 Project geologist and replaced with approved compacted, engineered  
27 fill. Processing of the exposed over-excavation bottom, per  
28 Geotechnical consultant recommendations and requirements of the

1 County of Riverside, is to be performed prior to replacement of  
2 approved fills. The excavated alluvial soils may be reused as  
3 compacted fill provided it is free of organic material and properly  
4 moisture-conditioned to achieve the required compaction. Import soils,  
5 if required, shall be evaluated for suitability prior to delivery. Import  
6 soils should be free of organics, trash, debris, rocks greater than six (6)  
7 inches in maximum dimension, or other objectionable materials. All  
8 grading operations are to be performed under the observation, testing,  
9 and documentation of the Geotechnical consultant. Over-excavation  
10 and bottom processing will likely include significant as-grading and  
11 accounting for actual as-exposed conditions. Such operations should be  
12 performed under the direct input of senior, licensed CEG or GE's of the  
13 Geotechnical consultant, along with input of the senior County officials.

- 14
- 15 c. Prior to the issuance of a grading permit, the County Geologist shall
- 16 approve construction and grading techniques to fully mitigate impacts of
- 17 liquefaction. These techniques include, but are not limited to: dynamic
- 18 compaction, incorporation of geogrid/geotextiles, removal and
- 19 replacement with approved compacted fill, use of deep foundations, use
- 20 of mat foundations, and use of conventional foundations that
- 21 incorporate redundant systems. Final recommendations to be
- 22 implemented by the Project shall be identified in the design-level
- 23 geotechnical report(s) for each tract map or parcel map application.
- 24 d. During grading, the existing under-drainage system (tile drains), shall be
- 25 preserved, where possible, to reduce potential adverse effects due to
- 26 groundwater. Light weight excavation equipment shall be used where
- 27 excavations come near the existing tile drains to prevent damage to the
- 28 underdrainage system. Where the tile drains are to be disrupted or

1 exposed during grading, a replacement set of drains will be needed. T  
2 grading and construction aspects of the underdrainage system shall be  
3 performed under the guidance, observation/documentation, and  
4 recommendations of the Project Geologist. A formal evaluation of the  
5 installed subdrainage system, including the remaining tile drains, shall  
6 be evaluated for operation and flow once grading activities are  
7 completed. This report shall be prepared by the Project Geologist , the  
8 Project Civil Engineer, or the Project Agricultural/Civil Engineer and  
9 submitted to Riverside County for review.

- 10 e. The location, nature, and importance of the subdrainage system shall be  
11 disclosed to the ultimate owners of the property, so that the property  
12 owners can avoid damage to the drains' or negatively affect the drains'  
13 performance. In addition to disclosure to potential homeowners, tile  
14 drains that cross onto private lots shall be protected by one or more of  
15 the following mechanisms: the creation of easements, CC&R protocols,  
16 identification through flagging or risers, or other suitable mechanisms.
- 17 f. The final design plans for the proposed Project shall incorporate, at a  
18 minimum, the seismic design criteria, site development and grading  
19 recommendations as presented in the geotechnical report. Seismic  
20 design shall be based on current and applicable International Building  
21 Standards Code requirements, as appropriate. Final seismic design  
22 criteria recommendations to be implemented by the Project shall be  
23 identified in the design-level report for each tract map or parcel map.
- 24 g. Prior to the issuance of a grading permit, a qualified corrosion engineer  
25 shall be contracted to conduct an investigation of the corrosion potential  
26 of the sub-grade soils on metal construction materials and concrete  
27 identify additional design level recommendations. The investigation  
28

1 shall include sampling and analysis of the subgrade soils during grading  
2 and after subgrade soils are exposed. The findings, conclusions and  
3 recommendations shall be presented in a final report. The specific  
4 recommendations identified in the report shall be implemented during  
5 construction.

- 6 h. Graded, but undeveloped land shall be maintained weed-free and  
7 planted with interim landscaping within 90 days of completion of  
8 grading, unless building permits are obtained.
- 9 i. During construction, a moisture/vapor retarder shall be installed under  
10 concrete slab-on-grade, per the guidelines of the American Concrete  
11 Institute (ACI Committee Report 302.1R-96) and the Project  
12 geotechnical consultant, to reduce the potential for moisture/water vapor  
13 migration up through the slab and possibly affecting floor covering,  
14 wood cabinets, and other objects. "Raised floor" construction shall also  
15 be utilized, where applicable, to prevent contact between the floor  
16 system and the ground by supporting the floor on perimeter stem walls  
17 and interior strip and isolated footings.
- 18 j. All roof and surface drainage shall be directed away from structures and  
19 their appurtenances and slopes to approved drainage facilities to avoid  
20 ponding of water. For graded soil areas, a minimum gradient of 2  
21 percent away from structures shall be maintained.
- 22 k. During Project operation, irrigation must be minimized, and landscaping  
23 that is both tolerant of the climate and tolerant of moderate salt  
24 accumulations shall be used.

25  
26 J. Hazards and Hazardous Materials

27 1. Impacts.

28 The Project site is proposed for open space and residential land uses.



1 Household goods used by residential homes that contain toxic substances  
2 are usually low in concentration and small in amount; therefore, there is no  
3 significant risk to humans or the environment from the use of such  
4 household goods. There are numerous laws and regulations that govern the  
5 use and storage of hazardous materials in order to minimize risks to human  
6 health. The proposed Project would be required to comply with these  
7 federal, state, and local laws and regulations. Assuming compliance with  
8 applicable regulations, potential exposure of people to hazardous materials  
9 associated with the proposed Project would represent a less than significant  
10 impact. In addition, compliance with applicable regulations would ensure  
11 that reasonably foreseeable upset and accident conditions involving the  
12 release of hazardous materials into the environment would be less than  
13 significant.

14 The Project site does not contain any emergency facilities nor does it serve  
15 as an emergency evacuation route. During construction and at Project  
16 build-out, the proposed Project would maintain adequate emergency access  
17 for emergency vehicles as required by the County. Impacts are considered  
18 less than significant.

19 The nearest school site is located approximately 0.4 miles northwest of the  
20 Project site. As such, implementation of the proposed Project would not  
21 result in the emissions of hazardous waste or handling of hazardous  
22 materials, substances, or waste within one-quarter mile of an existing or  
23 proposed school. Significant impacts would not occur.

24 The proposed project is not located on a site which is included on a list of  
25 hazardous materials sites pursuant to Government Code Section 65962.5.  
26 As such, implementation of the proposed Project would not create  
27 significant hazard to the public or environment, and a significant impact  
28

1 would not occur.

2 Records indicate that approximately 562 acres of the site has supported  
3 agricultural land uses since at least 1955. Based on the results of the soil  
4 samples collected during the preparation of the Phase I and Phase II  
5 Environmental Site Assessments, no significant residual pesticide  
6 contamination has been identified for the site. No other impacts related to  
7 the past agricultural usage of the site were identified.

8 Approximately 10 acres of the Project site were previously used as a burn  
9 and soil cover type landfill operated by the County of Riverside Solid  
10 Waste Management Department. No significant landfill gas accumulation  
11 or groundwater contamination was identified for the landfill site. The  
12 potential human health risks of the landfill materials will be evaluated in a  
13 Baseline Risk Assessment of the landfill. The finding the Baseline Risk  
14 Assessment will be used in the design of the closure requirements of the  
15 landfill site. The closed landfill will include an engineered landfill cover,  
16 drainage, land use covenant/deed restrictions, and development of an  
17 implementation and enforcement plan. The Baseline Risk Assessment and  
18 landfill closure would be conducted in accordance with the requirements of  
19 the Department of Toxic Substances Control (DTSC). Potential impacts  
20 relating to the landfill closure may require periodic groundwater and soil  
21 gas monitoring, covenant/deed restrictions within the area of the landfill,  
22 maintenance of the landfill cover and drainage, and implementation of the  
23 landfill enforcement plan. Implementation of the proposed project would  
24 therefore reduce the potential of a significant hazard to the public or the  
25 environment through reasonably foreseeable upset and accident conditions  
26 involving the release of hazardous materials into the environment.  
27 However, a significant impact would occur if the Project were to be  
28

1 constructed without implementation of the closure and maintenance of  
2 former Thermal Landfill site. This is evaluated as a potentially significant  
3 impact of Project implementation for which mitigation would be required.  
4 Mandatory compliance with State DTSC and Riverside County DEH  
5 requirements would reduce potential impacts associated with transport and  
6 use of hazardous materials during Project construction to below a level of  
7 significance.

8 In addition, the Project has the potential to result in an increase in vector-  
9 related hazards associated with mosquitoes, synanthropic flies, and rodents.  
10 The risk of mosquitoes is primarily associated with the Project's proposed  
11 drainage and water quality devices, which, if designed improperly, could  
12 allow for standing water for extended periods of time. However, the  
13 proposed Project is subject to FAA regulations due to the site's proximity  
14 the Thermal Airport, and the FAA requires that all water quality and  
15 drainage devices be designed to drain in less than 48 hours. As such,  
16 implementation of the proposed Project is not anticipated to result in  
17 significant impacts associated with mosquitoes. Synanthropic flies are  
18 another problem within the Coachella Valley, and primarily result from the  
19 improper disposal of yard waste, refuse, and/or animal refuse. Introduction  
20 of new residences in the area therefore has the potential to result in  
21 conditions that could provide for ideal breeding conditions for these flies.  
22 The Project's impacts due to synanthropic flies are therefore evaluated as a  
23 potentially significant impact for which mitigation would be required.  
24 Finally, rodents, such as Roof Rats, are known to be a concern in the  
25 Coachella Valley and primarily result from improperly or poorly groomed  
26 and maintained shrubbery and trees, accumulations of wood, stored  
27 vehicles, or exterior structures. Rodent food sources include pet food left  
28

1 out overnight, abundant cockroaches or snails around the yard, or ripe fruit  
2 allowed to fall to the ground. Because the proposed Project has the  
3 potential to produce conditions that could increase the incidence of rodent  
4 infestation in the area, a potentially significant impact is identified for  
5 which mitigation will be required.

6 2. Mitigation.

7 The Project has been modified to mitigate or avoid the potentially  
8 significant impacts by the following mitigation measures, which are hereby  
9 adopted and made enforceable through inclusion in and implementation of  
10 the Mitigation, Monitoring, and Reporting Program.

11 a. Prior to issuance of a grading permit, the Project applicant shall ensure  
12 proper closure of the landfill site in accordance with the State of  
13 California, Department of Toxic Substances Control (DTSC) and the  
14 County of Riverside, Department of Environmental Health (CRDEH).  
15 The landfill closure shall include an engineered landfill cover, drainage,  
16 land use covenant/deed restrictions, and development of an  
17 implementation and enforcement plan as approved by the CRDEH and  
18 the DTSC. The engineered landfill cover shall include the installation of  
19 a flexible membrane liner or other approved engineered water  
20 infiltration protective system as required by the CRDEH and DTSC.

21  
22 b. Prior to approval of any implementing project, including Tentative  
23 Maps for the Project, the Riverside County Building and Safety  
24 Department shall verify that the Thermal Landfill Site has been  
25 remediated in accordance with State of California, DTSC, and CRDEH  
26 requirements, and shall verify that all construction drawings incorporate  
27 any applicable requirements from the State of California, DTSC, and/or  
28 CRDEH.

1 c. Prior to approval of building permits, the County Building Department  
2 shall verify that building plans incorporate requirements to ensure that  
3 appropriate seals are made wherever wiring or plumbing penetrate walls  
4 so as to reduce the potential for rodent infestation of proposed  
5 structures.

6 d. As a condition of occupancy permits, the Project applicant or master  
7 developer shall develop an educational program to inform future Project  
8 residents of the risks associated with mosquitoes, synanthropic flies and  
9 rodents, and to educate residents about measures that would minimize  
10 the conditions that could lead to increased incidences of vector-borne  
11 illnesses. The educational materials shall describe conditions that  
12 property owners should undertake to minimize harborage or shelter of  
13 pests associated with vector-borne diseases, including, but not limited  
14 to, information regarding maintenance of yards, maintenance of trash  
15 receptacles, and the need to maintain shrubbery and landscaping and  
16 dispose of yard waste in a proper manner. The education program  
17 should utilize informational materials available from the Coachella  
18 Valley Mosquito and Vector Control District. The informational  
19 package shall be subject to review and approval by the Riverside  
20 County Planning Department.

21 K. Hydrology and Water Quality

22 1. Impacts.

23 The Project has been designed to maintain the existing topography of the  
24 site, with minor modifications as necessary for sewer and drainage.  
25 Nonetheless, construction of the proposed Project would involve substantial  
26 ground disturbance during the grubbing or removal of existing vegetati  
27 and grading activities. In addition, on-site erosion could occur if graded  
28

1 slopes are not stabilized when storms occur. The proposed grading  
2 activities would generate fair amounts of silt which could be carried off-site  
3 during a heavy rainfall event. Should such an event occur and in the  
4 absence of any kind of precautionary or preventative measure to contain silt  
5 and other soils on-site, erosion and/or siltation downstream would result.  
6 However, the proposed Project would be subject to requirements of the  
7 SWRCB, including requirements to obtain an NPDES permit and to  
8 implement a SWPPP, which includes BMPs, which would ensure that  
9 downstream water sources would be protected; accordingly, impacts to  
10 erosion and siltation would be reduced to a level below significance.

11 Additionally, remediation of the former Riverside County non-hazardous  
12 burn-soil type landfill in the center of the Project site has the potential to  
13 create additional sources of polluted runoff. The Project applicant has  
14 entered into a remediation agreement with the California Department of  
15 Environmental Protection and required compliance with the environmental  
16 protection measures outlined in this document will ensure that remediation  
17 of the former landfill site does not create sources of polluted runoff;  
18 therefore, water quality impacts associated with remediation of the landfill  
19 site would be less than significant.

20 Implementation of the proposed drainage plan and mandatory compliance  
21 with standard regulatory storm water requirements following buildout of the  
22 proposed Project would ensure that on- and off-site generated flows would  
23 be sufficiently attenuated to pre-development conditions, thereby ensuring  
24 that downstream water bodies would be protected from erosion or siltation.  
25 In addition, the final drainage design plans for the Project site, once  
26 developed, would need to demonstrate that post-development flows do not  
27 exceed existing flow conditions for final County and CVWD approval. As  
28

1 such, the potential for the Project to result in erosion or siltation on- or o  
2 site and impacts to existing stormwater facilities is considered less than  
3 significant, requiring no mitigation.

4 Short-term (construction-level) water quality impacts would likely occur in  
5 the absence of any protective or avoidance measures. However, pursuant to  
6 requirements of the SWRCB, the Project applicant is required to obtain a  
7 NPDES permit for construction activities, which would require the  
8 preparation and implementation of a stormwater pollution prevention plan  
9 (SWPPP) for construction related activities. The SWPPP would specify  
10 Best Management Practices (BMPs) to minimize pollutants in storm water  
11 runoff, as well as non-storm water discharges. The implementation of this  
12 plan would serve to prevent and/or minimize discharge of additional  
13 sources of polluted runoff and hence, protect water quality. In addition  
14 remediation of the former Riverside County non-hazardous, burn-soil type  
15 landfill in the center of the Project site has the potential to affect water  
16 quality. The Project applicant has developed a Removal Action Workplan  
17 (RAW) plan with the Department of Toxic Substances Control (DTSC),  
18 however, and compliance with the environmental protection mitigation  
19 measures outlined in this document will ensure that remediation of the  
20 former landfill site does not degrade or alter water quality. Therefore, water  
21 quality impacts associated with construction activities are considered less  
22 than significant and no mitigation measures would be required.

23  
24 The proposed Project involves a change in land use from agricultural  
25 operations/vacant land uses to residential, open space recreation, and open  
26 space-water; as such, the demand for irrigation water for crop production  
27 would no longer occur. The proposed Project would retain the existing  
28 irrigation system that feeds from the Coachella Valley Stormwater Channel

1 to retain water in the proposed irrigation storage pond, which would provide  
2 landscaping irrigation. The retention of the existing tile drain and irrigation  
3 system coupled with an increase in impermeable surfaces would essentially  
4 reduce the rate and amount of salt build-up and/or leaching of salts. Hence,  
5 the degradation of the water associated with salt intrusion under existing  
6 conditions would be substantially reduced upon implementation of the  
7 proposed Project and be considered a beneficial water quality effect of the  
8 proposed Project.

9 Notwithstanding this positive effect to groundwater quality, other elements  
10 of the proposed Project may influence and/or change the existing water  
11 quality, namely the introduction of urban types of pollutants into surface  
12 water run-off. Implementation of the proposed Project would permanently  
13 alter the amount of impervious surfaces as a result of newly constructed  
14 roadways, structures, and other paved surfaces such as driveways,  
15 walkways, parking lots and other residential related hardscape. As a result,  
16 there would be an increase in storm water runoff when compared with  
17 existing conditions. This runoff, typical of urban use, would contribute to  
18 the incremental degradation of the water quality downstream. This would  
19 be regarded as a significant cumulative water quality impact in the absence  
20 of mitigation. However, Compliance with the County's NPDES permit  
21 requirements, as stipulated in the Clean Water Act (CWA), would reduce  
22 impacts to water quality associated with project related activities.  
23 Additionally, as each lot is developed, site specific plans are required to be  
24 prepared and site specific BMPs identified to address any additional  
25 pollutants for that lot. Possible BMPs to be incorporated into the design  
26 may include the use of landscaping, vegetated swales, education and  
27 training of property owners, common area litter control, street sweeping and  
28



1 drainage facility inspection and maintenance. Adherence to statute  
2 requirements would ensure that water quality and waste discharge  
3 requirements are not violated. As such, the potential to violate water  
4 quality standards and waste discharge requirements and further degrade  
5 existing surface or ground water quality is considered less than significant.

6 The proposed Project would require water service, resulting in an  
7 incremental increase in demand on the CVWD. The CVWD prepared a  
8 Water Supply Assessment (WSA) for the Project which determined that the  
9 CVWD possesses the ability to provide water to the Project for the  
10 foreseeable future. Additionally, the WSA concluded that the Project is not  
11 considered a land use type or activity that would directly affect groundwater  
12 supplies. In addition, the Specific Plan Design Guidelines prepared as part  
13 of the Project would incorporate structural as well as non-structural features  
14 aimed at minimizing the consumption or demand for potable water and  
15 where feasible would incorporate recycled water features.

16 The Project site is not located within a designated recharge basin such as the  
17 upper Coachella Valley's Whitewater Spreading Facility located 30.0 miles  
18 to the northwest of the Project site. In addition, the Project site is located  
19 in a deep, closed alluvial basin which is below sea level. The existing soil  
20 or alluvial deposits are conducive to lateral, not vertical, percolation of  
21 water from the surrounding highlands, to the low point of the basin (i.e., the  
22 Salton Sea). Although the Project would introduce impervious surfaces to  
23 the site, groundwater recharge would not be adversely affected because of  
24 the estimated depth to potable water aquifers and the soil type that exists at  
25 the surface. Therefore, impacts to groundwater supplies are considered less  
26 than significant.  
27

28 In the absence of such BMPs, ponding and/or flooding could occur

1 contributing to the potential creation of mosquito breeding problems typical  
2 of desert climate conditions. If conveyance systems are improperly  
3 designed and/or maintained, water which stands more than four days in any  
4 component of the stormwater management system could create mosquito  
5 breeding problems and related West Nile Virus transmission, a concern of  
6 the Coachella Valley Mosquito and Vector Control District. In response to  
7 increasingly stringent urban stormwater runoff regulations, Coachella  
8 Valley Mosquito and Vector Control District has recently mandated the  
9 implementation of structural Best Management Practices (BMPs), for both  
10 stormwater volume reduction and pollution management. In drafting the  
11 Project Specific WQMP, the Project engineer shall consult the District staff  
12 regarding implementation of BMPs for the construction and maintenance of  
13 economically efficient, biologically acceptable, and environmentally  
14 compatible stormwater management structures. Compliance with standard  
15 regulatory requirements would reduce potentially significant vector related  
16 impacts to below the level of significance and no further mitigation is  
17 required.

18 According to the Flood Hazard Report, prepared by Exponent, Inc., there  
19 are three flooding sources that could potentially impact the Project site:  
20 Martinez Canyon stormwater flows located to the southwest of the site;  
21 rainfall-induced stormwater runoff from the agricultural lands located to the  
22 northwest of the site; and overflow or levee breach of the Coachella Valley  
23 Stormwater Channel located adjacent to the east of the site. The Project site  
24 is located approximately 5.5 miles northeast of the furthest reaches of the  
25 Martinez Canyon alluvial fan. In 2003, Bechtel mapped the flood zones of  
26 the Martinez Canyon flows and determined that potential floodwaters  
27 emanating from Martinez Canyon are likely to travel in a northeast direction  
28

1 from the Canyon apex, east along the general alignment of Avenue 64, a  
2 then in the southeast direction. Based on the direction of flows, flood  
3 effects are not anticipated on the Thermal 551 Project site. The Project site  
4 is outside the 100-year flood zone for Martinez Canyon Stormwater flows;  
5 therefore, no impacts from this flood source would occur.

6 To prevent the stormwater runoff from the agricultural lands to the  
7 northwest of the site from impacting the Project site, the Project's Master  
8 Drainage Plan includes various design features to intercept flows along  
9 Project boundaries and convey them through the site into on-site detention  
10 basins to be discharged into the Coachella Valley Stormwater Channel,  
11 thereby reducing potential impacts to less than significant levels.

12 The Project site is located adjacent to the west of the Coachella Valley  
13 Stormwater Channel (CVSC). Hydraulic model results indicate that for  
14 locations adjacent to the Thermal 551 project site, the water surface  
15 elevations in the Channel for the Standard Project Flood (SPF) event are  
16 lower than the Channel berm elevations, with the exception of two sections  
17 of Channel adjacent to the northern portion of the site. The Flood Hazard  
18 Report indicates that in this portion of the Channel, which is located from  
19 the Channel drop structure upstream to Highway 111, there will be no  
20 freeboard for the SPF and the 100 year storm event generates a water  
21 surface profile which is above the adjacent ground but is lower than the top  
22 of the channel berm.

23 However, based on a preliminary analysis conducted by the CVWD as part  
24 of FEMA's levee certification program, the CVWD determined that the  
25 proposed Project vicinity may be subject to potential flood hazards caused  
26 by a breach upstream from the Project site. Although the CVWD has long  
27 term plans to address such hazards through construction of improvements to  
28

1 the levee, such improvements have not been designed or funded. The  
2 proposed Project has addressed this potential for flooding through  
3 modifications to the Specific Plan, which would provide for interim on-site  
4 drainage facilities to accommodate such flood events. Upon completion of  
5 the upstream improvements by the CVWD, the interim drainage facilities  
6 could be removed, and such areas could be developed with their underlying  
7 Specific Plan land uses (no structures would be allowed in these areas  
8 during the interim period). Accordingly, since the proposed Project has  
9 incorporated design features to address potential flood hazards on-site, a  
10 significant impact would not occur.

11 2. Mitigation.

12 No mitigation is required.

13 L. Mineral Resources

14 1. Impacts.

15 Pursuant to the mandates of the Surface Mining and Reclamation Act, the  
16 California Geological Survey has classified the Project site as a Mineral  
17 Resource Zone-3 (MRZ-3), which correlates to areas of undetermined  
18 mineral resources significance. Lands classified as MRZ-3 are not  
19 considered important resources under CEQA [pursuant to Public Resources  
20 Code §2762(d)]. The Project site is not designated for mineral extraction or  
21 production by the County's General Plan, indicating a lack of known  
22 locally-important mineral resources. Furthermore, activities at the nearest  
23 known mineral resource area would not adversely impact sensitive receptors  
24 on the Project site, as the Project site is located more than 1,300 feet from  
25 the nearest mineral resource area. Thus, due to the proposed Project's  
26 distance from a known mineral resource area, significant impacts to mineral  
27 resources would not occur.  
28

1 The nearest area with known mineral resources is located approximately 2  
2 miles northeast of the Project site. Areas surrounding the project site are  
3 designated as MRZ-3, MRZ-4 (areas of no known mineral occurrence), and  
4 unstudied. These areas within the Project vicinity are not designated as  
5 State classified or designated area or existing surface mine, thus Project  
6 implementation would not introduce incompatible land uses to existing or  
7 designated mine areas.

8 There is no potential for hazards associated with mining operations at the  
9 site because no existing, abandoned or proposed mines exist on the Project  
10 site. The potential for exposing future residents and users of the property to  
11 mine hazards is not a significant impact, because the nearest mine is located  
12 approximately 2.5 miles from the site. Significant impacts would not occur.

13 2. Mitigation.

14 No mitigation is required.

15 M. Noise

16 1. Impacts.

17 Under year 2012, 2014, 2016, and General Plan Buildout conditions, the  
18 proposed Project would result in roadway noise increases ranging from 0.0  
19 dBA to 13.6 dBA on all segments. For 2012 and 2014, implementation of  
20 the proposed Project would create off-site noise level impact on Polk Street  
21 from Avenue 59 to Airport Boulevard of 3.2 and 3.3 dBA, resulting in noise  
22 levels of 68.4 and 69.7 dBA CNEL, respectively. This increase in off-site  
23 noise levels is considered significant, as it would impact the existing  
24 residential areas along Polk Street, and mitigation would therefore be  
25 required. For 2016, implementation of the proposed Project would create  
26 off-site noise level impacts on Fillmore Street from Avenue 62 to State  
27 Highway ("SH") 111. These impacts range from 6.2 to 6.4 dBA, resulting  
28

1 in noise levels of 65.4 and 65.6 dBA CNEL. This increase in off-site noise  
2 levels is considered significant because the noise level would increase by  
3 more than 3.0 dBA and the resulting noise level would exceed the County  
4 of Riverside 65 dBA CNEL exterior noise standard for residential uses.  
5 The Project's direct and cumulative noise impacts to off-site sensitive  
6 receptors associated with Project traffic is considered significant prior to  
7 mitigation.

8 For on-site land uses, the proposed Project would expose future residential  
9 units to traffic-related unmitigated noise levels of up to 71.6 dBA Ldn,  
10 which would exceed the County of Riverside exterior noise standard of 65.0  
11 dBA Ldn. Interior noise also is projected to exceed the County's interior  
12 noise standard of 45 dBA Ldn, which also represents a significant impact.

13 Noise levels at 50 feet from Project construction activities are estimated at  
14 89 dBA, at 100 feet are estimated at 83 dBA, and at 200 feet are estimated  
15 at 77 dBA. Construction noise is of short-term duration and would not  
16 present any long-term impacts on the Project site or the surrounding area.  
17 In addition, the Project site is currently used for agricultural purposes and is  
18 located in a relatively undeveloped area surrounded by other agricultural  
19 uses to the north, east and south as well as the Jacqueline Cochran Regional  
20 Airport to the west. The nearest sensitive source receptors are located in  
21 excess of 0.5 miles to the northwest of the Project site. At such a distance,  
22 noise levels would be naturally attenuated (i.e., noise levels would be  
23 reduced to 65 dBA at a distance of roughly 800 feet from construction  
24 activities, thereby indicating that noise levels would be within acceptable  
25 limits at a distance of 0.5 mile). Therefore, any short-term increases in  
26 ambient noise levels attributable to construction activities would be  
27 considered a less than significant impact. Mandatory compliance with  
28

1 Ordinances No. 847 and 457.98 would further ensure that construction  
2 related noise impacts do not occur.

3 Groundborne vibration and noise are usually localized to areas within about  
4 100 feet from the vibration source. Since the nearest sensitive source  
5 receptors are located in excess of 0.5 miles to the northwest of the Project  
6 site, they would not experience any vibratory effects, nor would it cause any  
7 damage to off-site buildings. Therefore, impacts from construction-related  
8 groundborne vibration would be less than significant and no mitigation is  
9 required.

10 On-site residential uses could be impacted by noise from the adjacent  
11 railroad and/or airport. Based on a site-specific analysis, it was determined  
12 that at the nearest buildings, the ground borne vibration levels will be below  
13 65 VdB for the first floor rooms, and below 63 VdB from the second floor  
14 rooms, which are below the County of Riverside 80 VdB vibration standard  
15 and the 80 VdB FTA screening criteria standard for infrequent events.  
16 Airborne noise generated by surface transportation systems is substantially  
17 more significant than ground borne noise, but the resulting ground borne  
18 noise levels will be 15 dBA for the first floor and 13 dBA for the second  
19 floor at the nearest homes, which are well below the 43.0 dBA FTA noise  
20 level standard for frequent events. Therefore, impacts associated with  
21 groundborne vibration and noise are less than significant.

22  
23 **2. Mitigation.**

24 The Project has been modified to mitigate or avoid the potentially  
25 significant impacts by the following mitigation measures, which are hereby  
26 adopted and made enforceable through inclusion in and implementation of  
27 the Mitigation, Monitoring, and Reporting Program.

28 a. Prior to final inspection, a 6.5-foot sound wall shall be constructed

1 along Polk Street, Avenue 60, Fillmore Street/SR. 111, and Fillmore  
2 Street to reduce exterior and interior noise impacts to future Project  
3 residents.

- 4 b. Prior to the approval of an implementing project including tentative  
5 maps, the applicant shall demonstrate in a final noise study that  
6 proposed construction methods will reduce exterior noise levels by 6.0  
7 to 6.6 dBA Ldn to meet the 65 dBA Ldn exterior noise standard. The  
8 final noise study shall evaluate the effects of the precise building  
9 placement, design, and materials used for construction.
- 10 c. Prior to issuance of building permits, the applicant shall demonstrate in  
11 a final noise study that proposed construction methods will reduce  
12 interior noise levels by 20.2 to 26.4 dBA Ldn to meet the 45 dBA Ldn  
13 interior noise standard. The final noise study shall evaluate the effects  
14 of the precise building placement, design and materials used for  
15 construction.

16  
17  
18 N. Population and Housing

19 1. Impacts.

20 The Project site mainly consists of agricultural fields and associated  
21 agricultural support facilities and equipment. The Project site contains only  
22 two residential structures housing an estimated six persons; therefore,  
23 development of the Project site would not displace substantial numbers of  
24 existing housing or persons living on-site, and would not necessitate the  
25 construction of replacement housing elsewhere.

26 The proposed Project is a residential master-planned community and would  
27 provide for 2,354 new homes and house an estimated 7,138 new residents.  
28 The proposed Project would provide a variety of housing types, including



1 single-family and multi-family residential homes that are designed to  
2 marketable within the evolving economic profile of the surrounding area, as  
3 well as within Riverside County as a whole. The residential component of  
4 the proposed Project would help meet the anticipated future population  
5 growth trends and associated housing affordability demand within the  
6 Coachella Valley for residents earning below the median income in the  
7 County. Despite the increase in population associated with the proposed  
8 Project, in and of itself, the Project would not create a demand for  
9 additional housing because the Project is actually providing for such  
10 housing. As such, the Project would have no impact on the demand for  
11 housing.

12 The Project site is located within the Thermal Community Sub-Area of the  
13 Desert Communities Redevelopment Area. The Riverside County  
14 Economic Development Agency anticipates development of the 17,250-acre  
15 area for future industrial uses and enhanced airport improvement activities.  
16 The redevelopment of the area introduces an economic element to the  
17 mostly agricultural uses within the Project area. Implementation of the  
18 proposed Project would further the County's objectives in meeting overall  
19 long-term population trends and housing demands resulting, in part, from  
20 build-out of the thermal Community Sub-Area. Essentially, the proposed  
21 Project would not have an adverse impact on a Riverside County  
22 Redevelopment Area. Rather, the affect of the Project on housing  
23 opportunities would be beneficial. The proposed Project would also  
24 provide utility and infrastructure improvements in the Project area. As  
25 such, less than significant impacts are identified.

26  
27 The proposed Project would result in an overall population increase  
28 approximately 7,138 people beyond that projected in the existing County

1 General Plan. Under the existing General Plan, the Project site is  
2 designated as agricultural, light industrial, and public facility, which would  
3 support no housing, or only a limited amount of housing as permitted by the  
4 property's existing partial A-2-20 zoning designation. By comparison, the  
5 proposed Project's estimated population of 7,138 people would exceed  
6 official General Plan and regional housing growth projections. The  
7 proposed Project's projected population would directly or indirectly result  
8 in increased impacts to traffic, noise, air quality, public services, recreation  
9 and parks, and utilities and service systems. Mitigation measures are  
10 presented in the EIR to reduce these significant environmental effects to  
11 below levels of significance with the exception of impacts identified for air  
12 quality and the contribution of traffic to freeway mainlines. As such, these  
13 impacts are considered significant and unavoidable and an indirect result of  
14 population growth in excess of official growth projections, although these  
15 issue areas are addressed separately in EIR No. 504 and there are no other  
16 conditions associated with the Project's planned population increase that  
17 would result in significant environmental effects not already identified and  
18 mitigated for (where feasible) within EIR No. 504.

19 The proposed Project involves the development of 2,354 new homes in an  
20 area designated for agricultural production and light industrial and public  
21 facility land uses under the existing General Plan. As such, the Project is  
22 expected to add approximately 7,138 new residents to the area and exceed  
23 population estimates identified in the current General Plan. An influx of  
24 people has the potential to adversely affect the physical environment.  
25 These impacts have been identified and evaluated in the respective sections  
26 of the EIR. As documented in the EIR, the proposed Project's projected  
27 population would result in increased impacts to traffic, noise, air quality,  
28

1 public services, recreation and parks, and utilities and service systems.  
2 Mitigation measures are presented in the EIR to reduce these significant  
3 environmental effects to below levels of significance with the exception of  
4 impacts identified for air quality and the contribution of traffic to freeway  
5 mainlines.

6 However, in light of on-going commercial and industrial development in the  
7 Project area, it is anticipated that the proposed Project would result in  
8 opportunities for newly contracted employees to meet their housing needs  
9 closer to their jobs. The extent to which the Project can or would be able to  
10 satisfy future employee housing needs resulting from the implementation of  
11 the proposed SVIP and County identified redevelopment areas is beyond  
12 the scope of this analysis and difficult to assess in the absence of controlled  
13 factors. Nevertheless, it is concluded that the proposed Project would result  
14 in substantial population growth in the area. However, no impacts not  
15 otherwise disclosed by EIR No. 504 would occur as a result of the Project's  
16 anticipated population increase.

17  
18 2. Mitigation.

No additional mitigation is required beyond mitigation already identified by  
19 EIR No. 504 for impacts to traffic, noise, air quality, public services,  
20 recreation and parks, and utilities and service systems.

21 O. Public Services

22  
23 1. Impacts.

24 Development of the Thermal 551 Specific Plan would directly and  
25 cumulative impact fire services by placing an additional demand on existing  
26 County Fire Department resources and personnel should its resources not be  
27 augmented. In accordance with the Riverside County Fire Protection  
28 Master Plan, a new fire station and/or appropriate fire company is required

1 infrastructure and community service facilities. Therefore, it can be argued that the Project  
2 merely is satisfying the demand and need for housing as a result of the future anticipated  
3 economic and development trends. As such, the Project is considered to incrementally  
4 contribute to growth inducement already occurring or anticipated in the Coachella Valley.

- 5 C. Infrastructure improvements proposed by the Project (including off-site improvements)  
6 would not result in significant growth inducing impacts because proposed improvements  
7 would not provide for and/or accommodate service beyond future levels planned for in the  
8 General Plan/, or beyond levels projected by the CVWD. Therefore, it can be argued that  
9 the Project merely is satisfying the demand and need for infrastructure as a result of the  
10 anticipated future economic and development trends.

11 **BE IT FURTHER RESOLVED** by the Board of Supervisors of the County of Riverside that it  
12 has considered and rejected as infeasible the alternatives identified in the EIR for the reasons described  
13 below. Section 15126.6 of the State CEQA Guidelines requires an EIR to describe a range of reasonable  
14 alternatives to the Project, or to the location of the Project, which could feasibly achieve most of its basic  
15 objectives, but would avoid or substantially lessen any of the significant effects identified in the EIR  
16 analysis. An EIR is not required to consider every conceivable alternative to a proposed Project. Rather,  
17 an EIR must consider a reasonable range of alternatives that are potentially feasible. An EIR is not  
18 required to consider alternatives that are infeasible. In addition, an EIR should evaluate the comparative  
19 merits of the alternatives.

20 A. Alternative 1 – No Project/No Development Alternative

- 21 1. This alternative assumes that there would be no General Plan Amendment or Zone  
22 Change to allow development on the site as proposed under SP 369. Agricultural  
23 land uses would continue to be the predominant land use activity on-site. Other  
24 types of development could occur, based on the site's current zoning of Heavy  
25 Agriculture (A-2-20), and Manufacturing-Service Commercial (M-SC); however,  
26 for the purposes of evaluation, the site is presumed to be used strictly for agriculture  
27 (i.e., a continuation of existing land uses on-site).  
28

- 1           2.     Under the No Development Alternative, the construction of new structures and  
2           recreational facilities would be prohibited. This alternative would therefore fail to  
3           achieve all nine (9) of the Project's primary objectives.
- 4           3.     Under the No Development Alternative, infrastructure improvements that would  
5           benefit County residents would not occur, including roadway improvements along  
6           the Project's frontage and improvements to the western face of the CVSC that  
7           would reduce flood hazards in the area.
- 8           4.     Under the No Development Alternative, remediation of the Thermal Landfill, which  
9           occurs on-site, would not occur, and health risks associated with this former landfill  
10          would not be abated.
- 11          5.     Because no discretionary action would be required, payment of TUMF fees  
12          pursuant to County Ordinance No. 824 would not occur, which would reduce the  
13          County's ability to implement long-range transportation infrastructure  
14          improvements.
- 15          6.     Because no discretionary action would be required, CVMSHCP fee payment per  
16          County Ordinance No. 875 would not be required. The lack of CVMSHCP fee  
17          payment would inhibit the County's ability to assemble and manage existing and  
18          proposed conservation areas within the Project area.
- 19          7.     The No Development Alternative would not meet the County's General Plan Policy  
20          C.1.1 to design a transportation system in accordance with the County's Circulation  
21          Plan. Namely, Circulation Element road improvements to Avenue 60, Filmore  
22          Street, Polk Street, Avenue 58, and Orange Avenue would not occur within the site  
23          or along the site's frontage under the No Development Alternative.

24           B.     Alternative 2 – No Project/Existing Zoning Alternative:

- 25           1.     This alternative assumes that there would be no General Plan Amendment or Zone  
26           Change to allow development on the site as proposed under Specific Plan No. 369.  
27           Agricultural land uses would continue to be the predominant land use activity on-  
28

1 site, with the exception of a 51.9-acre portion in the northeast corner of the Project  
2 site, located west of St. Hwy. 111 and north of Avenue 58 area, which would  
3 develop as a manufacturing-service commercial site in accordance with that parcel's  
4 existing "Manufacturing-Service Commercial (M-SC)" zoning designation.  
5 Riverside County's M-SC zoning designation allows for service and commercial  
6 uses and most light manufacturing and industrial uses with plot plan or conditional  
7 use permit approval.

8 2. Under the No Project/Existing Zoning Alternative, the construction of new  
9 residential structures and recreational facilities would be prohibited. Although  
10 some circulation and infrastructure improvements would occur under this  
11 alternative, such improvements only would occur adjacent to areas proposed for  
12 non-agricultural development. Implementation of this alternative, therefore, would  
13 fail to meet all but one of the Project's objectives. The construction of  
14 transportation infrastructure, facilities infrastructure, and other public improvements  
15 would occur under this alternative, but only in the northern portions of the site;  
16 accordingly, this alternative would achieve the Project's Objectives No. 6 and 7 to a  
17 much lesser degree than the proposed Project.

18 3. Under the No Project/Existing Zoning Alternative, channel improvements along the  
19 CVSC would not occur for most of the Project's frontage. As such, this alternative  
20 would not reduce flood hazards in the Project area to the extent achieved under the  
21 proposed Project.

22 4. Under the No Project/Existing Zoning Alternative, the Thermal Landfill would  
23 remain in areas designated for continued agricultural production. As such, this  
24 former landfill would not be remediated, and health risks associated with this  
25 landfill under existing conditions would not be abated.

26 5. Although the No Project/Existing Zoning Alternative would be subject to payment  
27 of TUMF fees pursuant to County Ordinance No. 824, the amount of such fees  
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1 would be greatly reduced under this alternative, which would reduce the County  
2 capacity for implementing regional transportation improvements.

3 6. Although the No Project/Existing Zoning Alternative would be subject to payment  
4 of CVMSHCP fee payments pursuant to County Ordinance No. 875, only the  
5 portions of the site zoned for non-agricultural development would be subject to such  
6 fees. As such, there would be a substantial reduction in the amount of fees to be  
7 paid, which would inhibit the County's ability to assemble and manage existing and  
8 proposed conservation areas within the Project area.

9 7. The No Project/Existing Zoning Alternative would meet the County's General Plan  
10 Policy C.1.1 to design a transportation system in accordance with the County's  
11 General Plan, but to a much lesser extent than the proposed Project. Specifically,  
12 Circulation Element road improvements to Polk Street, Avenue 60, Orange Avenue,  
13 and most of Filmore Street would not occur, except where such streets abut  
14 northernmost portions of the site that are permitted for non-agricultural  
15 development.

16 C. Alternative 3 – 30% Reduced Intensity Residential Alternative:

17 1. This alternative assumes the Project's number of residential homes would be  
18 reduced by thirty percent (30%). Under this Alternative, 1,657 residential dwelling  
19 units would be developed in lieu of the 2,354 residential dwelling units as proposed  
20 by the Project. This reduction in density would decrease the number of residential  
21 dwelling units while maintaining the overall layout of the Planning Areas proposed  
22 by the Thermal 551 Specific Plan. Lot sizes within Planning Areas 7 and 13  
23 would increase from single family attached to 6,000 s.q. f.t. lots; Planning Areas 4  
24 and 9 would increase from 3,600 s.q. f.t. lots to 6,000 s.q. f.t. lots; Planning Areas 8  
25 and 14 would increase from single family detached lots to 6,000 s.q. f.t. lots;  
26 Planning Areas 3 and 15 would increase from 4,500 to 6,000 s.q. f.t. lots; Planning  
27 Areas 1 and 12 would increase from 5,000 s.q. f.t. lots to 7,200 s.f. lots; Planning  
28

1 Areas 10 and 11 would increase from 7,200 s.q. f.t. lots to 9,000 s.q. f.t. lots; and  
2 Planning Areas 16 and 17 would increase from 6,000 s.q. f.t. lots to 7,200 s.q. f.t.  
3 lots. This Alternative was selected for consideration in order to assess the potential  
4 reduction in environmental impacts associated with reduced residential  
5 development intensity and a proportional reduction in the number of vehicle trips,  
6 vehicular noise, and vehicular air emissions, in addition to a reduction in the  
7 demand placed on natural resources, public facilities and utilities.

- 8 2. Implementation of the 30% Reduced Intensity Alternative would generally meet the  
9 basic objectives of the proposed Project, but to a lesser extent. Specifically, this  
10 alternative would provide for only three types of residential density, as opposed to  
11 the seven types of residential density proposed by the Project. This reduction in  
12 residential density also would be less effective in appealing to the economically  
13 diverse profile in the eastern Coachella Valley, as this alternative would not provide  
14 for higher density residential units which are desirable to lower income households.
- 15 3. Although implementation of the 30% Reduced Intensity Alternative would reduce  
16 the Project's impacts to the environment, implementation of this alternative would  
17 not fully eliminate the Project's significant and unavoidable impacts to land use  
18 (due to an inconsistency with the SCAQMD AQMP), circulation and traffic (due to  
19 cumulatively significant and unavoidable impacts to the I-10 freeway and area  
20 intersections), agricultural resources (resulting from the conversion of Prime  
21 Farmland to non-agricultural uses), or the Project's significant direct and  
22 cumulative impacts to air quality during both construction and long-term operation.
- 23 4. Although the 30% Reduced Intensity Alternative would be subject to payment of  
24 TUMF fees pursuant to County Ordinance No. 824, the amount of such fees would  
25 be reduced under this alternative due to the substantial reduction in the number of  
26 dwelling units, which would reduce the County's capacity for implementing  
27 regional transportation improvements.  
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1 5. Although the 30% Reduced Intensity Alternative would be subject to payment of  
2 CVMSHCP fee payments pursuant to County Ordinance No. 875, implementation  
3 of this alternative would result in a substantial reduction in the amount of fees to be  
4 paid because the amount of fees is based on the number of residential units. The  
5 substantial reduction in the number of residential units, and corresponding  
6 CVMSHCP fee amounts, would reduce the County's ability to assemble and  
7 manage existing and proposed conservation areas within the Project area.

