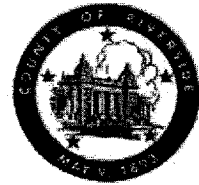


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

419B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
December 28, 2011

SUBJECT: Resolution 2012-025 Certifying Environmental Impact Report No. 504 and Adopting Specific Plan No. 369; Resolution No. 2012-026 Approving Agricultural Preserve Contract Cancellation No. 1002, Issuing Certificate of Tentative Cancellation and Disestablishing Agricultural Preserve No. 62; Resolution No. 2012-027 Approving Agricultural Preserve Contract Cancellation No. 1001, Issuing Certificate of Tentative Cancellation and Diminishing Agricultural Preserve No. 18; and Ordinance No. 348.4735 Adopting Change of Zone No. 7481.

RECOMMENDED MOTION:

ADOPTION of RESOLUTION NO. 2012-025 Certifying Environmental Impact Report No. 504 and Adopting Specific Plan No. 369 (Thermal 551) in accordance with the Board of Supervisors'

Carolyn Syms Luna

Carolyn Syms Luna
Planning Director

Initials:
CSL:ar

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0.00	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0.00	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0.00	For Fiscal Year:	11/12

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

C.E.O. RECOMMENDATION:

APPROVE

BY: *Tina Grande*

Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley seconded by Supervisor Buster and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Stone, Benoit and Ashley
Nays: None
Absent: Tavaglione
Date: January 10, 2012
xc: Planning, Applicant, Recorder

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref. 16.2/7/26/11

District: 4th

Agenda Number:

3.56

APPROVED COUNTY COUNSEL
 BY: *Tiffany N. North*
 DATE: 12/27/11
 Departmental Concurrence

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

The Honorable Board of Supervisors

RE: Resolution 2012-025 Certifying Environmental Impact Report No. 504 and Adopting Specific Plan No. 369; Resolution No. 2012-026 Approving Agricultural Preserve Contract Cancellation No. 1002, Issuing Certificate of Tentative Cancellation and Disestablishing Agricultural Preserve No. 62; Resolution No. 2012-027 Approving Agricultural Preserve Contract Cancellation No. 1001, Issuing Certificate of Tentative Cancellation and Diminishing Agricultural Preserve No. 18; and Ordinance No. 348.4735 Adopting Change of Zone No. 7481 Page 2 of 2

previous actions;

ADOPTION of RESOLUTION NO. 2012-026, approving Agricultural Preserve (AG No. 1001) contract cancellation No. 1001, issuing certificate of tentative cancellation and diminishing Agricultural Preserve No. 18 in accordance with the Board of Supervisors' previous actions.

ADOPTION of RESOLUTION NO. 2012-027, approving agricultural preserve (AG No. 1002) contract cancellation No. 1002, issuing certificate of tentative cancellation and disestablishing Agricultural Preserve No. 62 in accordance with the Board of Supervisors' previous actions.

ADOPTION of ORDINANCE NO. 348.4735 for 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) as shown on Map No. 41.085 and to incorporate the Specific Plan Zoning Ordinance text in accordance with the Board of Supervisors' previous actions.

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.

On July 26, 2011, at the close of the public hearing, the Board of Supervisors tentatively certified Environmental Impact Report No. 504, tentatively approved Specific Plan No. 369, tentatively approved Change of Zone No. 7481, tentatively approved Agricultural Preserve Case No. 1001, and tentatively approved Agricultural Preserve Case No. 1002.

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

Planning Department

Carolyn Syms-Luna · Planning Director

1/11/12
1/4/12

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

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

38686 El Cerrito Road
Palm Desert, California 92211

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

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

Project Title/Case Numbers

Matt Straite 951-955-8631
County Contact Person Phone Number

2007091030
State Clearinghouse Number (if submitted to the State Clearinghouse)

Brookfield California Land Holdings 1552 Brookhollow Drive Suite 1 Santa Ana California
Project Applicant Address

Southerly of Avenue 57, westerly of Fillmore Street, northerly of Avenue 60 and easterly of Polk St
Project Location

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. Eight residential product types are proposed ranging 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. The General Plan Amendment (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 (Circulation) 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), 2) eliminate the segment of 58TH Avenue from Orange Avenue to Fillmore Street from the General Plan Circulation Element entirely, 3) add as Modified Collector Roads (88' right-of-way) Orange Ave between 60TH Avenue and 58TH Avenue, 59TH Avenue between Polk Street and Street "A" of Specific Plan No. 369, and Street "A" connecting at the north and south to Orange Avenue within Specific Plan No. 369, and 4) add as Collector Roads (74' right-of-way) Orange Ave extending from 58th Avenue to the northerly Specific Plan No. 368 boundary, and 59TH Avenue between Street "A" with Specific Plan No. 368 and a point approximately 700' easterly of Orange Avenue all as shown on "Figure 3-4 - Circulation Master Plan" within Environmental Impact Report No. 504. 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. The Environmental Impact Report analyzes the project's impact to the environment.

Project Description

This is to advise that the Riverside County Board of Supervisors, as the lead agency, has approved the above-referenced project on 1/10/12, and has made the following determinations regarding that project:

1. The project WILL have a significant effect on the environment.
2. An Environmental Impact Report was prepared for the project pursuant to the provisions of the California Environmental Quality Act (\$2,919.00 + \$64).
3. Mitigation measures WERE made a condition of the approval of the project.
4. A Mitigation Monitoring and Reporting Plan/Program WAS adopted.
5. A statement of Overriding Considerations WAS adopted for the project.

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

Signature

Board Assistant

Title

Date

Date Received for Filing and Posting at OPR: _____

Please charge deposit fee case#: ZEA41243 ZCFG04626

FOR COUNTY CLERK'S USE ONLY

JAN 10 2012

3.55
3.56

GPA 846/889

3.55(1-10-12)

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

* REPRINTED * R0701343

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

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

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

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

By _____ Jan 24, 2007 13:02
VDOMINGU posting date Jan 24, 2007

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

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

Additional info at www.rctlma.org

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

* REPRINTED * R0911654

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

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

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

Received from: BROOKFIELD CALIFORNIA LAND HLDGS \$2,768.25
paid by: CK 807423
paid towards: CFG04626 CALIF FISH & GAME: DOC FEE
CALIFORNIA FISH AND GAME FOR EA41243
at parcel #:
apl 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!

Additional info at www.rctlma.org

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

* REPRINTED * R1004232

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

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

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

Received from: BROOKFIELD CALIFORNIA LAND HLDGS \$24.00
paid by: CK 50226
paid towards: CFG04626 CALIF FISH & GAME: DOC FEE
CALIFORNIA FISH AND GAME FOR EA41243
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!

Additional info at www.rctlma.org

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

* REPRINTED * R1104960

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

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

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

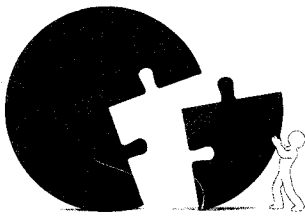
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paid by: CK 50818
paid towards: CFG04626 CALIF FISH & GAME: DOC FEE
CALIFORNIA FISH AND GAME FOR EA41243
at parcel #:
appl type: CFG3

By _____ May 19, 2011 08:24
MGARDNER posting date May 19, 2011

Account Code	Description	Amount
658353120100208100	CF&G TRUST	\$47.00

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

Additional info at www.rctlma.org



RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna
Director

493

DATE: December 28, 2011

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

SUBJECT: Resolution 2012-025 Certifying Environmental Impact Report No. 504 and Adopting Specific Plan No. 369; Resolution No. 2012-026 Approving Agricultural Preserve Contract Cancellation No. 1002, Issuing Certificate of Tentative Cancellation and Disestablishing Agricultural Preserve No. 62; Resolution No. 2012-027 Approving Agricultural Preserve Contract Cancellation No. 1001, Issuing Certificate of Tentative Cancellation and Diminishing Agricultural Preserve No. 18; and Ordinance No. 348.4735 Adopting 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:

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

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

Need Director's signature by 12/28/2011
Please schedule on the 01/10/2012 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"

**RESOLUTION NO. 2012-025
CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 504,
ADOPTING SPECIFIC PLAN NO. 369 (THERMAL 551)**

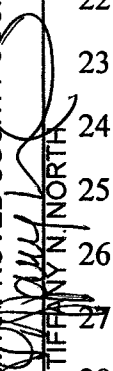
WHEREAS, pursuant to the provisions of Government Code Section 65450 et. seq., a public hearing was held before the Riverside County Board of Supervisors in Riverside, California on July 26, 2011 and before the Riverside Planning Commission on September 10, 2010 to consider Specific Plan No. 369 (Thermal 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,

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,

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

BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of Supervisors of the County of Riverside, in regular session assembled on January 10, 2012 that:

- 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.
- B. SP No. 369 is associated with General Plan Amendment No. 846 which was considered concurrently at the public hearing before the Board of Supervisors. General Plan Amendment

BY:  TIFANY NORTH
12/27/11
DAT

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

17
18 C. SP No. 369 is associated with General Plan Amendment No. 889 which was considered
19 concurrently at the public hearing before the Board of Supervisors. General Plan Amendment
20 No. 889 (GPA No. 00889) would amend the Circulation Element of the General Plan to
21 downgrade Avenue 58 between Polk Street and Orange Avenue from a Major Highway to a
22 Secondary Highway and eliminate the segment of Avenue 58 from Orange Avenue to Fillmore
23 Street from the General Plan Circulation Element entirely.

24 D. SP No. 369 is associated with Change of Zone (CZ No. 7481) which was considered
25 concurrently at the public hearing before the Board of Supervisors. CZ No. 7481 proposes to
26 change the zoning classifications for the on the 612.1-acre Project site from Heavy Agriculture
27 (A-2) and Manufacturing-Service Commercial (M-SC) to Specific Plan (SP) and to implement
28 the SP No. 369 zoning ordinance standards.

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

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

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

25 A. Land Use and Planning

26 1. Impacts.

27 The Project site is not located adjacent to a city or county boundary line, nor
28

1 is the Project site located within the sphere of influence of any city. As
2 such, the Project would not directly affect an adjacent city or county
3 boundary, and Project implementation would not directly affect the land
4 uses of any other jurisdictions. The proposed Project also would not
5 physically disrupt or divide the physical arrangement of an established
6 community. Significant impacts would not occur.

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

1 associated with the substantial alteration of the present or planned land use
2 of the area.

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

17 Project implementation has the potential to conflict with agricultural zoning
18 designations and/or actively cultivated lands adjacent to the site. However,
19 the proposed Project would be required to comply with Riverside County
20 Ordinance No. 625, the "Right to Farm" ordinance. Ordinance No. 625
21 states that if any agricultural operation that has been in place for at least
22 three years and was not considered a nuisance operation at the time the
23 operation began, no change in surrounding land uses shall cause said
24 operation to become a nuisance. Therefore, with mandatory compliance
25 with Riverside County Ordinance No. 625, impacts due to a conflict with
26 existing surrounding zoning designations and/or existing or planned
27 surrounding land uses would be reduced to a level below significance.
28

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

21
22 2. Mitigation.

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

26
27 B. Aesthetics

28 1. Impacts.

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

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

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

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

25 Adherence to the Countywide Design Standards and Guidelines and the
26 design guidelines and development standards that are included in the SP
27 No. 369 related to architecture, landscape architecture, lighting, fencing and
28

1 signage would ensure that the proposed development is attractive and not
2 aesthetically offensive. Therefore, the Project would not result in
3 significant impact associated with the creation of an aesthetically offensive
4 site open to public view, and impacts would be less than significant.

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

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

16 2. Mitigation.

17 No mitigation is required.

18 C. Agricultural Resources

19 1. Impacts.

20 The proposed Project would result in the diminishment of Coachella Valley
21 Agricultural Preserve No. 18, the disestablishment of Coachella Valley
22 Agricultural Preserve No. 62, and the cancellation of two land conservation
23 contracts under the Williamson Act. However, the Project will diminish
24 and/or disestablish the Agricultural Preserves and cancel the land
25 conservation contracts in accordance with the provisions and procedures of
26 the Williamson Act, thereby precluding a significant impact due to a
27 conflict with a Williamson Act contract. Conflicts with nearby existing
28

1 agricultural uses would be precluded through mandatory compliance with
2 Riverside County Ordinance No. 625. Accordingly, the Project would
3 result in less than significant impacts associated with conflicts with existing
4 agricultural use or a Williamson Act contract.

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

10 2. Mitigation.

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

14 D. Air Quality

15 1. Impacts.

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

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

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

14 EIR No. 504 evaluates the Project's impacts due to greenhouse gas
15 emissions. As explained in EIR No. 504, in the absence of a numeric
16 significance threshold from regulatory agencies, EIR No. 504 identifies as a
17 threshold of significance compliance with the California Assembly Bill 32
18 (AB 32, Global Warming Solutions Act of 2006) as a threshold of
19 significance for evaluating the Project's potential to cumulatively contribute
20 to adverse effects associated with greenhouse gas emissions. Therefore, the
21 selected threshold evaluates whether the Project would comply with the AB
22 32 mandate to reduce Project-related emissions by 28.3% as compared to
23 "business usual," which is defined as compliance with the 2006
24 amendments to Title 24 requirements. Implementation of the proposed
25 Project, including both construction and long-term operation, would result
26 in the average annual emissions of approximately 53,688.29 metric tons per
27 year of CO₂ Equivalent (CO₂E). These level of emissions, in the absence of
28

1 mitigation, would cumulatively contribute to adverse environmental effects
2 associated with Global Climate Change and would represent a direct
3 conflict with the mandates of Assembly Bill 32. The proposed Project is
4 not, however, anticipated to conflict with any applicable plan, policy, or
5 regulation adopted for the purpose of reducing emissions of greenhouse
6 gases, assuming compliance with the mitigation identified to address the
7 Project's cumulatively significant greenhouse gas emission impacts.

8 2. Mitigation.

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

- 13 a. During grading and construction activities, the applicant/builder
14 shall comply with the requirements of SCAQMD Rule 403, Fugitive
15 Dust.
- 16 b. In accordance with SCAQMD Rules 431.1 and 431.2, ultra-low
17 sulfur fuel diesel shall be used for stationary construction
18 equipment.
- 19 c. Construction contractors shall adhere to the idling restrictions as set
20 forth in California Air Resources Board (CARB) Section 2485,
21 Airborne Toxic Control Measure to Limit Diesel Fueled Motor
22 Vehicle Idling.
- 23 d. Street sweepers shall comply with SCAQMD Rules 1186 and
24 1186.1.
- 25 e. All trucks hauling dirt, sand, soil, or other loose materials are to be
26 covered or shall maintain at least two feet of freeboard (i.e.,
27 minimum vertical distance between top of the load and the top of the
28

1 trailer) in accordance with the requirements of California Vehicle
2 Code Section 23114.

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

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

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

14 i. Locations where grading is to occur shall be thoroughly watered
15 prior to earthmoving.

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

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

24 l. All excavating and grading operations shall be temporarily
25 suspended when wind speeds exceed 25 mph (measured as
26 instantaneous gusts) and make dust control extremely difficult.

27 m. All streets shall be swept once a day if visible soil materials are
28

1 carried to adjacent streets (recommend water sweepers with
2 reclaimed water).

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

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

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

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

17 r. All contractors shall support and encourage ridesharing and transit
18 incentives for the construction crew.

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

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

24 u. All contractors shall use electric- or diesel-powered equipment, in
25 lieu of gasoline-powered engines, where feasible.

26 v. Prior to approval of grading or building plans, the Riverside County
27 Building and Safety Department shall review proposed grading or
28

1 building plans to ensure that a note is included that requires the use
2 of electricity from power poles instead of using portable diesel or
3 gasoline powered generators.

4 w. During site construction activity, off-road construction equipment
5 shall utilize lean NOx catalysts to the extent feasible if such
6 technology is available for use at the time of construction.

7 x. Prior to the approval of implementing projects such as Site Plans,
8 Plot Plans, or Tentative Maps, the County shall verify that the
9 project will construct, contribute, or dedicate land for the provision
10 of on-site bicycle trails linking the site to designated bicycle
11 commuting routes, as specified by the Thermal 551 Specific Plan to
12 encourage alternative modes of transportation and reduce reliance on
13 the automobile for short trips.

14 y. Prior to the approval of implementing projects such as Site Plans,
15 Plot Plans, or Tentative Maps, the County shall verify that the
16 project will provide site improvements such as street lighting, street
17 furniture, route signs, and sidewalk or pedestrian trails as specified
18 by the Thermal 551 Specific Plan to encourage alternative modes of
19 transportation and reduce reliance on the automobile for short trips.

20 z. Prior to the issuance of building permits, the County shall verify that
21 the homes and commercial buildings will be constructed that
22 exceed minimum statewide energy construction requirements
23 beyond Title 24 requirements, including, but not limited to:

24 i. Use of low emission water heaters

25 ii. Use of energy efficient appliances

26 iii. Increased insulation

27
28 aa. During project construction, on-site off-road construction equipment

1 shall utilize biodiesel fuel (a minimum of B20), except for
2 equipment where use of biodiesel fuel would void the equipment
3 warranty. The applicant shall provide documentation to the County
4 that verifies that certain pieces of equipment are exempt, a supply of
5 biodiesel has been secured, and that the construction contractor is
6 aware that the use of biodiesel is required. As a conservative
7 measure, no reduction in GHG emissions was taken for the
8 implementation of this measure as it is unknown if biodiesel can be
9 readily applied to the various pieces of construction equipment that
10 will be necessary for the project.

