

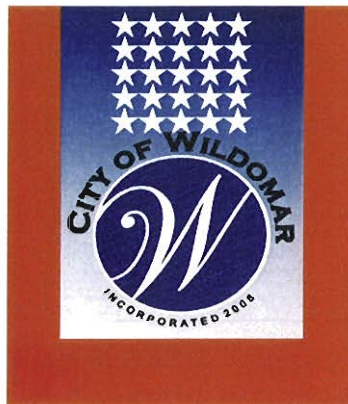
CITY OF WILDOMAR
CITY COUNCIL

AGENDA

6:00 P.M.

NOVEMBER 12, 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

City Manager
Frank Oviedo

City Attorney
Julie Hayward Biggs

WILDOMAR CITY COUNCIL REGULAR MEETING AGENDA NOVEMBER 12, 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; Mission Trail Library, 34303 Mission Trail Blvd.; and on the City's website, www.cityofwildomar.org. 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 will separately call for testimony at the time of each public hearing. If you wish to speak, please complete a "Public Comment Card" available at the Chamber door. The completed form is to be submitted to the City Clerk prior to an individual being heard. Lengthy testimony should be presented to the Council in writing (10 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 Council members, staff, or the public request the item be discussed and/or removed from the Consent Calendar for separate action.

PLEASE TURN ALL CELLULAR DEVICES TO VIBRATE OR OFF FOR THE DURATION OF THE MEETING. YOUR COOPERATION IS APPRECIATED.

CALL TO ORDER (CLOSED SESSION) - 6:00 P.M.

POTENTIAL LITIGATION

Government Code Section 54956.9(b)

The City Council will meet in closed session to confer with legal counsel regarding one matter of significant exposure to litigation. The facts and circumstances are known to the parties and relate to the application submitted by Cornerstone Church relating to construction of a parking lot, the approval of the application by the Planning Commission, and the appeal of that decision by the City of Menifee.

ADJOURN CLOSED SESSION

CALL TO ORDER (OPEN SESSION) - 7:00 P.M.

ROLL CALL

FLAG SALUTE

PRESENTATIONS

Proclamation to Outgoing Planning Commissioner Miguel Casillas

Fire Department Monthly Update

Chamber of Commerce Monthly Update

PUBLIC COMMENTS

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APPROVAL OF THE AGENDA AS PRESENTED

1.0 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 discussion and/or separate action.

1.1 Reading of Ordinances

RECOMMENDATION: Approve the reading by title only of all ordinances.

1.2 Special Meeting Minutes - October 28, 2009

RECOMMENDATION: Approve the Minutes as submitted.

1.3 Regular Meeting Minutes - October 28, 2009

RECOMMENDATION: Approve the Minutes as submitted.

1.4 Warrant Registers and Payroll Warrant Registers

RECOMMENDATION: Approve the following Registers:

1. Warrant Register dated October 28, 2009, in the amount of \$26,975.83;
2. Warrant Register dated November 3, 2009, in the amount of \$356,290.83;
3. Payroll Warrant Register dated October 30, 2009, in the amount of \$7,088.83.

1.5 City Holiday Schedule Resolution

RECOMMENDATION: Adopt Resolution No. 09-73 regarding City holidays:

RESOLUTION NO. 09 – 73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA , REPEALING RESOLUTION NO. 08-12 AND DESIGNATING
CITY HOLIDAYS

1.6 Cimarron Plaza (Stable Lanes Commercial Center) Ordinance Adoption

RECOMMENDATION: Adopt Ordinance No. 37:

ORDINANCE NO. 37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF WILDOMAR FOR A PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CLINTON KEITH ROAD AND STABLE LANES WAY FROM RURAL RESIDENTIAL TO GENERAL COMMERCIAL, KNOWN AS ASSESSOR'S PARCEL NO. 380-120-012 AND 380-120-013

2.0 PUBLIC HEARINGS

2.1 Economic Incentives – Development Impact Fee Reduction Ordinance

RECOMMENDATION: Continue the Public Hearing to the meeting of December 9, 2009.

2.2 Updating the Western Riverside Council of Governments Transportation Uniform Mitigation Fee (TUMF)

RECOMMENDATION: That the City Council introduce:

ORDINANCE NO. 38

AN ORDINANCE OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING AND SUPERSEDING ORDINANCE NO. 824 AND NO. 24 TO UPDATE ITS PARTICIPATION IN THE WESTERN RIVERSIDE COUNTY TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) PROGRAM

Staff further recommends Council adopt:

RESOLUTION NO. 09 – 74

A RESOLUTION OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING THE INTENT TO CONSIDER THE 2009 NEXUS STUDY, ESTABLISHING A REVISED AND UPDATED FEE SCHEDULE APPLICABLE UNDER THE WESTERN RIVERSIDE COUNTY TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) PROGRAM

2.3 Appeal of the Planning Commission Approval of the Cornerstone Community Church Parking Lot Expansion (Project No. 08-0163)

RECOMMENDATION: The Planning Commission recommends that the City Council adopt the following Resolutions:

RESOLUTION NO. 09 - 75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR
UPHOLDING THE PLANNING COMMISSION'S DECISION TO
APPROVE THE MITIGATED NEGATIVE DECLARATION FOR THE
CORNERSTONE COMMUNITY CHURCH PARKING LOT EXPANSION,
THE THIRD REVISION TO PUBLIC USE PERMIT 778 (PROJECT NO.
08-0163)

RESOLUTION NO. 09 -76
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR
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THE CORNERSTONE COMMUNITY CHURCH PARKING LOT
EXPANSION, THE THIRD REVISION TO PUBLIC USE PERMIT 778
(PROJECT NO. 08-0163)

3.0 GENERAL BUSINESS

None

CITY MANAGER REPORT

CITY ATTORNEY REPORT

COUNCIL COMMUNICATIONS

FUTURE AGENDA ITEMS

ADJOURNMENT

The next regular meeting of the City Council scheduled for November 25, will not be held. Therefore the next regular meeting will be held on December 9, 2009.

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December 9

December 23 – DARK

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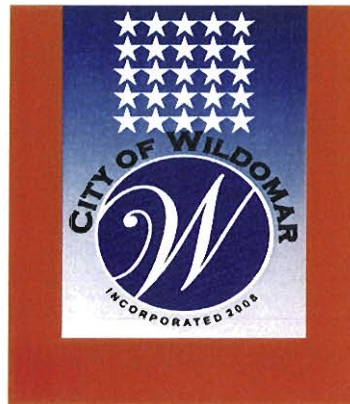
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APPROVAL OF THE AGENDA AS PRESENTED

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RECOMMENDATION: Adopt Resolution No. 09-73 regarding City holidays:

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RECOMMENDATION: Adopt Ordinance No. 37:

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2.0 PUBLIC HEARINGS

2.1 Economic Incentives – Development Impact Fee Reduction Ordinance

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2.2 Updating the Western Riverside Council of Governments Transportation Uniform Mitigation Fee (TUMF)

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Staff further recommends Council adopt:

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2.3 Appeal of the Planning Commission Approval of the Cornerstone Community Church Parking Lot Expansion (Project No. 08-0163)

RECOMMENDATION: The Planning Commission recommends that the City Council adopt the following Resolutions:

RESOLUTION NO. 09 - 75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR
UPHOLDING THE PLANNING COMMISSION'S DECISION TO
APPROVE THE MITIGATED NEGATIVE DECLARATION FOR THE
CORNERSTONE COMMUNITY CHURCH PARKING LOT EXPANSION,
THE THIRD REVISION TO PUBLIC USE PERMIT 778 (PROJECT NO.
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RESOLUTION NO. 09 -76
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR
UPHOLDING THE PLANNING COMMISSION'S DECISION TO APROVE
THE CORNERSTONE COMMUNITY CHURCH PARKING LOT
EXPANSION, THE THIRD REVISION TO PUBLIC USE PERMIT 778
(PROJECT NO. 08-0163)

3.0 GENERAL BUSINESS

None

CITY MANAGER REPORT

CITY ATTORNEY REPORT

COUNCIL COMMUNICATIONS

FUTURE AGENDA ITEMS

ADJOURNMENT

The next regular meeting of the City Council scheduled for November 25, will not be held. Therefore the next regular meeting will be held on December 9, 2009.

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Mission Trail Library, 34303 Mission Trail Blvd

**CITY OF WILDOMAR
CITY COUNCIL SPECIAL MEETING MINUTES
OCTOBER 28, 2009**

The special meeting of October 28, 2009, of the Wildomar City Council was called to order by Mayor Farnam at 6:00 p.m.

City Council Roll Call showed the following Members in attendance: Mayor Farnam, Mayor Pro Tem Moore, Council Members Cashman and Swanson; Council Member Ade arrived at 6:15 p.m. Absent: None.

At 6:00 p.m. the City Council convened into closed session regarding the following:

1.0 POTENTIAL LITIGATION

Government Code Section 54956.9(b)

The City Council will meet in closed session to confer with legal counsel regarding one matter of significant exposure to litigation. The facts and circumstances are known to the parties and relate to the application submitted by Cornerstone Church relating to construction of a parking lot, the approval of the application by the Planning Commission, and the appeal of that decision by the City of Menifee.

At 7:05 p.m. the City Council reconvened into open session making no announcements.

ADJOURNMENT

There being no further business, Mayor Farnam declared the meeting adjourned at 7:05 p.m.

Respectfully submitted,

Debbie A. Lee, CMC
City Clerk

**CITY OF WILDOMAR
CITY COUNCIL REGULAR MEETING MINUTES
OCTOBER 28, 2009**

The regular meeting of October 28, 2009, of the Wildomar City Council was called to order by Mayor Farnam at 7:05 p.m.

City Council Roll Call showed the following Members in attendance: Mayor Farnam, Mayor Pro Tem Moore, Council Members Ade, Cashman and Swanson. Absent: None.

Staff in attendance: City Manager Oviedo, City Attorney Biggs, Public Works Director Kashiwagi, Planning Director Hogan, Finance Director Nordquist, Fire Chief Beach, Police Chief Cleary, and City Clerk Lee.

The Flag Salute was led by Council Member Ade.

PRESENTATIONS

Mayor Farnam presented a Certificate of Congratulations to Danny Bedford, Wildomar's young author, on writing his first book, "The Shadow Phantom Begins".

Jan Kuebel and Veronica Langworthy gave the Library quarterly update.

Holly Kowalski, Code Enforcement Officer, presented the monthly update.

Council Member Ade requested to receive a list of the case numbers of the cases that are closed.

Mayor Farnam introduced Council Member Scott Mann from the City of Menifee.

PUBLIC COMMENTS

Gerald Babinski, representing the Lake Elsinore and Wildomar Elks Lodge #2591, thanked the City for helping them get their building to the point it is presently. He asked if there are any grants or monies they can apply for to help them continue.

City Manager Oviedo stated he should talk with Finance Director Nordquist.

Sharon Heil, resident, stated she would appreciate the City doing anything they can to help the Elks get into their new Lodge. Since all that has happened, the Elks have lost many of their fundraisers. As soon as they can get into the building they can have their fundraisers again and those monies go back into the

community in many ways. The Elks will be holding a fundraiser barbeque on November 14 and she encouraged everyone to attend.

Roger LeClerc, resident, stated that we need to take care of the homeless, especially as the nights get colder. He also thanked the City Council for the drawing of the Districts and for Measure K.

Gina Castanon, resident, stated that she and others have a small group who are supporting Measure I. They have signs for anyone who is interested. They also did a telephone and email blast in support of Measure I. She encouraged everyone to vote in support of Measure I.

APPROVAL OF AGENDA AS PRESENTED

A MOTION was made by Council Member Swanson, seconded by Mayor Pro Tem Moore, to approve the agenda as presented.

Roll call vote: Ayes – 5; Nays – 0; Motion carried.

1.0 CONSENT CALENDAR

A MOTION was made by Mayor Pro Tem Moore, seconded by Council Member Swanson, to approve the Consent Calendar as amended.

Council Member Ade stated she has a comment on item #1.3, page 3, #3, the way it is presented is misleading as it appears there was consensus on this, and there was not. These are to come back at the next norming session to discuss further.

Roll call vote: Ayes – 5; Nays – 0; Motion carried.

1.1 Approved the reading by title only of all ordinances

1.2 Approved the Regular Meeting Minutes dated October 14, 2009.

1.3 Approved the Special Norming Session Minutes dated October 15, 2009.

1.4 Approved the following Warrant Registers and Payroll Warrant Registers:

1. Warrant Register dated October 14, 2009 in the amount of \$107,743.62;
2. Warrant Register dated October 22, 2009 in the amount of \$519,811.82;

3. Payroll Warrant Register dated October 16, 2009 in the amount of \$7,088.83.
- 1.5 Approved the Treasurer's Report for September, 2009.
- 1.6 Received and Filed the Notice of Decision for the Eagle Eye Storage project (09-0280).

2.0 PUBLIC HEARINGS

- 2.1 Continue the Public Hearing Regarding Clinton Keith Animal Hospital (Continued from 09-09-09).

Mayor Farnam opened the public hearing.

Planning Director Hogan stated there are some provisions for water and waste water treatment that are not in place as of yet. Until they get those approvals from the EVMWD, Staff cannot recommend an approval and suggests this public hearing be continued to a date uncertain. Staff will have to re-notice the public hearing once the applicants have the necessary approvals.

Jack Monroe, J & M Consultants, representing the applicant Henry Luzuriaga, stated they would prefer to continue this to a date certain in December. They are trying to get the Water District to respond in a timely manner.

A MOTION was made by Mayor Pro Tem Moore, seconded by Council Member Swanson, to continue the public hearing to December 9, 2009.

Roll call vote: Ayes – 5; Nays – 0; Motion carried.

- 2.2 Cimarron Plaza (Stable Lanes Commercial Center)-Environmental, Zone Change, Plot Plan and Parcel Map.

Mayor Farnam opened the public hearing.

Planning Director Hogan presented the staff report.

Council Member Ade asked if the ingress and egress could be shown and explained.

Jim Bach, representing Cimarron Plaza, showed on the map where the ingress and egress are and how the circulation will work.

Discussion ensued regarding the traffic signal.

Council Member Ade thanked the developer for bringing a higher-end plaza to the City. She also read the mitigated negative declaration and thought it was very well done.

Mr. Bach thanked Council Member Ade and stated the timing of the opening of this is uncertain. Presently they do not have tenants and are in the process of getting additional permits that are necessary.

There being no speakers, Mayor Farnam closed the public hearing.

A MOTION was made by Council Member Ade, seconded by Mayor Pro Tem Moore, to adopt Resolution No. 09-69.

Roll call vote: Ayes – 5; Nays – 0; Motion carried.

RESOLUTION NO. 09-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION FOR PROJECT NO. 08-0166 THAT IS LOCATED AT THE SOUTHWEST CORNER OF CLINTON KEITH ROAD AND STABLE LANES WAY KNOWN AS ASSESSOR'S PARCEL NO. 380-120-012 AND 380-120-013

A MOTION was made by Council Member Cashman, seconded by Council Member Swanson, to introduce Ordinance No. 37.

ORDINANCE NO. 37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF WILDOMAR FOR A PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CLINTON KEITH ROAD AND STABLE LANES WAY FROM RURAL RESIDENTIAL TO GENERAL COMMERCIAL, KNOWN AS ASSESSOR'S PARCEL NO. 380-120-012 AND 380-120-013

which title was read.

Roll call vote: Ayes – 5; Nays – 0; Motion carried.

A MOTION was made by Mayor Pro Tem Moore, seconded by Council Member Swanson, to adopt Resolution No. 09-70.

Roll call vote: Ayes – 5; Nays – 0; Motion carried.

RESOLUTION NO. 09-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR APPROVING PARCEL MAP 35935 TO SUBDIVIDE THE 4.16-ACRE SITE LOCATED AT THE SOUTHWEST CORNER OF CLINTON KEITH ROAD AND STABLE LANES STREET INTO TWO PARCELS AND PROVIDE FOR ADDITIONAL ROAD DEDICATION ALONG STABLE LANES WAY, KNOWN AS ASSESSOR'S PARCEL NO. 380-120-012 AND 380-120-013

A MOTION was made by Council Member Swanson, seconded by Mayor Pro Tem Moore, to adopt Resolution No. 09-71.

Roll call vote: Ayes – 5; Nays – 0; Motion carried.

RESOLUTION NO. 09-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR APPROVING PLOT PLAN 08-0166 TO ALLOW FOR THE DEVELOPMENT OF TWO COMMERCIAL RETAIL BUILDINGS TOTALING 20,894 SQUARE FEET AND A 9,305 SQUARE FOOT DAYCARE FACILITY ON A 4.16-ACRE SITE LOCATED AT THE SOUTHWEST CORNER OF CLINTON KEITH ROAD AND STABLE LANES WAY KNOWN AS ASSESSOR'S PARCEL NO. 380-120-012 AND 380-120-013

3.0 GENERAL BUSINESS

3.1 Consideration of Membership Changes on the Planning Commission.

Mayor Farnam stated that Planning Commissioner Miguel Casillas has resigned from the Commission as he is moving out of the City. How to fill that vacancy will be discussed, but he wanted to introduce the entire item first. He stated that he regrets that this item has turned into a media circus and blog controversy before the City Council has had a chance to hear it. He has been approached by more than one person concerning certain aspects of the Planning Commission. In addition, there was a very lively discussion regarding planning items at the last norming session. He feels it would be logical to schedule a joint meeting/work shop with the

Council and Commission. It should be a facilitated meeting to discuss goals, expectations, relationships and what is and is not appropriate behavior. He would like to get this scheduled as soon as possible.

Discussion ensued regarding holding the joint meeting and the benefits of such a session.

City Manager Oviedo stated it would be appropriate at this time for the Council to accept the resignation of Commissioner Casillas. Then the other issues can be addressed.

Council Member Swanson stated Commissioner Casillas did everything he could to remain in Wildomar, but there are just no houses available. He has given her the letter of resignation from the Commission. She stated the City is losing a great Commissioner. She then explained the process of replacing him and the qualifications.

Mayor Farnam accepted the letter of resignation and declared a vacancy on the Planning Commission. He then thanked Commissioner Casillas for an outstanding job.

Speakers:

Several speakers withdrew their speaker slips.

George Taylor, resident, stated he is withdrawing his letter and commended the Council for agreeing to a joint meeting.

Martha Bridges, resident, stated she commends the Council for agreeing to the joint meeting, however, she wants to be sure that in that meeting the public is represented and be able to participate.

Gerry Stevenson, resident, stated she is in favor of Commissioner Andre and his great work on the Commission. He was instrumental in the paperwork for incorporation of the City and with the trail system.

Gina Castanon, resident, stated she agrees this was a media circus, however she feels Mayor Farnam contributed to it by his comments in the paper. She stated that Commissioner Andre has been a very loyal person to the City. She commended the Council for agreeing to the joint meeting, but cautioned them regarding trying to control someone's actions and comments.

Gerald Hall, resident, stated he has been following the media hype and feels that it is stemming from the Cornerstone Church project. Just because he does not agree with everyone on the Council does not mean he is doing a bad job. There needs to be people who stand up from time to time and not just say "yes".

George Cambero, resident, stated he agrees with the joint meeting and is in support of Commissioner Andre.

Mayor Farnam stated what is going on has absolutely nothing to do with the Cornerstone Church project as has been stated. He looks forward to a joint meeting with the Commission so as to ensure everyone is on the same page.

Mayor Pro Tem Moore stated the joint meeting should be held after the appointment of the new Commissioner.

City Clerk Lee stated the 30 day posting period is over November 29, so it is possible to have the appointment on December 9.

It was the consensus of the Council to hold the workshop after December 9, if the ratification is complete by then.

Council Member Ade stated the resulting media circus and concerns in the community did not just happen. There were comments made. She encouraged the public to attend the joint session and feels an evening meeting would work the best. She also stated that before we have more norming consensus, we should honor the ones that are already in place. Additionally, if there are concerns with fellow Council Members, we should go to them and speak with them rather than finding out through the Press.

Mayor Farnam agreed.

3.2 Economic Incentives – Development Impact Fees Reduction

Planning Director Hogan presented the staff report.

Speakers:

Scott Mann, Council Member of the City of Menifee, stated he is in favor of items 3.2 and 3.3. He gave a handout to the Council. The City of Menifee has a program that they have implemented which cut their development impact fees. It has been a big success since it has been implemented.

He urged the Council to reduce their fees as well, and reduce the TUMF fees.

Jean Alexander-Booth, representing First 5 Riverside, stated she is in favor of the Council reducing the building fees. She explained the First 5 Riverside program and stated lower fees would help the child care profession.

Garth Erdosy, representing Oak Springs Ranch, LLC, stated he supports lower DIF and TUMF fees. He recommends a time limit of one year. They are ready to build, however, if the fees were lower, it would make the project easier to build.

Kristan Lloyd, resident, stated she has reviewed the data provided by Staff and it shows that our fees are lower than everyone around us. For that reason she does not see a need to reduce the fees. When growth returns to California and the Valley, this area will thrive. She feels a reduction would be to the detriment of the community. Those who want to build in Wildomar should help build the infrastructure. If we do not collect these fees, how will we build the infrastructure needed in the future.

Diana Autumn, representing Anne Sullivan Nursery School, stated she is in support of lower fees. They are a small business and are having a hardship with the fees. For a small business the fees are making it prohibitive for them to expand.

Jeanne Weiler, representing Anne Sullivan Nursery School, stated she is in agreement with the previous speaker. This is a service to the community, but the fees are stopping their expansion.

Gina Castanon, resident, stated this is not the time for Wildomar to cut fees. She agrees with the comments made by Kristan Lloyd. She encouraged the Council to leave the fees as they are, and the TUMF fees as well.

James Bach, MDMG, Inc., stated he is in support of lower fees and urged the Council to reduce them. He spoke about the various projects they have going in the City. He also urged reduction of the TUMF fees as well.

Mark Knorringa, BIA, stated he urged support of reducing the DIF and TUMF fees. He feels this will stimulate the economy of the area.

Henry Silvestre, resident and business owner, stated he supports the

lower fees as he feels it will stimulate the economy of Wildomar. He would like to see the city grow the right way.

Don Saunders, resident, stated infrastructure is not here and the developers have gotten by. He recommends that if the Council approves this, that there be a very stringent time frame on it. The traffic issues around this valley are bad due to no infrastructure.

John Lloyd, resident, stated he does not feel the fees should be lowered. He listened to the City of Menifee's program, but what happens in the future when they need the money they did not collect for infrastructure due to the growth.

Mayor Farnam stated there are so many people unemployed in this area, and there is a need to do something to stimulate this economy. We have to take care of our residents. He recommends a 50% reduction of fees, across the board, to sunset in one year.

Council Member Swanson stated she does not agree with 50% across the board. Wildomar is so much lower than the surrounding cities, except for a few categories. She would definitely like to look at single family, possibly others, but not a 50% reduction. Every day she sees the demand for houses in the City, so the demand is here. The roads and sidewalks are built by the builder, not the City or the County. The fees need to be looked at individually.

Mayor Pro Tem Moore stated the County has already reduced their fees to sunset in August 2010. If we were still the County we would have no say. This is why we became a City, for local control. She stated she supports reducing the fees, but she would need to see the numbers first.

Council Member Cashman stated he has a problem with reducing the fees. We would ask the County where the infrastructure is and it was because their fees were so low, there was no infrastructure. When we became a City we adopted the same fees, so we are already low. To reduce these fees would be a detriment. We will have more people, which means more service, but not the infrastructure. That money has to come from somewhere, so it would be a reduction of services. Perhaps in order to stimulate the area we shouldn't just be looking at construction jobs. We are a small City and certainly not the economic engine of this valley.

Discussion ensued who would pay for the infrastructure should the fees be reduced.

Council Member Ade stated the City of Menifee has the luxury of reducing their fees. They have more open land and commercial/industrial areas than Wildomar. The land next to City Hall was zoned commercial until the County rezoned it for homes before we incorporated. We are losing revenue because of this decision. She read on the WRCOG web page that DIF is going to be lowered even further in 2011/2012. She feels we have a responsibility to hold monies for infrastructure. There is a reason for DIF, the word "impact". She wants certainty, but she doesn't see it by reducing the fees. As for jobs, we need to look at a broader view than construction. Developers will go where the land is. They may not come to Wildomar as soon as we would like, but they will come. Reducing the fees is a risk she is not willing to take. Perhaps the BIA would like to create a fund to help out the smaller developers, why should that be on the backs of the citizens. The fees are not for running the City. They are for infrastructure and services. She is not comfortable with the reductions and cannot support it.

Council Member Swanson stated she can live with a 50% reduction on single family and a harder look at the rest of them, for a time certain. They would also have to start their projects in a timely manner. This should sunset in one year.

Mayor Farnam asked how Staff would ensure the when they pay the fees that the projects start within the time frame.

Planning Director Hogan stated Staff would prohibit paying in advance. There would have to be a building permit and inspections done on the development. It would have to be paid prior to certificate of occupancy or the connection of utilities. In that way we know the project is already there.

City Attorney Biggs stated this is the time for Council to give direction. Staff will need to bring the fees forward at the next meeting. Because they are fees, they do not become effective for 60 days.

Council Member Ade stated she would like to see the impact on the budget and how the City will pay for items we should be collecting for.

Planning Director Hogan stated that staff will come back to the Council with a 50% across the board reduction, one year sunset, prepayment is not allowed, must be paid prior to occupancy, and a limit of the number of permits.

Discussion ensued regarding where the money will come from for the infrastructure needed in the future that wasn't collected for.

A MOTION was made by Mayor Pro Tem Moore, seconded by Council Member Swanson, for Staff to bring back at the next meeting a Resolution showing: 50% reduction in DIF for residential and commercial; No prepayment of the reduced DIF; A limited number of reductions available; A sunset of one year.

Roll call vote: Ayes – 3; Nays – 2, Council Members Ade and Cashman; Motion carried.

City Manager Oviedo stated that the item will be on the agenda for November 12, 2009 Council agenda.

3.3 Transportation Uniform Mitigation Fee (TUMF) Comprehensive Update

Public Works Director Kashiwagi gave the staff report stating this is only for information tonight, no action is needed.

Speakers:

Scott Mann, Menifee Council Member, stated he hopes the surrounding cities do not lower their fees. They are already taking sales tax from everyone. In relation to the TUMF, it was a 17-1-1 vote to lower the TUMF. Additionally, he showed what the City of Menifee did to stimulate their City. It doesn't mean you must do the same, it was just an example of how lowering fees has helped them. He then explained the "Menifee Money" card program.

Mark Knorrington, BIA, stated they support the TUMF reductions.

Gil Rasmussen, resident, stated he does not appreciate elected officials from other cities coming to Wildomar and being glib about what is being debated.

Council Member Cashman inquired if the reduction is approved, how long the time frame stretches out before we can use TUMF funds for Wildomar.

Mayor Farnam answered it does not stretch out the time frame because funds would still be collected. In addition there are stimulus funds that can be utilized as well.

Council Member Cashman asked if the existing TUMF are already spent.

Mayor Farnam answered they are not all spent. Wildomar's projects are in a nexus. Certain monies are applied to that nexus. When projects are shovel-ready, they move to the front of the line.

Discussion ensued Wildomar's projects in the nexus and how the funding will come about; If Wildomar collects more TUMF fees it does not mean the projects will move ahead of others that cut their fees; and if TUMF would cover Baxter (Staff to come back with information on this).

3.4 Selection Process of Mayor and Mayor Pro Tem

City Clerk Lee presented the staff report.

A MOTION was made by Mayor Pro Tem Moore, seconded by Council Member Swanson, to adopt Resolution No. 09-72.

Roll call vote: Ayes – 5; Nays – 0; Motion carried.

RESOLUTION NO. 09-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ESTABLISHING A METHOD FOR THE SELECTION AND APPOINTMENT OF A MAYOR AND MAYOR PRO TEMPORE AND REPEALING RESOLUTION NO. 08-09

3.5 Tag Line for City Logo

Mayor Farnam stated the logo designer, Wendy Holder, stated she would put together a use guide for the logo, as was previously requested.

Council discussion and deliberation of the various suggestions.

A MOTION was made by Mayor Pro Tem Moore, seconded by Council Member Swanson, to adopt "Tradition●Opportunity●Progress" as the tag line for the logo.

Roll call vote: Ayes – 5; Nays – 0; Motion carried.

CITY MANAGER REPORT

City Manager Oveido reported starting Monday, November 2, the City will switch

to the 4/10 work week. City Hall will be open Monday – Thursday from 7:30 a.m. to 6:00 p.m. The next City Council meeting will be held on Thursday, November 12 due to the holiday on November 11. Also, the higher education subcommittee did meet with Mt. San Jacinto Community College committee. Everyone agreed to assemble a group of community leaders to assist the college in prioritizing the types of disciplines that will be taught at the school so they can design the school around that. In January the President Superintendent will be presenting this to the Board. This is a big step and he is hoping he, the higher education subcommittee, and any Council Member, could attend that meeting. From there a letter of intent would be sent to the State Chancellor who oversees the community colleges. This is a big first step for a new city.

CITY ATTORNEY REPORT

No report.

COUNCIL COMMUNICATIONS

Council Member Swanson stated Assemblyman Nastande is having a meeting on November 3 at the Starbuck's in Canyon Hills. It is a meet and greet as he is going out into his district to meet the constituents. She wished Mayor Pro Tem Moore a happy birthday. Also, she got to see Chief Cleary in his Scout Leader uniform at the Boy Scouts honor to Assemblyman Jeffries. On November 11, there will be a Veterans Day ceremony at the cemetery at 3:00 p.m.

Mayor Pro Tem Moore stated there was another meeting with the Faith-based organizations on October 15, which was also the great shake-out day. On November 7 the Santa Margarita Watershed Cleanup will take place. The first meeting of the HAM radio classes was held on October 27. She also reminded everyone to vote on November 3.

Council Member Ade stated she went to LAFCO last week. They had the Municipal Review and Sphere of Influence on their agenda. Because the Eastvale incorporation request took up the entire morning, the Board of Supervisors didn't even want a staff report, they just voted. Eastvale was not approved as there are some fiscal concerns, so it will be brought back.

City Attorney Biggs stated they just had a significant win in the courts regarding Carmel Valley incorporation. A second court has now gone on report saying there is no need for environmental review for incorporations.

Mayor Farnam stated on October 27 he attended the GOP Liberty dinner at Casino Morongo. It was a great opportunity to meet with the local legislators. Also, the City of Wildomar's booth won the chili cook-off at the Farm. It was a great event.

FUTURE AGENDA ITEMS

No future agenda items.

Council Member Swanson announced that City Clerk Lee has moved to Wildomar and City Manager Oviedo will be moving his family this coming weekend. She added that the City has two employees and both are Wildomar residents.

ADJOURNMENT

There being no further business, Mayor Farnam declared the meeting adjourned at 10:23 p.m.

Respectfully submitted,

Debbie A. Lee, CMC
City Clerk

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item #1.4
CONSENT CALENDAR
Meeting Date: November 12, 2009

TO: Mayor and Members of the City Council

FROM: Gary Nordquist, Director of Finance

SUBJECT: Warrant Registers dated October 28 and November 3, 2009 and Payroll Register dated October 30, 2009.

STAFF REPORT

RECOMMENDATION:

1. Approve Warrant Register dated October 28, 2009 in the amount of \$26,975.83.
2. Approve Warrant Register dated November 3, 2009 in the amount of \$356,290.83
3. Approve Payroll Warrant Register dated October 30, 2009 in the amount of \$7,088.83.

BACKGROUND:

The City of Wildomar requires that the City Council audit payments of demands and direct the City Manager to issue checks. The Warrant and Payroll Registers are submitted for approval.

DISCUSSION:

None.

FISCAL IMPACTS:

These Warrant and Payroll Registers will have a budgetary impact in the amount noted in the recommendation section of this report. These costs are included in the Fiscal Year 2009-10 Budget.

ALTERNATIVES:

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

Submitted by:

Approved by:

Gary Nordquist
Director of Finance

Frank Oviedo
City Manager

**City of Wildomar
Warrant Register
October 28, 2009**

Date	Type	Num	Name	Memo/Description	Amount
10/28/2009	Bill Payment (Check)	1995	A & A Janitorial Services	Janitorial Services - October 09 - Marna O'Brie	\$ 570.00
10/28/2009	Bill Payment (Check)	1996	AFLAC	City Council - October 09	\$ 441.41
10/28/2009	Bill Payment (Check)	1997	DirecTV	Serviced Period - 10/12/09 - 11/11/09	\$ 63.00
10/28/2009	Bill Payment (Check)	1998	Innovative Document Solutions	Contract Copier Services/Maintenance	\$ 570.05
10/28/2009	Bill Payment (Check)	1999	North County Times	Notices of Public Hearings Oct. 5, 10, 28 - 09	\$ 206.80
10/28/2009	Bill Payment (Check)	2000	Pitney Bowes	Postage & Supplied	\$ 518.99
10/28/2009	Bill Payment (Check)	2001	Republic ITS	Traffic Signal Maintenance, Response - Sept. 09	\$ 5,146.13
10/28/2009	Bill Payment (Check)	2002	Aetna	City Council, City Clerk Benefits - October 09	\$ 5,051.00
10/28/2009	Bill Payment (Check)	2003	Arturo Santiago - Refund	Deposit Balance Refund - 08-0182	\$ 757.17
10/28/2009	Bill Payment (Check)	2004	Crystal Clean Maintenance	Janitorial Services - October 09	\$ 698.00
10/28/2009	Bill Payment (Check)	2005	Edison	September Utilities	\$ 6,384.97
10/28/2009	Bill Payment (Check)	2006	Guardian	Insurance Premium for November 09	\$ 961.92
10/28/2009	Bill Payment (Check)	2007	OnTrac	Overnight Delivery Services for September 09	\$ 34.00
10/28/2009	Bill Payment (Check)	2008	Scott Farnam	Expense Reimbursement - 10/24-10/25/09	\$ 342.97
10/28/2009	Bill Payment (Check)	2009	Smith Tractor Service	Weed Abatement Services - 21426 Austin Street	\$ 200.00
10/28/2009	Bill Payment (Check)	2010	Southwest Healthcare System	Services from 7/1/09 - 9/30/09	\$ 900.00
10/28/2009	Bill Payment (Check)	2011	Unum	Insurance Premium - Council, Clerk, Manager 11/09	\$ 2,330.94
10/28/2009	Bill Payment (Check)	2012	World Harvest Church - Refund	Deposit Balance Refund - 09-0456	\$ 371.00
10/28/2009	Bill Payment (Check)	2013	California Public Employee Retirement Sys	City Council, Staff Contributions	\$ 1,427.48
					Sub-total: \$ 26,975.83

**City of Wildomar
Warrant Register
November 3, 2009**

Date	Type	Num	Name	Memo/Description	Amount
11/03/2009	Bill Payment (Check)	2014	Riverside Dept of Environmental Health	1st Qtr. Services for Trash Spills, Sewage	\$ 3,117.00
11/03/2009	Bill Payment (Check)	2015	Animal Friends of the Valleys, Inc.	Animal Services - September 2009	\$ 7,500.00
11/03/2009	Bill Payment (Check)	2016	CTAI Pacific Greenscape	Park Maintenance Services for October 2009	\$ 4,895.26
11/03/2009	Bill Payment (Check)	2017	Diamond Enviromental Services	1 VIP 2X Wek Service @ Windsong Park	\$ 140.70
11/03/2009	Bill Payment (Check)	2018	Elsinore Valley Municipal Water District	Water Services for 9/17/09 - 10/15/09	\$ 4,135.96
11/03/2009	Bill Payment (Check)	2019	Wells Fargo Business Card	October CC Charges - Supples	\$ 2,061.17
11/03/2009	Bill Payment (Check)	2020	Paula Willette	October 2009 Services	\$ 7,300.00
11/03/2009	Bill Payment (Check)	2021	Western Riverside County Regional Agency	MSHCP for Sept/Oct 2009	\$ 127,901.70
11/03/2009	Bill Payment (Check)	2022	WRCOG	TMF Mitigation Fees for Sept/Oct 2009	\$ 185,989.04
11/03/2009	Bill Payment (Check)	2023	Gary Andre	Planning Commission Meetings - 10/7 & 10/21/09	\$ 150.00
11/03/2009	Bill Payment (Check)	2024	Miguel Casillas	Planning Commission Meetings - 10/7 & 10/21/09	\$ 150.00
11/03/2009	Bill Payment (Check)	2025	Robert Devine	Planning Commission Meetings - 10/7 & 10/21/09	\$ 150.00
11/03/2009	Bill Payment (Check)	2026	Harv Dykstra	Planning Commission Meetings - 10/7 & 10/21/09	\$ 150.00
11/03/2009	Bill Payment (Check)	2027	Scott Nowak	Planning Commission Meetings - 10/7 & 10/21/09	\$ 150.00
11/03/2009	Bill Payment (Check)	2028	Gary Nordquist	Finance Director Services for October 2009	\$ 12,500.00
					Sub-total: \$ 356,290.83
					Grand Total: \$ 383,266.66

Payroll Register

		30-Oct-09		
10/30/2009	5080	City Staff Payroll	Payroll Period 21	\$ 5,018.20
10/30/2009	EFT	City Staff Payroll	Payroll Period 21	<u>\$ 2,070.63</u>
				7,088.83

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item #1.5
CONSENT CALENDAR
Meeting Date: November 12, 2009

TO: Mayor and Members of the City Council
FROM: Gary Nordquist, Director of Finance
SUBJECT: Holiday Schedule

STAFF REPORT

RECOMMENDATION:

Adopt Resolution 09-73 revising the City Designated Holiday Schedule providing consistency with City Ordinance 08-14 Personnel Rules Ordinance, section 2.06.090 (a) (i).

RESOLUTION NO. 09 – 73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA,
REPEALING RESOLUTION NO. 08-12 AND DESIGNATING CITY HOLIDAYS

BACKGROUND:

During a review and revision process of the City's Personnel Rules, an inconsistency was discovered between the Ordinance 08-14 Establishing Wildomar Personnel Rules, section 2.06.090 (a) (i) and Resolution 08-12 designating City Holidays. City staff intended to bring forward all recommended revisions to the City's Personnel Rules at one time, however this revision necessitates immediate attention.

DISCUSSION:

The inconsistency between the Resolution 08-12 and Ordinance 08-14 stems from the Resolution designating 11 City Holidays which includes Columbus Day and does not include Christmas Eve. The City's Ordinance 08-14, section 2.06.090 (a) (i) lists 11 City holidays that does not include Columbus Day but does include Christmas Eve. The recommendation is to remove Columbus Day from the Resolution and include Christmas Eve (December 24) which still provides for 11 paid holidays.

FISCAL IMPACTS:

There will be no fiscal impact if this matter is approved. City staff, in accordance with Resolution 08-12, observed Columbus Day on October 12, 2009. To offset the cost of this observation, City staff will return one banked holiday from their individual accounts. Should this matter not be approved the fiscal impact on an annual basis would be approximately \$1,200 in salary costs and the loss of approximately 130 city wide service hours.

ALTERNATIVES:

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

Submitted by:

Approved by:

Gary Nordquist
Director of Finance

Frank Oviedo
City Manager

RESOLUTION NO. 09 – 73
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA , REPEALING RESOLUTION NO. 08-12 AND DESIGNATING CITY
HOLIDAYS

THE CITY COUNCIL OF THE CITY OF WILDOMAR HEREBY RESOLVES AS FOLLOWS:

Section 1. Repeal of Resolution 08-12. Resolution 08-12 is hereby repealed in its entirety.

Section 2. City Holidays. The following holidays shall be designated as City holidays and the public offices of the City will be closed for the transaction of business on these days:

New Year's Day
Dr. Martin Luther King, Jr. Day
Presidents' Day
Memorial Day
Independence Day
Labor Day
Veterans' Day
Thanksgiving Day
Day after Thanksgiving Day
Christmas Eve
Christmas Day

PASSED, APPROVED AND ADOPTED this 28th day of October, 2009.

Scott Farnam
Mayor

APPROVED AS TO FORM:

ATTEST:

Julie Hayward Biggs
City Attorney

Debbie A. Lee, CMC
City Clerk

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item #1.6
CONSENT CALENDAR
Meeting Date: November 12, 2009

TO: Honorable Mayor Farnam, Members of the City Council
FROM: David Hogan, Director of Planning
SUBJECT: Cimarron Plaza (Stable Lanes Commercial Center)

STAFF REPORT

RECOMMENDATION:

This is the second reading of this Ordinance. Staff is recommending that the City Council adopt:

ORDINANCE NO. 37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA,
AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF WILDOMAR FOR A
PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CLINTON KEITH ROAD AND
STABLE LANES WAY FROM RURAL RESIDENTIAL TO GENERAL COMMERCIAL,
KNOWN AS ASSESSOR'S PARCEL NO. 380-120-012 AND 380-120-013

Submitted by:

Approved By:

David Hogan
Planning Director

Frank Oviedo
City Manager

ORDINANCE NO. 37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF WILDOMAR FOR A PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CLINTON KEITH ROAD AND STABLE LANES WAY FROM RURAL RESIDENTIAL TO GENERAL COMMERCIAL, KNOWN AS ASSESSOR'S PARCEL NO. 380-120-012 AND 380-120-013 (PROJECT 08-0166)

WHEREAS, an application for a zone change to allow for the development of two commercial retail buildings totaling 20,894 square feet with a 9,305 square feet daycare facility on a 4.16 acre site at the southwest corner of Clinton Keith Road and Stable Lanes Way has been filed by:

Applicant/Owner: Stable Lane Development, LLC

Authorized Agent: Markham Development Management Group, Inc.

Project Location: Southwest corner of Clinton Keith Road and Stable Lanes Way

APN Number: 380-120-012 and 380-120-013

WHEREAS, the Planning Commission has the authority per Chapter 17.280 of the Wildomar Municipal Code to review and make recommendations to the City Council on Zone Change 08-0166 for a change in zoning from Rural Residential (R-R) to General Commercial (C-1/C-P) for the property located at the southwest corner of Clinton Keith Road and Stable Lanes Way; and

WHEREAS, in accordance with Government Code § 65854, on August 29, 2009, the City gave public notice by mailing to adjacent property owners and by placing an advertisement in a newspaper local circulation of the holding of a public hearing before the Planning Commission at which the project would be considered; and

WHEREAS, on October 7, 2009 the Planning Commission held a noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Zone Change 08-0166 at which the Planning Commission considered Zone Change 08-0166; and

WHEREAS, at this public hearing on October 7, 2009 the Planning Commission considered, heard public comments on, and recommended approval to the City Council of Zone Change 08-0166; and

WHEREAS, in accordance with Government Code § 65854, on October 17, 2009 the City gave public notice by mailing to adjacent property owners and by placing an advertisement in a newspaper local circulation of the holding of a public hearing before the City Council at which the project would be considered; and

WHEREAS, on October 28, 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 Zone Change 08-0166 at which the City Council considered Zone Change 08-0166; and

NOW THEREFORE, the City Council of the City of Wildomar does hereby resolve, determine 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 October 28, 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:

1. CEQA: The approval of this Zone Change is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on October 28 2009 at a duly noticed public hearing, the City Council 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 Rd., Suite 201, Wildomar, CA 92595.

2. 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. ZONE CHANGE FINDINGS.

Pursuant to Wildomar Municipal Code section 17.280, the City Council makes the following findings pertaining to Zone Change 08-0166:

A. The proposed change of zone is in conformance with the adopted General Plan for the City.

The General Plan Land Use Designation for the project site is Commercial Retail (CR). According to the Wildomar General Plan, the Commercial Retail land use designation allows the development of commercial retail uses at a neighborhood, community and regional level, as well as for professional office and tourist-oriented commercial uses. The project proposes the construction of the two commercial retail buildings totaling 20,894 square feet (Building A is 11,978 square feet and Building B is 8,916 square feet) and a 9,305 square foot daycare facility. A commercial retail center and daycare facility are compatible uses in the Commercial Retail area plan and would conform to the General Plan policies including LU 23.1, which accommodates for the development of commercial uses in areas appropriately designed by the General Plan and area plan land use maps, and LU 23.4, which accommodates for community-oriented facilities, such as telecommunications centers, public meeting rooms, daycare facilities and cultural uses. The proposed zone change from

Rural Residential (R-R) to General Commercial (C-1/C-P) is consistent with the Commercial Retail General Plan Land Use Designation. The proposed commercial retail center and daycare facility is subject to the development standards of the C-1/C-P zone and has been designed to comply with such development standards.

SECTION 3. CITY COUNCIL ACTION.

The City Council hereby takes the following action:

1. Approves Zone Change 08-0166 to amend the Official Zoning Map for the City of Wildomar for a property located at the southwest corner of Clinton Keith Road and Stable Lanes Way from Rural Residential (R-R) to General Commercial (C-1/C-P) as shown in Exhibit A which is attached hereto and incorporated herein by reference.

PASSED, APPROVED AND ADOPTED this 12th day of November, 2009.

Scott Farnam
Mayor

APPROVED AS TO FORM:

ATTEST:

Julie Hayward Biggs
City Attorney

Debbie A. Lee, CMC
City Clerk

CITY OF WILDOMAR – COUNCIL
Agenda Item #2.1
PUBLIC HEARING
Meeting Date: NOVEMBER 12, 2009

TO: Honorable Mayor Farnam, Members of the City Council

FROM: David Hogan, Planning Director
Gary Nordquist, Finance Director

SUBJECT: Economic Incentives - Development Impact Fee Reduction Ordinance

STAFF REPORT

RECOMMENDATION:

Staff recommends that this public hearing item be continued to the December 9, 2009 City Council meeting to allow additional time to consult with the other jurisdictions in the southwest area.

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item #2.2
PUBLIC HEARING
Meeting Date: November 12, 2009

TO: Mayor and City Council Members

FROM: Michael Kashiwagi, Development Services

SUBJECT: Updating the Western Riverside Council of Governments Transportation Uniform Mitigation Fee (TUMF)

STAFF REPORT

RECOMMENDATION:

Staff recommends that the City Council introduce:

ORDINANCE NO. 38
AN ORDINANCE OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING AND
SUPERSEDING ORDINANCE NO. 824 AND NO. 24 TO UPDATE ITS PARTICIPATION IN
THE WESTERN RIVERSIDE COUNTY TRANSPORTATION UNIFORM MITIGATION FEE
(TUMF) PROGRAM

Which would update the City's Transportation Uniform Mitigation Fee (TUMF) Ordinance including a Revised Fee Schedule applicable under the Western Riverside Council of Governments TUMF Program.

Staff further recommends Council adopt:

RESOLUTION NO. 09 - 74
A RESOLUTION OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING THE INTENT
TO CONSIDER THE 2009 NEXUS STUDY, ESTABLISHING A REVISED AND UPDATED FEE
SCHEDULE APPLICABLE UNDER THE WESTERN RIVERSIDE COUNTY
TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) PROGRAM

A Resolution approving the intent to consider the 2009 Nexus Study and revised updated fee schedule per the Nexus Study.

BACKGROUND:

The City of Wildomar is a Member Agency of the Western Riverside Council of Governments ("WRCOG"), a joint powers agency comprised of the County of Riverside and sixteen (16) cities located in Western Riverside County. Acting in concert, the WRCOG Member Agencies developed a plan whereby the shortfall in funds needed to enlarge the capacity of the Regional System of Highways and Arterials due to new development in Western Riverside County could be made up in part by a Transportation Uniform Mitigation Fee ("TUMF") on future residential, commercial and industrial development. As a Member Agency of WRCOG and as a TUMF Participating

Jurisdiction, the City adopted and implemented an ordinance authorizing the City's participation in a TUMF Program.

UPDATED NEXUS STUDY

Pursuant to the Mitigation Fee Act (Gov. Code §§ 66000 et seq.), WRCOG has prepared a new nexus study ("2009 Nexus Study") to update the fees.

On October 5, 2009, the WRCOG Executive Committee took action on revisions to the Transportation Uniform Mitigation Fee (TUMF) Program, including an updated Nexus Study. (The 2009 Nexus Study is attached. Specifically, the WRCOG Executive Committee reviewed the 2009 Nexus Study and TUMF Program and recommended TUMF Participating Jurisdictions update their fees by amending their applicable TUMF ordinances to reflect changes in the TUMF network and the cost of construction.

2009 Nexus Study

Despite the recent economic recession and the associated residential mortgage and foreclosure crisis, Western Riverside County continues to grow due to the availability of relatively afford residential and commercial property, and a well educated workforce.

The growth forecast for the 2009 Nexus Study Update has population and employment projected to increase by 62% between 2008 and 2035. This projected growth can be expected to significantly increase congestion and degrade mobility if substantial investments are not made in the transportation infrastructure. According to WRCOG's Nexus Study, this challenge is especially critical for arterial highways and roadways that carry a significant number of the trips between cities, since traditional sources of transportation improvement funding (such as gasoline tax and local general funds) will not be sufficient to fund the improvements needed to serve new development.

The TUMF Network is the system of roadways that serve inter-community trips within Western Riverside County. In the Nexus Study, the TUMF roadway network was refined to distinguish between facilities of "Regional Significance" and facilities of "Zonal Significance."

Facilities of Regional Significance were identified as those that typically are proposed to have a minimum of six lanes at general plan buildout, extend across and/or between multiple area Planning Districts, and are forecast to carry at least 25,000 vehicles per day in 2035. The Facilities of Regional Significance have been identified as the "backbone" highway network for Western Riverside County. A portion of the TUMF fee is specifically designated for improvement projects on the backbone system.

Facilities of Zonal Significance (the "secondary" network) are typically within one zone and carry comparatively lesser traffic volumes than the backbone highway network. A portion of the TUMF fee is specifically designated for improvement projects on the secondary network within the zone in which it is collected. The City of Wildomar lies within the Southwest Zone. Please see Table 1 which highlights the TUMF eligible projects in the City of Wildomar from the TUMF Network.

TABLE 1. SOUTHWEST ZONE TUMF PROJECTS IN WILDOMAR

STREET NAME	LIMITS	TOTAL COST	MAXIMUM TUMF SHARE
Bundy Canyon	I-15 to Sunset	\$ 34,433,000	\$ 34,433,000
Bundy Canyon	Sunset to Murrieta	\$ 4,714,000	\$ 4,714,000
Baxter	I-15 to Palomar	\$ 16,654,000	\$ 16,654,000
Bundy Canyon	Mission to I-15	\$ 3,358,000	\$ 3,358,000
Central	Baxter to Palomar	\$ 2,642,000	\$ 2,642,000
Palomar	Clinton Keith to Jefferson	\$ 1,723,000	\$ 1,723,000
Palomar	Mission to Clinton Keith	\$ 6,534,000	\$ 6,534,000
Grand Avenue	Oretega Hwy to Central	\$ 25,052,000	\$25,052,000
Clinton Keith Widening and Clinton Keith/I-15 Interchange*	I-15 to Copper Craft	\$27,411,000	\$26,786,000
TOTAL		\$122,521,000	\$121,896,000

*Note: On October 28, 2009, the WRCOG Technical Committee approved adding Clinton/I-15 Interchange to the Southwest Zone TIP with TUMF construction funding in the amount of \$7.8 Million split between FY 10-11 and FY 11-12

TABLE 2: EXISTING AND PROPOSED TUMF FEES

Units and Land Use Type	City of Wildomar Adopted TUMF Fees (adopted by Wildomar Council April 22, 2009, effective 60 days from adoption)	WRCOG Proposed 2009 Nexus Study TUMF Fee
Per single family residential unit	\$9,812.00	\$8,873.00
Per multi-family residential unit	\$6,890.00	\$6,231.00
Per square foot of an industrial project	\$1.84	\$ 1.73
Per square foot of a retail commercial project	\$9.99	\$10.49
Per square foot of a service commercial project	\$5.71	\$ 4.19
Per square foot of a service Class A or B office project	\$2.19	\$ 2.19

The proposed Ordinance provides the legal basis for a revised TUMF schedule. The Ordinance also revises definitions of "Class A" and "Class B" Office and establishes a definition for "TUMF participating jurisdiction." Any future revisions to the fee schedule will be established through the Resolution, which the City Council may amend from time to time when needed.

PROPOSED SCHEDULE FOR NEXT STEPS

Below is a summary of the next steps to implement the revised TUMF.

- **November 12, 2009** -- First Reading to adopt TUMF Ordinance.
- **Next Council Meeting** – Second Reading to adopt TUMF Ordinance.
- **60 Days effectiveness period** -- Ordinance is effective 60 days after adoption by the City Council.

FISCAL IMPACT

Council actions on TUMF will have direct fiscal impacts on funding for TUMF-eligible improvements in the City of Wildomar. Because the TUMF provides funds for construction of TUMF-eligible roadway improvements, it will decrease the TUMF fee applicable to all developments in the City of Wildomar. As a result, other funding sources will need to be identified for any shortfall of funds on the projects identified in the 2009 Nexus Study. These fees could not be recovered in future years.

Submitted by:

Approved by:

Michael Kashiwagi
Development Services

Frank Oviedo
City Manager

Attachments:

1. Ordinance No. 38
2. 2009 WRCOG Nexus Study
3. Resolution No. 09-74

ORDINANCE NO. 38

ORDINANCE NO. 38
AN ORDINANCE OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING AND
SUPERSEDING ORDINANCE NO. 824 AND NO. 24 TO UPDATE ITS
PARTICIPATION IN THE WESTERN RIVERSIDE COUNTY TRANSPORTATION
UNIFORM MITIGATION FEE (TUMF) PROGRAM

The City Council of the City of Wildomar “(City)” ordains as follows:

Section 1. Title.

This Ordinance shall be known as the “Western Riverside County Transportation Uniform Mitigation Fee Program Ordinance of 2009” (“Ordinance”).

Section 2. Findings.

A. The City is a member agency of the Western Riverside Council of Governments (“WRCOG”), a joint powers agency comprised of the County of Riverside and 16 cities located in Western Riverside County. Acting in concert, the WRCOG Member Agencies developed a plan whereby the shortfall in funds needed to enlarge the capacity of the Regional System of Highways and Arterials in Western Riverside County (the “Regional System”) could be made up in part by a Transportation Uniform Mitigation Fee (“TUMF”) on future residential, commercial and industrial development. A map depicting the boundaries of Western Riverside County and the Regional System is attached here as Exhibit “A” and incorporated herein. As a Member Agency of WRCOG and as a TUMF Participating Jurisdiction, the City participated in the preparation of a certain “Western Riverside County Transportation Uniform Fee Nexus Study,” dated October 18, 2002 (the “2002 Nexus Study”) prepared in compliance with the Mitigation Fee Act (Gov. Code §§ 66000 *et seq.*) and adopted by the WRCOG Executive Committee. Based on the 2002 Nexus Study, the City adopted and implemented an ordinance authorizing the City’s participation in a TUMF Program.

B. WRCOG, with the assistance of TUMF Participating Jurisdictions, has prepared an updated nexus study entitled “Transportation Uniform Mitigation Fee Nexus Study: 2009 Update” (“2009 Nexus Study”) pursuant to California Government Code sections 66000 *et seq.* (the Mitigation Fee Act), for the purpose of updating the fees. On September 14 and October 5, 2009, the WRCOG Executive Committee reviewed the 2009 Nexus Study and TUMF Program and recommended TUMF Participating Jurisdictions amend their applicable TUMF ordinances to reflect changes in the TUMF network and the cost of construction in order to update the TUMF Program.

C. Consistent with its previous findings made in the adoption of TUMF Ordinance 824, the City Council has been informed and advised, and hereby finds, that if the capacity of the Regional System is not enlarged and unless development contributes to the cost of improving the Regional System, the result will be substantial traffic congestion in all parts of Western Riverside County, with unacceptable Levels of Service. Furthermore, the failure to mitigate growing traffic impacts on the Regional System will substantially impair the ability of public safety services (police and fire) to

respond and, thus, adversely affect the public health, safety and welfare. Therefore, continuation of a TUMF Program is essential.

D. However, the City Council realizes the impact of an economic recession on development and the construction sector in Western Riverside County as indicated in the Addendum to the 2009 Nexus Study, attached and incorporated as part of the 2009 Nexus Study in Exhibit "B." The City Council finds that that a temporarily fifty percent (50%) reduction in TUMF fees through December 31, 2010 will encourage economic development by reducing the overall cost of development. The same adjustment of the entire TUMF Program will also assure that each development continues to contribute a fair share of the total Program costs without unduly burdening later projects to make up the TUMF revenues that would be effectively forfeited during the temporary reduction period. The City Council further finds that the resulting minor decrease in TUMF revenues will not have a material effect on the ability to fulfill the purposes of the TUMF Program or the ability to make the findings recited herein pursuant to the Mitigation Fee Act.

E. The City Council finds and determines that there is a reasonable and rational relationship between the use of the TUMF and the type of development projects on which the fees are imposed because the fees will be used to construct the transportation improvements that are necessary for the safety, health and welfare of the residential and non-residential users of the development in which the TUMF will be levied.

F. The City Council finds and determines that there is a reasonable and rational relationship between the need for the improvements to the Regional System and the type of development projects on which the TUMF is imposed because it will be necessary for the residential and non-residential users of such projects to have access to the Regional system. Such development will benefit from the Regional System improvements and the burden of such developments will be mitigated in part by payment of the TUMF.

G. The City Council finds and determines that the cost estimates set forth in the new 2009 Nexus Study are reasonable cost estimates for constructing the Regional System improvements and the facilities that compromise the Regional System, and that the amount of the TUMF expected to be generated by new development will not exceed the total fair share cost to such development.

H. The fees collected pursuant to this Ordinance shall be used to help pay for the design, planning, construction of and real acquisition for the Regional System improvements and its facilities as identified in the 2009 Nexus Study. The need for the improvements and facilities is related to new development because such development results in additional traffic and creates the demand for the improvements.

I. By notice duly given and published, the City Council set the time and place for a public hearing on the 2009 Nexus Study and the fees proposed thereunder,

and at least ten (10) days prior to this hearing, the City Council made the 2009 Nexus Study available to the public.

J. At the time and place set for the hearing, the City Council duly considered data and information provided by the public relative to the cost of the improvements and facilities for which the fees are proposed and all other comments, whether written or oral, submitted prior to the conclusion of the hearing.

K. The City Council finds that the 2009 Nexus Study proposes a fair and equitable method for distributing a portion of the unfunded costs of improvements and facilities to the Regional system.

L. The City Council hereby adopts the 2009 Nexus Study, including its Addendum regarding temporary fee reduction, and its findings. The 2009 Nexus Study is attached and incorporated herein as Exhibit "B."

M. The City Council hereby adopts this Ordinance to amend and supersede the provisions of Ordinances No. 824 and related Ordinance 24 (an amendment to Ordinance NO. 824.).

Section 3. Definitions.

For the purpose of this Ordinance, the following words, terms and phrases shall have the following meanings:

A. **"Class 'A' Office"** means an office building that is typically characterized by high quality design, use of high end building materials, state of the art technology for voice and data, on site support services/maintenance, and often includes full service ancillary uses such as, but not limited to a bank, restaurant/office coffee shop, health club, printing shop, and reserved parking. The minimum requirements of an office building classified as Class 'A' Office shall be as follows: (i) minimum of three stories (exception will be made for March JPA, where height requirements exist); (ii) minimum of 10,000 square feet per floor; (iii) steel frame construction; (iv) central, interior lobby; and (v) access to suites shall be from inside the building unless the building is located in a central business district with major foot traffic, in which case the first floor may be accessed from the street to provide entrances/ exits for commercial uses within the building.

B. **"Class 'B' Office"** means an office building that is typically characterized by high quality design, use of high end building materials, state of the art technology for voice and data, on site support services/maintenance, and often includes full service ancillary uses such as, but not limited to a bank, restaurant/office coffee shop, health club, printing shop, and reserved parking. The minimum requirements of an office building classified as Class 'B' Office shall be as follows: (i) minimum of two stories; (ii) minimum of 15,000 square feet per floor; (iii) steel frame, concrete or masonry shell construction; (iv) central, interior lobby; and (v) access to suites shall be from inside the building unless the building is located in a central business district with major foot traffic,

in which case the first floor may be accessed from the street to provide entrances/exits for commercial uses within the building.

C. **“Development Project”** or **“Project”** means any project undertaken for the purposes of development, including the issuance of a permit for construction.

D. **“Gross Acreage”** means the total property area as shown on a land division of a map of record, or described through a recorded legal description of the property. This area shall be bounded by road rights of way and property lines.

E. **“Habitable Structure”** means any structure or part thereof where persons reside, congregate or work and which is legally occupied in whole or part in accordance with applicable building codes, and state and local laws.

F. **“Industrial Project”** means any development project that proposes any industrial or manufacturing use allowed in the following Ordinance No. 348 zoning classifications: I-P, M-S-C, M-M, M-H, M-R, M-R-A, A-1, A-P, A-2, A-D, W-E, or SP with one of the aforementioned zones used as the base zone.

G. **“Low Income Residential Housing”** means residential units in publicly subsidized projects constructed as housing for low-income households as such households are defined pursuant to section 50079.5 of the Health and Safety Code. “Publicly subsidized projects,” as the term is used herein, shall not include any project or project applicant receiving a tax credit provided by the State of California Franchise Tax Board.

H. **“Multi Family Residential Unit”** means a development project that has a density of greater than eight (8) residential dwelling units per gross acre.

I. **“Non-Residential Unit”** means retail commercial, service commercial and industrial development which is designed primarily for non-dwelling use, but shall include hotels and motels.

J. **“Recognized Financing District”** means a Financing District as defined in the TUMF Administrative Plan as may be amended from time to time.

K. **“Residential Dwelling Unit”** means a building or portion thereof used by one (1) family and containing but one (1) kitchen, which is designed primarily for residential occupancy including single-family and multi-family dwellings. “Residential Dwelling Unit” shall not include hotels or motels.

L. **“Retail Commercial Project”** means any development project that proposes any commercial use not defined as a service commercial project allowed in the following Ordinance No. 348 classifications: R-1, R-R, R-R-O, R-1-A, R-A, R-2, R-2-A, R-3, R-3-A, R-T, R-T-R, R-4, R-5, R-6, C-1/C-P, C-T, C-P-S, C-R, C-O, R-V-C, C-V, W-2, R-D, N-A, W-2-M, W-1, or SP with one of the aforementioned zones used as the base zone.

M. **“Service Commercial Project”** means any development project that is predominately dedicated to business activities associated with professional or administrative services, and typically consists of corporate offices, financial institutions, legal and medical offices.

N. **“Single Family Residential Unit”** means each residential dwelling unit in a development that has a density of eight (8) units to the gross acre or less.

O. **“TUMF Participating Jurisdiction”** means a jurisdiction in Western Riverside County which has adopted and implemented an ordinance authorizing participation in the TUMF Program and complies with all regulations established in the TUMF Administrative Plan, as adopted and amended from time to time by the WRCOG.

Section 4. Establishment of the Transportation Uniform Mitigation Fee.

A. **Adoption of TUMF Fee Schedule.** The City Council adopts the following TUMF schedule applicable to all new developments projects:

- (1) \$8,873.00 per single family residential unit
- (2) \$6,231.00 per multi-family residential unit
- (3) \$ 1.73 per square foot of an industrial project
- (4) \$10.49 per square foot of a retail commercial project
- (5) \$ 4.19 per square foot of a service commercial project
- (6) \$ 2.19 per square foot of a service Class A and B Office.

The City Council is authorized to adopt subsequent revisions to the TUMF fee schedule through a separate resolution, which may be amended from time to time.

B. **Fee Calculation.** The fees shall be calculated according to the calculation methodology fee set forth in the Fee Calculation Handbook adopted July 14, 2003, as amended from time to time. The following shall be observed for purposes of calculating the fee:

i. For non-residential projects, the fee rate utilized shall be based upon the predominant use of the building or structure identified in the building permit and as further specified in the TUMF Administrative Plan.

ii. For non residential projects, the fee shall be calculated on the total square footage of the building or structure identified in the building permit and as further specified in the TUMF Administrative Plan.

C. **Fee Adjustment.** The fee schedule may be periodically reviewed and the amounts adjusted by the WRCOG Executive Committee. By amendment to the

Ordinance, the fees may be increased or decreased to reflect the changes in actual and estimated costs of the Regional System including, but not limited to, debt service, lease payments and construction costs. The adjustment of the fees may also reflect changes in the facilities required to be constructed, in estimated revenues received pursuant to this Ordinance, as well as the availability or lack thereof of other funds with which to construct the Regional System. WRCOG shall review the TUMF Program no less than every four (4) years after the effective date of this Ordinance.

D. Temporary Fee Reduction Period.

i. Notwithstanding Section 4A this Ordinance and the adopted TUMF schedule, the City Council may, by separate resolution, adopt a reduced TUMF fee schedule applicable only through December 31, 2010. The TUMF may be so reduced by up to fifty percent (50%) of fees established in the schedule adopted pursuant to Section 4A of this Ordinance. If fees are reduced, all other sections of this Ordinance shall still be effect during the temporary fee reduction period. After December 31, 2010, the regular TUMF schedule, as adopted by the City Council and revised from time to time pursuant to Section 4A of this Ordinance, shall automatically apply.

ii. If reduced fees are paid pursuant to this Section 4D at the time application is made for a building permit and either the application or the building permit expires, subsequent building permit application on the same parcel shall be subject to the full TUMF amount, unless the temporary fee reduction period is still in effect at the time the subsequent application is made.

E. Purpose. The purpose of the TUMF is to fund those certain improvements to the Regional System as depicted in Exhibit "A" and identified in the 2009 Nexus Study, Exhibit "B."

F. Applicability. The TUMF shall apply to all new development within the City, unless otherwise exempt hereunder.

G. Exemptions. The following new development shall be exempt from the TUMF:

- i. Low income residential housing.
- ii. Government/public buildings, public schools and public facilities.
- iii. The rehabilitation and/or reconstruction of any habitable structure in use on or after January 1, 2000, provided that the same or fewer traffic trips are generated as a result thereof.
- iv. Development Projects which are the subject of a Public Facilities Development Agreement entered into pursuant to Government Code section 65864 *et seq*, prior to the effective date of this Ordinance, wherein the imposition of new fees are expressly prohibited provided that if the term of such a

Development Agreement is extended by amendment or by any other manner after the effective date of this Ordinance, the TUMF shall be imposed.

- v. Guest Dwellings.
- vi. Additional single family residential units located on the same parcel pursuant to the provisions of any agricultural zoning classifications set forth in the Municipal Code.
- vii. Kennels and Catteries established in connection with an existing single family residential unit.
- viii. Detached Second Units.
- ix. The sanctuary building of a church or other house of worship, eligible for a property tax exemption.
- x. Any nonprofit corporation or nonprofit organization offering and conducting full-time day school at the elementary, middle school or high school level for students between the ages of five and eighteen years.