8 D. Alternative 4 – Rural Community Alternative (Environmentally Superior Alternative)

9 1. This alternative considers development of the site with low density and very low  
10 density residential land uses that is agrarian in nature and equestrian compatible.  
11 Generally, this Alternative would include a reduction in residential land uses and  
12 densities in comparison to those proposed by the Project. Under this Alternative,  
13 residential lot sizes would include 1/2-acre, 1.0-acre, and 2.0-acre lots.  
14 Development would be entitled by tract maps. It is assumed that a Specific Plan  
15 would not be prepared under this Alternative. The number of dwelling units  
16 proposed would be a maximum of 508. The park in Planning Area 26 would be  
17 eliminated and replaced with low density residential land uses. Although it is  
18 possible that the residential units would be served by individual water wells and  
19 septic disposal systems, this Alternative assumes that domestic water and sewer  
20 service would be provided. This Alternative was selected for consideration to  
21 determine potential environmental impact reductions if the Project site was  
22 developed as a rural community, including a reduction in the number of vehicle  
23 trips, vehicular noise levels, and vehicular air emissions associated with a lesser  
24 development intensity, in addition to a corresponding reduction in the demand  
25 placed on public facilities and utilities. Due to the anticipated reduction in  
26 environmental effects associated with this alternative, the Rural Residential  
27 Alternative has been identified as the Environmentally Superior Alternative.  
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2. Implementation of the Rural Community Alternative would generally meet the basic objectives of the proposed Project, but to a much lesser extent. This alternative would provide for only three different types of residential density, as opposed to the seven types of density proposed by the Project. Moreover, the substantial reduction in dwelling units (508 units vs. 2,354 as proposed by the Project) would reduce the site's capacity to accommodate projected population increases in the County. Due to the larger lot sizes, the units under this alternative would be less marketable to the economically diverse profile of the eastern Coachella Valley; specifically, the provision of one acre and half acre lot sizes would not be as affordable to lower income households as would the high density and medium high density residential units proposed by the Project.
3. Although implementation of the Rural Community Alternative would substantially reduce the Project's impacts to the environment, implementation of this alternative would not fully eliminate the Project's significant and unavoidable impacts to land use (due to an inconsistency with the SCAQMD AQMP), circulation and traffic (due to cumulatively significant and unavoidable impacts to the I-10 freeway and area intersections), agricultural resources (resulting from the conversion of Prime Farmland to non-agricultural uses), or the Project's significant direct and cumulative impacts to air quality during both construction and long-term operation.
4. Although the Rural Community Alternative would be subject to payment of TUMF fees pursuant to County Ordinance No. 824, the amount of such fees would be reduced under this alternative due to the substantial reduction in the number of dwelling units, which would reduce the County's capacity for implementing regional transportation improvements.
5. Although the Rural Community Alternative would be subject to payment of CVMSHCP fee payments pursuant to County Ordinance No. 875, implementation of this alternative would result in a substantial reduction in the amount of fees to be

1 paid because the amount of fees is based on the number of residential units. The  
2 substantial reduction in the number of residential units, and corresponding  
3 CVMSHCP fee amounts, would reduce the County's ability to assemble and  
4 manage existing and proposed conservation areas within the Project area.

5 E. Environmentally Superior Alternative (Alternative 4 – Rural Community Alternative ()

- 6 1. Of the alternatives evaluated above, the No Project/No Development Alternative is  
7 the environmentally superior alternative with respect to reducing impacts created by  
8 the proposed Project (CEQA Guidelines §15126.6(e)(2)).
- 9 2. Of the three remaining alternatives, the Rural Community Alternative is the most  
10 environmentally superior to the proposed Project. The Rural Community  
11 Alternative would reduce the number of dwelling units on site from 2,354, as  
12 proposed by the Project, to 508 dwelling units. As compared to the proposed  
13 Project, implementation of this alternative would result in reduced daily traffic tr  
14 as well as associated air emissions and noise resulting from development of the site.  
15 This alternative also would have less of an impact upon local landfills due to a  
16 reduction in solid waste generation, and would substantially reduce energy  
17 demands. The reduction in intensity on-site also is anticipated to result in a slight  
18 reduction of impacts to hydrology and water quality, population and housing, public  
19 services, recreation and parks, and utility and service systems. Impacts to land use  
20 and planning, aesthetics, agricultural resources, biological resources, cultural  
21 resources, geology and soils, hazards and hazardous materials, and mineral  
22 resources would be similar to those identified in association with the proposed  
23 Project. Although implementation of this alternative would result in a substantial  
24 reduction in impacts to circulation and traffic (by reducing the amount of traffic  
25 impacting the I-10 and/or area intersections) and air quality (by reducing th  
26 intensity of construction activities and reducing the amount of vehicular-related  
27 emissions), implementation of this alternative would not eliminate the Project's  
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1 significant land use impact (due to an inconsistency with the SCAQMD AQMP);  
2 would reduce, but not fully eliminate, the Project's cumulatively significant and  
3 unavoidable impacts to circulation and traffic (due to cumulatively significant and  
4 unavoidable impacts to the I-10 freeway and area intersections); would not reduce  
5 the Project's significant and unmitigable impacts to agricultural resources (resulting  
6 from the conversion of Prime Farmland to non-agricultural uses); and would reduce,  
7 but would not fully eliminate, the Project's significant direct and cumulative  
8 impacts to air quality during both construction and long-term operation.

- 9  
10 3. The County has examined a reasonable range of alternatives to the proposed  
11 Project, one of which both meets some of the Project objectives and is  
12 environmentally superior to the proposed Project.

13 F. Alternative Sites

- 14 1. CEQA Guidelines Section 15126.6(f)(2) requires that an EIR identify alternatives to  
15 the project, but does not expressly require that it discuss alternative locations for the  
16 Project.
- 17 2. This EIR does not analyze an alternative site for the proposed project because none  
18 are available. There are no other alternative locations within Eastern Coachella  
19 Valley that would allow for a master-planned residential community of the size and  
20 scope of the proposed Project and that would result in a reduction of environmental  
21 impacts due to characteristics of the alternative location. Movement of the Project  
22 to another undeveloped location in the Eastern Coachella Valley Area Plan or  
23 Coachella Valley area not under Bureau of Land Management control or Native  
24 American Tribal jurisdiction would still result in significant and unavoidable  
25 impacts to air quality, land use, and circulation and traffic. In addition, it is likely  
26 that alternative sites also would contain Prime, Statewide Significant, or Unique  
27 farmlands, given the abundance of Important Farmland types in the eastern  
28 Coachella Valley. In addition, the ability of the Project applicant to acquire, control

1 or otherwise have access to alternative sites cannot be reasonably ascertained and is  
2 highly speculative. At the present time, the project applicant does not own any  
3 other properties in eastern Coachella Valley of sufficient size to accommodate the  
4 proposed Project. Due to the inadequacy of alternative sites discussed above, this  
5 EIR does not consider alternative site locations.

6 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Project will implement  
7 applicable elements of the Riverside County General Plan as follows:

8 A. Land Use Element

9 1. The Project proposes a General Plan Amendment to change the land use  
10 designations of the site from Agriculture, Public Facility, and Light Industrial to  
11 Specific Plan No. 369, which would allow for Medium Density Residential,  
12 Medium High Density Residential, High Density Residential, and Open Space-  
13 Recreation land uses. The proposed changes to the General Plan land use  
14 designations are allowed pursuant to policies within the Administration Element  
15 that govern the conversion of lands within the eastern Coachella Valley from an  
16 agricultural designation to a non-agricultural designation. Analysis of applicable  
17 policies of the Land Use Element is presented throughout EIR No. 504 and  
18 concludes that the Project would not conflict with any applicable policy of the  
19 General Plan Land Use Element. Furthermore the proposed Project complies with  
20 all design standards for the various land use designation and considers the unique  
21 characteristics and features of the Project site and surrounding community. The  
22 Project property is consistent with the policies of the Eastern Coachella Valley Area  
23 Plan and County General Plan, including the Land Use Element, and therefore  
24 would be developed in manner consistent with the General Plan. The proposed  
25 project is consistent with the General Plan Land Use Element, and is therefore  
26 consistent with the General Plan.  
27

28 B. Circulation Element

1. The Project will construct or contribute its fair share of the costs associated with the signalization of intersections, the improvement of certain intersections, and/or the construction of additional turn lanes. As described above, the Project will implement mitigation measures that address Project-specific and cumulative transportation and traffic impacts, and based thereon, the Board of Supervisors finds that the Project is consistent with the General Plan Circulation Element. All required improvements that are directly attributable to the Project would be constructed as part of the Project and fair share costs would be contributed for improvements to affected off-site roadways through payment of the Transportation Uniform Mitigation Fees (TUMF), Road and Bridge Benefit District fees (if available), and/or Development Impact Fees (DIF). The proposed project is consistent with the General Plan Circulation Element, and is therefore consistent with the General Plan.

C. Multipurpose Open Space Element

1. The Multipurpose Open Space Element of the General Plan describes an open space system which includes methods for the acquisition, maintenance, and operation of a variety of open spaces. The County's open spaces are utilized for visual relief, natural resources protection, habitat protection, recreational uses, and protection from natural hazards for public health and safety. A review of the Multipurpose Open Space Element indicates that the Project site is identified for agricultural production. Based on this determination, it is reasonable to conclude that this land is not included in the inventory of areas of significant open space and conservation value. Furthermore, the proposed Project would provide adequate on-site facilities to meet the local parkland and open space requirements of Riverside County Ordinance 460, Section 10.35, and State Quimby Act requirements. The proposed Project is consistent with the General Plan's Multipurpose Open Space Element, and is therefore consistent with the General Plan.

1           D.     Safety Element

2           1.     The proposed Project would comply with all applicable building codes, County  
3           Ordinances, and State and Federal laws. Additionally, the proposed project would  
4           comply with all applicable provisions of the Alquist-Priolo Earthquake Fault  
5           Zoning Act, and as concluded by the Project geotechnical, the Project site is not  
6           subject to significant hazards associated with earthquake induced liquefaction,  
7           landsliding, or settlement (assuming the implementation of mitigation). Also, with  
8           incorporation of Project design features to address regional flood hazard potential,  
9           the proposed Project would not be subject to flood or dam inundation. The Project  
10          also would comply with all applicable standards for fire safety and be consistent  
11          with the Riverside County Fire Protection Master Plan. Furthermore, Project  
12          impacts associated with hazardous waste and materials on the Project site would be  
13          mitigated below a level of significance, and the proposed Project would not conflict  
14          with any disaster preparedness plans nor subject individuals to significant risk of  
15          loss, injury, or death involving wildland fires, erosion, seismic activity, blowsand,  
16          or flooding. The proposed project is consistent with the General Plan Safety  
17          Element, and is therefore consistent with the General Plan.

18          E.     Noise Element

19          1.     Although the Project is located adjacent to the Jacqueline Cochran Regional Airport  
20          and lies within close proximity to major transportation facilities (Highway 111),  
21          mitigation measures have been incorporated into the proposed Project to ensure that  
22          on-site noise levels do not exceed the allowable levels identified by the General  
23          Plan Noise Element. With implementation of the recommendations provided in the  
24          noise impact analysis and the required mitigation measures, the Project would be  
25          consistent with the General Plan Noise Element, and is therefore consistent with the  
26          General Plan.

27          F.     Housing Element

1. The purpose of the General Plan Housing Element is to meet the needs of existing and future residents in Riverside County through the establishment of policies to guide County decision-making and to establish an action plan to meet the County's housing goals in the next seven years. The Project would further the goals of the General Plan Housing Element by providing higher density residential units that would contribute to meeting the housing needs of low to moderate income households. Although the land uses proposed by the Project would require a General Plan Amendment, there are no characteristics of the Project that would inhibit the County's ability to achieve the goals set forth by the General Plan Housing Element. Accordingly, the proposed Project would be consistent with the General Plan Housing Element and General Plan.

G. Air Quality Element

1. The Project is required to implement mitigation measures intended to reduce direct and cumulative air quality impacts to the greatest feasible extent. Implementation of the mitigation measures would ensure consistency with the Air Quality Element. Not unlike other development Projects in Riverside County, and as disclosed in the EIR prepared for the County General Plan (SCH No. 2002051143), direct and cumulative impacts to air quality would remain significant and unmitigable. Although the Project would have significant direct air quality impacts and its contribution to air quality impacts would be cumulatively considerable, mitigation measures presented would reduce those impacts to the greatest extent possible, in accordance with SCAQMD, EPA, and CARB requirements. Implementation of the mitigation measures and recommendations provided in EIR Section 4.4 and in the air quality technical study would ensure that the proposed Project would be consistent with the Air Quality Element and General Plan.

H. Administration Element

1. The Administration Element contains information regarding the structure of the



1 General Plan as well as general planning principles and a statement regarding the  
2 vision for Riverside County. No policy directives are included in this Element.  
3 However, the General Plan Amendment proposed by the Project would be  
4 consistent with the Administration Element policies governing Agricultural  
5 Foundation Amendments, as the proposed Project would help to achieve the  
6 purposes of the General Plan through compliance with applicable General Plan  
7 policies.

8 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Project would not conflict  
9 with the conservation requirements of the Coachella Valley Multiple Species Conservation Plan  
10 (CVMSHCP) in that:

- 11 A. The Project site is not located within a CVMSHCP Criteria Area and as such is not  
12 designated for conservation by the CVMSHCP. Thus, the Project would not conflict with  
13 Reserve Assembly, because the Project site is not identified for conservation.
- 14 B. The proposed Project site is not located within a CVMSHCP Criteria Area; as such, the  
15 proposed Project would not conflict with the CVMSHCP policies related to required  
16 avoidance, minimization, and mitigation measures (CVMSHCP Section 4.4), as such  
17 policies relate only to areas proposed for inclusion within the CVMSHCP Conservation  
18 Areas.
- 19 C. The proposed Project site is located approximately 3.5 miles northwest of the nearest lands  
20 targeted for conservation under the CVMSHCP. As such, the Land Use Adjacency  
21 Guidelines of the CVMSHCP (CVMSHCP Section 4.5), which apply only to lands within  
22 or adjacent to Conservation Areas, are not applicable to the proposed Project.

23  
24 **BE IT FURTHER RESOLVED** by the Board of Supervisors, that Specific Plan 369 (Thermal  
25 551) is consistent with the General Plan.

26 **BE IT FURTHER RESOLVED** by the Board of Supervisors, pursuant to Public Resources Code  
27 Section 21081(b) and the State CEQA Guidelines Sections 15093 and 15043, that it has balanced the  
28 "economic, legal, social, technological, and other benefits of the Project, including provision of

1 employment opportunities for highly trained workers,” against the unavoidable adverse environmental  
2 effects related to Land Use, Agriculture, Air Quality, and Circulation and Traffic associated with the  
3 proposed Project, as identified in the Recirculated Draft EIR and Final EIR. The Board of Supervisors  
4 hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate  
5 the potential impacts resulting from the Project by adopting all feasible mitigation measures with respect  
6 thereto, and has determined that these unavoidable adverse environmental impacts may be considered  
7 “acceptable” due to the following specific considerations of the proposed Project’s benefits outweighing  
8 the unavoidable adverse environmental impacts of the proposed Project. Each of the below-stated  
9 benefits of the proposed Project is determined to be, unto itself and independent of the other Project  
10 benefits, a basis for overriding all identified unavoidable adverse environmental impacts and warranting  
11 approval of the Project. The Board of Supervisors finds that except for the Project, all other alternatives  
12 set forth in the Recirculated Draft EIR and Final EIR are infeasible because they would prohibit the  
13 realization of Project objectives and/or specific economic, social, and other benefits that the Board of  
14 Supervisors finds outweigh any environmental benefits of the alternatives. Therefore, the Board of  
15 Supervisors hereby adopts this Statement of Overriding Considerations. Substantial evidence  
16 demonstrating the benefits of the Project are found in these findings, and in the documents found in the  
17 record of proceedings, discussed below, and include the following:

- 18
- 19 A. The land use, agricultural resources, air quality, and circulation and traffic impacts are  
20 outweighed and rendered acceptable because the proposed Project would construct  
21 improvements to the western bank of the Coachella Valley Storm Channel, which would  
22 reduce the potential for flood hazards in the Project area.
  - 23 B. The land use, agricultural resources, air quality, and circulation and traffic impacts are  
24 outweighed and rendered acceptable because the proposed Project would ensure proper  
25 closure of the Thermal Landfill site in accordance with the State of California, Department  
26 of Toxic Substances Control, and the County of Riverside, Department of Environmental  
27 Health requirements. The proper closure of the Thermal Landfill would reduce hazards to  
28 the environment and would reduce potential health hazards associated with this facility.

- 1 C. The land use, agricultural resources, air quality, and circulation and traffic impacts are  
2 outweighed and rendered acceptable because the proposed Project would provide for a  
3 variety of housing types within the Project vicinity, which not only would assist the County  
4 in meeting the General Plan Housing Element goals to provide for housing that is suitable  
5 to lower income households, but also would accommodate planned urban non-residential  
6 development within the area generally bounded on the west by Monroe Street, on the north  
7 by Avenue 60 and Airport Boulevard, on the south by Avenue 66, and on the east by State  
8 Route 111 (also known as the South Valley Implementation Program, or SVIP).
- 9 D. The land use, agricultural resources, air quality, and circulation and traffic impacts are  
10 outweighed and rendered acceptable because development of the Project will generate  
11 additional employment opportunities (during construction) for skilled labor within  
12 Riverside County. Environmentally superior project alternatives would not create an array  
13 of new employment opportunities to utilize the skilled labor pool within Riverside County  
14 to the same extent as the proposed Project, as each alternative would involve a substantial  
15 reduction in the amount of proposed construction.
- 16 E. The land use, agricultural resources, air quality, and circulation and traffic impacts are  
17 outweighed and rendered acceptable because the proposed Project would implement  
18 improvements to roadways abutting and traversing the site in a manner consistent with the  
19 Riverside County General Plan Circulation Element (as amended by General Plan  
20 Amendment No. 00889), including improvements to Polk Street, Avenue 60, Filmore  
21 Street, and Orange Avenue.
- 22 F. The land use, agricultural resources, air quality, and circulation and traffic impacts are  
23 outweighed and rendered acceptable because the proposed Project would accommodate  
24 124.9 acres of open space and recreational amenities, which exceeds the minimum parkland  
25 requirements of the Quimby Act and Coachella Valley Regional Parks District, and would  
26 therefore provide for recreational opportunities for area residents that would not be possible  
27 in the absence of the proposed Project.  
28

1 G. The land use, agricultural resources, air quality, and circulation and traffic impacts are  
2 outweighed and rendered acceptable because the proposed Project would ensure long-term  
3 consistency with the Jacqueline Cochran Regional Airport Comprehensive Land Use Plan  
4 by providing for residential densities on-site that are consistent with the Plan (i.e., densities  
5 on-site would exceed 5.0 dwelling units per acre) and by providing for "open lands" on-site  
6 that will help to ensure the safety of airport operations.

7 H. The land use, agricultural resources, air quality, and circulation and traffic impacts are  
8 outweighed and rendered acceptable because the Project will create an aesthetically  
9 pleasing and distinct urban residential community identity (sense of place) through the  
10 establishment of design criteria for architecture, landscaping, walls, street improvements,  
11 signs, entry monuments, and other planning and design features. Riverside County has  
12 determined and finds that it is more important in this case to obtain the benefit of the  
13 Project's aesthetic enhancement for the community than to forego the Project out of regard  
14 for the land use, agricultural resources, air quality, and circulation and traffic impacts.

15 I. The land use, agricultural resources, air quality, and circulation and traffic impacts are  
16 outweighed and rendered acceptable because the Project will construct regional and  
17 community trails which will help to accommodate the recreational needs of both Project  
18 and nearby residents. Riverside County has determined and finds that it is more important  
19 in this case to obtain the benefit of the Project's contribution to recreational facilities within  
20 the Thermal Area than to forego the Project out of regard for the land use, agricultural  
21 resources, air quality, and circulation and traffic impacts.

22  
23 **BE IT FURTHER RESOLVED** by the Board of Supervisors of the County of Riverside that it  
24 has reviewed and considered EIR No. 504 in evaluating the Project, that EIR No. 504 is an accurate and  
25 objective statement that complies with the California Environmental Quality Act and reflects the County's  
26 independent judgment, and that EIR No. 504 is incorporated herein by this reference.

27 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **CERTIFIES** EIR No. 504  
28 and **ADOPTS** the Mitigation Monitoring and Reporting Plan specified therein pursuant to Public

1 Resources Code section 21081.6; and **ADOPTS** the above-noted Statement of Overriding Consideration  
2 In the event of any inconsistencies between the mitigation measures as set forth herein and the Mitigation  
3 Monitoring and Reporting Program, the Mitigation Monitoring and Reporting Program shall control.

4 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Specific Plan No. 369  
5 (Thermal 551), on file with the Clerk of the Board, including the final conditions of approval and exhibits,  
6 is hereby adopted as the Specific Plan of Land Use for the real property described and shown in the plan,  
7 and said real property shall be developed substantially in accordance with the plan, unless the plan is  
8 amended by the Board.

9 **BE IT FURTHER RESOLVED** by the Board of Supervisors that copies of the Specific Plan No.  
10 00369 and Final Environmental Impact Report No. 504 shall be placed on file in the Clerk of the Board,  
11 in the Office of the Planning Director, and in the Office of the Building and Safety Director, and that no  
12 applications for other development approvals shall be accepted for real property described and shown in  
13 the Project, unless such applications are substantially in accordance herewith.

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

**COUNTY OF RIVERSIDE**  
**TRANSPORTATION AND LAND MANAGEMENT AGENCY**

*Tony Carstens · Agency Director*  
**Planning Department**  
*Ron Goldman · Planning Director*

March 26, 2007

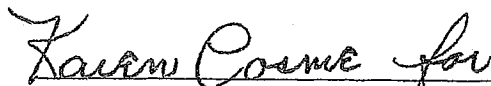
**RE: Notice of Non-Renewal(s)**

Dear Owner/Applicant:

Enclosed for your records is the original recorded Notice(s) of Non-Renewal that you submitted on your land conservation contract (i.e., Williamson Act Contract). If you have any questions regarding your case, please contact Karen Cosme at (951) 955-3067.

Sincerely yours,

RIVERSIDE COUNTY PLANNING DEPARTMENT  
Robert C. Johnson, Planning Director

  
Kathleen Browne, Project Manager  
(951) 955-4949

enclosure

Y:\Planning Case Files-Riverside office\AGN00120\Letter to Owner\_Rep for NONRs.doc

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY:

CLERK OF THE BOARD  
DEPARTMENT  
(CAC - 1<sup>st</sup> Floor)

AND WHEN RECORDED MAIL TO:

RETURN TO STOP#1010

Clerk of the Board

(CAC Bldg. - 1<sup>st</sup> Floor)

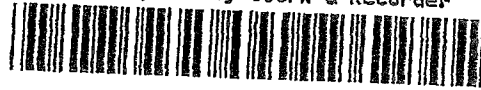
DOC # 2007-0167248

03/12/2007 08:00A Fee:NC

Page 1 of 6

Recorded in Official Records  
County of Riverside

Larry W. Ward  
Assessor, County Clerk & Recorder



S	R	U	PAGE	SIZE	DA	MISC	LONG	RFD	COPY
1			6						
M	A	L	465	426	PCOR	NCOR	SMF	NCHG	EXAM
									504

NOTICE OF NONRENEWAL

C  
504

NOTICE IS HEREBY GIVEN pursuant to Section 51245 of the California Government Code that the undersigned, being all of the owners of the affected real property, elect not to renew Land Conservation Contract or Agreement dated 1/1/1971 and recorded on 2/24/1971 as Instrument No. 18027 in the Office of the County Recorder of Riverside County, California. The real property affected by this notice is located in the Coachella Valley Agricultural Preserve No. 18, Map No. 132, dated 2/16/71.

(See attached Legal)

Assessor's Parcel Number(s) of land affected: 757-090-007-7 and 757-090-020-8

ORIGINAL OWNER(S)

D.D. Dunlap Trust

Dorothy Dunlap Trust

CURRENT OWNER(S)

D.S. Dunlap

William B. Gage

D.S. Dunlap

William B. Gage

(All original and current owners must be listed)

Acknowledgement of Receipt  
Nancy Romero, Clerk of the Board

By Tom Blumel  
Deputy

Date: 3-12-07

ATTEST:  
NANCY ROMERO, Clerk

By Tom Blumel  
DEPUTY

504 1076 53 6X P: 53

EACH DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED IS CERTIFIED TO BE A FULL, TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE AND OF RECORD IN MY OFFICE.

Dated: 3-22-07

Nancy Romero  
Clerk of the Board of Supervisors  
County of Riverside, California

By Tom Blumel

NOTARY ACKNOWLEDGMENT

STATE OF CA, COUNTY OF Orange

On 1/22/07 before me, Corazon Manahan <sup>Notary Public</sup>, personally appeared  
(Date) (Name and title of officer (e.g. "James Doe, Notary Public"))

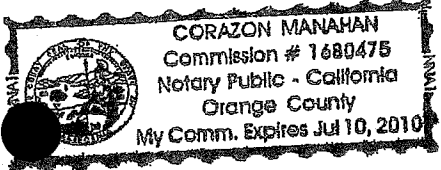
William B. Gage  personally known to me -OR-  
(Name(s) of signer(s))

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Corazon Manahan  
Notary Public

714-840-6460





NOTARY ACKNOWLEDGMENT

State of California

County of Orange

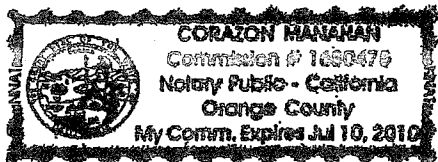
ss.

On 01/22/07 before me, Corazon Manalan Notary Public  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared U.S. Mendez  
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence

to be the person (s) whose name (s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature (s) on the instrument the person (s), or the entity upon behalf of which the person (s) acted, executed the instrument.



WITNESS my hand and official seal.

Corazon Manalan  
Signature of Notary Public

714-840-6460



**EXHIBIT A**  
**COACHELLA VALLEY CALIFORNIA AGRICULTURAL PRESERVE NO. 18**  
**MAP NO. 132**  
**(NOTICE OF NON-RENEWAL)**

The following described Real Property of Riverside County, State of California, described as follows:

Description: Parcel three (3) and lots (B) & (C) of Parcel Map 15682 recorded in Book 88 , Pages 19 and 20 of Parcel Maps on file in the office of the Riverside County Recorder.

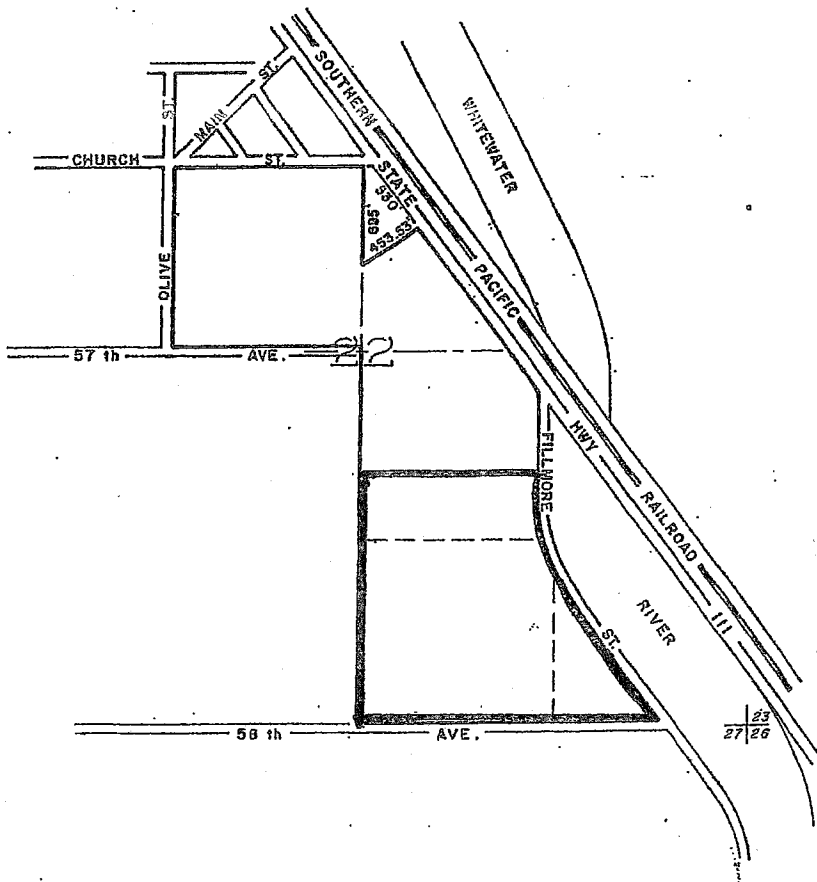
Assessor Parcel No.	Acres (net)	Owners
757-090-007	40.9	D. D. Dunlap Trust ( ½ interest)
		Dorothy Dunlap Trust ( ½ interest)
757-090-020	11.01	D. D. Dunlap Trust ( ½ interest)
		Dorothy Dunlap Trust ( ½ interest)
<b>Total</b>	<b>51.91</b>	



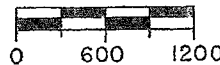
2007-0167248  
93/12/2007 08:00A  
4 of 8

# MAP NO. 132 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 18

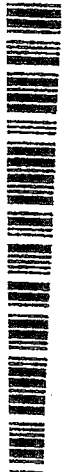
T. 6 S. - R. 8 E.



ADOPTED ON FEBRUARY 16, 1971  
BY THE BOARD OF SUPERVISORS  
OF THE COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA



2007-8167248  
63/12/2007 08:06A  
5 of 6





LARRY W. WARD  
 COUNTY OF RIVERSIDE  
 ASSESSOR-COUNTY CLERK-RECORDER

Recorder  
 P.O. Box 751  
 Riverside, CA 92502-0751  
 (951) 486-7000  
 www.riversideacr.com

CERTIFICATION

Pursuant to the provisions of Government Code 27361.7, I certify under the penalty of perjury that the following is a true copy of illegible wording found in the attached document:

(Print or type the page number(s) and wording below):

On 1/22/07 before me, CORAZON MANAHAN, notary public, personally appeared William B. Gage personally known to me - OR -

On 01/22/07 before me, CORAZON MANAHAN, notary public, personally appeared D.S. Dunlap, personally known to me - OR -

Date: 3-12-07

Signature: Jandi Schlemmer

Print Name: JANDI SCHLEMMER



**AGRICULTURAL PRESERVE  
TECHNICAL ADVISORY COMMITTEE REPORT**

Preserve Name & No. Coachella Valley Agricultural Preserve No. 18 Map No. 1001  
Applicant's Name: Brookfield California Land Holdings, LLC Date Received 4-23-08  
Address: 1522 Brookhollow Drive, Ste. 1, Santa Ana, CA 92705 Supv. Dist. Fourth

1. Planning Department

- A. Type of Application: \_\_\_\_\_ Establish \_\_\_\_\_ Enlarge  
\_\_\_\_\_ Disestablish X Diminish
- B. Acreage: 2 parcels totaling ~52.0 acres
- C. Cities within 1 mile: City of Coachella
- D. Existing Zoning: Heavy Agriculture - 10 acre minimum lot size (A-2-10)
- E. Existing Land Use: Agriculture - Fallow
- F. General Plan Land Use: Light Industrial - Community Development (LI-CD)
- G. General Location: North of and adjacent to 58<sup>th</sup> Avenue, southerly of 57<sup>th</sup> Avenue, easterly of Polk Street and west of and adjacent to Fillmore Street in the community of Thermal in the Eastern Coachella Valley of Riverside County.

2. Agricultural Commissioner

- A. Existing agricultural uses or crops, acreage, and average income or crop return per acre for last year (County-wide values):  
Not used for commercial agriculture.
- B. Number and type of livestock: None.

3. Cooperative Extension

- A. Suitable commercial agricultural uses: Fallow. Surrounding properties are planted with citrus, dates and carrots.
- B. Availability of irrigation water: Not an issue.
- C. Nuisance effects: Nuisance dust resulting from agricultural uses.

4. Natural Resource Conservation Service

A. Types of soils and soils capability classifications: (SEE ATTACHED LIST)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B. Comparison of soil acreage (estimated):

\_\_\_\_\_ % Class I & II  
\_\_\_\_\_ % Class III, IV, & VI  
\_\_\_\_\_ % Class VII & VIII

C. Has a Soils Conservation Plan been prepared for this property? \_\_\_\_\_

D. Soils problems: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

5. Assessor

A. Last annual assessed valuation: 2008 RV: \$73,409.00

B. Estimated annual assessed valuation: FBY: \$73,409.00

C. Estimated differential: \$ -0-

D. Penalty fee (if applicable): \$181,625.00

E. Assessor's parcel numbers, acreage and owner's names:

APN 757-090-007-7 (40.90 ac) (A)\$53,905.00(B)\$53,905.00(C) -0- (D)\$143,125.00  
APN 757-090-020-8 (11.01 ac) (A)\$19,504.00(B)\$19,504.00(C) -0- (D)\$ 38,500.00

DD Dunlap & Dorothy Dunlap, Trustees  
16897 Algonquin Street  
Huntington Beach, CA 92649

6. County Counsel

7. Committee recommendation on application: \_\_\_\_\_ Acceptable  Not acceptable

Summary and Conclusions:

The Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) evaluated the proposed cancellation of the land conservation contract on the subject site. The purpose of this evaluation was to determine if the proposed cancellation is consistent with the purpose of the Land Conservation Act of 1965. Based on its evaluation, CAPTAC could not make the five findings necessary to conclude that the proposed cancellation is consistent with the

Land Conservation Act of 1965 (Act). Based on its findings, CAPTAC concluded that the proposed cancellation is not consistent with the Land Conservation Act of 1965 and, as a result, CAPTAC is recommending that the Riverside County Board of Supervisors not grant the proposed cancellation. CAPTAC, by a majority of its members (the Natural Resource Conservation Service was not present), affirmed four of the five findings necessary to conclude that the proposed cancellation is consistent with the Act but could not affirm the one remaining finding necessary to recommend approval of the proposed cancellation. CAPTAC made the following findings:

- I. The cancellation is for land on which a Notice of Non-Renewal has been served pursuant to Section 401 of the Rules and Regulations Governing Agricultural Preserves in Riverside County and Government Code Section 51245. A Notice of Non-Renewal was filed with the Planning Department on March 8, 2007, and was recorded by the Riverside County Clerk and Recorder on March 12, 2007 as Instrument No. 2007-0167248. CAPTAC, by a majority of its members, found that the cancellation is for land on which a notice of non-renewal has been served.
  
- II. The cancellation is not likely to result in the removal of adjacent lands from agricultural use. The subject parcels are located in the community of Thermal in the Eastern Coachella Valley Area Plan of Riverside County. Existing land use on the parcels is agriculture and surrounding land uses include agriculture, scattered single-family residential and vacant undeveloped land. The Coachella Valley Flood Control Channel, State Highway 111 and State Highway 86 South lie immediately east of and adjacent to the parcels and approximately one-half mile to the west is the Jacqueline Cochran Airport. In 1990, due to the close proximity to the airport, the County rezoned a number of parcels (including the subject parcels) surrounding the airport to Industrial Park (IP), General Commercial (C-1/C-P), Scenic Highway Commercial (C-P-S) and Manufacturing - Service Commercial (M-SC) to support future airport and interstate land uses. Subsequently, the 2003 Riverside County General Plan designates land uses on the subject parcels and to the north and northeast Light Industrial - Community Development (LI-CD), to the northwest Medium High Density Residential - Community Development (MHDR-CD), to the west Public Facilities and to the south Agriculture (AG-AG).

Then, in 2004, the Riverside County Airport Land Use Commission (ALUC) adopted Countywide Airport Land Use Compatibility Plan (ALUCP) policies impacting land use on thousands of privately-owned parcels surrounding all 16 airports located within Riverside County. These policies primarily affect the boundaries and permitted land uses within the Airport Compatibility Zones. The Jacqueline Cochran ALUCP identifies most of the land surrounding the airport as located within Airport Compatibility Zones D and E. The subject parcels are located within Airport Compatibility Zone D which provides for two residential development options: 1) to limit densities to no more than 0.2 dwelling units per acre or 2) require that densities be greater than 5.0 dwelling units per acre. Non-residential development is restricted to usage intensity (number of people per acre) times the gross acreage of the site. Prohibited uses include highly

noise-sensitive outdoor nonresidential uses and hazards to flight.

Further influencing land uses within the vicinity of the airport, is the development and operation of Horse Shows in the Sun (HITS), which lies within the northwestern boundary of the airport. HITS is a special events management company focused on producing hunter/jumper horse shows and is host to a number of international equestrian events. Annual events have grown to over 1,000 shows and HITS now has over 8,000 members. Additionally, there are a number of private polo fields located within proximity to the airport in the communities of Thermal, Indio and La Quinta.

The proposed alternative land use on the subject parcels is Specific Plan No. 369 (SP369), which encompasses approximately 612 acres and includes both contracted and noncontracted lands. SP369 proposes development of attached and detached single-family residential homes on lots ranging from 3,600 square feet to 7,200 square feet, a clubhouse, an approximately 23-acre public park, a smaller local park, open space areas adjacent to the project site boundaries and the creation of an approximately 21-acre man-made lake. Upon adoption of General Plan No. 846, which proposes to change the land use designations on the project site from AG-AG, LI-CD, and PF to Specific Plan; adoption of SP369; and, adoption of Change of Zone No. 7481, which proposes to change the zoning on the project site from Heavy Agriculture - 20 acre minimum lot size (A-2-20) and Manufacturing - Service Commercial (M-SC) to Specific Plan, the proposed alternative land use will be consistent with the Riverside County General Plan, the Jacqueline Cochran ALUCP and the proposed zoning. However, based on the existing and surrounding land uses, a majority of CAPTAC members could not conclude that the proposed cancellation would not likely result in the removal of adjacent lands from agricultural use.

III. The cancellation is for an alternative use which is consistent with the applicable provisions of the County general plan. The subject parcels are located in the community of Thermal in the Eastern Coachella Valley Area Plan of Riverside County. Existing land use on the parcels is agriculture and surrounding land uses include agriculture, scattered single-family residential and vacant undeveloped land. The Coachella Valley Flood Control Channel, State Highway 111 and State Highway 86 South lie immediately east of and adjacent to the parcels and approximately one-half mile to the west is the Jacqueline Cochran Airport. In 1990, due to the close proximity to the airport, the County rezoned a number of parcels (including the subject parcels) surrounding the airport to Industrial Park (IP), General Commercial (C-1/C-P), Scenic Highway Commercial (C-P-S) and Manufacturing - Service Commercial (M-SC) to support future airport and interstate land uses. Subsequently, the 2003 Riverside County General Plan designates land uses on the subject parcels and to the north and northeast Light Industrial - Community Development (LI-CD), to the northwest Medium High Density Residential - Community Development (MHDR-CD), to the west Public Facilities and to the south Agriculture (AG-AG).



Then, in 2004, the Riverside County Airport Land Use Commission (ALUC) adopted Countywide Airport Land Use Compatibility Plan (ALUCP) policies impacting land use on thousands of privately-owned parcels surrounding all 16 airports located within Riverside County. These policies primarily affect the boundaries and permitted land uses within the Airport Compatibility Zones. The Jacqueline Cochran ALUCP identifies most of the land surrounding the airport as located within Airport Compatibility Zones D and E. The subject parcels are located within Airport Compatibility Zone D which provides for two residential development options: 1) to limit densities to no more than 0.2 dwelling units per acre or 2) require that densities be greater than 5.0 dwelling units per acre. Non-residential development is restricted to usage intensity (number of people per acre) times the gross acreage of the site. Prohibited uses include highly noise-sensitive outdoor nonresidential uses and hazards to flight.

Further influencing land uses within the vicinity of the airport, is the development and operation of Horse Shows in the Sun (HITS), which lies within the northwestern boundary of the airport. HITS is a special events management company focused on producing hunter/jumper horse shows and is host to a number of international equestrian events. Annual events have grown to over 1,000 shows and HITS now has over 8,000 members. Additionally, there are a number of private polo fields located within proximity to the airport in the communities of Thermal, Indio and La Quinta.

The proposed alternative land use on the subject parcels is Specific Plan No. 369 (SP369), which encompasses approximately 612 acres and includes both contracted and noncontracted lands. SP369 proposes development of attached and detached single-family residential homes on lots ranging from 3,600 square feet to 7,200 square feet, a clubhouse, an approximately 23-acre public park, a smaller local park, open space areas adjacent to the project site boundaries and the creation of an approximately 21-acre man-made lake. Upon adoption of General Plan No. 846, which proposes to change the land use designations on the project site from AG-AG, LI-CD, and PF to Specific Plan; adoption of SP369; and, adoption of Change of Zone No. 7481, which proposes to change the zoning on the project site from Heavy Agriculture - 20 acre minimum lot size (A-2-20) and Manufacturing - Service Commercial (M-SC) to Specific Plan, the proposed alternative land use will be consistent with the Riverside County General Plan, the Jacqueline Cochran ALUCP and the proposed zoning. CAPTAC, by a majority of its members, found that the proposed cancellation is for an alternative use which is consistent with the applicable provisions of the Riverside County General Plan.

IV. The cancellation will not result in discontinuous patterns of urban development. Both surrounding land use designations and zoning indicate that development in these areas is intended to support future airport and interstate land uses. Presently, there are existing urban entitlements to the northwest, north, northeast, east and southwest of the project site. In view of these approved developments, the proposed cancellation will not result in discontinuous patterns of urban development. CAPTAC, by a majority of its members, found that the cancellation will not result in discontinuous patterns

of urban development.

- V. There is no proximate non-contracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or, that development of the contracted land would provide more contiguous patterns of urban development than development of proximate, non-contracted land. Both surrounding land use designations and zoning indicate that development in these areas is intended to support future airport and interstate land uses. Presently, there are existing urban entitlements to the northwest, north, northeast, east and southwest of the project site. A majority of CAPTAC members found that development of the contracted land would provide more contiguous patterns of urban development than development of proximate, non-contracted land. Development of the subject parcels will connect existing urban development to the airport and other approved development to the southwest.