11 bb. In order to reduce Project-related air pollutant and greenhouse gas
12 (GHG) emissions, and promote sustainability through conservation
13 of energy and other natural resources, building and site plan designs
14 shall ensure that the Project energy efficiencies surpass applicable
15 2008 California Title 24 Energy Efficiency Standards by a minimum
16 of 20 percent. Verification of increased energy efficiencies shall be
17 documented in Title 24 Compliance Reports provided by the
18 Applicant, and reviewed and approved by the County prior to the
19 issuance of the first building permit. Any combination of the
20 following design features may be used to fulfill this mitigation
21 measure provided that the total increase in efficiency meets or
22 exceeds 20 percent beyond 2008 Title 24 standards:

- 23
- 24 i. Buildings shall exceed California Title 24 Energy Efficiency
25 performance standards for water heating and space heating
26 and cooling, as deemed acceptable by the County of
27 Riverside;
 - 28 ii. Increase in insulation such that heat transfer and thermal

1 bridging is minimized;

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

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

6 v. Incorporate energy efficient space heating and cooling
7 equipment;

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

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

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

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

24 cc. To reduce energy demand associated with potable water
25 conveyance, the Project shall implement the following:

26 i. Landscaping palette emphasizing drought tolerant plants;

27 ii. Use of water-efficient irrigation techniques;
28

1 iii. U.S. EPA Certified WaterSense labeled or equivalent
2 faucets, high-efficiency toilets (HETs), and water-conserving
3 shower heads.

4 E. Biological Resources

5 1. Impacts.

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

18 Implementation of the proposed Project would not conflict with the
19 provisions of an adopted local, regional or State conservation plan.
20 According to the regional Coachella Valley Multiple Species Habitat
21 Conservation Plan ("CVMSCHP"), the Project site does not lie within any
22 of the CVMSHCP conservation areas and as such, the Project site is not
23 designated for conservation, and a significant impact due to a conflict with
24 the provisions of an adopted Habitat Conservation Plan, Nature
25 Conservation Community Plan, or other approved local, regional, or state
26 conservation plan would not occur with Project implementation. Project
27 compliance with the CVMSHCP requires the payment of fees that would be
28

1 collected prior to final inspection or issuance of a certificate of occupancy.

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

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

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

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

1 such activities during the nesting/breeding season would be required in
2 order to avoid conflict with the Migratory Bird Treaty Act ("MBTA") and
3 California Fish & Game Code.

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

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

22 Off-site improvements have the potential to impact the desert pupfish,
23 should the species be present within the off-site impact area. The desert
24 pupfish is a federal- and state-designated endangered species. However,
25 impacts would be considered less than significant for this species, as the
26 desert pupfish is a Covered Species under the CVMSHCP and the Project
27 site not is included in the Conservation Area . Once approved, Project
28

1 consistency with the CVMSHCP would only require the payment of fees,
2 since the Project site is located outside of areas designated for conservation
3 under the CVMSHCP . Project compliance with the CVMSHCP requires
4 the payment of fees that would be collected prior to final inspection or
5 issuance of a certificate of occupancy.

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

26 Although no signs of raptor nesting were observed at the time of the 2007
27 or 2008 biological field survey, the potential exists for raptor nesting to
28

1 occur during each breeding season (approximately February through July).
2 Raptor species are protected under the MBTA. If an active raptor nest(s) is
3 present on the site at the time construction activities commence, impacts to
4 the nest site would be considered significant. Impacts could include nest
5 destruction and/or indirect disturbance to the nest from construction effects
6 such as elevated noise levels and dust. If the raptor nest on-site or within
7 the off-site impact area prior to initiation of land disturbance activities,
8 avoidance of such activities during the nesting/breeding season would be
9 required in order to avoid conflict with the Migratory Bird Treaty Act
10 (“MBTA”) and California Fish & Game Code

11 Project impacts on raptor foraging habitat, while individually limited could
12 be cumulatively considerable when viewed in connection with the effects of
13 past projects, the effects of other current projects, and the effects of
14 probable future projects. However, impacts would be considered less than
15 significant for raptor foraging habitat, as the Project site is not included in a
16 Conservation Area. Once approved, Project consistency with the
17 CVMSHCP would only require the payment of fees, since the Project site is
18 located outside of areas designated for conservation under the plan. Project
19 compliance with the CVMSHCP requires the payment of fees that would be
20 collected prior to final inspection or issuance of a certificate of occupancy.

21 Impacts to the prairie falcon, southwestern willow flycatcher, the California
22 black rail, the Yuma clapper rail, and the Least Bell’s vireo would be less
23 than significant due to a lack of suitable nesting habitat on-site or because
24 these species are “Covered Species” under the CVMSHCP. Some of the
25 above species are Covered Species under the CVMSHCP and the Project
26 site is not included in the Conservation Area. Once approved, Project
27 consistency with the CVMSHCP would only require the payment of fees,
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1 since the Project site is located outside of areas designated for conservation
2 under the CVMSHCP . Project compliance with the CVMSHCP requires
3 the payment of fees that would be collected prior to final inspection or
4 issuance of a certificate of occupancy.

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

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

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

25 Removal of the trees on the Project site may have an adverse impact on
26 nesting activity of native resident or migratory birds. The California Fish
27 and Game Code (Section 3503) prohibits the destruction of native resident
28

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

28 2. Mitigation.

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

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

16 b. Grading and tree removal shall not occur during the nesting season
17 (February 1 through August 31). If grading or tree removal must occur
18 during the nesting season, the Developer shall contract a qualified
19 biologist to conduct a nest survey within the on-site and off-site impact
20 area to ensure a violation of the MBTA does not occur. The nest survey
21 shall be conducted just prior to the start of any ground disturbing
22 activity or tree removals to determine if any nesting is taking place. If
23 found to contain any nesting raptors, the tree shall be avoided until the
24 nesting attempt is completed. The biologist shall contact the California
25 Department of Fish and Game to determine the necessary protocol for
26 nest avoidance according to the nesting species located on-site. The
27 CDFG generally recommends a minimum 500 foot buffer zone shall be
28

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

8 c. During the months of February 1 to August 31, a qualified biologist
9 shall conduct an intensive nest search in all trees slated for removal to
10 avoid destruction of migratory bird nests. Tree removal may be delayed
11 until October, to ensure reproductive success for native species using
12 the site. If the nests are empty, they may be removed by a qualified
13 biologist with permission by the California Department of Fish and
14 Game.

15 d. Following the issuance of an encroachment permit from the Coachella
16 Valley Water District to implement off-site improvements impacting the
17 Coachella Valley Stormwater Channel and prior to issuance of grading
18 permits, a qualified biologist shall conduct a jurisdictional delineation of
19 the off-site impact area. If jurisdictional drainages or waters of the
20 United States are identified within the off-site impact area, the applicant
21 shall obtain a 404 Permit/Nationwide Permit from the U.S. Army Corps
22 of Engineers and certification under Section 401 of the Clean Water Act
23 from the Regional Water Quality Control Board (RWQCB). The
24 RWQCB requires restrictions to control urban runoff from the site,
25 requires on-site treatment of runoff to improve water quality, and
26 imposes Best Management Practices (BMPs) on the construction.

27 e. Following the issuance of an encroachment permit from the Coachella
28

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

8 F. Circulation and Traffic

9 1. Impacts.

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

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

24 Although the Project site is located adjacent to the Jacqueline Cochran
25 Regional Airport, the residential density proposed by the Project is
26 consistent with density requirement for Airport Compatibility Zones D and
27 E, and the park uses proposed by the Project are consistent with the land
28

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

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

20 Although the Project site is located adjacent to the Jacqueline Cochran
21 Regional Airport, the Project would not affect air traffic because the
22 Jacqueline Cochran Regional Airport does not carry commercial
23 passengers, and the Project applicant has not identified any features of the
24 proposed Project with the potential to influence any air traffic-related
25 decisions or designs at the Jacqueline Cochran Regional Airport. The
26 Project does not propose any hazards to flight, which include physical (e.g.,
27 tall objects), visual, or electronic hazards that could interfere with the safety
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1 of aircraft operations. Therefore, a significant impact would not occur.

2 No unsafe circulation design features are proposed on-site, as all onsite
3 roadways would be constructed in accordance with appropriate County
4 standards for roadway design. There also are no proposed conditions off-
5 site that would comprise hazardous design features or incompatible uses.
6 Although the Project would generate a large volume of traffic that would
7 traverse two existing at-grade railroad crossings located along Airport
8 Boulevard/56th Avenue and 62nd Avenue, these crossings already include
9 appropriate signage, striping, and crossing guards to notify motorists of on-
10 coming trains. Therefore, because all roadway improvements would be
11 designed to County standards and because no conflict is anticipated
12 between rail and motor vehicle traffic due to existing safety design
13 measures at the existing crossings, a significant impact would not occur.

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

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

24 The proposed Project would accommodate a regional/equestrian trail to the
25 south along the Avenue 60 Project boundary; several types of pedestrian
26 paseos, trails, and sidewalks; and a Class I Bicycle / Pedestrian Trail along
27 the eastern length of the Project boundary. The Project site is currently
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1 served by the SunLine Transit Agency approximately 0.4 miles to the north,
2 and the Project would provide the necessary roadway improvements (e.g.
3 sidewalks fronting the Project site) to enable Project residents to utilize
4 transit services. The Project would not conflict with adopted transportation
5 policies supporting alternative transportation; therefore, significant impacts
6 would not occur.

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

11 2. Mitigation.

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

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

26 b. Prior to the issuance of grading permits, a focused Traffic Impact
27 Analysis for the fill material haul route(s) shall be conducted by the
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1 Project's traffic engineer. This analysis shall identify any significant
2 impacts that would occur with the Project's study area as a result of the
3 import of fill material, and mitigation measures shall be set forth to
4 maintain an appropriate level of service at these intersections.

- 5 c. Prior to the issuance of grading permits, the Riverside County
6 Transportation Department shall verify that any improvements
7 identified in the focused Traffic Impact Analysis for the fill material
8 haul route(s) have been completed.

9 G. Cultural Resources

10 1. Impacts.

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

5 Although no archaeological surface artifacts were identified during surveys
6 of the proposed Project site, buried resources may be present beneath the
7 surface of the site, resulting in a potentially significant impact if resources
8 are discovered during Project grading or other ground disturbing activities.

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

24 According to Riverside County General Plan EIR Figure 4.7.2,
25 "Paleontological Sensitivity Areas," the Project site is mapped within an
26 area having a paleontological sensitivity of "High A." The proposed
27 Project's potential impact on nonrenewable fossil resources is high for
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1 Holocene-age invertebrate fossils, which is evaluated as a potentially
2 significant impact. Additionally, Project implementation would result in the
3 loss of scattered mollusk shells and shell fragments which is regarded as a
4 significant impact due to their paleontological uniqueness.

5 2. Mitigation.

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

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

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

1 protective measures identified and listed in the mitigation plan and
2 discovery clause/treatment plan.

3 c. The archaeological mitigation plan and discovery clause/treatment plan
4 shall include, but not be limited to, the following content: 1) procedures
5 for ensuring proper resource recovery, permanent storage, maintenance,
6 archiving and recordation at a pre-determined repository, such as the
7 San Bernardino County Museum or a museum within Riverside County,
8 of discovered archaeological artifacts and associated specimen, geologic
9 and geographic site data; 2) consultation requirements between the
10 archaeological and construction staff; 3) general monitoring
11 requirements including area(s) to be monitored, monitoring schedule,
12 duration, etc; 4) protocols for discoveries that may include temporary
13 diversion of grading activities, complete "stop" work orders,
14 requirements for processing of discovered data, etc. A curation
15 agreement shall be submitted by the contracted archaeologist, who must
16 be registered with the County, to the County Archaeologist prior to the
17 issuance of grading permits.

18 d. The Project Developer shall enter into a pre-excavation agreement with
19 the culturally affiliated Native American tribe(s). The agreement shall
20 document archeological monitoring requirements and specify the
21 disposition of any significant resources discovered during monitoring.

22 e. Archaeological and tribal monitoring shall be conducted on a full-time
23 basis for all grading and ground disturbing activities, including
24 archaeological testing, until the contracted archaeologist, in consultation
25 with the culturally affiliated Native American tribe(s) and the County of
26 Riverside, determines that resources are not likely to be encountered. If
27 archaeological remains are found by the archaeological monitor,
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1 earthmoving shall be diverted temporarily around the deposits until they
2 have been evaluated, recorded, excavated, and/or recovered as
3 necessary. Earthmoving shall be allowed to proceed through the site
4 when the archaeological supervisor, in consultation with the culturally
5 affiliated Native American tribe(s) and the County of Riverside,
6 determines the artifacts are recovered and/or the site is mitigated to the
7 extent necessary.

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

14 g. A Phase IV final report of archaeological findings shall be prepared by
15 the contracted archaeologist for submission to the Eastern Information
16 Center (EIC) and the County of Riverside. The report shall be
17 submitted to the EIC and the County of Riverside prior to the 50th final
18 inspection within the Project. The report shall describe parcel history,
19 summarize field and laboratory methods used, if applicable, and include
20 any testing or special analysis information conducted to support the
21 findings. The report shall also include a discussion of the significance of
22 any recovered artifacts. The report and inventory, when submitted to the
23 EIC and County of Riverside, will signify completion of the program to
24 mitigate impacts to archaeological resources. Transfer of ownership
25 from the property owner to the culturally affiliated Native American
26 tribe(s) of any non-burial associated artifacts recovered during
27 monitoring shall occur on or after the report has been submitted.
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- 1 h. Prior to the issuance of grading permits for any implementing project
2 within the Specific Plan, the developer shall enter into an agreement
3 with a qualified paleontologist. This agreement shall include, but not be
4 limited to, the preliminary mitigation and monitoring procedures to be
5 implemented during the process of grading. A copy of said agreement
6 shall be submitted to the Riverside County Planning Department prior to
7 the issuance of any grading permits.
- 8 i. The excavation of areas identified as likely to contain paleontologic
9 resources shall be monitored by a qualified paleontological monitor.
10 Monitoring of earth-moving activities for paleontological resources is
11 recommended for grading in the undisturbed areas or after the top two
12 feet of surface materials have been removed from the farmed areas. The
13 monitor shall be prepared to quickly salvage fossils as they are
14 unearthed to avoid construction delays. The monitor also shall remove
15 samples of sediments that are likely to contain the remains of small
16 fossil invertebrates and vertebrates. The monitor must have the power
17 to temporarily halt or divert grading equipment to allow for removal of
18 abundant or large specimens.
- 19 j. Collected Samples of sediments should be washed to recover small
20 invertebrate and vertebrate fossils. Recovered specimens should be
21 prepared so that they can be identified and permanently preserved.
- 22 k. A curation agreement shall be prepared by the project's qualified
23 paleontologist (as listed on the County's Paleontology Consultant List)
24 and shall be submitted to the County Archaeologist prior to the issuance
25 of grading permits. Any specimens uncovered during grading or earth-
26 moving activities shall be identified, curated, and placed into a
27 repository with permanent retrievable storage.
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1. A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion of the paleontological monitoring program. This report must be prepared by a qualified paleontologist (as listed on the County's Paleontology Consultant List). The report shall include a discussion of the significance of all recovered specimens. The report shall be submitted to the EIC and the County of Riverside prior to the 50th final inspection within the Project. The report and inventory, when submitted to the County of Riverside, will signify completion of the program to mitigate impacts to paleontologic resources.

H. Energy Resources

1. Impacts.

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

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

7 2. Mitigation.

8 No mitigation is required.

9 I. Geology and Soils

10 1. Impacts.

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

19 There are no known active volcanoes within the Project vicinity. No sloped
20 landforms exist within the vicinity of the Project site that could affect the
21 site with mudflow. Because the Pacific Ocean is located approximately
22 100.0 miles west of the site, there is no potential for tsunamis to impact the
23 site. The closest large body of water is the Salton Sea, located
24 approximately 7.7 miles southeast of the site and situated at an elevation 87
25 feet below the proposed Project site. Due to the distance from the Project
26 site to the Salton Sea, along with the Project site's location at a higher
27 elevation, impacts from seiches associated with the Salton Sea are
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1 considered non-existent. Although the Coachella Valley Stormwater
2 Channel is located adjacent to the east of the Project site, it is not an
3 enclosed or semi-enclosed basin that would be conducive to reverberation
4 and creation of a seiche. Seiche-like sloshing within on-site pools may
5 develop during a major seismic event; however, effects of this seiche-like
6 sloshing would be less than significant and would only impact a limited
7 area directly adjacent to the pool. Flooding of adjacent residential
8 structures would not occur. Furthermore, the planned 3.0-acre irrigation
9 storage pond may develop seiche-like sloshing during a major seismic
10 event; however, the pond would be relatively shallow, confined by a berm,
11 and surrounded by a landscaped buffer zone. As a result, seiche-like
12 sloshing that may occur within the irrigation storage pond would be less
13 than significant and would not result in flooding of adjacent residential
14 structures.

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

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

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

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

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

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

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

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

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

25 Short-term erosion would not be extensive enough to result in the
26 modification of a river or stream channel or a lake bed. The Project would
27 be required to comply with CA Water Code § 13260-13274 by submitting a
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1 National Pollution Discharge Elimination System (NPDES) application for
2 a permit to the Regional Water Quality Control Board, Colorado River
3 Basin, Region 7. This NPDES Permit requires the Project applicant to
4 prepare and submit to the County for approval a Project-specific Water
5 Quality Management Plan (WQMP). Compliance with the NPDES permit
6 would ensure the reduction of sediment leaving the site. The NPDES
7 permit requires the incorporation of best management practices (BMPs) into
8 the Project design, both during construction and for the duration of the
9 Project's lifetime. The BMPs are intended to reduce potential runoff,
10 sedimentation, and erosion hazards.

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

19 The potential for seismic effects to the site is considered within the normal
20 range of risk for the Coachella Valley, and Southern California generally.
21 According to the site-specific geotechnical reports, the site is underlain by
22 inter-layered sandy and clayey soils, shallow groundwater levels, and is in
23 close proximity to the San Andres Fault Zone and other fault systems. The
24 preliminary liquefaction analysis indicates that the potential for liquefaction
25 is moderate to high within the sandy and silty soil horizons. Furthermore,
26 the uppermost soils of the site are relatively loose to medium dense as a
27 result of agricultural uses and were found to be unsuitable to support
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1 structures in their existing conditions. Due to the presence of loose sandy
2 layers in areas of the Project site, there is also the potential for dynamic
3 settlement resulting from seismic forces, heavy rainfall, or irrigation issues,
4 and weight of structures. As a result, subsidence is a potentially significant
5 Project impact, with differential settlement estimated at approximately 1.0
6 inches over 30 feet. According to the Project-specific geotechnical analysis,
7 potential total dynamic settlements under severe seismic conditions range
8 from 4.0 to 6.8 inches. As such, liquefaction and ground subsidence
9 impacts are regarded as significant and require mitigation.

