

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



ITEM
18.4
(ID # 5868)

MEETING DATE:

Tuesday, December 12, 2017


FROM : TRANSPORTATION AND LAND MANAGEMENT AGENCY (TLMA):

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: Public Hearing on PLOT PLAN NO. 25793 AND RESOLUTION NO. 2017-243 – Intent to Adopt a Negative Declaration for Environmental Assessment No. 42788 – Applicant/Owner: DMSD Property – Engineer Representative: Senergy – Third Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Land Use Designation: Community Development: Business Park (CD: BP) (0.25 – 0.60 FAR), Community Development: Commercial Retail (CD: CR) (0.20 – 0.35 FAR) – Location: southeasterly of Highway 79, southwesterly of Benton Road, northwesterly of Magdas Coloradas Street, and northerly of Briggs Road – Zoning: Scenic Highway Commercial (C-P-S) - REQUEST: Overrule the Airport Land Use Commission's inconsistency determination and approve Plot Plan No. 25793 allowing the construction and operation of a 4,565 square foot Denny's restaurant, and a 2,680 square foot El Pollo Loco restaurant featuring a drive through, 77 parking stalls, and all other required improvements on a 2.06 acre site. [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. **ADOPT** Resolution No. 2017-243 overruling the Riverside County Airport Land Use Commission's inconsistency determination related to Plot Plan No. 25793; and
2. **ADOPT** a **NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42788**, based on the findings and conclusions provided in the initial study, attached hereto, and the conclusion that the project will not have a significant effect on the environment; and,
3. **APPROVE** Plot Plan No. 25793, subject to the attached conditions of approval, and based upon the findings and conclusions provided in this staff report.


ACTION:


Charissa Leach, Assistant TLMA Director 11/29/2017

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Perez and Ashley
Nays: None
Absent: Washington
Date: December 12, 2017
xc: TLMA, Planning, ALUC, Caltrans Division

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
SOURCE OF FUNDS: Applicant fees 100%			Budget Adjustment:	No
			For Fiscal Year:	N/A

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On March 31, 2015, DMSD Properties submitted a Plot Plan application for a proposed Denny's restaurant and an El Pollo Loco fast-food restaurant with a drive-through facility. On August 18, 2015, the Board of Supervisors authorized and approved Fast Track (FTA No. 2015-06) status for Plot Plan No. 25793. Pursuant to Fast Track procedures/Board policy, Fast Track items are heard directly by the Board of Supervisors.

On September 2, 2015, the project as designed at the time, including one restaurant and one fast-food restaurant with a drive-through facility, was heard by the Airport Land Use Commission (ALUC). ALUC heard and found the project inconsistent with the 2007 French Valley Airport Land Use Compatibility Plan (as amended in 2011) due to the proposed project exceeding primarily single-acre non-residential intensity (80 persons per any given acre) criteria for Compatibility Zone B1. The restaurant would accommodate an occupancy of 138 persons, and the fast food restaurant would accommodate an occupancy of 78 people. According to ALUC, single-acre intensity limits the intensity to 80 people within Compatibility Zone B1 and limits average intensity to 40 people per acre. Intensity is calculated by totaling the total occupancy plus employees and dividing by the project site acreage. Average intensity is calculated by dividing 200 (Airport Land Use Compatibility Plan, Appendix C, Table C-1) by the square footage of the total building.

Pursuant to Public Utilities Code Section 21676.5, the Board of Supervisors may overrule ALUC's inconsistency determination after a public hearing by a two-thirds vote if it makes specific findings that the proposed action is consistent with the purposes set forth in Public Utilities Code Section 21670. At least 45 days prior to the Board of Supervisors' decision to overrule ALUC's determination, the County shall provide ALUC and the Caltrans Division of Aeronautics ("State") a copy of the proposed decision and findings. ALUC and the State may provide comments to the Board of Supervisors within 30 days of receiving the proposed decision and findings. If ALUC's and the State's comments are not available within this time limit, the Board of Supervisors may act without them.

On April 16, 2016, as Item No. 16.1, the Board of Supervisors directed staff to prepare findings and a resolution to overrule ALUC's finding of inconsistency and directed staff to bring back these findings before the Board of Supervisors for their consideration.

On October 17, 2017, the Planning Department sent the draft Resolution No. 2017-243 that included the proposed findings and conclusions to ALUC and the State for review and comment.

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3 **Resolution No. 2017-243**
4 **Decision and Findings to Overrule the Riverside County Airport Land**
5 **Use Commission Inconsistency Determination Related to Plot Plan No. 25793**

6 **WHEREAS**, Plot Plan No. 25793 proposes the construction of a 4,565 square-foot dine-in
7 restaurant and a 2,680 square-foot drive through fast food restaurant on 3.37 gross acres (2.06 net acres) in
8 the French Valley area of Riverside County (“Project”); and,

9 **WHEREAS**, pursuant to Section 21676 of the California Public Utilities Code, the County
10 of Riverside (“County”) referred the Project to the Airport Land Use Commission of Riverside County
11 (“ALUC”) for a determination of consistency with ALUC’s land use plan applicable to the Project; and,

12 **WHEREAS**, the Project is located in Compatibility Zone B1 set forth in the 2007 French
13 Valley Airport Land Use Compatibility Plan, as amended in 2011 (“Airport Plan”); and,

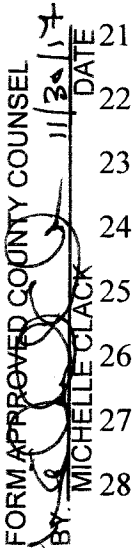
14 **WHEREAS**, Compatibility Zone B1 (“Zone B1”) allows on site an average intensity criteria
15 of 40 people per acre and up to 80 people to occupy any single-acre of a site; and,

16 **WHEREAS**, on August 13, 2015, ALUC determined the Project to be inconsistent with
17 Zone B1 because it exceeded the maximum average intensity of 40 persons per acre and the single-acre
18 non-residential intensity criteria for the zone; and,

19 **WHEREAS**, pursuant to Section 21676.5 of the California Public Utilities Code, the County
20 may overrule the ALUC’s inconsistency determination if, after a public hearing, the County makes findings
21 that the Project is consistent with the purposes set forth in Public Utilities Code Section 21670; and,

22 **WHEREAS**, Public Utilities Code Section 21670(a)(2) provides that the purpose of the
23 State Aeronautics Act is to protect public health, safety and welfare by ensuring the orderly expansion of
24 airports and the adopting of land use measures that minimize the public’s exposure to excessive noise and
25 safety hazards within areas around public airports to the extent that these areas are not already devoted to
26 incompatible uses; and,

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FORM APPROVED COUNTY COUNSEL
BY:  DATE: 11/30/17
MICHELLE CLACK

2. The Project's property is known as Assessor Parcel Numbers 963-060-070 and 963-060-071 and zoned Scenic Highway Commercial (C-P-S).
3. The uses permitted in the C-P-S zoning classification with an approved plot plan include restaurants and other eating establishments.
4. The Project is located approximately 3,100 feet to the north of the French Valley Airport.
5. Based on Table 2H of the French Valley Airport Master Plan, the majority of aircraft utilizing the French Valley Airport are single-engine aircraft.
6. The Project does not propose any uses prohibited or discouraged within Zone B1.
7. Policy 3.3.6 of the Riverside County Airport Land Use Compatibility Plan Policy Document provides that there may be specific situations where a normally incompatible use can be considered compatible because of terrain, specific location or other extraordinary factors or circumstances related to the site. Winchester Road is located adjacent to the project site to the west and could be used for a controlled emergency landing. The Project site is surrounded by various existing establishments. Located to the east is an existing fast food restaurant; to the north is an existing commercial shopping center which contains various dining and retail establishments, industrial facilities to the south, and vacant property to the west.
8. Subsequent to ALUC's inconsistency determination, the applicant redesigned the project to reduce the overall footprint. The original site plan reviewed by ALUC called for a 4,565 square-foot sit-down restaurant, a 2,975 square-foot fast food restaurant and 97 parking spaces. The sit down restaurant square footage will remain 4,565 square feet, however, the fast food restaurant has been reduced to 2,680 square feet and parking has been reduced by 26 for a total of 71 parking spaces.
9. According to ALUC's August 13, 2015 staff report, the national average for vehicle occupancy is 1.5. With 71 parking spaces for the Project and a queue for 10 vehicles, the total occupancy for the Project is 121.5 with an average intensity of 36 persons

1 per acre, based on the project gross acreage of 3.37. This is consistent with the
2 average intensity criterion of 40 persons per acre.

3 10. Additionally, the Project's buildings will not exceed fifty feet in accordance with
4 the development standards provided in the County of Riverside's Ordinance No.
5 348. The Project will also comply with the current Building Code requirements.
6 According to the applicant, the Project will include a brick and stucco exterior with
7 dual pain windows, and have an R-30 value insulation to reduced outdoor noise.
8 With these building design elements, the Project will not expose the public to
9 excessive noise and safety hazards as provided in Public Utilities Code Section
10 21670(a)(2).

11 11. The Project is also consistent with surrounding land uses to the north, east and west
12 with taller structures existing to the south. There is a commercial retail shopping
13 center directly to the north that includes drive-thru restaurants, seven restaurants,
14 and approximately twenty retail businesses. To the east of the Project site is an
15 existing fast food restaurant. Therefore, the intensity of the Project would be
16 similar to the intensity of the existing surrounding land uses.

17 12. According to ALUC's August 13, 2015 staff report, at approximately 3,100 feet from
18 the runway to the property line, Federal Aviation Administration ("FAA") review
19 would be required for structures with roof tops exceeding 1378 feet above mean sea
20 level ("AMSL"). The Project's pad elevation is 1347 feet AMSL for the proposed
21 drive-thru fast food restaurant. The Project's pad elevation is 1345 feet AMSL for
22 the sit down restaurant. The proposed drive-thru fast food restaurant has a 22-foot
23 maximum height, and the sit down restaurant has a 24-foot maximum height. At this
24 height at site elevation, the Project will be at an elevation of approximately 1368 feet
25 AMSL for the drive-thru fast food restaurant and 1369 for the sit down restaurant.
26 Therefore, FAA review would not be required.
27
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- 1 13. The applicant has accepted the conditions of approval recommended by ALUC
2 which include lighting requirements, such as shielding to prevent spillage of lumens
3 or reflection into the sky, permitted land uses, retention or basin designs to avoid
4 attraction of large concentrations of flocking birds that could constitute a hazard to
5 safe air navigation.
- 6 14. Although the Project was determined by ALUC to be inconsistent with the Airport
7 Plan based on maximum potential occupancy, on most days the Project's typical
8 occupancy would be less than the maximum occupancy. As is typical with most
9 restaurant uses, there are limited times of the day and week where they may
10 experience maximum occupancy, if maximum occupancy is achieved at all. As a
11 result, it is not anticipated for the Project to constantly or even regularly experience
12 maximum occupancy thresholds of the applicable airport land use plan. Therefore,
13 the Project does not represent a serious hazard to the public in the event of a potential
14 aircraft accident on the Project site.
- 15 15. Additionally, the Project does not represent a hazard to aircraft in typical flight
16 because the Project does not propose buildings of substantial height that would
17 exceed the applicable FAA Part 77 imaginary surface line. The FAA would review
18 if the project roof line exceeds 1378 feet above mean sea level and the maximum
19 elevation is at 1369 feet above mean sea level. Additionally, the Project does not
20 propose any other buildings features or materials that would create excessive glare
21 to flying aircraft.
- 22 16. As provide in ALUC's August 13, 2015 staff report, the project site is located in an
23 area subject to aircraft noise impacts of approximately 60 CNEL. The staff report
24 also provides that while the Project may be impacted by noise from an aircraft
25 flyover, the Project's use, a dine- in and fast food restaurant, is not particularly noise
26 sensitive to make the Project incompatible with the current and proposed noise levels
27 in the area. Additionally, the Project site is already located along a major road,
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Winchester Road State Highway 79, and is already subject to noise impacts from passing traffic. Therefore, noise impacts from flyover aircraft will not impact the Project.

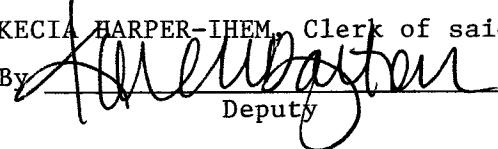
BE IT FURTHER RESOLVED by the Board of Supervisors that, based on the above, the Board hereby overrules ALUC's determination of inconsistency on the basis that Plot Plan No. 25793 will not expose the public to excessive noise or safety hazards and is consistent with the purposes set forth in Public Utilities Code Section 21670; and,

BE IT FURTHER RESOLVED by the Board of Supervisors that copies of Resolution No. 2017-243 shall be placed on file in the offices of the Clerk of the Board, the Riverside County Planning Director, Riverside County Airport Land Use Commission, and Caltrans Division of Aeronautics.

ROLL CALL:

Ayes: Jeffries, Tavaglione, Perez and Ashley
Nays: None
Absent: Washington

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

KECIA HARPER-IHEM, Clerk of said Board
By  Deputy

DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S. #40

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*Making Conservation
a California Way of Life.*

November 6, 2017

Mr. Dave Alvarez, Project Planner
County of Riverside
480 Lemon Avenue, 12th Floor
Riverside, CA 92501-6601

Dear Mr. Alvarez:

One of the goals of the California Department of Transportation (Caltrans), Division of Aeronautics (Division), is to assist cities, counties, and Airport Land Use Commissions in the development and implementation of policies that protect the safety and general welfare of their communities in which aeronautical activities take place. We encourage collaboration with our partners in the planning process and thank you for including us in the review of the proposed overrule of the Riverside County Airport Land Use Commission (ALUC) for the French Valley Airport.

On October 17, 2017, the Division received an email with Resolution No. 2017-XXX, Decision and Findings by the County of Riverside (County) to overrule the ALUC Inconsistency Determination related to Plot Plan No. 25793 (Project). This Project proposes the construction of a 4,565-square-foot, dine-in restaurant and a 2,680-square-foot, drive-through, fast-food restaurant. The location of the proposed Project is approximately 3,100 feet north of the French Valley Airport northerly terminus of Runway 18/36 and at the southeast corner of Benton Road and Winchester Road/State Highway 79 in the unincorporated community of French Valley, California.

On August 13, 2015, the proposed Project was found by the ALUC to be inconsistent with the current Riverside County Airport Land Use Compatibility Plan (ALUCP) for the French Valley Airport amended in 2011. The proposed Project was found inconsistent because it exceeds single-acre, non-residential intensity criteria for Compatibility Zone B1.

The Division has reviewed the proposed findings provided by the County and has **determined the findings are insufficient to warrant this proposed overrule**. Specifically, the findings are not consistent with the purposes of the statutes set forth in California Public Utilities Code (PUC), section 21670. These findings do not provide substantial evidence that the proposed Project will meet the requirements of PUC, section 21670(a) (1) and (2).

The Division agrees with the ALUC that the proposed Project is inconsistent with the current ALUCP for the French Valley Airport because it exceeds single-acre, non-residential intensity criteria for Compatibility Zone B1.

Mr. Dave Alvarez
November 6, 2017
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Please note: The Division comments are to be included in the public record of any decision to overrule the ALUC.

If you have questions or we may be of further assistance, please contact me at (916) 654-5203 or via email at tony.sordello@dot.ca.gov.

Sincerely,



TONY SORDELLO
Aviation Planner

c: Mr. John Guerin, Principal Planner, Riverside County Airport Land Use Commission,
4080 Lemon Street, 14th Floor, Riverside, CA 92501-6601



AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

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Barbara Santos

County Administrative Center
4080 Lemon St., 14th Floor
Riverside, CA 92501
(951) 955-5132

www.rcaluc.org

November 22, 2017

Mr. David Alvarez, Contract Planner
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside CA 92501
(VIA HAND DELIVERY)

**RE: Resolution Overruling the Riverside County Airport Land Use Commission
Determination of Inconsistency for Plot Plan No. 25793 (ALUC Case No.
ZAP1062FV15)**

Dear Mr. Alvarez:

Thank you for providing the Riverside County Airport Land Use Commission (ALUC) with a copy of the draft Resolution proposing to overrule ALUC's August 13, 2015 determination that the above-referenced project, a proposal to develop two restaurants on a 2.07-acre (3.37 acres gross including half-widths of adjacent streets) site located at the southeast corner of Benton Road and Winchester Road (State Highway Route 79) in the community of French Valley, is **INCONSISTENT** with the 2007 French Valley Airport Land Use Compatibility Plan (as amended in 2011) [French Valley ALUCP], due to single-acre intensities in excess of the maximum permitted intensity (80 persons in any given acre) for areas within Airport Compatibility Zone B1.

We would respectfully recommend that the Riverside County Board of Supervisors consider the following prior to taking final action to overrule ALUC's determination and approve the proposed Plot Plan, as amended.

- 1) Finding No. 3 is a true statement of fact. The C-P-S zoning classification permits restaurants and other eating establishments, subject to approval of a plot plan. However, the requirement for discretionary approval of a plot plan is in recognition of the fact that development decisions should take into account available public services and environmental constraints that may exist at a given project site. The potential safety risks involved in locating facilities that would accommodate large numbers of persons within the Inner Approach/Departure Zone of a public general aviation airport should be considered, in the same way that earthquake fault rupture, flooding, liquefaction, and dam inundation hazards should be considered prior to authorizing such a development.
- 2) Finding No. 7 states that the project "is consistent with Policy 3.3.6 of the Riverside County Airport Land Use Compatibility Plan Policy Document ["Countywide Policies"] which provides that there may be specific situations where a normally incompatible use may be considered compatible..."; however, ALUC, which is the Commission charged with making such specialized findings, did not reach this conclusion at its public hearing regarding this project. Additionally, the infill policies included in the Countywide Policies document do not apply to Compatibility Zone B1.
- 3) Finding No. 8 is a true statement of fact, and we commend the applicant for reducing the square footage of the fast food restaurant and especially for reducing the square footage that would fall within the same single-acre area as the sit-down restaurant.

Airport Land Use Commission
Page 2 of 3

However, the sit-down restaurant alone has a Building Code occupancy of 185 and seats 164 in the dining area. This is well above the single-acre allowable maximum intensity of 80 persons within Airport Compatibility Zone B1 under the French Valley ALUCP.

- 4) We commend the applicant for reducing the number of parking spaces from 97 to 71 and agree that average intensity, calculated using the Parking Space Method and the gross acreage of the site, would be consistent with the Compatibility Plan criteria of 40 persons per acre. However, this should have been accompanied by a reduction in the dining area capacity of the sit-down restaurant.
- 5) Finding No. 11 references a retail shopping center to the north of the proposed project. The shopping center pre-dates the adoption of the French Valley Airport Land Use Compatibility Plan of 2004. It was reviewed in 2002 pursuant to the French Valley Comprehensive Land Use Plan (CLUP), which was adopted in the 1990s. At that time, it was determined that the proposed project was not consistent with the land use and development intensity standards of the CLUP, but that the project was exempt from CLUP standards because of its location within an adopted specific plan. (A subsequent Attorney General's opinion prohibited such exemptions being utilized in Plans adopted in 2004 and subsequent years. Note that this is distinguished from projects with adopted Development Agreements, which are treated as existing land uses. However, the Specific Plan in which the shopping center is located [Specific Plan No. 106] did not have an associated Development Agreement in force.) Finding No. 11 also references an existing fast food restaurant to the east. That project was able to move forward without an ALUC determination because it was presented during a time when the 2004 French Valley Airport Land Use Compatibility Plan was inapplicable/suspended by court order due to CEQA litigation. (The 2004 Plan was subsequently superseded by the 2007 Plan, which was further amended in 2011.)
- 6) Finding No. 14 notes correctly that on most days the typical occupancy of these restaurants would be less than the maximum occupancy. However, given the overall potential occupancy of the sit-down restaurant, it would only meet the single-acre intensity criterion of Compatibility Zone B1 when operating at less than 50 percent of full capacity. The applicant did not provide an in/out customer count conducted by a separate entity for an extended period of time at a similar restaurant for the Commission's consideration in making its decision. If the restaurant is successful, there will be times when all tables/booths will be full and customers will have to wait for seating. These are not intermittent uses that would be open 15 or less hours per week.

Enclosed please find an account of a disaster that occurred in Sacramento in 1972 when an aircraft crashed into a restaurant hosting a children's team party.