# ASSESSOR-COUNTY CLERK-RECORDER

## Agricultural Division – Riverside District

6221 Box Springs Blvd

Riverside, CA 92507

PH (951) 486-6777 FAX: (951) 486-5944

**LARRY W. WARD** Assessor – Clerk – Recorder

---

**To:** Jeff Stone, CHAIRMAN, BOARD OF SUPERVISORS  
**From:** **LARRY W. WARD**, ASSESSOR - CLERK - RECORDER  
**Re:** CERTIFICATION OF CANCELLATION VALUATION OF LAND (**AG01001**)  
FOR: AGRICULTURAL PRESERVE COACHELLA VALLEY NO 18, MAP NO 132  
(AG01001 – D.D. DUNLAP & DOROTHY DUNLAP, TRUSTEES)

---

**DATE: 05-19-2009**

*Submitted at CAPTAC Hearing 5-19-2009*

### CERTIFICATE OF CANCELLATION VALUE BASED ON CURRENT MARKET VALUE

I, the undersigned, hereby certify, pursuant to the provisions of Government Code Section 51283(a) and Title 18, California Administrative Code, Section 470, that the cancellation valuation for the below described property is as follows:

<u>Assessor's Parcel No.</u>	<u>Current Market Value</u>	<u>Cancellation Value</u>	<u>Cancellation Fee</u>
757-090-007-7 (40.90 ACRES)	1,145,000	1,145,000	143,125.00
757-090-020-8 (11.01 ACRES)	308,000	308,000	38,500.00
<b>TOTAL:</b>	<u>1,453,000</u>	<u>1,453,000</u>	<u>181,625.00</u>

TOTAL CANCELLATION FEE [Per Section 51283 (a)] \$181,625.00

TOTAL CURRENT MARKET VALUE: 1,453,000

Very truly yours,

LARRY W. WARD  
ASSESSOR - CLERK - RECORDER

Date: 05-19-2009

by JAMES HARLOW  
JAMES HARLOW, Supervising Appraiser,  
Riverside County Assessor



**ASSESSOR-COUNTY CLERK-RECORDER**  
**Agricultural Division – Riverside District**  
6221 Box Springs Blvd  
Riverside, CA 92507  
PH (951) 486-6777 FAX: (951) 486-5944

**LARRY W. WARD** Assessor – Clerk – Recorder

**AG 01001 CAPTAC FINDINGS**

**NONR #2007-0167248 (03-12-2007)**

**# 5 ASSESSOR:**

<b>A-B</b>	<b>LAST ANNUAL ASSESSED VALUATION</b>	<b>EST ANNUAL ASSESSED VALUATION</b>
(1) 757-090-007-7	2008 RV: <b>53,905</b>	2008 FBY: <b>53,905</b> (1975 FBY)
(2) 757-090-020-8	2008 RV: <b>19,504</b>	2008 FBY: <b>19,504</b> (1975 FBY)

**C EST DIFFERENTIAL**

(1) 757-090-007-7	DIFF: <b>-0-</b>
(2) 757-090-020-8	DIFF: <b>-0-</b>

**D PENALTY FEE:**

(1) 757-090-007-7	\$ <b>143,125</b>
(2) 757-090-020-8	\$ <b>38,500</b>

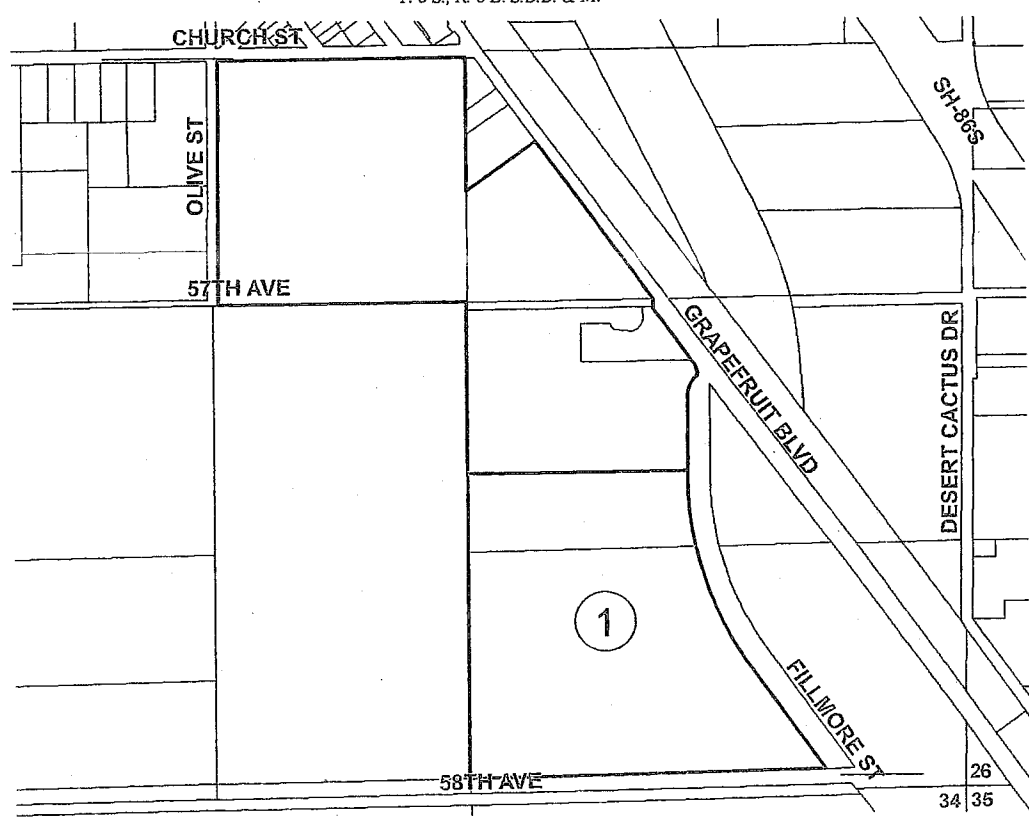
<b>E</b>	<b>APN'S</b>	<b>OWNER NAME</b>	<b>ACREAGE</b>
(1) 757-090-007-7		D.D. DUNLAP & <sup><u>DOROTHY</u></sup> DOROTY DUNLAP, TRUSTEES	40.90 ACRES
(2) 757-090-020-8		D.D. DUNLAP & <sup><u>DOROTHY</u></sup> DOROTY DUNLAP, TRUSTEES	11.01 ACRES

DD Dunlap & Dorothy Dunlap, Trustees  
16897 Algonquin Street  
Huntington Beach CA 92649

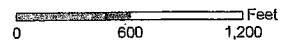
# MAP NO. 132 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 18

AMENDED BY MAP NO. 1001

T. 6 S., R. 8 E. S.B.B. & M.



AMENDMENTS:  
NO. 1, (DIMINISHMENT), , MAP NO. 1001



ADOPTED ON FEBRUARY 16, 1971  
BY THE BOARD OF SUPERVISORS  
OF THE COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA.

**COUNTY OF RIVERSIDE**  
**TRANSPORTATION AND LAND MANAGEMENT AGENCY**

*George A. Johnson · Agency Director*

**Planning Department**

*Ron Goldman · Planning Director*

July 6, 2009

Department of Conservation  
ATTN: Dan Otis, Williamson Act Program Manager  
801 K Street, M 34-01  
Sacramento, CA 95814

RE: Petition for Tentative Cancellation of Contract – Agricultural Preserve Case No. 1001

Dear Mr. Otis:

The Riverside County Planning Department is forwarding a copy of the above document and related information to your department pursuant to Government Code Section 51284.1. The State package includes: 1) a copy of the petition for tentative cancellation of contract and complete application information, 2) a copy of the contract(s) and notice(s) of non-renewal, and 3) a general description of the land proposed to be cancelled, land use exhibits and CAPTAC findings.

At this time, this item has not been scheduled for public hearing before the Board of Supervisors and I do not anticipate that the hearing will occur prior to the end of 2009. However, comments should be submitted to my attention at the Riverside address listed below or, if you would prefer to fax your comments, to the Planning Department fax number (951) 955-3157 by August 7, 2009. If you have any questions regarding the enclosed materials, please contact me at (951) 955-4949.

Sincerely yours,

RIVERSIDE COUNTY PLANNING DEPARTMENT  
Ron Goldman, Planning Director

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Kathleen A. Browne, Urban/Regional Planner III

Enclosures

Y:\Planning Case Files-Riverside office\AG01001\DOC\_Application Complete Ltr.doc

## AGRICULTURAL PRESERVE TECHNICAL ADVISORY COMMITTEE REPORT

Preserve Name & No. Coachella Valley Agricultural Preserve No. 62 Map No. 1002

Applicant's Name: Brookfield California Land Holdings, LLC Date Received 4-23-08

Address: 1522 Brookhollow Drive, Ste. 1, Santa Ana, CA 92705 Supv. Dist. Fourth

1. **Planning Department**

- A. Type of Application: \_\_\_\_\_ Establish \_\_\_\_\_ Enlarge  
\_\_\_\_\_ Disestablish \_\_\_\_\_  Diminish
- B. Acreage: 3 parcels totaling ~131.0 acres
- C. Cities within 1 mile: City of Coachella
- D. Existing Zoning: Heavy Agriculture - 20 acre minimum lot size (A-2-20)
- E. Existing Land Use: Agriculture - Row Crops
- F. General Plan Land Use: Agriculture (AG-AG)
- G. General Location: North of and adjacent to 60<sup>th</sup> Avenue, south of and  
Adjacent to 59<sup>th</sup> Avenue, easterly of Polk Street and west  
of and adjacent to Fillmore Street in the community of  
Thermal in Eastern Coachella Valley of Riverside County.

2. **Agricultural Commissioner**

- A. Existing agricultural uses or crops, acreage, and average income or crop return per acre for last year (County-wide values):  
Not currently used for commercial agriculture.
- B. Number and type of livestock: None.

3. **Cooperative Extension**

- A. Suitable commercial agricultural uses: Carrots and lettuce; presently fallow.
- B. Availability of irrigation water: Not an issue.
- C. Nuisance effects: Nuisance dust from agricultural operations.

Natural Resource Conservation Service

- A. Types of soils and soils capability classifications: (SEE ATTACHED LIST)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- B. Comparison of soil acreage (estimated):  
\_\_\_\_\_ % Class I & II  
\_\_\_\_\_ % Class III, IV, & VI  
\_\_\_\_\_ % Class VII & VIII
- C. Has a Soils Conservation Plan been prepared for this property? \_\_\_\_\_
- D. Soils problems: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Assessor

- A. Last annual assessed valuation: 2008 RV: \$517,770.00
- B. Estimated annual assessed valuation: FBY: \$517,770.00
- C. Estimated differential: \$ -0-
- D. Penalty fee (if applicable): \$458,375.00
- E. Assessor's parcel numbers, acreage and owner's names:  
APN 757-210-004-4 (9.88 ac) (A)\$ 39,026.00(B)\$ 39,026.00(C) -0- (D)\$ 34,625.00  
APN 757-210-005-5 (9.88 ac) (A)\$ 39,438.00(B)\$ 39,438.00(C) -0- (D)\$ 34,625.00  
APN 757-210-015-4 (111.19 ac) (A)\$439,306.00(B)\$439,306.00(C) -0- (D)\$389,125.00  
\_\_\_\_\_  
Agri-Empirem a California Corporation  
ATTN: John Brennan  
630 W. 7<sup>th</sup> Street, P.O. Box 490  
San Jacinto, CA 92583

6. County Counsel

7. Committee recommendation on application: \_\_\_\_\_ Acceptable \_\_\_\_\_  Not acceptable

Summary and Conclusions:

The Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) evaluated the proposed cancellation of the land conservation contract on the subject site. The purpose of this evaluation was to determine if the proposed cancellation is consistent with the purpose of the Land Conservation Act of 1965. Based on its evaluation, CAPTAC could not make the five findings necessary to conclude that the proposed cancellation is consistent with the



Land Conservation Act of 1965 (Act). Based on its findings, CAPTAC concluded that the proposed cancellation is not consistent with the Land Conservation Act of 1965 and, as a result, CAPTAC is recommending that the Riverside County Board of Supervisors not grant the proposed cancellation. CAPTAC affirmed, by a majority of its members (the Natural Resource Conservation Service was not present), four of the five findings necessary to conclude that the proposed cancellation is consistent with the Act but could not affirm the one remaining finding necessary to recommend approval of the proposed cancellation. CAPTAC made the following findings:

I. **The cancellation is for land on which a Notice of Non-Renewal has been served pursuant to Section 401 of the Rules and Regulations Governing Agricultural Preserves in Riverside County and Government Code Section 51245.** A Notice of Non-Renewal was filed with the Planning Department on **November 10, 2004**, and was recorded by the Riverside County Clerk and Recorder on **November 22, 2004** as Instrument No. **2004-0931653**. CAPTAC, by a majority of its members, found that the cancellation is for land on which a notice of non-renewal has been served.

I. **The cancellation is not likely to result in the removal of adjacent lands from agricultural use.** The subject parcels are located in the community of Thermal in the Eastern Coachella Valley Area Plan of Riverside County. Existing land use on the parcels is agriculture and surrounding land uses include agriculture, scattered single-family residential and vacant undeveloped land. The Coachella Valley Flood Control Channel, State Highway 111 and State Highway 86 South lie immediately east of and adjacent to the parcels and approximately one-half mile to the west is the Jacqueline Cochran Airport. In 1990, due to the close proximity to the airport, the County rezoned a number of parcels (including parcels located within the project boundaries) surrounding the airport to Industrial Park (IP), General Commercial (C-1/C-P), Scenic Highway Commercial (C-P-S) and Manufacturing - Service Commercial (M-SC) to support future airport and interstate land uses. Subsequently, the 2003 Riverside County General Plan designates land uses on the subject parcels Agriculture (AG-AG), to the north and northeast Light Industrial - Community Development (LI-CD), to the northwest Medium High Density Residential - Community Development (MHDR-CD), to the west Public Facilities and to the south Agriculture (AG-AG).

Then, in 2004, the Riverside County Airport Land Use Commission (ALUC) adopted Countywide Airport Land Use Compatibility Plan (ALUCP) policies impacting land use on thousands of privately-owned parcels surrounding all 16 airports located within Riverside County. These policies primarily affect the boundaries and permitted land uses within the Airport Compatibility Zones. The Jacqueline Cochran ALUCP identifies most of the land surrounding the airport as located within Airport Compatibility Zones D and E. The subject parcels are located within Airport Compatibility Zone D which provides for two residential development options: 1) to limit densities to no more than 0.2 dwelling units per acre or 2) require that densities be greater than 5.0 dwelling units per acre. Non-residential development is restricted to usage intensity (number of

people per acre) times the gross acreage of the site. Prohibited uses include highly noise-sensitive outdoor nonresidential uses and hazards to flight.

Further influencing land uses within the vicinity of the airport, is the development and operation of Horse Shows in the Sun (HITS), which lies within the northwestern boundary of the airport. HITS is a special events management company focused on producing hunter/jumper horse shows and is host to a number of international horse events. Annual events have grown to over 1,000 shows and over 8,000 members. Additionally, there are a number of private polo fields located within proximity to the airport in the communities of Thermal, Indio and La Quinta.

The proposed alternative land use on the subject parcels is Specific Plan No. 369 (SP369), which encompasses approximately 612 acres and includes both contracted and noncontracted lands. SP369 proposes development of attached and detached single-family residential homes on lots ranging from 3,600 square feet to 7,200 square feet, a clubhouse, an approximately 23-acre public park, a smaller local park, open space areas adjacent to the project site boundaries and the creation of an approximately 21-acre man-made lake. Upon adoption of General Plan No. 846, which proposes to change the land use designations on the project site from AG-AG, LI-CD, and PF to Specific Plan; adoption of SP369; and, adoption of Change of Zone No. 7481, which proposes to change to zoning on the project site from Heavy Agriculture - 20 acre minimum lot size (A-2-20) and Manufacturing - Service Commercial (M-SC) to Specific Plan, the proposed alternative land use will be consistent with the Riverside County General Plan, the Jacqueline Cochran ALUCP and the proposed zoning. However, based on the existing and surrounding land uses, a majority of CAPTAC members could not conclude that the proposed cancellation would not likely result in the removal of adjacent lands from agricultural use.

**III. The cancellation is for an alternative use which is consistent with the applicable provisions of the County general plan.** The subject parcels are located in the community of Thermal in the Eastern Coachella Valley Area Plan of Riverside County. Existing land use on the parcels is agriculture and surrounding land uses include agriculture, scattered single-family residential and vacant undeveloped land. The Coachella Valley Flood Control Channel, State Highway 111 and State Highway 86 South lie immediately east of and adjacent to the parcels and approximately one-half mile to the west is the Jacqueline Cochran Airport. In 1990, due to the close proximity to the airport, the County rezoned a number of parcels surrounding the airport to Industrial Park (IP), General Commercial (C-1/C-P), Scenic Highway Commercial (C-P-S) and Manufacturing - Service Commercial (M-SC) to support future airport and interstate land uses. Subsequently, the 2003 Riverside County General Plan designates land uses on the subject parcels and to the south Agriculture (AG-AG), to the north and northeast Light Industrial - Community Development (LI-CD), to the northwest Medium High Density Residential - Community Development (MHDR-CD), and to the west Public Facilities.

Then, in 2004, the Riverside County Airport Land Use Commission (ALUC) adopted Countywide Airport Land Use Compatibility Plan (ALUCP) policies impacting land use on thousands of privately-owned parcels surrounding all 16 airports located within Riverside County. These policies primarily affect the boundaries and permitted land uses within the Airport Compatibility Zones. The Jacqueline Cochran ALUCP identifies most of the land surrounding the airport as located within Airport Compatibility Zones D and E. The subject parcels are located within Airport Compatibility Zone D which provides for two residential development options: 1) to limit densities to no more than 0.2 dwelling units per acre or 2) require that densities be greater than 5.0 dwelling units per acre. Non-residential development is restricted to usage intensity (number of people per acre) times the gross acreage of the site. Prohibited uses include highly noise-sensitive outdoor nonresidential uses and hazards to flight.

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The proposed alternative land use on the subject parcels is Specific Plan No. 369 (SP369), which encompasses approximately 612 acres and includes both contracted and noncontracted lands. SP369 proposes development of attached and detached single-family residential homes on lots ranging from 3,600 square feet to 7,200 square feet, a clubhouse, an approximately 23-acre public park, a smaller local park, open space areas adjacent to the project site boundaries and the creation of an approximately 21-acre man-made lake. Upon adoption of General Plan No. 846, which proposes to change the land use designations on the project site from AG-AG, LI-CD, and PF to Specific Plan; adoption of SP369; and, adoption of Change of Zone No. 7481, which proposes to change to zoning on the project site from Heavy Agriculture - 20 acre minimum lot size (A-2-20) and Manufacturing - Service Commercial (M-SC) to Specific Plan, the proposed alternative land use will be consistent with the Riverside County General Plan, the Jacqueline Cochran ALUCP and the proposed zoning. CAPTAC, by a majority of its members, found that the proposed cancellation is for an alternative use which is consistent with the applicable provisions of the Riverside County General Plan.

- IV. **The cancellation will not result in discontinuous patterns of urban development.** Both surrounding land use designations and zoning indicate that development in these areas is intended to support future airport and interstate land uses. Presently, there are existing urban entitlements to the northwest, north, northeast, east and southwest of the project site. In view of these approved developments, the proposed cancellation will not result in discontinuous patterns of urban development. CAPTAC, by a majority of its members, found that the cancellation would not result in discontinuous patterns of urban development.

There is no proximate non-contracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or, that development of the contracted land would provide more contiguous patterns of urban development than development of proximate, non-contracted land. Both surrounding land use designations and zoning indicate that development in these areas is intended to support future airport and interstate land uses. Presently, there are existing urban entitlements to the northwest, north, northeast, east and southwest of the project site. A majority of CAPTAC members found that the development of the contracted land would provide more contiguous patterns of urban development than development of proximate, non-contracted land. Development of the subject parcels will connect existing urban development to the airport and other approved development to the southwest.



ASSESSOR-COUNTY CLERK-RECORDER  
Agricultural Division – Riverside District  
6221 Box Springs Blvd  
Riverside, CA 92507  
PH (951) 486-6777 FAX: (951) 486-5944

LARRY W. WARD Assessor – Clerk – Recorder

To: Jeff Stone, CHAIRMAN, BOARD OF SUPERVISORS  
From: LARRY W. WARD, ASSESSOR - CLERK - RECORDER  
Re: CERTIFICATION OF CANCELLATION VALUATION OF LAND (AG01002)  
FOR: AGRICULTURAL PRESERVE COACHELLA VALLEY NO 62, MAP NO 298  
(AG01002 – AGRI EMPIRE)

DATE: 05-19-2009

CERTIFICATE OF CANCELLATION VALUE BASED ON CURRENT MARKET VALUE

I, the undersigned, hereby certify, pursuant to the provisions of Government Code Section 51283(a) and Title 18, California Administrative Code, Section 470, that the cancellation valuation for the below described property is as follows:

<u>Assessor's Parcel No.</u>	<u>Current Market Value</u>	<u>Cancellation Value</u>	<u>Cancellation Fee</u>
757-210-004-4 (9.88 ACRES)	277,000	277,000	34,625.00
757-210-005-5 (9.88 ACRES)	277,000	277,000	34,625.00
757-210-015-4 (111.19 ACRES)	3,113,000	3,113,000	389,125.00
<b>TOTAL:</b>	<u>3,667,000</u>	<u>3,667,000</u>	<u>458,375.00</u>
TOTAL CANCELLATION FEE [Per Section 51283 (a)]			\$458,375.00
TOTAL CURRENT MARKET VALUE:			3,667,000

Very truly yours,

LARRY W. WARD  
ASSESSOR - CLERK - RECORDER

Date: 0519-2009

by JAMES HARLOW  
JAMES HARLOW, Supervising Appraiser,  
Riverside County Assessor



# ASSESSOR-COUNTY CLERK-RECORDER

Agricultural Division – Riverside District

6221 Box Springs Blvd

Riverside, CA 92507

PH (951) 486-6777 FAX: (951) 486-5944

LARRY W. WARD Assessor – Clerk – Recorder

AG 01002 CAPTAC FINDINGS

NONR #2004-0931653 (11-22-2004)

# 5 ASSESSOR:

A-B	LAST ANNUAL ASSESSED VALUATION	EST ANNUAL ASSESSED VALUATION
(1) 757-210-004-4	'2008 RV: 39,026	2008 FBY: 39,026 ('1989 FBY)
(2) 757-210-005-5	'2008 RV: 39,438	2008 FBY: 39,438 ('1989 FBY)
(3) 757-210-015-4	'2008 RV: 439,306	2008 FBY: 439,306 ('1989 FBY)

C EST DIFFERENTIAL

(1) 757-210-004-4	DIFF: -0-
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(3) 757-210-015-4	DIFF: -0-

D PENALTY FEE:

(1) 757-210-004-4	\$ 34,625.00
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5/2009 MKT @ 28,000 / ACRE

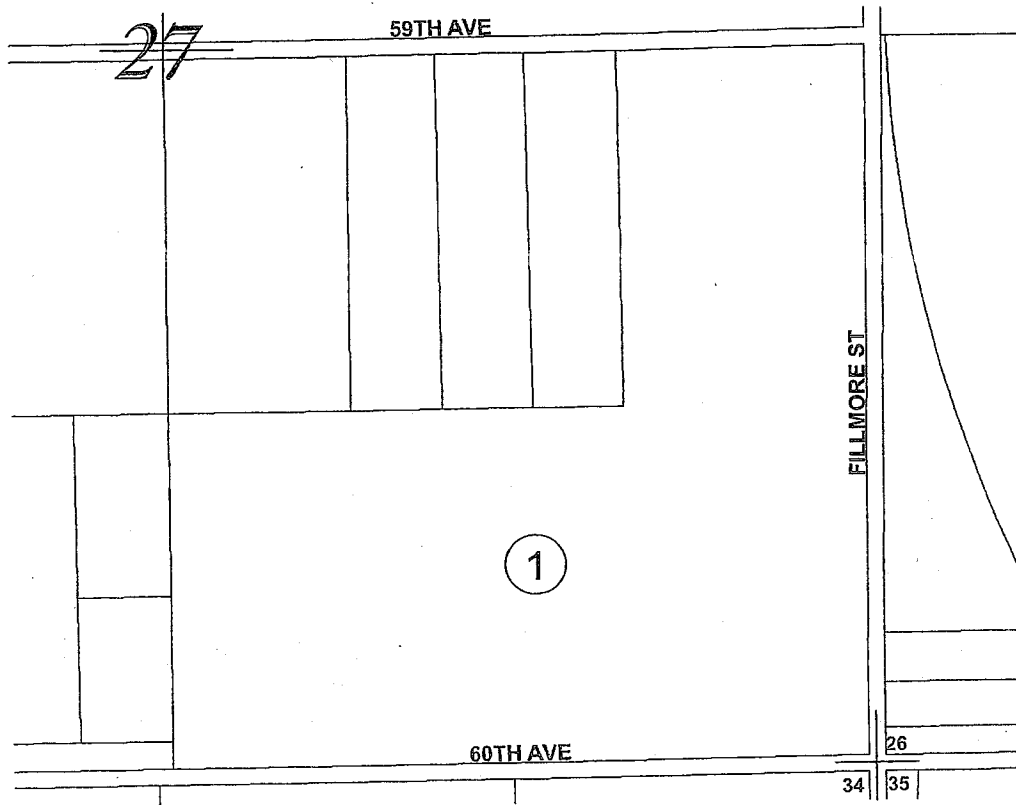
E	APN'S	OWNER NAME	ACREAGE
(1)	757-210-004-4	AGRI EMPIRE	9.88 ACRES
(2)	757-210-005-5	AGRI EMPIRE	9.88 ACRES
(3)	757-210-015-4	AGRI EMPIRE	111.19 ACRES

Agri-Empire A California Corporation  
630 W 7<sup>th</sup> Street / P.O.Box 490  
San Jacinto CA 92583

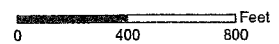
# MAP NO. 298 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 62

AMENDED BY MAP NO. 1002

*T. 6 S., R. 8 E. S.B.B. & M.*



AMENDMENTS:  
NO. 1, (DISESTABLISHMENT), MAP NO. 1002



ADOPTED ON FEBRUARY 19, 1974  
BY THE BOARD OF SUPERVISORS  
OF THE COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA.

**COUNTY OF RIVERSIDE**  
**TRANSPORTATION AND LAND MANAGEMENT AGENCY**  
*George A. Johnson · Agency Director*  
**Planning Department**  
*Ron Goldman · Planning Director*

July 6, 2009

Department of Conservation  
ATTN: Dan Otis, Williamson Act Program Manager  
801 K Street, M 34-01  
Sacramento, CA 95814

RE: Petition for Tentative Cancellation of Contract – Agricultural Preserve Case No. 1002

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At this time, this item has not been scheduled for public hearing before the Board of Supervisors and I do not anticipate that the hearing will occur prior to the end of 2009. However, comments should be submitted to my attention at the Riverside address listed below or, if you would prefer to fax your comments, to the Planning Department fax number (951) 955-3157 by August 7, 2009. If you have any questions regarding the enclosed materials, please contact me at (951) 955-4949.

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RIVERSIDE COUNTY PLANNING DEPARTMENT  
Ron Goldman, Planning Director

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Kathleen A. Browne, Urban/Regional Planner III

Enclosures

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people per acre) times the gross acreage of the site. Prohibited uses include highly noise-sensitive outdoor nonresidential uses and hazards to flight.

Further influencing land uses within the vicinity of the airport, is the development and operation of Horse Shows in the Sun (HITS), which lies within the northwestern boundary of the airport. HITS is a special events management company focused on producing hunter/jumper horse shows and is host to a number of international horse events. Annual events have grown to over 1,000 shows and over 8,000 members. Additionally, there are a number of private polo fields located within proximity to the airport in the communities of Thermal, Indio and La Quinta.

The proposed alternative land use on the subject parcels is Specific Plan No. 369 (SP369), which encompasses approximately 612 acres and includes both contracted and noncontracted lands. SP369 proposes development of attached and detached single-family residential homes on lots ranging from 3,600 square feet to 7,200 square feet, a clubhouse, an approximately 23-acre public park, a smaller local park, open space areas adjacent to the project site boundaries and the creation of an approximately 21-acre man-made lake. Upon adoption of General Plan No. 846, which proposes to change the land use designations on the project site from AG-AG, LI-CD, and PF to Specific Plan; adoption of SP369; and, adoption of Change of Zone No. 7481, which proposes to change to zoning on the project site from Heavy Agriculture - 20 acre minimum lot size (A-2-20) and Manufacturing - Service Commercial (M-SC) to Specific Plan, the proposed alternative land use will be consistent with the Riverside County General Plan, the Jacqueline Cochran ALUCP and the proposed zoning. However, based on the existing and surrounding land uses, a majority of CAPTAC members could not conclude that the proposed cancellation would not likely result in the removal of adjacent lands from agricultural use.

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- IV. **The cancellation will not result in discontinuous patterns of urban development.** Both surrounding land use designations and zoning indicate that development in these areas is intended to support future airport and interstate land uses. Presently, there are existing urban entitlements to the northwest, north, northeast, east and southwest of the project site. In view of these approved developments, the proposed cancellation will not result in discontinuous patterns of urban development. CAPTAC, by a majority of its members, found that the cancellation would not result in discontinuous patterns of urban development.

- V. There is no proximate non-contracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or, that development of the contracted land would provide more contiguous patterns of urban development than development of proximate, non-contracted land. Both surrounding land use designations and zoning indicate that development in these areas is intended to support future airport and interstate land uses. Presently, there are existing urban entitlements to the northwest, north, northeast, east and southwest of the project site. A majority of CAPTAC members found that the development of the contracted land would provide more contiguous patterns of urban development than development of proximate, non-contracted land. Development of the subject parcels will connect existing urban development to the airport and other approved development to the southwest.



# ASSESSOR-COUNTY CLERK-RECORDER

Agricultural Division – Riverside District

6221 Box Springs Blvd

Riverside, CA 92507

PH (951) 486-6777 FAX: (951) 486-5944

LARRY W. WARD Assessor – Clerk – Recorder

**To:** Jeff Stone, CHAIRMAN, BOARD OF SUPERVISORS  
**From:** LARRY W. WARD, ASSESSOR - CLERK - RECORDER  
**Re:** CERTIFICATION OF CANCELLATION VALUATION OF LAND (**AG01002**)  
FOR: AGRICULTURAL PRESERVE COACHELLA VALLEY NO 62, MAP NO 298  
(AG01002 – AGRI EMPIRE)

**DATE: 05-19-2009**

## CERTIFICATE OF CANCELLATION VALUE BASED ON CURRENT MARKET VALUE

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<u>Assessor's Parcel No.</u>	<u>Current Market Value</u>	<u>Cancellation Value</u>	<u>Cancellation Fee</u>
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<b>TOTAL:</b>	<u>3,667,000</u>	<u>3,667,000</u>	<u>458,375.00</u>

TOTAL CANCELLATION FEE [Per Section 51283 (a)] \$458,375.00

TOTAL CURRENT MARKET VALUE: 3,667,000

Very truly yours,

LARRY W. WARD  
ASSESSOR - CLERK - RECORDER

Date: 05-19-2009

by JAMES HARLOW  
JAMES HARLOW, Supervising Appraiser,  
Riverside County Assessor



# ASSESSOR-COUNTY CLERK-RECORDER

Agricultural Division – Riverside District

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Riverside, CA 92507

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LARRY W. WARD Assessor – Clerk – Recorder

AG 01002 CAPTAC FINDINGS

NONR #2004-0931653 (11-22-2004)

# 5 ASSESSOR:

A-B	LAST ANNUAL ASSESSED VALUATION	EST ANNUAL ASSESSED VALUATION
(1)	757-210-004-4 '2008 RV: 39,026	2008 FBY: 39,026 (1989 FBY)
(2)	757-210-005-5 '2008 RV: 39,438	2008 FBY: 39,438 (1989 FBY)
(3)	757-210-015-4 '2008 RV: 439,306	2008 FBY: 439,306 (1989 FBY)

C EST DIFFERENTIAL

(1)	757-210-004-4	DIFF: -0-
(2)	757-210-005-5	DIFF: -0-
(3)	757-210-015-4	DIFF: -0-

D PENALTY FEE:

(1)	757-210-004-4	\$ 34,625.00
(2)	757-210-005-5	\$ 34,625.00
(3)	757-210-015-4	\$ 389,125.00

5/2009 MKT @ 28,000./ ACRE

E	APN'S	OWNER NAME	ACREAGE
(1)	757-210-004-4	AGRI EMPIRE	9.88 ACRES
(2)	757-210-005-5	AGRI EMPIRE	9.88 ACRES
(3)	757-210-015-4	AGRI EMPIRE	111.19 ACRES

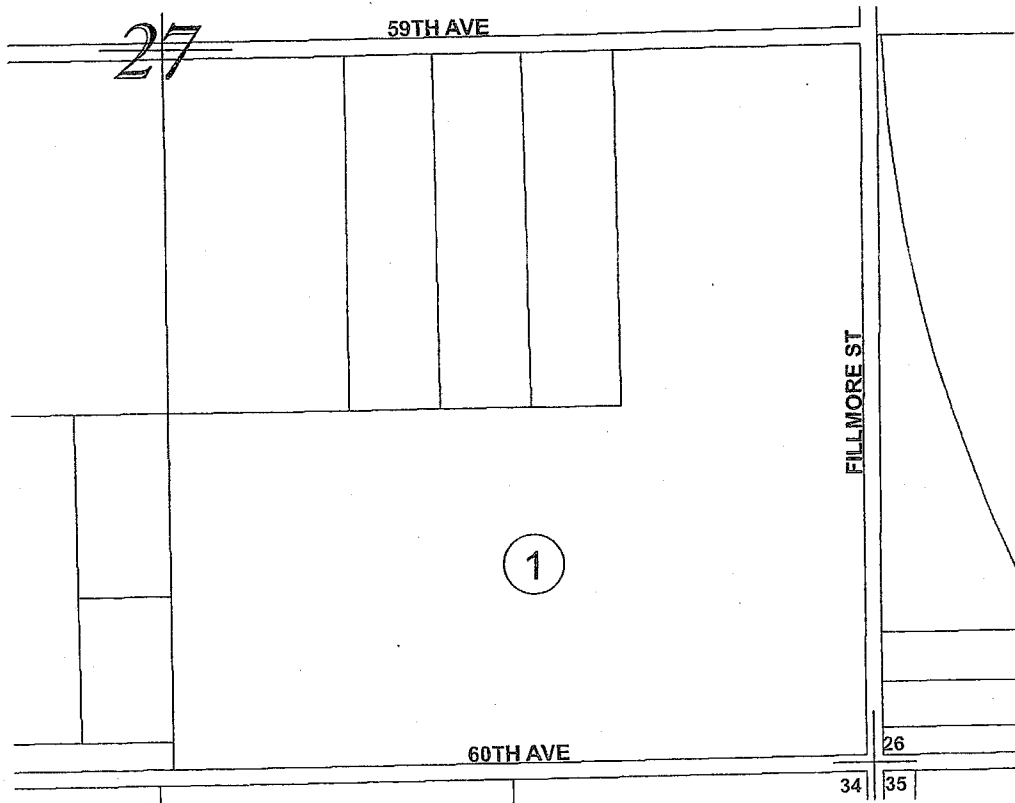
Agri-Empire A California Corporation  
630 W 7<sup>th</sup> Street / P.O.Box 490  
San Jacinto CA 92583

MAP NO. 298  
COACHELLA VALLEY  
AGRICULTURAL  
PRESERVE  
NO. 62

1002

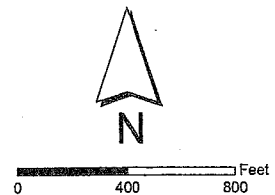
AMENDED BY MAP NO. 1002

T. 6 S., R. 8 E. S.B.B. & M.



AMENDMENTS:  
NO. 1, (DISESTABLISHMENT), , MAP NO. 1002

ADOPTED ON FEBRUARY 19, 1974  
BY THE BOARD OF SUPERVISORS  
OF THE COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA.



**COUNTY OF RIVERSIDE**  
**TRANSPORTATION AND LAND MANAGEMENT AGENCY**

*George A. Johnson · Agency Director*

**Planning Department**

*Ron Goldman · Planning Director*

July 6, 2009

Department of Conservation  
ATTN: Dan Otis, Williamson Act Program Manager  
801 K Street, M 34-01  
Sacramento, CA 95814

RE: Petition for Tentative Cancellation of Contract – Agricultural Preserve Case No. 1002

Dear Mr. Otis:

The Riverside County Planning Department is forwarding a copy of the above document and related information to your department pursuant to Government Code Section 51284.1. The State package includes: 1) a copy of the petition for tentative cancellation of contract and complete application information, 2) a copy of the contract(s) and notice(s) of non-renewal, and 3) a general description of the land proposed to be cancelled, land use exhibits and CAPTAC findings.

At this time, this item has not been scheduled for public hearing before the Board of Supervisors and I do not anticipate that the hearing will occur prior to the end of 2009. However, comments should be submitted to my attention at the Riverside address listed below or, if you would prefer to fax your comments, to the Planning Department fax number (951) 955-3157 by August 7, 2009. If you have any questions regarding the enclosed materials, please contact me at (951) 955-4949.

Sincerely yours,

RIVERSIDE COUNTY PLANNING DEPARTMENT  
Ron Goldman, Planning Director

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Kathleen A. Browne, Urban/Regional Planner III

Enclosures

C:\Documents and Settings\KERNER1\Desktop\Thermal 551 Ag Preserve Cancellations\AG 1002\SDO1\_GENERAL-#260144-v1-1002\_DOC\_Application\_Complete\_Ltr.DOC



# ASSESSOR-COUNTY CLERK-RECORDER

## Agricultural Division – Riverside District

6221 Box Springs Blvd

Riverside, CA 92507

PH (951) 486-6777 FAX: (951) 486-5944

**LARRY W. WARD** Assessor – Clerk – Recorder

---

**To:** Jeff Stone, CHAIRMAN, BOARD OF SUPERVISORS  
**From:** LARRY W. WARD, ASSESSOR - CLERK - RECORDER  
**Re:** CERTIFICATION OF CANCELLATION VALUATION OF LAND (AG01002)  
FOR: AGRICULTURAL PRESERVE COACHELLA VALLEY NO 62, MAP NO 298  
(AG01002 – AGRI EMPIRE)

---

**DATE: 10-28-2010**

### CERTIFICATE OF CANCELLATION VALUE BASED ON CURRENT MARKET VALUE

I, the undersigned, hereby certify, pursuant to the provisions of Government Code Section 51283(a) and Title 18, California Administrative Code, Section 470, that the cancellation valuation for the below described property is as follows:

<u>Assessor's Parcel No.</u>	<u>Current Market Value</u>	<u>Cancellation Value</u>	<u>Cancellation Fee</u>
757-210-004-4 (9.88 ACRES)	198,000	198,000	24,750.00
757-210-005-5 (9.88 ACRES)	198,000	198,000	24,750.00
757-210-015-4 (111.19 ACRES)	2,224,000	2,224,000	278,000.00
<b>TOTAL:</b>	<u>2,620,000</u>	<u>2,620,000</u>	<u>327,500.00</u>

TOTAL CANCELLATION FEE [Per Section 51283 (a)] \$327,500.00

TOTAL CURRENT MARKET VALUE: 2,620,000

Very truly yours,

LARRY W. WARD  
ASSESSOR - CLERK - RECORDER

Date: 10-28-2010

by

James Harlow  
JAMES HARLOW, Supervising Appraiser,  
Riverside County Assessor





COUNTY OF RIVERSIDE  
ASSESSOR-COUNTY CLERK-RECORDER  
BOX SPRINGS DISTRICT OFFICE  
6221 BOX SPRINGS BLVD  
RIVERSIDE CA 92507  
(951) 486-6570

TAUNA MALLIS  
ASSISTANT  
County Clerk-Recorder Division

LARRY W. WARD  
Assessor-County Clerk-Recorder

GIS Aerial View





# ASSESSOR-COUNTY CLERK-RECORDER

## Agricultural Division – Riverside District

6221 Box Springs Blvd

Riverside, CA 92507

PH (951) 486-6777 FAX: (951) 486-5944

**LARRY W. WARD** Assessor – Clerk – Recorder

**To:** Jeff Stone, CHAIRMAN, BOARD OF SUPERVISORS  
**From:** **LARRY W. WARD**, ASSESSOR - CLERK - RECORDER  
**Re:** CERTIFICATION OF CANCELLATION VALUATION OF LAND (**AG01001**)  
FOR: AGRICULTURAL PRESERVE COACHELLA VALLEY NO 18, MAP NO 132  
(AG01001 – D.D. DUNLAP & DOROTHY DUNLAP, TRUSTEES)

**DATE: 10-28-2010**

### CERTIFICATE OF CANCELLATION VALUE BASED ON CURRENT MARKET VALUE

I, the undersigned, hereby certify, pursuant to the provisions of Government Code Section 51283(a) and Title 18, California Administrative Code, Section 470, that the cancellation valuation for the below described property is as follows:

<u>Assessor's Parcel No.</u>	<u>Current Market Value</u>	<u>Cancellation Value</u>	<u>Cancellation Fee</u>
757-090-007-7 (40.90 ACRES)	818,000	818,000	102,250.00
757-090-020-8 (11.01 ACRES)	220,000	220,000	27,500.00
<b>TOTAL:</b>	<u>1,038,000</u>	<u>1,038,000</u>	<u>129,750.00</u>

TOTAL CANCELLATION FEE [Per Section 51283 (a)] \$129,750.00

TOTAL CURRENT MARKET VALUE: 1,038,000

Very truly yours,

LARRY W. WARD  
ASSESSOR - CLERK - RECORDER

Date: 10-28-2010

by JAMES HARLOW  
JAMES HARLOW, Supervising Appraiser,  
Riverside County Assessor



COUNTY OF RIVERSIDE  
ASSESSOR-COUNTY CLERK-RECORDER  
BOX SPRINGS DISTRICT OFFICE  
6221 BOX SPRINGS BLVD  
RIVERSIDE CA 92507  
(951) 486-6570

TAUNA MALLIS  
ASSISTANT  
County Clerk-Recorder Division

LARRY W. WARD  
Assessor-County Clerk-Recorder

GIS Aerial View



**Agenda Item No.:**  
**Area Plan: Eastern Coachella Valley**  
**Zoning District: Lower Coachella Valley**  
**Supervisory District: Fourth**  
**Project Planner: Matt Straite**  
**Planning Commission: September 15, 2010**

**Environmental Impact Report No. 504**  
**Specific Plan No. 369**  
**General Plan Amendment No. 846**  
**General Plan Amendment No. 889**  
**Change of Zone No. 7481**  
**Applicant: Brookfield Land Holdings**  
**Engineer/Rep.: T&B Planning**

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

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

**Environmental Impact Report No. 504** has been prepared to inform decision-makers and the public of the potential significant environmental effects associated with changing the General Plan Land Use designation, local General Plan circulation designations, creation of a Specific Plan, and rezoning approvals for the proposed residential Specific Plan. The EIR was circulated in late 2009, and then recirculated in early 2010 to further address greenhouse gas issues.

**Specific Plan No. 369** proposes a master-planned community on 612.1 acres supporting traditional single-family residential, multi-family residential, and open space land uses including recreational parks and drainage areas. The Specific Plan proposes 2,354 residential dwelling units, a 45.3 acre public park, a private clubhouse on 4 acres, a covered irrigation storage pond, and regional trails. The overall project density will range from 2 to 14 du/ac. In addition, the Specific Plan designates 2.5 acre for an electrical substation and 56.9 acres for major roadway improvements.

**General Plan Amendment No. 846 (Land Use)** proposes to amend the Riverside County General Plan Land Use Element as it applies to the 612.1-acre project site by changing the land use designations from Agriculture (AG), Public Facility (PF) and Light Industrial (LI) to Medium Density Residential (MDR), Medium High Density Residential (MHDR), High Density Residential (HDR), Open Space- Recreation (OS-R) and Open Space- Water (OS-W), as reflected on the proposed Land Use Plan.

**General Plan Amendment No. 889 (Circulation)** proposes to amend the Circulation Element of the General Plan to 1) downgrade 58<sup>TH</sup> Avenue between Polk Street and Orange Avenue from a Major Highway (118' right-of-way) to a Secondary Highway (100' right-of-way), and 2) eliminate the segment of 58<sup>TH</sup> Avenue from Orange Avenue to Fillmore Street from the General Plan Circulation Element entirely. The existing and proposed Circulation Element roadway networks are displayed on Exhibit ?. The proposed easterly termini of 58<sup>th</sup> Ave shown for the Proposed Circulation Element will connect to the interior roadways of the Thermal 551 project (Specific Plan No. 369). The proposed amendment has been analyzed through a traffic study, which demonstrated that the proposed roadway network would provide acceptable levels of service under General Plan build-out conditions. Therefore the Riverside County Transportation Department recommends the approval of General Plan Amendment No. 889.

**Change of Zone No. 7481** proposes to change the site's zoning designation from Heavy Agriculture (A-2-20), and Manufacturing-Service Commercial (M-SC) to Specific Plan (SP) and to amend Ordinance No. 348 to include the Specific Plan Zoning Standards.

The proposed project is located in the Eastern Coachella Valley Area Plan, more specifically the project is southerly of Avenue 57, westerly of Fillmore Street, northerly of Avenue 60 and easterly of Polk Street.

**BACKGROUND:**

**April 21, 2009**

The Board of Supervisors initiated proceedings for the General Plan Amendment.

**March 4, 2009**

The General Plan Amendment was heard at the March 4, 2009 Planning Commission for initiation of the General Plan Amendment. The Planning Commission provided comments.

From the April 15, 2009 Planning Commission Hearing the following comments have been provided by the Planning Commission for the Board of Supervisors:

**Commissioner John Roth:**

Commissioner Roth contended that the agriculture in the Southern Coachella Valley is being threatened by projects like this. He argued that Specific Plans disconnected from other development are growth inducing. He also argued that these developments are isolated islands of development, most often just residential, in a sea of agriculture. Absent any regional master planning, he is uncomfortable with the proposed development. He did state that this proposal made more sense than the other Southern Coachella Valley Specific Plans given its proximity to other Community Development designations.

The Commissioner went on to discuss the need for jobs in the Southern Coachella Valley and highlighted the fact that the Specific Plans being proposed, this one included, seem to lack the higher paying jobs that this area needs.

**Commissioner John Snell:** No comment

**Commissioner John Petty:** No comment

**Commissioner Jim Porras:**

Commissioner Porras contended that the County should not force an agri-business that is not viable. He also requested that tables be included in the final staff reports that show what percentage of the Agricultural General Plan Land Use designations are being removed by each respective project.