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

22 While no known active fault lines cross through the site, a seismic event on
23 the San Andreas Fault and its segments nearest to the site may result in
24 secondary impacts to the Project, including ground shaking. Site
25 acceleration from possible earthquakes on nearby faults may achieve a peak
26 ground acceleration of 0.81 g ("g" force) having a 10.0% possibility of
27 occurrence in 50 years. The site is located in Seismic Zone 4 as defined by
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1 the International Building Code. Zone 4 is the highest seismic hazard zone.
2 A major earthquake in the Southern California area above 7.0 magnitude on
3 the Richter Scale originating from nearby segments of the San Andreas
4 Fault zone near the Project, could cause moderate to severe ground shaking
5 at the site. Such an occurrence would be considered a critical seismic event
6 during the design life of proposed Project; therefore, people and property
7 would be exposed to a risk of loss, injury or death. This is evaluated as a
8 potentially significant impact for which mitigation would be required.

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

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

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

21 b. To provide uniform and acceptable support for planned construction, the
22 entire site shall be over-excavated to a depth recommended by the
23 Project geologist and replaced with approved compacted, engineered
24 fill. Processing of the exposed over-excavation bottom, per the
25 Geotechnical consultant recommendations and requirements of the
26 County of Riverside, is to be performed prior to replacement of
27 approved fills. The excavated alluvial soils may be reused as
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1 compacted fill provided it is free of organic material and properly
2 moisture-conditioned to achieve the required compaction. Import soils,
3 if required, shall be evaluated for suitability prior to delivery. Import
4 soils should be free of organics, trash, debris, rocks greater than six (6)
5 inches in maximum dimension, or other objectionable materials. All
6 grading operations are to be performed under the observation, testing,
7 and documentation of the Geotechnical consultant. Over-excavation
8 and bottom processing will likely include significant as-grading and
9 accounting for actual as-exposed conditions. Such operations should be
10 performed under the direct input of senior, licensed CEG or GE's of the
11 Geotechnical consultant, along with input of the senior County officials.

12 c. Prior to the issuance of a grading permit, the County Geologist shall
13 approve construction and grading techniques to fully mitigate impacts of
14 liquefaction. These techniques include, but are not limited to: dynamic
15 compaction, incorporation of geogrid/geotextiles, removal and
16 replacement with approved compacted fill, use of deep foundations, use
17 of mat foundations, and use of conventional foundations that
18 incorporate redundant systems. Final recommendations to be
19 implemented by the Project shall be identified in the design-level
20 geotechnical report(s) for each tract map or parcel map application.

21 d. During grading, the existing under-drainage system (tile drains), shall be
22 preserved, where possible, to reduce potential adverse effects due to
23 groundwater. Light weight excavation equipment shall be used where
24 excavations come near the existing tile drains to prevent damage to the
25 underdrainage system. Where the tile drains are to be disrupted or
26 exposed during grading, a replacement set of drains will be needed. The
27 grading and construction aspects of the underdrainage system shall be
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1 performed under the guidance, observation/documentation, and
2 recommendations of the Project Geologist. A formal evaluation of the
3 installed subdrainage system, including the remaining tile drains, shall
4 be evaluated for operation and flow once grading activities are
5 completed. This report shall be prepared by the Project Geologist, the
6 Project Civil Engineer, or the Project Agricultural/Civil Engineer and
7 submitted to Riverside County for review.

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

4 h. Graded, but undeveloped land shall be maintained weed-free and
5 planted with interim landscaping within 90 days of completion of
6 grading, unless building permits are obtained.

7 i. During construction, a moisture/vapor retarder shall be installed under
8 concrete slab-on-grade, per the guidelines of the American Concrete
9 Institute (ACI Committee Report 302.1R-96) and the Project
10 geotechnical consultant, to reduce the potential for moisture/water vapor
11 migration up through the slab and possibly affecting floor covering,
12 wood cabinets, and other objects. "Raised floor" construction shall also
13 be utilized, where applicable, to prevent contact between the floor
14 system and the ground by supporting the floor on perimeter stem walls
15 and interior strip and isolated footings.

16 j. All roof and surface drainage shall be directed away from structures and
17 their appurtenances and slopes to approved drainage facilities to avoid
18 ponding of water. For graded soil areas, a minimum gradient of 2
19 percent away from structures shall be maintained.

20 k. During Project operation, irrigation must be minimized, and landscaping
21 that is both tolerant of the climate and tolerant of moderate salt
22 accumulations shall be used.

23
24 J. Hazards and Hazardous Materials

25 1. Impacts.

26 The Project site is proposed for open space and residential land uses.
27 Household goods used by residential homes that contain toxic substances
28 are usually low in concentration and small in amount; therefore, there is no

1 significant risk to humans or the environment from the use of such
2 household goods. There are numerous laws and regulations that govern the
3 use and storage of hazardous materials in order to minimize risks to human
4 health. The proposed Project would be required to comply with these
5 federal, state, and local laws and regulations. Assuming compliance with
6 applicable regulations, potential exposure of people to hazardous materials
7 associated with the proposed Project would represent a less than significant
8 impact. In addition, compliance with applicable regulations would ensure
9 that reasonably foreseeable upset and accident conditions involving the
10 release of hazardous materials into the environment would be less than
11 significant.

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

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

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

27
28 Records indicate that approximately 562 acres of the site has supported

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

6 Approximately 10 acres of the Project site were previously used as a burn
7 and soil cover type landfill operated by the County of Riverside Solid
8 Waste Management Department. No significant landfill gas accumulation
9 or groundwater contamination was identified for the landfill site. The
10 potential human health risks of the landfill materials will be evaluated in a
11 Baseline Risk Assessment of the landfill. The finding the Baseline Risk
12 Assessment will be used in the design of the closure requirements of the
13 landfill site. The closed landfill will include an engineered landfill cover,
14 drainage, land use covenant/deed restrictions, and development of an
15 implementation and enforcement plan. The Baseline Risk Assessment and
16 landfill closure would be conducted in accordance with the requirements of
17 the Department of Toxic Substances Control (DTSC). Potential impacts
18 relating to the landfill closure may require periodic groundwater and soil
19 gas monitoring, covenant/deed restrictions within the area of the landfill,
20 maintenance of the landfill cover and drainage, and implementation of the
21 landfill enforcement plan. Implementation of the proposed project would
22 therefore reduce the potential of a significant hazard to the public or the
23 environment through reasonably foreseeable upset and accident conditions
24 involving the release of hazardous materials into the environment.
25 However, a significant impact would occur if the Project were to be
26 constructed without implementation of the closure and maintenance of the
27 former Thermal Landfill site. This is evaluated as a potentially significant
28

1 impact of Project implementation for which mitigation would be required.
2 Mandatory compliance with State DTSC and Riverside County DEH
3 requirements would reduce potential impacts associated with transport and
4 use of hazardous materials during Project construction to below a level of
5 significance.

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

1 potential to produce conditions that could increase the incidence of rodent
2 infestation in the area, a potentially significant impact is identified for
3 which mitigation will be 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 issuance of a grading permit, the Project applicant shall ensure
10 proper closure of the landfill site in accordance with the State of
11 California, Department of Toxic Substances Control (DTSC) and the
12 County of Riverside, Department of Environmental Health (CRDEH).

13 The landfill closure shall include an engineered landfill cover, drainage,
14 land use covenant/deed restrictions, and development of an
15 implementation and enforcement plan as approved by the CRDEH and
16 the DTSC. The engineered landfill cover shall include the installation of
17 a flexible membrane liner or other approved engineered water
18 infiltration protective system as required by the CRDEH and DTSC.

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

26 c. Prior to approval of building permits, the County Building Department
27 shall verify that building plans incorporate requirements to ensure that
28

1 appropriate seals are made wherever wiring or plumbing penetrate walls
2 so as to reduce the potential for rodent infestation of proposed
3 structures.

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

19 K. Hydrology and Water Quality

20 1. Impacts.

21 The Project has been designed to maintain the existing topography of the
22 site, with minor modifications as necessary for sewer and drainage.
23 Nonetheless, construction of the proposed Project would involve substantial
24 ground disturbance during the grubbing or removal of existing vegetation
25 and grading activities. In addition, on-site erosion could occur if graded
26 slopes are not stabilized when storms occur. The proposed grading
27 activities would generate fair amounts of silt which could be carried off-site
28

1 during a heavy rainfall event. Should such an event occur and in the
2 absence of any kind of precautionary or preventative measure to contain silt
3 and other soils on-site, erosion and/or siltation downstream would result.
4 However, the proposed Project would be subject to requirements of the
5 SWRCB, including requirements to obtain an NPDES permit and to
6 implement a SWPPP, which includes BMPs, which would ensure that
7 downstream water sources would be protected; accordingly, impacts to
8 erosion and siltation would be reduced to a level below significance.

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

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

1 significant, requiring no mitigation.

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

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

1 system coupled with an increase in impermeable surfaces would essentially
2 reduce the rate and amount of salt build-up and/or leaching of salts. Hence,
3 the degradation of the water associated with salt intrusion under existing
4 conditions would be substantially reduced upon implementation of the
5 proposed Project and be considered a beneficial water quality effect of the
6 proposed Project.

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

1 requirements are not violated. As such, the potential to violate water
2 quality standards and waste discharge requirements and further degrade
3 existing surface or ground water quality is considered less than significant.

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

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

25
26 In the absence of such BMPs, ponding and/or flooding could occur
27 contributing to the potential creation of mosquito breeding problems typical
28 of desert climate conditions. If conveyance systems are improperly

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

16 According to the Flood Hazard Report, prepared by Exponent, Inc., there
17 are three flooding sources that could potentially impact the Project site:
18 Martinez Canyon stormwater flows located to the southwest of the site;
19 rainfall-induced stormwater runoff from the agricultural lands located to the
20 northwest of the site; and overflow or levee breach of the Coachella Valley
21 Stormwater Channel located adjacent to the east of the site. The Project site
22 is located approximately 5.5 miles northeast of the furthest reaches of the
23 Martinez Canyon alluvial fan. In 2003, Bechtel mapped the flood zones of
24 the Martinez Canyon flows and determined that potential floodwaters
25 emanating from Martinez Canyon are likely to travel in a northeast direction
26 from the Canyon apex, east along the general alignment of Avenue 64, and
27 then in the southeast direction. Based on the direction of flows, flood
28

1 effects are not anticipated on the Thermal 551 Project site. The Project site
2 is outside the 100-year flood zone for Martinez Canyon Stormwater flows;
3 therefore, no impacts from this flood source would occur.

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

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

21 However, based on a preliminary analysis conducted by the CVWD as part
22 of FEMA's levee certification program, the CVWD determined that the
23 proposed Project vicinity may be subject to potential flood hazards caused
24 by a breach upstream from the Project site. Although the CVWD has long-
25 term plans to address such hazards through construction of improvements to
26 the levee, such improvements have not been designed or funded. The
27 proposed Project has addressed this potential for flooding through
28

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

9 2. Mitigation.

10 No mitigation is required.

11 L. Mineral Resources

12 1. Impacts.

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

26 The nearest area with known mineral resources is located approximately 2.5
27 miles northeast of the Project site. Areas surrounding the project site are
28

1 designated as MRZ-3, MRZ-4 (areas of no known mineral occurrence), and
2 unstudied. These areas within the Project vicinity are not designated as
3 State classified or designated area or existing surface mine, thus Project
4 implementation would not introduce incompatible land uses to existing or
5 designated mine areas.

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

11 2. Mitigation.

12 No mitigation is required.

13 M. Noise

14 1. Impacts.

15 Under year 2012, 2014, 2016, and General Plan Buildout conditions, the
16 proposed Project would result in roadway noise increases ranging from 0.0
17 dBA to 13.6 dBA on all segments. For 2012 and 2014, implementation of
18 the proposed Project would create off-site noise level impact on Polk Street
19 from Avenue 59 to Airport Boulevard of 3.2 and 3.3 dBA, resulting in noise
20 levels of 68.4 and 69.7 dBA CNEL, respectively. This increase in off-site
21 noise levels is considered significant, as it would impact the existing
22 residential areas along Polk Street, and mitigation would therefore be
23 required. For 2016, implementation of the proposed Project would create
24 off-site noise level impacts on Fillmore Street from Avenue 62 to State
25 Highway ("SH") 111. These impacts range from 6.2 to 6.4 dBA, resulting
26 in noise levels of 65.4 and 65.6 dBA CNEL. This increase in off-site noise
27 levels is considered significant because the noise level would increase by
28

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

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

11 Noise levels at 50 feet from Project construction activities are estimated at
12 89 dBA, at 100 feet are estimated at 83 dBA, and at 200 feet are estimated
13 at 77 dBA. Construction noise is of short-term duration and would not
14 present any long-term impacts on the Project site or the surrounding area.
15 In addition, the Project site is currently used for agricultural purposes and is
16 located in a relatively undeveloped area surrounded by other agricultural
17 uses to the north, east and south as well as the Jacqueline Cochran Regional
18 Airport to the west. The nearest sensitive source receptors are located in
19 excess of 0.5 miles to the northwest of the Project site. At such a distance,
20 noise levels would be naturally attenuated (i.e., noise levels would be
21 reduced to 65 dBA at a distance of roughly 800 feet from construction
22 activities, thereby indicating that noise levels would be within acceptable
23 limits at a distance of 0.5 mile). Therefore, any short-term increases in
24 ambient noise levels attributable to construction activities would be
25 considered a less than significant impact. Mandatory compliance with
26 Ordinances No. 847 and 457.98 would further ensure that construction-
27 related noise noises impacts do not occur.
28

1 Groundborne vibration and noise are usually localized to areas within about
2 100 feet from the vibration source. Since the nearest sensitive source
3 receptors are located in excess of 0.5 miles to the northwest of the Project
4 site, they would not experience any vibratory effects, nor would it cause any
5 damage to off-site buildings. Therefore, impacts from construction-related
6 groundborne vibration would be less than significant and no mitigation is
7 required.

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

20
21 **2. Mitigation.**

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

- 26 a. Prior to final inspection, a 6.5-foot sound wall shall be constructed
27 along Polk Street, Avenue 60, Fillmore Street/SR. 111, and Fillmore
28 Street to reduce exterior and interior noise impacts to future Project

1 residents.

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

14
15 N. Population and Housing

16 1. Impacts.

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

23
24 The proposed Project is a residential master-planned community and would
25 provide for 2,354 new homes and house an estimated 7,138 new residents.

26 The proposed Project would provide a variety of housing types, including
27 single-family and multi-family residential homes that are designed to be
28 marketable within the evolving economic profile of the surrounding area, as

1 well as within Riverside County as a whole. The residential component of
2 the proposed Project would help meet the anticipated future population
3 growth trends and associated housing affordability demand within the
4 Coachella Valley for residents earning below the median income in the
5 County. Despite the increase in population associated with the proposed
6 Project, in and of itself, the Project would not create a demand for
7 additional housing because the Project is actually providing for such
8 housing. As such, the Project would have no impact on the demand for
9 housing.

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

24 The proposed Project would result in an overall population increase of
25 approximately 7,138 people beyond that projected in the existing County
26 General Plan. Under the existing General Plan, the Project site is
27 designated as agricultural, light industrial, and public facility, which would
28

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

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

1 environmental effects to below levels of significance with the exception of
2 impacts identified for air quality and the contribution of traffic to freeway
3 mainlines.

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

15
16 2. Mitigation.

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

20 O. Public Services

21 1. Impacts.

22 Development of the Thermal 551 Specific Plan would directly and
23 cumulative impact fire services by placing an additional demand on existing
24 County Fire Department resources and personnel should its resources not be
25 augmented. In accordance with the Riverside County Fire Protection
26 Master Plan, a new fire station and/or appropriate fire company is required
27 for the development of 2,000 dwelling units or more. The Project proposes
28 the development of 2,354 housing units; therefore, up to one new fire

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

8 The proposed Project would result in an approximate population increase of
9 7,138 residents. The incremental increase in population to the region could
10 result in an incremental increase in criminal activity such as burglaries,
11 thefts, auto thefts, vandalism, etc. However, according to the Riverside
12 Sheriff's Department, there is not a direct correlation between population
13 growth, the number of crimes committed, and the number of Sheriff's
14 Department personnel needed to respond to these increases. As the
15 population and use of an area increases, however, additional financing of
16 equipment and manpower needs are required to meet the increased demand.
17 The proposed Project would result in an increase in the cumulative demand
18 for services from the Riverside Sheriff's Department.

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

1 to maintain the County's desired level of service for sheriff protection. In
2 addition, implementation of a Neighborhood Watch Program between the
3 Project's Home Owner Association and the Sheriff's Department as
4 stipulated in the General Plan Mitigation Measure 4.15.2B would further
5 reduce impacts on sheriff resources to below the level of significance.

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

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

25
26 The Project's projected population was not accounted for in the County of
27 Riverside General Plan EIR (October 2003) analysis. However, as
28 described in the Riverside County General Plan FEIR, "the increase in the

1 County's tax base and the availability of State funding will provide the
2 funding for the future need." Additionally, mandatory compliance with
3 County Ordinance No. 659 requires a development impact fee payment to
4 the County that is partially allocated for the purchase of new library books.
5 As such, impacts to library facilities and resources would be reduced to a
6 less than significant level with the mandatory payment of development
7 impact fees.

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

23
24 2. Mitigation.

25 No mitigation is required.

26 P. Recreation

27 1. Impacts.