Should you have any questions regarding this letter, please contact John Guerin, ALUC Principal Planner, at (951) 955-0982.

Sincerely,
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



Simon A. Housman, ALUC Director

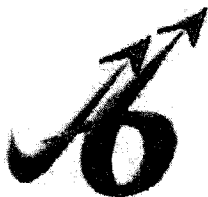
Attachment: Notice of Airport in Vicinity

Airport Land Use Commission

Page 3 of 3

cc: David Beshay, DMSD Property, LLC (applicant/payee)
Scott Barone, Senergy Inc. (representative)
Mike and Hennie Monteleone (interested party)
Tim Miller, Riverside County Economic Development Agency – Aviation Division
Ron Bolyard, CALTRANS Division of Aeronautics
Tony Sordello, CALTRANS Division of Aeronautics

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The Crash at Farrell's Ice Cream Parlor

In Sacramento, CA - September 24, 1972

Air shows have always been popular with both the old and the young alike. They are a great way of demonstrating the joy of flight to a large volume of people and, when done right, and be quite safe, even to those flying in feats of airborne wonder.

On the afternoon of Sunday, September 24th, 1972, the Sacramento 49ers "Little League" football team was celebrating at Farrell's Ice Cream Parlor in the 'Howard Hughes Room', located in the Crossroads shopping center at 5770 Freeport Blvd near the Sacramento Executive Airport (SAC). That weekend, the airport had been the venue for the Golden West Sport Aviation Show, a 2-day event showcasing static and aerial exhibitions of experimental and antique aircraft.



Up until 3 years earlier, the airport had been used from regularly scheduled commercial flights in and out of Sacramento until the completion of Sacramento Metropolitan Airport (SMF), 15 miles to the north. With the airport being nearly dense residential and commercial real estate, it was an ideal locale for an air show to attract from the local area.

The Aircraft

In 1948, the government of Canada chose to re-equip the Royal Canadian Air Force with the F-86 Sabre fighter, the same as the United States. Canadair, a civil aircraft manufacturer in Canada at the time, was awarded a contract to produce an initial batch of ten aircraft for tool verification. However, the escalation of the Korean War changed the order to 100 aircraft. Due to difficulties in obtaining parts & equipment from the USA, Canadair slowly built up its production facility to make all parts, and equipment was obtained from Canadian suppliers.

The Sabre Mark 5 was the most widely produced version of the Canadian aircraft. Outfitted with an Orenda 10 engine, it commanded 6,500 pound of thrust, carrying the craft to a maximum speed of 696 mph.

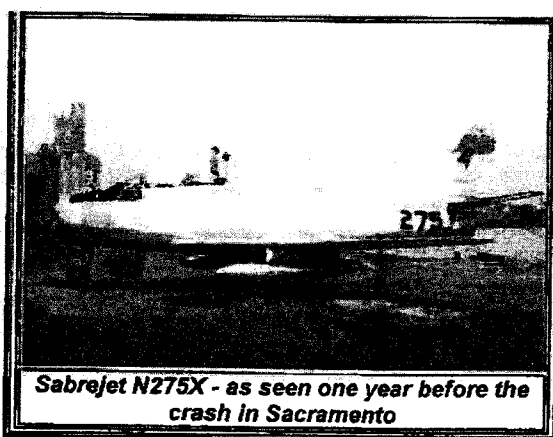
This particular Sabre was manufactured on September 18th, 1954, as serial number 1054. The RCAF flew it for 300 hours, and then placed it in storage in October of 1961. It was then registered as 'N275X' in the U.S. in July of 1971, and purchased by Spectrum Air, Inc., on November 4th, 1971. It was repaired in Syracuse, NY, and flown to California in February of 1972.

Sowing Seeds of Disaster...

In January of 1964, the Crossroads shopping center was proposed for construction on commercially zoned property at the northwest corner of the airport on Freeport Boulevard in Sacramento. The FAA circulated particulars of the construction to various aeronautical interests in order to obtain their comments on the effect of the construction, noting that there were four obstructions the height of which exceeded the then current standards by an average of 12 feet.

The California Aeronautics Commission, as well as the airport manager Don Smith, objected to the construction on the basis that it would be hazardous to the patrons of the proposed shopping center, as well as aircraft on approach to the runway. In addition, the Air Transport Association objected because it might result in a reduction of runway effective length, thereby forcing air carriers to operate at reduced capacity. The construction proposal was discussed further at an informal meeting of all concerned, and the FAA determined that the construction would not be a hazard to navigation.

A few years later, in 1969, the Farrell's Ice Cream Parlor was to be added to the shopping center, and again the airport notified those



Sabrejet N275X - as seen one year before the crash in Sacramento

concerned of the proposal. No objections were made to this addition, that was until a month later, when the proposed sign for the parlor was determined to exceed the allowable height by over 25 feet. Once again, the FAA determined that no hazard existed because the sign had no greater adverse effect on aircraft operations, than the existing obstructions, provided it had appropriate lighting.

None of this was to be a problem - until that September weekend, when the airport was home to the Golden West Sport Aviation Show.

A Sunday Afternoon...

With the otherwise successful wrapping up, many of the aircraft in attendance made their preparations to depart to their home airports.

After "porpoising" twice down the runway, but returning to the ground both times, the speeding fighter jet, painted in blue and gold, overran the end of runway 30, shot up over a levee, ripped through a chain-link fence, plowed across Freeport Boulevard, where it smashed through an automobile, and crashed into the Howard Hughes Room of the crowded Farrell's Ice Cream Parlor, igniting a ball of fire.



Amateur cameramen, filming the events of the air show, caught, on celluloid, the plane's entire take-off attempt, crash, and fireball caused by the Sabrejet.

Twelve-year-old Ed Billeci was standing on the balcony of the Red Baron restaurant, which was located in the terminal building at the base of the control tower, watching the takeoff. "I knew almost instantly it would not takeoff."

Billeci recalled, "I actually started my way down the stairs from the restaurant balcony in anticipation. So when I saw the fireball erupt it startled me because I saw it before I heard the explosion. The airport alarm started. I ran, as fast as I could with my brothers from the Red Baron in the direction of the dirt parking lot. My adrenaline was pumping, I remember being so out of breath!"

"When I got to the edge of the airport property, the jet had crashed through the perimeter fence, and struck a fire hydrant which was shooting upward. I had to jump over the fence to the left of where the fire is. I couldn't go through the fence where the hole was because everything was still burning. I jumped over, now realizing it was pretty tall, and I fell, landing in the drainage canal that was full of water from the hydrant. The water went up to my knees; I was soaked."

"But I made it to Farrell's. I guess I thought I could help but it was too late. Some guys already got the pilot out, and the place was an inferno. I just stood there and watched in horror. Several cars in the parking lot of Farrell's had been knocked sideways. I could see the grille of a car in the restaurant."



Photo taken the the air traffic controller on duty at SAC tower

The 36-year-old pilot and general manager of Spectrum Air, Richard Bingham, was helped from the wreckage by bystanders, saying "I'm sorry...I'm sorry. Get the people out!" He survived the crash with a broken arm and facial cuts after being taken to the Sacramento Medical Center.

The intense heat from the crash charred paint on parked automobiles 60 feet away, and the impact knocked over mannequins in the windows of nearby shops. Thick clouds of dense smoke poured out of the colorfully decorated ice cream parlor, whose employees wore straw hats and with black and white uniforms and red, white and blue garters.

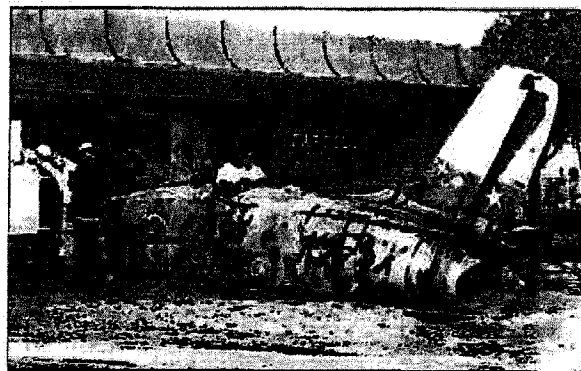
"The heat was terrific. It was terribly smoky," said Sacramento Fire Chief Winston Wilson. He said the children that poured out of the parlor "looked like, all the kids you know." All of Sacramento's publicly and privately owned ambulances were called to the scene as rescue workers began dragging bodies from the flaming building, and a makeshift coroner's office was set up in the parking lot beside the building.



A photo, by Leo Nelbaur, of rescue workers rushing a victim away from the crash site

Moments after the crash, a 61-year-old woman and her 62-year-old husband were both struck by a truck as they attempted to cross Freeport Boulevard on foot to reach the crash site; the woman, Billie Irwin, died of her injuries.

Hundreds of people, many of whom had just been attending the air show, gathered around the shopping center - held back about 100 feet by police lines. As the onlookers watched on, rescuers pulled debris and bodies out of the store for several hours. Burned toys, chairs and other personal effects were piled on two sides of the building



Parts of the aircraft were separated from the wreckage by investigators and hauled away. A heavy duty tow truck finally pulled the fuselage of the plane from the store, tearing a big chunk of the wall out with it. Firemen cleared debris from a crumpled auto under the plane and found the last two bodies.

The final count: Twelve children and 10 adults were killed, including the couple in the car that was struck by the jet. In addition, 28 persons were injured in the devastation. One survivor, only eight-years-old, lost nine family members in the conflagration: both parents, two brothers, a sister, two grandparents and two cousins, and one entire family of four was wiped out completely.

Postscript

The National Transportation Safety Board concluded that the cause of the crash was that the pilot tried to lift off too quickly, in an action known as over-rotation, pointing the nose of the jet three times higher than the normal angle because he mistakenly used misleading visual cues due to a lack of experience in this type of aircraft. Instead of becoming airborne sooner, the plane never left the ground, and continued down the runway at 125 knots. Rather than eject, the pilot elected to stay with the aircraft in the fruitless struggle to gain altitude, at the risk of his own life.

It was also determined that proximity of buildings, trees, and other obstacles, in conjunction with the short length of Runway 30, could have contributed to the pilot's desire to pitch-to-climb earlier and more aggressively than required. The Safety Board also noted that, if not for the air show, the pilot and aircraft would not have been at the Sacramento Airport to begin with, due to the limitations on both.

Ultimately, the accident forced the closure of Runway 12-30 to jet traffic, became the impetus to a comprehensive land-use plan for the area around the airport, and resulted in a \$5 million settlement

for the survivors and the families of those who died, but only after years of legal maneuvers, concluding in May of 1976.

The crash also highlighted an important need to the Sacramento area - a specialized burn unit. Cliff Haskell, a Fire Captain with the Sacramento Fire Department, convinced the Sacramento Area Fire Fighters Local 522, to allow him to raise funds for and establish the Firefighters Burn Institute in December of 1973. A similar facility at the University of California-Davis Medical Center was opened a month later.

William Penn Patrick, the owner of the F-86 and successful entrepreneur, did not hang around for too much longer. On the morning of June 9th, 1973, he took when his P-51 Mustang out for a flight, during which he made a series of low passes, the plane entered into a steep dive, and crashed on the grounds of his High Valley Ranch.

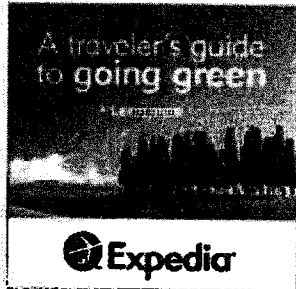


Also killed aboard the aircraft was Christian George Hagert, Penn's Managing Director from Finland.

Nearly ten years after the mishap at the Sacramento airport Farrell's, in 1982, another plane, this time a Cessna Cardinal, crashed in front of the Farrell's Ice Cream Parlour in Torrance, California.

We are currently searching for photos of the crash site taken during the investigation. If you have any - please contact us.

[Click here to see the crash site as it is today...](#)



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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

November 20, 2017

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

PH : (951) 368-9225
E-MAIL: legals@pe.com

RE: NOTICE OF PUBLIC HEARING: PLOT PLAN 25793

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) time on Wednesday, November 22, 2017.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **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,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD

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11/20/17 2:55:24PM Page 2

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NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON EAST TRACK PLOT PLAN IN THE RANCHO CALIFORNIA SOUTHWEST AREA, THIRD SUPERVISORIAL DISTRICT AND NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on Tuesday, December 12, 2017 at 10:30 A.M. or as soon as possible thereafter, to consider the application submitted by DMSD Property Services, Inc. for a Track Plot Plan No. 23793, which proposes to operate a fast-food restaurant, a 2,067 square foot restaurant operation and expand the existing restaurant, and a 2,067 square foot El Pollo Loco restaurant improvements at a 2.06 acre site ("the project"). The project is located southwesterly of Highway 79, southwesterly of Benton Road, northwesterly of Montañas Coloradoas Street and northerly of Briggs Road, Third Supervisorial District.

The Planning Department recommended that the Board of Supervisors approve the project and adopt the Negative Declaration for Environmental Assessment No. 42788.

The project case file may be viewed from the date of this notice until the public hearing, Monday through Friday, from 8:00 a.m. to 5:00 p.m. at the Board of Supervisors at 4080 Lemon Street, 1st Floor, Riverside, California 92501, and at the Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT PLEASE CONTACT DAVID ALVAREZ PROJECT PLANNER, AT (951) 955-5719 OR EMAIL dalvarez@rivco.org.

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

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Public Hearing Commission or Board of Supervisors at or prior to the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, 72 hours prior to hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: November 20, 2017
 By: Kecia Harper-Ihem, Clerk of the Board
 Cecilia Gil, Board Assistant

11/22

Product	Requested Placement	Requested Position	Run Dates	# Inserts
PE Riverside:Full Run	Legals CLS	County Legal - 1076-	11/22/17	1

CERTIFICATE OF POSTING

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I, Cecilia Gil, Board Assistant to Kecia Harper-Ihem, Clerk of the Board of Supervisors, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on November 20, 2017, I forwarded to Riverside County Clerk & Recorder's Office a copy of the following document:

NOTICE OF PUBLIC HEARING

PLOT PLAN 25793

to be posted in the office of the County Clerk at 2724 Gateway Drive, Riverside, California 92507. Upon completion of posting, the County Clerk will provide the required certification of posting.

Board Agenda Date: December 12, 2017 @ 10:30 a.m.

SIGNATURE: Cecilia Gil DATE: November 20, 2017
Cecilia Gil

Gil, Cecilia

From: Meyer, Mary Ann <MaMeyer@asrckrec.com>
Sent: Monday, November 20, 2017 3:03 PM
To: Gil, Cecilia; Buie, Tammie; Garrett, Nancy; Kennemer, Bonnie
Subject: RE: FOR POSTING: PP 25793

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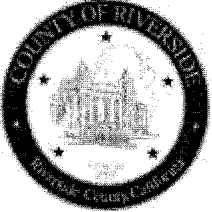
From: Gil, Cecilia [mailto:CCGIL@RIVCO.ORG]
Sent: Monday, November 20, 2017 2:52 PM
To: Buie, Tammie <tbuie@asrckrec.com>; Garrett, Nancy <ngarrett@asrckrec.com>; Kennemer, Bonnie <bkenname@asrckrec.com>; Meyer, Mary Ann <MaMeyer@asrckrec.com>
Subject: FOR POSTING: PP 25793

Good afternoon!

Notice of Public Hearing, for POSTING. Please confirm. THANK YOU!

Cecilia Gil

Board Assistant
Clerk of the Board of Supervisors
4080 Lemon St., 1st Floor, Room 127
Riverside, CA 92501
(951) 955-8464 Mail Stop# 1010



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County of Riverside California

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A FAST TRACK PLOT PLAN IN THE RANCHO CALIFORNIA – SOUTHWEST AREA, THIRD SUPERVISORIAL DISTRICT AND NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, December 12, 2017 at 10:30 A.M.** or as soon as possible thereafter, to consider the application submitted by DMSD Property - Senegy, on **Fast Track Plot Plan No. 25793**, which proposes to overrule the Airport Land Use Commissions inconsistency determination and approve Plot Plan No. 25793 allowing the construction and operation of a 4,565 square foot Denny's restaurant, and a 2,680 square foot El Pollo Loco restaurant featuring a drive through, 77 parking stalls, and all other required improvements on a 2.06 acre site ("the project"). The project is located southeasterly of Highway 79, southwesterly of Benton Road, northwesterly of Magdas Coloradas Street and northerly of Briggs Road, Third Supervisorial District.

The Planning Department recommended that the Board of Supervisors approve the project and adopt the Negative Declaration for **Environmental Assessment No. 42788**.

The project case file may be viewed from the date of this notice until the public hearing, Monday through Friday, from 8:00 a.m. to 5:00 p.m. at the Clerk of the Board of Supervisors at 4080 Lemon Street, 1st Floor, Riverside, California 92501, and at the Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT DAVID ALVAREZ PROJECT PLANNER, AT (951) 955-5719 OR EMAIL daalvarez@rivco.org.

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

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

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, 72 hours prior to hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: November 20, 2017 Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

CERTIFICATE OF MAILING

(Original copy, duly executed, must be attached to
the original document at the time of filing)

I, Cecilia Gil, Board Assistant, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on November 20, 2017, I mailed a copy of the following document:

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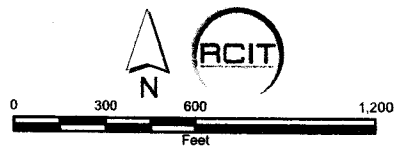
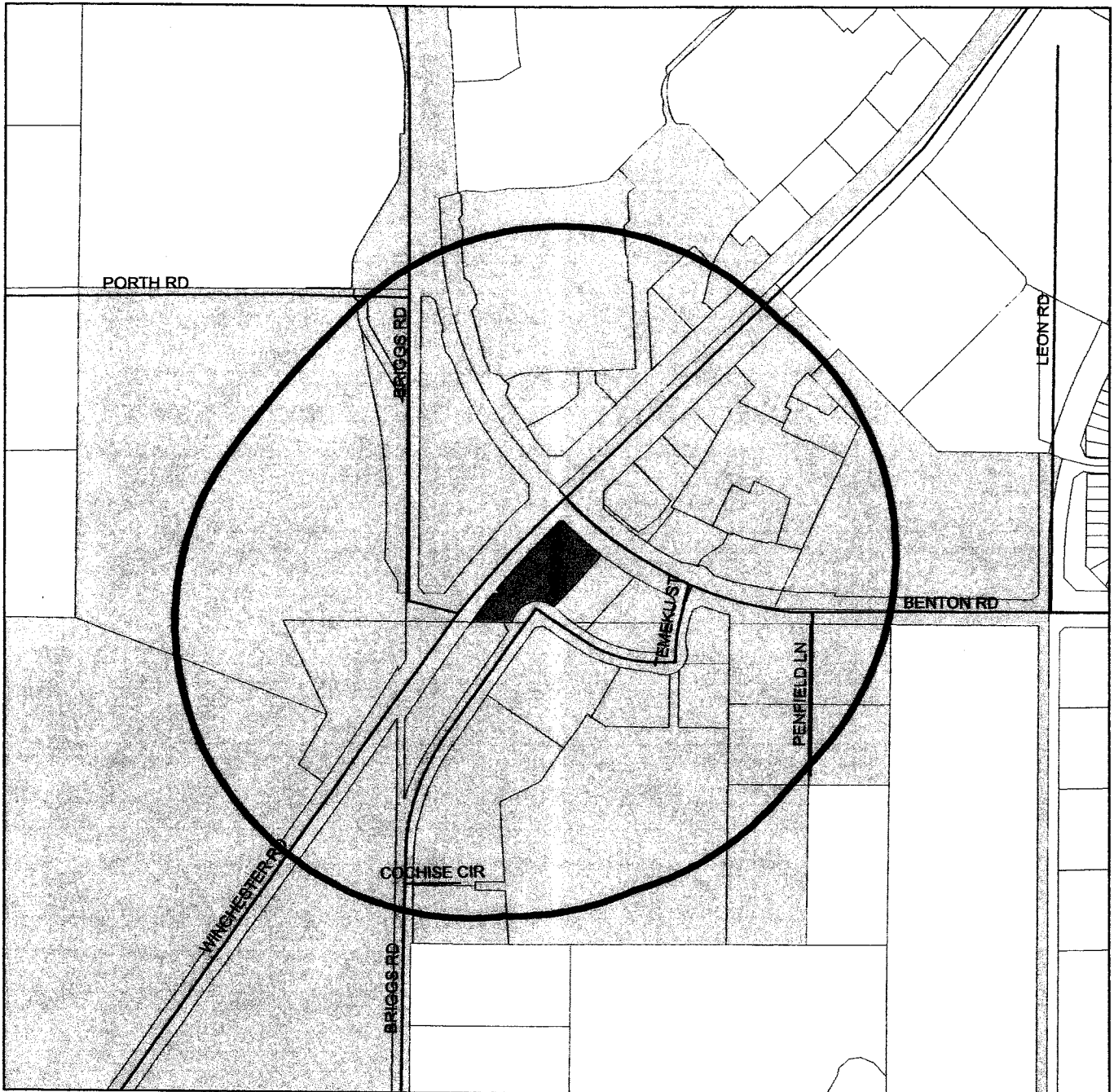
PLOT PLAN 25793

to the parties listed in the attached labels, by depositing said copy with postage thereon fully prepaid, in the United States Post Office, 3890 Orange St., Riverside, California, 92501.