**Commissioner Jan Zuppardo:** No comment

**ISSUES OF POTENTIAL CONCERN:**

*The South Valley Implementation Program (SVIP)*- In the early part of 2001, a number of different development proposals were submitted in the area south of the Jacqueline Cochran Regional Airport. In response, the Board of Supervisors authorized an advanced planning effort in this area to afford a more cohesive pattern of development. The project is consistent with the proposed SVIP which is still being processed. The SVIP was primarily developer funded and the current economic trends have impacted the funding for this advanced planning effort. The program was considered for inclusion in the General Plan update, however, the scale and scope of the proposed SVIP does not match the intent of the

General Plan update. The General Plan update was intended to be modest in scope and include minimal land use changes. It was decided to be in the best interest of the SVIP and the General Plan to keep the two efforts separate. Many aspects of the SVIP were completed; however, many more remain. The next step for the SVIP would be a full General Plan Amendment and EIR.

*Temporary Linear Catch Basins-* Based on a preliminary analysis conducted by the Coachella Valley Water District (CVWD) as part of FEMA's levee certification program, the CVWD determined that the proposed project vicinity may be subject to potential flood hazards caused by a breach upstream from the project site (approximately between Airport Boulevard and Highway 111 bridges). Although the CVWD has long-term plans to address such hazards through construction of improvements to the levee, such improvements have not been designed or funded. The proposed project has addressed this potential for flooding through modifications to the Specific Plan, which would provide for interim on-site drainage facilities to accommodate such flood events. Upon completion of the upstream improvements by the CVWD, the interim drainage facilities could be removed, and such areas could be developed with their underlying Specific Plan land uses (no structures would be allowed in these areas during the interim period). Moreover, based on historic data, the proposed project site has never been subject to flood hazards associated with the Coachella Valley Stormwater Channel, including during recorded 100-year storm events on August 24, 1920 and September 10, 1976.

*Covered Basin-* The project originally had plans for a large lake which acted as a visual amenity and a reclaimed water holding basin intended to serve landscaping on the project. However, during review by the Airport Land Use Commission (ALUC) it was determined that a lake was inconsistent with the neighboring airport because it attracted birds. As a result, the project was revised to remove the lake and propose a covered holding pond. To address aesthetic concerns the holding pond was screened with landscaped berms. Appropriate fencing has also been added to discourage unauthorized entry.

*Energy conservation-* In an effort to address conservation and greenhouse gas issues, the project includes a number of requirements that address conservation. These include:

- Landscaping Measures
  - Drought Tolerant and Native Plant Palette
  - Xeriscopic landscaping instead of lawns
  - Mandatory Shade Standards
- Construction Measures
  - Avoid oil based products
  - Use Low or Non-VOC paints, finishes, sealants, cleaners and adhesives
  - Minimize construction waste
- Home Feature Measures
  - Exceed Title 24 by 20%
  - Energy efficient lighting
  - Energy efficient appliances
  - Provide Electric Vehicle Charging Stations in all homes
  - Provide Dual Meter water lines to each home (irrigation and potable)
  - Pre-Wire Homes for Solar Photovoltaic Systems

- Provide 200 SF of south facing roof for future solar installation
- Offer Solar Photo Voltaic system as a buyer option
  
- Private Recreation Clubhouse and HOA maintained Paseos
  - Solar Photovoltaic System to reduce electricity load
  - Solar pool heating system
  - Zero Backwash Pool Filtration system
  - Internal on and off street trails and paseos increase walkability

*Affordability-* Affordable housing is an issue in the State, the County, and particularly in the Desert Region. Large agricultural and tourist industries in the Coachella Valley create demand for lower paying jobs and affordable places to live. A condition of approval has been added to the project that will require all implementing projects to pay any affordability fees that may be required by a future affordability ordinance, or similar mechanism. No such mechanism currently exists. Limited funding has been provided to begin the creation of an affordability ordinance or similar mechanism. In the event that no such mechanism is in place at the time an implementing project is proposed, then the project will have to create an affordability program, specific to the implementing project, at that time and submit the program, with the project, to the Commission and Board for review. At the time this staff report was written the condition was still being created. The condition will be presented to the Commission prior to a decision.

*Parks* – The project features over 150 acres of park space. In order to ascertain compliance with the five (5) acres per thousand parks requirement, the Specific Plan (in conjunction with the Desert Recreation District, formerly the Coachella Valley Parks and Recreation Department) has clearly defined those parks that are active and those that are passive. Only *active* parks contribute to the five acres per thousand standard. The Desert Recreation District has requested that the bulk of the parks be passive as they cost less to maintain. In an effort to address the needs of the existing and proposed community the parks have been designed to accommodate temporary sports uses in the form of large turf areas. All turf will be landscaped using reclaimed water.

*Landfill Site: Capped* - Approximately 10 acres of the project site were previously used as a burn and soil cover type landfill operated by the County of Riverside Solid Waste Management Department. No significant landfill gas accumulation or groundwater contamination was identified for the landfill site. The closed landfill will be required to include on site remediation comprised of:

- The site is required to be open space/park uses
- An engineered landfill cover intended to prevent percolation through the site,
- Drainage must be designed to prevent percolation through the site
- Land use covenant/deed restrictions preventing residential uses on site
- Development of an implementation and enforcement plan must be approved by Department of Toxic Substances Control (DTSC).

According to the EIR, recreational uses on the site will safe and appropriately irrigated.

*Tile Drains-* Large portions of the southern Coachella Valley have substantially high, salty groundwater. This high groundwater can damage agricultural crops, but can also impact residential development in

the form of pool damage, landscape damage and possibly even damage to home foundations. The project site has historically featured agricultural uses and existing tile drains cross most of the project site. A 'tile' drain is usually a clay, concrete or tile pipe, about four to five inches in diameter, that is buried about four to six feet below the surface to form a barrier preventing groundwater from rising to the surface, and preventing percolating surface drainage from infiltrating the groundwater. The pipes are usually about three feet long, arranged in long linear patterns, butted together without sealing the joints and surrounded by gravel as they line up with each other. Long stretches of pipes are usually repeated about eighty to one hundred and twenty feet from each other and work together to form a barrier. The drains require very little maintenance, if any. Most tile drains in this area have been functioning without maintenance for over fifty years. Water travels into the pipes, through the gravel, and drains into drainages features like the Coachella Valley Storm Water Channel that carry the groundwater to the Salton Sea. It is important that the existing tile drains remain to protect the health safety and welfare of the future residents. Conditions of approval regulate the treatment of tile drains including requirements that they remain, they be noted in the title reports, that blanket easements be placed on all lots permitting maintenance of drains, and establishing maintenance responsibilities for tile drains.

*Environmental Impact Report Summary of Significant Impacts-* The Draft Environmental Impact Report was circulated September of 2009. Based on the responses, the Greenhouse Gas section of the EIR was revised and recirculated in April/May 2010. Additional mitigation was added as part of the recirculation. Below is a summary of the significant and unavoidable impacts identified in the Recirculated Draft EIR and Final EIR:

- a. Land Use the project is not consistent with the AQMP because the AQMP uses General Plan buildout assumptions, and the project would not be consistent with the County's Agricultural, Light Industrial, and Public Facility land use designations
- b. Agriculture the conversion of 582.7 acres of Prime Farmland to non-agricultural land uses represents a significant impact of the proposed project and although the project is not anticipated to conflict with these existing off-site agricultural operations, there is a potential that the project could result in changes to the surrounding environment which would encourage the conversion of off-site agricultural properties to a non-agricultural use.
- c. Circulation and Traffic (direct and cumulative short term impacts) – The project will create Mainline impacts to I-10 that cannot be mitigated below a level of significance. Additionally, many offsite impacts relating to street infrastructure improvements cannot feasibly be accomplished by the proposed project due to the cost of the improvements. The Transportation Department is in the process of establishing a Road and Bridges Benefit District for the area.
- d. Air Quality the following impacts are identified as significant and unavoidable in EIR 504:
  - o Near-term direct and cumulatively significant air quality impacts during construction due to emissions of VOC, NOx, PM10, and PM2.5 which exceed the SCAQMD thresholds of significance;
  - o Near-term direct and cumulatively significant impact during construction activities because project-related emissions of PM10 would exceed the SCAQMD Localized Significance Threshold (LST);
  - o Long-term direct impact to air quality resulting from the project's lack of consistency with the SCAQMD AQMP (note: this is referenced under land use, but also should be



referenced under Air Quality as both issues identify this impact); and,

- o Long-term direct and cumulative impact to air quality due to operational emissions of VOC, NOx, CO, PM10, and PM2.5.

**FURTHER PLANNING CONSIDERATIONS:**

**September 15, 2010**

The project was continued from the August 18, 2010 hearing because the Fourth District Planning Commissioner was not in attendance.

**SUMMARY OF FINDINGS:**

1. Existing General Plan Land Use (Ex. #6): Agriculture (AG) (10 Acre Minimum), Community Development: Public Facilities (PF) (less than 0.60 Floor to Area Ratio) and Light Industrial (LI) (0.25 to 0.60 Floor to Area Ratio)
2. Existing Zoning (Ex. #2): Heavy Agriculture- 20 Acre Minimum (A-2-20), Manufacturing- Service Commercial (M-SC)
3. Surrounding Zoning (Ex. #2): Manufacturing Service Commercial (M-SC) and Light Agriculture- 10 Acre Minimum (A-1-10) to the north, Heavy Agriculture 20 Acre Minimum (A-2-20) to the south, Watercourse, Watershed and Conservation Areas (W-1) to the east, and Manufacturing Service Commercial (M-SC) to the west.
4. Existing Land Use (Ex. #1): Vacant
5. Surrounding Land Use (Ex. #1): Scattered single family residential development to the north, Jackie Cochran Airport to the west, the Whitewater Canal to the east and Agriculture and vacant land to the south.
6. Project Data: Total Acreage: 612.1 Gross Acres

**RECOMMENDATIONS:**

**TENTATIVE CERTIFICATION** of ENVIRONMENTAL IMPACT REPORT NO. 504, which has been completed in compliance with the EIR Guidelines and the Riverside County CEQA implementation procedures; pending final adoption of Resolution 2011-082 for EIR504 and SP369; and,

**TENTATIVE APPROVAL** of GENERAL PLAN AMENDMENT NO. 846 amending the Land Use designation for the subject property from Agriculture (AG), Public Facility (PF), and Light Industrial (LI) to Medium Density Residential (MDR), Medium High Density Residential (MHDR), High Density Residential (HDR), Open Space - Recreation (OS-R) and Open Space - Water (OS-W), as reflected on the proposed Land Use Plan, pending final adoption of the General Plan Resolution by the Board of Supervisors; and,

**TENTATIVE APPROVAL** of **GENERAL PLAN AMENDMENT NO. 889** to amend the Circulation Element of the General Plan to 1) downgrade 58<sup>TH</sup> Avenue between Polk Street and Orange Avenue from a Major Highway (118' right-of-way) to a Secondary Highway (100' right-of-way), and 2) eliminate the segment of 58<sup>TH</sup> Avenue from Orange Avenue to Fillmore Street from the General Plan Circulation Element entirely;

**TENTATIVE APPROVAL** of **SPECIFIC PLAN NO. 369**, subject to the attached conditions of approval, and based on the findings and conclusions incorporated in the staff report, pending final adoption of Resolution 2011-082 for EIR504 and SP369; and,

**TENTATIVE APPROVAL** of **CHANGE OF ZONE NO. 7481**, amending the zoning classification for the subject property from Heavy Agriculture (A-2-20) and Manufacturing-Service Commercial (M-SC) to Specific Plan (SP) and to amend Ordinance No. 348 to incorporate the Specific Plan Zoning Standards; and,

**APPROVAL** of a **RESOLUTION RECOMMENDING ADOPTION** for General Plan Amendment No. 846, General Plan Amendment No. 889 and Specific Plan No. 369 to the Board of Supervisors.

**CONCLUSIONS:**

1. The proposed project is in conformance with the proposed Specific Plan Land Use Designations (SP369), and with all other elements of the Riverside County General Plan and the Specific Plan's Land Use Plan.
2. Upon adoption of the proposed specific plan zoning ordinance text by the Board of Supervisors, the proposed project will be consistent with the proposed Specific Plan zoning classification of Ordinance No. 348 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 compatible with the present and future logical development of the area.
5. The proposed project will not preclude reserve design for the Coachella Valley Multi-Species Habitat Conservation Plan (CVMSCHP).
6. The proposed project will have a significant affect on the environment.

**FINDINGS:** The following findings are in addition to those incorporated in the summary of findings.

1. The project site is currently designated Agriculture: Agriculture (AG) (10 Acre Minimum), Community Development: Public Facilities (CD:PF) (less than .60 Floor to Area Ratio) and Community Development: Light Industrial (CD:LI) (.25 to .60 Floor to Area Ratio)– on the Eastern Coachella Valley Area Plan.

2. The Land Uses on surrounding parcels are Public Facilities to the west, Open Space Water and Light Industrial to the East, Agriculture to the south, and Medium Density Residential and Light Industrial to the north.
3. Agricultural Foundation General Plan Amendment Findings:
  - a. The proposed Agriculture General Plan Amendment would contribute to the achievement of the purposes of the General Plan based on its location within the South Valley Implementation Plan area. The region generally south of the Jackie Cochran Airport was experiencing growth before the housing market changed. On February 7, 2006 the Board of Supervisors directed staff to develop a South Valley Implementation Program (SVIP) and Community Facilities Phasing and Funding Strategy. This program was intended to comprehensively study and ensure desirable land use, transportation and community facilities needs to foster a sustainable, well-planned and livable community in this rapidly urbanizing area of the County. The proposed amendment is located within the boundaries of the SVIP. This growth, in 2001-2008 was not foreseen or accounted for in the 2003 General Plan. While the housing market conditions have changed since the SVIP was created, the plan still represents the County's vision for the area when housing demand returns. The proposed residential Community Development Specific Plan would place populations near the existing Thermal Community, the City of Coachella to the north and near critical facilities like the airport and the College of the Desert. Further, the General Plan identifies areas near the site that are set aside for light industrial and commercial, job generating uses. The proposed project is about two miles west of Tribal native lands and allottee lands of the Cabazon Band of Mission Indians. This area is designated as "Areas Subject to Indian Jurisdiction" by the Riverside County General Plan. Uses planned for the site include light industrial use which would result in job creation.
  - b. The Agricultural Foundation changes of the proposed Amendment are not detrimental to the purposes of the General Plan. The intent of the Agricultural Foundation is to protect the Agricultural industry in the County. The General Plan uses a seven (7) percent threshold before the Agricultural Commission review is required, every two and one half years seven percent of the land designated as Agriculture can convert to other foundations, all amount above the seven percent would require review and recommendation by an Agriculture Task Force. The Agriculture Commission is composed of members of the Agriculture industry. The intent is to insure that the industry members themselves help guide the future of their industry. The seven percent threshold is applied as the project is scheduled for discretionary action by the Board of Supervisors. A review by the Agricultural Task Force may be required, at the direction of the Board. However, in July of 2010, seven percent of all Agriculture designated land in Eastern Coachella Valley and Western Coachella Valley Area Plans amounted to 7,894.5 acres. Only 502.7 acres have been converted so far in this 2 ½ year cycle. Therefore, a review of the proposed Amendment is not required by the General Plan, however, the Board always has discretion.
4. Community Development Foundation General Plan Amendment Findings:

- a. The proposed Community Development Foundation General Plan Amendment does not involve a change in or conflict with the Riverside County Vision; any General Plan Principle; or any Foundation Component designation in the General Plan.
  - b. The proposed Community Development Foundation General Plan Amendment contributes to the achievement of the purposes of the General Plan and is not be detrimental to them.
  - c. Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan. The South Valley Implementation Plan (SVIP) effort illustrates how this area is changing in ways that were not anticipated in the 2003 General Plan. While the housing slowdown and the economic conditions in 2010 have slowed the growth pressures in the area, the SVIP continues to represent to intention of the County vision for the area. This proposed Amendment is consistent with County efforts to update the uses in this area
5. The proposed zoning for the subject site is Specific Plan (SP Zone).
  6. The proposed project is consistent with the development standards set forth in the proposed Specific Plan Zoning Ordinance.
  7. The project site is surrounded by properties which are zoned Manufacturing Service Commercial (M-SC) and Light Agriculture- 10 Acre Minimum (A-1-10) to the north, Heavy Agriculture 20 Acre Minimum (A-2-20) to the south, Watercourse, Watershed and Conservation Areas (W-1) to the east, and Manufacturing Service Commercial (M-SC) to the west.
  8. Pursuant to CEQA Guidelines 15162, the Riverside County Planning Department has determined that the proposed project will have a significant effect on the environment. Most potentially significant effects have been adequately analyzed in the Environmental Impact Report (504) pursuant to applicable legal standards; and have been avoided or mitigated, including mitigation measures that are imposed upon the proposed project. However, the following impacts cannot be mitigated to below a level of significance after the implementation of relevant standard conditions of approval, regulations and mitigation measures as identified in the Recirculated Draft EIR and Final EIR:
    - a. Land Use the project is not consistent with the AQMP because the AQMP uses General Plan buildout assumptions, and the project would not be consistent with the County's Agricultural, Light Industrial, and Public Facility land use designations
    - b. Agriculture the conversion of 582.7 acres of Prime Farmland to non-agricultural land uses represents a significant impact of the proposed project and although the project is not anticipated to conflict with these existing off-site agricultural operations, there is a potential that the project could result in changes to the surrounding environment which would encourage the conversion of off-site agricultural properties to a non-agricultural use.
    - c. Circulation and Traffic (direct and cumulative short term impacts) – The project will create Mainline impacts to I-10 that cannot be mitigated below a level of significance. Additionally, many offsite impacts relating to street infrastructure improvements cannot feasibly be accomplished by the proposed project due to the cost of the improvements. The Transportation Department is in the process of establishing a Road and Bridges Benefit District for the area.

- d. Air Quality the following impacts are identified as significant and unavoidable in EIR 504:
- o Near-term direct and cumulatively significant air quality impacts during construction due to emissions of VOC, NOx, PM10, and PM2.5 which exceed the SCAQMD thresholds of significance;
  - o Near-term direct and cumulatively significant impact during construction activities because project-related emissions of PM10 would exceed the SCAQMD Localized Significance Threshold (LST);
  - o Long-term direct impact to air quality resulting from the project's lack of consistency with the SCAQMD AQMP (note: this is referenced under land use, but also should be referenced under Air Quality as both issues identify this impact); and,
  - o Long-term direct and cumulative impact to air quality due to operational emissions of VOC, NOx, CO, PM10, and PM2.5.

**INFORMATIONAL ITEMS:**

1. As of this writing, no letters, in support or opposition have been received.
2. The project site is not located within:
  - a. A city sphere of influence;
  - b. The Stephens Kangaroo Rat Fee Area;
  - c. A High Fire Area;
  - d. A Dam Inundation Area,
  - e. A Fringe Toed Lizard Fee Area or Sand Source Preserve; or,
  - f. An area drainage plan area.
3. The project site is located within:
  - a. County service area Thermal 125;
  - b. The Thermal and Jackie Cochran Airport Redevelopment Area;
  - c. The boundaries of the Coachella Valley Unified;
  - d. The Whitewater Watershed;
  - e. An area of high (high B) paleontological sensitivity;
  - f. An area susceptible to subsidence; and,
  - g. An area of high liquefaction potential.
4. The subject site is currently designated as Assessor Parcel Number's: 757-200- (001, 002, 003), 757-210- (003, 004, 005, 015, 017, 018, 020, 021, 022, 023, 024, 025, 026, 027).

2 **RESOLUTION**

3 **RECOMMENDING ADOPTION OF**

4 **GENERAL PLAN AMENDMENT NO. 846,**

5 **GENERAL PLAN AMENDMENT NO. 889 and SPECIFIC PLAN NO. 369**

6  
7 **WHEREAS**, pursuant to the provisions of Government Code Section(s) 65350/65450 et. seq., a  
8 public hearing was held before the Riverside County Planning Commission in Riverside, California on  
9 August 18, 2010, to consider the above-referenced matter; and,

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

15  
16 **WHEREAS**, the matter was discussed fully with testimony and documentation presented by the  
17 public and affected government agencies; now, therefore,

18 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Planning  
19 Commission of the County of Riverside, in regular session assembled on August 18, 2010, that it has  
20 reviewed and considered the environmental document prepared or relied on and recommends the  
21 following based on the staff report and the findings and conclusions stated therein:

22  
23 **ADOPTION/CERTIFICATION** of the environmental document, Environmental Impact Report  
24 No. 504 (State Clearinghouse No. 2007091030);

25 **ADOPTION** of Specific Plan No. 369;

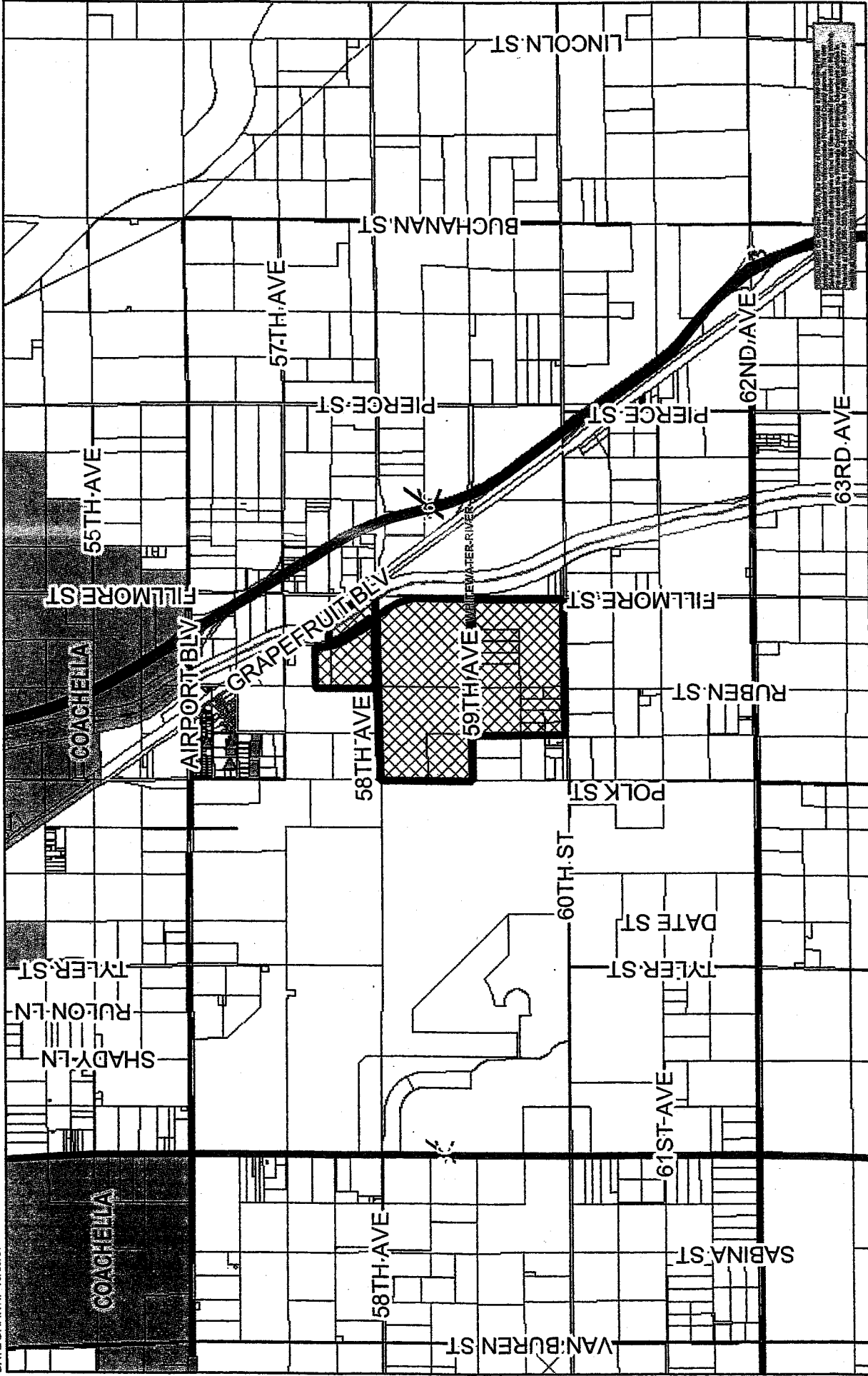
26 **ADOPTION** of General Plan Amendment No. 846; and,

27 **ADOPTION** of General Plan Amendment No. 889  
28

**CZ07481 GPAU0846 SP00369**  
**VICINITY MAP**

Planner: Matt Straite  
 Date: 10/31/07  
 VICINITY MAP

Supervisor Wilson  
 District 4  
 DATE DRAWN: 10/30/07



**RIVERSIDE COUNTY PLANNING DEPARTMENT**

Zone  
 District: Lower Coachella Valley

Township/Range: T6SR8E

Section : 27



0 4,000 8,000 16,000 24,000

Feet

ASSESSORS  
 BK. PG.

THOMAS  
 BROS.PG

757-20 & 21

5531 G6

Supervisor Wilson  
District 4

DATE DRAWN 10/30/07

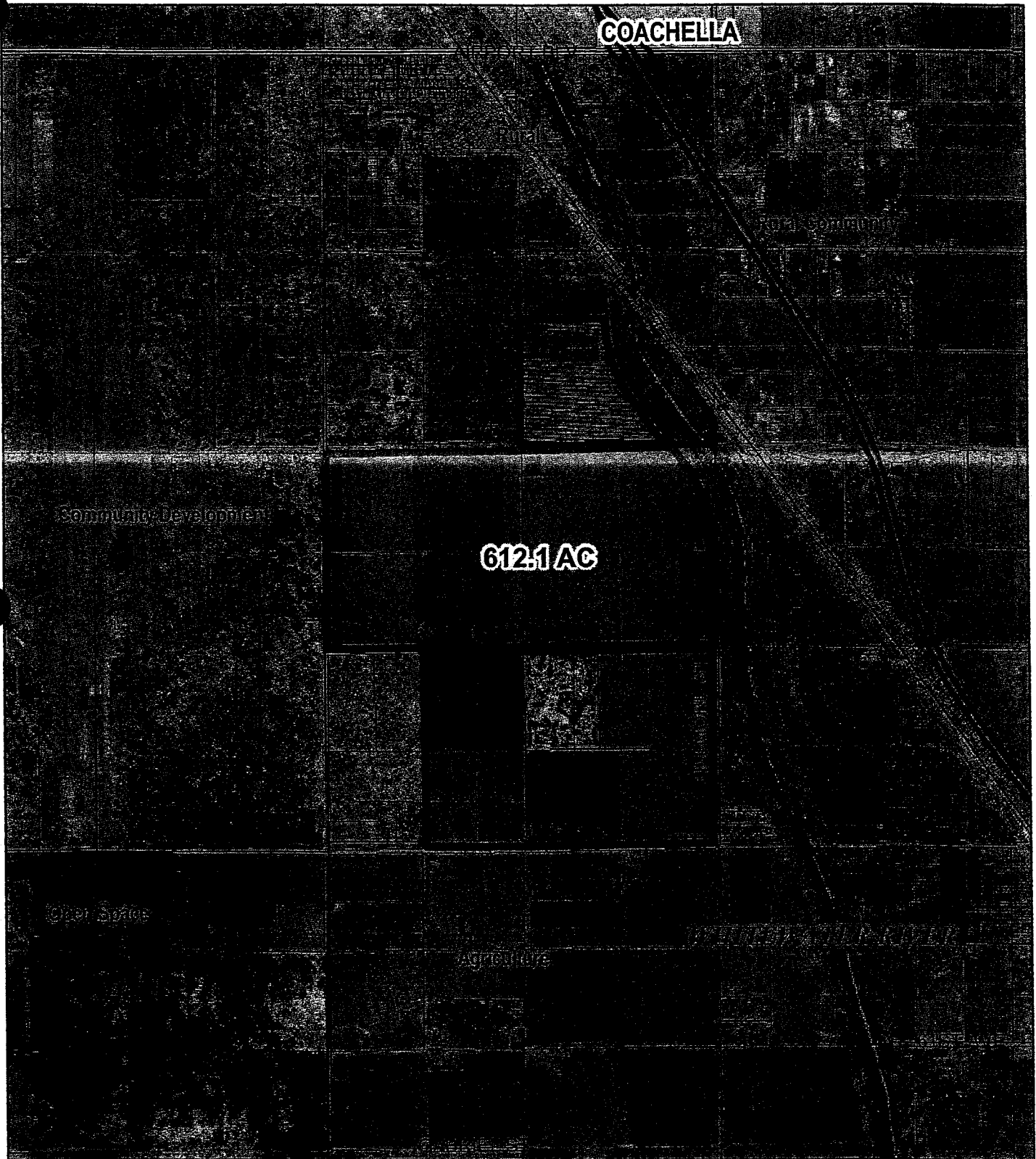
**CZ07481 GPA00846 SP00369**

**DEVELOPMENT OPPORTUNITY**

Planner: Matt Straite

Date: 10/31/07

Exhibits Overview

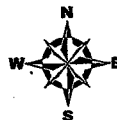


**RIVERSIDE COUNTY PLANNING DEPARTMENT**

District Plan: **Lower Coachella Valley**

Township/Range: **T6SR8E**

SECTION: **27**



ASSESSORS

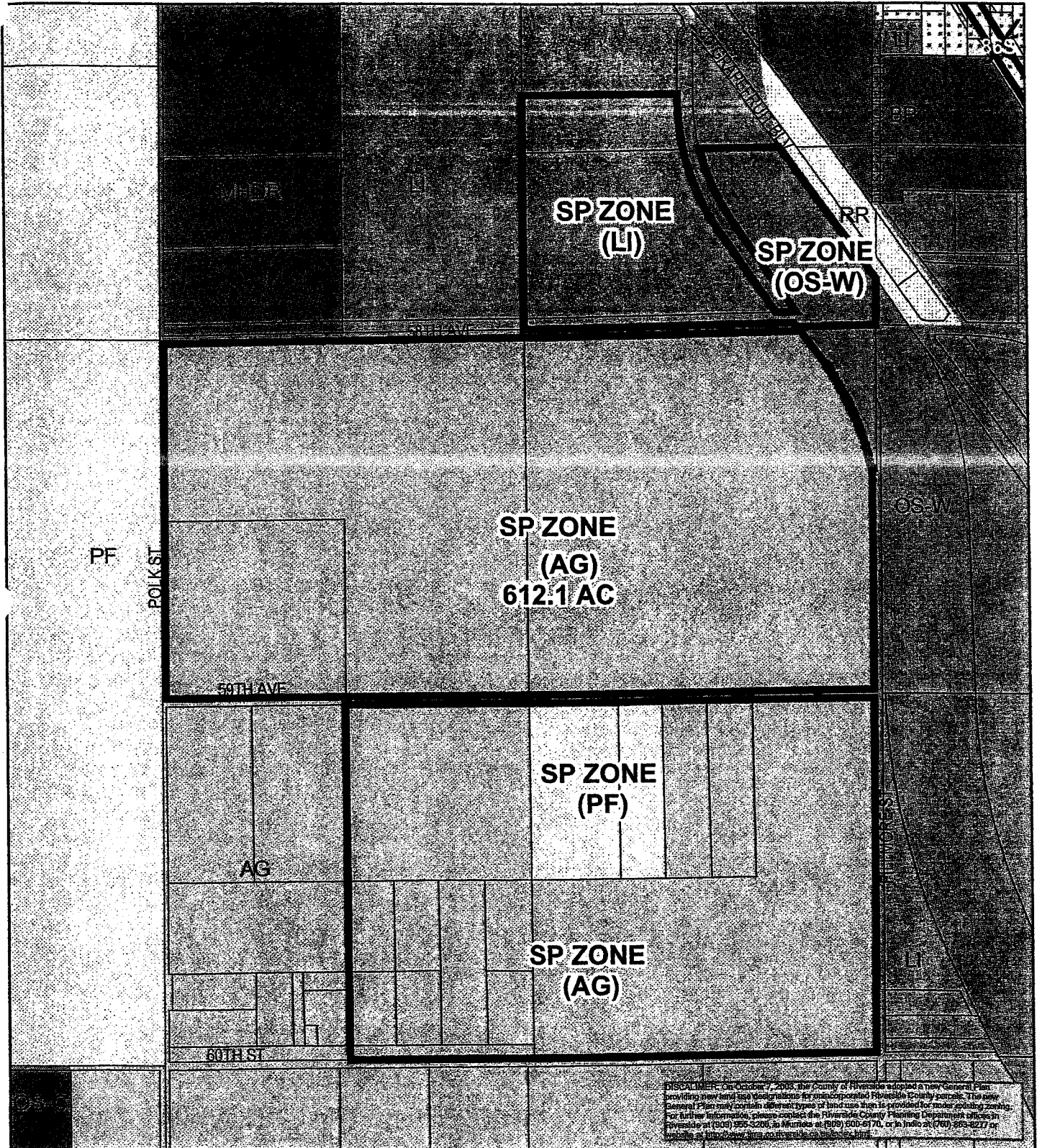
BK. PG. 757-20&21

THOMAS

BROS.PG 5531 G6



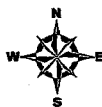




DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan, providing new land use designations for unincorporated Riverside County parcels. This new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3206, in Murietta at (951) 600-6170, or in Indio at (760) 865-8277 or visit us at <http://www.ircountycalifornia.gov>.

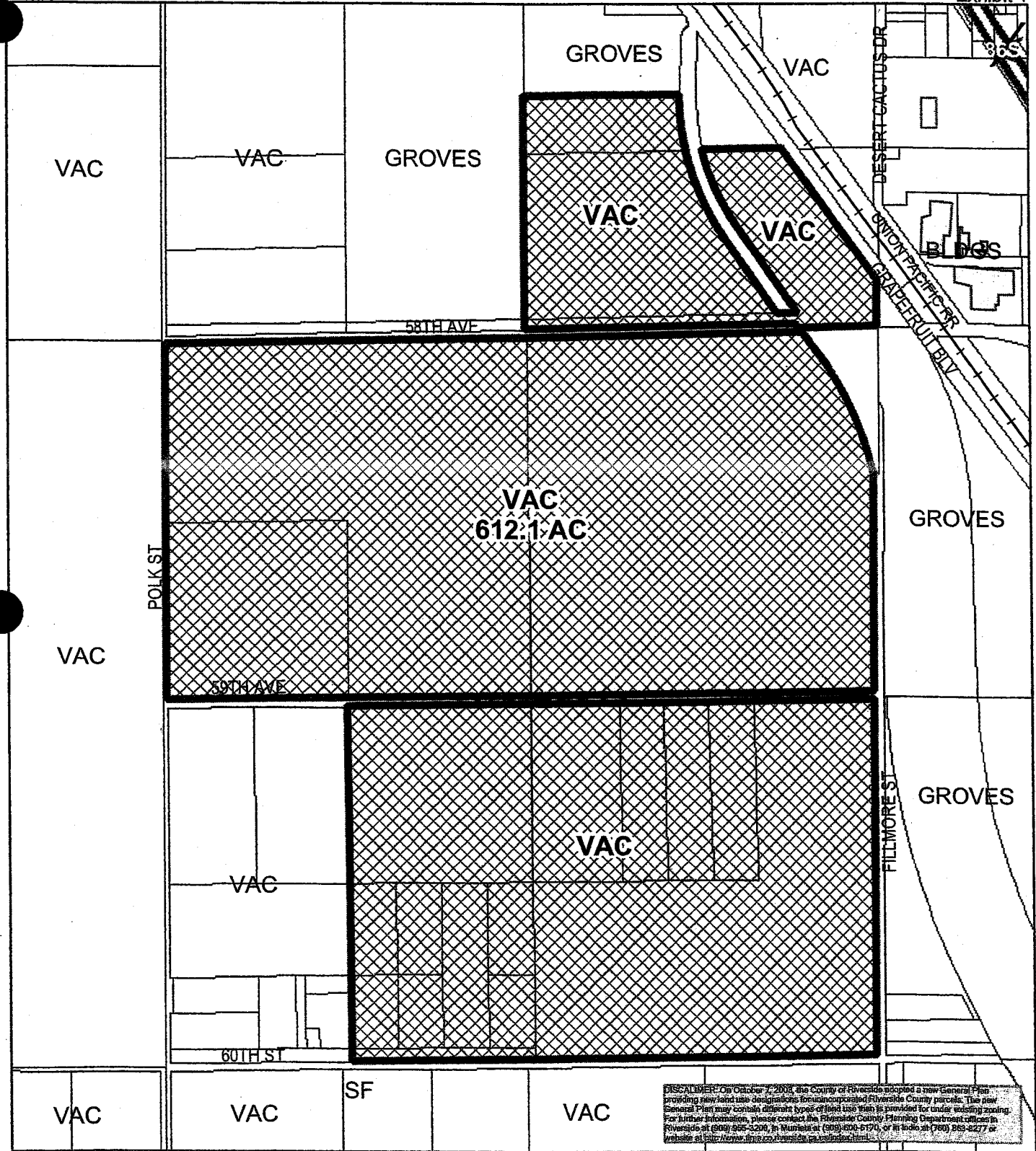
**RIVERSIDE COUNTY PLANNING DEPARTMENT**

**Zone**  
**District:** Lower Coachella Valley  
**Township/Range:** T6SR8E  
**Section :** 27



**ASSESSORS**  
 BK. PG. 757-20 & 21  
 THOMAS  
 BROS. PG 5531 G6





**RIVERSIDE COUNTY PLANNING DEPARTMENT**

one District: **Lower Coachella Valley**

Township/Range: **T6SR8E**

Section : 27



**ASSESSORS**

**BK. PG. 757-20 & 21**

**THOMAS 5531 G6**  
**BROS.PG**

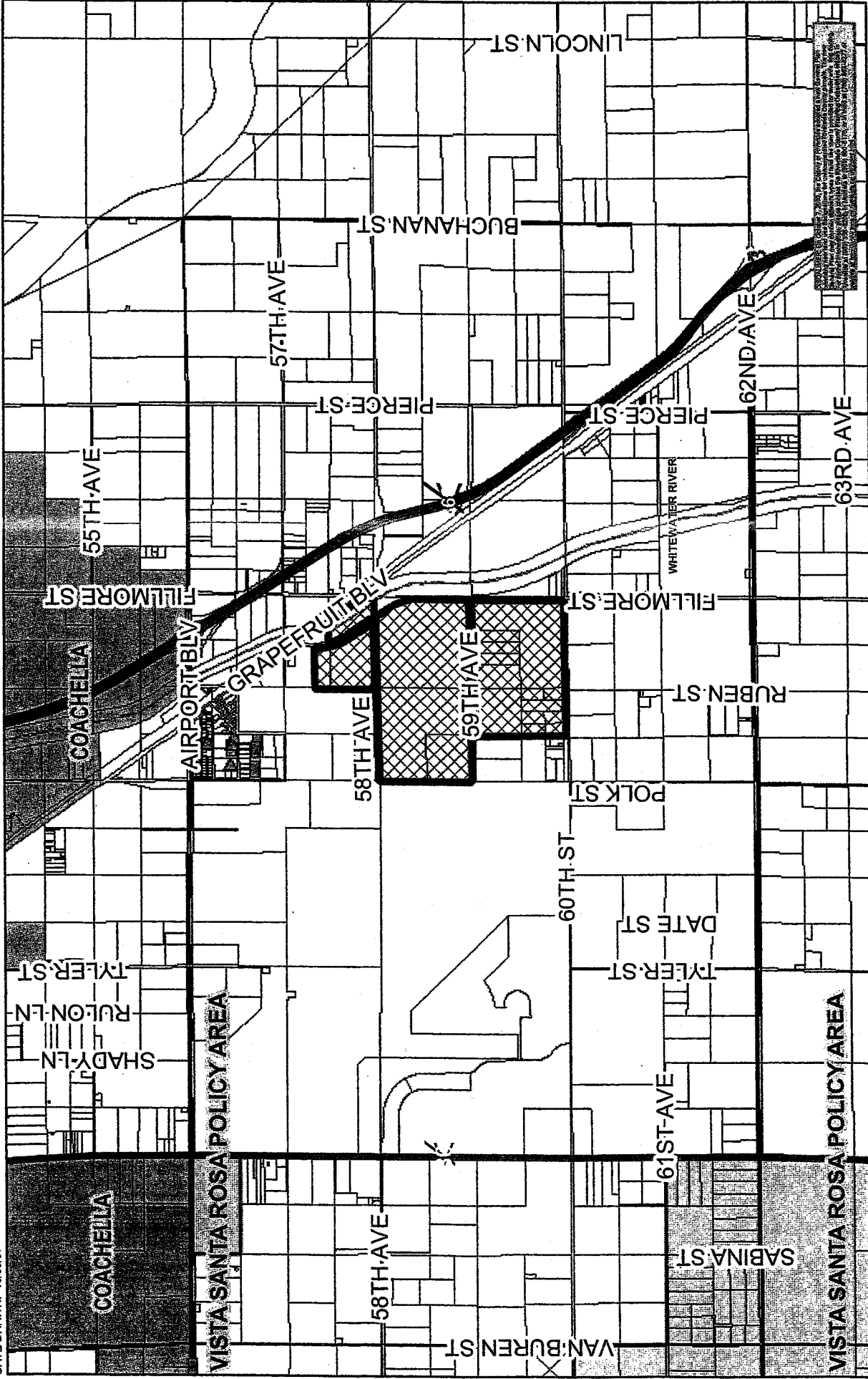


# CZ07481 GPA0J846 SP00369

## POLICY AREAS

Supervisor Wilson  
 District 4  
 DATE DRAWN: 10/30/07

Planner: Matt Straite  
 Date: 10/31/07  
 Exhibit 8



### RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone  
 District: Lower Coachella Valley

Township/Range: T6SR8E

Section : 27



ASSESSORS  
 BK. PG. 757-20 & 21  
 THOMAS  
 BROS.PG 5531 G6

Supervisor Wilson  
District 4

CZ07481 GPA00846 SP00369

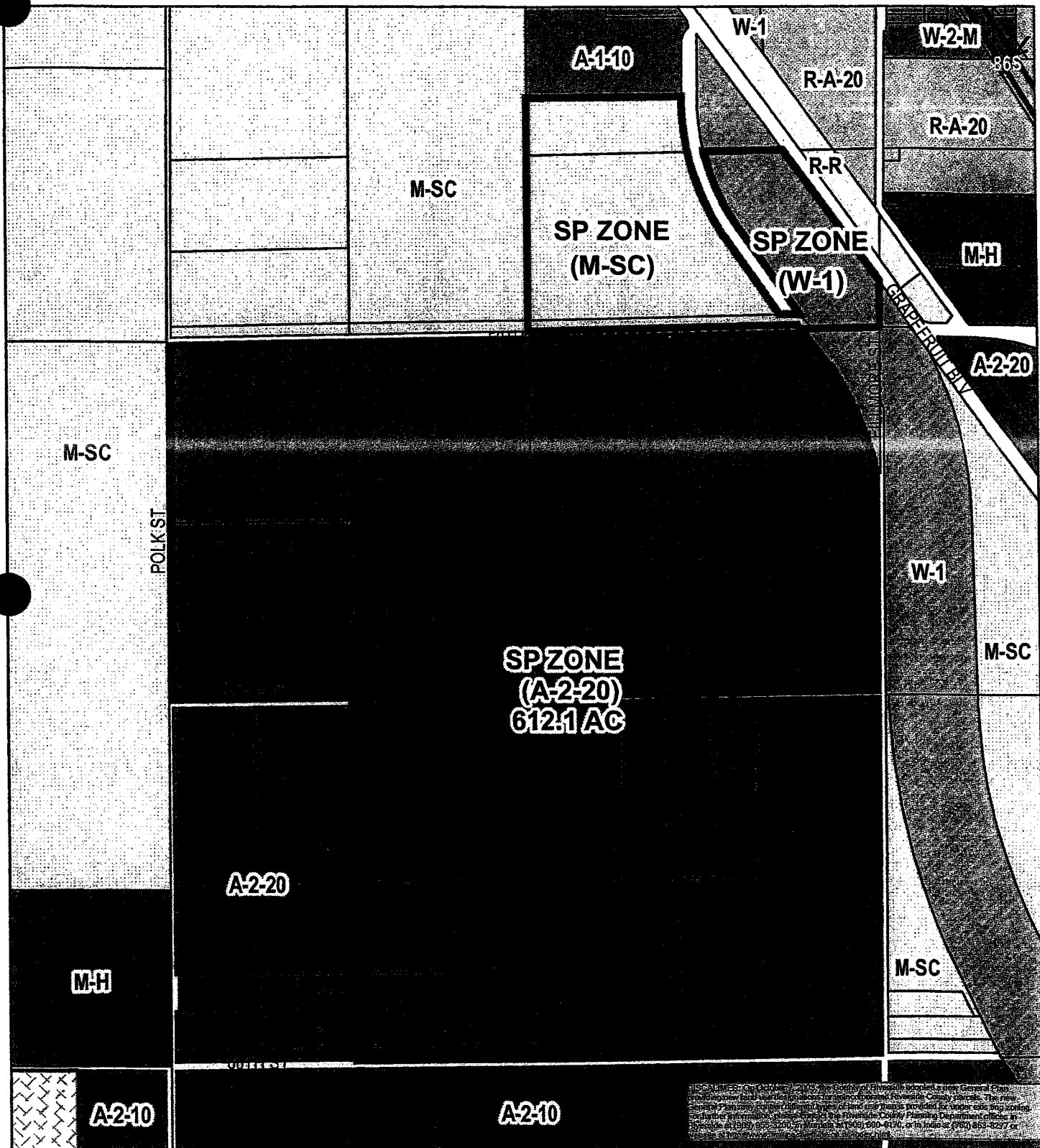
Planner: Matt Straite

Date: 10/31/07

DATE DRAWN: 10/30/07

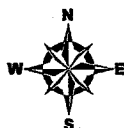
PROPOSED ZONING

Exhibit 3



RIVERSIDE COUNTY PLANNING DEPARTMENT

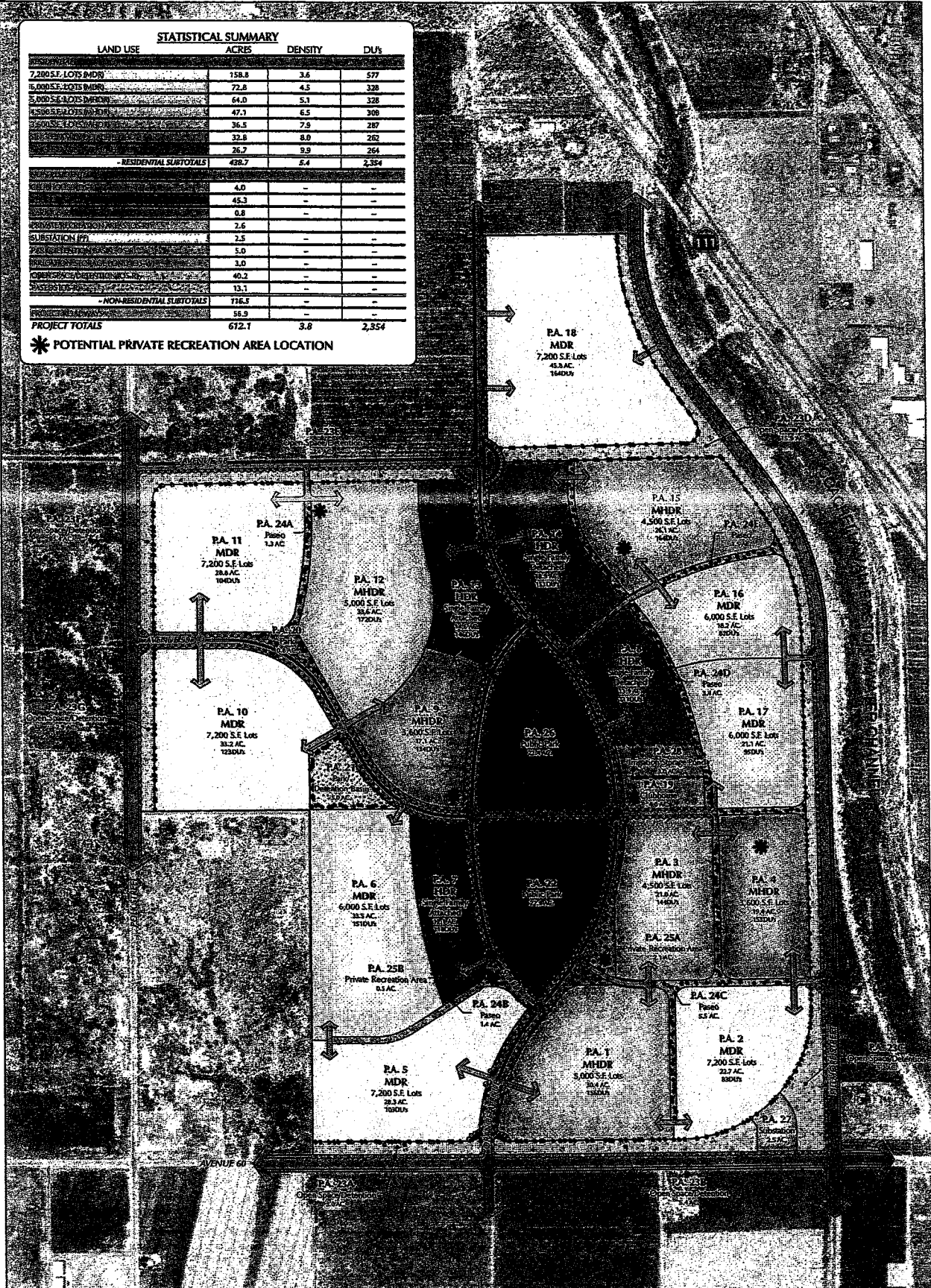
Zone  
District: Lower Coachella Valley  
Township/Range: T6SR8E  
Section : 27



