CITY OF WILDOMAR
CITY COUNCIL

AGENDA

February 25, 2009
Council Chambers
23873 Clinton Keith Road

Scott Farnam, Mayor
Bridgette Moore, Mayor Pro Tem
Sheryl Ade, Council Member
Bob Cashman, Council Member
Marsha Swanson, Council Member

WILDOMAR CITY COUNCIL
REGULAR MEETING AGENDA
FEBRUARY 25, 2009

ORDER OF BUSINESS: Public sessions of all regular meetings of the City Council begin at 7:00 P.M. Closed Sessions begin at 6:00 P.M. or such other time as noted.

REPORTS: All agenda items and reports are available for review at Wildomar City Hall, 23873 Clinton Keith Road and at the Mission Trail Library, 34303 Mission Trail Blvd., Wildomar, CA. Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection at City Hall during regular business hours. If you wish to be added to the regular mail list to receive a copy of the agenda, a request must be made through the City Clerk's office in writing or by e-mail.

PUBLIC COMMENTS: Prior to the business portion of the agenda, the City Council will receive public comments regarding any agenda items or matters within the jurisdiction of the governing body. This is the only opportunity for public input except for scheduled public hearing items. The Mayor or chairperson will separately call for testimony at the time of each public hearing. If you wish to speak, please complete a "Public Speaker/Comment Card" available at the door. The completed form is to be submitted to the Mayor prior to an individual being heard. Lengthy testimony should be presented to the Council in writing (8 copies) and only pertinent points presented orally. The time limit established for public comments is three minutes per speaker.

ADDITIONS/DELETIONS: Items of business may be added to the agenda upon a motion adopted by a minimum 2/3 vote finding that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted. Items may be deleted from the agenda upon request of staff or upon action of the Council.

CONSENT CALENDAR: Consent Calendar items will be acted on by one roll call vote unless members, staff or the public request the item be discussed and/or removed from the Consent Calendar for separate action.

7:00 P.M.

Roll Call:

Flag Salute:

Presentations: Certificate of Appreciation to retiring Mission Trail Librarian, Jennie Jackson

Western Riverside Council of Governments – Rick Bishop, Executive Director

Future Farmers of America – Lake Elsinore High School

Green Valley Initiative – Deniene Husted, Communications Director for Green Valley Initiative

Oral Communications: This is the time for any citizen to comment on any item listed or not listed on the agenda. Comments relative to noticed public hearing items will be heard at that time the public hearing is conducted. Under the provisions of the Brown Act, the legislative body is prohibited from discussing or taking action on items not listed on the agenda. The City Council encourages members of the public to address them at this time so that your questions and/or concerns can be heard.

PUBLIC COMMENTS:

1. CONSENT CALENDAR:

All matters listed under the Consent Calendar are considered routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the Council, the public or staff request specific items be removed from the Consent Calendar for separate action.

1 A. Approve the reading by title only of all ordinances.

1 B. Approve Regular City Council Minutes dated February 11, 2009.

1 C. Approve Warrant Registers dated February 12, 2009 in the amount of $100.00 and February 25, 2009 in the amount of $40,223.51.

1 D. Consider adoption of Resolution No. 09-10, approving Final Parcel Map 36084 – Shops at Bear Creek (08-0056)

RESOLUTION NO. 09-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING PARCEL MAP NO. 36084 – SHOPS AT BEAR CREEK (08-0056)

1 E. Consider approval and authorize the Mayor to execute a Road Maintenance Agreement between the City of Lake Elsinore and the City of Wildomar to provide road maintenance on portions of Lost Road and Navajo Springs Road.

1 F. Consider action to authorize the City Manager to negotiate and enter into an agreement with National Demographics Corporation to identify the project elements and provide a proposal for electing Council representatives by district.

1 G. Consider action to authorize the City Manager to select, finalize and execute a contract for secondary supplemental insurance with the Exec-u-Care program.

1 H. Consider action to authorize the City Manager to modify, execute and sign a contract with consultant Paula Willette for Events Coordinator.

1 I. Consider action to authorize the City Manager to develop, execute and sign a contract with consultant Gary Nordquist for Senior Level accounting management services.

2. PUBLIC HEARINGS:

2 A. Case No: General Plan Amendment No. 762 (GPA762), Change of Zone 7207 (CZ7207), Tentative Tract Map No. 33987 (TR33987) and Environmental Assessment (E.A.) No. 40319.

Applicant: Glen Daigle

Location: South of La Estrella Street, east of Interstate-15, and north of Glazebrook Road in the City of Wildomar.

Proposal(s): GPA762: Proposes to change Lots one (1), two (2) and the remainder parcel from Community Development: Medium Density Residential and Community Development: Commercial Office to Community Development: Medium High Density Residential.

CZ7207: Change the existing zoning of lot one (1) from Rural Residential (R-R) to General Residential (R-3), lot two (2) and the remainder parcel from Rural Residential (R-R) to Watercourse, Watershed & Conservation Areas (W-1), and lots three (3) and four (4) from Rural Residential (R-R) to Commercial Office (C-O).

TR33987: A subdivision to divide 24.37 acres into four (4) lots with a remainder parcel. Lot one consists of 81 Condominium units on 8.95 gross acres, Lot two and the remainder parcel consists of 2.84 acres of open space. Lot three is comprised of 9.82 acres and Lot four, comprised of 1.95 acres both are designated for future commercial development.

Environmental Action: In accordance with the California Environmental Quality Act (CEQA), that although the proposed project could have a significant effect on the environment; there will not be a significant effect in this case because a MITIGATED NEGATIVE DECLARATION will be adopted.

STAFF REPORT:
OPEN PUBLIC HEARING:
COMMENTS FROM APPLICANT:
COMMENTS FROM PUBLIC:
FINAL COMMENTS FROM APPLICANT:
CLOSE PUBLIC HEARING:
COMMENTS FROM COUNCIL:

STAFF RECOMMENDATION: Consider adoption of Resolution Nos. 09-11, 09-12, introduce and hold first reading of Ordinance No. 23 and consider adoption of Resolution No. 09-13

RESOLUTION NO. 09-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR THE PROJECT DESCRIBED IN ENVIRONMENTAL ASSESSMENT NO. 40319 FOR GENERAL PLAN AMENDMENT 762, CHANGE OF ZONE 7207, AND TENTATIVE TRACT MAP 33987

RESOLUTION NO. 09-12 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR APPROVING GENERAL PLAN AMENDMENT NO. 762 TO CHANGE THE GENERAL PLAN LAND USE DESIGNATIONS FROM MEDIUM DENSITY RESIDENTIAL AND COMMERCIAL OFFICE TO MEDIUM HIGH DENSITY RESIDENTIAL FOR LOT 1 OF TENTATIVE TRACT MAP 33987 LOCATIONS ON PORTIONS OF PROPERTIES WITH ASSESSOR PARCEL NUMBERS OF 376-410-002 AND 376-410-024

ORDINANCE NO. 23 (Introduction and first reading) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR APPROVING AN AMENDMENT TO THE OFFICAL ZONING MAP OF THE CITY OF WILDOMAR FOR LOT ` AND A REMAINDER PARCEL OF TENTATIVE TRACT MAP 33987 FROM RURAL RESIDENTIAL TO MEDIUM HGIH DESNITY RESIDENTIAL AND FOR LOT 2 OF TENTATIVE TRACT MAP 33987 FROM RURAL RESIDENTIAL TO WATERCOURSE, WATERSHED & CONSERVATION AREA, AND FOR LOTS 3 AND 4 FROM RURAL RESIDENTIAL TO COMMERCIAL OFFICE FOR PROPERTIES IDENTIFIED WITH ASSESSORS PARCEL NUMBERS 376-410-002 AND 376-410-024

RESOLUTION NO. 09-13 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR CONDITIONALLY APPROVING TENTATIVE TRACT MAP 33987 WHICH WILL SUBDIVIDE 24.37 ACRES LOCATED NEAR THE INTERSECTION OF LA ESTRELLA ROAD AND DEPASQUALLE STREET INTO FOUR LOTS AND ONE REMAINDER PARCEL

3. GENERAL BUSINESS ITEMS:

3 A. Receive and file the February 24, 2009 Park and Recreation Subcommittee report to Council and recommended Council action.

3 B. Strategic Visioning Report and provide necessary direction to staff.

3 C. Council to provide staff with direction regarding the City logo submittals.

CITY MANAGER REPORT:

CITY ATTORNEY REPORT:

COUNCIL COMMUNICATIONS:

FUTURE AGENDA ITEMS:

ADJOURNMENT:

The next regular meeting is scheduled for March 11, 2009

If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans With Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the City Clerk either in person or by telephone at (951) 677-7751, no later than 10:00 A.M. on the day preceding the schedule meeting.

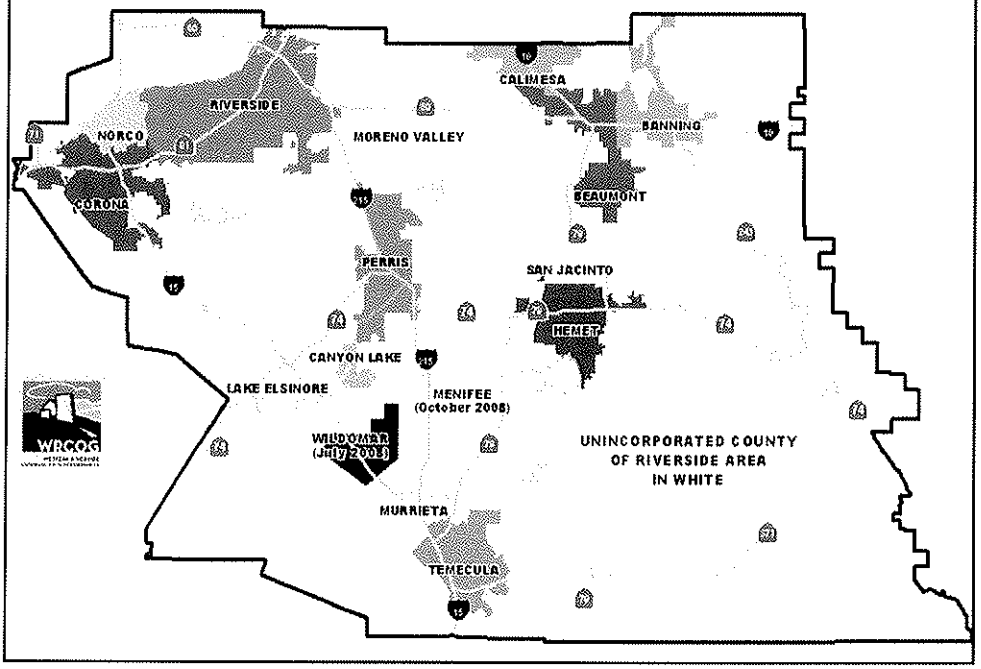
POSTING STATEMENT: On February 20, 2009, a true and correct copy of this agenda was posted at the three designated posting places; Wildomar City Hall, 23873 Clinton Keith Road, U. S. Post Office, 21392 Palomar Street, and Mission Trail Library, 34303 Mission Trail Blvd.

Western Riverside Council of Governments

Agency Overview
Presentation to City of Wildomar
February 25, 2009

WRCOG Summary Activities
City of Wildomar

Western Riverside Council of Governments Subregion



Agency History

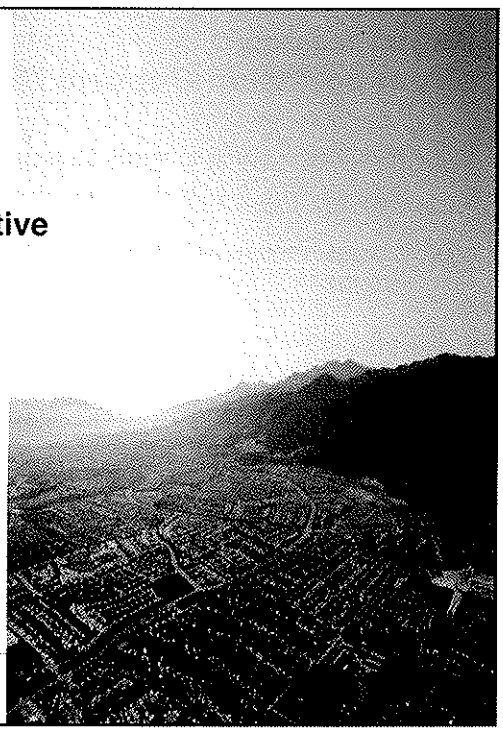
1991: Agency formed under Code Section 6500 (JPA law)

Agency Powers/Functions

- Forum for consideration, study and recommendation on area-wide and regional problems;
- Assemble information helpful in considering problems peculiar to Western Riverside County; and
- Explore practical avenues for intergovernmental cooperation, coordination and action in the interest of local public welfare and means of improvement in the administration of governmental services.

WRCOG's balancing act...

- **Respect local control**
- **Provide regional perspective**



Major Programs:
Regional Planning

- Track SCAG, AQMD, and other regional agency activities.
- Produce reports / videos that discuss growth and opportunities.

Major Programs:
Interregional Partnership

- Interregional Partnership with SANDAG since 2001.
  - Strategies for transportation, housing and economic development for the two regions

I-15
Interregional Partnership

Major Programs:
Western Riverside County Clean Cities Coalition

- Up to 10 members (Banning, Calimesa, Corona, Hemet, Moreno Valley, Norco, Perris, Riverside, County of Riverside, and Temecula);
- Recognized by Department of Energy as one of nation's top **five** performers;
- Middle school outreach program;
- "Car Care for Clean Air" events;
- Annual Clean Cities Coalition Expo; and
- AB 32 – Global Warming / "Sustainability" / green building

Major Programs:
Used Oil Collection Program

Award Winner !!

Environmental Protection Agency

Major Programs:

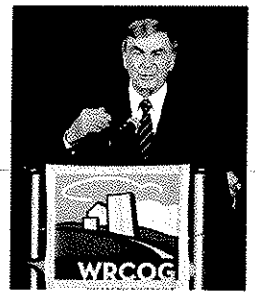
Communication and Outreach : Event Speakers

Kotkin

Cisneros

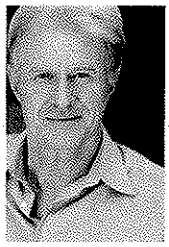
Calthorpe

North



Donaldson

Brown



Begley

WRCOG General Assembly 2008

WRCOG Summary Activities

City of Wildomar

Recognition ...

Inland Empire Section
American Planning Association

American Planning Association Inland Empire
Outstanding Agency Award 2007

Looking ahead...

- Continue to serve member agency interests;
- Continue to pursue excellence in existing programs;
- Continue to build WRCOG's reputation in region and state; and
- Improve existing and develop new relationships with private sector.

Thank you !!

Mayor Scott Farnam
City of Wildomar representative to
WRCOG Executive Committee

CITY OF WILDOMAR – COUNCIL
Agenda Item # 1 B.
CONSENT ITEM
Meeting Date: February 25, 2009

CITY OF WILDOMAR
CITY COUNCIL MEETING MINUTES
FEBRUARY 11, 2009
ADJOURNED FROM JANUARY 28, 2009

The regular adjourned meeting of February 11, 2009 of the Wildomar City Council was called to order by Mayor Scott Farnam at 5:00 P.M. for the purpose of a workshop on wildland fire insurance.

Roll Call showed the following Council Members in attendance: Mayor Scott Farnam, Mayor Pro Tem Bridgette Moore, Council Members Bob Cashman and Marsha Swanson. Council Member Ade entered the workshop about 5:05 P.M.

Staff in attendance for the workshop: City Manager John Danielson, City Attorney Julie Hayward Biggs and City Clerk Sheryll Schroeder.

Fire Chief Steve Beach and Division Chief Bob Toups presented the workshop to discuss the potential wildland vegetation fire agreement.

Chief Beach noted the wildland fire area to be addressed was between I-15 and the 215, through the Bundy Canyon Corridor.

Chief Beach distributed the hard copy of the power point presentation and a handout of the Riverside County Fire Department / Cal Fire Standard Response Plan. He indicated two maps on the wall, one depicting fire hazard severity zones which outlined the wildland threat and a historical outline of the fire history since 1974 of the wildland fires in the area. Both maps and documents are available in the City Clerk's Office.

Chief Toups explained that when Wildomar incorporated, it became a local responsibility area that received different types of response, which were limited. Under Cal Fire, more resources were available. The Federal responsibility areas, Wildomar had federal lands within its jurisdiction, which presented a different response plan, he explained. He explained the three areas of responsibilities; LRA (Local Responsibility Area), SRA (Cal Fire State Responsibility Area; and FRA (Federal Responsibility Area).

The Council reviewed the map depicting the fire hazard severity zone, where the dark red indicated a high fire danger and reviewed the fire history map.

Chief Beach explained Cal Fire's response goal was to suppress 95% of all wild land fire starts at 10 acres or less. He noted that they were 100% successful. He added that air craft is positioned throughout the state so that they could put fixed wing aircraft on any fire within 20 minutes or less.

He said anywhere where the City abuts National Forest Land, was Cal Fire's responsibility, where he could expend state money.

Regarding Master Mutual Aid Agreement, Chief Beach explained how the agreement worked; like resources for like resources, someone could not ask for something that they could not provide in like. He referred to a recent state case regarding this agreement and referred to the seven points of light, which was handout #3. He explained that the City had to pay for the support of Cal Fire efforts. He added that was an option, not to participate in a wildland fire agreement, but use the seven points of light.

Chief Toups explained the fiscal ramifications and liabilities. Using 5 fires, he gave a per acre estimate of $244.94 per acre.

Chief Beach explained the possibility of receiving a FMAG (Federal Management Assistance Grant) grant.

Options available to the City, Chief Beach noted the City had a contract with the County of Riverside, but with a wildland fire agreement, the City would hold a contract with Cal Fire. He noted Mutual Aid and seven points of light were also an option. He explained that if the City entered into a wildland fire agreement with Cal Fire, they would bypass the County altogether. It would be a three year agreement.

Per acre suppression cost was $20.11 per acre for 2008-09, reported Chief Toups.

Council Member Ade asked if the Council could consult with CalFire if questions arose while they were discussing the matter.

Chief Beach responded affirmatively and noted that Council should discuss it among themselves and work through the City Manager.

City Manager Danielson mentioned that staff was beginning to work on the budget and he asked if Council wished to consider their options at that time. He added that at least the Council would have an idea of the cost by the time budget approval was ready.

Mayor Farnam asked about the possibility of a vacant land assessment or a fee.

City Attorney Biggs responded that it would be necessary to put it before the voters.

Chief Beach and City Attorney Biggs discussed the possibility of a fee.

Mayor Farnam said he believed that there was a consensus of Council to have the City Manager move forward with discussions.

City Manager Danielson said he would work with the fire staff and consider the possibility of doing it incrementally.

The workshop was complete at 6:35 P.M., Mayor Farnam recessed the February 11, 2009 meeting to 7:00 P.M. of that date.

Mayor Farnam reconvened the Wildomar City Council meeting at 7:00 P.M.

Roll Call showed the following Council Members in attendance: Mayor Scott Farnam, Mayor Pro Tem Bridgette Moore, Council Members Sheryl Ade, Bob Cashman and Marsha Swanson.

Staff in attendance: City Manager John Danielson, City Attorney Julie Hayward Biggs, Development Services Director Michael Kashiwagi, Planning Director Gary Wayne, Finance Director Misty Cheng and City Clerk Sheryll Schroeder.

FLAG SALUTE: Flag salute was led by Council Member Swanson.

Mayor Farnam congratulated Council Member Ade, February 10th being her birthday.

He announced appointments of Paula Willette and Gil Rasmussen to the Cemetery District.

PRESENTATIONS: Monthly update from Fire Services was presented by Chief Beach, report available in the City Clerk's Office.

Quarterly update from Police Chief Cleary regarding Police Services was presented and available in the City Clerk's Office.

Monthly Code Enforcement updated was given by Senior Code Enforcement Officer James Palmer. He reported for the month of January, there were 207 open cases, 68 were closed, 37 new opened, officers issued 13 notice of violations, 4 administrative citations and 7 parking citations and they currently had 4 large mess property cases.

COMMUNICATIONS FROM THE PUBLIC:

Richard Shepler announced a Charter School proposal, hoping to establish the school in the City. It would be called the Sycamore Academy of Science and Cultural Arts.

1. CONSENT CALENDAR:

Mayor Pro Tem Moore moved to approve the Consent Calendar with a correction of the date of January in the Treasurers Report (Item 1 D.), Items 1 A. through 1 F., seconded by Council Member Swanson. Roll Call vote: - Ayes: 5. Nays: 0. Motion carried.

1 A. Approved the reading by title only of all ordinances.

1 B. Approved Adjourned Regular City Council Minutes dated January 28, 2009.

1 C. Approved Warrant Registers dated January 28, 2009 in the amount of $12,910.50 and February 11, 2009 in the amount of $36,164.56.

1 D. Approved the Treasurer's Report for the month of December 2008.

1 E. ORDINANCE NO. 23 (2nd reading and adoption) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING THE CITY OF WILDOMAR ZONING MAP FROM R-R (RURAL RESIDENTIAL) TO R-3 (GENERAL RESIDENTIAL) FOR ASSESSOR'S PARCEL NUMBERS 380-100-008-4, 380-100-009-5, 380-100-010-5, 380-100-011-5 & 380-100-012-7.

1 F. Considered participation with Trauma Intervention Programs, Inc. for the calendar year ending December 31, 2009 with a donation of $1,000.00.

2. PUBLIC HEARINGS: None.

3. GENERAL BUSINESS ITEMS:

3 A. Provide direction to staff regarding detachment proceedings for County Service Area 103 (LAFCO 2007-39-1).

There were no speakers on this item.

Public Works Director Kashiwagi presented the staff report.

Council Member Swanson moved to direct staff to begin detachment proceedings for County Service Area 103 (LAFCO 2007-39-1), seconded by Mayor Pro Tem Moore. Roll Call vote: Ayes: 5. Nays: 0. Motion carried.

CITY MANAGER REPORT:

City Manager Danielson requested Council provide him with dates to return to the norming procedures. Council Member Ade asked everyone to respond by the end of the week.

Mr. Danielson asked the City Engineer, Michael Kashiwagi, to update Council on a couple of items.

City Engineer Kashiwagi reported that the City Attorney's office was working on establishing a direct contact with the various franchise agreement holders. Prior to incorporation, he informed, the franchises were granted by the County and on July 1, 2008, the date of incorporation, the County's interest in the franchises automatically transferred to the City of Wildomar, the revenue generated from the franchises was due to the City. He informed that they should come forward to Council in March.

Mr. Kashiwagi spoke about a resident who attended the last Council meeting and spoke about the speed limit signs on Palomar between Mission Trail and Corydon and he reported that staff looked at the situation and there were no speed limit signs. He said staff was currently evaluating what the appropriate speed limit for that segment should be. He said in the meantime, staff posted a 25 MPH speed limit sign, "Where Children Are At Play" sign. Regarding a citizens concern about safety on Bundy Canyon, staff did some trimming to improve visibility at their driveway. Subsequent to that, staff created a work order for the County who did a number of trimmings to improve visibility in the area from I-15 to the City limits. In addition to that the City Manager had met with staff and Police Department

to improve visibility along Bundy Canyon Road.

He reported the flag pole at City Hall should be started the next day.

Mr. Danielson asked Event Coordinator, Paula Willette, to report on the CERT Training.

Ms. Willette reported the CERT training would start on March 20, 2009 and provide 20 hours of emergency training. She added that February 26, 2009 would be a presentation by the SAFE Task Force (Sexual Assault Felony Enforcement) and finalized by announcing April 4, 2009 would be the 6th annual Easter egg hunt.

CITY ATTORNEY REPORT:

City Attorney Biggs had no report, stating she was working on the franchise agreements.

Mayor Pro Tem Moore mentioned she had asked the City Attorney's Office to review an ordinance for tougher sexual offender penalties.

City Attorney Biggs answered that they did look at that and she would provide it for a future Council meeting.

COUNCIL COMMENTS:

Mayor Pro Tem Moore reported on a Parks Sub Committee meeting on Tuesday, February 24th at 2:00 P.M. in the Council Chambers. She asked to present the Parks Sub Committee report on parks and recreation activities for the reminder of the 2009 and 2010 for Council's consensus at the next Council meeting.

She reported the subcommittee for the website design would also meet next week.

Mayor Pro Tem Moore mentioned that she was on the Jean Hayman Advisory Committee that was looking into re-opening the Jean Hayman School in August of 2010.

Mayor Pro Tem Moore added that she had gone on a ride along with the SAFE Task Force and would attend the CERT Training.

Council Member Cashman stated that he and Council Member Ade reviewed the proposals for the districting issue and he hoped it would return to the next Council meeting. He added that they recommended the proposal from National Demographics Corporation and recommended the City accept the accelerated schedule provided. Regarding Bundy Canyon, he asked if it was a TUMP nexus. He asked if they could do the front portion first, since that was the portion that had the accidents.

Mayor Farnam responded that even though it was identified in the TUMP nexus, it was developer driven. When the developers develop the area, they would either contribute to TUMP and when it gets built out or they have enough funds to start construction, they will

start it. If a developer comes in and they don't have enough funds, they'll condition the developer rather than contribute to TUMP fees and get TUMP credits. He reported that TUMP approved projects that are in queue, he believed it would be in 2009, but would probably get pushed back. He said the fees had been decreased to help with the cost of construction and to motivate construction.

Council Member Ade added that when the community went to Supervisor Buster, he asked the City to support it because Bundy was not included in the top 10. His reason for including it was due to the amount of traffic and the danger. She asked Mayor Farnam to bring up the safety issue when he discussed it. She said staff was getting updates from the County as far as when local projects would be started.

Mayor Farnam recited from the five year transportation improvement program, funded project tracking, the Bundy Canyon Road, Scott Road, I-15 to 215, 6.5 miles, 2 to 4 lanes, they were still in the planning and environmental stages, but were moving forward. They had $1,115,532 dedicated to that. He said the last he heard they would start construction in 2010, but with the budget crisis, that could change.

Council Member Ade asked staff to stay aware of Bundy Canyon and Clinton Keith and the proposed dates so they were not both blocked off at the same time.

Council Member Cashman finalized by reporting that he and Council Member Ade met with Dave Stahovich on the cemetery district and continue to get informed on the cemetery issue.

Council Member Ade noted she attended the Southern California Association of Government meeting last week, adding that she was on the Energy and Environmental Committee, attending that and their larger regional meeting. She said the Energy and Environmental Committee discussed the Foothill Eastern Transportation Corridor, the final 16 miles in Orange County. She said they were ready to move ahead, getting input from everyone, and suddenly the Coastal Commission issued a denial. She said all committees would be kept informed because it would affect Riverside County. She added that the Supervisors were going to Sacramento to protest the State taking funds from the counties. SCAG gave a letter of support requesting no deferral of payments to the County.

Mayor Farnam reported he attended a workshop with Riverside County Transportation, that the State wanted to borrow some of the TUMP funds and the County did not want to lend them out, they had projects that were shovel ready for the forthcoming stimulus package. Regarding the Route 91 project from Corona to Orange County, they were preceding adding toll lanes and adding lanes to the I-15, that environmental needed to be re-done.

FUTURE AGENDA ITEMS:

Council Member Swanson requested the logo submittals be brought back to Council for selection.

Mayor Pro Tem Moore announced that the Future Farmers of America Lake Elsinore High School would like to present their program at the next meeting.

Council Member Cashman asked that the strategic visioning report be on the next agenda in the form of a presentation if possible.

Council Member Ade asked the estimated date for budget discussions. City Manager Danielson said staff was looking at it now; the problem was that the City was multiple quarters behind with the County. He said they would continue to look at projections and expenses and advised that the City may have to adopt a 2009-10 budget with incomplete data and rather than a mid-year budget, staff would come back with an updated projection.

Mayor Farnam announced that April was Autism Awareness Month and the New Vision Children's Services would like to do a presentation in late March.

The Mayor noted that at the next meeting, February 25, 2009, the Green Valley Initiative would be on the agenda.

Mayor Farnam said he thought the Animal Friends of the Valley JPA should be invited to a future meeting. He reported they broke ground and the City would need to decide if they were going to participate in the JPA.

ADJOURNMENT:

No further business to come before the Council, Mayor Farnam adjourned the meeting in honor of February as National Black History Month at 7:45 P.M.

Respectfully submitted:

Sheryll Schroeder, MMC
City Clerk

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item # 1 C.
CONSENT CALENDAR
Meeting Date: February 25, 2009

TO: Mayor and Members of the City Council

FROM: Misty V. Cheng, Director of Finance

SUBJECT: Warrant Register dated February 12, 2009 and February 25, 2009.

STAFF REPORT

RECOMMENDATION:

1. Approve Warrant Register dated February 12, 2009 in the amount of $100.00.
2. Approve Warrant Register dated February 25, 2009 in the amount of $40,223.51.

BACKGROUND:

The City of Wildomar City Code Chapter 3.03 requires that the City Council audit payments of demands and direct the City Manager to issue checks. The Warrant Register dated February 12, 2009 and February 25, 2009 are submitted for approval.

DISCUSSION:

None.

FISCAL IMPACTS:

As indicated above, the Warrant Register for February 12, 2009 has a budgetary impact of $100.00 and the Warrant Register for February 25, 2009 has a budgetary impact of $40,223.51, which are all included in the FY08-09 Budget.

ALTERNATIVES:

1. Take no action
2. Provide staff with further direction.

Submitted by:

Misty V. Cheng
Director of Finance

Approved by:

John Danielson
City Manager

Reviewed by:

Julie Hayward Biggs
City Attorney

Attachments: Warrant Register dated February 12, 2009.
Warrant Register dated February 25, 2009.

City of Wildomar
Check Detail
February 12, 2009

Type	Num	Date	Name	It...	Account	Paid Amount	Original Amount
Bill Pmt -Check	**1542**	**2/12/2009**	**US Fish & Wildlife Service**		**10 1000 1 Cash - ...**		**-100.00**
Bill		2/12/2009			10 430 21 Supplies/...	-100.00	100.00
TOTAL						-100.00	100.00

City of Wildomar
Check Detail
February 25, 2009

Type	Num	Date	Name	Account	Paid Amount	Original Amount
Bill Pmt -Check	**1543**	**2/25/2009**	**Burke, Williams & Sorensen, LLP**	**10 1000 1 Cash - Wells Fargo**		**-26,602.20**
Bill		2/25/2009		10 414 24 Legal Services	-26,602.20	26,602.20
TOTAL					-26,602.20	26,602.20
Bill Pmt -Check	**1544**	**2/25/2009**	**County of Riverside, Registrar of Voters**	**10 1000 1 Cash - Wells Fargo**		**-6,711.00**
Bill		2/25/2009		10 413 26 Elections	-6,711.00	6,711.00
TOTAL					-6,711.00	6,711.00
Bill Pmt -Check	**1545**	**2/25/2009**	**FastSigns**	**10 1000 1 Cash - Wells Fargo**		**-680.03**
Bill		2/25/2009		10 480 31 Furniture & Fixtures	-680.03	680.03
TOTAL					-680.03	680.03
Bill Pmt -Check	**1546**	**2/25/2009**	**FedEx**	**10 1000 1 Cash - Wells Fargo**		**-33.66**
Bill		2/25/2009		10 480 29 Misc. Serv./Supplies	-33.66	33.66
TOTAL					-33.66	33.66
Bill Pmt -Check	**1547**	**2/25/2009**	**Innovative Document Solutions**	**10 1000 1 Cash - Wells Fargo**		**-286.97**
Bill		2/25/2009		10 480 27 City Hall Lease & Ops	-286.97	286.97
TOTAL					-286.97	286.97
Bill Pmt -Check	**1548**	**2/25/2009**	**International Code Council, Inc.**	**10 1000 1 Cash - Wells Fargo**		**-4,088.88**
Bill		2/25/2009		10 430 21 Supplies/Services	-4,088.88	4,088.88
TOTAL					-4,088.88	4,088.88
Bill Pmt -Check	**1549**	**2/25/2009**	**OnTrac**	**10 1000 1 Cash - Wells Fargo**		**-21.01**
Bill		2/25/2009		10 430 21 Supplies/Services	-21.01	21.01
TOTAL					-21.01	21.01
Bill Pmt -Check	**1550**	**2/25/2009**	**The Press-Enterprise**	**10 1000 1 Cash - Wells Fargo**		**-175.76**
Bill		2/25/2009		10 480 29 Misc. Serv./Supplies	-175.76	175.76
TOTAL					-175.76	175.76

City of Wildomar
Check Detail
February 25, 2009

Type	Num	Date	Name	Account	Paid Amount	Original Amount
Bill Pmt -Check	**1551**	**2/25/2009**	**Trauma Intervention Program**	**10 1000 1 Cash - Wells Fargo**		**-1,000.00**
Bill		2/25/2009		10 411 21 Supplies/Services	-1,000.00	1,000.00
TOTAL					-1,000.00	1,000.00
Bill Pmt -Check	**1552**	**2/25/2009**	**Unum**	**10 1000 1 Cash - Wells Fargo**		**-624.00**
Bill		2/25/2009		10 411 13 Benefits	-624.00	624.00
TOTAL					-624.00	624.00

$ 40223.51

CITY OF WILDOMAR – COUNCIL
Agenda Item # 1 D.
CONSENT ITEM
Meeting Date: February 25, 2009

TO: Honorable Mayor Farnam, Members of the City Council

FROM: Michael Kashiwagi, Development Services

SUBJECT: Approval of Final Parcel Map 36084 – Shops at Bear Creek (08-0056)

STAFF REPORT

RECOMMENDATION:

Staff requests the City Council adopt the attached Resolution approving the Final Parcel Map 36084 – Shops at Bear Creek

BACKGROUND:

The Shops at Bear Creek Project is located at the southeast corner of Clinton Keith Road and Palomar Road. The approved commercial project has been fully constructed with a Rite Aid store and the owner is progressing with leasing spaces in his other building.

The owner has determined the need to create separate parcels for his buildings and on December 17, 2008, the Planning Commission for the City approved a tentative map for Parcel Map 36084 – Shops at Bear Creek. Subsequently, the owner submitted a final map for review and staff has reviewed the final map and found it to be technically correct and in conformance with the approved tentative map and the associated conditions of approval.

No improvements were required with this map as they were already constructed with the site improvements. Therefore there is no subdivision agreement or bonds associated with this map.

FISCAL IMPACT:

There is no fiscal impact with the adoption of the proposed resolution and the parcelization of this project.

ATTACHMENTS:

Copy of the Final Parcel Map 36084 – Shops at Bear Creek
Resolution Approving Parcel Map 36084 – Shops at Bear Creek

Submitted by:

_____
Michael Kashiwagi, Public Works Dir.

Approved as to form:

_____
Julie Hayward Biggs
City Attorney

ATTACHMENT NO.

RESOLUTION NO. 09-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING PARCEL MAP NO. 36084 – SHOPS AT BEAR CREEK (08-0056)

WHEREAS, the City approved a Tentative Parcel Map on December 17th, 2008 for Parcel Map 36084 – Shops at Bear Creek (08-0056); and.

WHEREAS, the owners have submitted to the City for approval a proposed Parcel Map consistent with the previously approved Tentative Parcel Map; and.

WHEREAS, staff has reviewed the proposed Parcel Map and finds it to be technically correct and that all applicable conditions of approval have been satisfied.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Wildomar that the location and configuration of the parcels to be created by Parcel Map 36084 – Shops at Bear Creek (08-0056) substantially comply with the previously approved Tentative Parcel Map.

BE IT FURTHER RESOLVED AND ORDERED that the City Council of the City of Wildomar, pursuant to Government Code Section 66458, hereby approves Parcel Map 36084 – Shops at Bear Creek (08-0056), a copy of which is hereby attached and made part of this Resolution

PASSED AND ADOPTED by the City Council of the City of Wildomar on this 25th day of February, 2009 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Scott Farnam
MAYOR

ATTEST:

APPROVED AS TO FORM:

Sheryll Schroeder
CITY CLERK

JULIE HAYWARD BIGGS
CITY ATTORNEY

EXHIBIT "A"

Parcel Map 36084 – Shops at Bear Creek (08-0056)

IN THE CITY OF WILDOMAR, STATE OF CALIFORNIA

PARCEL MAP NO. 36084

PARCEL 6 OF ON PARCEL MAP 5552, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 14, PAGE 13 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

SAXON ENGINEERING SERVICES OCTOBER, 2008

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2008

AT _____ M. IN BOOK _____ OF

MAPS, AT PAGES _____ AT THE REQUEST OF

THE CLERK OF THE BOARD

LARRY W. WARD, ASSESSOR-COUNTY CLERK-RECORDER

BY _____ DEPUTY

FEE: _____

NO _____

SUBDIVISION GUARANTEE: CHICAGO TITLE COMPANY

OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF THE LAND INCLUDED WITHIN THE SUBDIVISION SHOWN HEREON. THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID LAND. THAT WE CONSENT TO THE MAKING AND RECORDING OF THIS SUBDIVISION MAP AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

WE HEREBY DEDICATE ADJACENT RIGHTS OF ACCESS ALONG LOT "A", CLINTON KEITH ROAD AND LOT "B", PALOMAR STREET TO THE PUBLIC. THE OWNERS PARCELS 1 AND 2, INCLUSIVE, ABUTTING THIS PROPERTY AND DURING SUCH TIME THEY HAVE NO RIGHTS OF ACCESS EXCEPT THE GENERAL EASEMENT OF TRAVEL. ANY CHANGE OF ALIGNMENT OR WIDTH THAT RESULTS IN THE VACATION THEREOF SHALL TERMINATE THIS DEDICATION AS TO THE PART VACATED.

WE HEREBY RETAIN EASEMENTS INDICATED AS "PRIVATE ROAD EASEMENT" FOR PRIVATE USE, AND WILL HAVE NO RIGHTS OF ACCESS EXCEPT THE GENERAL EASEMENT OF TRAVEL, ALSO EXCEPTING TWO ADJACENT THIRTY-SIX FOOT ACCESS OPENINGS, ONE EACH FOR LOTS 1 AND 2, AS SHOWN HEREON. ANY CHANGE OF ALIGNMENT OR WIDTH THAT RESULTS IN THE VACATION THEREOF SHALL TERMINATE THIS DEDICATION AS TO THE PART VACATED.

WE HEREBY DEDICATE TO PUBLIC USE, EASEMENTS FOR PUBLIC UTILITY PURPOSES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR EMERGENCY VEHICLES WITHIN PRIVATE ROAD EASEMENTS AS SHOWN HEREON.

COMPANCO PALOMAR LLC, A DELAWARE LIMITED LIABILITY COMPANY

_____

PRESIDENT

NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) SS
COUNTY OF RIVERSIDE)

ON _____ BEFORE ME, _____
A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____
_____ PERSONALLY KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN HIS/HER AUTHORIZED CAPACITY, AND THAT BY HIS/HER SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY ON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL

SIGNATURE: _____
NOTARY PUBLIC IN AND FOR SAID STATE

MY PRINCIPAL PLACE OF BUSINESS IS IN _____ COUNTY
MY COMMISSION EXPIRES:

_____
NAME PRINTED

NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) SS
COUNTY OF RIVERSIDE)

ON _____ BEFORE ME, _____
A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____
_____ PERSONALLY KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN HIS/HER AUTHORIZED CAPACITY, AND THAT BY HIS/HER SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY ON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL

SIGNATURE: _____
NOTARY PUBLIC IN AND FOR SAID STATE

MY PRINCIPAL PLACE OF BUSINESS IS IN _____ COUNTY
MY COMMISSION EXPIRES:

_____
NAME PRINTED

NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) SS
COUNTY OF RIVERSIDE)

ON _____ BEFORE ME, _____
A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____
_____ PERSONALLY KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN HIS/HER AUTHORIZED CAPACITY, AND THAT BY HIS/HER SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY ON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL

SIGNATURE: _____
NOTARY PUBLIC IN AND FOR SAID STATE

MY PRINCIPAL PLACE OF BUSINESS IS IN _____ COUNTY.
MY COMMISSION EXPIRES:

_____
NAME PRINTED

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF COMPANCO PALOMAR LLC, ON OCTOBER 10, 2008. I HEREBY STATE THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.