28 Although the Project provides a sufficient amount and diversity of

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

16 Development of recreational features within the Project site will have a
17 physical impact on the environment. However, these recreational and trail
18 features are integral to the Project and as such, impacts resulting from their
19 construction and operation are described throughout the analyses in EIR No.
20 504. In summary, construction of the proposed on-site recreational
21 facilities under the Project would result in potentially significant short-term
22 environmental impacts to air quality, biological resources, cultural
23 resources, hydrology, and land use. Where potentially significant impacts
24 are identified in these respective sections of the EIR, mitigation measures
25 are recommended to reduce the impact to below the level of significance.
26 No off-site parks or recreational improvements are proposed or required.
27 Accordingly, implementation of the proposed Project would not require the
28

1 construction or expansion of park facilities that could result in
2 environmental impacts beyond the impacts already studied in EIR No. 504
3 associated with the construction of on-site facilities. No new impacts would
4 occur.

5 The Project proposes a 45.3-acre public park, a 5.0-acre park/detention
6 basin, a 0.8-acre park, a 4.0-acre clubhouse area, 2.6-acre of private
7 recreation areas, seven private recreation areas/pocket parks (located within
8 residential Planning Areas 4, 8, 9, 12, 13, 14, and 15), and 13.1 acres of
9 paseos, which would be consistent with the pending South Valley
10 Implementation Program (SVIP). The Project site is located within the
11 boundaries of the Desert Recreation District (DRD), and the population
12 generation rates for the Project are established in the DRD Master Plan. In
13 accordance with Riverside County standards regarding Quimby Act
14 required parkland (5 acres/1,000 residents), and in accordance with
15 standards set by the DRD Master Plan (also 5 acres/1,000 residents), the
16 Project is required to provide 35.7 acres of parkland. Credits toward
17 fulfilling Riverside County Park and Recreation Fees and Dedications
18 requirements were determined in accordance with the specifications as
19 stipulated in Riverside County Ordinance No. 460 (Section 10.35.I.7.d) and
20 as specified in the DRD Master Plan. Under the Riverside County
21 Ordinance No. 460, public, active recreation facilities receive a 100%
22 credit, and passive or private facilities may receive a 50% credit.
23 Accordingly, the Thermal 551 community would provide 124.9 acres of
24 open space and recreational amenities, of which 45.3 acres can be credited
25 to Quimby Act requirements under DRD. This amount of parkland would
26 exceed the minimum parkland requirements by 9.6 acres, resulting in no
27 impact to the DRD.
28

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

14 2. Mitigation.

15 No mitigation is required.

16 Q. Utilities and Service Systems

17 1. Impacts.

18 Impacts associated with the installation of water infrastructure within the
19 Thermal 551 Specific Plan's grading footprint are documented throughout
20 EIR No. 504. Where appropriate, mitigation measures are provided to
21 reduce or avoid environmental impacts associated with line installation to
22 below levels of significance. Impacts associated with the off-site
23 installation of water transmissions lines from Middleton Road Storage Site
24 to the intersection of Avenue 66 and Tyler Street are not analyzed as part of
25 the EIR, because these improvements are part of development of the Kohl
26 Ranch Specific Plan No. 303. Impacts associated with the installation of
27 off-site water transmission lines are evaluated in the EIR that accompanies
28

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

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

18 Wastewater from the Project site would be transported to the Mid-Valley
19 Wastewater Reclamation Plant (MVWRP), located approximately 1.0 mile
20 southeast of the Project site. The estimated average daily wastewater flows
21 generated by the Project would be 0.657 mgd, and the estimated peak daily
22 waste water flows for the Project would be 1.12 mgd. When the demands
23 of the Project are combined with the additional demands associated with
24 other proposed and current projects occurring in the service area, and taking
25 into account the planned upgrades, the Mid-Valley Wastewater Reclamation
26 Plant would be able to serve the proposed Project without exceeding its
27 planned capacity; therefore, impacts to wastewater treatment capacity are
28

1 less than significant.

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

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

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

20
21 Due to long-range planning efforts by the energy purveyors, including the
22 SVIP, Project implementation is not anticipated to result in the need for the
23 construction or expansion of off-site electricity generation or gas generation
24 facilities, although some new distribution lines would be necessary which
25 are accounted for by EIR No. 504. Any future need for regional energy
26 facilities related to cumulative growth in the service areas of Imperial
27 Irrigation District (IID) and SoCal Gas would be determined by the service
28 agencies as part of their long-range growth projections. No off-site impacts

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

17
18 2. Mitigation.

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

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

25 **BE IT FURTHER RESOLVED** by the Board of Supervisors that all applicable regulatory
26 requirements and feasible mitigation measures to reduce environmental impacts have been considered and
27 are applied as conditions of the Project approval, yet the following impacts to Land Use, Agriculture, Air
28 Quality, and Circulation and Traffic resulting from the Project's approval cannot be fully mitigated and

1 will be only partially avoided or lessened by the mitigation measures hereinafter specified; a statement of
2 overriding findings is therefore included herein. Cumulative impacts were analyzed for the proposed
3 project through a combination of a "list" and "summary of projections" approach, based on information
4 available from the Riverside County Planning Department for recently approved or proposed development
5 projects within the vicinity of the proposed Project, as well as information contained in long-range
6 planning documents for the Project vicinity (as summarized in EIR Tables 5-1 and 5-2).

7 A. Land Use (Adopted Regional Plan Consistency)

8 1. Impacts.

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

1 significant impact.

2 2. Mitigation.

3 Mitigation to reduce the Project's air quality emissions during both
4 construction and long-term operation is provided in Section 4.4 of EIR No.
5 504 (refer to Mitigation Measures 4.4-1 through 4.4-28 commencing on
6 Page 11 of this Resolution No. 2012-025) and is hereby adopted and will be
7 implemented as provided for in the Mitigation, Monitoring, and Reporting
8 Program. As such, the proposed Project has been modified to partially
9 avoid or lessen significant impacts; however, the Project's significant
10 impact due to a conflict with the AQMP cannot be fully mitigated to below
11 a level of significance.

12 B. Agriculture (Conversion of Important Farmland Types)

13 1. Impacts.

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

26 2. Mitigation.

27 Mitigation is not available for the Project's significant unavoidable impacts
28

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

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

12 1. Impacts.

13 There is a potential that implementation of the proposed Project could
14 encourage other surrounding properties to cease agricultural operations and
15 seek a General Plan Amendment to pursue a non-agricultural land use
16 designation. Examples where such conversions could occur include lands
17 located between the Coachella Valley Storm Water Channel and the Project
18 site, and other agricultural operations located between the Project site and
19 the Jacqueline-Cochran Airport. Although the Project would be required to
20 comply with Riverside County Ordinance No. 625.1, this ordinance
21 addresses only the nuisance of existing agricultural operations on proposed
22 residential developments. Therefore, although the Project is not anticipated
23 to conflict with these existing off-site agricultural operations, there is a
24 potential that the Project could result in changes to the surrounding
25 environment which would encourage the conversion of off-site agricultural
26 properties to a non-agricultural use. This is evaluated as a significant
27 impact of the proposed Project.
28

1 2. Mitigation.

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

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

10 1. Impacts.

11 The SCAQMD is required to adopt and implement an Air Quality
12 Management Plan (AQMP) to serve as a blueprint to bring the area under its
13 jurisdiction into compliance with State and federal air quality standards. The
14 most recent version of the SCAQMD's AQMP was adopted by the
15 SCAQMD in August of 2003, and the California Air Resources Board
16 (CARB) subsequently adopted the plan in October of 2003; the AQMP was
17 then approved by the EPA in 2004. Criteria for determining consistency
18 with the AQMP are defined in Chapter 12, Section 12.2 and Section 12.3 of
19 the SCAQMD's CEQA Air Quality Handbook. As documented in EIR No.
20 504, the proposed Project would not be consistent with AQMP Consistency
21 Criterion No. 1 because the Project would exceed the CAAQS during
22 construction activities for emissions of VOC, NOx, CO, PM10, and PM2.5
23 (even after implementation of recommended mitigation measures).
24 Additionally, the Project would exceed the CAAQS during long-term
25 operational activity for emissions of VOC, NOx, CO, PM10, and PM2.5
26 (even after implementation of recommended mitigation measures). The
27 proposed Project also would not be consistent with AQMP Consistency
28

1 Criterion No. 2 because the Project is not consistent with the site's
2 Agriculture, Public Facility, and Light Industrial land use designations
3 applied to the Project site by the Riverside County General Plan and Eastern
4 Coachella Valley Area Plan; therefore, it is assumed that implementation of
5 the Project would exceed the growth projections in the General Plan and/or
6 the growth projections established by SCAG. Accordingly, implementation
7 of the proposed Project would directly conflict with the SCAQMD AQMP,
8 which represents a significant and unavoidable impact of the proposed
9 Project.

10 2. Mitigation.

11 Although mitigation is identified to reduce the Project's construction- and
12 operational-related emissions (refer to Mitigation Measures 4.4-1 through
13 4.4-28 commencing on Page 11 of this Resolution No. 2012-025), the
14 Project would remain inconsistent with the SCAQMD AQMP because the
15 Project represents growth that was not anticipated by the Riverside County
16 General Plan. Moreover, even with the implementation of Mitigation
17 Measures 4.4-1 through 4.4-28, short-term construction impacts would not
18 be reduced to a less than significant level for emissions of VOC, NOX, CO,
19 PM10, and PM2.5, the proposed Project still would exceed the localized
20 thresholds for emissions of PM10 during short-term construction activity,
21 long-term operational impacts would remain significant for emissions of
22 VOC, NOx, CO, and PM10 during 2012, and long-term operational impacts
23 for emissions of VOC, NOx, CO, PM10, and PM2.5 during 2014 or 2016
24 also would remain significant. Accordingly, the Project's conflict with the
25 SCAQMD AQMP represents a significant and unavoidable impact of the
26 proposed Project.

27
28 E. Air Quality (Air Quality Standards and Violations)

1 1. Impacts.

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

15 2. Mitigation.

16 The proposed Project has been modified to partially avoid or lessen
17 significant impacts; however, impacts cannot be fully mitigated below a
18 level of significance. Mitigation measures are hereby adopted (refer to
19 Mitigation Measures 4.4-1 through 4.4-28 commencing on Page 11 of this
20 Resolution No. 2012-025) and will be implemented as provided in the
21 Mitigation, Monitoring, and Reporting Program.

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

23 1. Impacts.

24 The proposed Project site is located within the Salton Sea Air Basin
25 (SSAB), which fails to meet the national air quality standards for CO,
26 PM10, PM2.5, and 8-hour ozone, and fails to meet the state air quality
27 standards for PM10, PM2.5, and 1-hour ozone. As such, the SSAB is
28

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

11 2. Mitigation.

12 Although mitigation is identified to reduce the Project's construction- and
13 operational-related emissions (refer to Mitigation Measures 4.4-1 through
14 4.4-28 commencing on Page 11 of this Resolution No. 2012-025), short-
15 term construction impacts would not be reduced to a less than significant
16 level for emissions of VOC, NO_x, CO, PM₁₀, and PM_{2.5}, the proposed
17 Project still would exceed the localized thresholds for emissions of PM₁₀
18 during short-term construction activity, long-term operational impacts
19 would remain significant for emissions of VOC, NO_x, CO, and PM₁₀
20 during 2012, and long-term operational impacts for emissions of VOC,
21 NO_x, CO, PM₁₀, and PM_{2.5} during 2014 or 2016 also would remain
22 significant. Accordingly, the Project's near- and long-term emission of
23 criteria pollutants for which the SSAB is considered in non-attainment
24 status represents a significant and unavoidable impact of the proposed
25 Project for which additional feasible mitigation is not available.

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

27 1. Impacts.

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

20
21 As part of the proposed grading activities, which would occur in
22 conjunction with the first phase of the proposed development,
23 approximately 2,031,481 cubic yards of fill would be imported from off-site
24 locations which would require an additional 550 truck trips per day during
25 construction activities. At the time of EIR preparation, a source for import
26 soil materials had not been identified. Because the location of the import
27 material is unknown, it is not possible to identify future haul routes to be
28 utilized by construction equipment during import activities. There is a

1 potential that the additional truck trips could result in the degradation of the
2 Level of Service (LOS) at study area intersections. The potential for this
3 near-term construction impact is evaluated as potentially significant, and
4 mitigation would be required and would be identified as part of a required
5 future focused traffic study to be performed as a condition of grading permit
6 issuance.

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

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

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

27 In addition, eight (8) additional study area intersections would warrant
28

1 signalization under EAPC 2012 conditions, which represents a cumulatively
2 significant impact of the Project.

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

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

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

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

24 For EAP 2016 conditions, Project implementation would result in
25 unacceptable levels of service at the intersections of Grapefruit
26 Boulevard/Airport Boulevard, and at the intersection of Fillmore
27 Street/Grapefruit Boulevard; these impacts are evaluated as significant
28

1 direct impacts of the proposed Project. Two (2) additional study area
2 intersections also may warrant signalization under EAP 2016 conditions,
3 although these intersections are anticipated to operate at acceptable levels of
4 service as cross-street stop-controlled intersections, and no significant
5 impact is identified.

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

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

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

24 Under General Plan buildout conditions, and following incorporation of
25 mitigation measures identified to address the Project's impacts occurring
26 during each phase of implementation, the following intersections are shown
27 to operate at a deficient level of service. Since the proposed Project would
28

1 contribute to, but would not directly cause, the deficient levels of service at
2 these intersections, Project impacts to the following intersections represent
3 cumulatively significant impacts under General Plan buildout conditions:

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

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

19 The General Plan EIR identified I-10 as a freeway that would experience
20 over-capacity LOS conditions for General Plan buildout conditions, and
21 states that all freeways are under the authority of Caltrans. Pursuant to
22 CEQA, Riverside County was required to make certain findings and to
23 adopt a Statement of Overriding Considerations for these unmitigable
24 impacts in order to certify the Program EIR. Therefore, although the
25 proposed Project is anticipated to result in cumulatively significant impacts
26 to the I-10 Freeway under long-term conditions, mitigation for such impacts
27 are not currently available. Although the proposed Project would contribute
28

1 funds towards the Riverside County Transportation Uniform Mitigation Fee
2 Ordinance (TUMF), the TUMF does not currently identify funding or
3 improvements for freeway mainlines. It is not within the authority of the
4 Project applicant to ensure that the TUMF Ordinance is updated to identify
5 funding for improvements to freeway mainlines. Moreover, establishment
6 of a fee program for freeway mainline facilities would require concurrence
7 from the State Department of Transportation, and therefore cannot be
8 assured by the Lead Agency (Riverside County). In the event that the
9 TUMF is updated in the future to identify funding and improvements to
10 freeway mainlines, the Project's TUMF contributions would serve to reduce
11 cumulatively significant impacts to freeway mainlines. However, TUMF
12 funding for improvements to freeway mainlines cannot be assured;
13 accordingly, the Project's cumulatively significant impacts to I-10 in the
14 long-term scenario represents a cumulatively significant and unmitigable
15 impact to circulation and traffic.

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 intersections would require extensive improvements in the EAPC 2012
20 condition (i.e., buildout of Phase 1 of the proposed Project) for which
21 funding is not currently available. Implementation of the improvements
22 required for the following intersections cannot feasibly be accomplished by
23 the proposed Project due to the cost of the required improvements. It is
24 anticipated that many of the following intersections would be identified for
25 funding in the future by the DIF, TUMF, or other funding mechanisms;
26 however, because the first phase of the proposed Project would contribute
27 to cumulatively significant impacts the following intersections, Project
28

1 impacts are evaluated as cumulatively significant and unavoidable:

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

14 Although implementation of the mitigation measures identified in EIR No.
15 504 would reduce the Project's significant direct and cumulative impacts to
16 study area intersections to the maximum feasible extent, the following
17 additional intersections would require extensive improvements in the EAPC
18 2014 condition (i.e., buildout of Phases 1 and 2 of the proposed Project) for
19 which funding is not currently available. Implementation of the
20 improvements required for the following intersections cannot feasibly be
21 accomplished by the proposed Project due to the cost of the required
22 improvements. It is anticipated that many of the following intersections
23 would be identified for funding in the future by the DIF, TUMF, or other
24 funding mechanisms; however, because the first phase of the proposed
25 Project would contribute to cumulatively significant impacts the following
26 intersections, Project impacts are evaluated as cumulatively significant and
27 unavoidable:
28

- i. Harrison Street at Avenue 54;
- ii. Harrison Street at Airport Boulevard;
- iii. Harrison Street at Avenue 62;
- iv. Tyler Street at Airport Boulevard;
- v. Polk Street at Airport Boulevard;
- vi. Polk Street at Church Street;
- vii. Grapefruit Boulevard (State Route 111) at Airport Boulevard;
- viii. Fillmore Street at Grapefruit Boulevard (State Route 111); and
- ix. 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 in the EAPC 2016 condition (i.e., Project buildout) 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 60;
- ii. Harrison Street at Airport Boulevard;
- iii. Harrison Street at Avenue 62;
- iv. Polk Street at Airport Boulevard;
- v. Polk Street at Church Street;

- 1 vi. Polk Street at Avenue 60;
- 2 vii. Polk Street at Avenue 62;
- 3 viii. Grapefruit Boulevard (State Route 111) at Airport Boulevard;
- 4 ix. Pierce Street at Avenue 62;
- 5 x. SR-86S at Airport Boulevard.

