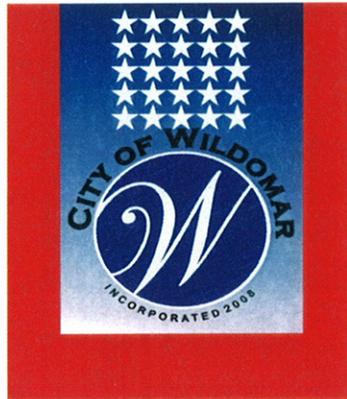


CITY OF WILDOMAR
CITY COUNCIL

AGENDA

January 14, 2009
Council Chambers
23873 Clinton Keith Road



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

**WILDOMAR CITY COUNCIL
ADJOURNED REGULAR MEETING OF
DECEMBER 3, 2008**

**JANUARY 14, 2009
AGENDA**

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

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

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

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

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

7:00 P.M.

Call to order the Wildomar City Council

Roll Call:

Flag Salute:

Presentations: Update from Fire Services

Presentation on Riverside Search Dogs

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

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

PUBLIC COMMENT:

MOTION: That the Council approve Consent Calendar Items 1 – 7.
Items to be pulled for discussion ____, ____, ____.

1. Approval of the reading by title only of all ordinances.
2. Approval of Adjourned Regular City Council Minutes dated December 3, 2008.

3. Approve Warrant Registers dated December 4, 2008 in the amount of \$1,075.13; December 10, 2008 in the amount of \$14,804.00; December 23, 2008 in the amount of \$9,389.30; December 24, 2008 in the amount of \$813.66 and January 14, 2009 in the amount of \$238,237.54.
4. Approval of Treasurer's Report for cash and investments for November, 2008.
5. Review and consider adoption of Resolutions pertaining to Landscape and Lighting Maintenance District No. 89-1-Consolidated, annexation of Street Lighting Zone 88.

RESOLUTION NO. 09-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR INITIATING PROCEEDINGS FOR THE ANNEXATION OF STREET LIGHTING ZONE 88 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONDOLIDATED OF THE CITY OF WILDOMAR PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING PREPARATION OF THE ENGINEER'S REPORT REGARDING SAIDANNEXATION.

RESOLUTION NO. 09-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR DECLARING ITS INTENTION TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 88 TO LANDSCAPING AND LIGHTING MAINENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE CITY OF WILDOMAR PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF STREETLIGHTS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF STREET LIGHTING ZONE 88, ORDERING AN ASSESSMENT PROCEEDING; ORDERING A MAILED BALLOT ELECTION; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE ASSESSMENT BALLOT TO BE MAILED PURSUANT TO ARTICLE XIIRD OF THE CALIFORNIA CONSTITUTION AND SECTION 4000 OF THE ELECTIONS CODE.

(Public hearing scheduled for March 11, 2009, 7:00 P.M.)

6. Authorize the City Manager to execute an agreement with Paula Willette of Diamond W Events to provide organizational assistance with special events, City sponsored activities, media communications, sponsorship development, data base development and other associated activities.

7. Receive and file the Planning Director's report of Planning Commission actions taken December 17, 2008.

General Business Items:

8. Consider nomination and appointment to the County Free Library Advisory Committee (CFLAC).
9. Planning Application #08-0167, Habeb Dabbaghian, Applicant; Change of Zone CZ 7313 to change the zone from Rural Residential (R-R) to Scenic Highway Commercial (D-P-S); and approve PP 21585 to construct a 43,168 square foot two-story office building, landscaping and parking spaces. (APN: 366-210-049)

MOTION:

Adopt Resolution No. 09-03, adopting the Mitigated Negative Declaration and approving Change of Zone No. 7313, from Rural Residential (R-R) to Scenic Highway Commercial (C-P-S) in accordance with Ordinance No. 22:

RESOLUTION NO. 09-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING PLOT PLAN 21585 FOR THE DEVELOPMENT OF A 43,168 SQUARE FOOT OFFICE BUILDING WITH 171 PARKING SPACES ON A 2.84 GROSS ACRE SITE LOCATED ON ORANGE STREET, NORTHERLY OF BUNDY CANYON ROAD AND WESTERLY OF INTERSTATE 15 AND KNOWN AS ASSESSORS PARCEL NUMBER 366-210-049

Hold 2nd reading and adopt Ordinance No. 22, amending the Zoning Map for APN 366-210-049 from Rural Residential to Scenic Highway Commercial.

ORDINANCE NO. 22 (2nd reading and adoption) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WILDOMAR FOR ASSESSOR'S PARCEL NUMBER 366-210-049 FROM RURAL RESIDENTIAL TO SCENIC HIGHWAY COMMERCIAL (PL-08-0167)

10. Consider adoption of an agreement to terminate the existing Verizon Franchise, and allow Verizon to be subject to the State franchise.

City Manager Report:

City Attorney Report:

City Council Comments:

Future Agenda Items:

Adjournment:

Next meeting: January 28, 2009

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

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

POSTING STATEMENT: On January 9, 2009, a true and correct copy of this agenda was posted at the three designated posting places; Wildomar City Hall, 23873 Clinton Keith Road, U. S. Post Office, 21392 Palomar Street, and Mission Trail Library, 34303 Mission Trail Blvd.

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item # 2
CONSENT ITEM
Meeting Date: JANUARY 14, 2009

REGULAR MEETING
CITY OF WILDOMAR
CITY COUNCIL
DECEMBER 3, 2008
ADJOURNED FROM NOVEMBER 12, 2008

The adjourned regular meeting of November 12, 2008 of the Wildomar City Council was called to order by Mayor Robert Cashman at 7:00 P.M. at Wildomar City Hall, Council Chambers.

Roll Call showed the following Council Members in attendance: Mayor Robert Cashman, Mayor Pro Tem Bridgette Moore, Council Members Scott Farnam and Sheryl Ade. Council Member Marsha Swanson was absent, attending a PARSAC meeting.

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

City Clerk Schroeder announced that staff was requesting that Item 10, Wildomar Square Partners, be removed from the agenda. The applicant in the annexation had been advised of the recommendation to remove the public hearing for the annexation of Street Lighting Zone 88 to Landscaping and Lighting Maintenance District No. 89-1 – Consolidated and a replacement public hearing scheduled in the future. She added the applicant was in agreement with the staff recommendation.

FLAG SALUTE: Mayor Cashman led the flag salute.

INVOCATION: Invocation was given by Pastor Larry Walker of the Bundy Canyon Christian School.

PRESENTATIONS: Monthly Code Enforcement update was provided by Riverside County Code Enforcement, Brad Farlow.

Ron Lewiston, CEO of H.O.P.E. Food Pantry presented an historical view of the organization.

COMMUNICATIONS FROM THE PUBLIC:

Joseph Holsinger addressed Council regarding the County's mobile home park stabilization ordinance and presented a written statement. He asked if the City would pass or adopt a similar ordinance.

City Attorney Julie Hayward Biggs answered that the City adopted all of the County ordinances for a period of 120 days and then subsequently the City adopted them permanently, so they were in effect permanently.

Dennis Ricketts spoke about code enforcement issues on his property. He added that the County had changed the zoning on his property twice in the last year. Mayor Cashman suggested he work with staff on the issues.

Harv Dykstra explained that he had received a bill from the County for a storm water compliance fee of which he had no knowledge of. He asked if this was a new tax; if the program was legitimate, was the City the agency to administer the program; were businesses required to pay the fee and were other businesses in other cities being charged the fee.

Kami Sabetzadeh asked Council to look into providing and expanding fiber optic services to businesses.

Council Member Ade noted fiber optic was available on the east side of the freeway and in the business park.

Sharon DiMeglio noted her questions were answered by Mr. Lewiston of HOPE.

CONSENT AGENDA:

Council Member Farnam requested Items 6 and 9 be removed from the Consent Calendar for separate discussion and action.

Council Member Moore moved to approve the Consent Calendar, Items 1, 2, 3, 4, 5, 7, and 8, seconded by Council Member Farnam. Roll Call vote: - Ayes: 4, Nays: 0. Council Member Swanson absent. Motion Carried.

1. Approved the reading by title only of all ordinances.
2. Approved the regular City Council minutes dated November 12, 2008.

3. Approved Warrant Register dated November 20-26, 2008 in the amount of \$8,315.83 and Warrant Register dated December 3, 2008 in the amount of \$252,170.62.
4. Approved Treasurer's Report for cash and investments for October, 2008.
5. Reviewed and adopted Resolution No. 08-74, confirming the diagram and assessment for Location 53 of Zone 3 of L&LMD No. 89-1 and approved a motion levying assessments for fiscal year 2009-10.

RESOLUTION NO. 08-74 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR ORDERING THE ANNEXATION, AND CONFIRMING THE DIAGRAM AND ASSESSMENT FOR LOCATION 53 OF ZONE 3 OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED, AND LEVYING ASSESSMENTS ON ALL ASSESSABLE LOTS AND PARCELS OF LAND THEREIN FOR THE FISCAL YEAR 2009-10.

MOTION: Directed the County of Riverside Auditor-Controller's Office to establish an interest-bearing sub-fund 20000 to receive deposits and interest thereon from Location 53 of Zone 3 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated; in accordance with Section 22655-22656 of the Streets and Highways Code.

7. Held second reading and adopted Ordinance No. 21 authorizing a contract between the City and Board of Administration of the California Public Employees Retirement System.

ORDINANCE NO. 21 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR AUTHORIZING A CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF WILDOMAR AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (Introduced at the November 12, 2008 Council meeting, Item 8)

8. Considered the selection of SiteCreators Network Engineering & Website Development to develop, host, and maintain the City of Wildomar website.
6. Reviewed and considered a Resolution approving membership in the Southern California Association of Governments (SCAG).

RESOLUTION NO. 08-75 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING MEMBERSHIP IN THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG)

Council Member Farnam moved to join SCAG by approving Resolution No. 08-75, seconded by Council Member Moore and appoint Council Member Ade as the representative and Council Member Farnam as the alternate. Roll Call vote: - Ayes: 4, Nays: 0. Council Member Swanson absent. Motion Carried.

9. Considered adoption of a Resolution to join Riverside Transit Agency (RTA)'s Joint Powers Agreement.

RESOLUTION NO. 08-76 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, APPROVING MEMBERSHIP TO THE RIVERSIDE TRANSIT AGENCY (RTA)

Southern California Association of Governments representatives introduced themselves.

Council Member Farman moved to approve Resolution No. 08-76 and appoint Council Member Ade as the City's representative and Council Member Moore as the alternate, seconded by Council Member Moore. Roll Call vote: - Ayes: 4, Nays: 0. Council Member Swanson absent. Motion Carried.

PUBLIC HEARINGS:

10. A public hearing to consider the annexation of Street Lighting Zone 88 to Landscaping and Lighting Maintenance District No. 89-1 – Consolidated.

Council Member Moore moved to direct staff to return to Council with a new Resolution of intention to correct the assessment boundary, seconded by Council Member Ade. Roll Call vote: - Ayes: 4, Nays: 0. Council Member Swanson absent. Motion Carried.

GENERAL BUSINESS ITEMS:

11. First quarter financial report.

City Manager Danielson explained that the report was for the first three months of the City's incorporation. He noted the numbers were very preliminary because they were just the first three months and that he felt the City was running at a very lean pace and he was optimistic. The first accounting from the County appeared to be low, but staff would be asking Council to direct staff to work with the County on a line by line basis to avoid any future surprises. He also felt it would be necessary to look at all the services provided by the County and in a few months, decide which services Council would like to bring in-house, the level of the service and at what cost.

Finance Director, Misty Chen, provided the first quarter financial report.

City Manager Danielson noted that staff would return to Council, probably in mid January, with a typical mid-year budget adjustment. In late January or February, staff would begin working on the next fiscal year budget, coming to Council for approval sometime in May.

Council Member Ade commented that she was disappointed that the County did not provide a detailed line item account and she encouraged staff to aggressively pursue a line item accounting from the County.

Council Member Farnam agreed that staff needed the line item report.

Mayor Cashman agreed it was essential to get the detail from the County.

Finance Director Chen announced that staff was meeting with the County the following Thursday to look at more detail.

Council Member Ade also wondered if the next three months would be the same expenditures or if there would be a spike.

Finance Director Chen answered that staff was uncertain at this time.

Public Works Director Kashiwagi added that staff was meeting with them on December 11th and the City would continue to work with the County to drill down the numbers.

12. Consider nomination and appointment to the County Free Library Advisory Committee (CFLAC).

Council Member Farnam moved to table the item until January 14, 2009 and advertise and take applications, seconded by Council Member Ade. Roll Call vote: - Ayes: 4, Nays: 0. Council Member Swanson absent. Motion Carried

13. Consider nomination and appointment as the City's representative to the Jean Hayman Elementary School Design Advisory Committee.

Council Member Moore moved to volunteer for the appointment, seconded by Council Member Farnam. Roll Call vote: - Ayes: 4, Nays: 0. Council Member Swanson absent. Motion Carried

14. Provide direction to staff on development of a City logo.

Mayor Cashman wondered if the City was looking for a logo or a seal.

Council Member Farnam explained that the idea was to have community input for the City's logo and tagline and it may or may not be used as the logo but he wished to involve the community. He felt the City needed to begin working on economic development. He proposed the Council take submissions for logo and tagline, a winner selected by Council. He felt Council could decide to use the logo, in part, or not at all. At the same time, he explained, graphic companies may wish to participate and help with the direction.

Council Member Ade mentioned that a logo used as a marketing tool could change over time. A permanent logo, like one etched in stone on entrance markers, might be different than a marketing logo and she asked which he was looking for.

Council Member Farnam answered that he was speaking about a permanent logo.

Council Member Ade felt the public should have guidelines to specify the purpose.

Council Member Moore asked about the deadline.

Council Member Farnam felt the cutoff could be mid January.

Mayor Cashman noted other community's logos had elements of their past.

City Manager Danielson added that he thought what Council Member Farnam was asking for was a new permanent City logo, something that would go on stationery, monument signs, in the Council Chambers and possibly a tagline, or motto. The other

side would be the marketing taglines and marketing logos, which have a shelf life of about 36 months. He felt Council Member Farnam was looking for ideas that had enduring qualities, those types of things the City heard in the visioning process. He said a marketing graphic professional should be added to assist.

After discussion, it was decided to close the submission date at the end of the month of January.

CITY MANAGER REPORT:

City Manager John Danielson reported that the Council approved SiteCreators as the City's web site designer and he requested two Council members volunteer to serve on an ad hoc committee and report back to Council with the status. Mayor Cashman and Council Member Moore volunteered.

Regarding celebration of the City's first anniversary, he asked Paula Willette to discuss the proposed date.

Paula Willette suggested keeping the anniversary date of July 1, 2009, Wednesday, because of sponsorship and vendors. She noted that Murrieta's birthday was also July 1st and they will celebrate on the first Saturday of the month. She felt there could be a vendor and sponsorship conflict. Council agreed July 1st was appropriate.

CITY ATTORNEY REPORT:

City Attorney Julie Hayward Biggs had no report but noted staff was working on the proposed consultants for the electoral districting issues.

COUNCIL COMMENTS:

Council Member Moore reported on the "Great Shakeout" exercise held November 13, 2008. She also reported on the Superintendent's State of School Address, and that they had participated in Principal of the Day and that Council and Planning Commission had their ethics training.

Council Member Farnam added March Air Reserve Base mobile hospital had also participated in the shakeout exercise.

Council Member Ade reported on Planning Commissioner Andre's surgery.

Mayor Cashman reported he attended a Riverside Conservation Agency meeting where they learned about the kangaroo rat. He noted that another Charter School had gone to the School Board last Thursday.

FUTURE AGENDA ITEMS:

None.

ADJOURNMENT:

No further business to come before the Council, Council Member Moore moved to adjourn the regular adjourned meeting of November 12, 2008, held December 3, 2008, to the regular meeting of January 14, 2009, seconded by Council Member Ade. A consensus was received by Council to adjourn.

The regular meeting of the Wildomar City Council adjourned at 8:25 P.M.

Respectfully submitted:

Sheryll Schroeder, MMC
City Clerk

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item # 3
CONSENT ITEM
Meeting Date: JANUARY 14, 2009

TO: Mayor and Members of the City Council
FROM: Misty V. Cheng, Director of Finance
SUBJECT: Warrant Register dated December 4, 2008, December 10, 2008, December 23, 2008, December 24, 2008 and January 14, 2009.

STAFF REPORT

RECOMMENDATION:

1. Approve Warrant Register dated December 4, 2008 in the amount of \$1,075.13.
2. Approve Warrant Register dated December 10, 2008 in the amount of \$14,804.00.
3. Approve Warrant Register dated December 23, 2008 in the amount of \$9,389.30.
4. Approve Warrant Register dated December 24, 2008 in the amount of \$813.66.
5. Approve Warrant Register dated January 14, 2009 in the amount of \$238,237.54.

BACKGROUND:

The City of Wildomar City Code Chapter 3.03 requires that the City Council audit payments of demands and direct the City Manager to issue checks. The Warrant Register dated December 4, 2008, December 10, 2008, December 23, 2008, December 24, 2008 and January 14, 2009. are submitted for approval.

DISCUSSION:

None.

FISCAL IMPACTS:

As indicated above, the Warrant Register for December 4, 2008 has a budgetary impact of \$1,075.13, the Warrant Register for December 10, 2008 has a budgetary impact of \$14,804.00, the Warrant Register for December 23, 2008 has a budgetary impact of \$9,389.30, the Warrant Register for December 24, 2008 has a budgetary impact of \$813.66, and the Warrant Register for January 14, 2009 has a budgetary impact of \$238,237.54 which are all included in the FY08-09 Budget.

ALTERNATIVES:

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

Submitted by:



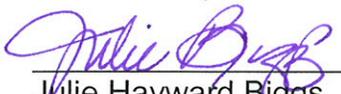
Misty V. Cheng
Director of Finance

Approved by:



John Danielson
City Manager

Reviewed by:



Julie Hayward Biggs
City Attorney

Attachments: Warrant Register dated December 4, 2008.
Warrant Register dated December 10, 2008.
Warrant Register dated December 23, 2008
Warrant Register dated December 24, 2008
Warrant Register dated January 14, 2009

5:19 PM

01/07/09

City of Wildomar
Check Detail
 January 14, 2009

| Type | Num | Date | Name | Item | Account | Paid Amount |
|-----------------|------|-----------|-----------------------|------|---------------------------------|-------------|
| Bill Pmt -Check | 1473 | 1/14/2009 | AT&T | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 411 21 Supplies/Services | -1,063.62 |
| TOTAL | | | | | | -1,063.62 |
| Bill Pmt -Check | 1474 | 1/14/2009 | Bronwood Express | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 480 31 Furniture & Fixtures | -16,156.49 |
| | | | | | 10 480 31 Furniture & Fixtures | -2,910.00 |
| TOTAL | | | | | | -19,066.49 |
| Bill Pmt -Check | 1475 | 1/14/2009 | Burke, Williams & ... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 414 24 Legal Services | -25,146.26 |
| TOTAL | | | | | | -25,146.26 |
| Bill Pmt -Check | 1476 | 1/14/2009 | CASH | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 420 21 Supplies/Services | -200.00 |
| TOTAL | | | | | | -200.00 |
| Bill Pmt -Check | 1477 | 1/14/2009 | Cortum Communi... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 480 27 City Hall Lease & Ops | -1,976.08 |
| | | | | | 10 480 27 City Hall Lease & Ops | -2,448.00 |
| TOTAL | | | | | | -4,424.08 |
| Bill Pmt -Check | 1478 | 1/14/2009 | County of Riverside | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 411 21 Supplies/Services | -393.58 |
| | | | | | 10 413 21 Supplies/Services | -68.76 |
| | | | | | 10 480 21 Utilities | -27.10 |
| TOTAL | | | | | | -489.44 |
| Bill Pmt -Check | 1479 | 1/14/2009 | Danielson Associa... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 412 23 Contractual Services | -17,539.00 |
| | | | | | 10 412 20 Travel/Meetings | -40.00 |
| TOTAL | | | | | | -17,579.00 |
| Bill Pmt -Check | 1480 | 1/14/2009 | DELL Marketing L.P | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 480 31 Furniture & Fixtures | -10,594.42 |
| | | | | | 10 480 31 Furniture & Fixtures | -1,733.47 |
| TOTAL | | | | | | -12,327.89 |
| Bill Pmt -Check | 1481 | 1/14/2009 | FedEx | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 430 21 Supplies/Services | -69.00 |
| | | | | | 10 430 21 Supplies/Services | -90.91 |
| | | | | | 10 430 21 Supplies/Services | -83.29 |
| | | | | | 10 420 21 Supplies/Services | -20.24 |
| | | | | | 10 430 21 Supplies/Services | -25.70 |
| | | | | | 10 430 21 Supplies/Services | -56.01 |
| TOTAL | | | | | | -345.15 |

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01/07/09

City of Wildomar
Check Detail
 January 14, 2009

| Type | Num | Date | Name | Item | Account | Paid Amount |
|-----------------|------|-----------|-----------------------|------|---------------------------------|-------------|
| Bill Pmt -Check | 1482 | 1/14/2009 | FLC - Fitzwater Le... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 412 23 Contractual Services | -10,799.05 |
| | | | | | 10 412 20 Travel/Meetings | -196.04 |
| TOTAL | | | | | | -10,995.09 |
| Bill Pmt -Check | 1483 | 1/14/2009 | Harv Dykstra | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 430 10 Salaries | -75.00 |
| TOTAL | | | | | | -75.00 |
| Bill Pmt -Check | 1484 | 1/14/2009 | Image Printing Sy... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 412 21 Supplies/Services | -87.48 |
| | | | | | 10 430 21 Supplies/Services | -216.00 |
| | | | | | 10 450 21 Supplies/Services | -162.00 |
| | | | | | 10 480 29 Misc. Serv./Supplies | -652.10 |
| | | | | | 10 411 21 Supplies/Services | -535.70 |
| | | | | | 10 411 21 Supplies/Services | -270.00 |
| TOTAL | | | | | | -1,923.28 |
| Bill Pmt -Check | 1485 | 1/14/2009 | Innovative Docum... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 480 27 City Hall Lease & Ops | -237.14 |
| TOTAL | | | | | | -237.14 |
| Bill Pmt -Check | 1486 | 1/14/2009 | Interwest Consulti... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 412 23 Contractual Services | -9,622.14 |
| | | | | | 10 413 21 Supplies/Services | -7,260.00 |
| | | | | | 10 420 23 Contractual Services | -4,805.00 |
| | | | | | 20 450 25 GTSIF Contractual S. | -13,892.50 |
| | | | | | 10 480 27 City Hall Lease & Ops | -5,737.50 |
| | | | | | 10 480 29 Misc. Serv./Supplies | -15.74 |
| | | | | | 10 430 25 Contractual Services | -90,386.25 |
| | | | | | 10 412 20 Travel/Meetings | -1,102.33 |
| | | | | | 10 420 21 Supplies/Services | -200.00 |
| TOTAL | | | | | | -133,021.46 |
| Bill Pmt -Check | 1487 | 1/14/2009 | Macias Gini & O'C... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 420 23 Contractual Services | -8,201.25 |
| TOTAL | | | | | | -8,201.25 |
| Bill Pmt -Check | 1488 | 1/14/2009 | Miguel Casillas | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 430 10 Salaries | -75.00 |
| TOTAL | | | | | | -75.00 |
| Bill Pmt -Check | 1489 | 1/14/2009 | Misty V. Cheng | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 420 20 Travel/Meetings | -4.00 |
| TOTAL | | | | | | -4.00 |