H. **Credit.** Regional System improvements may be credited toward the TUMF in accordance with the TUMF Administrative Plan and the following:

Regional Tier

- i. **Arterial Credits:** If a developer constructs arterial improvements identified on the Regional System, the developer shall receive credit for all costs associated with the arterial component based on approved Nexus Study, including Addendum 1, for the Regional System effective at the time the credit agreement is entered into. WRCOG staff must pre-approve any credit agreements that deviate from the standard WRCOG approved format.
- ii. **Other Credits:** In special circumstances, when a developer constructs off-site improvements such as an interchange, bridge, or railroad grade separation, credits shall be determined by WRCOG and the City in consultation with the developer. All such credits must have prior written approval from WRCOG.
- iii. The amount of the development fee credit shall not exceed the maximum amount determined by the Nexus Study, including Addendum 1, for the Regional System at the time the credit agreement is entered into or actual costs, whichever is less.

Local Tier

- i. The local jurisdictions shall compare facilities in local fee programs against the Regional System and eliminate any overlap in its local fee program except where there is a Recognized Financing District has been established.
- ii. If there is a Recognized Financing District established, the local agency may credit that portion of the facility identified in both programs against the TUMF in accordance with the TUMF Administrative Plan.

Section 5. Reimbursements.

Should the developer construct Regional System improvements in excess of the TUMF fee obligation, the developer may be reimbursed based on actual costs or the approved Nexus Study, including Addendum 1, effective at the time the agreement was entered into, whichever is less. Reimbursements shall be enacted through an agreement between the developer and the City, contingent on funds being available and approved by WRCOG. In all cases, however, reimbursements under such special agreements must coincide with construction of the transportation improvements as scheduled in the five-year Capital Improvements Program adopted annually by WRCOG.

Section 6. Procedures for the Levy, Collection and Disposition of Fees.

A. **Authority of the Building Department.** The Director of Building & Safety, or his/her designee, is hereby authorized to levy and collect the TUMF and make all determinations required by this Ordinance.

B. **Payment.** Payment of the fees shall be as follows:

i. The fees shall be paid at the time a certificate of occupancy is issued for the Development Project or upon final inspection, whichever comes first (the "Payment Date"). However this section should not be construed to prevent payment of the fees prior to issuance of an occupancy permit or final inspection. Fees may be paid at the issuance of a building permit, and the fee payment shall be calculated based on the fee in effect at that time, provided the developer tenders the full amount of his/her TUMF obligation. If the developer makes only a partial payment prior to the Payment Date, the amount of the fee due shall be based on the TUMF fee schedule in place on the Payment Date. The fees shall be calculated according to fee schedule set forth in the Ordinance and the calculation methodology set forth in the Fee Calculation Handbook adopted July 14, 2003, as amended from time to time.

ii. The fees required to be paid shall be the fee amounts in effect at the time of payment is due under this Ordinance, not the date the Ordinance is initially adopted. The City shall not enter into a development agreement which freezes future adjustments of the TUMF.

iii. If all or part of any development project is sold prior to payment of the fee, the property shall continue to be subject to the requirement for payment of the fee. The obligation to pay the fee shall run with the land and be binding on all the successors in interest to the property.

iv. Fees shall not be waived.

C. **Disposition of Fees.** All fees collected hereunder shall be transmitted to the Executive Director of WRCOG within thirty (30) days for deposit, investment, accounting and expenditure in accordance with the provisions of this Ordinance and the Mitigation Fee Act.

D. **Appeals.** Appeals shall be filed with WRCOG in accordance with the provisions of the TUMF Administrative Plan. Appealable issues shall be the application

of the fee, application of credits, application of reimbursement, application of the legal action stay and application of exemption.

E. **Reports to WRCOG.** The Director of Building and Safety, or his/her designee, shall prepare and deliver to the Executive Director of WRCOG, periodic reports as will be established under Section 7 of this Ordinance.

Section 7. Appointment of the TUMF Administrator.

WRCOG is hereby appointed as the Administrator of the Transportation Uniform Mitigation Fee Program. WRCOG is hereby authorized to receive all fees generated from the TUMF within the City, and to invest, account for and expend such fees in accordance with the provisions of this Ordinance and the Mitigation Fee Act. The detailed administrative procedures concerning the implementation of this Ordinance shall be contained in the TUMF Administrative Plan adopted May 5, 2003, and as may be amended from time to time. Furthermore, the TUMF Administrator shall use the Fee Calculation Handbook adopted July 14, 2003, as amended from time to time, for the purpose of calculating a developer's TUMF obligation. In addition to detailing the methodology for calculating all TUMF obligations of different categories of new development, the purpose of the Fee Calculation Handbook is to clarify for the TUMF Administrator, where necessary, the definition and calculation methodology for uses not clearly defined in the respective TUMF ordinances.

WRCOG shall expend only that amount of the funds generated from the TUMF for staff support, audit, administrative expenses, and contract services that are necessary and reasonable to carry out its responsibilities and in no case shall the funds expended for salaries and benefits exceed one percent (1%) of the revenue raised by the TUMF Program. The TUMF Administrative Plan further outlines the fiscal responsibilities and limitations of the Administrator.

Section 8. Effect.

No provisions of this Ordinance shall entitle any person who has already paid the TUMF to receive a refund, credit or reimbursement of such payment. This Ordinance does not create any new TUMF.

Section 9. Severability.

If any one or more of the terms, provisions or sections of this Ordinance shall to any extent be judged invalid, unenforceable and/or voidable for any reason whatsoever by a court of competent jurisdiction, then each and all of the remaining terms, provisions and sections of this Ordinance shall not be affected thereby and shall be valid and enforceable.

Section 10. Judicial Review.

In accordance with State law, any judicial action or proceeding to attack, review, set aside, void or annul this Ordinance shall be commenced within ninety (90) days of the date of adoption of this Ordinance.

Section 11. Ordinances No. 824 and No. 24.

This Ordinance supersedes the provisions of Ordinances Nos. 824 and 24 provided this Ordinance is not declared invalid or unenforceable by a court of competent jurisdiction. If, for whatever reason, this Ordinance is declared invalid or unenforceable by a court of competent jurisdiction, Ordinances No. 824 and 24 and all other related ordinances and polices shall remain in full force and effect.

Section 12. Effective Date.

This Ordinance shall take effect sixty (60) days after its adoption.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2009.

Scott Farnam
Mayor

APPROVED AS TO FORM:

ATTEST:

Julie Hayward Biggs
City Attorney

Debbie A. Lee, CMC
City Clerk

EXHIBIT A

MAP OF REGIONAL SYSTEM

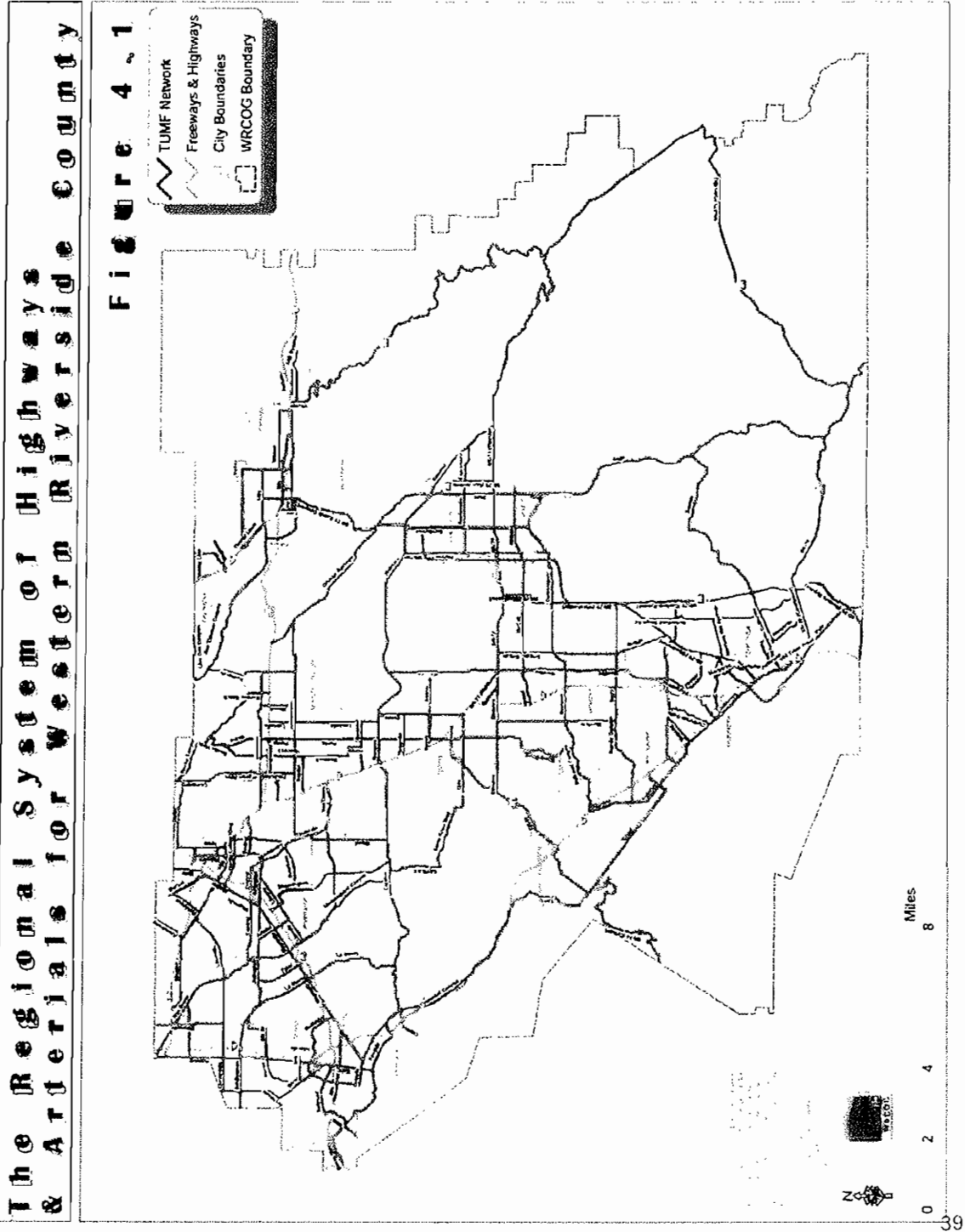


EXHIBIT “B”

NEXUS STUDY



**TRANSPORTATION UNIFORM MITIGATION FEE
NEXUS STUDY
2009 UPDATE**

FINAL REPORT

Prepared for

The Western Riverside Council of Governments

In Cooperation with

The City of Banning
The City of Beaumont
The City of Calimesa
The City of Canyon Lake
The City of Corona
The City of Hemet
The City of Lake Elsinore
The City of Menifee
The City of Moreno Valley
The City of Murrieta
The City of Norco
The City of Perris
The City of Riverside
The City of San Jacinto
The City of Temecula
The City of Wildomar
The County of Riverside
Eastern Municipal Water District
March Joint Powers Authority
Western Municipal Water District

Prepared by

Parsons Brinckerhoff.

DRAFT OCTOBER 1, 2009

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ES.0 EXECUTIVE SUMMARY

ES.1 Introduction and Purpose of the Nexus Study

Western Riverside County includes 16 incorporated cities and the unincorporated county covering an area of approximately 2,100 square miles. Until recently, this portion of Riverside County was growing at a pace exceeding the capacity of existing financial resources to meet increasing demand for transportation infrastructure. Although the recent crisis in the mortgage industry and the associated economic downturn has slowed this rate of growth, the region is expected to rebound and the projected growth in Western Riverside County is expected to increase. This increase in growth could significantly increase congestion and degrade mobility if substantial investments are not made in the transportation infrastructure.

In February 1999, the cities of Temecula, Murrieta and Lake Elsinore, the Western Riverside Council of Governments (WRCOG), the Riverside County Transportation Commission (RCTC) and the Building Industry Association (BIA) met to discuss the concept of a Transportation Uniform Mitigation Fee (TUMF) for southwest Riverside County. In August of 2000 the concept was expanded to include the entire WRCOG sub-region.

The TUMF Program is intended to be implemented through the auspices of WRCOG. While the TUMF cannot fund all necessary transportation system improvements, it is intended to address a current transportation funding shortfall by establishing a new revenue source that ensures future development will contribute toward addressing the impacts of new growth on regional transportation infrastructure. Funding accumulated through the TUMF Program will be used to construct transportation improvements that will be needed to accommodate future travel demand in Western Riverside County. By levying a fee on new developments in the region, local agencies will be establishing a mechanism by which developers and in turn new county residents and employees will effectively contribute their "fair share" toward sustaining the regional transportation system.

This TUMF Draft Nexus Study is intended to satisfy the requirements of California Government Code Chapter 5 Section 66000-66008 Fees for Development Projects (also known as California Assembly Bill 1600 (AB 1600) or the Mitigation Fee Act) which governs imposing development impact fees in California. The results of the first review of the Program were documented in the TUMF Nexus Study 2005 Update adopted by the WRCOG Executive Committee on February 6, 2006. This version of the WRCOG TUMF Nexus Study Report documents the results of the second major review of the TUMF Program conducted in 2008 and 2009. The findings of this report were ultimately adopted by the WRCOG Executive Committee on October 12, 2009.

ES.2 Future Growth

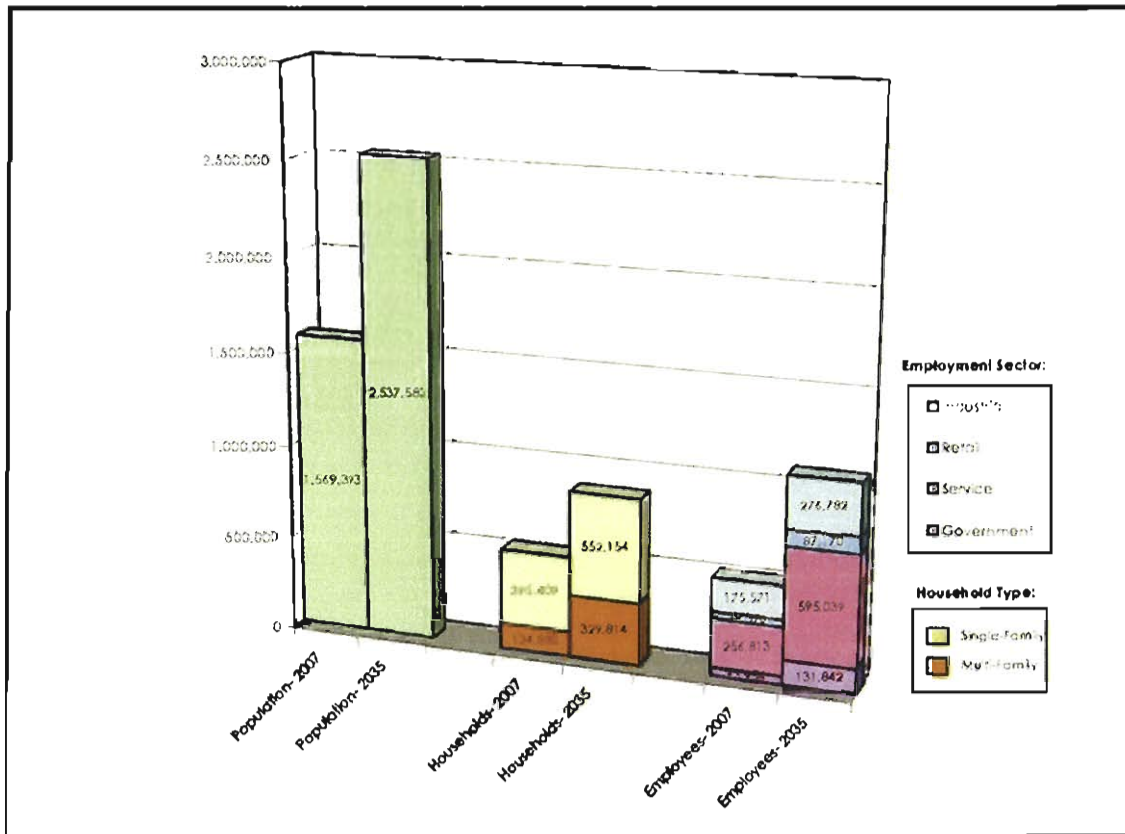
For previous versions of the TUMF Nexus Study, the primary available source of consolidated demographic information for Western Riverside County was provided by

the Southern California Association of Governments (SCAG). Recognizing the need to develop a more comprehensive source of socioeconomic data for Riverside County, the Riverside County Center for Demographic Research (RCCDR) was established under the joint efforts of the County of Riverside, the Western Riverside Council of Governments, the Coachella Valley Association of Governments, and the University of California, Riverside in 2005. RCCDR is responsible for establishing and maintaining demographic information and ensuring data consistency through a centralized data source of demographic characteristics. With the availability of demographic information developed specifically for Riverside County, the socioeconomic forecasts developed by RCCDR for Western Riverside County were used for this update of the TUMF Nexus Study and associated fee schedule.

A major distinction between the SCAG 2004 RTP data used for the TUMF Nexus Study 2005 Update and the RCCDR data used for this 2009 Update is the change in both the base year and horizon year; from 2000 and 2030 to 2007 and 2035. This shift in the base and horizon year demographic assumptions of the Program carries through all aspects of the Nexus analysis, including the travel demand forecasting, network review and fee calculation.

The population of Western Riverside County is projected to increase by 62% in the period between 2007 and 2035, a compounded rate of approximately 1.7% annually. During the same period, employment in Western Riverside County is anticipated to grow by 111% or 2.7% annually. **Figure ES.1** illustrates the forecast growth in population, household and employment for Western Riverside County.

Figure ES.1 - Population, Households and Employment In Western Riverside County



ES.3 Need for the TUMF

The WRCOG TUMF study area was extracted from the greater regional SCAG model network for the purpose of calculating measures for Western Riverside County only. Measures for the Western Riverside County TUMF study area included total vehicle daily miles of travel (VMT), total daily vehicle hours of travel (VHT), total combined vehicle hours of delay (VHD), and total VMT experiencing unacceptable level of service (LOS E).

As a result of the new development and associated growth in population and employment in Western Riverside County, additional pressure will be placed on the transportation infrastructure, particularly the arterial roadways, with the VMT estimated to increase by 55% or 1.6% compounded annually. By 2035, 36% of the total VMT on the regional arterial highway system is forecast to be traveling on facilities experiencing daily LOS E or worse. Without improvements to the arterial highway system, the total vehicle hours of delay (VHD) experienced by area motorists on arterial highways will increase over 5.4% per year. The need to improve these roadways and relieve future

congestion is therefore directly linked to the future development which generates the travel demand.

As population and employment in Western Riverside County grows as a result of new development, demand for regional transit services in the region is also expected to grow. RivTAM outputs indicate that by 2035, regional transit services are forecast to provide approximately 27,969 trips per day. This translates into a forecasted increase of 10,358 trips per day or 59%. A substantial number of the trips will be served by bus transit services within Western Riverside County. The need to provide additional bus transit services within Western Riverside County to satisfy this future demand is therefore directly linked to the future development that generates the demand.

The idea behind a uniform mitigation fee is to have new development throughout the region contribute equally to paying the cost of improving the transportation facilities that serve these longer-distance trips between communities. Thus, the fee should be used to improve transportation facilities that serve trips between communities within the region (primarily arterial roadways) as well as the infrastructure for public transportation. The fee should be assessed proportionately on new residential and non-residential development based on the relative impact of each use on the transportation system.

ES.4 The TUMF Network

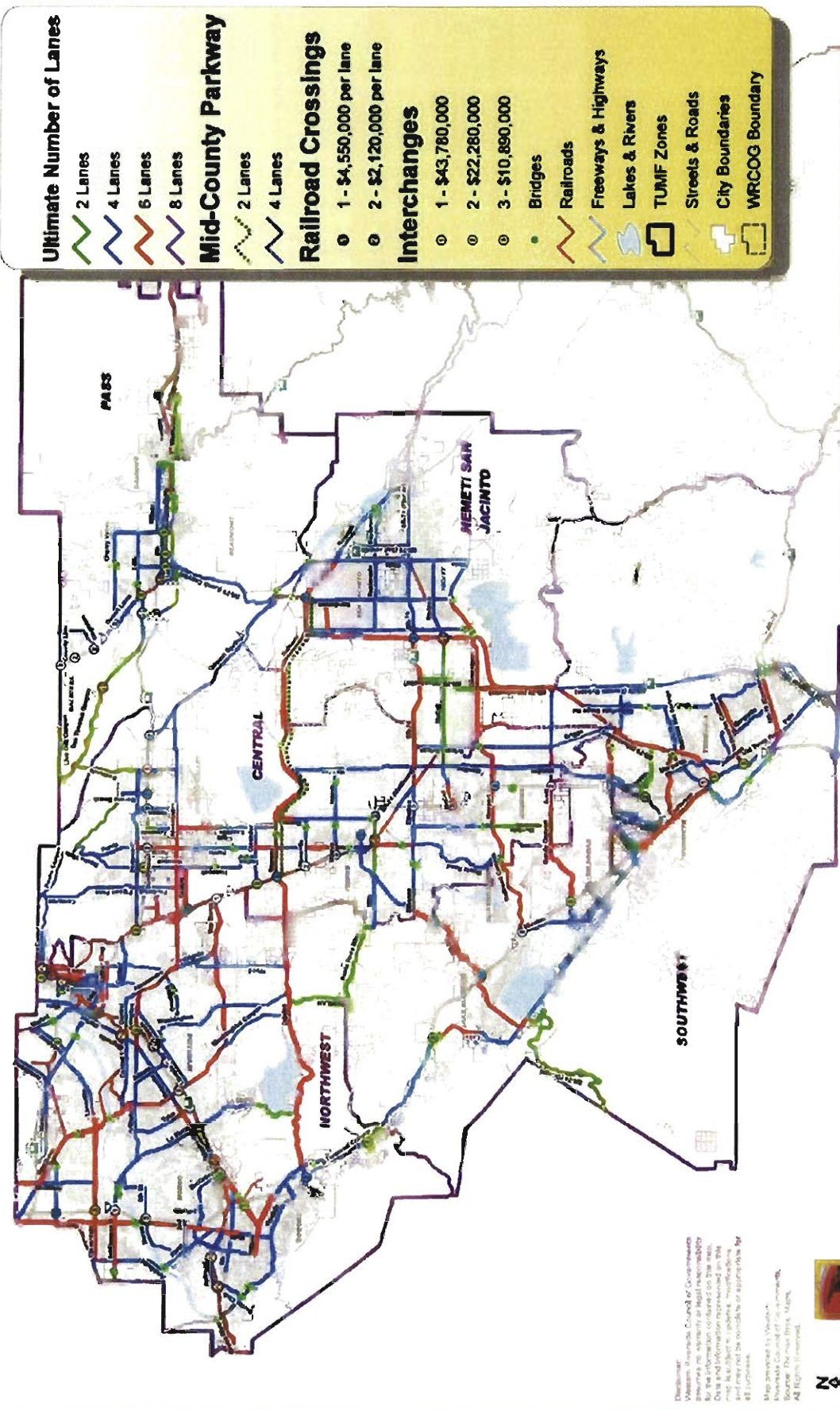
The Regional System of Highways and Arterials (also referred to as the TUMF Network) is the system of roadways that serve inter-community trips within Western Riverside County and therefore are eligible for improvement funding with TUMF funds. Transportation facilities in Western Riverside County that generally satisfied the respective guidelines were identified, and a skeletal regional transportation framework evolved from facilities where multiple guidelines were observed. This framework was reviewed by representatives of all WRCOG constituent jurisdictions and private sector stakeholders, and endorsed by the WRCOG Public Works Committee, WRCOG Technical Advisory Committee, TUMF Policy Committee and the WRCOG Executive Committee.

The TUMF Network was refined to distinguish between facilities of "Regional Significance" and facilities of "Zonal Significance". The Facilities of Regional Significance have been identified as the "backbone" highway network for Western Riverside County. Facilities of Zonal Significance (the "secondary" network) represent the balance of the Regional System of Highways and Arterials for Western Riverside County. A portion of the TUMF is specifically designated for improvement projects on the backbone system and on the secondary network within the zone in which it is collected.

Figure ES.2 illustrates the TUMF improvements to the Regional System of Highways and Arterials.

The Regional System of Highways & Arterials - TUMF Network Improvements

Figure ES.2



Miles
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The total cost of improving the TUMF system is \$4.26 billion. Accounting for obligated funds and unfunded existing needs, the estimated maximum eligible value of the TUMF Program is \$3.77 billion. The maximum eligible value of the TUMF Program includes approximately \$3.54 billion in eligible arterial highway and street related improvements and \$61.8 million in eligible transit related improvements. An additional \$60.0 million is also eligible as part of the TUMF Program to mitigate the impact of eligible TUMF related arterial highway and street projects on critical native species and wildlife habitat, while \$107.9 million is provided to cover the costs incurred by WRCOG to administer the TUMF Program.

ES.5 TUMF Nexus Analysis

There is a reasonable relationship between the future growth and the need for improvements to the TUMF system. These factors include:

- Western Riverside County is expected to continue growing as a result of future new development.
- Continuing new growth will result in increasing congestion on arterial roadways.
- The future arterial roadway congestion is directly attributable to the cumulative regional transportation impacts of future development in Western Riverside County.
- Capacity improvements to the transportation system will be needed to mitigate the cumulative regional impacts of new development.
- Roads on the TUMF network are the facilities that merit improvement through this fee program.
- Improvements to the public transportation system will be needed to provide adequate mobility for transit-dependent travelers and to provide an alternative to automobile travel.

The split of fee revenues between the backbone and secondary highway networks is related to the proportion of highway vehicle travel that is relatively local (between adjacent communities) and longer distance (between more distant communities but still within Western Riverside County). To estimate a rational fee split between the respective networks, the future travel forecast estimates were aggregated to a matrix of trips between zones. The overall result is that 52.0% of the regional travel is assigned to the Backbone network and 48.0% is assigned to the Secondary network.

In order to establish the approximate proportionality of the future traffic impacts associated with new residential development and new non-residential development, 2035 Base person trip productions from the Riverside County Traffic Analysis Model (RivTAM) were aggregated by trip purpose. It was concluded that home-based person trips represent 69.2% of the total future person trips, and the non-home-based person trips represent 30.8% of the total future person trips.

ES.6 Fair-Share Fee Calculation

The balance of the unfunded TUMF system improvement needs is \$3.77 billion which is the maximum value attributable to the mitigation of the cumulative regional transportation impacts of future new development in the WRCOG region, and will be captured through the TUMF Program. By levying the uniform fee directly on future new developments (and indirectly on new residents and new employees to Western Riverside County), these transportation system users are assigned their "fair share" of the costs to address the cumulative impacts of additional traffic they will generate on the regional transportation system.

Of the \$3.77 billion in unfunded future improvement needs, 69.2% (\$2.61 billion) will be assigned to future new residential development and 30.8% (\$1.16 billion) will be assigned to future new non-residential development.

ES.7 Conclusions

Based on the results of the Nexus Study evaluation, it can be demonstrated that there is reasonable relationship between the cumulative regional transportation impacts of new land development projects in Western Riverside County and the need to mitigate these transportation impacts using funds levied through the proposed TUMF Program. Factors that reflect this reasonable relationship include:

- Western Riverside County is expected to continue growing as a result of future new development.
- Continuing new growth will result in increasing congestion on arterial roadways;
- The future arterial roadway congestion is directly attributable to the cumulative regional transportation impacts of future development in Western Riverside County;
- Capacity improvements to the transportation system will be needed to mitigate the cumulative impacts of new development;
- Roads on the TUMF network are the facilities that merit improvement through this fee program;
- Improvements to the public transportation system will be needed to provide adequate mobility for transit-dependant travelers and to provide an alternative to automotive travel.

The Nexus Study evaluation has established a proportional "fair share" of the improvement cost attributable to new development based on the impacts of existing development and the availability of obligated funding through traditional sources. The fair share fee allocable to future new residential and non-residential development in Western Riverside County is summarized for differing use types in **Table ES.1**.

Table ES.1 - Transportation Uniform Mitigation Fee for Western Riverside County				
Land Use Type	Units	Development Change	Fee Per Unit	Total Revenue (\$ million)
Single Family Residential	DU	156,745	\$8,873	\$1,390.8
Multi Family Residential	DU	194,934	\$6,231	\$1,214.6
Industrial	SF GFA	57,535,808	\$1.73	\$99.3
Retail	SF GFA	21,758,982	\$10.49	\$228.2
Service	SF GFA	105,461,087	\$4.19	\$442.3
Government/Public	SF GFA	39,061,333	\$9.98	\$389.9
MAXIMUM TUMF VALUE				\$3,765.1

1.0 INTRODUCTION AND PURPOSE OF THE NEXUS STUDY

Western Riverside County includes 16 incorporated cities and the unincorporated county covering an area of approximately 2,100 square miles. Until recently, this portion of Riverside County was growing at a pace exceeding the capacity of existing financial resources to meet increasing demand for transportation infrastructure. Although the recent crisis in the mortgage industry and the associated economic downturn has slowed this rate of growth, the region is expected to rebound and the projected growth in Western Riverside County is expected to increase. This increase in growth could significantly increase congestion and degrade mobility if substantial investments are not made in the transportation infrastructure. This challenge is especially critical for arterial roadways of regional significance, since traditional sources of transportation funding (such as the gasoline tax and local general funds) will not be nearly sufficient to fund the needed improvements. Development exactions only provide improvements near the development site, and the broad-based county-level funding sources (i.e., Riverside County's half-cent sales tax known as Measure A) designate only a small portion of their revenues for arterial roadway improvements.

In anticipation of the continued rapid future growth projected in Riverside County, several county-wide planning processes were initiated in 1999. These planning processes include the Riverside County General Plan Update, the Community Environmental Transportation Acceptability Process (CETAP) and the Multi-Species Habitat Conservation Plan (MSHCP). Related to these planning processes is the need to fund the mitigation of the cumulative regional transportation impacts of future new development.

Regional arterial highways in Western Riverside County are forecast to carry significant traffic volumes by 2035. While some localized fee programs exist to mitigate the local impacts of new development on the transportation system in specific areas, and while these programs are effective locally, they are insufficient in their ability to meet the regional demand for transportation infrastructure. Riverside County Supervisor Buster recognized the need to establish a comprehensive funding source to mitigate the cumulative regional transportation impacts of new development on regional arterial highways. The need to establish a comprehensive funding source for arterial highway improvements has evolved into the development of the Transportation Uniform Mitigation Fee (TUMF) for Western Riverside County.

In February 1999, the cities of Temecula, Murrieta and Lake Elsinore, the Western Riverside Council of Governments (WRCOG), the Riverside County Transportation Commission (RCTC) and the Building Industry Association (BIA) met to discuss the concept of a TUMF. The intent of this effort was to have the southwest area of Western Riverside County act as a demonstration for the development of policies and a process for a regional TUMF Program before applying the concept countywide. From February 1999 to September 2000, the Southwest Area Transportation Infrastructure System Funding Year 2020 (SATISFY 2020) Program progressed with policy development, the identification of transportation improvements, traffic modeling, cost estimates, fee scenarios and a draft Implementation Agreement.

In May 2000, Riverside County Supervisor Tavaglione initiated discussions in the northwest area of Western Riverside County to determine the level of interest in developing a TUMF for that area of the county. Interest in the development of a northwest area fee program was high. In August 2000, the WRCOG Executive Committee took action to build upon the work completed in the southwest area for the SATISFY 2020 program and to develop a single consolidated mitigation fee program for all of Western Riverside County. This action was predicated on the desire to establish a single uniform mitigation fee program to mitigate the cumulative regional impacts of new development on the regional arterial highway system, rather than multiple discrete and disparate fee programs with varying policies, fees and improvement projects. A TUMF Policy Committee comprising regional elected officials was formed to recommend and set policies for staff to develop the TUMF Program and provide overall guidance to all other staff committees.

The TUMF Program is implemented through the auspices of WRCOG. While the TUMF cannot fund all necessary transportation system improvements, it is intended to address a current transportation funding shortfall by establishing a new revenue source that ensures future development will contribute toward addressing the impacts of new growth on regional transportation infrastructure. Funding accumulated through the TUMF Program will be used to construct transportation improvements such as new arterial highway lanes, reconfigured freeway interchanges, railroad grade separations and new regional express bus services that will be needed to accommodate future travel demand in Western Riverside County. By levying a fee on new developments in the region, local agencies will be establishing a mechanism by which developers and in turn new county residents and employees will effectively contribute their "fair share" toward sustaining the regional transportation system.

This TUMF Nexus Study is intended to satisfy the requirements of California Government Code Chapter 5 Section 66000-66008 Fees for Development Projects (also known as California Assembly Bill 1600 (AB 1600) or the Mitigation Fee Act) which governs imposing development impact fees in California. The Mitigation Fee Act requires that all local agencies in California, including cities, counties, and special districts follow two basic rules when instituting impact fees. These rules are as follows:

- 1) Establish a nexus or reasonable relationship between the development impact fee's use and the type of project for which the fee is required.
- 2) The fee must not exceed the project's proportional "fair share" of the proposed improvement and cannot be used to correct current problems or to make improvements for existing development.

The initial WRCOG TUMF Nexus Study was completed in October 2002 and adopted by the WRCOG Executive Committee in November 2002. Its purpose was to establish the nexus or reasonable relationship between new land development projects in Western Riverside County and the proposed development impact fee that would be used to improve regional transportation facilities. It also identified the proportional "fair share" of the improvement cost attributable to new development.

Consistent with the provisions of the Mitigation Fee Act, the WRCOG Executive Committee has established that the TUMF Nexus Study will be reviewed at least every five years. Furthermore, acknowledging the unprecedented and unique nature of the TUMF Program, the Executive Committee determined that the first comprehensive review of the Program should be initiated within two years of initial adoption of the Program primarily to validate the findings and recommendations of the study and to correct any program oversights. The results of the first review of the Program were documented in the TUMF Nexus Study 2005 Update adopted by the WRCOG Executive Committee on February 6, 2006. This version of the WRCOG TUMF Nexus Study Report documents the results of the second major review of the TUMF Program conducted in 2008 and 2009. The findings of this report were ultimately adopted by the WRCOG Executive Committee on October 12, 2009.

A current list of the standing WRCOG TUMF related committees and committee membership is included in **Appendix A**.

In coordination with WRCOG, city and county representatives, developers, and other interested parties reviewed and updated the underlying assumptions of the Nexus Study as part of this comprehensive program review. In particular, the most recent socioeconomic forecasts developed by the Riverside County Center for Demographic Research (RCCDR) were incorporated to correspond with the newly developed Riverside County Traffic Analysis Model (RivTAM) that was also utilized for this update. This use of RivTAM and the RCCDR forecasts resulted in a shift of the program base and horizon years from 2000 and 2030 to 2007 and 2035. Additionally, the underlying unit cost assumptions were recreated to utilize the most recent available materials, labor and property cost values. Furthermore, the TUMF network was re-examined based on the RivTAM model results to eliminate those projects having been completed prior to the new program base year, and to more accurately reflect future project needs to address the cumulative regional impacts of new development in Western Riverside County.

2.0 FUTURE GROWTH

2.1 Recent Historical Trend

Western Riverside County experienced robust growth in the period from the late 1990's to the mid 2000's. The results of Census 2000 indicate that in the year 2000, Western Riverside County had a population of 1.187 million representing a 30% increase (or 2.7% average annual increase) from the 1990 population of 912,000. Total employment in Western Riverside County in 2000 was estimated by the Southern California Association of Governments (SCAG) to be 381,000 representing a 46% increase (or 3.9% average annual increase) over the 1990 employment of 261,000.

Despite the recent economic recession and the associated residential mortgage and foreclosure crisis, Western Riverside County continues to grow due to the availability of relatively affordable residential and commercial property, and a well educated workforce. By 2007 the population of the region had grown to 1.569 million, a further 32% growth in population from 2000. Similarly, total employment in the region had also grown from 2000 to 2007 with 516,000 employees estimated to be working in Western Riverside County. This represents a 35% increase from the 381,000 employees working in the region in 2000.

2.2 Available Demographic Data

A variety of alternate demographic information that quantifies future population, household and employment growth is available for Western Riverside County. For previous versions of the TUMF Nexus Study, the primary available source of consolidated demographic information for Western Riverside County was provided by SCAG. SCAG is the largest of nearly 700 Councils of Government (COG) in the United States and functions as the Metropolitan Planning Organization (MPO) for six counties in Southern California including Los Angeles, Orange, San Bernardino, Riverside, Ventura and Imperial. SCAG is mandated by the federal government to research and plan for issues of regional significance including transportation and growth management. As part of these responsibilities, SCAG maintains a comprehensive database of regional socioeconomic data and develops demographic projections and travel demand forecasts for Southern California.

Recognizing the need to develop a more comprehensive source of socioeconomic data for Riverside County, the Riverside County Center for Demographic Research (RCCDR) was established under the joint efforts of the County of Riverside, the Western Riverside Council of Governments, the Coachella Valley Association of Governments, and the University of California, Riverside in 2005. RCCDR is responsible for establishing and maintaining demographic information and ensuring data consistency through a centralized data source of demographic characteristics. RCCDR subsequently coordinates with SCAG by providing demographic estimates and forecasts for Riverside County as input to the SCAG regional forecasts. The RCCDR forecasts are also used as the basis for the recently created RivTAM.

2.3 Demographic Assumptions Used for the Nexus Study Analysis

With the availability of demographic information developed specifically for Riverside County, the socioeconomic forecasts developed by RCCDR for Western Riverside County were used for this update of the TUMF Nexus Study and associated fee schedule. A major distinction between the SCAG 2004 Regional Transportation Plan (RTP) data used for the TUMF Nexus Study 2005 Update and the RCCDR data used for this 2009 Update is the change in both the base year and horizon year; from 2000 and 2030 to 2007 and 2035. This shift in the base and horizon year demographic assumptions of the Program carries through all aspects of the Nexus analysis, including the travel demand forecasting, network review and fee calculation.

The RCCDR 2007 data were compared to the SCAG 2004 RTP data used in the TUMF Nexus Study 2005 Update. As can be seen in **Table 2.1** and **Figure 2.1**, the 2007 data reflects considerable growth in population, households and all employment sectors except retail. It should be noted that the decline in retail is mostly reflective of a revision in data analysis methodology between retail and service uses than any significant change in retail or service employment in Western Riverside County.

Table 2.1 – Base Year Socioeconomic Estimates for Western Riverside County				
Sector	2000 (SCAG)	2007 (RCCDR)	Change	% Change
Population	1,193,862	1,569,393	375,531	31%
Households	381,182	530,289	149,107	39%
Employees				
Industrial	140,284	175,571	35,287	25%
Retail	74,356	39,576	-34,780	-47%
Service	133,567	256,813	123,246	92%
Government/Public	39,556	43,954	4,398	11%
Total	387,763	515,914	128,151	33%
Notes:				
- Y2000 Population, Household, and Employment data from the SCAG Finalized 2004 RTP				
- Y2007 Population, Household, and Employment data from RCCDR				

Figure 2.1 – Base Year Socioeconomic Estimates for Western Riverside County

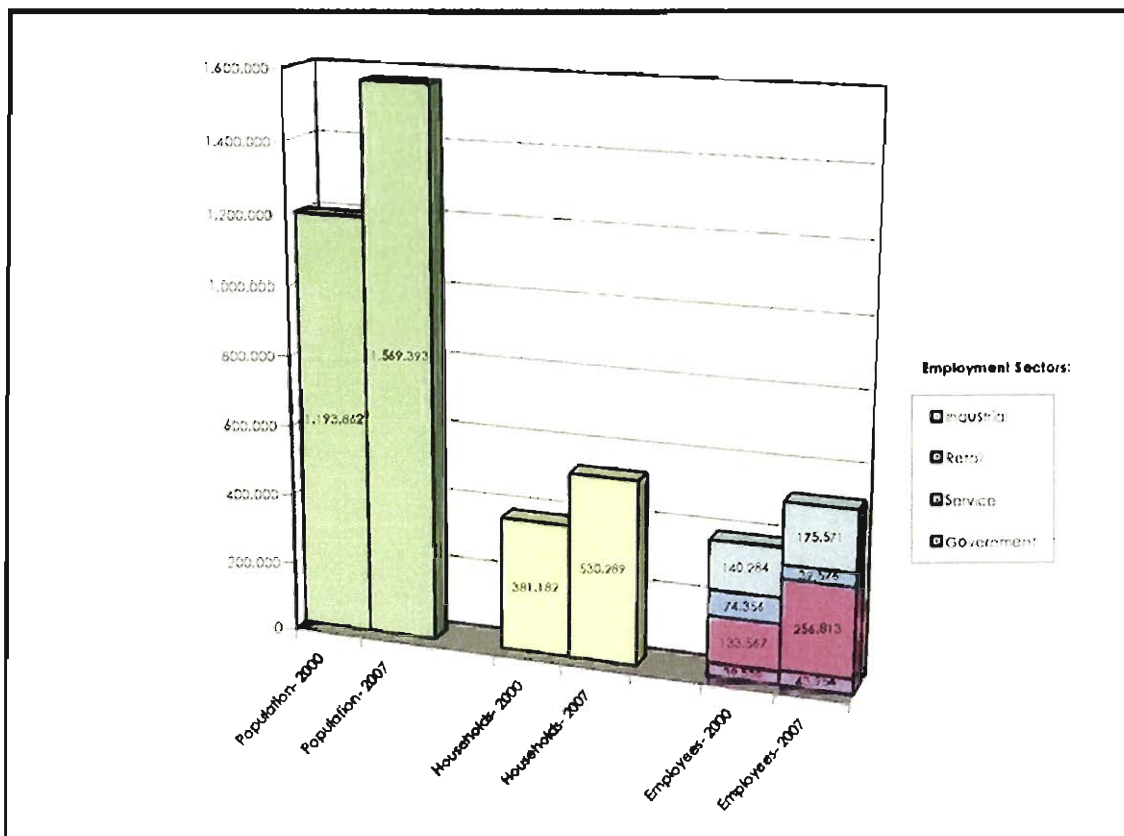


Table 2.2 and **Figure 2.2** compare the socioeconomic forecasts for the Program horizon years; Year 2030 used in the TUMF Nexus Study 2005 Update with the Year 2035 forecasts used in this study. Most of the difference between the two sets of future socioeconomic data can be attributed to the increase in forecast year from 2030 to 2035. However, the new forecasts incorporate the most recently available data and account for current trends including the influence of the current economic recession on the rate of growth in Western Riverside County.

Table 2.2 - Horizon Year Socioeconomic Estimates for Western Riverside County				
Sector	2030 (SCAG)	2035 (RCCDR)	Change	% Change
Population	2,400,017	2,537,583	137,566	6%
Households	784,447	881,968	97,521	12%
Employees				
Industrial	278,152	276,782	-1,370	0%
Retail	197,494	87,170	-110,324	-56%
Service	364,291	595,039	230,748	63%
Government/Public	75,729	131,842	56,113	74%
Total	915,666	1,090,833	175,167	19%
Notes:				
- Y2030 Population, Household, and Employment data from the SCAG Finalized 2004 RTP				
- Y2035 Population, Household, and Employment data from RCCDR				

Figure 2.2 - Horizon Year Socioeconomic Estimates for Western Riverside County

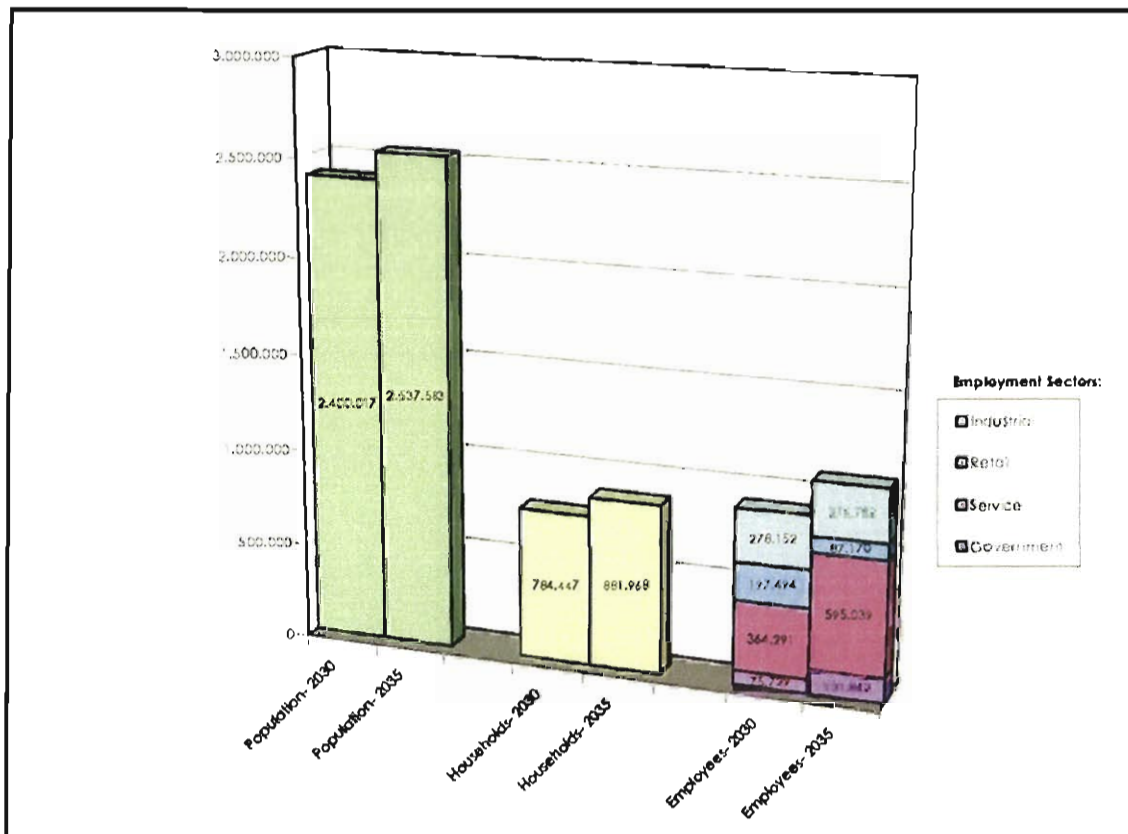
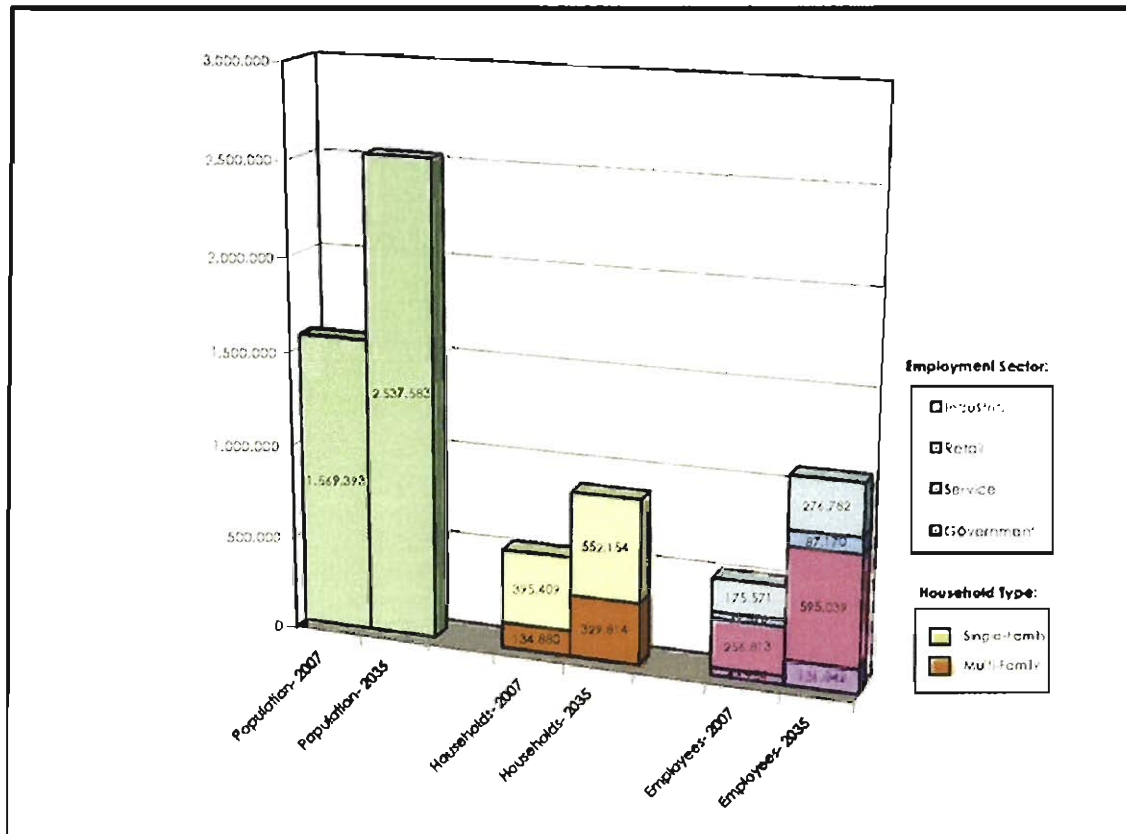


Table 2.3 and **Figure 2.3** summarize the socioeconomic data obtained from RCCDR and used as the basis for completing this Nexus Study analysis. The RCCDR employment data for 2007 and 2035 was provided for thirteen employment sectors consistent with the California Employment Development Department (EDD) Major Groups including: Farming, Natural Resources and Mining; Construction; Manufacturing; Wholesale Trade; Retail Trade; Transportation, Warehousing and Utilities; Information; Financial Activities; Professional and Business Service; Education and Health Service; Leisure and Hospitality; Other Service; and Government. For the purposes of the Nexus Study, the EDD Major Groups were aggregated to Industrial (Farming, Natural Resources and Mining; Construction; Manufacturing; Wholesale Trade; Transportation, Warehousing and Utilities), Retail (Retail Trade), Service (Information; Financial Activities; Professional and Business Service; Education and Health Service; Leisure and Hospitality; Other Service) and Government/Public Sector (Government). These four aggregated sector types were used as the basis for calculating the fee as described in **Section 6.2**. **Appendix B** provides a table detailing the EDD Major Groups and corresponding North American Industry Classification System (NAICS) Categories that are included in each non-residential sector type.

Table 2.3 - Population, Households and Employment in Western Riverside County				
Sector	Year 2007	Year 2035	Change	% Change
Population	1,569,393	2,537,583	968,190	62%
Households				
Single-Family	395,409	552,154	156,745	40%
Multi-Family	134,880	329,814	194,934	145%
Total	530,289	881,968	351,679	66%
Employees				
Industrial	175,571	276,782	101,211	58%
Retail	39,576	87,170	47,594	120%
Service	256,813	595,039	338,226	132%
Government/Public	43,954	131,842	87,888	200%
Total	515,914	1,090,833	574,919	111%
Notes:				
- Population, Household, and Employment data from RCCDR				

Figure 2.3 - Population, Households and Employment In Western Riverside County



3.0 NEED FOR THE TUMF

All new development has some effect on the transportation infrastructure in a community, city or county due to an increase in travel demand. Increasing usage of the transportation facilities leads to more traffic, progressively increasing traffic congestion and decreasing the level of service (LOS)¹. In order to meet the increased travel demand and keep traffic flowing, improvements to transportation facilities become necessary to sustain pre-development traffic conditions.

The projected growth in Western Riverside County (62% growth in population and a doubling of employment in under 30 years) can be expected to significantly increase congestion and degrade mobility if substantial investments are not made in the transportation infrastructure. This challenge is especially critical for arterial highways and roadways that carry a significant number of the trips between cities, since traditional sources of transportation improvement funding (such as the gasoline tax and local general funds) will not be nearly sufficient to fund the improvements needed to serve new development. Development exactions generally provide only a fraction of the improvements with improvements confined to the area immediately adjacent to the respective development, and the broad-based county-level funding sources (i.e., Riverside County's half-cent sales tax known as Measure A) designate only a small portion of their revenues for arterial roadway improvements.

This section documents the existing and future congestion levels that demonstrate the need for future improvements to the transportation system to specifically mitigate the cumulative regional transportation impacts of new development. It then describes the TUMF concept that has been developed to fund future new developments' fair share of needed improvements.

The forecast of future congestion levels is derived from Year 2035 Base travel demand forecasts for Western Riverside County developed using RivTAM. The Year 2035 Base evaluates the effects of 2035 population, employment and resultant traffic generation on the 2007 transportation network.

3.1 Future Highway Congestion Levels

To support the evaluation of the cumulative regional impacts of new development on the transportation system in Western Riverside County, existing (2007) and future (2035) traffic data were derived from RivTAM. To quantify traffic growth impacts, various traffic measures of effectiveness were calculated for each of the two scenarios. The WRCOG

¹ The Highway Capacity Manual (Transportation Research Board, National Research Council, Washington, D.C., 2000, pp 2-2, 2-3) describes LOS as a "quality measure describing operational conditions within a traffic stream, generally in terms of such service measures as speed and travel time, freedom to maneuver, traffic interruptions, and comfort and convenience." Letters are used to designate each of six LOS (A to F), with LOS A representing the best operating conditions and LOS F representing the worst. According to the Highway Capacity Manual, LOS C or D is typically used in planning efforts to ensure an acceptable operating service for facility users. Therefore, LOS E represents the threshold for unacceptable LOS.

TUMF study area was extracted from the greater regional model network for the purpose of calculating measures for Western Riverside County only. Measures for the Western Riverside County TUMF study area included total vehicle daily miles of travel (VMT), total daily vehicle hours of travel (VHT), total combined vehicle hours of delay (VHD), and total VMT experiencing unacceptable level of service (LOS E). These results were tabulated in **Table 3.1**. Plots of the Network Extents and screen shots of the respective results dialog boxes are attached in **Appendix C**.

Total Arterial VMT, VHT, VHD and LOS E Threshold VMT were calculated to include all principal arterials, minor arterials and major connectors, respectively. Regional values for each threshold were also calculated for a total of all facilities including arterials, freeways, freeway ramps, freeway connectors and High-Occupancy Vehicle (HOV) lanes.

Table 3.1 - Regional Highway System Measures of Performance (2007-2035)*				
Measure of Performance (Daily)	2007**	2035**	% Change	% Annual
VMT - TOTAL ALL FACILITIES	39,187,718	60,772,353	55%	1.64%
VMT - FREEWAYS	24,056,704	32,920,502	37%	1.17%
TOTAL ARTERIAL VMT	15,131,014	27,851,851	84%	2.29%
VHT - TOTAL ALL FACILITIES	1,362,725	2,385,725	75%	2.10%
VHT - FREEWAYS	885,753	1,301,737	47%	1.44%
TOTAL ARTERIAL VHT	476,972	1,083,988	127%	3.09%
VHD - TOTAL ALL FACILITIES	540,363	1,049,291	94%	2.49%
VHD - FREEWAYS	457,562	704,578	54%	1.61%
TOTAL ARTERIAL VHD	82,801	344,713	316%	5.42%
VMT LOS E - TOTAL ALL FACILITIES	25,847,218	50,001,659	93%	2.47%
VMT LOS E - FREEWAYS	20,422,906	31,864,589	56%	1.66%
TOTAL ARTERIAL VMT w/ LOS E or worse	5,424,312	18,137,070	234%	4.57%
% of ARTERIAL VMT w/ LOS E or worse	21%	36%		
<p>* Based on RIVTAM</p> <p>** Volume is adjusted by PCE factor</p> <p>NOTES:</p> <p>VMT = vehicle miles of travel (the total combined distance that all vehicles travel on the system)</p> <p>VHT = vehicle hours of travel (the total combined time that all vehicles are traveling on the system)</p> <p>VHD = vehicle hours of delay (the total combined time that all vehicles have been delayed on the system based on the difference between forecast travel time and free-flow (ideal) travel time)</p> <p>LOS = level of service (based on forecast volume to capacity ratios. Daily capacity was calculated as ten times AM peak hour capacity)</p> <p>LOS E or Worse was determined by a V/C ratio that exceeds the 0.9 threshold as indicated in the Riverside County General Plan.</p>				

The following formulas were used to calculate the respective values:

VTM = Link Distance * Total Daily Volume
VHT = Average Loaded (Congested) Link Travel Time * Total Daily Volume
VHD = VHT - (Free-flow (Uncongested) Link Travel Time * Total Daily Volume)
VTM LOS E or F = VTM (on links where Daily V/C exceeded 0.90)

Note: Volume to capacity (v/c) ratio thresholds for LOS E are based on the Transportation Research Board 2000 Edition of the Highway Capacity Manual (HCM 2000) LOS Maximum V/C Criteria for Multilane Highways with 45 mph Free Flow Speed (Exhibit 21-2, Chapter 21, Page 21-3).

The calculated values were compared to assess the total change between 2007 and 2035, and the average annual change between 2007 and 2035. As can be seen from the RivTAM outputs summarized in **Table 3.1**, the additional traffic generated by new development in the region will cause congestion on the highway system to increase almost exponentially in the absence of additional highway infrastructure investments, with the most significant increase in congestion observed on the arterial highway system. Many facilities will experience a significant increase in vehicle delay and deterioration in LOS to unacceptable levels as a result of new development and the associated growth in traffic. According to the Highway Capacity Manual (Transportation Research Board, 2000), LOS C or D are required to "ensure an acceptable operating service for facility users." LOS E is generally recognized to represent the threshold of unacceptable operating service and the onset of substantial systemic traffic congestion.

The Congestion Management Program for Riverside County (CMP) published by the Riverside County Transportation Commission (RCTC) in 2003 designates LOS E as the "minimum LOS standard for intersections and segments along the CMP System of Highways and Roadways" in Riverside County. "The intent of the CMP is to more directly link land use, transportation, and air quality, thereby prompting reasonable growth management programs that will effectively utilize new transportation funds, alleviate traffic congestion and related impacts, and improve air quality." ² The CMP provides a mechanism for monitoring congestion on the highway system and, where congestion is observed, establishes procedures for developing a deficiency plan to address improvement needs. The reactive nature of the CMP to identify and remediate existing congestion differs from the proactive nature of the TUMF Program to anticipate and provide for future traffic needs. For this reason, the TUMF Program follows the guidance of the Highway Capacity Manual in establishing LOS E as the threshold for unacceptable level of service, and subsequently as the basis for measuring system performance and accounting for existing needs. This approach ensures a more conservative accounting of existing system needs as part of the determination of the "fair share" of mitigating the cumulative regional impacts of future new development on the transportation system.

² Congestion Management Program for Riverside County – Executive Summary (Riverside County Transportation Commission, 2003) Page ES-3, ES-1

The continuing need for a mitigation fee on new development is shown by the adverse impact that new development will have on Western Riverside County's transportation infrastructure. As a result of the new development and associated growth in population and employment in Western Riverside County, additional pressure will be placed on the transportation infrastructure with the total vehicle miles traveled (VMT) on the Western Riverside County system of arterial roadways estimated to increase by 55% or 1.6% compounded annually.

As shown in **Table 3.1**, the VMT on arterial facilities experiencing LOS of E or worse will increase by 234% or 4.6% compounded annually in Western Riverside County in the period between 2007 and 2035. By 2035, 36% of the total VMT on the regional arterial highway system is forecast to be traveling on facilities experiencing daily LOS E or worse. Without improvements to the arterial highway system, the total vehicle hours of delay (VHD) experienced by area motorists on arterial highways will increase by over 5.4% per year. The combined influences of increased travel and worsened LOS that manifest themselves in severe congestion and delay highlight the continuing need to complete substantial capacity expansion on the arterial highway system to mitigate the cumulative regional impact of new development.

The RivTAM outputs summarized in **Table 3.1** clearly demonstrate that the travel demands generated by future new development in the region will lead to increasing levels of traffic congestion, especially on the arterial roadways. The need to improve these roadways and relieve future congestion is therefore directly linked to the future development which generates the travel demand.

3.2 Future Transit Utilization Levels

In addition to the roadway network, public transportation will play a role in serving future travel demand in the region. Transit represents a critical component of the transportation system by providing an alternative mode choice for those not wanting to use an automobile, and particularly for those who do not readily have access to an automobile. As population and employment in Western Riverside County grows as a result of new development, demand for regional transit services in the region is also expected to grow.

Transit trip forecasts were derived from RivTAM. Consistent with the analysis of highway trips described in **Section 3.1**, year 2007 and year 2035 scenarios were used to represent existing and future transit trips, respectively. Transit person trips internal to Western Riverside County (both originating in and destined for Western Riverside County) were aggregated.

The year 2007 and year 2035 aggregated Western Riverside existing and future transit person trips were compared in order to assess the impact of new development on transit demand. The RivTAM outputs indicate that regional transit services accommodated approximately 17,611 trips per day in Western Riverside County in Year 2007. By 2035, regional transit services are forecast to provide approximately 27,969 trips per day. This translates into a forecasted increase of 10,358 trips per day or 59%.

RivTAM outputs for transit person trips in the WRCOG region are summarized in **Appendix D**.

The significant future growth in demand for public transit services is reflective of the cumulative regional impacts of new development, and the associated increase in demand for all types of transportation infrastructure and services. While some of the future transit trips identified by RivTAM will be accommodated by regional transit services such as Metrolink, a substantial number of the trips will be served by bus transit services within Western Riverside County. The need to provide additional bus transit services within Western Riverside County to satisfy this future demand is therefore directly linked to the future development that generates the demand.

3.3 The TUMF Concept

A sizable percentage of trip-making for any given local community extends beyond the bounds of the individual community as residents pursue employment, education, shopping and entertainment opportunities elsewhere. As new development occurs within a particular local community, this migration of trips of all purposes by new residents contributes to the need for transportation improvements within their community **and** in the other communities of Western Riverside County. The idea behind a uniform mitigation fee is to have new development throughout the region contribute uniformly to paying the cost of improving the transportation facilities that serve these longer-distance trips between communities. Thus, the fee should be used to improve transportation facilities that serve trips between communities within the region (primarily arterial roadways) as well as the infrastructure for public transportation.

Some roadways serve trips between adjacent communities, while some also serve trips between more distant communities within the region. The differing roadway functions led to the concept of using a portion of the fee revenues for a backbone system of arterial roadways that serve the longer-distance trips (i.e. using TUMF revenues from the entire region), while using a second portion of the fee revenues for a secondary system of arterials that serve inter-community trips (i.e. using TUMF revenues from the communities most directly served by these roads – in effect, a return-to-source of that portion of the funds). Reflecting the importance of public transit service in meeting regional travel needs, a third portion of fee revenues was reserved for improvements to the public transportation infrastructure (i.e. using TUMF revenues from the entire region).

Much, but not all, of the new trip-making in a given area is generated by residential development (i.e. when people move into new homes, they create new trips on the transportation system as they travel to work, school, shopping or entertainment). Some of the new trips are generated simply by activities associated with new businesses (i.e. new businesses will create new trips through the delivery of goods and services, etc.). With the exception of commute trips by local residents coming to and from work, and the trips of local residents coming to and from new businesses to get goods and services, the travel demands of new businesses are not directly attributable to residential development. The consideration of different sources of new travel demand

is therefore reflected in the concept of assessing both residential and non-residential development for their related transportation impacts.

In summary, the TUMF concept includes the following:

- A uniform fee is levied on new development throughout Western Riverside County.
- The fee is assessed proportionately on new residential and non-residential development based on the relative impact of each new use on the transportation system.
- A portion of the fee is used to fund capacity improvements on a backbone system of arterial roadways that serve longer-distance trips within the region; a portion of the fee is returned to the area in which it was generated to fund capacity improvements on a secondary system of arterial roadways that link the communities in that area; and a portion of the fee is used to fund improvements to the public transportation infrastructure within the region.

4.0 THE TUMF NETWORK

4.1 Identification of the TUMF Roadway Network

An integral element of the initial Nexus Study was the designation of the Western Riverside County Regional System of Highways and Arterials. This network of regionally significant highways represents those arterial and collector highway and roadway facilities that primarily support inter-community trips in Western Riverside County and supplement the regional freeway system. As a result, this system also represents the extents of the network of highways and roadways that would be eligible for TUMF funded improvements. The Regional System of Highways and Arterials (RSHA; also referred to as the "TUMF Network") does **not** include the freeways of Western Riverside County as these facilities primarily serve longer distance inter-regional trips and a significant number of pass-through trips that have no origin or destination in Western Riverside County³.

The TUMF Network is the system of roadways that serve inter-community trips within Western Riverside County and therefore are eligible for improvement funding with TUMF funds. The RSHA for Western Riverside County was identified based on several transportation network and performance guidelines as follows:

1. Arterial highway facilities proposed to have a minimum of four lanes at ultimate build-out (not including freeways).
2. Facilities that serve multiple jurisdictions and/or provide connectivity between communities both within and adjoining Western Riverside County.
3. Facilities with forecast traffic volumes in excess of 20,000 vehicles per day by 2035.
4. Facilities with forecast volume to capacity ratio of 0.90 (LOS E) or greater in 2035.
5. Facilities that accommodate regional fixed route transit services.
6. Facilities that provide direct access to major commercial, industrial, institutional, recreational or tourist activity centers, and multi-modal transportation facilities (such as airports, railway terminals and transit centers).

Appendix E includes exhibits illustrating the various performance measures assessed during the definition of the RSHA.