6 Although implementation of the mitigation measures identified in EIR No.
7 504 would reduce the Project's significant direct and cumulative impacts to
8 study area intersections to the maximum feasible extent, the following
9 additional intersections would require extensive improvements under long-
10 term General Plan buildout conditions (with traffic from Phases 1 through 3
11 of the Project) for which funding is not currently available. Implementation
12 of the improvements required for the following intersections cannot feasibly
13 be accomplished by the proposed Project due to the cost of the required
14 improvements. It is anticipated that many of the following intersections
15 would be identified for funding in the future by the DIF, TUMF, or other
16 funding mechanisms; however, because the first phase of the proposed
17 Project would contribute to cumulatively significant impacts the following
18 intersections, Project impacts are evaluated as cumulatively significant and
19 unavoidable:

- 20
- 21 i. Fillmore Street at Avenue 54;
- 22 ii. Harrison Street at Airport Boulevard;
- 23 iii. Harrison Street at Avenue 62;
- 24 iv. Harrison Street at Avenue 64;
- 25 v. Tyler Street at Avenue 54;
- 26 vi. Tyler Street at Airport Boulevard;
- 27 vii. Tyler Street at Avenue 62;
- 28 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 Airport Boulevard has been adjusted so as to achieve an acceptable level of service.

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

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

6 xvii. Construct eastbound left turn lane;

7 xviii. Construct westbound left turn lane; and

8 xix. Re-stripe eastbound and westbound de facto right turn lanes as
9 dedicated right turn lanes.

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

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

14 1. Construct an eastbound left turn lane;

15 2. Construct a westbound left turn lane; and

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

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

19 1. Construct a traffic signal.

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

26 f. Prior to the issuance of the final building permit for each phase of the
27 proposed development, the Project shall participate in funding or
28

1 construction of off-site improvements that are needed to serve existing plus
2 ambient plus Project plus other development conditions through the
3 payment of SVIP road and bridge benefit district (RBBD) fees, if the
4 proposed SVIP RBBD program is finalized at that time.

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

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

1 economic and development trends. As such, the Project is considered to incrementally
2 contribute to growth inducement already occurring or anticipated in the Coachella Valley.

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

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

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

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

1 achieve all nine (9) of the Project's primary objectives.

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

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

- 23 1. This alternative assumes that there would be no General Plan Amendment or Zone
24 Change to allow development on the site as proposed under Specific Plan No. 369.
25 Agricultural land uses would continue to be the predominant land use activity on-
26 site, with the exception of a 51.9-acre portion in the northeast corner of the Project
27 site, located west of St. Hwy. 111 and north of Avenue 58 area, which would
28

1 develop as a manufacturing-service commercial site in accordance with that parcel's
2 existing "Manufacturing-Service Commercial (M-SC)" zoning designation.
3 Riverside County's M-SC zoning designation allows for service and commercial
4 uses and most light manufacturing and industrial uses with plot plan or conditional
5 use permit approval.

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

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

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

24 5. Although the No Project/Existing Zoning Alternative would be subject to payment
25 of TUMF fees pursuant to County Ordinance No. 824, the amount of such fees
26 would be greatly reduced under this alternative, which would reduce the County's
27 capacity for implementing regional transportation improvements.
28

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

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

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

15 1. This alternative assumes the Project's number of residential homes would be
16 reduced by thirty percent (30%). Under this Alternative, 1,657 residential dwelling
17 units would be developed in lieu of the 2,354 residential dwelling units as proposed
18 by the Project. This reduction in density would decrease the number of residential
19 dwelling units while maintaining the overall layout of the Planning Areas proposed
20 by the Thermal 551 Specific Plan. Lot sizes within Planning Areas 7 and 13
21 would increase from single family attached to 6,000 s.q. f.t. lots; Planning Areas 4
22 and 9 would increase from 3,600 s.q. f.t. lots to 6,000 s.q. f.t. lots; Planning Areas 8
23 and 14 would increase from single family detached lots to 6,000 s.q. f.t. lots;
24 Planning Areas 3 and 15 would increase from 4,500 to 6,000 s.q. f.t. lots Planning
25 Areas 1 and 12 would increase from 5,000 s.q. f.t. lots to 7,200 s.f. lots; Planning
26 Areas 10 and 11 would increase from 7,200 s.q. f.t. lots to 9,000 s.q. f.t. lots; and
27 Planning Areas 16 and 17 would increase from 6,000 s.q. f.t. lots to 7,200 s.q. f.t.
28

1 lots. This Alternative was selected for consideration in order to assess the potential
2 reduction in environmental impacts associated with reduced residential
3 development intensity and a proportional reduction in the number of vehicle trips,
4 vehicular noise, and vehicular air emissions, in addition to a reduction in the
5 demand placed on natural resources, public facilities and utilities.

- 6 2. Implementation of the 30% Reduced Intensity Alternative would generally meet the
7 basic objectives of the proposed Project, but to a lesser extent. Specifically, this
8 alternative would provide for only three types of residential density, as opposed to
9 the seven types of residential density proposed by the Project. This reduction in
10 residential density also would be less effective in appealing to the economically
11 diverse profile in the eastern Coachella Valley, as this alternative would not provide
12 for higher density residential units which are desirable to lower income households.
- 13 3. Although implementation of the 30% Reduced Intensity Alternative would reduce
14 the Project's impacts to the environment, implementation of this alternative would
15 not fully eliminate the Project's significant and unavoidable impacts to land use
16 (due to an inconsistency with the SCAQMD AQMP), circulation and traffic (due to
17 cumulatively significant and unavoidable impacts to the I-10 freeway and area
18 intersections), agricultural resources (resulting from the conversion of Prime
19 Farmland to non-agricultural uses), or the Project's significant direct and
20 cumulative impacts to air quality during both construction and long-term operation.
- 21 4. Although the 30% Reduced Intensity Alternative would be subject to payment of
22 TUMF fees pursuant to County Ordinance No. 824, the amount of such fees would
23 be reduced under this alternative due to the substantial reduction in the number of
24 dwelling units, which would reduce the County's capacity for implementing
25 regional transportation improvements.
- 26 5. Although the 30% Reduced Intensity Alternative would be subject to payment of
27 CVMSHCP fee payments pursuant to County Ordinance No. 875, implementation
28

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

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

7 1. This alternative considers development of the site with low density and very low
8 density residential land uses that is agrarian in nature and equestrian compatible.
9 Generally, this Alternative would include a reduction in residential land uses and
10 densities in comparison to those proposed by the Project. Under this Alternative,
11 residential lot sizes would include 1/2-acre, 1.0-acre, and 2.0-acre lots.
12 Development would be entitled by tract maps. It is assumed that a Specific Plan
13 would not be prepared under this Alternative. The number of dwelling units
14 proposed would be a maximum of 508. The park in Planning Area 26 would be
15 eliminated and replaced with low density residential land uses. Although it is
16 possible that the residential units would be served by individual water wells and
17 septic disposal systems, this Alternative assumes that domestic water and sewer
18 service would be provided. This Alternative was selected for consideration to
19 determine potential environmental impact reductions if the Project site was
20 developed as a rural community, including a reduction in the number of vehicle
21 trips, vehicular noise levels, and vehicular air emissions associated with a lesser
22 development intensity, in addition to a corresponding reduction in the demand
23 placed on public facilities and utilities. Due to the anticipated reduction in
24 environmental effects associated with this alternative, the Rural Residential
25 Alternative has been identified as the Environmentally Superior Alternative.
26

27 2. Implementation of the Rural Community Alternative would generally meet the
28 basic objectives of the proposed Project, but to a much lesser extent. This

1 alternative would provide for only three different types of residential density, as
2 opposed to the seven types of density proposed by the Project. Moreover, the
3 substantial reduction in dwelling units (508 units vs. 2,354 as proposed by the
4 Project) would reduce the site's capacity to accommodate projected population
5 increases in the County. Due to the larger lot sizes, the units under this alternative
6 would be less marketable to the economically diverse profile of the eastern
7 Coachella Valley; specifically, the provision of one acre and half acre lot sizes
8 would not be as affordable to lower income households as would the high density
9 and medium high density residential units proposed by the Project.

10 3. Although implementation of the Rural Community Alternative would substantially
11 reduce the Project's impacts to the environment, implementation of this alternative
12 would not fully eliminate the Project's significant and unavoidable impacts to land
13 use (due to an inconsistency with the SCAQMD AQMP), circulation and traffic
14 (due to cumulatively significant and unavoidable impacts to the I-10 freeway and
15 area intersections), agricultural resources (resulting from the conversion of Prime
16 Farmland to non-agricultural uses), or the Project's significant direct and
17 cumulative impacts to air quality during both construction and long-term operation.

18 4. Although the Rural Community Alternative would be subject to payment of TUMF
19 fees pursuant to County Ordinance No. 824, the amount of such fees would be
20 reduced under this alternative due to the substantial reduction in the number of
21 dwelling units, which would reduce the County's capacity for implementing
22 regional transportation improvements.

23 5. Although the Rural Community Alternative would be subject to payment of
24 CVMSHCP fee payments pursuant to County Ordinance No. 875, implementation
25 of this alternative would result in a substantial reduction in the amount of fees to be
26 paid because the amount of fees is based on the number of residential units. The
27 substantial reduction in the number of residential units, and corresponding
28

1 CVMSHCP fee amounts, would reduce the County's ability to assemble and
2 manage existing and proposed conservation areas within the Project area.

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

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

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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.

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F. Alternative Sites

1. CEQA Guidelines Section 15126.6(f)(2) requires that an EIR identify alternatives to
the project, but does not expressly require that it discuss alternative locations for the
Project.
2. This EIR does not analyze an alternative site for the proposed project because none
are available. There are no other alternative locations within Eastern Coachella
Valley that would allow for a master-planned residential community of the size and
scope of the proposed Project and that would result in a reduction of environmental
impacts due to characteristics of the alternative location. Movement of the Project
to another undeveloped location in the Eastern Coachella Valley Area Plan or
Coachella Valley area not under Bureau of Land Management control or Native
American Tribal jurisdiction would still result in significant and unavoidable
impacts to air quality, land use, and circulation and traffic. In addition, it is likely
that alternative sites also would contain Prime, Statewide Significant, or Unique
farmlands, given the abundance of Important Farmland types in the eastern
Coachella Valley. In addition, the ability of the Project applicant to acquire, control
or otherwise have access to alternative sites cannot be reasonably ascertained and is
highly speculative. At the present time, the project applicant does not own any

1 other properties in eastern Coachella Valley of sufficient size to accommodate the
2 proposed Project. Due to the inadequacy of alternative sites discussed above, this
3 EIR does not consider alternative site locations.

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

6 A. Land Use Element

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

27 1. The Project will construct or contribute its fair share of the costs associated with the
28 signalization of intersections, the improvement of certain intersections, and/or the

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

12 C. Multipurpose Open Space Element

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

26 D. Safety Element

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

16 E. Noise Element

- 17
- 18 1. Although the Project is located adjacent to the Jacqueline Cochran Regional Airport
19 and lies within close proximity to major transportation facilities (Highway 111),
20 mitigation measures have been incorporated into the proposed Project to ensure that
21 on-site noise levels do not exceed the allowable levels identified by the General
22 Plan Noise Element. With implementation of the recommendations provided in the
23 noise impact analysis and the required mitigation measures, the Project would be
24 consistent with the General Plan Noise Element, and is therefore consistent with the
25 General Plan.

26 F. Housing Element

- 27 1. The purpose of the General Plan Housing Element is to meet the needs of existing
28 and future residents in Riverside County through the establishment of policies to

1 guide County decision-making and to establish an action plan to meet the County's
2 housing goals in the next seven years. The Project would further the goals of the
3 General Plan Housing Element by providing higher density residential units that
4 would contribute to meeting the housing needs of low to moderate income
5 households. Although the land uses proposed by the Project would require a
6 General Plan Amendment, there are no characteristics of the Project that would
7 inhibit the County's ability to achieve the goals set forth by the General Plan
8 Housing Element. Accordingly, the proposed Project would be consistent with the
9 General Plan Housing Element and General Plan.

10 G. Air Quality Element

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

24 H. Administration Element

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

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

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

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

23 **BE IT FURTHER RESOLVED** by the Board of Supervisors, pursuant to Public Resources Code
24 Section 21081(b) and the State CEQA Guidelines Sections 15093 and 15043, that it has balanced the
25 “economic, legal, social, technological, and other benefits of the Project, including provision of
26 employment opportunities for highly trained workers,” against the unavoidable adverse environmental
27 effects related to Land Use, Agriculture, Air Quality, and Circulation and Traffic associated with the
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1 proposed Project, as identified in the Recirculated Draft EIR and Final EIR. The Board of Supervisors
2 hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate
3 the potential impacts resulting from the Project by adopting all feasible mitigation measures with respect
4 thereto, and has determined that these unavoidable adverse environmental impacts may be considered
5 “acceptable” due to the following specific considerations of the proposed Project’s benefits outweighing
6 the unavoidable adverse environmental impacts of the proposed Project. Each of the below-stated
7 benefits of the proposed Project is determined to be, unto itself and independent of the other Project
8 benefits, a basis for overriding all identified unavoidable adverse environmental impacts and warranting
9 approval of the Project. The Board of Supervisors finds that except for the Project, all other alternatives
10 set forth in the Recirculated Draft EIR and Final EIR are infeasible because they would prohibit the
11 realization of Project objectives and/or specific economic, social, and other benefits that the Board of
12 Supervisors finds outweigh any environmental benefits of the alternatives. Therefore, the Board of
13 Supervisors hereby adopts this Statement of Overriding Considerations. Substantial evidence
14 demonstrating the benefits of the Project are found in these findings, and in the documents found in the
15 record of proceedings, discussed below, and include the following:

- 16
- 17 A. The land use, agricultural resources, air quality, and circulation and traffic impacts are
18 outweighed and rendered acceptable because the proposed Project would construct
19 improvements to the western bank of the Coachella Valley Storm Channel, which would
20 reduce the potential for flood hazards in the Project area.
 - 21 B. The land use, agricultural resources, air quality, and circulation and traffic impacts are
22 outweighed and rendered acceptable because the proposed Project would ensure proper
23 closure of the Thermal Landfill site in accordance with the State of California, Department
24 of Toxic Substances Control, and the County of Riverside, Department of Environmental
25 Health requirements. The proper closure of the Thermal Landfill would reduce hazards to
26 the environment and would reduce potential health hazards associated with this facility.
 - 27 C. The land use, agricultural resources, air quality, and circulation and traffic impacts are
28 outweighed and rendered acceptable because the proposed Project would provide for a

1 variety of housing types within the Project vicinity, which not only would assist the County
2 in meeting the General Plan Housing Element goals to provide for housing that is suitable
3 to lower income households, but also would accommodate planned urban non-residential
4 development within the area generally bounded on the west by Monroe Street, on the north
5 by Avenue 60 and Airport Boulevard, on the south by Avenue 66, and on the east by State
6 Route 111 (also known as the South Valley Implementation Program, or SVIP).

7 D. The land use, agricultural resources, air quality, and circulation and traffic impacts are
8 outweighed and rendered acceptable because development of the Project will generate
9 additional employment opportunities (during construction) for skilled labor within
10 Riverside County. Environmentally superior project alternatives would not create an array
11 of new employment opportunities to utilize the skilled labor pool within Riverside County
12 to the same extent as the proposed Project, as each alternative would involve a substantial
13 reduction in the amount of proposed construction.

14 E. The land use, agricultural resources, air quality, and circulation and traffic impacts are
15 outweighed and rendered acceptable because the proposed Project would implement
16 improvements to roadways abutting and traversing the site in a manner consistent with the
17 Riverside County General Plan Circulation Element (as amended by General Plan
18 Amendment No. 00889), including improvements to Polk Street, Avenue 60, Filmore
19 Street, and Orange Avenue.

20 F. The land use, agricultural resources, air quality, and circulation and traffic impacts are
21 outweighed and rendered acceptable because the proposed Project would accommodate
22 124.9 acres of open space and recreational amenities, which exceeds the minimum parkland
23 requirements of the Quimby Act and Coachella Valley Regional Parks District, and would
24 therefore provide for recreational opportunities for area residents that would not be possible
25 in the absence of the proposed Project.

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

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

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

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

24 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **CERTIFIES** EIR No. 504
25 and **ADOPTS** the Mitigation Monitoring and Reporting Plan specified therein pursuant to Public
26 Resources Code section 21081.6; and **ADOPTS** the above-noted Statement of Overriding Considerations.
27 In the event of any inconsistencies between the mitigation measures as set forth herein and the Mitigation
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1 Monitoring and Reporting Program, the Mitigation Monitoring and Reporting Program shall control.

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

7 **BE IT FURTHER RESOLVED** by the Board of Supervisors that copies of the Specific Plan No.
8 00369 and Final Environmental Impact Report No. 504 shall be placed on file in the Clerk of the Board,
9 in the Office of the Planning Director, and in the Office of the Building and Safety Director, and that no
10 applications for other development approvals shall be accepted for real property described and shown in
11 the Project, unless such applications are substantially in accordance herewith.

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

15
16 **ROLL CALL:**

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

19 The foregoing is certified to be a true copy of a resolution duly
20 adopted by said Board of Supervisors on the date therein set forth.