Board Agenda Date: December 12, 2017 @ 10:30 a.m.

SIGNATURE: Cecilia Gil DATE: November 20, 2017
Cecilia Gil

County of Riverside PP25793 (1200 feet buffer)



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C A BOREL
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SAN FRANCISCO CA 94107

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Western Riverside County Regional
Conservation Authority
3403 10th St., #320
Riverside, CA 92501

U.S. Army Corps of Engineers
Regulatory Division
5900 La Place Court, Suite 100
Carlsbad, CA 92008

SCAG
Attn: Intergovernmental Review
818 West 7th Street, 12th Fl
Los Angeles, CA 90017-3435

California Dept of Fish & Wildlife
Eastern Sierra, Inland Desert Region
3602 Inland Empire Blvd., C-220
Ontario, CA 91764

Santa Ana RWQCB
3737 Main Street, Suite 500
Riverside, CA 92501

South Coast AQMD
Attn: CEQA Review
21865 Copley Drive
Diamond Bar, CA 91765

Riverside County Flood Control and
Water Conservation District
1995 Market Street
Riverside, CA 92501

San Diego RWQCB
2375 Northside Drive, Suite 100
San Diego, CA 92108

Pechanga Band of Luiseño Mission
Indians
P.O. Box 2183
Temecula, CA 92593

Riverside Land Conservancy
4075 Mission Inn Avenue
Riverside, CA 92501

Soboba Band of Luiseño Mission
Indians
P.O. Box 487
San Jacinto, CA 92581

CalTrans-Division of Aeronautics
Attention: Tony Sordello
MS 40 P.O. Box 942874
Sacramento, CA 94274-0001

ALUC
Attention: John Guerin
4080 Lemon Street
14th Floor
Riverside, CA 92501



DMSD Property
41856 Ivy Street, Suite 201
Murrieta, CA 92562

Marks Architects
Attention: Gabriela Marks
2643 4th Avenue
San Diego, CA 92103

Marks Architects
Attention: Gabriela Marks
71905 Hwy 111, Suite F
Rancho Mirage, CA 92270

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



ITEM
(ID # 5868)

MEETING DATE:

Tuesday, December 12, 2017

FROM : TRANSPORTATION AND LAND MANAGEMENT AGENCY (TLMA):

SUBJECT: Public Hearing on PLOT PLAN NO. 25793 AND RESOLUTION NO. 2017-243 – Intent to Adopt a Negative Declaration for Environmental Assessment No. 42788 – Applicant/Owner: DMSD Property – Engineer Representative: Senergy – Third Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Land Use Designation: Community Development: Business Park (CD: BP) (0.25 – 0.60 FAR), Community Development: Commercial Retail (CD: CR) (0.20 – 0.35 FAR) – Location: southeasterly of Highway 79, southwesterly of Benton Road, northwesterly of Magdas Coloradas Street, and northerly of Briggs Road – Zoning: Scenic Highway Commercial (C-P-S) - REQUEST: Overrule the Airport Land Use Commission's inconsistency determination and approve Plot Plan No. 25793 allowing the construction and operation of a 4,565 square foot Denny's restaurant, and a 2,680 El Pollo Loco restaurant featuring a drive through, 77 parking stalls, and all other required improvements on a 2.06 acre site. [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. **ADOPT** Resolution No. 2017-243 overruling the Riverside County Airport Land Use Commission's inconsistency determination related to Plot Plan No. 25793; and,
2. **ADOPT** a **NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42788**, based on the findings and conclusions provided in the initial study, attached hereto, and the conclusion that the project will not have a significant effect on the environment; and,
3. **APPROVE** Plot Plan No. 25793, subject to the attached conditions of approval, and based upon the findings and conclusions provided in this staff report.

ACTION:

MINUTES OF THE BOARD OF SUPERVISORS

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
SOURCE OF FUNDS: Applicant fees 100%			Budget Adjustment:	No
			For Fiscal Year:	N/A

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On March 31, 2015, DMSD Properties submitted a Plot Plan application for a proposed Denny's restaurant and an El Pollo Loco fast-food restaurant with a drive-through facility. On August 18, 2015, the Board of Supervisors authorized and approved Fast Track (FTA No. 2015-06) status for Plot Plan No. 25793. Pursuant to Fast Track procedures/board policy Fast Track items are heard directly by the Board of Supervisors.

On September 2, 2015, the project as designed at the time, including one restaurant and one fast-food restaurant with a drive-through facility, was heard by the Airport Land Use Commission (ALUC). ALUC heard and found the project inconsistent with the 2007 French Valley Airport Land Use Compatibility Plan (as amended in 2011) due to the proposed project exceeding primarily single-acre non-residential intensity (80 persons per any given acre) criteria for Compatibility Zone B1. The restaurant would accommodate an occupancy of 138 persons, and the fast food restaurant would accommodate an occupancy of 78 people. According to ALUC, single-acre intensity limits the intensity to 80 people within Compatibility Zone B1 and limits average intensity to 40 people per acre. Intensity is calculated by totaling the total occupancy plus employees and dividing by the project site acreage. Average intensity is calculated by dividing 200 (Airport Land Use Compatibility Plan, Appendix C, Table C-1) by the square footage of the total building.

Pursuant to Public Utilities Code Section 21676.5, the Board of Supervisors may overrule ALUC's inconsistency determination after a public hearing by a two-thirds vote if it makes specific findings that the proposed action is consistent with the purposes set forth in Public Utilities Code Section 21670. At least 45 days prior to the Board of Supervisors' decision to overrule ALUC's determination, the County shall provide ALUC and the Caltrans Division of Aeronautics ("State") a copy of the proposed decision and findings. ALUC and the State may provide comments to the Board of Supervisors within 30 days of receiving the proposed decision and findings. If ALUC's and the State's comments are not available within this time limit, the Board of Supervisors may act without them.

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

On January 22, 2016, as Item No. 16.1, the Board of Supervisors directed staff to prepare findings and a resolution to overrule ALUC's finding of inconsistency and directed staff to bring back these findings before the Board of Supervisors for their consideration.

On October 17, 2017, the Planning Department sent the draft Resolution No. 2017-243 that included the proposed findings and conclusions to ALUC and the State for review and comment.

Impact on Residents and Businesses

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

SUPPLEMENTAL:

Additional Fiscal Information

All fees are paid by the applicant. There is no General Fund obligation.

ATTACHMENTS:

- ATTACHMENT A. Staff Report Package**
- ATTACHMENT B. Resolution No. 2017-243**
- ATTACHMENT C. Indemnification Agreement**



**COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
STAFF REPORT**

Agenda Item No.:

Board of Supervisor's Hearing: December 12, 2017

PROPOSED PROJECT

Case Number(s):	PP25793	Applicant(s):	DMSD Properties
EA No.:	42788		
Area Plan:	Southwest	Representative(s):	Marks Architects
Zoning Area/District:	French Valley Area		
Supervisory District:	Third District		
Project Planner:	Dave Alvarez		
Project APN(s):	963-060-070 and 963-060-071		
			Charissa Leach, P.E. Assistant TLMA Director

PROJECT DESCRIPTION AND LOCATION

Plot Plan No. 25793 proposes the construction and operation of a 4,565 square-foot Denny's restaurant and a 2,680 El Pollo Loco restaurant featuring a drive-through, on 3.37 gross acres. The site will also have 71 parking stalls and all other necessary and required improvements, including required landscaping.

The project is located east of Highway 79 (Winchester Road), South of Benton Road, and northwest of Briggs Road and Magdas Coloradas Street.

PROJECT RECOMMENDATION

STAFF RECOMMENDATIONS:

THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:

ADOPT RESOLUTION NO. 2017-243 overruling the Riverside County Airport Land Use Commission Inconsistency Determination related to Plot Plan No. 25793; and,

ADOPT a NEGATIVE DECLARATION for ENVIRONMENTAL ASSESSMENT NO. 42788, based on the findings and conclusions provided in the initial study, attached hereto, and the conclusion that the project will not have a significant effect on the environment; and,

APPROVE Plot Plan No. 25793, subject to the attached conditions of approval, and based upon the findings and conclusions provided in this staff report.

PROJECT DATA

Land Use and Zoning:

Specific Plan:	Specific Plan No. 106 (Dutch Village) Planning Area 5b	
Specific Plan Land Use:	Commercial Retail (CR)	
Existing General Plan Foundation Component:	Community Development (CD)	
Proposed General Plan Foundation Component:	N/A	
Existing General Plan Land Use Designation:	Commercial Retail (CR)	
Proposed General Plan Land Use Designation:	N/A	
Policy / Overlay Area:	Highway 79 Policy Area	
Surrounding General Plan Land Uses		
North:	Commercial Retail (CR)	
East:	Commercial Retail (CR)	
South:	Business Park (BP)	
West:	City of Murrieta (Commercial Retail)	
Existing Zoning Classification:	Scenic Highway Commercial (C-P-S)	
Proposed Zoning Classification:	N/A	
Surrounding Zoning Classifications		
North:	Scenic Highway Commercial (C-P-S)	
East:	Scenic Highway Commercial (C-P-S)	
South:	Industrial Park (I-P)	
West:	City of Murrieta (Regional Commercial)	
Existing Use:	Vacant	
Surrounding Uses		
North:	Commercial	
South:	Vacant	
East:	Commercial	
West:	Vacant	

Project Site Details:

<i>Item</i>	<i>Value</i>	<i>Min./Max. Development Standard</i>
Project Site (Acres):	3.37	No Requirement
Existing Building Area (SQFT):	0	N/A
Proposed Building Area (SQFT):	7,245	N/A
Building Height (FT):	24' Max	50'-0"

Parking:

Type of Use	Building Area (in SF)	Parking Ratio	Spaces Required	Spaces Provided
Restaurant	7,245	1/45 of Serving Area plus 1/2 employees	71	71
TOTAL:	7,245		71	71

Located Within:

City's Sphere of Influence:	Yes – City of Murrieta
Community Service Area ("CSA"):	Yes – Murrieta-Temecula #103
Recreation and Parks District:	No
Special Flood Hazard Zone:	No
Area Drainage Plan:	No
Dam Inundation Area:	Yes – Lake Skinner
Agricultural Preserve	No
Liquefaction Area:	Yes – Low
Fault Zone:	No
Fire Zone:	Yes – Very High
Mount Palomar Observatory Lighting Zone:	Yes – Zone B
WRCMSHCP Criteria Cell:	Yes – 5677 and 5778
CVMSHCP Conservation Boundary:	No
Stephens Kangaroo Rat ("SKR") Fee Area:	Yes
Airport Influence Area ("AIA"):	Yes – B-1

PROJECT LOCATION MAP

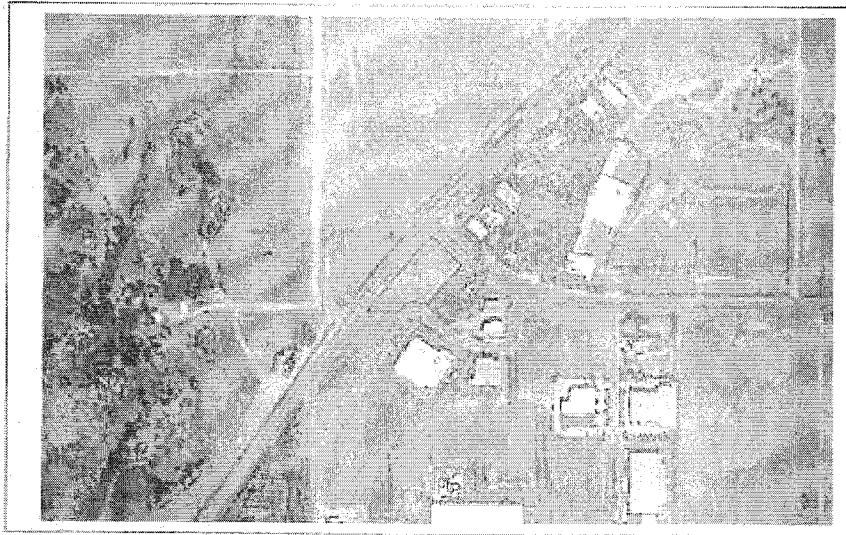


Figure 1: Project Location Map

PROJECT BACKGROUND AND ANALYSIS

Background:

On March 31, 2015, DMSD Properties submitted a Plot Plan application for a proposed Denny's restaurant and an El Pollo Loco fast-food restaurant with a drive-through facility. On August 18, 2015, the Board of Supervisors authorized and approved Fast Track (FTA No. 2015-06) status for Plot Plan No. 25793. Pursuant to Fast Track procedures/board policy Fast Track items are heard directly by the Board of Supervisors.

On September 2, 2015, the project as designed at the time, including one restaurant and one fast-food restaurant with a drive-through facility, was heard by the Airport Land Use Commission (ALUC). ALUC heard and found the project inconsistent with the 2007 French Valley Airport Land Use Compatibility Plan (as amended in 2011) due to the proposed project exceeding primarily single-acre non-residential intensity (80 persons per any given acre) criteria for Compatibility Zone B1. The restaurant would accommodate an occupancy of 138 persons, and the fast food restaurant would accommodate an occupancy of 78 people. According to ALUC, single-acre intensity limits the intensity to 80 people within Compatibility Zone B1 and limits average intensity to 40 people per acre. Intensity is calculated by totaling the total occupancy plus employees and dividing by the project site acreage. Average intensity is calculated by dividing 200 (Airport Land Use Compatibility Plan, Appendix C, Table C-1) by the square footage of the total building.

Pursuant to Public Utilities Code Section 21676.5, the Board of Supervisors may override ALUC's inconsistency determination after a public hearing by a two-thirds vote if it makes specific findings that the proposed action is consistent with the purposes set forth in Public Utilities Code Section 21670. At least 45 days prior to the Board of Supervisors' decision to override ALUC, the County shall provide ALUC and the Caltrans Division of Aeronautics ("State") a copy of the proposed decision and findings. ALUC and the State may provide comments to the Board of Supervisors within 30 days of receiving the proposed

decision and findings. If ALUC's and the State's comments are not available within this time limit, the Board of Supervisors may act without them.

On April 16, 2016, as Item No. 16.1, the Board of Supervisors directed staff to prepare findings and a resolution to overrule ALUC's findings of inconsistency and directed staff bring back these findings before the Board of Supervisors for their consideration.

Subsequent to ALUC's inconsistency determination, the applicant redesigned the project to reduce the overall footprint. The original site plan reviewed by ALUC called for a 4,565 square-foot sit-down restaurant, a 2,975 square-foot fast food restaurant and 97 parking spaces. The sit down restaurant square footage will remain 4,565 square feet, however, the fast food restaurant has been reduced to 2,680 square feet and parking has been reduced by 26 for a total of 71 parking spaces.

On October 17, 2017, Riverside County sent the California Department of Transportation, Division of Aeronautics and ALUC a proposed draft of the resolution and for decision and findings for review.

On November 6, 2017 the California Department of Transportation, Division of Aeronautics provided the County of Riverside with a comment letter with concerns regarding Public Utilities Code Section 21670 (a) (1) and (2). The attached Resolution No. 2017-243 addresses the comments made with clarifications to relate to the appropriate sections of the Public Utilities Code.

On November 6, 2017 the Riverside County Airport Land Use Commission provided the County of Riverside with a comment letter with concerns the project site does not meet the intensity, safety concerns and adjacent development was exempt from ALUC review. The attached Resolution No. 2017-243 addresses the comments made. Additionally, comments made regarding findings needed to approve a Plot Plan area addressed in Finding 6 included in this staff report.

ENVIRONMENTAL REVIEW

An Initial Study (IS) and a Negative Declaration (ND) have been prepared for this project in accordance with the California Environmental Quality Act (CEQA). The IS and Negative Declaration represent the independent judgement of Riverside County. The documents were circulated for public review per the California Environmental Quality Act Statute and Guidelines Section 15105. Based on the findings incorporated in the initial study the project will not have a significant effect on the environment and no mitigation measures are necessary. No comment were received during the review period.

FINDINGS

In order for the County to approve the proposed project, the following findings are required to be made:

1. The project site is within the Highway 79 Policy Area, and policy SWAP 9.2 requires a maximum residential density of the midpoint of the existing designation minus 9%. The project is for two restaurants, not a residential use. Therefore, SWAP 9.2 does not apply to the proposed project.

2. The project site has a land use designation of Community Development: Commercial Retail (CD:CR). The project site is surrounded by properties which are designated Community Development: Business Park (CD: BP) to the south and east, Commercial Retail (CD: CR) to the north, and Large Lot Residential (City of Murrieta) to the west. The project is consistent with the land use because it is located at the corner of a large area designated as Community Development: Commercial Retail (CD:CR).
3. On March 31, 2015, DMSD Properties submitted the proposed plot plan for two buildings, a 4,565 square foot dine-in restaurant and a 2,680 fast food restaurant featuring a drive-through with 71 parking spaces on 3.37 gross acres of vacant land.
4. Pursuant to Section 9.5 of Ordinance No. 348, the proposed dine-in restaurant and drive-through restaurant uses are permitted within the Scenic Highway Commercial (C-P-S) zone(s) with an approved plot plan. The project site is located within the Dutch Village #106 Specific Plan. The development standards are set forth in Ordinance No. 348.
5. The proposed dine-in restaurant and drive-through restaurant uses are consistent with the development standards (lot requirements, setbacks, building height) set forth in Ordinance No. 348, Section 9.53. There are no minimum lot are requirements, no setbacks if the structures does not exceed 35 feet in height, and a maximum building height of 50 feet, as shown in the Project Site Details Chart above.
6. Pursuant to Section 18.30.C.2 of Ordinance 348, "[T]he overall development of the land shall be designed for the protection of the public health, safety and general welfare; to conform to the logical development of the land and to be compatible with the present and future logical development of the surrounding property. The plan shall consider the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion; and shall take into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures as a part thereof." The project will be developed in an area that is surrounded by restaurants and a retail shopping center. The project will make all necessary street and drainage improvements as part of Condition of Approval 60.TRANS.2, 60.TRANS.3, 60.TRANS.6, 60.TRANS.7, and 90.TRANS.16.
7. This project site is located within Criteria Cells 5677 and 5778 of the Western Riverside County Multiple Species Habitat Conservation Plan. This project fulfills the plan requirements located within a Criteria Area of the Multi-Species Habitat Conservation Plan. Riverside County determined that no conservation was described for the project site. The HANS case was forwarded to the Western Regional Conservation Authority (RCA) for Joint Project Review (JPR No. 06010901). RCA issued their JPR letter on January 13, 2006. RCA concurred with the County's determination that no conservation was required
8. This project is within the City of Murrieta Sphere of Influence. The project was transmitted to the City of Murrieta and no comments have been received.
9. The project is in compliance with Assembly Bill 52 (AB52). Notices regarding this project were mailed to four requesting tribes on July 14, 2015. Consultations were requested by the Pechanga Band of Luiseno Mission Indians and the Soboba Band of Luiseno Indians. Consultation was conducted with Soboba on August 19, 2015. Soboba did not suggest that Tribal Cultural Resources were present within the project. Soboba did express the concern for subsurface resources to be

identified during ground disturbing activities and requested to have a Soboba monitor present during grading. Consultation was held with Pechanga on October 14, 2015. The final conditions of approval for the project were provided to both Pechanga and Soboba on May 24, 2016. Neither Pechanga nor Soboba had any further comments and consultation was concluded on June 07, 2016.