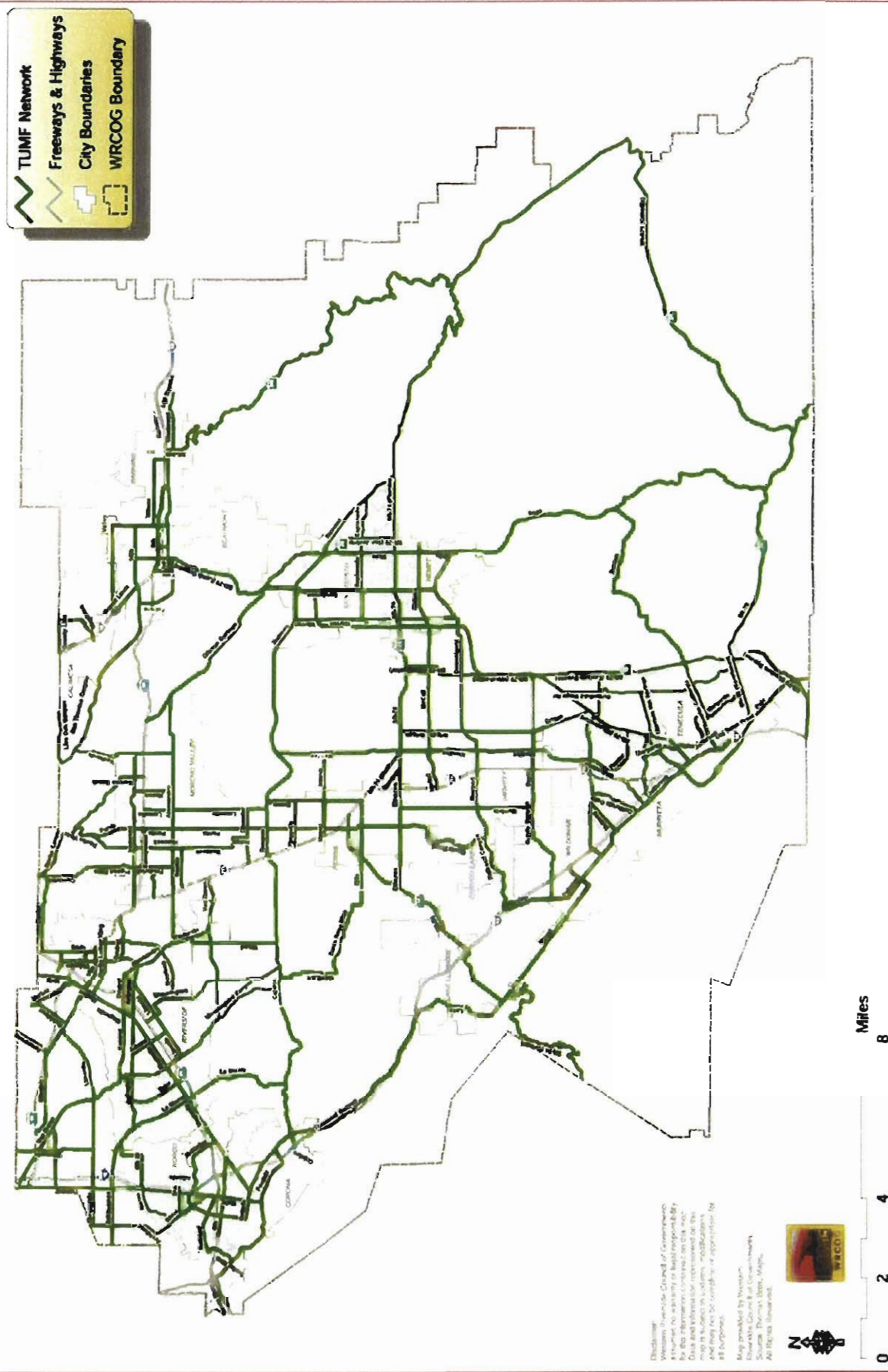
Transportation facilities in Western Riverside County that generally satisfied the respective guidelines were identified, and a skeletal regional transportation framework evolved from facilities where multiple guidelines were observed. Representatives of all WRCOG constituent jurisdictions reviewed this framework in the context of current local transportation plans to define the TUMF Network, which was subsequently endorsed by the WRCOG Public Works Committee, WRCOG Technical Advisory Committee, TUMF Policy Committee and the WRCOG Executive Committee.

³ Since pass-through trips have no origin or destination in Western Riverside County, new development within Western Riverside County cannot be considered responsible for mitigating the impacts of pass through trips. The impact of pass-through trips and the associated cost to mitigate the impact of pass through trips (and other inter-regional freeway trips) is addressed in the Riverside County Transportation Commission Western Riverside County Freeway Strategic Plan, Phase II – Detailed Evaluation and Impact Fee Nexus Determination, Final Report dated May 31, 2008.

The RSHA is illustrated in **Figure 4.1**. Although the TUMF Network was reviewed as part of the Nexus Update, there were no significant changes to the composition of the network that was originally adopted by the WRCOG Executive Committee.

The Regional System of Highways & Arterials for Western Riverside County

Figure 4.1



4.2 Backbone Network and Secondary Network

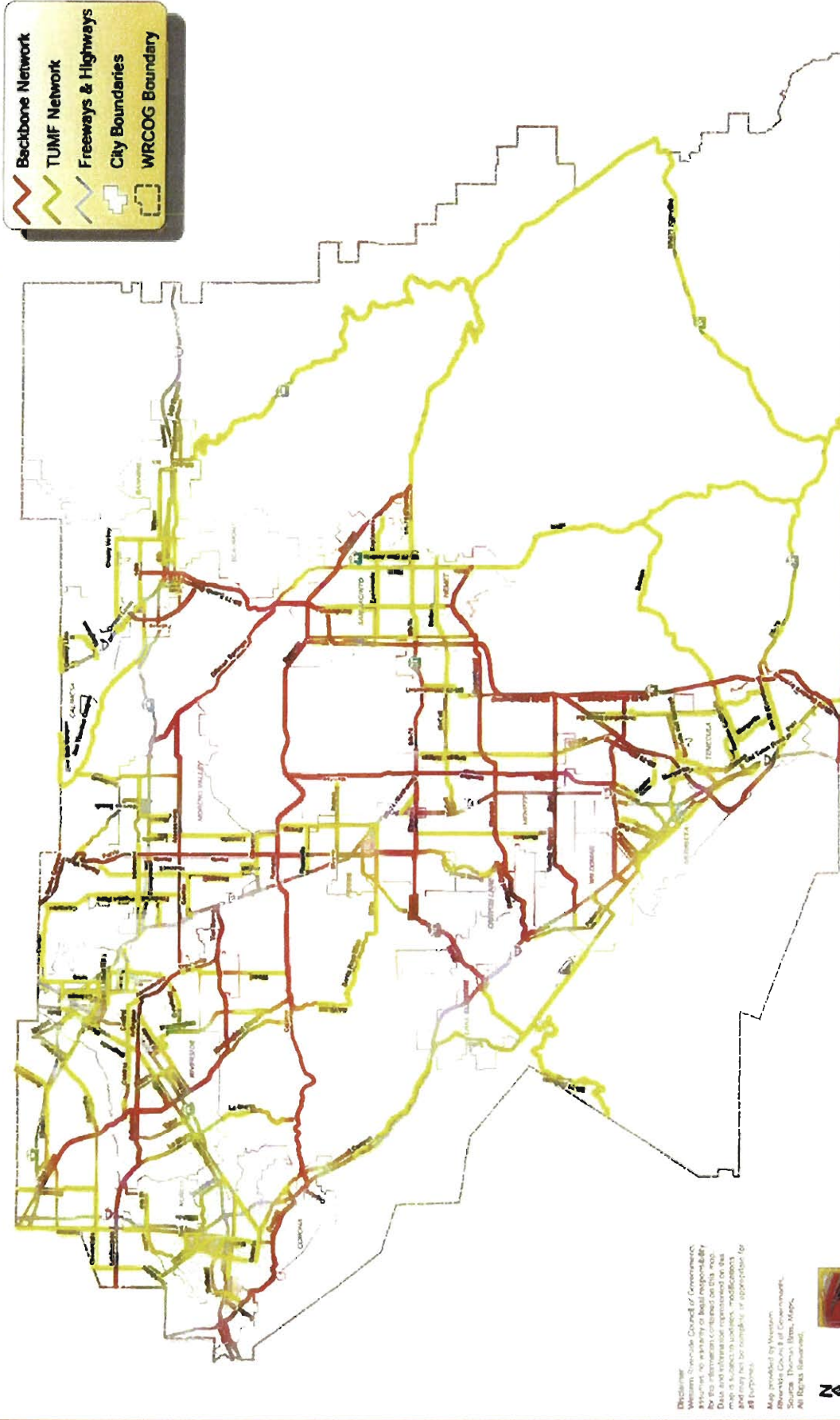
As indicated previously, the TUMF roadway network was refined to distinguish between facilities of "Regional Significance" and facilities of "Zonal Significance." Facilities of Regional Significance were identified as those that typically are proposed to have a minimum of six lanes at general plan build-out⁴, extend across and/or between multiple Area Planning Districts (APD – the five aggregations of communities used for regional planning functions within the WRCOG area) or zones, and are forecast to carry at least 25,000 vehicles per day in 2035. The Facilities of Regional Significance have been identified as the "backbone" highway network for Western Riverside County. A portion of the TUMF fee is specifically designated for improvement projects on the backbone system. The Backbone Network is illustrated in **Figure 4.2**.

Facilities of Zonal Significance (the "secondary" network) represent the balance of the RSHA for Western Riverside County. These facilities are typically within one zone and carry comparatively lesser traffic volumes than the backbone highway network, although they are considered significant for circulation within the respective zone. A portion of the TUMF fee is specifically designated for improvement projects on the secondary network within the zone in which it is collected. The WRCOG zones are illustrated in **Figure 4.3**.

⁴ Although facilities were identified based on the minimum number of lanes anticipated at general plan buildout, in some cases it was determined that sufficient demand for all additional lanes facilities may not exist on some facilities until beyond the current timeframe of the TUMF Program (2035). As a result, only a portion of the additional lanes on these facilities have currently been identified for funding with TUMF revenues, reflecting the cumulative impact of new development through the current duration of the TUMF Program.

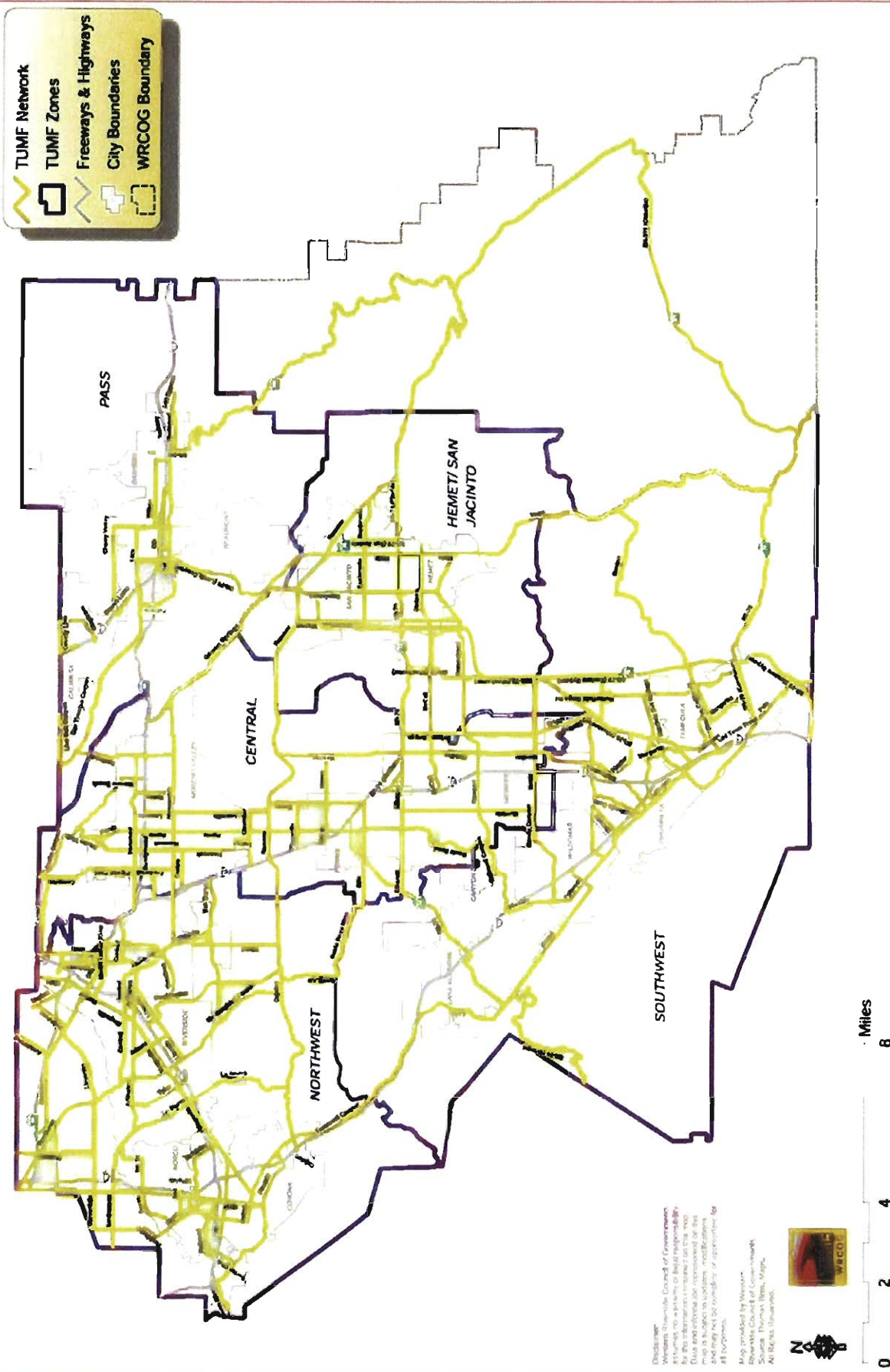
The Backbone Network of Highways & Arterials for Western Riverside County

Figure 4.2



Western Riverside County Area Planning Districts (TUMF Zones)

Figure 4.3



4.3 Future Roadway Transportation Needs

For the purpose of calculating a "fair share" fee for new development, it is necessary to estimate the cost of improvements on the TUMF system that will be needed to mitigate the cumulative regional impacts of future transportation demands created by new development. Estimates of the cost to improve the network to mitigate the cumulative impacts of new development were originally developed based on unit costs prepared for the Coachella Valley Association of Governments (CVAG) Regional Arterial Cost Estimate (RACE)⁵, and the WRCOG Southwest District SATISFY 2020 Summary of Cost Estimates⁶ (TKC/WRCOG 2000). The RACE cost estimates were developed based on a summary of actual construction costs for projects constructed in Riverside County in 1998.

The initial unit cost estimates for the TUMF (based on inflated RACE cost estimates) were reviewed in the context of the SATISFY 2020 Draft Cost Estimates and were consolidated to provide typical improvement costs for each eligible improvement type. The refinement of unit costs was completed to simplify the process of estimating the cost to improve the entire TUMF network. Based on RACE and SATISFY 2020, consolidated cost estimates included typical per mile or lump sum costs for each of the improvement types eligible under the TUMF Program. The resultant revised unit cost estimates were used as the basis for estimating the cost to complete the necessary improvements to the TUMF network to mitigate the cumulative regional transportation impacts of new development.

Variations in the consolidated cost estimates for specific improvement types were provided to reflect differences in topography and land use across the region. Unit costs for roadway construction were originally varied to account for variations in construction cost (and in particular, roadway excavation and embankment cost) associated with construction on level (code 1) rolling (code 2) and mountainous (code 3) terrain, respectively. Right-of-way acquisition costs which originally included consideration for land acquisition, documentation and legal fees, relocation and demolition costs, condemnation compensation requirements, utility relocation, and environmental mitigation costs were also varied to account for variations in right-of-way costs associated with urban (developed commercial/residential mixed uses – code 1), suburban (developed residential uses – code 2) and rural (undeveloped uses – code 3) land uses, respectively. Lump sum costs for interchange improvements were originally varied to account for variations in cost associated with new complex, new standard (or fully reconstructed), or major (or partially reconstructed) or minor (individual ramp improvements) interchange improvements.

For the purposes of the TUMF Nexus Update, the original unit cost categories were reviewed to generate entirely new unit cost values based on the most recent available construction cost, labor cost and land acquisition cost values. In addition, supplemental categories have been added to the cost assumptions to better delineate

⁵ Parsons Brinckerhoff/Coachella Valley Association of Governments, 1999, Regional Arterial Cost Estimate (RACE)

⁶ TKC/Western Riverside Council of Governments, 2000, SATISFY 2020 Summary of Cost Estimates

the need to mitigate the cumulative multi-species habitat impacts of TUMF arterial highway improvements in accordance with the Riverside County Multiple Species Habitat Conservation Plan (MSHCP), and to account for the costs associated with WRCOG administration of the TUMF Program.

Section 8.5.1 of the Riverside County Integrated Project (RCIP) MSHCP adopted by the Riverside County Board of Supervisors on June 17, 2003 states that "each new transportation project will contribute to Plan implementation. Historically, these projects have budgeted 3% - 5% of their construction costs to mitigate environmental impacts." This provision is reiterated in the MSHCP Final Mitigation Fee Nexus Report (David Taussig and Associates, Inc., July 1, 2003) section 5.3.1.2 which states that "over the next 25 years, regional infrastructure projects are expected to generate approximately \$250 million in funding for the MSHCP" based on mitigation at 5% of construction costs. To clearly demonstrate compliance with the provisions of the MSHCP, the TUMF Program will incorporate a cost element to account for the required MSHCP contribution to mitigate the multi-species habitat impacts of constructing TUMF projects. In accordance with the MSHCP Nexus Report, an amount equal to 5% of the construction cost for new TUMF network lanes, bridges and railroad grade separations will be specifically included as part of TUMF Program with revenues to be provided to the Western Riverside County Regional Conservation Authority (RCA) for the acquisition of land identified in the MSHCP. The relevant sections of the MSHCP document and the MSHCP Nexus Report are included in **Appendix F**.

Appendix F provides a detailed outline of the assumptions and methodology leading to the revised TUMF unit cost assumptions. **Table 4.1** summarizes the unit cost estimate assumptions used to develop the TUMF network cost estimate, including a comparison of the original TUMF unit cost assumptions and the current revised unit cost assumptions developed as part of this review of the TUMF Nexus. Cost estimates are provided in current year values as indicated.

To estimate the cost of improving the regional transportation system to provide for future traffic growth from new development, the transportation network characteristics and performance guidelines (outlined in **Section 4.1**) were initially used as a basis for determining the needed network improvements. The initial list of improvements needed to provide for the traffic generated by new development was then compared with local General Plan Circulation Elements to ensure that the TUMF network included planned arterial roadways of regional significance. A consolidated list of proposed improvements and the unit cost assumptions were then used to establish an initial estimate of the cost to improve the network to provide for future traffic growth associated with new development.

Table 4.1 - Unit Costs for Arterial Highway and Street Construction

Component Type	Cost Assumptions as published October 18, 2002	Cost Assumptions per 2005 Update February 6, 2006	Cost Assumption per 2009 Nexus Update	Description
Terrain 1	\$550,000	\$640,000	\$628,000	Construction cost per acre for 100% terrain
Terrain 2	\$850,000	\$990,000	\$761,000	Construction cost per acre for 100% terrain
Terrain 3	\$1,150,000	\$1,340,000	\$895,000	Construction cost per acre for 100% terrain
Landuse 1	\$900,000	\$1,820,000	\$1,682,000	Construction cost per acre for 100% landuse
Landuse 2	\$420,000	\$850,000	\$803,000	Construction cost per acre for 100% landuse
Landuse 3	\$240,000	\$485,000	\$237,000	Construction cost per acre for 100% landuse
Interchange 1	n/a	\$46,500,000	\$43,780,000	Construction cost per interchange
Interchange 2	\$20,000,000	\$23,300,000	\$22,280,000	Construction cost per interchange
Interchange 3	\$10,000,000	\$11,650,000	\$10,890,000	Construction cost per interchange
Interchange 4	\$2,000,000	\$2,330,000	n/a	Construction cost per interchange
Interchange 5	n/a	\$2,500,000	n/a	Construction cost per interchange
Bridge 1	\$2,000	\$2,350	\$2,880	Construction cost per bridge
RRXing* 1	\$4,500,000	\$5,240,000	\$4,550,000	Construction cost per RRXing
RRXing 2	\$2,250,000	\$2,620,000	\$2,120,000	Construction cost per RRXing
Intersection 1	\$300,000	\$350,000	\$380,000	Construction cost per intersection
Planning	10%	10%	10%	Planning cost per project
Engineering	25%	25%	25%	Engineering cost per project
Contingency	10%	10%	10%	Contingency cost per project
Administration	n/a	n/a	3%	Administration cost per project
MSHCP	n/a	5%	5%	MSHCP cost per project

*RRXing = Railroad Crossing

A peer review process utilizing real world experience and perspectives from both the private and public sectors was critical in developing a realistic network of proposed improvements to mitigate the additional traffic resulting from future development in Western Riverside County. Representatives of private development firms and the BIA have continued to participate in the process of developing and updating the TUMF Program. This involvement has included active participation of private developer staff at various workshops conducted at critical milestone points in the process of completing the Nexus update.

As part of the 2009 Program update, the list of proposed improvements included in the initial Nexus Study and validated during the 2005 update was reviewed for accuracy and, where necessary, amended to either remove projects completed prior to the new base year of the TUMF Program (2007), remove projects that are no longer needed based on changes in the patterns of growth within the region, or add further improvements to accommodate additional projected traffic growth associated with new development. The specific network changes were screened by the WRCOG Public Works Committee for consistency with TUMF network guidelines and were

subsequently reviewed by representatives of the public and private sectors at a series of workshop meetings conducted in June 2009.

Based on the findings of the network screening and workshop reviews, elements of specific projects were revised to reflect necessary network corrections, modifications to project assumptions and to incorporate a limited number of additional segment improvements following further review and recommendation through the WRCOG standing committee structure. A matrix summarizing the disposition of the requests received as part of the TUMF Nexus Update was developed and is included in **Appendix G**.

Eligible arterial highway and street improvement types to mitigate the cumulative regional transportation impacts of new development on Network facilities include:

1. Construction of additional Network roadway lanes;
2. Construction of new Network roadway segments;
3. Expansion of existing Network bridge structures;
4. Construction of new Network bridge structures;
5. Expansion of existing Network interchanges with freeways;
6. Construction of new Network interchanges with freeways;
7. Grade separation of existing Network at-grade railroad crossings;
8. Expansion of existing Network-to-Network intersections.

All eligible improvement types provide additional capacity to Network facilities to accommodate future traffic growth generated by new development in Western Riverside County. Following the comprehensive update of the TUMF Program, the estimated total cost to improve the RSHA for Western Riverside County is \$3.92 billion with this cost including all arterial highway and street planning, engineering, design, right-of-way acquisition and capital construction costs, but not including transit, MSHCP or program administration costs that will be subsequently described. It should be noted that the full cost to improve the TUMF Network cannot be entirely attributed to new development and must be adjusted to account for the previous obligation of other funds to complete necessary improvements and unfunded existing needs. **Sections 4.5** and **4.6** describe the adjustments to the total TUMF Network improvement need to account for existing needs and obligated funds.

In addition to the arterial highway and street improvement costs indicated above, the TUMF Nexus Update included specific consideration for the TUMF Program obligation to the MSHCP program to mitigate the impact of TUMF network improvements on species and habitat within Western Riverside County. The TUMF obligation to MSHCP was calculated at a rate of 5% of the total construction (capital) cost of new lane segments, bridges and railroad grade separations on the TUMF Network. The total TUMF obligation to the MSHCP as indicated in the TUMF Network cost fee table is approximately \$62.4 million.

The TUMF Nexus Study 2009 Program Update similarly includes specific consideration of the costs associated with WRCOG administration of the TUMF Program. The average cost for WRCOG to administer the TUMF Program was calculated at a rate of 3% of the

total eligible cost of new lane segments (including interchanges, bridges and railroad grade separations) on the TUMF Network and new transit services. The total cost for WRCOG administration of the TUMF Program as indicated in the TUMF Network cost fee table is approximately \$107.9 million.

The detailed TUMF network cost calculations are provided in **Section 4.7**, including each of the individual segments and cost components considered as part of the TUMF Program, and the maximum eligible TUMF share for each segment following adjustments for obligated funding and unfunded existing needs as described in subsequent sections.

4.4 Public Transportation Component of the TUMF System

In addition to the roadway network, public transportation will play a role in serving future travel demand in the region. Public transportation serving inter-community trips is generally provided in the form of public transit bus services and in particular express bus services between strategically located community transit centers. Transit needs to serve future travel in Western Riverside County via public transit bus were provided by the Riverside County Regional Transportation Agency (RTA). The identified public transit needs include transit centers, express bus stop upgrades, and capital improvements to develop express bus service within the region. Metrolink commuter rail service improvements were not included in the TUMF Program as they typically serve longer inter-regional commute trips equivalent to freeway trips on the inter-regional highway system.

Updated cost estimates for improving the infrastructure serving public transportation, including construction of transit centers, express bus stop upgrades, and capital improvements needed to develop express bus service within the region were provided by RTA. The updated transit unit cost data provided by RTA are shown in **Table 4.3**.

Table 4.3 - Unit Costs for Transit Capital Expenditures

Component Type	Cost Assumptions as published October 18, 2002	Cost Assumptions per 2005 Update February 6, 2006	Cost Assumptions per 2009 Nexus Update	Description
Transit Center	\$6,000,000	\$6,990,000	\$5,655,000	Regional Transit Centers
Bus Stop	\$10,000	\$11,600	\$27,000	Bus Stop Amenities Upgrade
Service Capital	\$540,000	\$630,000	\$550,000	Regional Corridor Transit Service Capital
Vehicle Fleet	\$325,125	\$380,000	\$550,000	Regional Flyer Vehicle Fleet

The estimated total cost for future transit services to accommodate forecast transit demand is approximately \$166.9 million with this cost including all planning, engineering, design and capital improvement costs. Detailed transit component cost estimates are included in **Section 4.7**.

4.5 Existing Obligated Funding

For some of the facilities identified in the TUMF network, existing obligated funding has previously been secured through traditional funding sources to complete necessary improvements. Since funding has been obligated to provide for the completion of needed improvements to the TUMF system, the cost of these improvements will not be recaptured from future developments through the TUMF Program. As a result, the TUMF network cost was adjusted accordingly to reflect the availability of obligated funds.

To determine the availability of obligated funds, each jurisdiction in Western Riverside County was asked to review their current multi-year capital improvement programs to identify transportation projects on the TUMF system. A detailed table identifying the obligated funds for segments of the TUMF network is included in **Appendix H**. A total of \$270.8 million in obligated funding was identified for improvements to the TUMF system. The estimated TUMF network cost was subsequently reduced by this amount.

4.6 Unfunded Existing Improvement Needs

A review of the existing traffic conditions on the TUMF network (as presented in **Table 3.1**) indicates that some segments of the roadways on the TUMF system currently experience congestion and operate at unacceptable levels of service. In addition, demand for inter-community transit service already exists and future utilization of proposed inter-community transit services will partially reflect this existing demand. The need to improve these portions of the system is generated by existing demand, rather than the cumulative regional impacts of future new development, so future new development cannot be assessed for the equivalent cost share of improvements providing for this existing need.

In the initial TUMF Nexus Study, the cost of existing improvement needs was estimated by identifying the roadway segments on the TUMF network that operate at LOS E or F according to the modeled 2000 base year volumes. The application of the LOS E threshold is consistent with national traffic analysis guidelines that stipulate LOS D as the minimum acceptable LOS for arterial roadway facilities. The cost to improve these roadway segments with existing unacceptable LOS was calculated using the same method applied to estimate the overall system improvement cost. This method estimated the share of the particular roadway segment (including all associated ROW, interchange, structure and soft costs) that was experiencing unacceptable LOS, and reduced the estimated cost to reflect the relative share. The adjusted value reflected the maximum eligible under the TUMF Program to improve only those portions of the segment (and the relative share of associated improvement costs) that were not experiencing an existing need and were therefore considered to be exclusively addressing the cumulative impacts of new development.

By the application of this methodology, the initial TUMF Nexus Study did not account for the incremental cumulative impact of new development on those segments with an identified existing need. For this reason, the methodology to account for existing need was reviewed as part of the TUMF 2005 update to provide for the inclusion of

incremental traffic growth on those segments with existing need. The following approach was applied to account for this oversight in the initial existing need methodology:

1. Identify those segments with an existing need by evaluating the RivTAM base year model networks and delineating those segments included on the TUMF RSHA that have a daily volume to capacity (V/C) ratio exceeding 0.90.
2. Calculate the initial cost of addressing the existing need by estimating the share of the particular roadway segment 'new lane' cost (including all associated ROW and new lane construction soft costs but not including interchange, railroad grade separation and bridge costs and their associated soft costs). It should be noted that where the TUMF network identifies more than one new lane in each direction, only the first lane in each direction is considered to be addressing existing need and any additional new lanes would be fully eligible under TUMF for addressing exclusively future needs.
3. Determine the incremental growth in V/C by comparing the weighted average base year V/C for the TUMF segment (delineated under step 1) with the RivTAM 2035 baseline assigned model network V/C for the corresponding segments.
4. Determine the proportion of the incremental growth attributable to new development by dividing the result of step three with the total 2035 baseline V/C in excess of LOS E.
5. For those segments experiencing a net increase in V/C over the 2007 base year, 'discount' the cost of existing need improvements by the proportion of the incremental V/C growth through 2035 compared to the 2007 base year V/C (up to a maximum of 100%).

The unfunded cost of existing highway improvement needs (including the related MSHCP obligation) totals \$225.2 million. **Appendix H** includes a detailed breakdown of the existing highway improvement needs on the TUMF network, including the associated unfunded improvement cost estimate for each segment experiencing unacceptable LOS.

For transit service improvements, the cost to provide for existing demand was determined by multiplying the total transit component cost by the share of future transit trips representing existing demand. The cost of existing transit service improvement needs is \$105.1 million representing 37% of the TUMF transit component. **Appendix H** includes tables reflecting the calculation of the existing transit need share and the existing transit need cost.

4.7 Maximum TUMF Eligible Cost

A total of \$270.8 million in obligated funding was identified for improvements to the TUMF system. Since these improvements are already funded with other available

revenue sources, these projects cannot also be funded with TUMF revenues. Furthermore, the total cost of the unfunded existing improvement needs is \$330.1 million. These improvements are needed to provide for existing transportation needs and therefore their costs cannot be assigned to new development through the TUMF.

Based on the estimated costs described in **Sections 4.3** and **4.4**, the total value to complete the identified TUMF network and transit improvements is \$4.26 billion. Having accounted for obligated funds and unfunded existing needs as described in **Sections 4.5** and **4.6**, respectively, the estimated maximum eligible value of the TUMF Program is \$3.77 billion. The maximum eligible value of the TUMF Program includes approximately \$3.54 billion in eligible arterial highway and street related improvements and \$61.8 million in eligible transit related improvements. An additional \$60.0 million is also eligible as part of the TUMF Program to mitigate the impact of eligible TUMF related arterial highway and street projects on critical native species and wildlife habitat, while \$107.9 million is provided to cover the costs incurred by WRCOG to administer the TUMF Program.

Figure 4.4 illustrates the various improvements to the RSHA included as part of the TUMF network cost calculation. **Table 4.3** summarizes the TUMF network cost calculations for each of the individual segments. This table also identifies the maximum eligible TUMF share for each segment having accounted for obligated funding and unfunded existing need. A detailed breakdown of the individual cost components and values for the various TUMF Network segments is included in **Appendix H**. **Table 4.4** outlines the detailed transit component cost estimates. It should be noted that the detailed cost tables (and fee levels) are subject to regular review and updating by WRCOG and therefore WRCOG should be contacted directly to obtain the most recently adopted version of these tables (and to confirm the corresponding fee level).

The Regional System of Highways & Arterials - TUMF Network Improvements

Figure 4.4

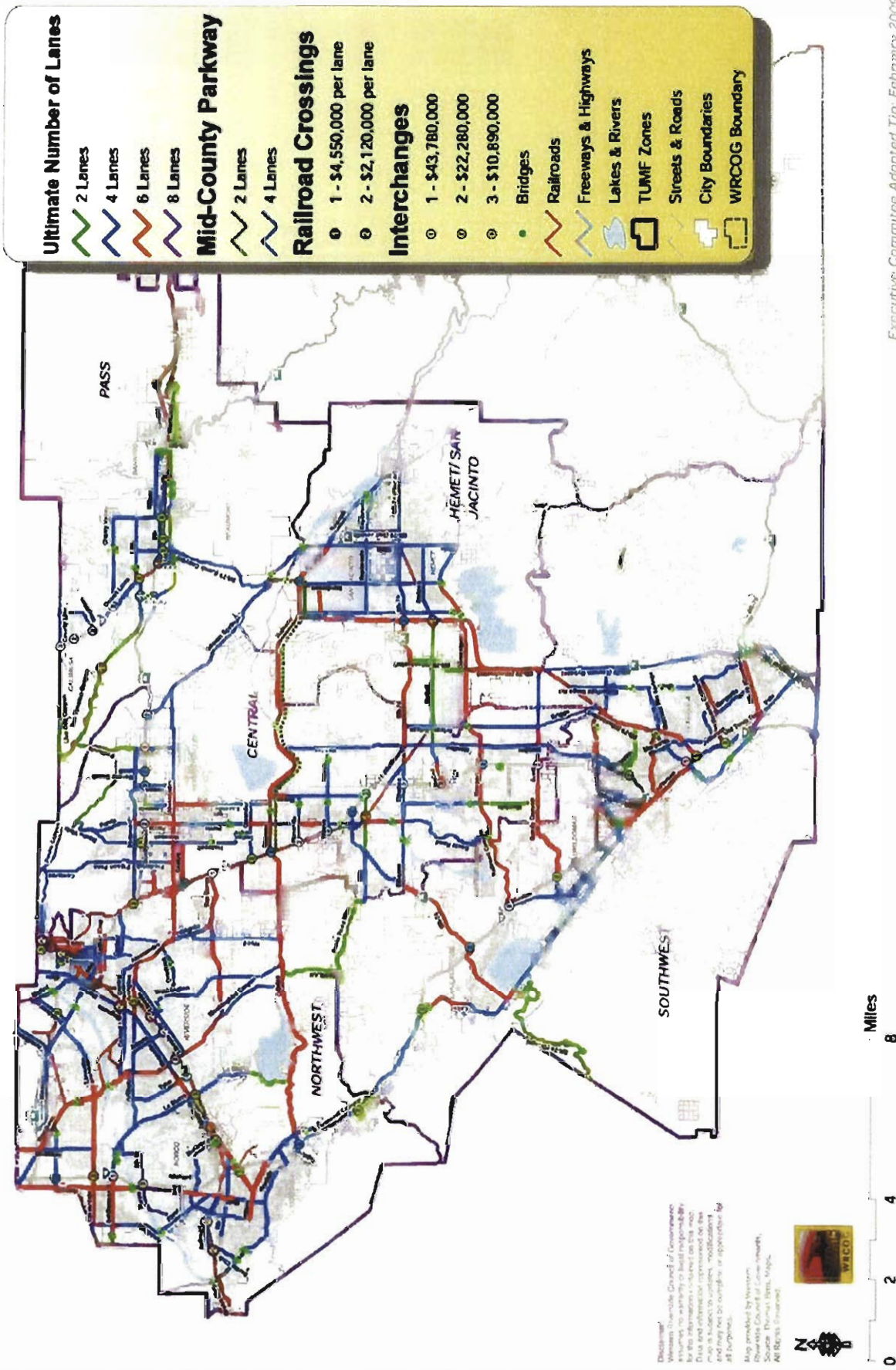


Table 4.4 - TUMF Network Cost Estimates

[illegible]

[illegible]

Table 4.4 - TUMF Network Cost Estimates (continued)

AREA PLAN DIST	CITY	MARKETNAME	SEGMENTFROM	SEGMENTTO	UNITS	TOTAL COST	MAXIMUM UNIT SHARE
NOVA-0001	NOVA	NOVA	NOVA-0001	NOVA-0001	100	\$100,000	\$1,000
NOVA-0002	NOVA	NOVA	NOVA-0002	NOVA-0002	100	\$100,000	\$1,000
NOVA-0003	NOVA	NOVA	NOVA-0003	NOVA-0003	100	\$100,000	\$1,000
NOVA-0004	NOVA	NOVA	NOVA-0004	NOVA-0004	100	\$100,000	\$1,000
NOVA-0005	NOVA	NOVA	NOVA-0005	NOVA-0005	100	\$100,000	\$1,000
NOVA-0006	NOVA	NOVA	NOVA-0006	NOVA-0006	100	\$100,000	\$1,000
NOVA-0007	NOVA	NOVA	NOVA-0007	NOVA-0007	100	\$100,000	\$1,000
NOVA-0008	NOVA	NOVA	NOVA-0008	NOVA-0008	100	\$100,000	\$1,000
NOVA-0009	NOVA	NOVA	NOVA-0009	NOVA-0009	100	\$100,000	\$1,000
NOVA-0010	NOVA	NOVA	NOVA-0010	NOVA-0010	100	\$100,000	\$1,000
NOVA-0011	NOVA	NOVA	NOVA-0011	NOVA-0011	100	\$100,000	\$1,000
NOVA-0012	NOVA	NOVA	NOVA-0012	NOVA-0012	100	\$100,000	\$1,000
NOVA-0013	NOVA	NOVA	NOVA-0013	NOVA-0013	100	\$100,000	\$1,000
NOVA-0014	NOVA	NOVA	NOVA-0014	NOVA-0014	100	\$100,000	\$1,000
NOVA-0015	NOVA	NOVA	NOVA-0015	NOVA-0015	100	\$100,000	\$1,000
NOVA-0016	NOVA	NOVA	NOVA-0016	NOVA-0016	100	\$100,000	\$1,000
NOVA-0017	NOVA	NOVA	NOVA-0017	NOVA-0017	100	\$100,000	\$1,000
NOVA-0018	NOVA	NOVA	NOVA-0018	NOVA-0018	100	\$100,000	\$1,000
NOVA-0019	NOVA	NOVA	NOVA-0019	NOVA-0019	100	\$100,000	\$1,000
NOVA-0020	NOVA	NOVA	NOVA-0020	NOVA-0020	100	\$100,000	\$1,000
NOVA-0021	NOVA	NOVA	NOVA-0021	NOVA-0021	100	\$100,000	\$1,000
NOVA-0022	NOVA	NOVA	NOVA-0022	NOVA-0022	100	\$100,000	\$1,000
NOVA-0023	NOVA	NOVA	NOVA-0023	NOVA-0023	100	\$100,000	\$1,000
NOVA-0024	NOVA	NOVA	NOVA-0024	NOVA-0024	100	\$100,000	\$1,000
NOVA-0025	NOVA	NOVA	NOVA-0025	NOVA-0025	100	\$100,000	\$1,000
NOVA-0026	NOVA	NOVA	NOVA-0026	NOVA-0026	100	\$100,000	\$1,000
NOVA-0027	NOVA	NOVA	NOVA-0027	NOVA-0027	100	\$100,000	\$1,000
NOVA-0028	NOVA	NOVA	NOVA-0028	NOVA-0028	100	\$100,000	\$1,000
NOVA-0029	NOVA	NOVA	NOVA-0029	NOVA-0029	100	\$100,000	\$1,000
NOVA-0030	NOVA	NOVA	NOVA-0030	NOVA-0030	100	\$100,000	\$1,000
NOVA-0031	NOVA	NOVA	NOVA-0031	NOVA-0031	100	\$100,000	\$1,000
NOVA-0032	NOVA	NOVA	NOVA-0032	NOVA-0032	100	\$100,000	\$1,000
NOVA-0033	NOVA	NOVA	NOVA-0033	NOVA-0033	100	\$100,000	\$1,000
NOVA-0034	NOVA	NOVA	NOVA-0034	NOVA-0034	100	\$100,000	\$1,000
NOVA-0035	NOVA	NOVA	NOVA-0035	NOVA-0035	100	\$100,000	\$1,000
NOVA-0036	NOVA	NOVA	NOVA-0036	NOVA-0036	100	\$100,000	\$1,000
NOVA-0037	NOVA	NOVA	NOVA-0037	NOVA-0037	100	\$100,000	\$1,000
NOVA-0038	NOVA	NOVA	NOVA-0038	NOVA-0038	100	\$100,000	\$1,000
NOVA-0039	NOVA	NOVA	NOVA-0039	NOVA-0039	100	\$100,000	\$1,000
NOVA-0040	NOVA	NOVA	NOVA-0040	NOVA-0040	100	\$100,000	\$1,000
NOVA-0041	NOVA	NOVA	NOVA-0041	NOVA-0041	100	\$100,000	\$1,000
NOVA-0042	NOVA	NOVA	NOVA-0042	NOVA-0042	100	\$100,000	\$1,000
NOVA-0043	NOVA	NOVA	NOVA-0043	NOVA-0043	100	\$100,000	\$1,000
NOVA-0044	NOVA	NOVA	NOVA-0044	NOVA-0044	100	\$100,000	\$1,000
NOVA-0045	NOVA	NOVA	NOVA-0045	NOVA-0045	100	\$100,000	\$1,000
NOVA-0046	NOVA	NOVA	NOVA-0046	NOVA-0046	100	\$100,000	\$1,000
NOVA-0047	NOVA	NOVA	NOVA-0047	NOVA-0047	100	\$100,000	\$1,000
NOVA-0048	NOVA	NOVA	NOVA-0048	NOVA-0048	100	\$100,000	\$1,000
NOVA-0049	NOVA	NOVA	NOVA-0049	NOVA-0049	100	\$100,000	\$1,000
NOVA-0050	NOVA	NOVA	NOVA-0050	NOVA-0050	100	\$100,000	\$1,000
NOVA-0051	NOVA	NOVA	NOVA-0051	NOVA-0051	100	\$100,000	\$1,000
NOVA-0052	NOVA	NOVA	NOVA-0052	NOVA-0052	100	\$100,000	\$1,000
NOVA-0053	NOVA	NOVA	NOVA-0053	NOVA-0053	100	\$100,000	\$1,000
NOVA-0054	NOVA	NOVA	NOVA-0054	NOVA-0054	100	\$100,000	\$1,000
NOVA-0055	NOVA	NOVA	NOVA-0055	NOVA-0055	100	\$100,000	\$1,000
NOVA-0056	NOVA	NOVA	NOVA-0056	NOVA-0056	100	\$100,000	\$1,000
NOVA-0057	NOVA	NOVA	NOVA-0057	NOVA-0057	100	\$100,000	\$1,000
NOVA-0058	NOVA	NOVA	NOVA-0058	NOVA-0058	100	\$100,000	\$1,000
NOVA-0059	NOVA	NOVA	NOVA-0059	NOVA-0059	100	\$100,000	\$1,000
NOVA-0060	NOVA	NOVA	NOVA-0060	NOVA-0060	100	\$100,000	\$1,000
NOVA-0061	NOVA	NOVA	NOVA-0061	NOVA-0061	100	\$100,000	\$1,000
NOVA-0062	NOVA	NOVA	NOVA-0062	NOVA-0062	100	\$100,000	\$1,000
NOVA-0063	NOVA	NOVA	NOVA-0063	NOVA-0063	100	\$100,000	\$1,000
NOVA-0064	NOVA	NOVA	NOVA-0064	NOVA-0064	100	\$100,000	\$1,000
NOVA-0065	NOVA	NOVA	NOVA-0065	NOVA-0065	100	\$100,000	\$1,000
NOVA-0066	NOVA	NOVA	NOVA-0066	NOVA-0066	100	\$100,000	\$1,000
NOVA-0067	NOVA	NOVA	NOVA-0067	NOVA-0067	100	\$100,000	\$1,000
NOVA-0068	NOVA	NOVA	NOVA-0068	NOVA-0068	100	\$100,000	\$1,000
NOVA-0069	NOVA	NOVA	NOVA-0069	NOVA-0069	100	\$100,000	\$1,000
NOVA-0070	NOVA	NOVA	NOVA-0070	NOVA-0070	100	\$100,000	\$1,000
NOVA-0071	NOVA	NOVA	NOVA-0071	NOVA-0071	100	\$100,000	\$1,000
NOVA-0072	NOVA	NOVA	NOVA-0072	NOVA-0072	100	\$100,000	\$1,000
NOVA-0073	NOVA	NOVA	NOVA-0073	NOVA-0073	100	\$100,000	\$1,000
NOVA-0074	NOVA	NOVA	NOVA-0074	NOVA-0074	100	\$100,000	\$1,000
NOVA-0075	NOVA	NOVA	NOVA-0075	NOVA-0075	100	\$100,000	\$1,000
NOVA-0076	NOVA	NOVA	NOVA-0076	NOVA-0076	100	\$100,000	\$1,000
NOVA-0077	NOVA	NOVA	NOVA-0077	NOVA-0077	100	\$100,000	\$1,000
NOVA-0078	NOVA	NOVA	NOVA-0078	NOVA-0078	100	\$100,000	\$1,000
NOVA-0079	NOVA	NOVA	NOVA-0079	NOVA-0079	100	\$100,000	\$1,000
NOVA-0080	NOVA	NOVA	NOVA-0080	NOVA-0080	100	\$100,000	\$1,000
NOVA-0081	NOVA	NOVA	NOVA-0081	NOVA-0081	100	\$100,000	\$1,000
NOVA-0082	NOVA	NOVA	NOVA-0082	NOVA-0082	100	\$100,000	\$1,000
NOVA-0083	NOVA	NOVA	NOVA-0083	NOVA-0083	100	\$100,000	\$1,000
NOVA-0084	NOVA	NOVA	NOVA-0084	NOVA-0084	100	\$100,000	\$1,000
NOVA-0085	NOVA	NOVA	NOVA-0085	NOVA-0085	100	\$100,000	\$1,000
NOVA-0086	NOVA	NOVA	NOVA-0086	NOVA-0086	100	\$100,000	\$1,000
NOVA-0087	NOVA	NOVA	NOVA-0087	NOVA-0087	100	\$100,000	\$1,000
NOVA-0088	NOVA	NOVA	NOVA-0088	NOVA-0088	100	\$100,000	\$1,000
NOVA-0089	NOVA	NOVA	NOVA-0089	NOVA-0089	100	\$100,000	\$1,000
NOVA-0090	NOVA	NOVA	NOVA-0090	NOVA-0090	100	\$100,000	\$1,000
NOVA-0091	NOVA	NOVA	NOVA-0091	NOVA-0091	100	\$100,000	\$1,000
NOVA-0092	NOVA	NOVA	NOVA-0092	NOVA-0092	100	\$100,000	\$1,000
NOVA-0093	NOVA	NOVA	NOVA-0093	NOVA-0093	100	\$100,000	\$1,000
NOVA-0094	NOVA	NOVA	NOVA-0094	NOVA-0094	100	\$100,000	\$1,000
NOVA-0095	NOVA	NOVA	NOVA-0095	NOVA-0095	100	\$100,000	\$1,000
NOVA-0096	NOVA	NOVA	NOVA-0096	NOVA-0096	100	\$100,000	\$1,000
NOVA-0097	NOVA	NOVA	NOVA-0097	NOVA-0097	100	\$100,000	\$1,000
NOVA-0098	NOVA	NOVA	NOVA-0098	NOVA-0098	100	\$100,000	\$1,000
NOVA-0099	NOVA	NOVA	NOVA-0099	NOVA-0099	100	\$100,000	\$1,000
NOVA-0100	NOVA	NOVA	NOVA-0100	NOVA-0100	100	\$100,000	\$1,000

Table 4.4 - TUMF Network Cost Estimates (continued)

[illegible]

Table 4.5 – TUMF Transit Cost Estimates

ARLA PLAN ID#	SEA AGENCY	PROJECT NAME	LOCATION	USBL Number/ Length (miles)	COA	MAXIMUM VMT Share
Region 1	SEA	Region 1 Interchange	Yuba County, Region 1	71	\$6,250,000	75.59/1000
Region 2	SEA	Region 2 Interchange	Yuba County, Region 2	73	\$6,250,000	75.59/1000
Northwest/Region 1	SEA	Northwest/Region 1 Interchange	Yuba County, Region 1	74	\$6,250,000	75.59/1000
Northwest/Region 2	SEA	Northwest/Region 2 Interchange	Yuba County, Region 2	75	\$6,250,000	75.59/1000
Northwest/Region 3	SEA	Northwest/Region 3 Interchange	Yuba County, Region 3	76	\$6,250,000	75.59/1000
Northwest/Region 4	SEA	Northwest/Region 4 Interchange	Yuba County, Region 4	77	\$6,250,000	75.59/1000
Northwest/Region 5	SEA	Northwest/Region 5 Interchange	Yuba County, Region 5	78	\$6,250,000	75.59/1000
Region 6	SEA	Region 6 Interchange	Yuba County, Region 6	79	\$6,250,000	75.59/1000
Total					166,945,000	61.825,000

4.8 TUMF Network Evaluation

To assess the effectiveness of the proposed TUMF Network improvements to mitigate the cumulative regional impact of new development in Western Riverside County, the proposed network improvements were added to the 2035 Baseline network in RivTAM and the model was run to determine the relative impacts on traffic conditions. To quantify the impacts of the TUMF Network improvements, the various traffic measures of effectiveness described in **Section 3.1** for the 2007 and 2035 base networks were again calculated for the 2035 TUMF Network scenario. The results for VMT, VHT, VHD, and total VMT experiencing unacceptable level of service (LOS E) were then compared to the results presented in **Table 3.1** for the no-build conditions. The 2035 comparison results are provided in **Table 4.6**. Plots of the Network Extents are attached in **Appendix H**.

As shown in **Table 4.6**, the VMT on arterial facilities experiencing LOS of E or worse will decrease by 14% with the addition of the TUMF Network improvements while the share of VMT on the regional arterial highway system experiencing daily LOS E or worse will be reduced to 33%. It should be noted that the total VMT on the arterial system **increases** by 8% as a result of freeway trips being diverted to the arterial system to benefit from the proposed TUMF improvements.

Despite a greater share of the total VMT in 2035, the arterial system is able to more efficiently accommodate the increased demand with the proposed TUMF improvements. Although VMT on the TUMF improved arterial system increases by 8%, VHT on the arterial system decreases by 6% indicating traffic is able to move more efficiently. Additionally, a substantial benefit is observed on the freeway system with VHT reduced by 5% following TUMF improvements. By completing TUMF improvements, the total VHD experienced by all area motorists would be reduced by 24% over the levels that would be experienced in 2035 without TUMF improvements. These results highlight the overall effectiveness of the TUMF Program to mitigate the cumulative regional transportation impacts of new development.

Table 4.6 – Regional Highway System Measures of Performance (2035 Base versus 2035 TUMF Network)*			
Measure of Performance (Daily)	2035 (Base)**	2035 (TUMF Network)**	% Change
VMT - TOTAL ALL FACILITIES	60,772,353	62,457,677	3%
VMT - FREEWAYS	32,920,502	32,321,916	-2%
TOTAL ARTERIAL VMT	27,851,851	30,135,761	8%
VHT - TOTAL ALL FACILITIES	2,385,725	2,274,736	-5%
VHT - FREEWAYS	1,301,737	1,230,030	-6%
TOTAL ARTERIAL VHT	1,083,988	1,044,706	-4%
VHD - TOTAL ALL FACILITIES	1,049,291	909,428	-13%
VHD - FREEWAYS	704,578	647,606	-9%
TOTAL ARTERIAL VHD	344,713	261,822	-24%
VMT LOS E - TOTAL ALL FACILITIES	50,001,659	47,005,020	-6%
VMT LOS E - FREEWAYS	31,864,589	31,321,324	-2%
TOTAL ARTERIAL VMT w/ LOS E or worse	18,137,070	15,683,696	-14%
% of ARTERIAL VMT w/ LOS E or worse	36%	33%	
<p>* Based on RIVTATA</p> <p>** Volume is adjusted by PCE factor</p> <p>NOTES:</p> <p>VMT = vehicle miles of travel (the total combined distance that all vehicles travel on the system)</p> <p>VHT = vehicle hours of travel (the total combined time that all vehicles are traveling on the system)</p> <p>VHD = vehicle hours of delay (the total combined time that all vehicles have been delayed on the system based on the difference between forecast travel time and free-flow (ideal) travel time)</p> <p>LOS = level of service (based on forecast volume to capacity ratios. Daily capacity was calculated as ten times AM peak hour capacity)</p> <p>LOS E or Worse was determined by V/C ratio that exceeds a 0.9 threshold as indicated in the Riverside County General Plan.</p>			

5.0 TUMF NEXUS ANALYSIS

The objective of this section is to evaluate and document the rational nexus (or reasonable relationship) between the proposed fee and the transportation system improvements it will be used to help fund. The analysis starts by documenting the correlation between future development and the need for improvements on the TUMF system, followed by analysis of the nexus evaluation of the key components of the TUMF concept.

5.1 Future Development and the Need for Improvements

Previous sections of this report documented the projected residential and employment growth in Western Riverside County, the expected increases in traffic congestion and travel delay, and the identification of the transportation system improvements that will serve these future inter-community travel demands. The following points bring together this information in a synopsis of how the future growth relates to the need for improvements to the TUMF system.

- Western Riverside County is expected to continue growing.
Development in Western Riverside County is expected to continue at a robust rate of growth into the foreseeable future. Current projections estimate the population is projected to grow from a current level of 1.57 million to a future level of over 2.54 million in 2035, while employment is projected to grow from a current level of 516,000 to a future level of over 1,091,000 (as shown in **Table 2.3**).
- Continuing growth will result in increasing congestion on arterial roadways.
Traffic congestion and delay on arterial roadways are projected to increase dramatically in the future (as shown in **Table 3.1**). Without improvements to the transportation system, congestion levels will grow rapidly and travelers will experience unacceptable travel conditions with slow travel speeds and lengthy delays.
- The future arterial roadway congestion is directly attributable to future development in Western Riverside County.
Traffic using arterial roadways within Western Riverside County is virtually all generated within or attracted to Western Riverside County, since long-distance trips passing through the region typically use the freeway system, not arterial roadways. Therefore, the future recurring congestion problems on these roadways will be attributable to new trips that originate in, terminate in, or travel within Western Riverside County.
- Capacity improvements to the transportation system will be needed to alleviate the future congestion caused by new development.
To maintain transportation service at or near its current levels of efficiency, capacity enhancements will need to be made to the arterial roadway system. These enhancements could include new or realigned roads, additional lanes on existing roads, new or expanded bridges, new or upgraded freeway interchanges, grade

separation of at-grade rail crossings, or expansion of intersections where two network roads intersect. The completion of improvements to the arterial roadway system would enhance regional mobility and reduce the total vehicles hours of travel (VHT), vehicle hours of delay (VHD) and the share of traffic experiencing congestion (as shown in **Table 4.6**). The specific needs and timing of implementation will depend on the location and rate of future development, so the specific improvements to be funded by the TUMF and their priority of implementation will be determined during future project programming activities as improvement needs unfold and as TUMF funds become available.

- Roads on the TUMF network are the facilities that merit improvement through this fee program.

The criteria used to identify roads for the TUMF network (future number of lanes, future traffic volume, future congestion level, and roadway function linking communities and activity centers and serving public transportation) were selected to ensure that these are the roadways that will serve inter-community travel and will require future improvement to alleviate congestion.

- Improvements to the public transportation system will be needed to provide adequate mobility for transit-dependent travelers and to provide an alternative to automobile travel.

Since a portion of the population does not own an automobile and depends on public transportation for mobility, the public transportation infrastructure and service will need to be enhanced and expanded to ensure continued mobility for this segment of the population. In addition, improvements to the public transportation system will be required to ensure that transit service can function as a viable option for future new Western Riverside County residents and employees who choose to avoid congestion by using public transportation.

For the reasons cited above, it can be readily concluded that there is a rational nexus between the future need for transportation improvements on the TUMF system and the future development upon which the proposed TUMF would be levied. The following sections evaluate the rational nexus in relation to the system components and the types of uses upon which the fee is assessed.

5.2 Application of Fee to System Components

As noted in **Section 3.2**, the TUMF concept includes splitting the fee revenues between the backbone system of arterials, the secondary system of arterials, and the public transportation system. This section evaluates the travel demands to determine the rational nexus between the future travel demands and the use of the fee to fund improvements to the future system components.

The split of fee revenues between the backbone and secondary highway networks is related to the proportion of highway vehicle travel that is relatively local (between adjacent communities) and longer distance (between more distant communities but still within Western Riverside County). To estimate a rational fee split between the

respective networks, the future travel forecast estimates were aggregated to a matrix of trips between zones to show the percentage of trips that remain within each zone in relation to the volume that travels to the other zones. This analysis was completed using the Year 2035 trip tables from RivTAM.

The first step in the analysis was to create a correspondence table between the TAZs in the model and the five WRCOG TUMF zones (i.e. Northwest, Southwest, Central, Hemet/San Jacinto and Pass). The TAZs were then compressed into six districts (the five WRCOG zones and one for the rest of the SCAG region).

Table 5.1 shows the estimated vehicle trips within and between each of the zones. **Table 5.2** shows the percentage of vehicle trips within and between the respective zones. **Appendix I** includes the detailed RivTAM outputs used to develop the regional trip distribution profile shown in **Table 5.1** and **5.2**.

Table 5.1 - 2035 Vehicle Trips By WRCOG Zone

From \ To	Northwest	Central	Pass	Hemet/San Jacinto	Southwest	Outside WRCOG	TOTAL
Northwest	1,649,453	125,529	12,488	13,513	48,805	492,036	2,341,824
Central	122,107	634,680	17,147	38,879	62,276	93,426	968,516
Pass	12,329	17,266	297,383	15,493	4,294	76,059	422,823
Hemet/San Jacinto	13,455	39,533	15,999	637,823	34,764	31,824	773,399
Southwest	48,092	62,597	4,328	34,323	911,069	67,825	1,128,235
Outside WRCOG	483,400	92,063	73,415	30,557	67,110		746,546
TOTAL	2,328,835	971,669	420,761	770,588	1,128,320	761,171	6,381,341

Based on RivTAM Year 2035 Base scenario

Table 5.2 - 2035 Percent Vehicle Trips By WRCOG Zone

From \ To	Northwest	Central	Pass	Hemet/San Jacinto	Southwest	Outside WRCOG	TOTAL
Northwest	70.4%	5.4%	0.5%	0.6%	2.1%	21.0%	100%
Central	12.6%	65.5%	1.8%	4.0%	6.4%	9.6%	100%
Pass	2.9%	4.1%	70.3%	3.7%	1.0%	18.0%	100%
Hemet/San Jacinto	1.7%	5.1%	2.1%	82.5%	4.5%	4.1%	100%
Southwest	4.3%	5.5%	0.4%	3.0%	80.8%	6.0%	100%

Based on RivTAM Year 2035 Base scenario

Table 5.3 summarizes the calculation of the split between the Backbone and Secondary highway networks as derived from the trip values provided in **Table 5.1**. Vehicle trips to and from areas outside Western Riverside County were subtracted from the calculation, on the presumption that most of their inter-regional travel would occur on the freeway system. Trips between zones (regional) were assigned to the backbone network, since these trips are primarily served by the arterial roadways that provide connections between the zones. Trips within zones (local) were split between the backbone network and the secondary network in proportion to their lane-miles, since roadways on both networks serve intra-zonal trips. The Backbone network includes approximately 43.4% of the lane-miles on the future TUMF system, and the Secondary network includes approximately 56.6% of the lane-miles.

The Backbone network is therefore assigned all of the inter-zonal trips plus 43.4% of the intra-zonal trips. The Secondary network is assigned 56.6% of the intra-zonal trips and none of the inter-zonal trips. The overall result is that 52.0% of the regional travel is assigned to the Backbone network and 48.0% is assigned to the Secondary network.

Table 5.3 - Backbone-Secondary Network Share Calculation

CALCULATION VALUE DESCRIPTION	INPUT VALUES	BACKBONE VALUE	BACKBONE SHARE	SECONDARY VALUE	SECONDARY SHARE
Total Western Riverside County Vehicle Trips	6,381,343				
Less Internal/External Vehicle Trips	-1,507,717				
Total Vehicle Trips Internal to Western Riverside County	4,873,626				
Vehicle Trips Between TUMF Zones	743,218				
Vehicle Trips Within TUMF Zones	4,130,408				
TUMF Future Network Lane-Miles	3,377.2	1,465.2	43.4%	1,912.0	56.6%
Vehicle Trips Between TUMF Zones	743,218	743,218	100.0%	0	0.0%
Vehicle Trips Within TUMF Zones (as share of intra-zonal trips)	4,130,408	1,792,597	43.4%	2,337,811	56.6%
Total Vehicle Trips Assigned	4,873,626	2,535,815	52.0%	2,337,811	48.0%

5.3 Application of Fee to Residential and Non-Residential Developments

In order to establish the approximate proportionality of the future traffic impacts associated with new residential development and new non-residential development, 2035 Base person trip productions from RivTAM were aggregated by trip purpose. RivTAM produces person trips (irrespective of mode choice) on the basis of six trip purposes: home-based-work (HBW), home-based-other (HBO), home-based-school K-12 (HBS), home-based-college/university (HBC), work-based-other (WBO), and other-based-other (OBO).

NCHRP Report #187 Quick Response Urban Travel Estimation Techniques and Transferable Parameters User's Guide (Transportation Research Board, 1978) details operational travel estimation techniques that are universally used for the travel demand modeling. Chapter 2 of this report, which details trip generation estimation, states that "HBW (Home Based Work) and HBNW (Home Based Non Work) trips are generated at the households, whereas the NHB (Non-Home Based) trips are generated elsewhere." In accordance with NCHRP Report #187, person trip productions were aggregated into home-based person trips (combining the first four purposes: HBW, HBO, HBS, HBC) and non-home-based person trips (combining the last two purposes: WBO, OBO). The home-based person trips represent 69.2% of the total future person trips, and the non-home-based person trips represent 30.8% of the total future person trips as shown in **Table 5.4**. **Appendix J** includes the RivTAM outputs used to develop the trip purpose summary in **Table 5.4**.

Table 5.4 - Residential vs. Non-Residential Person Trip Production

PERSON TRIP PURPOSE	PERSON TRIP PRODUCTION VOLUME	PERSON TRIP PRODUCTION SHARE
Home-Based-Work	1,516,967	17.6%
Home-Based-Other	3,659,649	42.5%
Home-Based-School K-12	711,193	8.3%
Home-Based-College/University	67,119	0.8%
Work-Based-Other	562,715	6.5%
Other -Based-Other	2,083,468	24.2%
TOTAL	8,601,111	100.0%
Home-Based Trips (Residential Uses)	5,954,928	69.2%
Non-Home-Based Trips (Non-Residential Uses)	2,646,182	30.8%

Based on the SCAG 2004 Regional Transportation Plan, Year 2030 Plan scenario.

6.0 FAIR-SHARE FEE CALCULATION

The fee amounts, by type of development, that are justified to mitigate the cumulative regional impacts of new development on transportation facilities in Western Riverside County are quantified in this section. The total cost of improving the TUMF system is \$4.26 billion. Existing funding obligated for improvements to the TUMF system totals \$270.8 million while unfunded improvement needs generated by existing development represent \$330.1 million of the total cost. The balance of the unfunded TUMF system improvement needs is \$3.77 billion which is the maximum value attributable to the mitigation of the cumulative regional transportation impacts of future new development in the WRCOG region, and will be captured through the TUMF Program. By levying the uniform fee directly on future new developments (and indirectly on new residents and new employees to Western Riverside County), these transportation system users are assigned their "fair share" of the costs to address the cumulative impacts of additional traffic they will generate on the regional transportation system.

Of the \$3.77 billion in unfunded future improvement needs, 69.2% (\$2.61 billion) will be assigned to future new residential development and 30.8% (\$1.16 billion) will be assigned to future new non-residential development.

6.1 Residential Fees

The portion of the unfunded future improvement cost allocable to new residential development through the TUMF is \$2.61 billion. Since this future transportation system improvement need is generated by new residential development anticipated through the Year 2035, the fee will be spread between the residential developments projected to be constructed between 2007 and 2035. The projected residential growth from year 2007 to 2035 is 351,679 households (or dwelling units) as is indicated in **Table 2.1**.

Different household types generate different numbers of trips. To reflect the difference in trip generation between lower density "single-family" dwelling units and higher density "multi-family" dwelling units, the TUMF was weighted based on the respective trip generation rates of these different dwelling unit types. For the purposes of the TUMF Program, single family dwelling units are those housing units with a density of less than 8 units per acre while multi family units are those with a density of 8 or more units per acre. According to the RCCDR forecasts included in **Appendix B**, single family dwelling units (including mobile homes) are forecast to constitute 62.6% of the residential dwelling units in the region in 2035.

Data provided in the Institute of Transportation Engineers (ITE) Trip Generation Manual, Eighth Edition (2008) show that, on average, single-family dwelling units generate 9.57 vehicle trips per dwelling unit per day, whereas apartments (considered to be representative of higher density multi-family dwelling units) generate 6.72 vehicle trips per unit per day⁷. If the fees are to be weighted in proportion to the trip generation

⁷ Based on ITE Trip Generation (2008), the "Apartment" land use category has trip generation characteristics indicative of a wide range of higher density multi-family residential development. The Trip Generation Manual indicates that the apartments category encompasses "a wide variety of units with different sizes, price ranges, locations and ages."

characteristics of the units, single-family residential units should be assigned a fee level that is 1.42 times the level of the fee assigned to each multi-family unit to levy the necessary \$2.61 billion to mitigate the cumulative regional transportation impacts of future new residential development. **Table 6.1** summarizes the calculation of the fee for single-family and multi-family dwelling units. **Appendix K** includes worksheets detailing the calculation of the residential (and non-residential) TUMF for Western Riverside County.

Table 6.1 - Fee Calculation for Residential Share (\$2.61 billion)							
RESIDENTIAL SECTOR	2007 Dwelling Units	2035 Dwelling Units	Dwelling Unit Change	Trip Generation Rate	Trip Change	Percentage of Trip Change	Fee/DU
Single-Family	395,409	552,154	156,745	9.57	1,500,050	53.4%	\$8,873
Multi-Family	134,880	329,814	194,934	6.72	1,309,956	46.6%	\$6,231
TOTAL	530,289	881,968	351,679		2,810,006	100.0%	

Household data based on RIVIAM; Trip Generation based on ITE Trip Generation (2008).

6.2 Non-Residential Fees

The portion of the unfunded future improvement cost allocable to new non-residential development through the TUMF is \$1.16 billion. Estimates of employment by sector were obtained from the RCCDR socioeconomic data included in **Appendix B**. From the 2035 employment forecast, the amount of employee growth in each sector was calculated. The employment figures were then translated into square footage of new development using typical ratios of square feet per employee developed by SCAG in its Land Use Density Conversion Factors for the Long Range Corridor Study San Bernardino and Riverside Counties (Cordoba Corporation/PBQD, August 20, 1990) and OCTA in its Orange County Subarea Modeling Guidelines Manual (June 2001). Worksheets showing the development of the TUMF employee conversion factors and the application of the conversion factors to calculate the square footage of future new non-residential development in Western Riverside County are included in **Appendix L**.