5:19 PM

01/07/09

City of Wildomar

Check Detail

January 14, 2009

| Type | Num | Date | Name | Item | Account | Paid Amount |
|-----------------|------|-----------|-----------------------|------|---------------------------------|-------------|
| Bill Pmt -Check | 1490 | 1/14/2009 | Murrieta Lock & S... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 480 27 City Hall Lease & Ops | -92.33 |
| | | | | | 10 480 27 City Hall Lease & Ops | -13.47 |
| TOTAL | | | | | | -105.80 |
| Bill Pmt -Check | 1491 | 1/14/2009 | OnTrac | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 430 21 Supplies/Services | -64.80 |
| | | | | | 10 430 21 Supplies/Services | -74.89 |
| TOTAL | | | | | | -139.69 |
| Bill Pmt -Check | 1492 | 1/14/2009 | Robert Devine | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 430 10 Salaries | -75.00 |
| TOTAL | | | | | | -75.00 |
| Bill Pmt -Check | 1493 | 1/14/2009 | Scott Nowak | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 430 10 Salaries | -75.00 |
| TOTAL | | | | | | -75.00 |
| Bill Pmt -Check | 1494 | 1/14/2009 | Sheryl Ade | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 411 21 Supplies/Services | -885.13 |
| TOTAL | | | | | | -885.13 |
| Bill Pmt -Check | 1495 | 1/14/2009 | Sheryll Schroeder | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 413 21 Supplies/Services | -184.84 |
| TOTAL | | | | | | -184.84 |
| Bill Pmt -Check | 1496 | 1/14/2009 | Temecula Trophy I... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 413 21 Supplies/Services | -87.12 |
| TOTAL | | | | | | -87.12 |
| Bill Pmt -Check | 1497 | 1/14/2009 | The Californian | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 480 29 Misc. Serv./Supplies | -126.00 |
| TOTAL | | | | | | -126.00 |
| Bill Pmt -Check | 1498 | 1/14/2009 | The Press-Enterpri... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 413 21 Supplies/Services | -429.30 |
| | | | | | 10 413 21 Supplies/Services | -150.40 |
| | | | | | 10 413 21 Supplies/Services | -153.60 |
| | | | | | 10 413 21 Supplies/Services | -91.20 |
| | | | | | 10 480 29 Misc. Serv./Supplies | -165.36 |
| TOTAL | | | | | | -989.86 |
| Bill Pmt -Check | 1499 | 1/14/2009 | Web Excellence | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 480 29 Misc. Serv./Supplies | -9.95 |
| TOTAL | | | | | | -9.95 |

5:19 PM

01/07/09

City of Wildomar
Check Detail
January 14, 2009

| Type | Num | Date | Name | Item | Account | Paid Amount |
|-----------------|------|-----------|--------------------|------|------------------------------|-------------|
| Bill Pmt -Check | 1500 | 1/14/2009 | Wildomar Chambe... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 1/14/2009 | | | 10 412 20 Travel/Meetings | -385.00 |
| TOTAL | | | | | | -385.00 |

\$ 238 237.54

2:28 PM

12/24/08

City of Wildomar

Check Detail

December 24, 2008

| Type | Num | Date | Name | Item | Account | Paid Amount |
|-----------------|------|------------|----------|------|--------------------------|-------------|
| Bill Pmt -Check | 1472 | 12/24/2008 | Guardian | | 10 1000 1 Cash - Well... | |
| Bill | | 12/24/2008 | | | 10 411 13 Benefits | -813.66 |
| TOTAL | | | | | | -813.66 |

2:50 PM

12/23/08

City of Wildomar
Check Detail
December 23, 2008

| Type | Num | Date | Name | Item | Account | Paid Amount |
|-----------------|------|------------|------------------------|------|--------------------------------|-------------|
| Bill Pmt -Check | 1464 | 12/23/2008 | Southern Calif. As... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 12/23/2008 | | | 10 412 20 Travel/Meetings | -1,676.38 |
| TOTAL | | | | | | -1,676.38 |
| Bill Pmt -Check | 1465 | 12/23/2008 | SOUTHERN CALIF... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 12/23/2008 | | | 10 480 21 Utilities | -165.71 |
| TOTAL | | | | | | -165.71 |
| Bill Pmt -Check | 1466 | 12/23/2008 | State of the Santa ... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 12/23/2008 | | | 10 411 20 Travel/Meetings | -270.00 |
| TOTAL | | | | | | -270.00 |
| Bill Pmt -Check | 1467 | 12/23/2008 | Unum | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 12/23/2008 | | | 10 411 13 Benefits | -624.00 |
| TOTAL | | | | | | -624.00 |
| Bill Pmt -Check | 1468 | 12/23/2008 | Urban Land Institute | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 12/23/2008 | | | 10 411 20 Travel/Meetings | -175.00 |
| TOTAL | | | | | | -175.00 |
| Bill Pmt -Check | 1469 | 12/23/2008 | Verizon | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 12/23/2008 | | | 10 480 21 Utilities | -399.21 |
| TOTAL | | | | | | -399.21 |
| Bill Pmt -Check | 1470 | 12/23/2008 | Aetna | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 12/23/2008 | | | 10 411 13 Benefits | -3,579.00 |
| TOTAL | | | | | | -3,579.00 |
| Bill Pmt -Check | 1471 | 12/23/2008 | Wells Fargo Busin... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 12/23/2008 | | | 10 480 29 Misc. Serv./Supplies | -2,500.00 |
| TOTAL | | | | | | -2,500.00 |

\$9389.30

4:44 PM

12/10/08

City of Wildomar Check Detail December 10, 2008

| Type | Num | Date | Name | Item | Account | Paid Amount |
|-----------------|------|------------|------------------------|------|---------------------------------|-------------|
| Bill Pmt -Check | 1457 | 12/10/2008 | CASH | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 12/10/2008 | | | 10 1000 1 Cash - Wells Fargo | -10.00 |
| TOTAL | | | | | | -10.00 |
| Bill Pmt -Check | 1458 | 12/10/2008 | Intl Council of Sho... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 12/10/2008 | | | 10 411 20 Travel/Meetings | -1,460.00 |
| TOTAL | | | | | | -1,460.00 |
| Bill Pmt -Check | 1459 | 12/10/2008 | Kelli Root | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 12/10/2008 | | | 10 411 21 Supplies/Services | -50.00 |
| TOTAL | | | | | | -50.00 |
| Bill Pmt -Check | 1460 | 12/10/2008 | League of CA Cities | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 12/10/2008 | | | 10 411 20 Travel/Meetings | -1,050.00 |
| TOTAL | | | | | | -1,050.00 |
| Bill Pmt -Check | 1461 | 12/10/2008 | Riverside Habitat ... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 12/10/2008 | | | 10 2216 1 Kangaroo Rat | -250.00 |
| TOTAL | | | | | | -250.00 |
| Bill Pmt -Check | 1462 | 12/10/2008 | Western Riverside... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 12/10/2008 | | | 10 2217 1 Multi Species Habitat | -1,938.00 |
| TOTAL | | | | | | -1,938.00 |
| Bill Pmt -Check | 1463 | 12/10/2008 | Western Riverside... | | 10 1000 1 Cash - Wells Fargo | |
| Bill | | 12/10/2008 | | | 10 2218 1 TUMF | -10,046.00 |
| TOTAL | | | | | | -10,046.00 |

\$ 14,804.00

3:49 PM

12/03/08

City of Wildomar

Check Detail

December 4, 2008

| Type | Num | Date | Name | Item | Account | Paid Amount |
|-----------------|------|-----------|----------------------|------|------------------------|-------------|
| Bill Pmt -Check | 1456 | 12/4/2008 | Wells Fargo Busin... | | 10 1000 1 Cash - ... | |
| Bill | | 12/4/2008 | | | 10 480 29 Misc. Ser... | -809.73 |
| | | | | | 10 411 21 Supplies/... | -254.61 |
| | | | | | 10 430 21 Supplies/... | -10.79 |
| TOTAL | | | | | | -1,075.13 |

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item # 4
CONSENT ITEM
Meeting Date: JANUARY 14, 2009

TO: Mayor and Members of the City Council
FROM: Misty V. Cheng, Director of Finance
SUBJECT: Treasurer's Report, November 2008

STAFF REPORT

RECOMMENDATION:

Staff recommends City Council to approve the Treasurer's Report.

BACKGROUND/DISCUSSION:

Attached is the Treasurer's Report for Cash and Investments for the month of November 2008.

FISCAL IMPACTS:

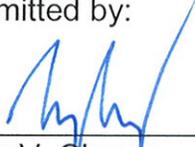
None.

ALTERNATIVES:

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

Meeting Date: January 14, 2009

Submitted by:



Misty V. Cheng
Finance Director

Approved by:



John Danielson
City Manager

Reviewed by:



Julie Hayward Biggs
City Attorney

Attachments: Treasurer's Report, November 2008

**CITY OF WILDOMAR
TREASURER'S REPORT FOR
CASH AND INVESTMENT PORTFOLIO
NOVEMBER 31, 2008**

CITY CASH

| <u>FUND</u> | <u>ACCOUNT</u> | <u>INSTITUTION</u> | <u>BALANCE</u> | <u>RATE</u> |
|-------------|----------------|--------------------|-----------------|-------------|
| GENERAL | GENERAL | WELLS FARGO | \$ 2,203,169.85 | 0.00% |
| | | TOTAL | \$ 2,203,169.85 | |

| <u>FUND</u> | <u>ACCOUNT</u> | <u>INSTITUTION</u> | <u>BEGINNING BALANCE</u> | <u>+ DEPOSITS</u> | <u>(-) WITHDRAWALS</u> | <u>ENDING BALANCE</u> | <u>RATE</u> |
|-------------|----------------|--------------------|------------------------------|-----------------------|----------------------------|---------------------------|-------------|
| GENERAL | GENERAL | WELLS FARGO | \$ 2,340,436.45 | \$ 40,889.15 | \$ (178,155.75) | \$ 2,203,169.85 | 0.00% |
| | | TOTAL | \$ 2,340,436.45 | \$ 40,889.15 | \$ (178,155.75) | \$ 2,203,169.85 | |

CITY INVESTMENT

| <u>FUND</u> | <u>ISSUER</u> | <u>BOOK VALUE</u> | <u>FACE VALUE</u> | <u>MARKET VALUE</u> | <u>PERCENT OF PORTFOLIO</u> | <u>DAYS TO MAT.</u> | <u>STATED RATE</u> |
|-------------|------------------------------|-------------------|-------------------|---------------------|-------------------------------------|-------------------------|------------------------|
| GENERAL | LOCAL AGENCY INVESTMENT FUND | \$ 0.00 | \$ 0.00 | \$ 0.00 | 100.00% | 0 | 2.568% |
| | TOTAL | \$ 0.00 | \$ 0.00 | \$ 0.00 | 100.00% | | |

CITY - TOTAL CASH AND INVESTMENT \$ 2,203,169.85

CITY INVESTMENT

| <u>FUND</u> | <u>ISSUER</u> | <u>BEGINNING BALANCE</u> | <u>+ DEPOSITS/ PURCHASES</u> | <u>(-) WITHDRAWALS/ SALES/ MATURITIES</u> | <u>ENDING BALANCE</u> | <u>STATED RATE</u> |
|-------------|-------------------------------|------------------------------|--------------------------------------|---|---------------------------|------------------------|
| GENERAL | LOCAL AGENCY INVESTMENT FUNDS | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 | 2.709% |
| | TOTAL | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 | |

In compliance with the California Code Section 53646, as the Director of Finance/ City Treasurer of the City of Wildomar, I hereby certify that sufficient investment liquidity and anticipated revenues are available to meet the City's expenditure requirements for the next six months and that all investments are in compliance to the City's Statement of Investment Policy.
I also certify that this report reflects all Government Agency pooled investments and all City's bank balances.

Misty V. Cheng
Director of Finance/City Treasurer

Date

CITY OF WILDOMAR – COUNCIL
Agenda Item # 5
CONSENT ITEM
Meeting Date: January 14, 2009

TO: Honorable Mayor Farnam, Members of the City Council

FROM: Juan C. Perez, Director of Transportation, County of Riverside acting on behalf of the City of Wildomar

SUBJECT: Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Annexation of Street Lighting Zone 88

STAFF REPORT

RECOMMENDATION:

That the City Council adopt the following Resolutions:

RESOLUTION NO. 09-01, A RESOLUTION OF THE CITY OF WILDOMAR INITIATING PROCEEDINGS FOR THE ANNEXATION OF STREET LIGHTING ZONE 88 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED AND ORDERING PREPARATION OF THE ENGINEER'S REPORT REGARDING THE PROPOSED ANNEXATION OF STREET LIGHTING ZONE 88.

RESOLUTION NO. 09-02, A RESOLUTION OF THE CITY OF WILDOMAR DECLARING ITS INTENTION TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 88 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE CITY OF WILDOMAR PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF STREETLIGHTS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF STREET LIGHTING ZONE 88, ORDERING A MAILED BALLOT ELECTION; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND BALLOT BE MAILED PURSUANT TO ARTICLE XIID OF THE CALIFORNIA CONSTITUTION.

BACKGROUND:

Adoption of Resolution No. 09-01 appoints the Director of the Riverside County Transportation Department, acting on behalf of the City of Wildomar, as the Engineer to prepare a Report regarding the proposed annexation of Street

Lighting Zone 88 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated ("L&LMD No. 89-1-C").

Resolution No. 09-02 declares the City Council's intention of ordering the annexation of Street Lighting Zone 88 to L&LMD No. 89-1-C. Annexation of Street Lighting Zone 88 to L&LMD No. 89-1-C will fund the provision of electricity for streetlights within public right-of-way located northeasterly of Hidden Springs Rd, and southeasterly of Clinton Keith Rd and includes 1 commercial parcel, totaling 5.27 acre(s).

Consistent with the City Council's direction regarding compliance with Article XIID of the California Constitution and the Landscaping and Lighting Act of 1972, the attached resolutions have been prepared and a public hearing scheduled for 7:00 p.m. on March 11, 2009 to receive testimony for and against the proposed assessment. Each property owner within the proposed Street Lighting Zone 88 will receive a notice of the public hearing and mail-in ballot, an impartial analysis, a copy of Resolution No. 09-02, and an information sheet.

Ballots must be returned prior to the conclusion of the public hearing. If, at the time designated for the tabulation of the ballots, the ballots submitted in favor of the annexation and levy of the assessment exceed the ballots submitted in opposition of said annexation and levy, Street Lighting Zone 88 will be annexed to L&LMD No. 89-1-C.

There is only one individual/entity which owns all of the property within the proposed boundaries of Street Lighting Zone 88 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on March 11, 2009.

FISCAL IMPACTS:

The proposed budget for fiscal year 2009-10 for Zone 88 is \$660.00 that will result in an assessment for fiscal year 2009-10 within Street Lighting Zone 88 of \$125.22 per acre. The annual assessment will be adjusted annually by the greater of 2% or the cumulative percentage increase in the CPI-U for "electricity", if any, as it stands as of March of each year over the base index for March of 2008.

In addition to the Standard Annual Adjustment, beginning in the fiscal year in which the additional streetlight improvement on Clinton Keith Rd is completed, the annual assessments may be further increased. For the fiscal year in which the additional streetlight improvement is completed, the annual assessment may be increased to an amount not to exceed \$187.84 per acre, adjusted for inflation. The Standard Annual Adjustment will be applied to this increased assessment in all subsequent fiscal years following the year in which the additional streetlight improvement on Clinton Keith Rd is completed. Under the proposed annexation, neither the assessment increases based on the Standard Annual Adjustment nor the further increases associated with the completion of the additional streetlight

improvement on Clinton Keith Rd will require any further approval of the landowners within Street Lighting Zone 88.

ALTERNATIVES:

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

Attachments:

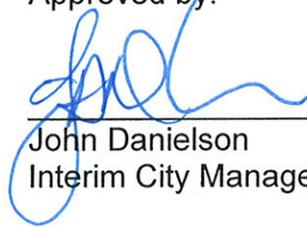
Exhibit A
Resolution No. 09-01
Resolution No. 09-02

Submitted by:



Juan C. Perez
Director of Transportation,
County of Riverside acting
on behalf of the City of Wildomar

Approved by:



John Danielson
Interim City Manager

Approved as to form:



Julie Hayward Biggs
City Attorney

RESOLUTION NO. 09-01

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR
INITIATING PROCEEDINGS FOR THE ANNEXATION OF STREET LIGHTING
ZONE 88 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO.
89-1-CONSOLIDATED OF THE CITY OF WILDOMAR PURSUANT TO THE
LANDSCAPING AND LIGHTING ACT OF 1972 AND ORDERING
PREPARATION OF ENGINEER'S REPORT REGARDING SAID ANNEXATION**

WHEREAS, the City Council (hereinafter the "City Council") of the City of Wildomar (hereinafter the "City") has been advised by the Transportation Department (hereinafter "Department") of the County of Riverside that said Department has received an application from the owner (the "Applicant") of all the property within the incorporated area of the City of Wildomar (hereinafter "Street Lighting Zone 88"), as shown and described in Exhibit "A", which is attached hereto and made a part hereof, to be annexed to Landscaping and Lighting Maintenance District No. 89-1-Consolidated (hereinafter "L&LMD No. 89-1-C") of the City of Wildomar, County of Riverside, State of California, and the City Council has determined that it is necessary and desirable to initiate proceedings for the annexation of Street Lighting Zone 88 to L&LMD No. 89-1-C pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter, respectively, the "Act" and the "Street and Highways Code"); and

WHEREAS, such proceedings shall comply with the requirements of Article XIID of the California Constitution and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Street Lighting Zone 88; and

WHEREAS, the Applicant has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on March 11, 2009; and

WHEREAS, the Director of the Department acting on behalf of the City, or his designee, is a licensed and registered civil engineer, has expertise with respect to the annexation of territory to landscaping and lighting maintenance districts and the levying of assessments for said purposes and, therefore, is able to serve as the engineer (hereinafter the "Engineer") acting on behalf of the City with regard to the annexation of Street Lighting Zone 88 to L&LMD No. 89-1-C.

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the City Council of the City of Wildomar assembled in regular session on January 14, 2009 as follows:

SECTION 1 Recitals: The City Council hereby finds and determines that all the above recitals are true and correct.

SECTION 2 Annexation: The City Council proposes to annex Street Lighting Zone 88 to L&LMD No. 89-1-C and to initiate and conduct proceedings therefore pursuant to the Act for the purpose of levying an annual assessment on all parcels within Street Lighting Zone 88 to pay the costs of the following services:

- (a) Providing electricity to all streetlights within the public right-of-way including incidental costs and expenses.

SECTION 3 Boundaries and Designation: The boundaries of Street Lighting Zone 88 that are proposed to be annexed to L&LMD No. 89-1-C shall include all of the property as shown and described in Exhibit "A".

SECTION 4 Report: The Director of the Department acting on behalf of the City, or his designee, is hereby designated Engineer and is ordered to prepare and file a report with the City Clerk in accordance with Sections 22608 and 22585 et. seq. of the Streets and Highways Code and Section 4 of Article XIID of the California Constitution regarding said annexation and the levy.

SECTION 5 Effective Date: This Resolution shall take effect from and after its date of adoption.

PASSED, APPROVED, AND ADOPTED this 14th day of January, 2009 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Scott Farnam, Mayor

ATTEST:

Sheryll Schroeder, City Clerk

APPROVED AS TO FORM:

Julie Hayward Biggs, Interim City Attorney

RESOLUTION NO. 09-02

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR DECLARING ITS INTENT TO ORDER THE ANNEXATION OF STREET LIGHTING ZONE 88 TO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED OF THE CITY OF WILDOMAR PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR THE MAINTENANCE AND SERVICING OF STREETLIGHTS; ADOPTING THE PRELIMINARY ENGINEER'S REPORT; GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNEXATION OF STREET LIGHTING ZONE 88; ORDERING AN ASSESSMENT PROCEEDING; ORDERING A MAILED BALLOT ELECTION; AND DIRECTING NOTICE OF THE PUBLIC HEARING AND THE ASSESSMENT BALLOT TO BE MAILED PURSUANT TO ARTICLE XIID OF THE CALIFORNIA CONSTITUTION AND SECTION 4000 OF THE ELECTIONS CODE

WHEREAS, the City Council (hereinafter the "City Council") of the City of Wildomar (hereinafter the "City") has adopted Resolution No. 09-01 on January 14, 2009 initiating proceedings for the annexation of Street Lighting Zone 88 (hereinafter "Street Lighting Zone 88"), as described and shown in Exhibit "A", which is attached hereto and incorporated herein, to Landscaping and Lighting Maintenance District No.89-1-Consolidated of the City of Wildomar, County of Riverside, State of California, (hereinafter "L&LMD No. 89-1-C") pursuant to the Landscaping and Lighting Act of 1972 (hereinafter the "Act"), which is Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code (hereinafter the "Street and Highways Code"), and ordering the preparation of a report (hereinafter the "Report") regarding the proposed annexation of Street Lighting Zone 88 and the assessments to be levied within Street Lighting Zone 88 each fiscal year beginning fiscal year 2009-10 for providing electricity for streetlights within the public right-of-way within said Location; and

WHEREAS, such proceedings shall comply with the requirements of Article XIID of the California Constitution (hereinafter "Article XIID:"), the Act, and Section 4000 of the Elections Code requiring voter approval of the proposed assessment to be levied by L&LMD No. 89-1-C for Street Lighting Zone 88; and

WHEREAS, the City Council by Resolution No. 09-01 directed the Director of the Transportation Department acting on behalf of the City of Wildomar, or his designee (hereinafter the "Engineer"), to prepare and file the Report with the City Clerk in accordance with Sections 22608 and 22585 et. seq. of the Street and Highways Code and Section 4 of Article XIID; and

WHEREAS, said Engineer has filed the Report with the City Clerk and the Report has been presented to and considered by the City Council; and

WHEREAS, the sole owner of property within the proposed boundaries of Street Lighting Zone 88 as the applicant (the "Applicant") for these proceedings has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election to be held on March 11, 2009; and

WHEREAS, it is necessary that the City Council adopt a resolution of intention pursuant to Section 22624 of the Streets and Highways Code, which fixes and gives notice, pursuant to Section 22626 of the Streets and Highways Code, of the time and place of a public hearing on said Report, the annexation of Street Lighting Zone 88, and the assessments to be levied on parcels within Street Lighting Zone 88 beginning in fiscal year 2009-10;

NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the City Council of the City of Wildomar in regular session assembled on January 14, 2009 as follows:

SECTION 1 Findings: The City Council, after reviewing the Report, finds that:

- (a) The foregoing recitals are true and correct;
- (b) The Report contains all matters required by Sections 22565 through 22574 of the Streets and Highways Code and Section 4 of Article XIID and may, therefore, be approved by the City Council;
- (c) The annual assessment for fiscal year 2009-10 on all parcels within Street Lighting Zone 88 proposed to be annexed to L&LMD No. 89-1-C will be \$125.22 per acre.
- (d) Beginning in the fiscal year in which the additional streetlight improvements on Clinton Keith Rd are completed, the annual assessment and all subsequent annual assessments will be increased accordingly. The annual assessment may be increased to an amount not to exceed \$187.84 per acre, adjusted for inflation, in the fiscal year in which the additional streetlight improvements on Clinton Keith Rd are completed as detailed in the Report. Subsequent annual assessments will be increased, without regard to the \$187.84 per acre ceiling, in accordance with the standard annual adjustment formula outlined in Section 5 of this Resolution.

SECTION 2 Intent: The City Council hereby declares its intention to order the annexation of Street Lighting Zone 88, as described and shown in Exhibit "A", to L&LMD No. 89-1-C, and to levy and collect an annual assessment on all assessable lots and parcels of property within Street Lighting Zone 88 commencing with the fiscal year 2009-10 as set forth in the Report. The Report expressly states that there are no parcels or lots within Street Lighting Zone 88

that are owned by a federal, state or other local governmental agency that will benefit from the services to be financed by the annual assessments. The annual assessments will be collected at the same time and in the same manner as property taxes are collected, and all laws providing for the collection and enforcement of property taxes shall apply to the collection and enforcement of said assessments.

SECTION 3 Boundaries: All the property within boundaries of Street Lighting Zone 88 is proposed to be annexed into L&LMD No. 89-1-C and shall include that property in the incorporated area of the City as described and shown in Exhibit "A".

SECTION 4 Description of Services to be Provided: The service authorized for Street Lighting Zone 88 of L&LMD No. 89-1-C is the provision of electricity to all streetlights within the public right-of-way including incidental costs and expenses.

