



**CITY OF WILDOMAR – PLANNING COMMISSION**  
**Agenda Item No. 2.1**  
**PUBLIC HEARING**  
**Meeting Date: March 6, 2013**

---

**TO:** Chairman and Members of the Planning Commission

**FROM:** Matthew C. Bassi, Planning Director

**SUBJECT: Oak Creek Canyon Project (Planning Application No. 11-0261):**

A proposal by Sunbelt Communities, Inc. (Applicant) to amend The Farm Specific Plan for the development of the Oak Creek Canyon Residential/Commercial project consisting of an Environmental Impact Report, General Plan Amendment No. 11-0261, Change of Zone No. 11-0261, Specific Plan Amendment No. 4 to Farm Specific Plan No. 116-C/W and Tentative Tract Map No. 36388 for the subdivision into 275 lots for future single family residential development with private parks/recreational amenities, open space/trails, including an approximate 5.0 acre parcel for future commercial/retail development located within Phase/Planning Areas Nos. 9, 17A, 18 & 19 of the Farm Specific Plan No. 116-C/W.

---

**STAFF RECOMMENDATION**

The Planning Department recommends the Planning Commission take the following actions:

1. Adopt PC Resolution No. 13-05

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL ADOPTION AND CERTIFICATION OF AN ENVIRONMENTAL IMPACT REPORT (SCH# 2012031064) AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE OAK CREEK CANYON RESIDENTIAL/COMMERCIAL PROJECT CONSISTING OF GENERAL PLAN AMENDMENT NO. 11-0261, CHANGE OF ZONE NO. 11-0261, FARM SPECIFIC PLAN NO. 116-C/W, AMENDMENT NO. 4 (PLANNING APPLICATION NO. 11-0261) AND TENTATIVE TRACT MAP NO. 36388.**

2. Adopt PC Resolution No. 13-06 entitled:

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENT NO. 11-0261 TO 1) AMEND THE GENERAL**

**PLAN LAND USE MAP FROM MEDIUM DENSITY RESIDENTIAL TO MEDIUM HIGH DENSITY RESIDENTIAL FOR PHASE/PLANNING AREAS NO. 9 AND 18; AND 2) TO AMEND THE GENERAL PLAN LAND USE MAP FROM MEDIUM DENSITY RESIDENTIAL (ON A PORTION OF APN: 362-080-004) TO COMMERCIAL RETAIL FOR PHASE/PLANNING AREA NO. 19 AND 3) INCREASE THE SIZE OF PHASE/PLANNING AREA NO. 19 FROM 1.0 ACRES TO 5.0 ACRES AND RELOCATE THE PHASE/PLANNING AREA TO THE SOUTHWEST CORNER OF BUNDY CANYON ROAD AND SUNSET AVENUE (ON A PORTION OF APN: 362-080-004) FOR THE OAK CREEK CANYON RESIDENTIAL/COMMERCIAL PROJECT**

3. Adopt PC Resolution No. 13-07 entitled:

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL APPROVAL OF CHANGE OF ZONE NO. 11-0261 TO CHANGE THE ZONING MAP FROM: 1) R-1 (ONE-FAMILY DWELLING) TO R-4 (PLANNED RESIDENTIAL ZONE) FOR PHASE/PLANNING AREA NO. 9; 2) R-1 (ONE-FAMILY DWELLING) TO R-4 (PLANNED RESIDENTIAL ZONE) FOR PHASE/PLANNING AREA NO. 18; AND 3) C-P-S (SCENIC HIGHWAY COMMERCIAL) TO C-1/C-P (GENERAL COMMERCIAL) FOR PHASE/PLANNING AREA NO. 19 FOR THE OAK CREEK CANYON RESIDENTIAL/COMMERCIAL PROJECT**

4. Adopt PC Resolution No. 13-08 entitled:

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL APPROVAL OF FARM SPECIFIC PLAN NO. 116-C/W, AMENDMENT NO. 4 TO ESTABLISH SPECIAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES FOR THE OAK CREEK CANYON RESIDENTIAL/COMMERCIAL PROJECT**

5. Adopt PC Resolution No. 13-09 entitled:

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL APPROVAL OF TENTATIVE TRACT MAP NO. 36388 FOR THE SUBDIVISION OF APPROXIMATELY 151.23 ACRES INTO 275 LOTS FOR FUTURE SINGLE FAMILY RESIDENTIAL DEVELOPMENT (WITH PRIVATE PARKS, OPEN SPACE/TRAILS, AND RECREATIONAL AMENITIES), AND ONE (1) LOT FOR FUTURE COMMERCIAL/RETAIL DEVELOPMENT SUBJECT TO CONDITIONS FOR THE OAK CREEK CANYON RESIDENTIAL/COMMERCIAL PROJECT**