10. The project site is located within the Fee Assessment Area for the Stephen's Kangaroo Rat Habitat Conservation Plan (SKRHCP). Per County Ordinance No. 663 and the SKRHCP, all applicants for development permits within the boundaries of the Fee Assessment Area who cannot satisfy mitigation requirements through on-site mitigation, as determined through the environmental review process, shall pay a Mitigation Fee of \$500.00 per gross acre of the parcels proposed for development. Payment of the SKRHCP Mitigation Fee for this Project, instead of on-site mitigation, will not jeopardize the implementation of the SKRHCP as all core reserves required for permanent Stephen's Kangaroo Rat habitat have been acquired and no new land or habitat is required to be conserved under the SKRHCP.
11. On August 13, 2015, ALUC determined the Project to be inconsistent with Zone B1 because it exceeded the maximum average intensity of 40 persons per acre and the single-acre non-residential intensity criteria for the zone. Pursuant to Section 21676.5 of the California Public Utilities Code, the County may overrule the ALUC's inconsistency determination if, after a public hearing, the County makes findings that the Project is consistent with the purposes set forth in Public Utilities Code Section 21670.
12. The Board of Supervisors may overturn the ALUC determination with the adoption of Resolution 2017-243.

CONCLUSIONS:

1. The proposed project is in conformance with the Community Development: Commercial Retail (CD: CR) Land Use Designation, and with all other elements of the Riverside County General Plan.
2. The proposed project is consistent with the Scenic Highway Commercial (C-P-S) zoning classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
3. The public's health, safety, and general welfare are protected through project design.
4. The proposed project is conditionally compatible with the present and future logical development of the area.
5. The proposed project will not have a significant effect on the environment.
6. The proposed project will not preclude reserve design for the Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP).

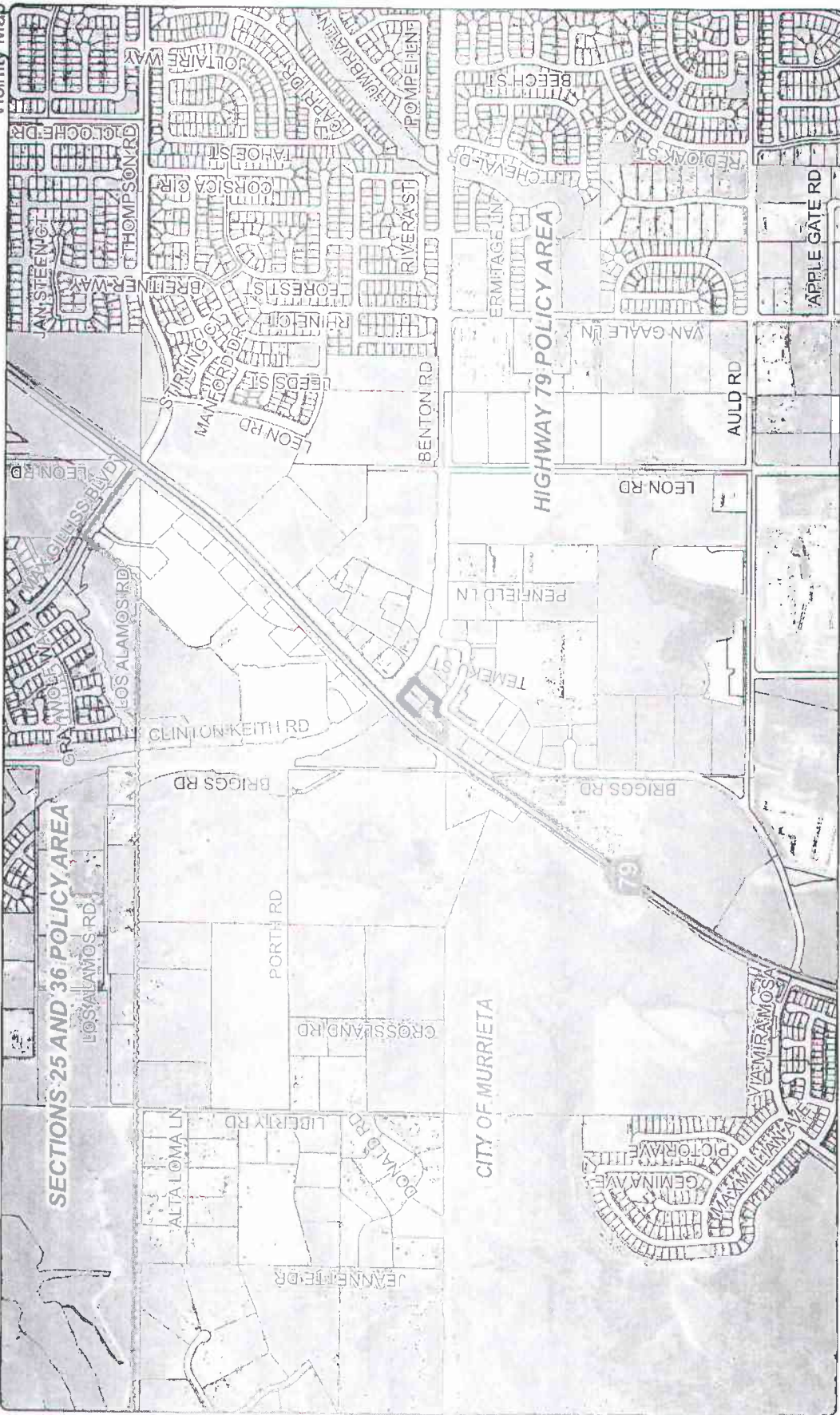
PUBLIC HEARING NOTIFICATION AND OUTREACH

Public hearing notices were mailed to property owners within 1,200 feet of the proposed project site. As of the writing of this report Planning Staff has not received written communication/phone calls from residents who indicated support or opposition to the proposed project.

RIVERSIDE COUNTY PLANNING DEPARTMENT
PP25793
VICINITY POLICY AREAS

Supervisor: Washington
 District 3

Date Drawn: 01/12/2016
 Vicinity Map



Author: Vinnie Nguyen

Zoning Area: Rancho California

REPLACEMENT: On October 7, 2009, the County of Riverside adopted a new General Plan for the County of Riverside. The new General Plan is titled "Riverside County General Plan 2009-2020: A Vision for the Future". For more information, please contact the Riverside County Planning Department at (951) 952-2291 or Riverside County or its Public Works Department at (951) 952-2291.

RIVERSIDE COUNTY PLANNING DEPARTMENT

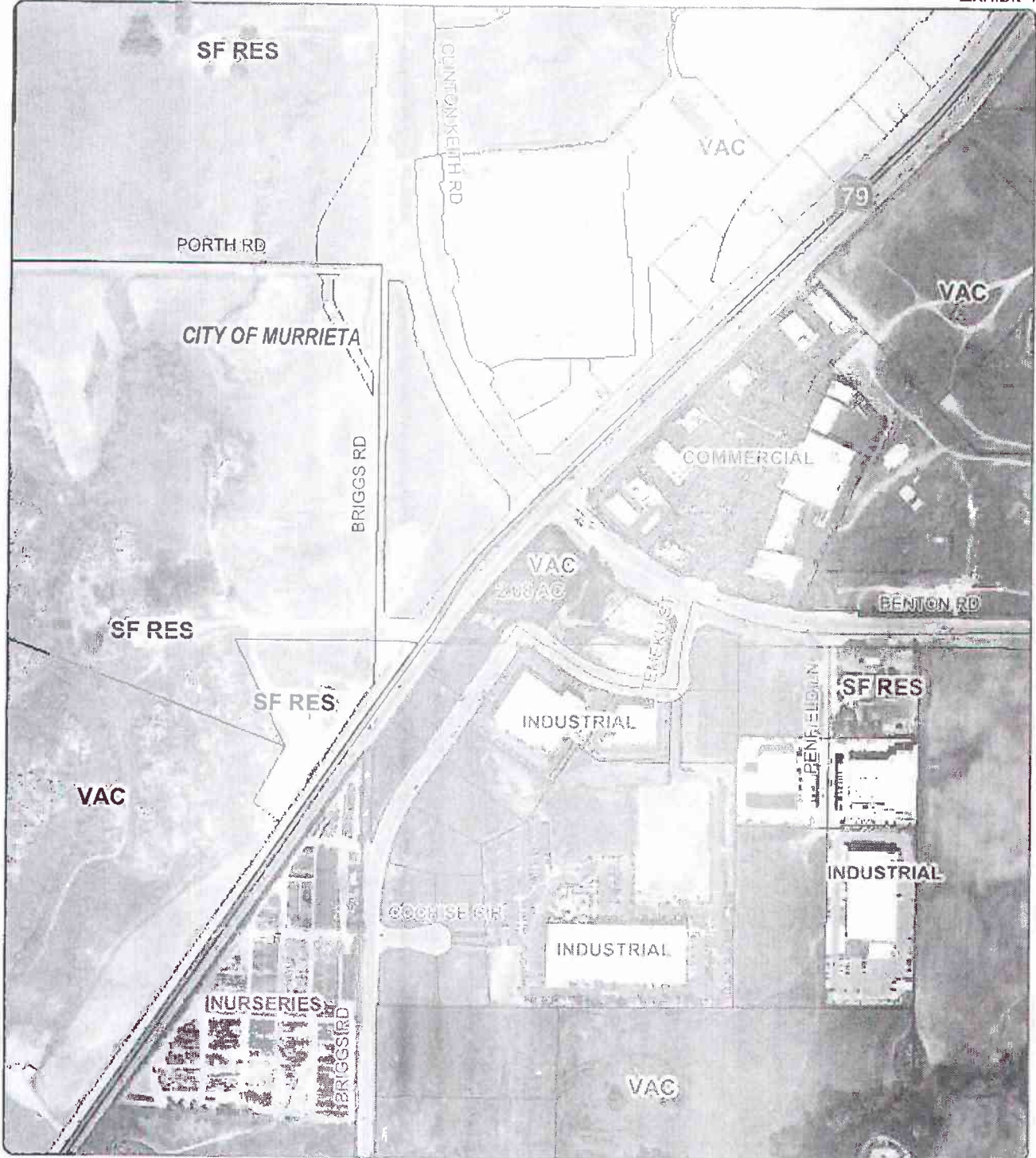
PP25793

LAND USE

Supervisor: Washington
District 3

Date Drawn: 01/12/2016

Exhibit 1



Zoning Area: Rancho California

Author: Vinnie Nguyen



DISCLAIMER On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3300 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website: www.riversidecounty.net

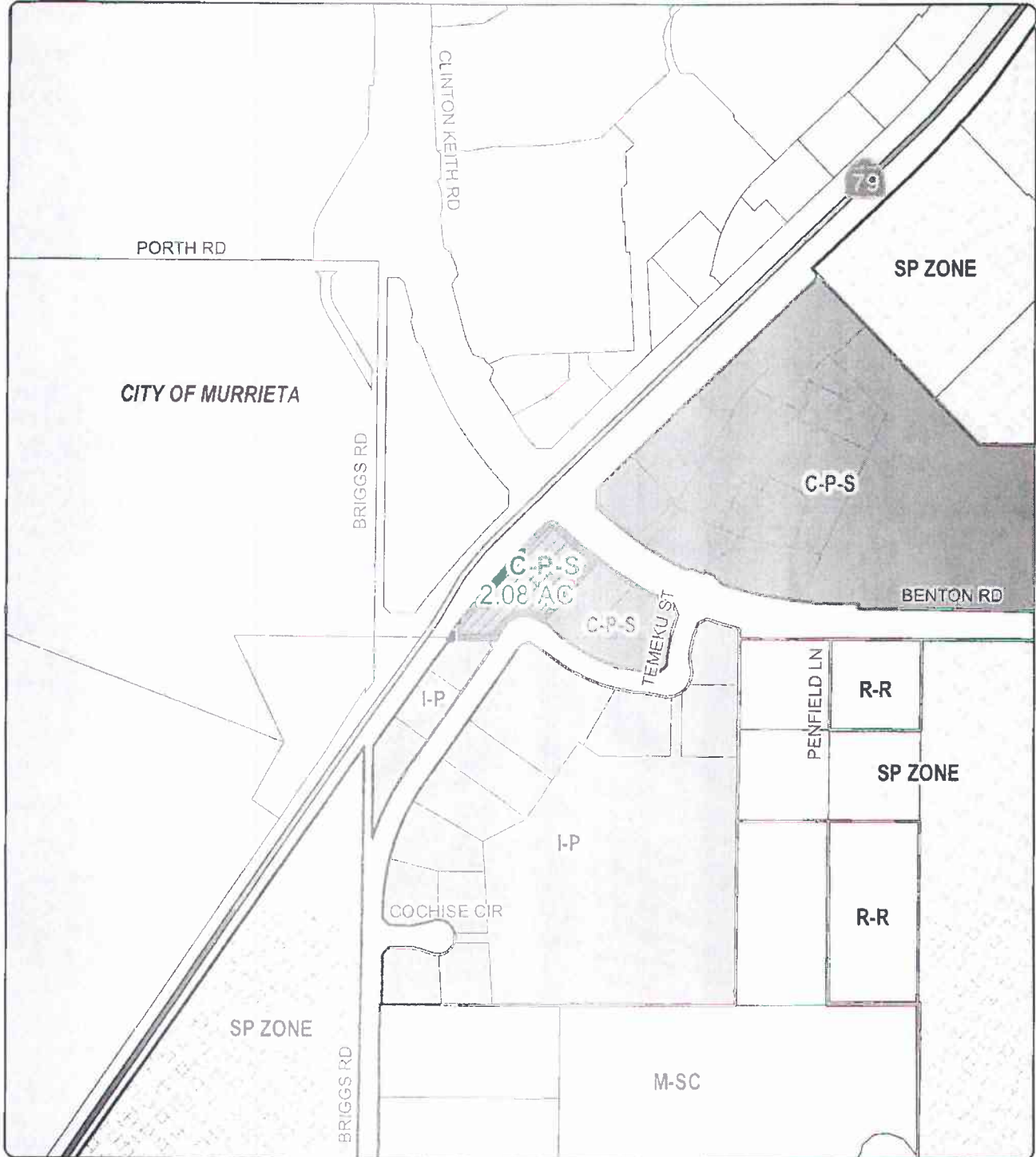
RIVERSIDE COUNTY PLANNING DEPARTMENT

PP25793

EXISTING ZONING

Supervisor: Washington
District 3

Date Drawn: 01/12/2016
Exhibit 2



Zoning Area: Rancho California

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200, (ext. 200) or in Palm Desert at (760)863-8277 (Eastern County) or Website.

RIVERSIDE COUNTY PLANNING DEPARTMENT

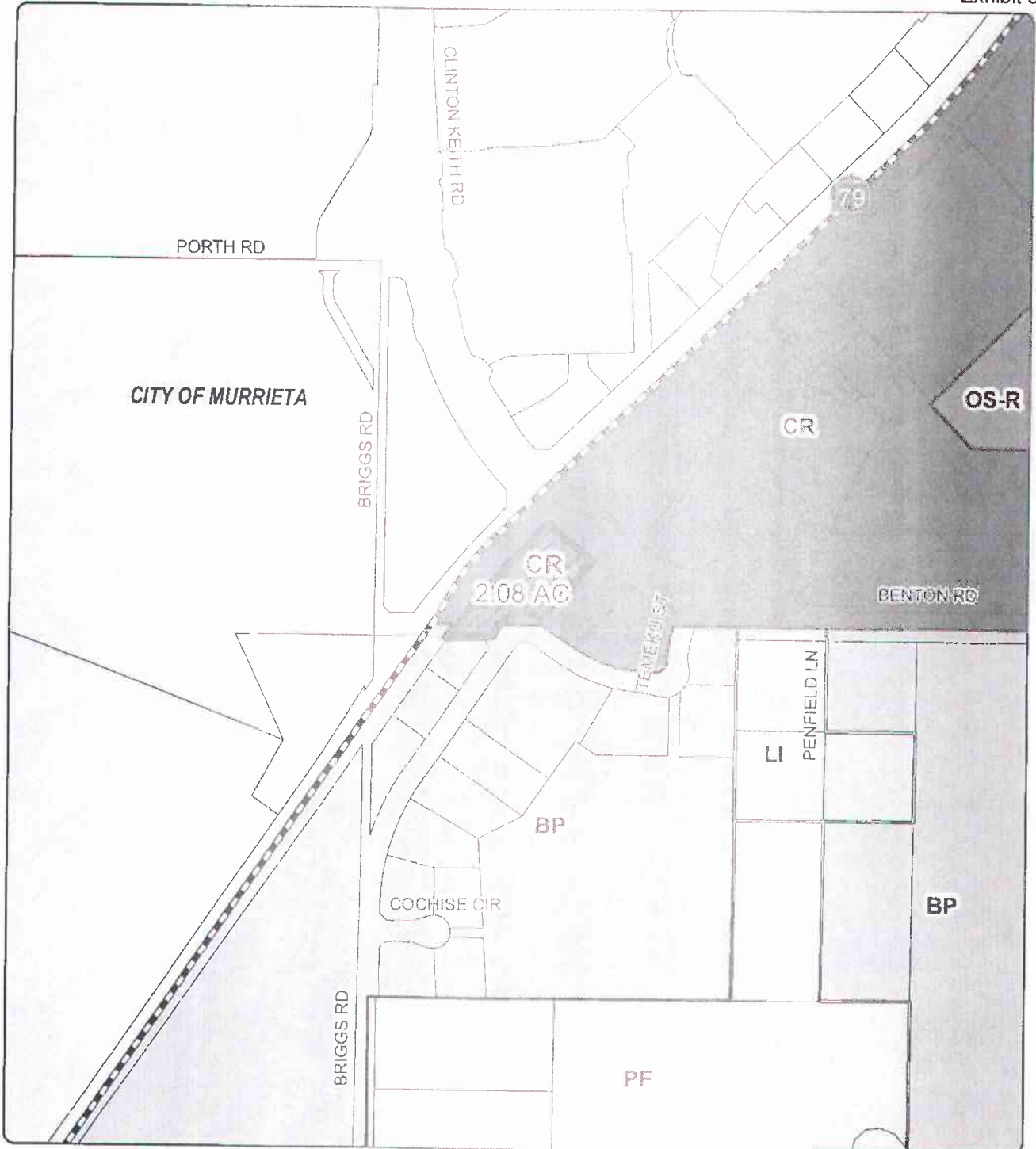
PP25793

EXISTING GENERAL PLAN

Supervisor: Washington
District 3

Date Drawn: 01/12/2016

Exhibit 5



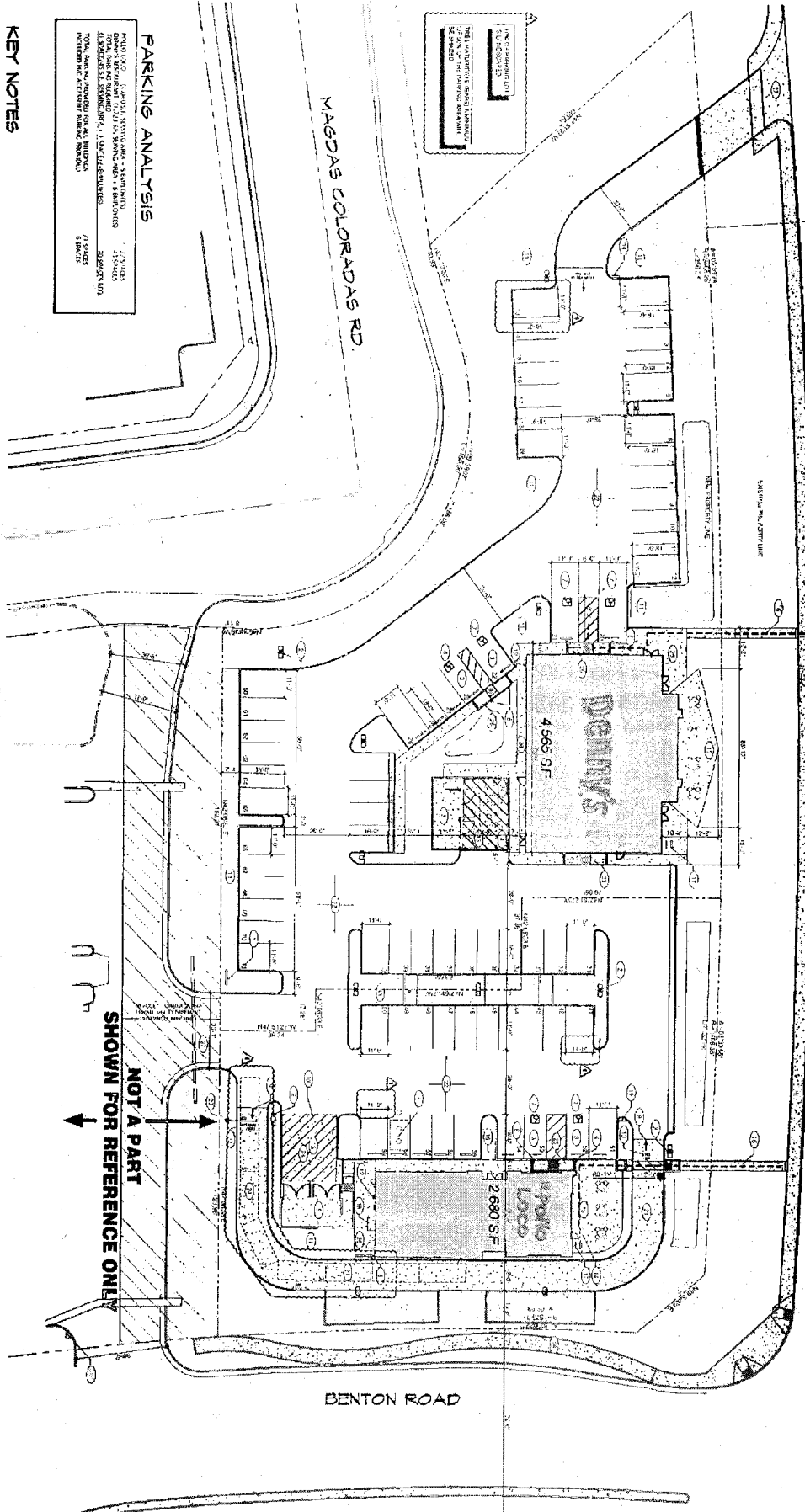
Zoning Area: Rancho California

Author: Vinnie Nguyen



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MINCHESTER ROAD
STATE HIGHWAY 79