DATED _____, 20 __

_____
CARLOS H. SANDOVAL
L.S. NO. 7847
EXPIRATION: 12/31/08

PROFESSIONAL LAND SURVEYOR
CARLOS HUMBERTO SANDOVAL
No. 7847
10-31-08
STATE OF CALIFORNIA

CITY ENGINEER'S STATEMENT

THIS MAP CONFORMS TO THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES. I HEREBY STATE THAT THIS MAP HAS BEEN EXAMINED BY ME OR UNDER MY SUPERVISION AND FOUND TO BE SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP OF PARCEL MAP NO. 36084 AS FILED, AMENDED, AND APPROVED BY THE CITY COUNCIL OF WILDOMAR ON _____, 2008. THE EXPIRATION DATE IS NO _____. I HEREBY STATE THAT THE PARCEL MAP HAS BEEN BY ME OR UNDER MY SUPERVISION AND I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

DATED _____, 20 __

_____
R.C.E. _____ CITY ENGINEER
EXPIRATION: 12/31/09

TAX COLLECTOR'S CERTIFICATE

I HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THIS OFFICE, AS OF THIS DATE, THERE ARE NO LIENS AGAINST THE PROPERTY SHOWN ON THE WITHIN MAP FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES EXCEPT TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES NOW A LIEN BUT NOT YET PAYABLE, WHICH ARE ESTIMATED TO BE $_____.

DATED _____

PAUL MCDONNELL
COUNTY TAX COLLECTOR

BY _____
DEPUTY

TAX BOND CERTIFICATE

I HEREBY CERTIFY THAT A BOND IN THE SUM OF $_____ HAS BEEN EXECUTED AND FILED WITH THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, CALIFORNIA, CONDITIONED UPON THE PAYMENT OF ALL TAXES, STATE, COUNTY, MUNICIPAL OR LOCAL, AND ALL SPECIAL ASSESSMENTS COLLECTED AS TAXES, WHICH AT THE TIME OF FILING OF THIS MAP WITH THE COUNTY RECORDER ARE A LIEN AGAINST SAID PROPERTY BUT NOT YET PAYABLE, AND SAID BOND HAS BEEN DULY

APPROVED BY SAID BOARD OF SUPERVISORS.

DATED _____

NANCY ROMERO
CLERK OF THE BOARD OF SUPERVISORS

BY _____
DEPUTY

CASH TAX BOND
PAUL MCDONNELL
COUNTY TAX COLLECTOR

BY _____
DEPUTY

CITY CLERK'S STATEMENT

THE CITY COUNCIL OF THE CITY OF WILDOMAR, STATE OF CALIFORNIA, BY ITS CITY CLERK, _____ HEREBY APPROVES THE PARCEL MAP _____ AND ACCEPTS THE OFFERS OF DEDICATION MADE HEREON FOR PUBLIC ROAD AND PUBLIC UTILITY PURPOSES, AND AS PART OF OF THE CITY MAINTAINED ROAD SYSTEM, SUBJECT TO IMPROVEMENTS IN ACCORDANCE WITH CITY STANDARDS. THE OFFERS OF DEDICATIONS MADE HERE FOR _____ PURPOSES ARE HEREBY ACCEPTED.

_____
CITY CLERK
CITY OF WILDOMAR

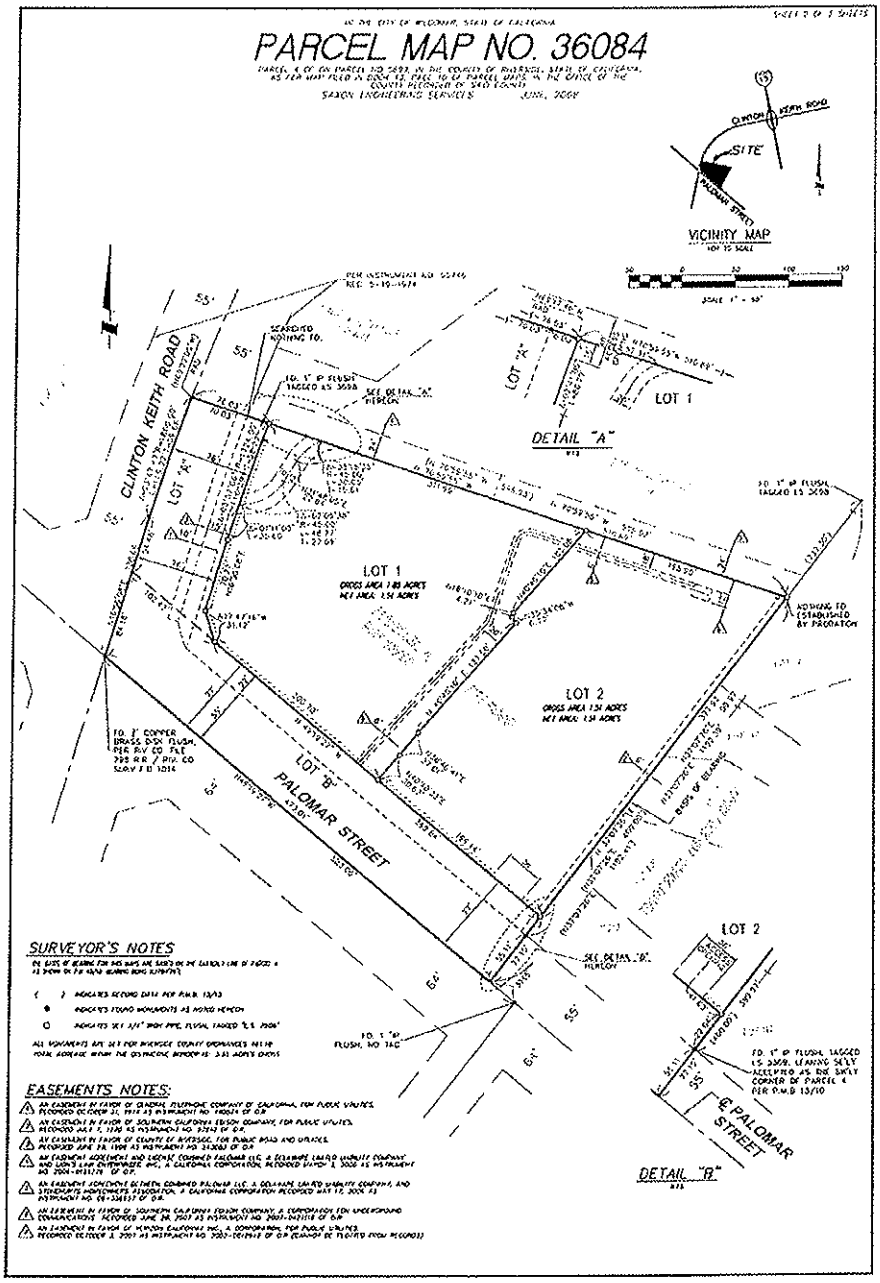
SIGNATURE OMISSIONS

PURSUANT TO SECTION 66436 OF THE SUBDIVISION MAP ACT, THE SIGNATURES OF THE FOLLOWING OWNERS OF EASEMENTS AND / OR OTHER INTERESTS HAVE BEEN OMITTED.

⚠ AN EASEMENT IN FAVOR OF GENERAL TELEPHONE COMPANY OF CALIFORNIA FOR PUBLIC UTILITIES RECORDED OCTOBER 31, 1974 AS INSTRUMENT NO 192004 OF OR

⚠ AN EASEMENT IN FAVOR OF COUNTY OF RIVERSIDE, FOR PUBLIC ROAD AND DRAINAGE RECORDED JUNE 26, 1996 AS INSTRUMENT NO 252460 OF OR

SCHED. "E" SEC 1 T.7S., R.4W., SBM


PARCEL MAP NO. 36084
VICINITY MAP
SITE
CLINTON KEITH ROAD
PALOMAR STREET
LOT 1
LOT 2
LOT "A"
LOT "B"
DETAIL "A"
DETAIL "B"
SURVEYOR'S NOTES
EASEMENTS NOTES:

CITY OF WILDOMAR – COUNCIL
Agenda Item # 1 E.
CONSENT ITEM
Meeting Date: February 25, 2009

TO: Honorable Mayor Farnam, Members of the City Council

FROM: Michael Kashiwagi, Development Services

SUBJECT: AGREEMENT WITH CITY OF LAKE ELSINORE TO PROVIDE ROAD MAINTENANCE ON PORTIONS OF LOST ROAD AND NAVAJO SPRINGS ROAD

STAFF REPORT

RECOMMENDATION:

Approve the Road Maintenance Agreement between the City of Wildomar and the City of Lake Elsinore and authorize the Mayor to execute the Agreement

BACKGROUND:

On May 24, 2007, the City of Lake Elsinore submitted an application to the Riverside Local Agency Formation Commission (LAFCO) for the annexation of 246.4 acres located south of Canyon Hills Road west of Lost Road in Riverside County. This annexation, identified as "Annexation No. 75", was processed through the City's Planning Commission on February 26, 2006, and approved by the Council on April 11, 2006. On October 26, 2006, LAFCO adopted Resolution No. 120-06 conditionally approving Annexation No. 75. One of the conditions, required the City to enter into an agreement with Riverside County for the maintenance of a segment of Lost Road and Navajo Springs Road. Subsequently, the City of Lake Elsinore approved an agreement and forwarded it to the County for action. The County did not take action prior to the incorporation of the City of Wildomar, thereby the agreement has been submitted to the City for adoption as the City of Wildomar would now have the responsibility for maintenance of these streets.

Lost Road and Navajo Springs Road are located east of Lost Road just south of the Canyon Hills development in Lake Elsinore. A 24-foot wide segment of this roadway will be located within the City of Wildomar's jurisdiction extending from the tract boundary on Navajo Springs Road to the intersection of Navajo Springs Road in addition to a 30-foot segment on Lost Road. The agreement includes the roadway segment of Lost Road between Navajo Springs Road and the City Limits. However, the balance of both Navajo Springs Road and Lost Road will

remain within the City of Wildomar. Consequently, the attached agreement identifies the maintenance and jurisdictional responsibilities between the Cities of Wildomar and Lake Elsinore for this segment of Navajo Springs Road and Lost Road.

As the proposed agreement has been changed to specify the City of Wildomar in lieu of the County, the City of Lake Elsinore will have to again take action on this agreement if adopted by this Council.

FISCAL IMPACT:

Minimal savings in street maintenance costs could be seen as the City of Lake Elsinore will be providing the maintenance of these two short sections of street.

ALTERNATIVES:

The one alternative would be for the City of Wildomar to not take action on this agreement and maintain the streets. The City of Lake Elsinore would then have to seek relief from the LAFCO condition to complete the annexation.

ATTACHMENTS:

Maintenance Agreement
City of Lake Elsinore Staff Report

Submitted by:

_____
Michael Kashiwagi, Development Services

Approved as to form:

_____
Julie Hayward Biggs
City Attorney

ATTACHMENT NO. 1

Maintenance Agreement

ROAD MAINTENANCE AGREEMENT

This Road Maintenance Agreement (the "Agreement") is made and entered into this ___ day of _____, 2009 by and between the **CITY OF LAKE ELSINORE**, a municipal corporation, (hereinafter referred to as "City") and the **CITY OF WILDOMAR**, a municipal corporation, (hereinafter referred to as "Wildomar")

RECITALS:

WHEREAS, Trumark Companies, LLC owns approximately 246.2 acres of land located generally between Lost Road and Cottonwood Canyon Road adjacent to the Canyon/Cottonwood Hills Specific Plan approved for annexation into the City of Lake Elsinore, more particularly shown in Exhibit A attached hereto (the "Property"); and

WHEREAS, on May 24, 2007, pursuant to the terms of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the "Cortese Knox Act"), the City filed an application with the Riverside Local Agency Formation Commission ("LAFCO") to annex into the City's corporate boundaries certain parcels of the Property, which in the aggregate consist of approximately 246.2 net acres and which are more particularly described in Exhibit B and Exhibit C and mapped out in Exhibit D (hereinafter referred to as the "Annexation Property"); and

WHEREAS, on February 26, 2006, the Lake Elsinore Planning Commission adopted Resolution 2006-15, recommending that the City Council of the City of Lake Elsinore approve General Plan Amendment No. 2005-08, Resolution 2006-16, recommending that the City Council of the City of Lake Elsinore approve Zone Change No. 2005-09, and Resolution 2006-17, recommending that the City Council of the City of Lake Elsinore commence proceedings to annex the Property into the corporate boundaries of the City ("Annexation No. 75"); and

WHEREAS, on April 11, 2006, the Lake Elsinore City Council adopted Resolution 2006-15, approving General Plan Amendment No. 2005-08, Resolution 2006-16, approving Zone Change No. 2005-09, and Resolution 2005-68, commencing proceedings to annex the Property, and preliminarily approved, after first reading, Ordinance No. 1152, approving Zone Change No. 2005-09; and

WHEREAS, on July 26, 2005, upon second reading of Ordinance No. 1152, the Lake Elsinore City Council formally adopted Zone Change No. 2005-09; and

WHEREAS, on October 26, 2006, LAFCO adopted Resolution No. 120-06, approving LAFCO 2006-105-1&3, amending the Sphere of Influence of the City of Lake Elsinore (Addition) and Removal from the Wildomar Unincorporated Community; and

WHEREAS, on January 16, 2007, the City of Lake Elsinore Planning Commission adopted Resolution No. 2007-06, recommending that the City Council of the City of Lake Elsinore certify Environmental Impact Report No. 2006-02, Resolution No. 2006-09, recommending that the City Council of the City of Lake Elsinore approve Specific Plan No. 2006-01, Resolution No. 2006-08, recommending that the City Council of the City of Lake Elsinore approve General Plan Amendment No. 2006-04, and Resolution No. 2007-10, recommending that the City Council of the City of Lake Elsinore approve Tentative Tract Map No. 34249, and;

WHEREAS, on January 23, 2007, the City of Lake Elsinore City Council adopted Resolution No. 2007-04, certifying the Environmental Impact Report No. 2006-02, Ordinance No. 2107, approving Specific Plan No. 2006-01, Resolution No. 2007-06, approving General Plan Amendment No. 2006-04, and Resolution No. 2007-07, approving Tentative Tract Map No. 34249, and;

WHEREAS, with regard to Annexation No. 75, the City complied with all pre-annexation requirements as set forth in the Cortese Knox Act and the LAFCO local rules and procedures; and

WHEREAS, on May 24, 2007, LAFCO adopted Resolution No. 57-07, conditionally approving Annexation No. 75 (LAFCO 2007-05-1&3) such that LAFCO will not record a Certificate of Completion for Annexation No. 75 until such time that the City satisfies one condition; and

WHEREAS, the condition requires that Riverside County enter into an agreement with the City regarding maintenance of only those segments of Lost Road and Navajo Springs Road between the annexation boundaries and the current City boundary that prior to Annexation No. 75 was a variable width public right of way for Lost Road, and a sixty foot right of way for Navajo Springs Road. Lost Rd is currently a City of Wildomar maintained road while Navajo Springs Rd was publicly dedicated on Tract 2910, which recorded in Map Book 51, Pages 96-98 on November 17, 1964. Navajo Springs Rd was not accepted for public use. These roads are more particularly described in Exhibit E and depicted in Exhibit F (hereinafter referred to as the "Road Maintenance Area"); and

WHEREAS, the City of Lake Elsinore approved and sent to the County an agreement that met the LAFCO conditions and subsequent to the agreement being finalized at the County of Riverside, the City of Wildomar incorporated and the requirement to enter into an agreement now rests with the City of Wildomar as these road segments are now under the jurisdiction of the City of Wildomar.

WHEREAS, it is the parties intent to enter into this Road Maintenance Agreement in satisfaction of the condition of approval for Annexation No. 75.

NOW, THEREFORE, IN CONSIDERATION OF THE FORGOING RECITALS, WHICH ARE INCORPORATED HEREIN BY REFERENCE, CITY AND WILDOMAR AGREE AS FOLLOWS:

1. Wildomar hereby consents to City's maintenance, at City's sole cost and expense and without reimbursement from Wildomar, of the Road Maintenance Area, said roads being specifically defined in Exhibit in Exhibit E and depicted in Exhibit F..

2. Within the Road Maintenance Area, City shall maintain the roadway surface, curbs, gutters, and sidewalks in accordance with Wildomar Street Maintenance Standards. Maintenance shall include, but shall not be limited to, repair, resurfacing, street sweeping, and other duties typical to the maintenance of the roadway and adjoining curb, gutters, and sidewalks and subject to the review, inspection and approval of the City of Wildomar..

3. In its current condition, the Road Maintenance Area is a variable width (approximately 20') right-of-way for Lost Road and sixty feet (60') right-of-way for Navajo Springs Road. Depending upon development of the Annexation Property and other projects in the immediate vicinity of the Annexation Property, it is possible that Lost Road may be expanded to greater widths. In the event that development of the Annexation Property requires expansion of Lost Road and Navajo Springs Road, beyond the 24 foot constructed street section of Navajo Springs and the 32 foot section of Lost Rd as required by the City of Lake Elsinore's Conditions of Approval for Specific Plan 2006-01 and Tentative Tract 34249, the City agrees to maintain the Road Maintenance Area as expanded, subject to the inspection and acceptance under this agreement by the City of Wildomar.

4. In the event that the Road Maintenance Area is expanded, it shall be improved in such a way that the improved section is compatible with and safely transitions to the existing improvements on the Wildomar portions of Lost Road and Navajo Springs Road, with all work outside of the Road Maintenance Area to be reviewed, approved, permitted and inspected by the City of Wildomar..

5. City shall refer all applicants wishing to obtain permits to work, enter, close, or in any way modify the roadway, to obtain the appropriate Wildomar Permit(s) prior to any commencement of work, entry upon, or closure of the Roadway Maintenance Area.

6. The City agrees to ensure that Lost Road and Navajo Springs Road continues to be accessible and usable by the Annexation Property and Wildomar Residents.

7. Except for the negligence or willful misconduct of Wildomar, or for any development, design, inspection, construction, or structural defects in connection with the expansion of the Road Maintenance Area, City shall defend, indemnify, and hold harmless Wildomar, its officers, employees, and agents from and against any and all liability, loss, expense (including reasonable attorneys fees), or claims

for injury or damages arising out of the maintenance of the Road Maintenance Area or any expansion of the Road Maintenance Area. This indemnification provision shall survive the expiration or early termination of this Agreement.

8. Wildomar shall defend, indemnify, and hold harmless the City, its officers, employees, and agents harmless from and against any and all liability, loss, expense (including reasonable attorneys fees), or claims for injury or damages arising out of any development, design, inspection, or structural defects made in connection with the expansion of the Road Maintenance Area. This indemnification provision shall survive the expiration or early termination of this Agreement.

9. By executing this Agreement, City certifies that City is aware of and will comply with Section 3700 of the Labor Code of the State of California requiring every employer to be insured against liability for workers' compensation or to undertake self-insurance before commencing any of the work required as part of this Agreement. City shall carry the insurance or provide for self-insurance required by California law to protect Wildomar from claims under the Workers Compensation Act.

10. City shall keep itself fully informed of and in compliance with all local, state and federal laws, rules and regulations in any manner affecting the performance of the maintenance of the Road Maintenance Area, including all Cal/OSHA requirements, and shall give all notices required by law. City shall be liable for all violations of such laws and regulations in connection with the maintenance of the Road Maintenance Area. If the City performs any work knowing it to be contrary to such laws, rules and regulations and without giving written notice to Wildomar, City shall be solely responsible for all costs arising therefrom. City shall defend, indemnify and hold Wildomar, its officials, directors, officers, employees and agents free and harmless, pursuant to the indemnification provisions of this Agreement, from any claim or liability arising out of any failure or alleged failure to comply with such laws, rules or regulations.

11. City is aware of the requirements of California Labor Code Section 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 1600, et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on "Public Works" and "Maintenance" projects. If the work being performed as part of an applicable "Public Works" or "Maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is $1,000 or more, City agrees to fully comply with such Prevailing Wage Laws. City shall defend, indemnify and hold Wildomar, its elected officials, officers, employees and agents free and harmless from any claim or liability arising out of any failure or alleged failure to comply with the Prevailing Wage Laws.

12. City hereby promises and agrees to comply with all of the provisions of the Federal Immigration and Nationality Act, 8 U.S.C.A. §§ 1101, et seq., as

amended, and in connection therewith, shall not employ unauthorized aliens as defined therein. Should City so employ such unauthorized aliens for the performance of the repair and maintenance work covered by this Agreement, and should any liability or sanctions be imposed against Wildomar for such use of unauthorized aliens, City hereby agrees to and shall reimburse Wildomar for the cost of all such liabilities or sanctions imposed, together with any and all costs, including attorneys' fees, incurred by Wildomar.

13. This Agreement may be amended, supplemented, or terminated only by written documents signed by both parties.

14. Any correspondence regarding this Agreement shall be addressed as follows:

15. City Manager
CITY OF LAKE ELSINORE
130 S. Main Street
Lake Elsinore, CA 92530

City Manager
CITY OF WILDOMAR
23873 Clinton Keith Road, Suite 201
Wildomar, CA 92595

16. Any action at law or in equity, brought by either of the parties to this Agreement, for the purpose of enforcing a right or rights provided for by this Agreement, shall be tried in a court of competent jurisdiction in the County of Riverside, State of California, and the parties hereby waive all provisions of law providing for a change of venue in such proceedings to any other county.

17. If either party commences an action to enforce any right provided for or arising out of this Agreement, the prevailing party shall be entitled to have or recover from the other party reasonable attorneys' fees and costs of the suit.

18. During performance of this Agreement, the parties each agree not to discriminate on the grounds of race, religious creed, color, national origin, ancestry, age, physical disability, mental disability, medical condition, including the medical condition of Acquired Immune Deficiency Syndrome (AIDS), or any condition related thereto, marital status, sex, or sexual orientation, in the selection and retention of employees and the procurement of materials and equipment, except as provided in Section 12940 of the California Government Code. Further, the parties agree to conform to the requirements of the Americans with Disabilities Act in the performance of this Agreement.

19. Each provision, term, condition, covenant, and/or restriction, in whole and in part, in this Agreement shall be considered severable. In the event any provision, term, condition, covenant, and/or restriction, in whole and/or in part, in this Agreement is declared invalid, unconstitutional, or void for any reason, such provision or part thereof shall be severed from this Agreement and shall not affect any other provision, term, condition, covenant, and/or restriction of this Agreement and the remainder of the Agreement shall continue in full force and effect.

20. The individuals executing this Agreement each represent and warrant that they have the legal power, right, and actual authority to bind City and Wildomar to the terms and conditions set forth in this Agreement.

21. This Agreement constitutes the final, complete, and exclusive statement of the terms of the Agreement between the Parties pertaining to the subject matter of this Agreement, and supersedes all prior and contemporaneous understandings or agreements of the parties. Neither party has been induced to enter into this Agreement, nor is either party relying upon, any representation or warranty outside those expressly set forth in this Agreement.

IN WITNESS WHEREOF City and Wildomar have caused this Agreement to be duly executed on the day and year first above written.

CITY OF LAKE ELSINORE, a municipal corporation

By: _____
Robert E. Magee,
Mayor

Attest: _____
Vivian Munson,
City Clerk

APPROVED AS TO FORM:

By: _____
Barbara Leibold,
City Attorney

CITY OF WILDOMAR, a municipal corporation

By: _____
Scott Farnam,
Mayor

Attest: _____
Sheryll Schroeder,
City Clerk

APPROVED AS TO FORM:

By: _____
Julie Hayward Biggs,
City Attorney

EXHIBIT A

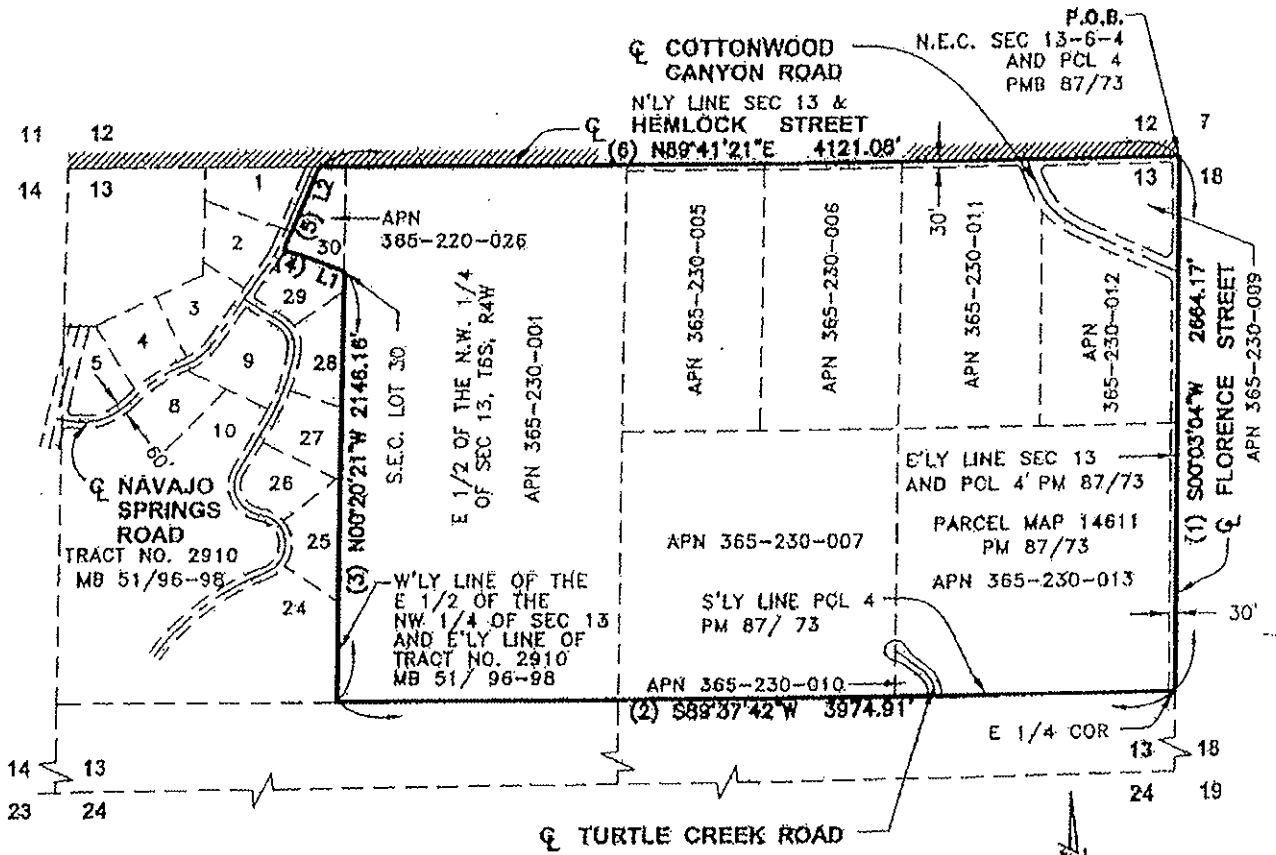
MAP OF TRUMARK PROPERTIES WITHIN THE CITY OF LAKE ELSINORE'S SPHERE OF INFLUENCE AND CITY BOUNDARY

[TO BE INSERTED]

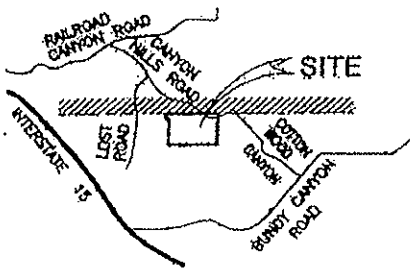
EXHIBIT "A"

REORGANIZATION TO INCLUDE ANNEXATION 75 TO THE CITY OF LAKE ELSINORE, ANNEXATION TO THE NORTHWEST MOSQUITO AND VECTOR CONTROL DISTRICT AND DETACHMENT FROM THE WILDOMAR UNINCORPORATED COMMUNITY AND THE RIVERSIDE COUNTY WASTE RESOURCES MANAGEMENT DISTRICT

LAFCO 2007-05-1&3



LINE TABLE		
LINE	BEARING	LENGTH
(4) L1	N89°19'02"W	306.85'
(5) L2	N20°40'58"E	441.56'



VICINITY MAP
NOT TO SCALE

AREA SUMMARY:

GROSS AREA: 246.17 ACRES

BASIS OF BEARINGS:

THE CENTERLINE OF FLORENCE STREET BEING NORTH 00°03'04" EAST PER PARCEL MAP NO. 14611, M.B. 87/73 RIVERSIDE COUNTY.

0 400 800 1600

(IN FEET)
1 inch = 800 ft.

LEGEND:

AREA OF ANNEXATION

EXISTING BOUNDARY CITY OF LAKE ELSINORE

1 OF 1	EXHIBIT "A" RIVERSIDE COUNTY CALIFORNIA	TAIT & ASSOCIATES INC. Engineering · Surveying · Environmental 701 PARKCENTER DRIVE, SANTA ANA, CALIFORNIA 92705 TEL. (714) 560-8600

EXHIBIT B

ASSESSOR'S PARCEL NUMBERS FOR ANNEXATION PROPERTY

[TO BE INSERTED]

EXHIBIT B

ASSESSOR'S PARCEL NUMBERS FOR ANNEXATION PROPERTY

365-230-001

365-230-005

365-230-006

365-230-007

365-230-009

365-230-010

365-230-011

365-230-012

365-230-013

365-220-026

EXHIBIT C

LEGAL DESCRIPTION FOR ANNEXATION PROPERTY (LAFCO 2007-05-1&3)

[TO BE INSERTED]

EXHIBIT ~~"A"~~ "C"

REORGANIZATION TO INCLUDE ANNEXATION 75 TO THE CITY OF LAKE ELSINORE, ANNEXATION TO THE NORTHWEST MOSQUITO AND VECTOR CONTROL DISTRICT AND DETACHMENT FROM THE WILDOMAR UNINCORPORATED COMMUNITY AND THE RIVERSIDE COUNTY WASTE RESOURCES MANAGEMENT DISTRICT

LAFCO 2007-05-1&3

THAT PORTION OF SECTION 13, TOWNSHIP 6 SOUTH, RANGE 4 WEST OF THE SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF SAID SECTION 13; SAID SECTION CORNER ALSO BEING THE NORTHEASTERLY CORNER OF PARCEL 4, AS SHOWN ON PARCEL MAP NO. 14611, RECORDED IN BOOK 87 PAGE 73 OF PARCEL MAPS, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

(1) THENCE, SOUTH 00° 03' 04" WEST, ALONG THE EASTERLY SECTION LINE OF SAID SECTION 13, A DISTANCE OF 2664.17 FEET TO ITS INTERSECTION WITH THE SOUTHERLY LINE OF SAID PARCEL 4, SAID INTERSECTION ALSO BEING THE EAST QUARTER CORNER OF SAID SECTION 13, SAID EASTERLY LINE ALSO BEING THE CENTERLINE OF FLORENCE STREET (30.00 FOOT HALF-WIDTH) AS SHOWN ON SAID PARCEL MAP;

(2) THENCE, SOUTH 89° 37' 42" WEST, ALONG THE QUARTER SECTION LINE OF SAID SECTION 13 AND SAID SOUTHERLY LINE, 3974.91 FEET TO THE WESTERLY LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 13, SAID WESTERLY LINE ALSO BEING THE EASTERLY LINE OF TRACT NO. 2910, RECORDED IN BOOK 51 PAGES 96 THROUGH 98 OF MAPS, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

(3) THENCE, NORTH 00° 20' 21" WEST, ALONG SAID WESTERLY LINE, 2146.16 FEET TO THE SOUTHEASTERLY CORNER OF LOT 30 OF SAID TRACT;

(4) THENCE, NORTH 69° 19' 02" WEST, ALONG THE SOUTHWESTERLY LINE OF SAID LOT 30, A DISTANCE OF 306.85 FEET TO THE NORTHWESTERLY LINE OF SAID LOT 30, SAID LINE ALSO BEING THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF NAVAJO SPRINGS ROAD (60.00 FOOT IN WIDTH);

(5) THENCE, NORTH 20° 40' 58" EAST, ALONG SAID NORTHWESTERLY LINE, 441.56 FEET TO THE NORTHWEST CORNER OF SAID LOT 30, SAID NORTHWEST CORNER ALSO BEING A POINT ON THE NORTHERLY LINE OF SAID SECTION 13, SAID NORTHERLY LINE ALSO BEING THE CENTERLINE OF HEMLOCK STREET (30.00 FOOT HALF-WIDTH);

(6) THENCE, NORTH 89° 41' 21" EAST, ALONG SAID NORTHERLY LINE, 4121.08 FEET TO THE **POINT OF BEGINNING.**

CONTAINING AN AREA OF 246.17 ACRES, MORE OR LESS.

ALL AS SHOWN ON EXHIBIT "A", ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

Michael Simon 5/10/07
MICHAEL SIMON, P.L.S. 6034 DATE
REGISTRATION EXPIRES 6/30/07

LICENSED LAND SURVEYOR
MICHAEL SIMON
Exp. 6/30/07
No. 6034
STATE OF CALIFORNIA

K:\Drawings\SP\SP6068 Lake Elsinore\SURVEY\OFFICE\LAFCO\Exhibit A.doc

EXHIBIT D

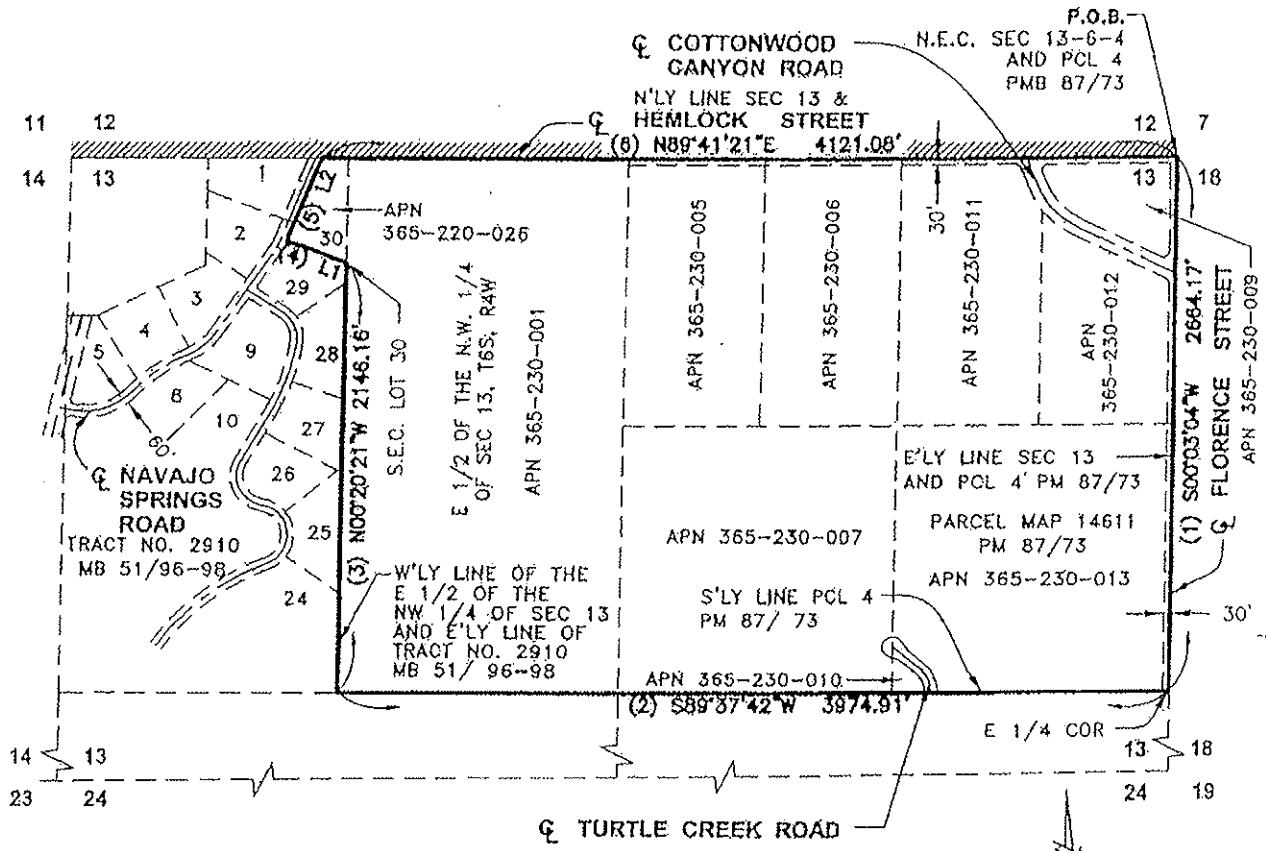
PLAT OF ANNEXATION PROPERTY (LAFCO 2007-05-1&3)

[TO BE INSERTED]

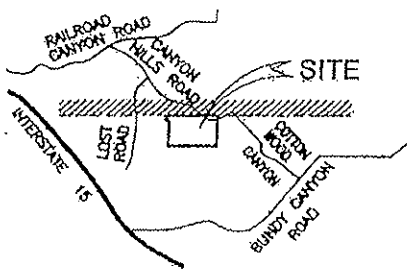
EXHIBIT "~~A~~" "D"

REORGANIZATION TO INCLUDE ANNEXATION 75 TO THE CITY OF LAKE ELSINORE, ANNEXATION TO THE NORTHWEST MOSQUITO AND VECTOR CONTROL DISTRICT AND DETACHMENT FROM THE WILDOMAR UNINCORPORATED COMMUNITY AND THE RIVERSIDE COUNTY WASTE RESOURCES MANAGEMENT DISTRICT

LAFCO 2007-05-1&3



LINE TABLE		
LINE	BEARING	LENGTH
(4) L1	N69°19'02"W	306.85'
(5) L2	N20°40'58"E	441.56'



VICINITY MAP
NOT TO SCALE

AREA SUMMARY:
GROSS AREA: 246.17 ACRES

BASIS OF BEARINGS:
THE CENTERLINE OF FLORENCE STREET BEING NORTH 00°03'04" EAST PER PARCEL MAP NO. 14611, M.B. 87/73 RIVERSIDE COUNTY.

0 400 800 1600
(IN FEET)
1 inch = 800 ft.

LEGEND:
AREA OF ANNEXATION
EXISTING BOUNDARY CITY OF LAKE ELSINORE

1 OF 1	EXHIBIT "A" RIVERSIDE COUNTY CALIFORNIA	TAIT & ASSOCIATES INC. Engineering · Surveying · Environmental 701 PARKCENTER DRIVE, SANTA ANA, CALIFORNIA 92705 TEL. (714) 560-8600

EXHIBIT E

LEGAL DESCRIPTION FOR ROAD MAINTENANCE AREA

[TO BE INSERTED]

RBF Consulting
14725 Alton Parkway
Irvine, California 92618

EXHIBIT "~~B~~" "E"

September 19, 2006
JN 10-104414
Page 1 of 1

LEGAL DESCRIPTION

STREET RIGHT-OF-WAY DEDICATION
OVER DOCUMENT NO. 2006-0518402, O.R.

That certain parcel of land situated in the unincorporated territory of the County of Riverside, State of California, being that portion of the Northwest quarter of Section 13, Township 6 South, Range 4 West, San Bernardino Meridian described in the Grant Deed to Cary Schroeder and Brenda L. Schroeder, Trustees of The Cary Schroeder and Brenda L. Schroeder Revocable Trust dated June 30, 2006, and being more particularly described as follows:

A strip of land 88.00 feet wide, the centerline of which is described as follows:

COMMENCING at the Northwest corner of said Section 13; thence along the northerly line of said Section 13, South 89°55'06" East 16.32 feet to the **TRUE POINT OF BEGINNING** and a point on a non-tangent curve concave easterly and having a radius of 1600.00 feet, a radial line of said curve from said point bears South 89°55'06" East; thence along said curve southerly 197.86 feet through a central angle of 07°05'07"; thence tangent from said curve South 07°00'13" East 311.03 feet to the beginning of a tangent curve concave westerly and having a radius of 1100.00 feet; thence along said curve southerly 283.78 feet through a central angle of 14°46'52" to the northerly line of Lot "C" of Tract No. 2910 as shown on a map thereof filed in Book 51, Pages 96 through 98 of Maps, in the Office of the County Recorder of said Riverside County.