SECTION 5 Amount to be Levied: The assessment to be levied upon each parcel that benefits from the annexation of Street Lighting Zone 88 to L&LMD No. 89-1-C will be \$125.22 per acre for fiscal year 2009-10. As stated in the Report, the total budget for Street Lighting Zone 88 for the fiscal year 2009-10 is \$660.00; there is 1 parcel that is to be assessed that aggregates to 5.27 acres. The annual assessment will be increased by the greater of two percent (2.0%) or the cumulative percentage increase, if any, in the Consumer Price Index for all Urban Consumers for "electricity" ("CPI-U") for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of the United States Department of Labor. The annual assessment increase derived from the application of the foregoing formula is referred to as the "Standard Annual Adjustment." In addition to the Standard Annual Adjustment, beginning in the fiscal year in which the additional streetlight improvements on Clinton Keith Rd are completed, the annual assessments may be further increased. For the fiscal year in which the additional streetlight improvements are completed, the annual assessment may be increased to an amount not to exceed \$187.84 per acre, adjusted for inflation. The Standard Annual Adjustment will be applied to this increased assessment in all subsequent fiscal years following the year in which the additional streetlight improvements on Clinton Keith Rd are completed without regard to the \$187.84 per acre, inflation adjusted, assessment ceiling required during the fiscal year the streetlight improvements were first completed. Except for assessment increases associated with the completion of the additional streetlight improvements on Clinton Keith Rd, and assessment increases resulting from the application of the Standard Annual Adjustment, any other increase in the annual assessment requires a majority approval of all the property owners within Street Lighting Zone 88. The City Council will levy the assessment in each subsequent fiscal year until the City Council undertakes proceedings for the dissolution of Street Lighting Zone 88 of L&LMD No. 89 1 C. The annual assessment will fund the

services described in Section 4 of this Resolution. For further particulars, reference is to be made to the Report on file in the Office of the City Clerk.

SECTION 6 The Property to be Annexed: The property to be annexed into L&LMD No. 89-1-C is Street Lighting Zone 88. The boundaries of Street Lighting Zone 88 are located within the incorporated area of the City and are described and shown in the Report and Exhibit "A".

SECTION 7 Report: The Report, which is on file with the City Clerk and which has been presented to the City Council, is hereby approved. Reference is made to the Report for a full and detailed description of the services, the boundaries of Street Lighting Zone 88, and the annual assessment to be levied upon assessable lots and parcels within Street Lighting Zone 88 proposed to be annexed to L&LMD No. 89-1-C.

SECTION 8 Public Hearing: The question of whether Street Lighting Zone 88 shall be annexed into L&LMD No. 89-1-C and an annual assessment levied beginning with fiscal year 2009-10 shall be considered at a public hearing (hereinafter the "Public Hearing") to be held on March 11, 2009, at 7:00 p.m. at the meeting room of the City Council of the City of Wildomar at Wildomar City Hall, 23873 Clinton Keith Rd Suite 201, Wildomar, CA 92595.

SECTION 9 Majority Protest: Each owner of record of property within Street Lighting Zone 88 is to receive by mail an assessment ballot that shall conform to the requirements of Section 4 of Article XIID and Section 4000 of the California Elections Code. The assessment ballots are to be returned prior to the Public Hearing. L&LMD No. 89-1-C shall not impose assessments on property within the boundaries of Street Lighting Zone 88 if there is a majority protest with regard to the annexation of Street Lighting Zone 88. A majority protest exists if, upon the conclusion of the Public Hearing, the tabulation of the assessment ballots submitted in opposition to the annexation and assessment of Street Lighting Zone 88 exceeds the assessment ballots in favor of the annexation and assessment of Street Lighting Zone 88.

SECTION 10 Information: Any property owner desiring additional information regarding Street Lighting Zone 88 of L&LMD No. 89-1-C, the Report, or the proposed assessment is to contact Ms. Judy A. Watterlond, Technical Engineering Unit Supervisor, Transportation Department of the County of Riverside, 4080 Lemon Street, 8th Floor, Riverside, California, 92501 or by telephone at (951) 955-6829.

SECTION 11 Notice of the Public Hearing: Notice of Public Hearing with regard to the annexation of Street Lighting Zone 88 to L&LMD No. 89-1-C shall be given consistent with Section 22626 of the Streets and Highways Code and Section 4 of Article XIID. The City Clerk shall give notice of the Public Hearing by causing a certified copy of this Resolution to be published once in *The Press Enterprise*

at least ten (10) days prior to the date of the Public Hearing that is March 11, 2009. Publication of this Resolution is to be effected by the City Clerk. Notice shall also be given by mailing first-class, postage prepaid, those notices, as prepared by County of Riverside, assessment ballot and information sheets as required by Section 4 of Article XIID and Section 4000 of the California Elections Code to all owners of record of property within Street Lighting Zone 88 as shown on the last equalized assessment roll of the County of Riverside. Mailing is to be made by the Engineer and deposited with the U. S. Post Office at least forty-five (45) days prior to the Public Hearing on March 11, 2009.

SECTION 12 Effective Date: This Resolution shall take effect from and after its date of adoption.

PASSED, APPROVED, AND ADOPTED this 14th day of January, 2009 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Scott Farnam, Mayor

ATTEST:

Sheryll Schroeder, City Clerk

APPROVED AS TO FORM:

Julie Hayward Biggs, Interim City Attorney

**CITY OF WILDOMAR
COUNTY OF RIVERSIDE
STATE OF CALIFORNIA**

ENGINEER'S REPORT FOR FISCAL YEAR 2009-10

for

**LANDSCAPING AND LIGHTING MAINTENANCE
DISTRICT NO. 89-1-CONSOLIDATED
STREET LIGHTING ZONE 88,**

PREPARED BY:

**RIVERSIDE COUNTY
TRANSPORTATION DEPARTMENT
DECEMBER 31, 2008**

AGENCY: CITY OF WILDOMAR, COUNTY OF RIVERSIDE, CALIFORNIA

**PROJECT: LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED - STREET LIGHTING ZONE 88
ANNEXATION**

TO: CITY COUNCIL

**ENGINEER'S REPORT
FOR FISCAL YEAR 2009-10**

Pursuant to the provisions of Section 22565 through 22574 of the Landscaping and Lighting Act of 1972, said act being Part 2 of Division 15 of the Streets and Highways Code of the State of California, Section 4 of Article XIII D of the California Constitution, and direction from the City of Wildomar City Council of Riverside County, California submitted herewith is the Report for Landscaping and Lighting Maintenance District No. 89-1-Consolidated - Street Lighting Zone 88 Annexation consisting of four (4) parts as follows:

PART I

A general description and plans of street lighting services proposed to be funded.

PART II

An estimate of the cost of the street lighting services including incidental costs and expenses in connection therewith for fiscal year 2009-10, is as set forth on the lists thereof, attached hereto.

PART III

A diagram displaying each streetlight to be energized illustrating the parcels receiving the service, the lines and dimensions of each parcel of land within said Street Lighting Zone 88, as the same exists on the maps of the Assessor of Riverside County for fiscal year 2009-10 is filed in the Office of the Riverside County Transportation Department. A reduced copy thereof is filed herewith and made a part hereof. Any changes in organization for said District (i.e. annexation) is discussed in this part.

PART IV

A proposed assessment of the total costs and expense of the proposed street lighting services for fiscal year 2009-10 upon each parcel of land within said Street Lighting Zone 88, in proportion to the estimated benefits to be received by such parcels from said streetlights, is set forth upon the assessment roll filed herewith and made a part hereof.

There is only one property owner within the proposed boundaries of Street Lighting Zone 88 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on March 11, 2009; a copy of said waiver is filed herewith and made a part hereof.

Dated December 31, 2008



Juan C. Perez, Director of Transportation
County of Riverside, California;
acting on behalf of the City of Wildomar

PART I

DESCRIPTION OF SPECIFICATIONS FOR STREET LIGHTING SERVICES FOR FISCAL YEAR 2009-10 LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED, STREET LIGHTING ZONE 88 CITY OF WILDOMAR, COUNTY OF RIVERSIDE, CALIFORNIA

Specifications

Specifications displaying the street lighting services are shown on Street Lighting Zone 88 exhibit within the public right-of-way:

Provision of electricity to all streetlights within the public right-of-way to be funded by Street Lighting Zone 88 of Landscaping and Lighting Maintenance District No. 89-1-Consolidated including incidental costs and expenses:

- Northeasterly of Hidden Springs Rd
- Southeasterly of Clinton Keith Rd

Description of Services

Services to be funded include electrical costs for street lighting, and incidental administrative costs.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED

STREET LIGHTING ZONE 88

PORTION OF SECTION 1, T.7S., R.4W.

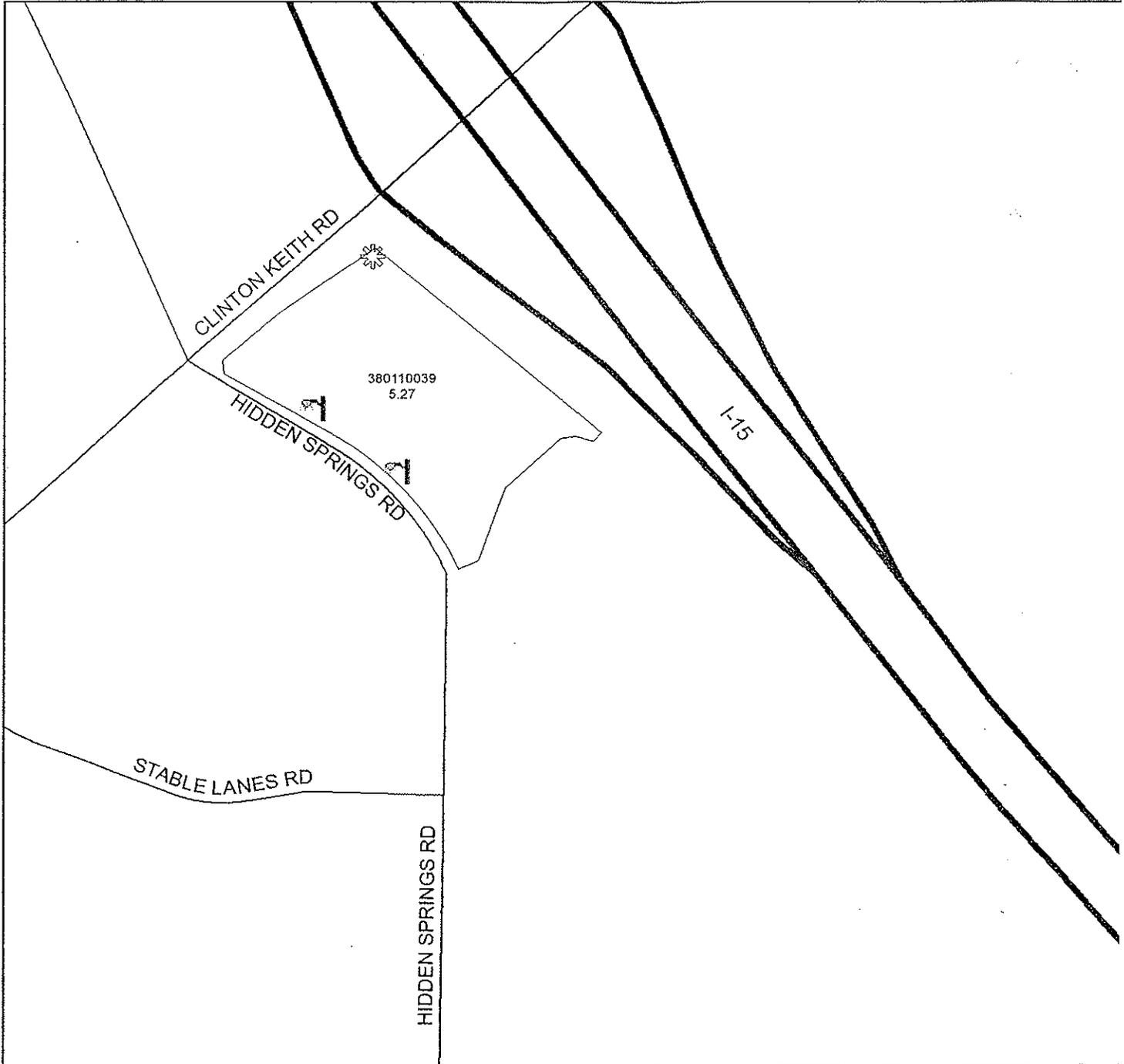
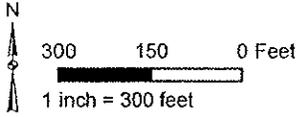
CONDITIONAL USE PERMIT NO. 03504R1 - 1 PARCEL

CITY OF WILDOMAR



The County of Riverside assumes no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates, modifications and may not be complete or appropriate for all purposes. County GIS and other sources should be queried for the most current information. Do not copy or reuse this map.

Printed by jpickeri on 12/4/



- DENOTES MAINTAINED STREETLIGHT
- TRANS_FUTURE_STREETLIGHT

PART II

ENGINEER'S ESTIMATE OF COSTS AND EXPENSES
FOR STREET LIGHTING SERVICES
FOR FISCAL YEAR 2009-10
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, STREET LIGHTING ZONE 88
CITY OF WILDOMAR, COUNTY OF RIVERSIDE, CALIFORNIA

The cost estimate contains each of the items specified in Section 22569 of the Landscaping and Lighting Act of 1972.

Cost Estimate for Street Lighting Zone 88

Costs for Provision of Electricity

| | |
|---|-----------------|
| Servicing ¹ of the Streetlights | \$600.00 |
| Administrative Costs ² | <u>60.00</u> |
| Total Amount to be Assessed for FY 2009-10 | \$660.00 |

¹Servicing means funding of energy costs.

²Administrative Costs include County administration, preparation of Engineer's Report, and County Auditor-Controller fees.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
 CITY OF WILDOMAR
 STREET LIGHTING ZONE 88
 SUMMARY
 ANNUAL BUDGET
 FISCAL YEAR 2009-10

| QTY | TYPE | COST PER | TOTAL | ANNUAL ADM COST | ANNUAL RATE |
|-----|--------------|-----------|-----------|--------------------|----------------|
| 2 | Streetlights | \$ 300.00 | \$ 600.00 | \$ 60.00 | \$ 660.00 |

| | | | | |
|--------------------------------|--|--|--|---------------|
| TOTAL BUDGET | | | | \$ 660.00 |
| FISCAL YEAR 2009-10 ASSESSMENT | | | | \$125.22/acre |

5.27 acre(s)

Utility Provider: SCE

PART II

ENGINEER'S ESTIMATE OF COSTS AND EXPENSES
FOR STREET LIGHTING SERVICES
FOR FUTURE CLINTON KEITH RD STREETLIGHT
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, STREET LIGHTING ZONE 88
CITY OF WILDOMAR, COUNTY OF RIVERSIDE, CALIFORNIA

The cost estimate contains each of the items specified in Section 22569 of the Landscaping and Lighting Act of 1972.

Cost Estimate for Street Lighting Zone 88

Costs for Provision of Electricity

| | |
|--|--------------|
| Servicing ¹ of the Streetlights | \$300.00 |
| Administrative Costs ² | <u>30.00</u> |

**Total Additional Amount to be Assessed in Fiscal Year
in which Additional Improvements are Completed** **\$330.00**

*** ¹Servicing means funding of energy costs.

²Administrative Costs include County administration, preparation of Engineer's Report, and County Auditor-Controller fees.

LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 89-1-CONSOLIDATED
 CITY OF WILDOMAR
 STREET LIGHTING ZONE 88
 SUMMARY
 ANNUAL BUDGET
 FOR FUTURE CLINTON KEITH RD STREETLIGHT

| QTY | TYPE | COST PER | TOTAL | ANNUAL ADM COST | ANNUAL RATE |
|-----|--------------|-----------|-----------|--------------------|----------------|
| 1 | Streetlights | \$ 300.00 | \$ 300.00 | \$ 30.00 | \$ 330.00 |

| | |
|--------------------------|---------------|
| TOTAL BUDGET | \$ 330.00 |
| FUTURE ANNUAL ASSESSMENT | \$ 62.62/acre |

5.27 acre(s)

Utility Provider: SCE

PART III

**ASSESSMENT DIAGRAM AND CHANGES IN ORGANIZATION
FOR FISCAL YEAR 2009-10
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, STREET LIGHTING ZONE 88
CITY OF WILDOMAR, COUNTY OF RIVERSIDE, CALIFORNIA**

Assessment Diagram

A reduced copy of the Assessment Diagram is filed herewith and made a part hereof.

Changes in Organization

Street Lighting Zone 88

A map displaying all streetlights within Street Lighting Zone 88 Annexation as shown on the following Exhibit is filed herewith and made a part hereof changes the organization for this District for Fiscal Year 2009-10.

STREET LIGHTING ZONE 88

PORTION OF SECTION 1, T.7S., R.4W.

CONDITIONAL USE PERMIT NO. 03504R1 - 1 PARCEL

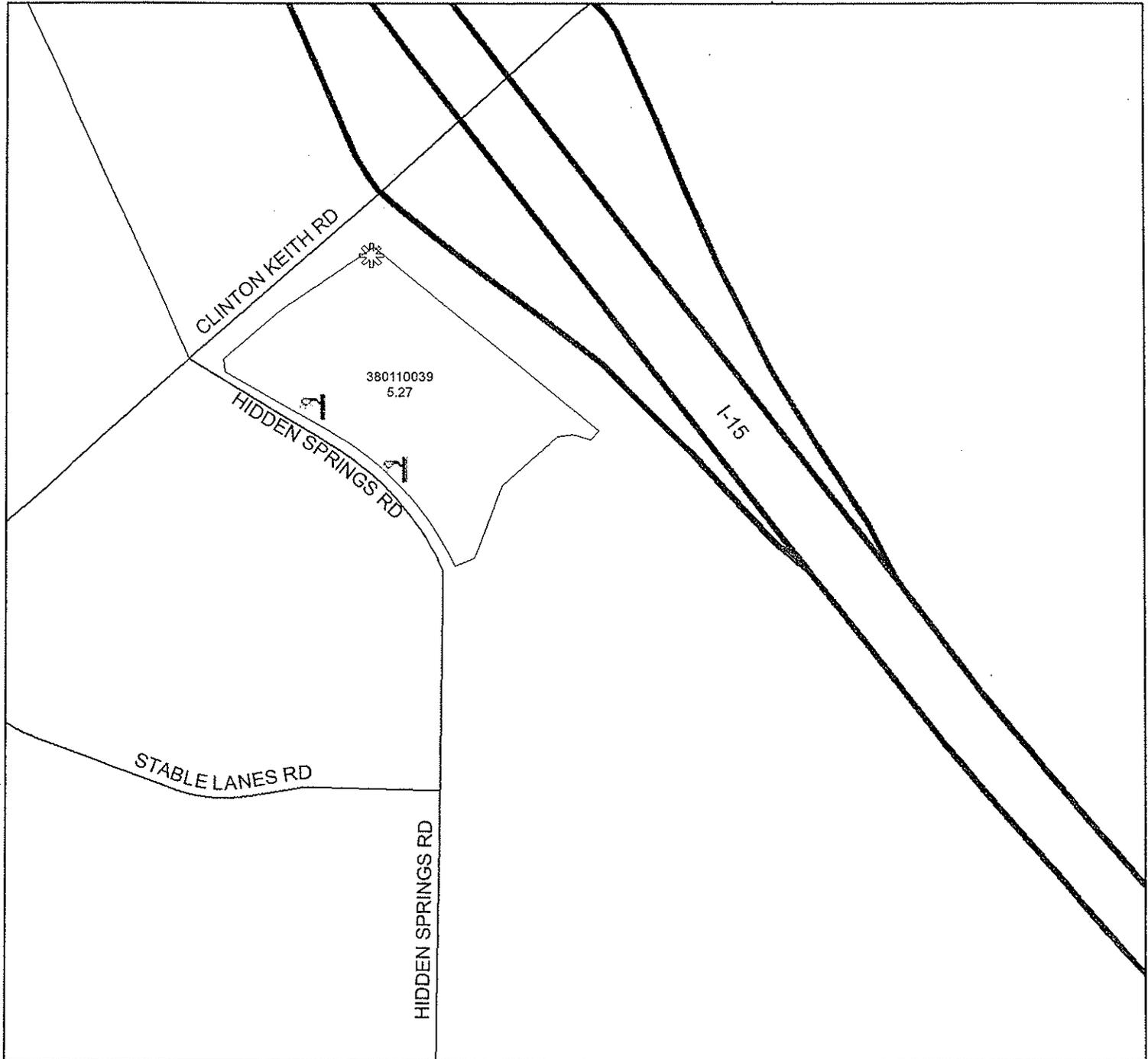
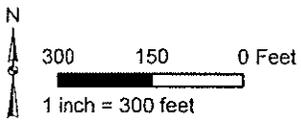
CITY OF WILDOMAR

ASSESSMENT DIAGRAM



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DENOTES MAINTAINED STREETLIGHT

TRANS_FUTURE_STREETLIGHT

PART IV

**ASSESSMENT FOR FISCAL YEAR 2009-10
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT
NO. 89-1-CONSOLIDATED, STREET LIGHTING ZONE 88
CITY OF WILDOMAR, COUNTY OF RIVERSIDE, CALIFORNIA**

**"LANDSCAPING AND LIGHTING ACT OF 1972", DIVISION 16 OF THE
STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA**

WHEREAS, on January 14, 2009 the City of Wildomar City Council of the County of Riverside, State of California, did, pursuant to the provisions of the "Landscaping and Lighting Act of 1972", being Division 15 of the Streets and Highways Code of the State of California, adopt Resolution No. 09-01 ordering the preparation of the engineer's report for a special assessment district known and designated as:

Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Street Lighting Zone 88 (herein referred to as "District"); and,

WHEREAS, the City Council, did direct the appointed Engineer to make and file a "Report", in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of Part 2 of Division 15 of the Streets and Highways Code, being an article of the aforementioned Landscaping and Lighting Act of 1972.

WHEREAS, Section 22567 of said Article 4 states the "Report" shall consist of the following;

- a. Specifications for the street lighting services
- b. An estimate of the street lighting services
- c. A diagram for the assessment district
- d. An assessment of the estimated costs for the street lighting services

NOW, THEREFORE, I, the appointed ENGINEER, acting on behalf of the City of Wildomar, pursuant to the 'Landscaping Act of 1972", do hereby submit the following:

1. Pursuant to the provisions of law the costs and expenses of the District have been assessed upon the parcels of land in the District benefited thereby in direct proportion and relation to the estimated benefits to be received by each of said parcels. For particulars as to the identification of said parcel, reference is made to the Assessment Diagram, a reduced copy of which is included herein.
2. As required by law, a Diagram is filed herewith, showing the District, as well as the boundaries and dimensions of the respective parcels and subdivisions of land within said District as the same exist each of which subdivisions of land or parcels or lots, respectively, have been given a separate number upon said Diagram and in the Assessment Roll contained herein.
3. The separate numbers given the subdivisions and parcels of land, as shown on said Assessment Diagram and Assessment Roll, correspond with the numbers assigned to each parcel by the Riverside County Assessor. Reference is made to the County Assessment Roll for a description of the lots or parcels.
4. There are no parcels or lots within Street Lighting Zone 88 that are owned by a federal, state or other local governmental agency that will benefit from the services to be provided by the assessments to be collected.

Method of Assessment Apportionment

The law requires and the statutes provide that assessments, as levied pursuant to the "Landscaping and Lighting Act of 1972" be based on the benefit properties receive. The statutes do not specify the method or formula that should be used to apportion the assessment in any special assessment district proceedings.

The funding of energized streetlights provides direct and special benefit to those properties located within Street Lighting Zone 88 in Landscaping and Lighting Maintenance District No. 89-1-Consolidated (DISTRICT). Streetlights enhance the properties within the DISTRICT, improve neighborhood property protection, increase traffic safety by improving visibility, and provide an enhanced quality of life and sense of well being for properties within the DISTRICT.

The costs and expenses for energizing streetlight improvements are apportioned on a per acre basis.