Assessors  
Bk. Pg. 757-20 & 21  
Thomas  
Bros. Pg. 5531 G6

STATISTICAL SUMMARY			
LAND USE	ACRES	DENSITY	DU's
7,200 S.F. LOTS MDR	158.8	3.6	577
5,000 S.F. LOTS MDR	72.8	4.5	328
5,000 S.F. LOTS MDR	64.0	5.1	328
5,000 S.F. LOTS MDR	47.1	6.5	308
5,000 S.F. LOTS MDR	36.5	7.9	287
5,000 S.F. LOTS MDR	32.8	8.0	262
5,000 S.F. LOTS MDR	26.7	9.9	264
<b>- RESIDENTIAL SUBTOTALS</b>	<b>438.7</b>	<b>5.4</b>	<b>2,354</b>
OFFICE	4.0	-	-
RETAIL	45.3	-	-
RESTAURANT	0.8	-	-
PRIVATE RECREATION AREA	2.6	-	-
SUBSTATION (PT)	2.5	-	-
RECREATION	5.0	-	-
RECREATION	3.0	-	-
COVERAGE/DEVELOPMENT	40.2	-	-
DATE/TYPE	13.1	-	-
<b>- NON-RESIDENTIAL SUBTOTALS</b>	<b>116.5</b>	-	-
<b>PROJECT TOTALS</b>	<b>612.1</b>	<b>3.8</b>	<b>2,354</b>

\* POTENTIAL PRIVATE RECREATION AREA LOCATION



Source(s): Eagle Aerial (2006)

FIGURE II-1

**T&B PLANNING**  
 17942 East 17th Street, Suite 100 Tustin, CA 92780  
 P: 714.905.6390 F: 714.905.6391  
 www.tbplanning.com

CONCEPTUAL SPECIFIC PLAN LAND USE PLAN

**COUNTY OF RIVERSIDE**  
**TRANSPORTATION AND LAND MANAGEMENT AGENCY**

*George A. Johnson · Agency Director*

**Planning Department**

*Ron Goldman · Planning Director*

**Memorandum**

**DATE:** 7/19/10  
**TO:** Planning Commission  
**FROM:** Matt Straite  
**RE:** Draft Zoning Ordinnace for Thermall 551 (Specific Plan 369)

Commission:

The attached Zoning Ordinance is still in draft form. A final version is planned to be completed prior to the Hearing, but was not available at the time the staff reports were printed. The attached Ordinance is provided for reference purposes only.

Y:\Planning Case Files-Riverside office\SP00369\PC hearings\Memo.doc

ORDINANCE NO. 348.

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

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

Section 1. Section ~~XXX~~ of Ordinance No. 348, and Official Zoning Plan Map No. ~~XXX~~, as amended, are further amended by placing in effect in the Lower Coachella Valley District the zone or zones as shown on the map entitled "Change of Official Zoning Plan Amending Ordinance No. 348, Map No. ~~XXX~~, Change of Zone Case No. 07481," 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 ~~XXX~~ to read as follows:

"Section ~~XXX~~ SP ZONE REQUIREMENTS AND STANDARDS FOR SPECIFIC PLAN NO. 369.

a. Planning Areas 1 and 2.

(1) The uses permitted in Planning Area 1 of Specific Plan No. 369 shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348. No use, other than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of Ordinance 348 shall be permitted within Planning Area 1 of Specific Plan No. 369 until such time as Map No. 298 of Coachella Valley Agricultural Preserve No. 62 has been diminished or disestablished in the planning area and any corresponding Williamson Act contract is no longer in effect for Planning Area 1.

Thereafter, the uses permitted in Planning Area 1 of Specific Plan No. 369 shall be the same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 6.1.a.(2), (3), (4), (5), (7).a, (7).b, (7).c, (7).d., (7).e,

(8), (9); Section 6.1.b.(2), (3), (4), (5); Section 6.1.c.(1); Section 6.1.d; and Section 6.1.e.(1), shall not be permitted. In addition, the uses permitted under Section 6.1.b shall include private recreational parks/areas.

(2) The uses permitted for Planning Area 12 of Specific Plan No. 369 shall be the same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 6.1.a.(2), (3), (4), (5), (7).a, (7).b, (7).c, (7).d., (7).e, (8), (9); Section 6.1.b.(2), (3), (4), (5); Section 6.1.c.(1); Section 6.1.d; and Section 6.1.e.(1) shall not be permitted. In addition, the uses permitted under Section 6.1.b shall include private recreational parks/areas.

(3) The development standards for agricultural uses and incidental uses thereto within Planning Area 1 of Specific Plan No. 369 shall be the same as those standards in Article XIII, Section 13.2 of Ordinance No. 348.

(4) The development standards for uses other than agricultural uses and incidental uses thereto within Planning Area 1 and the development standards for uses in Planning Area 12 of Specific Plan No. 369 shall be the same as those standards identified in Section 6.2 of Ordinance No. 348, except that the development standards set forth in Section 6.2.a, b, c, d, e(1), e(2), e(3), and e(4) shall be deleted and replaced with the following:

- A. The minimum lot size shall be 5,000 square feet. The minimum lot width shall be 50 feet.
- B. The front yard setback shall be a minimum of 15 feet. The minimum side yard distance between buildings shall be at least 10 feet, regardless of lot lines. Side yard setbacks shall be a minimum of 5 feet. Side yard setbacks on corner lots shall be a minimum of 10 feet. The rear yard setback shall be a minimum of 15 feet.
- C. The maximum building height shall be 35 feet.



- D. The maximum lot coverage shall be 60% for single story structure and 50% for two story units.
- E. A minimum of 200 square feet of private open space shall be provided. All dimensions for each private open space shall be a minimum of 8 feet.
- F. Any driveway shall be less than 3 feet in length or at least 18 feet in length; driveway lengths between 3 feet and 18 feet are not permitted.
- G. Encroachments for fireplaces, AC units and media centers shall not exceed more than 2 feet into the front, side or rear setback. No AC units are permitted in front of the main residential building. Encroachments for balconies, porches, decks, and attached patio covers shall not exceed more than 7 feet into the front or rear setback. The side yard with gate access shall at all times maintain a 5 feet clearance regardless of encroachments.
- H. All playground equipment within Planning Areas 1 and 12 shall be shaded in accordance with the Shade Standards described in Section IV.E.3 of Specific Plan No. 369.

(5) If lots within Planning Areas 1 and 12 of Specific Plan No. 369 are developed with rear-loaded homes, the development standards for Planning Areas 1 and 12 shall be the same as those standards identified in Section 6.2 of Ordinance No. 348, except that the development standards set forth in Section 6.2.a, b, c, d, e(1), e(2), e(3), and e(4) shall be deleted and replaced with the following:

- A. The minimum front yard setback shall be 10 feet. The minimum rear yard setback to the garage shall be 3 feet. In addition, the minimum rear yard setback on the second floor shall be 3 feet for 50% of the

living area and 9 feet for the remaining 50% of the second story.

- B. Any driveway shall be less than 3 feet in length or at least 18 feet in length; driveway lengths between 3 feet and 18 feet are not permitted.
- C. Encroachments for balconies, porches, decks, and attached patio covers shall not exceed 5 feet into the rear or front setback.
- D. All other development standards for lots with rear-loaded homes in Planning Areas 1 and 12 shall be the same as the development standards for single-family detached homes in Planning Areas 1 and 12 as set forth in subsection a. (4) of this Section.

(6) If lots within Planning Areas 1 and 12 of Specific Plan No. 369 are developed with paired Z-lot homes, the development standards for Planning Areas 1 and 12 of Specific Plan No. 369 shall be the same as those standards identified in Section 6.2 of Ordinance No. 348, except that the development standards set forth in Section 6.2.a, b, c, d, e(1), e(2), e(3), and e(4) shall be deleted and replaced with the following:

- A. The minimum front yard setback shall be 12 feet. The minimum corner side yard setback shall be 8 feet. The minimum side yard distance between structures shall be at least 10 feet. The minimum rear yard setback shall be 5 feet to the garage and 15 feet to the residential structure.
- B. There shall be a minimum 20 feet separation between the second stories of adjacent buildings.
- C. Encroachments for balconies, porches, decks, and attached patio covers shall not exceed more than 10 feet into the rear setback.
- D. Any driveway shall be less than 3 feet in length or at least 18 feet in length; driveway lengths between 3 feet and 18 feet are not permitted.

E. All other development standards for lots with paired Z-lot homes in Planning Areas 1 and 12 shall be the same as the development standards for single family detached homes in Planning Areas 1 and 12 as set forth in ~~subsection a. (4) of this Section.~~

(7) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article XIII of Ordinance No. 348 for agricultural uses and incidental uses thereto and Article VI of Ordinance No. 348 for all other uses.

b. Planning Areas 2, 5, 10, 11 and 18.

(1) The uses permitted in Planning Areas 2 and 18 of Specific Plan No. 369 shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348. No use, other than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of Ordinance 348 shall be permitted within Planning Areas 2 and 18 of Specific Plan No. 369 until such time as Map No. 298 of Coachella Valley Agricultural Preserve No. 62 and Map No. 134 of Coachella Valley Agricultural Preserve No. 18 (applicable to Planning Areas 2 and 18, respectively) have been diminished or disestablished in the planning area and any corresponding Williamson Act contract is no longer in effect for the planning area.

Hereafter, the uses permitted in Planning Areas 2 and 18 of Specific Plan No. 369 shall be the same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 6.1.a.(2), (3), (4), (5), (7).a, (7).b, (7).c, (7).d., (7).e, (8), (9); Section 6.1.b.(2), (3), (4), (5); Section 6.1.c.(1); Section 6.1.d; and Section 6.1.e.(1), shall not be permitted. In addition, the uses permitted under Section 6.1.b shall include private recreational parks/areas.

(2) The uses permitted for Planning Areas 5, 10, and 11 of Specific Plan No. 369 shall be the same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348,

except that the uses permitted pursuant to Section 6.1.a.(2), (3), (4), (5), (7).a, (7).b, (7).c, (7).d., (7).e, (8), (9); Section 6.1.b.(2), (3), (4), (5); Section 6.1.c.(1); Section 6.1.d; and Section 6.1.e.(1), shall not be permitted. In addition, the uses permitted under Section 6.1.b shall include private recreational parks/areas.

(3) The development standards for agricultural uses and incidental uses thereto within Planning Areas 2 and 18 of Specific Plan No. 369 shall be the same as those standards in Article XIII, Section 13.2 of Ordinance No. 348.

(4) The development standards for uses other than agricultural uses and incidental uses thereto within Planning Areas Areas 2, 5, 10, 11, and 18 of Specific Plan No. 369 shall be the same as those standards identified in Section 6.2 of Ordinance No. 348, except that the development standards set forth in Section 6.2.a, b, c, d, e(1), e(2), e(3), and e(4) shall be deleted and replaced with the following:

- A. The minimum lot size shall be 7,200 square feet. The minimum lot width shall be 72 feet.
- B. The front yard setback shall be a minimum of 15 feet. The minimum side yard distance between buildings shall be at least 15 feet. Side yards setbacks on corner lots shall be a minimum of 15 feet with a minimum setback of 5 feet on each side. The rear yard setback shall be a minimum of 20 feet. The minimum setback for garages shall be 18 feet. The minimum side-in garage setback shall be 15 feet.
- C. Building height shall not exceed 35 feet.
- D. The maximum lot coverage shall be 50% of any lot with a single-story dwelling and 40% of any lot with a two-story dwelling.
- E. Encroachments for fireplaces, AC units and media centers shall not exceed more than 2 feet into the minimum front, side, or rear setback.

No AC units are permitted in front of the main residential building. Encroachments for balconies, porches, decks, and attached patio covers shall not exceed more than 12 feet into the minimum front or rear setback. The side yard with gate access shall at all times maintain a 5 feet clearance regardless of encroachments.

F. All playground equipment shall be shaded in accordance with the Shade Standards described in Section IV.E.3 of Specific Plan No. 369.

(5) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article XIII of Ordinance No. 348 for agricultural uses and incidental uses thereto and Article VI of Ordinance No. 348 for all other uses.

c. Planning Areas 3 and 15

(1) The uses permitted in Planning Area 3 of Specific Plan No. 369 shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348. No use, other than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of Ordinance 348 shall be permitted within Planning Area 3 of Specific Plan No. 369 until such time as Map No. 298 of Coachella Valley Agricultural Preserve No. 62 has been diminished or disestablished in the planning area and any corresponding Williamson Act contract is no longer in effect for the planning area.

Thereafter, the uses permitted in Planning Area 3 of Specific Plan No. 369 shall be the same as those uses permitted in Article VII, Section 7.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 7.1.a.(2), (3), (4), (10), (11), (12); Section 7.1.b.(3), (5), (6), (7) and (9); and Section 7.1.c.(1) and (2) shall not be permitted. In addition, the uses permitted under Section 7.1.b shall include private recreational parks/areas.

(2) The uses permitted in Planning Area 15 of Specific Plan No. 369 shall be the same as those uses permitted in Article VII, Section 7.1 of Ordinance No. 348, except that the

uses permitted pursuant to Section 7.1.a.(2), (3), (4), (10), (11), (12); Section 7.1.b.(3), (5), (6), (7) and (9); and Section 7.1.c.(1) and (2) shall not be permitted. In addition, the uses permitted under Section 6.1.b shall include private recreational parks/areas.

(3) The development standards for agricultural ~~uses and~~ incidental uses thereto within Planning Area 3 of Specific Plan No. 369 shall be the same as those standards in Article XIII, Section 13.2 of Ordinance No. 348.

(4) The development standards for uses other than agricultural uses and incidental uses thereto within Planning Area 3 ~~and the development standards for uses in~~ Planning Area 15 of Specific Plan No. 369 shall be the same as those standards identified in Article VII of Ordinance 348 except Sections 7.2, 7.3, 7.4, 7.5, 7.6, ~~7.7~~ 7.8, 7.9, 7.10, and 7.11 of Ordinance No. 348 shall be deleted and replaced with the following development standards:

- A. The minimum lot size shall be 4,500 square feet. The minimum lot width shall be 45 feet.
- B. The front yard setback shall be a minimum of 15 feet. The minimum corner side yard setback shall be 10 feet. All other side yard setbacks shall be 5 feet. The minimum side yard distance between structures shall be at least 10 feet. The minimum rear yard setback shall be 15 feet. The minimum garage setback shall be 18 feet.
- C. The maximum building height shall be 35 feet.
- D. The maximum lot coverage shall be 60% for single story buildings and 50% for two story buildings. Lot coverage includes, but is not limited to, garages, covered porches, and balconies.
- E. Encroachments for fireplaces, AC units and media centers shall not exceed more than 2 feet into the front, side, or rear setbacks. No AC

units shall be permitted in front of the structure. Encroachments for balconies, porches, decks, and attached patio covers shall not exceed 10 feet into the front or rear setback. The side yard with gate access shall at all times maintain a 5-foot clearance regardless of encroachments.

F. All playground equipment shall be shaded in accordance with the Shade Standards described in Section IV.E.3 of Specific Plan No. 369.

(5) If Planning Areas 3 and 15 of Specific Plan No. 369 are developed with rear-loaded homes, the development standards for Planning Areas 3 and 15 shall be the same as those standards identified in Article VII of Ordinance 348, except that the development standards set forth in Section 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, and 7.11 of Ordinance No. 348 shall be deleted and replaced with the following:

A. The minimum front yard setback shall be 10 feet. The minimum rear yard setback on the second floor shall be 3 feet for 50% of the living area and 9 feet for the remaining 50% of the second story.

B. Encroachments for balconies, porches, decks, and attached patio covers shall not exceed 5 feet into the rear setback.

C. Any driveway shall be less than 3 feet in length or at least 18 feet in length; driveway lengths between 3 feet and 18 feet are not permitted.

D. All other development standards for lots with rear-loaded homes in Planning Areas 3 and 15 shall be the same as the development standards for single-family detached homes in Planning Areas 3 and 15 as set forth in subsection c. (4) of this Section.

(6) If lots with Planning Areas 3 and 15 of Specific Plan No. 369 are developed

with paired Z-lot homes, the development standards for Planning Areas 1 and 12 of Specific Plan No. 369 shall be the same as those standards identified in Article VII of Ordinance 348, except that the development standards set forth in Section 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, and 7.11 of Ordinance No. 348 shall be ~~deleted and replaced with the following~~:

- A. The minimum front yard setback shall be 12 feet. The minimum corner side yard setback shall be 8 feet. All other side yard setbacks shall be 5 feet. The minimum side yard distance between buildings shall be at least 10 feet.
- B. There shall be a minimum 20 feet separation between the second stories of adjacent buildings.
- C. Encroachments for balconies, porches, decks, and attached patio covers shall not exceed 5 feet into the rear setback.
- D. Any driveway shall be less than 3 feet in length or at least 18 feet in length; driveway lengths between 3 feet and 18 feet are not permitted.
- E. All other development standards for lots with paired Z-lot homes in Planning Areas 3 and 15 shall be the same as the development standards for single family detached homes in Planning Areas 3 and 15 as set forth in subsection c. (4) of this Section.

(7) If lots within Planning Areas 3 and 15 of Specific Plan No. 369 are developed with cluster homes, the development standards for Planning Areas 3 and 15 shall be the same as those standards identified in Article VII of Ordinance 348, except that the development standards set forth in Section 7.2, 7.3, 7.4, 7.5, ~~7.6, 7.7, 7.8, 7.9, 7.10, and 7.11~~ of Ordinance No. 348 shall be deleted and replaced with the following:

- A. The minimum front yard setback shall be 10 feet. The minimum rear yard setback shall be 10-feet.



- B. There shall be a minimum 20 feet separation between the first stories of adjacent buildings. There shall be a minimum 30 feet separation between the second stories of adjacent buildings.
- C. Encroachments for balconies, porches, decks, and attached patio covers shall not exceed more than 5 feet into the rear setback.
- D. Any driveway shall be less than 3 feet in length or at least 18 feet in length; driveway lengths between 3 feet and 18 feet are not permitted.
- E. All other development standards for lots with cluster homes in Planning Areas 3 and 15 shall be the same as the development standards for single family detached homes in Planning Areas 3 and 15 as set forth in subsection c. (4) of this Section.

(8) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article XIII of Ordinance No. 348 for agricultural uses and incidental uses thereto and Article VII of Ordinance No. 348 for all other uses.

d. Planning Area 4.

(1) The uses permitted in Planning Area 4 of Specific Plan No. 369 shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348. No use, other than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of Ordinance 348 shall be permitted within Planning Area 4 of Specific Plan No. 369 until such time as Ordinance No. 298 of Coachella Valley Agricultural Preserve No. 62 has been diminished or disestablished in the planning area and any corresponding Williamson Act contract is no longer in effect for Planning Area 4.

Thereafter, the uses permitted in Planning Area 4 of Specific Plan No. 369 shall be the same as those uses permitted in Article VII, Section 7.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 7.1.a.(2), (3), (4), (10), (11), (12); Section 7.1.b.(3),

(5), (6), (7) and (9); and Section 7.1.c.(1) and (2) shall not be permitted. In addition, the uses permitted under Section 7.1.b shall include private recreational parks/areas.

(2) The development standards for agricultural uses and incidental uses thereto within Planning Area 4 of Specific Plan No. 369 shall be the same as those standards in Article XIII, Section 13.2 of Ordinance No. 348.

(3) If lots in Planning Area 4 of Specific Plan No. 369 are developed with paired Z-lot homes, the planning area development standards shall be the same as those identified in Article VII of Ordinance No. 348 except that the development standards set forth in Sections 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, and 7.11 of Ordinance No. 348 shall be deleted and replaced with the following:

A. The minimum lot size shall be 3,600 square feet. The minimum lot width shall be 45 feet.

B. The minimum front yard setback shall be 12 feet. The minimum corner side yard setback shall be 8 feet. All other side yards shall be at least 4 feet. The minimum rear yard setback shall be 5 feet to the garage and 15 feet to the main residential building. The garage setback from the front property line shall be 18 feet.

C. The maximum structural height shall be 35 feet.

D. The maximum lot coverage shall be 30%.

E. Encroachments for fireplaces, AC units and media centers shall not exceed more than 2 feet into the front, side, or rear setbacks. Encroachments for balconies, porches, decks, and attached patio covers shall not exceed 5 feet into the front or rear setback. No AC units shall be permitted in front of the structure. The side yard with gate access shall at all times maintain a 5 feet clearance regardless of

encroachments.

- F. Any driveway shall be less than 3 feet in length or at least 18 feet in length; driveway lengths between 3 feet and 18 feet are not permitted.
- G. All playground equipment within Planning Area 4 shall be shaded in accordance with the Shade Standards described in Section IV.E.3 of Specific Plan No. 369.

(4) If lots in Planning Area 4 of Specific Plan No. 369 are developed with cluster homes, the planning area development standards shall be the same as those identified in Article VII of Ordinance No. 348 except that the development standards set forth in Section 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, and 7.11 of Ordinance No. 348 shall be deleted and replaced with the following:

- A. The minimum front yard setback shall be 10 feet. The minimum rear yard setback shall be 10 feet.
- B. There shall be a minimum 20 feet separation between the first stories of adjacent buildings. There shall be a minimum 30 feet separation between the second stories of adjacent buildings.
- C. Any driveway shall be less than 3 feet in length or at least 18 feet in length; driveway lengths between 3 feet and 18 feet are not permitted.
- D. All other development standards for lots with cluster homes in Planning Area 4 shall be the same as the development standards for paired Z-lot homes in Planning Area 4 as set forth in subsection d. (3) of this Section.

(5) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article XIII of Ordinance No. 348 for agricultural uses and incidental uses thereto and Article VII of Ordinance No. 348 for all other uses.

e. Planning Areas 6, 16, and 17

(1) The uses permitted in Planning Areas 6, 16, and 17 of Specific Plan No. 369 shall be the same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 6.1.a.(2), (3), (4), (5), (7), (8), (9); Section 6.1.b. (3), (4), (5); Section 6.1.c.(1); Section 6.1.d; and Section 6.1.e.(1), shall not be permitted. In addition, the uses permitted under Section 6.1.b shall include private recreational parks/areas.

(2) If Planning Areas 6, 16, and 17 of Specific Plan No. 369 are developed with single family detached homes, the development standards for Planning Areas 6, 16, and 17 of Specific Plan No. 369 shall be the same as those standards identified in Section 6.2 of Ordinance No. 348, except that the development standards set forth in Section 6.2.a, b, d, e(1), e(2), e(3), and e(4) shall be deleted and replaced with the following:

A. The minimum lot size shall be 6,000 square feet. The minimum lot width shall be 60 feet.

B. The front yard setback shall be a minimum of 15 feet. The minimum side yard distance between building shall be at least 10 feet. Side yards setbacks on corner lots shall not be less than 10 feet. The rear yard setback shall not be less than 15 feet. All other side yard setbacks shall not be less than 5 feet. The minimum setback for garages shall be 18 feet. The minimum side-in garage setback shall be 15 feet.

C. The maximum building height shall be 35 feet.

D. The maximum lot coverage shall be 50% for single story buildings and 40% for two story buildings.

E. Encroachments for fireplaces, AC units and media centers shall not

exceed 2 feet into the minimum front, side, or rear setback. Encroachments for balconies, porches, decks, and attached patio covers shall not exceed 7 feet into the minimum front or rear setback. No AC units shall be permitted in front of the structure. The side yard with gate access shall at all times maintain a 5 feet clearance regardless of encroachments.

F. All playground equipment within Planning Areas 6, 16, and 17 shall be shaded in accordance with the Shade Standards described in Section IV.E.3 of Specific Plan No. 369.

(3) If lots within Planning Areas 6, 16, and 17 of Specific Plan No. 369 are developed with rear-loaded homes, the development standards for Planning Areas 6, 16, and 17 of Specific Plan No. 369 shall be the same as those standards identified in Section 6.2 of Ordinance No. 348, except that the development standards set forth in Section 6.2.a, b, d, e(1), e(2), e(3), and e(4) shall be deleted and replaced with the following:

A. The minimum front yard setback shall be 10 feet. The minimum rear yard setback on the second floor shall be 3 feet for 50% of the living area and 9 feet for the remaining 50% of the second story.

B. Any driveway shall be less than 3 feet in length or at least 18 feet in length. Driveway lengths between 3 feet and 18 feet are not permitted.

C. Encroachments for balconies, porches and decks shall not exceed 5 feet into the minimum rear setback.

D. All other development standard for lots with rear-loaded homes in Planning Areas 6, 16, and 17 shall be with the same as the development standards for single family detached homes in Planning Areas 6, 16, and 17 as set forth in subsection e. (2) above.

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

f. Planning Areas 7 and 13.

(1) The uses permitted in ~~Planning Areas 7 and 13 of Specific Plan No. 369~~ shall be the same as those uses permitted in Article VII, Section 7.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 7.1.a.(2), (3), (4), (10), (11), (12); Section 7.1.b.(2), (3), (7), (8); and Section 7.1.c.(1), (2) shall not be permitted. In addition, the uses permitted under Section 7.1.b shall include private recreational parks/areas.

(2) ~~Planning Areas 7 and 13 of Specific Plan No. 369~~ shall be developed with duplex, triplex, or townhomes. The development standards for uses in ~~Planning Areas 7 and 13 of Specific Plan No. 369~~ shall be the same as those identified in Article VII of Ordinance No. 348 except that the development standards set forth in Section 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, and 7.11 of Ordinance No. 348 shall be deleted and replaced with the following:

- A. The minimum lot size shall be 5,000 square feet.
- B. The front yard setback shall be a minimum of 15 feet. Side yards setbacks on corner lots shall be a minimum of 10 feet. All other side yard setbacks shall be a minimum of 5 feet. The rear yard setback shall be a minimum of 15 feet.
- C. The minimum building separation shall be 30 feet. Side yard setbacks between duplex, triplex, or townhomes structures shall be a minimum of 10 feet.
- D. The maximum building height shall not exceed 35 feet.
- E. Encroachments for fireplaces, AC units and media centers shall not exceed more than 2 feet into the yard setback. Encroachments for

balconies, porches, decks, and attached patio covers shall not exceed 5 feet into the front or rear setbacks. No AC units shall be permitted in front of the structure. The side yard with gate access shall at all times maintain a 5 feet clearance regardless of encroachments.

- G. Any driveway shall be less than 3 feet in length or at least 18 feet in length; driveway lengths between 3 feet and 18 feet are not permitted.
- H. All playground equipment within Planning Areas 7 and 13 shall be shaded in accordance with the Shade Standards described in Section IV.E.3 of Specific Plan No. 369.

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

g. Planning Areas 8 and 14

(1) The uses permitted in Planning Areas 8 and 14 of Specific Plan No. 369 shall be the same as those uses permitted in Article VII, Section 7.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 7.1.a.(2), (3), (4), (10), (11), (12); Section 7.1.b.(2), (3), (6), (7), (8), and Section 7.1.c.(1) and (2) shall not be permitted. In addition, the uses permitted under Section 7.1.b shall include private recreational parks/areas.

(2) Planning Areas 8 and 14 of Specific Plan No. 369 shall be developed with cluster single family homes. The development standards for uses in Planning Areas 8 and 14 of Specific Plan No. 369 shall be the same as those identified in Article VII of Ordinance No. 348 except that the development standards set forth in Section 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, and 7.11 of Ordinance No. 348 shall be deleted and replaced with the following:

- A. The minimum lot size shall be 2,500 square feet.
- B. The front yard setback shall be a minimum of 10 feet for units not facing a shared driveway. Side yards setbacks on corner lots shall be

a minimum of 10 feet. All other side yard setbacks. The rear yard setback shall be a minimum of 10 feet.

C. The minimum building separation (front to front – first story) shall be 20 feet. The minimum building separation (front to front – second story) shall be 30 feet. The minimum building separation (rear to rear) shall be 20 feet. The minimum building separation (side to side) shall be 10 feet. The minimum building separation (garage to garage) shall be 30 feet.

D. The maximum building height shall not exceed 35 feet.

E. Encroachments for fireplaces, AC units and media centers shall not exceed 2 feet into the minimum side setback. Encroachments for balconies, porches, decks, and attached patio covers shall not exceed 7 feet into the minimum front or rear setback. No AC units shall be permitted in front of the structure. The side yard with gate access shall at all times maintain a 5 feet clearance regardless of encroachments.

F. Any driveway shall be less than 3 feet in length or at least 18 feet in length; driveway lengths between 3 feet and 18 feet are not permitted.

G. All playground equipment shall be shaded in accordance with the Shade Standards described in Section IV.E.3 of Specific Plan No. 369.

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

h. Planning Area 9.

(1) The uses permitted in Planning Area 4 of Specific Plan No. 369 shall be the



same as those uses permitted in Article VII, Section 7.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 7.1.a.(2), (3), (4), (10), (11), (12); Section 7.1.b.(3), (5), (6), and (7); and Section 7.1.c.(1) and (2) shall not be permitted. In addition, the uses permitted under Section 7.1.b shall include private recreational parks/areas.

(2) Planning Area 9 of Specific Plan No. 369 shall be developed with rear-loaded single family homes. The development standards for uses in Planning Area 9 of Specific Plan No. 369 shall be the same as those identified in Article VII of Ordinance No. 348 except that the development standards set forth in Section 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, and 7.11 of Ordinance No. 348 shall be deleted and replaced with the following:

- A. The minimum lot size shall be 3,600 square feet. The minimum lot width shall be 45 feet.
- B. The front yard setback shall be a minimum of 10 feet. The separation between structures shall not be less than 10 feet. Side yards setbacks on corner lots shall be a minimum of 10 feet. All other side yard setbacks shall be a minimum of The minimum rear yard setback on the second floor shall be 3 feet for 50% of the building and 9 feet for the remaining 50% of the second story.
- C. The maximum building height shall not exceed 35 feet.
- D. The maximum lot coverage shall be 65% for single story structures and 50% for two story structures.
- E. There shall be a 20 foot separation between the second stories of adjacent buildings.
- F. There shall be 50 square feet of landscaping at the T-intersection of a private alley or where an alley abuts a trail connection.
- G. Encroachments for fireplaces, AC units and media centers shall not

exceed 2 feet into the minimum side setback. Encroachments for balconies, porches, decks, and attached patio covers shall not exceed 7 feet into the minimum front or rear setback. No AC units shall be permitted in front of the structure. The side yard with gate access shall at all times maintain a 5 feet clearance regardless of encroachments.

- H. Any driveway shall be less than 3 feet in length or at least 18 feet in length; driveway lengths between 3 feet and 18 feet are not permitted.
- I. All playground equipment shall be shaded in accordance with the Shade Standards described in Section IV.E.5 of Specific Plan No. 369.

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

i. Planning Areas 19, 20, 21, 23A, 23B, 23C, 23D, 23E, 23F, 23G, 24A, 24B, 24C, 24D, 24E, 25A, 25B, and 28.

(1) The uses permitted in Planning Areas 23B, 23C, 23D, and 24C of Specific Plan No. 369 shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348. No use, other than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of Ordinance 348 shall be permitted within Planning Areas 23B, 23C, 23D, and 24C of Specific Plan No. 369 until such time as Map No. 298 of Coachella Valley Agricultural Preserve No. 62 and Map No. 132 of Coachella Valley Agricultural Preserve No. 18 (applicable to Planning Areas 23B, 23C, and 24C, and applicable to 23D, respectively) have been diminished or disestablished in the planning area and any corresponding Williamson Act contract is no longer in effect for the planning area.

Thereafter, for Planning Areas 23B, 23C, 23D, and 24C of Specific Plan No. 369 the

uses permitted shall be the same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to Section 8.1.a(1), (3); Section 8.1.b(1); and Section 8.1.c(1) shall not be permitted. In addition, the uses permitted under Section 8.100 shall include clubhouses, recreational parks/areas, detention basins, open space, paseos, irrigation storage ponds and related facilities, trails, pools, tot lots, bathrooms, spas, picnic areas, BBQ facilities, fitness centers, and other similar related uses.

(2) The uses permitted in Planning Areas 19, 20, 21, 23A, 23E, 23F, 23G, 24A, 24B, 24D, 24E, 25A, 25B and 28 of Specific Plan No. 369 shall be the same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to Section 8.1.a(1), (3); Section 8.1.b(1); and Section 8.1.c(1) shall not be permitted. In addition, the uses permitted under Section 8.100 shall include clubhouses, recreational parks/areas, detention basins, open space, irrigation storage ponds and related facilities, trails, paseos, pools, tot lots, bathrooms, spas, picnic areas, BBQ facilities, fitness centers, and other similar related uses.

(3) The development standards for agricultural uses and incidental uses thereto within Planning Areas 23B, 23C, 23D, and 24C of Specific Plan No. 369 shall be the same as those standards in Article XIII, Section 13.2 of Ordinance No. 348.

(4) The development standards for uses other than agricultural uses and incidental uses thereto within Planning Areas 19, 20, 21, 23A, 23B, 23C, 23D, 23E, 23F, 23G, 24A, 24B, 24C, 24D, 24E, 25A, 25B, and 28 of Specific Plan No. 369 shall be the same as those standards identified in Section 8.101 of Ordinance No. 348. Additionally, the following development standard shall apply:

- A. All playground equipment shall be shaded in accordance with the Shade Standards described in Section IV.E.3 of Specific Plan No. 369.

(5) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article XIII of Ordinance No. 348 for agricultural uses and incidental uses thereto and Article VIIIe of Ordinance No. 348 for all other uses.

i. Planning Areas 22 and 26.

(1) The uses permitted in Planning Areas 22 and 26 of Specific Plan No. 369 shall be the same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to Section 8.1.a(1), (3); Section 8.1.b(1); and Section 8.1.c(1) shall not be permitted. In addition, the uses permitted under Section 8.100 shall include public recreational parks/areas.

(2) The development standards for Planning Areas 22 and 26 of Specific Plan No. 369 shall be the same as those standards identified in Section 8.101 of Ordinance No. 348. Additionally, the following standards shall apply:

A. Sports fields and lawn areas may be lighted; however, lighting shall be directed in a manner that minimizes light pollution impacts on nearby residential units. Lighting of sports fields and lawn areas shall conform to the requirements of Riverside County Ordinance No. 655.

B. All playground equipment shall be shaded in accordance with the Shade Standards described in Section IV.E.3 of Specific Plan No. 369.

C. Drinking fountains and public restrooms shall be provided.

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

j. Planning Area 27.

(1) The uses permitted in Planning Area 27 of Specific Plan No. 369 shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348. No use,

other than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of Ordinance 348 shall be permitted within Planning Area 27 of Specific Plan No. 369 until such time as Map No. 298 of Coachella Valley Agricultural Preserve No. 62 has been diminished or disestablished in the planning area and any corresponding Williamson Act contract is no longer in effect for the planning area.

Thereafter, for Planning Area 27 of Specific Plan No. 369 the uses permitted shall be the same as those uses permitted in Article VIIIe, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to Section 8.1.a(2), (3), (4), and (8); Section 8.1.b(1); and Section 8.1.c(1) shall not be permitted. In addition, the uses permitted under Section 8.100 shall include electrical substations, maintenance roads, and other related facilities and equipment.

(2) The development standards for agricultural uses and incidental uses thereto within Planning Area 27 of Specific Plan No. 369 shall be the same as those standards in Article XIII, Section 13.2 of Ordinance No. 348.

(3) If Planning Area 27 of Specific Plan No. 369 is developed with utility land uses, the development standards for such uses shall be the same as those standards identified in Section 8.101 of Ordinance No. 348, except that the development standards pursuant to Sections 8.101.a, b, c, and d shall be deleted and replaced with the following:

A. The maximum building height shall be 75 feet.

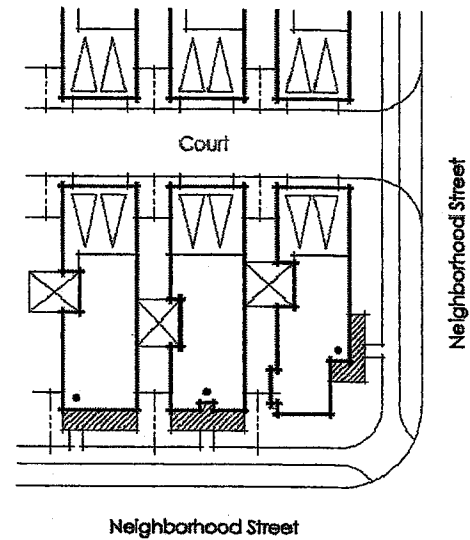
B. There is no minimum lot size or front, side, or back minimum width requirements.

(4) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article XIII of Ordinance No. 348 for agricultural uses and incidental uses thereto and Article VIIIe of Ordinance No. 348 for all other uses.”

Section 3. Definitions. For the purpose of this ordinance, certain words and terms used herein are herewith defined. Definitions in this Section are in addition to those defined in Article XXI of Ordinance No. 348. When not inconsistent with the context, words used in the present tense include the future tense; ~~words in the singular number~~ include the plural number and words in the plural number include the singular number. The masculine gender includes the feminine and neuter gender. The word "shall" is always mandatory and not merely directory. The word "may" is permissive.

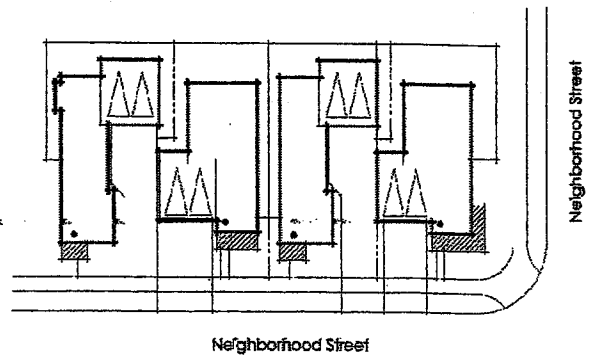
a. Rear Loaded Homes.

An attached or detached residential dwelling unit which features a vehicular entrance (driveway) to the back of the lot usually attached to an alley. In a Rear Loaded Home all residences must face a street. (see diagram)



b. Paired Z lot

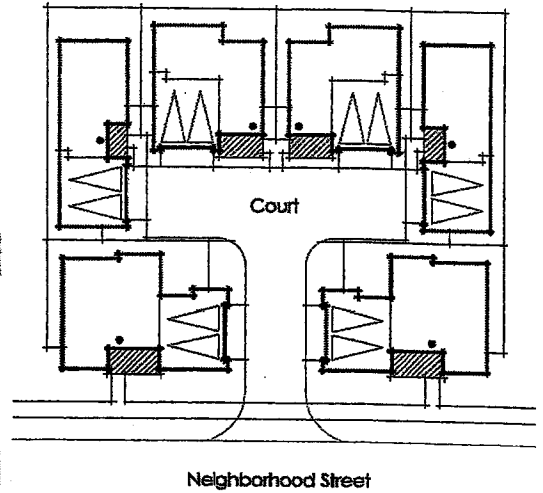
A type of development which typically situates a detached single family structure so that at least one wall is on a property line; however, a minimum set back between structures is required. Often this will include



reciprocal easements so that open space for one homeowner will be situated in another homeowners property. Alternatively the actual lot line may change to follow the proposed structure placement (see diagram).

c. Cluster Homes

A cluster home refers to a type of development which places several homes on one condominium lot, usually clustered around one common drive way or drive isle (see diagram)



Section 4. This ordinance shall take effect 30 days after its adoption.