Said strip of land shall be lengthened or shortened so as to originate in said northerly line of Section 13 and terminate in said northerly line of Lot "C".

EXCEPTING THEREFROM that portion lying west of the westerly line of said Section 13.

EXHIBIT "B" attached and by this reference made a part hereof.

LICENSED LAND SURVEYOR
GREGORY A. HELMER
Valid Through
6/30/07
NO. 5134
STATE OF CALIFORNIA

Gregory A. Helmer, L.S. 5134

H:\pdata\10104414\CADD\Mapping\Legals\4414-LGL-001.doc

RBF Consulting
14725 Alton Parkway
Irvine, California 92618

EXHIBIT "~~B~~" E"

September 19, 2006
JN 10-104414
Page 1 of 1

LEGAL DESCRIPTION

STREET RIGHT-OF-WAY DEDICATION
OVER O.R. 1978-100446

That certain parcel of land situated in the unincorporated territory of the County of Riverside, State of California, being that portion of the Northeast quarter of the Northeast quarter of Section 14, Township 6 South, Range 4 West, San Bernardino Meridian described in the Quitclaim Deed to Lucille Ferguson Hogya recorded May 19, 1978 in Book 1978, Page 100446 of Official Records, in the Office of the County Recorder of said Riverside County, and being more particularly described as follows:

COMMENCING at a point on the easterly line of said Section 14, said point being the northeast corner of Parcel 1 of Parcel Map No. 14,195 as shown on a map thereof filed in Book 83, Pages 66 and 67 of Parcel Maps, in the Office of the County Recorder of said Riverside County; thence along the northerly line of said Parcel 1, North 89°57'59" West 2.51 feet to the **TRUE POINT OF BEGINNING**; thence continuing along said northerly line North 89°57'59" West 89.89 feet to the northeast corner of Parcel 4 of said Parcel Map No. 14,195; thence along the northerly prolongation of the easterly line of said Parcel 4, North 11°48'43" East 450.79 feet to said easterly line of Section 14; thence along said easterly line of Section 14, South 00°00'57" East 429.33 feet to an intersection with a line parallel with and 88.00 feet southeasterly of said course hereinabove described as being "North 11°48'43" East 450.79 feet"; thence along said parallel line South 11°48'43" West 12.23 feet to the **TRUE POINT OF BEGINNING.**

CONTAINING: 20,373 square feet, more or less.

EXHIBIT "B" attached and by this reference made a part hereof.

Gregory A. Helmer, L.S. 5134

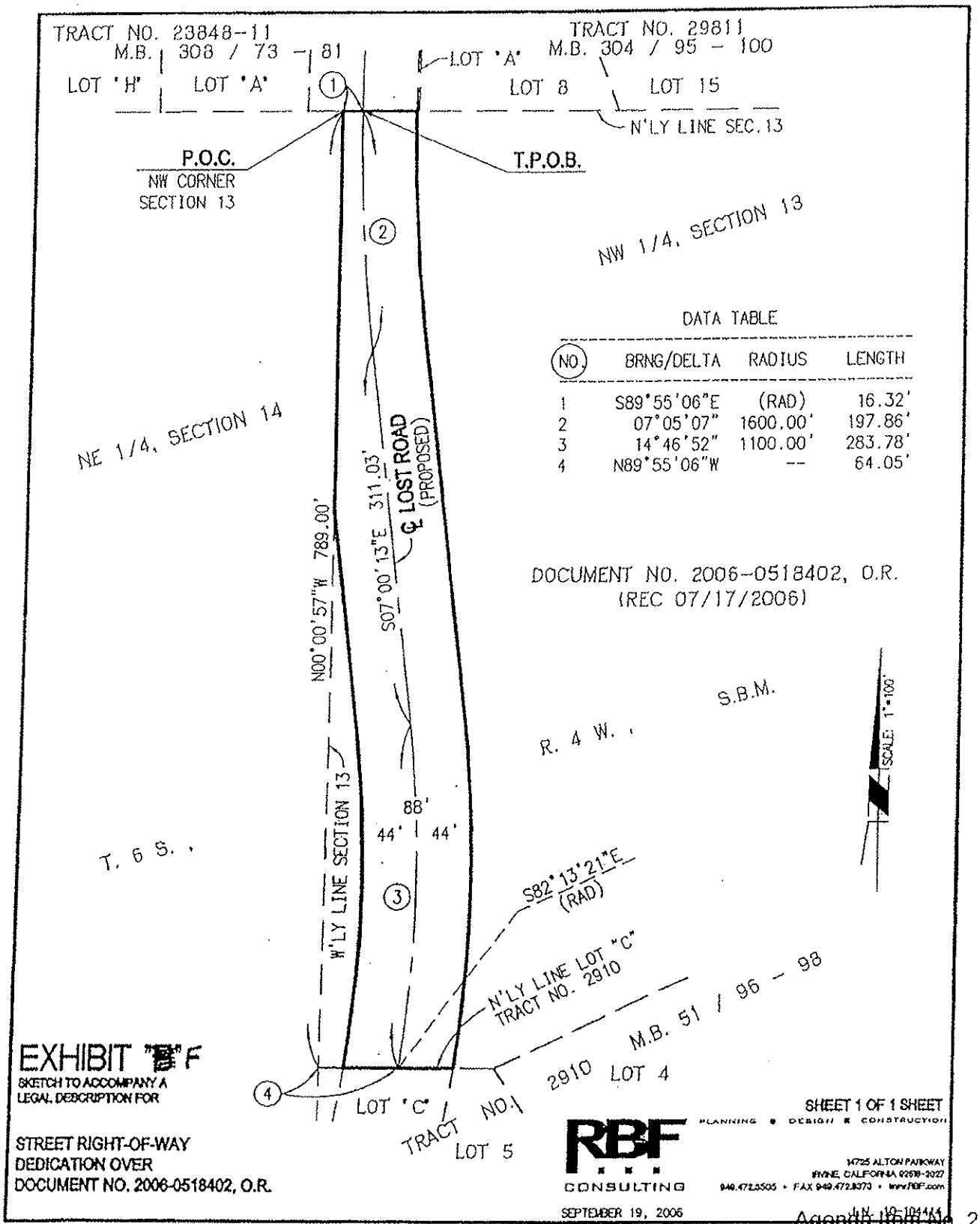
LICENSED LAND SURVEYOR
GREGORY A. HELMER
Valid Through
6/30/07
NO. 5134
STATE OF CALIFORNIA

H:\pdata\10104414\CADD\Mapping\Legals\4414-LGL-002.doc

EXHIBIT F

PLAT OF ROAD MAINTENANCE AREA

[TO BE INSERTED]



DATA TABLE

NO.	BRNG/DELTA	RADIUS	LENGTH
1	S89°55'06"E	(RAD)	16.32'
2	07°05'07"	1600.00'	197.86'
3	14°46'52"	1100.00'	283.78'
4	N89°55'06"W	--	64.05'

EXHIBIT "F"

SKETCH TO ACCOMPANY A
LEGAL DESCRIPTION FOR

STREET RIGHT-OF-WAY
DEDICATION OVER
DOCUMENT NO. 2006-0518402, O.R.

SHEET 1 OF 1 SHEET

RBF CONSULTING
PLANNING • DESIGN • CONSTRUCTION

14725 ALTON PARKWAY
IRVINE, CALIFORNIA 92618-2027
949.472.3505 • FAX 949.472.8373 • www.RBF.com

SEPTEMBER 19, 2006

J.N. 10-104414

H:\PDATA\10104414\CADD\MAPPING\EXHIBITS\4414-EX-001.DWG JWP 9/28/06 11:51 am

DATA TABLE

NO.	BRNG/DELTA	RADIUS	LENGTH
1	N89°57'59"W	--	2.51'
2	N89°57'59"W	--	89.89'
3	S11°48'43"W	--	12.23'

NE 1/4, NE 1/4, SEC. 14,
TOWNSHIP 6 SOUTH
RANGE 4 WEST, S.B.M.

O.R. 1978-100446
(REC 05/19/1978)

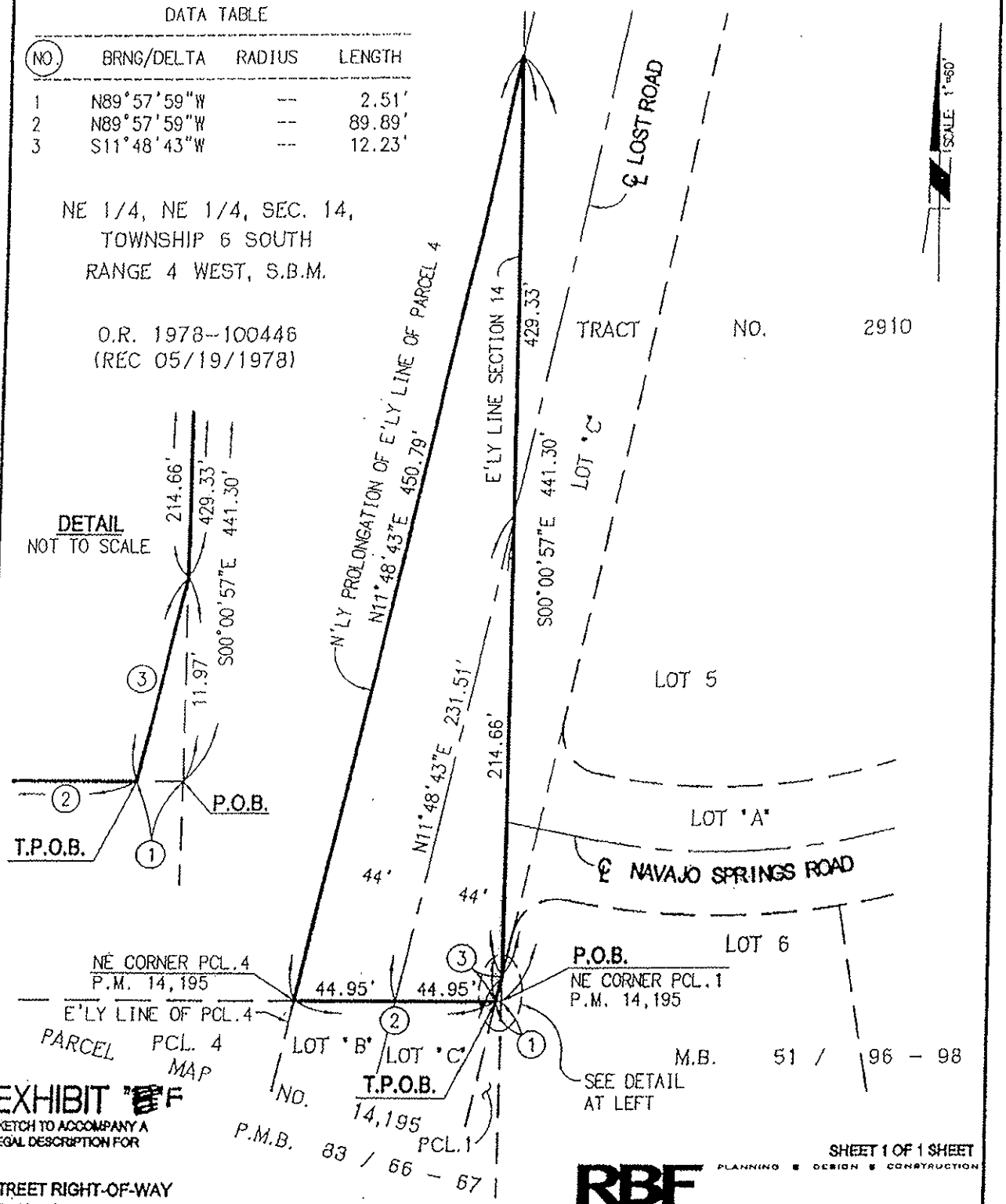


EXHIBIT "F"

SKETCH TO ACCOMPANY A
LEGAL DESCRIPTION FOR

STREET RIGHT-OF-WAY
DEDICATION OVER
O.R. 1978-100446
CONTAINING: 20,373 S.F.

SHEET 1 OF 1 SHEET

RBF CONSULTING
PLANNING • DESIGN • CONSTRUCTION

14725 ALTON PARKWAY
IRVINE, CALIFORNIA 92618-2027
949.472.3505 • FAX 949.472.8373 • www.RBF.com

SEPTEMBER 19, 2006

J.N. 10-104414

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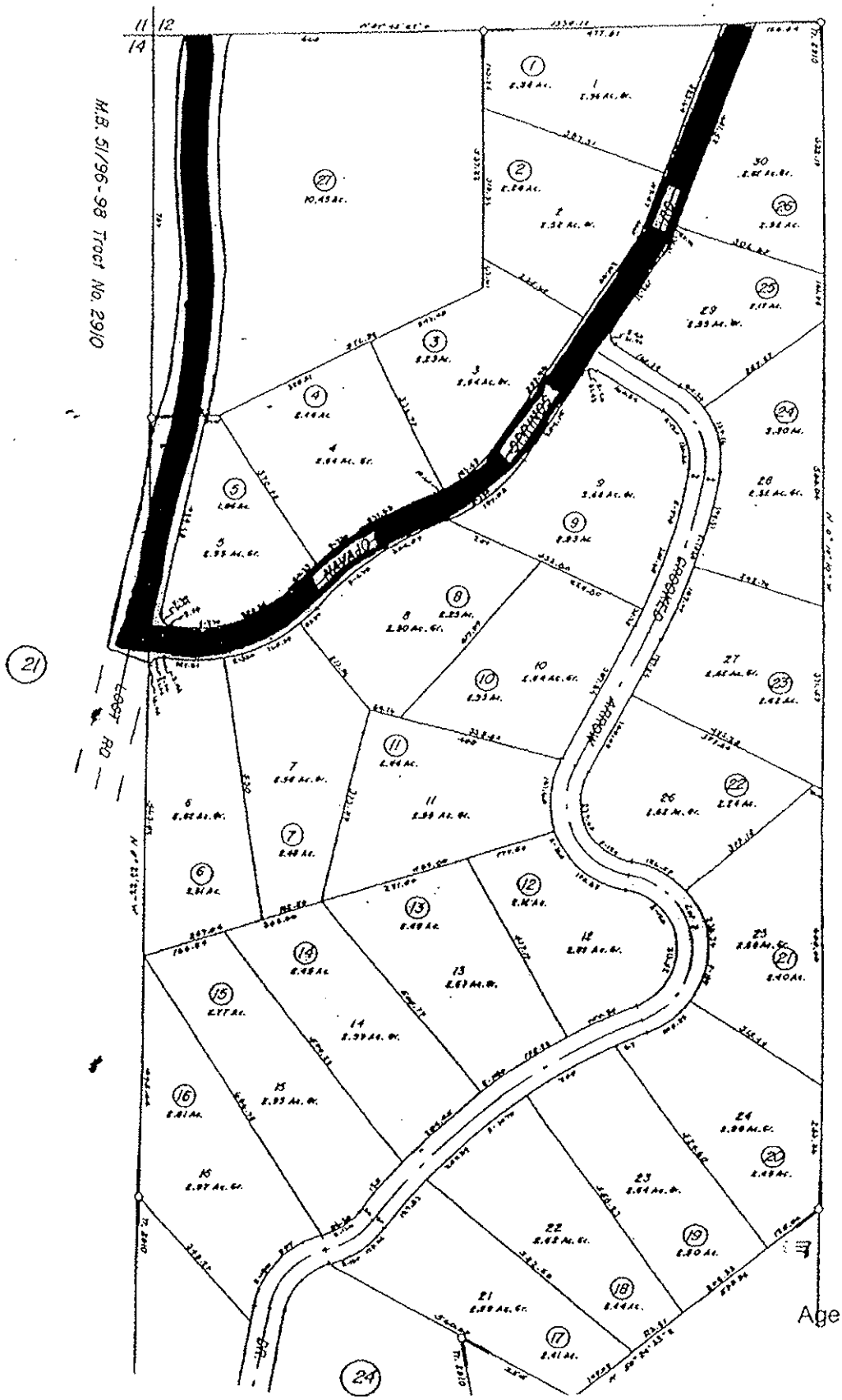
EXHIBIT "F"


365-22
T.R.A. 6539
6580
1"=200'
POR. W 1/2 SEC. 13, T. 6S., R. 4W.
M.B. 51/96-98 Tract No. 2910
NOV. 1972
ASSESSOR'S MAP BK. 365 PG. 22
RIVERSIDE COUNTY, CALIF.
HAVARD
CORNING
ARROW
21
23
24

CITY OF WILDOMAR – COUNCIL
Agenda Item # 1 F.
CONSENT ITEM
Meeting Date: February 25, 2009

TO: Honorable Mayor Farnam, Members of the City Council

FROM: Sheryll Schroeder, City Clerk, Julie Hayward Biggs, City Attorney

SUBJECT: Selection of Consultant for Districting

STAFF REPORT

RECOMMENDATION:

Authorize the City Manager to negotiate and enter into an agreement with National Demographics Corporation to identify the project elements and provide a proposal for electing Council representatives by district.

BACKGROUND:

At the February 5, 2008 election, the registered voters approved the incorporation of the City of Wildomar and with that approval, voted to approve electing Council representatives by districts.

A request for proposals was sent to nine potential consultants to establish a system for election of its five members of the City Council by district under California Government Code Section 34870, et seq.

The proposal sought a consultant with relevant experience in developing a current population database for use in drawing Councilmatic election districts, development of Councilmatic election districts for use in the November 2010 election and developing informational materials and to lead a public discussion process regarding the various options for election of City Councils in General Law cities and the differences, trade-offs, advantages and disadvantages among them. The proposals were due January 30, 2009 and the City received two proposals, one from National Demographics Corporation and one from Research Advisory Services. An additional timeline for the November 3, 2009 ballot was also submitted.

The ad hoc committee consisting of Council Members Ade and Cashman, City Attorney Biggs and City Clerk Schroeder met February 10, 2009 to review the two proposals. It was the consensus of the ad hoc committee members to

recommend approval of the submittal by National Demographics Corporation and to recommend the accelerated timeline.

FISCAL IMPACT:

Estimated project cost, dependent on elements selected, not to exceed $35,000. This has been budgeted in the 2008/09 City Clerk's election line item budget.

ALTERNATIVES:

1. Provide staff with further direction

ATTACHMENTS:

National Demographics Corporation Proposal & Accelerated Timeline

Submitted by:

Sheryll Schroeder, City Clerk

Approved by:

John Danielson, City Manager

Approved as to form:

Julie Hayward Biggs
City Attorney

NDC National Demographics Corporation

A Proposal to the City of Wildomar for Districting Services

By National Demographics Corporation
Douglas Johnson, President

January 29, 2009

NDC National Demographics Corporation

January 27, 2009

Ms. Sheryll Schroeder
Interim City Clerk
City of Wildomar
23873 Clinton Keith Road
Wildomar, CA 92595

Dear Ms. Schroeder,

Thank you for the opportunity to provide this proposal to the City of Wildomar. There are many options available for projects of this type. Only NDC has the expertise and the flexibility to assist Wildomar with as many (or as few) of the potential project elements that the City wishes to undertake.

As a new city, many decisions will shape the City's future far into the future. Districting is one of those decisions. The process shapes the future in many ways: the placement of district lines; the introspection leading to identification of the City's "communities of interest"; and the project's demonstration of the City's commitment to public involvement.

As the attached formal proposal details, NDC has conducted scores of districting and redistricting projects. We have more experience building mid-decade population databases than any other consultant in the field. NDC adds one additional skill: the firm has extensive experience guiding jurisdictions through the choice of election systems: by district; from district; at large; or mixed options. NDC hopes to share this 'hat trick' of expertise with Wildomar on this project.

The attached proposal lays out a variety of project elements in a "menu" format, with a timeline for each project element. The City can pick and choose the project elements it wishes to include, or NDC will gladly work with the City to identify the elements best meet Wildomar's needs, wishes, and budget.

NDC looks forward to working with you on this effort,

Sincerely,

Douglas Johnson
President

Table of Contents

A. Company Overview 2
B. Methodology 3
C. Technical Approach 4
D. Proposed Wildomar Project Elements 7
E. Project Element Timeline 9
F. Project Cost Proposal 11
G. Summary of Project Options 13
H. Council role 13
I. Staff role 14
J. Menifee Option 14
K. References 15
L. Conclusion 16

A. Company Overview

1. Brief Company History. NDC has served hundreds of local governments over the past quarter-century. Founded in 1979, NDC has performed work in all regions of the country, serving clients as varied as the States of Mississippi, Arizona, Florida and Illinois, Clark County Nevada, American Waterworks, California's Franchise Tax Board, the San Diego Unified School District, the Foundation for California, the Arizona cities of Glendale, Mesa, Peoria, Phoenix, Mesa and Surprise, and many California jurisdictions, including Moreno Valley, Modesto, Pomona, the Jurupa Community Services District, San Diego Unified School District, Modesto, Pomona, and the Eastern and Western Municipal Water Districts in Riverside County. **No company has been responsible for successfully districting and redistricting more local governments.**

The company is especially well known for its work in local and state government. No company has been responsible for successfully districting and redistricting more local governments. Nationally recognized as a pioneer in good government districting and redistricting, NDC is especially experienced in working with local jurisdictions in California, Arizona and Nevada.

2. Project-Related Experience. NDC has successfully guided many clients through the difficult process of moving from at-large to by-district and from-district election systems, and in re-drawing existing districts after each Census or following significant mid-decade growth. NDC has a unique combination of expertise in the election system options available to local jurisdictions, in the Federal and California Voting Rights Act requirements, and in public education and outreach on these issues.

NDC is uniquely experienced in non-partisan, transparent and inclusive districting projects: for example, NDC served as the technical consultants to Arizona's first-ever statewide Independent Redistricting Commission in 2001. NDC President Douglas Johnson is often called upon for advice and guidance in jurisdictions considering redistricting reform measures. NDC looks forward to working with Wildomar to make this the most accurate, inclusive, educational and useful project possible.

3. Public Involvement. NDC pioneered the "transparent districting" approach which involves the public at every stage of the process. The company invented the "public participation kit" for public participation in districting efforts, which many of the firm's competitors now attempt to duplicate. Perhaps NDC's most valuable service is the firm's experience transforming often-contentious and passionate debates on this difficult subject into thoughtful, constructive discussions focused on the options and outcomes rather than individual personalities or positions. The firm's work has been widely praised in the media, and NDC has considerable experience working with translators in public forums and providing materials in English and Spanish.

4. Technical Expertise. NDC's personnel are nationally recognized as leaders in the districting field, and are responsible for numerous books and articles on the subject. NDC possesses all the hardware and software necessary to the districting and redistricting needs of any jurisdiction, and its personnel have extensive experience in performing graphics districting and redistricting work as well as in developing databases for districting use.

5. Impeccable References. All of NDC's former clients – without exception – can be contacted for references. The firm has no embarrassing projects. All NDC's local districting and redistricting plans have been accepted into law with a minimum of controversy. A list of references is included with this proposal.

B. Methodology

Drawing districts is, at its heart, a truly democratic and representative process. Combining neighborhoods into, and separating them among, new districts can be a delicate but enlightening task. It is also a legally perilous one. A multitude of federal and state laws and court rulings create a constantly evolving legal environment for such a project.

Legal hazards are not the only obstacle. Without experienced and impartial management, the districting process can rapidly devolve into accusations of hidden agendas and favoritism. Throughout the firm's three decades in business, NDC has focused on generating and guiding the public in districtings and redistrictings. The company pioneered many innovative tools and methods for encouraging public involvement in the process, such as "public participation kits" that enable every resident to draw his or her own proposal at their own kitchen table. This level of public engagement generates many ideas that otherwise might have been overlooked, and educates the public about the tradeoffs and difficult choices necessary in every districting project.

This section describes NDC's general process and approach to addressing the multitude of challenges facing any districting effort. A later section will detail the various project elements available to Wildomar for this project.

1. Legal Precedents. Because nearly all aspects of the districting process are subject to judicial challenge, it is crucial that the consultant be knowledgeable regarding all key legal precedents and experienced in preparing materials in proper legal form. NDC is prepared to explain these legal requirements in terms that lay persons can understand.

2. Minority Expectations: U.S. Supreme Court decisions are constantly changing the rules regarding districting, "race-based districting," and the establishment of districts focused on the electoral power of "protected classes." It is crucial that the consultant work with the racial, ethnic, and other community groups at the beginning of the process to welcome their ideas and develop the appropriate expectations regarding minority representation prospects. No NDC local districting or redistricting plans has ever been challenged in Court or by the Department of Justice.

3. Openness: Any change in election systems can have momentous implications for the distribution of political power in a jurisdiction and for access by groups and individuals to the governance process. Not surprisingly, such changes often attract much public attention, sometimes generate intense controversy, and may draw charges of manipulation and abuse of power. Indeed, disputes over the form and substance of the process may often result in stalemate or legal challenge. It is crucial, therefore, that the City establish, at the beginning, a

process that is not only fair, but that is seen to be fair, to all contending groups and individuals.

4. Local Leadership: NDC views its role as an advisor and technical resource. The firm advises its clients, but every project remains the client's project. The first-ever Wildomar districting will set the benchmark for every future redistricting of the City. NDC offers guidance based on its experience and expertise, but ultimately the decisions are made by the City itself. NDC welcomes the chance to assist this project under the guidance and direction of the City Council, City Staff, and the entire Wildomar community.

The technical demands of a districting effort are high, and NDC is the undisputed leader in this area. But far more important than technical expertise are the interpersonal understanding and experience working with all parties in the process, including the public.

Each of these elements of NDC's methodology is incorporated into the proposed project process below.

C. Technical Approach

Computerized Districting/Redistricting and Geographic Information Systems

NDC has been the leader in technical innovation and system expertise in the local districting field since the company's founding in 1979. The hallmark of the computerized districting systems used by NDC is an ability to bring into play large amounts of data in such a way that the person drawing the district boundaries, as well as those analyzing the plans produced, can comprehend the data and make responsible and correct decisions about the nature of the districts being created. The NDC systems represent the most advanced realization of these trends.

NDC personnel have experience in operating advanced computer graphics districting systems and are prepared to provide all electronic databases and GIS district maps in an Arc/View shape or Maptitude Geographic file format. The Company's technical approach has proved its reliability in many different districting and redistricting situations.

Modern computerized districting systems allow their users to assess the results of alternative boundary configurations. In particular, the results must be monitored in terms of geographic location, shape, compactness, contiguity and the characteristics of the district. Sophisticated graphics and data can be displayed on the monitor or plotted and printed using various output devices.

The advantages of such a design and hardware configuration are that, at any time, for any district, either outline or detailed maps and either one-page or unit-by-unit data may be printed. In addition, users may order compactness and contiguity tests to be run on any district(s). NDC's system also stores multiple plans and tests may be built into the system to list split units. Users may order colored plots of any area to be produced.

The bulleted points below reference the specific technical features of the commercial districting systems – from ESRI and from Caliper Corporation – that NDC uses for districting, together with the company's own custom-designed systems.

- Retrieval Methods: From the point of view of the person who is to draw the lines, the ease with which one can create or change district boundaries is the most important feature of the retrieval mechanism of the software. By retrieval NDC means a "transfer" – the designation of geographic units to be added to districts, subtracted from districts, or moved between districts.

- Computer Mapping: Maps are a vital part of any districting process. It is important to have demographic data displayed in map form. It is also important that the user be able to examine the districts in question, both in terms of the shapes of the districts and the locations of the districts. Maps of plans should contain enough detail so that those to whom the maps are given understand exactly where the boundaries of the districts lie.

- Tests and Checks: Any effective computerized districting system must provide various tests and checks to assure the accuracy and constitutionality of proposed districts. The systems used by NDC provide for tests of contiguity and indicate contiguity by touch, islands within districts, or detached units from the district. Contiguity tests require a polygon line segment file to be created for the units used as building blocks in the districting process. These line segments are generally created in the database building process. There are also compactness tests available.

- Required User Sophistication: One of the main advantages of the systems in use by NDC is that the personnel operating them have wide experience in actual districting and redistricting. NDC has, however, designed the company's system to be used by persons without any prior data processing or programming or districting experience.

- System Security: The systems in use by NDC have numerous security checks denying entry to unauthorized persons – both to work stations and to individual plans. It is extremely unlikely that anyone could break through this security without detection.

Information Distribution

Thanks to NDC's extensive experience in local jurisdiction districting and redistricting, in managing public districting processes, and in dealing with the quantity of data and information involved, NDC has developed specialized expertise in the rapid distribution of data, plans, reports, and the other related materials within the jurisdiction, to the media, to local interest groups, and to the public at large.

The key elements of this process involve providing accurate, thorough, and detailed information in an easily reviewed format. NDC uses a combination of maps, spreadsheets, written and verbal reports, PowerPoint® presentations. NDC can deliver all project materials in a format for posting to its website, if the City so desires, or NDC can create, post and maintain a project website if that is the City's preference. You can view one recent NDC-created and -maintained districting project website at www.DrawModesto.org.

NDC is also experienced at presenting this information in conjunction with translation services so that members of the public can understand and participate free of a specific language dependency.

For those with geographic information systems available to them, which could include City staff, the media, a few members of the public, or local community and other minority groups, NDC is experienced at efficiently providing data and mapsets in electronic form to maximize these participants' ability to review and comment on the information or proposal under consideration. NDC can provide this information in Excel, DBF, ArcView, Maptitude, or Block Equivalency formats (or all of the above), whichever is most useful to the interested party, and NDC can provide this information by email, on CD, or make it available on a website.

Legal Issues and Voting Rights

Nearly all aspects of the districting process are subject to judicial challenge, and it is crucial that your districting consultant be knowledgeable regarding all key legal precedents. Because of the importance of public participation and effective media relations, the consultant must also be prepared to explain legal requirements in terms that lay persons can understand. Fortunately, NDC has extensive experience with all of these issues.

NDC principals are specialists in the measurement of minority voting strength and representation. The firm's record on minority representation is unsurpassed – the Department of Justice has never rejected an NDC-developed local districting plan and no NDC plan has ever been challenged in a Voting Rights Act lawsuit. NDC principals are among the state's few experts on the California Voting Rights Act of 2001.

Minority voting strength and levels of minority representation are never a simple issue of pure numbers. Racial block voting patterns, communities of interest, the local history of political organization (or lack thereof), and historical political bases of emerging leaders are all important factors to consider when attempting to achieve fair levels of minority representation.

Data on race, ethnicity, income, and housing all assist in defining communities of interest and minority representation goals. Similarly, past election data is used to identify the existence or absence of a pattern of racial block voting. Such a pattern guides districting and redistricting efforts by defining the concentration necessary to achieve community representation goals without unconstitutionally "packing" communities.

Perhaps most important, public comment on self-identified communities of interest, including racial and ethnic communities, will guide efforts to define minority communities and determine minority voting strength. Such commentary is a key factor in identifying communities; establishing fair representation; and ensuring California and Federal Voting Rights Act compliance.

D. Proposed Wildomar Project Elements

In the overwhelming majority of client jurisdictions, the jurisdiction's governing board – in Wildomar's case, the City Council – directly controls the project work. In a few jurisdictions, such as the cities of Surprise (Arizona) and Modesto, the Council selects a commission of citizens to control the project and report back to the City Council. NDC is experiences with both approaches. If a Commission is created, City Council references below related to the community forums and to draft plan selection (and, if the Council so directs, final plan selection prior to Council final endorsement) would be considered references to the Commission.

A: Districting Planning and Preparation

The first project stage includes one required element – the population database – and two recommended elements – informational interviews with key individuals regarding communities of interest within Wildomar; and the development of public outreach materials.

i. It is NDC's philosophy – one developed through many districtings and redistrictings – that the process should begin with extensive interviews by NDC senior personnel with City Council members, City staff, and leaders of citizen groups.

ii. NDC will work with the City and County staff collecting the demographic data needed for the project. A specialized database will be developed for the City, and NDC's redistricting system will be prepared for the Wildomar project. The City boundary, which was not defined in the 2000 Census, has already been defined by NDC using files from the County GIS system. The relevant Census Blocks will be split, and data for the split blocks will be apportioned as either in or out of the City.

iii. If requested, NDC will work with the City and County to develop current (Jan 2009) population counts at the Census Block level of geography using the U.S. Census Bureau's approved "Household Units Method." This step would also include an update to the 2000 Census demographic data, based on surname analysis of the current voter registration database.

iv. NDC will work with the City Council to develop districting criteria. NDC will provide a list of common criteria to use as a starting point.

v. NDC will also work with the City staff and Council to craft a project schedule and public outreach campaign plan. NDC will create the master "public participation kit" materials. This will contain instructions, City maps, population data, and other pertinent information for designing plans.

vi. NDC will, at the City's direction, either prepare materials for the City website or prepare, post, and maintain an independent project-specific website. This site would include project contact information; links to all project-related notices, agendas, and minutes; copies of all public submissions to the project; maps and demographic data for each plan considered during the project; and, if included in the project, the "public participation kit" for downloading by any interested person.

B: District Plan Development

i. NDC will prepare a report and presentation summarizing the legal rules for redistricting, recommended districting criteria for Council consideration, the proposed process, how the public is encouraged to participate, and when key steps and decisions will occur. NDC typically presents this information at a public City Council meeting for Council discussion and direction.

ii. A similar presentation would be shown at community forums (or, alternatively, additional Council hearings) on this topic. Some NDC client jurisdictions prefer the relative informality of community forums. Others prefer to hold City Council hearings. NDC has extensive experience with both approaches, and NDC welcomes the Council's direction on this detail.

iii. NDC recommends that the public use the "Public Participation Kits" to submit ideas and full plans. NDC would develop the Kit for this project, and NDC will acknowledge, process, analyze and distribute these plans as they are received.

C: Plan Consideration and Adoption

i. Based on the public input and the Council's adopted districting criteria, NDC will develop two or three districting plans for Council consideration. All plans submitted by the public are also presented for the Council's consideration.

ii. NDC takes pride quickly learning the demographics and communities of clients, but NDC is the first to admit that in just a few weeks or months it is impossible to achieve the understanding local residents develop over a lifetime in the community. In the majority of projects, NDC develops two or three draft plans and the Council directs NDC to make changes in a Council-preferred plan before making an official selection. NDC encourages such feedback and direction. This feedback could be, at the City's option, expanded to include an additional public hearing or hearing(s) prior to final Council consideration. This exchange of proposals and directions creates the important transition from NDC's consultant-drawn proposal to a final plan that is the creation of the Wildomar community.

D: Districting Plan Implementation

Once a plan receives final approval from the Council, a highly technical and complicated County process remains before the plans are fully implemented. NDC will work with City Staff and the Riverside County Registrar of Voters to ensure that the new plan is efficiently and accurately conveyed to the Registrar in the appropriate computer file format. NDC also works with the Registrar to confirm that the plan is fully and accurately implemented in the County's election and voter information systems. NDC just recently completed this process in Riverside County for the Jurupa Community Services District, and NDC can confirm that it is a complicated process demanding a close partnership with the county.

E: Consideration of Alternative Election Systems

Wildomar may wish to revisit its election system options. This important decision, which received relatively little attention at the time of the incorporation vote, may be considered worthy of its own careful consideration and debate. NDC has worked with other jurisdictions, most recently Modesto, Goleta, and a number of Central Valley school

districts, as they debated this question. While this discussion could be held in the same community hearings as the districting process, NDC recommends separate hearings on the separate topics. If combined, the question of what election system to use tends to dominate, and the important community input needed to decide where district lines should be drawn is often lost.

i. *Educational Materials.* NDC typically prepares three educational documents for use in community and Council meetings and for public distribution. These include a PowerPoint presentation, a short report, and a one-page, two-sided mail piece. All of these materials are strictly unbiased – of the two cities that hired NDC to assist in their considerations of election systems most recently, one eventually chose an at-large system and the other chose by-district. NDC's goal is to present balanced, complete information and allow the Council and voters to decide what option best fits their jurisdiction.

ii. *Community Forums.* NDC typically moderates two or three community hearings on the election system options. These are not debates, rather informational sessions where NDC presents information and then leads a question and answer session. These forums typically are conducted at least 45 days prior to the election, to ensure their educational nature and avoid the debates and campaign posturing that appears once absentee voting begins 30 days before Election Day.

As noted above, NDC recommends that community forums on election systems be held separately from community forums discussing where district lines should be drawn. It is also useful to have a district map adopted prior to deciding whether to use it. If budget or timing requires it, however, the two sets of community forums could be combined, or their order could be reversed.

E. Project Element Timeline

The City is scheduled to hold Council elections on November 2nd, 2010. Any new districts should be in place six months prior to that date, or May 2nd, 2010.

If the City decides to put the question of election systems on the ballot, it is preferable to do so prior to the November election. The June 8th, 2010, statewide primary date is one option, though not the only one.

The following element-by-element timelines can be put together (or left out) in a variety of ways, depending on the City's preferences. At the end of this section is one potential timeline showing how all the project elements could be combined to meet the deadlines facing the City for this project.

<u>Districting Project Elements</u>

A. Population Database
   i. Use 2000 Census data ..... 5 days
   ii. (optional) Build updated database ..... depends on data availability, probably 3 – 4 weeks

B. Initial Council meeting to start project and one-on-one meetings with Councilmembers and City staff ..... 1-2 days

C. Preparation for community meetings ..... 3 weeks
i. Find and schedule locations
ii. Prepare presentation and/or handouts
iii. (optional) Prepare "Public Participation Kit"
iv. Post project information online (either on City web or independent site)

D. (optional) Hold community meeting(s) ..... 1 or 2 per week

E. NDC prepares consultant's draft plans based on criteria and public input ..... 1 week

F. (optional) Council mid-project review of draft plans ..... 1 day

G. (optional) Additional community meeting(s) ..... 1 or 2 per week

H. Council consideration of final plan options ..... 1 day

I. (optional) NDC incorporates Council's requested edits and returns for final Council consideration ..... 1 week

J. Implementation of new districts with County elections office ..... 1-3 weeks

Election System Discussion Elements (all of these are optional)

K. Develop information materials on Election System options ..... 3 weeks

L. Staff & Council review and approval of informational materials ..... 2 weeks

M. Community meetings on election system options ..... 1 or 2 per week

N. Council action to place election system question(s) on ballot ..... (depends)

One Potential Timeline with all project elements:

Feb. 25, 2009 ..... Council decision on contract and whether to include discussion of election system options

March 25, 2009 ..... Initial Council Meeting (adopt criteria, set number of community forums)

Early April, 2009 ..... Prepare locations & materials for community meetings on districting, plus "public participation kit" master copy

Thursday evening, Apr. 17..... Community Forum on districting
Saturday, April 25..... Community Forum on districting
Thursday evening, May 14..... Community Forum on districting

May 29, 2009..... Deadline for public submission of "public participation plan" maps

May 29 – June 3, 2009..... NDC preparation of consultant's districting plans

June 24, 2009..... Initial Council consideration and instruction on or adoption of Districting Plan

July 8, 2009..... (if needed) Final Council adoption of Districting Plan

July 8 – July 29, 2009..... Implementation of districting plan with County elections

Simultaneous with above activities.. Prepare locations & materials for community meetings on districting

Thursday, August 13..... Community Forum on election system
Saturday, August 22..... Community Forum on election system
Thursday, September 10..... Community Forum on election system

October 6, 2010..... Council decision on whether to put election system option(s) on ballot

June, 2010..... City vote on election system options

July 13, 2010..... Start of filing period for Council November 3, 2010, election

As noted above, this is only one sample schedule. There is considerable flexibility in the elements, timing and order of this schedule, depending on the City's wishes.

F. Project Cost Proposal

The total project cost depends on the project elements that the City chooses to include. The following is an element-by-element list of prices.