The dollar per acre value for Fiscal Year 2009-10 for Street Lighting Zone 88 is as follows:

$$\begin{array}{l} \text{Total Budget} = \quad \quad \quad \underline{\$660.00} \\ \text{Total No. Acres} \quad 5.27 = \quad \quad \$125.22/\text{acre} \end{array}$$

The assessment for Fiscal Year 2009-10 for Street Lighting Zone 88 that is to be annexed into Landscaping and Lighting Maintenance District No. 89-1-Consolidated will be \$125.22 per acre. The annual assessment may be increased to an amount not to exceed \$187.84 per acre, adjusted for inflation per acre, starting the fiscal year in which the additional streetlight improvements on Clinton Keith Rd. are completed. The annual assessment will be increased by the greater of two percent (2.0%) or the cumulative percentage increase, if any, in the Consumer Price Index for all Urban Consumers ("CPI-U") for "electricity" for the Los Angeles-Riverside-Orange County California Standard Metropolitan Statistical area ("Index") published by the Bureau of Labor Statistics of United States Department of Labor. The annual "CPI-U" "electricity" adjustment will be based on the cumulative increase, if any, in the Index as it stands on March of each year over the base Index for March of 2008. Any increase larger than the greater of 2.0% or the "CPI-U" "electricity" annual adjustment requires a majority approval of all the property owners within Street Lighting Zone 88.

Waiver and Consent Regarding Date of Assessment Ballot Election

There is only one property owner within the proposed boundaries of Street Lighting Zone 88 and said property owner has executed a "Waiver and Consent Regarding Date of Assessment Ballot Election" allowing for the election and public hearing to be held on March 11, 2009; a copy of said waiver is filed herewith and made a part hereof.

In conclusion, it is my opinion that the assessments for Landscaping and Lighting Maintenance District No. 89-1-Consolidated, Street Lighting Zone 88 have been spread in direct accordance with the benefits that each parcel receives from the items being financed.

Dated December 31, 2008



Juan C. Perez, Director of Transportation
County of Riverside, California;
acting on behalf of the City of Wildomar

LANDSCAPING AND LIGHTING MAINTENANCE
DISTRICT NO. 89-1-CONSOLIDATED
OF THE CITY OF WILDOMAR, CALIFORNIA

WAIVER AND CONSENT REGARDING DATE OF
ASSESSMENT BALLOT ELECTION

The undersigned, an authorized representative of DH Wildomar LLC (the "Owner") owns property within the incorporated area of the City of Wildomar (the "City") represented by the following Assessors Parcel Number for fiscal year 2009-10 (the "Property"): APN(s) 380-110-039.

The Owner has made application that the Property be annexed as Street Lighting Zone 88 to Landscaping and Lighting Maintenance District No. 89-1-Consolidated of the City ("L&LMD No. 89-1-C") and certifies the following:

1. The Owner waives the requirements of Section 4000 of the Elections Code of the State of California (the "Elections Code") that the mailed ballot election required for annexation and the levy of an annual assessment must be held on an established mailed ballot election date pursuant to Section 1500 of the Election Code; and
2. The Owner consents to the mailed assessment ballot election with respect to the levy of an annual assessment on the Property being held on March 11, 2009

OWNER: DH Wildomar LLC
(Name of Company
as Stated in Initial Paragraph)

By: _____

Signature

Name: David Horenstein

Print

Title: _____

ITS MANAGER MEMBER

APN

ACRES

ASSESSMENT

380-110-039

.00

660.96

CITY OF WILDOMAR – COUNCIL
Agenda Item # 6
CONSENT ITEM
Meeting Date: JANUARY 14, 2009

TO: Honorable Mayor Farnam, Members of the City Council
FROM: John Danielson, City Manager
SUBJECT: Discussion to execute an agreement with Paula Willette.

STAFF REPORT

RECOMMENDATION:

Authorize the City Manager to execute an agreement with Paula Willette of Diamond W Events to provide organizational assistance with special events, City sponsored activities, media communications, sponsorship development, data base development and other associated activities.

BACKGROUND:

The City of Wildomar will be very active in hosting many special events and activities that are beneficial to our residents. Emergency preparedness programs, Community/Regional Disaster Inventory Summit, Wildomar's 1st Anniversary gala, and City Hall Open House programs are just a few of the programs planned to date. A lot of hard work, preparation and where appropriate, fund raising are required to have a successful event. Paula Willette provides excellent services in all these areas as evidenced by her past work with the City of Wildomar's Inaugural celebration, the Strategic Visioning Day, the First 100 Days, and the City's Holiday Open House event.

FISCAL IMPACT:

Ms. Willette has agreed to a monthly retainer based on forty hours per month at \$35/hour, for a total of \$1400.00 per month. The agreement may be terminated at any time at the discretion of the City.

ALTERNATIVES:

1. Provide staff with further direction.

ATTACHMENTS:

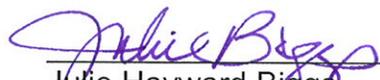
None

Submitted by:



John Danielson
City Manager

Approved as to form:



Julie Hayward Biggs
City Attorney

CITY OF WILDOMAR – COUNCIL
Agenda Item # 7
CONSNET ITEM
Meeting Date: January 14, 2009

TO: Mayor Farnam, Members of the City Council
FROM: Gary Wayne, Development Services
SUBJECT: Report Planning Commission Action Regarding Two Parcel Maps
– Wildomar Square and Shops at Bear Creek

STAFF REPORT

RECOMMENDATION:

Receive and file.

BACKGROUND AND DISCUSSION:

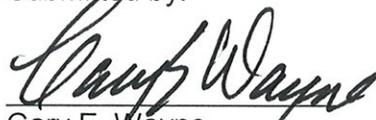
On December 17, 2008, at a duly noticed public hearing, the Wildomar Planning Commission considered the following two parcel maps and unanimously approved both (4-0, Commissioner Andre absent):

PM No. 36080 – Wildomar Square, a Schedule E parcel map to subdivide the commercial property located at the SE corner of Clinton Keith Rd. and I-15 into 6 parcels to facilitate individual ownership of the six buildings.

PM No. 36084 – Shops at Bear Creek, a Schedule E parcel map to subdivide the commercial property located at the intersection of Palomar St. and Clinton Keith Rd. (NNE corner) into two parcels to facilitate individual ownership of the two buildings.

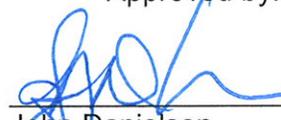
Pursuant to the Wildomar Subdivision Ordinance, Schedule E subdivisions are considered and acted upon by the Planning Commission with a report to the City Council. This report satisfies the requirements of the ordinance. The City did not receive an appeal for either approval during the appeal period.

Submitted by:



Gary E. Wayne
Development Services

Approved by:



John Danielson
Interim City Manager

CITY OF WILDOMAR – COUNCIL
Agenda Item # 8
DISCUSSION/ACTION ITEM
Meeting Date: JANUARY 14, 2009

TO: Honorable Mayor Farnam, Members of the City Council

FROM: Sheryll Schroeder, City Clerk

SUBJECT: Council to take action on the nomination and selection of a citizen of the City of Wildomar to the County Free Library Advisory Committee (CFLAC)

STAFF REPORT

BACKGROUND:

As a City with Riverside County Library Services, Wildomar may appoint a representative to sit on the County Free Library Advisory Committee (CFLAC). Prior to the City's incorporation, the City of Wildomar was represented as a part of the 1st District by Mary Ruff.

CFLAC is an essential part of library service in Riverside County, as CFLAC members represent library users and convey their concerns and desires for library service to county library administration. CFLAC meetings are held quarterly, the third Thursday morning of January, April, July and October. Meetings are held at various libraries throughout the County. The next meeting is January 15, 2009.

The appointment opening was advertised on the bulletin board outside City Hall, posted at the library and post office, advertised in the Press Enterprise and on the City's web site and various community web sites. The advertisements began on December 10, 200 and remained posted until Friday, January 9, 2009.

The City received three applications.

ALTERNATIVES:

1. Provide staff with further direction.

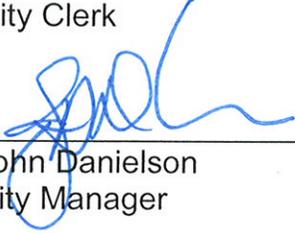
ATTACHMENTS:

Applications received.

Submitted by:



Sheryll Schroeder
City Clerk

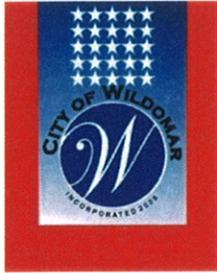


John Danielson
City Manager

Approved as to form:



Julie Hayward Biggs
City Attorney



CITY OF WILDOMAR, CA
NOTICE OF APPOINTMENT

County Free Library Advisory Committee

NOTICE IS HEREBY GIVEN that there is an opening to represent the City of Wildomar on the County Free Library Advisory Committee. This is a volunteer position.

County Free Library Advisory Committee (CFLAC) is an essential part of library service in Riverside County and CFLAC members represent library users and convey their concerns and desires for library service to the county library administration.

The ideal CFLAC member is an active library user who is attuned to the needs of diverse members of the community and is effective in expressing those needs.

The CFLAC meetings are held quarterly, the third Thursday morning of January, April, July and October. The meeting location rotates to various libraries throughout the county.

Please submit your letter of interest or resume to:

City of Wildomar
City Clerk, Sheryll Schroeder
23873 Clinton Keith Road, Suite 110
Wildomar, CA 92595
(951) 677-7751

Letters of interest or resumes will be accepted until 4:00 PM, January 8, 2009.

Ms. Sheryll Schoreder, Clerk for the City of Wildomar
23873 Clinton Keith Road, Suite 110
Wildomar, CA 92595

12/14/08

**Subject: Letter of Interest for appointment consideration as the City of Wildomar
County Free Library Advisory Commission (CFLAC) representative.**

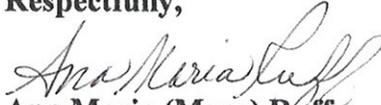
Honorable Members of the Wildomar City Council:

**In consideration for your appointment as the CLFAC representative for the City of
Wildomar, I submit the following:**

- 1) I am charter member of the Friends of the Mission Trail Library & serve
on the Board of Directors which is an elected position.**
- 2) As a member of the Board of Directors, I am the Book Store Manager. Book
Store sales are the major source of funding for the programs sponsored by the
Friends of the Mission Trail Library & items purchased for our library.**
- 3) As the Book Store Manager, I work very closely with the Mission Trail
Library Branch Manager & Staff with regard to receipt of book donations
& sales. In this capacity, I work many uncompensated hours/week.**
- 4) I currently serve as the 1st District representative on CFLAC at the pleasure
of Supervisor Buster. For this reason I am very familiar with CFLAC
protocol & the Riverside County Librarian, Ms. Nancy Johnson.
NOTE: Should I be appointed to represent the City of Wildomar as its CFLAC
representative, it is my intent to resign as the 1st District representative.**

Since I am very involved with our community library &, of course, CFLAC, I trust
that you will consider me as the CFLAC appointee for the City of Wildomar.
Should you have a questions, please contact me at ruffhaus2@yahoo.com or 951-
678-9722.

Respectfully,


Ana Maria (Mary) Ruff
23021 Sweetbay Cir.
Wildomar, CA 92595

RECEIVED

DEC 18 2008

CITY OF WILDOMAR

cc: Ms. Nancy Johnson, Riverside Cnty. Librarian
Mr. 'Bob' Buster, Riverside Cnty 1st Dist. Supv.

RECEIVED

JAN 07 2009

CITY OF WILDOMAR

December 4, 2009

City Clerk, Sheryll Schroeder
23873 Clinton Keith Road, Suite 110
Wildomar, CA 92595

Please consider my application for the volunteer position to represent the City of Wildomar on the County Free Library Advisory Committee.

Libraries have always been an important part of my life. They have been invaluable resources for furthering my education and personal development. Supporting our local library and helping to expand its facilities and programs would be my first choice in local volunteer work.

I am a member of the Friends of the Mission Trail Library, and am currently working with their Board of Directors to explore ways to expand their membership and increase their revenue, in the hope of providing additional support for more library programs.

This coming year, I will also be working with our library manager, Jennie Jackson, to apply for grant money to assist the library in acquiring funding for additional computer equipment and other resources to increase the library's level of service to the Wildomar community.

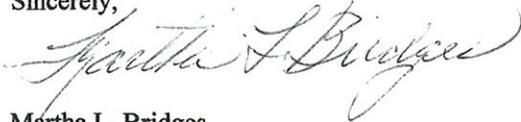
During these difficult economic times, I feel it is especially important to find ways to augment library services. It has never been more important to be able to assist our children with their education and development, and to provide our adult population with resources for retraining and increasing their marketable skills. I wish to make a positive contribution to those efforts, and have the time and energy to devote to these volunteer responsibilities.

My background as a businesswoman, and my previous volunteer work with literacy programs and as a committee chairperson, officer and member of Habitat for Humanity Inland Valley's Board of Directors, has provided me with valuable experience and insight into community needs and volunteer activities.

During my previous careers, I have managed large complex budgets, lead critical long-term projects, chaired numerous committees and worked effectively with very diverse groups of people. I hold several information technology and asset management certifications, as well as an inactive California real estate license.

I feel that my experience has prepared me to successfully represent the City of Wildomar on this Advisory Committee, and contribute a fresh perspective and new ideas for supporting our library. I would very much appreciate your consideration for the position.

Sincerely,



Martha L. Bridges
35465 Woshka Lane
Wildomar, CA 92595

951 678-7079
951 526-6970

Enclosures (4)



December 23, 2008

To Whom It May Concern:

It is my pleasure to know Martha Bridges. She has worked as a volunteer at Mission Trail Community Library in Wildomar where she has donated hours of her time.

Martha is a member of the Friends of Mission Trail Library and has suggested several innovative and interesting ideas. Martha plans to write a grant for the purpose of building a large extension to our existing public library.

I would highly recommend Martha to serve on the County Free Library Advisory Committee and represent our library for the city of Wildomar.

If you have any questions, please do not hesitate to call me.

Sincerely,

Jennie Jackson
Branch Manager
Mission Trail Library
34303 Mission Trail
Wildomar, CA 92595
(951) 471-3855

Martha L. Bridges

Previous Positions:



Martha L. Bridges

Kaiser Permanente Information Technology
National Operations, Asset Management

1830 California Avenue
Corona, California 92881-3378
E-Mail: Martha.L.Bridges@kp.org

Office: (909) 739-5130
Fax: (909) 270-2522



Martha Bridges

Treasurer

27475 Ynez Rd., #390
Temecula, CA 92591
(909) 693-0507

info@habitat4inlandvalley.org
www.habitat4inlandvalley.org



Martha L. Bridges

Senior Systems Programmer
Network Services and Distributed Computing
Kaiser Permanente - Information Services

99 South Oakland Ave.
Pasadena, CA 91188
Internet/E-mail: Martha.L.Bridges@kp.org

Office: (626) 564-7028
Fax: (626) 564-7502
Pager: (818) 413-1336

certificate ITIL

Foundation Certificate in IT-Service Management

presented to

M. Bridges

Utrecht, 17 March 2003

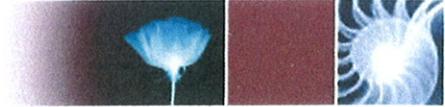


J.P. van Nieuwstadt
managing director



The ITIL certification scheme is officially supported by:





What is ITIL?

ITIL® is the only consistent and comprehensive documentation of best practice for IT Service Management. Used by many hundreds of organisations around the world, a whole ITIL philosophy has grown up around the guidance contained within the ITIL books and the supporting professional qualification scheme.

ITIL consists of a series of books giving guidance on the provision of quality IT services, and on the accommodation and environmental facilities needed to support IT. ITIL has been developed in recognition of organisations' growing dependency on IT and embodies best practices for IT Service Management.

The ethos behind the development of ITIL is the recognition that organisations are becoming increasingly dependent on IT in order to satisfy their corporate aims and meet their business needs. This leads to an increased requirement for high quality IT services.

ITIL Refresh

[ITIL Version 2](#) (V2) has undergone a major refresh which is [Version 3](#) (V3). Version 3 represents an important evolutionary step in its life. The refresh has transformed the guidance from providing a great service to being the most innovative and best in class. At the same time, the interface between old and new approaches is seamless so that users do not have to reinvent the wheel when adopting it. V3 allows users to build on the successes of V2 but take IT service management even further.

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ITIL provides a systematic and professional approach to the management of IT service provision. Adopting its guidance offers users a huge range of benefits that include:

- reduced costs
- improved IT services through the use of proven best practice processes
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- standards and guidance
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- improved use of skills and experience
- improved delivery of third party services through the specification of ITIL or ISO 20000 as the standard for service delivery in services procurements.

ITIL Users

ITIL has been adopted by hundreds of organisations worldwide. These include:

- Microsoft
- IBM
- Barclays Bank
- HSBC
- Guinness
- Procter & Gamble
- British Airways
- Ministry of Defence
- Hewlett Packard

For testimonials and case studies from organisations who have adopted ITIL visit [OGC's Best Practice Users: Testimonials and Case Studies](#) in the Best Management Practice Knowledge Centre.

Veronica M. Langworthy
21227 Front Street, Wildomar, CA 92595
951-704-4210

City of Wildomar
City Clerk, Sheryll Schroeder
23873 Clinton-Keith Rd., Suite 110
Wildomar, CA 92595
951-677-7751

RECEIVED

JAN 08 2009

CITY OF WILDOMAR

4:00

Dear Ms. Schroeder,

Please accept this letter of interest regarding the posting for a Representative for the City of Wildomar on the County Free Library Advisory Committee (CFLAC). I am interested in this opportunity as I am a frequent patron of the Mission Trail branch (reference: Jennie Jackson, librarian) of the Riverside County Library System.

I am familiar with other branches of the Riverside County Library System including: the Vic Knight Branch at Lakeside High School, the branch in downtown Lake Elsinore, the Temecula Pauba Road site (wonderful large library with quite a bit of historical information outside the branch), Murrieta's City Library, and the County site off of Ynez Road in Temecula.

The free public library system is a vital component to an educated community – allowing individuals of all economic levels to better themselves. It provides a meeting place to share ideas and come together to build community. The access to divergent ideas helps us to grow in understanding.

My love of reading and learning was encouraged by access to the free public library in the community where I grew up. My children have library cards and frequent the library. I desire to be a part of that continued encouragement to the members of our community at large.

Sincerely,



Veronica Langworthy, resident
M.A., Special Education

Print | Close Window

Subject: FW: Search Dogs of Riverside County
From: "Sheryll Schroeder" <sheryll1536@verizon.net>
Date: Fri, Nov 14, 2008 9:30 am
To: <sschroeder@cityofwildomar.org>

From: Terry Fitzwater [mailto:tfitzh2o@quiknet.com]
Sent: Thursday, November 13, 2008 3:13 PM
To: 'Jan Frazee'
Cc: 'Sheryll Schroeder'
Subject: RE: Search Dogs of Riverside County

Jan:

The City Council has cancelled the December 10 meeting. So, I will have to reschedule you to their next regularly scheduled meeting which is **Jan 14, 2009**. Sorry but these things happen.

Via copy to Sheryll, please place the "Search Dogs of Riverside" on the agenda for a presentation at the beginning of the meeting.

Thanks.

Terry

-----Original Message-----

From: Jan Frazee [mailto:jan@frazees.com]
Sent: Monday, November 10, 2008 8:44 AM
To: 'Terry Fitzwater'
Subject: RE: Search Dogs of Riverside County

December 10 would be best for me, and thanks again for facilitating us so well!

Jan

From: Terry Fitzwater [mailto:tfitzh2o@quiknet.com]
Sent: Monday, November 10, 2008 5:54 AM
To: 'Jan Frazee'
Subject: RE: Search Dogs of Riverside County

Jan:

Change of plans. I need to reschedule you for Dec 3 or 10. I want to make you part of the agenda as opposed to a public "walk on" presentation. Which would work better for you.

Terry

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CITY OF WILDOMAR – CITY COUNCIL
Agenda Item # 9
DISCUSSION/ACTION ITEM
Meeting Date: January 14, 2009

TO: Honorable Mayor Farnam, Council Members

FROM: Brad Evanson, Development Services

SUBJECT: Planning Application #08-0167, Habeb Dabbaghian, Applicant: Change of Zone CZ 7313 to change the zone from Rural Residential (R-R) to Scenic Highway Commercial (D-P-S); and, Approval of PP 21585 to construct a 43,168 sq. ft. two-story office building, landscaping and parking spaces.

APN: 366-210-049

STAFF REPORT

RECOMMENDATION:

Adopt a MITIGATED NEGATIVE DECLARATION for ENVIRONMENTAL ASSESSMENT NO. 40773, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

Approve the CHANGE OF ZONE NO. 7313, from Rural Residential (R-R) to Scenic Highway Commercial (C-P-S) in accordance with Ordinance No. 22; and,

Approve PLOT PLAN NO. 21585, subject to the attached conditions of approval and based upon the findings and conclusions incorporated in the staff report.

BACKGROUND:

The project site is located northerly of Bundy Canyon Road and westerly of Orange Street and Interstate 15. The property is currently zoned Rural Residential (R-R) and has a General Plan Land Use designation of Commercial Retail (CR). The applicant wishes to construct a 43,168 sq. ft. two-story Office Building on a 2.84 gross acre site. The total development proposal consists of 43,168 sq. ft. of building area, 22,494 sq. ft. of landscaping, and 171 parking spaces.

Environmental Assessment EA40773, Plot Plan PP21585, and Change of Zone CZ07313 were submitted to the County of Riverside. On December 5, 2007, the Riverside County Planning Commission recommended approval of the project to the County Board of Supervisors. The Board conducted the first reading of the application at their meeting on February 26, 2008, and at that time they adopted and certified the Environmental Assessment, conditionally approved the Plot Plan, and adopted the first reading of the Ordinance that would approve the Change of Zone. Following the first reading, confusion between the applicant and the County prevented the Board of Supervisors from conducting a second reading on the project and finalizing their actions prior to Wildomar's incorporation.

Per discussions with the City Attorney, it was determined that, although the only action technically left incomplete by the County was the adoption of the Change of Zone, the Environmental Assessment and Plot Plan approvals are conditionally dependent upon approval of the Change of Zone. As such, the entire project is being brought before the Council for consideration.

ADJACENT ZONING, LAND USE AND APPLICABLE STANDARDS:

| Location | Current Use | General Plan Land Use Designation | Zoning |
|-------------------------|---------------------------------------|--|--|
| Subject Property | Single Family Residential (abandoned) | Commercial Retail (CR) | Rural Residential (R-R) Proposed: Scenic Highway Commercial (C-P-S) |
| North | Vacant | Commercial Retail (CR) | Rural Residential (R-R) |
| South | Single Family Residential | Commercial Retail (CR) | Rural Residential (R-R) |
| East | Interstate 15 | Interstate 15 | Interstate 15 |
| West | Single Family Residential | Medium Density Residential (MDR) | Rural Residential (R-R) |

DISCUSSION:

The proposed Change of Zone, while inconsistent with the zoning of adjacent parcels, is consistent with the underlying General Plan designation of CR Commercial Retail. Furthermore, the General Plan designations of the parcels immediately north and south of the subject property are CR as well. As such, future development on the adjacent parcels would likely be commercial in nature and thus compatible with the applicant's proposed project.

The layout of the proposed plot plan has been the subject of much review and discussion between the applicant and Riverside County Planning staff. They have worked to address concerns about the scale of the proposed building in relation to the adjacent residential uses. These concerns have been addressed to the greatest extent possible by buffering the building from the residential uses to the west with parking areas and landscaping. Likewise, the residential use to the south is buffered from the proposed building with parking and landscaping. The property to the north is vacant, and the proposed building is oriented to be closest to that parcel and is buffered with 10 feet of landscaping. Specifically, the current proposal provides 22,494 sq. ft. (18.2%) of landscaping. Furthermore, the project has been conditioned to plant 24" box trees, 40' on center along the project's northern, western, and southern boundaries to provide an adequate landscape buffer between the proposed office use and the existing residential developments to the west and south. To further minimize impacts to the adjacent residential uses, parking lot lighting will be required to comply with City of Wildomar standards to prevent light spill onto adjacent parcels.