PARKING ANALYSIS

PROJECT NO.	110001	DATE	11/11/10
OWNER'S REPRESENTATIVE	110001	PROJECT NO.	110001
PROJECT NO.	110001	PROJECT NO.	110001
TOTAL PARKING PROVIDED FOR ALL BUILDINGS	31 SPACES		
TOTAL REQUIRED PARKING SPACES	30 SPACES		
EXCESSIVE PARKING SPACES	1 SPACE		

- KEY NOTES**
- 1. THE SHOWN LOT LOCATIONS, DIMENSIONS, AND SPACING SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.
 - 2. THE SHOWN LOT LOCATIONS, DIMENSIONS, AND SPACING SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.
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 - 30. THE SHOWN LOT LOCATIONS, DIMENSIONS, AND SPACING SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

SITE PLAN

SCALE: 1"=20'-0"

NOT A PART
SHOWN FOR REFERENCE ONLY



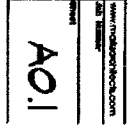
REVISIONS	DATE
PLANNING DEPARTMENT	11/11/10
DESIGN DEPARTMENT	11/11/10
CONSTRUCTION DEPARTMENT	11/11/10

BENTON CROSSING
WINCHESTER, VA

marks architects 2010
110001 PROJECT NO.
110001 PROJECT NO.
110001 PROJECT NO.

marks architects

3000
110001 PROJECT NO.
110001 PROJECT NO.
110001 PROJECT NO.



PLOT PLAN 25793



BENTON CROSSING

WINCHESTER, CA

GENERAL NOTES

- ALL UTILITIES SHOWN ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION.
- ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE APPROVED BY THE LOCAL HEALTH DEPARTMENT.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LOCAL HEALTH DEPARTMENT REGULATIONS.
- ALL UTILITIES SHALL BE PROTECTED AND SHALL NOT BE CUT OR DAMAGED.
- ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION.
- ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE APPROVED BY THE LOCAL HEALTH DEPARTMENT.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LOCAL HEALTH DEPARTMENT REGULATIONS.

PROJECT DIRECTORY

PROJECT DATA

OWNER

DMSD
DMSD PROPERTIES

ARCHITECT

MARKS
MARKS ARCHITECTS

CIVIL ENGINEER

XX
LANDSCAPE ARCHITECT

GEOTECHNICAL ENGINEER

sotele
PETRA

BIOLOGIST

TRAFALG

TRAFALG

THAMES SOLUTIONS INC.

PROJECT NAME:

2100 WEST 4TH
5815 1/2 ST
WINCHESTER, CA 94591

PROJECT NO.:

2100 WEST 4TH
5815 1/2 ST
WINCHESTER, CA 94591

DATE:

10/15/2016

SCALE:

AS SHOWN

DATE:

10/15/2016

SCALE:

AS SHOWN

DATE:

10/15/2016

SCALE:

AS SHOWN

DATE:

10/15/2016

SHEET INDEX

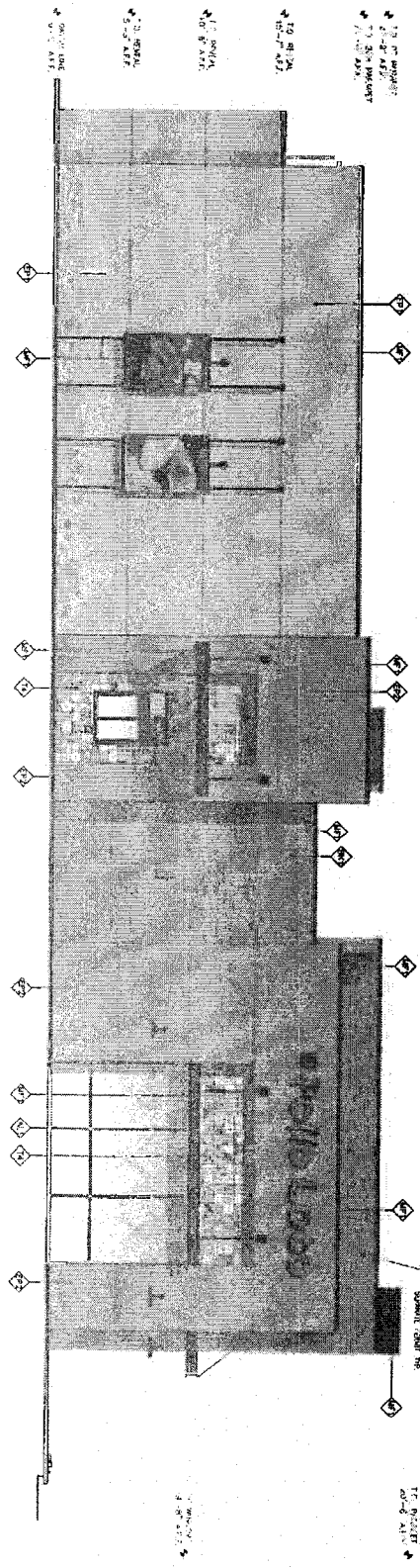
NO.	DESCRIPTION
1	GENERAL NOTES
2	PLANS
3	SECTION
4	LANDSCAPE ARCHITECTURE
5	GEOTECHNICAL ENGINEERING
6	BIOLOGICAL
7	TRAFALG
8	THAMES SOLUTIONS INC.

MARKS ARCHITECTS
1010 1/2 STREET
WINCHESTER, CA 94591

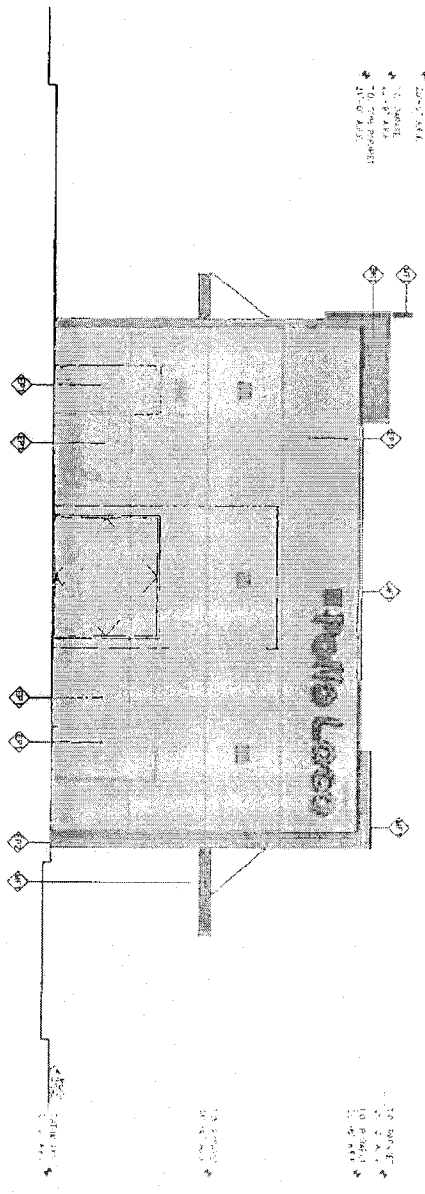
BENTON CROSSING
1010 1/2 STREET
WINCHESTER, CA 94591

THAMES SOLUTIONS INC.
1010 1/2 STREET
WINCHESTER, CA 94591

1010 1/2 STREET
WINCHESTER, CA 94591



DRIVE-THRU NORTH ELEVATION
DATE: 11-1-13



SIDE EAST ELEVATION
DATE: 11-1-13



TMORKS
architects

Commercial
Retail
Industrial
Healthcare
Education
Government
Multi-Family
Mixed-Use
Civic

2007 Best of
West
2008 Best of
West
2009 Best of
West
2010 Best of
West
2011 Best of
West
2012 Best of
West
2013 Best of
West

BENTON
CROSSING
ARCHITECTS
WASHINGTON, DC

REVISED	DATE	BY
PLANNING SUBMITTAL	11-01-13	
DESIGN DEPARTMENT SUBMITTAL		



A.S.O.
ARCHITECT



RIVERSIDE COUNTY
PLANNING DEPARTMENT

Charissa Leach, P.E.
Assistant TLMA Director

MITIGATED NEGATIVE DECLARATION

Project/Case Number: Plot Plan No. 25793

Based on the Environmental Assessment, it has been determined that the proposed project, will not have a significant effect upon the environment.

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

COMPLETED/REVIEWED BY:

By: Dave Alvarez Title: Project Planner Date: 11/21/2017

Applicant/Project Sponsor: DMSD Property Date Submitted: 4/3/2015

ADOPTED BY: Board of Supervisors

Person Verifying Adoption: Dave Alvarez Date: 11/21/2017

The Negative Declaration may be examined, along with documents referenced in the environmental assessment, if any, at:

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

For additional information, please contact Dave Alvarez at 951-955-5719.

Please charge deposit fee case#: PP25793

FOR COUNTY CLERK'S USE ONLY

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COUNTY OF RIVERSIDE
ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Environmental Assessment (E.A.) Number: 42788
Project Case Type (s) and Number(s): PP25793
Lead Agency Name: County of Riverside Planning Department
Address: P.O. Box 1409, Riverside, CA 92502-1409
Contact Person: Dave Alvarez
Telephone Number: (951) 955-5719
Applicant's Name: DMSD Property
Applicant's Address: 41856 Ivy Street, Suite 201, Murrieta, CA 92562

I. PROJECT INFORMATION

A. Project Description: Plot Plan No. 25793 proposes to construct a 4,565 square-foot Denny's restaurant and a 2,680 El Pollo Loco restaurant featuring a drive-through, on 3.37 gross acres. The site will also have 71 parking stalls and all other necessary and required improvements, including required landscaping.

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

C. Total Project Area: 3.37

Residential Acres: N/A	Lots: N/A	Units: N/A	Projected No. of Residents: N/A
Commercial Acres: 3.37	Lots: 2	Sq. Ft. of Bldg. Area: 7,245	Est. No. of Employees:
Industrial Acres: N/A	Lots: N/A	Sq. Ft. of Bldg. Area: N/A	Est. No. of Employees: N/A
Other: N/A			

D. Assessor's Parcel No(s): 963-060-070 and 963-060-071

Street References: Northerly of Briggs Rd, southerly of Benton Road, easterly of Winchester Road, westerly of Temeku Road

E. Section, Township & Range Description or reference/attach a Legal Description:
Township 7 South Range 2 West Section 6

F. Brief description of the existing environmental setting of the project site and its surroundings: The Project site is currently vacant and is flat. Existing land uses in the vicinity include a fast-food restaurant with a drive-through facility, a shopping center, and a business park. Additionally, there are several vacant properties immediately adjacent to the Project site.

II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

A. General Plan Elements/Policies:

1. Land Use: The Project site is located within the Southwest Area Plan of the Riverside County General Plan. The Project site is designated for Commercial Retail (CR) land uses by the General Plan, which allows for local and regional serving retail and service uses. The Project would be fully consistent with the site's General Plan land use designation. The project is located within the Highway 79 Policy Area. The Project site does not fall within a General Plan Policy Overlay Area.

2. **Circulation:** The project has adequate circulation to the site and is therefore consistent with the Circulation Element of the General Plan. The proposed project meets all other applicable circulation policies of the General Plan.
 3. **Multipurpose Open Space:** The Project site is not located within the Western Riverside County Multiple Species Habitat (MSHCP) Conservation Area or a Criteria Cell and is not designated for open space preservation. The proposed Project meets all applicable multipurpose open space policies of the General Plan.
 4. **Safety:** The proposed Project allows for sufficient provision of emergency response services to the existing and future users of this Project through the Project's design. The proposed Project meets all other applicable Safety Element policies.
 5. **Noise:** The proposed Project meets all applicable Noise Element policies.
 6. **Housing:** The Project is not proposing any residential homes. The Project would not conflict with the general Plan Housing Element policies.
 7. **Air Quality:** The proposed project has been conditioned by Riverside County to control any fugitive dust during grading and construction activities. Any potential Air Quality impacts will be analyzed in this initial study. The proposed Project meets all other applicable Air Quality Element policies.
- B. General Plan Area Plan(s):** Southwest
- C. Foundation Component(s):** Community Development
- D. Land Use Designation(s):** Community Development: Commercial Retail (CD: CR)
- E. Overlay(s), if any:** N/A
- F. Policy Area(s), if any:** Highway 79 Policy Area
- G. Adjacent and Surrounding:**
1. **Area Plan(s):** Southwest
 2. **Foundation Component(s):** Community Development
 3. **Land Use Designation(s):** Community Development: Commercial Retail (CD: CR) and Community Development: Business Park (CD: BP)
 4. **Overlay(s), if any:** N/A
 5. **Policy Area(s), if any:** Highway 79 Policy Area
- H. Adopted Specific Plan Information**
1. **Name and Number of Specific Plan, if any:** Dutch Village #106
 2. **Specific Plan Planning Area, and Policies, if any:** Planning Area 5b
- I. Existing Zoning:** Scenic Highway Commercial (C-P-S)

J. Proposed Zoning, if any: N/A

K. Adjacent and Surrounding Zoning: Scenic Highway Commercial (C-P-S) to the north and east, Industrial Park (I-P) to the south, and City of Murrieta zoning to the west.

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

IV. DETERMINATION

On the basis of this initial evaluation:

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS NOT PREPARED
<input checked="" type="checkbox"/> I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/> I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project, described in this document, have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/> I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

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

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

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


Signature

Dave Alvarez, Project Planner

November 1, 2017

Date

For Charissa Leach, P.E., Assistant TLMA
Director

V. ENVIRONMENTAL ISSUES ASSESSMENT

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

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

Source: Riverside County General Plan Figure C-9 "Scenic Highways"

Findings of Fact:

a) According to General Plan Figure C-9, *Scenic Highways*, the nearest County Eligible Scenic Highway is I-215 located approximately 2.79 miles northwest of the Project site. Views of the Project site from I-215 are not possible due to distance, existing development and topography. The proposed Project would not have an effect upon a scenic highway corridor, and no impact would occur.

b) The Project site consists of 3.37 gross acres of undeveloped land. Under current conditions, the Project site is flat and is regularly maintained to prevent overgrowth of vegetation. The Project site would not disturb any scenic resources.

With respect to the visual character of the surrounding area, the proposed Project would be similar in character to an adjacent shopping center to the north of the site and a fast food restaurant to the east. The proposed Project would not substantially degrade the existing visual character of the site and its surroundings.

As indicated above, the Project would not substantially damage scenic resources, including but not limited to, trees, rock outcroppings and unique or landmark features. Additionally, the Project would not obstruct any prominent scenic vista or view open to the public, or result in the creation of an aesthetically offensive site open to the public view. Therefore, impacts would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

2. Mt. Palomar Observatory

a) Interfere with the nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655?

Source: GIS database, Ord. No. 655 (Regulating Light Pollution)

a) Riverside County Ordinance No. 655 identifies portions of the County that have the potential to adversely affect the Mt. Palomar Observatory. Specifically, Ordinance No. 655 identifies Zone "A" as comprising lands within a 15-mile distance of the observatory, while Zone "B" comprises lands located greater than 15 miles, but less than 45 miles from the observatory. The Project site is located approximately 22.08 miles northwest of the Mt. Palomar Observatory, and is therefore not subject to the provisions of Ordinance No. 655. All lighting proposed as part of the Project would be required to comply with the Riverside County Ordinance No. 915 (Regulating Outdoor Lighting) which would serve to minimize impacts associated with project lighting. Because the Project would be subject to the provisions of Ord. No. 915, Project lighting would not create or contribute to sky glow that could adversely affect operations at the Observatory, and impacts would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

3. Other Lighting Issues

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

b) Expose residential property to unacceptable light levels?

Source: On-site Inspection, Project Application Description; Riverside County Ord. No. 915 (Regulating Outdoor Lighting)

Findings of Fact:

a-b) All lighting proposed as part of the Project would be required to comply with Riverside County outdoor lighting requirements of Ordinance No. 915 (Ord. No. 915). Ord. No. 915 requires that "All outdoor luminaries shall be located, adequately shielded, and directed such that no direct light falls outside the parcel of origin, or onto the public right-of-way. Outdoor luminaries shall not blink, flash, or rotate." Compliance with Ord. No. 915 would be assured through future County review of building permit applications. In compliance with Ord. No. 915, lighting elements that would be installed as part of the project would not result in the exposure of on- or off-site residential property to unacceptable levels. Impacts would be less than significant and no mitigation is required.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

AGRICULTURE & FOREST RESOURCES Would the project

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

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

Findings of Fact:

a) According to "Map My County," the project site is designated as "Farmland of Local Importance". Areas surrounding the Project site are designated as "Farmland of Local Importance," "Urban-Built Land," and "Other Lands." No portion of the Project site or immediately surrounding areas contains "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Importance." The Project would not result in the conversion of Farmland to a non-agricultural use, and no impact would occur.

b) According to "Map My County," there are no lands on the Project site or in the off-site improvement, such as street improvements, areas that are located within an agricultural preserve. The nearest lands within an agricultural preserve are located approximately 1.14 miles southwest of the Project site. The Project would have no impacts to any Riverside County Agricultural Preserves.

According to mapping information available from the California Department of Conservation (CDC), the Project site is not subject to a Williamson Act Contract. The nearest Williamson Act Contract occurs approximately 1.14 miles southeast of the Project site, southerly of the intersection of Allen Road and Leon Road. However, the proposed Project has no potential to conflict with any Williamson Act Contract lands because there is development in between, therefore impacts would be less than significant.

c) The Project site is zoned Scenic Highway Commercial (C-P-S). According to "Map My County," zoning designations surrounding the Project site include Scenic Highway Commercial (C-P-S) to the north and east, Industrial Park (I-P) to the south, and City of Murrieta zoning to the west. There are no agriculturally zoned properties within 300-feet of the Project site. Therefore, there would be no impact.

d) Implementation of the proposed Project would replace the site's vacant land with a commercial development. The project has no potential to result in any other direct or indirect impacts to Farmland types beyond what is already evaluated and disclosed above. As such, implementation of the proposed Project would not involve changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to non-agricultural use, and no impact would occur.