Basic required Districting Project elements.....$17,500

A. Population Database
i. Use 2000 Census data..... in basic elements
ii. (optional) Build updated database.....$7,500 *

B. Initial Council meeting to start project and one-on-one meetings with Councilmembers and City staff..... in basic elements

C. Preparation for community meetings
i. Find and schedule locations ..... City manages
ii. Prepare presentation and/or handouts $1,500
iii. (optional) Prepare "Public Participation Kit" $4,500
iv. Create materials for posting on City website ..... in basic elements
v. Create and manage project website $4,500

D. (optional) Hold community meeting(s) ..... $1,100 per meeting

E. NDC prepares consultant's 2 or 3 draft plans based on criteria and public input ..... in basic elements
Any additional NDC plans requested beyond those first 2 or 3 ..... $1,100 per plan

F. (optional) Council mid-project review of draft plans ..... $1,100 for meeting

G. (optional) Additional community meeting(s) ..... $1,100 per meeting

H. Council consideration of final plan options ..... in basic elements

I. (optional) NDC incorporates Council's requested edits and returns for final Council consideration ..... in basic elements

J. Implementation of new districts with County elections office ..... in basic elements

Election System Discussion Elements (all of these are optional)

K. Develop information materials on Election System options $2,500

L. Staff & Council review and approval of informational materials ..... 2 weeks

M. Community meetings on election system options ..... 1 or 2 per week

N. Council action to place election system question(s) on ballot ..... City manages

O. Translate any project-related materials into Spanish ..... $125 per page of text

* This price assumes that the parcel map and data on new residential construction in Wildomar since April 1, 2000, is available in an Excel or other computer database file. Any data entry required will require additional time and expense.

The price stated for each element includes all travel and other per diem expenses. Each "Hearing" or "Meeting" is assumed to last only one calendar day and each additional calendar day is counted as an additional meeting.

The timeline section above included a sample timeline including six community forums and all other basic and optional project elements. As described, a project with that combination of all the elements would cost $46,150.

Other Potential Project-Related Expenses:

The only anticipated additional districting expenses would be any site or staff costs for conducting the community forums; and the cost of printing or copying paper copies of the "Public Participation Kit." In NDC's experience, most public participants will download and print the Kits in their own homes or offices.

If the Council chooses to put a ballot measure before the voters regarding the choice of election systems, there will be the usual City and/or County election expenses for such a measure.

G. Summary of Project Options

1. Whether to use 2000 Census data or an updated population database?
2. What initial districting criteria to adopt, if any?
3. Whether to instruct NDC to develop "public participation kits"?
4. Whether the City website or an NDC site will be the repository for project documents and information?
5. How many community forums (or additional Council hearings) to hold regarding the development of district plans?
6. Whether to develop and distribute educational materials regarding election system options available to the City?
7. Whether to hold community forums regarding election system options (or, less optimally, to combine that topic with the community forums on the development of district plans)? And, if so, how many?
8. Whether to send all city households an informational mailer regarding election system options?
9. Whether to adopt a district map prior to any revisiting of election system options?

H. Council role

i. At the start of the process, the Council will formally consider districting criteria and whether to use the 2000 Census data or an updated population database.

ii. NDC prefers to interview each Councilmember one on one at the start of this process to get each Councilmember's views on the communities of interest and logical community dividing points that could potentially aide the development of initial district plans.

iii. The Councilmembers, at their option, could participate in any community forums included in this process.

iv. If the Council so chooses, it could consider a draft set of plans to focus the public debate for an additional community hearing or hearings prior to adoption of a final plan.

v. The Council will consider the districting plans developed by the public and by NDC and adopt their selected final plan. The Council may also direct NDC to test or incorporate changes to the 'final draft' plan and return for final adoption.

I. Staff role

i. Staff assistance will be needed to schedule locations for the community forums, whether held in City Hall or elsewhere in Wildomar.

ii. A staff contact (including email, fax and phone) will be needed for members of the public who wish to contact the City rather than working with the City's consultant, though NDC will encourage anyone with questions or ideas to contact NDC directly. All such contact in recorded and included in NDC's report to the Council on public input.

iii. If the City chooses to place project information and materials on its website, rather than asking NDC to create and maintain a project website, a Staff contact will be needed to review and post the documents provided by NDC. This will be an intermittent demand, as material will need to be posted both before and after each Council meeting and community forum. If NDC creates and maintains the project website, the only web-related staff time necessary will involve setting up initial links from the official City page to the project site.

iv. NDC will work with the appropriate City Staff to ensure all materials are developed in time for, and incorporated into, the City's typical Council meeting information packets prior to any Council meetings on this topic.

v. If translators are necessary for any community meetings, either City staff or independent translators need to be arranged. The local League of Cities representative can provide the equipment for simultaneous translation of meetings, usually free of charge, but the League does not provide the translator.

vi. The County may need a City staff contact to verify NDC's status as a contractor for the City before the County will provide information needed to develop the population database or prior to working with NDC on implementing any City-adopted Districts.

vii. If the Council decides to put the question of an alternative election system on the ballot, the City Clerk and City Attorney will need to manage the usual process for the Council placing a measure on the ballot.

J. Menifee Option

Menifee is facing a similar need to develop Council election districts, and they may wish to develop their own updated population database or revisit the question on election systems as well.

If community forums, database building, or any other project elements can be combined for Wildomar and Menifee, NDC will provide each jurisdiction a 15 percent discount on that project element (such as population database building), provided that NDC is contracted to perform the work by both jurisdictions (the discount will not apply if a different consultant is hired by Menifee, even if the work is done together).

NDC realizes Wildomar may not know Menifee's plans at the time of awarding this contract, and NDC would provide this discount retroactively if such parallel work becomes possible after signing the Wildomar contract.

K. References

Judge Hugh Rose (retired), Chairman, City of Modesto Districting Commission. 508 King Richard Lane, Modesto, CA 95350. Phone (209) 522-0719. Email: hhrose@hotmail.com.

Ms. Susana Wood, City Attorney, City of Modesto, 1010 10th St, Suite 6300, Modesto, CA 95354. Phone: (209) 577-5284. Email: swood@modestogov.com.

Mr. Eldon Horst, General Manager, Jurupa Community Services District. 11201 Harrel Street, Mira Loma, CA 91752. Phone (951) 685-7434. Fax (951) 685-1153. EMail: ehorst@jcsd.us.

Ms. Linda Garrisson. City Clerk, City of Buckeye, Arizona. 100 N Apache Rd, Suite A Buckeye, AZ 85326. Phone (623) 349-6007. Fax (623) 349-6098. EMail: lgarrison@buckeyeaz.gov.

Mr. Steve Lynn, Chairman, Arizona Independent Redistricting Commission, 1400 W Washington Street, Suite B-10, Phoenix, Arizona, 85007. Phone: (520) 884-3629. Fax: (602) 364-1351.

Ms. Sherry Aguilar, City Clerk, City of Surprise, Arizona, 12425 West Bell Road, Suite D-100, Surprise, AZ 85374, Phone: (623) 583-3858. Fax: (623) 583-3396.

Ms. Jean Blois, Mayor, City of Goleta. 130 Cremona Drive, Suite B Goleta, California 93117. Phone: (805) 961-7500. Fax: (805) 685-2635

Don Burnette, Chief Administrative Officer, Clark County. 500 S. Grand Central Parkway, Las Vegas, Nevada, 89155. Phone: 702-455-3530. Fax: (702) 455-3558.

Peggy Jackson, City Clerk, City of Elk Grove. 8400 Laguna Palms Way. Elk Grove, California, 95758. Phone: 916.683.7111. Fax: (916) 691-2001.

Ms. Luci Romero Serlet, City Manager, City of Los Alamitos (former Assistant City Manager, City of Goleta). 3191 Katella Avenue, Los Alamitos, CA 90720. Phone: (562) 431-3538. Fax: (562) 493-1255

Mr. Pat Langdon, Chairman, City of Mesa Council Districting Commission, and Jeff Martin, Assistant Development Services Manager, 20 E. Main Street, Suite 650, Mesa, Arizona, 85201. City of Mesa, Arizona. Phone: (480) 644-2065. Fax: (480) 644-2416.

Elaine M. Scruggs, Mayor , City of Glendale, Arizona, and Dana Tranberg, Deputy Director, City of Glendale Intergovernmental Programs. 5850 W. Glendale Ave., Glendale, AZ 85301. Phone: (623) 930-2874. Fax: (623) 930-2194.

Marion Porch, (Retired) Director of Intergovernmental Programs, City of Glendale. 8633 W McRae Way, Peoria, AZ 85382. Phone: (623) 937-0091. No fax number.

Rick Naimark, Deputy City Manager, City of Phoenix. Phoenix City Hall, 200 W Washington Street, 12th Floor. Phoenix, Arizona, 85003. Phone: (602)262-6941. Fax: (602) 261-8327.

Steve Burg, Senior Deputy City Attorney, City of Peoria, (former Deputy City Attorney for the City of Mesa). City of Peoria Municipal Complex, 8401 W. Monroe Street, Peoria, Arizona 85345, Phone: (623) 773-7043 Fax: (623) 773-7330.

L. Conclusion

Since its founding NDC has been the preeminent company in the nation devoted to local election systems.

To summarize:

- NDC, founded in 1979, has a demonstrated record of financial solvency.
- NDC's hardware and software resources were specially designed and acquired for districting and redistricting purposes.
- NDC's highly respected personnel have impeccable credentials in each aspect of the districting and redistricting processes.
- NDC's suggested approach has been tested in many jurisdictions.
- Any NDC client can be contacted for testimonials and reference.
- NDC has more experience in the field of municipal political election systems than any other company of which NDC is aware.
- NDC has demonstrated experience over many years in working with the press and media on local election system issues.
- NDC possesses fully up-to-date and highly effective geographic retrieval systems with applications specifically designed for districting and redistricting.
- Neither the Justice Department nor any Court has ever rejected any local government districting or redistricting plan submitted by NDC.

It should be clear that NDC has all of the resources of experience, technical expertise, and legal/political know-how to assist Wildomar in its current effort. NDC looks forward to the opportunity to work with the City on this project.

February 9th, 2009

Ms. Julie Hayward Biggs
City Attorney
City of Wildomar
23873 Clinton Keith Rd., Suite 111
Wildomar, CA 92595

Dear Ms. Biggs,

Thank you for the interest in NDC's proposal to provide districting services to the City of Wildomar. As noted in the proposal, NDC's approach and service offerings provide a highly flexible package that is easily customized to meet each jurisdiction's needs. In the proposal, NDC included a hypothetical timeline, with a citywide vote on a Council election system hypothetically placed on the June 2010 statewide ballot. You asked if that sample timeline could be altered to put that question on the November 2009 statewide ballot. The answer is a definite yes.

According to Section 9222 of the California Elections code, a ballot measure must be approved by the City Council at least 88 days prior to the election date. For the November 3rd, 2009, election, this means any measure must be approved by August 7th, 2009. If there is a statewide election on that date, there are additional deadlines to ensure proper consolidation (and cost savings for the City), but the 88 day deadline is the key factor in our timing for this project.

The following timeline meets the August 7th deadline while still including all project elements and keeping separate community forum discussions for district lines versus election systems. By simply holding each group of forum discussions more closely together, the entire timeline easily meets the deadline. Of course, this is only one example of how the goal can be met. Alternatives, such as more (or fewer) community forums, could also be accommodated within the available timeline.

Alternative Timeline with all project elements:

Feb. 25, 2009..... Council decision on contract and whether to include discussion of election system options

March 25, 2009..... Initial Council Meeting (adopt criteria, set number of community forums)

Early April, 2009 ..... Prepare locations & materials for community meetings on districting, plus "public participation kit" master copy

Thursday evening, Apr. 16..... Community Forum on districting
Saturday, April 18..... Community Forum on districting
Thursday evening, Apr. 23..... Community Forum on districting

May 15, 2009 ..... Deadline for public submission of "public participation plan" maps

May 15 – May 20, 2009 ..... NDC preparation of consultant's districting plans

May 27, 2009 ..... Initial Council consideration and instruction on or adoption of Districting Plan

June 10, 2009 ..... (if needed) Final Council adoption of Districting Plan

June 10 – June 30, 2009 ..... Implementation of districting plan with County elections

Simultaneous with above activities .. Prepare locations & materials for community meetings on districting

Thursday, June 11 ..... Community Forum on election system
Saturday, June 20 ..... Community Forum on election system
Thursday, June 25 ..... Community Forum on election system

July 8, 2009 ..... Council decision on whether to put election system option(s) on ballot (Council has option of continuing discussion on July 22nd if needed)

November 3, 2009 ..... City vote on election system options

July 12, 2010 ..... Start of filing period for Council November 2, 2010, election

This timeline is more condensed than the original scenario, but not unreasonably so. It retaining all of the public outreach and community forum elements suggested by NDC. This schedule also retains flexibility, with one Council meeting targeted for Council action, with time to allow additional discussion or postponing the item until the next Council meeting, should circumstances require.

As always, please feel free to ask any questions or for any clarifications that would be useful, and all of us at NDC look forward to working with Wildomar on this effort.

Sincerely,

Douglas Johnson
President

CITY OF WILDOMAR – COUNCIL
Agenda Item # 1 G.
CONSENT ITEM
Meeting Date: February 25, 2009

TO: **Mayor Farnam and City Council**

FROM: **John Danielson, City Manager**

SUBJECT: **Employee Benefit Programs**

AGENDA TITLE: Employee Benefit Offerings/Programs

RECOMMENDATION:

Staff recommends the City Council of the City of Wildomar direct the City Manager to select, finalize and execute a contract for secondary supplemental insurance with the Exec-u-Care program.

BACKGROUND INFORMATION:

Supplemental health insurance is an option for the City to consider and is underwritten by The Lincoln National Life Insurance Company. The plan is used to provide an added benefit to those in city executive positions defined as the full time, regular City Manager, Deputy and/or Assistant City Manager, the City Council, and various Department Head positions as defined by the City Manager. The plan pays for certain additional expenses not covered by basic healthcare policies.

DISCUSSION:

The City will begin the employment process at some point, and with that move, will require benefits for every employee according to their classification. The City has adopted the following: vision, short-term disability (STD), long-term disability, (LTD) 401A, life insurance, accidental death and dismemberment, (AD&D) health, dental, an employee assistance plan (EAP) and a flexible spending account. Retirement will be handled by CalPERS and other miscellaneous offerings such as vacation pay, sick pay and administrative leave will be added at a later date after review of the local recruitment market.

As a secondary supplement to our existing health care plans, Exec-u-Care normally pays for some or all of the remaining balance of certain specific out of pocket expenditures not already covered. Reimbursement schedules are subject to and defined by governmental regulations. Exec-u-Care is a national company providing limited supplemental health care coverage for employees who must already be covered by a basic health insurance

plan. Examples of covered health care expenses which may be covered, include but are not limited to:

1. Hospital, medical and surgical services to diagnose or treat an illness or injury
2. Routine physical exams, routine laboratory tests and inoculations
3. Dental work, prescription drugs, over the counter drugs, and medial equipment
4. The fitting and cost of hearing aids, eyeglasses and contact lenses
5. Transportation that is primarily for and essential to health care

And, there are a number of expenses excluded but not limited to:

1. Services that are not medically necessary, or beyond the scope of the provider's license
2. Services provided by a family member or normally provided without charge
3. Cosmetic surgery, cosmetic dental procedures or drugs prescribed for cosmetic purposes
4. Physical therapy, massage therapy or hydrotherapy for comfort or weight loss programs for general health rather than treatment of a medical condition
5. Homeopathic preparation, vitamins and dietary supplements available without a prescription
6. Housekeeping or companion services, health spa vacations, camps or retreats, or health club memberships
7. Purchase of non-medical equipment or modifications to the home, yard, motor vehicle or workplace such as humidifiers, exercise equipment, ramps or lifts
8. Services covered by a government program such a workers compensation
9. Treatment of a condition resulting from military service or war

FISCAL IMPACT:

This is an organization funded product. The City of Wildomar would pay an annual premium of $250 per enrollee and would be billed for that portion of eligible claims submitted which are not covered by basic insurance, plus an 11% administrative fee. There is no expense to the employee for Exec-u-Care. Fees are paid only in the event they can be verified, and are considered a legitimate expense.

ATTACHMENTS:

None

Submitted by:

John Danielson, City Manager

Approved as to form:

Julie Hayward Biggs, City Attorney

CITY OF WILDOMAR – COUNCIL
Agenda Item # 1 H.
CONSENT ITEM
Meeting Date: February 25, 2009

TO: **Mayor Farnam and City Council**

FROM: **John Danielson, City Manager**

SUBJECT: **Contract Modification for Paula Willette**

AGENDA TITLE: Events Coordinator

RECOMMENDATION:

Staff recommends the City Council of the City of Wildomar direct the City Manager to modify, execute and sign a contract with consultant Paula Willette for Events Coordinator.

BACKGROUND INFORMATION:

When the City of Wildomar opened for business it had an immediate need for an events coordinator to plan and to organize various public and civic events. The position has proved invaluable as a means to publicize and gain public awareness and attendance at its ongoing various activities and events.

DISCUSSION:

This position currently has responsibility for maintaining and developing a digital library for the City, scheduling and managing all special events, organizing of CERT training, fund raising, organizing and managing the city's annual founding celebration, creating a data base for all city contacts and other functions as related to meetings and events planning.

This position will be expanded to include working with the County to plan for the next year of parks and recreation. The position will act as the City's representative with the County and be our lead organizer and planner for all recreation events and various other related activities and festivals.

FISCAL IMPACT:

This contract increases the retainer for this position by an additional $2000 per month to a total of $3,400. However there is no additional fiscal impact to the City as the funds will be provided by the County.

ATTACHMENTS:

None

Submitted by:

John Danielson, City Manager

Approved as to form:

Julie Hayward Biggs
City Attorney

CITY OF WILDOMAR – COUNCIL
Agenda Item # 1 I.
CONSENT ITEM
Meeting Date: February 25, 2009

TO: **Mayor Farnam and City Council**

FROM: **John Danielson, City Manager**

SUBJECT: **Financial Services Contract**

AGENDA TITLE: Senior Accounting Services

RECOMMENDATION:

Staff recommends the City Council of the City of Wildomar direct the City Manager to develop, execute and sign a contract with consultant Gary Nordquist for Senior Level accounting management services.

BACKGROUND INFORMATION:

When the City of Wildomar opened for business it had the financial infrastructure in place enabling the City to receive, deposit, expend and invest City funds. This new agreement will provide the City with a contract based long-term, specialized accounting services to continue to properly record, and more importantly, report the City's financial activities and status toward meeting its fiduciary responsibilities.

DISCUSSION:

The City of Wildomar has matured to a point where more in-depth business and financial development is required. Report reconciliation between the County and others doing business with the City must accurately reflect the financial status of the City. The verification and reporting of monthly financial reports and the City's status is of paramount importance in these difficult financial times. This type of reporting requires the services of someone with in-depth expertise and familiarity with City government, county operations and the development of reports that accurately reflect total city business and City financial direction.

FISCAL IMPACT:

There is no additional fiscal impact to the City. Funds originally targeted for Macias Gini and O'Connell will be used as the contract with that agency.

ATTACHMENTS:

1. Attachment A-Scope of Services

Submitted by:

John Danielson, City Manager

Approved as to form:

Julie Hayward Biggs
City Attorney

Exhibit A

Scope of Services

- Provide highly responsible, complex and regular financial and administrative support and advice to the City Manager, City Council and other departments
- Conduct various in-depth audits and work with the County to ensure all City revenues are received and properly reported and that all City expenditures and revenues are appropriate and contain supporting documentation
- Oversee the day to day financial operations of the City
- Coordinate all financial activity with outside agencies and all others conducting business with the City
- Provide direction and oversee the City's financial infrastructure including long-term financial planning, revenue management and treasury/investments
- Developing more sophisticated financial systems and budgets
- Monitor all expenditures for budget impact and accountability and immediately report discrepancies and/or irregularities
- Manage accounts payables and receivables, payroll and purchasing
- Make deposits and withdrawals to the LAIF investment accounts
- Prepare agenda reports for the City Manager and City Council detailing the financial status of the City with recommendations for improvement
- Other professional tasks and responsibilities as assigned by the City Manager

CITY OF WILDOMAR – COUNCIL
Agenda Item # 2 A.
PUBLIC HEARING
Meeting Date: FEBRUARY 25, 2009

TO: Honorable Mayor Farnam, Members of the City Council

FROM: John Danielson, City Manager

SUBJECT: Bella Rosa Condominium Project, Tentative Tract Map 33987 (Amendment No. 3), General Plan Amendment 762, and Change of Zone 7207 [PL08-0168]

APNs: 376-410-002 and 376-410-024

STAFF REPORT

RECOMMENDATION:

The Planning Department hereby recommends the following:

1. That the City Council adopt a resolution entitled:

   "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR THE PROJECT DESCRIBED IN ENVIRONMENTAL ASSESSMENT NO. 40319 FOR GENERAL PLAN AMENDMENT NO. 762, CHANGE OF ZONE NO 7207, AND TENTATIVE TRACT MAP 33987"

2. That the City Council adopt a resolution entitled:

   "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR APPROVING GENERAL PLAN AMENDMENT NO. 762 TO CHANGE THE GENERAL PLAN LAND USE DESIGNATIONS FROM MEDIUM DENSITY RESIDENTIAL AND COMMERCIAL OFFICE TO MEDIUM HIGH DENSITY RESIDENTIAL FOR LOT 1 OF TENTATIVE TRACT MAP 33987 LOCATIONS ON PORTIONS OF PROPERTIES WITH ASSESSOR PARCEL NUMBERS OF 376-410-002 AND 376-410-024"

3. Introduce and read by title only an ordinance entitled:

   "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR APPROVING AN AMENDMENT TO THE OFFICIAL ZONING MAP OF THE CITY OF WILDOMAR FOR LOT 1 AND A REMAINDER PARCEL OF TENTATIVE TRACT MAP 33987 FROM RURAL RESIDENTIAL TO MEDIUM HIGH DENSITY RESIDENTIAL AND FOR LOT 2 OF TENTATIVE TRACT MAP 33987 FROM RURAL RESIDENTIAL TO WATERCOURSE, WATERSHED & CONSERVATION AREA, AND FOR LOTS 3 AND 4 FROM RURAL RESIDENTIAL TO COMMERCIAL OFFICE FOR PROPERTIES IDENTIFIED WITH ASSESSORS PARCEL NUMBERS 376-410-002 AND 376-410-024."

4. That the City Council adopt a resolution entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR CONDITIONALLY APPROVING THE THRID AMENDMENT OF TENTATIVE TRACT MAP 33987 WHICH WILL SUBDIVIDE 24.37 ACRES LOCATED NEAR THE INTERSECTION OF LA ESTRELLA ROAD AND DEPASQUALLE STREET INTO FOUR LOTS AND ONE REMAINDER PARCEL"

BACKGROUND:

Among the many planning/land development projects transferred from Riverside County to the new City of Wildomar is the Bella Rosa Condominium project. This project includes a General Plan Amendment 762, and Change of Zone 7207, and Tentative Tract Map (TTM) 33987. TTM 33987 proposed to subdivide the 24.37 acres site into five parcels. The Applicant is proposing to construct 81 attached condominium units on one of these parcels. Of the four remaining parcels, two are proposed for office uses, one for open space, and the final remainder parcel for future residential. On June 11, 2008, the County Planning Commission voted 3-0 to conditionally approve the project. As a result, the proposed project has come under the jurisdiction of the City of Wildomar on July 1, 2008 when the City incorporated. The location of the project is shown in Attachment E.

EXISTING LAND USE, GENERAL PLAN, AND ZONING INFORMATION			
LOCATION	**CURRENT LAND USE**	**GENERAL PLAN LAND USE**	**ZONING**
Site	Vacant	Commercial Office	Rural Residential (R-R)
		Medium Density Residential	Rural Residential (R-R)
North	Vacant & Rural Residential	Business Park & Medium Density Residential	Rural Residential (R-R)
South	Single Family Residential	Medium Density Residential	Single Family Residential (R-1)
East	Vacant	Medium Density Residential	Rural Residential (R-R)
West	Single Family Residential*	Medium Density Residential*	Single Family Residential (R-1)*
* - On the west side of Interstate 15.			

General Plan Amendment

The existing General Plan Land Use Designations for the site are Commercial Office on the west side and Medium Density Residential on the east side. Because the proposed amendments to the General Plan are directly related to the lots created by TTM 33987, the discussion of the proposed General Plan Amendment is described in terms of the proposed lots. General Plan Amendment No. 762 proposes to make the following changes to the General Plan Land Use Map.

1. Change most of Lots 1 and 2 from Medium Density Residential (2 – 5 dwelling units per acre) to Medium High Density Residential (5 – 8 dwelling units per acre); and,

2. Change the westerly portion of proposed Lot 1 from Commercial Office to Medium High Density Residential (5 to 8 dwelling units per acre).

The proposal would retain the existing General Plan Land Use Designation of Commercial Office on the other portions of the project site (Lots 3 and 4 of the tentative map). The Remainder Parcel would retain the Medium Density Residential Designation. The proposed General Plan Land Use Designations around the project site are depicted in Attachment F.

Change of Zone

The proposed project is located in an area identified for community development in the Riverside County Integrated Plan. The community development designation implies future suburban or urban scale land uses. Change of Zone No. 7207 proposes to change the zoning classifications on the City's Official Zoning Map as follows:

1. Lot 1 and the Remainder Parcel from Rural Residential (R-R) to General Residential (R-3);

2. Lot 2 from Rural Residential (R-R) to Watercourse, Watershed & Conservation Areas (W-1);

3. Lots 3 and 4 from Rural Residential (R-R) to Commercial Office (C-O) and,

4. Remainder Parcel from Rural Residential (R-R) to One Family Dwelling (R-1).

The proposed Zoning Map amendment is consistent with the applicant's proposed General Plan Land Use Map Amendment. The proposed zoning classifications are depicted in Attachment G. Staff supports the designation for Lot 2 as Open Space since it would preserve areas along the habitat areas along the main drainage that runs through the site.

Tentative Tract Map

The configuration of proposed Tentative Tract Map 33987 consists of 4 lots and one remainder parcel. The size and purpose of each lot is described below. A copy of TTM 33987 is depicted in Attachment H.

- Lot 1 (7.5 net acres) would accommodate the proposed 81-unit residential condominium project. The density of this proposed project is 7.55 dwelling units per gross acre (if the preserved adjacent open space is included in the calculations). Including preserved areas into project density calculations is standard practice in areas with sensitive biologic resources that need to be preserved.

- Lot 2 (1.65 net acres) is for open space purposes to preserve the habitat areas along existing intermittent stream channel located along the eastern side of the site.

- Lots 3 and 4 (9.8 and 1.3 net acres, respectively) are located along Depasqualle Road and are identified for future commercial office uses.

- The final project component is a proposed one–acre Remainder Parcel adjacent to Glazebrook Road and Lot 2. Remainder parcels are defined as those portions of land which are not divided for the purpose of sale, lease, or financing but which meets the minimum development standards of the General Plan and Zoning Code as if it were a legal lot. According to the subdivision map act, remainder parcels can also be conditioned for improvements.

The original County Conditions of Approval for the tentative tract map and condominium projects have been updated and streamlined to reflect the City's incorporation and make the conditions more useable and easier to understand.

Condominium Project

The proposed residential condominium project is located on Lot 1 of TTM 33987. The project consists of 81 units in 14 buildings, a recreation/activity building, swimming pool, sports court, two tot lot/barbeque areas, and 210 parking spaces. The units with ground floor living areas do not have any private yard areas. The units include a variety of two story units, some units have the living and sleeping areas on the second floor while other units have living areas on the ground floor and sleeping area on the second floor.

Vehicular access to the project is provided through two access points. The first driveway is onto Glazebrook Road at the intersection with West Park Street. West Park Street is a private residential street providing access for 13 future single family residences and a neighborhood park. West Park Street runs from Glazebrook Road to Depasqualle Road. The second project access point is off of La Estrella Road. At build-out of the road network, both Depasqualle and La Estrella Roads will connect to George Street/Porras Road. However at this time, only Depasqualle Road provides arterial road access to the project site. To connect to George Street/Porras Road, La Estrella Road will be constructed approximately ¼ mile to the east to Ronald Reagan Elementary School. The tentative tract map is conditioned to construct the extension of La Estrella Road easterly to the existing end of the paved road near Ronald Reagan Elementary School (approximately 1,150 feet). The construction of La Estrella Road will require the permission of adjacent property owners.

According to the Applicant, they believe they have permission from the intervening property owners to construct La Estrella Road. However, the City Engineer has reviewed their documentation and does not believe that the Applicant has been given sufficient permission to construct La Estrella. To further complicate the matter, according to Government Code Section 66462.5, if the project developer is required to construct off-site improvements on land owned by someone else and the developer cannot acquire the right-of-way, the City must either acquire land through eminent domain or relive the developer of the condition to construct the improvement. Because of this limitation, the project has been conditioned that if permission is not obtained by the developer, the project will have to be redesigned.

The internal circulation system for the Bella Rosa Project consists of drive aisles to provide access to the enclosed garages and a network of pedestrian pathways connect each unit with the parking areas and the project amenities (the recreation/activity building, swimming pool, sports court, and two tot lot/barbeque areas). The pool complex is located near the middle of the project site. The elevations and typical floor plans for the residential units are contained in Attachments J and K, respectively.

City Staff Concerns

While preparing this project for the City Council's consideration, staff has identified a number of potential concerns with both the general plan, the change of zone, and the design of the condominium project. The potential issues include setting a precedent for higher residential density in the area without adequate study to determine the fight balance and mixture of land uses and the access to the residential project.

Most of the existing new residential development between Ronald Reagan Elementary School and Clinton Keith Road is developed as Medium Density Residential (2 to 5 dwelling units per acres). Staff is concerned that the inclusion of a single eight-acre site of Medium High Density Residential (5 to 8 dwelling units per acre) in the middle of an area identified for Medium Density Residential could create a precedent that might lead to requests for additional Medium High Density Residential development in the area. However, if the City Council supports the idea of additional Medium High Density residential development in this area, or if the Council is willing to accept this one higher density project in this location (and indicates that they are not in favor of any more higher density projects in this area, then the potential precedent issue is probably not a major factor.

In addition, staff also has concerns with the existing Commercial Office Land Use Designation situation between the condominium site and Interstate 15. The placement of commercial office development in the middle of a residential neighborhood is problematic, particularly since all the business traffic would rely on local residential collector streets for access. Access to this commercial site is provided via Depasqualle Road (a residential collector street), George Street/Porras Road, to Clinton Keith Road. It is important to note that if this type of commercial office development were located along an arterial street, any potential land use conflict could be addressed through the design of the project.

If the City Council is concerned with this commercial land use conflict, the Council has several options available. The most obvious options include the following. (1) Take no action on the Commercial Office designation at this time. (2) Modify the Applicant's General Plan Amendment request to replace the Commercial Office designation with a more appropriate residential land use designation. If the Council chooses this course of action then staff recommends that the Project be continued off-calendar to provide staff an opportunity to evaluate opportunities and revise the environmental document to reflect change to the Project. (3) Direct staff to begin a more systematic review of potential General Plan land use incompatibilities within the City. When completed, this list of incompatible land uses could provide the foundation for city-sponsored general plan amendment.

The proposed design of the condominium project access is also a concern. The current design functionally directs project traffic down West Park Street, a private local residential street adjacent to the neighborhood park, instead of directly onto the Depasqualle Road. In staff's opinion, the access point on Glazebrook Road should be relocated to Depasqualle Road. This would guide project traffic directly to the local collector street network and reduce through-traffic onto a residential street. Staff has no concerns with the second access point onto La Estrella Road.

Finally, staff has concerns about lack of private yard areas for ground floor units. Staff believes the provision of patios and small yard areas in attached residential projects improve the long term desirability and functionality of the units. If the City Council feels that private open space is

important for this type of project, the staff requests that the Council provide that direction to Staff.

If the City Council accepts the recommendation of the County Planning Commission, then staff recommends that the Council act upon the approval recommendations contained in the staff report. If the City Council has concerns with the recommended project, staff requests that the Council provide alternative direction. Possible alternate actions are provided in the Alternatives Section of this staff report.

FINDINGS:

The following findings in support of the proposed project are based upon the findings made by the County Planning Commission as part of their decision to recommend approval of the project.

A. The proposed General Plan Amendment and Change of Zone are consistent with the City of Wildomar General Plan.

The General Plan Land Use Designations for the subject properties are Commercial Office and Medium High Density Residential. The Project site is located in an area identified for future urban scale development. The proposed Change of Zone is consistent with these General Plan Land Use Designations. According to the General Plan Land Use Zoning Consistency Table, the Commercial Office (CO) and General Residential (R-3) are rated "Highly Consistent" with the Commercial Office and Medium High Density Residential Land Use Designation.

B. The proposed condominium project is consistent with the requirements of the City of Wildomar General Plan and with all applicable requirements of State Law and ordinances of the City of Wildomar.

The proposed Tentative Tract Map (and associated condominium project) conforms to the City of Wildomar General Plan Medium High Density Residential Land Use Designation which anticipates future development between 5 and 8 dwelling units per acre. The project density for development on Lot 1 (including the preserved area provided in Lot 2) is 7.55 dwelling units per acre.

C. The site is physically suitable for the type and proposed density of development proposed by the proposed project.

The site is generally level, served by the necessary public utilities and is physically suitable for the type and proposed density of development proposed (as also noted in Finding B above). Furthermore, conditions of approval have been added to ensure that the project complies with all applicable development standards for the property.

D. The design of the project and the proposed improvements, with Conditions of Approval, will not likely cause significant environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The design of the tract map, condominium project, and proposed improvements, with Conditions of Approval, will not likely cause significant environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The project has been

modified to preserve (and avoid any impacts to) the sensitive habitat areas along the primary watercourse.

ENVIRONMENTAL ASSESSMENT:

Environmental Assessment No. 40319, prepared by the County of Riverside identified the following potentially significant impacts:

a. Biologic Resources
b. Cultural Resources
c. Geology/Soils
d. Hydrology/Water Quality

These listed impacts will be fully mitigated by the measures indicated in the environmental assessment, conditions of approval, and attached letters. A copy of the Initial Environmental Study is contained in Attachment L. No other significant impacts were identified in Initial Study for Environmental Assessment 40319 that was prepared by County staff.

ALTERNATIVES:

1. Deny the Project and request staff to conduct a land use suitability study for the area bounded by Baxter Road, George /Porras Street, Clinton Keith Road, and Interstate 15 and recommend possible amendments to the City General Plan.

2. Modify the Access to the Condominium Project. Approve the General Plan Amendment and Change of Zone applications and add an additional condition of approval to the tract map and condominium project and requiring the Applicant to submit revised condominium plans with modified access points to the Planning Director. A sample condition that would satisfy this requirement is as follows:"*Within 60 days of the approval of the tentative tract map, the Applicant shall submit revised condominium plans to the Planning Director which modifies the project access points to avoid directing project traffic onto local residential streets and improves the desirability and livability of the project as needed.*"

3. Eliminate the Commercial Office Land Use Designation. Approve a General Plan Amendment and Change of Zone for both of the existing parcels (except the area of future Lot 2 which would remain as Open Space) as follows: General Plan Land Use Map - to Medium Density Residential (2 to 5 dwelling units per acre) and Official Zoning Map - to Single Family Residential (R-1), and send the tentative map back to the staff and the Planning Commission. A sample condition to accomplish this is included with Alternative No. 2 above.

4. Provide other direction to staff.

ATTACHMENTS:

A. Resolution approving Environmental Assessment 40319 for a Mitigated Negative Declaration for the Project
B. Resolution approving General Plan Amendment 760
C. Ordinance Approving Change of Zone 7440
D. Resolution Approving Tentative Tract Map 33987
E. Vicinity Map
F. Proposed General Plan Land Use Designations
G. Proposed Zoning Designations
H. Tentative Tract Map 33987
I. Site Plan
J. Elevations
K. Typical Floor Plans
L. Color Palette
M. Initial Study

Submitted by:

John Danielson
City Manager

Approved as to form:

Julie Hayward Biggs
City Attorney

ATTACHMENT A

RESOLUTION ADOPING THE MITIGATED NEGATIVE DECLARATION

RESOLUTION 09-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR THE PROJECT DESCRIBED IN ENVIRONMENTAL ASSESSMENT NO. 40319 FOR GENERAL PLAN AMENDMENT 762, CHANGE OF ZONE 7207, AND TENTATIVE TRACT MAP 33987

WHEREAS, an application for Bella Rosa Project including applications for a General Plan Amendment 762, Change of Zone 7207, and Tentative Tract Map 33987 [PL08-0168] has been duly filed by:

Applicant / Owner:	Oak Grove Equities, Inc.
Authorized Agent:	Glen Daigle
Project Location:	South of the extension of La Estrella Road, north of Glazebrook Street and east of Interstate 15
APN Number:	376-410-002 and 376-410-024
Lot Area:	24.37 acres

WHEREAS, the proposed Bella Rosa Project (General Plan Amendment 762, Change Of Zone 7207, and Tentative Tract Map 33987) is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 et seq. ("CEQA"); and,

WHEREAS, after completion of an Initial Study, the Planning Director determined that it identified potentially significant effects on the environment, but that revisions to the project or the incorporation of mitigation measures would avoid or lessen the effects below the threshold of significance. Therefore staff has proposed a Mitigated Negative Declaration and Mitigation Monitoring Program for this project; and,

WHEREAS, the proposed Mitigated Negative Declaration consists of the following documents: the Initial Study for Environmental Assessment 40319 and related technical studies; and

WHEREAS, the County Planning Commission conducted a duly noticed public hearing on June 11, 2008 at which it received public testimony concerning the project and the proposed Mitigated Negative Declaration and considered the proposed Mitigated Negative Declaration and proposed Mitigation Measures.

NOW THEREFORE, the Planning Commission of the City of Wildomar does hereby resolve, determine and order as follows:

SECTION 1. FINDINGS.

The City Council, in light of the whole record before it including but not limited to the City's local CEQA Guidelines and Thresholds of Significance, the proposed Mitigated Negative Declaration and documents incorporated therein by reference, any written comments received and

responses provided, the proposed Mitigation Monitoring Program and other substantial evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2) within the record and/or provided at the public hearing, hereby finds and determines as follows:

1. Review Period: That the City has provided the public review period for the Mitigated Negative Declaration for the duration required under CEQA Guidelines Sections 15073 and 15105.

2. Compliance with Law: That the Mitigated Negative Declaration and Mitigation Monitoring Program were prepared, processed, and noticed in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), the CEQA Guidelines (14 California Code of Regulations Section 15000 et seq.) and the local CEQA Guidelines and Thresholds of Significance adopted by the City of Wildomar.

3. Independent Judgment: That the Mitigated Negative Declaration reflects the independent judgment and analysis of the City.

4. Mitigation Monitoring Program: That the Mitigation Monitoring Program is designed to ensure compliance during project implementation in that changes to the project and/or mitigation measures, have been incorporated into the project and are fully enforceable through permit conditions, agreements or other measures as required by Public Resources Code Section 21081.6.

5. No Significant Effect: That revisions made to the project plans agreed to by the applicant and mitigation measures imposed as conditions of approval on the project, avoid or mitigate any potential significant effects on the environment identified in the Initial Study to a point below the threshold of significance. Furthermore, after taking into consideration the revisions to the project and the mitigation measures imposed, the Planning Commission finds that there is no substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have a significant effect on the environment. Therefore, the Planning Commission concludes that the project will not have a significant effect on the environment.

SECTION 2. MULTIPLE SPECIES HABITAT CONSERVATION PLAN.

The project is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee.

SECTION 3. CITY COUNCIL ACTION

Based on the foregoing findings, and on substantial evidence in the whole of the record, the City Council hereby takes the following actions:

1. Adopt MND: The Mitigated Negative Declaration for the Bella Rosa Project is hereby approved and adopted.

2. Notice of Determination: In compliance with Public Resources Code §21152 and CEQA Guidelines §15075, the Planning Director shall prepare a Notice of Determination concerning the approval and adoption of the Mitigated Negative Declaration, and within five (5) working days of project approval, file the Notice with the Riverside County Clerk for posting.