To account for the differences in trip generation between various types of non-residential uses, the new non-residential development was weighted by trip generation rate for each sector. Typical trip generation rates per employee were obtained from the Institute of Transportation Engineers (ITE) Trip Generation – Eighth Edition (2008), and were assigned to the non-residential categories as follows: Industrial – 3.2 trips per employee, Retail – 15.4 trips per employee^B, Service – 4.2 trips per employee, and Public – 14.3 trips per employee. These rates were applied to the employment growth in each sector to determine the relative contribution of each sector to new trip-making, and the \$1.16 billion was then allocated among the non-residential categories on the basis of the percentage of new trips added. This proportionate non-residential fee share by sector was then divided by the estimated square footage of future new development

^B The median trip generation rate for "Retail" was reduced by 43% to reflect the influence of pass-by trips using the weekday PM peak median pass-by trip rate for retail uses as derived from the ITE Trip Generation Handbook (June 2004).

to obtain the rate per square foot for each type of use. The calculation of the non-residential fee by sector is shown in **Table 6.2**.

Table 6.2 - Fee Calculation for Non-Residential Share (\$1.16 billion)						
NON-RESIDENTIAL SECTOR	Employment Change	Trip Generation Rate per Employee	Trip Change	Percentage of Trip Change	Change in Square Feet of Gross Floor Area	Fee/SF
Industrial	101,211	3.2	318,815	8.6%	57,535,808	\$1.73
Retail	47,594	15.4	732,948	19.7%	21,758,982	\$10.49
Service	338,226	4.2	1,420,549	38.1%	105,461,087	\$4.19
Government/Public	87,888	14.3	1,252,404	33.6%	39,061,333	\$9.98
TOTAL	574,919		3,724,715	100.0%	223,817,210	
Employment Change data based on RCCDR; Trip Generation based on ITE (2008); Change in Square Feet conversion factor based on Cordoba (1990) and OCTA (2001).						

7.0 CONCLUSIONS

Based on the results of the Nexus Study evaluation, it can be seen that there is reasonable relationship between the cumulative regional transportation impacts of new land development projects in Western Riverside County and the need to mitigate these transportation impacts using funds levied through the proposed TUMF Program. Factors that reflect this reasonable relationship include:

- Western Riverside County is expected to continue growing as a result of future new development.
- Continuing new growth will result in increasing congestion on arterial roadways.
- The future arterial roadway congestion is directly attributable to the cumulative regional transportation impacts of future development in Western Riverside County.
- Capacity improvements to the transportation system will be needed to mitigate the cumulative regional impacts of new development.
- Roads on the TUMF network are the facilities that merit improvement through this fee program.
- Improvements to the public transportation system will be needed to provide adequate mobility for transit-dependent travelers and to provide an alternative to automobile travel.

The Nexus Study evaluation has established a proportional "fair share" of the improvement cost attributable to new development based on the impacts of existing development and the availability of obligated funding through traditional sources. Furthermore, the Nexus Study evaluation has divided the fair share of the cost to mitigate the cumulative regional impacts of future new development in Western Riverside County in rough proportionality to the cumulative impacts of future residential and non-residential development in the region. The respective fee allocable to future new residential and non-residential development in Western Riverside County is summarized for differing use types in **Table 7.1**.

Land Use Type	Units	Development Change	Fee Per Unit	Total Revenue (\$ million)
Single Family Residential	DU	156,745	\$8,873	\$1,390.8
Multi Family Residential	DU	194,934	\$6,231	\$1,214.6
Industrial	SF GFA	57,535,808	\$1.73	\$99.3
Retail	SF GFA	21,758,982	\$10.49	\$228.2
Service	SF GFA	105,461,087	\$4.19	\$442.3
Government/Public	SF GFA	39,061,333	\$9.98	\$389.9
MAXIMUM TUMF VALUE				\$3,765.1

8.0 APPENDICES

The following Appendices incorporate the extent of materials used to support the development of the WRCOG TUMF Nexus Study and, where appropriate, specifically the 2005 Update. The respective Appendices also incorporate an explanation of the methodology and assumptions used to develop the various elements of the Nexus Study.

These Appendices represent a compilation of materials derived from a variety of technical resources. Each of the following Appendices relate to the development of a specific element of the Nexus Study. These Appendices are as follows:

Appendix A - List of TUMF Committees

Appendix B - Western Riverside County Population and Employment Growth 2007 – 2035

Appendix C - Western Riverside County Traffic Growth 2007 – 2035

Appendix D - Western Riverside County Transit Person Trips 2007 – 2035

Appendix E - Western Riverside County Regional System of Highways and Arterials Performance Measures

Appendix F - TUMF Network Cost Assumptions

Appendix G - TUMF 2009 Program Update Disposition of Network Change Requests

Appendix H - TUMF Network Cost Estimate and Evaluation

Appendix I - Western Riverside County Regional Trip Distribution

Appendix J - Western Riverside County Regional Trip Purpose

Appendix K - Residential Fee Calculation

Appendix L - Non-Residential Fee Calculation

RESOLUTION NO. 09 - 74

RESOLUTION NO. 09 - 74

A RESOLUTION OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING THE INTENT TO CONSIDER THE 2009 NEXUS STUDY, ESTABLISHING A REVISED AND UPDATED FEE SCHEDULE APPLICABLE UNDER THE WESTERN RIVERSIDE COUNTY TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) PROGRAM

The City Council of Wildomar "(City)" resolves as follows:

Section 1. Intent to Adopt TUMF changes

The City Council has conducted a public hearing on November 12, 2009 regarding the Western Riverside Council of Governments (WRCOG) Transportation Uniform Mitigation Fee (TUMF) and will be considering a second reading of the TUMF Ordinance at its next council meeting. The City Council has an intention to adopt the 2009 Nexus Study and Revised Fee Schedule. This intent should not be construed as a formal adoption of the 2009 Nexus Study and Revised Fee.

Section 2. Establishment of the Transportation Uniform Mitigation Fee Schedule.

The City Council on November 12, 2009 approves the intent to consider the following TUMF schedule applicable to all new development projects.

- (1) \$8,873.00 per single family residential unit
- (2) \$6,231.00 per multi-family residential unit
- (3) \$ 1.73 per square foot of an industrial project
- (4) \$10.49 per square foot of a retail commercial project
- (5) \$ 4.19 per square foot of a service commercial project
- (6) \$ 2.19 per square foot of a service Class A and B Office

Section 3. Effective Date.

This Resolution shall take effect immediately.

PASSED, APPROVED, AND ADOPTED this 12th day of November, 2009.

Scott Farnam
Mayor

APPROVED AS TO FORM:

ATTEST:

Julie Hayward Biggs
City Attorney

Debbie A. Lee, CMC
City Clerk

CITY OF WILDOMAR – CITY COUNCIL

Agenda Item #2.3

PUBLIC HEARING

Meeting Date: November 12, 2009

TO: Honorable Mayor and Members of the City Council

FROM: David Hogan, Planning Director

SUBJECT: Appeal of the Planning Commission Approval of the Cornerstone Community Church Parking Lot Expansion (Project No. 08-0163)

Assessors Parcel Numbers: 367-210-008, 367-210-018, 367-210-034, 367-210-035, 367-210-041, 367-210-043, 367-140-008, & 367-140-010

RECOMMENDATION:

The Planning Commission recommends that the City Council:

1. Adopt a resolution entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR UPHOLDING THE PLANNING COMMISSION’S DECISION TO APPROVE THE MITIGATED NEGATIVE DECLARATION FOR THE CORNERSTONE COMMUNITY CHURCH PARKING LOT EXPANSION, THE THIRD REVISION TO PUBLIC USE PERMIT 778 (PROJECT NO. 08-0163)”

2. Adopt a resolution entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR UPHOLDING THE PLANNING COMMISSION’S DECISION TO APROVE THE CORNERSTONE COMMUNITY CHURCH PARKING LOT EXPANSION, THE THIRD REVISION TO PUBLIC USE PERMIT 778 (PROJECT NO. 08-0163)”

BACKGROUND:

The Public Use Permit authorizing the operation of Cornerstone Community Church was first approved on October 21, 1996. Since its approval, the facility has received approval for two facility expansions. The current church and school activities are conducted in three buildings located on the western portion of the site adjacent to Monte Vista Road. Cornerstone Community Church is located east of Interstate 15 and Monte Vista Drive between Bundy Canyon Road and Baxter Road on the western side of the prominent local ridgeline which parallels the freeway. The location of the project site is shown on Attachment C.

The proposed project, the third revision to the Public Use Permit 778 would authorize the construction of an additional 764 parking spaces, the construction of an onsite detention basin, and the construction of replacement football/soccer and baseball fields. The additional parking spaces are necessary to support to the activities and functions associated with the existing church and school facility. This project includes the improvement of Via Carnaghi to a rural Local Street standard (32 feet of pavement without curb and gutter) and half width frontage improvements to the church frontage along Monte Vista Road. The construction of these facilities would also require the export of approximately 700,000 cubic yards of soil.

The entire site for Cornerstone Community Church incorporates eight parcels ranging in size from 0.84 acres to 28.45 acres. The total area for the eight parcels is 83.01 acres. The new parking lot and the replacement athletic fields will occur on the four eastern most parcels while the proposed detention basin will be on two parcels located south of the existing complex of buildings. A single family residence located on a church-owned parcel adjacent to the existing eastern parking lot and Via Carnaghi Lane is not being altered by the project. The proposed replacement athletic fields will be illuminated for nighttime use. The proposed lighting consists of six 70-foot tall lighting structures around the baseball diamond (four around the infield and two in the outfield) and four 70-foot tall lighting structures (two on each side) around the proposed football/soccer field.

The existing church/school facility is designated as Business Park on the General Plan. The expansion areas are primary designated as Medium Density (2-5 du/ac) and Estate Density Residential (0.5 du/ac). The primary ridgeline east of the church is located within the Estate Density Residential area. The proposed haul route from the grading area to Monte Vista Road is located over an adjacent parcel north of the church complex (APN 367-140-010). The designations on this property are a combination of Business Park and Medium Density Residential.

The information on the land uses, General Plan Land Use Designations, and Zoning Districts for the project site and surrounding area are described below. A vicinity map with the surrounding General Plan Land Use Designations is in Attachment D. The church property boundary is surrounded with a dark line on the Attachment.

EXISTING LAND USE, GENERAL PLAN, AND ZONING INFORMATION			
Location	Current Land Use	General Plan Land Use Designation	Zoning
Site	Church/School complex & vacant	Business Park, Medium Density Residential, & Estate Density Residential	Rural Residential (R-R)
North	Vacant & residential	Estate Density Residential, Medium Density Residential, & Business Park	Single Family Residential (R-1), Open Space Combining, Residential (R-5), & Rural Residential (R-R)

EXISTING LAND USE, GENERAL PLAN, AND ZONING INFORMATION			
Location	Current Land Use	General Plan Land Use Designation	Zoning
South	Vacant, commercial, & residential	Commercial Retail & Business Park	Rural Residential (R-R) & Scenic Highway Commercial (C-P-S)
East	Vacant & residential	Estate Density Residential & Medium Density Residential	Rural Residential (R-R)
West	Commercial, residential, and Interstate 15	Business Park & Medium Density Residential	Rural Residential (R-R)

Because the Cornerstone Community Church includes both religious and educational functions, the facility has operations occurring seven days a week use during the school year. As demonstrated below, most of the Monday through Friday activities consist of school functions during the day and social/recreational programs in the evening. Weekend activities are primarily worship, education and fellowship related. A typical weekly schedule of activities, with common attendance figures, is described below (with slightly higher than typical attendance on Tuesday and Friday evenings). This typical weekly activity information is provided to the Planning Commission and City Council solely for informational purposes, it not part of proposed project.

DAYS	ACTIVITIES	HOURS	ATTENDANCE
Monday - Friday	K-12 School	7:30 am to 3:00 pm	325 - 350
	After school program activities (both indoor and outdoor)	3:00 pm to 6:00 pm	50 - 75
	Bible study, social and youth programs	6:00 pm to 9:00 pm	50 - 200
	Sports activities (both indoor and outdoor)	7:00 pm to 10:00 pm	40 - 50
Saturday	Sports activities (both indoor and outdoor)	7:00 am to 5:00 pm	100 - 300
	Worship planning, rehearsal, and service set-up	7:00 am to 4:30 pm	20 - 50
	Church Service (worship and education)	5:00 pm to 8:00 pm	700 - 800
Sunday	2 Church Services (worship and education)	8:00 am to 12:00 pm	2,000 - 2,300 [Total]
	Leadership, worship and education-related meetings	12:00 pm to 3:00 pm	20 - 30
	Church Service (worship and education)	6:30 pm to 8:30 pm	100 - 300

In addition to the typical weekly and ongoing activities described above, there are occasional special entertainment events and school functions throughout the year.

According to Pastor Rosen, there are typically 1 to 2 of these activities each month. The majority of these special activities occur indoors.

The primary outdoor functions involve the continuing use of the athletic fields for high school and youth/adult sports teams. At the present time, Cornerstone Community Church is using temporary lighting for athletic on the existing field areas between Via Carnaghi and Monte Vista Road when the fields are in use during the evening. The proposed field lighting would allow the use of the new athletic fields during the evening. Because of the shorter days there are expected to be more lighted evening sporting events during the winter/shorter day months and fewer lighted evening sporting events during the summer months. According to the Church, they anticipate that there will be 1 to 2 illuminated evening events per week in the summer because the longer daylight hours would require less artificial lighting, and 2 to 4 illuminated evening events during the winter. The anticipated evening use of athletic fields includes 5 to 6 Church high school football home games per year. The use and illumination of the athletic fields are appropriate issues for consideration as part of the project.

This project was considered and continued by the Riverside County Planning Commission on April 30, 2008 and June 11, 2008. At the June 11th meeting, the project was continued to be considered by the City of Wildomar. The key issues of concern during these meetings were the amount of grading, the potential for traffic congestion problems, and concerns about potential lighting on the athletic fields (even though the night time field lighting was not part of the project in early 2008). Because of the length of time this project has been in process, the Church needs have changed and athletic field lighting is now part of the project.

DISCUSSION:

The proposed third revision to Public Use Permit 778 centers on the construction of additional needed off-street parking to support the current operations of the Cornerstone Community Church. As a result of changing needs over time, the project now includes the following items.

- Construction of an expanded parking lot to meet current needs (including 754 parking spaces, security lighting and landscaping).
- Construction of a water quality detention basin (as shown on earlier plans) where the athletic field/overflow parking area is currently located.
- Construction of replacement athletic fields for football/soccer and baseball (including the placement of non-permanent bleachers).
- Installation of nighttime activity lighting around the new athletic fields.
- The use of the athletic fields by other members of the community and non-church members.
- The grading of the project site to construct the parking area and athletic fields.
- The export of approximately 700,000 cubic yards of materials (required by the construction of the parking lot and athletic fields).

- Street improvements to Via Carnaghi (32 feet of pavement without curb gutter and sidewalk).
- Street improvements to Monte Vista Road along the project frontage (includes the dedication of an additional 38 feet of right-of-way with an additional 22 feet of pavement with curb, gutter, sidewalk, and a 10 foot wide community trail).
- Revegetation of the graded slope areas.

Because of the wide variety of project components, staff has attempted to summarize the potential issues associated with the Cornerstone Community Church parking lot expansion. A brief description of the potential impacts and concerns, and a staff recommendation as to whether or not the item is potential concern is provided below. A reduction of the project plans are contained in Attachment E.

PROJECT COMPONENT	POTENTIAL IMPACTS/CONCERNS	ISSUE*
Construction of an expanded parking lot	Create additional urban runoff. The additional parking will reduce any existing parking impacts to the surrounding area.	No
Construction of a detention basin	None. The detention basin will reduce impacts to the water quality from urban runoff.	No
Construction of new athletic fields	Additional noise and drainage onto off-site properties. (Also see the lighting and field usage discussions provided below.)	No
Athletic field lighting	Lighting impacts to adjacent properties and roadways. Additional noise from evening sporting events.	Yes
Non-church athletic field use	Additional noise and additional local vehicle trips over the levels projected for church-only use.	Yes
Project grading	Air quality (dust/particulate matter) and noise.	No
Soil export operation	Air quality (dust and particulate matter), damage to local roads, traffic congestion, and potential environmental impacts at the anticipated fill sites.	No
Improvements to Via Carnaghi	Scale and timing of the improvements. The street improvements will help reduce existing air quality (dust) impacts.	No
Improvements to Monte Vista Road	None.	No
Revegetation of graded slope areas	Use of drought-tolerant native species and fire protection needs.	No

* A "No" means that staff believes that any potential impacts are either minimal, can easily be addressed through the standard requirements relating to project grading and construction, and/or do not create an impact on the community.

Parking Area Expansion

The construction of the expanded parking lot is a key component of this project. It is also the existing need of Cornerstone Community Church that initiated this project in 2005. The church currently has 376 permanent parking spaces. These existing spaces are adequate for most of the facility's uses except during peak times. During periods of peak church use, the existing athletic field and a church-owned vacant lot on Via Carnaghi are also used to provide parking. The peak use period for the church is on Sunday mornings, especially during the transition period between the two morning services. It is this overlap period that additional parking is required on-site. The parking area expansion is proposed to occur east and southeast of the existing upper parking lot (located east of the church/school building complex) and would provide an additional 754 parking spaces. If the proposed expansion is approved by the City, the church/school facility will have 1,113 regular and 17 handicapped parking spaces. Access to the existing and proposed parking areas will be via the existing driveways onto Monte Vista Road and, additionally on Sunday mornings through Via Carnaghi. The development of the parking lot includes the associated security lighting (which will comply with the provisions of the Mt Palomar Lighting Ordinance) and the parking area landscaping. The landscaping is shown on the conceptual landscape plan contained in Attachment F.

Water Quality Detention Basin

Current State requirements to address water quality require that urban runoff (from roof tops and parking lots) be treated and detained on site. Given the current state of the subject property and the location of the proposed parking lot expansion, the existing athletic field is an ideal location for the required detention basin. In fact, a detention basin had been shown in that location on earlier plans; however, the County allowed the athletic field to be constructed here instead. The exact size and design of the basin will be determined by the City Engineer based upon the information contained in the Final Water Quality Management Plan.

Replacement Athletic Fields

Since construction of the detention basin will eliminate the existing athletic fields, the project includes the construction of new football/soccer and baseball fields elsewhere on site. These fields are proposed to be located on the southern portion of the site. This area is located between the existing ridgeline, several vacant commercial properties, and several existing residences along Via Carnaghi. The project would include the installation of semi-permanent bleachers and drinking fountains. While not specified, staff believes that restroom facilities will also be required near the fields and that the exact location can be approved during project construction. Staff is not concerned with the replacement of the existing athletic fields since there is a lack of similar recreational amenities within the community (when the issues of the nighttime illumination and non-church/school use are separated). By not replacing the existing athletic fields staff believes that the project could adversely affect the community by eliminating athletic fields that are used by the congregation, the church operated youth

and adult sports leagues, and by the Church school (including the high school-level sports teams

Athletic Field Lighting

Cornerstone Community Church is requesting approval to install night time sports field lighting adjacent to the football/soccer and baseball fields. Night time illumination of the athletic fields would allow for evening use of these facilities by members of the congregation and church school sports teams. According to Pastor Rosen, the illumination of the athletic fields will allow for high school football home games. The illumination of the athletic fields, combined with the potential non-congregational/non-school field use, have the greatest potential to affect the quality of life for nearby residents since the construction impacts will be of relatively short duration. However, since these two issues are separable, staff is recommending that the City Council consider both issues separately.

The proposed lighting around the football/soccer and baseball fields has been designed to focus the light onto the fields of play and minimize the amount of off-site "leakage." To demonstrate this, the applicant has had a lighting study prepared. The light study indicates lighting levels off of the property will be generally less than one foot-candle (i.e. the illumination of a single candle at a distance of one foot). A copy of the lighting study is contained in Attachment G.

If the City Council feels that evening use of the recreational amenities by members of the congregation and the church school is appropriate on an ongoing basis, then staff recommends that the Council approve the installation of the proposed athletic field lighting. However, staff recommends that a condition of approval be added which requires that the (non-security) lights be turned off at 10:00 pm each evening. This provision is similar to the requirements in the surrounding communities which turn off athletic field lighting at 10:00 pm.

Non-church athletic field use

Staff was initially concerned that use of the recreational amenities at Cornerstone Community Church by non-church organizations could create additional evening activities which would result in additional potential impacts during the evening hours. This concern has also been expressed by some local residents. According to Pastor Rosen, the Church will not be renting their athletic fields to outside use. The primary use of the athletic fields will be Church operated youth and adult sports leagues which Cornerstone Community Church describes as a "recreational ministry." If the Council is concerned about the future non-church use of the facilities, staff recommends that a condition of approval be added indicating that non-church/school use of the athletic fields be prohibited unless specifically authorized by the City.

Project Grading

The grading of the project site is the primary site-modifying activity of the project. The grading is necessary to create the areas for the parking lot and athletic fields and is expected to take several years (because of the haul/export restrictions by the City to avoid air quality issues and minimize traffic congestion). The proposed grading would move approximately 700,000 cubic yards of material off of the project site to various "fill" sites in the surrounding area. The project has been conditioned to comply with all of the standard requirements which minimize off-site impacts and effects of the wind and water erosion. The project has also been conditioned to comply with the detailed provisions of the required grading and haul plans. These provisions include restrictions on the hours of the grading operations to Monday through Friday between the hours of 7:00 am and 6:00 pm and restrictions on the number of haul trips per day.

Soil Export Operation

In conjunction with the project grading, the proposed off-site hauling of excess soil material from the project site has the potential to have adverse impacts to the surrounding area. While most hauling operations are of fairly short duration, the anticipated restrictions on the hauling activities from the proposed project will extend the duration of this activity over a longer than usual period. The anticipated restrictions to the haul activities will focus on limiting the number of daily haul trips to prevent any exceedences of the South Coast Air Quality Management District's significance thresholds and limits to the hours of operation to limit truck trips during peak traffic congestion periods. According to the air quality analysis prepared for the project, no more than 116 twenty-mile haul trips will be allowed each day during periods of limited grading, and no more than 85 twenty-mile haul trips will be allowed each day during periods of major grading. These requirements will be addressed through a condition of approval requiring that the haul permit(s) be approved prior to any soil being removed from the site.

Improvements to Via Carnaghi

To facilitate the Sunday operation of the church, Cornerstone Community Church has proposed to pave Via Carnaghi for its entire length to the intersection with Monte Vista Road. Minimal use of Via Carnaghi is expected to occur during the rest of the week as the majority of the use would occur on the weekend. The Church proposed to install 24 feet of paving for the road surface; however, the City Engineer has determined that this width is not adequate. Instead the City has conditioned that the project provide 32 feet of paved road surface would create a safer and better designed street.

Improvements to Monte Vista Road

The project is required to improve its street frontage along Monte Vista Road. These improvements include the following: an additional 38 feet of right-of-way dedication, the construction of an additional 22 feet of payment, the construction of curb, gutter, sidewalk, and a 10-foot wide community trail with a split rail fence. These

improvements will improve Monte Vista Road in front of the existing church property to their ultimate width. The project is conditioned to construct these improvements.

Revegetation of Graded Slopes

The project proposes three different approaches to the on-site landscaping based upon the location and purpose of the landscaped area. The three different landscaped areas are as follows:

- Parking lot and lower slope areas:
- Upper slope revegetation: and,
- Athletic field turf.

The landscaping in and around the parking lot (including the lower slopes and the perimeter landscaping west and south of the athletic fields) will be a traditional mixture of shade and screening trees combined with shrubs and ground cover. The revegetation of the upper cut slopes will be centered-around native trees and shrubs to mimic similar areas with native vegetation. The purpose of this landscaping is to blend these slopes into the natural hillsides so that the manufactured slope areas appear to be natural. The last landscape area is the turf area around the athletic fields.

A conceptual landscape plan was submitted by the applicant and reviewed by the City's landscape architect. The recommendations of the landscape architect emphasized the creation of a low water use plant pallet and the use of native species where appropriate, and have been incorporated into the conditions of approval. The construction-level plans will be required to integrate these provisions into any approval plan sets.

PLANNING COMMISSION CONSIDERATION:

The Planning Commission conducted a public hearing on the Cornerstone Community church Parking Lot Expansion project on September 16, 2009. At the public hearing, the Planning Commission received testimony from six individuals in support of the project, five individuals opposed to the project, and one individual with other comments. The comments of the individuals supporting the project focused on the positive things Cornerstone Community Church does for the community. While the other comment (that did not seem to be in support or opposition to the project) focused on traffic speeds in the surrounding area. The public testimony in opposition to the project focused on the following subjects:

- The need for additional stop signs or traffic signals along Monte Vista;
- The amount of grading and the length of time for project grading;
- The future use of the church property;
- The need for traffic and air quality impact mitigation;
- The lack of public notice;

- Changes to the proposed project since the hearings before the County Planning Commission in 2008 (i.e. the athletic field lighting);
- Concerns about the existing on-street parking along Monte Vista Road; and
- The athletic field lighting and how the project may affect their sense of privacy.

Following the public testimony, the Commission solicited additional information from the applicant and staff. The Planning Commission's discussion appeared to focus on traffic related to the church's current operations, traffic related to the haul operations, and potential privacy intrusions and lighting effects from the athletic field. Additional information on the Commission's discussion and consensus of the primary components of the project is provided below.

Parking Area Expansion	The Commission's consensus was that the expansion to the existing parking area is appropriate and necessary.
Water Quality Detention Basin	The Commission's consensus was that the construction of the detention basin necessary.
Replacement Athletic Fields	The Commission's consensus was that replacing the athletic field is appropriate.
Athletic Field lighting	The Commission's consensus was that placing athletic field lighting is appropriate if appropriately conditioned.
Project Grading & Soil Export	The Commission's consensus was that the grading and that exporting the extra soil material is necessary.
Improvements to Via Carnaghi	The Commission's consensus was that the improvements to Via Carnaghi are necessary.
Improvements to Monte Vista Rd	The Commission's consensus was that the improvements to Monte Vista are necessary.
Revegetation of Graded Slopes	The Commission's consensus was that three different approaches to the site landscaping are appropriate and necessary.

The proposed parking lot expansion will not increase the size of the church sanctuary or other facilities that would attract people to the church during the church's peak traffic periods. The purpose of the parking lot expansion is to meet current church parking needs. The shortage of parking was initially created by the County of Riverside when the previous sanctuary expansion was approved and inadequate on-site parking was required. As a result, a substantial change in current church traffic volumes is not

expected to occur as a result of the parking lot expansion. Any future sanctuary expansion project that may occur in the future will be required to provide additional parking for any expanded facilities.

The additional short-term traffic related to the grading, material export, and site improvement phases of the project are not expected to alter the current levels of service for the adjacent key intersections. To evaluate current traffic volumes, the City Engineer required the preparation of a traffic study. Based upon this traffic assessment the City Engineer determined that the additional 400 to 500 vehicle trips per day related to the soil export phase of the project would not significantly effect the local road network. (When considering this number of vehicle trips it is important to remember that a round-trip constitutes two vehicle trips.) This assessment does not mean that some intersection or turning movement delays may not occur during the construction process, but that the overall functioning of road system will not be significantly degraded.

The Planning Commission was also concerned about the nighttime use of the proposed athletic fields and how any noise and field lighting might effect the neighboring residential properties. The proposed athletic fields are approximately 30 feet above, and 200 feet away from, than the adjacent residences along Via Carnaghi. This higher elevation creates an opportunity for some privacy impact while the distance from the athletic fields has the potential to reduce any impact. To ensure that future impacts are reduced the Commission added a condition of approval to require that the final landscape and construction plans be designed to ensure that any visual or privacy impacts on the adjacent residents be minimized. The added condition reads as follows:

"Prior to the issuance of a building permit or the approval of the landscape construction plans for the athletic fields, whichever occurs first, the applicant shall submit a plan to the Planning Department demonstrating how the visual and privacy impacts on the residential properties on the east site of Via Carnaghi near the athletic fields will be minimized. This plan shall be shared with the effected property owners for their review and comment."

In addition to the additional condition described above the Planning Commission approved changes to the project also added a condition of approval requested by the Pechanga Band and the inclusion several conditions of approval as mitigation measures in the Initial Study document. These additional changes are included in the conditions of approval provided in Exhibit A to Attachment B and in the Initial Study document contained in Attachment J.

Following staff's presentation, the public testimony and Commission discussion, the Planning Commission approved the project 4-0 with one abstention. Commissioner Dykstra abstained from all of the public hearing, Commission discussion, and project consideration activities because his business sells doors and windows to the Church. This financial involvement means that there is the potential for a conflict of interest as defined in State Law. A copy of the draft minutes from the September 16, 2009 Planning Commission meeting are contained in Attachment H.

APPEALS:

Following the Council's receive and file action, the City received two appeals of the Planning Commission's decision. The first one was filed by the City of Menifee (dated October 1, 2009). The second by James Filanc (dated October 2, 2009). Because the appeal filed by James Filanc is identical to the issues raised by the City of Menifee, only a single analysis of the two appeals is being provided. Copies of the appeals are contained in Attachment I.

A key component of the City of Menifee's appeal was their desire to meet with the City of Wildomar to address their concerns. Consequently, the staffs for the two cities subsequently met to discuss the concerns. However, as of the date of the preparation of this staff report no revised conditions of approval are available. Any final information will be provided to Council as soon as the information is available.

Staff reviewed the procedural concerns expressed by the City of Menifee. As a result, City staff has modified Condition of Approval 45 to more clearly define how the haul permit process will operate. This need for clarity has resulted in the original haul route condition being divided into two conditions of approval. These revised conditions of approval have been incorporated into the proposed conditions of approval as Numbers 45 and 46. The text of the clarified conditions is provided below.

"45. This project requires export of material, therefore prior to issuance of a grading or haul permit, the applicant shall submit to the Planning Director for approval, suitable evidence that the receiving site has obtained all the necessary permits and completed all required California Environmental Quality Act (CEQA) review to receive the exported material. No grading or haul permit shall be issued until all required CEQA review and compliance with all mitigation measure has been verified by the Planning Director. Nothing in this condition shall be construed to limit the ability of the Planning Director to ensure compliance with the provisions of CEQA."

"46. Prior to the issuance of a grading permit, the applicant or their contractor shall obtain separate haul route permits from the City of Wildomar for each site to receive the exported material. Minimum performance criteria requirements for the project's haul route permits shall include, but are not be limited to, the following.

- a. Obtain haul route permits from the receiving jurisdiction and all jurisdictions the haul route travels through, when required. When other agency permits are required, the City Engineer will confirm that the other agency's permit conditions are in place and being monitored.*
- b. Bundy Canyon Road east of Monte Vista Road shall not be used as a haul route for hauls/soil export outside of the City of Wildomar.*

- c. *Limit the number of miles per day traveled for off-site dirt-hauling and disposal to the equivalent of 85 twenty-mile round-trips during the periods of the most intensive grading and the equivalent of 116 twenty-mile round-trips during the remainder of the dirt-hauling operation.*
- d. *Limit the number of haul trips during the day to maintain level of service standards identified in the General Plan during the peak and off-peak traffic periods.*
- e. *Limitations of haul hours, number of loads per day and the posting of traffic control and traffic control personnel at impacted locations along the haul route. During construction activities, the traffic flow will be maintained to the highest level possible with the use of standard traffic control devices. Typical traffic control measures may include, but are not limited to, warning signs, warning lights, and flaggers. Implementation of traffic control measures will provide guidance and navigational tools throughout the project area in order to maintain traffic flow and levels of safety during construction.*
- f. *Deflection testing of all haul route roads prior to and after haul will be required on local streets and roads within the City of Wildomar to establish long-term damage to these roads. Applicant shall be responsible to repair roads along the haul route to their existing condition, or better, and shall post adequate security in an amount determined by the City Engineer to cover both short term and project length damage to the roads. A portion of the security, as determined by the City Engineer, shall be in the form of a cash deposit to provide repairs due to short term haul route damage the applicant does not effectively repair on their own under the conditions of the haul permit.*
- g. *Due to the large number of trucks and trips required for grading this project, Applicant or their contractor shall provide weigh tickets or other means acceptable to the City Engineer for all haul vehicles through the use of certified scales at the authorized site exit onto City streets. Alternatives that will guarantee trucks are hauling below maximum weight loads will be considered upon submittal to the City of Wildomar City Engineer.*
- h. *Effective repairs may include filling pot hole, crack sealing, base repairs, seal coats (fog, slurry, chip, rubberized), and overlays where warranted."*

The key component of the James Filanc's appeal is a request to send the environmental document (and project) back to staff to supplement the project description with additional information (such as destinations for all hauled dirt, within the City of Menifee and elsewhere), extra-territorial traffic studies, long term traffic studies, and expanded air quality analysis.

Staff also reviewed the attachments to both appeal applications and have provided an evaluation/response to the issues raised. Except for a question about future church expansion, none of the appeal issues were related to the Project design or conditions of approval. The comments all related to the environmental documentation supporting the Mitigated Negative Declaration. A summary of the issues contained in the specific comments are as follows.

- The noticing requirements for environmental impact reports;
- Concerns about potential (as yet unknown) future church expansion proposals;
- The specific destination locations for the proposed exported soil material;
- Confusion between project mitigation measures and mitigation monitoring/permitting; and
- The need for additional traffic studies for the soil hauling activities as well as the future unknown church expansion project.

In conclusion, staff believes that the mitigation measures contained in the Initial Study/Mitigated Negative Declaration and the conditions of approval will prevent any significant impacts from the project. In addition, since the City of Wildomar will not approve a haul permit to another jurisdiction without that jurisdiction's approval of their haul and grading permit.

FINDINGS:

1. That the proposed location, use and operation of the public use is in accord with the purposes of the zone in which the site is located, is consistent with the General Plan and complies with other relevant city regulations, policies and guidelines.

The expansion of the parking area for Cornerstone Community Church is consistent with the provisions of the Rural Residential (R-R) Zone pursuant to the provisions for public use permits. The project is consistent with the intent of the Zoning Ordinance since it meets and/or exceeds the minimum development standards of the R-R Zone. Additionally, conditions have been added to the project to ensure that all the minimum requirements of the Municipal Code are met.

The General Plan land use designation for the site is Medium Density Residential, Business Park, and Estate Density Residential. The General Plan and the existing zoning ordinance envision that religious institutions can be appropriately located in virtually any land use designation. The design and layout of the site, the site access and circulation, as well as the required street and drainage improvements have been configured to accommodate the development of the project site. Considering all of these aspects, the project furthers the

objectives and policies of the General Plan and is compatible with the general land uses as specified in the General Plan.

2. The proposed use will not be detrimental to the health, safety, or general welfare of the community.

The site has been designed to meet all of the development standards of the Rural Residential (R-R) Zone and the other provisions of the zoning ordinance. The proposed expansion of the parking area for an existing religious institution will not be detrimental to the health, safety, and general welfare. In addition, the site does not contain any natural or physical hazards which would cause the project to be detrimental to the health, safety, or general welfare.

ENVIRONMENTAL ASSESSMENT:

An Initial Study was prepared for the Project. The Initial Study identified no significant impacts to the environment with the modifications made to the proposed project, the implementation of the applicable standards conditions and requirements, and the mitigation measures contained in the document. The Initial Study and the Notice of Intent to Adopt a Negative Declaration was circulated for public review between August 27, 2009 and September 15, 2009. A copy of the Initial Study document is contained in Attachment J.

Prior to the Planning Commission meeting, the Pechanga Band of Luiseño Indians requested that an additional condition of approval be added to the project. This additional condition was included on the Errata Sheet that was provided to the Commission at the September 16, 2009 public hearing and incorporated into the final conditions of approval as Number 46 (now Number 47). The Pechanga Band also requested that Conditions of Approval 30 through 35 (as well as 46 be added into the list of mitigation measures). Conditions of approval 30 through 35 provided additional detail on how tribal cultural resources should be addressed and are included in Mitigation Measures 8-3 through 8-9. The Commission's approval of the project incorporated these mitigation measures into the Initial Study/Mitigated Negative Declaration contained in Attachment J.

Following staff's presentation, the public testimony and Commission discussion, the Planning Commission voted to approve the Mitigated Negative Declaration with 3-1-1 vote [In favor – Against – Abstained]. Commissioner Andre did not vote to approve the Mitigated Negative Declaration and Commissioner Dykstra abstained from the decision because of potential for a conflict of interest.

ALTERNATIVES:

1. Approve the Appeal (and deny the project approval).
2. Deny the Appeal but modify the approval or conditions related to the athletic field lighting component.
3. Provide additional direction to staff.

ATTACHMENTS:

- A. Resolution Approving the Mitigated Negative Declaration
- B. Resolution Approving the Third Revision to Public Use Permit 778
Exhibit A – Conditions of Approval
- C. Vicinity Map and Aerial Photograph
- D. General Plan Land Use Designations
- E. Site Development Plan (3 pages)
- F. Conceptual Landscape Plan (2 pages)
- G. Athletic Field Lighting Study
- H. Minutes from the September 16, 2009, Planning Commission meeting
- I. Appeal documents
- J. Initial Study

ATTACHMENT A

RESOLUTION NO. 09-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR UPHOLDING THE PLANNING COMMISSION'S DECISION TO APPROVE THE MITIGATED NEGATIVE DECLARATION FOR THE CORNERSTONE COMMUNITY CHURCH PARKING LOT EXPANSION, THE THIRD REVISION TO PUBLIC USE PERMIT 778 (PROJECT NO. 08-0163)

WHEREAS, an application to allow the modification of an existing church and school complex to meet current needs on property located adjacent to the existing church/school complex was filed by:

Applicant/Owner: Cornerstone Community Church

Authorized Agent: Larry Markham,

Project Location: 34570 Monte Vista Road

APN Number: 367-210-008, 367-210-018, 367-210-034, 367-210-035, 367-210-041, 367-210-043, 367-140-008, and 367-140-010

Project Area: 83.01 gross acres

WHEREAS, the proposed parking lot expansion for Cornerstone Community Church is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 et seq. ("CEQA");

WHEREAS, to assess the potential impacts associated with the project, an Initial Study was prepared to determine the impact of the project on the environment were expected to occur;

WHEREAS, on August 22, 2009 using a method permitted under CEQA Guidelines Section 15072(b), the City provided notice of its intent to adopt the proposed Mitigated Negative Declaration to the public, responsible agencies, trustee agencies, and the Riverside County Clerk;

WHEREAS, the City made the proposed Mitigated Negative Declaration available for public review from August 27, 2009 to September 15, 2009, and no comments were received on the Initial Study;

WHEREAS, the Wildomar Planning Commission conducted a duly noticed public hearing on September 16, 2009 at which it received public testimony concerning the project and the proposed Mitigated Negative Declaration;

WHEREAS, the Wildomar Planning Commission approved the Mitigated Negative Declaration on September 16, 2009;

WHEREAS, the City Council voted to receive and file the notice of the Commission's action on September 23, 2009;

WHEREAS, appeals of the Planning Commission's approval action were filed by the City of Menifee on October 1, 2009, and by James Filanc on October 2, 2009;

WHEREAS, on October 28, 2009, the City gave public notice by mailing to adjacent property owners and by placing an advertisement in a newspaper local circulation of the holding of a public hearing at which the project would be considered; and

WHEREAS, the City Council conducted a duly noticed public hearing on November 12, 2009 at which it received public testimony concerning the project and the proposed Mitigated Negative Declaration.

NOW THEREFORE, the City Council 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:

A. 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.

B. 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.

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

D. 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.

E. 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 City Council 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 City Council that the project will not have a significant effect on the environment.

SECTION 2. 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 3. CITY COUNCIL ACTIONS.

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

A. Adopt the Mitigated Negative Declaration: The Mitigated Negative Declaration for project 08-0163 – Cornerstone Community Church Parking Lot Expansion consisting of 754 parking spaces, replacement athletic fields, and other private and public improvements is hereby approved and adopted.

B. Adopt Mitigation Monitoring Program: The Mitigation Monitoring Program for the Mitigated Negative Declaration is hereby approved and adopted.

C. 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.

D. Location: The Mitigated Negative Declaration, Mitigation Monitoring Program, 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 12th day of November 2009.

Scott Farnam
Mayor

APPROVED AS TO FORM:

Julie Hayward Biggs
City Attorney

ATTEST:

Debbie A. Lee, CMC
City Clerk

ATTACHMENT B

RESOLUTION NO. 09-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF WILDOMAR UPHOLDING THE PLANNING
COMMISSION'S DECISION TO APPROVE THE
CORNERSTONE COMMUNITY CHURCH PARKING LOT
EXPANSION, THE THIRD REVISION TO PUBLIC USE
PERMIT 778 (PROJECT NO. 08-0163)"**

WHEREAS, an application to allow the modification of an existing church and school complex to meet current needs on property located adjacent to the existing church/school complex was filed by:

Applicant/Owner: Cornerstone Community Church

Authorized Agent: Larry Markham

Project Location: 34570 Monte Vista Road

APN Number: 367-210-008, 367-210-018, 367-210-034, 367-210-035,
367-210-041, 367-210-043, 367-140-008, and 367-140-010

Project Area: 83.01 gross acres

WHEREAS, the Planning Commission has the authority per Chapter 17.200 of the Wildomar Municipal Code to take action on Public Use Permit No. 778 (08-0163); and

WHEREAS, on August 22, 2009, the City gave public notice by mailing to adjacent property owners and by placing an advertisement in a newspaper local circulation of the holding of a public hearing at which the project would be considered; and

WHEREAS, on September 16, 2009 the Planning Commission held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Public Use Permit;

WHEREAS, on September 16, 2009, following the public hearing, the Planning Commission voted to approve the Third Revision to Public Use Permit 778;

WHEREAS, the City Council voted to receive and file the notice of the Commission's action on September 23, 2009;

WHEREAS, appeals of the Planning Commission's approval action were filed by the City of Menifee on October 1, 2009, and by James Filanc on October 2, 2009; and

WHEREAS, on October 28, 2009, the City gave public notice by mailing to adjacent property owners and by placing an advertisement in a newspaper local circulation of the holding of a public hearing at which the project would be considered;

WHEREAS, the City Council conducted a duly noticed public hearing on November 12, 2009 at which it received public testimony concerning the project and the proposed Mitigated Negative Declaration; and

NOW THEREFORE, the City Council of the City of Wildomar does hereby resolve, determine 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 September 16, 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 Public Use Permit is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on November 12, 2009, at a duly noticed public hearing, the City Council approved and adopted a Mitigated Negative Declaration and Mitigation Monitoring Program 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 Rd., 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 cell area and mitigation is provided through payment of the MSHCP Mitigation Fee.

SECTION 2. REQUIRED FINDINGS.

Pursuant to Wildomar Municipal Code, and in light of the record before it including the staff report dated November 12, 2009 and all evidence and testimony heard at the public hearing on the Third Revision to Public Use Permit 778, the City Council hereby finds as follows.

A. That the proposed location, use and operation of the public use is in accord with the purposes of the zone in which the site is located, is consistent with the General Plan and complies with other relevant city regulations, policies and guidelines.

The expansion of the parking area for Cornerstone Community Church is consistent with the provisions of the Rural Residential (R-R) Zone pursuant to the provisions for public use permits. The project is consistent with the intent of the Zoning Ordinance since it meets and/or exceeds the minimum development standards of the R-R Zone as illustrated in the Staff Report. Additionally, conditions have been added to the project to ensure that all the minimum requirements of the Municipal Code are met.

The General Plan land use designation for the site is Medium Density Residential, Business Park, and Estate Density Residential. The General Plan and the existing zoning ordinance envision that religious institutions can be appropriately located in virtually any land use designation. The design and layout of the site, the site access and circulation, as well as the required street and drainage improvements have been configured to accommodate the development of the project site. Considering all of these aspects, the project furthers the objectives and policies of the General Plan and is compatible with the general land uses as specified in the General Plan.

B. The proposed use will not be detrimental to the health, safety, or general welfare of the community.

The site has been designed to meet all of the development standards of the Rural Residential (R-R) Zone and the other provisions of the Zoning Ordinance. The proposed expansion of the parking are for an existing religious institution will not be detrimental to the health, safety, and general welfare. In addition, the site does not contain any natural or physical hazards which would cause the project to be detrimental to the health, safety, or general welfare.

SECTION 3. CITY COUNCIL ACTIONS.

The City Council hereby approves the Third Revision to Public Use Permit 778 (Project No. 08-0163) subject to the Conditions of Approval attached hereto and incorporated by this reference as Exhibit A.

PASSED, APPROVED AND ADOPTED this 12th day of November 2009.

Scott Farnam
Mayor

APPROVED AS TO FORM:

ATTEST:

Julie Hayward Biggs
City Attorney

Debbie A. Lee, CMC
City Clerk

**EXHIBIT A
CITY OF WILDOMAR
CONDITIONS OF APPROVAL**

Planning Application Number: Public Use Permit 778, Revision 3 (08-0163)	
Project Description: Cornerstone Community Church Parking Area Expansion adding 754 parking spaces, a detention base, replacement athletic fields, athletic field lighting, and related improvements and landscaping.	
Assessor's Parcel Number(s): 367-210-008, 367-210-018, 367-210-034, 367-210-035, 367-210-041, 367-210-043, & 367-140-008	
Approval Date: November 12, 2009	Expiration Date: November 12, 2011

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 Two Thousand Fifty Seven Dollars (\$2,057.00) which includes the One Thousand Nine Hundred Ninety Three Dollars (\$1,993.00) 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 shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies,

and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the defense of the Action.

4. The approval of the public use permit shall comply with the provisions of Title 17 – Zoning (Ordinance 348), unless modified by the conditions listed herein. *[Modified by the Planning Commission September 16, 2009]*
5. The project and all subsequent projects within this site shall comply with all mitigation measures identified in Environmental Assessment 08-0163.
6. The development shall substantially conform to the approved site plan and elevations contained on file with the Planning Department.
7. The developer shall obtain City approval for any modifications or revisions to the approval of this project. Deviations not identified on the plans may not be approved by the City, potentially resulting in the need for the project to be redesigned. Amended entitlement approvals may be necessary as a result.
8. 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.
9. The Applicant shall dedicate, design and construct all improvement in accordance with City of Wildomar Improvement Plan Check Policies, as further conditioned herein, and Standards and to the satisfaction of The City Engineer.
10. The applicant will be required to provide the following street improvements for this project:
 - A. Design and improve Monte Vista Drive across the project frontage. Improvements shall be in accordance with Standard 109 (Major Frontage Road) with the following modifications; minimum pavement width of 64-feet with a right-of-way of 91-feet, and a 10-feet wide multi-use trail in addition to the 5-feet wide sidewalk.

- B. Dedicate, design and improve Via Carnaghi Lane from the existing parking lot to Monte Vista Drive. Improvements shall be in accordance with Standard 105 – Section “D” (Local Street) with the following modifications; no curb or AC dike, 32-feet of pavement widened at the intersection with Monte Vista Drive to a minimum of 40-feet of pavement width.
 - C. Design and improve Monte Vista Drive south of the intersection with Via Carnaghi Lane to provide a right turn pocket into Via Carnaghi Lane.
 - D. Gates into the project site shall be located as to provide a minimum of 25 feet of “throat” depth and shall be designed to open into the site to allow a vehicle to completely leave the travel lane(s) when the gate is closed.
- 11. The applicant shall provide all documentation for the City of Wildomar to accept Via Carnaghi Lane into the street maintenance program.
 - 12. The applicant shall design and construct/install signing and striping for constructed improvements and any necessary transitions to the satisfaction of the City Engineer. Design shall include, but not be limited to, a stop sign on Via Carnaghi Lane, no stopping signage along one side of Via Carnaghi Lane, and no stopping signage on both sides of Monte Vista.
 - 13. At all street intersections adjacent to the project, public or private, the Applicant shall install and/or replace street name signs in accordance with the City of Wildomar Standard Details.
 - 14. The applicant shall dedicate visibility easements for all intersections and driveways per the City of Wildomar Improvement Standards and to the satisfaction of the City Engineer.
 - 15. The Applicant shall obtain the appropriate clearance letters to the satisfaction of the City Engineer for any sign(s) located within an easement, including a Public Utility Easement.
 - 16. The applicant shall dedicate a public utility easement adjacent to all public or private streets for overhead and/or underground facilities and appurtenances to the satisfaction of the City Engineer.
 - 17. The applicant shall install street lights along the streets associated with the development in accordance with the standards of the City of Wildomar Ordinances 460 and 461 and the City of Wildomar procedures.
 - 18. Erosion control and landscape plans, required for manufactured slopes greater than 3 feet in vertical height, are to be signed by a registered landscape architect and bonded per the requirements of Ordinance 457 (refer to Department Form 284-47). Planting shall occur within 30 days of meeting final grades to minimize erosion and to ensure slope coverage prior to the rainy season.

19. Provide drainage facilities and terracing in conformance with the Uniform Building Code's chapter on "EXCAVATION & GRADING".
20. The applicant shall plant and irrigate all manufactured slopes steeper than a 4:1 (horizontal to vertical) ratio and 3 feet or greater in vertical height with grass or ground cover; slopes 15 feet or greater in vertical height shall be planted with additional shrubs or trees or as approved by the Planning Director and City Engineer.
21. All grading and drainage shall be designed in accordance with the included conditions of approval regarding this application.
22. No grading shall be performed without the prior issuance of a grading permit by the City. All grading shall conform to the California Building Code, Ordinance 457, and all other relevant laws, rules, and regulations governing grading in the City of Wildomar and prior. Prior to commencing any grading which includes 50 or more cubic yards, the applicant shall obtain a grading permit from the Building Department.
23. A slope stability report shall be submitted and approved by the City Engineer for all proposed cut or fill slopes steeper than 2:1 (horizontal to vertical) or over 30 feet in vertical height unless addressed in a previous report.
24. Grading in excess of 199 cubic yards will require performance security to be posted with the City of Wildomar.
25. The minimum drainage grade shall be 1% except on portland cement concrete where 0.35% shall be the minimum.
26. All flood control plans to be reviewed shall be submitted though the City of Wildomar, unless otherwise directed by the City Engineer.
27. All paved off-street parking areas which are conditioned to be paved shall conform to Ordinance 457 base and paving design and inspection requirements.
28. 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.
29. Improvements such as grading, filling, over excavation and re-compaction, and base or paving which require a grading permit are subject to the included Building Department conditions of approval.
30. In order to mitigate any potential impacts to unknown subsurface archaeological resources during grading operations, if an archeological resource is encountered during grading activities all grading shall be halted or diverted until a qualified archaeologist can assess the resources.

31. 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.
32. 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.
33. If inadvertent discoveries of subsurface archaeological resources are discovered during grading, the Developer, the project archaeologist, and the appropriate Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Developer and the Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Planning Director for decision. The Planning Director shall make the determination based on the provisions of the CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the appropriate Tribe.
34. All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.
35. 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.
36. Blue retro-reflective pavement markers shall be mounted on private streets, public streets and driveways to indicate location of fire hydrants. Prior to installation, placement of markers must be approved by the Riverside County Fire Department.
37. The applicant shall annex into all applicable County Service Areas and Landscaping Maintenance District for landscaping, lighting, drainage and maintenance to the satisfaction of the City Engineer or otherwise form a District where one is not currently in place.
38. The applicant shall design and construct American with Disabilities Act (ADA) access from the public right of way to the main building entrance and van accessible parking in accordance with all appropriate City of Wildomar Standards and Codes, and ADA requirements and to the satisfaction of the City Engineer and Building Official.

39. The flood control facilities shall be constructed with this project in accordance with applicable standards. The City Engineer shall determine if the facility will be maintained by Flood Control District or the City of Wildomar. The Applicant shall execute a maintenance agreement with the appropriate agency and the City Engineer shall determine if an easement or a parcel is taken in fee title. The plans cannot be signed prior to execution of the agreement.
40. Should this project lie within any assessment/benefit district, the project proponent shall, prior to acceptance of improvements, make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district unless said fees are otherwise deferred.
41. The non-security lighting fixtures around the athletic fields shall be turned off at 10:00 pm.
42. The development of the premises shall substantially conform to the approved site plan on file with the Planning Department, unless superseded by these Conditions of Approval.
43. The City, its Planning Director, Planning Commission, and City Council retain and reserve the right and jurisdiction to review and modify this public use permit (including the Conditions of Approval) based on changed circumstances. Changed circumstances include, but are not limited to, a modification of business, a change in scope, emphasis, size or nature of the business, and the expansion, alteration, reconfiguration or change of use. The reservation of right to review any public use permit granted or approved or conditionally approved hereunder by the City, its Planning Director, Planning Commission and City Council is in addition to, and not in-lieu of, the right of the City, its Planning Director, Planning Commission, and City Council to review, revoke or modify any public use permit approved or conditionally approved hereunder for any violations of the conditions imposed on such public use permit or for the maintenance of any nuisance condition or other code violation thereon.
44. This approval shall not be valid until all outstanding permit and application processing fee balances are paid in full. No extensions of time shall be granted unless all balances have been paid in full.

Prior to Issuance of Grading Permit(s)

45. This project requires export of material, therefore prior to issuance of a grading or haul permit, the applicant shall submit to the Planning Director for approval, suitable evidence that the receiving site has obtained all the necessary permits and completed all required California Environmental Quality Act (CEQA) review to receive the exported material. No grading or haul permit shall be issued until all required CEQA review and compliance with all mitigation measure has been verified by the Planning Director. Nothing in this condition shall be construed to limit the ability of the Planning Director to ensure compliance with the provisions of CEQA.

46. Prior to the issuance of a grading permit, the applicant or their contractor shall obtain separate haul route permits from the City of Wildomar for each site to receive the exported material. Minimum performance criteria requirements for the project's haul route permits shall include, but are not be limited to, the following.
- a. Obtain haul route permits from the receiving jurisdiction and all jurisdictions the haul route travels through, when required. When other agency permits are required, the City Engineer will confirm that the other agency's permit conditions are in place and being monitored.
 - b. Bundy Canyon Road east of Monte Vista Road shall not be used as a haul route for hauls/soil export outside of the City of Wildomar.
 - c. Limit the number of miles per day traveled for off-site dirt-hauling and disposal to the equivalent of 85 twenty-mile round-trips during the periods of the most intensive grading and the equivalent of 116 twenty-mile round-trips during the remainder of the dirt-hauling operation.
 - d. Limit the number of haul trips during the day to maintain level of service standards identified in the General Plan during the peak and off-peak traffic periods.
 - e. Limitations of haul hours, number of loads per day and the posting of traffic control and traffic control personnel at impacted locations along the haul route. During construction activities, the traffic flow will be maintained to the highest level possible with the use of standard traffic control devices. Typical traffic control measures may include, but are not limited to, warning signs, warning lights, and flaggers. Implementation of traffic control measures will provide guidance and navigational tools throughout the project area in order to maintain traffic flow and levels of safety during construction.
 - f. Deflection testing of all haul route roads prior to and after haul will be required on local streets and roads within the City of Wildomar to establish long-term damage to these roads. Applicant shall be responsible to repair roads along the haul route to their existing condition, or better, and shall post adequate security in an amount determined by the City Engineer to cover both short term and project length damage to the roads. A portion of the security, as determined by the City Engineer, shall be in the form of a cash deposit to provide repairs due to short term haul route damage the applicant does not effectively repair on their own under the conditions of the haul permit.
 - g. Due to the large number of trucks and trips required for grading this project, Applicant or their contractor shall provide weigh tickets or other means acceptable to the City Engineer for all haul vehicles through the

use of certified scales at the authorized site exit onto City streets. Alternatives that will guarantee trucks are hauling below maximum weight loads will be considered upon submittal to the City of Wildomar City Engineer.

- h. Effective repairs may include filling pot hole, crack sealing, base repairs, seal coats (fog, slurry, chip, rubberized), and overlays where warranted.
- 47. Prior to the placement of fill materials on any site for which a project has not yet been approved, a Riverside County qualified archeologist and a Pechanga representative shall conduct a cultural resources survey to determine whether cultural resources could be impacted by the proposed fill placement. Upon completion of the survey, the archeologist shall complete a report documenting the results of the survey in conjunction with a Pechanga representative, including any recommendations, and submit it to the City of Wildomar, the project applicant, the Eastern Information Center, and Pechanga Cultural Resources. Based upon the results of the survey, the City of Wildomar will determine whether or not the proposed fill project has a potential to effect cultural resources during the appropriate CEQA review process. [Added by Planning Commission September 16, 2009]
- 48. Geotechnical soils reports, required in order to obtain a grading permit, shall be submitted to the City Engineer for review and approval prior to issuance of grading permit. All grading shall be in conformance with the recommendations of the geotechnical/soils reports as approved by City of Wildomar.
- 49. Prior to the issuance of a grading permit, it shall be the sole responsibility of the Applicant 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
- 50. Prior to issuance of any grading permit or the approval of any improvements plans, whichever comes first, the applicant shall provide the City Engineer with evidence of compliance with the following: "Effective March 10, 2003 owner operators of grading or construction projects are required to comply with the National Pollutant Discharge Elimination System (NPDES) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of "ONE" acre or larger. The owner operator can comply by submitting a "Notice of Intent", develop and implement a Storm Water Pollution Prevention Plan and a monitoring program and reporting plan for the construction site. For additional information and to obtain a copy of the NPDES State Construction Permit contact the SWRCB at (916) 657-1146. Additionally, at the time the City of Wildomar adopts, as part of any ordinance, new regulations specific to the NPDES, this project shall comply with them.

51. All necessary measures to control dust shall be implemented by the developer during grading to the satisfaction of the City Engineer. A PM10 Control Plan may be required at the time a grading permit is issued.
52. 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.
53. Prior to the issuance of a grading permit, the applicant shall submit, and the City approve the Final Water Quality Management Plan which ensures that post-construction flows do not exceed pre-construction levels and that the specified BMPs will minimize any water quality impacts. The Final WQMP include a comprehensive drainage study and plan that includes, but is not limited to: definition with mapping of the existing watersheds; a detailed pre- and post-project hydrologic and hydraulic analysis of the project and project impacts; definition of the local controlling 100-year frequency water levels existing and with project; the proposed method of flow conveyance to mitigate the potential project impacts with adequate supporting calculations; any proposed improvements to mitigate the impacts of increased runoff from the project and any change in runoff; including quality, quantity, volume, and duration in accordance with City of Wildomar's Hydrology Manual, Improvement Standards, and to the satisfaction of the City Engineer. These BMPs shall be consistent with the Final WQMP and installed to the satisfaction of the City Engineer.
54. 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.
55. 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.
56. At least 30 days prior to seeking a grading permit, the project applicant shall contact the Pechanga Band of Luiseño Indians (Tribe) to notify the Tribe of grading, excavation and the monitoring program, and to coordinate with the City of Wildomar and the Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

57. Prior to the issuance of a grading permit, the developer shall identify the qualified archaeologist to the City who has been retained to evaluate the significance of any inadvertently discovery historical resources. If cultural resources are encountered during ground disturbing activities that were not previously identified, all construction activities will be halted or redirected until a qualified archaeologist can evaluate the nature and significance of the finds and recommend and implement management actions to protect or curate any resources that merit management.
58. Prior to the issuance of a grading permit, the developer shall identify the qualified paleontologist to the City who has been retained to evaluate the significance of any inadvertently discovery paleontological resources. If paleontological resources are encountered during grading or project construction, all work in the area of the find shall cease. The project proponent shall notify the City and retain a qualified paleontologist to investigate the find. The qualified paleontologist shall make recommendations as to the paleontological resource's disposition to the Planning Director. The developer shall pay for all required treatment and storage of the discovered resources.
59. 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."*
60. 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 Planning Director 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 Planning Director 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 Planning Director 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 Planning Director."

61. All of the foregoing conditions shall be complied with prior to the issuance of a grading permit.

Prior to Issuance of Building Permit(s)

62. Prior to the issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the Building Department.
63. Prior to the issuance of a building permit, the outdoor lighting for project shall conform with the requirements of Chapter 8.80 of the Wildomar Municipal Code (previously known as Ordinance 655). These items shall be shown on electrical plans submitted prior to the issuance of building permit and shall be reviewed and approved by the Building and Safety Department.
64. Prior to the issuance of a building permit or the approval of the landscape construction plans for the athletic fields, whichever occurs first, the applicant shall submit a plan to the Planning Department demonstrating how the visual and privacy impacts on the residential properties on the east site of Via Carnaghi near the athletic fields will be minimized. This plan shall be shared with the effected property owners for their review and comment. [Added by Planning Commission September 16, 2009]
65. Proposed retaining walls will require separate permits. They shall be obtained prior to the issuance of any other building permits unless otherwise approved by the City Engineer. The walls shall be designed by a Registered Civil Engineer unless they conform to the City of Wildomar Standard Retaining Wall designs shown on the Building Department form 284-197.
66. The applicant shall submit landscaping and irrigation plans to Planning Department. These plans shall include water usage calculations, estimate of irrigation, and the location of all existing trees that will remain. All plans and calculations shall be designed to comply City Codes and reflect the comments contained in the September 4, 2009 Memorandum from the City Landscape Architect to the satisfaction of the Planning Director.
67. The applicant shall submit landscaping and irrigation plans within the public right of way to Planning Department. These plans shall include water usage calculations, estimate of irrigation, and the location of all existing trees that will remain. All plans and calculations shall be designed and calculated per the City of Wildomar Road Improvement Standards & Specification, Improvement Plan Check Policies and Guidelines, City Codes and to the satisfaction of the City Engineer.

68. Prior to the issuance of a building permit, the project proponent shall pay fees in accordance with Zone A of the Southwest Area Road and Bridge Benefit District. All fees are based upon the fee schedule in effect at the time of issuance of the permit.
69. All of the foregoing conditions shall be complied with prior to the issuance of a building permit.

Prior to Issuance of Street Improvement Plans

70. Prior to the approval of improvement plans, the developer shall submit to the City Engineer a traffic control plan along Monte Vista Drive to ensure the continued flow of traffic during construction. 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 City Engineer. Completion of road improvements does not imply acceptance for maintenance by the City of Wildomar.
71. Prior to the approval of the street improvement plans, a signing and striping plan is required for this project. The project proponent shall be responsible for any additional paving and/or striping removal caused by the striping plan. to the satisfaction of the City Engineer.

Prior to Final Inspection, Release of Power, or Any Use Allowed by This Permit

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

72. Prior to final inspection, 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.
73. Prior to final inspection the applicant shall reconstruct any deteriorated curb, gutter, sidewalk and/or pavement along the project's frontage or along Monte Vista Road to the satisfaction of Public Works. If pavement replacement is required, the Applicant may be required to grind, overlay, and/or slurry seal per City of Wildomar Road Improvement Standards & Specification, Improvement Plan Check Policies and Guidelines and to the satisfaction of Public Works.
74. Prior to the final inspection, all outdoor lighting shall be inspected by the Building and Safety Department to insure compliance with the approved lighting plan and the provisions of Chapter 8.80 of the Wildomar Municipal Code.
75. Electrical power, telephone, communication, street lighting, and cable television lines shall be designed and placed underground in accordance with Ordinance 460 and 461, or as otherwise approved by the City Engineer. 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 less 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.

76. A separate street light plan is required for this project. Street lighting shall be designed and installed in accordance with City of Wildomar Ordinance 460 and Streetlight Specification Chart found in Specification Section 22 of Ordinance 461. For projects within SCE boundaries use City of Wildomar Ordinance 461, Standard No's 1000 or 1001.
77. Prior to final inspection, 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 Planning Director. The plants shall be healthy and free of weeds, disease, or pests. The irrigation system shall be properly constructed and in good working order. The applicant shall contact the Planning Department to schedule the final inspection(s).
78. Prior to the final inspection, all outdoor lighting shall be inspected by the Building and Safety Department to insure compliance with the approved lighting plan and the provisions of Chapter 8.80 of the Wildomar Municipal Code.
79. Prior to final inspection the applicant shall install all landscaping in accordance with the approve landscape and irrigation plans.
80. Performance securities, in amounts to be determined by the Planning Director, 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 Planning Director, the bond may 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) 245-3300"

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.

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

OUTSIDE AGENCIES REQUIREMENTS:

83. None.

To: Dave Hogan, Planning Director

From: Laurie Levine, Landscape Architect

Date: September 4, 2009

Subject: Cornerstone Community Church – Conceptual Landscape Plan (08-0163)

The following are my recommendations of adjustments and modifications to be incorporated into the landscape and irrigation construction plans for this project.

1. Incorporate a Bermuda Mix into the athletic field turf area.
2. We can select a street tree of our choice. My suggestions are: *Cercidium* 'Desert Museum', *Quercus agrifolia*, *Quercus ilex*, or *Olea europaea* (fruitless variety).
3. The detention basin must have low water usage shrubs and trees on its slopes in masses. The access road must be constructed of concrete for proper maintenance, due to the steep slope.
4. All plants must be low water usage plants according to WUCOLS III. California native plants should be utilized and mixed with non-native drought tolerant plants where appropriate. All plantings shall be hydro-zoned according to WUCOLS III in the low water use category. The maximum applied water allowance shall not exceed 25 percent of the local annual mean precipitation without a written and graphic statement, included with the landscape design plan, designating the portions of the landscape design for specific recreational purposes.
5. Only California native plants must be utilized on all slopes.
6. The following plants are should not be used: *Pinus eldarica*, *Podocarpus gracilior*, *Robinia* 'Purple Robe', *Hemerocallis* species, *Dietes vegeta*, *Acacia redolens*, and *Pyracantha* species.
7. Boston ivy could be used as a deciduous vine on trash enclosures, but not as the only vine species if there are substantial lengths of retaining walls.
8. Permanent, evergreen shrubs capable of mature growth to between 36 inches and 42 inches high shall be designed to screen the perimeter parking (except where site lines are present, 30 inch maximum).
9. An approved concrete mow strip shall separate all turf and shrub beds.
10. All trash enclosures shall be covered with a wood arbor or other approved architectural treatment to blend with the buildings. All three sides of trash enclosure walls shall have a minimum 5 feet wide planting area (excluding curbing and walkway strip). Flowering vines shall be trained on to the walls. Trees, shrubs and ground covers shall be included

in the planting areas.