21 **KECIA HARPER-IHEM, Clerk of said Board**

22 **By:** _____
Deputy

2
3 **RESOLUTION NO. 2012-026**
4 **APPROVING AGRICULTURAL PRESERVE CONTRACT CANCELLATION NO. 1002,**
5 **ISSUING CERTIFICATE OF TENTATIVE CANCELLATION**
6 **AND DISESTABLISHING AGRICULTURAL PRESERVE No. 62**

7 **WHEREAS**, a contract was executed pursuant to the Land Conservation Act of 1965
8 (Government Code Section 51200 et. seq.) for land within Coachella Valley Agricultural Preserve No. 62;
9 and,

10 **WHEREAS**, Vince Farms, Inc. entered into this land conservation contract with the County of
11 Riverside for current Assessor's Parcel Nos. (APN) 757-210-015-4, 757-210-004-4, and 757-210-005-5,
12 which contract is dated January 1, 1974, and was recorded on February 28, 1974, as Instrument No.
13 23563 in the office of the County Recorder of Riverside County, California (the "Land Conservation
14 Contract"); and,

15 **WHEREAS**, Agri-Empire, a California corporation, the property owner of APNs 757-210-015-4,
16 757-210-004-4, and 757-210-005-5, filed a Notice of Nonrenewal on October 25, 2004, which notice was
17 recorded on November 22, 2004, as Instrument No. 2004-0931653, in the Office of the County Recorder
18 of Riverside County, California; and,

19 **WHEREAS**, Brookfield California Land Holdings LLC, as authorized representative of Agri-
20 Empire, a California corporation, the current owner of the property subject to the Land Conservation
21 Contract referenced above, all of which property is described in Exhibit A, attached hereto and
22 incorporated herein by reference, entitled "EXHIBIT A, COACHELLA VALLEY AGRICULTURAL
23 PRESERVE NO. 62, MAP NO. 298 (NOTICE OF NONRENEWAL)," petitioned to cancel the Land
24 Conservation Contract and to disestablish Coachella Valley Agricultural Preserve No.62, Map No. 298;
25 and,

26 **WHEREAS**, all procedures of the California Environmental Quality Act (CEQA) and Rules and
27 Regulations Governing Agricultural Preserves in Riverside County (Resolution No. 84-526) have been
28 satisfied, including Environmental Impact Report No. 504 (State Clearinghouse No. 2007-091030), which

COUNSEL
12/27/11
BY: [Signature]
V. FANNIN

1 consider the impacts of the establishment of the proposed alternative land use, as well as the impacts of
2 this cancellation request; and,

3 **WHEREAS**, Brookfield California Land Holdings LLC, as authorized representative of the above
4 listed property owner, has proposed, if the cancellations are approved, that the land will be used for the
5 following alternative uses: Specific Plan No. 369 (the "Specific Plan") and accompanying entitlements,
6 including General Plan Amendment No. 846 (Land Use); General Plan Amendment No. 889
7 (Circulation); and Change of Zone No. 7481; and,

8 **WHEREAS**, the Specific Plan proposes a master-planned community on 612.1 acres supporting
9 traditional single-family residential, multi-family residential and open space land uses including
10 recreational parks and drainage areas. The Specific Plan proposes 2,354 residential dwelling units, a 45.3
11 acre public park, a private clubhouse on 4 acres, a covered irrigation storage pond, and regional trails;
12 and,

13 **WHEREAS**, the total amount of the cancellation fee for all parcels (APNs 757-210-015-4, 757-
14 210-004-4, and 757-210-005-5), pursuant to Section 51283.4 of the Government Code, has been
15 determined and certified by this Board to be \$327,500.00; and

16 **WHEREAS**, a public hearing was held on this matter by the Riverside County Board of
17 Supervisors on January 10, 2012.

18 **BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of Supervisors
19 of the County of Riverside, State of California, in regular session assembled on January 10, 2012, that:

- 20 1. The above recitals are true and correct and incorporated herein by this reference.
- 21 2. The subject parcels affected by the proposed disestablishment are included under the Land
22 Conservation Contract.
- 23 3. A 131 gross-acre portion of the 612.1 gross acre site is subject to the Land Conservation
24 Contract.
- 25 4. Pursuant to the owner's notice of non-renewal submitted on October 25, 2004, the land
26 conservation contract on the subject parcels will expire on January 1, 2014 (GC§51245 and R&T Code
27 §426(c)).

28

1 5. The cancellation fee was determined by the Riverside County Assessor's Office to be
2 \$327,500.00.

3 6. The vacant site is southerly of Avenue 57, westerly of Fillmore Street, northerly of
4 Avenue 60 and easterly of Polk Street in the Coachella Valley Area of eastern Riverside County.

5 7. According to the Natural Resource Conservation Service, the soils Capability
6 Classification as indicated in the USDA Soil Survey for Eastern Riverside County indicates that the site
7 is one hundred percent (100%) within Class III, Class IV, and Class VI.

8 8. The Specific Plan and accompanying entitlements are being processed with this
9 Agricultural Preserve case. The Specific Plan and accompanying entitlements constitute the applicant's
10 proposed alternative land use of the site upon cancellation of the current land conservation contract and
11 disestablishment of the affected agricultural preserve. The Specific Plan proposes a master-planned
12 community on 612.1 acres supporting traditional single-family residential, multi-family residential and
13 open space land uses including recreational parks and drainage areas. The Specific Plan proposes 2,354
14 residential dwelling units, a 45.3 acre public park, a private clubhouse on 4 acres, a covered irrigation
15 storage pond, and regional trails.

16 9. Upon approval of the Specific Plan and accompanying entitlements, the proposed
17 alternative use will be consistent with the existing Riverside County General Plan and the proposed
18 zoning.

19 10. The cancellation of the contract for the identified 131 gross acres (of the Specific Plan's
20 612.1 gross acres) is in the public interest, because it would further implement the Board sponsored
21 redevelopment vision for the area as envisioned by the South Valley Implementation Program (SVIP).
22 The alternative land uses that will be developed will be an economic benefit for the SVIP Area and the
23 Coachella Valley, as a whole.

24 11. The cancellation is not likely to result in the removal of adjacent lands from agricultural
25 use, beyond that which is already planned for the area. The Board of Supervisors has approved a number
26 of actions intended to create an advanced planning effort (commonly referred to as the South Valley
27 Implementation Program or SVIP) designed to address the transitioning nature of the area south of the
28 Jacqueline Cochran Airport from agriculture to urban uses. This project is at the northern boundary of

1 this effort, and is one of the first implementation steps of the larger advanced planning, Board authorized,
2 vision for the area.

3 12. On February 7, 2006, the Board of Supervisors directed staff to develop a SVIP and
4 Community Facilities Phasing and Funding Strategy. This program is intended to comprehensively study
5 and ensure desirable land use, transportation and community facilities needs to foster a sustainable, well-
6 planned and livable community in this newly developing area of the county. (BOS Agenda Item 3.45;
7 February 7, 2006.)

8 13. A subsequent Board Directive initiated a General Plan Amendment for the SVIP and
9 initiation of a Road and Bridge Benefit District. (BOS Agenda Item 3.59; June 26, 2007.)

10 14. The Board actions to further a planned transition to the area are supported by approved
11 and partially constructed developments that fall within the boundaries of the SVIP area. The approval of
12 these projects was intended to further the vision and goals of the SVIP. Such projects include the
13 Panorama Specific Plan (SP362) and Kohl Ranch Specific Plan (SP303) revisions.

14 15. In 1990, due to the close proximity to the airport, the County rezoned a number of parcels
15 (including the AG01002 subject parcels) surrounding the airport to Industrial Park (IP), General
16 Commercial (C-1/C-P), Scenic Highway Commercial (C-P-S) and Manufacturing - Service Commercial
17 (M-SC) to support future airport and interstate land uses.

18 16. In 2003, Riverside County General Plan designated Land Uses on the subject parcels and
19 to the north and northeast Light Industrial – Community Development (LI-CD), to the northwest Medium
20 High Density Residential – Community Development (MHDR-CD), and to the west Public Facilities.

21 17. With sponsorship by the Redevelopment Agency for the County of Riverside, the Board
22 of Supervisors approved the Thermal and Jacqueline Cochran Airport Redevelopment Area to address
23 blighted conditions in the area including the project site.

24 18. Infrastructure for the area is available near the site; furthermore, the streets for the area
25 have been conditioned to be constructed for this and other projects consistent with the provisions of the
26 SVIP and the proposed Road and Bridge Benefit District intended to implement the SVIP.

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

28 1. The cancellation is for land on which a Notice of Non-Renewal has been served.

1 2. The cancellation will not result in the removal of adjacent lands from agricultural use
2 beyond that already envisioned by the Board of Supervisors and the General Plan. Therefore, though the
3 removal of adjacent lands from agricultural use may occur, such removal would not be a direct
4 consequence of implementation of the Specific Plan and accompanying entitlements or the proposed
5 cancellation. Rather, the proposed cancellation would enable implementation of the vision proposed for
6 the area.

7 3. The cancellation is for an alternative use which is consistent with the applicable
8 provisions of the County General Plan.

9 4. The cancellation will not result in discontinuous patterns of urban development, as the
10 proposed alternative use implements the SVIP.

11 5. Development of the contracted land would provide more contiguous patterns of
12 development than development of proximate non-contracted land by promoting the logical extension of
13 infrastructure and development in the area.

14 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the applicant shall comply with
15 the following conditions prior to issuance of a Certificate of Final Cancellation as outlined in Government
16 Code Section 51283.4:

17 1. The cancellation fee of \$327,500.00 shall be paid; and,

18 2. All conditions necessary for the County to issue grading permits for any portion of the
19 Specific Plan shall have been met.

20 3. The landowner shall notify the Board of Supervisors when all conditions and contingencies
21 enumerated in this Certificate of Tentative Cancellation have been satisfied. Within 30 days of receipt of
22 such notice, and upon determination that the conditions and contingencies have been satisfied, the Board
23 of Supervisors shall cause to be executed and recorded a Certificate of Final Cancellation.

24 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Clerk of the Board shall
25 file and record copies of this resolution, map and boundary description, in the Office of the County
26 Recorder of Riverside County, California, and transmit copies thereof to the Director of Conservation of
27 the State of California, the Treasurer of Riverside County, and the Assessor of Riverside County; and,
28

1 that, upon fulfillment of all of the conditions, the landowner will be entitled to a Certificate of Final
2 Cancellation which provides as follows:

3 1. Coachella Valley Agricultural Preserve No. 62, Map No. 298, adopted on February 19,
4 1974, will be amended by deleting therefrom the area shown on the map entitled "MAP NO. 298,
5 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 62, AMENDED BY MAP NO. 1002,
6 AMENDMENT NO. 1, (DISESTABLISHMENT), MAP NO. 1002," and described by boundary
7 description thereof, said map and description both being on file in the Office of the Clerk of the Board.

8 2. The Land Conservation Contract, executed on property owned by Vince Farms, Inc., will
9 be canceled in its entirety, thereby disestablishing agricultural preserve relating to the real property in the
10 County of Riverside, State of California, described in the exhibit entitled, "MAP NO. 298, COACHELLA
11 VALLEY AGRICULTURAL PRESERVE NO. 62, AMENDED BY MAP NO. 1002, AMENDMENT
12 NO. 1, (DISESTABLISHMENT), MAP NO. 1002," a copy of which is attached hereto and incorporated
13 herein by reference, this Land Conservation Contract being dated January 1, 1974, and recorded in the
14 Office of the County Recorder of Riverside County, California, on February 28, 1974, as Instrument No.
15 23563.

16 **BE IT FURTHER RESOLVED** by the Board of Supervisors that, if any portion of the
17 cancellation fee of \$327,500.00 is not paid within one year following the recordation of this Certificate of
18 Tentative Cancellation, that portion of the fee shall be recomputed pursuant to Government Code Section
19 51283.4 (a), and the landowner shall be required to pay the applicable portion of the recomputed fee as a
20 condition to issuance of a Certificate of Final Cancellation of the Land Conservation Contract.

21 **BE IT FURTHER RESOLVED** by the Board of Supervisors that, upon application of the
22 landowner, the Board may hereafter amend a tentatively approved specified alternative use if the Board
23 finds that such amendment is consistent with the findings made pursuant to Government Code Section
24 51282.

25 **ROLL CALL:**

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

The foregoing is certified to be a true copy of a
resolution duly adopted by said Board of Super-
visors on the date therein set forth.

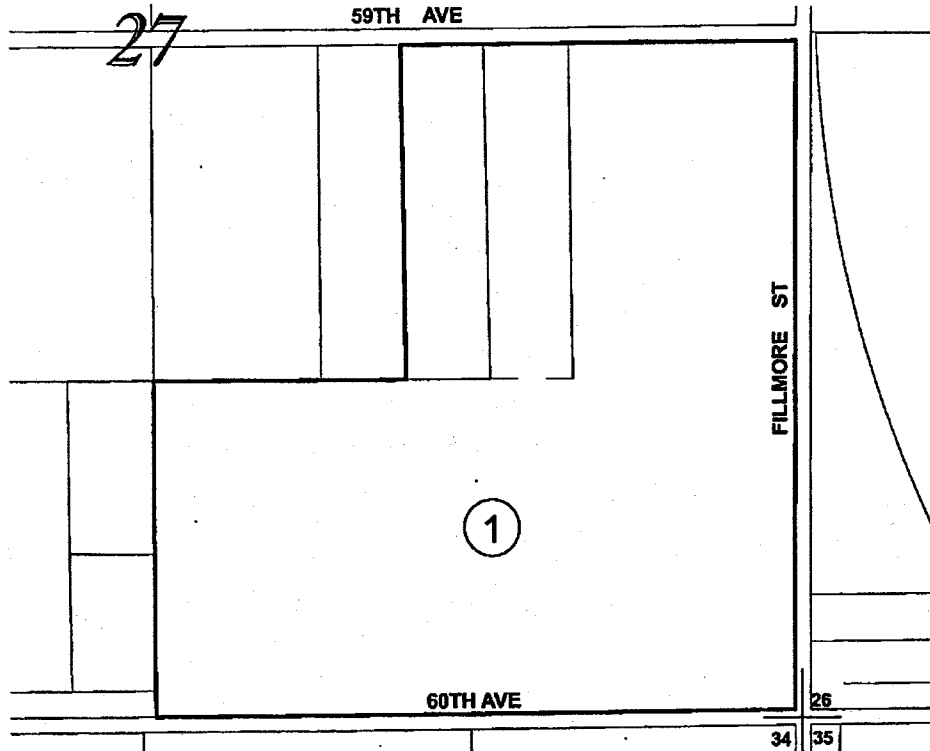
KECIA HARPER-IHEM Clerk of said Board

By _____ Deputy

MAP NO. 298 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 62

AMENDED BY MAP NO. 1002

T. 6 S., R. 8 E. S. 8 B. & M.



AMENDMENTS:
NO. 1, (DISESTABLISHMENT), DECEMBER 20, 2011, MAP NO. 1002

ADOPTED ON FEBRUARY 19, 1974
BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA.



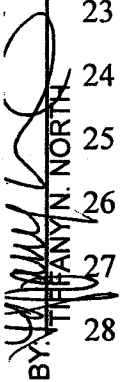
**RESOLUTION NO. 2012-027
APPROVING AGRICULTURAL PRESERVE CONTRACT CANCELLATION NO. 1001
AND ISSUING CERTIFICATE OF TENTATIVE CANCELLATION
AND DIMINISHING AGRICULTURAL PRESERVE No. 18**

WHEREAS, a contract was executed pursuant to the Land Conservation Act of 1965 (Government Code Section 51200 et. seq.) for land within Coachella Valley Agricultural Preserve No. 18.; and,

WHEREAS, D.S. Dunlap and Dorothy Dunlap as Trustees of the D.D. Dunlap Trust, and D.S. Dunlap and Dorothy Dunlap as Trustees of the Dorothy Dunlap Trust, entered into this land conservation contract with the County of Riverside for current Assessor's Parcel Nos. (APN) 757-090-007-7 and 757-090-007-8, which 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 County, California (the "Land Conservation Contract"); and,

WHEREAS, D.S. Dunlap and William B. Gage, Trustees of the D.D. Dunlap Trust, and D.S. Dunlap and William B. Gage, Trustees of the Dorothy Dunlap Trust, the property owners of APNs 757-090-007-7 and 757-090-007-8, filed a Notice of Nonrenewal on March 8, 2007, which notice was recorded on March 12, 2007, as Instrument No. 2007-0167248, in the Office of the County Recorder of Riverside County, California; and,

WHEREAS, Brookfield California Land Holdings LLC, as authorized representative of the D.D. Dunlap Trust and the Dorothy Dunlap Trust, the current owners of the property subject to the Land Conservation Contract referenced above, all of which property is described in Exhibit A, attached hereto and incorporated herein by reference, entitled "MAP NO. 132, COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 18, AMENDED BY MAP NO. 1001, AMENDMENT NO. 1, (DIMINISHMENT), MAP NO. 1001," petitioned to cancel the Land Conservation Contract and to diminish Coachella Valley Agricultural Preserve No.18, Map No. 132; and,

BY:  TIFANY N. NORTH
DATE: 12/27/11

1 **WHEREAS**, all procedures of the California Environmental Quality Act (CEQA) and Rules and
2 Regulations Governing Agricultural Preserves in Riverside County (Resolution No. 84-526) have been
3 satisfied, including Environmental Impact Report No. 504 (State Clearinghouse No. 2007-091030), which
4 consider the impacts of the establishment of the proposed alternative land use, as well as the impacts of
5 this cancellation request; and,

6 **WHEREAS**, Brookfield California Land Holdings LLC, as authorized representative of the above
7 listed property owner, has proposed, if the cancellations are approved, that the land will be used for the
8 following alternative uses: Specific Plan No. 369 (the "Specific Plan") and accompanying entitlements,
9 including General Plan Amendment No. 846 (Land Use); General Plan Amendment No. 889
10 (Circulation); and Change of Zone No. 7481; and,

11 **WHEREAS**, the total amount of the cancellation fee for both parcels (APN 757-090-007-7 and
12 APN 757-090-020-8), pursuant to Section 51283.4 of the Government Code, has been determined and
13 certified by this Board to be \$129,750.00; and,

14 **WHEREAS**, a public hearing was held on this matter by the Riverside County Board of
15 Supervisors on January 10, 2012.

16 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of Supervisors
17 of the County of Riverside, State of California, in regular session assembled on January 10, 2012, that:

18 1. The above recitals are incorporated herein by this reference.

19 2. The subject parcels affected by the proposed diminishment are included under the Land
20 Conservation Contract.

21 3. Pursuant to the owner's notice of non-renewal submitted on March 8, 2007, the Land
22 Conservation Contract on the subject parcels will expire on January 1, 2017 (GC§51245 and R&T Code
23 §426(c)).

24 4. The cancellation fee was determined by the Riverside County Assessor's Office to be
25 \$129,750.00.

26 5. The vacant 52 gross-acre portion of the 612.1 gross acre site subject to the Land
27 Conservation Contract is located southerly of Avenue 57, westerly of Fillmore Street, northerly of
28 Avenue 60 and easterly of Polk Street in the Coachella Valley Area of eastern Riverside County.