Riverside County actions on the proposed project established draft conditions of approval, and where appropriate (i.e. not County-specific) these will be applied to an approval of this project. The conditions of approval included in this Agenda Item have been modified by staff to make them "Wildomar-specific."

Riverside County Planning staff prepared an Environmental Assessment (EA40773) for the proposed project, and recommended adoption of a Mitigated Negative Declaration for the project. On December 5, 2007, the Riverside County Planning Commission recommended that the Board of Supervisors tentatively adopt the Environmental Assessment and Mitigated Negative Declaration, tentatively approve the Change of Zone, and tentatively approve the Plot Plan. On February 26, 2008, the Riverside County Board of Supervisors tentatively approved the Environmental Assessment and Negative Declaration, the Change of Zone, and the Plot Plan. Staff is now recommending that the City Council approve the project, subject to the attached conditions, and making the following findings:

FINDINGS:

- A. The proposed Change of Zone is consistent with the City of Wildomar General Plan.

The proposed Change of Zone is consistent with the City of Wildomar General Plan. The General Plan designation for the subject property is CR Commercial Retail. According to the General Plan Land Use Zoning Consistency Table, C-P-S (Scenic Highway Commercial) is rated as "Highly Consistent" with the CR Land Use Designation.

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

The proposed Plot Plan conforms to the City of Wildomar General Plan. The CR (Commercial Retail) Land Use Designation permits project with a Floor Area Ratio of 0.20 to .035. The proposed plot plan would establish a Floor Area Ratio of 0.35. Office buildings are permitted within the C-P-S zoning designation.

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

The site is physically suitable for the type and proposed density of development proposed by the plot plan as noted in finding B. Furthermore, conditions of approval have been added to ensure that the project complies with all applicable development standards for the property..

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

The design of the plot plan and proposed improvements, with Conditions of Approval, will not likely cause significant environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The Initial Study and Mitigated Negative Declaration prepared for the plot plan indicated that the project as mitigated would not cause any adverse environmental impacts.

ENVIRONMENTAL ASSESSMENT:

Environmental Assessment No. 40773, prepared by the County of Riverside identified the following potentially significant impacts:

- a. Cultural Resources
- b. Geology/Soils
- c. Hydrology/Water Quality
- d. Noise
- e. Transportation/ Traffic

These listed impacts will be fully mitigated by the measures indicated in the environmental assessment and conditions of approval. No other significant impacts were identified. The environment assessment is contained in Attachment F.

ALTERNATIVES:

1. Deny the Applications
2. Provide Staff with Further Direction

ATTACHMENTS:

- A. Ordinance and Resolution with Conditions of Approval
- B. Vicinity Map
- C. Plot Plan
- D. Landscaping Plan
- E. Elevations
- F. Environmental Assessment

Approved by:



Gary Wayne
Planning Director

Approved as to form:



Julie Hayward Biggs
City Attorney

ATTACHMENT A

RESOLUTION 09-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING PLOT PLAN 21585 FOR THE DEVELOPMENT OF A 43,168 SQUARE FOOT OFFICE BUILDING WITH 171 PARKING SPACES ON A 2.84 GROSS ACRE SITE LOCATED ON ORANGE STREET, NORTHERLY OF BUNDY CANYON ROAD AND WESTERLY OF INTERSTATE 15 AND KNOWN AS ASSESSORS PARCEL NUMBER 366-210-049

WHEREAS, Habeb Dabbaghian did duly file an application for a Change of Zone, Plot Plan and Environmental Assessment with the County of Riverside;

WHEREAS, The County of Riverside Planning Commission, at a regularly scheduled meeting on December 5, 2007, recommended approval of the project to the Board of Supervisors;

WHEREAS, The County of Riverside Board of Supervisors, at a regularly scheduled public hearing on February 26, 2008, conducted a first reading of the project and tentatively approved the first reading;

WHEREAS, The County of Riverside did not conduct a second reading for the project prior to the City of Wildomar's incorporation on July 1, 2008;

WHEREAS, The County of Riverside Planning Department did transfer Mr. Dabbaghain's application to the City of Wildomar to complete the processing of the proposed project;

WHEREAS, the City Council, at a regularly scheduled meeting, considered the Project and environmental review on January 14, 2009, at which time the City staff and interested persons had an opportunity to and did testify either in support or in opposition to this matter;

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

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

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

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

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

The proposed Plot Plan conforms to the City of Wildomar General Plan. The CR (Commercial Retail) Land Use Designation permits project with a Floor Area Ratio of 0.20 to .035. The proposed plot plan would establish a Floor Area Ratio of 0.35. Office buildings are permitted within the C-P-S zoning designation.

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

The site is physically suitable for the type and proposed density of development proposed by the plot plan as noted in finding B. Furthermore, conditions of approval have been added to ensure that the project complies with all applicable development standards for the property..

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

The design of the plot plan and proposed improvements, with Conditions of Approval, will not likely cause significant environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The Initial Study and Mitigated Negative Declaration prepared for the plot plan indicated that the project as mitigated would not cause any adverse environmental impacts.

Section 2. Environmental Compliance. A Mitigated Negative Declaration was prepared for this project. It was reviewed by both Riverside County Planning Staff and City of Wildomar Planning Staff, and duly noticed for public review by the County of Riverside.

As such, the City Council finds that the Mitigated Negative Declaration prepared for this project satisfies the requirement of CEQA and is therefore approved. The Negative Declaration and related documents can be obtained in the office of the Planning Division.

Section 3. Conditions. The City Council of the City of Wildomar approves Environmental Assessment EA40773 and Plot Plan PP21585 for the development of a 43,168 square foot office building on a 2.84 gross acre parcel located at 33861 Orange Street, for all of the foregoing reasons and subject to the project specific conditions as attached hereto and incorporated herein by this reference together with any and all other necessary conditions that may be deemed necessary.

PASSED, APPROVED, AND ADOPTED this 14th day of January, 2009 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Scott Farnam, Mayor

ATTEST:

Sheryll Schroeder, City Clerk

APPROVED AS TO FORM:

Julie Hayward Biggs,
City Attorney

ORDINANCE NO. 22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WILDOMAR FOR ASSESSOR'S PARCEL NUMBER 366-210-049 FROM RURAL RESIDENTIAL TO SCENIC HIGHWAY COMMERCIAL (PL-08-0167)

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

SECTION 1. Purpose and Authority

The purpose of this Ordinance is to amend the Official Zoning Map for the City of Wildomar for property located on the north side of Bundy Canyon Road and west of Orange Street and identified as Assessor's Parcel Number 366-210-049.

SECTION 2. Findings

A. Compliance with the California Environmental Quality Act

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

B Consistency with the General Plan

The proposed zoning designation is consistent with and implements the underlying General Plan Land Use Designation of Commercial Retail and will not create problems detrimental to the public health, safety and general welfare of the residents of Wildomar.

SECTION 3. Action

The Official Zoning Map for the City of Wildomar is hereby amended for property identified with Assessor's Parcel Number 366-210-049 from Rural Residential (RR) to Scenic Highway Commercial (CPS).

SECTION 4. Severability

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the

validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 5. Certification and Publication.

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

SECTION 4. Effective Date

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

The foregoing Ordinance was introduced and placed upon its first reading at a regular meeting of the Board of Supervisors of the County of Riverside on the 26th day of February, 2008, and thereafter passed and adopted at the regular meeting of City Council of the City of Wildomar on the 14th day of January, 2009, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Scott Farnam, Mayor

ATTEST:

Sheryll Schroeder, City Clerk

APPROVED AS TO FORM:

Julie Hayward Biggs, City Attorney

Conditions of Approval for PP21585

10. EVERY 001
GENERAL CONDITIONS

**USE - PROJECT
DESCRIPTION**

**Status:
RECOMMND**

**Conditions:
Informational**

The use hereby permitted is to construct a 43,168 sq. ft. two-story Office Building on a 2.84 gross acre site. The total development proposal consists of 43,168 sq. ft. of building area, 22,494 sq. ft. of landscaping, and 171 parking spaces.

10. EVERY 002
GENERAL CONDITIONS

USE - HOLD HARMLESS

**Status:
RECOMMND**

**Conditions:
Informational**

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the City of Wildomar (CITY) its agents, officers, or employees from any claim, action, or proceeding against the CITY, its agents, officers, or employees to attack, set aside, void, or annul an approval of the CITY, its advisory agencies, appeal boards, or legislative body concerning PP21585. The CITY will promptly notify the applicant/permittee of any such claim, action, or proceeding against the CITY and will cooperate fully in the defense. If the CITY fails to promptly notify the applicant/permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify, or hold harmless the CITY.

10.PW GRADE 001
GENERAL CONDITIONS

USE-G1.6 DUST CONTROL

**Status:
RECOMMND**

**Conditions:
Informational**

All necessary measures to control dust shall be implemented by the developer during grading. PM10 plan may be required at the time a grading permit is issued.

10.PW GRADE 002
GENERAL CONDITIONS

**USE-G2.3SLOPE EROS CL
PLAN**

**Status:
RECOMMND**

**Conditions:
Informational**

Erosion control - 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 dept. form 284-47).

10.PW GRADE 003
GENERAL CONDITIONS

**USE-G.3.1NO B/PMT W/O
G/PMT**

**Status:
RECOMMND**

**Conditions:
Informational**

Prior to the issuance of any building permit, the property owner shall obtain a

grading permit and/or approval to construct from the Grading Division of the Building and Safety Department.

10.PW GRADE 004
GENERAL CONDITIONS

USE-G1.4 NPDES/SWPPP

Status:
RECOMMND

Conditions:
Informational

Prior to issuance of any grading or construction permits - whichever comes first - the applicant shall provide the Building and Safety Department evidence of compliance with the following: "Effective March 10, 2003 owner operators of grading or construction projects are required to comply with the N.P.D.E.S. (National Pollutant Discharge Elimination System) 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" (NOI), develop and implement a STORM WATER POLLUTION PREVENTION PLAN (SWPPP) 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 county adopts, as part of any ordinance, regulations specific to the N.P.D.E.S., this project (or subdivision) shall comply with them.

10.FIRE 001
GENERAL CONDITIONS

USE-#50-BLUE DOT REFLECTOR

Status:
RECOMMND

Conditions:
Informational

Blue retroreflective pavement markers shall be mounted on private street, 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.

10.FIRE 002
GENERAL CONDITIONS

USE-#23-MIN REQ FIRE FLOW

Status:
RECOMMND

Conditions:
Informational

Minimum required fire flow shall be 2375 GPM for a 2 hour duration at 20 PSI residual operating pressure, which must be available before any combustible material is placed on the job site. Fire flow is based on type V 1HR construction per the 2001 CBC and Building(s) having a fire sprinkler system.

10.FIRE 003
GENERAL CONDITIONS

USE-#31-ON/OFF NOT LOOPED HYD

Status:
RECOMMND

Conditions:
Informational

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

10.FLOOD RI 001
GENERAL CONDITIONS

**USE FLOOD HAZARD
REPORT**

Status:
RECOMMND

Conditions:
Informational

Plot Plan 21585 is a proposal to construct multi-tenant retail building on a 2.84-acre site in the Sedco area. The project is located on the southwest corner of Orange Street and Waite Street. The site is impacted by the sheet flow type runoff from northeast. Offsite runoff from a 24" Freeway culvert that impacts the eastern side of the property is proposed to be conveyed through the site via storm drain to Angels Lane and eventually outlet to the existing road side ditch along Bundy Canyon Drive. In order to mitigate the site's impacts for increased runoff and water quality, the applicant has proposed in the preliminary project-specific Water Quality Management Plan (WQMP), to use 24" underground detention pipes for increase runoff and Filterra units in specific areas for mitigation for water quality as shown on the tentative exhibit. The building and the parking lot drain to "Filterra units", which conveys the flows via 18" pipe on the site to the proposed underground pipes for detention. The use of underground detention pipes and the Filterra units as shown on the tentative exhibit dated November 29, 2007 appears to meet the site's obligation to mitigate both the increased runoff and water quality impacts and is acceptable to the City Public Works Department. However, the developer would still like to pursue the concept of using the underground detention facility. During the improvement plan check process it may be necessary to expand the detention pipes beyond what is shown on the tentative exhibit. The Department will allow the applicant to defer the mitigation design to the plan check stage. During the plan check stage the developer must either: 1. Design underground storage to meet the appropriate City of Wildomar Public Works Department criteria or 2. Redesign the project to accommodate a conventional basin that meets Department criteria. The latter option would almost certainly require such redesign of the project that it would need to go back through the entitlement process. The final project specific WQMP shall properly document the use of site design and the treatment control BMP's.

10.FLOOD RI 002
GENERAL CONDITIONS

**USE WQMP ESTABL
MAINT ENTITY**

Status:
RECOMMND

Conditions:
Informational

This project proposes BMP facilities that will require maintenance by public agency or commercial property owner association. To ensure that the public is not unduly burdened with future costs, prior to final approval or recordation of this case, the District will require an acceptable financial mechanism be implemented to provide for maintenance of treatment control BMPs in perpetuity. This may consist of a mechanism to assess individual benefiting property owners, or other means approved by the District. The site's treatment control BMPs must be shown on the project's improvement plans - either the street plans, grading plans, or landscaping plans. The type of improvement plans that will show the BMPs will depend on the selected maintenance entity.

10.FLOOD RI 003
GENERAL CONDITIONS

**USE INCREASED RUNOFF
CRITERIA**

Status:
RECOMMND

Conditions:
Informational

The development of this site would increase peak flow rates on downstream properties. Mitigation shall be required to offset such impacts. An increased runoff basin shall be shown on the exhibit and calculations supporting the size of the basin shall be submitted to the District for review. The entire area of proposed development will be routed through a detention facility(s) to mitigate increased runoff. All basins must have positive drainage; dead storage basins shall not be acceptable. A complete drainage study including, but not limited to, hydrologic and hydraulic calculations for the proposed detention basin shall be submitted to the District for review and approval. Storms to be studied will include the 1-hour, 3-hour, 6-hour and 24-hour duration events for the 2-year, 5-year and 10-year return frequencies. Detention basin(s) and outlet(s) sizing will ensure that none of these storm events has a higher peak discharge in the post-development condition than in the pre-development condition. For the 2-year and 5-year events the loss rate will be determined using an AMC I condition. For the 10-year event AMC II will be used. Constant loss rates shall be used for the 1-hour, 3-hour and 6-hour events. A variable loss rate shall be used for the 24-hour events. Low Loss rates will be determined using the following: 1. Undeveloped Condition --> LOW LOSS = 90% 2. Developed Condition --> LOW LOSS = .9 - (.8x%IMPERVIOUS) 3. Basin Site --> LOW LOSS = 10% Where possible and feasible the on-site flows should be mitigated before combining with off-site flows to minimize the size of the detention facility required. If it is necessary to combine off-site and on-site flows into a detention facility two separate conditions should be evaluated for each duration/return period/before-after development combination studied; the first for the total tributary area (off-site plus on-site), and the second for the area to be developed alone (on-site). It must be clearly demonstrated that there is no increase in peak flow rates under either condition (total tributary area or on-site alone), for each of the return period/duration combinations required to be evaluated. A single plot showing the pre-developed, post-developed and routed hydrographs for each storm considered, shall be included with the submittal of the hydrology study. No outlet pipe(s) will be less than 18" in diameter. Where necessary an orifice plate may be used to restrict outflow rates. Appropriate trash racks shall be provided for all outlets less than 48" in diameter. The basin(s) and outlet structure(s) must be capable of passing the 100-year storm without damage to the facility. Embankment shall be avoided in all cases unless site constraints or topography make embankment unavoidable in the judgment of the General Manager-Chief Engineer. Mitigation basins should be designed for joint use and be incorporated into open space or park areas. Sideslopes should be no steeper than 4:1 and depths should be minimized where public access is uncontrolled. A viable maintenance mechanism, acceptable to both the County and the District, should be provided for detention facilities. Generally, this would mean a CSA, landscape district, parks agency or commercial property owners association.

10.PLANNING 001
GENERAL CONDITIONS

MAP - IF HUMAN
REMAINS FOUND

Status:
RECOMMND

Conditions:
Informational

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.

10.PLANNING 002
GENERAL CONDITIONS

**MAP - INADVERTENT
ARCHAEO FIND**

Status:
RECOMMND

Conditions:
Informational

If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance.

1. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the archaeologist, the Native American tribal representative and the Planning Director to discuss the significance of the find.
2. At the meeting, the significance of the discoveries shall be discussed and after consultation with the Native American tribal representative and the archaeologist, a decision shall be made, with the concurrence of the Planning Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.
3. Grading of further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation.

10.PLANNING 003
GENERAL CONDITIONS

**USE - LIGHTING
HOODED/DIRECTED**

Status:
RECOMMND

Conditions:
Informational

Any outside lighting shall be hooded and directed so as not to shine directly upon adjoining property or public rights-of-way.

10.PLANNING 004
GENERAL CONDITIONS

**USE - COLORS &
MATERIALS**

Status:
RECOMMND

Conditions:
Informational

Building colors and materials shall be in substantial conformance with those shown on the approved plans.

10.PLANNING 005
GENERAL CONDITIONS

**USE - HOURS OF
OPERATION**

Status:
RECOMMND

Conditions:
Informational

Use of the facilities approved under this plot plan shall be limited to the hours of 7

a.m. to 10 p.m., Monday through Sunday in order to reduce conflict with adjacent zones and/or land uses.

10.PLANNING 006
GENERAL CONDITIONS

**USE - NO OUTDOOR
ADVERTISING**

Status:
RECOMMND

Conditions:
Informational

No outdoor advertising display, sign or billboard (not including on-site advertising or directional signs) shall be constructed or maintained within the property subject to this approval.

10.PLANNING 007
GENERAL CONDITIONS

**USE - LANDSCAPE
SPECIES**

Status:
RECOMMND

Conditions:
Informational

Drought tolerant and native plant species shall be preferred over non-drought tolerant and non-native species. However, the quantity and extent of those species shall depend on the project's climatic zones. Alternative types of low volume irrigation are encouraged to be used in order to conserve water.

10.PLANNING 008
GENERAL CONDITIONS

USE - RECLAIMED WATER

Status:
RECOMMND

Conditions:
Informational

The permit holder shall connect to a reclaimed water supply for landscape watering purposes when secondary or reclaimed water is made available to the site.

10.PLANNING 009
GENERAL CONDITIONS

**USE - NO RESIDENT
OCCUPANCY**

Status:
RECOMMND

Conditions:
Informational

No permanent occupancy shall be permitted within the property approved under this plot plan as a principal place of residence. No person shall use the premises as a permanent mailing address nor be entitled to vote using an address within the premises as a place of residence.

10.PLANNING 010
GENERAL CONDITIONS

**USE - EXTERIOR NOISE
LEVELS**

Status:
RECOMMND

Conditions:
Informational

Exterior noise levels produced by any use allowed under this permit, including, but not limited to, any outdoor public address system, shall not exceed 45 db(A), 10-minute LEQ, between the hours of 10:00 p.m. to :00 a.m., and 65 db(A), 10-minute LEQ, at all other times as measured at any residential, hospital, school, library,

nursing home or other similar noise sensitive land use. In the event noise exceeds this standard, the permittee or the permittee's successor-in-interest shall take the necessary steps to remedy the situation, which may include discontinued operation of the facilities.

10.PLANNING 011
GENERAL CONDITIONS

**USE - VIABLE
LANDSCAPING**

Status:
RECOMMND

Conditions:
Informational

All plant materials within landscaped areas shall be maintained in a viable growth condition throughout the life of this permit.

10.PLANNING 012
GENERAL CONDITIONS

**USE - CAUSES FOR
REVOCATION**

Status:
RECOMMND

Conditions:
Informational

In the event the use hereby permitted under this permit, a) is found to be in violation of the terms and conditions of this permit, b) is found to have been obtained by fraud or perjured testimony, or c) is found to be detrimental to the public health, safety or general welfare, or is a public nuisance, this permit shall be subject to the revocation procedures.

10.PLANNING 013
GENERAL CONDITIONS

**USE - CEASED
OPERATIONS**

Status:
RECOMMND

Conditions:
Informational

In the event the use hereby permitted ceases operation for a period of ne (1) year or more, this approval shall become null and void.

10.PLANNING 014
GENERAL CONDITIONS

**USE - MT PALOMAR
LIGHTING AREA**

Status:
RECOMMND

Conditions:
Informational

Within the Mt. Palomar Special Lighting Area, as defined in Ordinance No. 655, low pressure sodium vapor lighting or overhead high pressure sodium vapor lighting with shields or cutoff luminaires, shall be utilized.

10.PLANNING 015
GENERAL CONDITIONS

USE - PERMIT SIGNS

Status:
RECOMMND

Conditions:
Informational

No signs are approved pursuant to this project approval. Prior to the installation of any on-site advertising or directional signs, a signing plan shall be submitted to and approved by the Planning Department pursuant to the requirements of the Zoning Ordinance of the City of Wildomar. This office complex is allowed a maximum of one (1) monument sign on Orange Street.

10.PLANNING 016
GENERAL CONDITIONS

**USE - LS PLAN
REVIEW/COMP. 1**

Status:
RECOMMND

Conditions:
Informational

All landscape construction drawings shall be reviewed and approved by the Planning Department, the appropriate maintenance authority, and shall be in conformance with the PRELIMINARY LANDSCAPING plans.

10.PW TRANS 001
GENERAL CONDITIONS

**USE - ASSESS/BENEFIT
DIST 1**

Status:
RECOMMND

Conditions:
Informational

Should this project lie within any assessment/benefit district, the project proponent shall, prior to issuance of a building permit, make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district.

20.PLANNING 001
PRIOR TO A CERTAIN DATE

**USE - EXPIRATION DATE-
PP**

Status:
RECOMMND

Conditions:
Informational

This approval shall be used within two (2) years of approval date; otherwise, it shall become null and void and of no effect whatsoever. By use is meant the beginning of substantial construction contemplated by this approval within a two (2) year period which is thereafter diligently pursued to completion or the actual occupancy of existing buildings or land under the terms of the authorized use. Prior to the expiration of the two year period, the permittee may request a one (1) year extension of time request in which to use this plot plan. A maximum of three one-year extension of time requests shall be permitted. Should the time period established by any of the extension of time requests lapse, or should all three one-year extensions be obtained and no substantial construction or use of this plot plan be initiated within five (5) years of the effective date of the issuance of this plot plan, this plot plan shall become null and void.

60.PW GRADE 001
PRIOR TO GRADING PRMT
ISSUANCE

**USE-G2.14OFFSITE GDG
ONUS**

Status:
RECOMMND

Conditions:
Informational

Prior to the issuance of a grading permit, it shall be the sole responsibility of the owner/applicant to obtain any and all proposed or required easements and/or permissions necessary to perform the grading herein proposed.

60.PW GRADE 002
PRIOR TO GRADING PRMT
ISSUANCE

**USE-G2.15NOTRD
OFFSITE LTR**

Status:
RECOMMND

Conditions:
Informational

A notarized letter of permission, from the affected property owners or easement holders, is required for any proposed off site grading.

60.PW GRADE 003
PRIOR TO GRADING PRMT
ISSUANCE

**USE-G2.16REC'D ESMT
REQ'D**

**Status:
RECOMMND**

**Conditions:
Informational**

A recorded easement is required for off site drainage facilities.

60.FLOOD RI 001
PRIOR TO GRADING PRMT
ISSUANCE

**USE EROS CNTRL AFTER
RGH GRAD**

**Status:
RECOMMND**

**Conditions:
Informational**

Temporary erosion control measures shall be implemented immediately following rough grading to prevent deposition of debris onto downstream properties or drainage facilities. Plans showing these measures shall be submitted to the District for review.

60.PLANNING 001
PRIOR TO GRADING PRMT
ISSUANCE

**USE - REQD
APPLICATIONS (1)**

**Status:
RECOMMND**

**Conditions:
Informational**

No grading permits shall be issued until Change of Zone No. 7313 has been approved and adopted by the Board of Supervisors and have been made effective. This permit shall conform with the development standards of the zone ultimately applied to the property.