11. No light fixture shall be designed for any location in a planting area, which would make it necessary to eliminate a tree. All overhead light fixtures shall be identified on the site plan prior to approval of the site plan.
12. Above ground utility locations shall be approved with prior permission of the Planning Department. Building backflow prevention units shall be located in shrub areas outside of the City right-of-way. All double detector check and backflow assemblies shall be located in shrub beds clearly identified on the grading plan prior to approval of the grading plan. Detector check/backflow devices shall be painted a neutral/earth tone color and any pipes extending above ground shall be finished and painted to match the device. All Edison transformers shall be screened with at least 5 feet of planting located outside the Edison setback (18 inches on sides and rear, 8 feet at the front door).
13. Canopy shade trees shall be located directly adjacent to public parking spaces without walkways or paving between the tree and parking space to provide the required % of parking spaces shaded at 15 years growth. The trees shall be located no farther than 25 to 30 feet on center (depending on the canopy spread of the species) in continuous planting areas. The trees shall be located no farther than 36 feet on center when 6 feet wide curbed tree wells are designed within the parking lot.
14. All plant materials designed for slope areas shall be California native plants, including approved species of trees, shrubs and ground cover. Special consideration to fuel modification requirements shall be considered in the species selection and spacing of plants.
15. All street trees shall be installed from 36-inch box containers at no farther than 30 feet on center. The tree species shall be as directed by the Planning Director.
16. The detention basin shall contain a concrete access and maintenance road at no less than 15 feet wide. The slopes of the basin shall be designed with approved tree and shrub masses, as approved by the Planning Director to mitigate the view of the basin.
17. All shrub planting areas shall be covered with a 2-inch layer of approved bark mulch.
18. All slope planting areas shall be covered with a 4-inch layer of approved bark mulch when planting is completed, designed to stabilize the slope and provide 100% coverage for source control as a best management practice.
19. All fertilizers utilized in pre-planting, post-planting, and long-term maintenance shall be organic or approved slow-release type.
20. All drainage swales shall be designed as 'vegetated swales' with at least 12 inches of soil at the bottom of the swale. The swales shall incorporate the design of low water plant materials that will accommodate incidences of medium to high water as required.

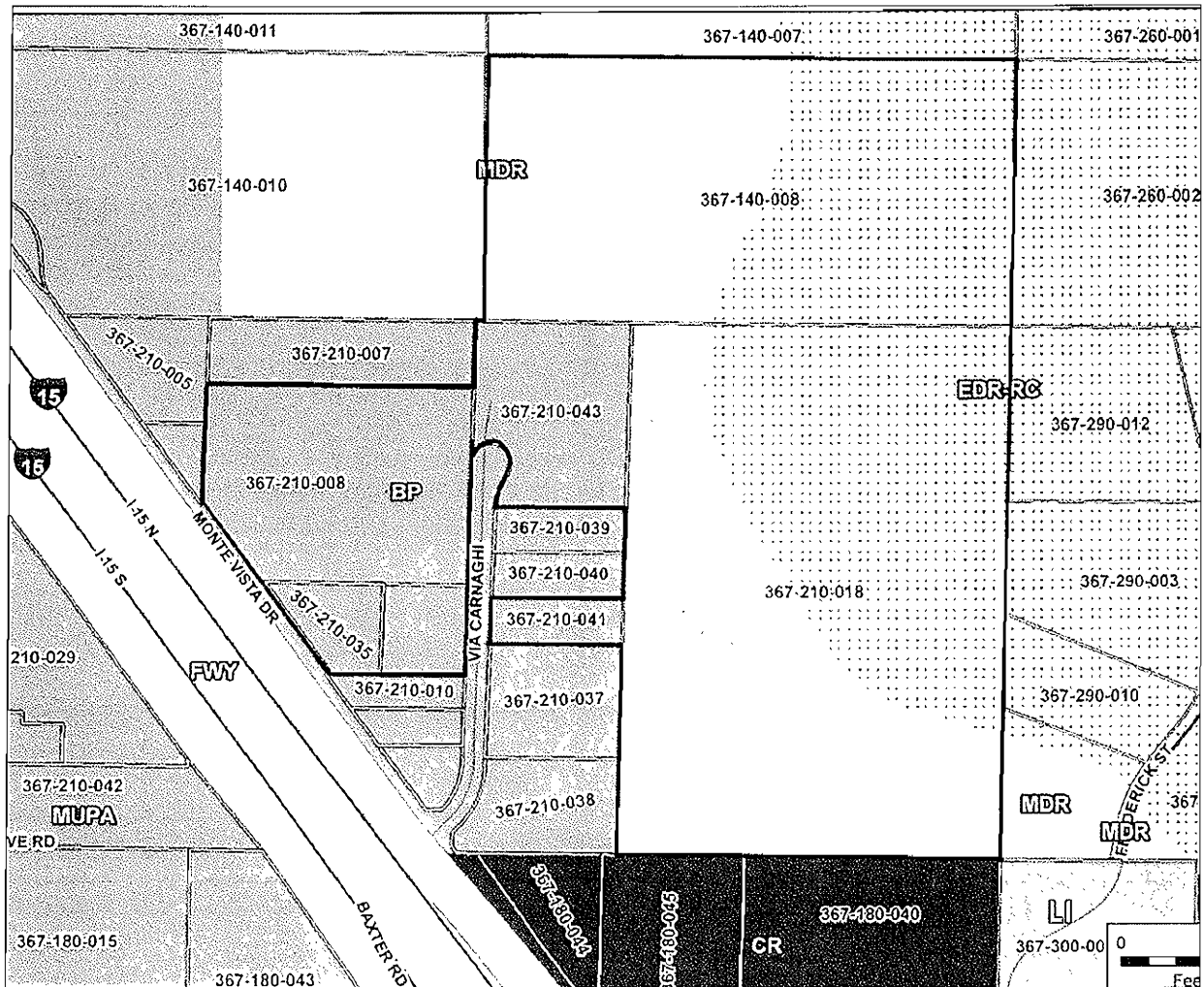
ATTACHMENT C

VICINITY MAP & AERIAL PHOTOGRAPH



ATTACHMENT D

GENERAL PLAN LAND USE MAP



General Plan Land Use Designations:

BP - Business Park

CR - Commercial Retail

EDR - Estate Density Residential (Ranch Community Overlay)

LI - Light Industrial

MDR - Medium Density Residential

ATTACHMENT E

SHEET 2

EXISTING BUILDINGS & PARKING PER P.U.P. 77B

R.U.R. 77B

EXISTING SITE

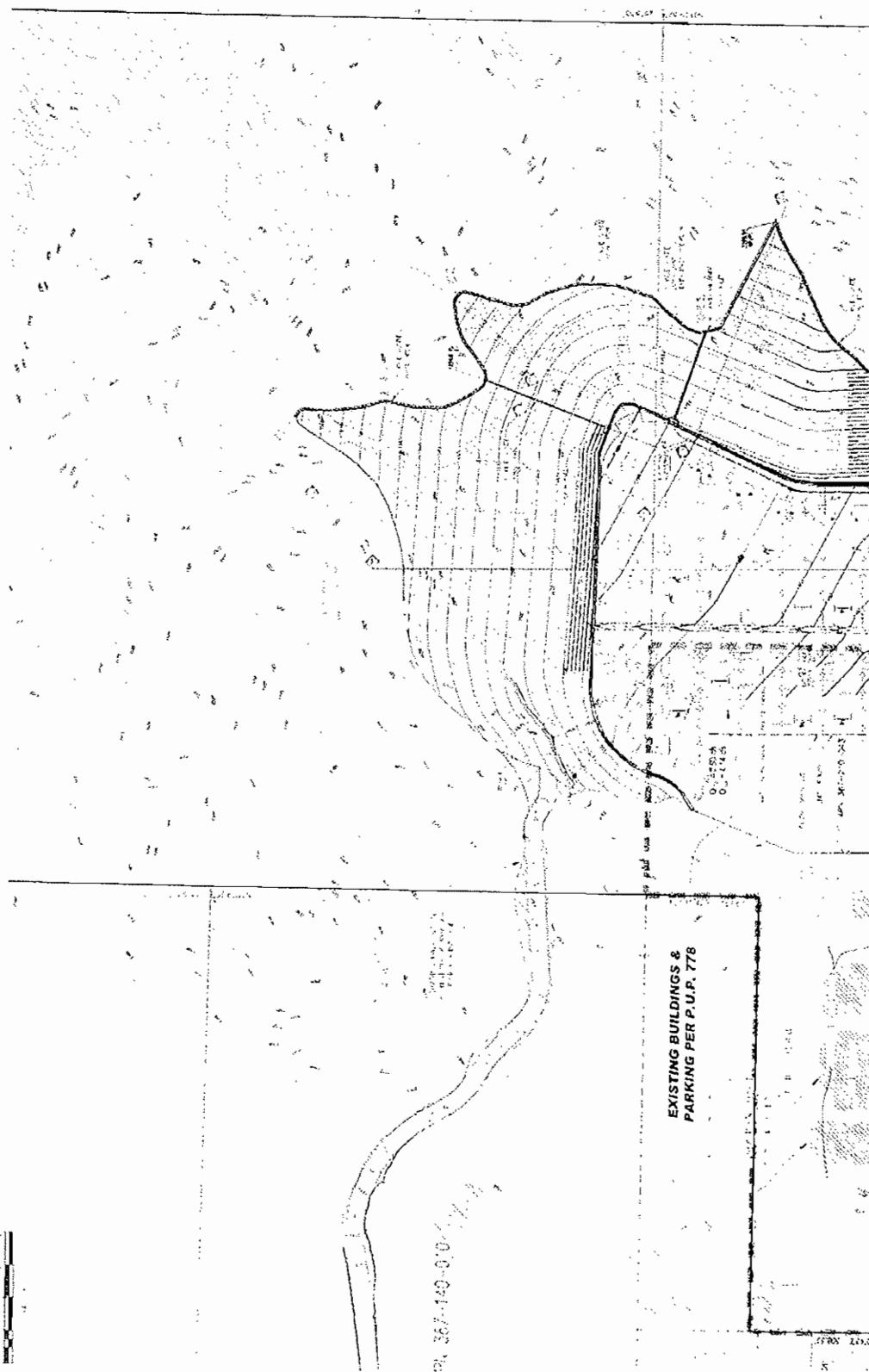
PROPOSED SITE

R.D. 100

TYPICAL BIOSWALE DETENTION DETAIL

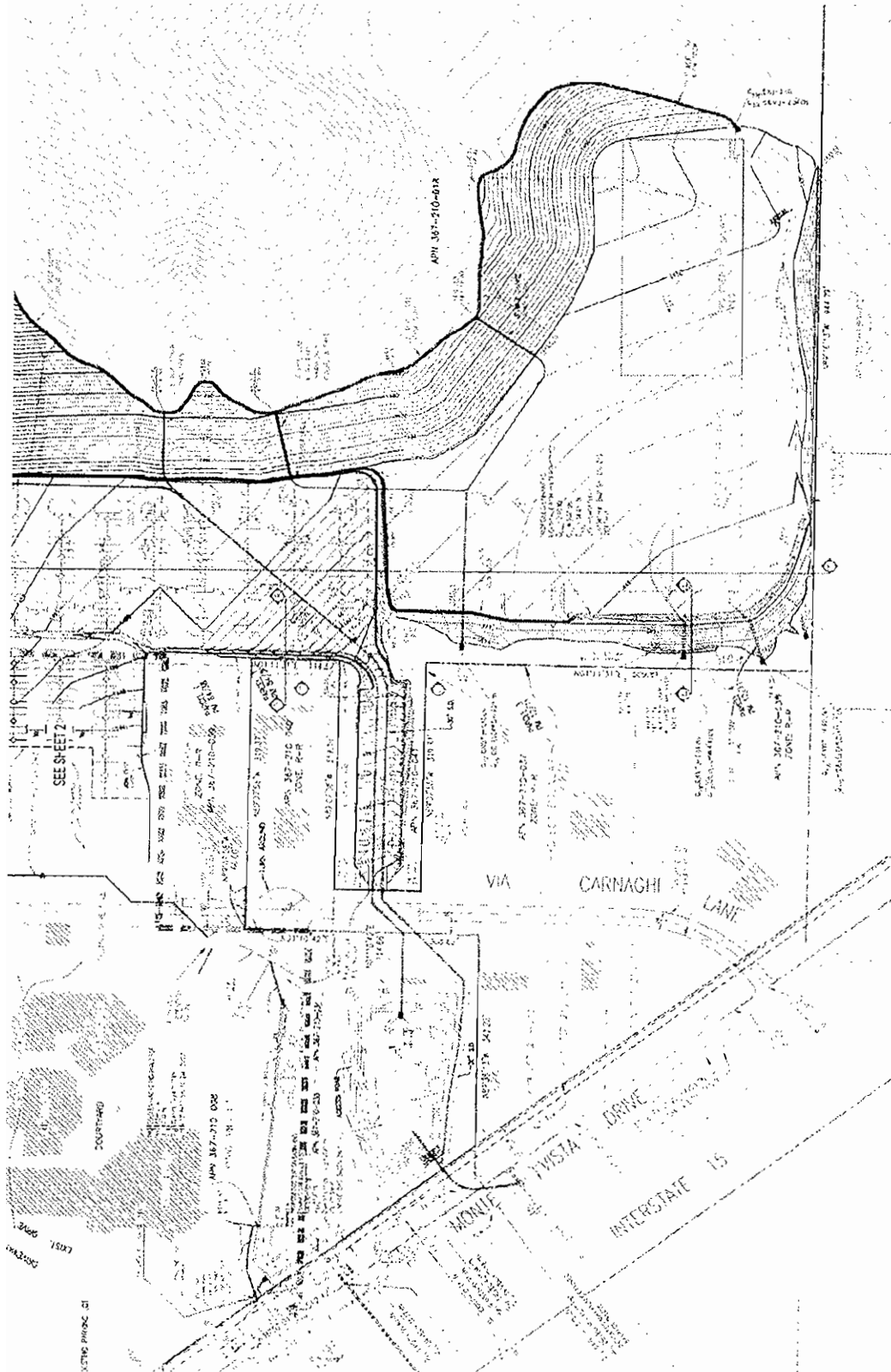
SHEET 3

P.U.P. No. 778, REVISED PERMIT No. 3, AMENDED NO. 4



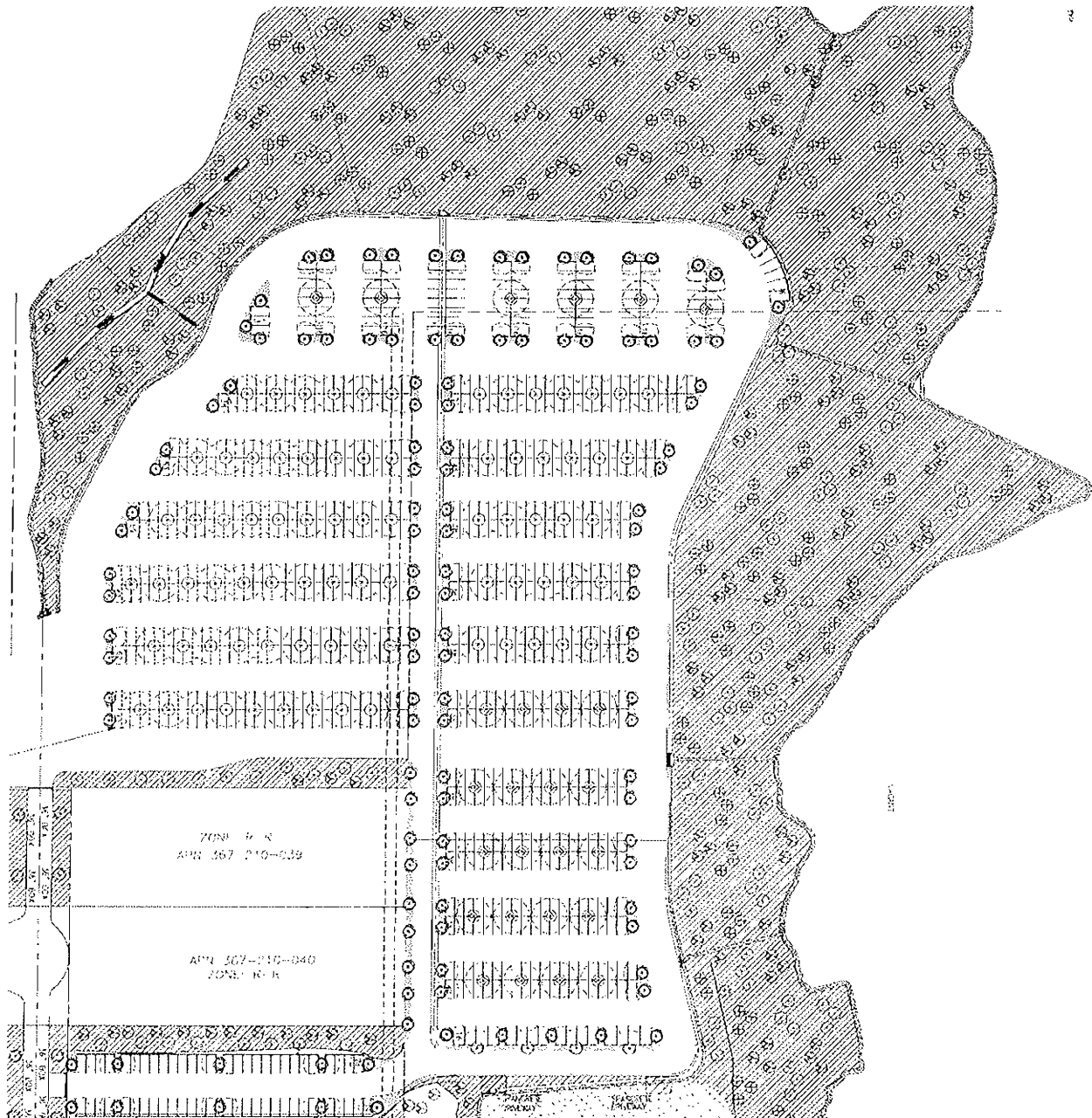
SEE SHEETS

E-3 SITE PLAN, SOUTHERN AREA DETAIL

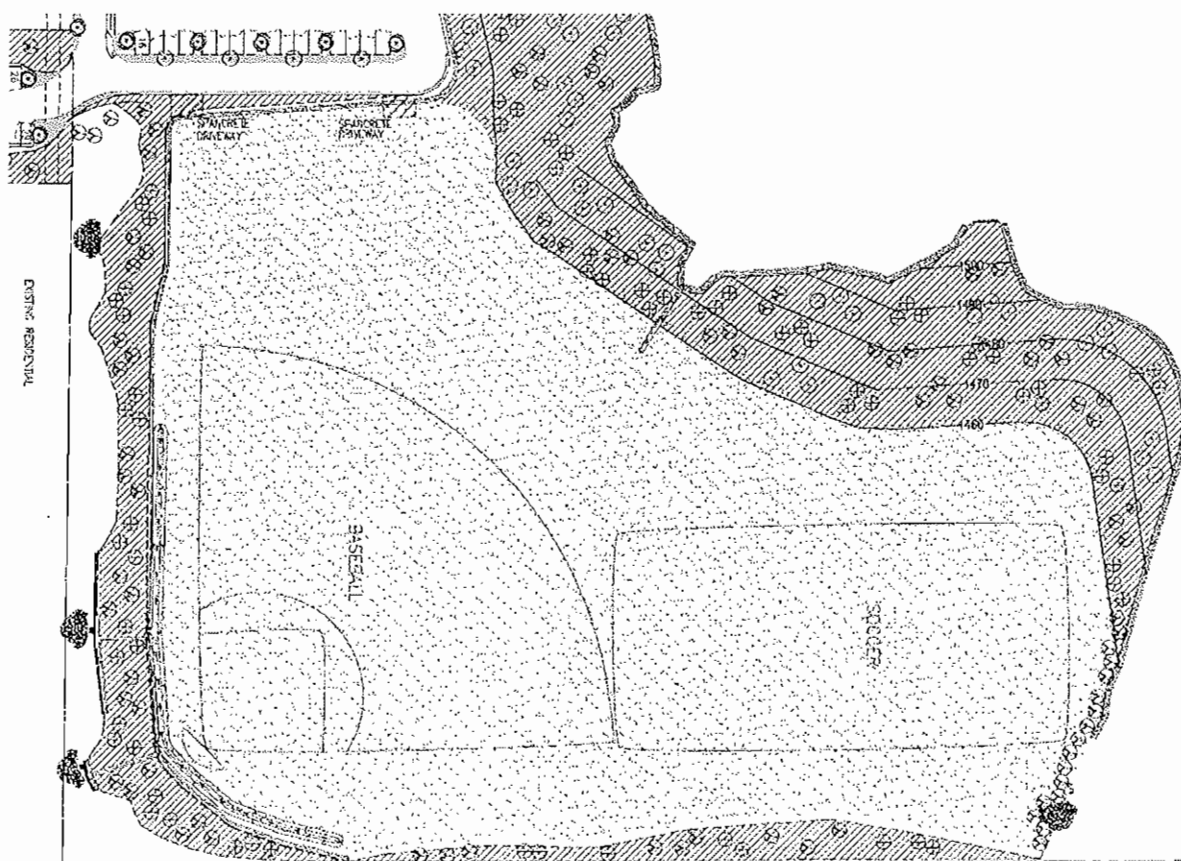


ATTACHMENT F

F-1 CONCEPTUAL LANDSCAPE PLAN, NORTHERN AREA DETAIL



F-2 CONCEPTUAL LANDSCAPE PLAN, SOUTHERN AREA DETAIL



SYMBOL	ABBREVIATION	BOTANICAL NAME	COMMON NAME	SIZE
TREES:				
	PIN. ELD.	PINUS ELGARICA	MONDELL PINE	15 GAL.
	POD. GRA	PODOCARPUS GRACILIOR	FERN PINE	24" B./36" B.
	ROB. A. 'P.R.'	ROBINIA AMBIGUA 'PURPLE ROBE'	PINK FLOWERING LOCUST	24" BOX
	ACA. STE.	ACACIA STENOPHYLLA	SHOESTRING ACACIA	15 GAL.
PARKING & R.O.W. SHRUBS:				
	HEM. HYB.	HEMEROCALLIS HYBRIDS	DAYLILY	1 GAL.
	DIE. VEG.	DIETES VEGETA	FORTNIGHT IRIS	5 GAL.
LAWN:				
	B.M. #1	BALLFIELD MIX#1	BERMUDA / RYE MIX	HYDROSEED
SLOPE & R.O.W. SHRUBS, MULCH & GROUND COVER:				
	WOOD MULCH	DESIGNER WOOD CHIPS-50/50	COLORLED WOOD MULCH	3" MAX.
	WOOD MULCH	FOREST MULCH	WOOD MULCH	3" MAX.
	ACA. RED.	ACACIA REDOLENS	PROSTRATE ACACIA	1 GAL.
	PYR. C. 'L.'	PYRACANTHA COCCINEA 'LELLAND'	SCARLET FIRETHORN	5 GAL.
	MYO. PAR.	MYOPORUM PARVIFOLIUM	PROSTRATE MYOPORUM	1 GAL.
VINES:				
	PAR. TRI.	PARTENOCISSUS TRICUSPIDATA	BOSTON IVY	5 GAL.
NOT SHOWN				

ATTACHMENT G



GUARANTEED PERFORMANCE

EQUIPMENT LAYOUT

Cornerstone Comm. Church FB/SB
Wildomar, CA

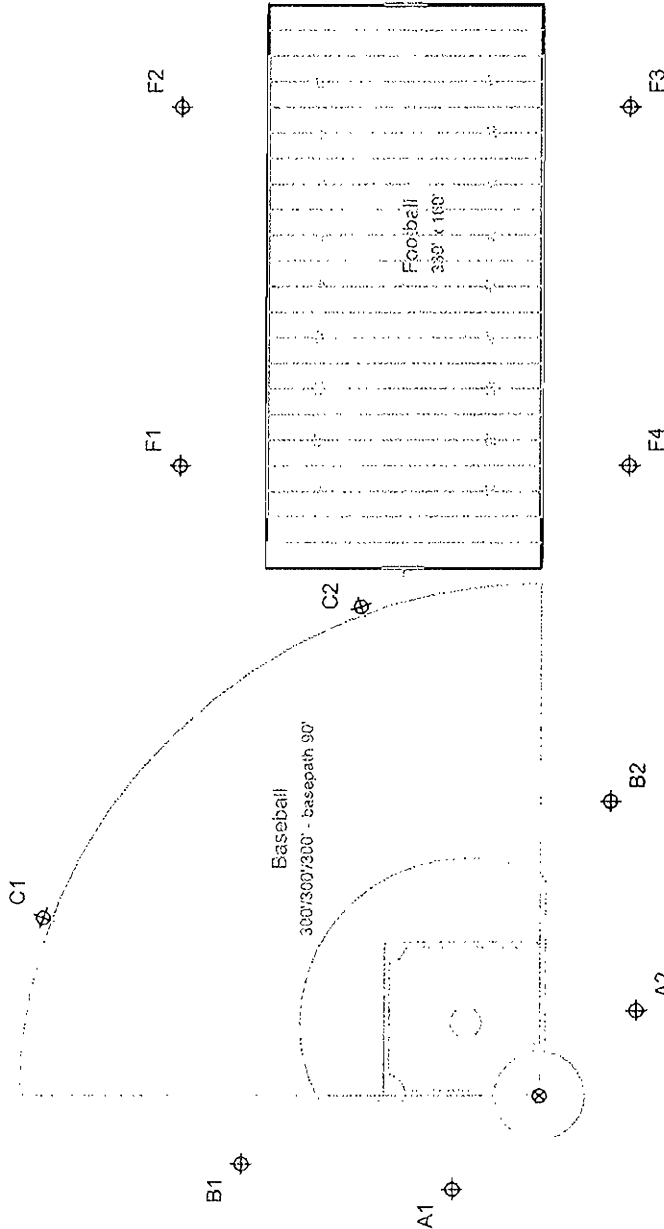
- INCLUDES:
- Baseball
 - Football

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume +/- 3% nominal voltage at line side of the ballast and structures located within 3 feet (1m) of design locations.

EQUIPMENT LIST FOR AREAS SHOWN					
Pole		Luminaires			
QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LAMP TYPE
4	A1-A2	70"	-	70"	1500W MZ
2	B1-B2	70"	-	70"	1500W MZ
4	F1-F4	70"	-	70"	1500W MZ
10	TOTALS				

SINGLE LUMINAIRE AMPERAGE DRAW CHART					
Ballast Specifications (30 min power factor)		Line Amperage Per Luminaire (max draw)			
Single Phase Voltage	120	208	220	240	277
	15.0	8.6	7.7	7.5	6.5
1500 watt MZ		15.0	8.6	7.7	7.5



By: Josh Hawk
File #: 139881
Date: 21-Jul-09

Pole location(s) dimensions are relative to 0.0 reference point(s)

SCALE IN FEET 1 : 100



EQUIPMENT LIST FOR AREAS SHOWN

QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LAMP TYPE	QTY / POLE	THIS LAMP	OTHER LUMIN.
4	A1-A2	70"		70'	1500W MZ	5	5	0
2	C1-C2	70"		70'	1500W MZ	8	8	0
6	B1-B2	70"		70'	1500W MZ	35	35	0
TOTALS								



GUARANTEED PERFORMANCE

ILLUMINATION SUMMARY

Baseball

Cornerstone Comm. Church FB/SB
Wildomar, CA

Baseball

- Size: 300'300'300' - basepath 90'
- Grid Spacing = 30.0' x 30.0'
- Values given at 3.0' above grade

- Luminaire Type: Green Generation
- Rated Lamp Life: 5,000 hours
- Avg Lumens/Lamp: 134,000

CONSTANT ILLUMINATION HORIZONTAL FOOTCANDLES

No. of Target Points:	Infield	Outfield
Average:	50.26	31.86
Maximum:	57	44
Minimum:	38	23
Avg/Min:	1.31	1.39
Max/Min:	1.48	1.93
UG (Adjacent Pts):	1.31	1.43
CV:	0.11	0.16
Average Lamp Tilt Factor:	1.000	
Number of Luminaires:	36	
Avg KW over 5,000 hours:	56.3	
Max KW:	61.2	

Guaranteed Performance: The CONSTANT ILLUMINATION described above is guaranteed for the rated life of the lamp.

Field Measurements: Averages shall be +/-10% in accordance with IESNA RP-6-01 and CIBSE LG4. Individual measurements may vary from computer predictions.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume +/- 3% nominal voltage at line side of the ballast and structures located within 3 feet (1m) of design locations.

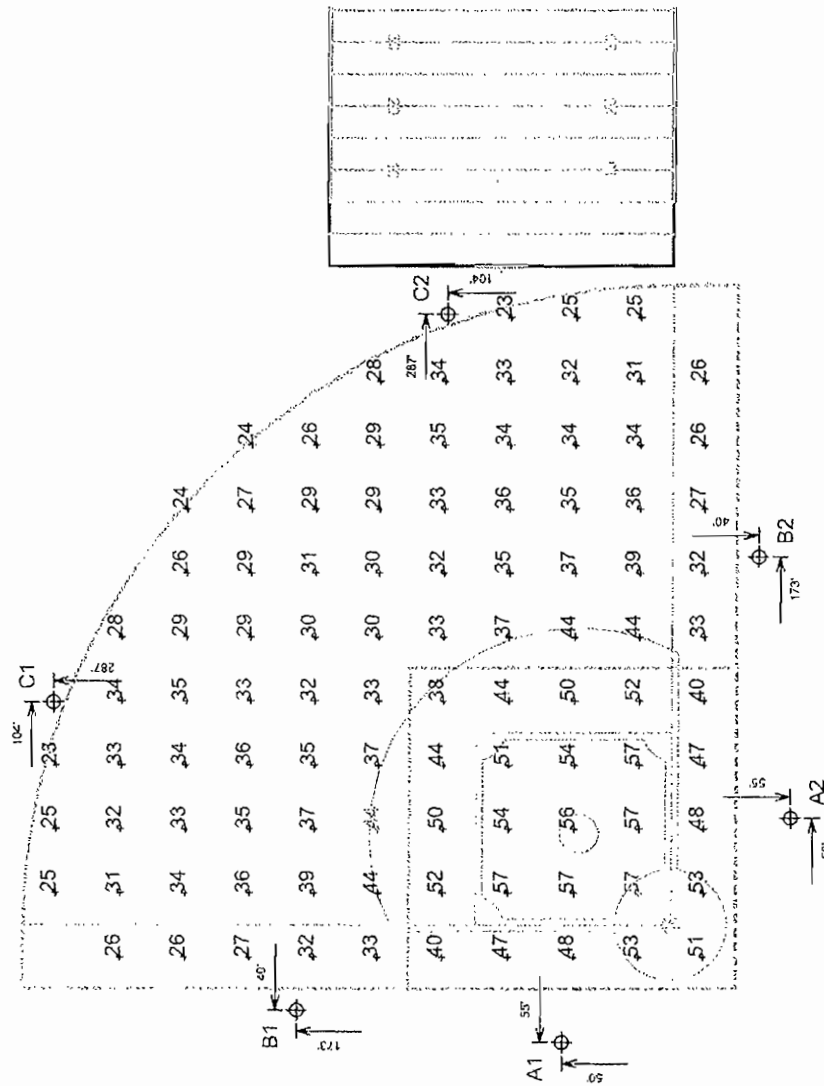
By: Josh Hawk

File #: 139881

Date: 21-Jul-09

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Print Date (21/Jul/2009) & Time (14:18)



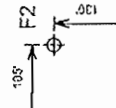
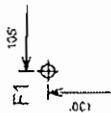
SCALE IN FEET 1:80



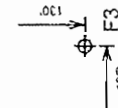
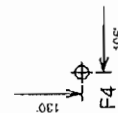
Pole location(s) dimensions are relative to 0.0 reference point(s)

EQUIPMENT LIST FOR AREAS SHOWN

Pole						Luminaires		
QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LAMP TYPE	THIS GRID	OTHER GRIDS	
4	F1-F4	70'		70'	1500W MZ	6	0	
4	TOTALS					24	0	



26	37	36	30	30	37	26
28	33	33	32	33	33	28
26	31	30	31	30	31	26
26	31	30	31	30	31	26
28	33	33	32	33	33	28
26	37	36	30	30	37	26



GUARANTEED PERFORMANCE

ILLUMINATION SUMMARY

Football

Cornerstone Comm. Church FB/SB
Wildomar, CA

Football

- Size: 330' x 160'
- Grid Spacing = 30.0' x 30.0'
- Values given at 3.0' above grade

- Luminaire Type: Green Generation
- Rated Lamp Life: 5,000 hours
- Avg Lumens/Lamp: 134,000

CONSTANT ILLUMINATION
HORIZONTAL FOOTCANDLES

No. of Target Points:	66
Average:	31.67
Maximum:	37
Minimum:	26
Avg/Min:	1.24
Max/Min:	1.47
UG (Adjacent Pts):	1.44
CV:	0.11
Average Lamp Tilt Factor:	1.000
Number of Luminaires:	24
Avg KW over 5,000 hours:	37.54
Max KW:	40.8

Guaranteed Performance: The CONSTANT ILLUMINATION described above is guaranteed for the rated life of the lamp.

Field Measurements: Averages shall be +/-10% in accordance with IESNA RP-8-01 and CIBSE LG4. Individual measurements may vary from computer predictions.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume +/- 3% nominal voltage at line side of the ballast and structures located within 3 feet (1m) of design locations.

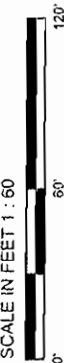
By: Josh Hawk

File #: 139881

Date: 21-Jul-09

Pole location(s) & dimensions are relative to 0.0 reference point(s) ☒

SCALE IN FEET 1 : 60



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EQUIPMENT LIST FOR AREAS SHOWN									
QTY	DESCRIPTION	SIZE	WAVELENGTH	WAVELENGTH	WAVELENGTH	WAVELENGTH	WAVELENGTH	WAVELENGTH	WAVELENGTH
4	A1-A2	70"	15000 MZ	15000 MZ	15000 MZ	15000 MZ	15000 MZ	15000 MZ	15000 MZ
2	B1-B2	70"	15000 MZ	15000 MZ	15000 MZ	15000 MZ	15000 MZ	15000 MZ	15000 MZ
4	F1-F4	70"	15000 MZ	15000 MZ	15000 MZ	15000 MZ	15000 MZ	15000 MZ	15000 MZ
10	TOTALS								



GUARANTEED PERFORMANCE

ILLUMINATION SUMMARY

Interstate Split

Compton's Comm. Church F&B

Wildomar, CA

Interstate Split

- Grid Spacing = 30.0'

- Values given at 3.0' above grade

- Luminaire Type: Crest Generation

- Rated Lamp Life: 5,000 hours

- Avg Luminaire Lamp: 134,000

CONSTANT ILLUMINATION

HORIZONTAL FOOTCANDLES

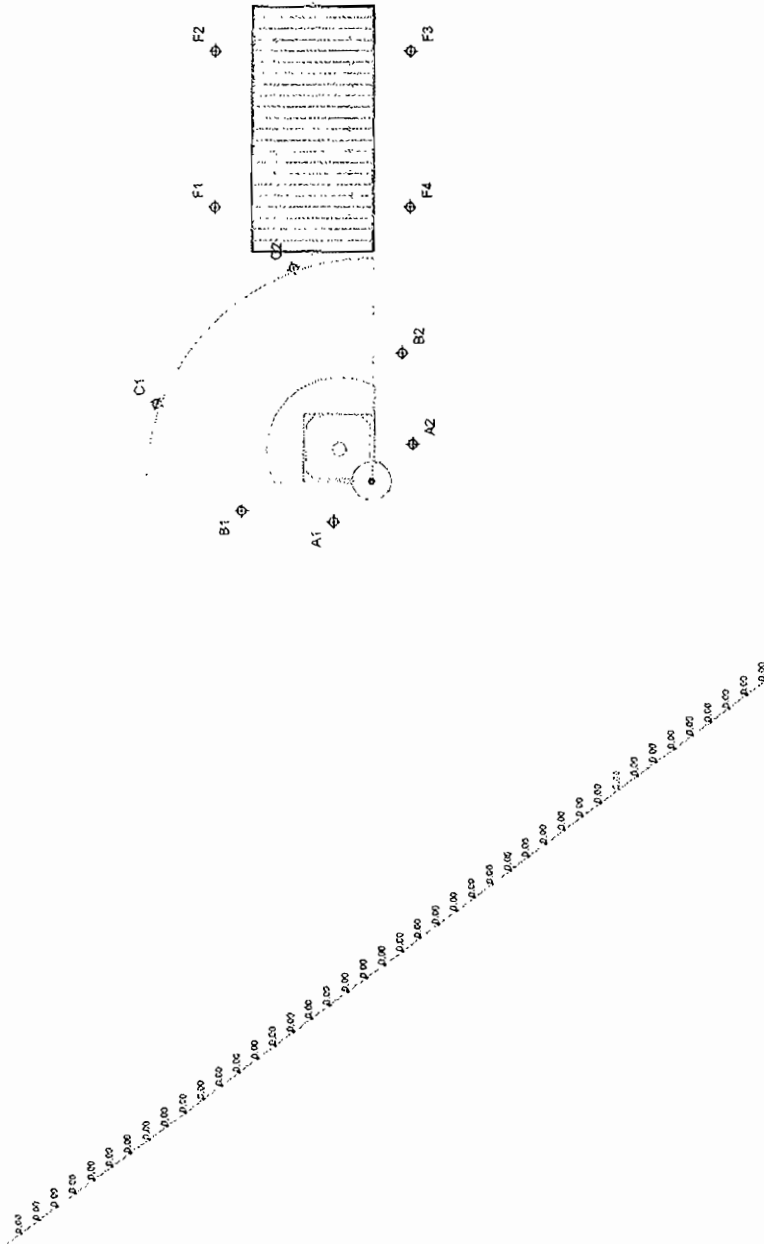
No. of Target Points:	42
Average:	0.0016
Maximum:	0.0016
Minimum:	0.000
Average Lamp Life Factor:	1,000
Number of Luminaires:	60
Avg KW over 5,000 hours:	93.84
Max KW:	102.0

Guaranteed Performance: The CONSTANT ILLUMINATION described above is guaranteed for the rated life of the lamp.

Field Measurements: Averages shall be $\pm 1.0\%$ in accordance with IESNA RP-6-01 and CIESA LCA. Individual measurements may vary from computer predictions.

Electrical System Requirements: Refer to Ampage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume $\pm 3\%$ nominal spacing at line side of the ballast and structures located within 3 feet (1m) of design locations.



By: Jeff Hawk

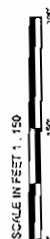
Date: 21-Jul-09

File #: 135881

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Print Date [21-Jul-2009] & Time [4:20]

SCALE IN FEET 1:150





ILLUMINATION SUMMARY

Interstate Spill
 Cornerstone Comm. Church F&SB
 Wildomar, CA

- Grid Spacing = 30.0'
- Luminaire Type: Green Generation
- Rated Lamp Life: 5,000 hours
- Avg Lumens/Lamp: 132,000

CONSTANT ILLUMINATION

MAX VERTICAL FOOTCANDLES

No. of Target Points: Entire Grid
 Average: .0018
 Maximum: .003
 Minimum: 0.01

Average Lamp Tet Factor:
 Number of Luminaires: 60
 Avg KW over 5,000 hours: 53.84
 Max KW: 102.0

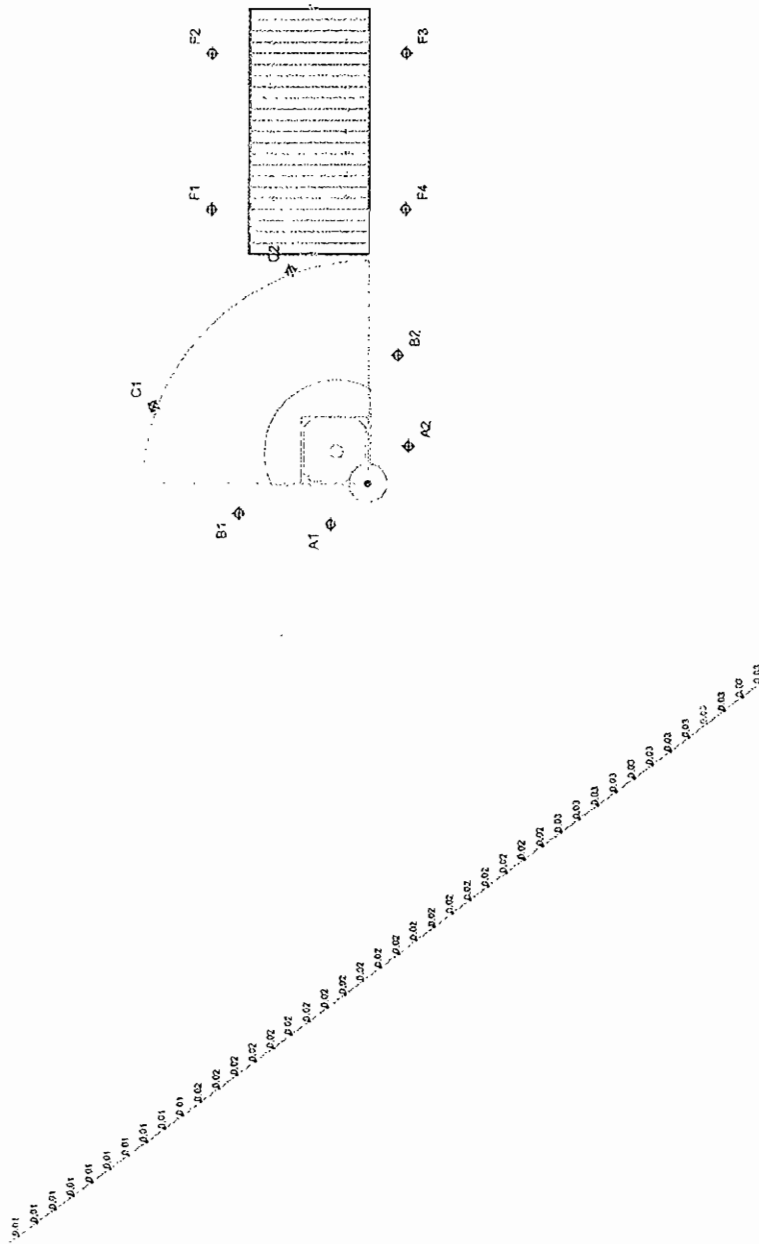
Guaranteed Performance: The CONSTANT ILLUMINATION described above is guaranteed for the rated life of the lamp.

Field Measurements: Averages shall be +/- 10% in accordance with IESNA RP-20-01 and CIESA LCA. Individual measurements may vary from computer predictions.

Electrical System Requirements: Refer to Ampage Draw Chart and/or the "Musco Control System Summary" for detailed sizing.

Installation Requirements: Results assume +/- 3% nominal voltage at the side of the ballast and structures located within 3 feet (1m) of design footcandle.

EQUIPMENT LIST FOR AREAS SHOWN					
QTY	DESCRIPTION	WATTAGE	AMPS	FEET	FOOTCANDLES
4	A1-A2	70	15.00W	5	5
2	B1-B2	70	15.00W	8	8
2	C1-C2	70	15.00W	8	8
10	TOTALS			60	60



By: Josh Hawk
 Date: 21-Jul-09
 File #: 131881

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Per: Date 01/04/2009 1:30 PM



MUSCO
GREEN GENERATION LIGHTING™

ILLUMINATION SUMMARY

Baseball

Cornerstone Comm. Church FB/SB
Wildomar, CA

150' Baseball Spill

- Grid Spacing = 30.0'
- Values given at 3.0' above grade

- Luminaire Type: Green Generation
- Rated Lamp Life: 5,000 hours
- Avg Lumens/Lamp: 134,000

CONSTANT ILLUMINATION HORIZONTAL FOOTCANDLES

No. of Target Points:	74
Entire Grid	
Average:	0.0737
Maximum:	0.15
Minimum:	0.03
Average Lamp Tilt Factor:	1.000
Number of Luminaires:	36
Avg KW over 5,000 hours:	56.3
Max KW:	61.2

Guaranteed Performance: The CONSTANT ILLUMINATION described above is guaranteed for the rated life of the lamp.

Field Measurements: Averages shall be +/-10% in accordance with IESNA RP-6-01 and CIBSE LG4. Individual measurements may vary from computer predictions.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume +/- 3% nominal voltage at line side of the ballast and structures located within 3 feet (1m) of design locations.

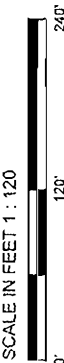
By: Josh Hawk

File #: 139881

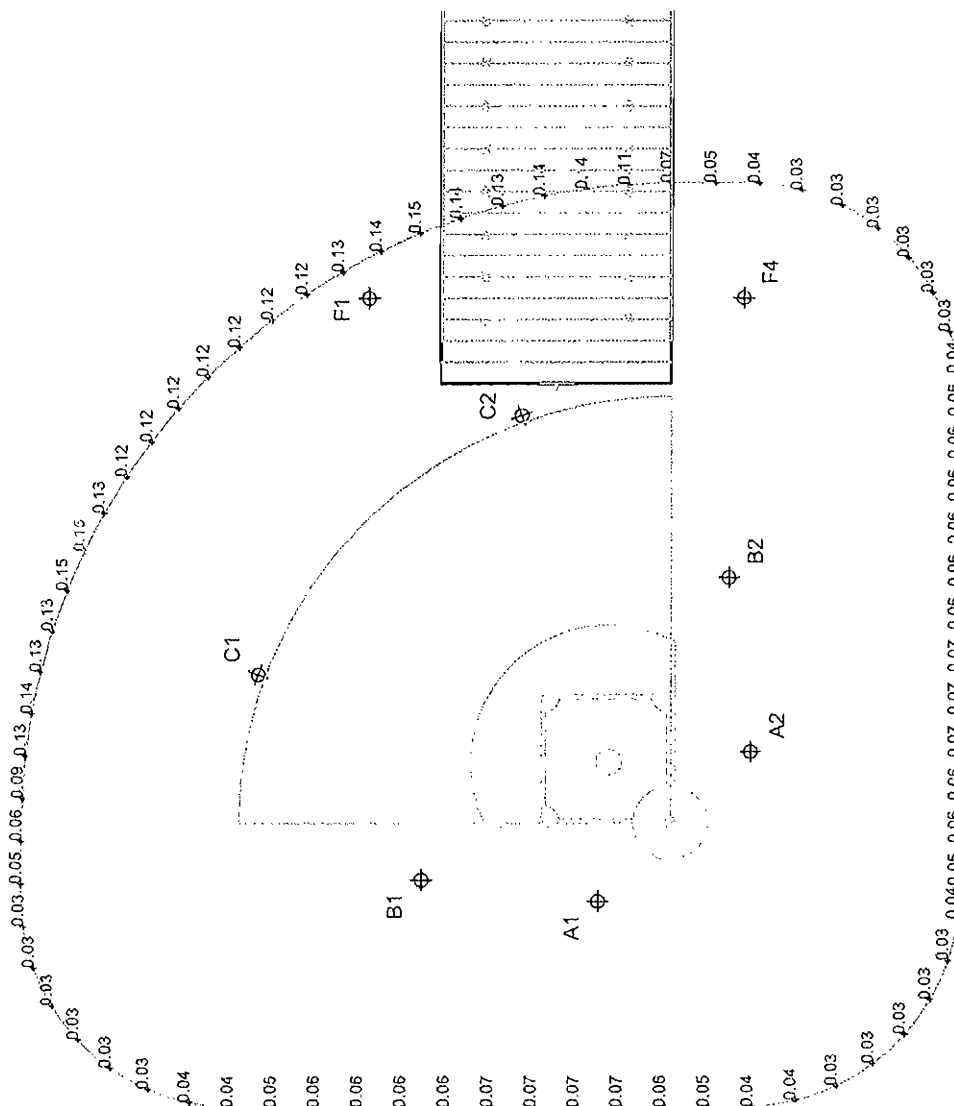
Date: 21-Jul-09

Pole location(s) ± dimensions are relative to 0,0 reference point(s)

SCALE IN FEET 1 : 120



EQUIPMENT LIST FOR AREAS SHOWN					
QTY	LOCATION	SIZE	GRADE ELEVATION	Luminaires	
				LAMP	THIS SIDE
4	A1-A2	70'	-	1500W MZ	5
2	C1-C2	70'	-	1500W MZ	8
6	B1-B2	70'	-	1500W MZ	8
TOTALS					36
					36
					0





GUARANTEED PERFORMANCE

EQUIPMENT LIST FOR AREAS SHOWN

QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	Luminaires		
					LAMP TYPE	QTY / POLE	THIS GRID / OTHER GRID
4	A1-A2	70"	-	70'	1500W MZ	5	5 0
2	C1-C2	70"	-	70'	1500W MZ	8	8 0
6	B1-B2	70"	-	70'	1500W MZ	8	8 0
TOTALS						36	36 0

ILLUMINATION SUMMARY

Baseball

Cornerstone Comm. Church FB/SB
Wildomar, CA

150' Baseball Spill

- Grid Spacing = 30.0'
- Values given at 3.0' above grade

- Luminaire Type: Green Generation
- Rated Lamp Life: 5,000 hours
- Avg Lumens/Lamp: 134,000

MAX VERTICAL ILLUMINATION

No. of Target Points: 74
Average: 0.3556
Maximum: 0.74
Minimum: 0.17

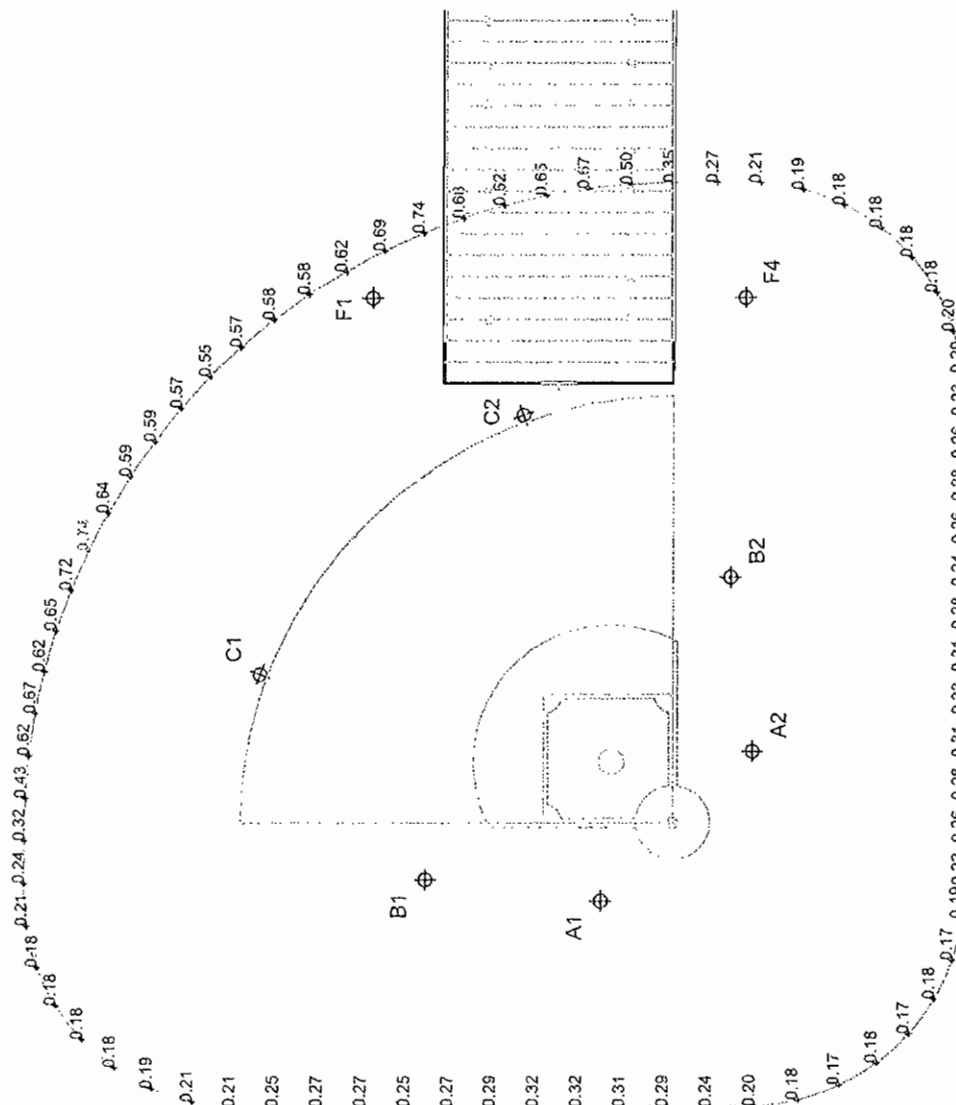
Average Lamp Tilt Factor: 1.000
Number of Luminaires: 36
Avg KW over 5,000 hours: 56.3
Max KW: 61.2

Guaranteed Performance: The CONSTANT ILLUMINATION described above is guaranteed for the rated life of the lamp.

Field Measurements: Averages shall be +/-10% in accordance with IESNA RP-6-01 and CIBSE LG4. Individual measurements may vary from computer predictions.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume +/- 3% nominal voltage at line side of the ballast and structures located within 3 feet (1m) of design locations.



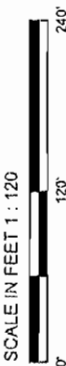
By: Josh Hawk

File #: 139881

Date: 21-Jul-09

Pole location(s) dimensions are relative to 0.0 reference point(s)

SCALE IN FEET 1 : 120



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EQUIPMENT LIST FOR AREAS SHOWN

QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	Luminaires			
					TYPE	QTY / FOOT	THIS FOOT	OTHER FOOTS
4	F1-F4	70"		70"	1500W MZ	6	6	0
4	TOTALS					24	24	0



GUARANTEED PERFORMANCE

ILLUMINATION SUMMARY

Football

Cornerstone Comm. Church FB/5B
Wildomar, CA

150' Football Spill

- Grid Spacing = 30.0'
- Values given at 3.0' above grade

- Luminaire Type: Green Generation
- Rated Lamp Life: 5,000 hours
- Avg Lumens/Lamp: 134,000

CONSTANT ILLUMINATION
HORIZONTAL FOOTCANDLES

No. of Target Points: 64
 Entire Grid
 Average: 0.0621
 Maximum: 0.10
 Minimum: 0.04

Average Lamp Tilt Factor: 1.000
 Number of Luminaires: 24
 Avg KW over 5,000 hours: 37.54
 Max KW: 40.8

Guaranteed Performance: The CONSTANT ILLUMINATION described above is guaranteed for the rated life of the lamp.

Field Measurements: Averages shall be +/- 10% in accordance with IESNA RP-8-01 and CIBSE LG4. Individual measurements may vary from computer predictions.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume +/- 3% nominal voltage at line side of the ballast and structures located within 3 feet (1m) of design locations.

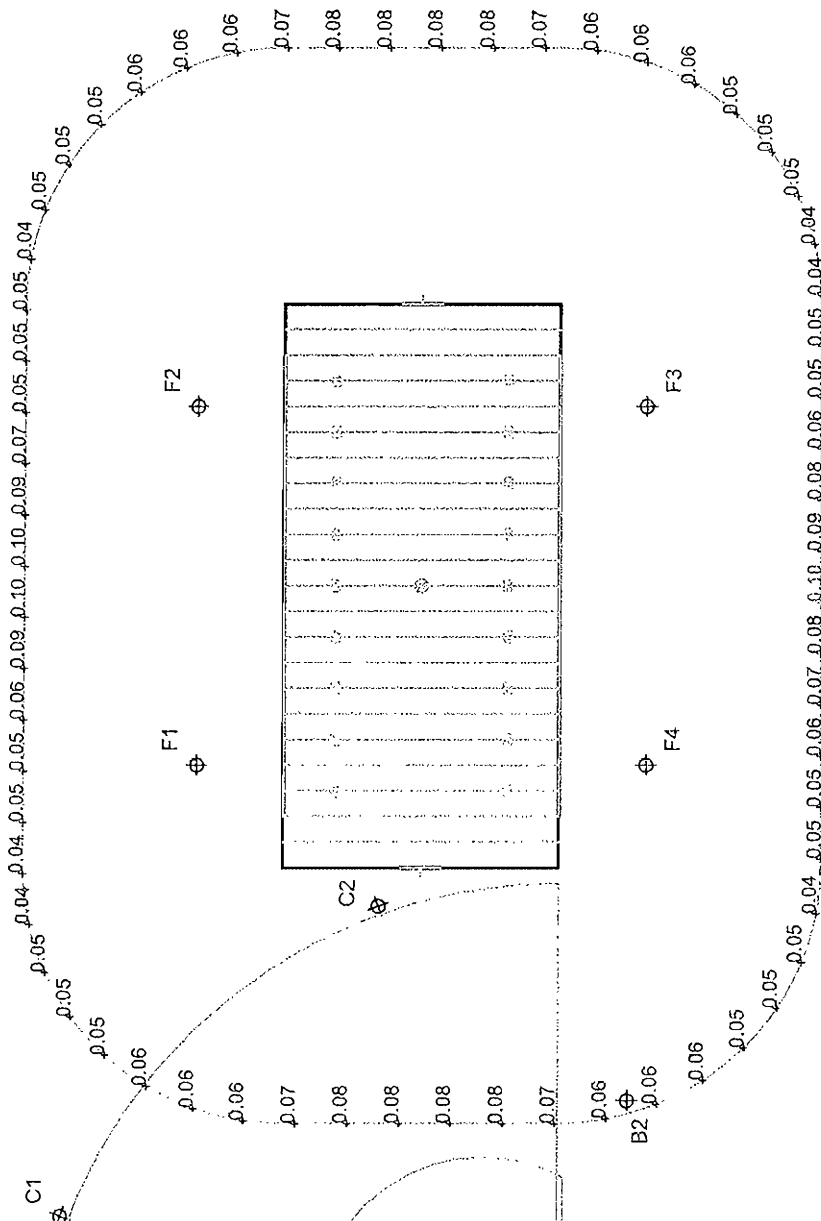
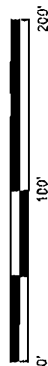
By: Josh Hawk

File #: 139881

Date: 21-Jul-09

Pole location(s) dimensions are relative to 0.0 reference point(s)

SCALE IN FEET 1 : 100



EQUIPMENT LIST FOR AREAS SHOWN									
Pole		Luminaires							
QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LAMP TYPE	QTY / POLE	THIS GRID	OTHER GRIDS	
4	F1-F4	70"	-	70'	1500W MZ	6	6	0	
4	TOTALS					24	24	0	

ILLUMINATION SUMMARY

Football

Cornerstone Comm. Church FB/SB
Wildomar, CA

150' Football Spill

- Grid Spacing = 30.0'
- Values given at 3.0' above grade

- Luminaire Type: Green Generation
- Rated Lamp Life: 5,000 hours
- Avg Lumens/Lamp: 134,000

CONSTANT ILLUMINATION MAX VERTICAL FOOTCANDLES

No. of Target Points: 64
 Entire Grid
 Average: 0.2770
 Maximum: 0.37
 Minimum: 0.23
 Average Lamp Tilt Factor: 1.000
 Number of Luminaires: 24
 Avg KW over 5,000 hours: 37.54
 Max KW: 40.8

Guaranteed Performance: The CONSTANT ILLUMINATION described above is guaranteed for the rated life of the lamp.

Field Measurements: Averages shall be $\pm 10\%$ in accordance with IESNA RP-6-01 and CIBSE LG4. Individual measurements may vary from computer predictions.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

Installation Requirements: Results assume $\pm 3\%$ nominal voltage at line side of the ballast and structures located within 3 feet (1m) of design locations.

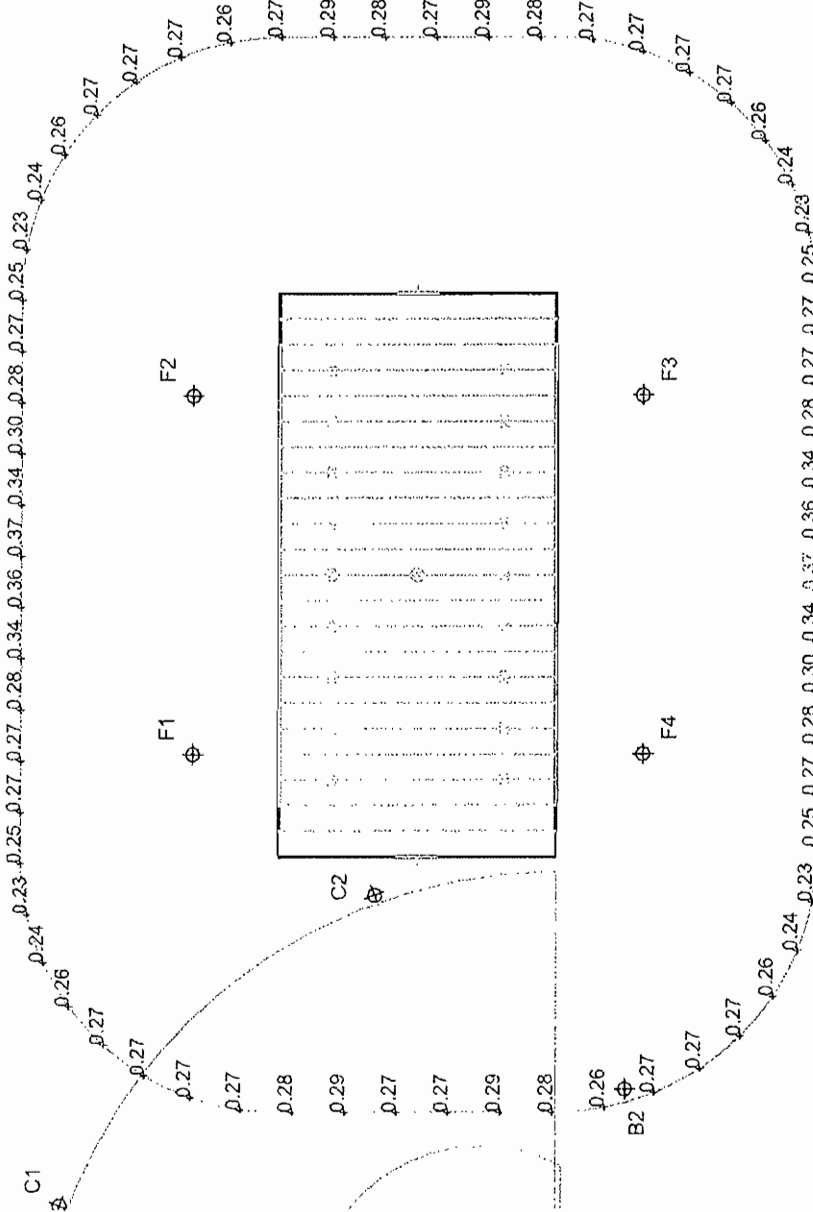
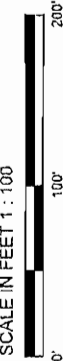
By: Josh Hawk

File #: 139881

Date: 21-Jul-09

Pole location(s) \oplus dimensions are relative to 0.0 reference point(s) \otimes

SCALE IN FEET 1" = 100'



ATTACHMENT H

**REGULAR MEETING
CITY OF WILDOMAR
PLANNING COMMISSION
September 16, 2009**

1.0 CALL TO ORDER

The regular meeting of the Wildomar Planning Commission was called to order by Planning Commission Chairman Devine at 7:00 P.M. at Wildomar City Hall, Council Chambers.

1.1 ROLL CALL OF PLANNING COMMISSION

Present: Robert Devine, Chairman
Gary Andre, Commissioner
Harv Dykstra, Vice-Chairman
Scott Nowak, Commissioner
Miguel Casillas, Commissioner

Absent: None.

Staff Present: David Hogan, Planning Director
Thomas Jex, Assistant City Attorney
Jon Crawford, Supervising Engineer
Sean del Solar, Planner

1.2 PLEDGE OF ALLEGIANCE:

Chairman Devine led the flag salute.

2.0 COMMUNICATIONS FROM THE PUBLIC:

None.

3.0 APPROVAL OF MINUTES:

Commissioner Nowak moved to approve the Minutes of September 2, 2009. The motion was seconded by Vice-Chairman Dykstra. Motion carried, the following vote resulted:

AYES: Devine, Dykstra, Nowak, Casillas, and Andre.

NOES:

ABSENT:

ABSTAIN:

4.0 CONTINUED PUBLIC HEARING ITEMS:

None.

5.0 PUBLIC HEARING ITEMS:

5.1 PUBLIC USE PERMIT NO. 778 REVISION 3 (08-0163)

Applicant: Cornerstone Community Church

Location:	34570 Monte Vista Drive, (APNs: 367-210-008, 367-210-018, 367-210-034, 367-210-035, 367-210-041, 367-210-043, 367-140-008, & 367-140-010)
Proposals:	The project proposes the construction of a 754 space parking lot expansion, and the relocation and reconstruction of athletic fields and a retention basin on a 63.01 acre site.
Environmental Action:	In accordance with the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration has been recommended for adoption.

Vice-Chairman Dykstra stated that he had a business relationship with Cornerstone Church. He then recused himself and departed the Council Chambers.

Planning Director Hogan made the staff report. He noted the errata sheets, reported on the public comments received and referenced a packet of letters provided to the Commission. He went on to acknowledge comments received from 2 agencies: the City of Menifee and the Pechanga Band of Luiseno Indians, noting the addition of Condition of Approval No. 46. Planning Director Hogan also noted that the number of special events, 85 per year, was a projection created by County Staff during a County Planning Commission meeting and not projections by the Church.

Commissioner Andre inquired about the meeting date. Planning Director Hogan responded that it was at the June 11, 2008 Hearing.

Planning Director Hogan concluded by responding to suggestions that the project required a Traffic Study. Director Hogan indicated that Staff's review of the project has found that the no new vehicle trips would be created as a result of the project. He went on to explain that further development of the site with buildings or additional parking facilities would require review and approval by the Commission.

Assistant City Attorney Jex added that while although a Zoning Code amendment has modified the approval process, those changes are not in effect yet and the project would go forward for a "Receive and File," where the City Council may vote to hear the project. He then on to state that the project may be appealed within 10 days of the Receive and File action taken by the City Council.

Chairman Devine asked for clarification on the types of applications that would require City Council approval. Planning Director Hogan responded that all Zone Changes and General Plan Amendments would go before the City Council for Final Approval.

Planning Director Hogan added that all outdoor lights on the property would be subject to the Mt. Palomar lighting ordinance.

Chairman Devine opened the Public Hearing.

Applicant Larry Markham introduced himself to the Commission.

Chairman Divine asked the applicant if he had received, reviewed and was in agreement with the Staff Report and Conditions of Approval.

Applicant Markham responded in the affirmative.

Applicant Markham asked for clarification that the locations receiving fill for must have a CEQA clearance.

Planning Director Hogan responded in the affirmative.

Applicant Markham confirmed that the Conditions requested by the Pechanga would be included in the Mitigation Monitoring Plan.

Planning Director Hogan again responded in the affirmative.

Applicant Markham introduced the project team and indicated that they were available to answer any questions of the Commission.