1 6. According to the Natural Resource Conservation Service, the soils Capability
2 Classification as indicated in the USDA Soil Survey for Eastern Riverside County indicates that the site is
3 one hundred (100) percent within Class III, Class IV, and Class VI.

4 7. The Specific Plan and accompanying entitlements are being processed with this
5 Agricultural Preserve case. The Specific Plan and accompanying entitlements constitute the applicant's
6 proposed alternative land use of the site upon cancellation of the current Land Conservation Contract and
7 diminishment of the parcels from the affected agricultural preserve. The Specific Plan proposes a master-
8 planned community on 612.1 acres supporting traditional single-family residential, multi-family
9 residential and open space land uses including recreational parks and drainage areas. The Specific Plan
10 proposes 2,354 residential dwelling units, a 45.3 acre public park, a private clubhouse on 4 acres, a
11 covered irrigation storage pond, and regional trails.

12 8. Upon approval of the Specific Plan and accompanying entitlements, the proposed
13 alternative use will be consistent with the existing Riverside County General Plan and the proposed
14 zoning.

15 9. The cancellation of the Land Conservation Contract for the identified 52 gross acres (of the
16 Specific Plan's 612.1 gross acres) is in the public interest, because it would further implement the Board
17 sponsored redevelopment vision for the area as envisioned by the South Valley Implementation Program
18 (SVIP). The alternative land uses that will be developed will be an economic benefit for the SVIP Area
19 and the Coachella Valley, as a whole.

20 10. The cancellation is not likely to result in the removal of adjacent lands from agricultural
21 use, beyond that which is already planned for the area. The Board of Supervisors has approved a number
22 of actions intended to create an advanced planning effort (commonly referred to as the South Valley
23 Implementation Program or SVIP) designed to address the transitioning nature of the area south of the
24 Jacqueline Cochran Airport from agriculture to urban uses. This project is at the northern boundary of this
25 effort, and is one of the first implementation steps of the larger advanced planning, Board authorized,
26 vision for the area.

27 11. On February 7, 2006, the Board of Supervisors directed staff to develop a SVIP and
28 Community Facilities Phasing and Funding Strategy. This program is intended to comprehensively study

1 and ensure desirable land use, transportation and community facilities needs to foster a sustainable, well-
2 planned and livable community in this newly developing area of the county.

3 12. On June 26, 2007, the Board subsequently initiated a General Plan Amendment for the
4 SVIP and initiation of a Road and Bridge Benefit District.

5 13. The Board's actions to further a planned transition to the area are supported by approved
6 and partially constructed developments that fall within the boundaries of the SVIP area. The approval of
7 these projects was intended to further the vision and goals of the SVIP. Such projects include the
8 Panorama Specific Plan (SP362) and Kohl Ranch Specific Plan (SP303) revisions.

9 14. In 1990, due to the close proximity to the airport, the County rezoned a number of parcels
10 (including the AG01001 subject parcels) surrounding the airport to Industrial Park (IP), General
11 Commercial (C-1/C-P), Scenic Highway Commercial (C-P-S) and Manufacturing - Service Commercial
12 (M-SC) to support future airport and interstate land uses.

13 15. In 2003, the Riverside County General Plan designated Land Uses on the subject parcels
14 and to the north and northeast Light Industrial – Community Development (LI-CD), to the northwest
15 Medium High Density Residential – Community Development (MHDR-CD), and to the west Public
16 Facilities.

17 16. With sponsorship by the Redevelopment Agency for the County of Riverside, the Board of
18 Supervisors approved the Thermal and Jacqueline Cochran Airport Redevelopment Area to address
19 blighted conditions in the area including the project site.

20 17. Infrastructure for the area is available near the site; furthermore, the streets for the area
21 have been conditioned to be constructed for this and other projects consistent with the provisions of the
22 SVIP and the proposed Road and Bridge Benefit District intended to implement the SVIP.

23 **BE IT FURTHER RESOLVED** by the Board of Supervisors that:

24 1. The cancellation is for land on which a Notice of Non-Renewal has been served.

25 2. The cancellation will not result in the removal of adjacent lands from agricultural use
26 beyond that already envisioned by the Board of Supervisors and the General Plan. Therefore, though the
27 removal of adjacent lands from agricultural use may occur, such removal would not be a direct
28 consequence of implementation of the Specific Plan and accompanying entitlements or the proposed

1 cancellation. Rather, the proposed cancellation would enable implementation of the vision proposed for
2 the area.

3 3. The cancellation is for an alternative use which is consistent with the applicable provisions
4 of the County General Plan.

5 4. The cancellation will not result in discontinuous patterns of urban development, as the
6 proposed alternative use implements the SVIP.

7 5. Development of the contracted land would provide more contiguous patterns of
8 development than development of proximate non-contracted land by promoting the logical extension of
9 infrastructure and development in the area.

10 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the applicant shall comply with
11 the following conditions prior to issuance of a Certificate of Final Cancellation as outlined in Government
12 Code Section 51283.4:

13 1. The cancellation fee of \$129,750.00 shall be paid; and,

14 2. All conditions necessary for the County to issue grading permits for any portion of the
15 Specific Plan shall have been met.

16 3. The landowner shall notify the Board of Supervisors when all conditions and contingencies
17 enumerated in this Certificate of Tentative Cancellation have been satisfied. Within 30 days of receipt of
18 such notice, and upon determination that the conditions and contingencies have been satisfied, the Board
19 of Supervisors shall cause to be executed and recorded a Certificate of Final Cancellation.

20 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Clerk of this Board shall
21 file and record copies of this resolution, map and boundary description, in the Office of the County
22 Recorder of Riverside County, California, and transmit copies thereof to the Director of Conservation of
23 the State of California, the Treasurer of Riverside County, and the Assessor of Riverside County; and,
24 that, upon fulfillment of all of the conditions, the landowner will be entitled to a Certificate of Final
25 Cancellation that provides as follows:

26 1. Coachella Valley Agricultural Preserve No. 18, Map No. 132, adopted on February 16,
27 1971, will be amended by deleting there from the area shown on the map entitled "MAP NO. 132,
28 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 18, AMENDED BY MAP NO. 1001,

1 AMENDMENT NO. 1, (DIMINISHMENT), MAP NO. 1001," and described by boundary description
2 thereof, said map and description both being on file in the Office of the Clerk of the Board.

3 2. The Land Conservation Contract, executed on property owned by the D.D. Dunlap Trust
4 and the Dorothy Dunlap Trust will be canceled as said contract applies to land referenced in the petition
5 of the aforementioned property owner, thereby removing from the effect of said contract the real property
6 in the County of Riverside, State of California, described in the exhibit entitled, "MAP NO. 132,
7 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 18, AMENDED BY MAP NO. 1001,
8 AMENDMENT NO. 1, (DIMINISHMENT), MAP NO. 1001," a copy of which is attached hereto and
9 incorporated herein by reference, this Land Conservation Contract being dated January 1, 1971, and
10 recorded in the Office of the County Recorder of Riverside County, California, on February 24, 1971, as
11 Instrument No. 18027.

12 **BE IT FURTHER RESOLVED** by the Board of Supervisors that, if any portion of the
13 cancellation fee of \$129,750.00 is not paid within one year following the recordation of this Certificate of
14 Tentative Cancellation, that portion of the fee shall be recomputed pursuant to Government Code Section
15 51283.4 (a), and the landowner shall be required to pay the applicable portion of the recomputed fee as a
16 condition to issuance of a Certificate of Final Cancellation of the Land Conservation Contract.

17 **BE IT FURTHER RESOLVED** by the Board of Supervisors that, upon application of the
18 landowner, the Board may hereafter amend a tentatively approved specified alternative use if the Board
19 finds that such amendment is consistent with the findings made pursuant to Government Code Section
20 51282.

21 ROLL CALL:

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

25 The foregoing is certified to be a true copy of a
26 resolution duly adopted by said Board of Super-
27 visors on the date therein set forth.

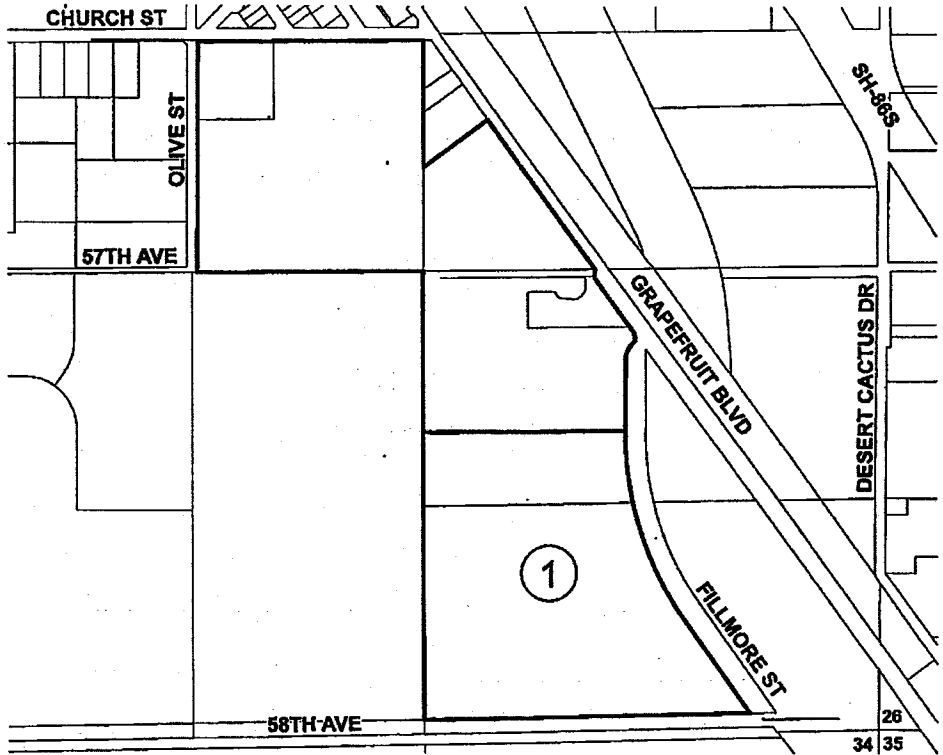
28 KECIA HARPER-IHEM Clerk of said Board

By _____ Deputy

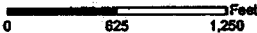
MAP NO. 132 COACHELLA VALLEY AGRICULTURAL PRESERVE NO. 18

AMENDED BY MAP NO. 1001

T. 6 S., R. 8 E., S.B.B. & M.



AMENDMENTS:
NO. 1, (DIMINISHMENT), DECEMBER 20, 2011, MAP NO. 1001



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

ORDINANCE NO. 348.4735

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

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

Section 1. Section 4.1 of Ordinance No. 348, and Official Zoning Plan Map No. 41, 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. 41.085, 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 17.118 to read as follows:

"Section 17.118 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 (2) The uses permitted for Planning Area 12 of Specific Plan No. 369 shall be the
3 same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the
4 uses permitted pursuant to Section 6.1.a.(2), (3), (4), (5), (7).a, (7).b, (7).c, (7).d., (7).e, (8), (9);
5 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
6 permitted. In addition, the uses permitted under Section 6.1.b shall include private recreational
7 parks/areas.

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

- 16 A. The minimum lot size shall be 5,000 square feet. The minimum lot width
17 shall be 50 feet.
- 18 B. The front yard setback shall be a minimum of 15 feet. The minimum side
19 yard distance between buildings shall be at least 10 feet, regardless of lot
20 lines. Side yard setbacks shall be a minimum of 5 feet. Side yard setbacks
21 on corner lots shall be a minimum of 10 feet. The rear yard setback shall
22 be a minimum of 15 feet.
- 23 C. The maximum building height shall be 35 feet.
- 24 D. The maximum lot coverage shall be 60% for single story dwelling and
25 50% for two story dwellings.
- 26 E. A minimum of 200 square feet of private open space shall be provided.
27 All dimensions for each private open space shall be a minimum of 8 feet.
- 28 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

1 with paired Z-lot homes, the development standards for Planning Areas 1 and 12 of Specific Plan
2 No. 369 shall be the same as those standards identified in Section 6.2 of Ordinance No. 348,
3 except that the development standards set forth in Section 6.2.a, b, c, d, e(1), e(2), e(3), and e(4)
4 shall be deleted and replaced with the following:

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

20 (7) 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 VI of Ordinance No. 348 for all other uses.

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

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

1 No. 134 of Coachella Valley Agricultural Preserve No. 18 (applicable to Planning Areas 2 and
2 18, respectively) have been diminished or disestablished in the planning area and any
3 corresponding Williamson Act contract is no longer in effect for the planning area.

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

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

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

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

24 A. The minimum lot size shall be 7,200 square feet. The minimum lot width
25 shall be 72 feet.

26 B. The front yard setback shall be a minimum of 15 feet. The minimum side
27 yard distance between buildings shall be at least 15 feet. Side yards
28 setbacks on corner lots shall be a minimum of 15 feet with a minimum

1 setback of 5 feet on each side. The rear yard setback shall be a minimum
2 of 20 feet. The minimum setback for garages shall be 18 feet. The
3 minimum side-in garage setback shall be 15 feet.

4 C. Building height shall not exceed 35 feet.

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

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

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

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

19 c. Planning Areas 3 and 15.

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

27 Thereafter, the uses permitted in Planning Area 3 of Specific Plan No. 369 shall be the
28 same as those uses permitted in Article VII, Section 7.1 of Ordinance No. 348, except that the

1 uses permitted pursuant to Section 7.1.a.(2), (3), (4), (10), (11), (12); Section 7.1.b.(3), (5), (6),
2 (7) and (9); and Section 7.1.c.(1) and (2) shall not be permitted. In addition, the uses permitted
3 under Section 7.1.b shall include private recreational parks/areas.

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

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

12 (4) The development standards for uses other than agricultural uses and incidental
13 uses thereto within Planning Area 3 and the development standards for uses in Planning Area 15
14 of Specific Plan No. 369 shall be the same as those standards identified in Article VII of
15 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
16 No. 348 shall be deleted and replaced with the following development standards:

- 17 A. The minimum lot size shall be 4,500 square feet. The minimum lot width
18 shall be 45 feet.
- 19 B. The front yard setback shall be a minimum of 15 feet. The minimum
20 corner side yard setback shall be 10 feet. All other side yard setbacks
21 shall be 5 feet. The minimum side yard distance between structures shall
22 be at least 10 feet. The minimum rear yard setback shall be 15 feet. The
23 minimum garage setback shall be 18 feet.
- 24 C. The maximum building height shall be 35 feet.
- 25 D. The maximum lot coverage shall be 60% for single story buildings and
26 50% for two story buildings. Lot coverage includes, but is not limited to,
27 garages, covered porches, and balconies.
- 28 E. Encroachments for fireplaces, AC units and media centers shall not exceed

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

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

8 (5) If Planning Areas 3 and 15 of Specific Plan No. 369 are developed with rear-
9 loaded homes, the development standards for Planning Areas 3 and 15 shall be the same as those
10 standards identified in Article VII of Ordinance 348, except that the development standards set
11 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
12 deleted and replaced with the following:

- 13 A. The minimum front yard setback shall be 10 feet. The minimum rear yard
14 setback on the second floor shall be 3 feet for 50% of the living area and 9
15 feet for the remaining 50% of the second story.
- 16 B. Encroachments for balconies, porches, decks, and attached patio covers
17 shall not exceed 5 feet into the rear setback.
- 18 C. 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 D. All other development standards for lots with rear-loaded homes in
21 Planning Areas 3 and 15 shall be the same as the development standards
22 for single-family detached homes in Planning Areas 3 and 15 as set forth
23 in subsection c. (4) of this Section.

24 (6) If lots with Planning Areas 3 and 15 of Specific Plan No. 369 are developed with
25 paired Z-lot homes, the development standards for Planning Areas 1 and 12 of Specific Plan No.
26 369 shall be the same as those standards identified in Article VII of Ordinance 348, except that
27 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
28 of Ordinance No. 348 shall be deleted and replaced with the following:

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

15 (7) If lots within Planning Areas 3 and 15 of Specific Plan No. 369 are developed
16 with cluster homes, the development standards for Planning Areas 3 and 15 shall be the same as
17 those standards identified in Article VII of Ordinance 348, except that the development standards
18 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
19 be deleted and replaced with the following:

- 20 A. The minimum front yard setback shall be 10 feet. The minimum rear yard
21 setback shall be 10 feet.
- 22 B. There shall be a minimum 20 feet separation between the first stories of
23 adjacent buildings. There shall be a minimum 30 feet separation between
24 the second stories of adjacent buildings.
- 25 C. Encroachments for balconies, porches, decks, and attached patio covers
26 shall not exceed more than 5 feet into the rear setback.
- 27 D. 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 E. All other development standards for lots with cluster homes in Planning
2 Areas 3 and 15 shall be the same as the development standards for single
3 family detached homes in Planning Areas 3 and 15 as set forth in
4 subsection c. (4) of this Section.

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

8 d. Planning Area 4.

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

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

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

24 (3) If lots in Planning Area 4 of Specific Plan No. 369 are developed with paired Z-
25 lot homes, the planning area development standards shall be the same as those identified in
26 Article VII of Ordinance No. 348 except that the development standards set forth in Sections 7.2,
27 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
28 with the following:

- 1 A. The minimum lot size shall be 3,600 square feet. The minimum lot width
2 shall be 45 feet.
- 3 B. The minimum front yard setback shall be 12 feet. The minimum corner
4 side yard setback shall be 8 feet. All other side yard setbacks shall be at
5 least 4 feet. The minimum rear yard setback shall be 5 feet to the garage
6 and 15 feet to the main residential building. The garage setback from the
7 front property line shall be 18 feet.
- 8 C. The maximum building height shall be 35 feet.
- 9 D. The maximum lot coverage shall be 30%.
- 10 E. Encroachments for fireplaces, AC units and media centers shall not exceed
11 more than 2 feet into the front, side, or rear setbacks. Encroachments for
12 balconies, porches, decks, and attached patio covers shall not exceed 5 feet
13 into the front or rear setback. No AC units shall be permitted in front of
14 the structure. The side yard with gate access shall at all times maintain a 5
15 feet clearance regardless of encroachments.
- 16 F. Any driveway shall be less than 3 feet in length or at least 18 feet in
17 length; driveway lengths between 3 feet and 18 feet are not permitted.
- 18 G. All playground equipment within Planning Area 4 shall be shaded in
19 accordance with the Shade Standards described in Section IV.E.3 of
20 Specific Plan No. 369.