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

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
5. Forest	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Findings of Fact:

a-c) No lands within the Project site are zoned for forest land, timberland, or timberland zoned Timberland production. Therefore, the Project would have no potential to conflict with forest land, timberland, or timberland zoned Timberland Production, nor would the Project result in the loss of forest land or cause other changes in the existing environment which would result in the conversion of forest land to non-forest use. Thus, there will be no impacts.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

AIR QUALITY Would the project				
6. Air Quality Impacts	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors which are located within 1 mile of the project site to project substantial point source emissions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Involve the construction of a sensitive receptor located within one mile of an existing substantial point source emitter?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source: SCAQMD CEQA Air Quality Handbook

Findings of Fact:

a) The Project site is located within the South Coast Air Basin (SCAB), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD is principally responsible for air pollution control, and has adopted a series of Air Quality Management Plans (AQMP's) to meet the state and federal ambient air quality standards. Most recently, the SCAQMD Governing Board adopted the Final 2012 AQMP on December 7, 2012. The 2012 AQMP was based on assumptions provided by both the California Air Resources Board (CARB) and the Southern California Association of Governments (SCAG) in the latest available EMFAC model for the most recent motor vehicle and demographics information, respectively. The air quality levels projected in the 2012 AQMP are based on several assumptions. For example, the 2012 AQMP has assumed that development associated with general plans, specific plans, residential projects, and wastewater facilities will be constructed in accordance with population growth projections identified by SCAG in its 2012 Regional Transportation Plan (RTP). The 2012 AQMP also has assumed that such development projects will implement strategies to reduce emissions generated during the construction and operational phases of development.

Criteria for determining consistency with the AQMP are defined in Chapter 12, Section 12.2 and Section 12.3 of the SCAQMD's CEQA Air Quality Handbook (1993). The indicators are discussed below:

- *Consistency Criterion No. 1: The proposed Project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.*

The violations that Consistency Criterion No. 1 refers to are the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). CAAQS and NAAQS violations would occur if localized significance thresholds (LST's) were exceeded. However, the Project's construction- and operational-source emissions with standard regulatory requirements would not exceed applicable LST's, and a less-than-significant impact would occur. Accordingly, the proposed Project would be consistent with the first criterion.

- *Consistency Criterion No. 2: The Project will not exceed the assumptions in the AQMP based on the years of Project build-out phase.*

The 2012 Air Quality Management Plan (AQMP) demonstrates that the applicable ambient air quality standards can be achieved within the timeframes required under federal law. Growth projections from local general plans adopted by cities in the SCAQMD are provided to the Southern California Association of Governments (SCAG), which develops regional growth forecasts, which are then used to develop future air quality forecasts for the AQMP. The project proposes to develop the site with two restaurants on a property currently designated by

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Riverside County as Community Development: Commercial Retail (CD:CR). The proposed project has an operational traffic trip generation rate that is equal that of the development of uses permitted by the CD:CR land use generation. Thus, development of the project would not exceed the growth projections in the County of Riverside's General Plan and thus considered to be consistent with the AQMP.

As indicated above, the Project would not result in or cause NAAQS or CAAQS violations. The proposed Project would result in a density ratio within the allowable density range associated with the property's CD:CR land use designation reflected in the adopted Riverside County General Plan. Because land use intensity would be within the allowable range, the Project is considered to be consistent with the AQMP. Therefore, because the Project would not conflict with or obstruct implementation of the air quality plan established for this region, impacts associated with a conflict with applicable air quality plans would be less than significant.

b-c) The SCAQMD has also developed regional significance thresholds for regulated pollutants, as summarized in Table 1, *SCAQMD Regional Thresholds*. The SCAQMD's CEQA Air Quality Significance Thresholds (March 2015) indicate that any projects in the SCAB with daily emissions that exceed any of the indicated thresholds should be considered as having an individually and cumulatively significant air quality impact.

Table 1 SCAQMD Regional Thresholds

MAXIMUM DAILY EMISSIONS THRESHOLDS (REGIONAL THRESHOLDS)		
Pollutant	Construction	Operational
No _x	100 lbs/day	100 lbs/day
VOC	75 lbs/day	75 lbs/day
PM ₁₀	150 lbs/day	150 lbs/day
PM _{2.5}	55 lbs/day	55 lbs/day
SO _x	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Lead	3 lbs/day	3 lbs/day

(AQMD)

It should be noted that all projects within the SCAB, including the proposed Project, would be required to comply with applicable state and regional regulations that have been adopted to address air quality emissions within the basin. This includes the following requirements pursuant to SCAQMD Rule 403:

- All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Additionally, the Project would be subject to Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations, which imposes a requirement that heavy duty trucks accessing the site shall not idle for greater than five minutes at any location. This measure is intended to apply to construction traffic. Future implementing grading plans would be required to include a note requiring a sign be posted on-site stating that construction workers need to shut off engines at or before five minutes of idling.

The proposed Project is not expected to exceed the maximum daily thresholds during the construction phase nor the operational phase because Operational or long-term emissions occur over the life of the Project. Both mobile and area sources generate operational emissions. Area source emissions arise from consumer product usage, heaters that consume natural gas, gasoline-powered landscape equipment, restaurants, and architectural coatings (painting). Mobile source emissions from motor vehicles are the largest single long-term source of air pollutants from the operation of the Project and consist of emissions from visitors' vehicles. Small amounts of emissions would also occur from area sources such as the consumption of natural gas for heating, hearths, from landscaping emissions, and consumer product usage. Therefore, there would be a less than significant impact.

d) A sensitive receptor is a person in the population who is particularly susceptible to health effects due to exposure to an air contaminant than is the population at large. Sensitive receptors (and the facilities that house them) in proximity to localized CO sources, toxic air contaminants or odors are of particular concern. High levels of CO are associated with major traffic sources, such as freeways and major intersections, and toxic air contaminants are normally associated with manufacturing and commercial operations. Land uses considered to be sensitive receptors include long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, child care centers, and athletic facilities. The nearest sensitive receptor is Susan La Vorgna Elementary School located at 31777 Algarve Ave, Winchester, CA 92596 at approximately 1.38 miles northeast of the Project site.

Based on the analysis presented above, the proposed Project would not expose sensitive receptors which are located within one mile of the Project site to substantial point source emissions, and impacts would be less than significant.

e) There would be no substantial sources of point source emissions within one mile of the Project site. Land uses within one mile of the site comprise residential, schools, and undeveloped lands, none of which are considered sources of point source emissions. Accordingly, no impact would occur.

f) The potential for the Project to generate objectionable odors has also been considered. Land uses generally associated with odor complaints include: agricultural uses (livestock and farming); wastewater treatment plants; food processing plants; chemical plants; composting operations; refineries; landfills; dairies; and fiberglass molding facilities.

The Project does not contain land uses typically associated with emitting objectionable odors. Potential odor sources associated with the proposed Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities and the temporary storage of typical solid waste (refuse) associated with the proposed Project's (long-term operational) uses. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. It is expected that Project-generated refuse would be stored in covered containers and removed at regular

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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intervals in compliance with the County's solid waste regulations. The proposed Project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, odors associated with the proposed Project construction and operations would be less than significant and no mitigation is required.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

BIOLOGICAL RESOURCES Would the project

7. Wildlife & Vegetation

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

Source: Western Riverside County Multiple Species Habitat Conservation Plan, General Biological Resources Assessment Report prepared by Barrett's Biological Surveys dated November 16, 2016

Findings of Fact:

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) The proposed project site is located within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) area. The project site is located within MSHCP Criteria Cells 5677 and 5778 within Sub Unit 5 French Valley/Lower Sedco Hills of the Southwest Area Plan. Therefore, the project was required to go through the Habitat Evaluation and Acquisition Negotiation Strategy (HANS) process (HANS 975) to determine whether or not the MSHCP cell criteria described conservation for the project site. Riverside County determined that no conservation was described for the project site. The HANS case was forwarded to the Western Regional Conservation Authority (RCA) for Joint Project Review (JPR No. 06010901). RCA issued their JPR letter on January 13, 2006. RCA concurred with the County's determination that no conservation was required.

According to the JPR, the project site is not close to the areas targeted for conservation within Cell 5677, the northwestern portion of the Cell, or Cell 5778, the southwestern portion of the Cell. Therefore, it is not anticipated that implementation of the project would conflict with Reserve Assembly in this area. The project is also required to be consistent with other plan requirement within Section 6.0 of the MSHCP. A consistency analysis is provided herein.

Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools)

The project site does not contain Riparian/Riverine habitat. The project site consists of well drained, sandy loam soils, and no depressions are present that could provide habitat vernal pool species such as fairy shrimp. The project demonstrates compliance with Section 6.1.2 of the MSHCP.

Section 6.1.3 (Protection of Narrow Endemic Plant Species)

The project site is located within the Narrow Endemic Plant Species Survey Area 4 (Munz's onion, San Diego ambrosia, Many-stemmed dudleya, Spreading navarretia, California Orcutt grass, Wright's trichocoronis). No habitat for Narrow Endemic Plant Species was observed on site during the habitat assessment. Given the absence of habitat associated with these species and exposure to recurring surface disturbances associated with disking and other disturbances for weed control, these species are not expected to occur on site. No focused surveys were completed. The project demonstrates compliance with Section 6.1.3 of the MSHCP.

Section 6.1.4 (Guidelines Pertaining to the Urban/Wildlands Interface)

The proposed project is not located in close proximity to areas that are currently within or proposed for conservation as a part of the MSHCP Conservation Area, and therefore the guidelines contained in Section 6.1.4 are not applicable.

Section 6.3.2 (Additional Survey Needs and Procedures)

No burrowing owls or signs of burrowing owls were identified on the project site. No burrows suitable for burrowing owl are present on the project site. The project (PP25793) has been conditioned by the County of Riverside for a 30-day burrowing owl pre-construction survey prior to grading permit issuance.

The proposed project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan. Impacts will be less than significant with adherence to Riverside County Conditions of Approval.

b-c) According to the updated General Biological Resources Assessment Report prepared by Barrett's Biological Surveys dated November 16, 2016, the MSHCP, California Natural Diversity Database (CNDDB), California Native Plant Society database (CNPS), United States Fish and Wildlife Service (USFWS)/Carlsbad office Sensitive Species list, field guides, personal contacts and other methods were used to ascertain potential for sensitive species on the site. No threatened, endangered, candidate,

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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sensitive, or special status species were found within the project site or within a 250-foot survey buffer zone. No impacts will occur.

d) The project site consists of predominately ruderal vegetation and is surrounded by residential and commercial uses. This site is bordered by Benton Road, Winchester Road (Highway 79), and Briggs Road. No wildlife corridors or native wildlife nursery sites are located adjacent to the project site.

Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. Since the project supports suitable nesting bird habitat, removal of vegetation or any other potential nesting bird habitat disturbances shall be conducted outside of the avian nesting season. Nesting bird season is February 1st through August 31st. If habitat or structures that support nesting birds must be cleared during the nesting season, a preconstruction nesting bird survey shall be conducted. The County of Riverside has conditioned the project for a pre-construction nesting bird survey and survey report prior to grading permit issuance and prior to building permit issuance. Impacts will be less than significant with adherence to Riverside County Conditions of Approval.

e-f) No washes, streams, wetlands, or vernal pools were observed on the project site; therefore, no jurisdictional waters of the U.S. (Army Corp of Engineers — Section 404 Clean Water Act or California Regional Water Quality Control Board Section 401) will be impacted. There is no riparian habitat or other sensitive natural community is present on the project site, therefore this project will not have a substantial adverse effect on any habitat under the jurisdiction of the California Department of Fish and Wildlife or U.S. Fish and Wildlife. No impacts will occur.

g) Projects in Riverside County are subject to the Riverside County Oak Tree Management Guidelines. No oak trees are present on the project site. The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. No impacts will occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

CULTURAL RESOURCES Would the project

8. Historic Resources	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Alter or destroy an historic site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: On-site Inspection, Project Application Materials; On-site Inspection, Project Application Materials; **PDA-4420-** "Phase II Cultural resources Testing and Evaluation (CA-RIV-006687) Tentative Parcel Map 30474"; **PDA 3069:** "Archaeological Phase II Testing Plan Site CA-RIV-06687. Parcel Map No. 30474"; **PDA 4835-** "Cultural Resources Monitoring Report Assessor's Parcel Numbers 963-060-072 and 074, Plot Plan 20375 (Farmer Boys Restaurant Project)"

Findings of Fact:

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Based upon analysis of records and a survey and testing of the property by CRM Tech, it has been determined that there will be no impacts to historical resources as defined in California Code of Regulations, Section 15064.5 because they do not occur on the project site. Therefore, there will be no impacts to historic resources.

b) Based upon analysis of records and a survey and testing of the property by, it has been determined that there will be no impacts to significant historical resources as defined in California Code of Regulations, Section 15064.5 because they do not occur on the project site. As such, no change in the significance of historical resources would occur with the implementation of the proposed project because there are no significant historical resources. Therefore, there will be no impacts in this regard.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

9. Archaeological Resources				
a) Alter or destroy an archaeological site.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Restrict existing religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: On-site Inspection, Project Application Materials; **PDA-4420-** "Phase II Cultural resources Testing and Evaluation (CA-RIV-006687) Tentative Parcel Map 30474"; **PDA 3069:** "Archaeological Phase II Testing Plan Site CA-RIV-06687. Parcel Map No. 30474"; **PDA 4835-** "Cultural Resources Monitoring Report Assessor's Parcel Numbers 963-060-072 and 074, Plot Plan 20375 (Farmer Boys Restaurant Project)"

a) In 2001, CRM Tech performed a cultural resources study on the subject site. The field survey, conducted on July 17, 2001, resulted in the identification of an archaeological site, CA-RIV-6687. The site consisted of two metate (Native American grinding stone) fragments made of granitic rock and chipped stone. Due to the relatively few artifacts found at Site CA-RIV-6687, it appeared that the site did not meet CEQA's definition of a historical resource. The County of Riverside, however, concluded that it was necessary first to conduct controlled excavations at the site to determine the existence or absence of subsurface deposits and their horizontal and vertical extent. In January 2008, CRM Tech implemented the recommended testing and evaluation program on the site. Based on the archaeological testing, it was evident that large-scale mechanical alterations had occurred on the site, such as the removal, import, and re-compaction of soils. No artifacts or cultural soils were found during the testing program. A 2014 archeological report (PDA 4835) for the same site, found the 2008 findings to still be valid. Additionally, approved grading activities in 2014 further disturbed the site. It is highly unlikely that any intact cultural deposits still exist beneath the mechanically engineered fill that has been laid over the subject site. Therefore, the proposed Project would not destroy or alter an archaeological site.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) Based upon analysis of records and a survey of the property it has been determined that there will be no impacts to significant archaeological resources as defined in California Code of Regulations, Section 15064.5 because they do not occur on the project site. Therefore no change in the significance of archaeological resources would occur with the implementation of the proposed project because there are no significant archaeological resources. Impacts in this regard would be less than significant.

c) Based on an analysis of records and archaeological survey of the property, it has been determined that the project site does not include a formal cemetery or any archaeological resources that might contain interred human remains. Nonetheless, the project will be required to adhere to State Health and Safety Code Section 7050.5 if in the event that human remains are encountered and by ensuring that no further disturbance occur until the County Coroner has made the necessary findings as to origin of the remains. Furthermore, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made. This is State Law, is also considered a standard Condition of Approval and as pursuant to CEQA, is not considered mitigation. Therefore impacts in this regard are considered less than significant.

d) Based on an analysis of records and Native American consultation, it has been determined the project property is currently not used for religious or sacred purposes. Therefore, the project will not restrict existing religious or sacred uses within the potential impact area because there were none identified. Therefore, there will be no impacts in this regard.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

10. Paleontological Resources

a) Directly or indirectly destroy a unique paleontological resource, or site, or unique geologic feature?

Source: Riverside County General Plan Figure OS-8 "Paleontological Sensitivity"

Findings of Fact: a) No paleontological resource assessment was conducted for the proposed project. According to the GIS database, the project is located within an area of low paleontological sensitivity which suggests that the potential for unearthing paleontological resources is low, as noted in condition of approval 10.Planning.10. As a result, it is expected that the project will not destroy a unique paleontological resource. Therefore impacts are considered less than significant.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

GEOLOGY AND SOILS Would the project

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

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

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

Findings of Fact:

a-b) The Project site is not located within a currently designated State of California Alquist-Priolo Earthquake Fault Zone and no active faults have been identified on or adjacent to the site. In addition, the site does not lie within a fault zone established by the County of Riverside. There is no fault located within one mile of the project site. Therefore, the potential for active fault rupture at the site is considered very low and no direct seismically-induced rupture impacts would occur.

Additionally, through mandatory compliance of the California Building Code (CBC), structures proposed to be constructed on the site would be designed and constructed to resist the effects of seismic ground motions. Thus, impacts would be less than significant and no mitigation is required.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

12. Liquefaction Potential Zone

a) Be subject to seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Source: Riverside County General Plan Figure S-3 "Generalized Liquefaction"

Findings of Fact: Seismically-induced liquefaction occurs when dynamic loading of a saturated sand or silt causes pore-water pressures to increase to levels where grain-to-grain contact is lost and material temporarily behaves as a viscous fluid. Liquefaction can cause settlement of the ground surface, settlement and tilting of engineered structures, flotation of buoyant structures, and fissuring of the ground surface. Typically, liquefaction occurs in areas where groundwater lies within the upper 50 +/- feet of the ground surface. According to "Map My County," the Project site is identified as having a "low" liquefaction susceptibility. To mitigate the potential adverse effects of liquefaction hazard the California Building Code (CBC) warrants the project to comply with development standards of the CBC. As CBC requirements are applicable to all development, they are not considered mitigation for CEQA implementation purposes. Therefore impacts are considered less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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13. Ground-shaking Zone

a) Be subject to strong seismic ground shaking?

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

Findings of Fact: According to "Map My County," the Project site is not located in a fault zone or near an identified fault-line. As is common throughout Southern California, the potential exists for strong seismic ground shaking. However, with mandatory compliance of the California Building Code (CBC), structures within the site would be designed and constructed to resist the effects of seismic ground motions. Therefore, ground shaking impacts would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

14. Landslide Risk

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

Source: On-site Inspection, County of Riverside General Plan, Southwest Area Plan Figure 14, *Southwest Area Plan Slope Instability*

Findings of Fact: Based on the relatively flat topography across the site and the surrounding area, the potential for landslides is considered low. Furthermore, and as shown on County of Riverside General Plan, Southwest Area Plan Figure 14, *Southwest Area Plan Slope Instability*, the Project site is not located in an area mapped with existing landslides, or an area of high, moderate, or low susceptibility to seismically induced landslides and rockfalls. The proposed Project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, collapse, or rockfall hazards. Thus, impacts are less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

15. Ground Subsidence

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

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

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Findings of Fact: The effects of areal subsidence generally occur at the transition of boundaries between low-lying areas and adjacent hillside terrain, where materials of substantially different engineering properties (i.e. alluvium vs. bedrock) are present. According to "Map My County," the Project site is mapped as susceptible to subsidence. California Building Code (CBC) requirements pertaining to development will mitigate the potential impact to less than significant. Through the CBC, the State provides a minimum standard for building design and construction. The CBC contains specific requirements for seismic safety, excavation, foundations, retaining walls, and site demolition. It also regulates grading activities, including drainage and erosion control. As CBC requirements are applicable to all development, they are not considered mitigation for CEQA implementation process. Therefore impacts are considered less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

16. Other Geologic Hazards

a) Be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard?

Source: On-site Inspection, Project Application Materials

Findings of Fact: The Project site is more than 28 miles from the Pacific Ocean and is not located in close proximity to any natural enclosed bodies of water. Additionally, there are no volcanoes in the Project vicinity. As such, the project site would not be subject to inundation by tsunamis or seiches, and would not be affected by volcanoes. The Project site is located approximately 3 miles west of Skinner Reservoir and within a high dam hazard zone, as illustrated by the Riverside County General Plan, Southeast Area Plan, Figure 10, *Southeast Area Plan Flood Hazards*. Due to the distance, seiche would not likely impact for this water body. Additionally, Figure 10, *Southeast Area Plan Flood Hazards* illustrates that the Project site is not located within a 100-Year Flood Zone. Due to the relatively flat topography of the Project site and surrounding areas, there is not potential for the Project site to be impacted by mudflow hazards. The Project site would not be affected by any other geologic hazards beyond what is discussed herein under the appropriate topic heading. Therefore, impacts would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

17. Slopes

a) Change topography or ground surface relief features?

b) Create cut or fill slopes greater than 2:1 or higher than 10 feet?

c) Result in grading that affects or negates subsurface sewage disposal systems?