Commissioner Andre asked about the risk from landslides and land shearing.

Applicant Markham responded that geological studies were prepared, reviewed and approved by the County Geologist. He went on to state that the project site has very clean and stable decomposed granite soils which does not pose a significant landslide potential.

Commissioner Nowak asked if the grading could be done in such a way that the contours matched the native hillsides.

Applicant Markham responded that there were very few locations of straight line grading, noting that the majority of the grading was very curvilinear and would taper back into the natural slope. He added that the slope of 3:1 was used to eliminate the requirement of bench drains which would be visually intrusive. Mr. Markham indicated that they were open to work with Staff to further break up the north slope which is the only portion of the slope which is straight. In addition, the Applicant noted that significant native landscaping would be planted on the slopes.

Commissioner Nowak asked about a previous proposal that may have included less grading.

Applicant Markham responded that the County had requested that they explore different configurations which would require less grading. The applicant discussed the alternative configurations and the limitations of each, adding that the best configuration for the project was before the Commission.

Commissioner Nowak asked if Staff had reviewed the alternative designs. Planning Director Hogan responded that the alternative designs considered by the County lacked sufficient information in the project file for City Staff to properly analyze, however the designs appeared to provide insufficient quantities of parking. Director Hogan added that if the Commission feels that the Church could meet its need with fewer parking spaces, then they could consider a plan which would provide less parking.

Chairman Devine asked about the quantity of parking spaces needed by the church.

Applicant Markham indicated that the current plan meets the parking need and resolves both the water retention and athletic field issues.

Chairman Devine asked again if the proposed parking lot expansion would address the current need for parking or meet the future need of parking by the Church.

Applicant Markham deferred the question the Church for a response.

Cornerstone Community Church Pastor Ron Baum discussed the use of facilities and activities at the Church.

Commissioner Andre asked if the athletic fields would be available to the public. Pastor Baum indicated that Church events and programs were open to the Community and all Community members would be invited to participate.

Commissioner Andre noted that previous applications with the County did not include athletic field lighting and he inquired about the inclusion of it now.

Planning Director Hogan responded that Staff requested that lighting be added to the application because Church representatives had mentioned they might want to do this in the future and so the Commission could review the complete scope of the project.

Senior Pastor Ron Armstrong introduced himself to the Commission and responded to the questions about parking quantities needed by the church. Pastor Armstrong indicated that the size of the sanctuary was limited and that the parking lot expansion would only provide the facilities to meet the current demand of the sanctuary. He went on to describe that additional capacity was gained by adding additional services in the same sanctuary at different times of the day and week. He clarified that the proposed project would meet the long term goals of the Church and that there were no plans to expand the sanctuary.

Chairman Devine confirmed that the seating capacity in the Church was 1,064. Pastor Armstrong responded that the Church had fixed stadium style seating in the sanctuary that totaled approximately 1,064. Pastor Armstrong went on to discuss the logistics of scheduling the services so that there was adequate time between services to empty the parking lot and re-park vehicles for the next service.

Pastor Armstrong concluded by reminding the Commission that the Cornerstone Community Church represents a group of Wildomar residents and that the Church is an important part of the community.

Commissioner Casillas asked about the addition of services.

Pastor Armstrong responded that the church did not need more services, it needed additional parking.

Commissioner Nowak asked about the use of people to direct and monitor traffic at the site.

Pastor Armstrong responded that volunteers assist in directing traffic on Sundays and during large events the Sheriffs department has provided some assistance.

Commissioner Andre asked about the potential of the Church to expand service to 10,000 people.

Pastor Armstrong responded that the number of 10,000 was not possible due to the constraints of the site.

Commissioner Andre stated that he was not against the expansion of the Church but he went on to express his concerns with traffic created by grading activities during construction and future traffic in the area created by the church.

Chairman Devine began to call speakers from the audience.

Ofelia Filanc agreed with the concerns discussed by the Commission and added that she felt the project should provide a stop sign and/or signal at Mote Vista Drive.

James Filanc noted confusion about the posting procedures of the agenda. He then read a statement which discussed the neighborhood's concerns with the project. Among the concerns was objection to the length of time of grading activities, the future use of the church and the modification of the hillsides, he did however state that he was favorable to the plans to revegetate the site. Mr. Filanc also expressed concerns that the piecemealing of the project over time has violated CEQA requirements. Mr. Filanc went on to recommend that the Commission deny the project because insufficient mitigation measures have been required to address impacts to roads and air quality. Additionally, Mr. Filanc suggested that an EIR be prepared to better examine the impacts of the proposed project. Mr. Filanc concluded by asserting that a traffic study was needed to determine the impacts of the proposed project to the community's road network.

Chairman Devine thanked Mr. Filanc and indicated that the Commission was in receipt of his letter and had reviewed the issues he discussed. Mr. Filanc then distributed the statement he read to the Commission.

Mary Flores began by stating that no public notice was given for the project. She then affirmed that an EIR was needed and read section 21000 of the California Public Resources Code. Ms. Flores noted that the scope of the project had changed several times and was discussed previously at the Riverside County Planning Commission and noted that she had sent the Commission audio CD's from that earlier meeting. Ms. Flores discussed her concerns regarding size of the project, traffic congestion on the freeway, air quality, parking on Monte Vista, trails, compatibility with zoning, lighting, public use of the field and the amount of grading.

Chairman Devine responded that several of the speaker's comments pertained to past activities associated with the project and not to the current application before the Commission. Mr. Devine asked Director Hogan about the speaker's concerns raised about the public noticing for the project.

Director Hogan responded that the environmental document and staff report had each been available at City Hall for the required amount of time. Mr. Hogan concluded by disclosing that he had met with Ms. Flores to discuss the project on several occasions prior to the hearing.

Frank Roberts discussed his medical conditions and explained that his home is located on Via Carnaghi and would be completely surrounded by the church's project if approved. Mr. Roberts stated that he felt the environmental document was incorrect and discussed the lack of time for him to review the project. Mr. Roberts concluded by referencing an upcoming meeting with Pastor Armstrong.

Eric Campbell explained that runoff from the site currently is a problem. Additionally, he discussed privacy issues created by the grading and the proposed placement of the athletic fields behind his home. He also discussed concerns with traffic and suggested that a Traffic Study was needed. He also discussed concerns with grading activities. Mr. Campbell concluded by referencing an upcoming meeting with the Church which he hoped would address his concerns.

Jesus Muñoz explained his opposition to the project because it would completely surround his property and impact his privacy, safety and the use of his property. He described the problems that resulted the last time construction occurred at the Church site. He went on to explain that the project would change the setting of his property. Mr. Muñoz concluded by stating that there needs to be agreement with the project and the property owners on Via Carnaghi.

Don Stacy described the lack of recreational amenities of the community and expressed support for the project because of the amenities it would bring to the area.

Tim Anderson discussed his experiences working with delinquent youth and expressed his support for the project because of its potential to provide activities and entertainment to the community's youth.

Dave Peters discussed his involvement with the church and the positive effects on the community he has observed as a result.

Tony Dieugenio discussed his involvement in the Church and youth sports. He also described the lack of sports facilities in the community. He concluded by expressing his support for the project.

Philip Goveia spoke in support of the Church and the Project.

Wanda Jackson shared her observations that traffic on Monte Vista is often traveling very fast.

Scott Blizzard discussed his support for the project as a parent of a student attending the school at Cornerstone.

Applicant Markham returned to make closing remarks. He clarified that the project before the Commission was PUP Revision 3, which only proposed the expansion of the parking lot and the repositioning of both athletic fields and retention basins. Mr. Markham discussed the changes in the project since it was last presented to the County Planning Commission, highlighting that haul routes were shifted off Via Carnaghi and onto Monte Vista Drive. The Applicant went on to clarify that the project would not encroach into the Estate Density Residential area established by the General Plan. Mr. Markham disclosed that the County Transportation Department did not require a Traffic Study for the project because it did not propose any new buildings, nor would it generate any vehicle trips during peak hours. He went on to state that at the direction of the City of Wildomar's Public Works Department, their Traffic Engineer had conducted traffic counts at the site and concluded that the trips generated by the church are all off peak. He also added that athletic field lighting was added to the project so that the Commission could decide whether or not to allow it. The applicant summarized the street improvements the project would provide to Via Carnaghi.

Supervising Engineer Crawford added that it is unknown if a stop sign would be warranted at the intersection of Via Carnaghi and Monte Vista, but indicated that staff would evaluate the situation and if need, the Applicant would be required to install the signs. Mr. Crawford also clarified that once improved, Via Carnaghi would become a City Maintained street and ingress/egress could be restricted.

Applicant Markham then discussed the site Drainage and disclosed that the County Flood Control District and City Public Works Department had both reviewed the project and found that no drainage courses would be moved and all runoff created by the project would be detained onsite. Mr. Markham also noted that the detention basin would be designed to accommodate

the drainage created by the project and the existing developed site. He went on to state that runoff from the athletic fields would be prevented from leaving the property and would not affect the properties on Via Carnaghi. He added that the Church would be agreeable to conditions which would provide increased privacy to the homes on Via Carnaghi and that the athletic field lighting would be shielded and directed down as to not illuminate surrounding properties. Mr. Markham recognized the problems with wildlife and vermin during grading activities and indicated that they would be agreeable to implementing a vermin abatement program prior to the issuance of a grading permit. The applicant then described the construction as phased beginning with the athletic fields. After the athletic fields were constructed, the current fields could be converted into drainage basins and construction on the parking lot expansion could take place. Mr. Markham then responded to several questions raised during the hearing noting that no restrooms would be provided on the athletic fields, the church utilizes a Septic System which the County Department of Environmental Health certified and approved, and danger posed by the high fire hazard area is moot as the project does not propose any structures and would be providing irrigated landscaping. Lastly, the Applicant stated that the Church could not control the speeds on Via Carnaghi but would be agreeable to work with the Public Works Department to design a road which could minimize speeds. Applicant Markham stated that they were agreeable to the CEQA document and felt it did mitigate all the impacts of the project to a level of insignificance. He concluded by stating that the Church has been and will continue to work with residents to address their concerns with the project. Mr. Markham then made himself available to answer questions from the Commission.

Commissioner Andre stated that the project's impacts to the roads need to be studied and suggested that a Traffic Study needs to be completed. He then stated that he calculated the total linear feet of trucks required for grading activities to be 3 million feet or 568 miles. He also stated that he calculated that a truck would leave the site every 4 minutes and 13 seconds.

Chairman Devine asked Commissioner Andre if he had a question for the Applicant.

Commissioner Andre then asked the applicant how he would alleviate the impacts to the roads.

Applicant Markham asked for clarification on what was meant by impacts.

Commissioner Andre responded that he was referring to the impacts created by trucks hauling materials during grading activities.

Applicant Markham responded that he would need to obtain a haul permit from the City of Wildomar Public Works Department, the City of Menifee and the County of Riverside. Mr. Markham explained that the haul permits will have requirements limiting how the trucks enter/exit the road; clean-up spilled materials and repair damages to the roads adding that the applicant would be responsible for fixing the road should damages occur. The applicant went on to explain that the haul route permits would be obtained as fill sites were identified and approved, adding that two sites were already identified and approved in the cities of Menifee and Murrieta.

Commissioner Andre inquired about traffic impacts created by the trucks moving fill materials.

Applicant Markham responded that the traffic issues from the project had been studied and that the impacts would be inconsequential when considered with the system wide capacity, citing that there would be no decrease to the Level of Service at any of the surrounding intersections.

Commissioner Andre clarified that he was referring to future impacts to traffic created by the project.

Applicant Markham responded that if the project is not approved, the church site would remain unchanged and continue to utilize the site as it currently does. He went on to note that building the parking lot expansion would not change the number of vehicle trips already generated by the church.

Commissioner Andre asked about widening Monte Vista Drive to 4 lanes to Baxter Road.

Applicant Markham responded that there was no nexus to those improvements.

Commissioner Andre stated that he observed that there were problems with traffic.

Chairman Devine asked about the routes trucks would take in and out of the property.

Applicant Markham responded that an agreement with the property owner to the north has allowed them to haul across his property enabling direct access to Monte Vista Drive. After the hauling operations have completed, the temporary road would be restored to its previous natural state.

Chairman Devine asked about taking ingress from Monte Vista Drive through the Church and providing egress on Via Carnaghi for normal church activities.

Applicant Markham deferred the question to one of the Church Officials.

Chairman Devine referenced a letter from the City of Menifee and asked the applicant about potential routes.

Applicant Markham responded that if the trucks needed to access I-15, they would most likely travel south on Monte Vista and onto Baxter Road. Mr. Markham also discussed the possibility of transporting fill material to the nearby Wal-Mart project.

Pastor Armstrong indicated that ingress/egress from the Church was currently about evenly split between Via Carnaghi and Monte Vista Drive. He went on to state that they were open to any preference by the City to dedicate ingress and egress routes for the church. Pastor Ron went on to state that it was the Church's belief that the parking lot expansion was necessary to protect the safety of parishioners.

Chairman Devine closed the Public Hearing.

Commissioner Andre stated that he had observed the traffic problems which occur at the site when an event is underway and that a Traffic Study was necessary. He went on to state that his other issue with the project was related to road damage caused by trucks hauling fill materials from the site.

Chairman Devine acknowledged the road maintenance issues and the limited resources of the City.

Commissioner Nowak asked how the conditions of the roads utilized in haul routes would be documented and how damages would be traced to the trucks hauling materials from the project.

Supervising Engineer Crawford responded that several strategies or equipment could be used to prevent impacts, such as scales to prevent the overfilling of trucks and temporary traffic signals. He went on to explain that a bond would need to be posted to prior to the approval of a haul route. Surveys of the condition of the pavement before and after the project construction would be conducted to determine the effect of the hauling activities on the roads. Restrictions would also be put in place to prevent the trucks from using certain roads during peak hours. Engineer Crawford suggested that conditions could be added which would shut down the operations if trucks are tagged by Code Enforcement and/or the Sheriff's Department.

Commissioner Nowak asked if all the Right-of-Way had been acquired for Via Carnaghi or if additional land would need to be dedicated.

Supervising Engineer Crawford responded that currently the road was dedicated but not accepted for maintenance.

Commissioner Nowak asked if a condition could be added to keep a dialogue open between the church and the neighbors.

Director Hogan responded that he had conceptualized a draft condition that would require the project to submit a privacy plan prior to the approval of the landscape plan for the athletic fields. The plan would be required to protect the privacy of residents along Via Carnaghi.

Commissioner Nowak asked about the approval process for the plan.

Director Hogan responded that it would be approved by the Planning Department but that it would be shared with the property owners.

Commissioner Nowak added that he wanted to see safer conditions for traffic.

Pastor Armstrong stated that the project had already been conditioned to provide improvements to Via Carnaghi. He added that City Staff already had examined the project and would monitor the construction.

Chairman Devine acknowledged the safety concerns relating to the current parking and traffic situations at the Church. He went on to express his concerns with keeping the Church engaged in discussions with the residents on Via Carnaghi so that their concerns are properly addressed.

Pastor Armstrong stated that the condition posed by Director Hogan appeared to be sufficient to address the concerns of the Commission.

Commissioner Casillas stated that ideally he would like to see some agreement between the church and the neighbors.

Commissioner Nowak asked how the City could get the two parties together.

Director Hogan explained the complexity of Commissioner's Nowak's question. Mr. Hogan went on to ask about the specific issue that the Commission was concerned about.

Chairman Devine indicated that the issue was protecting the privacy of the residents on Via Carnaghi.

Pastor Armstrong responded that the Church was in agreement with the proposed condition requiring the approval of a privacy plan and reminded the Commission that the City was in a position where it could deny the advancement of the project at any point should any aspect of the project violate the terms and conditions of approval.

Director Hogan added that there would be flexibility in the grading permits to ensure that Staff has the ability to correct any problems that occur during the process. Mr. Hogan went on to explain that limiting the hours of operation is a good start to prevent truck traffic during peak hours.

Supervising Engineer Crawford added that traffic flow impacts caused during construction could be addressed, however because the proposed parking lot expansion would not construct buildings, there would be no nexus to required additional traffic mitigation.

Chairman Devine inquired about traffic created during construction.

Supervising Engineer Crawford responded that the haul route permits would address the impacts created during construction. He added that traffic associated with construction activities generally does not significantly impact the road network and he discussed how the haul route permits would mitigate impacts.

Chairman Devine discussed the written communications received about the project and added that he believed he had heard sufficient evidence that the project had been designed in such a way to address the concerns of the public. He went on to explain that the only outstanding issue with the project was the potential damage to the roads from construction vehicles, however bonding that would be required to secure permits appeared to address that issue.

Commissioner Andre stated that he had observed the traffic and explained that it was a problem. He also stated the need of a four-way stop at Baxter Road and Monte Vista Drive. Mr. Andre indicated that he understood that the scope of the project would not have traffic impacts, however he explained that the traffic was a problem and suggested that the item should be continued until more specific information was available on the project. He went on to discuss traffic problems on Bundy Canyon Road.

Commissioner Nowak clarified that the parking lot expansion would not increase the capacity of the church and would thus not change the number of parishioners.

Chairman Devine noted that it would create construction traffic.

Commissioner Nowak agreed with Chairman Devine and added that the traffic impacts created during construction would be mitigated in the Public Works permitting process for the grading and hauling.

Chairman Devine agreed with Commissioner Nowak and also recognized the need for the project. He went on to state that he felt the impacts of the project would be mitigated with the Public Works permitting process. Mr. Devine also stated that he hoped the neighbors and the Church could meet and find consensus on the issues surrounding the construction of the project such as the location of truck staging. He then asked if a member of the Commission wanted to make a motion.

Assistant City Attorney Jex clarified that a vote on the project would begin with the environmental document and then proceed to the PUP revision. He also noted that there were several conditions of approval which had been discussed and that a motion would need to include those additional mitigation measures.

MOTION: Commissioner Nowak motioned to approve resolution PC09-019 adopting Mitigated Negative Declaration number 08-0163 as amended with the errata sheet. The motion was seconded by Commissioner Casillas. Motion carried, the following vote resulted:

AYES: Devine, Nowak and Casillas.

NOES: Andre

ABSENT:

ABSTAIN: Dykstra

MOTION: Commissioner Nowak motioned to approve resolution PC09-020 approving the Third Revision to Public Use Permit 778 (08-0163) as amended with modifications to conditions of approval 30 through 35, 46 and at the suggestion of the Planning Director, added the following Condition of Approval: Prior to the approval of any landscape plans for the athletic fields, the applicant shall submit a plan to the Planning Department demonstrating how visual and privacy effects on the residential properties on the east side of Via Carnaghi are addressed; this plan shall be shared with the affected property owners for their review and comment. The motion was seconded by Commissioner Casillas. The motion carried, and discussion ensued.

Commissioner Andre asked if the athletic field lighting was included in the motion to approve.

Commissioner Nowak indicated that it was.

Commissioner Andre stated that there were issues with the lighting and that he felt that the issue should be removed from the motion and discussed further.

Commissioner Nowak responded that Staff would address the lighting and privacy concerns through the permitting process and with the Privacy Plan.

Commissioner Andre suggested that the lighting be separated from the motion and addressed separately.

Commissioner Nowak asked for clarification if the motion he introduced would inhibit Staff's ability to modify the lighting should it conflict with the privacy plan or create unforeseen problems.

Director Hogan responded that the approval in the motion would allow the Church to put in the lighting but not specify an exact location or design. The exact location and design of the lighting would be approved by Staff prior to the issuance of a Building Permit. At that time, privacy and other issues would be considered before approval by Staff.

Commissioner Andre indicated that he understood, but stated that if the project was approved, the Church would not continue working with the neighbors to address their problems.

Commissioner Nowak disagreed.

Assistant City Attorney Jex clarified that the motion to approve had not been modified.

Chairman Devine asked Commissioner Andre if he wanted to amend the motion.

Commissioner Andre stated that he did not have a problem with the project but that he would like to have the lighting removed.

Chairman Devine asked the Applicant how many outdoor events would occur past eight o'clock at night.

Pastor Armstrong responded that events taking place in summer past eight would not require the use of the athletic field lighting and speculated that there would be far fewer than 85 events per year at the athletic fields.

Commissioner Nowak inquired about the weekly frequency of events.

Pastor Armstrong indicated that there would be football games on Friday nights and occasionally a late practice. He also indicated that they would be open to requirements by the City to limit the use of the lighting. He then disagreed with Commissioner Andre about the Church not continuing to negotiate with its neighbors.

Commissioner Andre stated that he had two issues with the project which were traffic and lighting.

Pastor Armstrong responded that the church members were members of the community and that they generated traffic.

Commissioner Andre stated that the issue was traffic mitigation.

Pastor Ron responded that the church was open to operational limitations on the lighting and indicated that he was in agreement with Staff's recommendation of turning off the lights by 10 PM.

Commissioner Nowak agreed that a 10 PM cut off was reasonable and that he did not want to amend his motion.

Pastor Ron then asked for clarification that there was a motion and a second on the floor.

Assistant City Attorney Jex responded in the affirmative and added that the motion included changes outlined in the errata sheet and the condition suggested by the Planning Director.

Chairman Devine asked if the amendments included removing the approval of the athletic field lighting.

Assistant City Attorney Jex responded that the motion maker had declined to remove the approval of athletic field lighting from the motion.

Chairman Devine asked for clarification about the use of the lights during the dark months of the year.

Pastor Armstrong responded that there were 7 dark months during the year. He also indicated that the Church would be open to limiting the operation of the lighting to certain times or days of the week.

Chairman Devine again asked for clarification about the use of the lights during the dark months of the year.

Applicant Markham stated that the privacy plan would address the usage of the athletic field lighting and mitigate any problems. He went on to explain that the privacy plan amendment proposed by the Planning Director would address the issues.

Commissioner Andre indicated that he was satisfied with that applicant's response.

Planning Director Hogan added that the Condition was designed to be a performance based condition that would allow the applicant flexibility to completely address any problems created by the athletic field lighting. He went on to add that it would also allow Staff to work with the neighbors and the developer.

Commissioner Nowak added that he felt the Commission had clearly stated their concerns about privacy and lighting to Staff during the meeting.

Applicant Markham indicated that they also understood the Commission's concerns and that they were satisfied with the condition.

Assistant City Attorney Jex asked the Applicant for confirmation that they agreed to the conditions of the project.

Applicant Markham agreed.

Chairman Devine called for a vote.

The following vote resulted from the motion:

AYES: Devine, Andre, Nowak and Casillas.

NOES:

ABSENT:

ABSTAIN: Dykstra

City Attorney Jex clarified that the vote was 4-0 with one abstention.

Chairman Devine responded in the affirmative. He then requested that Vice-Chairman Dykstra return to the Council Chambers.

6.0 GENERAL BUSINESS ITEMS:

None.

7.0 ADMINISTRATIVE HEARINGS REPORT:

None.

8.0 PLANNING DIRECTOR'S REPORT:

None.

9.0 PLANNING COMMISSION COMMENTS:

None.

10.0 ADJOURNMENT:

The September 16, 2009 regular meeting of the Wildomar Planning Commission adjourned at 10:38 P.M.

Respectfully submitted:

David Hogan
Commission Secretary

ATTACHMENT I



OCT 02 2009

CITY OF WILDOMAR

23873 Clinton Keith Road

Wildomar, CA 92595

Tel. (951) 677-7751 Fax. (951) 6981463

For office use only.

Project Account Number

APPLICATION FOR APPEAL

In accordance with City of Wildomar Municipal Code Section 17.192.070, an appeal may be filed within 10 days after the notice of decision is made on an associated application. The appeal application must be accompanied by the applicable fee deposit as set forth in City of Wildomar Ordinance No. 671 along with the required Public Hearing Notice Label requirements.

APPEAL INFORMATION

Appeal of Application Case No(s):

REVISION #3 TO #08-0163 PUBLIC USE PERMIT NO. 778 AND ACCOMPANYING MITIGATED NEGATIVE DECLARATION

Appealing the Decision of (specify Director of Planning, Director's Hearing, or Planning Commission) and Decision Date:

DECISION OF THE PLANNING COMMISSION AS "RECEIVED AND FILED" BY THE CITY COUNCIL,

Please state the basis for the appeal and include any supporting evidence if applicable (please attach additional sheets if necessary).

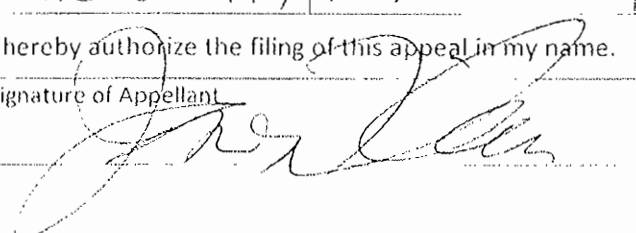
ASSESSORS PARCEL NUMBERS: 367-210-008; 367-210-018; 367-210-034; 367-210-035; 367-210-041; 367-210-043; 367-140-008; and 367-140-010.

REASONS FOR APPEAL

The environmental documents for the proposed project are inadequate. There exists a fair argument that there will be significant impacts on the environment particularly, but not limited to, aesthetics, traffic, land form, land use, air quality, global climate change, noise, and water quality. Additionally, there were procedural deficiencies in the environmental review in that the environmental documents were not submitted to the state clearinghouse, were not submitted to neighboring jurisdictions that would be effected by the project and findings were not supported by substantial evidence.

ALSO, SEE ATTACHED LETTER.

APPELLANT CONTACT INFORMATION

Name		
JAMES FILANC		
Mailing Address		
P.O. BOX 324 WILDOMAR, CA 92595		
Telephone	Fax	Email
(951) 678-2494 ()		JIM@RACINGFORLIFE.ORG
I hereby authorize the filing of this appeal in my name.		
Signature of Appellant		Date
		10/2/2009



OCT 02 2009

CITY OF WILDOMAR

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APPELLANT CONTACT INFORMATION

Name

JAMES FILANC

Mailing Address

P.O. BOX 324 WILDOMAR, CA 92595

Telephone

(951) 678-2494 ()

Fax

Email

JIM@RACINGFORLIFE.ORG

I hereby authorize the filing of this appeal in my name.

Signature of Appellant

Date

10/2/2009

October 2, 2009

OCT 02 2009

Honorable Mayor and City Council
City of Wildomar
Attn: Debbie Lee, City Clerk
23875 Clinton Keith Road
Wildomar, CA 92595

Dear Ms. Lee:

We have filed this appeal to respectfully request the City of Wildomar reconsider the approval granted on September 16th of PUP 778 3rd Revision, Cornerstone Church. This appeal is both for procedural and substantive grounds which are described later in this letter.

We are requesting this project be returned to staff to supplement the project description with additional information (such as destinations for all hauled dirt, within the City of Menifee and elsewhere), extraterritorial traffic studies, long term traffic studies, and expanded air quality analysis. This additional information may result in a revised Initial Study and either recirculation of more appropriate Mitigated Negative Declaration (MND) and mitigation and monitoring plan or preparation of a focused EIR.

As matters now stand, Wildomar has approved a project which requires the removal of 700,000+ cubic yards of dirt, resulting in 116 semi-truck-trips per day over a 2-year period into Menifee. We were not provided with legally adequate or appropriate notice of Wildomar's intent to adopt the MND for the project. We have subsequently found that the project description does not address all facets of impact of dirt hauling may have and that there are not mitigations for traffic and road damage for hauling the 700,000+ cubic yards of dirt to potential receiving sites within a ten mile radius, including within the City of Menifee and elsewhere or for traffic and road damage for transporting the 700,000 cubic yards of dirt through the City of Wildomar, the City of Menifee or other recipient locations. Furthermore we have found that the project description does not adequately address the applicant's long term growth plans, including the immediate and future impact on traffic along Monte Vista, Baxter Road and Bundy Canyon Road. There is also no description of how the cost of future improvements along Monte Vista, including road widening, and required signaling at Monte Vista's intersection with Bundy Canyon Road and Baxter Road, will be paid by/apportioned to the applicant based on the proportional traffic impact as determined by such a formal traffic study.

We are quite concerned about the truck trips along Monte Vista, Baxter Road and Bundy Canyon Road, and where the dirt will eventually be hauled, as well as the traffic impacts on these roads and the citizens who use these roads which could carry the truck traffic. Two examples are Scott Road and Newport Road. Either could be used to reach the destination for 300,000 cubic yards of dirt near Lindenberg and Simpson, which has been identified in staff reports and supplemental materials. Even the casual observer knows these roads have traffic delays and delays. Both roads have been recently upgraded or in the process of reconstruction, and it would be a tremendous fiscal impact to the City of Menifee to repair these newly constructed roads after the haul project has been completed. Another example is Bundy Canyon Road which has been cited as having severe traffic safety issues and is the

subject to possible speed zone changes to improve traffic safety. The burden of added truck haul traffic would only compound the traffic safety issues.

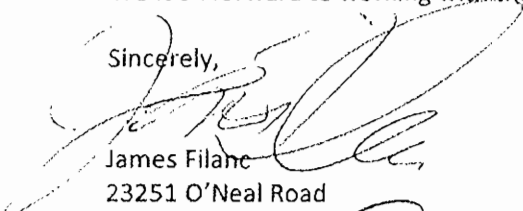
We did not receive adequate or appropriate notice of the pending MND and were not able to participate in any of the discussions regarding haul routes or related issues. For the record, the City of Wildomar noted that the City of Menifee also did not receive adequate notification. We believe that the citizens of Wildomar working together with Wildomar's city leaders and the project applicant, can reach a solution which allows the project to proceed and the harmful impacts to Wildomar's roads and traffic to be mitigated before they occur. We cannot achieve this same result simply by having Menifee banning truck traffic within its city limits as suggested by Mayor Farnham. Rather than leaving such mitigations to future determination by Wildomar, these mitigations should be addressed in the conditions of approval and could take the form of advance financial payments, agreed-upon truck destinations and haul routes for 100% of the excavated soil, hours of hauling, and so forth. In addition, by requiring the applicant to disclose its long term growth plans as part of the project description and incorporating these plans into a traffic study, the real impact and road improvements on the adjacent roadways can be properly assessed and the applicant required to pay for its proportionate share of these improvements as a condition of approval.

Attached are the formal appeal form and the technical explanation of the appeal. We request that Wildomar correct and expand the conditions of approval as to the extraterritorial hauling of dirt, including proceeding with an environmental review, up to and including an EIR for air quality and traffic impacts.

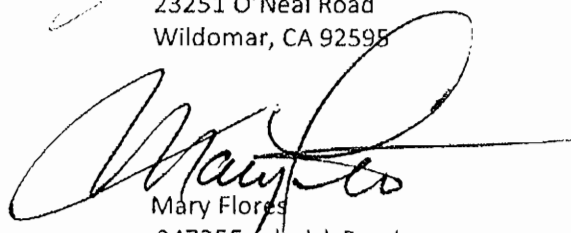
In addition, we are including with the appeal, the required appeal fee of \$964. We are formally requesting, that in the event the City of Menifee files and proceeds with its own appeal (on essentially identical grounds), that the City of Wildomar return 50% of this application fee to both Menifee and us as this would be consistent with public policy that these fees have been set to cover actual costs. Otherwise the City of Wildomar would be receiving double fees for essentially the same services done just once.

We look forward to working with the City of Wildomar to resolve this issue.

Sincerely,



James Filant
23251 O'Neal Road
Wildomar, CA 92595



Mary Flores
34735 Frederick Road
Wildomar, CA 92595

6.11.09 2009

FROM: James Filane, Wildomar resident
23251 O'Neal Road
Wildomar, California 92595

RE: Wildomar City Case PUP778, Revision 3

APPEAL

On September 19, 2009, the City of Wildomar Planning Commission approved Public Use Permit No. 778 Revised Permit No. 3 to expand the parking lot of the existing Cornerstone Church to provide for 764 additional parking spaces (for a total of 1,130), relocate an existing baseball field and soccer field and provide a detention basin. There has been no environmental review for the prior two expansions which were handled by the County of Riverside before Wildomar's incorporation.

At the Wildomar City Council meeting of September 24, 2009, the city council was given two options: 1) Receive and file; or 2) Determine that the matter should be reviewed by the city council and set for public hearing. Several of us, as immediate neighbors to the Cornerstone Church, attended this meeting, spoke our concerns, and asked that the matter be heard by city council. Also, Wildomar Planning Commissioner Andre expressed very real concerns. Yet the city council voted 3-2 to receive and file. This action forces the matter to be appealed if any further action is to be contemplated.

Issues for Wildomar's Consideration

Circulation of Mitigated Negative Declaration (MND):

A MND must have a 20-day review period unless the project is one with regional significance, in which case there is a 30-day review period so that the MND may go through the state clearinghouse. In this case, there is an argument that the MND should have been sent to the State Clearinghouse because of the admitted impact on interchanges on the I-215 from trucks hauling dirt to neighboring venues, which gives the project statewide implications. 14 CCR Sections 15073 and 15208

Substantive Issues

- A. **The project description is not complete.** = The project description did not include the information that up to an additional 400,000 cubic yards of dirt would have to be hauled away from our Wildomar neighborhood through Monte Vista Road.
- B. **The MND delays environmental assessment of traffic impacts to a future date in violation of CEQA.** = The Initial Study states: "Prior to the initiation of any grading activities, the Planning Director and City Engineer shall determine if additional environmental analysis is required for the

proposed haul component. No haul permit shall be issued with the prior approval of the Planning Director. The applicant shall obtain a haul route permit with a traffic control plan from the City Engineer. During construction activities, the traffic flow will be maintained to the highest level possible with the use of standard traffic control devices. . . At the City Engineer's sole discretion, additional mitigation measures or restrictions may be applied to the project to minimize impacts to the surrounding community. Additional environmental analysis will be required if the potential impacts exceed the impacts identified in this initial Study." (Initial Study, p. 50) Condition 45 to Wildomar's approval of the MND, pertaining to grading, required the applicant to obtain approval for the import/export location from the City of Wildomar and the associated haul route(s) prior to obtaining grading or haul permits. The haul route permit for the hauling of material to and from the project site "will include limitations of haul hours, number of loads per day, and the posting of traffic control personnel at all approved entrances/exits onto public roads. . . Prior to the issuance of the grading or haul permit, the Planning Director shall review the proposed import sites and haul routes to determine if a new or modified environmental assessment is required.

- C. **This condition improperly delays mitigation** = Courts repeatedly have held that delaying environmental assessment to a future date "runs counter to that policy of CEQA which required environmental review at the earliest feasible stage in the planning process." Here are a few examples:

(Sundstrom v. County of Mendocino (1988) 202 Cal.App. 3d 296, 306-07) In Sundstrom, the county granted a use permit for a private sewage treatment plant based on a negative declaration ("ND"). (Id. At p. 301-03). The use permit included conditions requiring the applicant to obtain hydrological studies analyzing the effect of the project on "adjacent sewage disposal systems and surface and ground water hydrology", and then to mitigate any effects identified in the studies. The court held that requiring the applicant to adopt mitigation measures recommended in a future study directly conflicted with CEQA. (Id. At pp. 306-07).

Gentry v. City of Murrieta (1995) 36 Cal.App.4th 1359, involved the approval of a residential development based on an MND. (Id at p. 1367). The court held that one condition of project approval improperly deferred the formulation of mitigation by allowing the developer to obtain a biological report regarding the Stephen's kangaroo rat, and comply with any recommendations in that report. Id. At p. 1396).

- D **The MND and conditions admit that extraterritorial mitigations are required but do not provide a mechanism for such mitigation.**

City of Marina v. Board of Trustees of the California State University Here, the Board decided to certify an EIR even though remaining, unmitigated extraterritorial effects existed because it claimed mitigation was not feasible for various reasons. (39 Cal.4th 341, 356-58). The court rejected these contentions, holding the Board could not

disclaim responsibility for measures necessary to mitigate the project's off-campus environmental effects, and their certification of the EIR despite its failure to mitigate was an abuse of discretion. (Id). The court also noted that even though financial contributions to mitigation measures may sometimes be sufficient, "some mitigation measures cannot be purchased, such as permits that another agency has the sole discretion to grant or refuse." (Id. At p. 367).

E The Air Quality Analysis must be expanded

The Air Quality analysis refers to Table 5.4, which is not present in the Initial Study. In addition, the determination that there are no potentially significant impacts is based upon the application of AQMD regulations. Both the Initial Study and the proponent have stated that the City determined the maximum pollutant load allowed under those regulations and then "worked backwards" to determine the maximum number of truck trips allowed with the 10-mile radius. There is no analysis of what occurs if this schedule varies even though Condition No. 45 proposes that such a schedule could vary. Therefore, the analysis in the initial Study fails to address all potential impacts.

F The traffic analysis was performed only within the boundaries of Wildomar

This proposed project not only affects Monte Vista Road, which is already congested due to Cornerstone activities and increased general population. It would also greatly impact the I-15 Freeway, Baxter Road, Bundy Canyon/Scott Road, as well as other major roads in our neighboring cities. A broader and more comprehensive traffic analysis needs to be made to ensure the future safety of our roads, their impacted deterioration because of such a project, and providing for the applicant to pay its proportionate share of the cost of such roadway improvements based on the results of this traffic study. For example, Scott Road is a major "Safe Route to School" for which Meniffee recently received grant funding. Simpson Road itself in the vicinity of the proposed dump site has an existing improvement plan with construction commencing at the time of the writing of this letter.

We will be providing pertinent information, expert evidence, and findings and documentation as appropriate related to matters such as traffic congestion, safety issues and road damage from repeated truck trips due to weight and size, as well as information regarding air quality issues related to an incomplete project description not specifying the export destination of all hauled dirt.

G. The traffic analysis failed to adequately address the impact to Wildomar Roadways due to future growth of the applicant.

The first phase of the applicant site was completed in 1996. This application constitutes the third phase of growth. Similar affiliated Cornerstone churches have a well-defined growth pattern that the applicant church has followed. It can be reasonably expected that the applicant will experience similar and projectable growth in the near and long term. With this parking lot expansion, there is a reasonable possible future scenario that the applicant may return to the City and request expanding its "sanctuary from its present

1,100 seating configuration, and/or adding a second sanctuary. At that time the applicant would mitigate parking concerns by adding services and encouraging carpooling. Neither mitigation measure has been fully evaluated and considered within the context of this application. We are strongly encouraging Wildomar to require these mitigation measures be immediately applied to mitigate peak parking requirements. Realistic assumptions form the basis for a revised peak parking requirement from the present 1,100 spaces to a value below the current parking configuration. For the record, the new application for a second church, Mount View Church, to be sited on Baxter Road, calls for 331 parking spaces, consistent with applicable parking code. The Assembly Church of God, located on Grand Avenue, about 3 miles from the applicant site, has 390 parking spaces and also has 1,100 seats for its services.

Another factor to consider is expanding of services offered to the general public in the form of athletic events in the three planned sports parts. These events often cause available church parking to be exceeded, and add to the number of events that will impact traffic along Monte Vista, Bundy Canyon Road and Baxter Road. Furthermore, additional events have been added in the past 12 months with more events to be reasonably expected to be added in the future. Expanding parking by more than 200% can be reasonably expected to encourage growth. The combined expanded parking, projectable growth of church membership and expanded community services in the form of athletic events form the basis for projecting future traffic along Monte Vista and should be considered when establishing appropriate mitigation measures to protect the City of Wildomar and its citizens, in terms of the financial impact and quality of life..



Wallace W. Edgerton
Mayor

Darcy Kuenzi
Mayor Pro Tem

John V. Denver
Councilmember

Scott A. Mann
Councilmember

Fred Twyman
Councilmember

October 1, 2009

Honorable Mayor and City Council
City of Wildomar
Attn: Debbie Lee, City Clerk
23873 Clinton Keith Road
Wildomar, CA 92595

OCT 01 2009

Dear Ms. Lee:

The City of Menifee has filed this appeal to respectfully request that the City of Wildomar reconsider the approval granted on September 16th of PUP 778 3rd Revision, Cornerstone Church. This appeal is for both procedural and substantive grounds, which are described later in this letter.

We believe this appeal provides two alternatives:

1. That this project be returned to staff to supplement the project description with additional information (such as the destinations within Menifee for the dirt), extraterritorial traffic studies and expanded air quality analysis. This additional information may result in a revised Initial Study and either recirculation of a more appropriate MND and mitigation and monitoring plan or preparation of a focused EIR, or
2. Alternatively, to revisit and revise the conditions of approval as to the dirt hauling, traffic and road impacts and we would like to work with the City to do so during the appeal period.

As matters now stand, Wildomar has approved a project which requires the removal of 700,000+ cubic yards of dirt, resulting in 116 semi-truck trips per day over a 2-year period into Menifee. We were not provided with legally adequate or appropriate notice of Wildomar's intent to adopt the mitigated negative declaration (MND) for the project. We have subsequently found that the project description does not address all facets of impact the dirt hauling may have and that there are not mitigations for traffic and road damage for hauling the 700,000 cubic yards of dirt to potential receiving sites within the City of Menifee or for traffic and road damage for transporting the 700,000 cubic yards of dirt through the City to other recipient locations.

We are most concerned about the truck trips into or through the City, the dirt being utilized within the City on candidate sites, and the traffic impacts on the roads and the citizens who use the roads which could carry this truck traffic. Two examples are Scott Road and Newport Road. Either could be used to reach the destination for 300,000 cubic yards of dirt near Lindenberg and Simpson, which has been identified in the staff reports and supplemental materials. Even the casual observer knows these roads already have traffic issues and delays; both recently been upgraded or are in the process of reconstruction, and it would be a

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tremendous fiscal impact to the City of Menifee to repair these newly constructed roads after the haul project has been completed.

As already noted by the City of Wildomar, Menifee did not receive adequate or appropriate notice of the pending mitigated negative declaration and was not able to participate in any of the discussions regarding the haul routes or related issues. We believe that by working together with Wildomar and the project proponent, we can reach a solution which allows the project to proceed on schedule and the harmful impacts to Menifee's roads and traffic to be mitigated before they occur. We cannot achieve this same result simply by banning truck traffic into Menifee as suggested by Mayor Farnam. Rather than leaving such mitigations to future determination by Wildomar, these mitigations should be addressed in the conditions of approval and could take the form of financial payments, agreed upon truck routes, hours of hauling, and so forth.

Attached are the formal appeal form and the technical explanation of the appeal. Menifee requests that the Wildomar either correct and expand the conditions of approval as to the extraterritorial hauling of dirt, or proceed with additional environmental review, up to and including an EIR for air quality and traffic impacts.

In addition, we are including with the appeal, the required appeal fee of \$964. We have been advised by the Planning Director, as confirmed by your City Attorney, that mailing labels are not required for the appeal and therefore, those are not attached.

The City of Menifee looks forward to working with the City of Wildomar to resolve this issue.

Sincerely,



George A. Wentz, City Manager
City of Menifee

Enclosures: Application for Appeal and attachment
 Check to City of Wildomar for Appeal process (\$974)

CC: City Council
 City Attorney



CITY OF WILDOMAR

23873 Clinton Keith Road

Wildomar, CA 92595

Tel. (951) 677-7751 Fax. (951) 6981463

For office use only.

Project Account Number

APPLICATION FOR APPEAL

In accordance with City of Wildomar Municipal Code Section 17.192.070, an appeal may be filed within 10 days after the notice of decision is made on an associated application. The appeal application must be accompanied by the applicable fee deposit as set forth in City of Wildomar Ordinance No. 671 along with the required Public Hearing Notice Label requirements.

APPEAL INFORMATION

Appeal of Application Case No(s): #08-0163
REVISION 3 TO PUBLIC USE PERMIT NO. 778 AND
ACCOMPANYING MITIGATED NEGATIVE DECLARATION

Appealing the Decision of (specify Director of Planning, Director's Hearing, or Planning Commission) and Decision Date:

DECISION OF THE PLANNING COMMISSION AS
"RECEIVED AND FILED" BY THE CITY COUNCIL

Please state the basis for the appeal and include any supporting evidence if applicable (please attach additional sheets if necessary).

SEE ATTACHED LETTER

APPELLANT CONTACT INFORMATION

Name

GEORGE WENTZ, CITY MANAGER

Mailing Address

29414 HAUN ROAD, MENIFEE, CA 92586

Telephone

(951) 642-6777

Fax

(951) 649-3843

Email

GWENTZ@CITYOFMENIFEE.US

I hereby authorize the filing of this appeal in my name.

Signature of Appellant

Date

10/1/2009

**City of Menifee
Attachment to Appeal Form for
City of Wildomar Case PUP778 3rd Revision**

Background

On September 16, 2009, the City of Wildomar Planning Commission approved Public Use Permit No. 778 Revised Permit No. 3 to expand the parking lot of the existing Cornerstone Church to provide for 764 additional parking spaces (for a total of 1,130 parking spaces), relocate an existing baseball field and soccer field and provide a detention basin. We are not aware of any environmental review for the prior two expansions which were handled by the County of Riverside before Wildomar's incorporation.

The City of Menifee was not sent a Notice of Intent that the City of Wildomar was intending to adopt a Mitigated Negative Declaration for the initial study for the Cornerstone revision as required by the California Environmental Quality Act (CEQA). Menifee was not notified of the date or time of the public hearing held by the Planning Commission. Menifee only discovered this project was being considered when the City Manager received a phone call from a Wildomar citizen.

Prior to the City of Wildomar's Planning Commission Hearing, Menifee's Community Development Director sent a letter expressing concerns regarding the project. Wildomar responded by email on September 23 (the day before the Planning Commission hearing) apologizing for "neglecting to provide" a copy of the Initial Study. When Menifee staff reviewed the case file in Wildomar on September, no conditions of approval were available either in the case file, agenda package or on the City's website. (See Govt. Code Section 54957.5, requiring provision of agenda items to the public).

At Wildomar's City Council meeting on September 24, 2009, the Wildomar City Council was given two options: (1) Receive and file; or (2) Determine that the matter should be reviewed by the City Council and set for public hearing. There were several speakers at the meeting asking for the matter to be heard by the City Council. The City Manager attended the meeting to observe the proceedings. At the meeting, the City Council voted 3-2 to receive and file. That action forces the matter to be appealed if any further action is to be contemplated.

Menifee staff also met with the project proponent. He indicated that the truck trip calculation is based on disposal of dirt within a 10 mile radius in order to meet AQMD regulations and thus avoid preparing an EIR. According to the initial study, 300,000 cubic yards of the total 700,000 cubic yards of dirt is slated to be imported to a site in the City of Menifee "near the intersection of Lindenberger and Simpson Road." Although not stated in the project documents, the proponent has indicated that other possible sites such as Commerce Point (approved PP21452 and PP22280) and the Junction, both located near Scott and Haun/Zeiders Road. This disclosure (again, not discussed in the Initial Study) only heightened Menifee's concerns for the Scott Road area.

Issues for Wildomar's Consideration

Procedural Issues:

1. Notification to Menifee

Wildomar agrees it failed properly to notify Menifee. One reason to require an EIR is the provisions of **Pub. Res. Code § 21153; 14 CCR Section 15086(a)**:

Prior to completing an environmental impact report, every local lead agency shall consult with, and obtain comments from, each responsible agency, trustee agency, any public

agency that has jurisdiction by law with respect to the project, and any city or county that borders on a city or county within which the project is located unless otherwise designated annually by agreement between the local lead agency and the city or county, and may consult with any person who has special expertise with respect to any environmental impact involved... (Emphasis added).

2. Circulation of MND:

A MND must have a 20-day review period unless the project is one with regional significance, in which case there is a 30-day review period so that the MND may go through the state clearinghouse. In this case, there is an argument that the MND should have been sent to the State Clearinghouse because of the admitted impact on interchanges on the I-215 from trucks hauling dirt to neighboring venues, which gives the project statewide implications. 14 CCR Sections 15073 and 15206.

Substantive Issues

a. The project description is not complete.

The project description did not include the information that up to an additional 400,000 cubic yards of dirt would be brought into Menifee although the project proponent had that information.

b. The MND delays environmental assessment of traffic impacts to a future date in violation of CEQA.

The Initial Study states: "Prior to the initiation of any grading activities, the Planning Director and City Engineer shall determine if additional environmental analysis is required for the proposed haul component. No haul permit shall be issued with [sic] the prior approval of the Planning Director. The applicant shall obtain a haul route permit with a traffic control plan from the City Engineer. During construction activities, the traffic flow will be maintained to the highest level possible with the use of standard traffic control devices . . . At the City Engineer's sole discretion, additional mitigation measure [sic] or restrictions may be applied to the project to minimize impacts to the surrounding community. Additional environmental analysis will be required if the potential impacts exceed the impacts identified in this Initial Study." (Initial Study, p. 50.)

Condition 45 to Wildomar's approval of the MND, pertaining to grading, requires the applicant to obtain approval for the import/export location from the City of Wildomar and the associated haul route(s) prior to obtaining grading or haul permits. The haul route permit for the hauling of material to and from the project site "will include limitations of haul hours, number of loads per day, and the posting of traffic control personnel at all approved entrances/exits onto public roads . . . Prior to the issuance of the grading or haul permit, the Planning Director shall review the proposed import sites and haul routes to determine if a new or modified environmental assessment is required." (Emphasis added).

Neither the statement Initial Study nor Condition 45 address haul routes into Menifee despite their identification elsewhere in the Initial Study and by the project proponent. Second, the condition improperly delays mitigation. Courts repeatedly have held that delaying environmental assessment to a future date "run[s] counter to that policy of CEQA which requires environmental review at the earliest feasible stage in the planning process." (*Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 306-07.) In *Sundstrom*, the County granted a use permit for a private sewage treatment plant based on a negative declaration ("ND"). (*Id.* at p. 301-03.) The use permit included conditions requiring the applicant to obtain hydrological studies analyzing the effect of the project on "adjacent sewage disposal systems and surface and ground water hydrology," and then to mitigate any effects identified in the studies. The court held that requiring the applicant to adopt mitigation measures recommended in a future study directly conflicted with CEQA. (*Id.* at pp. 306-07.)

Gentry v. City of Murrieta (1995) 36 Cal.App.4th 1359, involved the approval of a residential development based on an MND. (*Id.* at p. 1367.) The court held that one condition of project approval improperly deferred the formulation of mitigation by allowing the developer to obtain a biological report regarding the Stephens' kangaroo rat, and comply with any recommendations in that report. (*Id.* at p. 1396.)

Meaningful scrutiny of the MND was thus precluded because these mitigation measures were not set forth at the time Wildomar approved the Project. (*Oro Fino Gold Mining Corp. v. County of El Dorado* (1990) 225 Cal.App.3d 871, 884 ["There cannot be meaningful scrutiny of a mitigated negative declaration when the mitigation measures are not set forth at the time of project approval."].)

- c. The MND and conditions admit that extraterritorial mitigations are required but do not provide a mechanism for such mitigation

In *City of Marina v. Board of Trustees of the California State University*, the Board decided to certify an EIR even though remaining, unmitigated extraterritorial effects existed because it claimed mitigation was not feasible for various reasons. (39 Cal.4th 341, 356-58.) The court rejected these contentions, holding the Board could not disclaim responsibility for measures necessary to mitigate the project's off-campus environmental effects, and their certification of the EIR despite its failure to mitigate was an abuse of discretion. (*Id.*) The court also noted that even though financial contributions to mitigation measures may sometimes be sufficient, "[s]ome mitigation measures cannot be purchased, such as permits that another agency has the sole discretion to grant or refuse." (*Id.* at p. 367.)

- d. The Air Quality Analysis must be expanded

The Air Quality analysis refers to Table 5.4, which is not present in the Initial Study. In addition, the determination that there are no potentially significant impacts is based upon the application of AQMD regulations. Both the Initial Study and the proponent have stated that the City determined the maximum pollutant load allowed under those regulations and then "worked backwards" to determine the maximum number of truck trips allowed within the 10-mile radius. There is no analysis of what occurs if this schedule varies even though Condition No. 45 proposes that such a schedule could

vary. Therefore, the analysis in the Initial Study fails to address all potential impacts. Menifee will be providing evidence of these additional impacts

- e. The traffic analysis was performed only within the boundaries of Wildomar

As noted, the major roads which would be used for hauling (Scott and Newport) are the subject of current improvement plans at a variety of levels and, in some cases, are about to be reconstructed. The current traffic levels on these roads will not support the added truck traffic proposed; that truck traffic would lead to congestion as well as serious safety issues. For example, Scott Road is a major "Safe Route to School" for which Menifee recently has received grant funding. Simpson Road itself in the vicinity of the proposed dump site has an existing improvement plan with construction commencing at the time of writing this letter.

Menifee will be providing pertinent information, expert evidence, and findings and documentation as appropriate related to matters such as traffic congestion, safety issues and road damage from repeated trucks trips due to weight and size

Please note, however, that these concerns do not mean that Menifee believes there cannot be acceptable routes to get needed fill dirt into projects in Menifee.

- f. Substantial public controversy appears to exist for the project.

ATTACHMENT J

FINAL INITIAL STUDY

FOR

CORNERSTONE COMMUNITY CHURCH

PARKING LOT EXPANSION

Project Number 08-0163
(PUBLIC USE PERMIT 778, REVISION NO. 3)

City of Wildomar
Planning Department
City of Wildomar
23873 Clinton Keith Road, Suite 201
Wildomar, CA 92595

Approved by the Planning Commission
September 16, 2009

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CITY OF WILDOMAR ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Environmental Assessment (E.A.) Number: PL08-0163

Project Case Type (s) and Number(s): Cornerstone Community Church Parking Lot and Athletic Fields P.U.P. 778 Revised Permit Rev. No. 3, Amendment 4

Lead Agency Name: City of Wildomar Planning Department

Address: 23873 Clinton Keith Road, Suite 201, Wildomar, CA 92595

Contact Person: David Hogan, Planning Director

Telephone Number: 951-677-7751

Applicant's Name: Cornerstone Community Church

Applicant's Address: 34570 Monte Vista Drive, Wildomar, CA 92595

I. PROJECT INFORMATION

A. Project Description

The proposed project is the revision of an existing Public Use Permit (PUP) 778, Revision 3. The purpose of the project is to expand the parking capacity and relocate the existing ball fields at a developed church site. The proposed project disturbance area is located on a site of approximately 83.01 acres at 34570 Monte Vista Drive and is generally east of Interstate 15, and north of Baxter Road in Section 26 of Township 6 South, Range 4 West of the USGS – Wildomar, California Quadrangle, 7.5 Minute Series topographic map, San Bernardino Base and Meridian in the City of Wildomar, California. The latitude and longitude of the site is 33° 37' 06"N and 113° 15' 45"W. The regional location and vicinity maps are shown on Figures 1 and 2, respectively.

The site is partially developed with a church campus on 83.01 acres, which contains a church, a Kindergarten through 12th Grade school, athletic fields and a parking lot which currently has 383 parking spaces (376 standard and 7 handicap parking spaces). Approximately one-third of the site will remain undeveloped as a result of this proposal. The proposed project would result in the construction of 764 additional parking spaces, a baseball diamond, soccer field, and drainage improvements on approximately 24.42 acres. The sports fields/recreation area would encompass approximately 6.25 acres of the site and approximately 10.09 acres of the site would be graded slopes. The Site Development Plan is shown on Figures 3, 4, and 5.

Approximately 47.48 acres of the site would remain unimproved. Drainage facilities would include vegetated enhanced bio-swales for stormwater quality improvement. Improvements to Via Carnaghi Lane in accordance with City conditions of approval would also be included in the proposed project. The relocated sports fields, with lighting, baseball backstop, soccer goals and other related sports equipment, would provide recreational areas for church members and the existing private school, no public use of the sports facility is expected. The project includes roadway improvements to Via Caneghi Lane from the site south to Monte Vista Road. Via Carneghi Lane is currently only partially improved.

In order to construct the parking area and sports fields, approximately 700,000 cubic yards of material will need to be exported from the site to various sites in the surrounding area. The applicant is proposing to construct a temporary haul route from the current upper parking lot to Monte Vista Road to avoid impacting Via Carneghi Lane. Only about 600 feet of the 1,500-foot long haul road will be involve new construction because most of the proposed off-site haul road is located on an unpaved driveway on the adjacent property. The exported materials will be hauled via Monte Vista Road to either Bundy Canyon Road in the north or Baxter Road in the south. From

there the haul trips will access the area and regional road network. During construction, there would be up to 116 round trips per day to export dirt from the site during construction. Additional traffic from construction workers and delivery of materials would also occur during the implementation of the proposed project.

Site Development

As noted above, the project disturbance area encompasses approximately 24.42 acres of an 83.01-acre site. The project proposes that 24.42 acres will be graded. Estimates indicate that up to 700,000 cubic yards of material will be needed to be disposed of to prepare the site for the improvements based on the preliminary grading plans. The following equipment is expected to be onsite during rough grading and construction at the site:

D8N Caterpillar Dozer	2 each (One dozer during extended hauling phase)
980G Loader	2 each (One loader during extended hauling phase)
4,000 Gallon Water Truck	1 each
Trucks (14 cu yd hauling capacity)	50 each

Grading and construction activities are projected to take place over a period of 24 to 25 months and would require up to 116 loads of fill dirt per day to be disposed of off-site for a total of $\pm 50,000$ loads over approximately 436 days. If the duration of grading activities is extended to address regional air quality concerns, the project duration could be longer.

At time there is one tentatively identified fill disposal site located in the nearby City of Menifee (near the intersection of Lindendurger & Simpson) that can accept approximately 300,000 cubic yards of dirt. The remaining 400,000 cubic yards of dirt would be deposited at one or more sites yet to be identified. All disposal sites are expected to be within 10 miles of the site. Dirt disposal would take place over approximately 22 months based on a 5-day a week operation. Weather conditions, such as rain or excessive winds, may prolong the period of dirt disposal as would additional trip reductions required to ensure compliance with regional air quality significance thresholds.

Construction

The project proponent indicates that construction of improvements will require approximately 3 to 4 months to complete after excess soil material is removed from the site.

Phase 1: Rough Grading of the entire project footprint (may be simultaneous with dirt removal). Includes an initial excavation and hauling sub-phase and extended hauling sub-phase.

Phase 2: Fine/precise grading for, and construction of, the parking lots, athletic fields, lighting, and drainage improvements as illustrated by the proposed revised P.U.P. No. 778.

Actual implementation of the development phases may overlap as work progresses.

Occupancy

The proposed plot plan would result in an additional 764 parking spaces to support the existing church and related school uses. No new buildings are proposed as part of this revision to Public Use Permit 778.

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

C. Total Project Area: Approximately 24.42 acres on a 83.01-acre site

Residential Acres: N/A Lots: N/A Units: N/A Projected No. of Residents: N/A

Commercial Acres: N/A Lots: N/A Sq. Ft. of Bldg. Area: N/A Est. No. of Employees: N/A

Industrial Acres: N/A Lots: N/A Sq. Ft. of Bldg. Area: N/A Est. No. of Employees: N/A

Other: Parking lot expansion (an additional 764 parking spaces), replacement athletic fields, and drainage/water quality improvements.

D. Assessor's Parcel Nos: 367-210-008, 367-210-018, 367-210-034, 367-210-035, 367-210-041, 367-210-043, 367-140-008, and 367-140-010.

E. Street References: 34570 Monte Vista Drive; near the intersection with Via Carnaghi Lane, east of Interstate-15 and north of Baxter Road.

F. Section, Township & Range Description or reference/attach a Legal Description:
Section 26 of Township 6 South, Range 4 West of the USGS Topographic Map, 7.5 Minute Series, Wildomar, California Quadrangle, San Bernardino Base and Meridian.

G. Brief description of the existing environmental setting of the project site and its surroundings:

The project site is located in the City of Wildomar, Riverside County, California. Regional access to the area is provided in a north-south direction by the Interstate 15 (I-15) and 215 (I-215) freeways, and State Highways 74 (SH 74) and 79 (SH 79) in an east-west direction.

The proposed project is located on approximately 24.42-acres at 34570 Monte Vista Drive and is generally east of Interstate 15, and north of Baxter Road in Section 26 of Township 6 South, Range 4 West of the USGS – Wildomar, California Quadrangle, 7.5 Minute Series topographic map, San Bernardino Base and Meridian. It is located at the northern edge of the Murrieta Creek drainage area in the Santa Margarita River Watershed. Stormwater on the site drains south/southwesterly towards Murrieta Creek. Murrieta Creek drains into the Santa Margarita River which flows into the Pacific Ocean through Camp Pendleton Marine Corps Base in northern San Diego County. Photographs of the existing site are contained in Figure 6.

The project region is characterized by varied topography with Lake Elsinore to the northwest, the Santa Ana Mountains and the floodplain of Murrieta Creek to the west, and the Sedco Hills to the north and east. The Santa Ana Mountains form a portion of the northern peninsular ranges of the Perris Block bounded by the San Jacinto fault zone to the northeast, Elsinore fault zone to the southwest, and the Cucamonga fault zone to the north. The site is located in a seismically active area typical of southern California and is likely to experience ground shaking due to earthquakes on nearby faults. The site is not within, but is near, an Alquist Priolo Study Zone. The closest Alquist Priolo Study Zone, the Elsinore Fault Zone is located approximately 2.2 miles southwest of the proposed project site. The maximum

credible earthquake for the Elsinore-Temecula Fault Zone is 6.8 on the Richter Scale. The site is not considered subject to liquefaction or subsidence. (EnGen, 2006)

The site topography ranges from steep sided hills in the northern and northeastern part of the site to gently rolling hills in the southern portion of the site. Elevations range from approximately $\pm 1,420$ feet above mean sea level at the southwestern corner to $\pm 1,692$ feet above mean sea level at the center of the eastern boundary of the proposed project site. Soils at the site belong to the Cajalco-Temescal-Las Posas Association. Eight soil types have been mapped on the site: Cajalco rocky fine sandy loam (15 to 50 percent slopes, eroded); Cienega rocky sandy loam (15 to 50 percent slopes, eroded); Gorgonio loamy sand (channeled, 2 to 5 percent slope); Hanford coarse sandy loam (2 to 8 percent slope); Hanford coarse sandy loam (8 to 5 percent slope); Monserate sandy loam (8 to 15 percent slope, eroded); Terrace escarpments; and Vista coarse sandy loam (8 to 15 percent slopes, eroded). The soils have a very low expansion potential.

Natural watercourses are not present on the proposed project site. An earthen berm was constructed in the southwestern portion of the site to channel storm water into the flood control facilities located within and along Monte Verde Drive. A drainage channel has developed along that berm. (Principie, 2007)

The site has been regularly disced as part of weed control measures. Vegetation at the site includes non-native grassland, Riversidean sage scrub, and coastal sage-chaparral scrub. (Principie, 2007)

The proposed project site is not in or near a Criteria Cell, cell group, or sub-unit in the Elsinore Plan Area of the MSHCP. The nearest criteria cell is located approximately 2,295 feet south of the nearest cell. The site is located within the burrowing owl survey area and was surveyed for burrowing owl on May 17, 2008. No habitat for the owl or evidence of its presence, now or within the recent past, was found on site or in close proximity to the site. (Principie, 2007) The project is within the range of the Stephens kangaroo rat and is within the Stephens Kangaroo Rat Habitat Conservation Plan Fee Area. California gnatcatchers were observed on the site in 2001 and 2004. Take of gnatcatchers on the site is authorized under the MSHCP.

No recorded paleontological sites exist on the project site. Part of the site is considered in an area of high paleontological sensitivity by the County of Riverside. No archaeological resources were found on site during the field survey, but there is a potential for resources to be found during ground disturbance. No historical resources were found on the project site.

The proposed project does not have an Agriculture Preserve designation. However, the previously developed portions of the site were considered Farmland of Local Importance.

According to the General Plan, the site is not in a Flood Zone or Special Flood Area. The project is within Flood Zone C, an area of minimal flooding. The site is not within a high fire zone. However, the project is within the Palomar Lighting Ordinance Zone B which has special nighttime lighting requirements. The proposed project is not within an Airport Influence Area.

The project site is within 1,000 feet of Interstate 15 and the ambient (existing background) noise levels are dominated by vehicular traffic noise.

The proposed project is within the Lake Elsinore Unified School District. The project is served by Southern California Edison, Elsinore Valley Municipal Water District, Comcast Cable, and Southern California Gas Company. The church campus is not connected to sewer, but has an on-site septic system.

The City Planning Commission considered the Initial Study/Mitigated Negative Declaration at a public hearing on September 16, 2009. At that hearing, the Commission added conditions of approval 30 through 35 and 46 to the list of Mitigation Measures for Section 8. These project conditions are contained in Measures 8-3 through 8-9. These additions were made at the request of the Pechanga Band of Luiseño Indians and are included in the Final Initial Study/Mitigated Negative Declaration.

II. APPLICABLE GENERAL PLAN LAND USE POLICIES AND ZONING

- A. General Plan Designation(s):** Business Park (BP) and Medium Density Residential (MDR)
- B. Land Use Planning Area (L.U.P.A.) Information**
 - 1. **Subarea, if any:** N/A
 - 2. **Community Policy Area, if any:** N/A
- C. Area Plan Land Use Allocation Map Information**
 - 1. **Area Plan, if any:** Elsinore Area Plan
 - 2. **Area Plan Land Use Designation, if any:** Business Park (BP) and Medium Density Residential (MDR)
- D. 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
- E. Existing Zoning:** R-R (Rural Residential)
- F. Proposed Zoning, if any:** No change
- G. Adjacent and Surrounding Zoning:**
 - North: Commercial-Office (C-O), Single Family (R-1), Open Space Combining (R-5)
 - South: Rural Residential (R-R)
 - East: Rural Residential (R-R), Scenic Highway Commercial (C-P-S)
 - West: Rural Residential (R-R) and Interstate I-15
- H. Other Agencies Whose Approval, Consultation, or Permitting is Required:**

None.

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below (■) 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	■ Hazards & Hazardous Materials	<input type="checkbox"/> Public Services
<input type="checkbox"/> Agriculture Resources	■ Hydrology/Water Quality	<input type="checkbox"/> Recreation
■ Air Quality	<input type="checkbox"/> Land Use/Planning	■ Transportation/Traffic
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Utilities/Service Systems
■ Cultural Resources	■ Noise	<input type="checkbox"/> Other
■ Geology/Soils	<input type="checkbox"/> Population/Housing	■ Mandatory Findings of Significance

IV. DETERMINATION

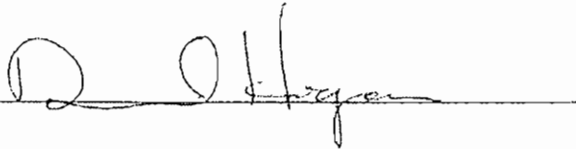
On the basis of this initial evaluation:

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

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



Date

8/21/09

David Hogan, 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 City of Wildomar, in consultation with other jurisdictional agencies, to determine whether a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report is required for the proposed project. The purpose of this Initial Study is to inform the decision-makers, affected agencies, and the public of potential environmental impacts associated with the implementation of the proposed project.