60.PLANNING 002
PRIOR TO GRADING PRMT
ISSUANCE

USE - FEE STATUS

**Status:
RECOMMND**

**Conditions:
Informational**

Prior to the issuance of grading permits for Plot Plan No. 21585, the Planning Department shall determine the status of the deposit based fees. If the fees are in a negative status, the permit holder shall pay the outstanding balance.

60.PLANNING 003
PRIOR TO GRADING PRMT
ISSUANCE

**USE - 15' WIDE
EASEMENT (1)**

**Status:
RECOMMND**

**Conditions:
Informational**

The proposed 15' wide easement on APN 366-390-018 for storm drain and sanitary purposes to the Elsinore Valley Municipal Water District and the County of Riverside shall be recorded.

70.E HEALTH 001
PRIOR TO GRADING FINAL
INSPECT

USE - SSDS DEMO

**Status:
RECOMMND**

**Conditions:
Informational**

Obtain permits for the destruction of the existing septic system. Inspection and clearance required prior to final grading approval.

80.PW GRADE 001
PRIOR TO BLDG PRMT
ISSUANCE

**USE* -G3.1NO B/PMT
W/O G/PMT**

**Status:
RECOMMND**

**Conditions:
Informational**

Prior to issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the Grading Division of the Building and Safety Department.

80.E HEALTH 001
PRIOR TO BLDG PRMT
ISSUANCE

USE - WATER/SEWER

**Status:
RECOMMND**

**Conditions:
Informational**

A "Will-Serve" letter is required from the appropriate water and sewerage agency.

80.PLANNING 001
PRIOR TO BLDG PRMT
ISSUANCE

**USE - CONFORM TO
ELEVATIONS**

**Status:
RECOMMND**

**Conditions:
Informational**

Elevations of all buildings and structures submitted for building plan check approval shall be in substantial conformance with the elevations shown on the approved plans.

80.PLANNING 002
PRIOR TO BLDG PRMT
ISSUANCE

**USE - CONFORM TO
FLOOR PLANS**

**Status:
RECOMMND**

**Conditions:
Informational**

Floor plans shall be in substantial conformance with that shown on the approved plans.

80.PLANNING 003
PRIOR TO BLDG PRMT
ISSUANCE

**USE - ROOF EQUIPMENT
SHIELDING**

**Status:
RECOMMND**

**Conditions:
Informational**

Roof mounted equipment shall be shielded from ground view. Screening material shall be subject to Planning Department approval. All parapet walls shall be high enough to fully screen all proposed roof mounted mechanical equipment.

80.PLANNING 004
PRIOR TO BLDG PRMT
ISSUANCE

**USE - LANDSCAPING
SECURITIES**

**Status:
RECOMMND**

**Conditions:
Informational**

Performance securities, in amounts to be determined by the Director of Building and Safety to guarantee the installation of plantings, walls and/or fences, in accordance with the approved plan, shall be filed with the Department of Building and Safety. The performance security shall be released one year after structural final and the inspection report provides the plantings have been adequately installed and maintained. A cash security shall be required when the estimated cost is \$2,500.00 or less.

80.PLANNING 005
PRIOR TO BLDG PRMT
ISSUANCE

**USE - FENCING PLAN
REQUIRED**

**Status:
RECOMMND**

**Conditions:
Informational**

A fencing plan shall be submitted showing all all and fence locations and typical views of all types of fences or walls proposed. This plan shall require anti-graffiti coatings on fences and walls, where applicable. The Fencing Plan shall be in substantial conformance with COA 80.PLANNING.08.

80.PLANNING 006
PRIOR TO BLDG PRMT
ISSUANCE

**USE - REQD
APPLICATIONS (2)**

**Status:
RECOMMND**

**Conditions:
Informational**

No building permits shall be issued until Change of Zone No. 7313 has been approved and adopted by the Board of Supervisors and has been made effective. This permit shall conform with the development standards of the zone ultimately applied to the property.

80.PLANNING 007
PRIOR TO BLDG PRMT
ISSUANCE

USE - LIGHTING PLANS

**Status:
RECOMMND**

**Conditions:
Informational**

All parking lot lights and other outdoor lighting shall be shown on electrical plans submitted to the Department of Building and Safety for plan check approval and shall comply with the requirements of the City of Wildomar Zoning Ordinance, Municipal Code, and General Plan.

80.PLANNING 008
PRIOR TO BLDG PRMT
ISSUANCE

**USE - RET. WALLS AND
SAF. FENC**

**Status:
RECOMMND**

**Conditions:
Informational**

All retaining walls shall be constructed with decorative block. Furthermore, a three (3') foot high safety fence shall be constructed on top of the retaining walls proposed along the westerly and southerly property lines. The total height of the safety fence shall only be increased per the request of the Department of Building and Safety. The safety fence shall be constructed of wrought iron or tubular steel material. Note this requirement on all Wall and Fence Plans and Landscape Plans.

80.PLANNING 009
PRIOR TO BLDG PRMT
ISSUANCE

USE - LS PLANS
APPROVED 4

Status:
RECOMMND

Conditions:
Informational

Final landscaping construction drawings shall be APPROVED prior to issuance of the first building permit (including models) as prescribed in the approved PRELIMINARY LANDSCAPING plans. The approved plans shall include: 1.All landscaping within the interior and exterior right-of-way. 2.All publicly maintained landscape areas including detention basins, common areas, paseos, parks, open spaces, and all slopes. 3.All homeowner front, rear, and side yard slopes in excess of three (3) feet in height. 4.Any landscaping to screen fences/walls. 5.A detailed cost estimate and landscape square footage calculations notes shall be placed on the working drawing plans. 6.A note shall be placed on the grading and final landscaping plan indicating that the plans are consistent with each other. All landscape construction drawings shall be approved by the Planning Department, the appropriate maintenance authority, and shall be in conformance with the PRELIMINARY LANDSCAPING plans.

80.PLANNING 010
PRIOR TO BLDG PRMT
ISSUANCE

USE-CORRECTIONS TO LS
PLAN (1)

Status:
RECOMMND

Conditions:
Informational

The FINAL Comprehensive Landscape Plan shall substantially confirm to EXHIBIT L with the following modifications: 1.All trees within the ROW shall be a minimum 36" Box or greater. 2.All trees within the site shall be a minimum 24" Box or greater. 3.Replace the proposed "Cyprus Cedar" to a "London Plane" Tree. 4.Plant California Pepper Trees at the perimeter of the site more specifically along the northern, western, and southern property lines. The trees shall be sized a minimum of 24" box and shall be planted 40' on center.

80.PW TRANS 001
PRIOR TO BLDG PRMT
ISSUANCE

USE - R-O-W DEDICATION
1

Status:
RECOMMND

Conditions:
Informational

Sufficient public street right-of-way along Orange Street shall be conveyed for public use to provide for a 40 foot half width right-of-way. Right-of-way dedication shall be based on a 600' radius for centerline of Orange Street.

80.PW TRANS 002
PRIOR TO BLDG PRMT
ISSUANCE

USE - STREETLIGHTS -
L&LMD

Status:
RECOMMND

Conditions:
Informational

The project proponent shall submit to the City of Wildomar Public Works Department all necessary documentation to comply with the standards and requirements of Lighting and Landscaping Maintenance District No. 89-1-C.

80.PW TRANS 003
PRIOR TO BLDG PRMT

USE - SOUTHWEST
R&BBD

Status:
RECOMMND

Conditions:
Informational

ISSUANCE

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

NOTE: The project gross acreage is 2.84 acres.

80.PW TRANS 004
PRIOR TO BLDG PRMT
ISSUANCE

USE - SOUTHWEST TUMF

Status:
RECOMMND

Conditions:
Informational

Prior to the issuance of a building permit, the project proponent shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to City of Wildomar Ordinances and Municipal Code.

80.PW TRANS 005
PRIOR TO BLDG PRMT
ISSUANCE

**USE - STREETLIGHT PLAN
1**

Status:
RECOMMND

Conditions:
Informational

A separate street light plan is required for this project. Street lighting shall be designed in accordance with City of Wildomar Public Works standards. For projects within SCE boundaries use City of Wildomar standards. For projects within Imperial Irrigation District (IID) use IID's pole standard.

90.E HEALTH 001
PRIOR TO BLDG FINAL
INSPECTION

USE - HAZMAT BUS PLAN

Status:
RECOMMND

Conditions:
Informational

The facility will require a business emergency plan for the storage of hazardous materials greater than 55 gallons, 200 cubic feet or 500 pounds, or any acutely hazardous materials or extremely hazardous substances.

90.FIRE 001
PRIOR TO BLDG FINAL
INSPECTION

USE-#45-FIRE LANES

Status:
RECOMMND

Conditions:
Informational

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.

90.FIRE 002
PRIOR TO BLDG FINAL
INSPECTION

**USE-#12A-SPRINKLER
SYSTEM**

**Status:
RECOMMND**

**Conditions:
Informational**

Install a complete fire sprinkler system per NFPA 13 1999 edition in all buildings requiring a fire flow of 1500 GPM or greater. Sprinkler system(s) with pipe sizes in excess of 4" in diameter will require the project structural engineer to certify (wet signature) the stability of the building system for seismic and gravity loads to support the sprinkler system. All fire sprinkler risers shall be protected from any physical damage. The post indicator valve and fire department connection shall be located to the front, within 50 feet of a hydrant, and a minimum of 25 feet from the building(s). A statement that the building(s) will be automatically fire sprinkled must be included on the title page of the building plans. Applicant or developer shall be responsible to install a U.L. Central Station Monitored Fire Alarm System. Monitoring system shall monitor the fire sprinkler system(s) water flow, P.I.V.'s and all control valves. Plans must be submitted to the Fire Department for approval prior to installation. Contact fire department for guideline handout

90.FIRE 003
PRIOR TO BLDG FINAL
INSPECTION

**USE-#27-
EXTINGUISHERS**

**Status:
RECOMMND**

**Conditions:
Informational**

Install portable fire extinguishers with a minimum rating of 2A-10BC and signage. Fire Extinguishers located in public areas shall be in recessed cabinets mounted 48" (inches) to center above floor level with maximum 4" projection from the wall. Contact Fire Department for proper placement of equipment prior to installation.

90.FLOOD RI 001
PRIOR TO BLDG FINAL
INSPECTION

USE IMPLEMENT WQMP

**Status:
RECOMMND**

**Conditions:
Informational**

All structural BMPs described in the project-specific WQMP shall be constructed and installed in conformance with approved plans and specifications. It shall be demonstrated that the applicant is prepared to implement all non-structural BMPs described in the approved project specific WQMP and that copies of the approved project-specific WQMP are available for the future owners/occupants. The District will not release occupancy permits for any portion of the project exceeding 80% of the project area prior to the completion of these tasks.

90.PLANNING 001
PRIOR TO BLDG FINAL
INSPECTION

**USE - PARKING PAVING
MATERIAL**

Status:
RECOMMND

Conditions:
Informational

A minimum of One Hundred and Seventy-One (171) parking spaces shall be provided as shown on the APPROVED EXHIBIT A, unless otherwise approved by the Planning Department. The parking area shall be surfaced with asphaltic concrete or concrete to current standards as approved by the Department of Building and Safety.

90.PLANNING 002
PRIOR TO BLDG FINAL
INSPECTION

**USE - ACCESSIBLE
PARKING**

Status:
RECOMMND

Conditions:
Informational

A minimum of Six (6) accessible parking spaces for persons with disabilities shall be provided as shown on APPROVED EXHIBIT A. Each parking space reserved for persons with disabilities 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 not displaying distinguishing placards or license plates issued for physically handicapped persons may be towed away at owner's expense. Towed vehicles may be reclaimed at ___ or by telephoning ___." In addition to the above requirements, the surface of each parking space shall have a surface identification sign duplicating the symbol of accessibility in blue paint of at least 3 square feet in size.

90.PLANNING 003
PRIOR TO BLDG FINAL
INSPECTION

**USE - COMPACT PARKING
SPACES**

Status:
RECOMMND

Conditions:
Informational

A maximum of Twenty (20) percent of the parking spaces may be sized for compact cars (8 1/2' x 16') and shall be clearly marked "COMPACT CARS ONLY".

90.PLANNING 004
PRIOR TO BLDG FINAL
INSPECTION

**USE - ROOF EQUIPMENT
SHIELDING**

Status:
RECOMMND

Conditions:
Informational

Roof-mounted equipment shall be shielded from ground view. Screening material shall be subject to Planning Department approval.

90.PLANNING 005

USE - INSTALL BIKE

Status:

Conditions:

PRIOR TO BLDG FINAL
INSPECTION

RACKS

RECOMMND

Informational

Two (2) bicycle racks with a minimum of Four (4) spaces per rack shall be provided in convenient locations to facilitate bicycle access to the project area as shown on APPROVED EXHIBIT A. The bicycle racks shall be shown on project landscaping and improvement plans submitted for Planning Department approval, and shall be installed in accordance with those plans.

90.PLANNING 006
PRIOR TO BLDG FINAL
INSPECTION

**USE - UTILITIES
UNDERGROUND**

Status:
RECOMMND

Conditions:
Informational

All utilities, except electrical lines rated 33 kV or greater, shall be installed underground. If the permittee provides to the Department of Building and Safety and the Planning Department a definitive statement from the utility provider refusing to allow underground installation of the utilities they provide, this condition shall be null and void with respect to that utility.

90.PLANNING 007
PRIOR TO BLDG FINAL
INSPECTION

**USE - SPECIMEN TREES
REQUIRED**

Status:
RECOMMND

Conditions:
Informational

Landscaping plans shall incorporate the use of specimen (24" box or greater) canopy trees long streets and within the parking areas. All trees and shrubs shall be drawn to reflect the average specimen size at 15 years of age. All trees shall be double-staked and secured with non-wire ties.

90.PLANNING 008
PRIOR TO BLDG FINAL
INSPECTION

**USE - CURBS ALONG
PLANTERS**

Status:
RECOMMND

Conditions:
Informational

A six inch high curb with a twelve (12) inch wide walkway shall be constructed along planters on end stalls adjacent to automobile parking areas. Public parking areas shall be designed with permanent curb, bumper, or wheel stop or similar device so that a parked vehicle does not overhang required sidewalks, planters, or landscaped areas.

90.PLANNING 009
PRIOR TO BLDG FINAL
INSPECTION

**USE - TRASH
ENCLOSURES**

Status:
RECOMMND

Conditions:
Informational

One (1) trash enclosure which are adequate to enclose a minimum of two (2) bins shall be located as shown on the APPROVED EXHIBIT A, and shall be constructed prior to the issuance of occupancy permits. The enclosure(s) shall be a minimum of

six (6) feet in height and shall be made with decorative masonry block and a solid gate which screens the bins from external view. Additional enclosed area for collection of recyclable materials shall be located within, near or adjacent to each trash and rubbish disposal area. The recycling collection area shall be a minimum of fifty percent (50%) of the area provided for the trash/rubbish enclosure(s) or as approved by the Riverside County Waste Management Department. All recycling bins shall be labeled with the universal recycling symbol and with signage indicating to the users the type of material to be deposited in each bin.

90.PLANNING 010
PRIOR TO BLDG FINAL
INSPECTION

**USE - REMOVE OUTDOOR
ADVERTISE**

**Status:
RECOMMND**

**Conditions:
Informational**

All existing outdoor advertising displays, signs or billboards shall be removed.

90.PLANNING 011
PRIOR TO BLDG FINAL
INSPECTION

**USE - WASTE MGT.
CLEARANCE**

**Status:
RECOMMND**

**Conditions:
Informational**

The applicant shall construct the recyclables collection and loading area in compliance with the Recyclables Collection and Loading Area plot plan, as approved by the City of Wildomar.

90.PLANNING 012
PRIOR TO BLDG FINAL
INSPECTION

**USE - LANDSCAPING
INSTALLED**

**Status:
RECOMMND**

**Conditions:
Informational**

THIRTY (30) days prior to final inspection of the first building permit within each phase (45 days for models), all landscaping shall be fully INSTALLED in conformance with the approved PRELIMINARY LANDSCAPING plans, phasing plan, and working drawings. One hundred percent (100%) of the installed landscaping shall be healthy and flourishing within each phase of development as shown on the PRELIMINARY LANDSCAPING phasing plan including: 1.All landscaping within the interior and exterior right-of-way. 2.All publicly maintained landscape areas including detention basins, common areas, paseos, parks, open spaces, and all slopes. 3.All homeowner front, rear, and side yard slopes in excess of three (3) feet in height. 4.Any landscaping to screen fences/walls. This condition shall be met once: 1.The following has been provided to the City of Wildomar Planning Department for review and approval: a.Sufficient photographs taken no less than 30 days after installation, and submitted a maximum of 30 days after the pictures were taken, accompanied by; b.A copy of the approved phasing plan showing where the pictures were taken from accompanied by; c.A letter from the responsible Certified Landscape Architect indicating the company's name, address, and telephone number; date of landscape installation completion; and statement indicating that 100% of the landscaping is installed, healthy, flourishing, and free from weeds. 2.A Landscape Review Authority, as appointed by the Planning Director, has reviewed, inspected, and deemed landscaping installation acceptable. NOTE (1): If a

Landscape Review Authority has not been appointed by the time this condition requires clearance, then section (2) shall not apply. However, section (1) shall still be provided in any event. NOTE (2): Typical front yard landscaping shall be installed prior to final inspection of each building permit. Landscape installation phasing does not apply to typical front yard landscaping.

90.PW TRANS 001
PRIOR TO BLDG FINAL
INSPECTION

**USE - SIGNING &
STRIPING**

Status:
RECOMMND

Conditions:
Informational

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. Traffic signing and striping shall be performed by County forces with all incurred costs borne by the applicant, unless otherwise approved by the County Traffic Engineer.

90. PW TRANS 002
PRIOR TO BLDG FINAL
INSPECTION

USE - IMPROVEMENTS

Status:
RECOMMND

Conditions:
Informational

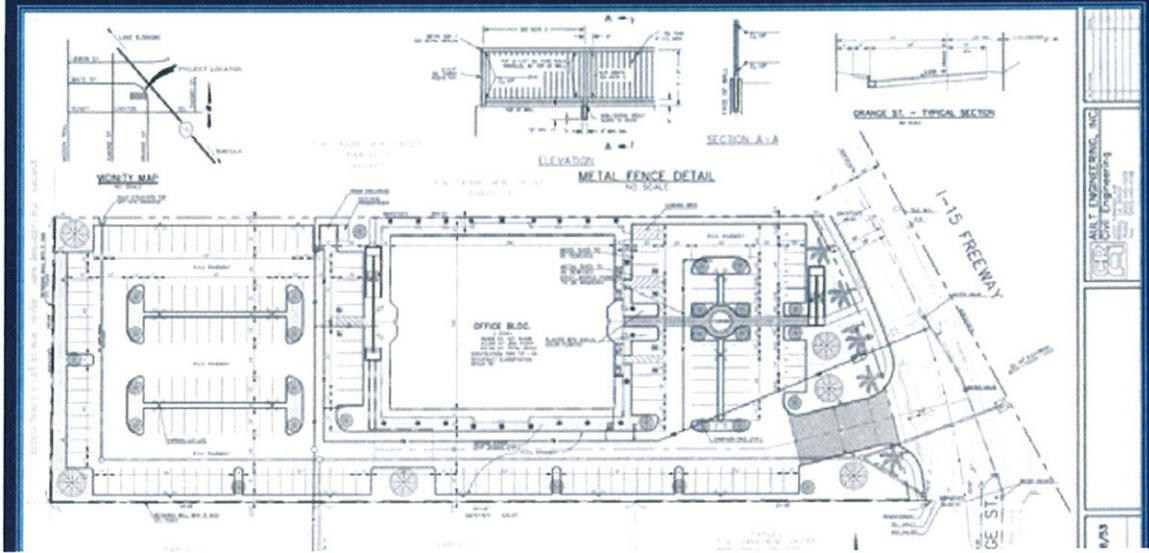
Orange Street along project boundary is a paved County maintained road and designated as Collector Frontage road and shall be improved with 6" concrete curb-and-gutter, located 28 feet from the road centerline on the west and 14' from the centerline on the east, (curb to curb), as determined by the Transportation Department within a 60' minimum full-width dedicated right-of-way in accordance with County Draft Standard No. 107, Section "A". (Modified) NOTE: A 6' sidewalk shall be constructed adjacent to curb line within the 12' parkway on the project side. Improvements of Orange Street adjacent to the site shall be based on a 600' radius.

ATTACHMENT B



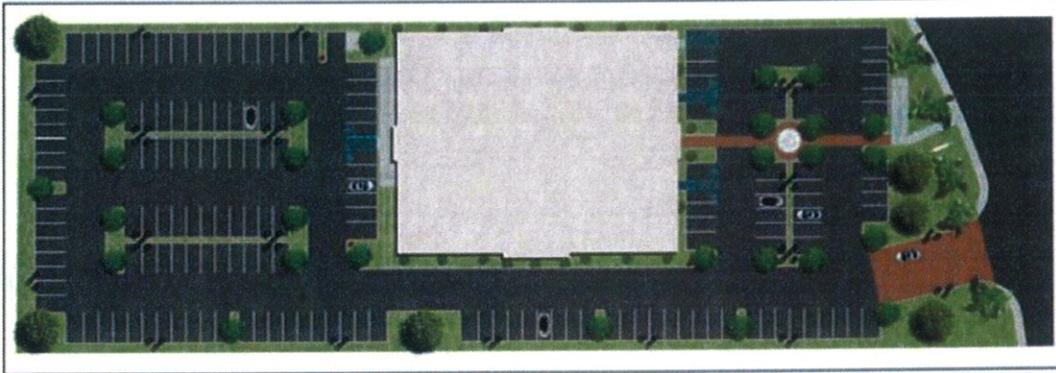
ATTACHMENT C

Site Plan



ATTACHMENT D

Landscape Plan



33861 ORANGE ST.
WILDOMAR CA, 92595

ATTACHMENT E

Elevations



33861 ORANGE ST.
WILDOMAR CA. 92595

ATTACHMENT F

COUNTY OF RIVERSIDE

ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Environmental Assessment (E.A.) Number: 40773
Project Case Type (s) and Number(s): Change of Zone No. 7313 and Plot Plan No. 21585
Lead Agency Name: County of Riverside Planning Department
Address: 4080 Lemon Street, 9th Floor, Riverside, CA 92502
Contact Person: Bulmaro Canseco, Project Planner
Telephone Number: (951) 955-8632
Applicant's Name: Habeb Dabbaghian
Applicant's Address: 33861 Orange Street, Wildomar, CA 92595
Engineer's Name: Ault Engineering, Inc.
Engineer's Address: 21151 Nandina Avenue, Perris, CA 92570

I. PROJECT INFORMATION

A. Project Description:

Change of Zone No. 7313 proposes to change the project site's current zoning classification from Rural Residential (R-R) to Scenic Highway Commercial (C-P-S).

Plot Plan No. 21585 proposes to construct a 43,168 sq. ft. two-story Office Building on a 2.84 gross acre site. The total development proposal consists of 43,168 sq. ft. of building area, 22,494 sq. ft. of landscaping, and 171 parking spaces.

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

C. Total Project Area: 2.84 Gross Acres

| | | | |
|------------------------|-----------|-------------------------------|---------------------------------|
| Residential Acres: 0 | Lots: N/A | Units: N/A | Projected No. of Residents: N/A |
| Commercial Acres: 2.84 | Lots: 1 | Sq. Ft. of Bldg. Area: 43,168 | Est. No. of Employees: 171 |
| Industrial Acres: 0 | Lots: N/A | Sq. Ft. of Bldg. Area: N/A | Est. No. of Employees: N/A |
| Other: 0 | | | |

D. Assessor's Parcel No(s): 366-210-049

E. Street References: The project site is located northerly of Bundy Canyon Road and westerly of Orange Street and Interstate 15.

F. Section, Township & Range Description or reference/attach a Legal Description:
Section 22, Township 6 South, Range 4 West

G. Brief description of the existing environmental setting of the project site and its surroundings: The project site is relatively flat with a gentle down slope towards the western portion of the site. The site has been heavily disturbed by its previous commercial uses. Several older structures are on site that will be removed as part of the grading process with the proposed development. Surrounding land uses include vacant land to the north, residential to the west and south, and Interstate-15 to the east.