3. Document Location: The Mitigated Negative Declaration and all documents incorporated therein or forming the record of decision therefore, shall be filed with the Wildomar Planning Department at the Wildomar City Hall, 23873 Clinton Keith Rd., Suite 201, Wildomar, California 92595, and shall be made available for public review upon request.

PASSED, APPROVED AND ADOPTED this _____ of _____ 2009, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

ATTEST:

_____
Sheryll Schroeder, City Clerk

_____
Scott Farnam, Mayor

APPROVED AS TO FORM:

_____
Julie Hayward Biggs, City Attorney

ATTACHMENT B

RESOLUTION APPROVING THE GENERAL PLAN AMENDMENT

RESOLUTION 09- 12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR APPROVING GENERAL PLAN AMENDMENT NO. 762 TO CHANGE THE GENERAL PLAN LAND USE DESIGNATIONS FROM MEDIUM DENSITY RESIDENTIAL AND COMMERCIAL OFFICE TO MEDIUM HIGH DENSITY RESIDENTIAL FOR LOT 1 OF TENTATIVE TRACT MAP 33987 LOCATIONS ON PORTIONS OF PROPERTIES WITH ASSESSOR PARCEL NUMBERS OF 376-410-002 AND 376-410-024

WHEREAS, an application for Bella Rosa Project including applications for a General Plan Amendment 762, Change of Zone 7207, and Tentative Tract Map 33987 [PL08-0168] has been duly filed by:

Applicant / Owner:	Oak Grove Equities, Inc.
Authorized Agent:	Glen Daigle
Project Location:	South of the extension of La Estrella Road, north of Glazebrook Street and east of Interstate 15 [PL08-012
APN Number:	376-410-002 and 376-410-024
Lot Area:	The General Plan Amendment involves 10.72 acres of the 24.37 acre site

WHEREAS, the County Planning Commission reviewed and made recommendations to the City Council on General Plan Amendment No. 762 for a change in the General Plan from Medium Density Residential to Medium High Density Residential and Commercial Office for the property located near the intersection of Depasqualle Road and La Estrella Road; and

WHEREAS, in accordance with Government Code Sections 65353, 65355 and 65090, on February 14, 2009 the City gave public notice by placing the public notice in a newspaper of local circulation and then of the holding of a public hearing at which the General Plan Amendment would be considered by the City Council; and

WHEREAS, in accordance with Government Code Section 65353, on February 25, 2009 the City Council held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the General Plan Amendment and at which the City Council considered the General Plan Amendment; and

WHEREAS, at this public hearing on February 25, 2009, the City Council considered, heard public comments on, and adopted a Mitigated Negative Declaration for the project by Resolution 09-____; and

NOW THEREFORE, the City Council of the City of Wildomar does Resolve, Determine, Find and Order as follows:

SECTION 1. ENVIRONMENTAL FINDINGS.

The City Council, in light of the whole record before it, including but not limited to, the City's Local CEQA Guidelines and Thresholds of Significance, the recommendation of the Planning Director as provided in the Staff Report dated February 25, 2009, and documents incorporated therein by reference, and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2) within the record or provided at the public hearing of this matter, hereby finds and determines as follows:

A. CEQA: The approval of this General Plan Amendment is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on February 25, 2009, at a duly noticed public hearing, the Planning Commission approved and adopted a Mitigated Negative Declaration reflecting its independent judgment and analysis and documenting that there was not substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have a significant effect on the environment. The documents comprising the City's environmental review for the project are on file and available for public review at Wildomar City Hall, 23873 Clinton Keith Road, Suite 201, Wildomar, CA 92595.

B. Multiple Species Habitat Conservation Plan (MSHCP). The project is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee.

SECTION 2. PLANNING COMMISSION RECOMMENDATION.

The County Planning Commission recommended approval of General Plan Amendment No. 762 on the following grounds:

A. The proposed General Plan Amendment will not cause any internal inconsistencies in the General Plan. The Project site is located in an area identified for future urban scale development that is consistent with the proposed residential Land Use Designation. Consequently, the proposed General Plan Amendment would not create any internal inconsistencies and is consistent with the General Plan.

B. The proposed General Plan Amendment will not involve a change to or conflict with the General Plan Vision document or the identified planning principles. The proposed project is consistent with the countywide Vision document and the planning principles identified in the General Plan. Consequently, the proposed General Plan Amendment is consistent with the General Plan.

SECTION 3. CITY COUNCIL ACTION.

The City Council hereby amends the General Plan Land Use Map for the City of Wildomar by approving General Plan Amendment No. 762 for Lot 1 of Tentative Tract Map 33987, also known as Assessor Parcel Number (APN) 376-410-002 and a portion of APN 376-410-024, which changes the Land Use Designations from Medium Density Residential and Commercial Office to Medium High Density Residential, and for Lot 2, from Medium Density Residential to Open Space as depicted in Exhibit A to this resolution.

PASSED, APPROVED, AND ADOPTED by the City of Wildomar City Council this 25th day of February, 2009 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Sheryll Schroeder, City Clerk

Scott Farnam, Mayor

APPROVED AS TO FORM:

Julie Hayward Biggs, City Attorney

ATTACHMENT C

ORDINANCE APPROVING THE CHANGE OF ZONE

ORDINANCE NO. 23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR APPROVING AN AMENDMENT TO THE OFFICIAL ZONING MAP OF THE CITY OF WILDOMAR FOR LOT 1 AND A REMAINDER PARCEL OF TENTATIVE TRACT MAP 33987 FROM RURAL RESIDENTIAL TO MEDIUM HIGH DENSITY RESIDENTIAL AND FOR LOT 2 OF TENTATIVE TRACT MAP 33987 FROM RURAL RESIDENTIAL TO WATERCOURSE, WATERSHED & CONSERVATION AREA, AND FOR LOTS 3 AND 4 FROM RURAL RESIDENTIAL TO COMMERCIAL OFFICE FOR PROPERTIES IDENTIFIED WITH ASSESSORS PARCEL NUMBERS 376-410-002 AND 376-410-024.

THE CITY COUNCIL OF THE CITY OF WILDOMAR DOES ORDAIN AS FOLLOWS:

SECTION 1. Purpose and Authority

The purpose of this Ordinance is to amend the Official Zoning Map for the City of Wildomar for property located south of La Estrella Road north of Glazebrook Road and east of Interstate 15 and identified as portions of Assessor's Parcel Numbers 376-410-002 and 376-410-024.

SECTION 2. Findings

A. Compliance with the California Environmental Quality Act

The Initial Environmental Study for the proposed project was prepared by the County of Riverside and circulated for public review. The Initial Environment Study indicated that the proposed project would not have a significant adverse impact on the environment and that a Negative Declaration has been prepared in accordance with the California Environmental Quality Act (CEQA).

B Consistency with the General Plan

The proposed zoning designations are consistent with and implement the provisions of the General Plan and will not create problems detrimental to the public health, safety and general welfare of the residents of Wildomar.

SECTION 3. Action

The Official Zoning Map for the City of Wildomar is hereby amended for property identified with Assessor's Parcel Numbers 376-410-002 and 376-410-024 from Rural Residential (R-R) to General Residential (R-3), Rural Residential (R-R) to Watercourse, Watershed & Conservation Areas (W-1), Rural Residential (R-R) to One Family Dwelling (R-1), and Rural Residential (R-R) to Commercial Office (C-O) as shown in Exhibit A to this Resolution.

SECTION 4. Severability

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that

any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 5. Certification and Publication.

The City Clerk shall certify to the adoption of this ordinance and, within 15 days after its adoption, shall cause it to be published in accord with California law.

SECTION 6. Effective Date

This ordinance shall take effect thirty (30) days after its enactment in accordance with California law.

The foregoing Ordinance was introduced and placed upon its first reading at a regular meeting of the City Council of the City of Wildomar on the 25th day of February, 2009, and thereafter passed and adopted at the regular meeting of City Council of the City of Wildomar on the 11th day of March, 2009, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Scott Farnam, Mayor

ATTEST:

_____
Sheryll Schroeder, City Clerk

APPROVED AS TO FORM:

_____

Julie Hayward Biggs, City Attorney

ATTACHMENT D

RESOLUTION APPROVING TENTATIVE TRACT MAP 33987

RESOLUTION NO. 09-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR CONDITIONALLY APPROVING TENTATIVE TRACT MAP 33987 WHICH WILL SUBDIVIDE 24.37 ACRES LOCATED NEAR THE INTERSECTION OF LA ESTRELLA ROAD AND DEPASQUALLE STREET INTO FOUR LOTS AND ONE REMAINDER PARCEL

WHEREAS, Mr. Glen Daigle did duly file an application for a General Plan Amendment, Change of Zone, and Tentative Tract Map [PL08-0168] with the County of Riverside for a project named Bella Rosa;

WHEREAS, the County of Riverside Planning Commission, at a regularly scheduled meeting on June 11, 2008, recommended approval of the project to the Board of Supervisors;

WHEREAS, the County of Riverside was unable to present the project to the Board of Supervisors for consideration prior to the City of Wildomar's incorporation on July 1, 2008;

WHEREAS, the County of Riverside Planning Department did transfer the Bella Rosa project application to the City of Wildomar to complete the processing of the proposed project;

WHEREAS, the City of Wildomar adopted the existing County of Riverside General Plan to serve as the initial General Plan for the City on July 1, 2008;

WHEREAS, the City of Wildomar adopted the existing County of Riverside Zoning and Subdivision Ordinances to regulate land development activities within the City on July 1, 2008;

WHEREAS, the City Council, at a regularly scheduled meeting, conducted a duly noticed public hearing and considered the Project and the associated environmental review documents at which time interested persons had an opportunity to and did testify either in support or in opposition to this matter;

WHEREAS, at the conclusion of the City Council review and after due consideration of the testimony, the City Council conditionally approved the Application subject to and based upon the findings set forth hereunder;

WHEREAS, the City Council has approved a Mitigated Negative Declaration for the project; and

WHEREAS, that the above recitations are true and correct and are hereby incorporated by reference.

NOW THEREFORE, THE CITY COUNCIL FOR THE CITY OF WILDOMAR HEREBY RESOLVES AS FOLLOWS:

Section 1. Findings. The City Council, in approving the Project hereby makes the following findings as required by the City of Wildomar Municipal Code:

A. The proposed General Plan Amendment and Change of Zone are consistent with the City of Wildomar General Plan.

The General Plan Land Use Designations for the subject properties are Commercial Office and Medium High Density Residential. The Project site is located in an area identified for future urban scale development. The proposed Change of Zone is consistent with these General Plan Land Use Designations. According to the General Plan Land Use Zoning Consistency Table, the Commercial Office (CO) and General Residential (R-3) are rated "Highly Consistent" with the Commercial Office and Medium High Density Residential Land Use Designation.

B. The proposed condominium project is consistent with the requirements of the City of Wildomar General Plan and with all applicable requirements of State Law and ordinances of the City of Wildomar.

The proposed Tentative Tract Map (and associated condominium project) conforms to the City of Wildomar General Plan Medium High Density Residential Land Use Designation which anticipates future development between 5 and 8 dwelling units per acre. The project density for development on Lot 1 (including the preserved area provided in Lot 2) is 7.55 dwelling units per acre.

C. The site is physically suitable for the type and proposed density of development proposed by the proposed project.

The site is generally level, served by the necessary public utilities and is physically suitable for the type and proposed density of development proposed (as also noted in Finding B above). Furthermore, conditions of approval have been added to ensure that the project complies with all applicable development standards for the property.

D. The design of the project and the proposed improvements, with Conditions of Approval, will not likely cause significant environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The design of the tract map, condominium project, and proposed improvements, with Conditions of Approval, will not likely cause significant environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The project has been modified to preserve (and avoid any impacts to) the sensitive habitat areas along the primary watercourse.

Section 2. Environmental Compliance. A Mitigated Negative Declaration was prepared for this project. It was reviewed by both Riverside County Planning Staff and City of Wildomar Planning Staff, and duly noticed for public review by the County of Riverside. As such, the City Council finds that the Mitigated Negative Declaration prepared for this project satisfies the requirement of CEQA and is therefore approved. The Negative Declaration and related documents can be obtained in the office of the Planning Division.

Section 3. Conditions. The City Council of the City of Wildomar approves Tentative Tract Map 33978 subject to the project specific conditions set forth in Exhibit A, attached hereto, and incorporated herein by this reference together with any and all other necessary conditions that may be deemed necessary.

PASSED, APPROVED, AND ADOPTED by the City of Wildomar City Council this 25th day of February, 2009 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Sheryll Schroeder, City Clerk

Scott Farnam, Mayor

APPROVED AS TO FORM:

Julie Hayward Biggs, City Attorney

EXHIBIT A

CITY OF WILDOMAR

DRAFT CONDITIONS OF APPROVAL

Planning Application Number: TTM 33987

Project Description: Subdivision of 24.37 acres into five parcels; the approval of an 81-unit residential condominium project (Lot 1) and the preservation of the associated open space/habitat area (Lot 2)

Assessor's Parcel Number(s): 376-410-002 and 376-410-024

Approval Date: February 25, 2009 **Expiration Date:** February 25, 2012

Within 48 Hours of the Approval of This Project

1. The applicant/developer shall deliver to the Planning Department a cashier's check or money order made payable to the County Clerk in the amount of One Thousand Nine Hundred Forty Dollars and Seventy-Five Cents ($1,940.75) which includes the One Thousand Eight Hundred Seventy Six Dollar and Seventy-Five Cent ($1,876.75) fee, required by Fish and Game Code Section 711.4(d)(3) plus the Sixty-Four Dollar ($64.00) County administrative fee, to enable the City to file the Notice of Determination for the Mitigated or Negative Declaration required under Public Resources Code Section 21152 and California Code of Regulations Section 15075 If within said 48¬hour period the applicant/developer has not delivered to the Planning Department the check as required above, the approval for the project granted shall be void due to failure of condition [Fish and Game Code Section 711.4(c)].

2. The applicant shall review and sign the Acceptance of Conditions of Approval document that will be provided by the Planning Department staff and return the document with an original signature to the Planning Department.

General Requirements

3. The applicant and owner of the real property subject to this condition shall hereby agree to indemnify, protect, hold harmless, and defend the City with Legal Counsel of the City's own selection from any and all claims, actions, awards, judgments, or proceedings against the City to attack, set aside, annul, or seek monetary damages resulting, directly or indirectly, from any action in furtherance of and the approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voters of the City, concerning the Planning Application. The City shall be deemed for purposes of this condition, to include any agency or instrumentality thereof, or any of its elected or appointed officials, officers, employees, consultants, contractors, legal counsel, and agents. City shall promptly notify both the applicant and landowner of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves the right to take any and all action the City deems to be in the best interest of the City and its citizens in regards to such defense.

4. This tentative subdivision shall comply with the provisions of State of California Subdivision Map Act and Title 16 – Subdivisions (Ordinance 460), unless modified by the conditions listed herein. This tentative subdivision shall expire in three (3) years unless an application for an extension is filed at least 30 days prior to the expiration date. The City, for good cause, may grant up to five (5) one-year extensions of time, one year at a time.

5. No Final Map shall be recorded, and no grading or building permits shall be issued, until General Plan Amendment No. 762 and Change of Zone No. 7207 have been approved and adopted by the City Council and have been made effective.

6. The developer shall obtain City approval for any modifications or revisions to the approval of this project.

7. If subdivision phasing is proposed, a phasing plan shall be submitted to and approved by the Director of Planning.

8. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resource Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

9. If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance. (1) All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the archaeologist, the Native American tribal representative and the Planning Director to discuss the significance of the find. (2) At the meeting, the significance of the discoveries shall be discussed and after consultation with the Native American tribal representative and the archaeologist, a decision shall be made, with the concurrence of the Planning Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources. (3) Grading of further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation.

10. The developer, or the land divider's successor-in-interest, shall be responsible for the maintenance of any trail easement required under these conditions until such time as the maintenance is taken over by an appropriate maintenance district.

11. Any development on Lots 3, 4 or the Remainder Parcel shall require a separate entitlement/approval by the City of Wildomar.

12. No additional development is allowed within Lot 2.

13. Any future condominium plans shall be submitted to the Planning Director along with proof of consistency with these approved plans.

14. The development of the premises shall substantially conform to the approved site plan and elevations contained on file with the Planning Department.

15. No building permits for residential units may be issued prior to the recordation of the Final Map.

16. Landscaping installed for the project shall be continuously maintained to the satisfaction of the Planning Director. If it is determined that the landscaping is not being maintained, the Planning Director shall have the authority to require the property owner to bring the landscaping into conformance with the approved landscape plan. The continued maintenance of all landscaped areas shall be the responsibility of the developer or any successors in interest.

17. The Conditions of Approval specified in this resolution, to the extent specific items, materials, equipment, techniques, finishes or similar matters are specified, shall be deemed satisfied by staff's prior approval of the use or utilization of an item, material, equipment, finish or technique that City staff determines to be the substantial equivalent of that required by the Conditions of Approval. Staff may elect to reject the request to substitute, in which case the real party in interest may appeal, after payment of the regular cost of an appeal, the decision to the Planning Commission for its decision.

Materials & Locations	**Colors**
Main Building Stucco	Omega Stucco Products #12-Chenille
Ground Floor & Window Trim Stucco	Omega Stucco Products #403-Baked Potatoe
Main Building Accent Element Stucco	Omega Stucco Products #232-Sonoma
Roof Tile	Eagle Roofing #3723–Adobe Blend
Window	Milgard Window Color - Walnut

18. The Applicant shall submit to the Planning Department for the permanent files 8" X 10" glossy photographic color prints of the approved color and materials board and the colored architectural elevations. All labels on the color and materials board and Elevations shall be readable on the photographic prints.

19. Access shall be restricted to approved locations on the Final Map.

20. Parking for the project shall be shared across the site, including parking spaces in all lots that are a part of the project. If the project involves multiple lots, the applicant shall submit to the Planning Department a copy of a recorded Reciprocal Use Agreement, which provides for cross-lot access and parking across all lots.

21. If construction is phased, a construction staging area plan or phasing plan for construction equipment and trash shall be approved the Director of Planning.

22. No grading shall be performed without the prior issuance of a grading permit by the City.

23. Any model residential units/model home complex will require the approval of a Plot Plan by the Director of Planning prior to the issuance of a building permit.

24. Electrical power, telephone, communication, street lighting, and cable television lines shall be designed to be placed underground in accordance with Title 16 – Subdivisions (formerly Ordinance 460) and Ordinance 461, or as approved by the Engineering Department. The applicant is responsible for coordinating the work with the serving utility company.

25. Written permission shall be obtained from the affected property owners allowing the proposed grading and/or facilities to be installed outside of the tract boundaries.

26. The developer shall take reasonable steps to prevent off-highway vehicles from using the site whenever any portion of the site is used for soil stockpiling purposes. The developer shall secure all parcels on which a stockpile has been placed and shall prevent all off-highway vehicles from using the property.

27. All building construction and design components shall comply with the provisions of the most recently adopted edition of the California Building, Plumbing and Mechanical Codes, California Electrical Code, California Administrative Code, and the Wildomar Municipal Code.

28. Identify the disabled access from the public way to the main building entrance, the van accessible parking near the main entrance, and include details of all applicable disable access provisions and building setbacks on the appropriate plans.

Prior to Issuance of Grading Permit(s)

29. Prior to the issuance of a grading permit, it shall be the sole responsibility of the developer to obtain any and all easements and/or permissions necessary to perform the grading required for the project. A notarized letter of permission from all affected property owners or easement holders, or encroachment permit, is required for all off-site grading.

30. Prior to issuance of grading permits the developer shall provide the Building Department evidence of compliance with the requirement for owner/operators of grading or construction projects to comply with the requirements of the National Pollutant Discharge Elimination System (NPDES) and obtain a construction permit from the State Water Resource Control Board (SWRCB). Compliance is achieved through the submittal of a "Notice of Intent" (NOI), and the implementation of a Storm Water Pollution Prevention Plan (SWPPP), which includes a monitoring program and reporting plan.

31. Prior to the issuance of a grading permit, the developer shall prepare and submit to the Fire Department for approval a fire protection/vegetation management plan (if required) that should include but not limited to the following items: (1) fuel modification to reduce fire loading; (2) appropriate fire breaks according to fuel load, slope and terrain; (3) non flammable walls along common boundaries between rear yards and open space; (4) emergency vehicle access into open space areas shall be provided at intervals not to exceed 1500 feet; and (5) a homeowner's association or appropriate district shall be responsible for maintenance of all fire protection measures within open space areas. Fuel modification requirements in habitat conservation areas will require the concurrence with the appropriate conservation agency.

32. Prior to the issuance of a grading permit, the developer shall provide a copy of appropriate necessary permits or correspondence showing that the project to be exempt, from those government agencies from which approval is required by Federal or State

law (such as Corps of Engineers 404 permit, Department of Fish and Game 1603 Agreement, or Section 401 Water Quality Certification).

33. Provide the Planning Department with a copy of the underground water plans and electrical plans for verification of proper placement of transformer(s) and double detector check prior to final agreement with the utility companies.

34. Double detector check valves shall be either installed underground or internal to the project site at locations not visible from the public right-of-way, subject to review and approval by the Director of Planning.

35. Prior to the issuance of a grading permit, or building permit, whichever occurs first, the developer shall pay all necessary impact and mitigation fees required prior to the issuance of a grading permit. These fees include, but are not limited to, fees associated with the Stephens Kangaroo Rat Habitat Conservation Plan and the Western Riverside Multiple Species Habitat Conservation Plan.

36. Prior to the issuance of a grading permit, the developer shall pay the established fee for the Murrieta Creek/Wildomar Valley Area Drainage Plan. Drainage fees shall be paid (with cashier's check or money order only) to the District and a copy of the receipt provided to the City.

37. Prior to the issuance of a grading permit, the developer is required to enter into a Cultural Resources Treatment Agreement with the Pechanga Tribe. This Agreement will address the treatment and disposition of cultural resources and human remains that may be impacted as a result of the development of the project, as well as provisions for tribal monitors.

38. If cultural resources are discovered during the project construction (inadvertent discoveries), all work in the area of the find shall cease, and a qualified archaeologist and representatives of the Pechanga Tribe shall be retained by the project sponsor to investigate the find, and make recommendations as to treatment and mitigation.

39. A qualified archaeological monitor will be present and will have the authority to stop and redirect grading activities, in consultation with the Pechanga Tribe and their designated monitors, to evaluate the significance of any archaeological resources discovered on the property.

40. Tribal monitors from the Pechanga Tribe shall be allowed to monitor all grading, excavation and groundbreaking activities, including all archaeological surveys, testing, and studies, to be compensated by the developer.

41. The landowner agrees to relinquish ownership of all cultural resources, including all archaeological artifacts that are found on the project area, to the Pechanga Tribe for proper treatment and disposition.

42. All sacred sites are to be avoided and preserved.

43. A 30-day preconstruction Burrowing Owl Survey, in accordance with MSHCP guidelines and survey protocol, shall be conducted prior to ground disturbance. The results of the 30-day preconstruction survey shall be submitted to the Planning Department prior to the commencement of any grading activities or the scheduling a pre-grading meeting with the Engineering Department. Re-occupation of the site by this species may result in the need to revise grading plans so that take of "active" nests is avoided or alternatively, a

grading permit may be issued once the species has been actively relocated. If relocation is necessary, all relocation activities shall be performed outside of the nesting season (March 1 through August 31) by a qualified biologist.

44. The following requirements shall be included in the Notes Section of the Grading Plan: "No grubbing/clearing of the site shall occur prior to scheduling the pre-grading meeting with Engineering. All project sites containing suitable habitat for burrowing owls, whether owls were found or not, require a 30-day preconstruction survey that shall be conducted within 30 days prior to ground disturbance to avoid direct take of burrowing owls. If the results of the survey indicate that no burrowing owls are present on-site, then the project may move forward with grading, upon Planning Department approval. If burrowing owls are found to be present or nesting on-site during the preconstruction survey, then the following recommendations must be adhered to: Exclusion and relocation activities may not occur during the breeding season, which is defined as March 1 through August 31, with the following exception: From March 1 through March 15 and from August 1 through August 31 exclusion and relocation activities may take place if it is proven to the City and appropriate regulatory agencies (if any) that egg laying or chick rearing is not taking place. This determination must be made by a qualified biologist."

45. The following requirement shall be included in the Notes Section of the Grading Plan: "If at any time during excavation/construction of the site, archaeological/cultural resources, or any artifacts or other objects which reasonably appears to be evidence of cultural or archaeological resource are discovered, the property owner shall immediately advise the City of such and the City shall cause all further excavation or other disturbance of the affected area to immediately cease. The Director of Planning at his/her sole discretion may require the property owner to deposit a sum of money it deems reasonably necessary to allow the City to consult and/or authorize an independent, fully qualified specialist to inspect the site at no cost to the City, in order to assess the significance of the find. Upon determining that the discovery is not an archaeological/cultural resource, the Director of Planning shall notify the property owner of such determination and shall authorize the resumption of work. Upon determining that the discovery is an archaeological/cultural resource, the Director of Planning shall notify the property owner that no further excavation or development may take place until a mitigation plan or other corrective measures have been approved by the Director of Planning."

46. Prior to the issuance of a grading permit, the applicant shall submit, a Final Water Quality Management Plan (WQMP) in conformance with the requirements of the San Diego Regional Water Quality Control Board. The WQMP must be approved by the City prior to the issuance of a grading permit.

Prior to Issuance of Building Permit(s)

47. The developer shall submit a photometric plan, including the parking lot to the Planning Department, which meets the requirements of the Municipal Code and Chapter 8.80 (Light Pollution). The parking lot light standards shall be placed in such a way as to not adversely impact the growth potential of the parking lot trees.

48. Prior to the issuance of a building permit, the developer shall submit an acoustical study, performed by an acoustical engineer, to establish appropriate mitigation measures that shall be applied to individual dwelling units within the subdivision to reduce the ambient interior and exterior levels to 45 Ldn and 65 Ldn, respectively. If needed, the acoustical study shall include measures to reduce interior noises to appropriate levels. The

Building and Planning Departments shall review the studies and require modifications to the project plans to ensure compliance with the interior noise standards.

49. Prior to the issuance of a building permit, the developer shall submit three copies of Construction Landscaping and Irrigation Plans to be reviewed and approved by the Planning Department. These plans shall conform to the approved conceptual landscape plan, or as amended by these conditions. The location, number, genus, species, and container size of the plants shall be shown. The plans shall be consistent with Chapter 17.276 (Water-Efficient Landscape Requirements). The plans shall be accompanied by the appropriate filing fee (per the City of Wildomar Fee Schedule at time of submittal) and one copy of the approved Grading Plan.

50. Precise grading plans shall be provided to verify the accessibility for persons with disabilities.

51. Prior to issuance of a building permit, the developer shall submit Fire Alarm System Plans to the Fire Department for approval.

52. Prior to the issuance of a Building Permit, the applicant or developer shall separately submit two copies of the water system plans to the Fire Department for review and approval. Calculated velocities shall not exceed 10 feet per second. Plans shall conform to the fire hydrant types, location and spacing, and the system shall meet the fire flow requirements. Plans shall be signed and approved by a registered civil engineer and the local water company with the following certification: "I certify that the design of the water system is in accordance with the requirements prescribed by the Riverside County Fire Department."

53. The Landscaping and Irrigation Plans shall include water usage calculations per Chapter 17.276 (Water-Efficient Landscape Requirements) of the Municipal Code, the total cost estimate of plantings and irrigation (in accordance with approved plan), and the locations of all existing trees that will be saved consistent with the Tentative Map.

54. A landscape maintenance program shall be submitted for approval, which details the proper maintenance of all proposed plant materials to assure proper growth and landscape development for the long-term esthetics of the property. The approved maintenance program shall be provided to the landscape maintenance contractor who shall be responsible to carry out the detailed program.

55. Automatic irrigation shall be installed for all landscaped areas and complete screening of all ground mounted equipment from view of the public from streets and adjacent property for private common areas; front yards and slopes within individual lots; shrub planting to completely screen perimeter walls adjacent to a public right-of-way equal to 66 feet or larger; and, all which shall include, but may not be limited to, private slopes and common areas.

56. All Landscaping and Irrigation Plans shall ensure that all utilities are screened from public view in such a way that the screening does not appear to be an "after thought". Landscape construction drawings shall show and label all utilities and provide appropriate screening.

57. The plans shall include all hardscaping for equestrian trails and pedestrian trails within private common areas.

58. Wall and fence plans shall be consistent with the Conceptual Landscape Plans showing the height, location, and materials for all walls and fences:

    a. Decorative block for the perimeter of the project adjacent to a public right-of-way equal or larger than 66 feet as well as side yards for corner lots.

    b. Wrought iron or decorative block and wrought iron combination fencing to take advantage of views from the side or rear yards.

    c. Wood fencing shall be used for all side and rear yard fencing when not restricted/conditioned as may be outlined above.

59. Precise Grading Plans shall be consistent with the approved rough grading plans including all structural setback measurements.

60. All Water Quality Management Plan (WQMP) treatment devices to be located in the landscaped areas shall be shown on the construction landscape plans. If revisions are made to the WQMP design that result in any changes to the conceptual landscape plans after entitlement, the revisions will be shown on the construction landscape plans, subject to the approval of the Director of Planning.

61. Roof-mounted mechanical equipment shall not be permitted within the subdivision; however, solar equipment or any other energy saving devices shall be permitted with Director of Planning approval.

62. Building Construction Plans shall include detailed outdoor areas (including but not limited to trellises, decorative furniture, fountains, hardscape (choose or add to as appropriate) to match the style of the building subject to the approval of the Planning Director.

63. Minimum required fire flow shall be 1500 GPM for a two hour duration with a 20 PSI residual operating pressure, which must be available before any combustible material is placed on the job site. This fire flow is based on (1) type VN construction per the most recent adopted version of California Building Code, and (2) that the buildings have a fire sprinkler system.

64. A combination of on-site and off-site super fire hydrant(s) (6"x4"x 2-2-1/2"), will be located not less than 25 feet or more than 165 feet from any portion of the building as measured along approved vehicular travel ways. The required fire flow shall be available from any adjacent hydrants(s) in the system.

Prior to Release of Power, Building Occupancy, or Any Use Allowed by This Permit

For this section, the terms final inspection, release of occupancy, release of power, and building occupancy are used interchangeably to signify compliance with all applicable codes and requirement necessary for the safe and lawful occupation or use of a structure.

65. An applicant shall submit a letter of substantial conformance, subject to field verification by the Planning Director or his/her designee. Said letter of substantial conformance shall be prepared by the project designer and shall indicate that all plant materials and irrigation system components have been installed in accordance with the approved final landscape and irrigation plans. If a certificate of use and occupancy is not required for

the project, such letter of substantial conformance shall be submitted prior to scheduling for the final inspection.

66. The developer shall pay all necessary impact and mitigation fees required prior to the issuance of a grading permit. These fees include, but are not limited to, fees associated with the Transportation Uniform Mitigation Fee (TUMF), Quimby Fee, and Development Impact Fees.

67. Occupancy releases will not be issued to Building and Safety for any lot exceeding 50% of the total recorded residential lots within Lot 2 prior to completion of the following improvements: (1) Primary and alternate (secondary) access roads shall be completed and paved to finish grade according to the limits indicated in the improvement plans and as noted elsewhere in these conditions. (2) Interior roads shall be completed and paved to finish grade according to the limits indicated in the improvement plans and as noted elsewhere in these conditions. All curbs, gutters, sidewalks and driveway approaches shall be installed. (3) Storm drains and flood control facilities shall be completed according to the improvement plans and as noted elsewhere in these conditions. Written confirmation of acceptance for use by the Flood Control District, if applicable, is required. (4) Water system, including fire hydrants, shall be installed and operational, according to the improvement plans and as noted elsewhere in these conditions. All water valves shall be raised to pavement finished grade. Written confirmation of acceptance from water purveyor is required. (5) Sewer system shall be installed and operational, according to the improvement plans and as noted elsewhere in these conditions. All sewer manholes shall be raised to pavement finished grade. Written confirmation of acceptance from sewer purveyor is required.(6) Landscaping and irrigation, water and electrical systems shall be installed and operational in accordance with Ordinance 461.

68. Prior to release of occupancy, the applicant shall prepare and submit to the Fire Department for approval, a site plan designating required fire lanes with appropriate lane painting and/or signs.

69. Prior to release of occupancy, the developer shall locate onsite, Site Display Boards containing an illuminated diagrammatic representation of the actual layout which shows name of complex, all streets, building designators, unit members, and fire hydrant locations within dimension and located next to roadway access. The minimum size shall be no less than 4 feet x 4 feet.

70. Prior to release of occupancy, the developer shall install the manual and automatic Fire Alarm System to the satisfaction of the Chief Building Official.

71. Prior to release of occupancy the developer shall install portable fire extinguishers with a minimum rating of 2A-10BC and signage. These Fire Extinguishers shall be located in public areas and located in recessed cabinets mounted 48" (inches) on center above floor level with maximum 4" projection from the wall.

72. Prior to release of occupancy of the Recreation Center building, a U.L. 300 hood duct fire extinguishing system must be installed over the cooking equipment. Wet chemical extinguishing system must provide automatic shutdown of all electrical components and outlets under the hood upon activation. The system must be installed by a licensed C-16 contractor. Plans must be submitted with current fee to the Fire Department for review and approval prior to installation. This system may be connected to the alarm system for the rest of the project.

73. Prior to release of occupancy, the project proponent shall complete annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, County Service Area and/or Assessment District as approved by the City Engineer for maintenance of traffic signals within public road rights-of-way for the required traffic signal(s), continuous landscape maintenance within for continuous landscape maintenance within public road rights-of-way, in accordance with Ordinance 461.

74. Prior to release of occupancy, electrical power, telephone, communication, street lighting, and cable television lines shall be placed underground in accordance with Title 16 – Subdivisions (formerly Ordinance 460) and Ordinance 461, or as approved by the Transportation Department. This also applies to existing overhead lines which are 33.6 kilovolts or below along the project frontage and between the nearest poles offsite in each direction of the project site. A certificate should be obtained from the pertinent utility company and submitted to the Department of Transportation as proof of completion.

75. Prior to release of occupancy, install streetlights along the streets associated with development in accordance with the approved street lighting plan and standards of Title 16 – Subdivisions (formerly Ordinance 460) and Ordinance 461.

76. The applicant shall be required to screen all loading areas and roof mounted mechanical equipment from view of the adjacent residences and public right-of-ways. If upon final inspection it is determined that any mechanical equipment, roof equipment or backs of building parapet walls are visible from any portion of the public right-of-way adjacent to the project site, the developer shall provide screening by constructing a sloping tile covered mansard roof element or other screening reviewed and approved by the Director of Planning.

77. All required landscape planting and irrigation shall have been installed consistent with the approved construction plans and shall be in a condition acceptable to the Director of Planning. The plants shall be healthy and free of weeds, disease, or pests. The irrigation system shall be properly constructed and in good working order.

78. Front yard and slope landscaping within individual lots shall be completed for inspection.

79. Private common area landscaping shall be completed for inspection prior to issuance of the occupancy permit.

80. Performance securities, in amounts to be determined by the Director of Planning, to guarantee the maintenance of the plantings in accordance with the approved construction landscape and irrigation plan shall be filed with the Planning Department for a period of one year from final Certificate of Occupancy. After that year, if the landscaping and irrigation system have been maintained in a condition satisfactory to the Director of Planning, the bond shall be released upon request by the applicant.

81. Each parking space reserved for the handicapped shall be identified by a permanently affixed reflectorized sign constructed of porcelain on steel, beaded text or equal, displaying the International Symbol of Accessibility. The sign shall not be smaller than 70 square inches in area and shall be centered at the interior end of the parking space at a minimum height of 80 inches from the bottom of the sign to the parking space finished grade, or centered at a minimum height of 36 inches from the parking space finished grade, ground, or sidewalk. A sign shall also be posted in a conspicuous place, at each entrance to the off-street parking facility, not less than 17 inches by 22 inches, clearly and conspicuously stating the following:

"Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed by telephoning (951) 696-3000"

82. In addition to the above requirements, the surface of each parking place shall have a surface identification sign duplicating the Symbol of Accessibility in blue paint of at least three square feet in size.

83. All site improvements including but not limited to parking areas and striping shall be installed.

84. Blue retro-reflective pavement markers shall be mounted on private street, public streets and driveways to indicate location of fire hydrants. The placement of pavement markers shall be approved by the Riverside County Fire Department.

85. All of the foregoing conditions shall be complied with prior to occupancy or any use allowed by this permit.

Prior to Recordation of the Final Map

86. A copy of the Final Map shall be submitted to and approved by the Planning and Engineering Departments prior to scheduling the Final Map for approval by the City Council.

87. Prior to recordation of the Final Map, the Planning Department shall determine if the deposit based fees for the project are in a negative balance, and receive the appropriate payment for any negative balance as well as any anticipated additional project-related expenses.

88. A copy of the Environmental Constraint Sheet (ECS) shall approved by the Planning Department with the following notes:

    a. This property is located within 45 miles of Mount Palomar Observatory. All proposed outdoor lighting systems shall comply with the California Institute of Technology, Palomar Observatory recommendations, Ordinance No. 655.

    b. This property is within a County-Designated Fault Hazard Zone. County Geologic Report No. 1422 was prepared for this project. Active faulting was identified as a potential geologic hazard on this property. Structures for human occupancy shall not be allowed in the fault hazard area within the recommended fault setbacks established in GEO No. 1422, and as shown on this Environmental Constraints Sheet, the original of which is on file at the office of the Riverside County Surveyor.

    c. This property is located within the 100-year floodplain.

    d. This property is within a Liquefaction Hazard Zone.

    e. This property is within a Subsidence Zone.

    f. Lot 2 is designated for wildlife corridor and habitat purposes.

89. A conservation easement encompassing the Wildlife Corridor within Lot 2, as shown on the Tentative Map, shall be delineated on the Final Map.

90. Prior to the recordation of the Final Map, the improvement plans for the required improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the project boundaries at a grade and alignment as approved by the Riverside County Transportation Department. Completion of road improvements does not imply acceptance for maintenance by County.

91. Prior to the recordation of the Final Map, the off-site rights-of-way required for said access road(s) shall be accepted to vest title in the name of the public.

92. Prior to the recordation of the Final Map, any easement not owned by a public utility, public entity or subsidiary, not relocated or eliminated prior to final map approval, shall be delineated on the final map in addition to having the name of the easement holder, and the nature of their interests, shown on the map.

93. Lot access shall be restricted along Depasqualle Road and La Estrella Road to the approved driveway locations noted on the Final Map.

94. Prior to the recordation of the Final Map, a signing and striping plan is required for this project. The applicant shall be responsible for any additional paving and/or striping removal caused by the striping plan. All work prepared shall be to the satisfaction of the City Engineer.

95. The land divider shall install street name sign(s) in accordance with County Standard No. 816 or directed by the City Engineer.

96. The street design and improvement concept of this project shall be coordinated with Tentative Tract Map 30155.

97. The project proponent shall comply in accordance with landscaping requirements within public road rights-of-way, in accordance with Ordinance 461. Landscaping shall be improved within Depasqualle Road, La Estrella Road, and Grazebrook Road. Landscaping plans shall be submitted on standard County Plan sheet format (24" X 36"). Landscaping plans shall be submitted with the street improvement plans. If landscaping maintenance to be annexed to County Service Area, or Landscaping and Lighting Maintenance District, landscaping plans shall depict only such landscaping, irrigation and related facilities as are to be placed within the public road rights-of-way.

98. The developer/owner shall submit a preliminary soils and pavement investigation report addressing the construction requirements within the road right-of-way.

99. A separate street light plan is required for this project. Street lighting shall be designed in accordance with Title 16 – Subdivisions (formerly Ordinance 460) and Streetlight Specification Chart found in Specification Section 22 of Ordinance 461. For projects within SC Edison boundaries use Ordinance 461, Standard No's 1000 or 1001.