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

Sources: General Plan, Site Line Photographs (Markham Development Management Group, Inc.)

Findings of Fact:

- a. The project site is located adjacent to Interstate 15 which is not designated as a State or County scenic highway, but is eligible for listing as a State scenic highway. Therefore, implementation of the proposed project must comply with the applicable policies in the General Plan and not diminish the value of the viewshed to surrounding properties. The current views of the property from Interstate 15 consist of the existing multi-story church building and the mature landscaping. Due to the nature of the proposed project (parking lot and athletic fields), and the proposed location of the parking lot and fields behind the existing structures, the project is not anticipated to have a significant effect upon a scenic highway corridor. No buildings are proposed to be constructed as part of the project. The only structures proposed with this project are associated with the athletic fields and would likely include fencing and benches for observers, backstop and lighting structures and would not interfere with long-range views of the local mountains. All of these items would be located against the back drop of the hills located along the eastern edge of the property. As a result, any impacts are expected to be less than significant.
- b. The proposed project site consists of a relatively level area at the base of a row of the Lower Sedco Hills a pronounced series of hills on the east side of Interstate 15 between Bundy Canyon Road and Baxter Road. The main north south ridge located along the eastern property line is the primary visual component of the project site and is not being altered by the proposed parking lot expansion. The primary community views of the site are from the southwest (see the images located in Figure 5). However because the proposed backstop and lighting structures are located at the base of the Lower Sedco hills between existing developments, the overall visual impact is expected to be less than significant. From the

other directions, the views are partially concealed by the existing church and school buildings and by the existing project landscaping which will block most of the views of the proposed site changes. The views from the north and east are obscured by the existing ridgelines. Views from the west are generally blocked by the existing church facility and landscaping along Monte Vista Road. Views from the southeast are blocked by existing commercial development. The backstops and lighting for the proposed athletic fields will be visible from the area near the Baxter Road overcrossing. The exception to this is the athletic field lighting which, when in use, will be generally visible over the buildings and landscaping (from the west and south). Because these facilities are not opaque the hillside backdrop will remain visible from the community. In addition, the main ridgeline will continue tower over these improvements. In some cases, the upper graded areas along the ridgeline slopes will be visible from across the valley as well as from any of the existing or future residential properties located on the surrounding hills. However, when the slope areas are revegetated, the visual impacts are expected to minimal since the graded areas will largely blend into the surrounding hillsides.

An existing single family unit located on the ridgeline to the east would also experience a change in their westerly views as a result the project. The view from this hilltop has continued to change of the years as vacant properties have been developed. The incremental change from undeveloped rural/vacant to suburban continues to occur citywide and is envisioned to occur in the General Plan. The unit is located approximately 80 feet above the proposed athletic fields. At the present time, the westerly view is of the rolling hills covered with native vegetation between the residence and the developed areas along Monte Vista Road and Interstate 15. The project will grade and lower the elevation of these areas to install two athletic fields. The primary change will be the shift in color from tans and browns to turf green with the development of the project. None of the proposed parking areas will be located near this residence. As a result, the overall impact of the project is expected to be less than significant. Please see the discussion under Other Lighting Issues for an analysis of the potential lighting impacts.

While the project will change the visual character of the area by developing a vacant property, the development will not substantially damage scenic resources nor 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. Consequently, any impacts are considered a less than significant impact.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
2. Mt. Palomar Observatory Interfere with the night time use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: General Plan, Elsinore Area Plan, Chapter 8.80 of the Wildomar Municipal Code, previously identified as Ordinance 655 Mount Palomar Lighting Ordinance, and Musco Lighting Survey, July 2009

Findings of Fact: According to the Riverside County Comprehensive General Plan, the project site is located within the designated 30-mile Special Lighting Area that surrounds the Mt. Palomar Observatory. Chapter 8.80 of the Wildomar Municipal Code (an ordinance regulating light pollution) was adopted by the County Board of Supervisors on June 7, 1998 and went into effect on July 7, 1998. The intent of Chapter 8.80 is to restrict the permitted use of certain light fixtures emitting into the night sky undesirable light which have a detrimental effect on astronomical observation and research. Chapter 8.80 contains approved materials and methods of installation, definitions, general requirements, requirements for lamp source and shielding, prohibitions and exceptions. Generally, parking lot lighting is required to be low pressure sodium fixtures that are consistent with the requirements of protecting the continued use of the Mount Palomar Observatory.

The proposed project includes limited parking lot security lighting and athletic field lighting, but no other permanent or temporary lighting. The project proposes ten lighting fixtures to illuminate the athletic fields, six for the baseball field and four for the soccer field. The proposed project lighting would comply with the requirements of Chapter 8.80 of the Wildomar Municipal Code. Because compliance with Chapter 8.80 would occur, no specific mitigation measure is required to mitigate project impacts to a less than significant level. Outdoor lighting that conforms to Chapter 8.80 shall be shown on electrical plans submitted prior to the issuance of building permit and shall be reviewed and approved by the Building and Safety Department. Prior to final building inspection, outdoor lighting shall be inspected by the Building and Safety Department to insure compliance with the approved lighting plan.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

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

Sources: General Plan, Ordinance No. 655, and Musco Lighting Survey, July 2009, International Dark Sky Organization (Outdoor Lighting Code Handbook Version 1.14, December 2000 / September 2002)

Findings of Fact:

- a-b. The proposed project includes limited parking lot lighting and athletic field lighting, but no other permanent or temporary lighting. The project proposes ten lighting fixtures to illuminate the athletic fields, six for the baseball field and four for the soccer field. The light poles are anticipated to be approximately 70 feet high and will each contain 1500 W MZ lamps. The lights will be focused and the fields and screened to reduce off-site light spillage. The lighting study determined that the average illumination in the infield will range from 38 to 57 footcandles in the infield of the baseball diamond and 23 to 39 footcandles in the outfield. According to the lighting study, the anticipated illumination levels approximately 150 feet from the outside edge of the ballfield were all less than fourth of a one foot candle. For the soccer field, the illumination levels ranged from 37 to 26 footcandles. The illumination levels 150 feet from the edge of the soccer field were also all less than one-fourth of a footcandle. According to the lighting study, the anticipated illumination levels approximately 150 feet from the light poles (still within the boundaries of the subject property) were all less than tenth of a one foot

candle. According to the International Dark Sky Organization, recommended lighting levels for social or recreational sports should range between 20 to 50 footcandles. The slightly higher lighting levels on portions of the infield are not expected to be significant because the higher illuminated area is fairly small and with the light shielding and because of the adjacent landscaping. The parking lot illumination will be at a much lower illumination level necessary to meet exterior security lighting requirements. Typical parking lot illumination is generally less than five footcandles.

The nearest residences are approximately 300 feet east of the proposed soccer fields and 300 feet west of the proposed baseball diamond. Both of these residences will be slightly effected by the athletic field lighting whenever the lights are on. However, the lights will generally be turned off by 10:00 pm. These distances and limited hours of operation are expected to minimize any potential impacts. The residence east of the soccer field is located approximately 80 feet about the elevation of the proposed field. This puts the proposed lighting at an elevation approximately ten feet lower than the floor elevation of the existing residence. Since the lighting fixtures are located below this unit, will be shielded to prevent off-site light spillage, will not be on seven days a week, and are located over 400 feet from the fixtures, no significant impacts are anticipated. The residence adjacent to Via Carnaghi is slightly below the elevation of the proposed ballfield. The back of the unit is approximately 300 feet from the ballfield. As previously demonstrated, off-field light spillage a distance of 150 feet is less than one-quarter of a footcandle. Because of the distance and the existing landscaping the lighting impacts to this residence are not expected to be significant. Finally there is another residence approximately 700 feet northwest of the parking lot expansion. However, this third residence is behind a hill and over 1,500 feet from the athletic fields and will not be effected by the proposed project lighting. Some of the project lighting may also be briefly visible by drivers traveling northbound along Interstate 15. For the southbound drivers, the lights will be much less visible because the existing church buildings.

The project proposing to site the fields in such that the activities will be directed north and away from the residence(s), and will be shielded to minimize the effects on freeway traffic, thereby reducing the potential for spill-over from the project site. Nearby residential areas shall be shielded from lighting by design (shielding, directional or low energy lighting) or by visual buffering. The applicant shall submit a precise lighting plan demonstrating that exterior night light shall spill into adjacent residential properties. This can be achieved through the use of fully shielded luminaires suitable for sports-lighting, which can reduce off-field spill and up-lighting. The final lighting plan shall be reviewed and approved by the Planning Department, prior to the issuance of Building Permits. This plan shall illustrate how lighting and landscaping combine to minimize light and glare impacts to the residences located near the project site.

The proposed mitigation measures will reduce the potential impacts on nearby residences to less than significant. With the design of the proposed project lighting, compliance with the requirements of Chapter 8.80, potential light and glare impacts to the nearby residents should be less than significant. However, to ensure that exterior lighting from project does not produce light and glare affecting adjacent uses, the following mitigation measure will be implemented. Overall, through the design of the lighting and implementation of mitigation measures the proposed project can reduce impacts associated with spillage and uplighting that can affect nighttime views in the proposed project area.

Mitigation: The following mitigation measures shall be implemented in order to reduce project impacts:

- 3-1** *The plans for the athletic field lighting and parking area security lighting shall be reviewed and approved by the Planning and Building and Safety Department prior to approval of the building permit.*
- 3-2** *Prior to final inspection, the outdoor lighting shall be inspected by the Building and Safety and Planning Departments to insure compliance with the approved lighting plan and ensure that potential off-site light spillage is minimized. An additional pre-field use inspection may also be required by the Planning Director. Additional lighting adjustments may be required at this time.*
- 3-3** *Prior to final inspection, the project landscaping shall be installed in accordance with the approved plans and reviewed by the Planning Department.*

Monitoring: The above described mitigation measures will be verified during final inspection process. Inspection notes verifying implementation of the mitigation measures shall be retained in the project file.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing agricultural use, or a Williamson Act (agricultural preserve) contract (Riverside County Agricultural Land Conservation Contract Maps)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Chapter 5.40 of the Wildomar Municipal Code, previously identified as Ordinance 625 Right-to-Farm)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: General Plan, Figure OS-2.

Findings of Fact: The project site is vacant and undeveloped. It is located adjacent to a church campus and is in an area transitioning from rural residential uses to business, institutional, commercial and medium density residential uses. It is located near the major transportation corridor, Interstate-15. No significant agricultural uses occur within the immediate vicinity of the project site.

- a. The proposed project site is not located in an area designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. However, the site is located in an area designated as farmland of local importance, but is not located within an agricultural preserve. Agricultural uses are gradually being phased out of the project area due to the extent of surrounding existing and proposed development. Additionally, the proposed project site has varying topographical relief, which is unsuitable for most agricultural uses. The combination of surrounding uses and hilly terrain would make it unlikely that the site would be considered

for agricultural uses in the future. Impacts associated with the conversion of agricultural resources from the proposed project is less than significant.

- b. The proposed project site is undeveloped, is not under cultivation and would not conflict with existing agricultural use, or a Williamson Act (agricultural preserve) contract (Riverside County Agricultural Land Conservation Contract Maps). The proposed project is not located within an agricultural preserve and is not near any agricultural operations. Therefore, no impacts are associated with conflicting existing agricultural uses from the implementation of the proposed project.
- c. Zoning within the proposed project site's vicinity is designated; C-O (Commercial-Office) and R-1 (single family) to the north; RR (Rural Residential) to the south; RR (Rural Residential) to the east and CPS (Scenic Highway Commercial) to the west. All of these land use designation are non-agricultural. Therefore, the project would not result in development of non-agricultural uses within 300 feet of agriculturally zoned property. No impact will occur.
- d. It is not anticipated that the proposed project will involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural uses. Therefore, this is a less than significant impact.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
AIR QUALITY - Would the project:				
5. Air Quality Impacts				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors which are located within 1 mile of the project site to project substantial point source emissions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Involve the construction of a sensitive receptor located within one mile of an existing substantial point source emitter?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: South Coast Air Quality Management District's "CEQA Air Quality Handbook" (CEQA Handbook), Air Quality Impact Analysis, Air Quality Impact Analysis Cornerstone Church Expansion, Giroux and Associates, May 27, 2008

Findings of Fact: An air quality analysis was prepared by Giroux and Associates in May 2008 to determine the impacts of the proposed project. Operational impacts are considered less than significant and do not require mitigation. Most operational air quality emissions are from mobile sources such as automobiles. The proposed development is projected to generate a small amount

of traffic. Upon completion, the expanded athletic facilities and parking are anticipated to generate 30 additional a.m. trips during the morning peak hour and 88 additional p.m. trips during the afternoon peak hour. Therefore, based on the limited trip generation operational air quality impacts from project-related traffic are considered less than significant.

Approximately 24 acres of the proposed project will be graded. The new parking lot will be approximately seven acres and approximately 17 acres will become manufactured slopes and a new baseball field and soccer field. It is anticipated that approximately 700,000 cubic yards of excess soil will be generated for the development of the parking lot, baseball and soccer fields and flood control improvements. The California Air Resources Board (CARB) computer model URBEMIS2007 assumes that one-fourth of the total disturbance area will be disturbed simultaneously to determine fugitive dust emissions calculations.

Air quality impacts of constructing the sports fields and parking lot expansion could be considered significant without mitigation due to the amount of dirt disturbed and disposed of off-site. As part of grading activities, the number of truckloads of dirt that would be moved from the site and transported for fill at another location would be limited to a maximum of 116 twenty-mile round trips or the equivalent. This scenario, with mitigation incorporated as described in detail in the air quality analysis, would result in air quality that would be less than significant.

Various grading and hauling scenarios were examined in terms of air quality impacts. Intense grading and hauling activity resulted in exceeding thresholds for Oxides of Nitrogen (NO_x). In order to remain below the significance threshold for Oxides of Nitrogen, it was determined that a maximum number of daily 20-mile round trips is 85 for the most intense period of grading and 116 for the remainder of the grading and hauling period. As trip lengths may vary according to exact disposal site, and unforeseen circumstances such as change in disposal site may occur, a table showing different scenarios that stay below the air quality thresholds was developed as a guide for use during project implementation please refer to Table 5.4. The proposed project will be limited by total mileage and number of trips.

- a-c. Appendix G of the current State CEQA Guidelines indicates that a project has a significant effect on air quality if the project violates any ambient air quality standard, contributes substantially to an existing air quality violation, or exposes sensitive receptors to substantial pollutant concentrations. In this instance the proposed project, if approved, would result in additional parking areas and sports fields at an existing church site. Existing and proposed uses at this location are consistent with the existing and anticipated uses at the church campus and the land uses with the project vicinity. As a result, this project would not have a potential to create a significant conflict with implementation of the adopted Air Quality Management Plan and the Regional Comprehensive Plan and Guide.

The Southern California Air Quality Management District (SCAQMD) includes criteria for determining the significance of potential air quality impacts in its "CEQA Air Quality Handbook" (CEQA Handbook) adopted in February 1993 and amended in November 1993. The daily significance thresholds for air quality emissions from an individual project have been established by the SCAQMD for the Southern California Air Basin (So CAB). Significance thresholds for project construction and operation are shown on Table 5.1.

**Table 5.1
SIGNIFICANCE THRESHOLDS**

Pollutant	Construction Threshold (lb/day)	Operational Threshold (lb/day)
Carbon Monoxide (CO)	550	550
Sulfur Oxides (SO ₂)	150	150
Reactive Organic Gases (ROG)	75	55
Oxides of Nitrogen (NO _x)	100	55
Particulate Matter (PM ₁₀)	150	150
Particulate Matter (PM _{2.5})	55	55

Site Preparation and Construction Emissions

The proposed project includes the development of approximately 24.42 acres. Development of this project is proposed to include parking facilities for up to 764 vehicles, a baseball field and soccer field and flood control improvements.

The Air Quality Impact Analysis assumed that the construction phase of the project would occur in three phases. The first phase would be the initial excavation and hauling phase, the second would be extended hauling phase and the third would be paving and finish work. Construction would likely take place during a two year period. It is anticipated that the proposed work schedule will be approximately 20 days per month with eight hours per day. Emission estimates include fugitive dust as well as exhaust emissions. Site preparation will include grading of ground surfaces, with an export of approximately 700,000 cubic yards of fill material from the project site.

Heavy duty construction equipment would be used during grading and construction. A work crew would conduct all of the activities required to support the project site preparation and construction, the following emissions would be generated based upon the SCAQMD's "CEQA Air Quality Handbook" (CEQA Handbook).

Table 5.2 lists the air pollutant emissions based on 85 20-mile round trips per day of dirt hauling during initial excavation and hauling and 116 twenty-mile round trips per day of dirt hauling during the extended dirt hauling period. As shown in Table 5.2, air quality impacts to all emissions except Oxides of Nitrogen can be reduced to less than significant by following standard Best Available Control Measures. With the mitigation measures and by limiting the number and/or length of trips for dirt-hauling, Oxides of Nitrogen emissions will also be reduced to a less than significant level.

**Table 5.2
CONSTRUCTION ACTIVITY EMISSIONS (POUNDS/DAY)**

Activity	ROG	NOx	CO	SO ₂	PM-10 Total	PM-10 Fugitive	PM-2.5 Total	PM-2.5 Fugitive	CO ₂
Initial Excavation & Hauling									
No Mitigation	9.2	100.6	44.6	0.1	64.6	60.2	16.6	12.6	10,967.8
With Mitigation	9.2	94.0	44.6	0.1	8.4	5.8	3.6	1.2	10,967.8
Extended Hauling									
No Mitigation	8.5	104.3	41.5	0.1	4.2	60.3	16.5	12.6	12,206.4
With Mitigation	8.5	95.8	41.5	0.1	7.4	4.0	4.0	0.9	12,206.4
Paving & Finish Work									
No Mitigation	2.2	10.3	5.8	0.0	0.8	0.0	0.7	0.0	1,075.5
With mitigation	2.2	9.1	5.8	0.0	0.2	0.0	0.2	0.0	1,075.5
SCAQMD Threshold									
Exceeding SCAQMD Thresholds	No	No	No	No	No	-	No	-	-

Source: Giroux and Associates, 2008

Table 5.3 provides hauling scenarios that will provide emissions below the thresholds of significance for air quality. It is assumed that there will be an improvement in engine emissions from 2009 to 2010 which is the reason for each year to be listed separately

**Table 5.3
ALTERNATIVE DIRT-HAULING SCENARIOS**

Analysis Year	Murrieta (5 mi. one way) trips per day	Temecula (10 mi. one way) trips per day	Perris (15 mi. one way) trips per day	Norco (25 mi. one way) trips per day
2009	245	123	82	49
2010	273	137	91	55

Operational Emissions

The operation of the proposed development will increase air emissions. Increased criteria pollutant air emissions will result from mobile operational sources such vehicles transporting people who will use the sports fields. When completed, the proposed development is projected to generate 30 additional trips during the morning peak hour and 88 additional trips during the afternoon peak hour. This amount of trips and the associated activities (which would contribute to area source missions) would not create emissions that would exceed significance thresholds (Giroux and Associates). Therefore, operational mobile emissions would not result in a permanent significant adverse impact to air quality.

Toxic Air Emissions

The parking lot expansion and two sports fields proposed do not include activities with a potential to emit measurable, significant, quantities of toxic air pollutants.

During construction, the proposed project includes operations that will have diesel odors associated with equipment and materials. None of these odors are permanent, nor are they normally considered so offensive as to cause sensitive receptors to complain. Diesel fuel odors from construction equipment and new asphalt paving fall into this category. Both based on the short-term of the emissions and the characteristics of these emissions, no significant odor impacts are forecast to result from implementing the proposed project.

Thus with mitigation incorporated, construction of the proposed project will not result in potentially significant adverse impacts to air quality. Mitigation measures for potentially significant impacts from construction are discussed below. Therefore, operation of the proposed project will result in less than significant air quality impacts and no mitigation is required for that issue area.

- d. The proposed project would not expose sensitive receptors which are located within 1 mile of the project site to project substantial point source emissions. The nearest single family residences are located 300 feet west of the proposed project site. Additionally, the Cornerstone Community Church campus contains a Kindergarten through 12 school and extended childcare facility adjacent to the proposed project area. Cornerstone School has approximately 300 students in attendance during the school year. Impacts from particulate matter and NO_x off-site may be a concern during construction. Therefore, mitigation measures are included to reduce these impacts to less than significant. The exposure would be relatively short-term and intermittent due to its occurrence only during grading and construction and would be considered more of a nuisance than a health-concern. These impacts would not occur during operation of the project. Therefore, with mitigation this is a less than significant impact.
- e. The proposed project does not involve the construction of a sensitive receptor located within one mile of an existing substantial point source emitter. A parking lot and sports fields are not considered a point source emitter or a sensitive receptor. Therefore there is no impact.
- f. The proposed project would not create a significant amount of objectionable odors affecting a substantial number of people. Odors expected to be generated by this project will be primarily those from the construction equipment and grading activities. These odors will be associated with exhaust emissions from the consumption of petroleum products (gasoline, diesel, etc.) and the paving materials used to construct the parking lot. Such odors are common in the suburban and urban areas. No substantial short-term or long-term odor impacts are anticipated to occur from project implementation. Therefore, this is a less than significant impact.

Greenhouse Gas Emissions

Implementation of the proposed project would contribute to temporary increases in greenhouse gases (GHGs) from on-road traffic increases and fuel combustion emissions from off-road construction equipment. Long-term GHG emissions from increased traffic accommodated by the additional recreation space and parking are minimal. Since California imports about 20 to 25 percent of its total electricity (mainly from the northwestern and southwestern states), GHG emissions associated with electricity

generation could also occur outside of California. Short-term GHG emissions will also derive from construction activities.

During project construction, the URBEMIS2007 computer model predicts that a peak activity day will generate the following CO₂ emissions:

Initial Excavation and Hauling	10,968 pounds/day
Extended Hauling	12,206 pounds/day
Paving and Finish Work	1,075 pounds/day

For purposes of analysis, it was assumed that non-CO₂ GHG emissions are negligible, and that the total project construction GHG burden can be characterized by 5 day work weeks for the duration of the project construction. The estimated annual GHG impact is as follows:

2009	10,968 pounds/day x 21 days	=	230,328 pounds
2009	12,206 pounds/day x 154 days	=	1,897,724 pounds
2009	Total	=	2,110,052 pounds
2010	12,206 pounds/day x 261 days	=	3,185,766 pounds
2011	1,075 pounds/day x 21 days	=	22,575 pounds

Worst-case year = 3,185,766 pounds = 1,593 tons/year

In 2004, the statewide annual GHG inventory in CO₂-equivalent levels (including all non-CO₂ gases weighted by their thermal absorption potential) was 492,000,000 metric tons (541,000,000 short tons). The worst-case project construction impact of 1,593 tons represents slightly under 0.0003% percent of the statewide burden.

There are no adopted thresholds of GHG emissions significance. However, GHG emissions are implicated in the acceleration of global warming experienced in the last several decades. Climatic impacts are global in scale. Any project-specific contribution to the global issue is miniscule. In the absence of any definitive thresholds of significance, the GHG emphasis on a project-specific level is to incorporate project design features that reduce energy consumption and reduce vehicular travel as much as is reasonably feasible. Unless there is a greater shift to clean energy such as solar, hydroelectric, wind, nuclear, etc., no substantial reduction in GHG is likely attainable by conventional methods except through energy conservation.

Mitigation: The following mitigation measures shall be implemented in order to reduce project impacts:

- 5-1** *Limit the number of miles per day traveled for off-site dirt-hauling and disposal to the equivalent of 85 twenty-mile round-trips during the most intensive grading and the equivalent of 116 twenty-mile round trips during the remainder of the dirt-hauling operation.*
- 5-2** *Use appropriate emission control devices on gasoline and diesel construction equipment and maintain construction equipment engines by keeping them tuned.*

- 5-3 Prohibit extended idling (more than 5 minutes) and other unnecessary operation of equipment.**
- 5-4 Utilize existing electrical power sources (i.e., temporary power poles) and avoid onsite power generation.**
- 5-5 Have sufficient equipment at the site to carry out dust-control measures in all areas covered by the contract work (not just the immediate area of construction).**
- 5-6 Employ construction activity management techniques, such as: configuring the construction parking to minimize traffic interference; extending the construction period; reducing the number of pieces of equipment used simultaneously; increasing the distance between the emission sources; and reducing or changing the hours of construction to minimize construction activity emissions.**
- 5-7 Cover loaded trucks used in construction operations with tarpaulins or maintain at least 2 feet of freeboard and wash off trucks leaving the site.**
- 5-8 Sweep streets if silt is carried over to adjacent public thoroughfares.**

The proposed project shall submit a plan to control fugitive dust using the measures outlined above and additional measures and through implementation of other reasonably available dust control measures which includes Best Available Control Measures. It shall be prepared and submitted to the City of Wildomar for approval prior to the issuance of any grading permits associated with the project. The plan shall specify the fugitive dust control measures to be employed, including the additional measures outlined below.

- 5-9 The project proponent shall comply with all applicable SCAQMD Rules and Regulations. In particular, SCAQMD Rule 403 shall be adhered to, insuring the clean-up of construction-related dirt on approach routes to the site. Rule 403 prohibits the release of fugitive dust emissions from any active operation, open storage pile, or disturbed surface area beyond the property line of the emission source. Particulate matter deposits on public roadways are also prohibited.**
- 5-10 Adequate watering techniques shall be employed to partially mitigate the impact of construction-generated dust particulates. Portions of the project site that are under-going earth moving operations shall be watered such that a crust will be formed on the ground surface and then watered again at the end of the day.**
- 5-11 Construction activities should be scheduled to occur first on the upwind portion of the project site to reduce the potential for fugitive dust impacts in the downwind areas.**
- 5-12 Any vegetative ground cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems needed to water these plants shall be installed as soon as possible to maintain the ground cover and minimize wind erosion of the soil.**
- 5-13 Any construction access roads (other than temporary access roads) shall be paved as soon as possible and cleaned after each work day. The maximum vehicle speed limit on unpaved roads shall be 15 mph.**

5-14 All material stockpiles subject to wind erosion during construction activities, that will not be utilized within three days, shall be covered with plastic, an alternative cover deemed equivalent to plastic, or sprayed with a nontoxic chemical stabilizer.

5-15 Where vehicles leave the construction site and enter adjacent public streets, the streets shall be swept daily or washed down at the end of the work day to remove soil tracked onto the paved surface.

5-16 All diesel-powered vehicles shall be turned off when not in use for more than 10 minutes and gasoline - powered equipment shall be turned off when not in use for more than five minutes.

5-17 The construction contractor shall utilize electric or natural gas powered equipment in lieu of gasoline or diesel powered engines, where feasible and where economically competitive.

Monitoring: The above described mitigation measures will be verified during grading and construction by including the requirements in the grading and construction contracts and by on-going field inspections during grading and construction. Inspection notes verifying implementation of the mitigation measures shall be retained in the project file.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: General Plan, MSHCP Compliance Report, prepared by Principe and Associates, March 2007; MSHCP Compliance report and Burrowing Owl Habitat Assessment, May 2008

Findings of Fact: Vegetation growing on the site includes non-native grassland, Riversidean Sage Scrub, Coastal Sage Scrub, and areas of bare ground. According to the 2007 Principe study, there are numerous ephemeral drainages on the site. Two of these have defined channels and banks. However, these are considered isolated as they have no upstream components, originating at the top of on-site ridges and having channels and banks of only 225 and 245 feet long. There is no direct connectivity to Murrieta Creek. Therefore, on-site drainages are not "Waters of the U.S." under the jurisdiction of the Army Corps of Engineers or "Waters of the State" under the jurisdiction of the California Department of Fish and Game.

- a. The proposed project site is located within the Western Riverside County Multiple Species Habitat Conservation Plan Area. The proposed project is not located within or near a MSHCP criteria cell area. The project is within the range of the Stephens kangaroo rat and is within the Stephens Kangaroo Rat Habitat Conservation Plan Fee Area. Paying a fee to the Riverside County Habitat Conservation Agency is considered adequate mitigation to reduce any impacts of regional urbanization to this species. California gnatcatchers were observed on the site in 2001 and 2004. Take of gnatcatchers on the site is authorized under the MSHCP. In addition, the MSHCP compliance report prepared for the project determined that the proposed project would comply with the provisions of the MSHCP. Therefore, this is less than significant impact.
- b. The proposed project would not 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). No endangered or threatened species were found on site during the recent site surveys. The proposed project site is not in or near a Criteria Cell, cell group, or sub-unit in the Elsinore Plan Area of the MSHCP. The site is located within the burrowing owl survey area and was surveyed for burrowing owl (*Athene cunicularia*). No habitat for the owl or evidence of its presence, now or within the recent past, was found on site or in close proximity to the site. No Burrowing owls were found on site and there is no suitable habitat for the species. No other endangered or threatened species are expected to occur on site due to regular discing of the site as part of weed control measures and its location adjacent to development. Therefore, this is less than significant impact.
- c. The proposed project would not 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. No endangered or other special status species were found on site whose take would be considered significant. California gnatcatchers may be on site, but their take is authorized under the MSHCP. Therefore, this is less than significant impact.
- d. The proposed project site is adjacent to existing development and would not 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. No wildlife nursery sites are located on site and the proposed project area is not considered part of a wildlife corridor or other habitat-linkage. Therefore, this is less than significant impact.

- e. There are numerous ephemeral drainages on the proposed project site's eastern area. Two of the drainages have defined channels and banks. However, these are considered isolated as they have no upstream components, originating at the top of on-site ridges and having channels and banks of only 225 and 245 feet long. There is also no direct connectivity to Murrieta Creek. On-site drainages are not "Waters of the U.S." under the jurisdiction of the Army Corps of Engineers or "Waters of the State" under the jurisdiction of the California Department of Fish and Game. The 2008 Principe report found that there is no riparian habitat located on the proposed project site. Therefore, the proposed project would not 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. Therefore, this is less than significant impact.
- f. There are no wetlands located on the project site. Therefore, the proposed project would not 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. Therefore, this is less than significant impact.
- g. The proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. The site has been disced and has no trees. Therefore, this is less than significant impact.

Mitigation: The project proponent shall pay the open space related impact fees for the SKR and the MSHCP fees prior to rough grading. This standard requirement will reduce any impacts to a less than significant level.

Monitoring: No monitoring is required.

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

Sources: General Plan, A Phase 1 Cultural Resources Assessment of Cornerstone Church Expansion, Jean Keller, November 2004 and A Phase 1 Cultural Resources Assessment of Cornerstone Church Expansion, Jean Keller, March 2009

Findings of Fact: A Phase 1 archaeological records review and survey (Study) was conducted on the proposed project site. The purpose of the Study was to obtain information pertaining to previous land uses of the subject property, and to make a determination as to what extent existing cultural resources would be impacted by the implementation of the proposed project.

- a. The proposed project would not alter or destroy an historic site. The project site has been disturbed and diked regularly for weed control. No historic structures or evidence of historic structures are found on site. Therefore, there would be no impact.
- b. The proposed project would not cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5. No historic resources exist on the proposed project site. Therefore, there would be no impact.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
8. Archaeological Resources				
a) Alter or destroy an archaeological site.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Restrict existing religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Sources: General Plan and a Phase 1 Cultural Resources Assessment of Cornerstone Church Expansion, Jean Keller, November 2004 and A Phase 1 Cultural Resources Assessment of Cornerstone Church Expansion, Jean Keller, March 2009

Findings of Fact: Eight cultural resource studies have been recorded within a one-half mile radius of the site. No archaeological resources were found during any of these studies. No archaeological resources were identified on the project site during the field survey. The proposed project area would not be considered sensitive for cultural resources. However, archaeological resources may be found during ground disturbing activities.

- a. Two cultural resources studies were prepared and no archaeological resources were identified through a records search and during a field survey. Although, no archaeological resources were found on site during the cultural resources survey, there may be undiscovered resources present. Therefore, if any archaeological resources are discovered during ground disturbing activities, all work would stop in the area of the find to allow for an evaluation of its significance and determination of appropriate actions, such as additional investigation and data recovery, would be made by a qualified archaeologist. Through the implementation of this mitigation, potential impacts to archaeological resources would be reduced to less than significant.
- b. Archaeological resources were not found on the project site during the records search or the field survey. The proposed project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, Section 15064.5. If any archaeological resources are discovered during these ground disturbing activities, all work would stop in the area of the find to allow for an evaluation of its significance and determination of appropriate actions, such as additional investigation and data recovery, would be made by a qualified archaeologist. Through the implementation of

this mitigation, potential impacts to archaeological resources would be reduced to less than significant.

- c. The proposed project site is not located in an area of a known formal cemetery. Therefore, it is not anticipated that human remains will be found on the project site. If any human remains are discovered during these ground disturbing activities, all work would stop in the area of the find and the Riverside County coroner's office and Pechanga Band of Luiseño Indians would be contacted to allow for an evaluation of the proper disposition of the remains. Through the implementation of this mitigation, potential impacts to human remains would be reduced to less than significant.
- d. The proposed project site is adjacent to a Christian church campus. The portion of the site that would be disturbed during project implementation has been disced for weed control purposes, but it is unlikely that any on-going pre-historic or historic religious or sacred uses have been practiced at this location. However, if evidence of such uses is discovered during ground disturbing activities, all work would stop in the area of the find to allow for an evaluation of its significance and determination of appropriate actions, such as additional investigation and data recovery, would be made by a qualified archaeologist. Through the implementation of this mitigation, potential impacts to existing religious or sacred uses would be reduced to less than significant.

Mitigation: The following mitigation measures shall be implemented to reduce potential impacts to archaeological resources to less than significant:

- 8-1** *In the event that cultural resources, not previously identified, are encountered during project construction, construction activities will be halted or redirected until a qualified archaeologist can evaluate the nature and significance of the finds and recommend and implement management actions to protect or curate any resources that merit management.*
- 8-2** *If any human remains are encountered during initial grading activities, all ground disturbing activities in the vicinity of the discovery will be terminated immediately and the County Coroner's office must be contacted within 24 hours to arrange for management of such remains.*
- 8-3** *In order to mitigate any potential impacts to unknown subsurface archaeological resources during grading operations, if an archeological resource is encountered during grading activities all grading shall be halted or diverted until a qualified archaeologist can assess the resources.*
- 8-4** *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.*
- 8-5** *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.

- 8-6** *If inadvertent discoveries of subsurface archaeological resources are discovered during grading, the Developer, the project archaeologist, and the appropriate Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Developer and the Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Planning Director for decision. The Planning Director shall make the determination based on the provisions of the CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the appropriate Tribe.*
- 8-7** *All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.*
- 8-8** *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.*
- 8-9** *Prior to the placement of fill materials on any site for which a project has not yet been approved, a Riverside County qualified archeologist and a Pechanga representative shall conduct a cultural resources survey to determine whether cultural resources could be impacted by the proposed fill placement. Upon completion of the survey, the archeologist shall complete a report documenting the results of the survey in conjunction with a Pechanga representative, including any recommendations, and submit it to the City of Wildomar, the project applicant, the Eastern Information Center, and Pechanga Cultural Resources. Based upon the results of the survey, the City of Wildomar will determine whether or not the proposed fill project has a potential to effect cultural resources during the appropriate CEQA review process.*

Monitoring: The developer shall identify the qualified archaeologist to the City, and if subsurface resources are accidentally exposed, the results and findings of the evaluation shall be provided to the City for retention in the project file.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
9. Paleontological Resources				
Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Sources: General Plan, Paleontological Sensitivity Resources Map Figure OS-8 and Riverside County Land Information System.

Findings of Fact: The southern part of the proposed project site is considered in an area of high paleontological sensitivity, while the northern part of the site is considered in an area of low paleontological sensitivity. Monitoring by a qualified paleontologist full-time during ground disturbance would reduce these potential impacts to less than significant.

Mitigation: The following mitigation measures will be implemented to prevent potential impacts to paleontological resources.

- 9-1 A signed mitigation contract will be a condition of grading permit issuance. If paleontological resources are discovered during project construction, all work in the area of the find shall cease, and a qualified paleontologist shall be retained by the project sponsor to investigate the find, and to make recommendations on its disposition. The City shall be notified of any discoveries, and that the Planning Director shall determine the ultimate disposition of any discoveries. The developer shall implement the paleontologists recommendation.**

Monitoring: The City Planning Department shall be notified if paleontological resources are accidentally unearthed on the project site. Any reports of findings shall be provided to the City and retained in the project file.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
GEOLOGY AND SOILS				
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?	☐	■	☐	☐
APEF-Zones	NA ☐ S ■ PS ☐ U ☐ R ☐			
CFH Zones	NA ☐ S ■ PS ☐ U ☐ R ☐			
Definitions for Land Use Suitability Ratings				
Where indicated below, the appropriate Land Use Suitability Rating(s) has been checked.				
NA - Not Applicable, S - Generally Suitable PS - Provisionally Suitable				
U - Generally Unsuitable R – Restricted				

Sources: General Plan and Geotechnical Feasibility Study, EnGen Corporation, March 2006.

Findings of Fact: According to the Geotechnical Study, the site is located in a seismically active area typical of southern California and is likely to experience ground shaking due to earthquakes on nearby faults. There are no known active or potentially active faults crossing the site. The proposed site is not within, but is near, an Alquist Priolo Study Zone. The closest Alquist Priolo Study Zone, for the Elsinore Fault Zone, is located approximately 2.2 miles from the proposed project site. The maximum credible earthquake for the Elsinore-Temecula Fault Zone is 6.8 on the Richter Scale. Since no structures are proposed as part of this project, any impacts from a seismic event are expected to be less than significant. Therefore, no mitigation measures are required.

Mitigation: No mitigation measures are required from impacts due to rupture of a known earthquake fault. Recommendations in the geotechnical evaluation will be implemented as required by the City Engineer to ensure the stability of the proposed slopes.

Monitoring: No mitigation measures are required; therefore, no monitoring will be necessary for impacts due to rupture of a known earthquake fault.

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

Sources: General Plan, and Geotechnical Feasibility Study, EnGen Corporation, March 2006.

Findings of Fact: According to the General Plan and the geotechnical investigation states that the site is not considered subject to liquefaction.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

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

Sources: General Plan and Geotechnical Feasibility Study, EnGen Corporation, March 2006.

Findings of Fact: The Elsinore fault is the nearest fault to the proposed project site and lies approximately 2.2 miles southwest of the project site. As is typical in southern California, the site may be subject to relatively strong ground motions. No inhabitable structures are proposed for the project as it consists of a parking lot and sports field project. Therefore, the proposed project shall be designed to meet the State of California standards for this seismic hazard zone to ensure that the proposed project will not result in significant impacts due to seismic ground shaking. Implementation of the recommendations of the geotechnical evaluation and Riverside County standards for grading compaction will reduce the potential for ground shaking impacts to a less than significant level.

Mitigation: The proposed project shall be designed to meet the geotechnical evaluation and State of California standards for grading compaction to ensure that the proposed project will not result in significant impacts due to seismic ground shaking, but does not require special mitigation.

Monitoring: Grading and site plans shall be reviewed and approved by the Planning Department. Field inspection during grading and construction shall verify implementation in accordance with approved plans.

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

Sources: General Plan and Geotechnical Feasibility Study, EnGen Corporation, March 2006.

Findings of Fact: The project site contains mixed topography, with rolling areas and moderate slopes. Most of the steeper slopes will be retained as undisturbed open space. Other areas would be graded and compacted based on the recommendations of the geotechnical recommendation and will not be subject to landslide risk. As a result, the proposed project has no potential to expose the proposed facilities to any landslide or mudslide hazards.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
14. Ground Subsidence Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in ground subsidence?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: General Plan and Geotechnical Feasibility Study, EnGen Corporation, March 2006.

Findings of Fact: The ground subsidence (settlement) impacts have been given detailed site specific consideration in the geotechnical study for the project site. No significant subsidence is expected to occur as a result of the project. Ground subsidence impacts resulting from the proposed project would be less than significant.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
15. Other Geologic Hazards Such as seiche, mudflow or volcanic hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: General Plan and Geotechnical Feasibility Study, EnGen Corporation, March 2006.

Findings of Fact: There are no other known geologic hazards that could affect the property, including a seiche, mudflow or volcanic hazard. No active, or potentially active, volcanoes are known to occur in the project area and no topography and soils conducive to mudflow risk occur on or near the site. The nearest large body of water, Lake Elsinore is located 4.3 miles northwest of the project site and is not close enough to the site to pose a risk of seiche. Therefore, no mitigation measures are required. This issue area does not require further analysis.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
16. Slopes				

a) Change topography or ground surface relief features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create cut or fill slopes greater than 2:1 or higher than 10 feet?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in grading that affects or negates subsurface sewage disposal systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: General Plan and Geotechnical Feasibility Study, EnGen Corporation, March 2006.

Findings of Fact:

- a. Implementation of the project will result in modifications to the existing topography and surface relief features for approximately half of the site. Though there will be major changes in the area where the parking lot and sports fields are built, the general topography visible from the surrounding areas will remain substantially the same. No significant adverse change in the site landform is anticipated to result from the proposed project. Therefore, no impact will occur
- b. Cut or fill slopes are generally 3:1 or less. However, some of the cut or fill slopes could be greater than 2:1. The geotechnical evaluation provided the general recommendations to reduce the impact of the steeper slopes to less than significant. Through the implementation of mitigation measures impacts associated with slopes greater than 2:1 are reduced to less than significant.
- c. The project will not interfere with a subsurface sewage disposal system. No subsurface sewage system exists on site and one is not proposed as part of the project. Therefore, the project development has no potential to adversely impact this issue. The existing septic system used for the church operation is not in an area that would be disturbed as a part of the proposed project. Therefore, no impact will occur.

Mitigation: The following mitigation measures will be implemented to maintain slope stability on the project site.

- 16-1** *For cut or fill slopes no taller than 30-feet and inclined at 2:1, proper slope maintenance procedures such as installation and maintenance of drainage devices and planting of slope faces to protect from erosion shall be implemented.*
- 16-2** *Surface water shall not be allowed to flow over the slopes other than incidental rainfall. No alteration of pad gradients should be allowed that will prevent pad and roof run-off from being expediently directed to approved disposal areas away from tops of slopes.*
- 16-3** *Top of slope berms shall be constructed and compacted as part of the precise grading plans shall be maintained by the property owner. The recommended drainage patterns shall be established at the time of finish grading and maintained throughout the life of the structures.*
- 16-4** *Concentrated surface waters entering the property from off-site sources shall be collected and directed to a permanent drainage system away from the top of slopes.*

16-5 The applicant shall submit landscape plans to the Planning Department, and receive approval of prior of the plans prior to the issuance of a grading permit. The Landscape Plans shall include all of the natural area re-vegetation, parking lot landscaping, and wildland fire protection components.

Monitoring: The property owner shall be responsible for maintaining and cleaning of all interceptor ditches, drainage terraces, downdrains, and any other drainage structures that have been installed to promote slope stability. Upon completion the City shall inspect the slopes to determine the recommendations of the geotechnical evaluation have been followed.

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

Sources: General Plan, Geotechnical Feasibility Study, EnGen Corporation, March 2006, Preliminary Water Quality Management Plan, Markham Development Management Group, Inc., August 2005.

Findings of Fact:

a-b Dues to the onsite slopes, the project has the potential to create erosion impacts. However compliance with the erosion control measures associated with the grading plans and with the provisions of the Stormwater Pollution Prevention Plan, and Preliminary Water Quality Management Plan are expected to reduce any erosion-related impacts to a less than significant impact. In addition, the soil types found on the project are not considered expansive. As a result, not significant impacts are anticipated.

Mitigation: In addition to Mitigation Measures 16-1 through 16-6, the standard grading permit requirements will ensure that any potential erosional impacts will not result in a significant impact to the environment.

Monitoring: The above described requirements and mitigation measures will be verified during grading and construction by field inspections as each stage of construction takes place.

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

Sources: General Plan, Geotechnical Feasibility Study, EnGen Corporation, March 2006, Preliminary Water Quality Management Plan, Markham Development Management Group, Inc., August 2005.

Findings of Fact:

a-b. The proposed project will not change deposition, siltation or erosion which may modify the channel of a river or stream or the bed of a lake. The project proponent shall adhere to City grading standards, best management practices and the SWPPP are required to control potentially significant erosion hazards. Due to the drainages and slopes located on the property, a potential for erosion does exist. Implementation on Mitigation Measures 16-1 through 16-6 and 17-1 through 17-2 will ensure that the potential for significant erosion will be controlled on the project site. With the incorporation of mitigation measures, this is a less than significant impact.

Mitigation: In addition to Mitigation Measures 16-1 through 16-6 and 17-1 and 17-2 above.

18-1 Prior to the issuance of a grading permit, the applicant shall submit a revegetation plan to the Planning Department for the proposed off-site haul route. The revegetation plan should include the use of appropriate native plant species and measures to prevent erosion.

Monitoring: The City shall monitor compliance with the Mitigation Measures 16-1 through 16-6 and 17-1 through 17-2 during grading and construction and keep verification documentation in the project file as part of the public record on the project.

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

Sources: General Plan.

Findings of Fact: The project site is not located within a blowsand hazards area. The natural vegetation, topography, and lack of sand eliminate the potential for a blowsand hazard on the site or in the vicinity. Short-term wind erosion has been analyzed within the Air Quality section of this document and mitigation measures are proposed to reduce impacts to a less than significant level. No additional impacts are anticipated; therefore this is a less than significant impact.

Mitigation: Air quality mitigation is included in the air quality section of this environmental assessment.

Monitoring: Monitoring would occur as part of the implementation of air quality mitigation measures.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
20. Hazards and Hazardous Materials				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: General Plan, Envirostar Database, State of California.

Findings of Fact:

- a. Development of the proposed project site would not result in the routine transport use or disposal of toxic or hazardous materials beyond the fertilizers and pesticides associated with sports field and landscape maintenance. The transport, storage, use, and disposal of these substances would be regulated under existing hazardous waste regulations at the local, State, and federal level and any use on the project site would be required to comply with these regulations. With implementation of existing regulations, the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. This is considered a less than significant impact.
- b. According to the Envirostar Database, there are no toxic substances known to exist on the project site, so there would be little to no risk of releasing toxic or hazardous substances into the environment during grading or project construction from existing on-site hazardous materials. During grading and construction there is a risk of a spill of petroleum products. During operation of the completed project, there is potential for accidental release of hazardous substances used on-site for sports field and landscape maintenance. The property owner will follow the regulations regarding hazardous waste cleanup measures would ensure that the impacts in this issue area are less than significant. Additionally, the proposed project will adhere to the SWPPP and BMPs will ensure impacts from accidental spills will be less than significant. With mitigation, the proposed project would not 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. The proposed project is designed with sufficient emergency access to meet Riverside County Fire Department standards, including a sufficient on-site turning radius. The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan. Access to the site would be from the western portion of the church site off Monte Vista Drive and Via Carnaghi Lane on the southwest. The nearest fire station is 32637 Gruwell Street in Wildomar within 1.5 miles of the project site. An emergency response to the proposed project site from this station would be less than five minutes. Thus, the proposed project will not impair the implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan. This is considered a less than significant impact.
- d. The proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed

school. The project site is located within one-quarter mile of an existing school. There is a K through 12 School on the church site. However, no hazardous materials would be associated with the proposed project beyond what would be associated with grading and construction activities and ongoing landscape and sports field maintenance. Therefore, the proposed project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. This is considered a less than significant impact.

- e. The proposed project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment. The nearest site of known hazardous waste concern is a gasoline station on Orange Street in Wildomar within approximately one mile of the project site. The site had a leaking underground fuel tank and the problem was resolved. However, based on the Envirostar database search, no impacts from on-site hazardous waste contamination concerns are anticipated for the proposed project site. This is considered a less than significant impact.

Mitigation: The following mitigation measure shall be incorporated into the proposed project:

20-1 *All spills or leakage of petroleum products during construction activities shall be immediately contained; the hazardous material identified; and the contaminated site remediated in compliance with applicable state and local regulations regarding cleanup and disposal of the contaminant released. The contaminated waste shall be collected and disposed of at an appropriately licensed disposal or treatment facility.*

Monitoring: The above described mitigation measure will be verified in the field should an accidental spill or leakage occur. Records of such occurrences and subsequent completion of remediation procedures shall be kept on file.

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

Sources: General Plan

Findings of Fact: The proposed project would not result in an inconsistency with an Airport Master Plan. The proposed project is not within an Airport Master Plan area and does not require review by the ALUC. The nearest airport is Skylark Airport, a small privately-owned airport in Lake Elsinore approximately two and three-quarter miles northwest of the project site. The project site is not in the airport influence area and would not result in a safety hazard for people residing or working in an area around a private airstrip or heliport facility. No structures, lighting, objects that create excessive glare, or water features that attract birds and that would interfere with airport

operations are proposed by the project. No airport related impacts are forecast to occur as a result of the implementation of the proposed project.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
22. Hazardous Fire Area				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: General Plan

Findings of Fact: The project site is not located within a hazardous fire area; therefore, implementation of the project will not 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. No impacts are anticipated; therefore, no mitigation measures are required.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Sources: General Plan, Geotechnical Feasibility Study, EnGen Corporation, March 2006, Preliminary Water Quality Management Plan, Markham Development Management Group, Inc., August 2005.

Findings of Fact:

- a. The proposed project would not 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 which would result in substantial erosion or siltation on- or off-site. The natural on-site drainages would be slightly altered as part of the project, but this would not result in substantial erosion or siltation on or off-site. Project design and implementation of the project SWPPP would prevent this impact from occurring. Through the implementation of mitigation measures, this is a less than significant impact.
- b. The proposed project would not violate any water quality standards or waste discharge requirements. The SWPPP would be implemented to ensure that surface water quality in project drainage tributaries is protected. There is no waste discharge requirement associated with the project as the project does not involve any discharge to a sewer. Parking lot runoff will be drained into parking lot landscaping features, detention basins and bioswales and desilting would occur prior to discharge to area storm drainage system. In addition to implementation of mitigation measures 16-1 through 17-2, irrigation of sports fields and landscaping will be managed with as little runoff as practicable. The SWPPP and WQMP for the proposed project will be implemented to ensure that both short- and long-term storm runoff discharges are not unacceptably degraded by sediment or other pollutants. Therefore, the proposed project will not violate any water quality standards or waste discharge requirements.
- c. The depth to groundwater is not known on the site. However, no groundwater was encountered during the fieldwork performed for the geotechnical feasibility analysis. Based on other topography and soil and bedrock configuration, it is unlikely that groundwater would be encountered during excavation of the upper portions of the site. The lower portions of the site may contain groundwater at depths that may be encountered during project implementation.

Groundwater may be encountered during the grading phase of the project within the existing drainages. However, if grading occurs during relatively dry weather, it is not likely that groundwater will be a significant concern. Grading outside the drainages will not likely encounter groundwater.

No wells are proposed to be installed on the property. Water will be supplied by the Elsinore Valley Municipal Water District that utilizes both local groundwater and surface water, and imported water supplies, to ensure adequate water is available for consumers. No adverse impacts to groundwater resources are likely to occur from implementing the proposed project, which consists of two sports fields and a parking lot with landscaping. The stormwater detention facilities would assist in enhancing groundwater recharge. The impacts in this area are less than significant.

- d. The project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

The project will result in changes in absorption rates and the rate and amount of surface runoff on the project site. With the introduction of concrete slabs and pavement, there will be a decrease in surface permeability by impermeable surfaces. Design measures such as detention basins, shall be incorporated on the site to ensure that downstream flows will not be increased, so that no significant impacts are anticipated as a result of this project. The standard flood control fees will be charged to the project and utilized to fund storm water management facilities downstream as part of the implementation of a long-term regional system improvement plan. No potential for significant impact from the increased runoff from the site is forecast to occur. No mitigation is required.

- e-f. The project site is not located in a flood hazard zone or 100-year flood zone and no potential for exposure to significant water related hazards exists on this site. Therefore, there is no impact associated with flood hazards.
- g. The project applicant shall adhere to best management practices designed to control discharges of pollution that could cause a significant adverse impact to surface water quality. The Water Quality Management Plan and SWPPP document prepared specifically for this project define which best management practices (BMPs) will be applied to this project and their implementation will ensure that no significant erosion and sedimentation, or other water quality degrading impacts, will occur from implementing the proposed project.

The proposed project drainage runoff would be received by Murrieta Creek, and the Santa Margarita River. This project has the potential for the discharge into varying amounts of urban pollutants such as motor oil, antifreeze, gasoline, pesticides, detergents, trash, and fertilizers. The long-term best management practices to control these pollutants from the project site are identified in the WQMP. With implementation of the SWPPP and WQMP and design of the proposed project, the potential water quality impacts of the project can be reduced to a less than significant level.

Mitigation: The project comply with the requirements of the project specific Water Quality Management Plan and SWPPP. No additional hydrology mitigation measures are required.

Monitoring: Monitoring will occur as described in the project specific SWPPP.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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 the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Changes in absorption rates or the rate and amount of surface runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam (Dam Inundation Area)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Changes in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: General Plan, Geotechnical Feasibility Study, EnGen Corporation, March 2006, Preliminary Water Quality Management Plan, Markham Development Management Group, Inc., August 2005.

Findings of Fact:

- a. The proposed project will not substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site as the future surface runoff from the project site will flow through the existing system of downstream stream channels and creeks. Design measures are incorporated on the site to ensure that downstream flows will not be increased, so that no significant impacts are anticipated as a result of this project. Therefore, this is a less than significant impact.
- b. The proposed project will not create changes in absorption rates or the rate and amount of surface runoff. Design measures are incorporated on the site to ensure that downstream flows will not be increased, so that no significant impacts are anticipated as a result of this project. With the introduction of pavement, there will be a decrease in surface permeability by impermeable surfaces. However, by capturing runoff in the project landscaping areas and installation of detention basins to capture the increase in runoff, the project will not cause any significant increase in downstream flows or change in a body of water. Natural drainage channels will remain and will continue to provide areas for groundwater recharge. The sports fields will also provide percolation opportunities during storm events. Therefore, this is a less than significant impact.
- c. The proposed project is not located in an area that will 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. Therefore, this is a less than significant impact.
- d. The onsite management of surface runoff will control the volume of surface runoff from the site to that which already occurs. Thus, aside from detention onsite, no change in the amount of surface water in downstream channels will result from project implementation. Therefore, this is a less than significant impact.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Affect land use within a city sphere of influence and/or within adjacent city or county boundaries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: General Plan, Riverside County Land Information System.

Findings of Fact:

- a. The proposed project would not result in a substantial alteration of the present or planned land use of an area. The proposed project consists of construction of sports fields and a parking lot as part of the improvement of facilities at an existing church. Adjacent land uses are designated for rural residential and commercial uses. The combination of land uses proposed is consistent with existing and proposed levels of land use in the area. The project does not represent a change from the existing designation for this property. Therefore, this is a less than significant impact.
- b. The project is located within the City of Wildomar. The development of this project is not projected to create any incompatibilities with the surrounding uses. Development within the project area includes residences, commercial property and a church. The project is compatible with the mixed-use development in the surrounding area.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
26. Planning				
a) Be consistent with the site's existing or proposed zoning?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Be compatible with existing surrounding zoning?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be compatible with existing and planned surrounding land uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be consistent with the land use designations and policies of the Comprehensive General Plan (including those of any applicable Specific Plan)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: General Plan, Riverside County Land Information System.

Findings of Fact:

- a. The proposed project is consistent with the site's existing zoning and uses. The proposed project site is designated BP (Business Park) and MDR (Medium Density Residential) and zoned as rural residential. There is a PUP on the site that allows for the development and operation of a church and associated facilities which is consistent with the zoning, land use designation and surrounding uses. The proposed project is the modification of the PUP to include a bigger parking lot and relocation of sports fields. Both of these uses are compatible with the land use entitlement being sought and are a logical extension of the existing uses at the site. There are already parking areas and a sports field being used at the church site. The proposed project would not change the uses at the site, but would offer the same types of uses and provide more paved parking area. Therefore, this is a less than significant impact.
- b. The proposed project is compatible with existing surrounding zoning. The proposed project is part of a PUP for church campus development. This mixed use area is in transition rural residential uses to higher density development including commercial uses. Surrounding zoning includes rural and medium density residential areas and commercial zones. Sports field uses already exist on site and would be considered compatible with the surrounding uses. The proposed project would be reviewed by staff to ensure compatibility through

compliance with all zoning standards including landscaping and parking lot design. Therefore, this is a less than significant impact.

- c. The proposed project is compatible with existing surrounding land uses. The proposed project is part of a PUP for church campus development. This mixed use area is in transition rural residential uses to higher density development including commercial uses. Surrounding zoning includes rural and medium density residential areas and commercial zones. Sports field uses already exist on site and would be considered compatible with the surrounding uses. The proposed project would be reviewed by staff to ensure compatibility through compliance with all zoning standards including landscaping and parking lot design. Therefore, this is a less than significant impact.
- d. The proposed project is consistent with the land use designations and policies of the Riverside County Comprehensive General Plan, which the City adopted July 1, 2008. The project would comply with all policies in the plan and development code including those regarding landscaping requirements. Therefore, this is a less than significant impact.
- e. The proposed project would not disrupt or divide the physical arrangement of an established community (including a low-income or minority community). It is located on an undeveloped portion of an existing church campus. Surrounding uses include commercial and rural residential. Improvement of the church campus to provide more paved parking lot area and relocation of sports fields would be compatible with surrounding land uses. By providing more parking on-site, the proposed project would help eliminate the parking of cars on surrounding streets during well-attended church events. No impacts are foreseen from implementation of the project.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

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

Sources: General Plan, Figure OS-5

Findings of Fact: According to the General Plan Figure OS-5, the project site is in Mineral Resource Zone 3. Mineral deposits are likely to exist but the significance is undetermined. No mineral resources were specifically identified on the project site and there is no historical use of the site for mineral extraction purposes. Development of the site for mineral extraction would be very

unlikely given surrounding uses. No mineral resource impacts were identified and no mitigation measures were required.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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 ☐

Sources: General Plan, Elsinore Area Plan

Findings of Fact: The project site is not located within an airport land use plan. The nearest airport is the Skylark Airport located approximately two and one-quarter miles northwest of the project site. Therefore, the project would not expose people residing or working in the project area to excessive noise levels from a public use airport. However, the proposed project site is not within the airport influence area and noise impacts associated with the airport are forecast to be less than significant at the project site.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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29. Railroad Noise

☐ ☐ ☐ ☒

NA ☒ A ☐ B ☐ C ☐ D ☐

Sources: General Plan, Figure S-21

Findings of Fact: The project site is not located near any railroad lines. No impacts will occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
30. Highway Noise	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NA <input type="checkbox"/> A <input checked="" type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/>				

Sources: General Plan, Figure S-20, Technical Appendix I - Figure 1

Findings of Fact: The west side of the project site is located within 600 to 1000 feet of Interstate 15, However, the uses of the proposed project, parking lot and sports fields, are not considered noise sensitive uses. Sports fields are compatible with ambient noise levels of 70 to 75 decibels (Noise Element). The noise level forecast for a 10 lane freeway 382 feet from centerline at General plan build-out is approximately 70 dBA and 815 feet from Centerline is approximately 65 dBA. These levels would not be exceeded at the project site and therefore the highway noise would not be considered a major source of noise. Therefore, this is considered a less than significant impact

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
31. Other Noise	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NA <input checked="" type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/>				

Sources: General Plan Noise Element

Findings of Fact: No other noise impacts have been identified.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Sources: General Plan

Findings of Fact: In the Noise Element of the General Plan, a noise exposure up to 70 or 75 dBA CNEL is considered acceptable for sports fields and there is no noise standard for a parking lot. Noise levels at the proposed project are not expected to exceed this level.

Existing noise levels throughout the project area derive almost exclusively from vehicular sources on the highways and secondary roads in the area. Roadway traffic noise will increase in direct proportion to the number of vehicles on area roadways. The noise level forecast for a 10 lane freeway 382 feet from centerline at General plan build-out is approximately 70 dBA and 815 feet from Centerline is approximately 65 dBA. These levels would not be exceeded at the project site and therefore the highway noise would not be considered a major source of noise, even at general plan build-out.

No formal noise study has been prepared for the proposed project. Implementing the proposed development will generate noise during construction and following occupancy of the site. The construction noise is controlled by County requirements that construction activities be restricted to the hours of 6:00 am to 6:00 pm June through September and 7:00 am to 6:00 pm October through May. In addition, construction activities may result in the exposure of grading and construction employees to severe noise levels are generally considered to be sounds greater than 75 dBA for several hours. Occupational Safety and Health Administration (OSHA) requires hearing protection for persons exposed to 75 dBA for more than eight hours per day or exposed to extreme (90+ dBA) impulse sounds. Construction contractors must comply with OSHA hearing protection requirements by establishing a program which will include a hearing protection program for those operations that

exceed hearing protection thresholds. Proposed modified project operations will be included in this hearing protection program and, therefore, implementation of the project is not forecast to expose people to severe noise levels without protection. No additional mitigation is required.

The impacts of grading and dirt removal operations on nearby sensitive receptors, specifically the low density residential uses adjacent to the project and the school use on the adjoining church campus, would be considered nuisance noise as the duration of the project grading and construction. There may also be a generation of groundborne vibration or groundborne noise from grading equipment and earthwork. Mitigation measures are recommended to ensure these impacts are reduced to less than significant.

The ongoing noise levels associated with the additional sports field uses are considered acceptable and less than significant for the project area in accordance with General Plan Noise Element policies. Specifically, sports field uses will increase onsite noise relative to existing noise generation during games and practice, but the ongoing noise levels will be consistent with the current noise environment. The background noise levels in the area are dominated by the I-15 freeway corridor (75 dB CNEL adjacent to the freeway and 70 dBA at the western edge of the site). The outdoor sports activities associated with the proposed project are not forecast to generate noise levels that exceed the existing background noise level.

Mitigation: Implementation of the following grading and construction noise mitigation measures can reduce potential noise impacts to a level of non-significance.

- 32-1** *Grading, earth removal, and construction shall be limited to daylight hours and during the hours of 7 a.m. to 6 p.m. on Monday through Friday, and 9 a.m. to 6 p.m. on Saturday, and shall be prohibited on Sundays and federal holidays, except in emergencies.*
- 32-2** *Utilize construction methods or equipment that will provide the lowest level of noise impact, i.e., use newer equipment that will generate lower noise levels.*
- 32-3** *All construction vehicles and fixed or mobile equipment shall be equipped with properly operating and maintained mufflers or sound attenuation devices, as specified in regulations at the time of construction.*
- 32-4** *Schedule the construction such that the absolute minimum number of equipment would be operating at the same time.*
- 32-5** *All employees that will be exposed to noise levels greater than 75 dB over an 8-hour period shall be provided with adequate hearing protection devices to ensure no hearing damage will result from construction activities.*
- 32-6** *If equipment is being used that can cause hearing damage at adjacent noise receptor locations (distance attenuation shall be taken into account), portable noise barriers shall be installed that are demonstrated to be adequate to reduce noise levels at receptor locations below hearing damage thresholds. This may include erection of temporary berms or plywood barriers to create a break in the line-of-sight, or erection of a heavy fabric tent around the noise source.*
- 32-7** *The City shall require that a noise control plan be submitted for all impulsive construction equipment such as pile drivers, jackhammers, rockcrushers, etc, and all mobile equipment over 200 HP proposed to operate within 160 feet of an*

occupied residence as part of the grading permit application. The noise control plan shall outline measures to be taken to minimize noise nuisance and must be approved by the City prior to use of the impulsive construction equipment. Use of impulsive construction equipment such as pile drivers, jackhammers, rockcrushers, etc. will be limited during the regular school hours of the school buildings located within 1000 ft. of the noise generator.

Monitoring: The above described mitigation measure will be verified in the field during construction by City of Wildomar field inspections. Records of field observations and subsequent remediation procedures shall be kept on file.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
POPULATION AND HOUSING Would the project				
33. Housing				
a) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Affect a County Redevelopment Project Area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Cumulatively exceed official regional or local population projections?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: General Plan

Findings of Fact:

- a. Implementation of the project will not displace any existing housing as the site is currently vacant and will, therefore, not necessitate the construction of replacement housing elsewhere. Therefore, no impact will occur.
- b. The project will not create any significant demand for housing. The proposed project is part of an existing church campus that primarily serves residents in the nearby area. Development of additional parking and sports fields would have no impact on housing supply or demand. Therefore, no impact will occur.
- c. The proposed project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. There are no homes on the project site and there is nothing in the character, design, or implementation of the proposed project that would displace people in the homes adjacent to the project. Therefore, no impact will occur.
- d. The proposed project is not in or near a County redevelopment area. Therefore, no impact will occur.

- e. The proposed project is not residential in nature and would therefore not contribute to population within the project area. Therefore, no impact will occur.
- f. The proposed project would not be considered growth-inducing. It is the modification of an existing church campus to include additional parking and relocate sports fields. All required infrastructure is available either adjacent to or near the project site. Therefore, no major extension of infrastructure, and related growth inducement, will result from implementing the proposed project. No significant population or housing impacts are forecast to occur from project implementation. Therefore, no impact will occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
34. Fire Services	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: General Plan, Riverside County Fire Department website.

Findings of Fact: The project site is served by the Riverside County Fire Department. The closest station to the project site is the Wildomar Station, #61, located at 32637 Gruwell Street. This station is within 1.5 miles of the project site.

Implementation of the proposed project will result in a less than significant impact to fire services. The project may incrementally add to the existing demand for fire services. The relocated sports fields would generate virtually no impact and a parking lot would generate no demand for fire services. Operational expenses are covered by the County's General Fund and the project contributes property taxes to the general fund to offset the potential incremental demand for fire protection services.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
35. Sheriff Services	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: General Plan

Findings of Fact: The proposed project would have law enforcement services available from the Riverside County Sheriff's Department and the California Highway Patrol. The Sheriff's Department

serves the community of Wildomar, with the Lake Elsinore station at 333 Limited Avenue providing service to the proposed project. The California Highway Patrol has jurisdiction along Interstate 15.