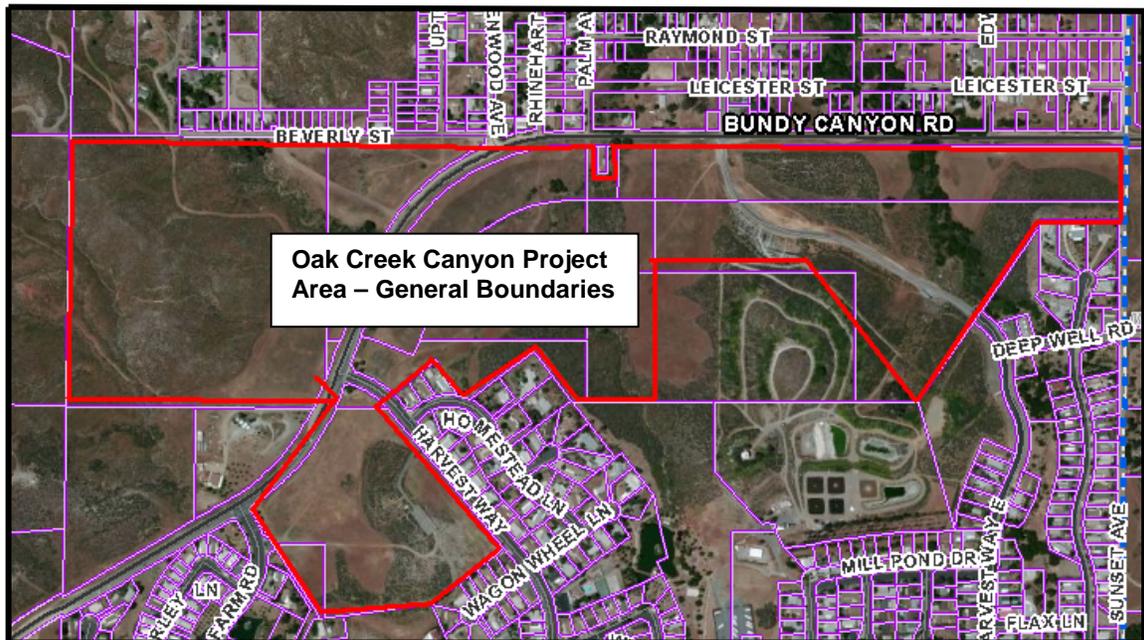
## PROJECT DESCRIPTION

The proposed project includes several development applications for review and consideration by the Planning Commission. Upon conclusion of tonight's public hearing on these applications, the Planning Commission may make its formal recommendation to the City Council. The Council is tentatively scheduled to review the proposed project at their March 27, 2013 meeting.

### Project Location/Vicinity:

The project site encompasses approximately 151± acres and is located within the Farm Specific Plan community. In general, the project is bisected by Bundy Canyon Road and extends from Farm Road/Harvest Way (on the west) to Sunset Avenue (on the east). The aerial photo below shows the project site and surrounding area.