100. The developer shall contact the City Engineer who determines whether the development is within an existing CSA or will require annexation into the CSA. The costs associated with the annexation to or formation of a CSA shall be at the developers cost and shall be completed prior to the approval of the Final Map.

101. Prior to the recordation of the Final Map, landscaping within public road rights-of-way shall comply with City standards and require approval by the City Engineer. Assurance of continuing maintenance is required by filing an application for annexation into a County Service Area, Landscaping and Lighting Maintenance District No. 89-1-Consolidated and/or Assessment District.

102. Prior to the recordation of the Final Map, or any phase thereof, the project proponent shall pay fees in accordance with Zone A of the Southwest Road and Bridge Benefit District.

103. Prior to the recordation of the final map, or any phase thereof, the project proponent shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of recordation.

104. Should this project lie within any assessment/benefit district, the applicant shall, prior to recordation, make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district.

105. All corner cutbacks shall be applied per Standard 805, Ordinance 461, except for corners at Entry streets intersecting with General Plan roadways, they shall be applied per Exhibit 'C' of the Countywide Design Guidelines.

106. Electrical power, telephone, communication, street lighting, and cable television lines shall be designed to be placed underground in accordance with Title 16 – Subdivisions (formerly Ordinance 460) and Ordinance 461, or as approved by the Transportation Department. The applicant is responsible for coordinating the work with the serving utility company. This also applies to existing overhead lines which are 33.6 kilovolts or below along the project frontage and between the nearest poles offsite in each direction of the project site. A disposition note describing the above shall be reflected on design improvement plans whenever those plans are required. A written proof for initiating the design and/or application of the relocation issued by the utility company shall be submitted to the City Engineer for verification purposes.

107. The project proponent shall file an application for annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated for graffiti abatement of walls and other permanent structures along City maintained road rights-of-way.

108. The following street improvements shall be constructed.

a. Depasqualle Road is designated as Collector Road and shall be improved with 44' full-width AC pavement, 6" concrete curb and gutter and 6' sidewalk within the 74' full-width dedicated right-of-way in accordance with County Standard No. 103, Section "A". (44'/74') A 6' sidewalk shall be constructed adjacent to the right-of-way line within the 15' parkway.

b. La Estrella Street (from Depasqualle Road easterly to 345') is designated as Collector Road and shall be improved with 44' full-width AC pavement, 6" concrete curb and gutter and 6' sidewalk within the 74' full-width dedicated right-of-way in accordance with County Standard No. 103, Section "A". (44'/74') A 6' sidewalk shall be constructed adjacent to the right-of-way line within the 15' parkway.

c. La Estrella Street (from 345' east of Depasqualle Road to western end of the existing improvements to La Estrella Road) is designated as Collector Road and

shall be improved with 34' part-width AC pavement, (22' on the project side and 12' on opposite side of the centerline), 6" concrete curb and gutter and 6' sidewalk within the 52' part-width dedicated right-of-way (37' project side, and 15' opposite side of centerline), in accordance with County Standard No. 103, Section "A". A 6' sidewalk (project side) shall be constructed adjacent to the right-of-way line within the 15' parkway.

d. Glazebrook Road along tract boundary (including along the frontage of the Remainder Parcel) is designated as a Local Road and shall be improved with 32' part-width AC pavement, (20' on the project side and 12' on opposite side of the centerline), 6" concrete curb and gutter and 5' sidewalk within the 45' part-width dedicated right-of-way (30' project side, and 15' opposite side of centerline), in accordance with County Standard No. 105, Section "A". A 5' sidewalk (project side) shall be constructed adjacent to the right-of-way line within the 10' parkway.

109. The landowner/developer shall provide/acquire sufficient public off-site rights-of-way to provide for the extension of La Estrella Road to a paved access road. Should the applicant fail to provide/acquire said off-site right-of-way, the map shall be returned for redesign. The applicant shall provide the appropriate environmental clearances for said off-site improvements prior to recordation or the signature of any street improvement plans. Said off-site access road shall be the easterly extension of La Estrella Street to a paved County maintained La Estrella Street.

110. Prior to Recordation of the Final Map, the project proponent shall file an application for annexation into County Service Area 152 (CSA 152), or a similar mechanism, for street sweeping through the City Engineer.

111. Prior to recordation of the Final Map, the intersection of George Avenue (NS) and Clinton-Keith Road (EW) shall be improved to provide the following geometrics: Northbound: one shared left-turn/through/right-turn lane Southbound: one shared left-turn/through/right-turn lane Eastbound: one left-turn lane, one through lane, one right-turn lane westbound: one left-turn lane, one shared through/right-turn lane or as approved by the City Engineer. All improvements listed are requirements for interim conditions only. Full right-of-way and roadway half sections adjacent to the property for the ultimate roadway cross-section per the County's Road Improvement Standards and Specifications must be provided. Any off-site widening required to provide these geometrics shall be the responsibility of the landowner/developer.

112. The project proponent shall comply in accordance with traffic signal requirements within public road rights-of-way, as directed by the City Engineer. Assurance of traffic signal maintenance is required by filing an application for annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated for the required traffic signal(s).

113. The City shall approve a Street Light Plan, prepared by the developer and designed in accordance with Title 16 – Subdivisions (formerly Ordinance 460) and the Streetlight Specification Chart found in Specification Section 22 of Ordinance 461 (Standard No's 1000 or 1001).

114. Prior to recordation of the Final Map, water and sewer system plans and specifications shall approved by the Elsinore Valley Municipal Water District and the Department of Environmental Health (if required).

115. Prior to recordation of the Final Map, financial arrangements (securities posted) must be made for the water and sewer improvement plans and be approved by City Attorney.

116. Prior to recordation of the Final Map, the land divider shall form or annex to a trails maintenance district or other maintenance district approved by the Planning Director, for the maintenance of a ten- to fourteen-foot (10'-14') wide community trail located along open space area. The land divider, or the land divider's successors-in-interest or assignees, shall be responsible for the maintenance of the community trail easement until such time as the maintenance is taken over by the appropriate maintenance district.

117. Prior to recordation of the Final Map, a copy of the improvement plans, grading plans, final map, environmental constraint sheet, BMP improvement plans, and any other necessary documentation along with supporting hydrologic and hydraulic calculations shall be submitted to the Water Conservation and Flood Control District for review, if District approval is required. All submittals shall be date stamped by the engineer and include a completed Flood Control Deposit Based Fee Worksheet and the appropriate plan check fee deposit.

118. Prior to recordation of the Final Map, inspection and maintenance of any flood control facilities to be constructed with this tract must be performed by either the City Engineer or the Flood Control District. The developer must request in writing that one of these agencies accept the proposed system. The request shall note the project number, location, briefly describe the system (sizes and lengths) and include an exhibit that shows the proposed alignment.

119. Requests to the District shall be addressed to the General Manager-Chief Engineer, Attn: Chief of the Planning Division. If the District is willing to maintain the proposed facility three items must be accomplished prior to recordation of the final map or starting construction of the drainage facility (1) the developer shall submit to the District the preliminary title reports, plats and legal descriptions for all right of way to be conveyed to the District and secure that right of way to the satisfaction of the District; (2) an agreement with the District and any maintenance partners must be executed which establishes the terms and conditions of inspection, operation and maintenance; and (3) plans for the facility must be signed by the District's General Manager-Chief Engineer. The plans cannot be signed prior to execution of the agreement. An application to draw up an agreement must be submitted to the attention of the District's Administrative Services Section. All right of way transfer issues must be coordinated with the District's Right of Way Section. The developer will need to submit proof of flood control facility bonds and a certificate of insurance to the District's Inspection section before a pre-construction meeting can be scheduled.

120. The rights-of-way for all required access road(s) shall be accepted to vest title in the name of the public if not already accepted.

121. Prior to recordation of the Final Map, the developer shall submit written proof to the Planning Director that the subject property has been annexed to County Service Area No. 152.

122. Prior to recordation of the Final Map, the project proponent shall comply in accordance with landscaping requirements within public road rights-of-way, in accordance with Ordinance 461. Landscaping shall be improved within Depasqualle Road, La Estrella Road, and Grazebrook Road. Landscaping plans shall be submitted with the street improvement plans. If landscaping maintenance to be annexed to County Service Area, or Landscaping and Lighting Maintenance District, landscaping plans shall depict only such landscaping, irrigation and related facilities as are to be placed within the public road rights-of-way.

123. A copy of the Covenants, Conditions, and Restrictions (CC&Rs) shall be submitted and approved by the Planning Director, with the appropriate fees. The CC&Rs shall include liability insurance and methods of maintaining open space, recreation areas, parking areas, private roads, exterior of all buildings and all landscaped and open areas including parkways, as well as a provisions indicating that the homeowners association may not be terminated or dissolved with the permission of the City.

124. The CC&Rs shall be in the form and content approved by the Planning Director, City Engineer and the City Attorney and shall include such provisions as are required by this approval and as said officials deem necessary to protect the interests of the City and its residents.

125. The CC&Rs shall be prepared at the developer's sole cost and expense.

126. The CC&Rs and Articles of Incorporation of the Property Owners Association are subject to the approval of the Planning and Engineering Departments, and the City Attorney. They shall be recorded concurrent with the final map. A recorded copy shall be provided to the City.

127. The CC&Rs shall provide for the effective establishment, operation, management, use, repair and maintenance of all common areas, drainage and facilities.

128. The CC&Rs shall provide that all property shall be maintained so as not to create a public nuisance.

129. The CC&Rs shall provide that if the property is not maintained in the condition required by the CC&Rs, then the City, after making due demand and giving reasonable notice, may enter the property and perform, at the owner's sole expense, any maintenance required thereon by the CC&Rs or the City Ordinances. The property shall be subject to a lien in favor of the City to secure any such expense not promptly reimbursed.

130. Every owner of a suite or lot governed by CC&Rs shall own as an appurtenance to such suite or lot, either: (1) an undivided interest in the common areas and facilities, or (2) a share in the corporation, or voting membership in an association owning the common areas and facilities.

131. All open areas and landscaping governed by CC&R shall be permanently maintained by the association or other means acceptable to the City. Such proof of this maintenance shall be submitted to the Planning and Engineering Departments prior to the issuance of building permits.

132. Reciprocal access easements and maintenance agreements ensuring access to all parcels and joint maintenance of all roads, drives or parking areas shall be provided by the CC&Rs or by deeds and shall be recorded concurrent With the map or prior to the issuance of building permit where no map is involved.

133. An Article must be added to every set of CC&Rs to read as follows:

"Article _____

CONSENT OF CITY OF WILDOMAR

1 The Conditions of Approval of Tentative Tract Map Number 33987 requires the City to review and approve the CC&Rs for the Parcel.

2. Declarant acknowledges that the City has reviewed these CC&Rs and that its review is limited to a determination of whether the proposed CC&Rs properly implement the requirements of the Conditions of Approval for the Parcel. The City's consent to these CC&Rs does not contain or imply any approval of the appropriateness or legality of the other provisions of the CC&Rs, including, without limitation, the use restrictions, private easements and encroachments, private maintenance requirements, architecture and landscape controls, assessment procedures, assessment enforcement, resolution of disputes or procedural matters.

3. In the event of a conflict between the Conditions of Approval of the land use entitlements issued by the City for the Parcel or Federal, State, or local laws, ordinances, and regulations and these CC&Rs, the provisions of the Conditions of Approval and Federal, State or local laws, ordinances, and regulations shall prevail, notwithstanding the language of the CC&Rs.

4. These CC&Rs shall not be terminated, amended or otherwise modified without the express written consent of the Director of Planning of the City of Wildomar. "

134. An Article must be added to every set of CC&Rs, following the Declarant's signature, to read as follows:

"Article _____

CONSENT OF CITY OF WILDOMAR

The Conditions of Approval for Tentative Tract Map No. require the City of Wildomar to review and approve the CC&Rs for the Parcel. The City's review of these CC&Rs has been limited to a determination of whether the proposed CC&Rs properly implement the requirements of the Conditions of Approval for the Parcel. The City's consent to these CC&Rs does not contain or imply any approval of the appropriateness or legality of the other provisions of the CC&Rs, including, without limitation, the use restrictions, private easements and encroachments, private maintenance requirements, architecture and landscape controls, assessments, enforcement of assessments, resolutions of disputes or procedural matters. Subject to the limitations set forth herein, the City consents to the CC&Rs.

_____
Director of Planning

Approved as to Form

_____
City Attorney"

135. No lot or suite in the development shall be sold unless a corporation, association, property owners group or similar entity has been formed with the right to assess all properties individually owned or jointly owned which have any rights or interest in the use of the common areas and common facilities in the development, such assessment

power to be sufficient to meet the expenses of such entity, and with authority to control, and the duty to maintain, all of said mutually available features of the development Such entity shall operate under recorded CC&Rs, which shall include compulsory membership of all owners of lots and/or suites and flexibility of assessments to meet changing costs of maintenance, repairs, and services. Recorded CC&Rs shall permit enforcement by the City for provisions required as Conditions of Approval. The developer shall submit evidence of compliance with this requirement to, and receive approval of, the City prior to making any such sale. This condition shall not apply to land dedicated to the City for public purposes.

136. CC&Rs shall be finalized and recorded at the time of Final Map Recordation.

137. One copy of the final recorded CC&Rs shall be provided to the Planning Department

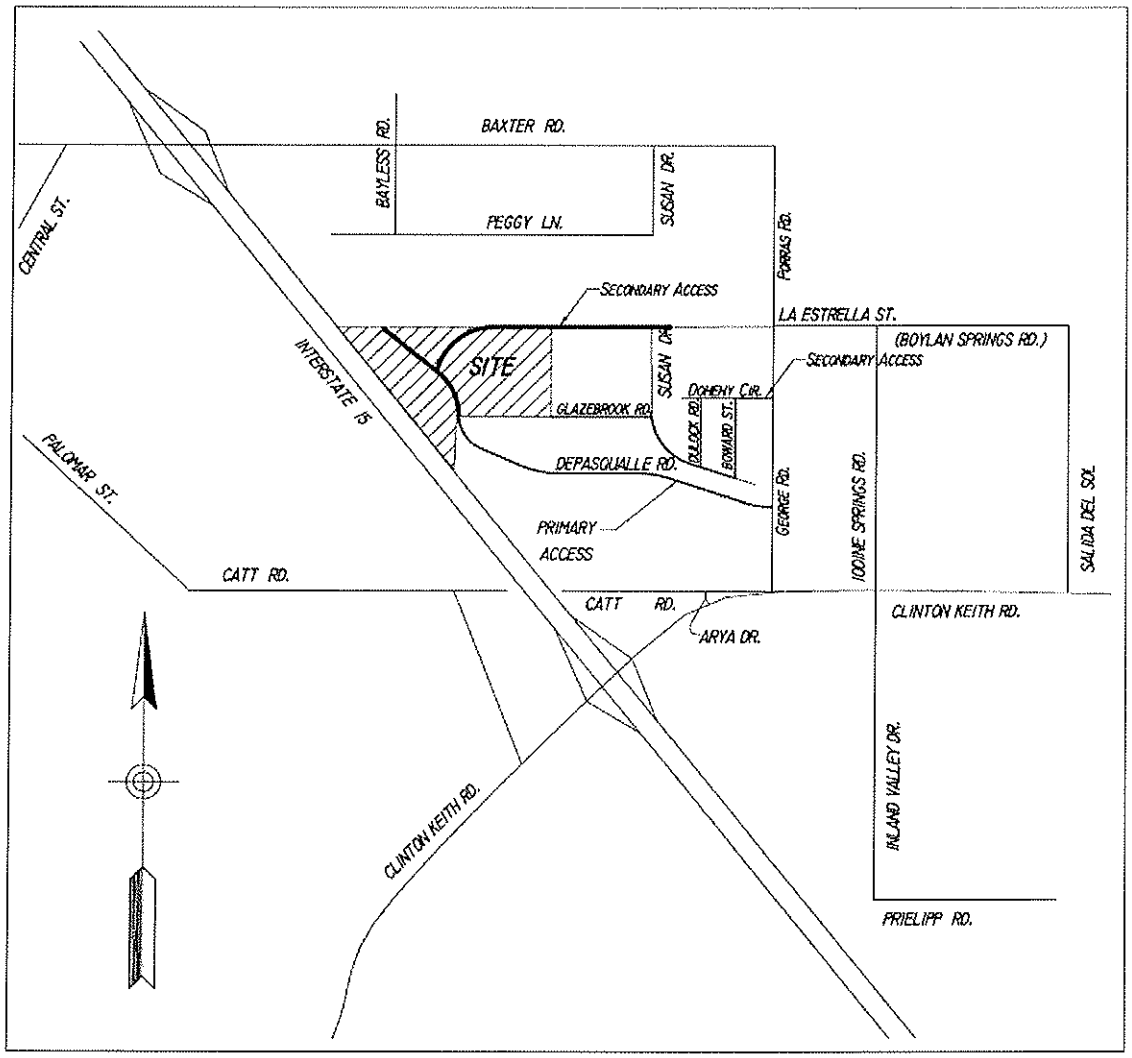
OUTSIDE AGENCIES REQUIREMENTS:

138. The applicant shall comply with the recommendations set forth in the Elsinore Valley Municipal Water District transmittal.

ATTACHMENT E

VICINITY MAP

PROJECT VICINITY MAP



VICINITY MAP

N.T.S.

SEC. 34, TOWNSHIP 5 S, RANGE 3 W

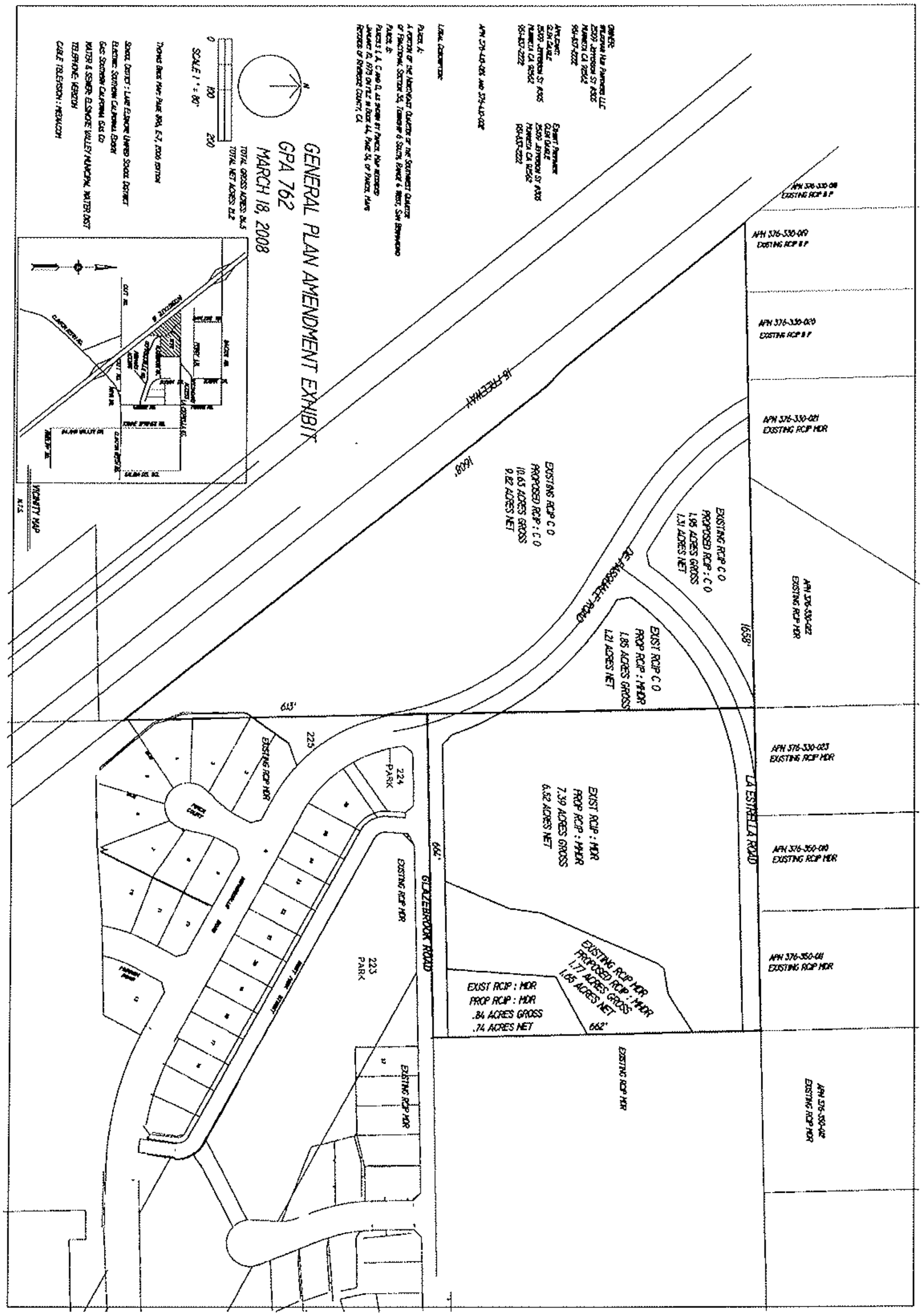
THOMAS BROTHERS 2006 EDITION,

PAGE 897 GRIDS E-7 AND F-7 (RIVERSIDE COUNTY)

ATTACHMENT F

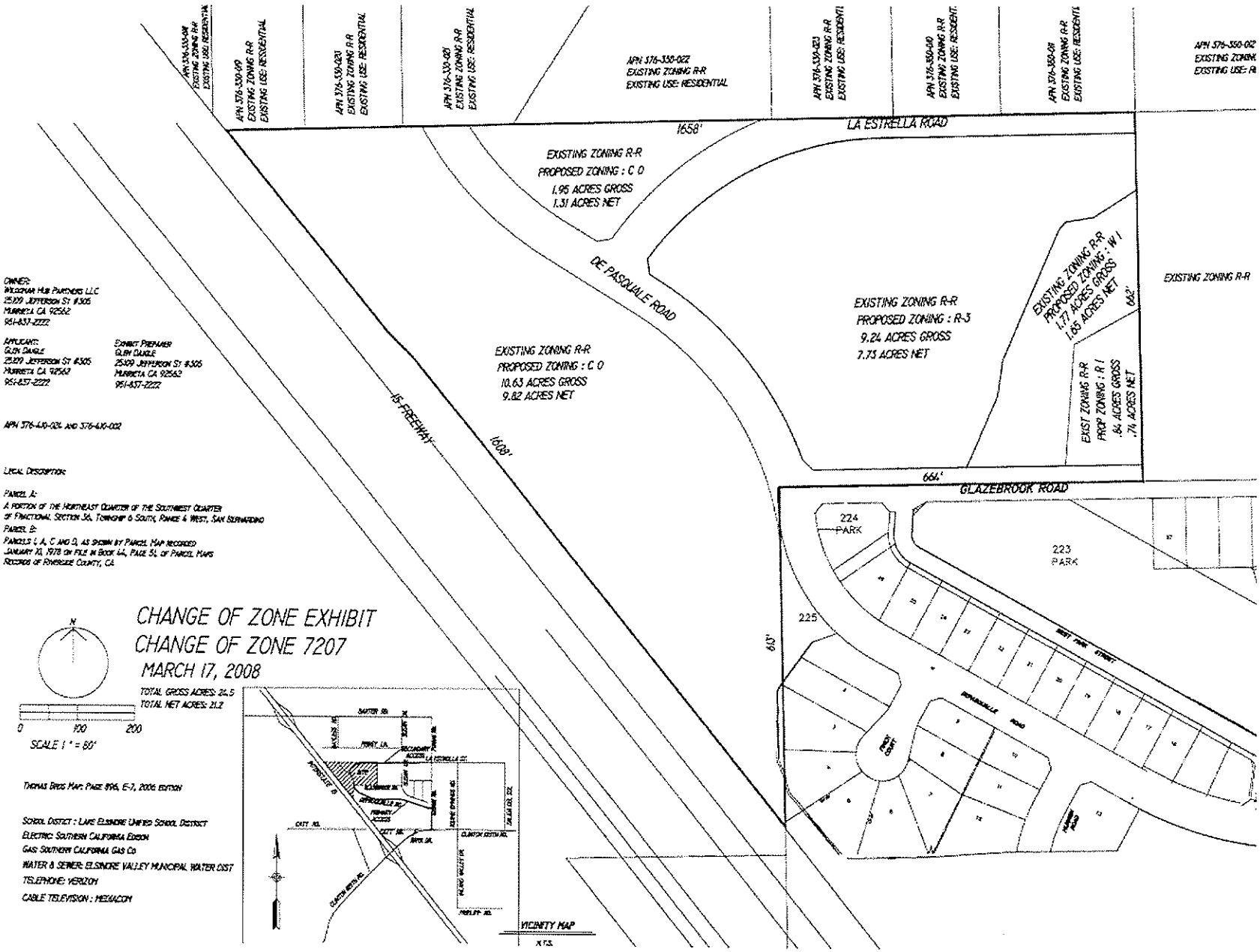
PROPOSED GENERAL PLAN LAND USE DESIGNATIONS

PROPOSED GENERAL PLAN LAND USE DESIGNATIONS



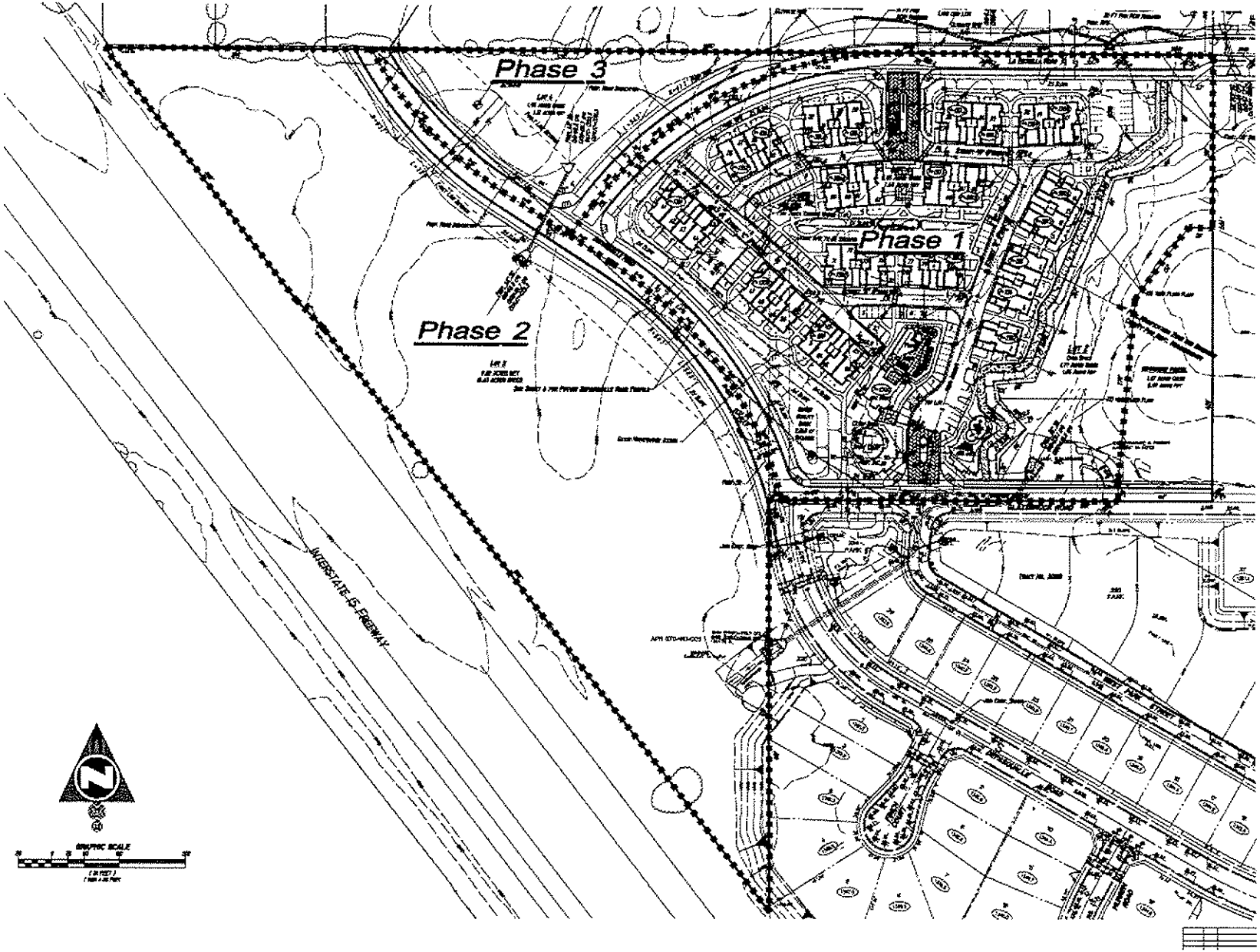
ATTACHMENT G

PROPOSED ZONING DESIGNATIONS


APN 376-330-022
EXISTING ZONING R-R
EXISTING USE: RESIDENTIAL
LA ESTRELLA ROAD
1658'
EXISTING ZONING R-R
PROPOSED ZONING : C O
1.95 ACRES GROSS
1.31 ACRES NET
DE PASQUALE ROAD
EXISTING ZONING R-R
PROPOSED ZONING : C O
10.63 ACRES GROSS
9.82 ACRES NET
EXISTING ZONING R-R
PROPOSED ZONING : R-3
9.24 ACRES GROSS
7.73 ACRES NET
EXISTING ZONING R-R
PROPOSED ZONING : W I
1.77 ACRES GROSS
1.65 ACRES NET
EXIST ZONING R-R
PROP ZONING : R I
.84 ACRES GROSS
.74 ACRES NET
EXISTING ZONING R-R
15 FREEWAY
1608'
664'
GLAZEBROOK ROAD
224
PARK
223
PARK
225
613'
OWNER:
WILDCAT HILL PARTNERS LLC
25309 JEFFERSON ST #305
MURRIETA CA 92562
951-837-2222
APPLICANT:
GLEN DAGLE
25309 JEFFERSON ST #305
MURRIETA CA 92562
951-837-2222
EXHIBIT PREPARER
GLEN DAGLE
25309 JEFFERSON ST #305
MURRIETA CA 92562
951-837-2222
APN 376-430-001 AND 376-430-002
LEGAL DESCRIPTION:
PARCEL A:
A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 36, TOWNSHIP 6 SOUTH, RANGE 4 WEST, SAN BERNARDINO
PARCEL B:
PARCELS 1, A, C AND D, AS SHOWN BY PARCEL MAP RECORDED JANUARY 31, 1978 IN FILE IN BOOK 44, PAGE 51, OF PARCEL MAPS RECORDS OF RIVERSIDE COUNTY, CA
CHANGE OF ZONE EXHIBIT
CHANGE OF ZONE 7207
MARCH 17, 2008
TOTAL GROSS ACRES: 22.5
TOTAL NET ACRES: 21.2
N
0
100
200
SCALE 1" = 80'
THOMAS BROS MAP: PAGE 896, E-7, 2006 EDITION
SCHOOL DISTICT : LAKE ELSINORE UNIFIED SCHOOL DISTRICT
ELECTRIC: SOUTHERN CALIFORNIA EDISON
GAS: SOUTHERN CALIFORNIA GAS CO
WATER & SEWER: ELSINORE VALLEY MUNICIPAL WATER DIST
TELEPHONE: VERIZON
CABLE TELEVISION : MEDIACOM
VICINITY MAP
N.T.S.

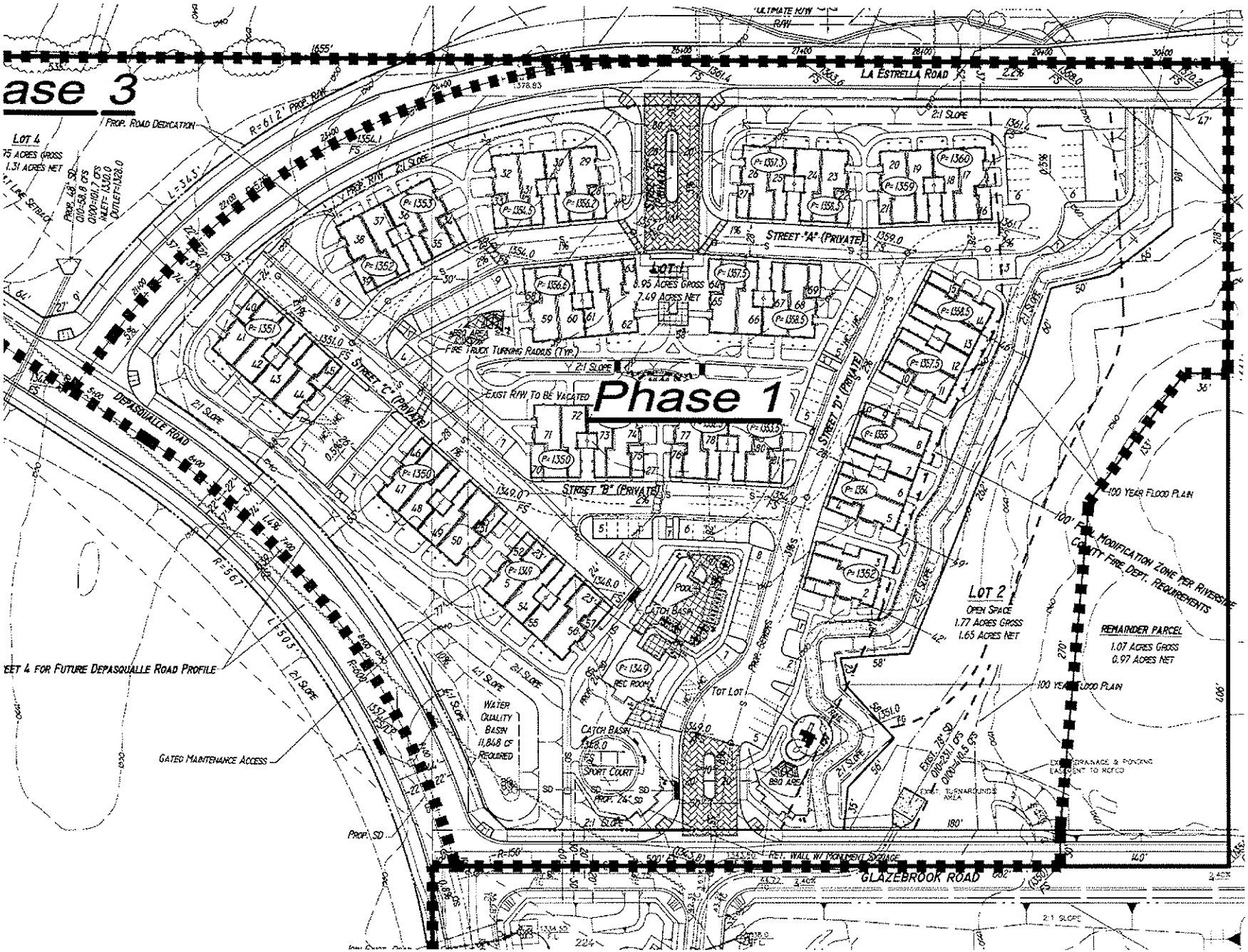
ATTACHMENT H

TENTATIVE TRACT MAP 33987


Phase 3
Phase 1
Phase 2
INTERSTATE 15 FREEWAY
GRAPHIC SCALE

ATTACHMENT I

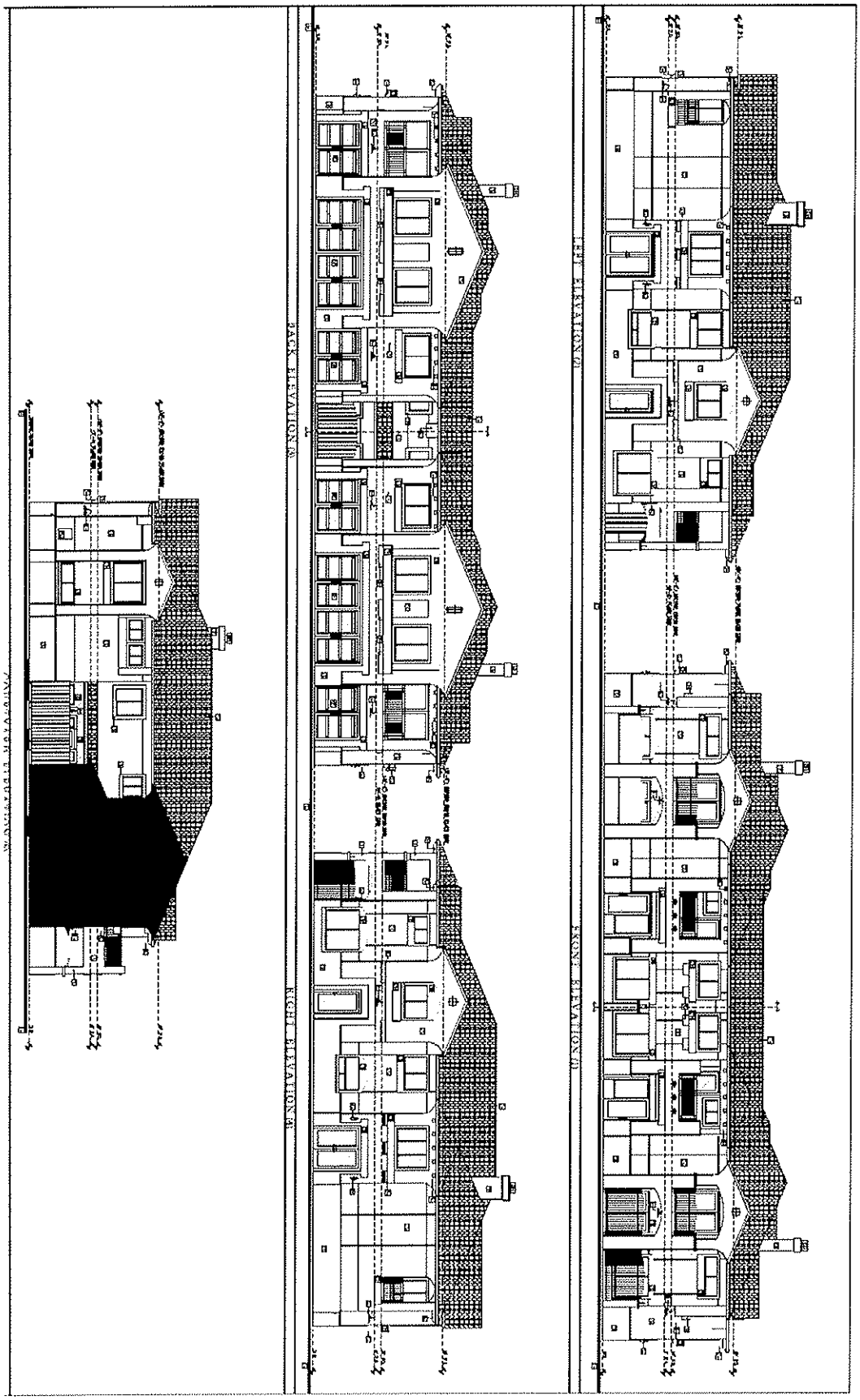
RESIDENTIAL SITE PLAN


ase 3
Phase 1
LA ESTRELLA ROAD
GLAZEBROOK ROAD
DEPASQUALLE ROAD
STREET "A" (PRIVATE)
STREET "B" (PRIVATE)
STREET "C" (PRIVATE)
STREET "D" (PRIVATE)
LOT 1
0.95 ACRES GROSS
7.49 ACRES NET
LOT 2
OPEN SPACE
1.77 ACRES GROSS
1.65 ACRES NET
REMAINDER PARCEL
1.07 ACRES GROSS
0.97 ACRES NET
LOT 4
.75 ACRES GROSS
1.31 ACRES NET
PROP. ROAD DEDICATION
FIRE TRUCK TURNING RADIUS (TYP.)
EXIST R/W TO BE VACATED
100 YEAR FLOOD PLAIN
100' FIRE MODIFICATION ZONE PER RIVERSIDE COUNTY FIRE DEPT. REQUIREMENTS
WATER QUALITY BASIN 11,868 CF REQUIRED
GATED MAINTENANCE ACCESS
SHEET 4 FOR FUTURE DEPASQUALLE ROAD PROFILE
POOL
REC ROOM
TOT LOT
SPORT COURT
BBQ AREA
CATCH BASIN
RET. WALL W/ MONUMENT SIGNAGE
2:1 SLOPE