Implementation of the proposed project will result in a less than significant impact to sheriff services. The project may incrementally add to the existing demand for sheriff services and/or the need for new facilities. The project will contribute property taxes to the general fund to offset the potential incremental demand for police protection services.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

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

Sources: General Plan

Findings of Fact: The proposed project is located within the Elsinore Valley Unified School District, but is not near any existing or proposed public school site. The proposed project does not provide housing and will not create a demand for school services. The existing church facility provides alternate education from grades K through 12. The proposed project will not effect the current education program at the facility. Implementation of the proposed project will result in no impact to public schools. The proposed sports fields will likely be used by the school located on the church campus. This would be considered a benefit to the existing school.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

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

Sources: General Plan

Findings of Fact: Implementation of the project will result in no impact to library services. The project is forecast to cause no increase in the local population. As a result, the project will not add to the existing demand on libraries and does not require additional library services.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
38. Health Services	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: General Plan

Findings of Fact: Implementation of the project will result in a less than significant impact to health services. Health care service is provided by the private sector, and health care capacity expands in response to additional demand. The proposed commercial development will result in less than significant incremental demand for healthcare services.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project include the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Is the project located within a C.S.A. or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: General Plan and Site Plan.

Findings of Fact: The proposed project is the expansion of a church campus to include additional parking and relocate sports fields for recreation. It provides, but would not place direct demand on recreational facilities. It may serve to incrementally decrease demand on public recreational facilities as the private facilities are used in lieu of public facilities by church members. No significant impacts to parks and recreation will occur as a result of the implementation of the proposed project. The proposed project would not increase the population in the area and is not forecast to cause a significant increase in the demand for use of offsite existing neighborhood or regional parks or other recreational facilities.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
40. Recreational Trails.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: General Plan, Elsinore Area Plan

Findings of Fact: A community and public trail runs south and east of the proposed project site. However, the proposed project does not include recreational trails and would not impact the trail. No impacts to regional recreational trails will occur as a result of project implementation.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated road or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Alter waterborne, rail or air traffic?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Cause an effect upon, or a need for new or altered maintenance of roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Cause an effect upon circulation during the project's construction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Result in inadequate emergency access or access to nearby uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Conflict with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: Site Plan; Air Quality Impact Analysis, Cornerstone Church Expansion, Giroux and Associates, May 27, 2008; Existing traffic Conditions, Urban Crossroads, May 27, 2009.

Findings of Fact: The Urban Crossroads report determined that existing conditions of the project roadways are operating at acceptable levels of conditions:

1. I-15 Southbound Ramp (S) at Bundy Canyon Drive (EW)
2. I-15 Northbound Ramp (N) at Bundy Canyon Drive (EW)
3. Monte Vista Drive (NS) at Bundy Canyon Drive (EW)
4. I-15 Southbound Ramp (S) at Baxter Road (EW)
5. I-15 Northbound Ramp (N) at Baxter Road (EW)
6. Monte Vista Drive (NS) at Baxter Road (EW)

Existing peak hour traffic operations have been evaluated and are summarized in Table 41-1 which is located on Page 44 of this Initial Study. For existing traffic conditions, the study area intersections are currently operating at an acceptable level of service (LOS "D" or better) during the weekday and weekend peak hours with existing geometry, except for the intersections of:

I-15 SB Ramps/Baxter Road (LOS "E" during AM weekday peak hour)

I-15 NB Ramps/Baxter Road (LOS "F" during AM and PM weekday peak hour)

While the existing church/school facility generates vehicle trips throughout the week, including the AM and PM peak hours, the primary impact of the church facility is on Sunday morning and early afternoon when area intersections operate at acceptable levels of service.

Table 41.1
Intersection Analysis for Existing Conditions

Intersection	Traffic Control ¹	Intersection Approach Lanes ²				Weekday		Saturday	Sunday
		N/B	S/B	E/B	W/B				
		L T R	L T R	L T R	L T R	AM	PM		
I-15 SB Ramp (NS) at: Bundy Canyon Rd (EW) Baxter Rd (EW)	TS CSS	0 0 0 0 0 0	1 1 0 0 1 1	0 2 0 0 1 0	1 2 0 1 1 0	C E	C D	B C	B D
I-15 NB Ramp (NS) at: Bundy Canyon Rd (EW) Baxter Rd (EW)	TS CSS	1 1 0 1 0 1	0 0 0 0 0 0	1 2 0 1 1 0	0 2 0 0 1 0	C F	C F	B C	B D
Monte Vista Rd (NS) Bundy Canyon Rd (EW) Baxter Rd (EW)	CSS CSS	0 1 0 0 0 0	0 0 0 0 1 0	0 1 0 0 1 0	0 1 0 0 1 0	C B	C A	C A	C B

a & c. During construction of the proposed project site, the proposed project would require up to 116 round trips per day to export dirt as well as plus some trips associated with the grading construction supplies and employees. The hauling of the exported material will be spread out throughout the work day and would have a less than significant impact on local roads and intersections at peak hour trips. Prior to the initiation of any hauling activities the applicant will need to obtain City approval of a haul permit. The haul permit contained in Mitigation Measure 41-1 will be conditioned to ensure that any impacts to the local road network will be minimized. Following project construction, the project improvements do have some potential to further exacerbate the existing traffic congestion issues created when the previous church expansion when it was approved by the County of Riverside. The City may determine as a

¹ CSS = Cross Street Stop
AWS = All Way Stop
TS = Traffic Signal

² When a right turn is designated, the lane can either be striped or un-striped. To function as a right turn lane there must be sufficient width for right turning vehicles to travel outside the through lanes.

L = Left Turn; T = Through, R = Right; 1! = Shared Left-Through-Right; 0.5 = Shared Lane

² Delay and level of service calculated using the following software: Traffic, Version 7.9 R# (200&). Per the 2000 Highway Capacity Manual, overall average intersection delay and level of service are shown for intersections with traffic signal or all way stop control. For intersections with cross street stop control, the delay and level of service for worst individual movement (or movements sharing a single lane) are shown.

² _ = Volume to Capacity Ratio > , Level of Service "F"

condition of approval the proposed project pay a fair share toward the future traffic signal improvements in the area. Consequently, the operational impact of the project is expected to remain less than significant.

- b. The proposed project is not forecast to result in inadequate parking capacity. A major component of the project is a parking lot expansion that would provide approximately 764 additional parking spaces. This would be enough spaces to provide parking for attendees and participants at church activities. This parking will be incorporated into the existing church campus and include landscaping elements. Therefore, this is a less than significant impact.
- d-e. The proposed project is not forecast to 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 or alter waterborne, rail or air traffic. The proposed project is within two miles of Skylark Airport, but not within the influence area. The project would not result in an airspace obstruction or other condition that would change any airport operations. The project site is not near a rail line or a body of water with waterborne traffic. Therefore, this is a less than significant impact.
- f. The proposed project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment). The proposed project has been designed with an internal parking lot circulation system that meets all City standards. There are no sharp curves or dangerous intersections in the project design. No roadways will be adversely affected by the proposed project. Improvements to local roadways, such as the paving of Via Carnaghi Lane, will be implemented in accordance with City requirements. Therefore, this is a less than significant impact.
- g. The proposed project would not cause a significant effect upon, or a significant need for new or altered maintenance of roads. The proposed project would result in improvements, such as the paving of Via Carnaghi Lane in accordance with City requirements. Access to the site would remain the same as under existing conditions. Maintenance of the on-site improvements would be performed by the project proponent. Maintenance of the off-site improvements would be performed by the City. Therefore, this is a less than significant impact.
- h. The proposed project would not result in inadequate emergency access or access to nearby uses. The project design and roadway system would meet all County standards. The two existing access points off Monte Vista Drive; one access through the church parking lot to the west parking lot and one from the improved Via Carnaghi Lane will remain unchanged. Therefore, this is a less than significant impact.
- i. The proposed project will result in temporary impacts to circulation during construction activities. During construction activities, the traffic flow will be maintained to the highest level possible with the use of standard traffic control devices. Typical traffic control measures include warning signs, warning lights, and flaggers. Implementation of standard traffic control measures, through a traffic management plan approved by the County, will provide guidance and navigational tools throughout the project area in order to maintain traffic flow and levels of safety during construction.
- j. The proposed project would not conflict with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks). There is no bus turnout associated with the proposed project. However, a bicycle rack could be incorporated in the parking lot design if needed.

Mitigation: The following traffic and circulation system mitigation measures will be implemented by the proposed project:

- 41-1** *Prior to the initiation of any grading activities, the Planning Director and City Engineer shall determine if additional environmental analysis is required for the proposed haul component. No haul permit shall be issued with the prior approval of the Planning Director. The applicant shall obtain a haul route permit with a traffic control plan from the City Engineer. During construction activities, the traffic flow will be maintained to the highest level possible with the use of standard traffic control devices. Typical traffic control measures include warning signs, warning lights, and flaggers. Implementation of traffic control measures will provide guidance and navigational tools throughout the project area in order to maintain traffic flow and levels of safety during construction. At the City Engineer's sole discretion, additional mitigation measure or restrictions may be applied to the project to minimize impacts to the surrounding community. Additional environmental analysis will be required if the potential impacts exceed the impacts identified in this Initial Study.*

Monitoring: Mitigation Monitoring will be accomplished by City of Wildomar.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
42. Bike Trails				■

Sources: General Plan, Elsinore Area Plan Figure 8.

Findings of Fact: The proposed project is near a designated community trail (a part of Baxter Road south of the project and continuing east of the project). This trail can be used for bicycles, but is a multi-use trail rather than a designated bike trail for bikes only. No conflicts with the use of the community trail would occur as a result of the proposed project.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: General Plan

Findings of Fact: The proposed project is located within the boundaries of the Elsinore Valley Municipal Water District (EVMWD), which would serve the proposed project with water. EVMWD utilizes both local groundwater and surface water, and imported water supplies, to ensure adequate water is available for consumers.

a-b. The proposed project has a water demand created by the additional parking lot landscaping. Existing sports fields, currently being irrigated, would be relocated as part of the proposed project. Every reasonable measure shall be taken to design and operate the irrigation systems for the proposed project to use water efficiently. No recycled water is available in the project area for grading or facilities operations. The water demand from the proposed project would be approximately 32 acre feet per year (based on the irrigation budget of 1,391,893 cubic feet of water per year total project demand). This is equivalent to the water demand of approximately 64 single family houses and considered only a small percentage of the current capacity. As such, the water demand would be considered less than significant. Elsinore Valley Municipal Water District's Urban Water Management Plan indicates that there are enough water treatment facilities to treat water needed for existing and anticipated development within its service area. The proposed project water demand would not require or result in the construction of new water treatment facilities or expansion of existing facilities since the existing church is already served by EVMWD. Any impacts will be less than significant.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a determination by the wastewater treatment provider which 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: General Plan, EVMWD.org

Findings of Fact:

- a-b. The proposed project is located within the boundaries of the EVMWD. However, the proposed project would not generate any demand for sewage treatment as there are no new toilets, bathing, or kitchen facilities, proposed and the church facility uses a septic system and is not connected to the sewer. Therefore, there would be no impacts in the area of wastewater treatment.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
45. Solid Waste				
a) Is the project served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Comply with federal, state, and local statutes and regulations related to solid wastes (including the CIWMP (County Integrated Waste Management Plan)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: General Plan

Findings of Fact:

- a- b. The proposed project would generate solid waste during the grading and construction phase and also during operation of the facilities. The amount of solid waste from grading and construction of the parking lot and sports fields would be relatively insignificant. As a result, the amount of solid waste from operation of the facilities would be minimal (the landfills serving the project area are the Lambs Canyon and the El Sobrante landfills which currently have capacity for the foreseeable future). As a result, it is anticipated that any impacts from solid waste resources.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
46. Utilities				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Storm water drainage?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Street lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Other governmental services?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Conflict with adopted energy conservation plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Sources: General Plan, project site plan.

Findings of Fact: The proposed project is the modification of an existing PUP to expand the parking facilities at an existing church/school campus (including the relocation of existing sports fields. Onsite utilities improvements for storm water drainage, detention, and release would be provided. These facilities would be connected to existing infrastructure. The project stormwater drainage system would connect to the regional system. The impacts in this area are considered less than significant based on the availability of existing public facilities that support local systems. The project will not conflict with adopted energy conservation plans. Grading and construction activities would be coordinated to ensure minimal disturbance of existing utilities during project implementation. Compliance with the requirements of Southern California Edison, Southern California Gas, other utilities and Riverside County Flood Control will ensure impacts to utilities remain below a level of significance.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
OTHER				
47. Other: No other impacts have been identified.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: N/A

Findings of Fact: N/A

Mitigation: N/A

Monitoring: N/A

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
MANDATORY FINDINGS OF SIGNIFICANCE				
48. 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
49. Does the project have the potential to achieve short-term environmental goals, to the disadvantage of long-term environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
50. 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
51. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Sources: Preceding checklist

Findings of Fact: The proposed project is the revision of an existing Public Use Permit (P.U.P.) in order to expand an existing parking lot and relocate ball fields at an existing church site. The proposed project is located on approximately 24.42 acres and would result in the construction of additional parking spaces, a baseball diamond, soccer field, and drainage improvements on an 83.01-acre church campus. Drainage facilities would include vegetated enhanced bioswales for stormwater quality improvement. In order to prepare the site for construction, up to 700,000 cubic yards of material would need to be exported from the site. When completed, the proposed development is projected to generate 30 additional trips during the morning peak hour and 88 additional trips during the afternoon peak hour. During construction, there would be up to 116 trips per day to export dirt from the site.

48. The project does not 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, or to eliminate important examples of the major periods of California history or prehistory. Please refer specifically to Biological, Cultural Resource, and other sections of this initial study. With mitigation, this is a less than significant impact.

49. The project would not achieve short-term environmental goals, to the disadvantage of long-term environmental goals. There are some short-term impacts to the environment from project grading and construction that would be less than significant with mitigation, but would be considered a nuisance to surrounding properties. Please refer specifically to Air Quality, Noise, Transportation/Traffic, and other sections of this initial study. However, all long-term impacts are less than significant, or less than significant with mitigation incorporated, and would not interfere with the achievement of long-term environmental goals in the project area or at the project site.
50. The project does not have impacts which are individually limited, but cumulatively considerable and does not have environmental effects which will cause substantial adverse effects on human beings that cannot be mitigated to a less than significant level. Please refer specifically to Air Quality, Noise, Transportation/Traffic, and other sections of this initial study.
51. The project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. Aesthetics impacts, air quality and transportation/traffic impacts were all determined to be less than significant or less than significant with mitigation incorporated. All impacts were found to be less than significant or less than significant with mitigation incorporated. Mitigation measures have been identified to reduce all potentially significant impacts to less than significant. Therefore, no further analysis is required.

SUMMARY OF MITIGATION MEASURES

Aesthetics

- 3-1 The plans for the athletic field lighting and parking area security lighting shall be reviewed and approved by the Planning and Building and Safety Department prior to approval of the building permit.
- 3-2 Prior to final inspection, the outdoor lighting shall be inspected by the Building and Safety and Planning Departments to insure compliance with the approved lighting plan and ensure that potential off-site light spillage is minimized. An additional pre-field use inspection may also be required by the Planning Director. Additional lighting adjustments may be required at this time.
- 3-3 Landscaping shall be installed per the approved plans and reviewed by the Planning Department, prior to final inspection.

Air Quality

- 5-1 Limit the number of miles per day traveled for off-site dirt-hauling and disposal to the equivalent of 85 twenty-mile round-trips during the most intensive grading and the equivalent of 116 twenty-mile round trips during the remainder of the dirt-hauling operation.
- 5-2 Use appropriate emission control devices on gasoline and diesel construction equipment and maintain construction equipment engines by keeping them tuned.
- 5-3 Prohibit extended idling (more than 5 minutes) and other unnecessary operation of equipment.
- 5-4 Utilize existing electrical power sources (i.e., temporary power poles) and avoid onsite power generation.
- 5-5 Have sufficient equipment at the site to carry out dust-control measures in all areas covered by the contract work (not just the immediate area of construction).
- 5-6 Employ construction activity management techniques, such as: configuring the construction parking to minimize traffic interference; extending the construction period; reducing the number of pieces of equipment used simultaneously; increasing the distance between the emission sources; and reducing or changing the hours of construction to minimize construction activity emissions.
- 5-7 Cover loaded trucks used in construction operations with tarpaulins or maintain at least 2 feet of freeboard and wash off trucks leaving the site.
- 5-8 Sweep streets if silt is carried over to adjacent public thoroughfares.
- 5-9 The project proponent shall comply with all applicable SCAQMD Rules and Regulations. In particular, SCAQMD Rule 403 shall be adhered to, insuring the clean-up of construction-related dirt on approach routes to the site. Rule 403 prohibits the release of fugitive dust emissions from any active operation, open storage pile, or disturbed

surface area beyond the property line of the emission source. Particulate matter deposits on public roadways are also prohibited.

- 5-10 Adequate watering techniques shall be employed to partially mitigate the impact of construction-generated dust particulates. Portions of the project site that are undergoing earth moving operations shall be watered such that a crust will be formed on the ground surface and then watered again at the end of the day.
- 5-11 Construction activities should be scheduled to occur first on the upwind portion of the project site to reduce the potential for fugitive dust impacts in the downwind areas.
- 5-12 Any vegetative ground cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems needed to water these plants shall be installed as soon as possible to maintain the ground cover and minimize wind erosion of the soil.
- 5-13 Any construction access roads (other than temporary access roads) shall be paved as soon as possible and cleaned after each work day. The maximum vehicle speed limit on unpaved roads shall be 15 mph.
- 5-14 All material stockpiles subject to wind erosion during construction activities, that will not be utilized within three days, shall be covered with plastic, an alternative cover deemed equivalent to plastic, or sprayed with a nontoxic chemical stabilizer.
- 5-15 Where vehicles leave the construction site and enter adjacent public streets, the streets shall be swept daily or washed down at the end of the work day to remove soil tracked onto the paved surface.
- 5-16 All diesel-powered vehicles shall be turned off when not in use for more than 10 minutes and gasoline - powered equipment shall be turned off when not in use for more than five minutes.
- 5-17 The construction contractor shall utilize electric or natural gas powered equipment in lieu of gasoline or diesel powered engines, where feasible and where economically competitive.

Cultural Resources

- 8-1 In the event that cultural resources, not previously identified, are encountered during project construction, construction activities will be halted or redirected until a qualified archaeologist can evaluate the nature and significance of the finds and recommend and implement management actions to protect or curate any resources that merit management.
- 8-2 If any human remains are encountered during initial grading activities, all ground disturbing activities in the vicinity of the discovery will be terminated immediately and the County Coroner's office must be contacted within 24 hours to arrange for management of such remains.
- 8-3 In order to mitigate any potential impacts to unknown subsurface archaeological resources during grading operations, if an archeological resource is encountered during

grading activities all grading shall be halted or diverted until a qualified archaeologist can assess the resources.

- 8-4 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.
- 8-5 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.
- 8-6 If inadvertent discoveries of subsurface archaeological resources are discovered during grading, the Developer, the project archaeologist, and the appropriate Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Developer and the Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Planning Director for decision. The Planning Director shall make the determination based on the provisions of the CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the appropriate Tribe.
- 8-7 All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.
- 8-8 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.
- 8-9 Prior to the placement of fill materials on any site for which a project has not yet been approved, a Riverside County qualified archeologist and a Pechanga representative shall conduct a cultural resources survey to determine whether cultural resources could be impacted by the proposed fill placement. Upon completion of the survey, the archeologist shall complete a report documenting the results of the survey in conjunction with a Pechanga representative, including any recommendations, and submit it to the City of Wildomar, the project applicant, the Eastern Information Center, and Pechanga Cultural Resources. Based upon the results of the survey, the City of Wildomar will determine whether or not the proposed fill project has a potential to effect cultural resources during the appropriate CEQA review process."

Paleontological Resources

- 9-1 A signed mitigation contract will be a condition of grading permit issuance. If paleontological resources are discovered during project construction, all work in the area of the find shall cease, and a qualified paleontologist shall be retained by the project sponsor to investigate the find, and to make recommendations on its disposition.

The City shall be notified of any discoveries, and that the Planning Director shall determine the ultimate disposition of any discoveries.

Geology and Soils

- 16-1 For cut or fill slopes no taller than 30-feet and inclined at 2:1, proper slope maintenance procedures such as installation and maintenance of drainage devices and planting of slope faces to protect from erosion shall be implemented.
- 16-2 Surface water shall not be allowed to flow over the slopes other than incidental rainfall. No alteration of pad gradients should be allowed that will prevent pad and roof run-off from being expediently directed to approved disposal areas away from tops of slopes.
- 16-3 Top of slope berms shall be constructed and compacted as part of the precise grading plans shall be maintained by the property owner. The recommended drainage patterns shall be established at the time of finish grading and maintained throughout the life of the structures.
- 16-4 Concentrated surface waters entering the property from off-site sources shall be collected and directed to a permanent drainage system away from the top of slopes.
- 16-5 The applicant shall submit landscape plans to the Planning Department, and receive approval of prior of the plans prior to the issuance of a grading permit. The Landscape Plans shall include all of the natural area re-vegetation, parking lot landscaping, and wildland fire protection components.

Erosion

- 18-1 Prior to the issuance of a grading permit, the applicant shall submit a revegetation plan to the Planning Department for the proposed off-site haul route. The revegetation plan should include the use of appropriate native plant species and measures to prevent erosion.

Hazards and Hazardous Materials

- 20-1 All spills or leakage of petroleum products during construction activities shall be immediately contained; the hazardous material identified; and the contaminated site remediated in compliance with applicable state and local regulations regarding cleanup and disposal of the contaminant released. The contaminated waste shall be collected and disposed of at an appropriately licensed disposal or treatment facility.

Noise

- 32-1 Grading, earth removal, and construction shall be limited to daylight hours and during the hours of 7 a.m. to 6 p.m. on Monday through Friday, and 9 a.m. to 6 p.m. on Saturday, and shall be prohibited on Sundays and federal holidays, except in emergencies.
- 32-2 Utilize construction methods or equipment that will provide the lowest level of noise impact, i.e., use newer equipment that will generate lower noise levels.

- 32-3 All construction vehicles and fixed or mobile equipment shall be equipped with properly operating and maintained mufflers or sound attenuation devices, as specified in regulations at the time of construction.
- 32-4 Schedule the construction such that the absolute minimum number of equipment would be operating at the same time.
- 32-5 All employees that will be exposed to noise levels greater than 75 dB over an 8-hour period shall be provided with adequate hearing protection devices to ensure no hearing damage will result from construction activities.
- 32-6 If equipment is being used that can cause hearing damage at adjacent noise receptor locations (distance attenuation shall be taken into account), portable noise barriers shall be installed that are demonstrated to be adequate to reduce noise levels at receptor locations below hearing damage thresholds. This may include erection of temporary berms or plywood barriers to create a break in the line-of-sight, or erection of a heavy fabric tent around the noise source.
- 32-7 The City shall require that a noise control plan be submitted for all impulsive construction equipment such as pile drivers, jackhammers, rockcrushers, etc. and all mobile equipment over 200 HP proposed to operate within 160 feet of an occupied residence as part of the grading permit application. The noise control plan shall outline measures to be taken to minimize noise nuisance and must be approved by the City prior to use of the impulsive construction equipment. Use of impulsive construction equipment such as pile drivers, jackhammers, rockcrushers, etc. will be limited during the regular school hours of the school buildings located within 1000 ft. of the noise generator.

Circulation

- 41-1 Prior to the initiation of any grading activities, the Planning Director and City Engineer shall determine if additional environmental analysis is required for the proposed haul component. No haul permit shall be issued with the prior approval of the Planning Director. The applicant shall obtain a haul route permit with a traffic control plan from the City Engineer. During construction activities, the traffic flow will be maintained to the highest level possible with the use of standard traffic control devices. Typical traffic control measures include warning signs, warning lights, and flaggers. Implementation of traffic control measures will provide guidance and navigational tools throughout the project area in order to maintain traffic flow and levels of safety during construction. At the City Engineer's sole discretion, additional mitigation measure or restrictions may be applied to the project to minimize impacts to the surrounding community. Additional environmental analysis will be required if the potential impacts exceed the impacts identified in this Initial Study.

VI. REFERENCES

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- Urban Crossroads, Cornerstone Church Existing Traffic Conditions, May 27, 2009.

FIGURES

Figure 1 – Regional Location Map

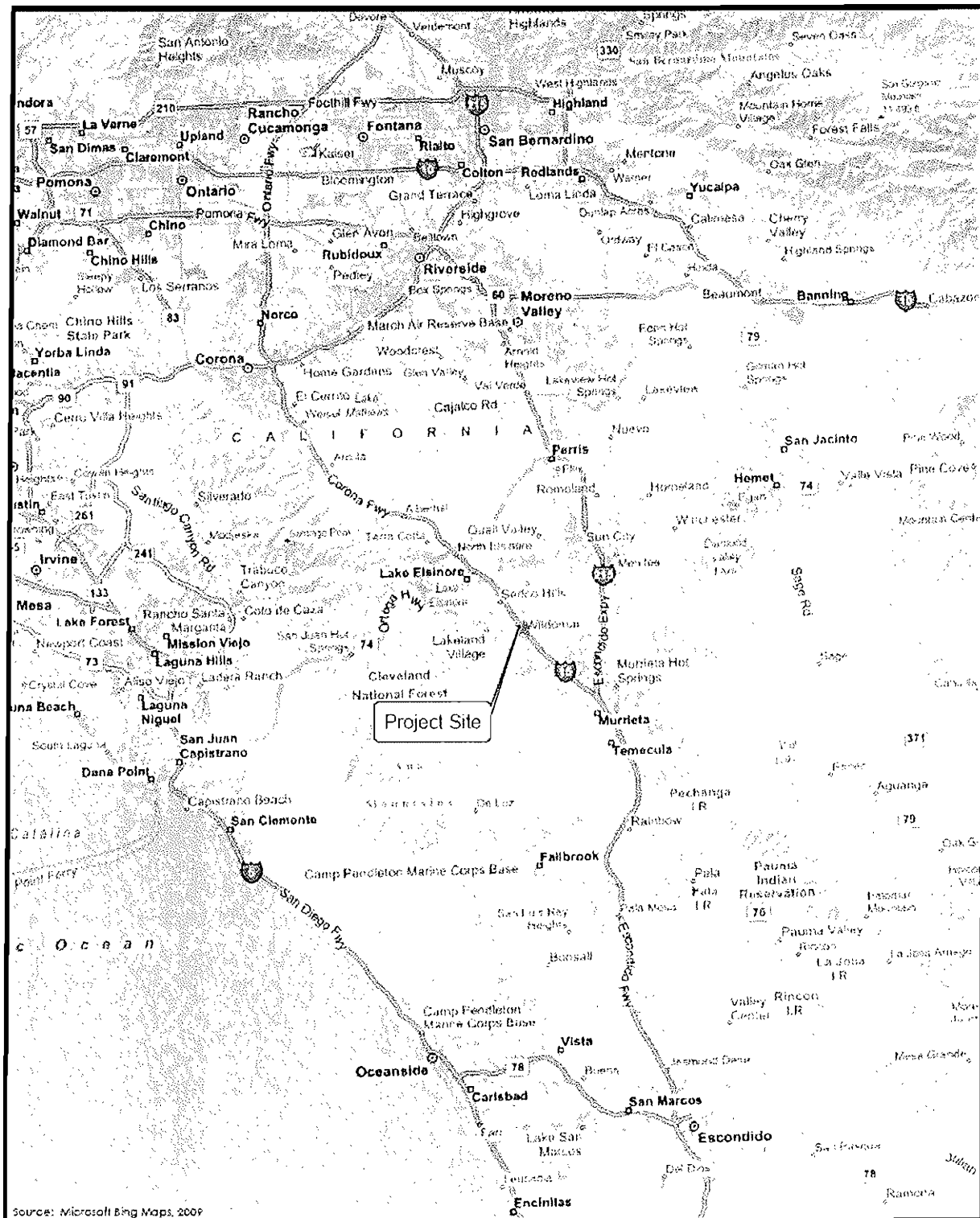
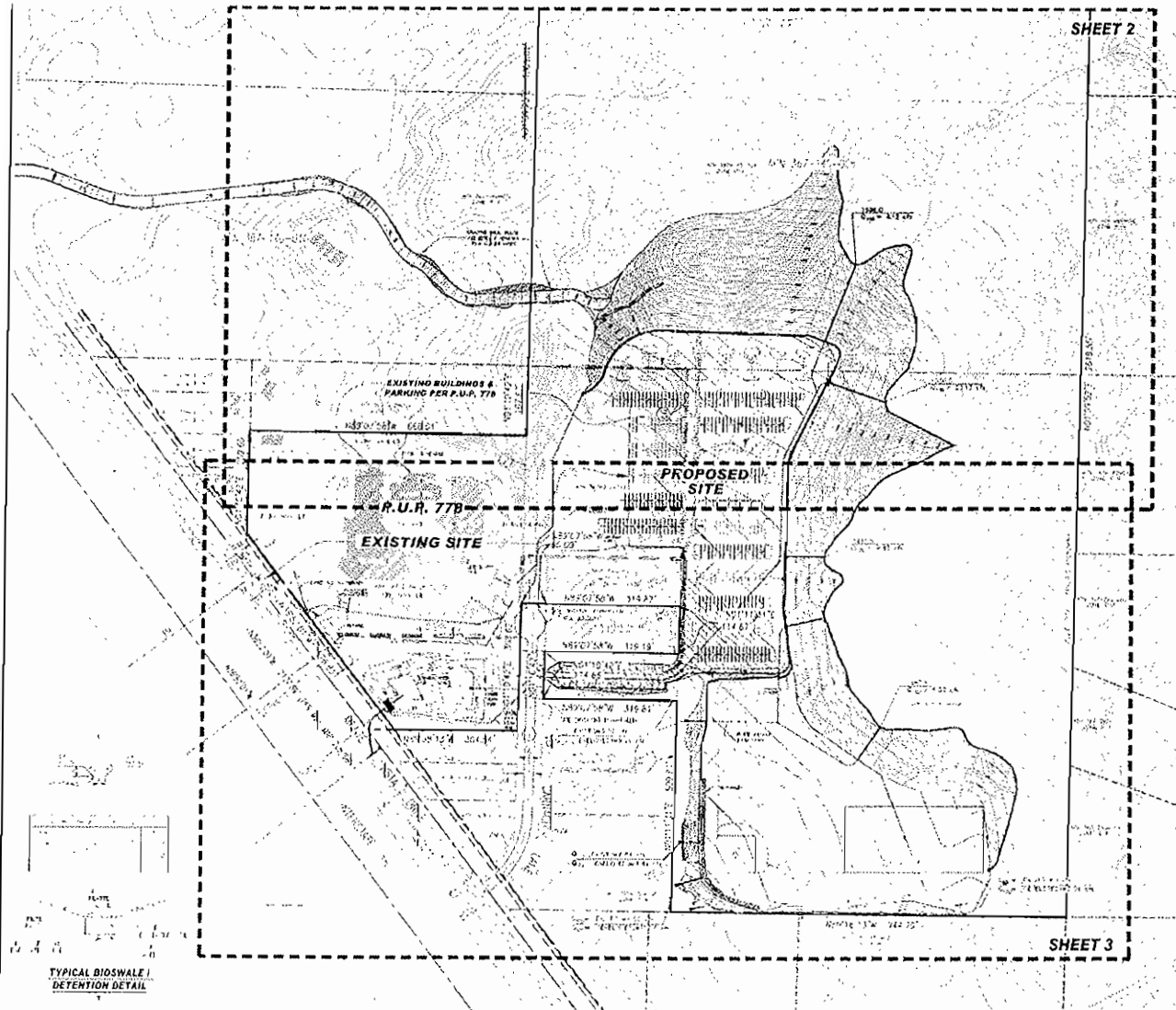


Figure 2 – Vicinity Map



Figure 3 – Site Development Plan



P.U.P. No. 778, REVISED PERMIT No. 3, AMENDED NO. 4

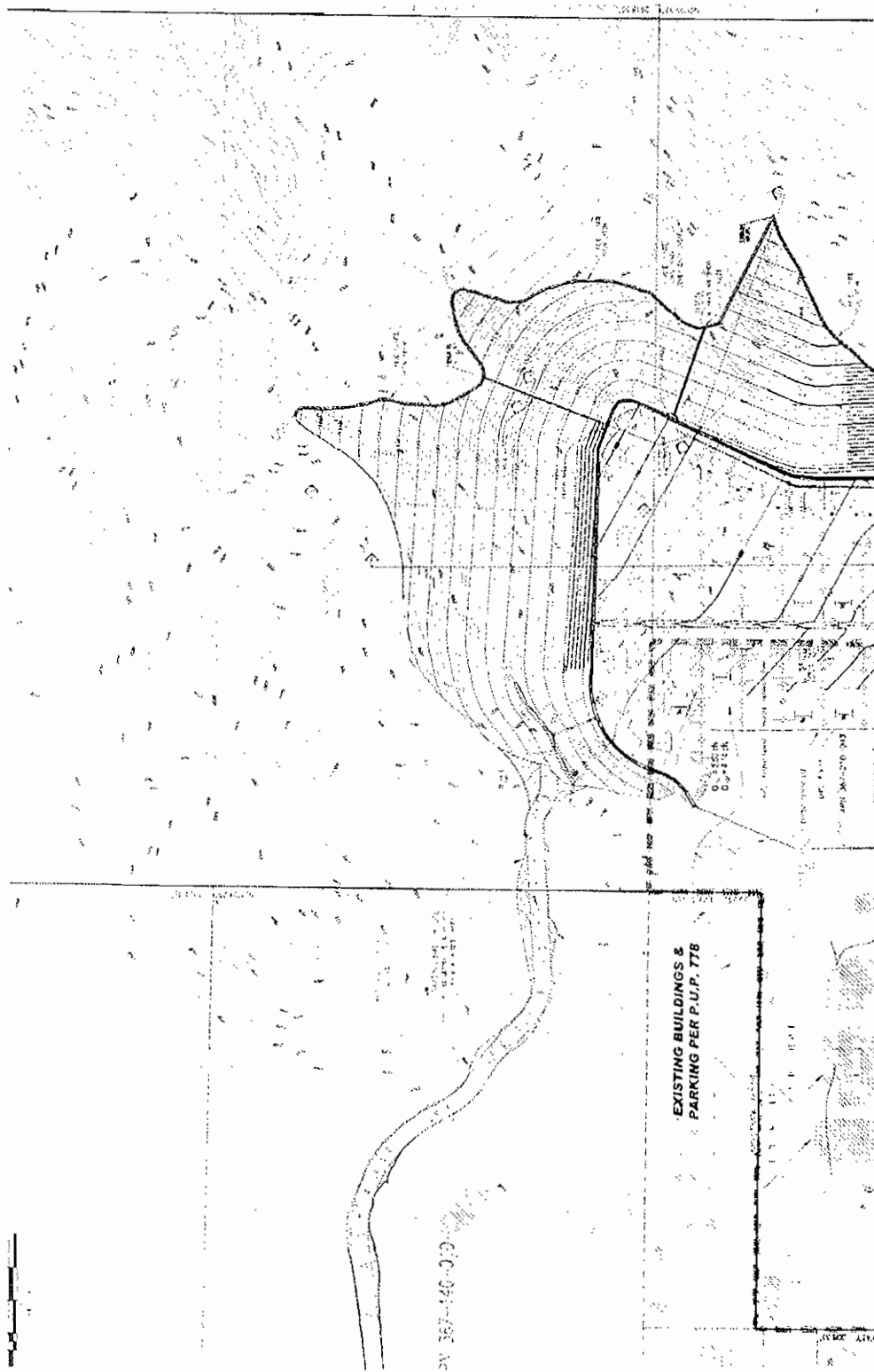


Figure 4 – Site Plan, Northern Area Detail

Figure 5 – Site Plan, Southern Area Detail

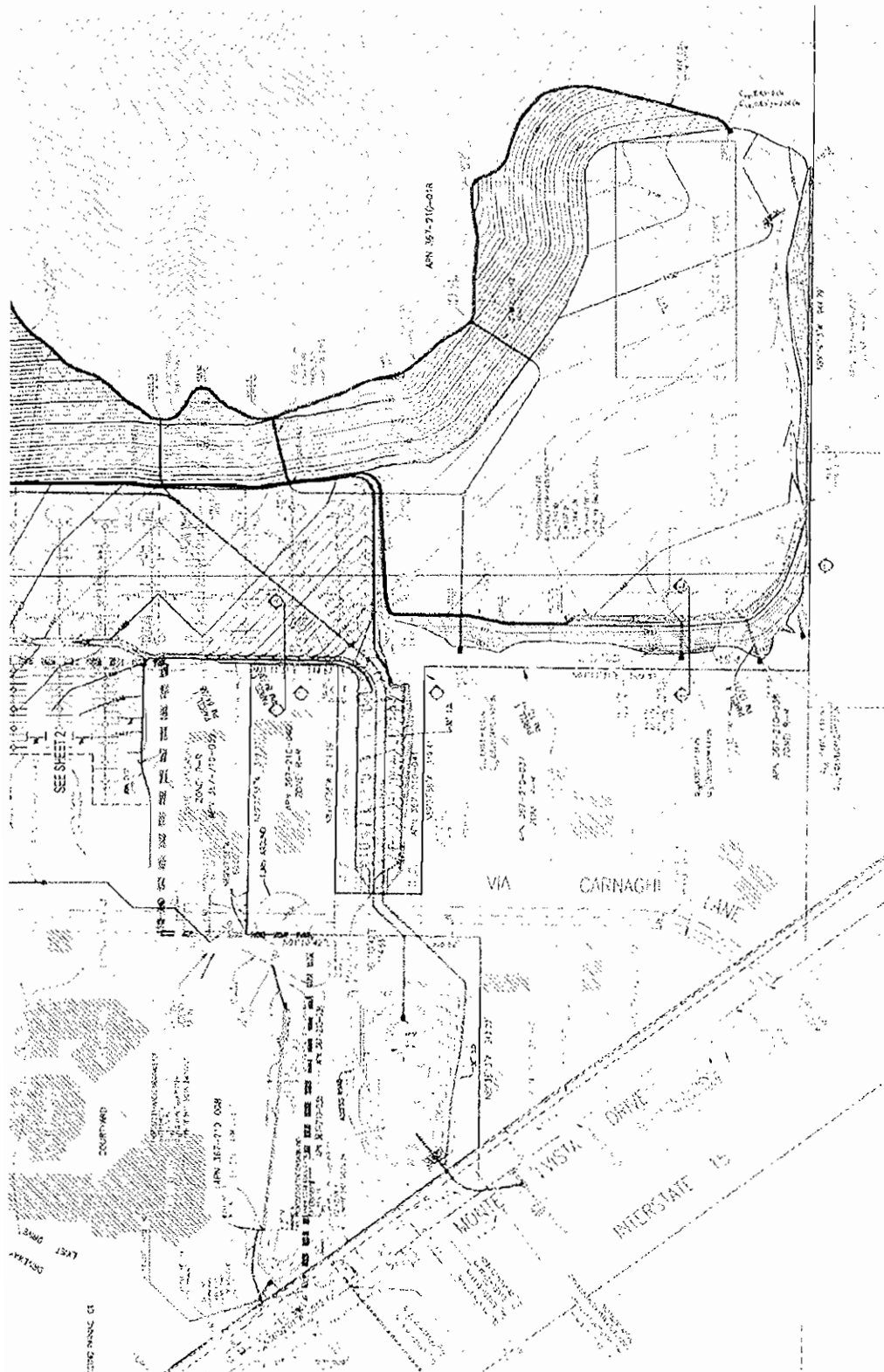


Figure 6 – Site Photographs

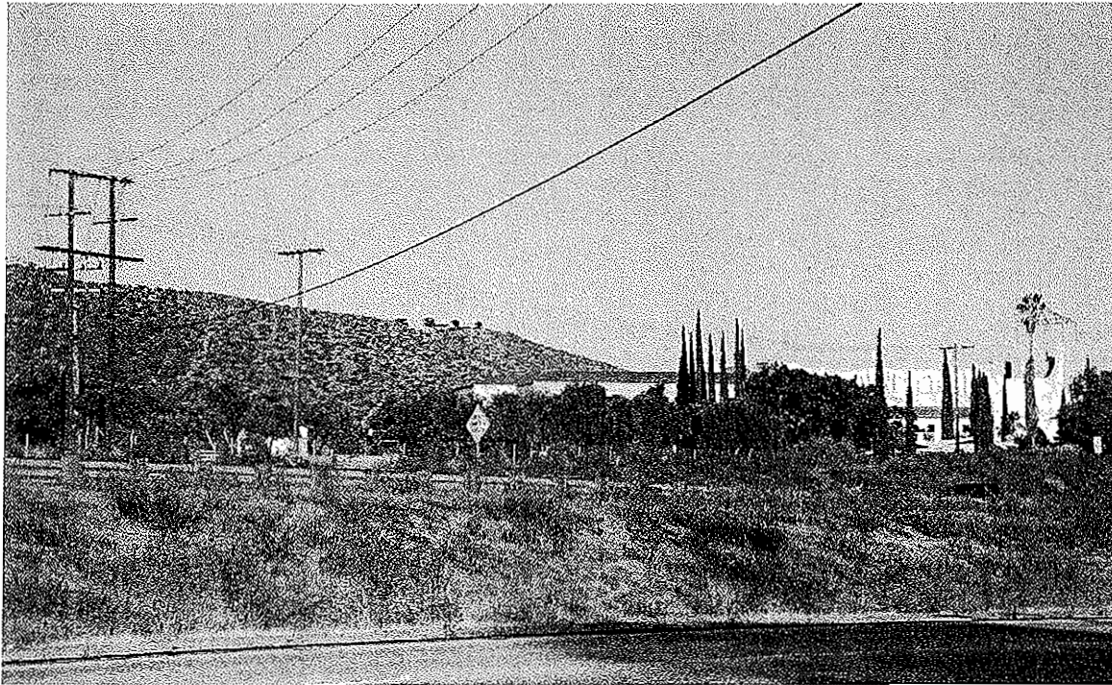


Figure 6.1 View of the Site from Interstate 15 looking east.

The proposed parking lot and athletic field improvements are located behind the trees and building.

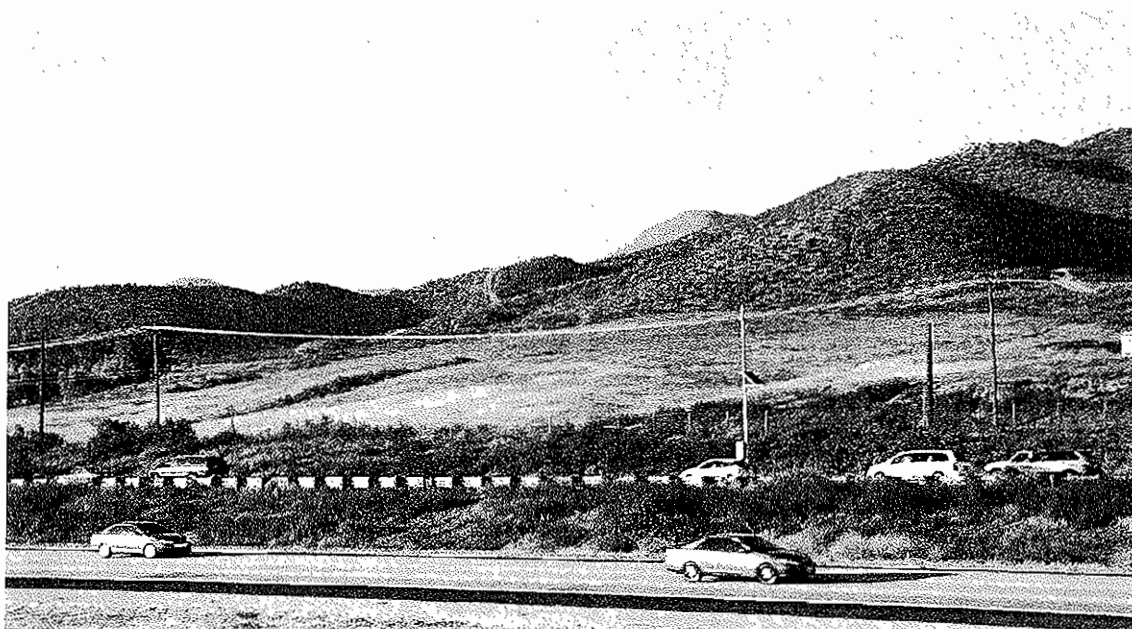


Figure 6.2 View of the Site from Interstate 15 looking northeast.

The proposed athletic field improvements will be located in the middle portion of the picture.

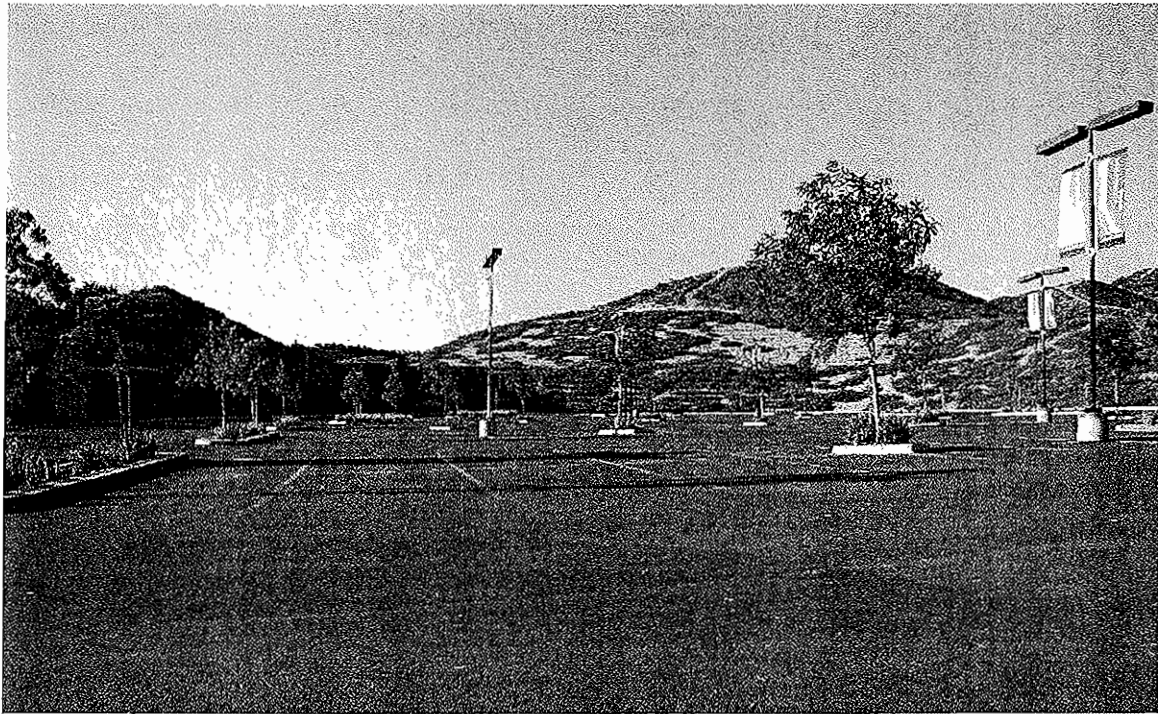


Figure 6.3 Existing Upper Parking area located east of the existing church buildings.

The proposed haul route is proposed to occur over the low point in the hill near the middle of the picture.

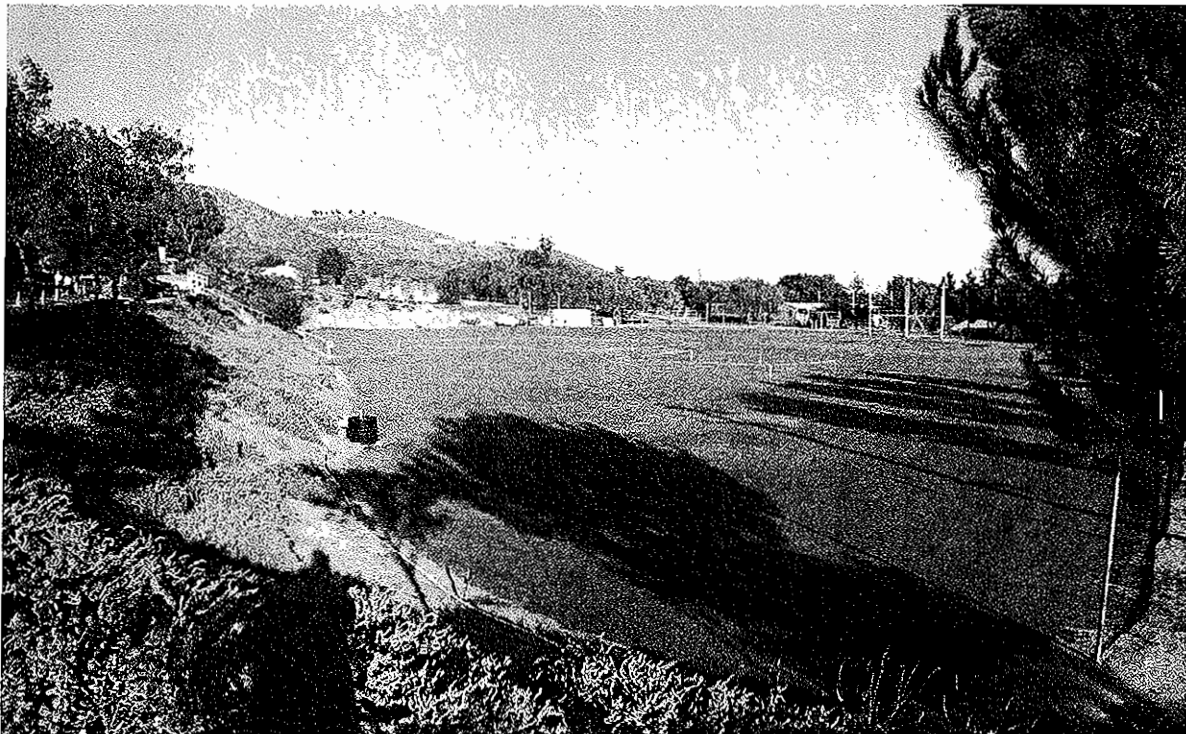


Figure 6.4 Existing athletic field, future detention basin site south of the existing church buildings.

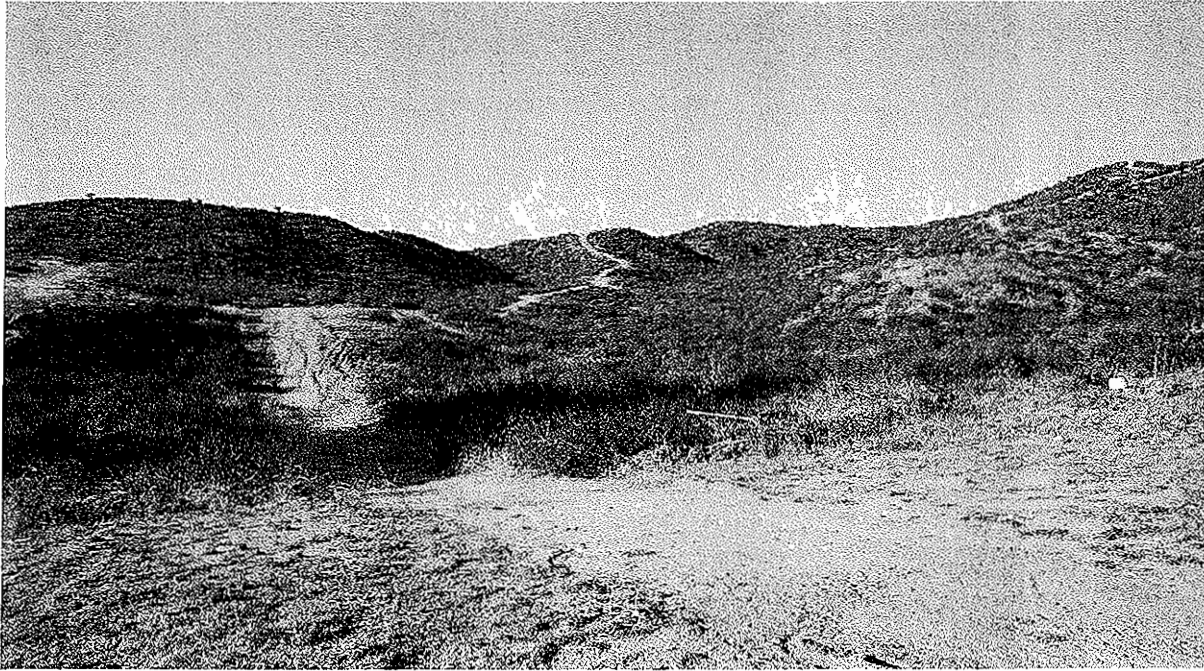


Figure 6.5 Location of proposed parking lot from the center of the site looking north.

The existing upper parking lot is located just to the left of this picture, the hills in the middle of the picture will be partially graded for the new lot expansion.



Figure 6.6 Location of proposed athletic fields from the center of the site looking southeast.

The existing residence which overlooks the proposed athletic fields is visible on the ridge top.



Figure 6.7 Location of proposed athletic fields looking west.

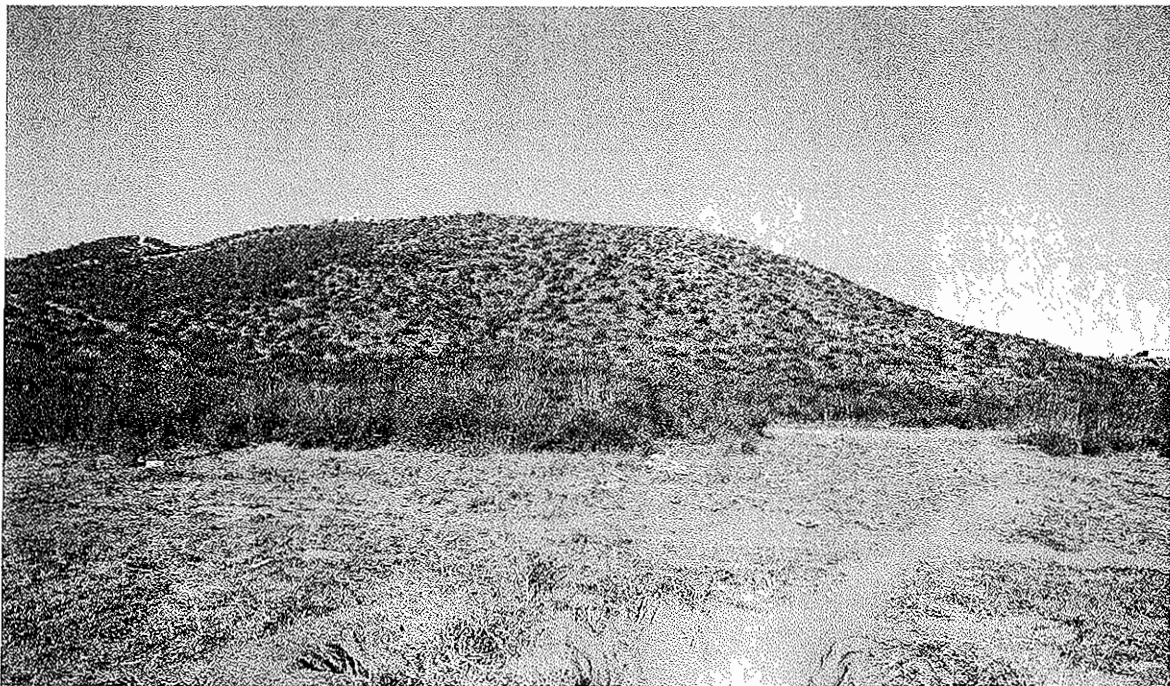


Figure 6.8 The main ridgeline on the east side of the proposed parking area and athletic fields.

MITIGATION MONITORING

MITIGATION MONITORING

General Conditions (applying to all work phases)

- | | |
|----------|--|
| AQ 5-3 | Prohibit extended idling (more than 5 minutes) and other unnecessary operation of equipment. |
| AQ 5-4 | Utilize existing electrical power sources (i.e., temporary power poles) and avoid onsite power generation. |
| AQ 5-5 | Have sufficient equipment at the site to carry out dust-control measures in all areas covered by the contract work (not just the immediate area of construction). |
| AQ 5-9 | The project proponent shall comply with all applicable SCAQMD Rules and Regulations. In particular, SCAQMD Rule 403 shall be adhered to, insuring the clean-up of construction-related dirt on approach routes to the site. Rule 403 prohibits the release of fugitive dust emissions from any active operation, open storage pile, or disturbed surface area beyond the property line of the emission source. Particulate matter deposits on public roadways are also prohibited. |
| HAZ 20-1 | All spills or leakage of petroleum products during construction activities shall be immediately contained; the hazardous material identified; and the contaminated site remediated in compliance with applicable state and local regulations regarding cleanup and disposal of the contaminant released. The contaminated waste shall be collected and disposed of at an appropriately licensed disposal or treatment facility. |
| NOI 32-1 | Grading, earth removal, and construction shall be limited to daylight hours and during the hours of 7 a.m. to 6 p.m. on Monday through Friday, and 9 a.m. to 6 p.m. on Saturday, and shall be prohibited on Sundays and federal holidays, except in emergencies. |
| NOI 32-2 | Utilize construction methods or equipment that will provide the lowest level of noise impact, i.e., use newer equipment that will generate lower noise levels. |
| NOI 32-3 | All construction vehicles and fixed or mobile equipment shall be equipped with properly operating and maintained mufflers or sound attenuation devices, as specified in regulations at the time of construction. |
| NOI 32-4 | Schedule the construction such that the absolute minimum number of equipment would be operating at the same time. |
| NOI 32-5 | All employees that will be exposed to noise levels greater than 75 dB over an 8-hour period shall be provided with adequate hearing protection devices to ensure no hearing damage will result from construction activities. |
| NOI 32-6 | If equipment is being used that can cause hearing damage at adjacent noise receptor locations (distance attenuation shall be taken into account), portable noise barriers shall be installed that are demonstrated to be adequate to reduce noise levels at receptor locations below hearing damage thresholds. This may include erection of temporary berms or plywood barriers to create a break in the line-of-sight, or erection of a heavy fabric tent around the noise source. |

NOI 32-7 The City shall require that a noise control plan be submitted for all impulsive construction equipment such as pile drivers, jackhammers, rockcrushers, etc, and all mobile equipment over 200 HP proposed to operate within 160 feet of an occupied residence as part of the grading permit application. The noise control plan shall outline measures to be taken to minimize noise nuisance and must be approved by the City prior to use of the impulsive construction equipment. Use of impulsive construction equipment such as pile drivers, jackhammers, rockcrushers, etc. will be limited during the regular school hours of the school buildings located within 1000 ft. of the noise generator.

Mitigation Measures relating to the Issuance of a Grading and Haul Permit

- AES 3-1 The plans for the athletic field lighting and parking area security lighting shall be reviewed and approved by the Planning and Building and Safety Department prior to approval of the building permit.
- AQ 5-1 Limit the number of miles per day traveled for off-site dirt-hauling and disposal to the equivalent of 85 twenty-mile round-trips during the most intensive grading and the equivalent of 116 twenty-mile round trips during the remainder of the dirt-hauling operation.
- AQ 5-2 Use appropriate emission control devices on gasoline and diesel construction equipment and maintain construction equipment engines by keeping them tuned.
- AQ 5-3 Prohibit extended idling (more than 5 minutes) and other unnecessary operation of equipment.
- AQ 5-4 Utilize existing electrical power sources (i.e., temporary power poles) and avoid onsite power generation.
- AQ 5-5 Have sufficient equipment at the site to carry out dust-control measures in all areas covered by the contract work (not just the immediate area of construction).
- AQ 5-6 Employ construction activity management techniques, such as: configuring the construction parking to minimize traffic interference; extending the construction period; reducing the number of pieces of equipment used simultaneously; increasing the distance between the emission sources; and reducing or changing the hours of construction to minimize construction activity emissions.
- AQ 5-7 Cover loaded trucks used in construction operations with tarpaulins or maintain at least 2 feet of freeboard and wash off trucks leaving the site.
- AQ 5-8 Sweep streets if silt is carried over to adjacent public thoroughfares.
- AQ 5-9 The project proponent shall comply with all applicable SCAQMD Rules and Regulations. In particular, SCAQMD Rule 403 shall be adhered to, insuring the clean-up of construction-related dirt on approach routes to the site. Rule 403 prohibits the release of fugitive dust emissions from any active operation, open storage pile, or disturbed surface area beyond the property line of the emission source. Particulate matter deposits on public roadways are also prohibited.
- AQ 5-10 Adequate watering techniques shall be employed to partially mitigate the impact of construction-generated dust particulates. Portions of the project site that are under-going

	earth moving operations shall be watered such that a crust will be formed on the ground surface and then watered again at the end of the day.
AQ 5-11	Construction activities should be scheduled to occur first on the upwind portion of the project site to reduce the potential for fugitive dust impacts in the downwind areas.
AQ 5-12	Any vegetative ground cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems needed to water these plants shall be installed as soon as possible to maintain the ground cover and minimize wind erosion of the soil.
AQ 5-13	Any construction access roads (other than temporary access roads) shall be paved as soon as possible and cleaned after each work day. The maximum vehicle speed limit on unpaved roads shall be 15 mph.
AQ 5-14	All material stockpiles subject to wind erosion during construction activities, that will not be utilized within three days, shall be covered with plastic, an alternative cover deemed equivalent to plastic, or sprayed with a nontoxic chemical stabilizer.
AQ 5-15	Where vehicles leave the construction site and enter adjacent public streets, the streets shall be swept daily or washed down at the end of the work day to remove soil tracked onto the paved surface.
AQ 5-16	All diesel-powered vehicles shall be turned off when not in use for more than 10 minutes and gasoline - powered equipment shall be turned off when not in use for more than five minutes.
AQ 5-17	The construction contractor shall utilize electric or natural gas powered equipment in lieu of gasoline or diesel powered engines, where feasible and where economically competitive.
CUL 8-1	In the event that cultural resources, not previously identified, are encountered during project construction, construction activities will be halted or redirected until a qualified archaeologist can evaluate the nature and significance of the finds and recommend and implement management actions to protect or curate any resources that merit management.
CUL 8-2	If any human remains are encountered during initial grading activities, all ground disturbing activities in the vicinity of the discovery will be terminated immediately and the County Coroner's office must be contacted within 24 hours to arrange for management of such remains.
CUL 8-3	In order to mitigate any potential impacts to unknown subsurface archaeological resources during grading operations, if an archeological resource is encountered during grading activities all grading shall be halted or diverted until a qualified archaeologist can assess the resources.
CUL 8-4	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.

- CUL 8-5 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.
- CUL 8-6 If inadvertent discoveries of subsurface archaeological resources are discovered during grading, the Developer, the project archaeologist, and the appropriate Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Developer and the Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Planning Director for decision. The Planning Director shall make the determination based on the provisions of the CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the appropriate Tribe.
- CUL 8-7 All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.
- CUL 8-8 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.
- CUL 8-9 Prior to the placement of fill materials on any site for which a project has not yet been approved, a Riverside County qualified archeologist and a Pechanga representative shall conduct a cultural resources survey to determine whether cultural resources could be impacted by the proposed fill placement. Upon completion of the survey, the archeologist shall complete a report documenting the results of the survey in conjunction with a Pechanga representative, including any recommendations, and submit it to the City of Wildomar, the project applicant, the Eastern Information Center, and Pechanga Cultural Resources. Based upon the results of the survey, the City of Wildomar will determine whether or not the proposed fill project has a potential to effect cultural resources during the appropriate CEQA review process.
- PAL 9-1 A signed mitigation contract will be a condition of grading permit issuance. If paleontological resources are discovered during project construction, all work in the area of the find shall cease, and a qualified paleontologist shall be retained by the project sponsor to investigate the find, and to make recommendations on its disposition. The City shall be notified of any discoveries, and that the Planning Director shall determine the ultimate disposition of any discoveries. The developer shall implement the paleontologists recommendation.
- GEO 16-1 For cut or fill slopes no taller than 30-feet and inclined at 2:1, proper slope maintenance procedures such as installation and maintenance of drainage devices and planting of slope faces to protect from erosion shall be implemented.

- GEO 16-2 Surface water shall not be allowed to flow over the slopes other than incidental rainfall. No alteration of pad gradients should be allowed that will prevent pad and roof run-off from being expediently directed to approved disposal areas away from tops of slopes.
- GEO 16-3 Top of slope berms shall be constructed and compacted as part of the precise grading plans shall be maintained by the property owner. The recommended drainage patterns shall be established at the time of finish grading and maintained throughout the life of the structures.
- GEO 16-4 Concentrated surface waters entering the property from off-site sources shall be collected and directed to a permanent drainage system away from the top of slopes.
- ERSN 18-1 Prior to the issuance of a grading permit, the applicant shall submit a revegetation plan to the Planning Department for the proposed off-site haul route. The revegetation plan should include the use of appropriate native plant species and measures to prevent erosion.
- HAZ 20-1 All spills or leakage of petroleum products during construction activities shall be immediately contained; the hazardous material identified; and the contaminated site remediated in compliance with applicable state and local regulations regarding cleanup and disposal of the contaminant released. The contaminated waste shall be collected and disposed of at an appropriately licensed disposal or treatment facility.
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- TR 41-1 Prior to the initiation of any grading activities, the Planning Director and City Engineer shall determine if additional environmental analysis is required for the proposed haul component. No haul permit shall be issued with the prior approval of the Planning Director. The applicant shall obtain a haul route permit with a traffic control plan from the City Engineer. During construction activities, the traffic flow will be maintained to the highest level possible with the use of standard traffic control devices. Typical traffic control measures include warning signs, warning lights, and flaggers. Implementation of traffic control measures will provide guidance and navigational tools throughout the project area in order to maintain traffic flow and levels of safety during construction. At the City Engineer's sole discretion, additional mitigation measure or restrictions may be applied to the project to minimize impacts to the surrounding community. Additional environmental analysis will be required if the potential impacts exceed the impacts identified in this Initial Study.

Mitigation Measures related to the approval of the Landscape Construction Plans

- GEO 16-5 The applicant shall submit landscape plans to the Planning Department, and receive approval of prior of the plans prior to the issuance of a grading permit. The Landscape Plans shall include all of the natural area re-vegetation, parking lot landscaping, and wildland fire protection components.

Mitigation Measures related to the Final Inspection and finalization of the project

- AES 3-2 Prior to final inspection, the outdoor lighting shall be inspected by the Building and Safety and Planning Departments to insure compliance with the approved lighting plan and ensure that potential off-site light spillage is minimized. An additional pre-field use inspection may also be required by the Planning Director. Additional lighting adjustments may be required at this time.
- AES 3-3 Prior to final inspection, the project landscaping shall be installed in accordance with the approved plans and reviewed by the Planning Department.