II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

A. General Plan Elements/Policies:

1. **Land Use:** The proposed project meets the requirements of the Commercial Retail (CR) (0.20 – 0.35 Floor Area Ratio) General Plan land use designation. The proposed project meets all other applicable land use policies.
2. **Circulation:** Adequate circulation facilities exist and are proposed to serve the proposed project. The proposed project meets all other applicable circulation policies of the General Plan.
3. **Multipurpose Open Space:** No natural open space land was required to be preserved within the boundaries of the proposed project. The proposed project meets all other applicable Multipurpose Open Space element policies.
4. **Safety:** The proposed project is located within FEMA Flood Zone C. The proposed project is not located within any other special hazard zone (including fault zone, high fire hazard area, dam inundation zone, etc.). The project site is subject to moderate liquefaction potential. The proposed project has allowed for sufficient provision of emergency response services to the future users of the project. The proposed project meets all other applicable Safety element policies.
5. **Noise:** Sufficient mitigation against any foreseeable noise sources in the area has been provided for in the design of the project. The proposed project meets all other applicable Noise element policies.
6. **Housing:** The proposed project meets all applicable Housing element policies.
7. **Air Quality:** The proposed project has been conditioned to control any fugitive dust during grading and construction activities. The proposed project meets all other applicable Air Quality element policies.

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

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

D. **Land Use Designation(s):** Commercial Retail (CR) (0.20 – 0.35 Floor Area Ratio)

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

F. **Policy Area(s), if any:** Mt. Palomar Nighttime Lighting Policy (30.24 miles)

G. **Adjacent and Surrounding Area Plan(s), Foundation Component(s), Land Use Designation(s), and Overlay(s) and Policy Area(s), if any:** Commercial Retail (CR) (0.20 – 0.35 Floor Area Ratio) to the north, south, and east and Medium Density Residential (MDR) (2 – 5 Dwelling Units per Acre) to the west.

H. Adopted Specific Plan Information

1. **Name and Number of Specific Plan:** N/A
2. **Specific Plan Planning Area, and Policies:** N/A

I. Existing Zoning: Rural Residential (R-R)

J. Proposed Zoning, if any: Scenic Highway Commercial (C-P-S)

K. Adjacent and Surrounding Zoning: Rural Residential (R-R) to the north, west, south, and east.

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

IV. DETERMINATION

On the basis of this initial evaluation:

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS NOT PREPARED

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project, described in this document, have been made or agreed to by the project proponent. **A MITIGATED NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS PREPARED

I find that although the proposed project could have a significant effect on the environment **NOTHING FURTHER IS REQUIRED** because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project.

I find that although all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, some changes or additions are necessary but none of the conditions described in California Code of Regulations, Section 15162 exist. An **ADDENDUM** to a previously-certified EIR or Negative Declaration has been prepared and will be considered by the approving body or bodies.

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

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

Signature

October 22, 2007

Date

Bulmaro Canseco, Project Planner

Printed Name

For Ron Goldman, Planning Director

V. ENVIRONMENTAL ISSUES ASSESSMENT

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

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| AESTHETICS Would the project | | | | |
| 1. Scenic Resources | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: Riverside County General Plan Figure C-7 "Scenic Highways" and the Elsinore Area Plan Figure 9 "Scenic Highways"

Findings of Fact: The Riverside County Integrated Plan (RCIP) indicates that the project site is located adjacent to a scenic highway, Interstate-15. However, the proposed commercial development will not affect any scenic resources, as adjacent parcels that are closer to Interstate 15 have existing commercial developments and vacant parcels are planned for commercial developments. The design of the proposed commercial development will be compatible with the existing setting in the surrounding area and will, therefore, have a less than significant impact as a result of its implementation. Regulation of future signage shall comply with Riverside County Ordinances and the General Plan, impacts are not considered significant.

The proposed project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features, or obstruct a prominent scenic vista or view open to the public, as these features do not exist on the project site. Additionally, the project, a commercial development, will not result in the creation of an aesthetically offensive site open to public view.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

| | | | | |
|-----------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. Mt. Palomar Observatory | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|-----------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

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

Findings of Fact: According to the RCIP, the project site is located within (Zone B) Special Lighting Area that surrounds the Mt. Palomar Observatory (30.24 miles). Riverside County Ordinance No. 655 (An Ordinance of the County of Riverside Regulating Light Pollution) was adopted by the County Board of Supervisors on June 7, 1988 and went into effect on July 7, 1988. The intent of Ordinance No. 655 is to restrict the permitted development of certain light fixtures emitting into the night sky undesirable light rays that may have a detrimental effect on astronomical observation and research. Ordinance No. 655 contains approved materials and methods of installation, definition, general requirements, requirements for lamp source and shielding, prohibition and exceptions. With the incorporation of project lighting requirements of Riverside County Ordinance No. 655 into the proposed project, this impact will be reduced to a less than significant level.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

3. Other Lighting Issues

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

b) Expose residential property to unacceptable light levels?

Source: On-site Inspection, Project Application Description, and Project Application Materials

Findings of Fact: The project will not create substantial light or glare which would adversely affect day or nighttime views in the project's vicinity and it will not expose residential property to unacceptable levels of light or glare as Ordinance No. 655 contains approved materials and methods of installation, definition, general requirements, requirements for lamp source and shielding, prohibition and exceptions. The project site is adjacent to existing and planned compatible uses.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

AGRICULTURE RESOURCES Would the project

4. Agriculture

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

b) Conflict with existing agricultural use, or a Williamson Act (agricultural preserve) contract (Riv. Co. Agricultural Land Conservation Contract Maps)?

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| c) Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

Findings of Fact: The proposed project is not located within any existing agricultural preserves. This project is not under a Williamson Act contract and is not zoned for agricultural uses but it has a farmland designation of Farmland of Local Importance. However, in 2003, when the Riverside County General Plan was adopted there was an overriding finding of consideration for the loss of Farmland of Local Importance. The project site is zoned Rural Residential (R-R) and surrounding properties are zoned Rural Residential (R-R) to the north, west, south, and east. The proposed project will result in the development of non-agricultural uses; however, the proposed residential development is not within 300 feet of an agriculturally zoned property. Additionally, the proposed project will not involve other changes in the existing environment that will result in the conversion of farmland to non-agricultural uses.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

AIR QUALITY Would the project

5. Air Quality Impacts

a) Conflict with or obstruct implementation of the applicable air quality plan?

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

d) Expose sensitive receptors which are located within 1 mile of the project site to project substantial point source emissions?

e) Involve the construction of a sensitive receptor located within one mile of an existing substantial point source emitter?

f) Create objectionable odors affecting a substantial number of people?

Source: SCAQMD CEQA Air Quality Handbook (Urbemis 2002 for Windows 8.7.0) and Project Application Materials

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

Findings of Fact: Commercial Developments, such as the proposed project primarily impact air quality almost exclusively through increased automotive emissions. The project-related traffic would not result in any federal or State CO standards being exceeded. No significant impact on local CO levels would occur. Long Term operational emissions associated with the proposed project from both automobile and stationary sources both on-site and off-site, would also be below all of the criteria pollutant thresholds established by the South Coast Air Quality Management District (SCAQMD). No long-term air quality impact is expected to occur. Short-term construction emissions are also below all SCAQMD emissions thresholds.”

Single projects typically do not generate enough traffic and associated air pollutants to individually violate clean air standards. It is typically the cumulative effect of hundreds of such developments that causes the small incremental contribution from any one development to become cumulatively significant.

The SCAQMD CEQA Air Quality Handbook establishes a quarterly grading acreage of 22.42 acres as being below the threshold of significance from an air quality standpoint (Table 6-3). The proposed project falls far below this threshold. No long-term impacts are expected to occur and no mitigation is required for long-term impacts; however, construction activities associated with the proposed project may result in short term air pollutant emissions, which are regulated by County Ordinance No. 457.

Implementation of the proposed project is not anticipated to emit objectionable odors in the project vicinity that would affect a substantial number of people. Grading and construction activities for the proposed project would involve activities and the use of equipment typical of commercial developments. All necessary measures to control dust shall be implemented by the developer during grading. The emission of objectionable odors is not anticipated during construction and the ongoing uses of the proposed project.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

BIOLOGICAL RESOURCES Would the project

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| 6. Wildlife & Vegetation | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites? | | | | |
| e) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: GIS database, WRCMSHCP, On-site Inspection, and EPD Review

Findings of Fact: The project does not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan. According to the Riverside County Geographic Information System data, the project site does not contain potential habitat for or candidate for, sensitive, or special status species, including the California Gnatcatcher, or the Quino Checkerspot Butterfly.

The property is not within critical habitat for the gnatcatcher, is not within an MSHCP designated cell, it is outside the recovery area for a known population of the Quino Checkerspot butterfly.

County biologist visited the site and determined that no impacts on biological resources were expected as the site has been previously developed.

Multi-Species Habitat Conservation Plan (MSHCP) listed species were not found on the site and no suitable habitat for any species protected under the MSHCP exist on site. There are no aquatic features or watercourses on the site. There is a gully at the edge of the site that contains some vegetation, but this is Coastal Sage Scrub. No riparian areas or wetlands exist on site. The site is located within the SKR Mitigation Fee Area but is not within a criteria area for the MSHCP and is consistent with the MSHCP.

There are no oak trees on the site. Therefore, the project is not subject to the Oak Tree Management Guidelines adopted by the County.

The proposed project has no potential impacts to jurisdictional waters regulated by the U.S. Army Corps of Engineers (Corps) under Section 404 of the Clean Water Act, by the Regional Water Quality Control Board (RWQCB) under Section 401 of the Clean Water Act, or the California Department of Fish and Game (CDFG) under California Fish and Game Code Section 1602.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

CULTURAL RESOURCES Would the project

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 7. Historic Resources | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) Alter or destroy an historic site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: On-site Inspection and Project Application Materials

Findings of Fact: The project site has been previously developed. The field survey revealed no cultural resources on the property considered to be significant or indicative of past human occupation. The assessment also concludes that no cultural resources are likely to be found within the project boundaries. Therefore, the proposed project would not cause substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 8. Archaeological Resources | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) Alter or destroy an archaeological site. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Restrict existing religious or sacred uses within the potential impact area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: On-site Inspection and Project Application Materials

Findings of Fact: The project site has been previously developed. The field survey revealed no cultural resources on the property considered to be significant or indicative of past human occupation. The assessment also concludes that no cultural resources are likely to be found within the project boundaries.

Furthermore, the proposed project will not disturb any human remains, including those interred outside of formal cemeteries and it will not restrict existing religious or sacred uses within the potential impact area, since these uses are non-existent at the project site. Therefore, the proposed project would not cause substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

9. Paleontological Resources

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

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

Findings of Fact: Per RCIP, the project site is located within an area of high Paleontological sensitivity (High A); as such, the proposed project has been conditioned to retain a qualified paleontologist for consultation and comment on the proposed grading with respect to potential Paleontological impacts. The paleontologist shall submit in writing to the Planning Department - Development Review Division the results of the initial consultation, and the paleontologist shall include details of the fossil recovery plan, if recovery is deemed necessary.

Mitigation: A qualified paleontologist for consultation and comment on the proposed grading with respect to potential Paleontological impacts shall be retained prior to grading permit issuance (COA: 60.PLANNING.3).

Monitoring: Monitoring shall be conducted by the Department of Building and Safety and the Planning Department.

GEOLOGY AND SOILS Would the project

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

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death?

b) Be subject to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

Source: Riverside County General Plan Figure S-2 "Earthquake Fault Study Zones," GIS, and GEO No. 1808

Findings of Fact: County Geologic Report (GEO) No. 1808, submitted for this project (PP21585), was prepared by Petra Geotechnical, Inc. and is entitled: "Geotechnical Investigation, Proposed Commercial Development, Parcel 3 of Parcel Map 14508 (33861 Orange Street), Wildomar Area, Riverside County, California", dated January 13, 2004. In addition, Petra Geotechnical, Inc. prepared the following response:

"Response to County of Riverside Review Comments, County Geologic Report No. 1808, Parcel Map 14508, Parcel 3, Located at 33861 Orange Street, Wildomar Area, Riverside County, California" dated June 6, 2007.

This additional report is now included as part of GEO No. 1808.

GEO No 1808 concluded:

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
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1. The report and response determined that the active Wildomar fault, part of the Elsinore fault zone is located about 1.8 kilometers southwest of the site.
2. Also, a segment of the Wildomar fault has been mapped about 400 feet southwest of the site. The fault is now part of a Riverside County Fault Hazards Zone.
3. A review of site geology, available data, and a photolineament analysis indicates no active faulting on the site.
4. The geologic hazards due to fault rupture are not known to be present on the subject site.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

11. Liquefaction Potential Zone

a) Be subject to seismic-related ground failure, including liquefaction?

Source: Riverside County General Plan Figure S-3 "Generalized Liquefaction" and GEO No. 1808

Findings of Fact: Per RCIP, the liquefaction potential within the project site is moderate. However, GEO No. 1808 concluded that the potential for liquefaction is low at the project site.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

12. Ground-shaking Zone

Be subject to strong seismic ground shaking?

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

Findings of Fact: The project site is located within County Ground shaking Zone II and is considered "provisionally suitable" for the proposed project. The County Department of Building and Safety requires construction to conform to the Uniform Building Code. Upon compliance with Riverside County requirements related to geotechnical and soil reports, the potential impact of the proposed project due to ground shaking will be reduced to a less than significant level.

Mitigation: Prior to the issuance of any grading permits, the land divider shall submit geotechnical soils reports to the Department of Building and Safety for review and approval. Construction of new structures on the project site shall comply with the Uniform Building Code seismic design standards for Groundshaking Zone II (COA: 10.BSGRADE.3 AND 60.BSGRADE.3).

Monitoring: Monitoring shall be conducted by the Department of Building and Safety.

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

13. Landslide Risk

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

Source: On-site Inspection and Riverside County General Plan Figure S-5 "Regions Underlain by Steep Slope"

Findings of Fact: The project site is relatively flat. The geological and seismic hazards evaluation indicates the site is considered to have no significant slope instability or susceptibility to seismically induced landslides and rock falls.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

14. Ground Subsidence

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

Source: RCIP and GEO No. 1808

Findings of Fact: The project site is not located within an area subject to unstable geologic units or soil, including ground subsidence.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

15. Other Geologic Hazards

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

Source: On-site Inspection, Project Application Materials, and RCIP

Findings of Fact: The project site is not located in an area subject to seiche, mudflow, or volcanic hazards.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| 16. Slopes | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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"/> |

Source: RCIP, Ordinance No. 457, and Project Application Materials

Findings of Fact: The proposed project will change the topography of the project site. Compliance with Riverside County Ordinance No. 457 will reduce the potential impacts due to changes in topography to a less than significant level. The proposed project does not propose cut or fill slopes that would exceed 2:1. Slopes over three (3) feet in vertical height are required to be landscaped to mitigate erosion. The proposed project will be utilizing a sewer system, which is to be installed per the specifications and requirements of the Department of Environmental Health and the Elsinore Valley Municipal Water District.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

| | | | | |
|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| 17. Soils | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| a) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: RCIP, Staff Review, and Application Materials

Findings of Fact: The development of the project site may have the potential to result in soil erosion during grading and construction. In addition, the site is largely covered with soils generally exhibiting low to moderate expansiveness. With submittal of a grading plan, Water Quality Management Plan (WQMP), and incorporating the following mitigation measures, potential impacts to soil will be reduced to a less than significant level.

The project proposes 10,000 cubic yards of import, which has been determined that it will not have a significant impact on the environment as this amount of import is not a significant amount; furthermore, impacts caused by import and export activities will be mitigated by compliance with existing County ordinance and grading regulations.

Mitigation: A geotechnical soils report shall be prepared and submitted the Department of Building and Safety prior to issuance of a grading permit. The project shall incorporate county grading standards, best management practices, and a WQMP to eliminate significant erosion hazards (COA: 10.BSGRADE.3, 60.BSGRADE.2, 60.BSGRADE.9, AND 60.FLOODRI.9).

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

Monitoring: Monitoring shall be conducted by the Department of Building and Safety and the Flood Control District.

18. Erosion

a) Change deposition, siltation, or erosion that may modify the channel of a river or stream or the bed of a lake?

b) Result in any increase in water erosion either on or off site?

Source: Department of Building and Safety: Grading and Riverside County Flood Control District

Findings of Fact: The proposed project may temporarily change deposition, siltation, or erosion on or off site. The following mitigation measures will reduce potential impacts related to erosion to less than significant levels.

Mitigation: The project shall incorporate county grading standards, best management practices, and a WQMP to eliminate significant erosion hazards (COA: 10.BSGRADE.3, 60.BSGRADE.9, 60.FLOODRI.3, AND 60.FLOODRI.9).

Monitoring: Monitoring shall be conducted by the Department of Building and Safety and the Flood Control District.

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

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

Source: Riverside County General Plan Figure S-8 "Wind Erosion Susceptibility Map," Ord. 460, Sec. 14.2, and Ord. 484

Findings of Fact: The proposed development is not subject to on or off-site wind erosion or blowsand.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

HAZARDS AND HAZARDOUS MATERIALS Would the project

20. Hazards and Hazardous Materials

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

| | 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: Project Materials and RCIP

Findings of Fact: During the construction of the proposed development, there is a limited potential for accidental release of construction-related products although not in sufficient quantity to pose a significant hazard to people and the environment. According to the RCIP, no sources of health hazards are known to exist on the project site or in the vicinity. In addition, the project site is not listed as a hazardous materials site. Therefore, no potential exists to expose people to such sources.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 21. Airports | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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"/> |

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

Findings of Fact: According to the RCIP, the project site is not located within an Airport-Influence Area; because of the project site's location in relation to existing airports within the area, implementation of the proposed project will not result in an inconsistency with an Airport Master Plan and will not require review by the Airport Land Use Commission. The project site is not located within an airport land use plan or within two miles of a public airport or public use airport that would result in a safety hazard for people residing or working in the project area. The project site is also not located within the vicinity of a private airstrip, or heliport, which would result in a safety hazard for people residing or working in the project area.

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

22. Hazardous Fire Area

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

Source: Riverside County General Plan Figure S-19 "Airport Locations," and GIS

Findings of Fact: The proposed project is not located within a high fire area and will not require fuel modifications along the pad area of the parcel.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

HYDROLOGY AND WATER QUALITY Would the project

23. Water Quality Impacts

| | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

a) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?

b) Violate any water quality standards or waste discharge requirements?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

c) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

| | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

d) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

| | | | |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

h) Include new or retrofitted stormwater Treatment Control Best Management Practices (BMPs) (e.g. water

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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|--------------------------------|--|------------------------------|-----------|
| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|

quality treatment basins, constructed treatment wetlands), the operation of which could result in significant environmental effects (e.g. increased vectors and odors)?

Source: Riverside County Flood Control District Flood Hazard Report/Condition and GIS

Findings of Fact: "The project is located on the southwest corner of Orange Street and Waite Street.

The site is impacted by the sheet flow type runoff from northeast. Offsite runoff from the 24" Freeway culvert that impacts the eastern side of the property is proposed to be conveyed through the site via storm drain to Angels Lane and eventually outlet to the existing road side ditch along Bundy Canyon Drive. (It should be noted that the Transportation Department requires RCP not HDPE pipe as shown on the exhibit.)

In order to mitigate the site's impacts for increased runoff and water quality, the applicant has proposed in the preliminary project-specific Water Quality Management Plan (WQMP), to use porous pavement in specific areas as shown on the tentative exhibit. Building 1 shall drain to "Perk filter" and connect to the 18" main drain on the site. Building 2 drains to the Porous Landscape Detention (PLD) and connects to the 18" drain via an 8" storm drain. Additionally, a small, shallow basin is located in the southwest corner of the site. The use of porous pavement and the basins as presented on the tentative exhibit appears to meet the site's obligation to mitigate both the increased runoff and water quality impacts and is acceptable to the District.

One basis for the District's approval of the applicant's proposal is that the landscaped areas and the amount of pervious paved area coupled with specially prepared sub-grade beneath the pavement is a sufficient site design BMP for the District to make the finding that the project meets the provisions of the County WQMP Section 7.0, Condition A, which allows substitution of 'Site Design BMPs' for 'Treatment Control BMPs'.

The District's approval of the preliminary WQMP is based on the applicant's proposal to employ porous pavement as proposed in the submitted WQMP. Decreasing the amount of porous pavement from what the applicant has currently proposed will not be acceptable.

The final project specific WQMP shall properly document the use of site design and the treatment control BMP's."

Furthermore, the proposed project will not violate any water quality standards or waste discharge requirements and it will not substantially deplete or degrade groundwater supplies or interfere substantially with groundwater recharge. The proposed project is for a commercial center; therefore, the proposed project will not 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 and it will not place structures within a 100-year flood hazard area, which would impede or redirect flood flows, since the project site is not located within a 100-year flood hazard area. The commercial center that will be constructed on the project site as a result of the proposed development is not anticipated to significantly impact the creation or contribution of runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

| | | | |
|--------------------------------|--|------------------------------|-----------|
| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|

Mitigation: The proposed project shall submit a copy of the proposed improvement plans, grading plans, final map, environmental constraints sheet and any other necessary documentation along with supporting hydrologic and hydraulic calculations to the Riverside County Flood Control District for approval prior to the issuance of grading and building permits. The developer must pay all associated fees that will be requested by the Flood Control District (COA: 10.FLOODRI.1, 10.FLOODRI.5, 10.FLOODRI.6, 10.FLOODRI.14, 60.FLOODRI.2, 60.FLOODRI.3, 60.FLOODRI.4, 60.FLOODRI.9, AND 80.FLOODRI.2.).

Monitoring: Monitoring shall be conducted by the Riverside County Flood Control District.

24. Floodplains

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

| NA - Not Applicable <input checked="" type="checkbox"/> | U - Generally Unsuitable <input type="checkbox"/> | R - Restricted <input type="checkbox"/> | |
|--|---|---|-------------------------------------|
| a) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Changes in absorption rates or the rate and amount of surface runoff? | <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 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"/> |

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

Findings of Fact: "The project is located on the southwest corner of Orange Street and Waite Street.

The site is impacted by the sheet flow type runoff from northeast. Offsite runoff from the 24" Freeway culvert that impacts the eastern side of the property is proposed to be conveyed through the site via storm drain to Angels Lane and eventually outlet to the existing road side ditch along Bundy Canyon Drive. (It should be noted that the Transportation Department requires RCP not HDPE pipe as shown on the exhibit.)

In order to mitigate the site's impacts for increased runoff and water quality, the applicant has proposed in the preliminary project-specific Water Quality Management Plan (WQMP), to use porous pavement in specific areas as shown on the tentative exhibit. Building 1 shall drain to "Perk filter" and connect to the 18" main drain on the site. Building 2 drains to the Porous Landscape Detention (PLD) and connects to the 18" drain via an 8" storm drain. Additionally, a small, shallow basin is located in the southwest corner of the site. The use of porous pavement and the basins as presented on the tentative exhibit appears to meet the site's obligation to mitigate both the increased runoff and water quality impacts and is acceptable to the District.

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

One basis for the District's approval of the applicant's proposal is that the landscaped areas and the amount of pervious paved area coupled with specially prepared sub-grade beneath the pavement is a sufficient site design BMP for the District to make the finding that the project meets the provisions of the County WQMP Section 7.0, Condition A, which allows substitution of 'Site Design BMPs' for 'Treatment Control BMPs'.

The District's approval of the preliminary WQMP is based on the applicant's proposal to employ porous pavement as proposed in the submitted WQMP. Decreasing the amount of porous pavement from what the applicant has currently proposed will not be acceptable.

The final project specific WQMP shall properly document the use of site design and the treatment control BMP's."

Furthermore, the proposed project will not 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) and it will not change the amount of surface water in any water body.

Mitigation: The proposed project shall submit a copy of the proposed improvement plans, grading plans, final map, environmental constraints sheet and any other necessary documentation along with supporting hydrologic and hydraulic calculations to the Riverside County Flood Control District for approval prior to the issuance of grading and building permits. The developer must pay all associated fees that will be requested by the Flood Control District (COA: 10.FLOODRI.1, 10.FLOODRI.5, 10.FLOODRI.6, 10.FLOODRI.14, 60.FLOODRI.2, 60.FLOODRI.3, 60.FLOODRI.4, 60.FLOODRI.9, AND 80.FLOODRI.2.).