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

By:

Chairman, Board of Supervisors

ATTEST:

Clerk of the Board

By

Deputy

(SEAL)

\*\*THIS IS A DRAFT DOCUMENT AND IS SUBJECT TO CHANGE WITHOUT NOTICE\*\*

APPROVED AS TO FORM:

\_\_\_\_\_, \_\_\_\_\_, 2010

By: \_\_\_\_\_

**DRAFT**



SPECIFIC PLAN Case #: SP00369

Parcel: 757-200-003

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 SP -CAUSE FOR REVOCATION

RECOMMND

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

10. EVERY. 2 SP - Definitions

RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of Specific Plan No. 369 shall be henceforth defined as follows:

SPECIFIC PLAN = Specific Plan No. 369, Amendment No. 2.

CHANGE OF ZONE = Change of Zone No. 7481.

GPA = Comprehensive General Plan Amendment No. 846.

EIR = Environmental Impact Report No. 504.

10. EVERY. 3 SP - SP Document

RECOMMND

Specific Plan No. 369 shall include the following:

a. Specific Plan Document, which shall include:

1. Board of Supervisors Specific Plan Resolution including the Mitigation Reporting/Monitoring Program
2. Conditions of Approval.
3. Specific Plan Zoning Ordinance.
4. Land Use Plan in both 8 1/2" x 11" black-and-white and 11" x 17" color formats.
5. Specific Plan text.

SPECIFIC PLAN Case #: SP00369

Parcel: 757-200-003

10. GENERAL CONDITIONS

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

6. Descriptions of each Planning Area in both graphical and narrative formats.

b. Final Environmental Impact Report No. 504 Document, which must include, but not be limited to, the following items:

1. Mitigation Monitoring/Reporting Program.
2. Draft EIR
3. Comments received on the Draft EIR either verbatim or in summary.
4. A list of person, organizations and public agencies commenting on the Draft EIR.
5. Responses of the County to significant environmental point raised in the review and consultation process.
6. Technical Appendices

If any specific plan conditions of approval differ from the specific plan text or exhibits, the specific plan conditions of approval shall take precedence.

10. EVERY. 4                      SP - Ordinance Requirements                      RECOMMND

The development of the property shall be in accordance with the mandatory requirements of all Riverside County ordinances including Ordinance Nos. 348 and 460 and state laws; and shall conform substantially with the adopted SPECIFIC PLAN as filed in the office of the Riverside County Planning Department, unless otherwise amended.

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

No portion of the SPECIFIC PLAN which purports or proposes to change, waive or modify any ordinance or other legal requirement for the development shall be considered to be part of the adopted specific plan. Notwithstanding to above, the design guidelines and development standards of the SPECIFIC PLAN for hillside development and grading shall apply in place of more general County guidelines and standards.

SPECIFIC PLAN Case #: SP00369

Parcel: 757-200-003

10. GENERAL CONDITIONS

BS GRADE DEPARTMENT

10.BS GRADE. 2                    SP-GSP-1 ORD. NOT SUPERSEDED                    RECOMMND

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

10.BS GRADE. 3                    SP-GSP-2 GEO/SOIL TO BE OBEYED                    RECOMMND

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

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

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

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

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

E HEALTH DEPARTMENT

10.E HEALTH. 1                    HAZMAT BUSINESS EMERGENCY PLAN                    RECOMMND

A business plan will be required for any facility that stores hazardous materials greater than 55 gallons, 200 cubic feet, or 500 pounds, or stores any acutely hazardous materials or extremely hazardous substances.

CIFIC PLAN Case #: SP00369

Parcel: 757-200-003

10. GENERAL CONDITIONS

10.E HEALTH. 2 PREVENT ACCESS TO DRAIN

RECOMMND

It is noted that the Coachella Valley Stormwater Channel runs along the eastern side of the proposed development(s) delineated in Specific Plan#369. Bacterial monitoring of the water in this channel have shown that it does not meet the Recreational 1 standards for direct body contact activities such as swimming. Moreover, the location of this channel to the proposed development poses a potential drowning hazard.

Therefore, the reasonable measures must be taken by the responsible entity or entities for the Channel to ensure that the public is prevented from entering or gaining access to this Channel. Moreover, signs must be posted at reasonable locations around this Channel warning the public to not enter this restricted area.

FIRE DEPARTMENT

10.FIRE. 1 SP-#71-ADVERSE IMPACTS

RECOMMND

The proposed project will have a cumulative adverse impact on the Fire Department's ability to provide an acceptable level of service. These impacts include an increased number of emergency and public service calls due to the increased presence of structures and population. The project proponents/developers shall participate in the development Impact fee program as adopted by the Riverside County Board of Supervisors to mitigate a portion of these impacts. This will provide funding for capitol improvements such as land/equipment purchases and fire station construction. The Fire Department reserves the right to negotiate developer agreements associated with the development of land and/or construction of fire facilities to meet service demands through the regional integrated fire protection response system.

10.FIRE. 2 SP -#100-FIRE STATION

RECOMMND

Based on the adopted Riverside County Fire Protection Master Plan, one new fire station and/or engine company could be required for every 2,000 new dwelling units, and/or 3.5 million square feet of commercial/industrial occupancy. Given the project's proposed development plan, up to 1 fire station(s) MAY be needed to meet anticipated service demands. The Fire Department reserves the right to negotiate developer agreements associated with the development of land and/or construction of fire facilities

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10. GENERAL CONDITIONS

10.FIRE. 2                      SP -#100-FIRE STATION (cont.)                      RECOMMND

to meet service demands through the regional intergrated fire protection response system.

10.FIRE. 3                      SP-#86-WATER MAINS                      RECOMMND

All water mains and fire hydrants providing required fire flows shall be constructed in accordance with the appropriate sections of Riverside County Ordinance 460 and/or No.787, subject to the approval by the Riverside County Fire Department.

10.FIRE. 4                      SP-#101-DISCL/FLAG LOT                      RECOMMND

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

10.FIRE. 5                      SP-#47 SECONDARY ACCESS                      RECOMMND

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

10.FIRE. 8                      SP-#95-HAZ FIRE AREA                      RECOMMND

The specific plan is located in the "Hazardous Fire Area" of Riverside County as shown on a map on file with the Clerk of the Board of Supervisors. Any building constructed on lots created by this project shall comply with the special construction provisions contained in Riverside County Ordinance 787.

10.FIRE. 9                      SP-#96-ROOFING MATERIAL                      RECOMMND

All buildings shall be constructed with fire retardant roofing material as described in section 1503 of the Uniform Building Code. Any wood shingles or shakes shall have a Class B rating and shall be approved by the Fire Department prior to installation.

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

Prior to approval of any development for lands adjacent to open space areas, a fire protection/vegetaion management (fuel modificatin) plan shall be submitted to the Riverside

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10. GENERAL CONDITIONS

10.FIRE. 10                      SP-#97-OPEN SPACE (cont.)                      RECOMMND

County Fire Department for review and approval. The Homeowner's Association or appropriate management entity shall be responsible for maintaining the elements to the plan.

10.FIRE. 11                      SP-#85-FINAL FIRE REQUIRE                      RECOMMND

Final fire protection requirements and impact mitigation measures will be determined when specific project plans are submitted.

10.FIRE. 13                      SP-#101-DISCL/FLAG LOT                      RECOMMND

- 1) FLAG LOTS WILL NOT BE PERMITTED BY THE FIRE DEPARTMENT.
- 2) This project lies within the VERY HIGH FIRE HAZARD SEVERITY ZONE.
- 3) A fire fuel analysis of the open space/wildlands within and outside the project area may be required prior to submitting a fuel modification plan.

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

10.FIRE. 14                      SP-#87-OFF-SET FUNDING                      RECOMMND

The fiscal analysis for this project should identify a funding source to off-set the shortage between the existing county structure fire tax and the needed annual operation and maintenance budget equal to approximately \$100.00 per dwelling unit and 16c per square foot for retail, commercial and industrial.

PLANNING DEPARTMENT

10.PLANNING. 3                      SP - MAINTAIN AREAS & PHASES                      RECOMMND

All planning area and phase numbers shall be maintained throughout the life of the SPECIFIC PLAN, unless changed through the approval of a specific plan amendment or specific plan substantial conformance accompanied by a revision to the complete specific plan document.

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10. GENERAL CONDITIONS

10.PLANNING. 4

SP - NO P.A. DENSITY TRANSPER

RECOMMND

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

In this SPECIFIC PLAN, each Planning Area (PA) has a "Target" unit count. Each PA also has a Land Use Designation Range. The Target unit count is a carefully created estimate used to create a total dwelling unit number for the entire SPECIFIC PLAN. However, the target for each PA does not limit the number of dwelling units in a PA. A PA is permitted to build over or under the Target density so long as the PA total unit count does not exceed the top of its Land Use Designation range. In no case shall the SPECIFIC PLAN maximum total permitted residential dwelling units (2,354) be exceeded."

10.PLANNING. 5

SP - GEO02008

RECOMMND

County Geologic Report (GEO) No. 2008, submitted for this project (SP00369) was prepared by Neblett & Associates, Inc. and is entitled: "Preliminary Geologic and Geotechnical Investigation, Proposed 600+/- Acre Residential Development, Thermal Area, Riverside County, California, Project No. 457-000-03", dated March 5, 2004.

In addition Neblett & Associates submitted the following reports entitled:

"Preliminary Summary Report, Geotechnical Evaluation of Conceptual Plan, Thermal 551 Project at 58th , Polk, 60th And Fillmore, Coachella, California, Project No. 457-000-11", dated December 12, 2006.

"Supplemental Engineering Geologic Study, Thermal 551 Project, Additional Planning Area PA-18 (Dunlap Parcels), and Projectwide Evaluation of Tile Underdrains - Thermal 551 Site, Thermal Area of Coachella Valley, California, Project No. 457-000-10" dated September 1, 2008.

"Response to Review Comments, Thermal 551 Project, Coachella, California, Project No. 457-000-03" dated September 1, 2008.

"Response to Review Comments #2, Thermal 551 Project (Specific Plan 00369), Coachella, California, Project No. 457-000-03" dated January 29, 2008.

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10. GENERAL CONDITIONS

10.PLANNING. 5 SP - GEO02008 (cont.)

RECOMMND

These additional reports are now included as part of GEO 2008.

GEO No. 2008 concluded:

1. Based on site mapping, aerial photo review and literature research there is no evidence of active faulting trending toward or crossing this site. Therefore the potential for this site to be affected by surface fault rupture is considered low.

2. The undocumented fill material, disturbed ground and existing weak and compressible near surface soils present on this site are unsuitable in their present condition to support any new fills or proposed structures.

3. There is a high potential for this site to be affected by seismically induced liquefaction relative to the high groundwater levels underlying this site.

4. With the exception of strong seismic shaking and related liquefaction, the potential for this site to be affected by other secondary seismic hazards such as seiche/tsunami, seismically induced landsliding or subsidence, ground lurching, or seismically induced flooding is considered low.

5. This site is underlain by an existing tile drain system installed in the past to help control high groundwater levels and related saltation problems associated with former agricultural activities. It was determined that these drain lines were well backfilled, structurally capable of supporting the proposed improvements and should be retained as a measure to control future groundwater levels which will assist in the mitigation of liquefaction.

In addition these drains will help prevent the development of a "salt" crust related to evapotranspiration of landscape water.

GEO No. 2008 recommended:

1. All undocumented fill, topsoil, and potentially compressible near surface soils should be removed to expose native soils exhibiting an in-place relative compaction of at least 85% as determined by ASTM Test Method D1557.



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10. GENERAL CONDITIONS

10.PLANNING. 5. SP - GEO02008 (cont.) (cont.)

RECOMMND

After approval of the removal bottoms, these areas to receive fill should be scarified to a depth of at least 8-inches, brought to 2-3% above optimum moisture content and compacted to a minimum of 90% of the maximum dry density as determined by ASTM D1557 and verified by field density testing prior to placing any fill. It should be anticipated that the overexcavation bottoms will be in close proximity to the groundwater surface which may result in pumping or heaving of the underlying saturated soils and measures to stabilize these areas prior to placing fill (such as a gravel layer or reinforcement with a geotextile fabric) should be incorporated as necessary.

2.The removed soils may be reused as fill soils provided they are cleaned of organics and other deleterious materials. All fill soils should be placed in lifts not exceeding 6-inches in thickness, moisture conditioned to above optimum moisture content and compacted to a minimum of 90% of the maximum dry density as determined by ASTM D 1557 and verified by field density testing.

3.Any future underground utility lines which intercept the existing tile drain system should be evaluated on a case-by-case basis to determine if they will interfere with or assist the performance of the existing tile drains. All underground utilities which may potentially provide for enhanced groundwater control should be incorporated into the existing system so as to provide additional control of the groundwater levels beneath this site. Any interference of a newly installed utility or any other underground installation (i.e. swimming pools, basements, etc.) with the existing tile drains should be addressed in such a way as to maintain the functionality of the tile drain system.

4.The site is located within a seismically active area of Southern California and should be expected to experience strong seismic shaking during the life time of the proposed project. All structures should be designed in accordance with the provisions of the latest edition of the California Building Code (CBC 2007) for a site classified as Site Class D.

5.The finished building pads should be tested for expansive soils subsequent to the completion of grading to confirm the expansion potential of the fill soils for structural design purposes.

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10. GENERAL CONDITIONS

10.PLANNING. 5

SP - GEO02008 (cont.) (cont.) (cont.)

RECOMMND

6. There is the potential for this site to experience as much as 6-7 inches of seismically induced liquefaction related settlement related to a seismic event on nearby faults. All structures should be designed as needed to mitigate the effects of this possible settlement. Measures may include post tensioned slab-on-grade foundation systems, mat foundations or enhanced reinforcement of conventional foundation systems as addressed in the most recent version of the recently adopted California Building Code (CBC 2007).

GEO No. 2008 satisfies the requirement for a Geologic/Seismic Study for Planning /CEQA purposes. GEO No. 2008 is hereby accepted for Planning purposes. This approval is not intended, and should not be misconstrued as approval for grading permit. Engineering and other building code parameters will be reviewed and additional comments and/or conditions may be imposed by the Building and Safety Department upon application for grading and/or building permits.

10.PLANNING. 6

SP - IF HUMAN REMAINS FOUND

RECOMMND

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

If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within the period specified by law. Subsequently, the Native American Heritage Commission shall identify the "Most Likely Descendant." The Most Likely Descendant shall then make recommendations and engage in consultation with the County and the property owner concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. Human remains from other ethnic/cultural groups with recognized historical

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10. GENERAL CONDITIONS

10.PLANNING. 6

SP - IF HUMAN REMAINS FOUND (cont.)

RECOMMND

associations to the project area shall also be subject to consultation between appropriate representatives from that group and the County Planning /Director.

10.PLANNING. 7

SP - INADVERTANT ARCHAEO FIND

RECOMMND

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

If during ground disturbance activities, cultural resources are discovered that were not assessed by the archaeological reports and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. A cultural resources site is defined, for this condition, as being three or more artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance.

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

2.At the meeting, the significance of the discoveries shall be discussed and after consultation with the Native American tribal (or other appropriate ethnic/cultural group representative) and the archaeologist, a decision is made, with the concurrence of the Planning Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc) for the cultural resource.

3.Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate preservation or mitigation measures.

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10. GENERAL CONDITIONS

10.PLANNING. 8

SP - CVWD COMPLIANCE (3)

RECOMMND

Prior to approval of a permanent encroachment permit for outlets discharging into the Coachella Valey Stormwater Channel (CVSC) the applicant shall provide written assurance to the County that all issues listed as "Prior to approval of a permanent encroachment permit for outlets discharging into the CVSC" in the letter from the Coachella Valley Water District (CVWD) dated Spetember 28, 2009 have been addressed to the satafaction of Coachella Valley Water District. Specifically the letter requests:

-The area/project will be required to be incorporated into the National Pollutant Discharge Elimination System permit and Waste Discharge Requirements for the discharge of stonnwater in the Whitewater River Watershed, which is known as the MS4 Permit.

-The developer/applicant shall provide a letter from the land use authority for the project certifying that the project has been reviewed and determined to meet the requirements of the National Pollutant Discharge Elimination System permit and Waste Discharge Requirements for the discharge of stormwater in the Whitewater River Watershed, which is known as the MS4 Permit. This certification applies to requirements included in the Drainage Area Management Plan, Stormwater Management Plan, Stormwater Pollution Prevention Plan and Water Quality Management Plan described in the MS4 Permit and applicable to the project at the time of the application.

-CVWD requires the developer/applicant to implement control measures to the maximum extent practicable to prevent the discharge of non-stormwater generated runoff into the Coachella Valley Stormwater Channel. The developer/applicant shall repair and maintain the outlet structure and the channel to mitigate any condition of nuisance and/or damage to the outlet structure and the channel caused by the developer/applicant's discharge of non-stormwater as determined by CVWD. This maintenance and repair shall include, but not be limited to outlet concrete repairs, channel bottom scour repair, slope protection repair, vegetation clearing, ponded/nuisance water removal, etc. Failure to comply with these conditions of approval may result in CVWD revoking the permanent encroachment permit associated with the outlet and removal or sealing of the outlet.

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10. GENERAL CONDITIONS

10.PLANNING. 9

SP - LC CONCEPT PLANTING PLAN

RECOMMND

The County requires that all discretionary permits and/or approvals that include new and rehabilitated landscapes with a total landscape area equal to or greater than 2,500 square feet comply with the County's water efficient landscape standards contained in Ordinance No. 859. Prior to scheduling this case for a public hearing/action, a Conceptual Landscape Plan shall be submitted to and approved by the Planning Department. Applicants shall adhere to the following requirements:

Provide 2 sets of plans on 24" x 36" sheets at 20 scale that include a title block, north arrow, limit of work lines, hardscape features, graphic scale, street names, elevation drawings etc. The plan shall clearly depict concept designs and theme elements for the expected future final landscaping, shading, and parking plan (the final planting and irrigation plans would normally be submitted as a minor plot plan and approved prior to the issuance of building permits). For guidance, please review Section 18.12, Sections 19.300 through 19.304 of Ordinance No. 348, Ordinance No. 859 (as adopted and any amendments thereto), and the Riverside County Guide to California Friendly Landscaping. No irrigation system information is required at the conceptual landscape phase.

Conceptual landscape plan shall also provide information on the size, number, genus, species, common name, spacing, plant factor, size, and symbol of trees, bushes and groundcover to be provided within landscaped areas and in other open space areas within the project. Top dressing(s) should be described, including the areas devoted to living groundcovers. All plants must be selected from the Riverside County California Friendly Plant List. Special features, such as rockwork, fencing, water features, recreational trails, MSCHP regulated areas, etc. shall be identified. The Conceptual Landscape Plan shall consider existing landscaping on adjacent and nearby properties and provide a logical transition to the on-site landscaping concepts with designs to prevent abrupt contrasts between properties.

If impacts to on-site or nearby biological resources require special treatments, the planting plans shall be reviewed and approved by a professional biologist from the County's official list.

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10. GENERAL CONDITIONS

10.PLANNING. 9                    SP - LC CONCEPT PLANTING PLAN (cont.)                    RECOMMND

If the project is in the Coachella Valley, the landscape architect shall coordinate with the Riverside County Agricultural Commissioner's for a current list of quarantine plant materials. The number for the Agricultural Commissioner's office is 760-863-8291.

The Conceptual Landscape Plan shall be prepared in a professional manner by a California Licensed Landscape Architect.

10.PLANNING. 10                    SP - ALTERNATIVE ENRGY GEN DVS                    RECOMMND

All non-residential structures over 1,000 square feet including but not limited to public (libraries, public community centers, schools and joint-use facilities), and private recreation (buildings owned by an HOA) - shall add renewable energy generating technology to the site or structure to reduce non-renewable electricity by thirty three percent (33%) verses the "Business as Usual" scenario, which is defined as the regulations in effect pursuant to the CARB Scoping Plan.

10.PLANNING. 11                    SP - MULTIFAMILY ALT ENG GEN                    RECOMMND

All multifamily attached residential implementing projects with sub-Homeowners Associations serving as professional management shall add renewable energy generating technology to the site to reduce non-renewable electricity.

10.PLANNING. 12                    SP - PA26 and 22 PARKS REQ PC                    RECOMMND

An application for a Plot Plan shall be required for the parks in Planning Areas 22 and 26. Further, the application shall be heard before the Planning Commission. This condition was added by the Planning Commission on September 15, 2010.

20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

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

The applicant has ninety (90) days from the date of the approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020,

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20. PRIOR TO A CERTAIN DATE

20.PLANNING. 1 SP - 90 DAYS TO PROTEST (cont.)

RECOMMND

the imposition of any and all fees, dedications, reservations, and/or exactions imposed on this project as a result of the approval or conditional approval of this project.

30. PRIOR TO ANY PROJECT APPROVAL

E HEALTH DEPARTMENT

30.E HEALTH. 1 USE - LEA REMEDIATION

RECOMMND

The following condition must be addressed "PRIOR TO GRADING PERMIT ISSUANCE" for grading activities not related to, required for, or in conjunction with, implementation of the approved landfill closure plan. Because the proponent is proposing a landfill cover system as required by the CRDEH and DTSC, this condition is not intended to preclude, delay or prevent issuance of a grading permit for grading activities necessary to implement the approved landfill closure plan, whether such required grading activity is within the landfill site or within adjacent portions of the project site. The grading plan and permit issued for the landfill site closure grading activity may include grading for infrastructure improvements within the landfill footprint and/or adjacent to the landfill footprint. Infrastructure improvements include roadways, water lines, sewer lines and dry utilities.

30.E HEALTH. 1 SP - CVWD WATER AND SEWER

RECOMMND

A "will serve" letter from Coachella Valley Water District for potable water and sanitary sewer must be submitted to Environmental Health Department prior to issuance of a SAN53.

30.E HEALTH. 1 USE - FOOD PLANS REQD

RECOMMND

The following condition must be addressed "PRIOR TO BUILDING PERMIT ISSUANCE".

A total of three complete set of plans for each food establishment are needed including a fixture schedule, a finish schedule, and a plumbing schedule in order to ensure compliance with current Local and State Laws.

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30. PRIOR TO ANY PROJECT APPROVAL

30.E HEALTH. 2 USE - POOL PLANS REQUIRED

RECOMMND

The following condition must be addressed "PRIOR TO BUILDING PERMIT ISSUANCE".

A set of three complete plans for each public/semi public swimming pool must be submitted and approved by District Environmental Services.

30.E HEALTH. 2 LEA CLEARANCE REQUIRED

RECOMMND

The developer must address the following:

a) Provide a copy of the Removal Action Work Plan (RAW) to the County of Riverside, Local Enforcement Agency (LEA) for review.

b) Provide design plans to the LEA for review for the park area that incorporates the landfill.

30.E HEALTH. 4 USE- ABANDON WELLS & SEPTIC

RECOMMND

The following condition must be addressed "PRIOR TO GRADING PERMIT ISSUANCE".

Any existing wells, not including groundwater monitoring wells, and/or septic systems be properly abandoned under permit from Environmental Health Dept. prior to issuance of a grading permit.

During the grading activity, it is the developer's responsibility to ensure the structural integrity and protection of any existing groundwater monitoring wells.

EPD DEPARTMENT

30.EPD. 1 SP - BUOW AND NESTING BIRDS

RECOMMND

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

Prior to issuance of any grading permit a nesting bird survey is required between February 1st and August 31st . No grading or site preparation shall occur between February



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30. PRIOR TO ANY PROJECT APPROVAL

30.EPD. 1

SP - BUOW AND NESTING BIRDS (cont.)

RECOMMND

1st and August 31st unless a qualified biologist, currently holding an MOR with the County, conducts a nesting bird survey. The results of the survey shall be submitted to EPD for review and approval prior to issuance of any grading permit. Nesting birds are protected by federal Migratory Bird Treaty Act (MBTA). If nesting activity is observed, California Department of Fish and Game (CDFG) & USFWS shall be contacted in order to establish proper buffers.

Documentation of the installation of buffers and consultation with CDFG shall be provided to EPD prior to initiating grading activities. This condition only applies is a grading permit is sought between Feb 1st and Aug 31st.

If you have any questions please contact EPD directly at 951-955-6892.

Within 30-days prior to the issuance of a grading permit, a pre-construction presence/absence clearance survey for burrowing owl is required. This survey must be conducted by a qualified biologist currently holding an MOU with the County and report must be submitted to EPD for review and approval. If the grading permit is not obtained within 30-days of the survey a new survey shall be required and submitted to EPD for review. This survey requirement is valid during all months of the year and is required before issuance of any grading permit.

PLANNING DEPARTMENT

30.PLANNING. 1

SP - M/M PROGRAM (GENERAL)

RECOMMND

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

"The EIR prepared for the SPECIFIC PLAN imposes specific mitigation measures and monitoring requirements on the project. Certain conditions of the SPECIFIC PLAN and this implementing project constitute reporting/monitoring requirements for certain mitigation measures."

30.PLANNING. 2

SP - NON-IMPLEMENTING MAPS

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit,

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30. PRIOR TO ANY PROJECT APPROVAL

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

plot plan, etc.), the following condition shall be placed on the implementing project:

"A land division filed for the purposes of phasing or financing shall not be considered an implementing development application for the purposes of the Planning Department's conditions of approval.

Should this project be an application for phasing or financing, all of the other conditions in this implementing project with a prefix of "SP" will be considered as NOT APPLICABLE, and this condition shall be considered as MET. Should this project not be an application for phasing or financing, this condition shall be considered as NOT APPLICABLE."

30.PLANNING. 4                    SP - SUBMIT FINAL DOCUMENTS                    RECOMMND

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

"Fifteen (15) copies of the final SPECIFIC PLAN and EIR documents (SP/EIR) documents shall be submitted to the Planning Department for distribution. The documents shall include all the items listed in the condition titled "SP - Documents". The final SP/EIR documents shall be distributed in the following fashion:

Building and Safety Department	1 copy
Department of Environmental Health	1 copy
Fire Department	1 copy
Coachella Valley Water District	1 copy
Transportation Department	1 copy
County Planning Department in Riverside	1 copy
City of Coachella	1 copy
Riverside County Planning Department in Desert	2 copies
Executive Office - CSA Administrator	2 copies
Clerk of the Board of Supervisors	1 copy

Any and all remaining documents shall be kept with the Planning Department in Riverside, or as otherwise determined by the Planning Director.

This condition cannot be DEFERRED or considered as NOT

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30. PRIOR TO ANY PROJECT APPROVAL

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

RECOMMND

APPLICABLE."

30.PLANNING. 5 SP - PROJECT LOCATION EXHIBIT

RECOMMND

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

"The applicant shall provide to the Planning Department an 8 1/2" x 11" exhibit showing where in the SPECIFIC PLAN this project is located. The exhibit shall also show all prior implementing projects within the SPECIFIC PLAN that have already been approved.

This condition shall be considered MET once the applicant provides the Planning Department with the required information. This condition may not be DEFERRED."

30.PLANNING. 6 SP - ACOUSTICAL STUDY REQD

RECOM

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

"PRIOR TO PROJECT APPROVAL, an acoustical study shall be submitted to the Planning Department and the Department of Environmental Health - Industrial Hygiene Division for review and approval.

This condition shall be considered MET if the relevant study has been approved by the Planning Department and the Department of Environmental Health-Industrial Hygiene Division. This condition may be considered as NOT APPLICABLE if the Planning Department determines that the required study is not necessary. See EIR Mitigation Measures 4.13-2 and 3.

The submittal of this study mandates that a CEQA determination of an Addendum to a previously adopted EIR be made, at a minimum."

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 10 SP - GEO STUDY REQUIRED

RECOMMND

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

"PRIOR TO PROJECT APPROVAL, a geological/geotechnical study shall be submitted to the Planning Department Engineering Geologist for review and approval.

This condition shall be considered MET if the relevant study has been approved by the Planning Department. This condition may be considered as NOT APPLICABLE if the Planning Department determines that the required study is not necessary.

The submittal of this study mandates that a CEQA determination of an Addendum to a previously adopted EIR be made, at a minimum."

30.PLANNING. 12 SP - EA REQUIRED

RECOMMND

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

"If this implementing project is subject to the California Environmental Quality Act (CEQA), an environmental assessment shall be filed and processed concurrently with this implementing project. At a minimum, the environmental assessment shall utilize the evaluation of impacts addressed in the EIR prepared for the SPECIFIC PLAN.

This condition shall be considered as MET if an environmental assessment was conducted for this implementing project. This condition may be considered as NOT APPLICABLE if this implementing project is not subject to CEQA. This condition may not be DEFERRED."

30.PLANNING. 13 SP \*- ADDENDUM EIR

RECOMMND

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

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 13

SP \*- ADDENDUM EIR (cont.)

RECOMMND

"This implementing project has been reviewed in the context the EIR, which is associated with this SPECIFIC PLAN. The Planning Department has reviewed this project and its relationship to the EIR, and has found that no new environmental impacts have arisen since the certification of the EIR. Although the EIR adequately addressed the environmental impacts of the SPECIFIC PLAN as a whole, more detailed technical information (i.e. traffic studies, updated biological studies, etc.) have been required by the Planning Department and/or other COUNTY land development review departments in order to complete its environmental review. Therefore, an ADDENDUM to the previously certified EIR has been prepared in conjunction with this implementing application.

This condition shall be considered MET if an ADDENDUM to the EIR has been prepared. Alternatively, this condition shall be considered as NOT APPLICABLE if an ADDENDUM to the EIR is not required."

30.PLANNING. 14

SP - SUPPLEMENT TO EIR

RECOMMND

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

"This implementing project has been reviewed in the context the EIR, which is associated with this SPECIFIC PLAN. The Planning Department has reviewed this project and its relationship to the EIR, and has found that although the EIR adequately addressed the environmental impacts of the SPECIFIC PLAN at the time, new environmental impacts have arisen since the certification of the original EIR. The Planning Department has determined that the new environmental impacts can be mitigated to below a level of significance. Therefore, a SUPPLEMENT to the previously certified EIR has been prepared in conjunction with this implementing application.

This condition shall be considered MET if a SUPPLEMENT to the EIR has been prepared. Alternatively, this condition shall be considered as NOT APPLICABLE if a SUPPLEMENT to the EIR is not required."

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 15 SP - SUBSEQUENT EIR

RECOMMND

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

"This implementing project has been reviewed in the context the EIR, which is associated with this SPECIFIC PLAN. The Planning Department has reviewed this project and its relationship to the EIR, and has found that although the EIR adequately addressed the environmental impacts of the SPECIFIC PLAN at the time, new environmental impacts have arisen since the certification of the original EIR. The Planning Department has determined that this implementing project may have a significant impact to the new environmental impacts that have arisen. Therefore, a SUBSEQUENT EIR has been prepared in conjunction with this implementing application.

This condition shall be considered MET if a SUBSEQUENT EIR has been prepared. Alternatively, this condition shall be considered as NOT APPLICABLE if a SUBSEQUENT to the EIR is not required."

30.PLANNING. 16 SP - COMPLETE CASE APPROVALS

RECOMMND

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

"Prior to the approval of any implementing project (tract map, parcel map, use permit, plot plan, etc.) the SPECIFIC PLAN, the GPA, the CHANGE OF ZONE, and the EIR must have been approved, adopted, and certified by the Board of Supervisors, respectively.

This condition shall be considered as MET once the SPECIFIC PLAN, the GPA, the CHANGE OF ZONE, and the EIR have been approved, adopted, and certified by the Board of Supervisors, respectively. This condition may not be DEFERRED."

30.PLANNING. 17 SP - AMENDMENT REQUIRED

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit,

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 17

SP - AMENDMENT REQUIRED (cont.)

RECOMMND

plot plan, etc.), the following condition shall be placed on the implementing project:

"If this implementing project meets any of the following criteria, an amendment to the SPECIFIC PLAN shall be required and processed concurrently with this implementing project:

1. The implementing project adds any area to, or deletes area from, the SPECIFIC PLAN;
2. The implementing project proposes a substantially different use than currently allowed in the SPECIFIC PLAN (i.e. proposing a residential use within a commercially designated area); or
3. as determined by the Planning Director.

Any amendment to the SPECIFIC PLAN, even though it may affect only one portion of the SPECIFIC PLAN, shall be accompanied by a complete specific plan document which includes the entire specific plan, including both changed and unchanged parts.

This condition shall be considered MET if the specific plan amendment has been filed, and NOT APPLICABLE if a specific plan amendment is determined to be unnecessary."

30.PLANNING. 18

SP - PARK AGENCY REQUIRED

RECOMMND

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

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

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 18            SP - PARK AGENCY REQUIRED (cont.)            RECOMMND

This condition shall be considered as NOT APPLICABLE if the Desert Recreation District is unwilling or unable to annex the property in question."

30.PLANNING. 20            SP \* - PA PROCEDURES            RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map or parcel map), the following condition shall be placed on the implementing project PRIOR TO MAP RECORDATION in the case of land division applications (tentative parcel maps or tentative tract maps) or PRIOR TO BUILDING PERMITS in the case of use permit applications (plot plans, conditional use permits, or public use permits):

"The planning area[s] for which this land division application is located must be legally defined. Any of the following procedures may be used in order to legally define this [these] planning area[s]:

1. The project proponent has processed a FINAL CHANGE OF ZONE MAP concurrent with the SPECIFIC PLAN which legally defined this [these] planning area[s].
2. The project proponent shall file a change of zone application along with a legal description defining the boundaries of the planning area affected by this land division application. The applicant will not be changing the allowed uses or standards within the existing zone but will merely be providing an accurate legal description of the affected planning area. The change of zone shall be approved and adopted by the Board of Supervisors."

30.PLANNING. 21            SP - COMMON AREA MAINTENANCE            RECOMMND

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

"PRIOR TO MAP RECORDATION, the following procedures for common area maintenance procedures shall be complied with:

- a. A permanent master maintenance organization shall be established for the specific plan area, to assume ownership and maintenance responsibility for all common recreation,



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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 21

SP - COMMON AREA MAINTENANCE (cont.)

RECOMMND

open space, circulation systems and landscaped areas. The organization may be public or private. Merger with an area-wide or regional organization shall satisfy this condition provided that such organization is legally and financially capable of assuming the responsibilities for ownership and maintenance. If the organization is a private association then neighborhood associations shall be established for each residential development, where required, and such associations may assume ownership and maintenance responsibility for neighborhood common areas.

b. Unless otherwise provided for in these conditions of approval, common open areas shall be conveyed to the maintenance organization as implementing development is approved or any subdivision as recorded.

c. The maintenance organization shall be established prior to or concurrent with the recordation of the first land division.

d. The common areas to be maintained by the master maintenance organization shall include, but not be limited to, the following: Detention basins, streetscapes, clubhouse area, irrigation storage pond screening, open spaces, trails and trail landscaping.

30.PLANNING. 22

SP - CC&R RES PUB COMMON AREA

RECOMMND

Prior to the approval of any implementing land division project (i.e. tract map or parcel map), the following condition shall be applied to the land division PRIOR TO MAP RECORDATION if the permanent master maintenance organization referenced in the condition entitled "SP - Common Area Maintenance" is a public organization:

"The applicant shall convey to the County fee simple title, to all common open space areas, free and clear of all liens, taxes, assessments, leases (recorded or unrecorded) and easement, except those easements which in the sole discretion of the County are acceptable. As a condition precedent to the County accepting title to such areas, the applicant shall notify the Planning Department that the following documents shall be submitted to the Office of the County Counsel and submit said documents for review along with the current fee, which shall be subject to County Counsel approval:

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 22

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

RECOMMND

1. A cover letter identifying the project for which approval is sought;

2. A signed and notarized declaration of covenants, conditions and restrictions;

3. A sample document, conveying title to the purchaser, of an individual lot or unit which provides that the declaration of covenants, conditions and restrictions is incorporated therein by reference; and,

4. A deposit equaling three (3) hours of the current hourly fee for Review of Covenants, Conditions and Restrictions established pursuant to County Ordinance No. 671 at the time the above referenced documents are submitted for County Counsel review.

The declaration of covenants, conditions and restrictions submitted for review shall a) provide for a minimum term of 60 years, b) provide for the establishment of a property owners' association comprised of the owners of each individual lot or unit as tenants in common, and c) contain the following provisions verbatim:

"Notwithstanding any provision in this Declaration to the contrary, the following provisions shall apply:

The property owners' association established herein shall, if dormant, be activated, by incorporation or otherwise, at the request of the County of Riverside, and the property owners' association shall unconditionally accept from the County of Riverside, upon the County's demand, title to all or any part of the 'common area', more particularly described on Exhibit '\_\_\_' attached hereto. Such acceptance shall be through the president of the property owner's association, who shall be authorized to execute any documents required to facilitate transfer of the 'common area'. The decision to require activation of the property owners' association and the decision to require that the association unconditionally accept title to the 'common area' shall be at the sole discretion of the County of Riverside.

In the event that the 'common area', or any part thereof, is conveyed to the property owners' association,

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30. PRIOR TO ANY PROJECT APPROVAL

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

the association, thereafter, shall own such 'common area', shall manage and continuously maintain such 'common area', and shall not sell or transfer such 'common area' or any part thereof, absent the prior written consent of the Planning Director of the County of Riverside or the County's successor-in-interest. The property owners' association shall have the right to assess the owner of each individual lot or unit for the reasonable cost of maintaining such 'common area', and shall have the right to lien the property of any such owner who defaults in the payment of a maintenance assessment. An assessment lien, once created, shall be prior to all other liens recorded subsequent to the notice of assessment or other document creating the assessment lien.

This declaration shall not be terminated, 'substantially' amended, or property deannexed therefrom absent the prior written consent of the Planning Director of the County of Riverside or the County's successor-in-interest. A proposed amendment shall be considered 'substantial' if it affects the extent, usage or maintenance of the 'common area' established pursuant to this Declaration.

In the event of any conflict between this Declaration and the Articles of Incorporation, the Bylaws, or the property owners' association Rules and Regulations, if any, this Declaration shall control."

Once approved by the Office of County Counsel, the declaration of covenants, conditions and restrictions shall be recorded by the Planning Department with one copy retained for the case file, and one copy provided to the County Transportation Department - Survey Division."

30.PLANNING. 23 SP - CC&R RES PRI COMMON AREA RECOMMND

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (tract map or parcel map), the following condition shall be placed on the implementing project PRIOR TO MAP RECORDATION if the permanent master maintenance organization referenced in the condition entitled "SP - Common Area Maintenance" is a private organization:

"The applicant shall notify the Planning Department that

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 23

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

RECOMMND

the following documents shall be submitted to the Office of County Counsel and submit said documents for review along with the current fee, which shall be subject to County Counsel approval:

1. A cover letter identifying the project for which approval is sought;

2. A signed and notarized declaration of covenants, conditions and restrictions;

3. A sample document, conveying title to the purchaser of an individual lot or unit, which provides that the declaration of covenants, conditions and restrictions is incorporated therein by reference; and,

4. A deposit equaling three (3) hours of the current hourly fee for Review if Covenants, Conditions and Restrictions established pursuant to County Ordinance No. 671 at the time the above referenced documents are submitted for County Counsel review.

The declaration of covenants, conditions and restrictions submitted for review shall a) provide for a minimum term of 60 years, b) provide for the establishment of a property owners' association comprised of the owners of each individual lot or unit as tenants in common, c) provide for ownership of the common area by either the property owners' association or the owners of each individual lot or unit as tenants in common, and (d) contain the following provisions verbatim:

"Notwithstanding, any provision in this Declaration to the contrary, the following provisions shall apply:

The property owners' association established herein shall manage and continuously maintain the 'common area', more particularly described on Exhibit '\_\_\_', attached hereto, and shall not sell or transfer the 'common area' or any part thereof, absent the prior written consent of the Planning Director of the County of Riverside or the County's successor-in-interest.

The property owners' association shall have the right to assess the owners of each individual lot or unit for the reasonable cost of maintaining such 'common area' and shall

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 23 SP - CC&R RES PRI COMMON AREA (cont.) (cont.)RECOMMND

have the right to lien the property of any such owner who defaults in the payment of a maintenance assessment. An assessment lien, once created, shall be prior to all other liens recorded subsequent to the notice of assessment or other document creating the assessment lien.

This Declaration shall not be terminated, 'substantially' amended, or property deannexed therefrom absent the prior written consent of the Planning Director of the County of Riverside or the County's successor-in-interest. A proposed amendment shall be considered 'substantial' if it affects the extent, usage or maintenance of the 'common area' established pursuant to this Declaration.

In the event of any conflict between this Declaration and the Articles of Incorporation, the Bylaws, or the property owners' association Rules and Regulations, if any, this Declaration shall control."

Once approved by the Office of County Counsel, the declaration of covenants, conditions and restrictions shall be recorded the Planning Department with one copy retained for the case file, and one copy provided to the County Transportation Department - Survey Division."

30.PLANNING. 26 SP - GENERIC M/M PROGRAM RECOMMND

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

"PRIOR TO THE ISSUANCE OF GRADING PERMITS, the project applicant shall provide to the Planning Department a detailed proposal for complying with the preliminary mitigation and monitoring procedures described in the EIR for mitigations required during the process of grading. Grading permits will not be issued unless the preliminary mitigation and monitoring procedures as described in the EIR are substantially complied with."

30.PLANNING. 30 SP \*- ENTRY MONUMENTATION RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit,

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 30 SP \*- ENTRY MONUMENTATION (cont.) RECOMMND

plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF BUILDING PERMITS, the following language shall be added to the landscaping requirements of the implementing project:

1. An entry monument shall be shown on the Exhibit \_\_\_\_.
2. The entry monument shall be in substantial conformance to the design guidelines of Planning Area \_\_\_\_ of the SPECIFIC PLAN, as shown on pages \_\_\_\_ to \_\_\_\_."

30.PLANNING. 31 SP - POST GRADING REPORT RECOMMND

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

"PRIOR TO THE ISSUANCE OF BUILDING PERMITS, the project applicant shall provide to the Planning Department a post grading report. The report shall describe how the mitigation and monitoring program as described in the EIR and pre-grading agreements with the qualified archaeologist/paleontologist/other were complied with."

30.PLANNING. 32 SP - SCHOOL MITIGATION RECOMMND

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

"PRIOR TO BUILDING PERMITS, impacts to the Coachella Valley Unified School District shall be mitigated in accordance with state law."

30.PLANNING. 33 SP - PALEO PRIMP & MONITOR RECOMMND

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

60.PLANNING CONDITION:

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 33

SP - PALEO PRIMP & MONITOR (cont.)

RECOMMND

"This site is mapped in the County's General Plan as having a High potential for paleontological resources (fossils). Proposed project site grading/earthmoving activities could potentially impact this resource. HENCE:

PRIOR TO ISSUANCE OF GRADING PERMITS:

1.The applicant shall retain a qualified paleontologist approved by the County of Riverside to create and implement a project-specific plan for monitoring site grading/earthmoving activities (project paleontologist).

2.The project paleontologist retained shall review the approved development plan and grading plan and shall conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the County Geologist for review and approval prior to issuance of a Grading Permit.

Information to be contained in the PRIMP, at a minimum and in addition to other industry standard and Society of Vertebrate Paleontology standards, are as follows:

1.Description of the proposed site and planned grading operations.

2.Description of the level of monitoring required for all earth-moving activities in the project area.

3.Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring.

4.Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens.

5.Direction for any fossil discoveries to be immediately reported to the property owner who in turn will immediately notify the County Geologist of the discovery.

6.Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 33            SP - PALEO PRIMP & MONITOR (cont.) (cont.)            RECOMMND

avoid construction delays.

7.Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.

8.Procedures and protocol for collecting and processing of samples and specimens.

9.Fossil identification and curation procedures to be employed.

10.Identification of the permanent repository to receive any recovered fossil material. \* The County of Riverside must be consulted on the repository/museum to receive the fossil material and a written agreement between the property owner/developer and the repository must be in place prior to site grading.

11.All pertinent exhibits, maps and references.

12.Procedures for reporting of findings.

13.Identification and acknowledgement of the developer for the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees.

All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (eg. Professional Geologist), as appropriate. Two wet-signed original copies of the report(s) shall be submitted to the office of the County Geologist along with a copy of this condition and the grading plan for appropriate case processing and tracking. These documents should not be submitted to the project Planner, the Plan Check staff, the Land Use Counter or any other County office. In addition, the applicant shall submit proof of hiring (i.e. copy of executed contract, retainer agreement, etc.) a project paleontologist for the in-grading implementation of the PRIMP."