Source: Riv. Co. 800-Scale Slope Maps, Project Application Materials

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

a) Under existing conditions, the Project site is relatively flat. Implementation of the proposed Project would require minor grading to the site to accommodate the proposed development. As shown in the Project's grading exhibit, the Project would generally maintain the site's existing topographic conditions. Therefore, impacts would be less than significant.

b) All proposed slopes would be constructed at a maximum gradient of 2:1 (horizontal:vertical). The project site is relatively flat and none of the proposed slopes would exceed a height of ten feet. Therefore, impacts are considered less than significant.

c) Under existing conditions, the Project site comprises undeveloped land with no existing uses that require wastewater treatment. Thus, implementation of the proposed Project would not result in grading that affects or negates any active subsurface sewage disposal systems, and no impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

18. Soils	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have soils incapable of adequately supporting use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Findings of Fact:

a) Proposed grading activities associated with the Project would temporarily expose underlying soils to water and air, which would increase erosion susceptibility while the soils are exposed. Exposed soils would be subject to erosion during rainfall events or high winds due to the removal of stabilizing vegetation and exposure of these erodible materials to wind and water. Erosion by water would be greatest during the first rainy season after grading and before the Project's structure foundations are established and paving and landscaping occur. Erosion by wind would be highest during periods of high wind speeds when soils are exposed.

Pursuant to the requirements of the state Water Resources Board, the Project Applicant is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for construction activities. The NPDES permit is required for all projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one acre of total land area. Additionally, during grading

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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and other construction activities involving soil exposure or the transport of earth materials, the California Building Code (CBC) of the Riverside County Code, which establishes, in part, requirements for the control of dust and erosion during construction, would apply to the Project. As part of the requirements of the CBC, the Project Applicant would be required to prepare an erosion control plan that would address construction fencing, sand bags, and other erosion-control features that would be implemented during the construction phase to reduce the site's potential for soil erosion or the loss of topsoil.

Following construction, wind and water erosion would be minimized, as the areas disturbed during construction would be landscaped or covered with impervious surfaces. Only nominal areas of exposed soil, if any, would occur in the site's landscaped areas. The only potential for erosion effects to occur during Project operation would be indirect effects from storm water discharged from the property. Under proposed conditions, catch basins would be installed to collect all runoff and discharge the flow into the three proposed infiltration basins. Ultimately, any excess flows would be discharged into existing storm drains, and thus would not cause or contribute any erosion hazards downstream.

Accordingly, because the Project's drainage would be fully controlled via the proposed on-site drainage facilities, impacts due to water erosion would be less than significant under long-term conditions.

b) Any potential for expansive soils would be alleviated through compliance with the Riverside County Building Code and the 2013 California Building Code. Therefore, there would be no risk to life or property and no impact would occur.

c) No septic tanks or alternative waste water disposal systems are proposed to be constructed or expanded as part of the Project. Therefore, no impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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

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

Findings of Fact:

a-b) The proposed grading activities associated with the Project would temporarily expose underlying soils to water and air, which would increase erosion susceptibility while the soils are exposed. Exposed soils would be subject to erosion during rainfall events or high winds due to the removal of stabilizing vegetation and exposure of these erodible materials to wind and water. Erosion by water would be greatest during the first rainy season after grading and before the Project's structure foundations are established and paving and landscaping occur. Erosion by wind would be highest during periods of high wind speeds when soils are exposed.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Pursuant to the requirements of the State Water Resources Control Board, the Project Applicant is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for construction activities. The NPDES permit is required for all projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one acre of total land area. Additionally, during grading and other construction activities involving soil exposure or the transport of earth materials, the California Building Code (CBC) of the Riverside County Code, which establishes, in part, requirements for the control of dust and erosion during construction, would apply to the Project. As part of the requirements of the CBC, the Project Applicant would be required to prepare an erosion control plan that would address construction fencing, sand bags, and other erosion-control features that would be implemented during the construction phase to reduce the site's potential for soil erosion or the loss of topsoil. Requirements for the reduction of particulate matter in the air would also apply, pursuant to SCAQMD Rule 403. Mandatory compliance with the Project's NPDES permit and these regulatory requirements would ensure that erosion impacts during construction activities would be less than significant. Mitigation is not required.

Following construction, erosion on the Project site would be minimized, as the areas disturbed during construction would be landscaped or covered with impervious surfaces. Only nominal areas of exposed soil, if any, would occur in the site's landscaped areas. The only potential for erosion effects to occur during Project operation would be indirect effects from storm water discharged from the property. Under proposed conditions, all drainage from the developed portions of the site would be conveyed to water quality basins for treatment. The proposed water quality basins would ensure that sediments in runoff discharged from the site is minimized. Additionally, the required BMP's also would ensure that the Project would not result in any increase in water erosion either on or off-site as compared to existing conditions. Therefore, impacts would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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

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

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

Findings of Fact:

a) Proposed grading activities would expose underlying soils at the Project site which would increase wind erosion susceptibility during grading and construction activities. Exposed soils would be subject to erosion due to the removal of stabilizing vegetation and exposure of these erodible materials to wind. Erosion by wind would be highest during period of high wind speeds.

The Project site is considered to have a "moderate" susceptibility to wind erosion (Riverside County, 2003, Figure S-8). During grading and other construction activities involving soil exposure or the transport of earth materials, significant short-term impacts associated with wind erosion would be precluded with mandatory compliance with the Project's SWPPP and WQMP and Riverside County

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Ordinance No. 484.2, which establishes requirements for the control of blowing sand. In addition, the Project would be required to comply with South Coast Air Quality Management District (SCAQMD) Rule 403, which addresses the reduction of airborne particulate matter. With mandatory compliance to these regulatory requirements, wind erosion impacts would be less than significant during construction.

Following construction, wind erosion on the Project site would be very negligible, as the disturbed areas would be landscaped or covered with impervious surfaces. Therefore, implementation of the proposed Project would not significantly increase the risk of long-term wind erosion on- or off-site, and impacts would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

GREENHOUSE GAS EMISSIONS	Would the project			
21. Greenhouse Gas Emissions				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source: Assembly Bill (AB) 32, the California Climate Solutions Act of 2006, California Air Pollution Control Officers Association

Findings of Fact:

In September 2006, Governor Schwarzenegger signed Assembly Bill (AB) 32, the California Climate Solutions Act of 2006. AB 32 requires that statewide greenhouse gas (GHG) emissions be reduced to 1990 levels by the year 2020. To reach that goal, AB 32 directed the California Air Resources Board (CARB) to develop and implement regulations to reduce statewide GHG emissions from stationary sources.

Because AB 32 is the primary plan, policy or regulation adopted in California to reduce GHG emissions, the proposed Project would have a significant impact if it does not comply with the regulations developed under AB 32. A numerical threshold for determining the significance of greenhouse gas emissions in the SCAB has not been established by the SCAQMD for projects where it is not the lead agency. Likewise, the County of Riverside has not adopted a threshold of significance for GHG emissions. As such, a screening threshold of 3,000 metric tons of carbon dioxide equivalent (MTCO_{2e}) per year is utilized by Riverside County and standard practice to determine if a project has the potential to generate substantial GHG emissions. This threshold is a widely accepted screening threshold used by the County and numerous jurisdictions in the SCAB, and is based on SCAQMD's proposed GHG screening thresholds for non-industrial projects. Additionally, the 3,000 MTCO_{2e} threshold is included in Riverside County's Draft Climate Action Plan. If a project would emit less than 3,000 MTCO_{2e} of GHGs per year, the Project is not considered a substantial GHG emitter, and no mitigation or additional analysis required. On the other hand, if a project's GHG emissions would exceed 3,000 MTCO_{2e} per year, the project would be considered a substantial source of GHG emissions and further quantitative analysis is required to analyze the project's GHG impacts.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Because global warming is the result of GHG emissions, and GHGs are emitted by innumerable sources worldwide, the proposed Project would not result in a direct impact to global warming; rather, Project-related impacts to global climate change only could be significant on a cumulative basis. Therefore, the analysis below focuses on the Project's potential to contribute to GCC in a cumulatively considerable way.

a) The Riverside County Planning Department does not require the submittal of a greenhouse gas numerical analysis for projects that would not contribute cumulatively significant amounts of exhaust emissions or generate cumulatively considerable levels of GHGs from fuel combustion or involve substantial water and electricity demands. The proposed development of two restaurant buildings totals 7,245 square feet. The type of small-scale commercial development would not generate enough GHG emissions from its construction or operation to be deemed cumulatively significant to warrant a quantitative or qualitative GHG analysis. More specifically, the California Air Pollution Control Officers Association (CAPCOA) proposed a very aggressive 900 metric tons per year of GHG emissions threshold for commercial projects. The intent of the 900-ton threshold is to capture 90% of all new commercial development projects. Thus the project's contribution to GHG emissions is far below the 900-ton threshold that might otherwise trigger GHG analysis according to CAPCOA's model. Therefore, impacts are considered less than significant.

b) The Project is consistent with the existing Riverside County General Plan land use designation on the parcel of Community Development: Commercial Retail (CD:CR) for the site and does not propose to amend the General Plan. Hence, the Project is consistent with the assumptions and policies proposed in the Riverside County Climate Action Plan (CAP) and it does not represent development in excess of the CAP's "Business As Usual" (BAU) scenario.

Further, it implements the policies of the CAP and ensures the Project is an improvement over BAU conditions by requiring the following qualitative measures to reduce the Project's greenhouse gas emissions:

- **Mandatory compliance with all applicable policies, measures and regulations promulgated through, or as a result of AB 32, California's "Global Warming Solutions Act of 2006," including measures outlined by the California Air Resources Board in their *Climate Change Scoping Plan* (December 2008) for AB 32 implementation.**
- **Mandatory compliance with the "efficiency measures" for commercial development pursuant to the CAP (specifically, per the Screening Tables, page 13) shall be required.**

As a result of implementation of, and compliance with, the above measures, the Project will reduce greenhouse gas emissions below that expected for a business-as-usual project, consistent with the policies and plans of the County (including the CAP) and the State, AB 32 in particular. These measures ensure that the Project will not conflict with any applicable plans, policies, or regulations related to reducing greenhouse gas and will not hinder County attainment goals. For these reasons, the Project's impact on the attainment of these plans will be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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HAZARDS AND HAZARDOUS MATERIALS Would the project

22. Hazards and Hazardous Materials

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

Source: Project Application Materials

Findings of Fact:

a) The project is not associated with the need for routine transport, use or disposal of **substantial** quantities of hazardous materials. This project is not forecast to cause any significant **environmental impacts** related to activities related to routine delivery, management or disposal of hazardous materials. Therefore impacts are considered less than significant.

b) During the construction of any new proposed development, there is a limited potential for **accidental release** of construction-related products although not in sufficient quantity to pose a **significant hazard** to people and the environment. Impacts are considered less than significant.

c-d) Any new development on the project will not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan because the **project is being developed** in a vacant parcel with developed infrastructure. The project site is not **located within one-quarter mile** of an existing or proposed school. When combined with the lack of **uses that would generate hazardous emissions**, no adverse impact from hazardous emissions is forecast to occur. No impacts are anticipated.

e) The site is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, its development would **not create a significant hazard** to the public or the environment. Therefore there are no impacts.

Mitigation: No mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Monitoring: No monitoring measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
23. Airports				
a) Result in an inconsistency with an Airport Master Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require review by the Airport Land Use Commission?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) For a project within the vicinity of a private airstrip, or heliport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Findings of Fact:

a-b) The nearest airport to the Project site is the French Valley Airport, which is located approximately 0.53 miles southwest of the Project site. The Project site is located within the airport land use plan for the French Valley Airport. During a meeting on August 13, 2015, the Airport Land Use Commission (ALUC) found the proposed Project to be inconsistent with the 2007 French Valley Airport Land Use Compatibility Plan. The Board of Supervisors will hear and overturn ALUC's inconsistency determination because the Project is consistent with the purposes set forth in Public Utilities Code Section 21670 based on the following:

- The uses permitted in the C-P-S zoning classification with an approved plot plan include restaurants and other eating establishments;
- The Project is located approximately 3,100 feet to the north of the French Valley Airport;
- Based on Table 2H of the French Valley Airport Master Plan, the majority of aircraft utilizing the French Valley Airport are single-engine aircraft;
- The Project does not propose any uses prohibited or discouraged within Zone B1;
- The Project is consistent with Policy 3.3.6 of the Riverside County Airport Land Use Compatibility Plan Policy Document which provides that there may be specific situations where a normally incompatible use can be considered compatible because of terrain, specific location or other extraordinary factors or circumstances related to the site. The Project site is surrounded by various existing establishments. Located to the east is an existing fast food restaurant (Farmer Boys); to the north is an existing commercial shopping center which contains various dining and retail establishments, industrial facilities to the south, and vacant property to the west;
- The applicant has redesigned the project site. The original site plan reviewed by ALUC called for a 4,565 square-foot sit-down restaurant, a 2,975 square-foot fast food restaurant, and 97 parking spaces. The sit down restaurant square footage will remain as is (4,565), however the fast food restaurant has been reduced to 2,680 square feet and parking has been reduced to 71 parking spaces;

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- The applicant has redesigned the site plan of the project site. The original site plan reviewed by ALUC called for 97 parking spaces. The project has been reduced to 71 parking spaces, a reduction of 26 parking spaces. Also, according to ALUC's August 13, 2013 staff report, the national average for vehicle occupancy is 1.5. With 71 parking spaces for the Project and a queue for 10 vehicles, the total occupancy for the Project is 121.5 with an average intensity of 36 persons per acre, based on the project gross acreage of 3.37. This would be consistent with the average 40 persons per acre; and
- The shopping center to the north is located within the Zone B1 and is approximately 14.99 acres and has three drive-thru restaurants, seven (7) restaurants, and approximately 20 retail/service types of businesses

While the proposed use itself would not be a safety hazard, the ALUC determined that the excess intensity would pose a land use safety with respect to both people on the ground and the occupants of the aircraft. In accordance with Policy 3.3.6 of the Riverside County Airport Land Use Compatibility Plan Policy Document, the location and circumstances of the Project's site also support that the use is compatible with Zone B1. The project site is located near open- space land. The area immediately to the west of the Project is free of structures and includes a wide strip of vacant land. In addition, according to ALUC's staff report, at approximately 3,100 feet from the runway to the property line, Federal Aviation Administration ("FAA") review would be required for structures with roof tops exceeding 1378 feet above mean sea level ("AMSL"). The project's pad elevation is 1,345 and 1,347 feet AMSL. The project's restaurant structures have a 21 feet and 24 feet maximum height. At this height at site elevation, the Project will be at an elevation of approximately 1,368 and 1,369 feet AMSL. Therefore, FAA review would not be required. Furthermore, the applicant does not propose any uses prohibited or discouraged within Zone B1 by ALUC. Projects within Zone B1 are encouraged to locate structures a maximum distance from the extended runway centerline. The extended runway centerline is located approximately 175 feet east of the easterly property line. The project proposes to locate the proposed buildings closer to the westerly property line furthest from the extended runway centerline, approximately a minimum of 270 feet from the extended runway centerline. The project will not expose the public to excessive noise and safety hazards as stated in Public Utilities Code Section 21670(a)(2) because the project site will not exceed the maximum building height requirements, pursuant to Ordinance 348, and will comply with current building code requirements. Furthermore, the project design and layout will be consistent with the surrounding development patterns, therefore, the impact is considered less than significant.

d) The Project site is located in the vicinity of the French Valley Airport, which is a public use airport. There is no private airstrip within two (2) miles of the Project site. Therefore, implementation of the proposed project would not result in a safety hazard for people residing or working in the proposed project area. No impact are anticipated.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

24. Hazardous Fire Area

a) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Source: Riverside County General Plan Figure S-11 "Wildfire Susceptibility," GIS database

Findings of Fact: According to County of Riverside General Plan, Figure 11, *Wildfire Susceptibility*, the Project site is not located within a Wildfire Zone. However, according to "Map My County," the Project site is located within a "Very High Fire Area." With adherence to Riverside County Ordinance No. 787 and California Building Code Guidelines, which contain provisions for prevention and fire hazards, the proposed Project would have a less than significant impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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

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

Findings of Fact:

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Grading planned by the Project generally would maintain the site's existing topographic conditions. All runoff from the site would be collected within the three proposed infiltration basins, which would provide water quality treatment for flows and mitigate for any potential increased runoff. Because the Project has been designed to minimize changes to the site's existing topography and incorporates BMP's to ensure that erosion and sediment does not result in substantial erosion on- or off- site, impacts would be less than significant.

b) The California Porter-Cologne Water Quality Control Act (Section 13000 ("Water Quality") et. Seq. of the California Water Code), and the Federal Water Pollution Control Act Amendment of 1972 (also referred to as the Clean Water Act (CWA) require that comprehensive water quality control plans be developed for all waters within the State of California. The Project site is located within the Santa Margarita River Watershed and is within the jurisdiction of the California Regional Water Control Board, San Diego Region.

A specific provision of the CWA applicable to the proposed Project is CWA Section 402, which authorizes the National Pollutant Discharge Elimination System (NPDES) permit program that covers point sources of pollution discharging to a water body. The NPDES program also requires operators of construction sites one acre or larger to prepare a Stormwater Pollution Prevention Plan (SWPPP) and obtain authorization to discharge stormwater under an NPDES construction stormwater permit.

Impact Analysis for Construction-Related Water Quality

Construction of the proposed Project would involve clearing, grading, paving, utility installation, building construction, and landscaping activities, which would result in the generation of potential water quality pollutants such as silt, debris, chemicals, paints, and other solvents with the potential to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during construction of the Project in the absence of any protective or avoidance measures.

Pursuant to County of Riverside requirements, the Project would be required to obtain a NPDES Municipal Stormwater Permit for construction activities. The NPDES permit is required for all projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one acre of total land area. Compliance with the NPDES permit involves preparation and implementation of a SWPPP for construction-related activities. The SWPPP is required to specify the Best Management Practices (BMPs) that the Project would be required to implement during construction activities to ensure that all potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property. Mandatory compliance with the SWPPP would ensure that the proposed Project does not violate any water quality standards or waste discharge requirements during construction activities. Thus, with mandatory adherence to the Project's SWPPP, water quality impacts associated with construction activities would be less than significant.

Post-Development Water Quality Impacts

To meet NPDES requirements, the Project's proposed storm drain system is designed to route first flush runoff to one of the three on-site infiltration basins. The Project would be required to implement a Water Quality Management Plan (WQMP), pursuant to the requirements of the applicable NPDES permit. The WQMP is a post-construction management program that ensures the on-going protection of the watershed basin by requiring structural and programmatic controls. The WQMP identifies structural controls (including the three infiltration basins) to minimize, prevent, and/or otherwise appropriately treat storm water runoff flows before they are discharged from the site. Mandatory

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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compliance with the WQMP would ensure that the Project does not violate any water quality standards or waste discharge requirements during long-term operation. Therefore, with mandatory compliance with the Project's WQMP, water quality impacts associated with post-development activities would be less than significant.

c) The Project site is located within the Eastern Municipal Water District (EMWD) service area. EMWD's 2010 Urban Water Management Plan (UWMP) identifies the water district's anticipated future demands for potable water resources and the plans for meeting those demands. The UWMP demonstrates that the EMWD has sufficient supplies to meet its existing and projected demand through 2035. Thus, the Project's demand for domestic water service would not substantially deplete groundwater supplies such that there would be a net aquifer volume or a lower of the local groundwater table level, and impacts would be less than significant.