ATTACHMENT J

ELEVATIONS

J-1 DIMENSIONED ELEVATIONS

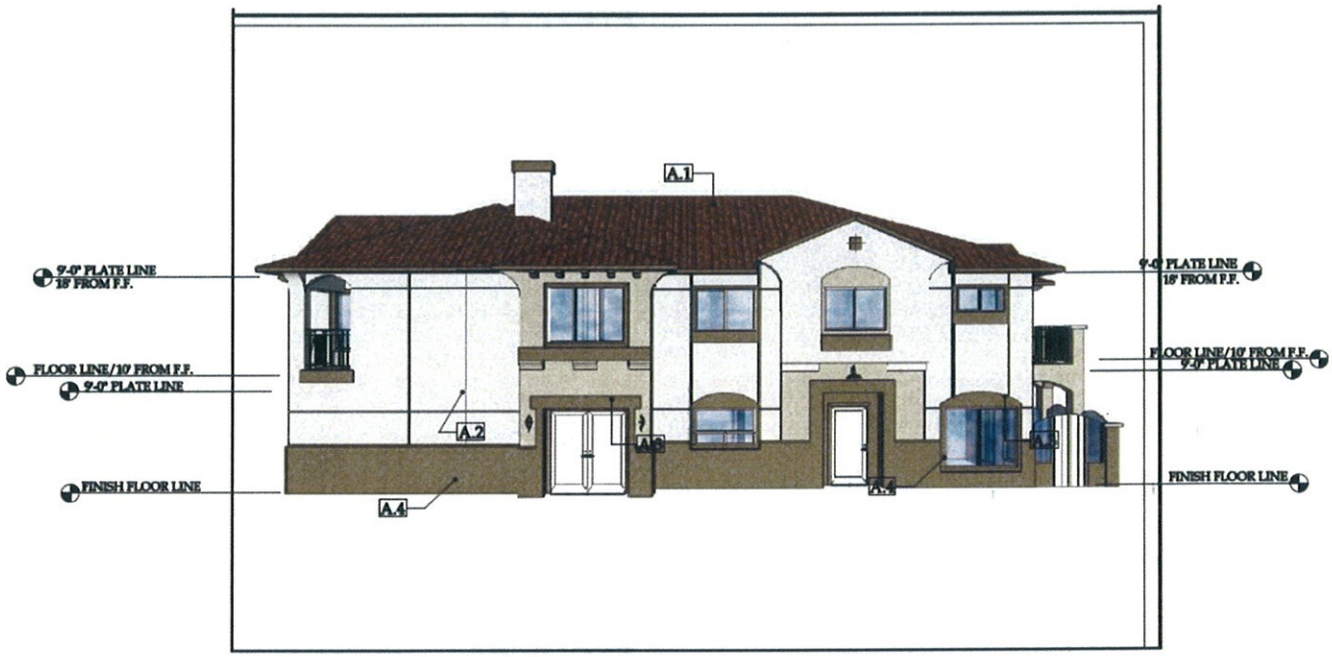


J-2 COLORED ELEVATIONS

Front

Rear

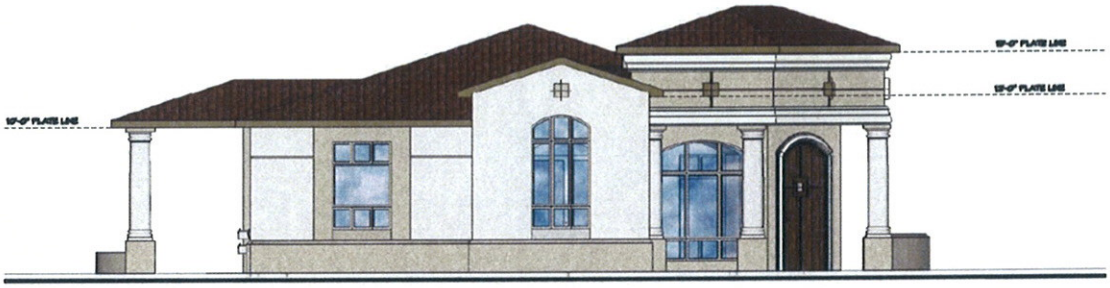
Side


A.1
9'-0" PLATE LINE
18' FROM F.F.
FLOOR LINE/10' FROM F.F.
9'-0" PLATE LINE
FINISH FLOOR LINE
A.2
A.3
A.4
9'-0" PLATE LINE
18' FROM F.F.
FLOOR LINE/10' FROM F.F.
9'-0" PLATE LINE
FINISH FLOOR LINE

Side

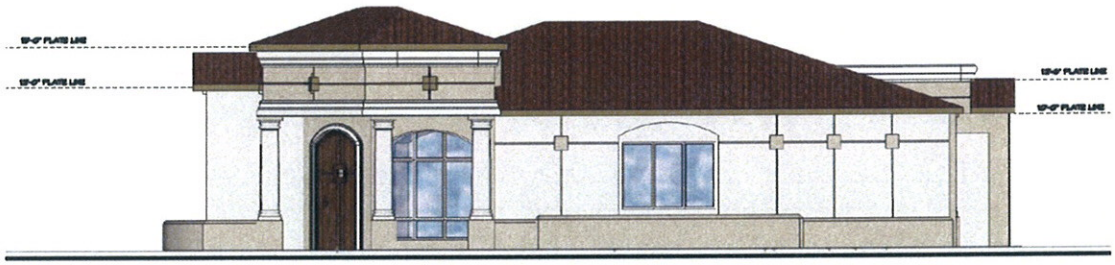
A.1
9'-0" PLATE LINE
18' FROM F.F.
FLOOR LINE/10' FROM F.F.
9'-0" PLATE LINE
FINISH FLOOR LINE
A.2
A.3
A.4
A.4
A.2
A.3
A.4
9'-0" PLATE LINE
18' FROM F.F.
FLOOR LINE/10' FROM F.F.
9'-0" PLATE LINE
FINISH FLOOR LINE

J-3 Club House Building

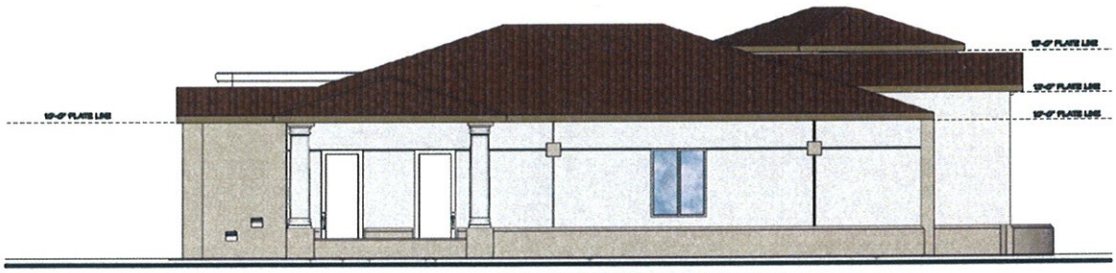


FRONT ELEVATION (1)

BACK ELEVATION (3)



RIGHT ELEVATION (2)

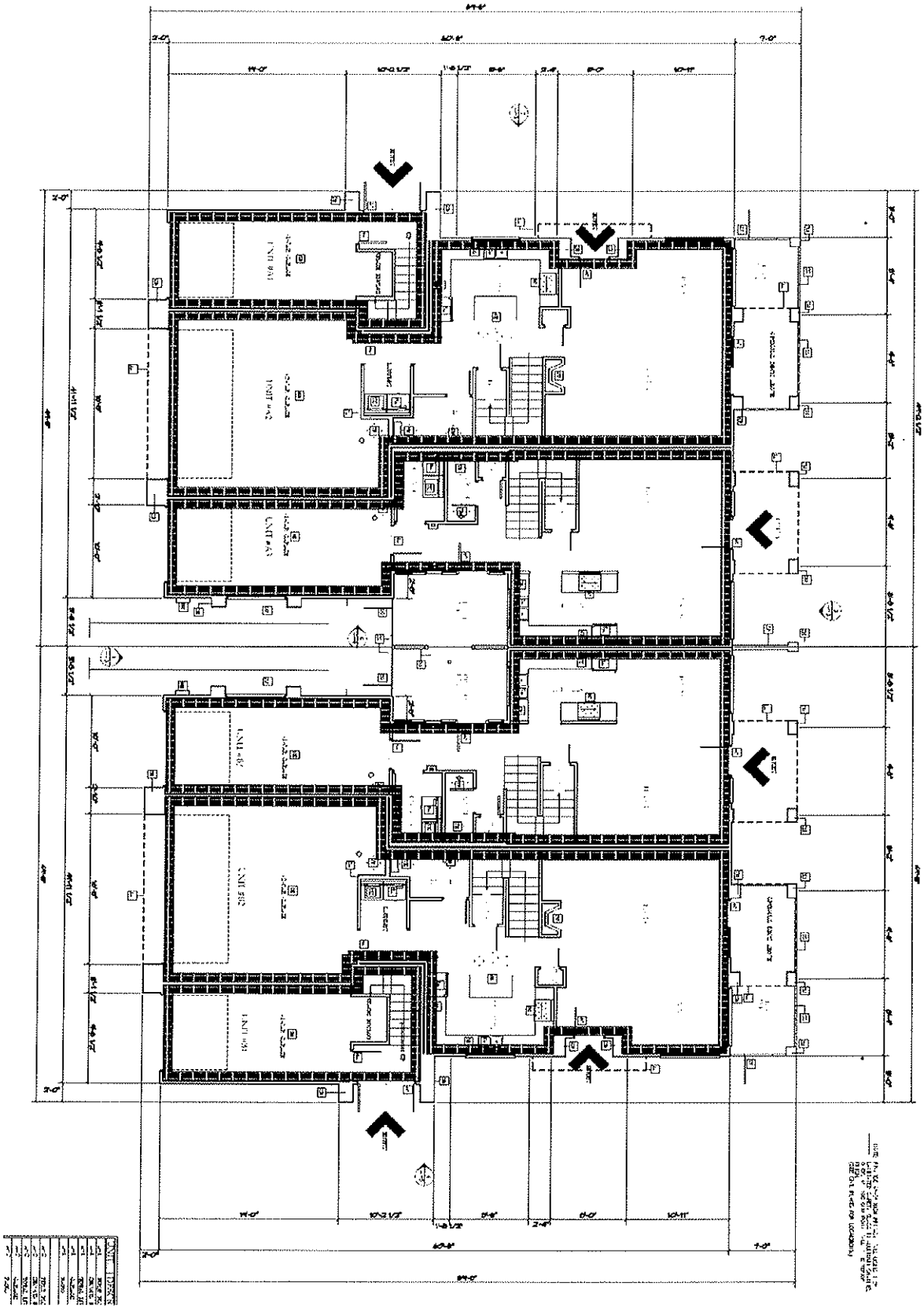


LEFT ELEVATION (4)

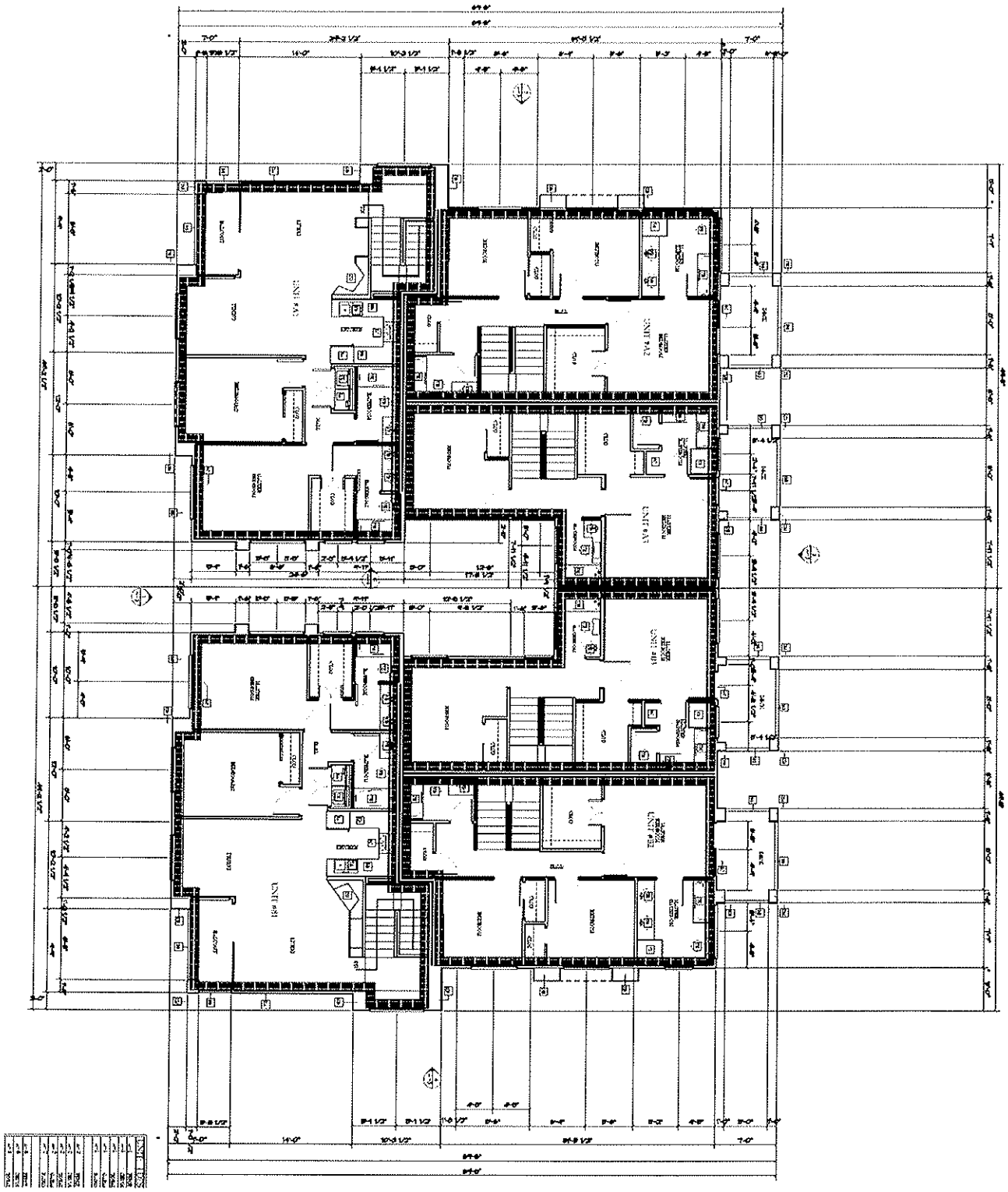
ATTACHMENT K

TYPICAL FLOOR PLANS

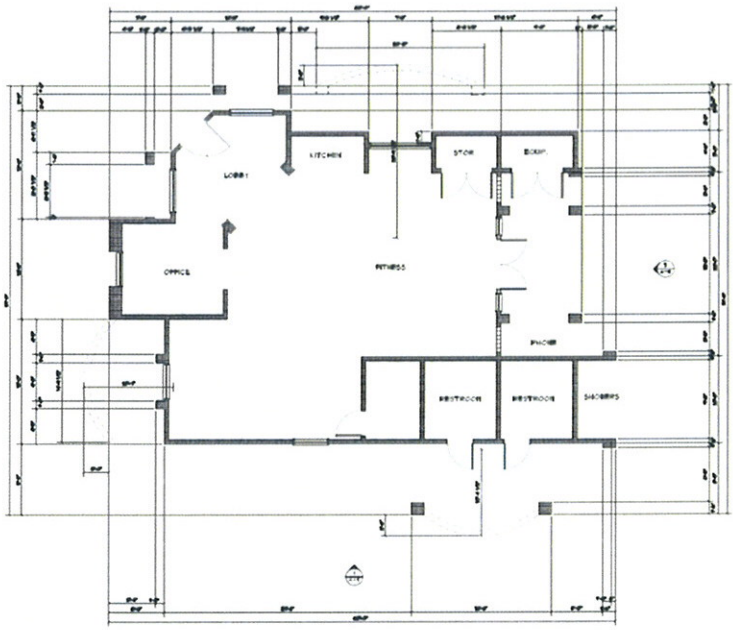
Typical Residential Unit Ground Floor



Typical Residential Unit Second Floor



Club House Floor plan



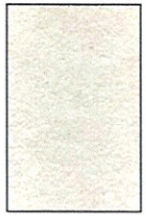
Enlargement of Recreation Area

ATTACHMENT L

COLOR PALETTE

EAGLE ROOFING
#3723-ADOBE BLEND

OMEGA STUCCO PRODUCTS:
#232-Sonoma



OMEGA STUCCO PRODUCTS:
#12-Chenille

OMEGA STUCCO PRODUCTS:
#403-Baked Potatoe

A.4

MILGARD WINDOW
COLOR: Walnut

ATTACHMENT M

INITIAL STUDY

COUNTY OF RIVERSIDE
ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Environmental Assessment (E.A.) Number: 40319
Project Case Type (s) and Number(s): Tentative Tract Map No. 33987
Lead Agency Name: County of Riverside Planning Department
Address: P.O. Box 1409, Riverside, CA 92502-1409
Contact Person: Glen Daigle
Telephone Number: (951) 837-2222
Applicant's Name: Glen Daigle
Applicant's Address: 25109 Jefferson Avenue, Suite 305 Murrieta CA, 92562

I. PROJECT INFORMATION

Project Description: The project proposes a Schedule "A" subdivision to divide 24.37 acre into 4 lots. Lot one (1) consists of 81 Condominium units on 8.95 gross acres, lot two (2) and the remainder parcel consist of 2.84 acres of open space. Lot three (3) is comprised of 9.82 acres and lot four (4), comprised of 1.95 acres. The proposal includes 14 two story residential buildings, one community building, 210 parking spaces, a water quality basin, and a common recreation area, which includes a recreation building, a pool, a sports court, a tot lot, grilling areas, and meandering paseos. The project will be constructed in three (3) phases.

General Plan Amendment No. 762 proposes to change Lots one (1), two (2) and the remainder parcel from Community Development: Medium Density Residential (CD:MDR 2-5 dwelling units per acre) and Community Development: Commercial Office (CD:CO 0.25 – 1.00 Floor Area Ratio) to Community Development: Medium High Density Residential (CD:MHDR 5-8 dwelling units per acre). Lots three (3) and four (4) will remain as Community Development: Commercial Office (CD:CO (0.25 – 1.00 Floor Area Ratio).

Change of Zone No. 7207 proposes to change the existing zoning classification of lot one (1) from Rural Residential (R-R) to General Residential (R-3), lot two (2) and the remainder parcel from Rural Residential (R-R) to Watercourse, Watershed & Conservation Areas (W-1), and lots three (3) and four (4) from Rural Residential (R-R) to Commercial Office (C-O).

Tentative Tract No. 33987 proposes a Schedule "A" subdivision to divide 24.37 acre into 4 lots with a remainder parcel. Lot one (1) consists of 81 Condominium units on 8.95 gross acres, lot two (2) and the remainder parcel consist of 2.84 acres of open space. Lot three (3) is comprised of 9.82 acres and lot four (4), comprised of 1.95 acres, are designated for future commercial development. The residential condominium development will consist of 81 units in 14 buildings, a community center, 210 parking spaces, a water quality basin, swimming pool, sports court, tot lot, grilling areas and meandering paseos. APN : 376-410-002 and 376-410-024.

A. **Type of Project:** Site Specific ☒; Countywide ☐; Community ☐; Policy ☐.

B. **Total Project Area:** 24.5 gross acres

Residential Acres: 9.24	Lots: 1	Units: 81	Projected No. of Residents: 162
Commercial Acres: 12.58	Lots: 2	Sq. Ft. of Bldg. Area:	Est. No. of Employees:
Industrial Acres:	Lots:	Sq. Ft. of Bldg. Area:	Est. No. of Employees:
Other: Commercial will be developed in the future	One open - space lot	One remainder parcel for future development.	

C. **Assessor's Parcel No(s):** 376-410-001 and 376-410-002

D. **Street References:** southerly of La Estrella Street and northeasterly of Interstate 15

E. **Section, Township & Range Description or reference/attach a Legal Description:** Section 36, Township 6 South & Range 4 West, San Bernardino

F. **Brief description of the existing environmental setting of the project site and its surroundings:** The project site consists of 24.5 acres of currently vacant land. The project area is surrounded by Rural Residential (R-R) to the north and east, residential (One-Family Dwelling) (R-1) to the south, and Interstate 15 to the west.

II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

A. **General Plan Elements/Policies:**
Land Use: The 24.5 gross acre project site is designated as Commercial Office (CO). The site's existing land use designation does not permit the residential uses proposed under the project. Therefore, **General Plan Amendment No. 762** proposes that Lots three (3) and four (4) remain Commercial Office land use designation and Lots one (1), two (2) and the remainder lots will change from Medium Density Residential (MDR) to Medium High Density Residential (MHDR) (5-8 dwelling units per acre). **Change of Zone No. 7207** proposes to change the project site's current zoning classification from Rural Residential (R-R) to General Residential (R-3), Commercial Office (CO), Watercourse, Watershed & Conservation (W-1) Hence, ensuring land use and zoning consistency for the project site. The proposed project meets all other applicable land use policies.

1. **Circulation:** Adequate off site circulation facilities exist and the proposed improvements will serve the project. The project meets all other applicable circulation policies of the General Plan.

2. **Multipurpose Open Space:** No natural open space land was required to be preserved within the boundaries of the proposed project. The project meets all other applicable Multipurpose Open Space policies of the General Plan.

3. **Safety:** The project site is subject to ground-shaking and subsidence hazards. The project is also in an area designated as High Fire Danger. There is a proposed 100' wide fuel modification zone included in the project. The proposed project is not located within any other special hazard zone. The proposed project has allowed for sufficient provision of emergency response services to the future users of the project. The proposed project meets all other applicable Safety Element policies.

4. **Noise:** Sufficient mitigation against any foreseeable noise sources in the area has been provided for in the design of the project. The proposed project meets all other applicable Noise Element policies of the General Plan.

5. **Housing:** The proposed project meets all applicable Housing Element policies.

6. **Air Quality:** The proposed project meets all applicable Air Quality Policies of the General Plan.

B. **General Plan Area Plan(s):** Elsinore Area Plan

C. **Foundation Component(s):** Community Development

D. **Land Use Designation(s):** Medium High Density Residential and Commercial Office and Medium Density Residential

E. **Overlay(s), if any:** N/A

F. **Policy Area(s), if any:** Mt. Palomar Nighttime Lighting Policy

G. **Adjacent and Surrounding Area Plan(s), Foundation Component(s), Land Use Designation(s), and Overlay(s) and Policy Area(s), if any:**

	Land Use	Foundation Component	Area Plan
North	Business Park and Medium Density Residential	Community Development	Elsinore
South	Medium Density Residential	Community Development	Elsinore
East	Medium Density Residential	Community Development	Elsinore
West	Interstate -15		Elsinore

H. **Adopted Specific Plan Information**

1. **Name and Number of Specific Plan, if any:** N/A

2. **Specific Plan Planning Area, and Policies, if any:** N/A

I. **Existing Zoning:** Rural Residential (R-R)

J. **Proposed Zoning, if any:** General Residential (R-3), Commercial Office (C-O), and Watercourse, Watershed & Conservation Areas (W-1)

K. **Adjacent and Surrounding Zoning:** One-Family Dwelling (R-1)

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.

- ☐ Aesthetics
- ☐ Agriculture Resources
- ☐ Air Quality
- ☒ Biological Resources
- ☒ Cultural Resources
- ☒ Geology/Soils
- ☐ Hazards & Hazardous Materials
- ☒ Hydrology/Water Quality
- ☒ Land Use/Planning
- ☐ Mineral Resources
- ☒ Noise
- ☐ Population/Housing
- ☐ Public Services
- ☐ Recreation
- ☐ Transportation/Traffic
- ☐ Utilities/Service Systems
- ☐ Other
- ☐ Mandatory Findings of Significance

IV. DETERMINATION

On the basis of this initial evaluation:

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

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS PREPARED
☐ I find that although the proposed project could have a significant effect on the environment, **NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED** because (a) all potentially significant effects of the proposed project have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, (b) all potentially significant effects of the proposed project have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, (c) the proposed project will not result in any new significant environmental effects not identified in the earlier EIR or Negative Declaration, (d) the proposed project will not substantially increase the severity of the environmental effects identified in the earlier EIR or Negative Declaration, (e) no considerably different mitigation measures have been identified and (f) no mitigation measures found infeasible have become feasible.
☐ I find that although all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, some changes or additions are necessary but none of the conditions described in California Code of Regulations, Section 15162 exist. An **ADDENDUM** to a previously-certified EIR or Negative Declaration has been prepared and will be considered by the approving body or bodies.
☐ I find that at least one of the conditions described in California Code of Regulations, Section 15162 exist, but I further find that only minor additions or changes are necessary to make the previous EIR adequately apply to the project in the changed situation; therefore a **SUPPLEMENT TO THE ENVIRONMENTAL IMPACT REPORT** is required that need only contain the information necessary to make the previous EIR adequate for the project as revised.
☐ I find that at least one of the following conditions described in California Code of Regulations, Section 15162, exist and **a SUBSEQUENT ENVIRONMENTAL IMPACT REPORT** is required: (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) Substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any the following:(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR or negative declaration;(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or,(D) Mitigation

measures or alternatives which are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects of the project on the environment, but the project proponents decline to adopt the mitigation measures or alternatives.

Signature | 5-27-08 Date

Jeffery Childers, Urban Regional Planner IV | For Ron Goldman, Planning Director
Printed Name

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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Source: Riverside County General Plan Figure C-7 "Scenic Highways", ELAP

Findings of Fact:

a) The project is not located within a scenic highway corridor. The nearest state eligible scenic highway is Interstate 15. The proposed project will not affect any scenic resources, as the project is located approximately 400 feet east of Interstate 15 and is visible from the highway. The project will be compatible with the existing setting in the surrounding area and therefore will have a less than significant impact on scenic corridors.

b) No specific scenic resources such as rock outcroppings or unique features, exist on the site. However the proposed project will change the appearance of the site from the adjacent public roadways and will remove existing trees located within the project's interior. The project development

will include frontage buffers, setbacks, landscaping, and other design measures to screen undesirable aspects of the site development from De Pasquale Road. Inclusion of these design features in the project is addressed through County conditions of approval, plan check and permit procedures, and code enforcement practices. Impacts related to aesthetics are considered less than significant.

Mitigation: None required

Monitoring: None 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), ELAP Figure 6 "Mt. Palomar Nighttime Lighting Policy"

Findings of Fact:

a) The proposed project is located within Zone B (27.81 miles) of the Mt. Palomar Nighttime Lighting Policy Area. Development in the area will be required to adhere to the lighting requirements (i.e., lighting time limits, shielding, type of light bulbs, etc.) specified in County Ordinance No. 655 for standards that are intended to limit light leakage and spillage that may interfere with the operations of the Mount Palomar Observatory. The proposed project will adhere to the standards established in the Countywide Design Guidelines which require hooding, shielding and using low emission lights to avoid light pollution. By complying with Ordinance 655 as well as complying with the Countywide Design Guidelines the project will not result in significant impact to the observatory. Therefore, no adverse impacts to the Mt. Palomar Observatory will occur; impacts are considered less than significant.

Mitigation: None required

Monitoring: None required

3. Other Lighting Issues a) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐
b) Expose residential property to unacceptable light levels?	☐	☐	☒	☐

Source: On-site Inspection, Project Application Description

Findings of Fact:

a) The proposed project will introduce new sources of nighttime light and glare into the area from residential street lighting, park lighting as well as outdoor lighting from residences. Spill of lighting onto surrounding properties, and "night glow" can be reduced by using hoods and other design features for fixtures on residential streets. Inclusion of these design features are addressed through standard County conditions of approval, plan check, permit procedures, and code enforcement practices.

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

Potential impacts associated with glare will be reduced to less than significant levels through standard County practices and procedures.

b) Existing land uses surrounding the project site are generally undeveloped or developed with low density residential uses. Spill of lighting onto surrounding properties, and "night glow" can be reduced by using hoods and other design features. Inclusion of these design features in the project is addressed through standard County Conditions of Approval, plan check and permit procedures, and code enforcement practices. Due to the incorporation of appropriate design features to reduce light spill (i.e., shielding and hooding of light fixtures) it is expected that neighboring residential properties will not be exposed to unacceptable light levels and impacts resulting from the project will be less than significant.

Mitigation: None required

Monitoring: None required

AGRICULTURE RESOURCES Would the project				
4. Agriculture a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☒	☐
b) Conflict with existing agricultural use, or a Williamson Act (agricultural preserve) contract (Riv. Co. Agricultural Land Conservation Contract Maps)?	☐	☐	☐	☒
c) Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Source: Riverside County General Plan Figure OS-2 "Agricultural Resources," GIS database, and ELAP

Findings of Fact:

a) The project site is not located in an area identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. However, the site is located in an area designated in the Riverside General Plan, Open Space Element, as Farmland of Local Significance (Figure OS-2). It should be noted that during the adoption of the Riverside County General Plan in 2003, there was a finding of overriding consideration in regards to the loss or conversion of Farmland of Local Importance to other uses (General Plan EIR Section 4.2.4). The project includes a zone change conform to the proposed use, and the surrounding uses and zoning are all consistent with the proposed use as well.

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

b) No Agricultural uses a being conducted at the project site, or within the immediate vicinity of the project site. Project site is not under a Williamson Act contract and is not zoned for agricultural uses. Therefore, the project will not conflict with existing agricultural uses, no impacts.

c) See response to Item (a) & (b), above.

d) See response to Item (a) & (b), above.

Mitigation: None required

Monitoring: None required

AIR QUALITY Would the project				
5. Air Quality Impacts	☐	☐	☒	☐
a) Conflict with or obstruct implementation of the applicable air quality plan?				
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
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)?	☐	☐	☒	☐
d) Expose sensitive receptors which are located within 1 mile of the project site to project substantial point source emissions?	☐	☐	☐	☒
e) Involve the construction of a sensitive receptor located within one mile of an existing substantial point source emitter?	☐	☐	☐	☒
f) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

Source: SCAQMD CEQA Air Quality Handbook Table 6-2, and Project Application Materials.

Findings of Fact: a) The project will not conflict with or obstruct implementation of any requirements of the South Coast Air Quality Management District (SCAQMD).

b) The project is located in an area that has been deemed a non-attainment status, and requires that Best Available Control Measures (BACM) be implemented where ever feasible. (COA 10.Grade 5) The operation of the project after construction will not exceed the thresholds recommended by SCAQMD and are considered less-than-significant.

Mitigation: No mitigation measures are required

Monitoring: No monitoring measures are required

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
BIOLOGICAL RESOURCES Would the project				
6. 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?				
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)?	☐	☐	☒	☐
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?	☐	☐	☒	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐

Source: GIS database, MSHCP, On-site Inspection, Burrowing Owl Habitat Assessment (BOHA), dated July 27, 2005

Findings of Fact:

As per Section 6.1.2 of the MSHCP, there were no vernal pools or riparian/riverine areas identified in the July 27, 2005 Burrowing owl Habitat Assessment. Since no vernal pool or riparian/riverine habitats were identified, no impacts to these habitats or associated species are anticipated.

Per Section 6.3.2 of the MSHCP, additional surveys are required for certain species if the project is located within criteria areas shown on Figure 6-2 (Criteria Area Species Survey Area), Figure 6-3 (Amphibian Species Survey Areas with Critical Area), Figure 6-4 (Burrowing Owl Survey Areas with Criteria Area) and Figure 6-4 (Mammal Species Survey Areas with Criteria Area) of the MSHCP. The

project site is not located in a Critical Area Species Survey Area (CASSA) for plants and mammals; no CASSA plant species were observed during the focused surveys for the site.

The project site is included in the MSHCP habitat assessment area for burrowing owl. The burrowing owl is a state species of special concern due to their decline in the State of California in the past 30 years. The biological assessment prepared for the project site (MBA 1) indicates that no burrows suitable for burrowing owl were identified on the site, thus the site is not suitable for nesting, but the site does contain suitable foraging habitat. No focused survey for burrowing owl will be required since there is no suitable nesting habitat. However, a 30-day preconstruction survey is required to determine if burrows are created on-site and if burrowing owls have occupied the site in the.

The project site also lies within the Fee Area Boundary of the Stephens' Kangaroo Rat Habitat Conservation Plan (HCP) for the Western Riverside County prepared by the Riverside County Habitat Conservation Authority (1996). Within this Fee Area, suitable habitat is assumed to be occupied and focused surveys are not required. Mitigation requirements of potentially significant impacts to the Stephens' Kangaroo Rat are satisfied through payment of fees in accordance with the regulatory requirements of the U.S. Fish and Wildlife Service - approved HCP as set forth in Riverside County Ordinance No. 663.10.

b) No Threatened or Endangered species were observed on the site, and given the grading disturbance there is no potential for any MSHCP-listed plant and animal species to occur onsite due to a lack of viable habitat. The project site is within the Fee Area Boundary of the Stephens' Kangaroo Rat Habitat Conservation Plan (HCP) for the Western Riverside County prepared by the Riverside County Habitat Conservation Authority (1996). Within this Fee Area, suitable habitat is assumed to be occupied and focused surveys are not required. Mitigation requirements of potentially significant impacts to the Stephens' kangaroo rat are satisfied through payment of fees in accordance with the regulatory requirements of the U.S. Fish and Wildlife Service - approved HCP. Impacts to any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations are considered less than significant.

c) During field surveys, non-native vegetation was observed on-site, such as non-native grass species, short-pod mustard, and storksbill. The site is highly disturbed and partially developed. The site does not support any native plants or diverse fauna at this time. A limited abundance and diversity of wildlife were observed inhabiting and foraging at the site. MSHCP-listed plant and animal species of concern were not identified onsite. The biological assessment prepared for the project site indicates that no burrows suitable for burrowing owl were identified on the site, thus the site is not suitable for nesting, but the site does contain suitable foraging habitat.
d) The proposed project site is surrounded by existing development, and therefore, it is highly unlikely that the subject site occupies an important location relative to regional wildlife movement. Therefore, implementation of the proposed project is not expected to have any substantial effect on local or regional wildlife movement, impacts are considered to be less than significant.

e) According to the biological assessment prepared for the project site, there are two drainages present on the site. One is a designated blue line stream. Both drainages qualify as the jurisdiction of the United States Army Corps of Engineers (USACE) and/or the California Department of Fish and Game (CFDG). They do not however include any associated riparian vegetation and habitat, are the areas are located in an in an area of dedicated open space. The preservation of the jurisdictional areas in the open space area reduces the impact to less than significant.

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

f) Please refer to response under issue (e) above, no waters or riparian/wetland habitat occurs on the project site.

g) There is no conflict with any local policies or ordinances protecting biological resources, such as a tree preservation (there are no oak trees on site) policy or ordinance. Review of the tentative tract map revealed that the project will impact 0.05 acres of onsite drainages that are the Corps and CDFG jurisdiction.

Mitigation: None required

Monitoring: None required

CULTURAL RESOURCES Would the project				
7. Historic Resources a) Alter or destroy an historic site?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5?	☐	☐	☒	☐

Source: Cultural Resources Assessment No. PD-A 4074, dated May 30, 2006

Findings of Fact:

a) The refuse found on the site is not considered significant and probably represents a ubiquitous.

Mitigation: None required

Monitoring: None required

8. Archaeological Resources a) Alter or destroy an archaeological site.	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, Section 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐
d) Restrict existing religious or sacred uses within the potential impact area?	☐	☐	☐	☒

Source: Cultural Resources Assessment N. PD-A-4074, dated May 30, 2006

Findings of Fact:

a) In May 30, 2006 LSA Associates, Virginia Austerman. M.A., RPA conducted a Cultural Resource Assessment on the project site and determined that due to the lack of cultural resources in the area,

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

and the considerable distance to most of the resources within 1 mile of the project site, the sensitivity of the project site has been determined to be low. However, in the unlikely event that archeological material is discovered during any earth moving operations, the mitigation measure below shall be implemented.

b) The proposed project site development is not expected to disturb any human remains, including those interred outside of formal cemeteries. Due to the lack of formal cemeteries and informal family burial plots on site, the project is not expected to impact human remains. However, in the unlikely event that during construction suspected human remains are uncovered, all activities in the vicinity of the remains shall cease and the contractor shall notify the County Coroner immediately pursuant to CA Health & Safety Code Section 7050.5 and CA RPC Section 5097.98.

c) There are no known or documented existing religious or sacred uses within the proposed project site. No impacts are anticipated.

Mitigation: subsection b)

If any grading, trenching or other earth-disturbing activities are proposed for the remainder lot where archaeological site number 33-15306 is located, and prior to the issuance of grading permits, a qualified archaeologist shall be retained by the land divider for archeological monitoring services. A pre-grade meeting with the archaeologist, any Native American monitor(s) identified through conditions of approval, and the excavation and grading contractor shall take place. During grading operations, when deemed necessary in the professional opinion of the retained archaeologist (and/or as determined by the Planning Director), the archaeologist, the archaeologist's on-site representative(s) and the Native American Observer shall actively monitor all project related grading and construction in the vicinity of the archaeological site, and shall have the authority to temporarily divert, redirect, or halt grading activity to allow recovery of unique archaeological resources. Prior to the issuance of any grading permits for the remainder lot, a copy of a fully executed contract for monitoring services, including the NAME, ADDRESS and TELEPHONE NUMBER of the retained archaeologist shall be submitted to the Planning Department and the B&S Grading Division.

Monitoring: subsection b)

A qualified archeologist monitor shall be present during any earth-moving operations.

9. Paleontological Resources a) Directly or indirectly destroy a unique paleontological resource, or site, or unique geologic feature?	☐	☒	☐	☐

Source: Riverside County General Plan Figure OS-19.8 and OS-19.9 "Paleontological High Sensitivity" (High A)

Findings of Fact:

a) The Riverside County General Plan's Paleontological Sensitivity Map shows the proposed project is located in an area of High Sensitivity (High A) to paleontological resources.

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

Mitigation: - next page

In the condition 60. Planning 9 because the subject property is designated HIGH for paleontological resources, the land divider/permit holder shall retain a qualified paleontologist for paleontological monitoring services.

In 90. Planning 8 condition the applicant shall submit to the County Archaeologist two (2) copies of the Paleontology Monitoring Report.

Monitoring: A qualified archeologist monitor shall be present during any earth-moving operations.

GEOLOGY AND SOILS Would the project				
10. Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zones	☐	☒	☐	☐
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?	☐	☒	☐	☐

Source: County Geological Report No. 1422

Findings of Fact:

A) The report and responses concluded that there is sufficient evidence to classify the onsite fault zone encountered during on-site trenching as an active fault. This fault correlates on trend with the active Glen Ivy segment of the Elsinore fault Zone located to the northwest and on the adjacent parcel to the southeast.

B) Although the site is not located in an Alquist-Priolo Fault Zone, geologic investigation (GEO01422) confirmed the presence of an active fault, per the current definitions under State law (Holocene displacement). Hence, the site is subject to rupture of a known earthquake fault.

Mitigation:

1. No structures for human occupancy shall be constructed within the recommended fault setback zone. This zone is delineated on Plate 1, Fault Map in the May 18, 2007 report referenced above. The project has been designed to avoid construction of residences in the fault zone.

2. The consultant recommended that all structures proposed on the project site shall be designed and constructed to resist the effects of seismic ground motions as provided in the International Building Code.

3. The consultant recommended that geologic mapping should be performed during site grading operations to geologically map the fault transecting the site.

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

4. Modifications to the fault setback zone may be necessary based upon the depth of cut with respect to the dip of the fault.