30.PLANNING. 34            SP - PALEO MONITORING REPORT            RECOMMND

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



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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 34

SP - PALEO MONITORING REPORT (cont.)

RECOMMND

90.PLANNING CONDITION:

"PRIOR TO BUILDING FINAL INSPECTION:

The applicant shall submit to the County Geologist one wet-signed copy of the Paleontological Monitoring Report prepared for site grading operations at this site. The report shall be certified by the professionally-qualified Paleontologist responsible for the content of the report. This Paleontologist must be on the County's Paleontology Consultant List. The report shall contain a report of findings made during all site grading activities and an appended itemized list of fossil specimens recovered during grading (if any) and proof of accession of fossil materials into the pre-approved museum repository. In addition, all appropriate fossil location information shall be submitted to the Western Center, the San Bernardino County Museum and Los Angeles County Museum of Natural History, at a minimum, for incorporation into their Regional Locality Inventories."

30.PLANNING. 35

SP - CVWD COMPLIANCE (1)

RECOMMND

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the applicant shall provide written assurance that all issues listed as "prior to implimenting project approval" in the letter from the Coachella Valley Water District dated Spetember 28, 2009 have been addressed to the satafsaction of Coachella Valley Water District. Specifically the letter requests:

-Submit final construction plans for all the proposed flood control facilities and a detailed hydrological and hydraulic design report for review and approval.

30.PLANNING. 36

SP - CVWD COMPLIANCE (2)

RECOMMND

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

"PRIOR TO BUILDING FINAL INSPECTION the applicant shall provide written assurance that all issues listed as "prior

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 36 SP - CVWD COMPLIANCE (2) (cont.)

RECOMMND

to occupancy" in the letter from the Coachella Valley Water District dated Spetember 28, 2009 have been addressed to the satsafaction of Coachella Valley Water District. Specifically the letter requests:

-Complete construction of on-site flood control facilities required to mitigate flood flows from the north and the concrete slope protection along the bank of the CVSC adjacent to the project. ð

-At the completion of the construction of the flood control facilities, submit for review and approval the "as-built" topography, construction drawings and engineering analysis to verify that the design capacity is adequate.

-Obtain a Letter of Map Revision (LOMR) through the Federal Emergency Management Agency, which removes the development from the special flood hazard area.

-Grant easements through the property for CVWD access to the Coachella Valley Stormwater Channel in a form and content reasonably acceptable to CVWD.

-Deed to CVWD ownership and maintenance of the constructed slope protection along the bank of the Coachella Valley Stormwater Channel. The developer should contact CVWD to obtain the standard acceptance documents."

30.PLANNING. 37 SP - CVWD COMPLIANCE (4)

RECOMMND

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

"Evidence shall be provided that the following requiremnts indicated in the letter from the Coachella Valley Water District dated September 28, 2009 have been addressed to the satsafaction of Coachella Valley Water District, PRIOR TO ISSUANCE OF GRADING PERMITS:

-Obtain a Conditional Letter of Map Revision (CLOMAR) through the Federal Emergency Management Agency.

-Execute an agreement with the CVWD which shall include

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 37 SP - CVWD COMPLIANCE (4) (cont.)

RECOMMND

provisions outlined in the CVWD Ordinance No. 1234.

-Submit to the CVWD a flood control facility operations manual for review and approval.

-Grant flooding easments over the flood control facilities in a form and content reasonably acceptable to the CVWD."

30.PLANNING. 38 SP - AG PRES 1001 CANCEL (1)

RECOMMND

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

"Prior to recordation of an implementing final map within Planning Area 18 the Board of Supervisors shall have issued a Certificate of Final Cancellation for Agricultural Preserve Case No. 1001, located with Coachella Valley Agricultural Preserve No. 18 Map No. 132, and shall have adopted a resolution. Compliance with this condition will satisfy a similar condition applied to this project within the 60. Series titled "MAP - AG PRES 1001 CANCEL (2)."

30.PLANNING. 39 SP - AG PRES 1001 CANCEL (2)

RECOMMND

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

"Prior to issuance of a grading permit with Planning Area 18, the Board of Supervisors shall have issued a Certificate of Final Cancellation for Agricultural Preserve Case No. 1001, located with Coachella Valley Agricultural Preserve No. 18 Map No. 132, and shall have adopted a resolution. Compliance with this condition will satisfy a similar condition applied to this project within the 50. Series titled "MAP - AG PRES 1001 CANCEL (1)"

30.PLANNING. 40 SP - AG PRES 1001 (NONR) (1)

RECOMMND

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

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 40            SP - AG PRES 1001 (NONR) (1) (cont.)            RECOMMND

"Prior to recordation of an implementing final map within Planning Area 18, the Board of Supervisors shall have adopted a resolution diminishing the subject property for AG1001 from Coachella Valley Agricultural Preserve No. 18 Map No. 132. Compliance with this condition will satisfy a similar condition applied to this project within the 50. Series titled "MAP - AG PRES 1001 CANCEL (2)"

30.PLANNING. 41            SP - AG PRES 1001 (NONR) (2)            RECOMMND

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

"Prior to issuance of a grading permit within Planning Area 18, the Board of Supervisors shall have adopted a resolution disestablishing the subject property for AG1001 from Coachella Valley Agricultural Preserve No. 18 Map No. 132; Compliance with this condition will satisfy a similar condition applied to this project within the 50. Series titled "MAP - AG PRES 1001 CANCEL (1)"

30.PLANNING. 42            SP - AG PRES 1002 CANCEL (1)            RECOMMND

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

"Prior to recordation of an implementing final map within Planning Areas 1, 2, 3, 4, 5, 22, 23c, 24c, 25a, 25b, or 27 the Board of Supervisors shall have issued a Certificate of Final Cancellation for Agricultural Preserve Case No. 1002, located with Coachella Valley Agricultural Preserve No. 62 Map No. 298, and shall have adopted a resolution. Compliance with this condition will satisfy a similar condition applied to this project within the 60. Series titled "MAP - AG PRES 1002 CANCEL (2)."

30.PLANNING. 43            SP - AG PRES 1002 CANCEL (2)            RECOMMND

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

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 43                    SP - AG PRES 1002 CANCEL (2) (cont.)

RECOMMND

on the implementing project:

"Prior to issuance of a grading permit with Planning Areas 1, 2, 3, 4, 5, 22, 23c, 24c, 25a, 25b, or 27 the Board of Supervisors shall have issued a Certificate of Final Cancellation for Agricultural Preserve Case No. 1002, located with Coachella Valley Agricultural Preserve No. 62 Map No. 298, and shall have adopted a resolution. Compliance with this condition will satisfy a similar condition applied to this project within the 50. Series titled "MAP - AG PRES 1002 CANCEL (1)"

30.PLANNING. 44                    SP - AG PRES 1002 (NONR) (1)

RECOMMND

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

"Prior to recordation of an implementing final map within Planning Area 1, 2, 3, 4, 5, 22, 23c, 24c, 25a, 25b, or 27 the Board of Supervisors shall have adopted a resolution diminishing the subject property for AG1002 from Coachella Valley Agricultural Preserve No. 62 Map No. 298. Compliance with this condition will satisfy a similar condition applied to this project within the 50. Series titled "MAP - AG PRES 1002 CANCEL (2)"

30.PLANNING. 45                    SP - AG PRES 1002 (NONR) (2)

RECOMMND

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

"Prior to issuance of a grading permit within Planning Areas 1, 2, 3, 4, 5, 22, 23c, 24c, 25a, 25b, or 27, the Board of Supervisors shall have adopted a resolution disestablishing the subject property for AG1002 from Coachella Valley Agricultural Preserve No. 62 Map No. 298; Compliance with this condition will satisfy a similar condition applied to this project within the 50. Series titled "MAP - AG PRES 1002 CANCEL (1)"

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 46 SP - TILE DRAINS (1)

RECOMMND

PRIOR TO THE APPROVAL OF ANY IMPLEMENTING PROJECT (i.e. Tentative Map, Plot Plan, Conditional Use Permit, and/or Public Use Permit) the following condition of approval shall be satisfied:

"Given the high ground water table in the project area all implementing projects must provide a letter from Coachella Valley Water District (CVWD) indicating that the subsurface drainage facilities (tile drains) in the implementing project area can accommodate the new urban drainage to the satisfaction of CVWD."

30.PLANNING. 47 SP - TILE DRAINS (2)

RECOMMND

PRIOR TO THE APPROVAL OF ANY IMPLEMENTING PROJECT (i.e. Tentative Map, Plot Plan, Conditional Use Permit, and/or Public Use Permit) the following condition of approval shall be satisfied:

"Given the high ground water table in the project area all implementing projects must provide a letter from Coachella Valley Water District (CVWD) indicating that the boundaries shown on the APPROVED TENTATIVE MAP and/or SITE PLAN shall become annexed, incorporated, and/or included to the satisfaction of the Colorado River Basin Water Quality Control Board into the National Pollution Discharge Elimination System Permit (NPDES) program as detailed by CVWD and as well the project shall annexed, incorporated, and/or included to the satisfaction of the Colorado River Basin Water Quality Control Board into the Waste Discharge Requirements for the discharge of stormwater into the Whitewater River Watershed, which is known as the MS4 Permit, to the satisfaction of CVWD."

30.PLANNING. 48 SP - TILE DRAINS (3)

RECOMMND

PRIOR TO THE APPROVAL OF ANY IMPLEMENTING PROJECT (i.e. Tentative Map, Plot Plan, Conditional Use Permit, and/or Public Use Permit) the following condition of approval shall be satisfied:

"Given the high ground water table in the project area all implementing projects must provide a letter from Coachella Valley Water District (CVWD) indicating that the boundaries shown on the APPROVED TENTATIVE MAP and/or SITE PLAN shall become annexed, incorporated, and/or included to the

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30. PRIOR TO ANY PROJECT APPROVAL

30.PLANNING. 48 SP - TILE DRAINS (3) (cont.)

RECOMMND

satisfaction of CVWD into a future district(s) for recovery of capital and operation/maintenance costs associated with any tile/subsurface drainage system, to the satisfaction of CVWD."

TRANS DEPARTMENT

30.TRANS. 1 SP - SP369/TS CONDITIONS

RECOMMND

The Transportation Department has reviewed the traffic study submitted for the referenced project. The study has been prepared in accordance with County-approved guidelines. We generally concur with the findings relative to traffic impacts.

The General Plan circulation policies require a minimum of Level of Service 'C', except that Level of Service 'D' may be allowed in community development areas at intersections of any combination of secondary highways, major highways, arterials, urban arterials, expressways or state highways and ramp intersections.

The study indicates that it is possible to achieve adequate levels of service for the following intersections based on the traffic study assumptions.

Harrison Street (NS) at:

- Avenue 54 (EW)
- Airport Boulevard (EW)
- Avenue 62 (EW)
- Avenue 64 (EW)

Tyler Street (NS) at:

- Avenue 54 (EW)
- Airport Boulevard (EW)
- Avenue 62 (EW)

Polk Street (NS) at:

- Airport Boulevard (EW)
- Church Street (EW)
- Avenue 58 (EW)
- Avenue 59 (EW)
- Avenue 60 (EW)
- Avenue 62 (EW)

Project Driveway (Olive Street) (NS) at:

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30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 1

SP - SP369/TS CONDITIONS (cont.)

RECOMMND

Avenue 58 (EW)

Street "A" (NS) at:  
Avenue 59 (EW)

Orange Avenue (NS) at:  
Avenue 58 (EW)  
Street "A" (North) (EW)  
Avenue 59 (EW)  
Street "A" (South) (EW)  
Avenue 60 (EW)

Grapefruit Boulevard (NS) at:  
Airport Boulevard (EW)  
Main Street (EW)  
Church Street (EW)

Fillmore Street (NS) at:  
Grapefruit Boulevard (SR-111) (EW)  
Driveway "C" (EW)  
Driveway "A" (EW)  
Driveway "B" (EW)  
Avenue 60 (EW)  
Avenue 62 (EW)  
Avenue 64 (EW)

Pierce Street (NS) at:  
Avenue 62 (EW)

SR-86S (NS) at:  
Airport Boulevard (EW)

SR-86S Southbound Ramps (NS) at:  
Airport Boulevard (EW)

SR-86S Northbound Ramsp (NS) at:  
Airport Boulevard (EW)

As such, the proposed project is consistent with this  
General Plan policy.

The associated conditions of approval incorporate  
mitigation measures identified in the traffic study, which  
are necessary to achieve or maintain the required level of  
service.



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30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 2                      SP - SP369/TS IMPROVEMENTS                      RECOMMND

All roads shall be improved per the recommended General Plan or Specific Plan designation, as approved by the County Board of Supervisors, or as approved by the Transportation Department.

30.TRANS. 3                      SP - SP369/TS CVAG TUMF                      RECOMMND

The project proponent shall be required to pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance of a building permit, pursuant to Ordinance No. 673.

30.TRANS. 4                      SP - SP369/TS REQUIRED                      RECOMMND

Site specific traffic studies will be required for all subsequent development proposals with the boundaries of Specific Plan No. 369 as approved by the Transportation Department. These subsequent traffic studies shall identify specific project impacts and needed roadway improvements to be constructed prior to each development phase.

30.TRANS. 5                      SP - SP369/TS INSTALLATION                      RECOMMND

The Specific Plan proponent and all subsequent implementing projects within the Specific Plan shall be responsible for design and construction of traffic signals at the following intersections or as approved by the Transportation Department.

Phase 1 (2012)  
Polk Street (NS) at Airport Boulevard (EW)

Phase 2 (2014, 1,304th dwelling unit)  
SR-86S (NS) at Airport Boulevard (EW) (modification for lane addition and southbound right-turn overlap)

Polk Street (NS) at Avenue 59 (EW)

Phase 3 (2016, 1,860th dwelling unit)  
Fillmore Street (NS) at Grapefruit Boulevard (SR-111)

with no fee credit given for Traffic Signal Mitigation fees.

or as approved by the Transportation Department.

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30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 6

SP - SP369/TS GEOMETRICS PH1

RECOMMND

Prior to Building Permit Issuance of 1st Dwelling Unit in Phase 1 (2012)

The intersection of Polk Street (NS) and Airport Boulevard (EW) shall be improved to provide the following geometrics:

Northbound: one left turn lane, one right turn lane  
Southbound: N/A  
Eastbound: one through lane  
Westbound: one left turn lane, one through lane

The intersection of Polk Street (NS) and Avenue 59 (EW) shall be improved to provide the following geometrics:

Northbound: one through lane, one right turn lane  
Southbound: one left turn lane, one through lane  
Eastbound: N/A  
Westbound: one left turn lane, one right turn lane

The intersection of Street "A" (NS) and Avenue 59 (EW) shall be improved to provide the following geometrics:

Northbound: one left turn lane, one through lane  
Southbound: one left turn lane, one through lane  
Eastbound: one left turn lane, one through lane  
Westbound: one left turn lane, one through lane

The intersection of Orange Avenue (NS) and Street "A" (North) (EW) shall be improved to provide the following geometrics:

Northbound: one left turn lane, one through lane  
Southbound: one through lane  
Eastbound: one left turn lane, one right turn lane  
Westbound: N/A

The intersection of Orange Avenue (NS) and Avenue 59 (EW) shall be improved to provide the following geometrics:

Northbound: one left turn lane, one through lane  
Southbound: one left turn lane, one through lane  
Eastbound: one left turn lane, one through lane  
Westbound: one left turn lane, one through lane

The intersection of Orange Avenue (NS) and Avenue 60 (EW) shall be improved to provide the following geometrics:

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30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 6

SP - SP369/TS GEOMETRICS PH1 (cont.)

RECOMMND

Northbound: N/A  
Southbound: one left turn lane, one right turn lane  
Eastbound: one left turn lane, one through lane  
Westbound: one through lane

The intersection of Fillmore Street (NS) and Driveway "C" (EW) shall be improved to provide the following geometrics:

Northbound: one left turn lane, one through lane  
Southbound: one through lane  
Eastbound: one through lane  
Westbound: N/A

The intersection of Fillmore Street (NS) and Driveway "A" (EW) shall be improved to provide the following geometrics:

Northbound: one left turn lane, one through lane  
Southbound: one through lane  
Eastbound: one left turn lane, one right turn lane  
Westbound: N/A

The intersection of Fillmore Street (NS) and Driveway "B" (EW) shall be improved to provide the following geometrics:

Northbound: one left turn lane, one through lane  
Southbound: one through lane  
Eastbound: one left turn lane, one right turn lane  
Westbound: N/A

or as approved by the Transportation Department.

All improvements listed are requirements for interim conditions only. Full right-of-way and roadway half sections adjacent to the property for the ultimate roadway cross-section per the County's Road Improvement Standards and Specifications must be provided.

Any off-site widening required to provide these geometrics shall be the responsibility of the landowner/developer.

30.TRANS. 7

SP - SP369/TS GEOMETRICS PH2

RECOMMND

Prior to Building Permit Issuance of 1,304th Dwelling Unit

The intersection of Polk Street (NS) and Avenue 58 (EW)

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30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 7

SP - SP369/TS GEOMETRICS PH2 (cont.)

RECOMMND

shall be improved to provide the following geometrics:

Northbound: one through lane  
Southbound: one left turn lane, one through lane  
Eastbound: N/A  
Westbound: one left turn lane, one right turn lane

The intersection of Project Driveway (Olive Street) (NS) and Avenue 58 (EW) shall be improved to provide the following geometrics:

Northbound: one through lane  
Southbound: N/A  
Eastbound: one through lane  
Westbound: one through lane

The intersection of Orange Avenue (NS) and Avenue 58 (EW) shall be improved to provide the following geometrics:

Northbound: one left turn lane, one through lane  
Southbound: one through lane  
Eastbound: one through lane  
Westbound: N/A

The intersection of SR-86S (NS) and Airport Boulevard (EW) shall be improved to provide the following geometrics:

Northbound: one left turn lane, two through lanes, one right turn lane  
Southbound: one left turn lane, two through lanes, one right turn lane with overlap  
Eastbound: one left turn lane, one through lane, one right turn lane  
Westbound: one left turn lane, one through lane, one right turn lane

Avenue 58 along project boundary shall provide half-width improvements with concrete curb-and-gutter, asphalt concrete paving; reconstruction; or resurfacing of existing paving as determined by the Transportation Department in accordance with County Standard No. 94.

or as approved by the Transportation Department.

All improvements listed are requirements for interim conditions only. Full right-of-way and roadway half

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30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 7 SP - SP369/TS GEOMETRICS PH2 (cont.) (cont.) RECOMMND

sections adjacent to the property for the ultimate roadway cross-section per the County's Road Improvement Standards and Specifications must be provided.

Any off-site widening required to provide these geometrics shall be the responsibility of the landowner/developer.

30.TRANS. 8 SP - SP369/TS GEOMETRICS PH3 RECOMMND

Prior to Building Permit Issuance of 1,860th Dwelling Unit

The intersection of Polk Street (NS) and Avenue 58 (EW) shall be improved to provide the following geometrics:

Northbound: two through lanes  
Southbound: one left turn lane, two through lanes  
Eastbound: N/A  
Westbound: one left turn lane, one right turn lane

The intersection of Polk Street (NS) and Avenue 59 (EW) shall be improved to provide the following geometrics:

Northbound: two through lanes, one right turn lane  
Southbound: two left turn lanes, two through lanes  
Eastbound: N/A  
Westbound: one left turn lane, one right turn lane  
NOTE: Appropriate improvements must be provided on eastbound Avenue 59 to accept the two southbound left turn lanes from Polk Street.

The intersection of Grapefruit Boulevard (SR-111) (NS) and Airport Boulevard (EW) shall be improved to provide the following geometrics:

Northbound: one left turn lane, one through lane, one right turn lane  
Southbound: one left turn lane, one through lane, one right turn lane  
Eastbound: one left turn lane, one through lane  
Westbound: one left turn lane, one through lane

The intersection of Fillmore Street (NS) and Grapefruit Boulevard (SR-111) (EW) shall be improved to provide the following geometrics:

Northbound: one left turn lane, one right turn lane

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30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 8                      SP - SP369/TS GEOMETRICS PH3 (cont.)                      RECOMMND

Southbound: N/A  
Eastbound: one through lane, one right turn lane  
Westbound: one left turn lane, one through lane

Polk Street along project boundary shall provide full-width improvements with concrete curb-and-gutter, asphalt concrete paving; reconstruction; or resurfacing of existing paving as determined by the Transportation Department in accordance with County Standard No. 92. Within the limits of this condition parkway and sidewalk improvements will not be required on the westerly side of Polk Street.

or as approved by the Transportation Department.

All improvements listed are requirements for interim conditions only. Full right-of-way and roadway half sections adjacent to the property for the ultimate roadway cross-section per the County's Road Improvement Standards and Specifications must be provided.

Any off-site widening required to provide these geometrics shall be the responsibility of the landowner/developer.

30.TRANS. 9                      SP - CREDIT/REIMBURSEMENT                      RECOMMND

In order to receive any fee credit or reimbursement for improvements, the project proponent shall contact the Transportation Department and enter into an agreement for fee credit or reimbursement prior to advertising. All work shall be preapproved by and shall comply with the requirements of the Transportation Department and the public contracts code in order to be eligible for fee credit or reimbursement.

To enter into an agreement please contact our Funding Programs group at (951) 955-1667.

For more information regarding the public work bidding requirements please visit the following link:  
[http://www.rctlma.org/trans/rbbd\\_contractbidding.html](http://www.rctlma.org/trans/rbbd_contractbidding.html).

30.TRANS. 10                      SP - SP369/RBBD (SVP)                      RECOMMND

The County is in the process of establishing a Road and Bridge Benefit District (RBBD) for the South Valley Parkway area, which includes this project site, in order to

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30. PRIOR TO ANY PROJECT APPROVAL

30.TRANS. 10

SP - SP369/RBBD (SVP) (cont.)

RECOMMND

mitigate cumulative traffic impacts. A "South Valley Parkway Traffic Study and Roadway Phasing Plan", dated April 4, 2007, has been prepared which identifies cumulative impacts and the needed levels of transportation improvements to achieve acceptable Levels of Service.

The South Valley Parkway RBBD is currently in the planning stage, and the County is coordinating the preparation of a nexus study and refinements to the scope of improvements to be funded under the RBBD. These additional studies will provide the basis for establishing the RBBD fee structure.

Prior to the issuance of building permits for any implementing project for SP 369, whether a development plan, or recordation of an implementing subdivision map, each individual project within any phase of SP 369 shall be asked to pay the RBBD fee once it has been established and adopted. In the event the RBBD is not formed prior to the time when an implementing project is ready to record a map or obtain a building permit (for non-residential projects), the proponent of the individual project will have the option of paying an estimated RBBD fee or making a roadway improvement as its proportional share of mitigating cumulative impacts or as approved by the Transportation Department.

90. PRIOR TO BLDG FINAL INSPECTION

B&S DEPARTMENT

90.B&S. 1

BP - MSHCP FEE/ORDS 810 & 875

NOTAPPLY

Prior to the final inspection, applicants are required to pay the Riverside County Multiple Species Habitat Conservation Plan fees required by either Ordinance 810, Western MSHCP or Ordinance 875, Coachella Valley MSHCP.

100. PRIOR TO ISSUE GIVEN BLDG PRMT

PLANNING DEPARTMENT

100.PLANNING. 1

SP - PARK PLANS REQ PA19

RECOMMND

PRIOR TO THE ISSUANCE OF THE 375th building permit within the SPECIFIC PLAN, detailed park plans shall be submitted to and approved by the Planning Department

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100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 1 SP - PARK PLANS REQ PA19 (cont.) RECOMMND

for the Clubhouse/park site designated as Planning Area 19. PA 19 is intended to be a private recreation center maintained by a Home Owners Association. The detailed plans shall conform with the design criteria in the SPECIFIC PLAN document for PA 19. The park plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the park and its facilities.

100.PLANNING. 2 SP - PARK CONST PA19 RECOMMND

PRIOR TO THE ISSUANCE OF THE 589th building permit within the SPECIFIC PLAN, the Clubhouse/park designated as Planning Area 19 shall be constructed and fully operable.

100.PLANNING. 3 SP - COUNT RES BUILD PERMITS RECOMMND

This condition is applied to assist the Planning Department with tracking the build-out of the SPECIFIC PLAN by automatically counting all the issuance of all new residential building permits on the County's Land Management System which are electronically associated with the Specific Plan. Accordingly, this condition will not allow more than 2,354 residential building permits to be issued within the SPECIFIC PLAN.

100.PLANNING. 4 SP - PARK PLANS REQ PA22 RECOMMND

PRIOR TO THE ISSUANCE OF THE 588th building permit within the SPECIFIC PLAN, detailed park plans shall be submitted to and approved by the Planning Department and the Desert Recreation District or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance" for the park site designated as the Planning Area 22, including an underpass crossing Ave. 59 as depicted on Figure IV-45 of the SPECIFIC PLAN. The detailed park plans shall conform with the design criteria in the SPECIFIC PLAN document for PA 22 and with the requirements of the Desert Recreation District or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance," Ordinance No. 859 (as adopted and any amendments thereto), and the Riverside County Guide to California Friendly Landscaping. The park plans need not be working drawings, but shall include landscape



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100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 4 SP - PARK PLANS REQ PA22 (cont.)

RECOMMND

and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the park and its facilities.

100.PLANNING. 6 SP - PARK PLANS REQ PA26

RECOMMND

PRIOR TO THE ISSUANCE OF THE 785th building permit within the SPECIFIC PLAN, detailed park plans shall be submitted to and approved by the Planning Department and the Desert Recreation District or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance" for the park site designated as the Planning Area 26. The detailed park plans shall conform with the design criteria in the SPECIFIC PLAN document for PA 26 and with the requirements of the Desert Recreation District or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance," Ordinance No. 859 (as adopted and any amendments thereto), and the Riverside County Guide to California Friendly Landscaping. The park plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the park and its facilities.

100.PLANNING. 7 SP - PARK CONST PA26

RECOMMND

PRIOR TO THE ISSUANCE OF THE 1,553rd building permit within the SPECIFIC PLAN, the park designated as Planning Area 26 shall be constructed and fully operable.

100.PLANNING. 8 SP - PARK PLANS REQ PA21

RECOMMND

PRIOR TO THE ISSUANCE OF THE 1,893th building permit within the SPECIFIC PLAN, detailed park plans shall be submitted to and approved by the Planning Department and the Desert Recreation District, CVWD or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance" for the park site designated as the Planning Area 21. The detailed park plans shall conform with the design criteria in the SPECIFIC PLAN document for PA 21 and with the requirements of the Desert Recreation District, CVWD or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance," Ordinance No. 859 (as adopted and any

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100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 8            SP - PARK PLANS REQ PA21 (cont.)            RECOMMND

amendments thereto), and the Riverside County Guide to California Friendly Landscaping. The park plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the park and its facilities.

100.PLANNING. 9            SP - PARK CONST PA21            RECOMMND

PRIOR TO THE ISSUANCE OF THE 2,107th building permit within the SPECIFIC PLAN, the park designated as Planning Area 21 shall be constructed and fully operable.

100.PLANNING. 10          SP - CLASS 1 BIKE TRAIL PLANS            RECOMMND

PRIOR TO THE ISSUANCE OF THE 784th building permit within the SPECIFIC PLAN, detailed Class 1 Bike Trail plans shall be submitted to and approved by the Planning Department, CVWD and the Desert Recreation District or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance" for the Class 1 Bike Trail site designated in Figure IV-52 of the SPECIFIC PLAN. The detailed plans shall conform with the design criteria in the SPECIFIC PLAN document and with the requirements of the CVWD and the Desert Recreation District or entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance," Ordinance No. 859 (as adopted and any amendments thereto), and the Riverside County Guide to California Friendly Landscaping. The park plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the park and its facilities.

100.PLANNING. 11          SP - CLASS 1 BIKE TRAIL CONST            RECOMMND

PRIOR TO THE ISSUANCE OF THE 1,568th building permit within the SPECIFIC PLAN, the Class 1 Bike Trail illustrated in Figure IV-52 of the SPECIFIC PLAN shall be constructed and fully operable.

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100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 12 SP - PASEO PLANS PA24A,D&E

RECOMMND

PRIOR TO THE ISSUANCE OF THE 1,367th building permit within the SPECIFIC PLAN, detailed Paseo plans for Planning Areas 24A, 24D and 24E shall be submitted to and approved by the Planning Department and the Desert Recreation District as determined by the Director of Planning. The detailed Paseo plans shall conform with the design criteria in the SPECIFIC PLAN document, and the Riverside County Guide to California Friendly Landscaping. The plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the park and its facilities.

100.PLANNING. 13 SP - PASEO CONST PA24A,D&E

RECOMMND

PRIOR TO THE ISSUANCE OF THE 1,581th building permit within the SPECIFIC PLAN, the Paseos designated as Planning Areas 24A, 24D and 24E shall be constructed and fully operable.

100.PLANNING. 14 SP - PASEO PLANS REQ PA24B

RECOMMND

PRIOR TO THE ISSUANCE OF THE 1,892nd building permit within the SPECIFIC PLAN, detailed Paseo plans for Planning Area 24B shall be submitted to and approved by the Planning Department and the Desert Recreation District as determined by the Director of Planning. The detailed Paseo plans shall conform with the design criteria in the SPECIFIC PLAN document, and the Riverside County Guide to California Friendly Landscaping. The plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the park and its facilities.

100.PLANNING. 15 SP - PASEO CONST PA24B

RECOMMND

PRIOR TO THE ISSUANCE OF THE 2,106th building permit within the SPECIFIC PLAN, the Paseo designated as Planning Area 24B shall be constructed and fully operable.

100.PLANNING. 16 SP - PASEO PLANS REQ PA24C

RECOMMND

PRIOR TO THE ISSUANCE OF THE 438th building permit within the SPECIFIC PLAN, detailed Paseo plans for Planning Area 24C shall be submitted to and approved by the Planning

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100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 16            SP - PASEO PLANS REQ PA24C (cont.)            RECOMMND

Department and the Desert Recreation District as determined by the Director of Planning. The detailed Paseo plans shall conform with the design criteria in the SPECIFIC PLAN document, and the Riverside County Guide to California Friendly Landscaping. The plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the park and its facilities.

100.PLANNING. 17            SP - PASEO CONST PA24C            RECOMMND

PRIOR TO THE ISSUANCE OF THE 652nd building permit within the SPECIFIC PLAN, the Paseo designated as Planning Area 24C shall be constructed and fully operable.

100.PLANNING. 18            SP - PARK PLANS REQ PA20            RECOMMND

PRIOR TO THE ISSUANCE OF THE 1,367th building permit within the SPECIFIC PLAN, detailed park plans shall be submitted to and approved by the Planning Department and the Desert Recreation District or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance" for the park site designated as the Planning Area 21. The detailed park plans shall conform with the design criteria in the SPECIFIC PLAN document for PA 21 and with the requirements of the Desert Recreation District or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance," Ordinance No. 859 (as adopted and any amendments thereto), and the Riverside County Guide to California Friendly Landscaping. The park plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the park and its facilities.

100.PLANNING. 19            SP - PARK CONST PA20            RECOMMND

PRIOR TO THE ISSUANCE OF THE 1,581th building permit within the SPECIFIC PLAN, the park designated as Planning Area 20 shall be constructed and fully operable.

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100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 20 SP - PHASE 1 PERIM LANDS PLNS

RECOMMND

PRIOR TO THE ISSUANCE OF THE 391st building permit within the SPECIFIC PLAN, detailed detention/trail/park plans shall be submitted to and approved by the Planning Department and the County Service Area No. 125 or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance" for the site designated as the Planning Area PA23B, 23C and 23D. The detailed plans shall conform with the design criteria in the SPECIFIC PLAN document and with the requirements of the County Service Area No. 125 or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance," Ordinance No. 859 (as adopted and any amendments thereto), and the Riverside County Guide to California Friendly Landscaping. The park plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the park and its facilities.

100.PLANNING. 21 SP - PHASE 1 PERIM LANDS CONST

RECOMMND

PRIOR TO THE ISSUANCE OF THE 782nd building permit within the SPECIFIC PLAN, the detention/trails/park designated as Planning Areas 23B, 23C, and 23D shall be constructed and fully operable.

100.PLANNING. 22 SP - PHASE 2 PERIM LANDS PLANS

RECOMMND

PRIOR TO THE ISSUANCE OF THE 1470th building permit within the SPECIFIC PLAN, detailed detention/trail/park plans shall be submitted to and approved by the Planning Department and the County Service Area No. 125 or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance" for the site designated as the Planning Area PA23E and 23F. The detailed plans shall conform with the design criteria in the SPECIFIC PLAN document and with the requirements of the County Service Area No. 125 or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance," Ordinance No. 859 (as adopted and any amendments thereto), and the Riverside County Guide to California Friendly Landscaping. The park plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a

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Parcel: 757-200-003

100. PRIOR TO ISSUE GIVEN BLDG PRMT

100.PLANNING. 22            SP - PHASE 2 PERIM LANDS PLANS (cont.)            RECOMMND

permanent maintenance mechanism for the park and its facilities.

100.PLANNING. 23            SP - PHASE 2 PERIM LANDS CONST            RECOMMND

PRIOR TO THE ISSUANCE OF THE 1,637th building permit within the SPECIFIC PLAN, the detention/trails/park designated as Planning Areas 23E and 23F shall be constructed and fully operable.

100.PLANNING. 24            SP - PHASE 3 PERIM LANDS PLANS            RECOMMND

PRIOR TO THE ISSUANCE OF THE 2,008th building permit within the SPECIFIC PLAN, detailed detention/trail/park plans shall be submitted to and approved by the Planning Department and the County Service Area No. 125 or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance" for the site designated as the Planning Area PA23A and 23G. The detailed plans shall conform with the design criteria in the SPECIFIC PLAN document and with the requirements of the County Service Area No. 125 or other entity set forth in the Planning Department's condition entitled "SP - Common Area Maintenance," Ordinance No. 859 (as adopted and any amendments thereto), and the Riverside County Guide to California Friendly Landscaping. The park plans need not be working drawings, but shall include landscape and irrigation plans, descriptions and placement of recreational facilities and documentation evidencing a permanent maintenance mechanism for the park and its facilities.

100.PLANNING. 25            SP - PHASE 3 PERIM LANDS CONST            RECOMMND

PRIOR TO THE ISSUANCE OF THE 2,156th building permit within the SPECIFIC PLAN, the detention/trails/park designated as Planning Areas 23A and 23G shall be constructed and fully operable.

**Straite, Matt**

---

**From:** Dan Silver [dsilverla@me.com]  
**Sent:** Thursday, August 12, 2010 12:06 PM  
**To:** Straite, Matt; Griffin, Chantell; Bowie, Desiree  
**Cc:** Johnson, George; Goldman, Ron; Meins, Damian; Syms Luna, Carolyn; Mehta-Cooper, Mitra; Lind, Katherine; Barnes, Olivia; Gialdini, Michael; Kuenzi, Darcy; Field, John; Stahovich, Dave  
**Subject:** Hearing Date August 18, 2010: Item 7.1 **SPECIFIC PLAN NO. 369, GENERAL PLAN AMENDMENT NO. 846 (LAND USE), GENERAL PLAN AMENDMENT NO. 889 (CIRCULATION), CHANGE OF ZONE NO. 7481**

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged  
**Categories:** Blue Category

Dear Mr. Straite, Ms. Griffin, and Ms. Bowie:

Please find comments on this project for the Commission. Could you please acknowledge receipt and let me know if these comments can be forwarded to the Commission?

Thank you very much,  
Dan

---

August 12, 2010

Riverside County Planning Commission  
4080 Lemon St  
Riverside, CA 92501

**RE: Item 7.1 SPECIFIC PLAN NO. 369, GENERAL PLAN AMENDMENT NO. 846 (LAND USE), GENERAL PLAN AMENDMENT NO. 889 (CIRCULATION), CHANGE OF ZONE NO. 7481 (Hearing Date August 18, 2010)**

Dear Chair and Members of the Commission:

The Endangered Habitats League (EHL) urges you to deny these General Plan Amendment applications for leapfrog development into an intact agricultural area. It is incomprehensible how 2,354 new units could be considered without first understanding the capacity of the *existing* County and municipal general plans to accommodate future population growth. And if there is a need for additional residential capacity, how does this site rank compared to other sites in terms of greenhouse gas emissions and vehicle miles traveled or other relevant planning factors?

The bottom line is that the County of Riverside has not provided – or at least has not made public – the most basic information that your Commission needs in order to do competent land use and transportation planning. That information is a capacity and absorption analysis for residential land supply. At a minimum, we ask you to demand this information before going further.

Sincerely,  
  
Dan Silver

Dan Silver, Executive Director  
Endangered Habitats League  
8424 Santa Monica Blvd., Suite A 592  
Los Angeles, CA 90069-4267

213-804-2750  
[dsilverla@me.com](mailto:dsilverla@me.com)  
[www.ehleague.org](http://www.ehleague.org)



**LAND DEVELOPMENT COMMITTEE**  
**INITIAL CASE TRANSMITTAL**  
**RIVERSIDE COUNTY PLANNING DEPARTMENT - RIVERSIDE**  
**P.O. Box 1409**  
**Riverside, CA 92502-1409**

DATE: December 28, 2007

**TO:**

Transportation Dept.-Kevin Tsang  
Transportation Dept.-Majeed Farshad  
Environmental Health Dept.  
Flood Control Dist.  
Fire Department-Tony Fox  
Dept. of Bldg. & Safety (Grading)  
CVWD-Georgia Celehar

Co. Geologist  
Environmental Programs Dept.  
Archeology-Leslie Mouriquand  
Coachella Valley Rec. Parks Dist.-Mary Thiery  
Caltrans-Victoria Green  
Advance Planning-Josh Lee

**SPECIFIC PLAN NO. 369**– EA 41243 – Applicant: Brookfield California Land Holdings- Fourth Supervisorial District – Lower Coachella Valley Zoning District – Eastern Coachella Valley Area Plan: Agriculture: Agriculture (AG) (10 Acre Minimum), Community Development: Public Facilities (CD:PF) (less than .60 Floor to Area Ratio) and Community Development: Light Industrial (CD:LI) (.25 to .60 Floor to Area Ratio) – 612.1 Gross Acres – Location: Southerly of Avenue 57, Westerly of Fillmore Street, Northerly of Avenue 60 and Easterly of Polk St - Zoning: Heavy Agriculture- 20 Acre Minimum (A-2-20), Manufacturing Service Commercial (M-SC) – **REQUEST:** The Specific Plan proposes a master-planned community on 612.1 acres supporting traditional single-family residential, multi-family residential, and open space land uses including recreational parks and drainage areas. The Specific Plan proposes 2,354 residential dwelling units on 436.9 acres, a private clubhouse on 2.6 acres, a lake on 21.4 acres, and 105.3 acres of recreational park, open space, and retention basins. Two residential product types are proposed: traditional single-family residential homes with lot sizes ranging from 3,600 s.f. to 7,200 s.f., and attached single-family residential homes. In addition, the Specific Plan designates 1.0 acre for an electrical substation and 44.9 acres for major roadway improvements – Concurrent Cases: EIR504, GPA846, GPA889, CZ7481– APN(s): 757-200- (001, 002, 003), 757-210- (003, 004, 005, 015, 017, 018, 020, 021, 022, 023, 024, 025, 026, 027), 757-090- (007, 013, 020) .

Please review the attached exhibit(s) for the above-described project. This case is scheduled for a **CPR Meeting on January 17, 2008**. All County Agencies and Departments, please have draft conditions in the Land Management System by the above date. If you cannot clear the exhibit, please have corrections in the system and DENY the routing. Once the route is complete, and the approval screen is approved with or without corrections, the case can be scheduled for a public hearing. All other agencies, please have your comments/conditions to the Planning Department as soon as possible. Your comments/recommendations/ conditions are requested so that they may be incorporated in the staff report for this particular case.

Should you have any questions regarding this item, please do not hesitate to contact **Matt Straite**, Project Planner, at **(951) 955-0545** or email at [mstraite@RCTLMA.org](mailto:mstraite@RCTLMA.org) / **MAILSTOP# 1070**.

COMMENTS:

DATE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

PLEASE PRINT NAME AND TITLE: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

*If you do not include this transmittal in your response, please include a reference to the case number and project planner's name. Thank you.*

**NOTICE OF PUBLIC HEARING**  
and  
**INTENT TO TENTATIVELY CERTIFY AN ENVIRONMENTAL IMPACT REPORT**

A PUBLIC HEARING has been scheduled, pursuant to Riverside County Land Use and Subdivision Ordinance Nos. 348 460, before the RIVERSIDE COUNTY PLANNING COMMISSION to consider the project shown below:

**SPECIFIC PLAN NO. 369, GENERAL PLAN AMENDMENT NO. 846 (LAND USE), GENERAL PLAN AMENDMENT NO. 889 (CIRCULATION), CHANGE OF ZONE NO. 7481** – Intent to Adopt an Environmental Impact Report – Applicant: Brookfield California Land Holdings- Fourth Supervisorial District – Lower Coachella Valley Zoning District – Eastern Coachella Valley Area Plan: Agriculture: Agriculture (AG) (10 Acre Minimum), Community Development: Public Facilities (CD:PF) (less than .60 Floor to Area Ratio) and Community Development: Light Industrial (CD:LI) (.25 to .60 Floor to Area Ratio)– Location: Southerly of Avenue 57, westerly of Fillmore Street, northerly of Avenue 60 and easterly of Polk St – 612.1 Gross Acres - Zoning: Heavy Agriculture- 20 Acre Minimum (A-2-20), Manufacturing Service Commercial (M-SC) – **REQUEST:** The **Specific Plan** proposes a master-planned community on 612.1 acres supporting traditional single-family residential, multi-family residential, and open space land uses including recreational parks and drainage areas. The Specific Plan proposes 2,354 residential dwelling units, a 45.3 acre public park, a private clubhouse on 4 acres, a covered irrigation storage pond, and regional trails. The overall project density ranges from 2 to 14 du/ac. In addition, the Specific Plan designates 2.5 acre for an electrical substation and 46 acres for major roadway improvements. **General Plan Amendment no. 846 (Land Use)** proposes to amend the Riverside County General Plan Land Use Element as it applies to the 612.1-acre Project site by changing the land use designations from Agriculture (AG), Public Facility (PF) and Light Industrial (LI) to Medium Density Residential (MDR), Medium High Density Residential (MHDR), High Density Residential (HDR), Open Space- Recreation (OS-R) and Open Space- Water (OS-W), as reflected on the proposed Land Use Plan. **General Plan Amendment No. 889 (Circulation)** proposes to amend the Circulation Element of the General Plan to 1) downgrade 58<sup>TH</sup> Avenue between Polk Street and Orange Avenue from a Major Highway (118' right-of-way) to a Secondary Highway (100' right-of-way), and 2) eliminate the segment of 58<sup>TH</sup> Avenue from Orange Avenue to Fillmore Street from the General Plan Circulation Element entirely. The **Change of Zone** proposes to change the site's zoning designation from Heavy Agriculture (A-2-20), and Manufacturing-Service Commercial (M-SC) to Specific Plan (SP) and to ammend Ordinance No. 348 to incorporate the Specific Plan Zoning Standards – APN: 757-200- (001, 002, 003), 757-210- (003, 004, 005, 015, 017, 018, 020, 021, 022, 023, 024, 025, 026, 027). (Legislative)

TIME OF HEARING: 9:00 a.m. or as soon as possible thereafter.  
DATE OF HEARING: August 18, 2010  
PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER  
BOARD CHAMBERS, 1ST FLOOR  
4080 LEMON STREET  
RIVERSIDE, CA 92501

For further information regarding this project, please contact Matt Straite, Project Planner at 951-955-8631 or e-mail [mstraite@rcplma.org](mailto:mstraite@rcplma.org), or go to the County Planning Department's Planning Commission agenda web page at [www.tlma.co.riverside.ca.us/planning/pc.html](http://www.tlma.co.riverside.ca.us/planning/pc.html)

The Riverside County Planning Department has determined that the above-described project has the potential to have a significant effect on the environment and has prepared an environmental impact report. Environmental Impact Report No. 453, which identifies all significant environmental effects, has been prepared in conjunction with the above referenced applications that constitute the proposed project. The Planning Commission will consider the proposed project, and the environmental impact report, at the public hearing.

The case file for the proposed project, and the environmental impact report, may be viewed Monday through Friday, from 8:00 A.M. to 5:00 P.M. at the Planning Department office, located at 4080 Lemon St. 9th Floor, Riverside, CA 92501.

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

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

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

**PROPERTY OWNERS CERTIFICATION FORM**

I, VINNIE NGUYEN, certify that on 6/7/2010.