Development of the Project site would increase impervious surface coverage on the site, which would in turn reduce the amount of direct infiltration of runoff into the ground. However, infiltration would occur in the ornamental landscaped areas as well as the three proposed infiltration basins. The bottom of infiltration basins would also function to mitigate any potential increase runoff and for water quality treatment. Therefore, with incorporation of the infiltration basins and regional management efforts for groundwater resources, the Project would not interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level, and impacts would be less than significant.

d) The proposed Project will include catch basins and underground storm drains to collect all runoff and discharge the flows into the three proposed infiltration basins. The infiltration basins and drainage facilities would provide adequate flood protection from the 100-year frequency storm event in accordance with Riverside County Flood Control District requirements. Additionally, with required adherence to a SWPPP and WQMP, the Project would not provide substantial additional sources of polluted runoff during construction or long-term operation. Accordingly, implementation of the proposed Project would not create or contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Thus, impacts would be less than significant.

e) As indicated in the Riverside County General Plan Figure S-10, *Dam Failure Inundation Zone*, the Project site is located within the Skinner Clearwell Dam inundation zone. However, with compliance with existing laws and regulatory programs any potential impact would be reduced to less than significant. Additional regulations intended to reduce the impacts of potential flooding include the following: National Flood Insurance Act, which establishes flood-risk zones within floodplain areas and requires local compliance with flood proofing building standards; National Flood Insurance Reform Act, which reduces the risk of flood damage to properties by providing a means to rectify any flood-related damage; Cobey-Alquist Floodplain Management Act, which requires local governments to protect people and property from flooding hazards as a condition of the receipt of State funds; as well as various county ordinances. In particular, Riverside County Ordinance No. 458 implements the National Flood Insurance Program within Riverside County and places strict conditions on acceptable levels of development in floodplains. Through these policies, programs and ordinance standards, development within floodplain and development with the potential to be adversely affected by flooding hazards are highly regulated and potential impacts are reduced to less than significant.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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f) According to the Riverside County General Plan, Figure 9, *Flood Hazards Areas*, the Project site is not located within a 100-year flood zone. Therefore, the Project would not result in any impacts due to the placement of housing or structures within a 100 year flood zone.

g) Mandatory compliance with the BMP's specified in the Project's WQMP would ensure that the proposed Project does not result in any other impacts to water quality. There are no conditions associated with the proposed Project that would result in the substantial degradation of water quality beyond what is described above. Thus, no additional impact would occur.

h) The proposed water quality basin designed to filter the Project's stormwater would be strategically placed at the downstream point of the Project site's drainage areas. Runoff from the Project site would be collected in the basin and filtered to remove water pollutants before being discharged into offsite facilities. The water quality BMP's are designed to drain within a maximum of 72 hours, which would preclude the attraction of vectors and odors associated with standing water. The basins are an inherent part of the Project's design and, as such, the environmental effects associated with the construction and operation of the Project's BMP's are evaluated throughout this environmental assessment, and where necessary, mitigation has been identified to address any impacts associated with their construction and operation. Accordingly, the Project would not include any new or retrofitted stormwater BMP's that could result in significant environmental effects, and no impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

26. Floodplains

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

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

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

Findings of Fact:

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) The proposed grading by the Project would generally maintain the site's existing topographic conditions. The proposed infiltration basins and drainage facilities would provide adequate flood protection from the 100-year frequency storm event in accordance with Riverside County Flood Control District requirements. As such, the Project would not alter the site's drainage pattern in a manner that would lead to flooding on-site, and impacts would be less than significant.

b) Development of the Project would increase impervious surface coverage on the site, which would in turn reduce the amount of direct infiltration of runoff into the ground. A portion of the Project site is proposed to be ornamental landscaping and infiltration would occur over these areas. Additionally, the Project proposes three infiltration basins. The bottom of the basins would be unlined, which would provide an opportunity for infiltration. The infiltration basins would function to mitigate any potential increase runoff and for water quality treatment. Based on the foregoing analysis, the Project would not result in changes in absorption rates or the rate and amount of surface runoff that could result in significant environmental effects and impacts would be less than significant.

c) As indicated in the Riverside County General Plan Figure S-10, *Dam Failure Inundation Zone*, the Project site is located within the Skinner Clearwell Dam inundation zone. However, with compliance with existing laws and regulatory programs any potential impact would be reduced to less than significant. Additional regulations intended to reduce the impacts of potential flooding include the following: National Flood Insurance Act, which establishes flood-risk zones within floodplain areas and requires local compliance with flood proofing building standards; National Flood Insurance Reform Act, which reduces the risk of flood damage to properties by providing a means to rectify any flood-related damage; Cobey-Alquist Floodplain Management Act, which requires local governments to protect people and property from flooding hazards as a condition of the receipt of State funds; as well as various county ordinances. In particular, Riverside County Ordinance No. 458 implements the National Flood Insurance Program within Riverside County and places strict conditions on acceptable levels of development in floodplains. Through these policies, programs and ordinance standards, development within floodplain and development with the potential to be adversely affected by flooding hazards are highly regulated and potential impacts are reduced to less than significant levels.

d) The Project site's existing drainage patterns would generally be maintained under the proposed Project. Although the Project's proposed extended detention basins would reduce peak flows from the site, the Project would not affect the total amount of flows from the site. Thus, the Project has no potential to result in changes in the amount of surface water in any water body, and no impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

LAND USE/PLANNING Would the project

27. Land Use

a) Result in a substantial alteration of the present or planned land use of an area?

b) Affect land use within a city sphere of influence and/or within adjacent city or county boundaries?

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

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

a) Under existing conditions, the Project site is an undeveloped parcel. With implementation of the proposed Project, the site would be converted from disturbed undeveloped land to commercial-retail uses. According to Table LU 4 of the General Plan, the proposed restaurants would be acceptable uses under the Community Development: Commercial Retail designation of the Project site. Although the change from disturbed undeveloped land to commercial-retail uses represents a change to the site's existing use, environmental impacts associated with such conversion are evaluated throughout this environmental assessment and mitigation measures are imposed where necessary to reduce potentially significant impacts to below a level of significance.

b) The proposed Project site is in unincorporated Riverside County but within the City of Murrieta Sphere of Influence. The City of Murrieta has designated the Project site with a land use designation of "Highway Tourist Commercial," which allows commercial development oriented to the needs of tourists, including lodging, auto service stations, restaurants, convenience stores, gift shops, and entertainment centers. Accordingly, the proposed restaurants on the Project site would be consistent with the City of Murrieta's designation for the site. There are no components of the Project with a potential to adversely affect land use within any other adjacent cities or counties such that significant environmental impacts would result. Therefore, the proposed Project would not adversely affect land use within a city sphere of influence and/or within adjacent city or county boundaries, and no impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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

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

Findings of Fact:

a) Under existing conditions, the Project site is zoned for "Scenic Highway Commercial (C-P-S), which allows for specific wholesale and retail commercial uses. Additionally, the proposed restaurant uses would be consistent with and would implement the site's proposed General Plan land use designation of Community Development: Commercial Retail (CD:CR). Therefore, impacts would be less than significant.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) Zoning classifications surrounding the Project site include Scenic Highway Commercial (C-P-S) to the north and east, Industrial Park (I-P) to the south. Lands to the west of the Project site within the City of Murrieta are zoned for "Regional Commercial."

The Project proposes to develop the site with two restaurants. The proposed on-site land uses would be fully compatible with the C-P-S and I-P zoning classification that abut the site to the north, east, and south. Additionally, the proposed uses would also be compatible with the "Regional Commercial" zoning classification to the east in the City of Murrieta. Therefore, the proposed Project would be consistent with existing surrounding zoning, and impacts would be less than significant.

c) Surrounding land uses include commercial retail to the north and industrial to the south. The restaurant uses proposed by the Project would be fully compatible with the existing commercial and industrial uses near the Project site. Accordingly, the Project would be fully compatible with, or otherwise would not conflict with the site's existing surrounding land uses.

The County of Riverside General Plan and the City of Murrieta General Plan identify future planned land uses within the project vicinity. Riverside County General Plan land uses include: Community Development: Commercial Retail (CD:CR) and Community Development: Business Park (CD:BP). West of the Project site is the City of Murrieta. Lands within the City of Murrieta directly west of the Project site are designated by the Murrieta General Plan as "Commercial" while lands southwest of the Project site are designated as "Business Park." These land uses are reflective of the existing land uses that surround the Project site. As noted in the analysis presented above, the Project would be compatible with, or otherwise would not conflict with, these existing or planned land uses. Thus, the Project would not conflict with any proposed land uses in the surrounding area. There would be no impact.

d) The Project site is designated by the Riverside County General Plan for "Community Development: Commercial Retail (CD:CR)." The proposed restaurant uses would be fully consistent with the property's General Plan land use designation. There would be no impact.

e) Under existing conditions, there are no residential communities adjacent to the Project site. The nearest residential community is approximately .57 miles to the east of the site, however, there are no components of the proposed Project that would obstruct access to the community. Accordingly, the proposed Project would not disrupt or divide the physical arrangement of an established community a no impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

MINERAL RESOURCES Would the project

29. Mineral Resources

a) Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be an incompatible land use located adjacent to a State classified or designated area or existing surface mine?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or property to hazards from proposed, existing or abandoned quarries or mines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan Figure OS-6 "Mineral Resources Area"

Findings of Fact:

a-b) Based on available information, the Project site has never been the location of mineral resource extraction activity. No mines are located on the property. According to General plan Figure OS-6, *Mineral Resources Area*, the Project site is designated within the Mineral Resources Zone 3 (MZ-3) pursuant to the Surface Mining and Reclamation Act of 1975 (SMARA). According to the California Department of Conservation California Surface Mining and Reclamation Policies and Procedures, lands designated as MRZ-3 are defined as areas of undetermined mineral resource significance. Furthermore, the Project site is not identified as an important mineral resource recovery site by the General Plan. Accordingly, the proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State, nor would the Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Thus, no impact would occur.

c-d) The Project site is not located within or near any lands that are classified as Mineral Resources Zone 2 (MRZ-2), which are areas known to have mineral resources deposits. Additionally, lands abutting the Project site do not include any State classified or designated areas, and there are no known active or abandoned mining or quarry operations on lands abutting the Project site. Accordingly, implementation of the proposed Project would not result in an incompatible use located adjacent to a State classified or designated area or existing mine. In addition, implementation of the proposed Project would not expose people or property to hazards from proposed, existing, or abandoned quarries or mines. Therefore, no impact would occur.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

NOISE Would the project result in

Definitions for Noise Acceptability Ratings

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

NA - Not Applicable

A - Generally Acceptable

B - Conditionally Acceptable

C - Generally Unacceptable

D - Land Use Discouraged

30. Airport Noise

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
NA <input checked="" type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/>				
b) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NA <input checked="" type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/>				

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

Findings of Fact:

a) The nearest airport to the Project site is the French Valley Airport, which is located approximately .53 miles south of the Project site. The Project site is located within the airport land use plan covering French Valley Airport. The project site is located in Compatibility Zone B1. The project site is located within the 55db CNEL contour. While the site is not within the 60 CNEL, it is likely that the airport at ultimate capacity will likely generate a 60 CNEL that will encroach upon some portion of the project. The CLUP indicates that non-noise sensitive commercial uses in the 60 CNEL are compatible. The project's building will have a stucco and brick exterior and windows. Additionally, the project is also subject to the adopted Building and Safety and California Building Codes which include installing double-pane windows and R-30 value insulation to mitigate noise. These building design elements will minimize the public's exposure to excessive noise. Building and Safety and California Building Codes are not unique mitigation measures, therefore, the project will have less than significant impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

31. Railroad Noise				
NA <input checked="" type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Findings of Fact: The Project site is not located in the vicinity of any railroads. Therefore, there would be no impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

32. Highway Noise				
NA <input checked="" type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source: On-site Inspection, Project Application Materials

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Findings of Fact: The Project site is located adjacent to Highway 79. However, as the Project site is designated as "Scenic Highway Commercial," the proposed restaurant uses would be intended to be compatible with the Highway. Accordingly, there would be a less than significant impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

33. Other Noise				
NA <input checked="" type="checkbox"/>	A <input type="checkbox"/>	B <input type="checkbox"/>	C <input type="checkbox"/>	D <input type="checkbox"/>

Source: Project Application Materials, GIS database

Findings of Fact: No additional noise sources have been identified that would expose the Project to a significant amount of noise. There would be no impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

34. Noise Effects on or by the Project	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Findings of Fact:

a) The Project proposes restaurant land uses. Restaurant land uses are not typically associated with a substantial permanent increase in ambient noise levels above pre-existing levels. The only potential for the Project to create a substantial permanent increase in ambient noise levels is the result of future traffic generated by the proposed Project which could cause or contribute to increased traffic-related noise levels at off-site locations. The background ambient noise levels in the Project vicinity are dominated by transportation-related noise associated with the arterial roadway network, including Highway 79. Therefore, the proposed Project itself would not result in a substantial permanent increase

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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in ambient noise levels in the Project vicinity above levels existing without the Project, and impacts would be less than significant.

b) The Project's only potential to result in a substantial temporary or periodic increase in noise levels would be during short-term construction activities, as long-term operation of the Project as a commercial use would not result in the generation of any measurable temporary or periodic noise increases.

The Project construction noise impacts would include both short-term mobile equipment and long-term stationary equipment. Short-term mobile construction activities (e.g., nail guns, hammers, power saws, drills, etc.) generated throughout the Project site are not staged or stationary. The long-term construction equipment would consist of generators, compressors, and pumps. It is expected that the Project construction activities would consist primarily of short-term mobile equipment.

The temporary construction-related noise impacts are expected to create temporary and intermittent high-level noise. Construction noise is temporary, intermittent and of short duration and would not present any long-term impacts. Therefore, there would be a less than significant impact.

c) The proposed Project has the potential to expose nearby sensitive receptors to noise levels in excess of the County standard. The nearest sensitive receptor is a residential home located 490 feet southwest of the Project site. The Project has the potential to result in noise levels in excess of the County's standard during Project construction activities and under long-term conditions due to the potential exposure of traffic-related noise. However, any potential exposure from traffic-related noise would not be expected to exceed the existing noise on Highway 79. Therefore, there would be a less than significant impact.

d) Project construction activities have the potential to result in varying degrees of temporary ground vibration, depending on the type of construction activities and equipment used. It is expected that ground-borne vibration from Project construction activities would be localized and intermittent. Construction activities that are expected to occur within the Project site include grading and trenching, which have the potential to generate low levels of ground-borne vibration. However, the project construction activities are not expected to result in perceptible human response. Therefore, project construction vibration-related impacts would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

POPULATION AND HOUSING Would the project

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
35. Housing				
a) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Affect a County Redevelopment Project Area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Cumulatively exceed official regional or local population projections?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Findings of Fact:

a & c) Under existing conditions, there are no existing homes on-site, nor is the site occupied by any people. Thus, implementation of the proposed Project would not displace housing or people, necessitating the construction of replacement housing elsewhere. No impact would occur.

b) The Project proposes two restaurants and would create permanent employment opportunities. However, the existing housing stock in the general vicinity of the Project site would be sufficient to address any housing demand. It is not expected that the proposed restaurants would result in an affordable housing demand that exceeds the existing stock in the general vicinity of the Project site. Therefore, there would be a less than significant impact.

d) According to Riverside County's Map My County (GIS Database), the Project site is not located within or adjacent to any County Redevelopment Project Area. Therefore no impacts are anticipated.

e) The Project site is designated by the Riverside County General Plan and the Southwest Area Plan for "Community Development: Commercial Retail (CD:CR)," which allows for the development of local and regional serving retail and service uses. Implementation of the proposed Project would not result in the construction of housing or in a population increase. Therefore, there would be no impact.

f) The proposed Project would develop the site with two restaurants. No extension of roads or other infrastructure, which could induce population growth, is being proposed. Therefore, there would be no impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

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

36. Fire Services

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

Findings of Fact: The Riverside County Fire Department provides fire protection services to the Project area. The proposed Project would primarily be served by French Valley Station (Station No. 83), located

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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approximately 1 mile southwest of the Project site at 37500 Sky Canyon Dr. # 401 Murrieta CA, 92563. Thus, the Project site is adequately served by fire protection services under existing conditions.

Development of the proposed Project would affect fire protection services by placing an additional demand on existing Riverside County Fire Department resources should its resources not be augmented. To offset the increased demand for fire protection services, the Project would be required to provide a minimum of fire safety and support fire suppression activities, including compliance with State and local fire codes and fire sprinklers. Furthermore, the Project would be required to comply with the provisions of the County's Development Impact Fee (DIF) Ordinance (Riverside County Ordinance 659), which requires a fee payment to assist the county in providing for fire protection services. Payment of the DIF fee would ensure that the Project provides fair share funds for the provision of additional public services, including fire protection services, which may be applied to fire facilities and/or equipment, to offset the incremental increase in the demand for fire protection services that would be created by the Project.

Based on the foregoing analysis, implementation of the Project would not result in the need for new or physically altered fire protection facilities, and would not exceed applicable service ratios or response times for fire protection services. Therefore, there would be a less than significant impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

37. Sheriff Services

Source: Riverside County General Plan

Findings of Fact: Riverside County Sheriff's Department provides community policing to the Project area via the Southwest Sheriff's Station located approximately .66 miles southeast of the Project site at 30755-A Auld Road, Murrieta, CA 92563. The proposed Project's demand on sheriff protection services would not be significant on a direct or cumulative basis because the Project would not create the need to construct a new Sheriff station or physically alter an existing station. The Project would be required to comply with the provisions of the County's DIF Ordinance (Ordinance 659), which requires a fee payment to assist the County in providing for public services, including police protection services. Payment of the DIF fee would ensure that the Project provides fair share funds for the provision of police protection services. Therefore, there would be a less than significant impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

38. Schools

Source: Temecula Valley Unified School District, GIS database

Findings of Fact: The Project simply proposes restaurant uses. No housing, which could potentially increase the demand for school services, is being proposed. Therefore, there would no impact.

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

Monitoring: No monitoring is required.

39. Libraries

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

Findings of Fact: Implementation of the Project would result in the development of restaurant uses. No housing, which could increase the demand for library services, is being proposed. Therefore, there would be no impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

40. Health Services

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

Findings of Fact: The Project simply proposes restaurant uses. No housing, which could increase the demand for health services, is being proposed. However, development impact fee payment to the County that is partially allocated to public health services and facilities. As such, impacts to public medical facilities and resources associated with the proposed Project would be less than significant.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

RECREATION

41. Parks and Recreation

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

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

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

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

Findings of Fact:

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) The Project simply proposes commercial retail uses and does not involve the construction or expansion of recreational facilities. Therefore, there would be a less than significant impact.
- b) The Project simply proposes commercial retail uses. No use of existing neighborhood or regional parks or other recreational facilities is being proposed. Therefore, there would be no impact.
- c) According to Map My County (GIS Database), the Project site is located within a County Service Area (CSA). Therefore, there would be no impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

42. Recreational Trails

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Source: Riv. Co. 800-Scale Equestrian Trail Maps, Open Space and Conservation Map for Western County trail alignments

Findings of Fact: According to the Southwest Area Plan Figure 8, *Southwest Area Trails and Bikeway System*, there are no regional trails planned in the immediate vicinity of the Project site. Accordingly, there would be no impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

TRANSPORTATION/TRAFFIC: Would the project

43. Circulation

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

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Alter waterborne, rail or air traffic?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Cause an effect upon, or a need for new or altered maintenance of roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Cause an effect upon circulation during the project's construction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Result in inadequate emergency access or access to nearby uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Conflict with adopted policies, plans or programs regarding public transit, bikeways or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan, Traffic Impact Analysis by Trames Solutions Inc., dated October 19, 2016

Findings of Fact:

a) The Riverside County General Plan has established Level of Service (LOS) "C" as the county-wide target along all County maintained roads and conventional state highways. As an exception, LOS "D" may be allowed in Community Development areas, only at intersections of any combination of Secondary Highways, Major Highways, Arterials, Urban Arterials, Expressways, conventional state highways or freeway ramp intersections. A trip generation analysis was prepared on October 19, 2016 by Trames Solutions Inc. The daily and peak hour trip generations for the proposed project are shown on Table 43-1. The project is estimated to generate a total of approximately 1,568 tripends per day with 140 vehicle trips per hour during the AM peak hour and 109 vehicle trips per hour during the PM peak hour

Table 43-1
PROJECT TRIP GENERATION SUMMARY

Land Use	Quantity ¹	Peak Hour						Daily
		AM			PM			
		In	Out	Total	In	Out	Total	
High Turnover (Sit-Down) Restaurant	4,585 TSF	27	22	49	27	12	45	580
Fast Food w/ Drive Thru	2,455 TSF	59	57	116	43	40	83	1,265
Pass-by (15%)		-13	-12	-25	-11	-9	-20	-277
Total		73	67	140	59	49	108	1,568

¹ TSF = Thousand Square Feet

The results of the Existing plus Project conditions intersection analysis are summarized in Table 43-2. The Existing plus Project condition operations analysis worksheets are provided in Appendix "D". The study area intersections are projected to operate at an acceptable level of service (LOS "D" or better) during the peak hours with the existing geometry and traffic controls.

Table 43-2
INTERSECTION ANALYSIS FOR
EXISTING PLUS PROJECT CONDITIONS