Monitoring: Monitoring shall be conducted by the Riverside County Flood Control District.

LAND USE/PLANNING Would the project

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 25. Land Use | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) Result in a substantial alteration of the present or planned land use of an area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: RCIP, GIS, and Project Application Materials

Findings of Fact: The proposed project will not result in an alteration of the present and future planned land use for the area, because existing land uses to the north, south, and east of the project site are compatible and planned/proposed developments within the vicinity are compatible with the development proposed.

The proposed project is not located within a city sphere of influence. The project site is located within the Elsinore Area Plan.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| 26. Planning | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) Be consistent with the site's existing or proposed zoning? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Be compatible with existing surrounding zoning? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: Riverside County General Plan Land Use Element, Staff Review, GIS, and Project Application Materials

Findings of Fact: The Elsinore Area Plan currently identifies the project site's General Plan land use designation as Commercial Retail (CR) (0.20 – 0.35 Floor Area Ratio) with a Rural Residential (R-R) zoning classification. The project site's current zoning classification is not consistent with the site's current general plan land use designation; therefore, as part of the project, a change of zone is being process concurrently to provide land use and zoning consistency on the project site. The proposed project is consistent with the site's proposed zoning and is compatible with existing surrounding zoning classifications and land uses in the area. The proposed commercial development is consistent with the land use designation and policies of the Elsinore Area Plan. The proposed project is not located within a city sphere of influence and it will not disrupt or divide the physical arrangement of an established community.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

MINERAL RESOURCES Would the project

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 27. Mineral Resources | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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"/> |

| | | | |
|--------------------------------|--|------------------------------|-----------|
| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|

Source: Riverside County General Plan Figure OS-5 "Mineral Resources Area"

Findings of Fact: No mineral resources have been identified on the project site and there is no historical use of the site or surrounding area for mineral extraction purposes. No impacts are anticipated as a result of the implementation of the proposed project.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

NOISE Would the project result in

Definitions for Noise Acceptability Ratings

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

NA - Not Applicable

A - Generally Acceptable

B - Conditionally Acceptable

C - Generally Unacceptable

D - Land Use Discouraged

28. Airport Noise

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

NA A B C D

b) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

NA A B C D

Source: Riverside County General Plan Figure S-19 "Airport Locations"

Findings of Fact: The project site is not located within an airport land use plan or within two miles of a public airport or a public use airport that would expose people working in the project site to excessive noise levels; or within the vicinity of a private airstrip that would expose people working in the project site to excessive noise levels.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

29. Railroad Noise

NA A B C D

Source: RCIP Figure C-1 "Circulation Plan", S-21 "Rail Facilities, Available Water, Oil and Natural Gas Pipelines Inventory Data", Thomas Guide 2005 Edition, and Site Visit

Findings of Fact: The project site is not located near an active railroad line. No impacts will occur as a result of the proposed project.

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

30. Highway Noise

NA A B C D

| | | | |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|-------------------------------------|--------------------------|--------------------------|

Source: On-site Inspection and Project Application Materials

Findings of Fact: The background noise levels in the area are dominated by the Interstate 15 corridor which has background noise levels of approximately 75 dB CNEL adjacent to the freeway. In the Noise Element of the County of Riverside General Plan, a noise exposure of up to 70 dB CNEL is shown as normally acceptable for commercial uses. However, per the Uniform Building Code, interior noise levels shall be no greater than 45 dB CNEL.

Mitigation: Prior to the issuance of any building permits, the permittee shall submit an acoustical study which outlines methods by which interior sound levels within the principal buildings of the proposed development will be maintained at no more than 45 db (A). The development shall be constructed per the acoustical study recommendations (COA: 80.PLANNING.1 AND 90.PLANNING.2).

Monitoring: Monitoring shall be conducted by Department of Building and Safety, the Department of Environmental Health, and the Planning Department.

31. Other Noise

NA A B C D

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Source: Project Application Materials and GIS

Findings of Fact: No other noise pollution sources are anticipated to impact the project site.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

c) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

| | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| d) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Source: Project Application Materials

Findings of Fact: The proposed project will create unavoidable incremental noise at a less than significant level. Persons might be exposed to groundborne vibration or groundborne noise levels during construction of the project; however, to minimize ambient noise levels during construction of the proposed project, grading and construction shall be restricted to daylight hours. Construction equipment shall be maintained in good working order and cannot be serviced or repaired on site. The construction of the development will result in an increase of noise levels, but these increased noise levels will be less than significant. Furthermore, the proposed design of the site provides for noise attenuation and the proposed office use will cease at night time; therefore, increased noise levels from operation of the project will be less than significant.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

| POPULATION AND HOUSING Would the project | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 33. Housing | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 checked="" type="checkbox"/> | <input 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"/> |

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

Findings of Fact: The proposed project will not displace existing housing or people, because the site is currently occupied by older commercial buildings. The proposed project will create permanent employment opportunities; therefore, it might create a demand for additional housing. However, It is anticipated that the number of employees needed will be supplied by the existing population in the area; therefore, it will not affect cumulative housing needs in the region. Since, the proposed project is a commercial development; it will not have a significant impact on regional or local population projections.

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
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The project site is located within the Lakeland Village/Wildomar Redevelopment Project Sub-Area. The proposed project is consistent with the objectives of the Lakeland Village/Wildomar Redevelopment Project Sub-Area as determined by the Riverside County Economic Development Agency (EDA) on their letter dated July 20, 2007.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

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

| | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 34. Fire Services | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Source: Riverside County General Plan Safety Element

Findings of Fact: The proposed project will incrementally increase the demand for fire services within Riverside County. However, the project will not require the provision of new or altered government facilities at this time.

This project has been conditioned to comply with the requirements of the Riverside Fire Protection Department and for the payment of standard mitigation fees pursuant to Ordinance No. 659.7.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

| | | | | |
|-----------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 35. Sheriff Services | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|-----------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Source: RCIP Safety Element, Ordinance 659, and Project Review

Findings of Fact: The proposed project will incrementally increase the demand for Sheriff's services within Riverside County. However, the project will not require the provision of new or altered government facilities at this time.

This project has been conditioned for the payment of standard mitigation fees pursuant to Ordinance No. 659.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

| | | | | |
|--------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 36. Schools | <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 |
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Source: Lake Elsinore Unified School District Correspondence and RCIP

Findings of Fact: The proposed project is located within the Lake Elsinore Unified School District. This project is subject to the payment of school fees. However, the project will not require the provision of new or altered government facilities at this time.

This project has been conditioned for the payment of standard school impact fees in accordance with state law.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

37. Libraries

| | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Source: RCIP

Findings of Fact: The proposed project will not create a significant incremental demand for library services. The project will not require the provision of new or altered government facilities at this time.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

38. Health Services

| | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Source: RCIP

Findings of Fact: The proposed project will not create a significant incremental demand for health services. The project will not require the provision of new or altered government facilities at this time.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

RECREATION

39. Parks and Recreation

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

b) Would the project include the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <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

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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|--------------------------------|--|------------------------------|-----------|

and park district with a Community Parks and Recreation Plan (Quimby fees)?

Source: GIS, Ord. No. 460, Section 10.35 (Regulating the Division of Land – Park and Recreation Fees and Dedications), Ord. No. 659 (Establishing Development Impact Fees), and Parks & Open Space Department Review

Findings of Fact: The proposed project does not include recreational facilities or require the construction or expansion of recreational facilities as well as it does not include the use of existing neighborhood or regional parks or other recreational facilities.

The proposed development is located within the Sphere of Influence of County Service Area No. 152A, which is responsible for the collection of Quimby fees. However, per Ordinance No. 460, Commercial and Industrial developments are not required to pay these fees.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

40. Recreational Trails

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Source: RCIP and Elsinore Area Plan Figure 8 “Trails and Bikeway System”, and Parks & Open Space Department Review

Findings of Fact: There are no recreational trails that would be impacted by the proposed project.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

TRANSPORTATION/TRAFFIC Would the project

41. Circulation

| | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

b) Result in inadequate parking capacity?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

e) Alter waterborne, rail or air traffic?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

f) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| incompatible uses (e.g. farm equipment)? | | | | |
| g) Cause an effect upon, or a need for new or altered maintenance of roads? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| h) Cause an effect upon circulation during the project's construction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) Result in inadequate emergency access or access to nearby uses? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Conflict with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: RCIP and project review "Transportation Department"

Findings of Fact: "The Transportation Department has not required a traffic study for the subject project. The Transportation Department has determined that the project is exempt from traffic study requirements.

Sufficient public street right-of-way along Orange Street shall be conveyed for public use to provide for a 40 foot half width right-of-way. Right-of-way dedication shall be based on a 600' radius for centerline of Orange Street.

Orange Street is a County maintained road and shall be improved with concrete curb-and-gutter located 28 feet from centerline and match up asphalt concrete paving; reconstruction; or resurfacing of existing paving as determined by the Transportation Department within a 40 foot half-width dedicated right-of-way in accordance with County Standard No. 111. (Modified).

NOTE: Improvements of Orange Street adjacent to the site shall be based on a 600' radius.

With respect to the conditions of approval for the referenced tentative exhibit, the landowner shall provide all street improvements, street improvement plans and/or road dedications set forth herein in accordance with Ordinance 460 and Riverside County Road Improvement Standards (Ordinance 461). It is understood that the exhibit correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Q's, and that their omission or unacceptability may require the exhibit to be resubmitted for further consideration. These Ordinances and all conditions of approval are essential parts and a requirement occurring in ONE is as binding as though occurring in all. All questions regarding the true meaning of the conditions shall be referred to the Transportation Department."

Furthermore, the proposed project will not result in inadequate parking capacity. The project will not result in a change in air traffic patterns or alter waterborne, rail or air traffic. The project will not substantially increase hazards to a design feature. The proposed project will not cause an effect upon circulation during the project's construction. The project will not result in inadequate emergency access or access to nearby uses. The proposal will not conflict with adopted policies supporting alternative transportation.

Mitigation: The propose project shall make the following improvements: a) all road as identified by the Transportation Department shall be completed and paved to finish grade, b) storm drains and flood control facilities shall be completed, c) water systems including fire hydrants shall be installed and operational, d) sewer system shall be installed and operational, and e) landscaping and irrigation shall be installed and operational. All the facilities improvements noted shall be completed and

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
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operational upon completion of 80 percent of the project. All fees and dedications shall be pay to the appropriate agencies prior to building final inspection (COA: 10.TRANS.1, 10.TRANS.5, 80.TRANS.4, 80.TRANS.7, 80.TRANS.8, 90.TRANS.2, AND 90.TRANS.16).

Monitoring: Monitoring shall be conducted by the Transportation Department.

42. Bike Trails

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Source: RCIP

Findings of Fact: There are no bike trails that would be impacted by the proposed project.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

UTILITY AND SERVICE SYSTEMS Would the project

43. Water

| | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

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 type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

b) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Source: Department of Environmental Health Review

Findings of Fact: The Elsinore Valley Municipal Water District will service the project with water. The Riverside County Department of Environmental Health has reviewed this project. The project does not require or will not result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects. There is a sufficient water supply available to serve the project from existing entitlements and resources.

This project has been conditioned to comply with the requirements of the Riverside County Department of Environmental Health. Water and sewer shall be installed in accordance with the requirements of the Riverside County Department of Environmental Health.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| 44. Sewer | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in a determination by the wastewater treatment provider that serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: Department of Environmental Health Review

Findings of Fact: The Elsinore Valley Municipal Water District will service the project with sewer services. The Riverside County Department of Health has reviewed this project. The project will not require or will not 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.

This project has been conditioned to comply with the requirements of the Riverside County Department of Environmental Health. Water and sewer shall be installed in accordance with the requirements of the Riverside County Department of Environmental Health.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

| | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 45. Solid Waste | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 type="checkbox"/> | <input checked="" type="checkbox"/> |

Source: RCIP, Riverside County Waste Management District correspondence

Findings of Fact: The project will not substantially alter existing or future solid waste generation patterns and disposal services. The project will be consistent with the County Integrated Waste Management Plan.

The project has been conditioned to comply with the requirements of the Riverside County Waste Management District.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.



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STAFF REPORT

TO: Mayor, Members of the City Council Agenda Item # 10
FROM: Office of the City Attorney
DATE: January 14, 2009
RE: **Verizon Franchise Agreement**

INTRODUCTION

On November 2, 2006, the County of Riverside ("County") passed Resolution 06-435 to thereby approve a franchise agreement (the "County Franchise Agreement") with Verizon California Inc. ("Verizon") which allowed Verizon to provide cable services throughout the unincorporated areas of the County on a non-exclusive basis.

Verizon recently requested that the City of Wildomar ("City") adopt an agreement (the "Agreement") to terminate the existing Franchise, and to instead allow Verizon to be subject to the State franchise.¹

QUESTION PRESENTED

What are the advantages and disadvantages of entering into the proposed Verizon Agreement?

SHORT ANSWER

There are trade-offs involved in shifting from the County franchise arrangement to the proposed Verizon Agreement. While the City will have a direct relationship with Verizon should it make the change, it may lose some of the now existing special provisions that will no longer be available under State regulation. Determining whether this is in the best interests of the City as a member of the regional community is a policy determination that the Council must make based upon the competing considerations presented in this review of the current and potential situation.

¹ The statewide franchising rules will apply to Verizon only if the existing franchise agreement terminates. See Public Utilities Code §5800 *et seq.*

LEGAL ANALYSIS

If the County Franchise Agreement is terminated, then Verizon could continue to operate in the City, but pursuant to the State franchising scheme.²

A. The Advantages to the Existing Agreement

There are numerous reasons that the existing Franchise is preferable to the State scheme. I highlight the following:

- Indemnification. Currently, Verizon is required to indemnify the City in some circumstances.³ Under the State scheme, there would not be any indemnification.
- Cable System Technology. Verizon's cable system is required to meet safety and technical standards, and the City is entitled to inspect the system for compliance.⁴ Under the State scheme, there are no such specific standards.⁵
- \$25,000 Letter of Credit. Verizon must provide an ongoing letter of credit in the amount of \$25,000.⁶ There is no such obligation under State law.⁷
- Customer Service Standards. Exhibit C to the County Franchise Agreement lists ten pages of applicable customer service standards. State customer service standards are extremely limited by comparison.⁸
- Fines. Under the existing Franchise, the City can impose fines of up to a total of \$25,000.⁹ Under a State franchise, maximum penalties range from only \$1,500 to \$7,500.¹⁰
- Minimum Insurance. The County Franchise Agreement requires Verizon to maintain insurance in various amounts, sometimes as much as \$2 million.¹¹ State law does not include insurance requirements.¹²

² See Pub. Util. Code §5800 *et seq.*

³ Agreement, p. 18.

⁴ Agreement, p. 11.

⁵ See Pub. Util. Code §5840(e)(9) [concluding that Verizon already meets all necessary technical standards in all locations where it has a franchise (including Riverside County)].

⁶ Agreement, p. 20. Given that the \$25,000 letter of credit must be provided to the County, it is unclear how this requirement applies to Wildomar. A reasonable interpretation is that the City of Wildomar can exercise the use of the letter of credit that has been issued in Riverside's name. That may require clarification with the County, however.

⁷ The California Public Utilities Commission can require Verizon to post a bond as a condition of obtaining a state franchise (which it already has obtained). See Pub. Util. Code §5840(e)(9).

⁸ See Pub. Util. Code §5900.

⁹ Agreement, p. 20.

¹⁰ Pub. Util. Code §5900(d).

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- **Buildout.** The County Franchise Agreement requires Verizon to provide cable service in certain areas and to certain types of properties.¹³ The “buildout” requirements under State law are generally less stringent.¹⁴

In sum, there are provisions currently in effect that may be to the advantage of the City to keep in effect until the County Franchise Agreement expires on November 15, 2021.¹⁵ These provisions will, however, expire at that time and State regulation will then be in effect.

B. Potential Advantages to a New Verizon Agreement

There are also three potential advantages to entering into a new Verizon franchise, one of which is likely to potentially be significant.

1. Potential Significant Advantage

There is one potential advantage that, if it occurs, could have a significant effect.

- **Duty to Pay PEG Fees.** The County Franchise Agreement indicates that Verizon must pay PEG fees starting at the earlier of (a) 30 days after Verizon is notified that “other cable operator(s) serving more than fifty percent (50%) of the Subscribers in unincorporated Riverside County are providing PEG support”; or (b) January 1, 2012.¹⁶ If Verizon is currently paying PEG Fees, then there would be no difference between the County Franchise Agreement and the State scheme, as Verizon, too would be required to pay fees (the amount of the fees would be similar in amount). If however, Verizon is not paying PEG fees, then the City may be able to compel Verizon’s payment by terminating the existing Franchise and entering into the new arrangement.

2. Other Potential Advantages to the Verizon Proposal

Two potential advantages may occur, but they are remote or insubstantial in nature.

- **Franchise Fees.** The County Franchise Agreement requires Verizon to pay the City for “gross revenue” as defined in the County Franchise Agreement. There are slight differences between the definition in the

¹¹ Agreement, p. 17.

¹² See Pub. Util Code §5800 *et seq.*

¹³ Agreement pp. 9-11.

¹⁴ See Pub. Util. Code §5890.

¹⁵ There is the potential that the Agreement would be prematurely terminated.

¹⁶ See Agreement, p. 29 (part of Exhibit B).

County Franchise Agreement as compared to State law. However, those differences do not appear to be substantial.¹⁷

- PEG Channels. The County Franchise Agreement guarantees the City one PEG channel. The City can obtain a second channel if it can establish that certain criteria are met, including, most importantly, the documented need for a second channel.¹⁸ State law, however, guarantees the City the right to a third channel for the first three months after transition to the State franchise system. If that right is not exercised during that period, then Verizon can use that channel until the City can document its need for the third channel.¹⁹ Thus, if the City immediately desires a third PEG channel, additional PEG channels would be a reason to terminate the County Franchise Agreement and enter into the proposed Verizon arrangement.

CONCLUSION

Because the County Franchise Agreement has some terms that are more stringent than those imposed by State law, the City may see an advantage to remaining covered by the County Franchise Agreement even though the County is the administrative entity collecting and dispensing fees. If, however, the City wishes to receive PEG fees from Verizon, or Verizon offers the City substantial consideration in exchange for authorizing the Agreement, or the City has specific concerns (such as the desire to immediately have three PEG channels), then it the City may wish to approve the proposed Verizon Agreement.

Respectfully submitted,

Julie Biggs

Julie Hayward Biggs, City Attorney
Of Burke, Williams & Sorensen, LLP

¹⁷ Compare page 14-15 with Pub. Util. Code §5860(d) [definition of "gross revenue"].

¹⁸ Agreement page 27-28.

¹⁹ Pub. Util. Code §5870(c)(1).

AGREEMENT

The undersigned agree as follows:

Whereas, Verizon California Inc. (Verizon) and the County of Riverside (County) entered into a local cable franchise agreement, pursuant to County Ordinance 503.11, effective on or about December 1, 2006, governing provision of Verizon's cable television service within the unincorporated territory of the County;

Whereas, the City of Wildomar, formerly located within the unincorporated territory of the County, voted to incorporate as a municipality with an effective date on or about July 1, 2008;

Whereas, the City of Menifee, formerly located within the unincorporated territory of the County, voted to incorporate as a municipality with an effective date on or about October 1, 2008;

Whereas, Verizon holds a valid state video franchise issued by the California Public Utilities Commission (Commission) pursuant to the Digital Infrastructure and Video Competition Act of 2006, Public Utilities Code §§ 5800 et seq. (DIVCA);

Whereas, DIVCA authorizes a video service provider that currently holds a local franchise agreement to seek a state franchise in the area designated in the local franchise under certain conditions, e.g., a mutually agreed upon date set by both the local franchising entity and video service provider to terminate the franchise provided in writing by both parties to the Commission;

Whereas, the undersigned desire to facilitate a smooth transition to a state video franchise pursuant to DIVCA for the newly-incorporated municipalities of Wildomar and Menifee;

Now, therefore, the undersigned agree as follows:

1. The parties agree to terminate the currently existing Riverside County local franchise agreement insofar as it applies to the newly-incorporated areas covered by the cities of Wildomar and Menifee, effective January 1, 2009.
2. Upon execution, Verizon will apply to amend its existing state video franchise to add the cities of Wildomar and Menifee, effective January 1, 2009, and will continue to operate under the Riverside County franchise agreement until such time as authorization is received.
3. This agreement may be executed in counterparts.

4. The undersigned represent that they have the authority to enter into this agreement on behalf of the entity indicated.

County of Riverside Date

Name

Address

Title

City of Wildomar Date

Name

Address

Title

City of Menifee Date

Name

Address

Title

Verizon California Inc. Date

Name

Address

Title

| | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
|--|--------------------------------|--|------------------------------|-----------|

46. Utilities

a) Would the project impact the following facilities requiring or resulting in the construction of new facilities or the expansion of existing facilities; the construction of which could cause significant environmental effects?

| | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Electricity? | <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"/> |
| 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"/> |

Source: RCIP

Findings of Fact: The project will not require or result in the construction of new community utilities or the expansion of existing community utility facilities. Implementation of the project will result in an incremental system capacity demand for energy systems, communication systems, storm water drainage systems, street lighting systems, maintenance of public facilities, including roads and potentially other governmental services. These impacts are considered less than significant based on the availability of existing public facilities (such as drainage facilities and wastewater collection and treatment systems (Elsinore Valley Municipal Water District, Wastewater Master Plan, 2002) that support local systems. The applicant or applicant-in-successor shall make arrangements with each utility provider to ensure each building is connected to the appropriate utilities. The project is not anticipated to be in conflict or create any significant impacts associated with the adopted energy conservation plans.

Mitigation: No mitigation measures are necessary.

Monitoring: No monitoring measures are necessary.

MANDATORY FINDINGS OF SIGNIFICANCE

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 47. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare, or endangered plant or animal to eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Source: Staff Review and Project Application Materials

Findings of Fact: Implementation of the proposed project would not degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife populations to drop below self sustaining levels, threaten to eliminate a plant or animal community, or

| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
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reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory because all of these concerns were addressed through project design.

48. 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 that occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)

Source: Staff Review and Project Application Materials

Findings of Fact: The proposed project does not have the potential to achieve short-term environmental goals, to the disadvantage of long-term environmental goals. All environmental concerns have been address through the Environmental Assessment prepared for the proposed project.

49. Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects as defined in California Code of Regulations, Section 15130)?

Source: Staff review and Project Application Materials

Findings of Fact: The project does not have impacts which are individually limited, but cumulatively considerable. The project involves the construction of commercial uses, which will result in an increase in traffic and a need for additional services. However, all project impacts have been mitigated through project design and conditions of approval.

50. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Source: Staff review and project application

Findings of Fact: The proposed project would not result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly. Potential direct or indirect impacts to the public's health, safety, and general welfare in regards to air pollution, noise, safety, traffic, and public services, were addressed through project design. The project's conditions of

| | | | |
|--------------------------------|--|------------------------------|-----------|
| Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|

approval are set up to mitigate project impacts at all stages of the construction process and the eventual impacts during the commercial development's operation.

VI. EARLIER ANALYSES

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration as per California Code of Regulations, Section 15063 (c) (3) (D). In this case, a brief discussion should identify the following:

Earlier Analyses Used, if any:

- RCIP: Riverside County Integrated Project.
- GEO No. 1808: "Geotechnical Investigation, Proposed Commercial Development, Parcel 3 of Parcel Map 14508 (33861 Orange Street), Wildomar Area, Riverside County, California," prepared by Petra Geotechnical, Inc., dated January 13, 2004.
 - "Response to County of Riverside Review Comments, County Geologic Report No. 1808, Parcel Map 14508, Parcel 3, Located at 33861 Orange Street, Wildomar Area, Riverside County, California," dated June 6, 2007.

Location Where Earlier Analyses, if used, are available for review:

Location: County of Riverside Planning Department
 4080 Lemon Street, 9th Floor
 Riverside, CA 92502