### Vicinity/Location Map



### Surrounding Land Uses:

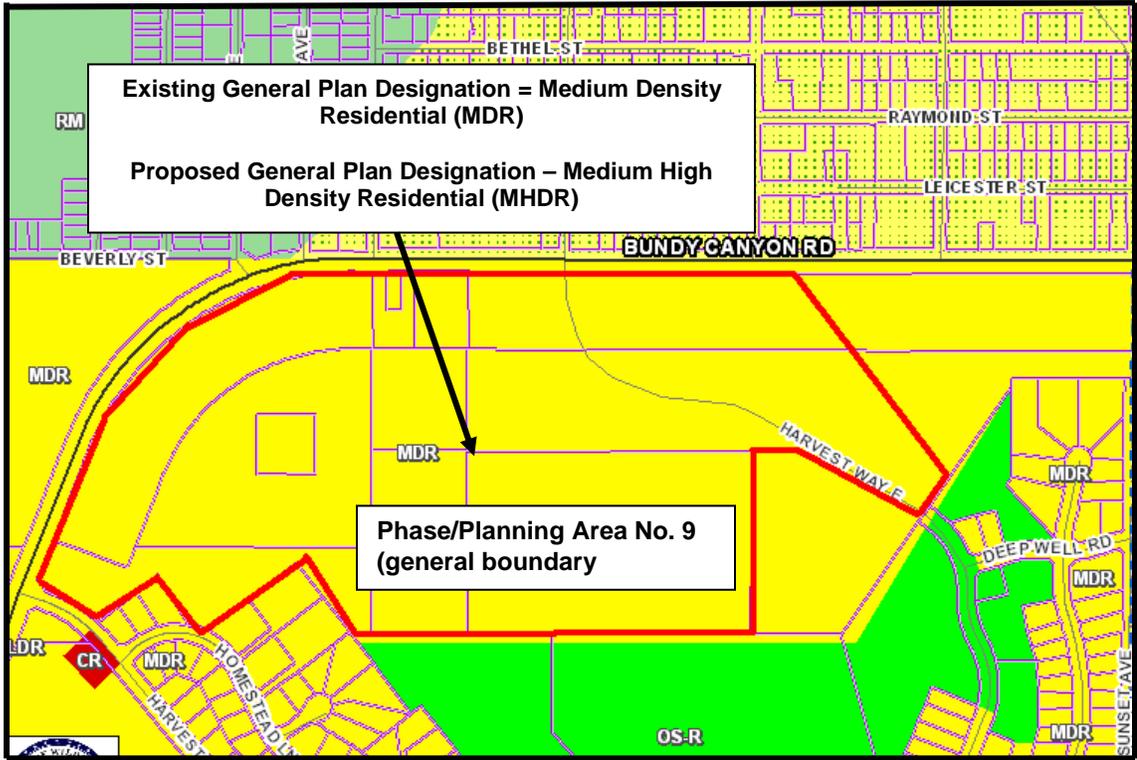
The project site is surrounded by existing residential uses to the north, south, east and west. The table below summarizes the current Land Use, General Plan and Zoning information related to the proposed project.

<b>ADJACENT LAND USE, GENERAL PLAN AND ZONING</b>			
<b>Location</b>	<b>Current Land Use</b>	<b>General Plan Land Use Designation</b>	<b>Zoning</b>
<b>Subject Property</b>	Vacant	MDR & CR	R-1 & C-P-S
<b>North</b>	Residential	LDR-RC & RM	R-1 and R-R
<b>South</b>	Residential/Farm	MDR & MHDR	R-T
<b>East</b>	Residential	City of Menifee	City of Menifee
<b>West</b>	Residential	RM – VLDR – RR – MDR - MHDR	R-R and R-T

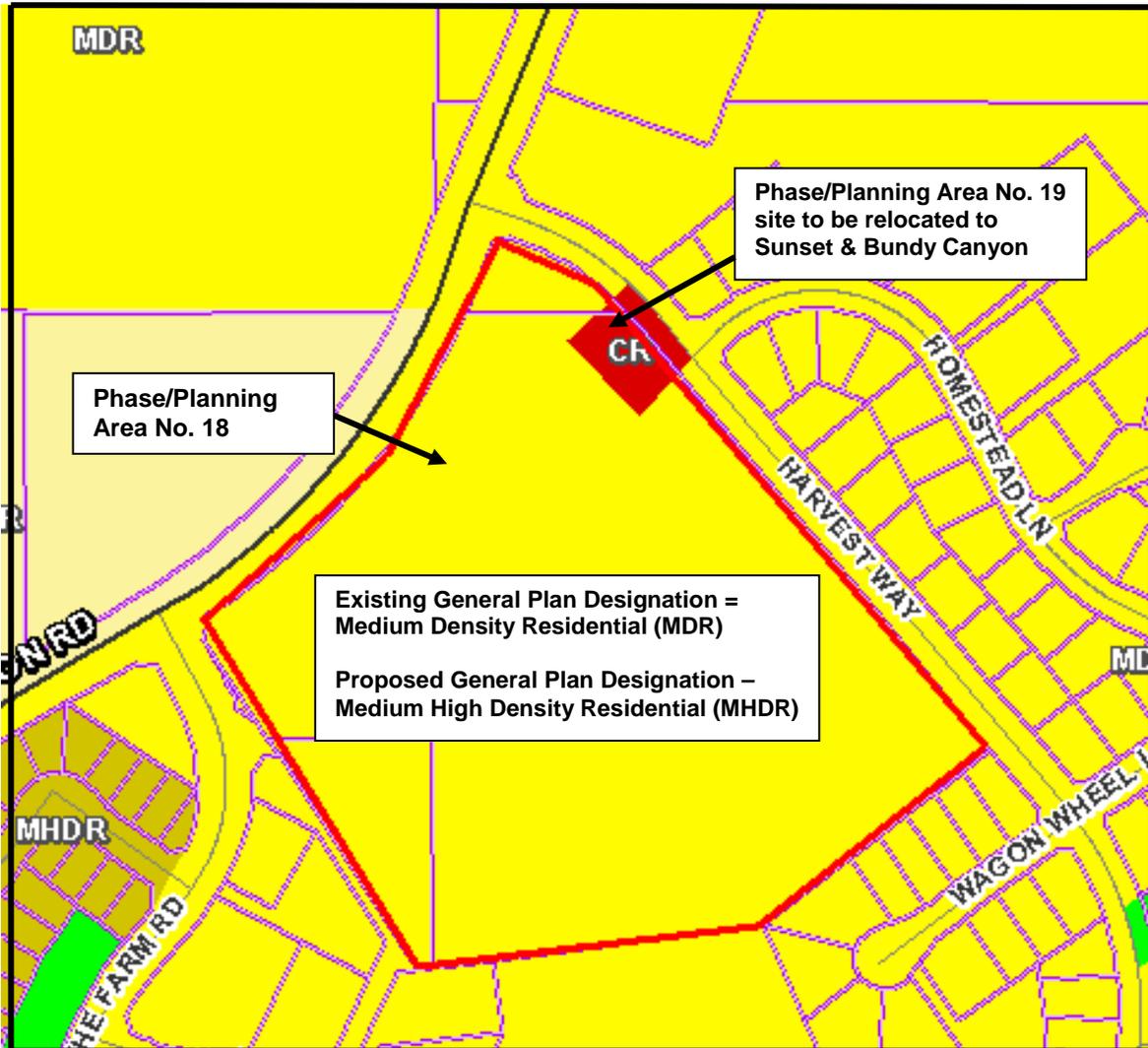
General Plan Amendment (Planning Application No. 11-0261)