Monitoring: These modifications shall be made in a final engineering geologic report for the site subsequent to the site grading operations

11. Liquefaction Potential Zone a) Be subject to seismic-related ground failure, including liquefaction?	☐	☒	☐	☐

Source: Riverside County General Plan Figure S-3 "Generalized Liquefaction", GEO01422

Findings of Fact:

a) Site is located in a moderate liquefaction potential per (Figure S-3). The potential for liquefaction at the site is very low to remote (GEO01422)

Mitigation: None required

Monitoring: None Requied

12. Ground-shaking Zone Be subject to strong seismic ground shaking?	☐	☒	☐	☐

Source: Building Code; GEO01422

Findings of Fact:

a) The project site is considered likely to be subjected to moderate to strong ground motion from earthquakes in the region. The geotechnical report recommends appropriate site grading and foundation design in compliance with applicable Building Codes. Implementation of mitigation measure will require compliance with the International Building Code and therefore reduce impacts from ground-shaking impacts to less than significant levels.

Mitigation: Onsite inspection done by Building and Safety Department and the Geology Department.

Monitoring: Shall be conducted by the project geotechnical engineer and the Department of Building and Safety.

13. 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?	☐	☐	☒	☐

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

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

Findings of Fact:

a) There are no known or mapped geologic units or soils that are unstable, or could be unstable as a result of the project. There are no known or mapped geologic units that could potentially result in on- or off-site landslides, lateral spreading, collapse, or create rockfall hazards. The topography of the site is predominately flat. There is no risk of landslides due to the flat surroundings and lack of hillsides in the project vicinity. Therefore, impacts to landslide risk are considered less than significant.

Mitigation: None required

Monitoring: None required

14. 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: County Geology Report No. 01422, GIS Database

Findings of Fact:

a) The Riverside County General Plan, the project site is located in an area mapped as being susceptible to subsidence. However, the project site will be underlain by compacted fill and competent bedrock.

Mitigation: None required

Monitoring: None required

15. Other Geologic Hazards a) Be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard?	☐	☐	☐	☒

Source: GEO01422

Findings of Fact:

a) The proposed project is not located in an area subject to seiche, mudflow, or volcanic hazards. No impacts.

Mitigation: None required

Monitoring: None required

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
16. 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, GEO, USGS

Findings of Fact:

a) The proposed project site slopes generally from east to west. Limited grading may be required to establish functional infrastructure. The scale of activity will be consistent with that for ongoing construction area. Changes to topography as a result of the project are considered to be less than significant.

b) The proposed project site development will not involve the formation of cut or fill slopes greater than 2:1 and higher than 10 feet. The project proposes slopes between 2:1 and 4:1; nonetheless, all slopes over three feet in vertical height are required to be landscaped to mitigate erosion. Impacts are therefore considered to be less than significant.

c) This project will be connected to sewer therefore will not affect or negate subsurface sewage disposal systems.

Mitigation: None required

Monitoring: None required

17. Soils				
a) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
b) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒

Source: Hydrology & Hydraulic Analysis, dated October 8, 2007, a Biological Resources Assessment

Findings of Fact:

a) According to the Biological Resources Assessment the project could impact the jurisdictional stream. Pads, manufactured slopes and other disturbed area should be protected by the use of mats, soil binders, wood mulching, or other approved temporary method until landscaping is established. The area of the jurisdictional stream shall be avoided and protected reducing the impacts to less than significant.

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

b) The project is not located expansion soil.

Mitigation: None required

Monitoring: None required

18. Erosion a) Change deposition, siltation, or erosion that may modify the channel of a river or stream or the bed of a lake?	☐	☐	☒	☐
b) Result in any increase in water erosion either on or off site?	☐	☐	☒	☐

Source: RCLIS, Hydrology & Hydraulic Analysis, dated October 8, 2007, Burrowing Owl Assessment

Findings of Fact:

a) The Biological Resources Assessment for the project stated that construction could impact the jurisdictional stream. Grading of the pads, manufactured slopes and other disturbed area should be protected by the use of mats, soil binders, wood mulching, or other approved temporary method until landscaping is established. As the project is designed to avoid the jurisdictional area, the impacts are less than significant.

b) The potential for on-site erosion will increase due to grading and excavating activities during the construction phase. BMPs will be implemented to the extent possible for maintaining water quality and reducing erosion. Off-site erosion will not be affected by the proposed project due to the paved streets and storm drain inlets that surround project site. Therefore, increases in water-induced erosion on- or off-site will be less than significant.

Mitigation: None required

Monitoring: None required

19. 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. 460, Sec. 14.2 & Ord. 484

Findings of Fact: a) The project is located in an area of Moderate Wind Erosion Susceptibility as shown on Figure S-8 of the Riverside County General Plan. The project will include measures to control wind erosion during construction utilizing the proper BMP's as required in the Conditions of Approval (COA's) (10. BS Grade 20), and landscaped finally in order to control any potential wind erosion.

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

Mitigation: None required

Monitoring: None required

HAZARDS AND HAZARDOUS MATERIALS Would the project				
20. 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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
c) Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan?	☐	☐	☐	☒
d) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Source: Riverside County General Plan and application materials

Findings of Fact:

a & b) The development of the proposed residential uses will incrementally increase the use and disposal of substances such as household cleaning products, fertilizers, pesticides, automotive fluids, etc. The nature and volume of such substances associated with single family residential land uses do not present the potential to create a significant public or environmental hazard.

c) The proposed project will not impair the implementation of, or physically interfere with, an emergency response plan and/or emergency plan. The proposed project includes adequate access for emergency response vehicles and personnel, as developed in consultation with County Fire personnel. Impacts related to emergency response plans are considered to be less than significant.

d) The project site is not located within one-quarter mile of an existing or proposed school. The project will not involve the emission of, or handling of, acutely hazardous materials or substances. Therefore, the project will not impact existing or proposed schools within one-quarter mile, impacts are considered less than significant.

e) The project is not on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5

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

Mitigation: None required

Monitoring: None required

21. Airports a) Result in an inconsistency with an Airport Master Plan?	☐	☐	☐	☒
b) Require review by the Airport Land Use Commission?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Source: Riverside County GIS database

Findings of Fact:

(a-d) According to the Riverside County General Plan, the project site is not located within an Airport-Influence Area.

Mitigation: None required

Monitoring: None required

22. 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?	☐	☒	☐	☐

Source: Riverside County GIS database, Approved exhibit A

Findings of Fact:

a) The proposed project is located within a High fire area. The project area is located in a predominately rural area. The project proposes a 100 foot fuel modification zone per County Fire Department requirement that will help protect the development:

1) Fuel modification to reduce fire loading.

2) Appropriate fire breaks according to fuel load, slope and terrain.

3) Non flammable walls along common boundaries between rear yards and open space.

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

4) Emergency vehicle access into open space areas shall be provided at intervals not to exceed 1500'.

5) A homeowner's association or appropriate district shall be responsible for maintenance of all fire protection measures within the open space areas. Any habitat conservation issue affecting the fire department fuel modification requirement, shall have concurrence with the responsible wildlife and/or other conservation

Mitigation: According to condition of 60. Fire. 1.

Monitoring: None required

HYDROLOGY AND WATER QUALITY Would the project				
23. 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?				
b) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
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)?	☐	☐	☐	☒
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?	☐	☐	☒	☐
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?	☐	☐	☐	☒
f) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
g) Otherwise substantially degrade water quality?	☐	☐	☒	☐
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 and odors)?	☐	☐	☐	☒

Source: Riverside County Flood Control District Conditions, Water Management Plan

Findings of Fact:

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

a) The project has the potential to impact the jurisdictional stream located on the site. Drainage facilities out letting sump conditions shall be designed to convey the tributary 100 year storm flows. Additional emergency 100 year overflow escape shall also be provided. Since the jurisdictional stream is located in the area and the project is designed to avoid the stream, the impact is less than significant.

b & g) The project area is located within the Santa Margarita Watershed. In order to reduce the discharge of expected pollutants, such as sediment, into receiving waters during construction of the proposed development, the project will be required to prepare a site-specific Storm Water Pollution Prevention Plan (SWPPP) in accordance with the State Water Resources Control Board's (SWRCB) General Permit for Construction Activities. The General Permit requires development and implementation of a site-specific SWPPP to identify an effective combination of erosion control and sediment control best management practices (BMPs) to minimize or eliminate the discharge of pollutants into receiving waters.

A site specific Water Quality Management Plan (WQMP) has been prepared for the project site. The WQMP defines Best Management Practices (BMPs) to be applied to the project and implementation to assure water quality degrading impacts will not occur post construction. Through compliance with these standard regulatory requirements (SWPPP & WQMP) the project will not violate any water quality standards or waste discharge requirements. Therefore, long-term implementation of the project would not violate water quality standards. Impacts are less than significant.

c) No potential exists to directly impact the groundwater table from grading activities and no wells are proposed to be installed on the property. Water will be supplied by the Elsinore Valley Municipal Water District (EVMWD) that utilizes both groundwater and imported water supplies to ensure adequate water is available for consumers. Imported water is utilized to ensure that significant overdraft of local groundwater supplies does not occur. Based on the District's Urban Water Master Plan, impacts to groundwater resources are not anticipated to occur from implementation of the proposed project.

d) The proposed project development will involve construction of new stormwater runoff facilities. Currently, the site is not equipped with a formal stormwater system. Stormwater currently runs off through natural drainages on site. Design measures, as identified in the project WQMP, shall be incorporated to ensure that downstream flows will not be increased, so that no significant impacts are anticipated as a result of this project. With implementation of the WQMP, potential for impacts to increased runoff from the proposed project is considered to be considered less than significant.

e & f) According to the Elsinore Area Plan, the proposed project is not located within a FEMA designated 100-year flood zone. Therefore, the project will not create impacts by placing housing within a 100-year flood hazard area. No impacts are anticipated.

h) The proposed project will not include new or retrofitted storm water Treatment Control Best Management Practices, the operation of which could result in significant impacts.

Mitigation: None required

Monitoring: None required

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

24. Floodplains

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

NA - Not Applicable ☒ U - Generally Unsuitable ☐ R - Restricted ☐

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?	☐	☐	☒	☐
b) Changes in absorption rates or the rate and amount of surface runoff?	☐	☐	☒	☐
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)?	☐	☐	☐	☒
d) Changes in the amount of surface water in any water body?	☐	☐	☒	☐

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, WEBB, FEMA

Findings of Fact:

a) The proposed project site slopes generally form east to west. Grading and preparation of the site for development will alter the existing drainage pattern of the site and may increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site. However, the proposed project includes the development of an on site storm drain system which will tie in with the existing storm drain system. The proposed system will be designed to handle a 1-hour/100 year storm event and will therefore not have a substantial impact on flooding on or off-site. Impacts are therefore considered to be less than significant.

b) Project development would increase the amount of impervious surface area by converting land that is currently pervious, thereby increasing surface water runoff and reducing absorption rates. The project will result in changes in absorption rates and the rate and amount of surface runoff from the project site. Design measures, as identified in the project WQMP, shall be incorporated to ensure that downstream flows will not be increased, so that no significant impacts are anticipated as a result of this project. With implementation of the WQMP and Riverside County Flood Control District standards and requirements, potential impacts to surface runoff from the proposed project is considered to be considered less than significant.

c) There are no dams or levees in proximity of the project site area, nor would development of the project site result in adverse conditions that could weaken or damage flood-control structures. The project site is not located in a Dam Inundation Area. Therefore, no impacts are expected as a result of the project.

d) The closet water body in proximity to the project is the Murrieta Creek; The project proposes to divert on-site stormwater and into the proposed onsite detention basin. Increased flows into the

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

proposed storm drain system will ultimately increase the amount of surface water into the jurisdictional stream, however the quantities of water introduced in the jurisdictional stream from the proposed project are not considered significant, since the project will connect to existing natural drainage courses.

Mitigation: None required

Monitoring: None required

LAND USE/PLANNING Would the project				
25. 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: General Plan, GIS database, Project Application Materials

Findings of Fact:

a) According to the Elsinore Area Plan Land Use Plan, the project site is designated as Commercial Office (CO). A General Plan Amendment is proposed and will change the designation to Medium High Density Residential (MHDR) (5-8 du/ac) and Commercial Office (CO) FAR. Surrounding property designations are Low Density Residential (LDR) (1/2 acre minimum), to the north Medium Density Residential (MDR) (2-5 du/ac) to the south and west, Commercial Office (CO) to the east, and Medium Density residential (MDR) to the west Approval of the project's proposed General Plan change will create consistency with the zoning ordinance.

b) The project will not affect land uses proposed within a city of sphere of influence or adjacent cities.

Mitigation: None required

Monitoring: None required

26. Planning a) Be consistent with the site's existing or proposed zoning?	☐	☐	☒	☐
b) Be compatible with existing surrounding zoning?	☐	☐	☒	☐
c) Be compatible with existing and planned surrounding land uses?	☐	☐	☒	☐
d) Be consistent with the land use designations and policies of the Comprehensive General Plan (including those of any applicable Specific Plan)?	☐	☐	☒	☐
e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	☐	☐	☒	☐

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

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

Findings of Fact:

a & d) The Elsinore Area Plan land use designation for the project site is currently commercial Office (CO) with a Rural Residential (R-R) zoning classification. The project proposal includes a Change of Zone to General Residential (R-3), Watercourse, Watershed and Conservation (W-1) and Commercial Office (CO). The project proposal also includes a General Plan Amendment to Medium High Density Residential (MHDR) (5-8 du/ac). Approval of the project's proposed zone change and land use change will create consistency between project zoning and the general plan, as proposed by the project.

b) Currently, surrounding areas are zoned Rural Residential (R-R), and One-Family Dwelling (R-1). The project's proposed General Residential (R-3) zoning is compatible with the existing surrounding zoning classifications in the area. Therefore, impacts are considered less than significant.

c) Currently, surrounding land use designations are Medium Density Residential (2-5 du/ac) to the south and west, Low Density Residential (LDR) (1/2 acre minimum) and Commercial office (CO) to the north, and Commercial Retail (CR) to the east. Impacts are considered to be less than significant.

e) The proposed project will not disrupt or divide the physical arrangement of an established community as the project site is vacant and adjacent properties are vacant or have been developed with residential developments. Impacts are therefore, considered less than significant.

Mitigation: None required

Monitoring: None required

MINERAL RESOURCES Would the project				
27. Mineral Resources a) Result in the loss of availability of a known mineral resource in an area classified or designated by the State that would be of value to the region or the residents of the State?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c) Be an incompatible land use located adjacent to a State classified or designated area or existing surface mine?	☐	☐	☐	☒
d) Expose people or property to hazards from proposed, existing or abandoned quarries or mines?	☐	☐	☐	☒

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

Findings of Fact:

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

a) The proposed project site does not contain any known mineral resources. Figure OS-5 of the Riverside County General Plan shows that the project site has been classified by the State Mining and Geology Board as "MRZ-3". The General Plan provides the following definition for "MRZ-3": "Areas where the available geologic information indicates that mineral deposits are likely to exist, however, the significance of the deposit is undetermined." The site has not been designated for mineral resource related uses; therefore impacts are considered less than significant.

b) Figure OS-5 of the General Plan shows that the project site has been classified by the State Mining and Geology Board as "MRZ-3". The General Plan provides no specific policies regarding property identified as "MRZ-3" and has not designated the project for mineral resource related uses. Therefore, impacts are considered less than significant.

c) There are no existing surface mines or designated mineral resource areas located near the project site. No impacts are anticipated.

d) The project site is not located in an area proposed, existing or abandoned quarries or mines; therefore, project development would not expose people or property in the project area to these hazards. No impacts are anticipated.

Mitigation: None required

Monitoring: None 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

28. Airport Noise a) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport would the project expose people residing or working in the project area to excessive noise levels? NA ☒ A ☐ B ☐ C ☐ D ☐	☐	☐	☐	☒
b) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? NA ☒ A ☐ B ☐ C ☐ D ☐	☐	☐	☐	☒

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

Findings of Fact:

a) According to the Riverside County General Plan, the project site is not located within an airport land use plan or within two miles of a public airport that would expose residents in the project site to

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

excessive noise levels. Therefore, impacts to exposing people residing in the project to excessive noise levels are considered to be less than significant.

b) Skylark Airport is a small private airstrip located in the City of Lake Elsinore. The project site is located approximately 3.3 miles from the airport. The project is not located within its influence area, or within its safety zones. Therefore, impacts to exposing people residing in the project to excessive noise levels are considered less than significant.

Mitigation: None required

Monitoring: None required

29. Railroad Noise NA ☒ A ☐ B ☐ C ☐ D ☐	☐	☐	☐	☒

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

Findings of Fact:

The project site is not located near an active railroad line. No impacts will occur as a result of the proposed project.

Mitigation: None required

Monitoring: None required

30. Highway Noise NA ☐ A ☐ B ☒ C ☐ D ☐	☐	☒	☐	☐

Source: Preliminary Acoustical Study, dated April 19, 2006

Findings of Fact:

Interstate 15 is located adjacent to the east of the project site. Compliance with the 45 dBA Ldn residential interior noise standard and the California noise Insulation standards an expected to be met with typical mitigation methods and will be confirmed when final is completed. Part of the project design will be to incorporate noise barriers such as, berms, dense vegetation, block walls and boulders to assist in noise reductions. For exterior barriers are not required but are highly recommended.

Mitigation: The development of the project shall be constructed based on (80. planning 4) condition of approval the acoustical study recommendations.

Monitoring: Monitoring shall be conducted by the Department of Building and Safety, Planning Department and the Department of Environmental Health.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
31. Other Noise NA ☒ A ☐ B ☐ C ☐ D ☐	☐	☐	☐	☒

Source: Project Application Materials, GIS database

Findings of Fact: No other noise sources are anticipated to impact the project site.

Mitigation: None required

Monitoring: None required

32. Noise Effects on or by the Project a) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
b) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
c) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
d) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?	☐	☐	☒	☐

Source: Project Application Materials, Preliminary Acoustical Study prepared by , General Plan, Ord. No. 457

Findings of Fact:

a) In the Noise Element of the County of Riverside General Plan, noise exposures in the range of 60-70 dB CNEL are considered conditionally acceptable for noise-sensitive residential uses after a careful analysis has been completed to insure that all noise impact mitigation has been implemented as feasible as possible. The proposed project will increase onsite noise relative to existing noise generation, but the ongoing noise levels will be consistent with the type of uses, with residential noise environments typically ranging between 50 and 60 dB CNEL. Noise attenuation features are required between the proposed commercial areas and the nearest residential area. Sound walls and a vegetation buffer will be the most effective measures to control noise to acceptable levels. The proposed project is not expected to generate noise levels that exceed the existing background noise level for the project area because the proposed design of the project site provides for noise attenuation; however, with implementation of mitigation measure MM Noise 1, increased noise levels from operation of the project will be less than significant.

b) Construction activities associated with the development of the project may involve heavy equipment that could exceed noise levels of 65 decibels on a short term basis. County of Riverside Ordinance Number 457 restricts the hours of construction within the vicinity of residences. Section 1G of the Riverside County Building and Safety Department limits the hours on construction within ¼-mile of an occupied residence, construction activities will take place during the hours of 6:00 a.m. and 6:00

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

p.m. during the months of June through September and between the hours of 7:00 a.m. and 6:00 p.m. during the months of October through May. The project will comply with this ordinance to minimize potential noise impacts related to project construction activities on nearby residences. Therefore, construction noise impacts are considered less than significant.

c) Noise impacts from mobile sources on the project site were determined to be less than-significant under the Highway Noise section above. The project represents only a small increment of the total traffic generated on these roadways. In addition, the County's General Plan indicates that measures must be implemented along affected roadways in the project area to minimize noise impacts from cumulative traffic on these roads. Impacts are, therefore, considered to be less than significant.

d) Construction of the project will include the use of heavy equipment. The types of equipment used do not generate excessive ground-borne vibration or noise. No other activities that generate ground-borne vibration are associated with the proposed project. Therefore, the project will not expose people to excessive ground-borne generation, impacts are considered less than significant.

Mitigation: The development of the project shall be constructed based on the acoustical study recommendations (80. planning 4).

Monitoring: Monitoring shall be conducted by the Department of Building and Safety, Planning Department and the Department of Environmental Health.

POPULATION AND HOUSING Would the project				
33. Housing	☐	☐	☒	☐
a) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				
b) Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?	☐	☐	☒	☐
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐
d) Affect a County Redevelopment Project Area?	☐	☐	☐	☒
e) Cumulatively exceed official regional or local population projections?	☐	☐	☒	☐
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)?	☐	☐	☒	☐

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

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

Findings of Fact:

a & c) The proposed project development will not displace substantial numbers of existing housing, which would require the construction of replacement housing. Impact to displacing existing housing is considered to be less than significant, as the project is residential development.

b) The proposed project will result in the construction of approximately 81 condominium units within the Elsinore Area Plan. Therefore, impact related to creating a demand for housing is considered less than significant.

d) The project is not located within a County Redevelopment Project Area. No impacts are anticipated.

e) The project's population is a small increase, that the project will not have a significant impact on the population projections. Impacts are therefore considered to be less than significant.

f) The number of condominium units (81) will not directly induce substantial population growth to the area. Impacts are therefore, considered to be less than significant.

Mitigation: None required

Monitoring: None 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:

34. Fire Services	☐	☐	☒	☐

Source: Riverside County General Plan Safety Element, Ord. No. 659.6

Findings of Fact:

Fire services will be provided by the Riverside County Fire Department. The nearest station is located approximately 1.5 miles northwest of the project site. Since the project's land use plan proposes multi-family residences for seniors, it may have the potential to impact fire services. Therefore, the project applicant will be conditioned to pay development impact fees pursuant to Ordinance No. 659.6 impacts to Fire Services are considered less than significant.

Mitigation: None required

Monitoring: None required

35. Sheriff Services	☐	☐	☒	☐

Source: Riverside County General Plan Safety Element, Ord. No. 659.6

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

Findings of Fact:

Sheriff services will be provided by the Riverside County Sheriff's Department. Since the project's land use plan proposes multi-family residences for seniors, it may have the potential to impact sheriff services. Therefore, the project applicant will be conditioned to pay development impact fees pursuant to Ordinance No. 659.6 impacts to Sheriff Services are considered less than significant.

Mitigation: None required

Monitoring: None required

36. Schools	☐	☐	☐	☒

Source: Lake Elsinore Unified School District, GIS database, Riverside County General Plan Safety Element, Ord. No. 659.6

Findings of Fact:

The proposed project is located within the Lake Elsinore Unified School District (LEUSD). Pursuant to state law (SB 50 and Proposition 1A) and County Ordinance No. 659.6, the project applicant will be required to pay school impact fees to LEUSD, which stipulates a portion of those fees to go toward offsetting development impacts associated with new development and its impact on area schools. Since the project will be conditioned to pay development impact fees under Ordinance No. 659.6 impacts to schools are considered less than significant.

Mitigation: None required

Monitoring: None required

37. Libraries	☐	☐	☒	☐

Source: Riverside County General Plan, Ord. No. 659.6

Findings of Fact:

Library services are provided by the Riverside County Public Library System. The proposed project will be required to pay development impact fees under Ordinance 659.6 the impacts are considered less than significant.

Mitigation: None required

Monitoring: None required

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
38. Health Services	☐	☐	☒	☐

Source: Riverside County General Plan, Ord. No. 659.6

Findings of Fact:

The project site will be served by Inland Valley Regional Medical Center, located at 36485 Inland Valley Drive, approximately .92 miles southeast of the project site. Because the site is located within the service area of a health care facility and will be able to serve the project, impacts are considered less than significant.

Mitigation: None required

Monitoring: None required

RECREATION				
39. 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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c) Is the project located within a C.S.A. or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)?	☐	☐	☒	☐

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:

a) The proposed project includes the development of recreational facilities on-site. The project includes the construction of a pool, sports court, tot lot, meandering paseos, putting green and a community center. The project will provide these facilities to residents. Therefore, due to the nature of the facilities impacts to construction or expansion of recreational facilities will be minor with regard and is considered to be less than significant.

b) The proposed project would include the use of existing neighborhood or regional parks. The amount of new residents will not cause an adverse effect to existing neighborhood or regional parks or other recreational facilities. Therefore, impacts are considered less than significant.

c) The project is located in the County of Riverside CSA 152. Under Section 10.35 of Ordinance 460 (implementing the Quimby Act) the project applicant is required to provide local park facilities or fees

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

in lieu thereof. Therefore, since the project will be paying Quimby fees, pursuant to Ord. No. 460, impacts are considered less than significant.

Mitigation: None required

Monitoring: None required

40. Recreational Trails	☐	☐	☐	☒

Source: Riv. Co. 800 Scale Equestrian Trail Maps, Open Space and Conservation Map for Western County trail alignments

Findings of Fact:

The project proposes a private trail for use by the residents. The project does not include the provision for public recreational trails that will impact the existing trail system. The project will not directly add to the existing demand on local recreational trails. No significant impacts to regional recreational trials are forecast to occur as a result of the proposed project.

Mitigation: None required

Monitoring: None required

TRANSPORTATION/TRAFFIC Would the project				
41. Circulation a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐
b) Result in inadequate parking capacity?	☐	☐	☒	☐
c) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated road or highways?	☐	☐	☒	☐
d) 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?	☐	☐	☐	☒
e) Alter waterborne, rail or air traffic?	☐	☐	☐	☒
f) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	☐	☐	☒	☐
g) Cause an effect upon, or a need for new or altered maintenance of roads?	☐	☐	☒	☐
h) Cause an effect upon circulation during the project's construction?	☐	☐	☒	☐
i) Result in inadequate emergency access or access to nearby uses?	☐	☐	☒	☐
j) Conflict with adopted policies supporting alternative	☐	☐	☐	☒

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
transportation (e.g. bus turnouts, bicycle racks)?				

Source: General Plan

Findings of Fact:

a) The project will include 81 dwelling units This will not result in an increase in delay times at some of the intersections or a corresponding increase in the Level of Service (LOS) standards.

b) Based on the County of Riverside parking requirements, the 24.5 acre project is providing 81 condominium units 210 parking spaces. Therefore, impacts are to be less than significant.

c) The proposed project will not exceed a level of service standard above. Riverside County has established a minimum level of service (LOS) "C" on all county maintained roads and conventional 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, and LOS E may be allowed in designated community centers to the extent that it would support transit-oriented development and walk-able communities.

d) The proposed project site is not located within a flight pattern for any airports or does not involve air traffic or local airports. Therefore, no impacts to air traffic patterns will occur.

e) The proposed project site development will not alter waterborne, rail or air traffic. Therefore, no impacts will result from the project.

f) The project will be compatible with surrounding uses in the area. The interior roads within the project are generally straight and do not have design feature hazards such as sharp curves. Impacts are considered less than significant.

g) Development of the project will be conditioned for improvements along the project boundary. Potential impacts to road maintenance from residential traffic will be offset by existing fee requirements established by the Riverside County Transportation Department and Ordinance No. 659.6. Impacts regarding the need for new or additional road maintenance are considered less than significant.

h) The proposed project will include construction of improvements on La Estrella Road and Depasqualle Road. Considering the temporary nature of construction activity, the nature of traffic circulation in the project area, and established County requirements for traffic control on public roadways during construction, impacts can be considered to be less than significant.

i) Development of the proposed project site will improve emergency access by completing improved road segments in the project area. The project site will be developed per County codes, standard conditions of approval, and permits related to emergency access. Impacts are therefore less than significant.

j) The project will comply with adopted polices related to alternative transportation. Therefore, no impacts are anticipated.

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

Mitigation: None required

Monitoring: None required

42. Bike Trails	☐	☐	☐	☒

Source: RCIP

Findings of Fact: The proposed project does not include the provision of bicycle lanes as part of the project design. No conflicts with the County's General Plan have been identified and no mitigation is required.

Mitigation: None required

Monitoring: None required

UTILITY AND SERVICE SYSTEMS Would the project				
43. Water a) Require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐

Source: Department of Environmental Health Review, EVMWD

Findings of Fact:

a) Water System plans will be prepared and these shall be approved by EVMWD water Company and the County Environmental Health.

b) The proposed project site is located within Elsinore Valley Municipal Water District service area. In January 2002, Senate Bill (SB) 610 went into effect requiring projects of certain densities to obtain a Water Source Assessment from the water provider to determine whether or not there are sufficient water supplies to serve the proposed projects. The proposed project includes densities not subject to SB 610 requirements. Impacts to water are anticipated to be less than significant.

Mitigation: None required

Monitoring: None required

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
44. Sewer a) Require or result in the construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities, the construction of which would cause significant environmental effects?	☐	☐	☒	☐
b) Result in a determination by the wastewater treatment provider that serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐

Source: Department of Environmental Health Review, EVMWD

Findings of Fact:

a) Sewer services will be provided by Elsinore Valley Municipal Water District. It is not anticipated that the project will require new or expanded waste water treatment facilities, including septic systems, the construction of which would cause significant environmental effects. Sewer facilities will be installed in accordance with the requirements of the Riverside County Department of Environmental Health. Impacts are considered to be less than significant.

b) The Eastern Municipal Water District has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. EVMWD has three wastewater treatment facilities and the largest is the District's Regional Wastewater Facility. It is designed for 8 MGD and current treats only 6 MGD. It service area covers the City of Lake Elsinore, Wildomar, portions of Murrieta and Lakeland Village. This wastewater treatment facility has adequate capacity to serve the project site. Impacts are considered to be less than significant.

Mitigation: None required

Monitoring: None required

45. Solid Waste a) Is the project served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
b) Comply with federal, state, and local statutes and regulations related to solid wastes (including the CIWMP (County Integrated Waste Management Plan)?	☐	☐	☒	☐

Source: General Plan

Findings of Fact:

a) Landfill services will be managed by the Riverside County Waste Management Department. Solid waste from the project site will be disposed at one of three landfills: the El Sobrante Landfill, located east of I-15, south Cajalco Road in the unincorporated area of Lake Mathews; the Badlands Landfill, located northeast of the City of Moreno Valley at 31125 Ironwood Avenue and accessed from State

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

Highway 60 at Theodore Avenue; and the Lamb Canyon Landfill, located approximately 25 miles to the northeast of the project site between the cities of Beaumont and San Jacinto. According to the Riverside County Waste Management Department, the total annual waste capacity of these landfills is 6,205,000 tons. The proposed project will be served by landfills with permitted capacity to accommodate the proposed project. Impacts are considered to be less than significant.

b) The County of Riverside General Plan policies regarding solid waste management for new developments seek to ensure adequate life expectancy exists in a sanitary disposal site within a reasonable distance and that onsite collection occurs at least once a week for residential developments. In addition, state law (AB 939) requires the County's waste management plan to include a 50% reduction in solid waste by January 1, 2000. The project will comply with all regulatory requirements regarding solid waste. Impacts regarding federal, state, and local statutes and regulations relating to solid waste are considered to be less than significant.

Mitigation: None required

Monitoring: None required

46. Utilities

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

a) Electricity?	☐	☐	☒	☐
b) Natural gas?	☐	☐	☒	☐
c) Communications systems?	☐	☐	☒	☐
d) Storm water drainage?	☐	☐	☒	☐
e) Street lighting?	☐	☐	☒	☐
f) Maintenance of public facilities, including roads?	☐	☐	☒	☐
g) Other governmental services?	☐	☐	☐	☒
h) Conflict with adopted energy conservation plans?	☐	☐	☐	☒

Source: General Plan

Findings of Fact:

a) The project will use electricity service provided by Southern California Edison Company. Line extensions or service extensions will have to be made to building construction.

b) The project will use natural gas service provided by Southern California Gas Company. Extensions will have to be made to proposed project structures. Extending natural gas service to the proposed project will be considered less than significant.

c) The project will use communication service provided by SBC/Pac Bell. Extensions will have to be made to the proposed project structures. Extending communication services to the proposed project will be considered to be less than significant.

d) The project will require the construction of a new onsite storm water drainage system to accommodate the additional run-off associated with the increase of impervious surfaces on the site.

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

Storm water from the proposed on-site storm drain system is planned to discharge into the proposed onsite detention basin. Construction of these facilities is not expected to cause adverse environmental impacts.

e) The proposed project will require new street lighting along the project's frontages, and within internal streets. However, the amount of new street lighting construction needed is not considered to be a significant impact.

f) The project will be required to pay development impact fees under Ordinance No. 659.6, of which a portion is allowed to provide money for road improvements in the project area, therefore, impacts are considered to less than significant.

g) No other governmental services are expected to be required for the project, and therefore, no impacts are anticipated.

h) The proposed project will meet all requirements of Title 24 California Code of Regulations construction for energy savings, but there are no energy conservation plans associated with the ELAP which would affect the project site. Therefore, no impacts to energy conservation plans are anticipated.

Mitigation: None required

Monitoring: None required

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

Source: Above checklist

Findings of Fact:

Implementation of the proposed project would not degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife populations to drop below self sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

48. Does the project have the potential to achieve short-term environmental goals, to the disadvantage of	☐	☐	☒	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
long-term environmental goals? (A short-term impact on the environment is one that occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)				

Source: Above checklist

Findings of Fact:

The proposed project does not have the potential to achieve short-term environmental goals, to the disadvantage of long-term environmental goals.

49. Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects as defined in California Code of Regulations, Section 15130)?	☐	☐	☒	☐

Source: Above checklist

Findings of Fact:

The project does not have impacts which are individually limited, or cumulatively considerable.

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

Source: Above checklist

Findings of Fact: Based upon current knowledge as to the nature of the proposed project, the preceding analysis does not identify any potential adverse effects on human beings.

VI. EARLIER ANALYSES

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

Earlier Analyses Used, if any:

Riverside County General Plan

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

Location: County of Riverside Planning Department
4080 Lemon Street, 9th Floor
Riverside, CA 92505

V. REFERENCES

The following documents were referred to as information sources during preparation of this document. They are available for public review at the locations abbreviated after each listing and spelled out at the end of this section. Some of these documents may also be available at the Riverside City and County Public Library, 3581 Seventh Street, Riverside, CA 92502-0468, and/or at branches of the library.

Cited As:	Source:
ELAP	Elsinore Area Plan. County of Riverside. Elsinore Area Plan. October 2003 (Available for review at Riv Co – Planning and on the internet at www.rcip.org/documents/general_plan_toc1.htm)
FEMA	Federal Emergency Management Agency, Federal Insurance Administration, National Flood Insurance Program, Flood Insurance Rate Map, Riverside County, California, Community-Panel Number Panels 060245-0680A. April 15, 1980. (Available at Riv Co – Flood Control)
GIS Database	County of Riverside. Geographic Information System Database. *(Available at Riv Co - Planning)*
General Plan	County of Riverside, *Riverside County General Plan,* Adopted October 7, 2003. (Available at Riverside County Planning Department and at http://www.rctlma.org/general plan/index.html)
MSHCP	County of Riverside. *Riverside County Multi-Species Habitat Conservation Plan.* June 17, 2003 *(Available at Riv Co - Planning or on the Internet at www.rcip.org)*
Ord. No. 457	Riverside County Ordinance No. 457 – Uniform Building Code *(Available at Clerk of the Board and on the Internet at www.tlma.co.riverside.ca.us/building/ordinances.html)*
Ord. No. 460	Riverside County Ordinance No. 460 - Regulating the Division of Land *(Available at Riv Co - Transportation & Clerk of the Board)*
Ord. No. 655	Riverside County Ordinance No. 655 - Regulating Light Pollution *(Available at Riv Co - Planning & Clerk of the Board)*

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

Ord. No. 659	County of Riverside, *Riverside County Ordinance No. 659 - Development Mitigation Fee for Residential Development.* (Available at Riv. C. - Planning and Clerk of the Board)
Ord. No. 810	Riverside County Ordinance No. 810.2 - Western Riverside County Multiple Species Habitat Conservation Plan Mitigation Fee Ordinance *(Available at Riv Co - Planning & Clerk of the Board).*
Water Quality Management Plan	MLB Engineering, 2080 Wineridge place, Suite A, Escondido. Ca 92029
BOHA	Paul Principe. Burrowing Owl Habitat Assessment and MSHCP Consistency Analysis. July 27, 2005.
USGS	U.S. Department of the Interior, Geologic Survey. *Corona North Quadrangle, California* 7.5 minute series (topographic). (Available at Riv Co – Planning.)
Hydrology & Hydraulic Analysis	MLB Engineering, 2080 Wineridge place, Suite A, Escondido. Ca 92029, dated October 8, 2007
Cultural Resources Assessment	LSA Associates, Inc, 1650 Spruce Street, Suite 500, Riverside, CA 92507, dated May 30, 2006

Location:	Address:
Clerk of the Board	County of Riverside, Office of the Clerk of the Board, 4080 Lemon Street, 14th Floor, Riverside, CA 92502
Riv Co - Planning	County of Riverside, 4080 Lemon Street 9th Floor, Riverside, CA 92502
Riv Co – Transportation	County of Riverside, 4080 Lemon Street, 8th Floor, Riverside, Ca 92502
Riv Co - Flood Control	Riverside County Flood Control and Water Conservation District, 1995 Market Street, Riverside, CA 92501

CITY OF WILDOMAR – COUNCIL
Agenda Item # 3 A.
GENERAL BUSINESS ITEM
Meeting Date: February 25, 2009

TO: Honorable Mayor Farnam, Members of the City Council

FROM: John Danielson, City Manager

SUBJECT: Feb. 24, 2009 Park and Recreation Sub Committee Report

NO STAFF REPORT

Wildomar
2009 Event Schedule

DRAFT

APRIL:
Senior Wii Bowling: Every Thursday beginning Thursday April 2 (10:30am-12pm)
Easter Egg Hunt: Marna O'Brien Park Saturday April 4 (10am-2pm)

MAY:
National Astronomy Day: Marna O'Brien Park Saturday May 2 (8pm-10pm)
Senior Wii Bowling: Every Thursday (10:30am-12pm)

JUNE:
M.A.R.S. Summer Explorer: Monday-Friday beginning Monday June 8 (9am-12pm)
Senior Wii Bowling: Every Thursday (10:30am-12pm)
Fathers Day Car Show: Saturday June 20 (10am-2pm)
Fathers Day Campout: Marna O'Brien Park Saturday June 20

JULY:
Wildomar Day: Wednesday July 1, (2pm-10pm)
M.A.R.S. Summer Explorer: Monday-Friday (9am-12pm)
Senior Wii Bowling: Every Thursday (10:30am-12pm)
Movie: Thursday, July 9 --- Kung Fu Panda
Movie: Thursday, July 16 --- Madagascar 2
Movie: Thursday, July 23 --- Robots
Movie: Thursday, July 30 --- Bolt

AUGUST:
M.A.R.S. Summer Explorer: Monday-Friday (9am-12pm)
Senior Wii Bowling: Every Thursday (10:30am-12pm)
Movie: Thursday, August 6 --- Wall-E
Movie: Thursday, August 13 --- Journey to the Center of the Earth
Movie: Thursday, August 20 --- Shrek 3
Movie: Thursday, August 27 --- Alvin and the Chipmunks

September:
Senior Wii Bowling: Every Thursday (10:30am-12pm)
Wildomar Youth Fair: Marna O'Brien Park Saturday September 19 (10am-2pm)

October:
Senior Wii Bowling: Every Thursday (10:30am-12pm)
Halloween Event

November:
Senior Wii Bowling: Every Thursday (10:30am-12pm)
Veteran's Day Event: "Salute to Service" Marna O'Brien Park, Sat. Nov. 7 (10am-2pm)

December:
Senior Wii Bowling: Every Thursday ending December 17 (10:30am-12pm)
Breakfast with Santa: Saturday December 19 (7am-1pm)

CITY OF WILDOMAR – COUNCIL
Agenda Item # 3 B.
GENERAL BUSINESS ITEM
Meeting Date: February 25, 2009

TO: Honorable Mayor Farnam, Members of the City Council

FROM: John Danielson, City Manager

SUBJECT: Strategic Visioning Report

NO STAFF REPORT

CITY OF WILDOMAR – COUNCIL
Agenda Item # 3 C.
GENERAL BUSINESS ITEM
Meeting Date: February 25, 2009

TO: Honorable Mayor Farnam, Members of the City Council

FROM: John Danielson, City Manager

SUBJECT: Logo Submittals

NO STAFF REPORT