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

APN (s) or case numbers SP00369 For

Company or Individual's Name Planning Department,

Distance buffered ~~600~~ 1000'.

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

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

NAME: Vinnie Nguyen

TITLE GIS Analyst

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

Riverside, Ca. 92502

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

✓ 6/7/2010 CY  
EXPIRES 12/7/2010

**PROPERTY OWNERS CERTIFICATION FORM**

I, VINNIE NGUYEN, certify that on 6/16/2011,

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

APN (s) or case numbers SP00369 For

Company or Individual's Name Planning Department,

Distance buffered 1000'.

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

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

NAME: Vinnie Nguyen

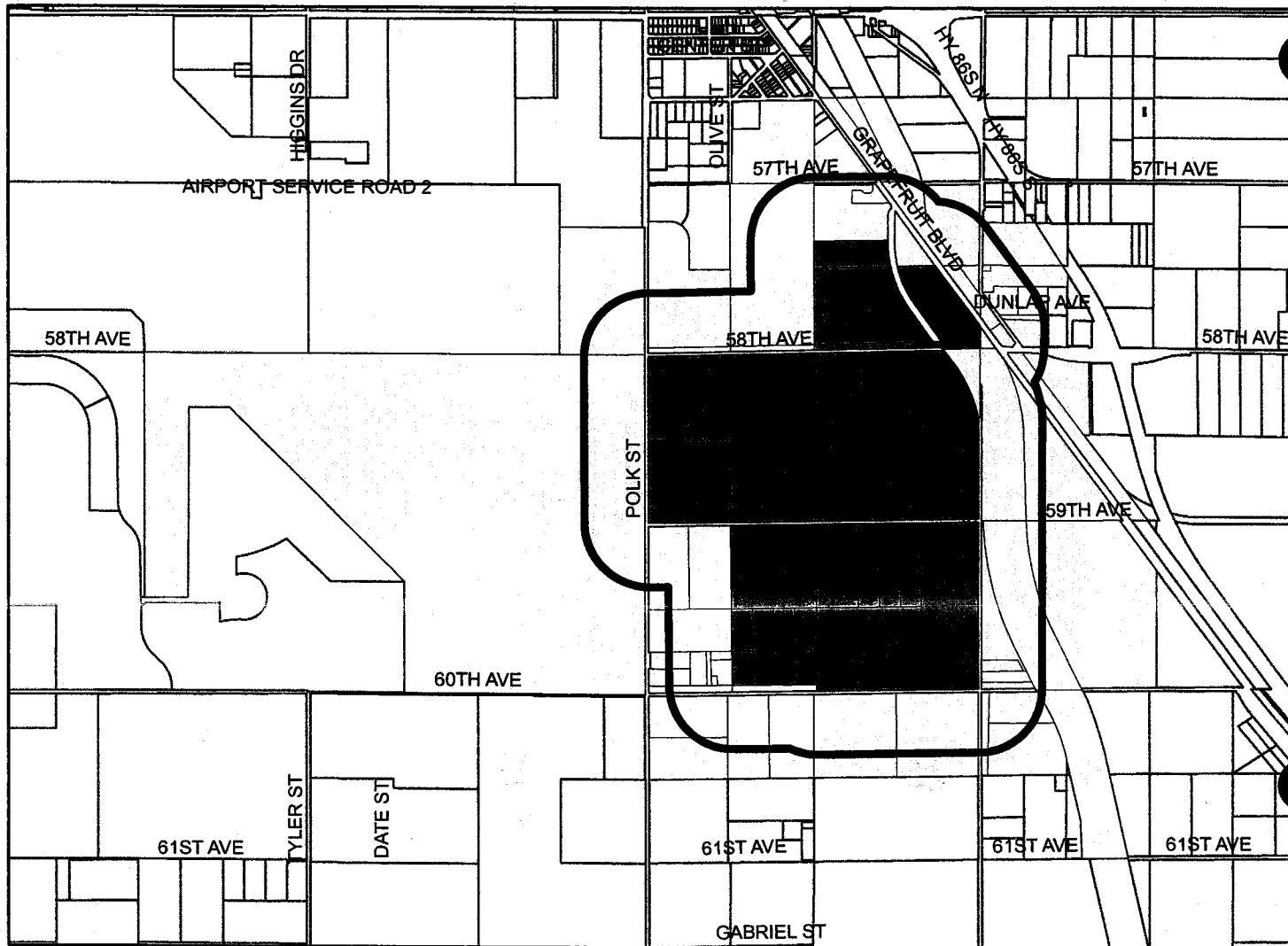
TITLE GIS Analyst

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

Riverside, Ca. 92502

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

# 1000 feet buffer



## Selected Parcels

757-200-001	757-200-002	757-200-003	757-210-003	757-210-004	757-210-005	757-210-015	757-210-017	757-210-018	757-210-020
757-210-021	757-210-022	757-210-023	757-210-024	757-210-025	757-210-026	757-210-013	757-090-009	757-090-025	757-140-049
757-150-001	757-150-003	757-150-027	757-150-034	757-210-026	757-210-027	757-210-001	757-280-036	757-150-006	757-150-039
757-062-002	757-080-005	757-090-022	759-070-006	759-100-012	757-080-011	757-090-010	757-090-012	757-090-013	757-090-014
757-150-014	757-200-004	757-210-028	757-220-014	757-230-009	757-280-027	757-080-012	757-090-007	757-090-020	757-230-003
757-090-029	757-210-008	757-260-001	757-260-002	757-260-003	757-260-004	757-260-005	757-230-008	757-210-010	757-090-024
757-280-035	757-220-020	757-230-004	757-210-011	757-210-012	757-220-001	757-230-002	757-260-017	757-210-016	757-210-002
757-230-001	757-210-009	757-080-013	757-090-015	757-090-016	757-150-015	757-150-036	757-220-017	757-090-004	757-090-011



3,100 1,550 0 3,100 Feet

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

ASMT: 757090020, APN: 757090020  
D DUNLAP, ETAL  
16897 ALGONQUIN ST STE A  
HUNTINGTON BEACH CA 92649

ASMT: 757090022, APN: 757090022  
COCOPAH NURSERIES INC  
81880 ARUS AVE  
INDIO CA 92201

ASMT: 757090024, APN: 757090024  
JOE CHAVEZ  
P O BOX 28  
INDIO CA 92201

ASMT: 757090029, APN: 757090029  
DESERT ALLIANCE COMMUNITY EMPOWERME  
53990 ENTERPRISE WAY NO 1  
COACHELLA CA 92236

ASMT: 757150006, APN: 757150006  
COACHELLA VALLEY CITRUS INC  
C/O COZETTE DUNLAP  
16897 ALGONQUIN ST NO A  
HUNTINGTON BEACH CA 92649

ASMT: 757150034, APN: 757150034  
BELK HOLDINGS  
P O BOX 24  
COACHELLA CA 92236

ASMT: 757150039, APN: 757150039  
COACHELLA VALLEY CITRUS  
16897 ALGONQUIN NO A  
HUNTINGTON BEACH CA 92649

ASMT: 757210001, APN: 757210001  
CAROLE ARIAS  
81173 AURORA AVE  
INDIO CA 92201

ASMT: 757210002, APN: 757210002  
RICHARD TOTTEN, ETAL  
87165 AVENUE 59  
THERMAL, CA. 92274

ASMT: 757210006, APN: 757210006  
AIRPORT BOULEVARD PROP  
1570 LINDA VISTA DR  
SAN MARCOS CA 92069

ASMT: 757210009, APN: 757210009  
SAUL GARCIA, ETAL  
87190 AVENUE 60  
THERMAL CA 92274

ASMT: 757210010, APN: 757210010  
HUMBERTO MARQUEZ, ETAL  
48352 PINTO LN  
COACHELLA CA 92236

ASMT: 757210011, APN: 757210011  
NELSON HINCHEN  
C/O LONA STITT  
5723 7TH AVE  
LOS ANGELES CA 90043

ASMT: 757210012, APN: 757210012  
NELSON THOMPSON, ETAL  
C/O PATRICIA NEAL  
27925 ROCKWOOD AVE  
MORENO VALLEY CA 92555

ASMT: 757210013, APN: 757210013  
ARMA LAWRENCE, ETAL  
C/O NAPOLEON THOMPSON  
46654 CARNATION CT  
INDIO CA 92201

ASMT: 757230002, APN: 757230002  
OASIS DATE GARDENS  
P O BOX 757  
THERMAL CA 92274

ASMT: 757210016, APN: 757210016  
RAMON LARA, ETAL  
59800 POLK ST  
THERMAL, CA. 92274

ASMT: 757230003, APN: 757230003  
DAVID ZARAGOZA, ETAL  
59850 FILMORE ST  
THERMAL, CA. 92274

ASMT: 757210025, APN: 757210025  
AGRI EMPIRE  
P O BOX 490  
SAN JACINTO CA 92581

ASMT: 757230004, APN: 757230004  
MIGUEL WILLIAMS  
P O BOX 1341  
THERMAL CA 92274

ASMT: 757210027, APN: 757210027  
BROOKFIELD CALIF LAND HOLDINGS  
C/O JOHN M STEWART  
1522 BROOKHOLLOW STE 1  
SANTA ANA CA 92705

ASMT: 757230008, APN: 757230008  
EPIFANIO ROJAS, ETAL  
45210 DESERT VIEW CT  
LA QUINTA CA 92253

ASMT: 757220017, APN: 757220017  
SOUTHERN PACIFIC TRANSPORTATION CO  
1700 FARNAM ST 10TH FL S  
OMAHA NE 68102

ASMT: 757260005, APN: 757260005  
DESERT HERB FARMS INC  
P O BOX 845  
THERMAL CA 92274

ASMT: 757220020, APN: 757220020  
MAURICIO AGUIRRE, ETAL  
P O BOX 1531  
INDIO CA 92202

ASMT: 757260017, APN: 757260017  
ONESIMO ARIAS, ETAL  
P O BOX 342  
THERMAL CA 92274

ASMT: 757230001, APN: 757230001  
ROBERT LOWER  
P O BOX 201  
THERMAL CA 92274

ASMT: 757280027, APN: 757280027  
CVCWD  
P O BOX 1058  
COACHELLA CA 92236



ASMT: 757280035, APN: 757280035  
MARJEN PROP  
C/O REG WHYTE  
R R 2  
COCHRANE AB CANADA T4C1A2

ASMT: 757280036, APN: 757280036  
CHOCOLATE MOUNTAIN FARMS  
4215 S DAHLIA ST  
ENGLEWOOD CO 80113

ASMT: 759100012, APN: 759100012  
COUNTY OF RIVERSIDE  
3525 14TH ST  
RIVERSIDE CA 92501





OFFICE OF  
CLERK OF THE BOARD OF SUPERVISORS  
1st FLOOR, COUNTY ADMINISTRATIVE CENTER  
P.O. BOX 1147, 4080 LEMON STREET  
RIVERSIDE, CA 92502-1147  
PHONE: (951) 955-1060  
FAX: (951) 955-1071

KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

July 13, 2011

THE PRESS ENTERPRISE  
ATTN: LEGALS  
P.O. BOX 792  
RIVERSIDE, CA 92501

E-MAIL: [legals@pe.com](mailto:legals@pe.com)  
VIA FAX: (951) 368-9018

RE: NOTICE OF PUBLIC HEARING: AG 1001; AG 1002; SP 369; GPA 846; GPA 889;  
ZC 7481

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) Time on Friday,  
July 15, 2011.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, **WITH TWO CLIPPINGS OF THE  
PUBLICATION.**

**NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.**

Thank you in advance for your assistance and expertise.

Sincerely,

*Mcgil*

Cecilia Gil, Board Assistant to  
KECIA HARPER-IHEM, CLERK OF THE BOARD

**Gil, Cecilia**

---

**From:** PE Legals <legals@pe.com>  
**Sent:** Wednesday, July 13, 2011 8:17 AM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR PUBLICATION: AG 1001, 1002, SP 369, GPA 846, 889 ZC 7481

Received for publication on July 15.

Thank You!

**enterpris@media**

Publisher of the Press-Enterprise

Maria G. Tinajero • Legal Advertising Department

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Please Note: Deadline is 10:30 AM two (2) business days prior to the date you would like to publish.  
\*\*Additional days required for larger ad sizes\*\*

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**From:** Gil, Cecilia [<mailto:CCGIL@rcbos.org>]  
**Sent:** Wednesday, July 13, 2011 8:15 AM  
**To:** PE Legals  
**Subject:** FOR PUBLICATION: AG 1001, 1002, SP 369, GPA 846, 889 ZC 7481

Good Morning! Attached is a Notice of Public Hearing, for publication on Friday, July 15, 2011. Please confirm. THANK YOU!

*Cecilia Gil*

Board Assistant to the  
Clerk of the Board of Supervisors  
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.  
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**



OFFICE OF  
CLERK OF THE BOARD OF SUPERVISORS  
1st FLOOR, COUNTY ADMINISTRATIVE CENTER  
P.O. BOX 1147, 4080 LEMON STREET  
RIVERSIDE, CA 92502-1147  
PHONE: (951) 955-1060  
FAX: (951) 955-1071

KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

July 13, 2011

THE DESERT SUN  
ATTN: LEGALS  
P.O. BOX 2734  
PALM SPRINGS, CA 92263

E-MAIL: [legals@thedesertsun.com](mailto:legals@thedesertsun.com)  
FAX: (760) 778-4731

RE: NOTICE OF PUBLIC HEARING: AG 1001; AG 1002; SP 369; GPA 846; GPA 889;  
ZC 7481

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) Time on Friday,  
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Your invoice must be submitted to this office in duplicate, **WITH TWO CLIPPINGS OF THE PUBLICATION.**

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Thank you in advance for your assistance and expertise.

Sincerely,

*Mcgil*

Cecilia Gil, Board Assistant to  
KECIA HARPER-IHEM, CLERK OF THE BOARD

**Gil, Cecilia**

---

**From:** Moeller, Charlene <CMOELLER@palmspri.gannett.com>  
**Sent:** Wednesday, July 13, 2011 8:54 AM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR PUBLICATION: AG 1001, 1002, SP 369, GPA 846, 889 ZC 7481

Ad received and will publish on date(s) requested.

**Charlene Moeller** | Media Sales Legal Notice Coordinator  
The Desert Sun Media Group  
750 N. Gene Autry Trail, Palm Springs, CA 92262  
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The Coachella Valley's #1 Source in News & Advertising!  
[www.mydesert.com](http://www.mydesert.com) | twitter @MyDesert | facebook MyDesert.com

---

**From:** Gil, Cecilia [<mailto:CCGIL@rcbos.org>]  
**Sent:** Wednesday, July 13, 2011 8:16 AM  
**To:** tds-legals  
**Subject:** FOR PUBLICATION: AG 1001, 1002, SP 369, GPA 846, 889 ZC 7481

Good Morning! Attached is a Notice of Public Hearing, for publication on Friday, July 15, 2011. Please confirm. THANK YOU!

*Cecilia Gil*  
Board Assistant to the  
Clerk of the Board of Supervisors  
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.  
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AGRICULTURAL PRESERVES, A SPECIFIC PLAN, GENERAL PLAN AMENDMENTS AND A CHANGE OF ZONE IN THE LOWER COACHELLA VALLEY ZONING DISTRICT – EASTERN COACHELLA VALLEY AREA PLAN, FOURTH SUPERVISORIAL DISTRICT AND NOTICE OF INTENT TO CERTIFY AN ENVIRONMENTAL IMPACT REPORT**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1<sup>st</sup> Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, July 26, 2011 at 1:30 P.M.** to consider the application submitted by Brookfield California Land Holdings, on **Agricultural Preserve No. 1001**, which proposes to diminish Coachella Valley Agricultural Preserve No. 18 and cancel the associated land conservation contract on a portion of the site consisting of two parcels totaling 52 gross acres; **Agricultural Preserve No. 1002**, which proposes to disestablish Coachella Valley Agricultural Preserve No. 62 and cancel the associated land conservation contract on a portion of the project site consisting of three parcels totaling 131 gross acres; **Specific Plan No. 369**, which proposes a master-planned community on 612.1 acres supporting traditional single-family residential, multi-family residential, and open space land uses including recreational parks and drainage areas, and which also proposes 2,354 residential dwelling units, a 45.3 acre public park, a private clubhouse on 4 acres, a covered irrigation storage pond, and regional trails, and, designates 2.5 acres for an electrical substation and 46 acres for major roadway improvements; **General Plan Amendment No. 846 (Land Use)**, which proposes to amend the Riverside County General Plan Land Use Element as it applies to the 612.1 acre project site by changing the Land Use from Agriculture (AG), Public Facility (PF), and Light Industrial (L1) to Medium Density Residential (MDR), Medium High Density Residential (MHDR), High Density Residential (HDR), Open Space – Recreation (OS-R) and Open Space-Water (OS-W), as reflected on the proposed Land Use Plan; **General Plan Amendment No. 889 (Circulation)**, which proposes to amend the Circulation Element of the General Plan to 1) downgrade 58<sup>th</sup> Avenue between Polk Street and Orange Avenue from a Major Highway (118' right-of-way) to a Secondary Highway (100' right-of-way), and 2) eliminate the segment of 58<sup>th</sup> Avenue from Orange Avenue to Fillmore Street from the General Plan Circulation Element entirely; and, **Change of Zone No. 7481**, which proposes to change the zone from Heavy Agriculture (A-2-20) and Manufacturing-Service Commercial (M-SC) to Specific Plan (SP), and to amend Ordinance No. 348 to incorporate the Specific Plan zoning standards, or such other zones as the Board may find appropriate ("the project"). The project is located southerly of Avenue 57, westerly of Fillmore Street, northerly of Avenue 60 and easterly of Polk Street, in the Lower Coachella Valley Zoning District – Eastern Coachella Valley Area Plan, Fourth Supervisorial District.

The Planning Commission approved the project, found that the environmental effects have been addressed and recommended the certification of **Environmental Impact Report No. 504**.

The project case file may be viewed from the date of this notice until the public hearing, Monday through Thursday, from 7:30 a.m. to 5:30 p.m. at the Clerk of the Board of Supervisors, 1<sup>st</sup> Floor, and at the Riverside County Planning Department, 12<sup>th</sup> Floor, at 4080 Lemon Street, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT MATT STRAITE, PROJECT PLANNER, AT (951) 955-8631 OR EMAIL [mstraite@rcttma.org](mailto:mstraite@rcttma.org).

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

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

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

Dated: July 13, 2011

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



**Gil, Cecilia**

---

**From:** Meyer, Mary Ann <MaMeyer@asrclkrec.com>  
**Sent:** Wednesday, July 13, 2011 2:06 PM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR POSTING: AG 1001, 1002, SP 369, GPA 846, 889, ZC 7481

posted

---

**From:** Gil, Cecilia  
**Sent:** Wednesday, July 13, 2011 8:16 AM  
**To:** Meyer, Mary Ann  
**Subject:** FOR POSTING: AG 1001, 1002, SP 369, GPA 846, 889, ZC 7481

Hello! Good Morning! Can you please post this Notice and confirm with me? Thanks!

*Cecilia Gil*

Board Assistant to the  
Clerk of the Board of Supervisors  
951-955-8464

***THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.  
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.***

## CERTIFICATE OF MAILING

(Original copy, duly executed, must be attached to  
the original document at the time of filing)

I, Cecilia Gil, Board Assistant, for the  
(NAME and TITLE)

County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on July 13, 2011, I mailed a copy of the following document:

### NOTICE OF PUBLIC HEARING

AG 1001, AG 1002, SP 369, GPA 846, GPA 889, ZC 7481, EIR 504

to the parties listed in the attached labels, by depositing said copy with postage thereon fully prepaid, in the United States Post Office, 3890 Orange St., Riverside, California, 92501.

**Board Agenda Date:** July 26, 2011 @ 1:30 PM

SIGNATURE: Mcgil  
Cecilia Gil

DATE: July 13, 2011



## PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 6/16/2011,

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

APN (s) or case numbers SP00369 For

Company or Individual's Name Planning Department,

Distance buffered 1000'.

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

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

NAME: Vinnie Nguyen

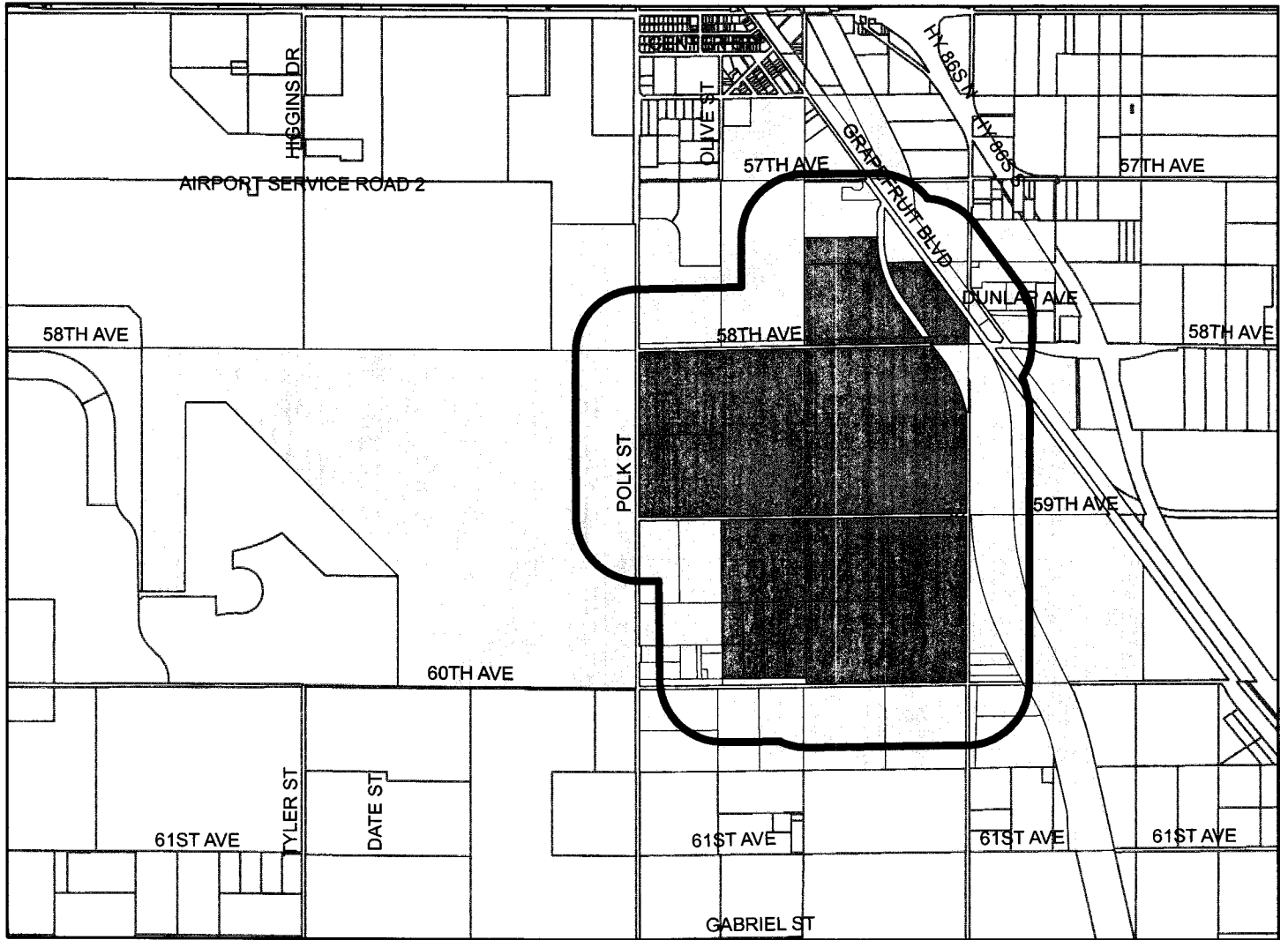
TITLE GIS Analyst

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

Riverside, Ca. 92502

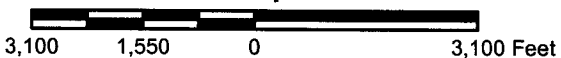
TELEPHONE NUMBER (8 a.m. – 5 p.m.): (951) 955-8158

## 1000 feet buffer



### Selected Parcels

757-200-001	757-200-002	757-200-003	757-210-003	757-210-004	757-210-005	757-210-015	757-210-017	757-210-018	757-210-020
757-210-021	757-210-022	757-210-023	757-210-024	757-210-025	757-210-006	757-210-013	757-090-009	757-090-025	757-140-049
757-150-001	757-150-003	757-150-027	757-150-034	757-210-026	757-210-027	757-210-001	757-280-036	757-150-006	757-150-039
757-062-002	757-080-005	757-090-022	759-070-006	759-100-012	757-080-011	757-090-010	757-090-012	757-090-013	757-090-014
757-150-014	757-200-004	757-210-028	757-220-014	757-230-009	757-280-027	757-080-012	757-090-007	757-090-020	757-230-003
757-090-029	757-210-008	757-260-001	757-260-002	757-260-003	757-260-004	757-260-005	757-230-008	757-210-010	757-090-024
757-280-035	757-220-020	757-230-004	757-210-011	757-210-012	757-220-001	757-230-002	757-260-017	757-210-016	757-210-002
757-230-001	757-210-009	757-080-013	757-090-015	757-090-016	757-150-015	757-150-036	757-220-017	757-090-004	757-090-011



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



ASMT: 757090020, APN: 757090020  
D DUNLAP, ETAL  
16897 ALGONQUIN ST STE A  
HUNTINGTON BEACH CA 92649

ASMT: 757210001, APN: 757210001  
CAROLE ARIAS  
81173 AURORA AVE  
INDIO CA 92201

ASMT: 757090022, APN: 757090022  
COCOPAH NURSERIES INC  
81880 ARUS AVE  
INDIO CA 92201

ASMT: 757210002, APN: 757210002  
RICHARD TOTTEN, ETAL  
87165 AVENUE 59  
THERMAL, CA. 92274

ASMT: 757090024, APN: 757090024  
JOE CHAVEZ  
P O BOX 28  
INDIO CA 92201

ASMT: 757210006, APN: 757210006  
AIRPORT BOULEVARD PROP  
1570 LINDA VISTA DR  
SAN MARCOS CA 92069

ASMT: 757090029, APN: 757090029  
DESERT ALLIANCE COMMUNITY EMPOWERME  
53990 ENTERPRISE WAY NO 1  
COACHELLA CA 92236

ASMT: 757210009, APN: 757210009  
SAUL GARCIA, ETAL  
87190 AVENUE 60  
THERMAL CA 92274

ASMT: 757150006, APN: 757150006  
COACHELLA VALLEY CITRUS INC  
C/O COZETTE DUNLAP  
16897 ALGONQUIN ST NO A  
HUNTINGTON BEACH CA 92649

ASMT: 757210010, APN: 757210010  
HUMBERTO MARQUEZ, ETAL  
48352 PINTO LN  
COACHELLA CA 92236

ASMT: 757150034, APN: 757150034  
BELK HOLDINGS  
P O BOX 24  
COACHELLA CA 92236

ASMT: 757210011, APN: 757210011  
NELSON HINCHEN  
C/O LONA STITT  
5723 7TH AVE  
LOS ANGELES CA 90043

ASMT: 757150039, APN: 757150039  
COACHELLA VALLEY CITRUS  
16897 ALGONQUIN NO A  
HUNTINGTON BEACH CA 92649

ASMT: 757210012, APN: 757210012  
NELSON THOMPSON, ETAL  
C/O PATRICIA NEAL  
27925 ROCKWOOD AVE  
MORENO VALLEY CA 92555

ASMT: 757210013, APN: 757210013  
ARMA LAWRENCE, ETAL  
C/O NAPOLEON THOMPSON  
46654 CARNATION CT  
INDIO CA 92201

ASMT: 757230002, APN: 757230002  
OASIS DATE GARDENS  
P O BOX 757  
THERMAL CA 92274

ASMT: 757210016, APN: 757210016  
RAMON LARA, ETAL  
59800 POLK ST  
THERMAL, CA. 92274

ASMT: 757230003, APN: 757230003  
DAVID ZARAGOZA, ETAL  
59850 FILMORE ST  
THERMAL, CA. 92274

ASMT: 757210025, APN: 757210025  
AGRI EMPIRE  
P O BOX 490  
SAN JACINTO CA 92581

ASMT: 757230004, APN: 757230004  
MIGUEL WILLIAMS  
P O BOX 1341  
THERMAL CA 92274

ASMT: 757210027, APN: 757210027  
BROOKFIELD CALIF LAND HOLDINGS  
C/O JOHN M STEWART  
1522 BROOKHOLLOW STE 1  
SANTA ANA CA 92705

ASMT: 757230008, APN: 757230008  
EPIFANIO ROJAS, ETAL  
45210 DESERT VIEW CT  
LA QUINTA CA 92253

ASMT: 757220017, APN: 757220017  
SOUTHERN PACIFIC TRANSPORTATION CO  
1700 FARNAM ST 10TH FL S  
OMAHA NE 68102

ASMT: 757260005, APN: 757260005  
DESERT HERB FARMS INC  
P O BOX 845  
THERMAL CA 92274

ASMT: 757220020, APN: 757220020  
MAURICIO AGUIRRE, ETAL  
P O BOX 1531  
INDIO CA 92202

ASMT: 757260017, APN: 757260017  
ONESIMO ARIAS, ETAL  
P O BOX 342  
THERMAL CA 92274

ASMT: 757230001, APN: 757230001  
ROBERT LOWER  
P O BOX 201  
THERMAL CA 92274

ASMT: 757280027, APN: 757280027  
CVCWD  
P O BOX 1058  
COACHELLA CA 92236

ASMT: 757280035, APN: 757280035  
MARJEN PROP  
C/O REG WHYTE  
R R 2  
COCHRANE AB CANADA T4C1A2

ASMT: 757280036, APN: 757280036  
CHOCOLATE MOUNTAIN FARMS  
4215 S DAHLIA ST  
ENGLEWOOD CO 80113

ASMT: 759100012, APN: 759100012  
COUNTY OF RIVERSIDE  
3525 14TH ST  
RIVERSIDE CA 92501

*(Applicant/owner)*  
Brookfield CA Land Holdings  
Attn: John Stewart  
1522 Brookhollow Dr. Ste. 1  
Santa Ana, CA 92705

*(Engineer)*  
T & B Planning Consultants  
17542 East 17th St. Ste. 100  
Tustin, CA 92780

**FAX MEMO**

---

April 22, 2011

**TO:** Clerk of the Board  
Supervisor Bob Buster (ATTN: Dave Stahovich)  
Supervisor John Tavaglione (ATTN: John Field)  
Chairman Jeff Stone (ATTN: Olivia Barnes)  
Supervisor John J. Benoit (ATTN: Mike Gialdini)  
Chairman Marion Ashley (ATTN: Darcy Kuenzi)

**FROM:** Dan Silver (EHL) 213-804-2750

**RE: Agenda Item 16.2, July 26, 2011**

**PAGES:** 3 (including cover)

RECEIVED BY ERS/JOE CANTATA  
CLERK / BOARD OF SUPERVISORS  
2011 JUL 25 AM 7:29

7-26-2011  
16.2

# ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



July 21, 2011

*VIA ELECTRONIC MAIL AND FACSIMILE*

The Hon. Bob Buster, Chairman  
Board of Supervisors  
County of Riverside  
4080 Lemon St., 12<sup>th</sup> Floor  
Riverside, CA 92501

**RE: Item 16.2: Specific Plan No. 369, GPA No. 846 (Hearing Date: July 26, 2011)  
– OPPOSITION**

Dear Chairman Buster and Members of the Board:

The Endangered Habitats League (EHL) appreciates the opportunity to provide written testimony on this proposed project. We urge *denial*.

This General Plan Amendment for 2,354 housing units on agricultural land in the Coachella Valley, in association with other parts of the "South Valley Improvement Plan," constitutes large-scale and – from a planning perspective – unjustified sprawl. It mocks the notion of a comprehensive General Plan Update, in which alternative growth scenarios for the County are examined and compared prior to adoption.

In your decision-making, we urge you to ask the following questions, which *should* have been asked by the Planning Department, TLMA, and the Planning Commission:

What is the absorption capacity of the *existing* General Plan to accommodate growth in the region compared with the actual population increase anticipated? *In other words, is there an objective need to rezone more land for urban development?* If no objective need, wouldn't adding to an existing surplus of housing capacity create a more disorganized and disjointed pattern of growth? Wouldn't this contribute to inefficient and costly infrastructure and service provision?

How does this project fit into the County's strategy for reducing greenhouse gas emissions and complying with SB 375? How will it lead to the key goal of reducing the number of vehicles-miles-traveled per person?

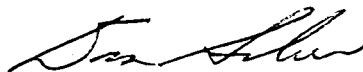
If landowner desires continue to dictate the pattern of development in Riverside County, then the public interest is not served.

2011 07 22 14:53

2011 07 22 14:53

2011-7-108711

With best regards,

A handwritten signature in black ink, appearing to read "Dan Silver". The signature is fluid and cursive, with a large initial "D" and "S".

Dan Silver  
Executive Director



**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AGRICULTURAL PRESERVES, A SPECIFIC PLAN, GENERAL PLAN AMENDMENTS AND A CHANGE OF ZONE IN THE LOWER COACHELLA VALLEY ZONING DISTRICT – EASTERN COACHELLA VALLEY AREA PLAN, FOURTH SUPERVISORIAL DISTRICT AND NOTICE OF INTENT TO CERTIFY AN ENVIRONMENTAL IMPACT REPORT**

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Dated: July 13, 2011

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

16-2 of 07-26-11

RECEIVED RIVERSIDE COUNTY  
CLERK / BOARD OF SUPERVISORS

2011 JUL 19 PM 1:56

ASMT: 757210016, APN: 757210016  
RAMON LARA, ETAL  
59800 POLK ST  
THERMAL, CA. 92274

**PUBLIC HEARING NOTICE**  
*This may affect your property*

Riverside County Clerk of the Board  
County Administrative Center  
4080 Lemon Street, 1<sup>st</sup> Floor Annex  
P. O. Box 1147  
Riverside, CA 92502-1147



REMOVE SIDE EDGES FIRST  
THEN FOLD AND TEAR THIS STUB ALONG PERFORATION

BC: 92502114747 \*0904-02759-13-42  
RETURN TO SENDER  
NO MAIL TO BE FORWARDED  
NIXIE DE 1 00 07/19/11

922748999  
925021147

enterprise media

# Legal Advertising Invoice

THE PRESS-ENTERPRISE 

THE BUSINESS PRESS 



① BILLING PERIOD 07/15/11 - 07/15/11 | ② ADVERTISING/CLIENT NAME BOARD OF SUPERVISORS  
 ⑤ BILLING DATE 07/15/11 | FOR BILLING INFORMATION CALL (951) 368-9713 | ④ PAGE NO 1  
 ③ TOTAL AMOUNT DUE 334.10 | \* UNAPPLIED AMOUNT | TERMS OF PAYMENT Due Upon Receipt

⑨ REMITTANCE ADDRESS  
 POST OFFICE BOX 12009  
 RIVERSIDE, CA 92502-2209

⑧ BILLED ACCOUNT NAME AND ADDRESS  
 BOARD OF SUPERVISORS  
 COUNTY OF RIVERSIDE  
 P.O. BOX 1147  
 RIVERSIDE CA 92502

⑥ BILLED ACCOUNT NUMBER 045202 | REP NO LE04

Statement #: 56604146 Amount Paid \$ \_\_\_\_\_ Your Check # \_\_\_\_\_

PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

① DATE	① REFERENCE	② ③ ④ DESCRIPTION-OTHER COMMENTS/CHARGES	⑤ SAU SIZE ⑥ BILLED UNITS	⑥ RATE	⑦ GROSS AMOUNT	⑧ NET AMOUNT
07/15	4314874 CO	PH - AG 1001 AG 1002SP 369 GPA Class : 10 Ctext Ad# 10727486 Placed By : Cecilia Gil	257 L	1.30		334.10

RECEIVED RIVERSIDE COUNTY  
 BOARD OF SUPERVISORS  
 2011 JUL 25 PM 07

*Planning  
 16-2 of 07-26-11  
 1-hv  
 207481*

② CURRENT NET AMOUNT DUE	③ 30 DAYS	④ 60 DAYS	⑤ OVER 90 DAYS	* UNAPPLIED AMOUNT	⑧ PLEASE PAY THIS AMOUNT
					334.10

enterprise media  
 THE PRESS-ENTERPRISE   
 P.O. BOX 12009  
 RIVERSIDE, CA 92502-2209  
 FAX (951) 368-9026

ADVERTISING  
 STATEMENT/INVOICE

\* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE



② STATEMENT NUMBER	③ BILLING PERIOD	④ BILLED ACCOUNT NUMBER	⑤ ADVERTISER/CLIENT NUMBER	⑥ ADVERTISER/CLIENT NAME
56604146	07/15/11 - 07/15/11	045202		BOARD OF SUPERVISORS

# THE PRESS-ENTERPRISE

3450 Fourteenth Street  
Riverside CA 92501-3878  
951-684-1200  
951-368-9018 FAX

PROOF OF PUBLICATION  
(2010, 2015.5 C.C.P.)

Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: PH - AG 1001 AG 1002 SP 369 GPA 846

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673 and under date of August 25, 1995, Case Number 267864; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

07-15-11

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: Jul. 15, 2011  
At: Riverside, California



BOARD OF SUPERVISORS

P.O. BOX 1147  
COUNTY OF RIVERSIDE  
RIVERSIDE CA 92502

Ad #: 10727486

PO #:

Agency #: \_\_\_\_\_

Ad Copy:

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AGRICULTURAL PRESERVES, A SPECIFIC PLAN, GENERAL PLAN AMENDMENTS AND A CHANGE OF ZONE IN THE LOWER COACHELLA VALLEY ZONING DISTRICT EASTERN COACHELLA VALLEY AREA PLAN, FOURTH SUPERVISORIAL DISTRICT AND NOTICE OF INTENT TO CERTIFY AN ENVIRONMENTAL IMPACT REPORT

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on Tuesday, July 26, 2011 at 1:30 P.M. to consider the application submitted by Brookfield California Land Holdings, on Agricultural Preserve No. 1001, which proposes to diminish Coachella Valley Agricultural Preserve No. 18 and cancel the associated land conservation contract on a portion of the site consisting of two parcels totaling 52 gross acres; Agricultural Preserve No. 1002, which proposes to disestablish Coachella Valley Agricultural Preserve No. 62 and cancel the associated land conservation contract on a portion of the project site consisting of three parcels totaling 131 gross acres; Specific Plan No. 369, which proposes a master-planned community on 612.1 acres supporting traditional single-family residential, multi-family residential, and open space land uses including recreational parks and drainage areas, and which also proposes 2,354 residential dwelling units, a 45.3 acre public park, a private clubhouse on 4 acres, a covered irrigation storage pond, and regional trails, and, designates 2.5 acres for an electrical substation and 46 acres for major roadway improvements; General Plan Amendment No. 846 (Land Use), which proposes to amend the Riverside County General Plan Land Use Element as it applies to the 612.1 acre project site by changing the Land Use from Agriculture (AG), Public Facility (PF), and Light Industrial (LI) to Medium Density Residential (MDR), Medium High Density Residential (MHDR), High Density Residential (HDR), Open Space - Recreation (OS-R) and Open Space-Water (OS-W), as reflected on the proposed Land Use Plan; General Plan Amendment No. 889 (Circulation), which proposes to amend the Circulation Element of the General Plan to 1) downgrade 58th Avenue between Polk Street and Orange Avenue from a Major Highway (118' right-of-way) to a Secondary Highway (100' right-of-way), and 2) eliminate the segment of 58th Avenue from Orange Avenue to Fillmore Street from the General Plan Circulation Element entirely; and, Change of Zone No. 7481, which proposes to change the zone from Heavy Agriculture (A-2-20) and Man-

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ufacturing-Service Commercial (M-SC) to Specific Plan (SP), and to amend Ordinance No. 348 to incorporate the Specific Plan zoning standards, or such other zones as the Board may find appropriate ("the project"). The project is located southerly of Avenue 57, westerly of Fillmore Street, northerly of Avenue 60 and easterly of Polk Street, in the Lower Coachella Valley Zoning District - Eastern Coachella Valley Area Plan, Fourth Supervisorial District.

The Planning Commission approved the project, found that the environmental effects have been addressed and recommended the certification of Environmental Impact Report No. 504.

The project case file may be viewed from the date of this notice until the public hearing, Monday through Thursday, from 7:30 a.m. to 5:30 p.m. at the Clerk of the Board of Supervisors, 1ST Floor, and at the Riverside County Planning Department, 12th Floor, at 4080 Lemon Street, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT MATT STRAITE, PROJECT PLANNER, AT (951) 955-8631 OR EMAIL [mstrait@rctlma.org](mailto:mstrait@rctlma.org).

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

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed. Please send all written correspondence to Riverside County Clerk of the Board at 4080 Lemon Street, 1st Floor, P.O. Box 1147, Riverside, CA 92502-1147.

Dated: July 13, 2011  
Kecia Harper-Ihem, Clerk of the Board  
By: Cecilia Gil, Board Assistant 7/15

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PLANNING COMMISSION  
RIVERSIDE COUNTY

# The Desert Sun

mydesert.com

750 N. Gene Autry Trail  
Palm Springs, CA 92262  
Billing Inquiries: (866) 875-0854  
Main Office: (760) 322-8889

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RIVERSIDE COUNTY-BOARD OF SUP.  
PO BOX 1147  
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Customer No.	Invoice No.
RIV069	0004099364
For the Period	Thru
06/27/11	07/31/11
<b>Due Date</b>	<b>Amount Due</b>
08/15/11	6,339.88
<b>AMOUNT PAID</b>	

PLEASE RETURN THIS TOP SECTION WITH PAYMENT IN THE ENCLOSED ENVELOPE AND INCLUDE YOUR CUSTOMER NUMBER ON REMITTANCE.

Date	EDT	Class	Description	Times Run	Col	Depth	Total Size	Rate	Amount
0627			BALANCE FORWARD						7,014.48
0705			PAYMENT - THANK YOU						3,915.00-
0623	CLS	0001	CECILIA NO 2138 NOTICE T	2	2	59.00	236.00		205.88
0701	CLS	0001	CECILIA NO 2243 NOTICE O	2	2	694.00	2776.00		1,168.04
0706	CLS	0001	CECILIA NO 2284 NOTICE O	4	2	77.00	616.00		271.64
0715	CLS	0001	CECILIA NO 2409 NOTICE O	2	2	129.00	516.00		230.14
0716	CLS	0001	CECILIA NO 2430 NOTICE O	2	2	62.00	248.00		118.92
0720	CLS	0001	CECILIA NO 2462 BOARD OF	2	2	83.00	332.00		153.78
0724	CLS	0001	CECILIA NO 2522 NOTICE O	2	2	104.00	416.00		188.64
0724	CLS	0001	CECILIA NO 2523 BOARD OF	2	2	124.00	496.00		221.84
0727	CLS	0001	CECILIA NO 2532 NOTICE O	2	2	102.00	408.00		185.32
0727	CLS	0001	CECILIA NO 2533 NOTICE O	2	2	95.00	380.00		173.70
0731	CLS	0001	CECILIA NO 2603 NOTICE O	2	2	60.00	240.00		115.60
0731	CLS	0001	CECILIA NO 2604 NOTICE O	2	2	115.00	460.00		206.88
Current		Over 30 Days	Over 60 Days	Over 90 Days	Over 120 Days	<b>Total Due</b>			
3,240.40		3,099.48	.00	.00	.00	<b>6,339.88</b>			
Contract Type	Contract Qnty.	Expiration Date	Current Usage	Total Used	Quantity Remaining	Salesperson			
						MOELLER			

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16.2 of 07/26/11

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The Desert Sun  
750 N Gene Autry Trail  
Palm Springs, CA 92262  
760-778-4578 / Fax 760-778-4731

State Of California ss:  
County of Riverside

Advertiser:

RIVERSIDE COUNTY-BOARD OF SUP.  
4080 LEMON ST  
RIVERSIDE CA 925013

2000270947

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non paniel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

Newspaper: The Desert Sun

7/15/2011

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 15th day of July, 2011 in Palm Springs, California

Declarant's Signature

No 2409  
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THE BOARD OF SUPERVISORS OF RIVER-  
SIDE COUNTY ON AGRICULTURAL  
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Dated: July 13, 2011  
Kecia Harper-Ihem, Clerk of the Board  
By: Cecilia Gil, Board Assistant

Published: 7/15/11