The applicant is proposing to: 1) amend the General Plan Land Use designation for Phase/Planning Area No. 9 and 18 from Medium Density Residential to Medium High Density Residential to accommodate 84 single family lots with a minimum lot size of 6,000 square feet and 88 single family lots with a minimum lot size of 4,500 square feet, respectively; 2) amend the General Plan land use map from Medium Density Residential (on a portion of APN: 362-080-004) to Commercial Retail for Phase/Planning Area No. 19; and 3) to increase the size of Phase/Planning Area No. 19 from 1.0 acres to 5.0 acres and relocate it to the southwest corner of Bundy Canyon Road and Sunset Avenue. The exhibits below illustrate the existing and proposed land use changes for these phase/planning areas and are included in PC Resolution No. 13-06 (Attachment B, Exhibit 1).

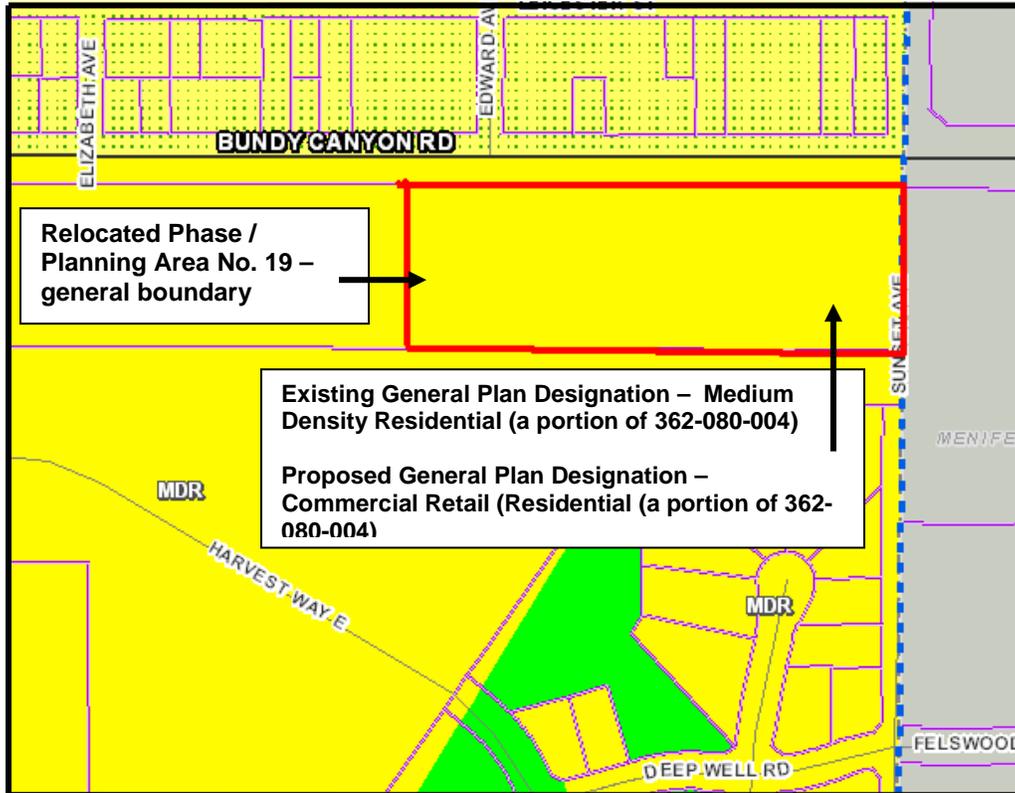
**Existing and Proposed Land Use  
Phase/Planning Area No. 9 Land Use Amendment Exhibit**