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

- 26 A. The minimum front yard setback shall be 10 feet. The minimum rear yard
27 setback shall be 10 feet.
- 28 B. There shall be a minimum 20 feet separation between the first stories of

1 adjacent buildings. There shall be a minimum 30 feet separation between
2 the second stories of adjacent buildings.

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

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

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

11 e. Planning Areas 6, 16, and 17

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

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

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

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

1 The minimum side-in garage setback shall be 15 feet.

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

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

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

1 in subsection e. (2) above.

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

4 f. Planning Areas 7 and 13.

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

10 (2) Planning Areas 7 and 13 of Specific Plan No. 369 shall be developed with duplex,
11 triplex, or townhomes. The development standards for uses in Planning Areas 7 and 13 of
12 Specific Plan No. 369 shall be the same as those identified in Article VII of Ordinance No. 348
13 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,
14 7.10, and 7.11 of Ordinance No. 348 shall be deleted and replaced with the following:

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

1 feet clearance regardless of encroachments.

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

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

9 g. Planning Areas 8 and 14.

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

15 (2) Planning Areas 8 and 14 of Specific Plan No. 369 shall be developed with cluster
16 single family homes. The development standards for uses in Planning Areas 8 and 14 of Specific
17 Plan No. 369 shall be the same as those identified in Article VII of Ordinance No. 348 except
18 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
19 7.11 of Ordinance No. 348 shall be deleted and replaced with the following:

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

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

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

1 The minimum building separation (garage to garage) shall be 30 feet.

2 D. The maximum building height shall not exceed 35 feet.

3 E. Encroachments for fireplaces, AC units and media centers shall not
4 exceed 2 feet into the minimum side setback. Encroachments for
5 balconies, porches, decks, and attached patio covers shall not exceed 7 feet
6 into the minimum front or rear setback. No AC units shall be permitted in
7 front of the structure. The side yard with gate access shall at all times
8 maintain a 5 feet clearance regardless of encroachments.

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

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

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

15 h. Planning Area 9.

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

21 (2) Planning Area 9 of Specific Plan No. 369 shall be developed with rear-loaded
22 single family homes. The development standards for uses in Planning Area 9 of Specific Plan
23 No. 369 shall be the same as those identified in Article VII of Ordinance No. 348 except that the
24 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
25 Ordinance No. 348 shall be deleted and replaced with the following:

26 A. The minimum lot size shall be 3,600 square feet. The minimum lot width
27 shall be 45 feet.

28 B. The front yard setback shall be a minimum of 10 feet. The separation

1 between structures shall not be less than 10 feet. Side yards setbacks on
2 corner lots shall be a minimum of 10 feet. All other side yard setbacks
3 shall be a minimum of 5 feet. The minimum rear yard setback on the
4 second floor shall be 3 feet for 50% of the living area and 9 feet for the
5 remaining 50% of the second story.

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

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

25 i. Planning Areas 19, 20, 21, 23A, 23B, 23C, 23D, 23E, 23F, 23G, 24A, 24B, 24C, 24D,
26 24E, 25A, 25B, and 28.

27 (1) The uses permitted in Planning Areas 23B, 23C, 23D, and 24C of Specific Plan
28 No. 369 shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No.

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

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

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

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

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

1 identified in Section 8.101 of Ordinance No. 348. Additionally, the following development
2 standard shall apply:

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

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

8 j. Planning Areas 22 and 26.

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

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

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

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

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

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

26 k. Planning Area 27.

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

1 than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of
2 Ordinance 348 shall be permitted within Planning Area 27 of Specific Plan No. 369 until such
3 time as Map No. 298 of Coachella Valley Agricultural Preserve No. 62 has been diminished or
4 disestablished in the planning area and any corresponding Williamson Act contract is no longer
5 in effect for the planning area.

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

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

14 (3) If Planning Area 27 of Specific Plan No. 369 is developed with utility land uses,
15 the development standards for such uses shall be the same as those standards identified in
16 Section 8.101 of Ordinance No. 348, except that the development standards pursuant to Section
17 8.101.a, b, c, and e shall be deleted and replaced with the following:

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

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

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

24 1. Definitions. For the purpose of this ordinance, certain words and terms used herein are
25 herewith defined. Definitions in this Section are in addition to those defined in Article XXI of
26 Ordinance No. 348. When not inconsistent with the context, words used in the present tense
27 include the future tense; words in the singular number include the plural number and words in
28 the plural number include the singular number. The masculine gender includes the feminine and

1 neuter gender. The word "shall" is always mandatory and not merely directory. The word "may"
2 is permissive.

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

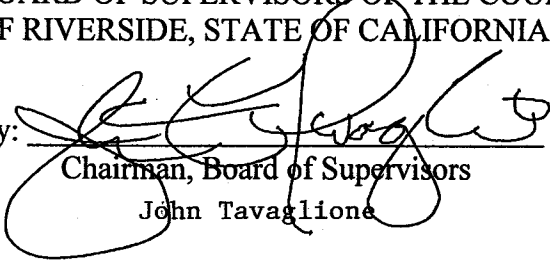
7 (2) Paired Z-lot. A type of development which situates a detached single family dwelling
8 so that at least one wall is on a property line; however, a minimum setback between
9 structures is required. Often this will include reciprocal easements so that open space
10 for one homeowner will be situated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

13 (3) Rear-loaded home. A type of development with attached or detached dwelling units
14 which features a vehicular entrance (driveway) to the back of the lot usually attached
15 to an alley. In a Rear-loaded home development, all dwelling main entrances (front
16 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
OF RIVERSIDE, STATE OF CALIFORNIA

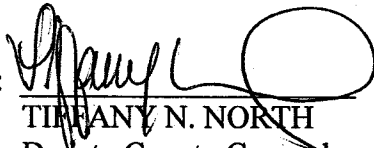
4
5 By: 
6 Chairman, Board of Supervisors
John Tavaglione

7
8
9 ATTEST: Kecia Harper-Ihem

10 CLERK OF THE BOARD

11
12 By: 
13 Deputy
14 (SEAL)

15
16 APPROVED AS TO FORM
17 December 27, 2011

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

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STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) ss

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on January 10, 2012, the foregoing ordinance consisting of 3 Sections was adopted by the following vote:

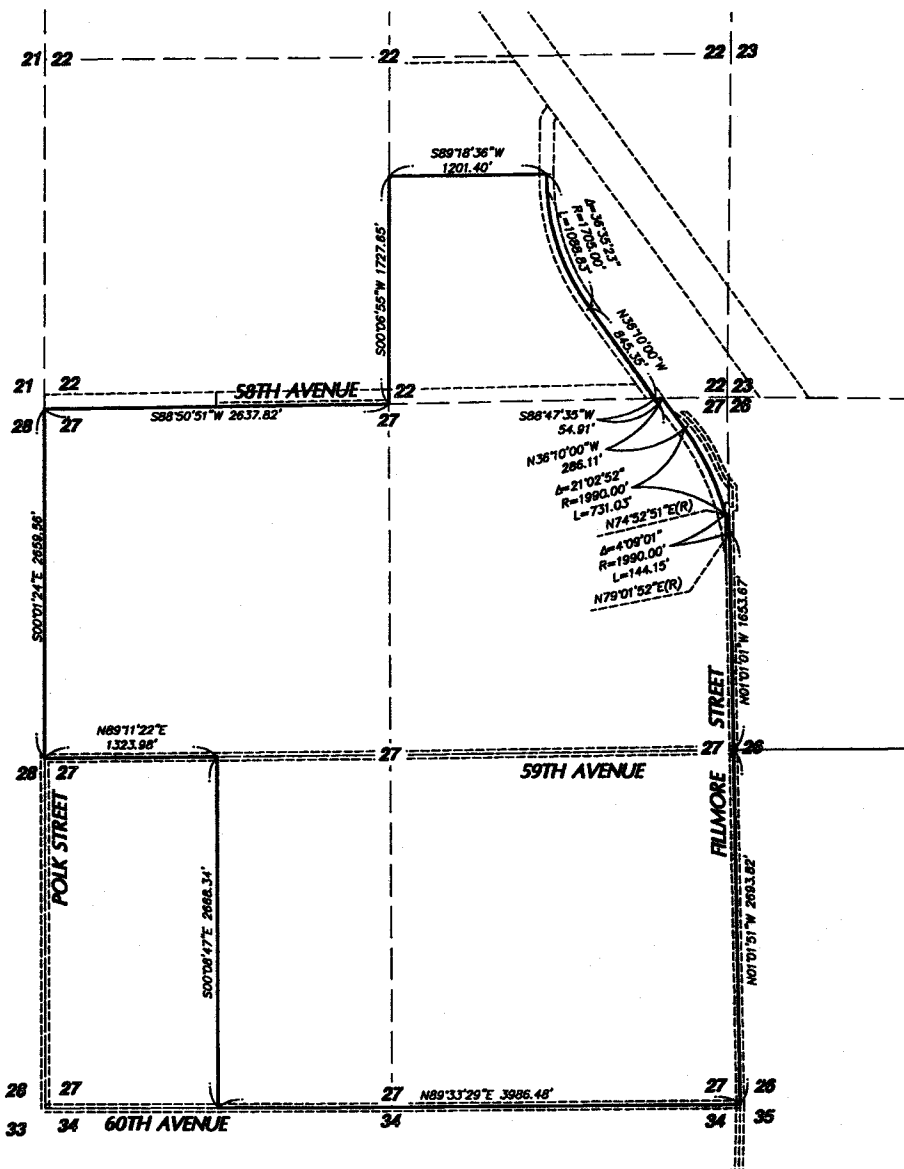
AYES: Buster, Stone, Benoit and Ashley
NAYS: None
ABSENT: Tavaglione

DATE: January 10, 2012

KECIA HARPER-IHEM
Clerk of the Board
BY: *Karla Hunter*
Deputy

SEAL

SEC. 22 & 27, T.6S., R.8E., S.B.B. & M.



LEGEND

SP ZONE SPECIFIC PLAN (SP 369 #1)

MAP NO. 41.085

CHANGE OF OFFICIAL ZONING PLAN LOWER COACHELLA VALLEY DISTRICT

CHANGE OF ZONE CASE NO. 7481

AMENDING ORDINANCE NO. 348

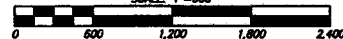
ADOPTED BY ORDINANCE NO. 348.4735

JANUARY 10, 2012

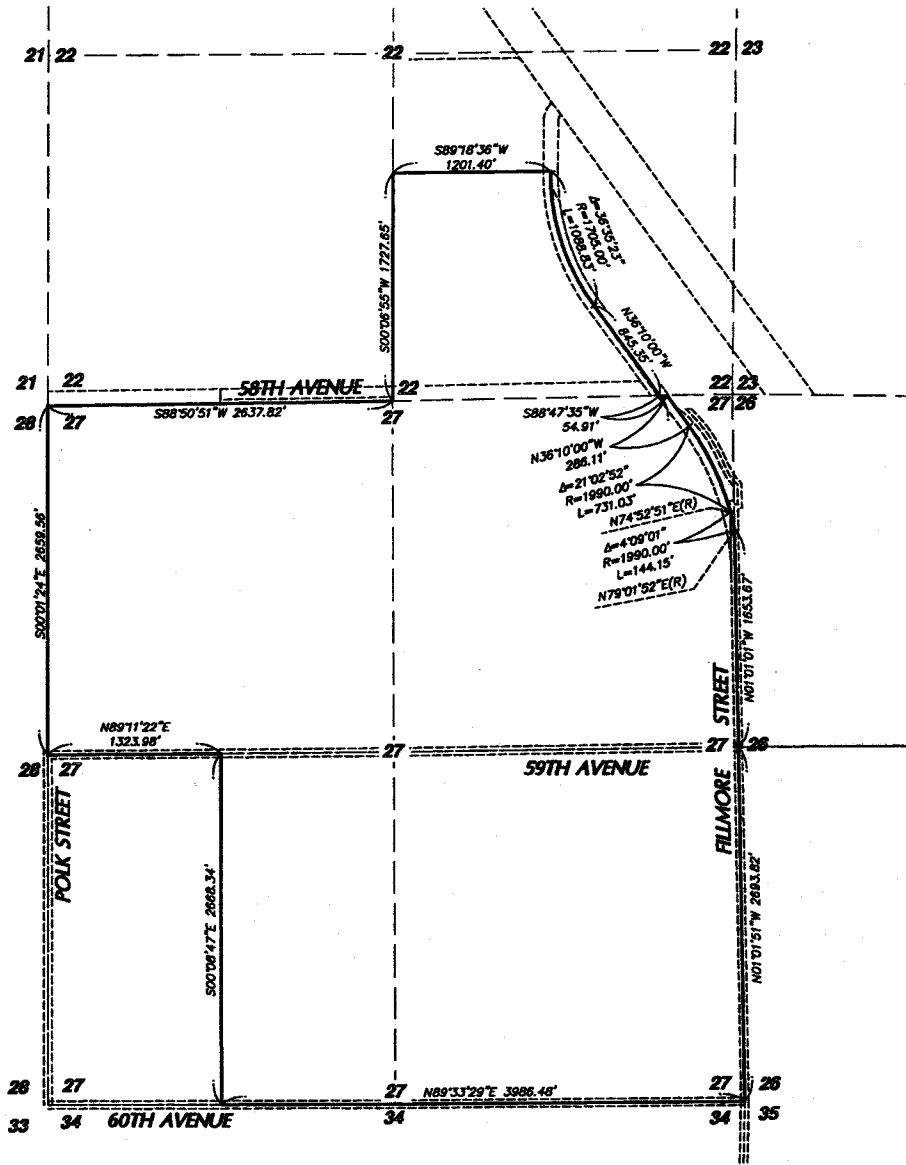
APNs: 757-090-007, 757-300-001, 002, 003, 757-210-003,
004, 005, 015, 017, 018, 020, 021, 022, 024, 025

RIVERSIDE COUNTY BOARD OF SUPERVISORS

SCALE: 1"=600'



SEC. 22 & 27, T.6S., R.8E., S.B.B. & M.



LEGEND

SP ZONE SPECIFIC PLAN (SP 369 #1)

MAP NO. 41085

CHANGE OF OFFICIAL ZONING PLAN LOWER COACHELLA VALLEY DISTRICT

CHANGE OF ZONE CASE NO. 7481

AMENDING ORDINANCE NO. 348

ADOPTED BY ORDINANCE NO. 348.4735

JANUARY 10, 2012

RIVERSIDE COUNTY BOARD OF SUPERVISORS

SCALE: 1"=600'





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

January 12, 2012

THE DESERT SUN
ATTN: LEGALS
PO BOX 2734
PALM SPRINGS, CA 92263

FAX: (760) 778-4731
E-MAIL: legals@thedesertsun.com

RE: ADOPTION OF ORDINANCE NO. 348.4735 (ZC 7481)

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Saturday, January 14, 2012.**

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: Moeller, Charlene <CMOELLER@palmspri.gannett.com>
Sent: Thursday, January 12, 2012 8:45 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: ADOPTION OF ORD. NO. 348.4735 (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
t 760.778.4578 | f 760.778.4731
legals@thedesertsun.com | dpwlegals@thedesertsun.com

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This email and any files transmitted with it are confidential and intended for the individual to whom they are addressed. If you have received this email in error, please notify the sender and delete the message from your system

From: Gil, Cecilia [<mailto:CCGIL@rcbos.org>]
Sent: Thursday, January 12, 2012 7:31 AM
To: tds-legals
Subject: FOR PUBLICATION: ADOPTION OF ORD. NO. 348.4735 (ZC 7481)

One more...Adoption of Ordinance, for publication on Saturday, January 14, 2012. 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.**

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

ORDINANCE NO. 348.4735

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

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

Section 1. Section 4.1 of Ordinance No. 348, and Official Zoning Plan Map No. 41, 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. 41.085, 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 17.118 to read as follows:

"Section 17.118 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.

(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 dwelling and 50% for two story dwellings.
- 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 main residential building.
- 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.

Thereafter, 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 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 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) 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 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 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 yard setbacks 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 building 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 buildings shall be at least 10 feet. Side yard 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 dwellings and 40% for two story dwellings.
- 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.

(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.
- 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 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 shall be a minimum of 5 feet. 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 5 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.
- 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.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.

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 VIII, 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 VIII, 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 VIII of Ordinance No. 348 for all other uses.

j. 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 VIII, 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 VIII of Ordinance No. 348.

k. 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 VIII, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to Section 8.1.a(1), (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 Section 8.101.a, b, c, and e 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 VIII of Ordinance No. 348 for all other uses.

l. 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.

- (1) Cluster Home. A type of development which places more than one dwelling unit intended for sale, not for rent, on one lot, usually clustered around one common drive way or drive aisle. Cluster homes must use condominium subdivisions per the Subdivision Map Act.
- (2) Paired Z-lot. A type of development which situates a detached single family dwelling so that at least one wall is on a property line; however, a minimum setback between structures is required. Often this will include reciprocal easements so that open space

for one homeowner will be situated in another homeowner's property. Alternatively, the lot line may change to follow the proposed structure placement. The reciprocal easements are a required condition of development.

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

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

John Tavaglione, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **January 10, 2012**, the foregoing Ordinance consisting of three (3) sections was adopted by said Board by the following vote:

AYES: Buster, Stone, Benoit and Ashley
NAYS: None
ABSENT: Tavaglione

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