**Existing and Proposed Land Use  
Phase/Planning Area No. 18 Land Use Amendment Exhibit**



**Existing and Proposed Land Use  
Phase/Planning Area No. 19 Land Use Amendment Exhibit**

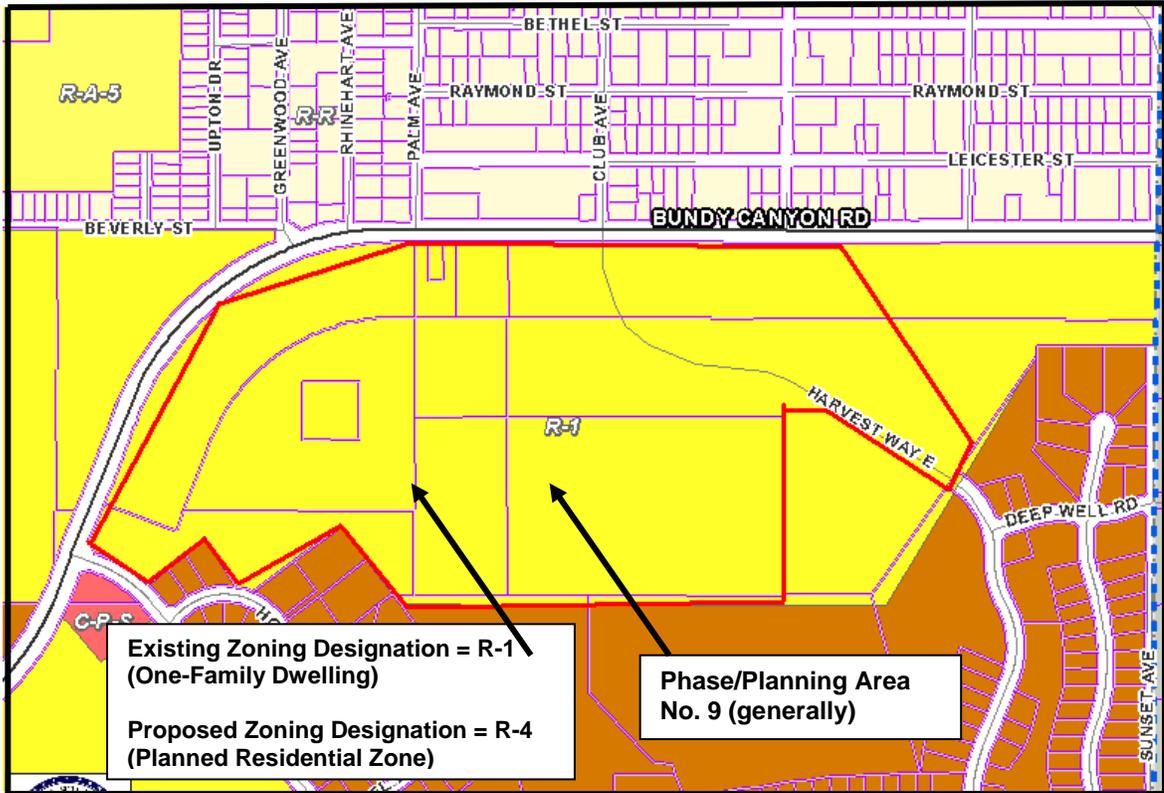


Change of Zone (Planning Application No. 11-0261):

The applicant is proposing to change the zoning designations for three (3) Farm Specific Plan phase/planning areas as follows:

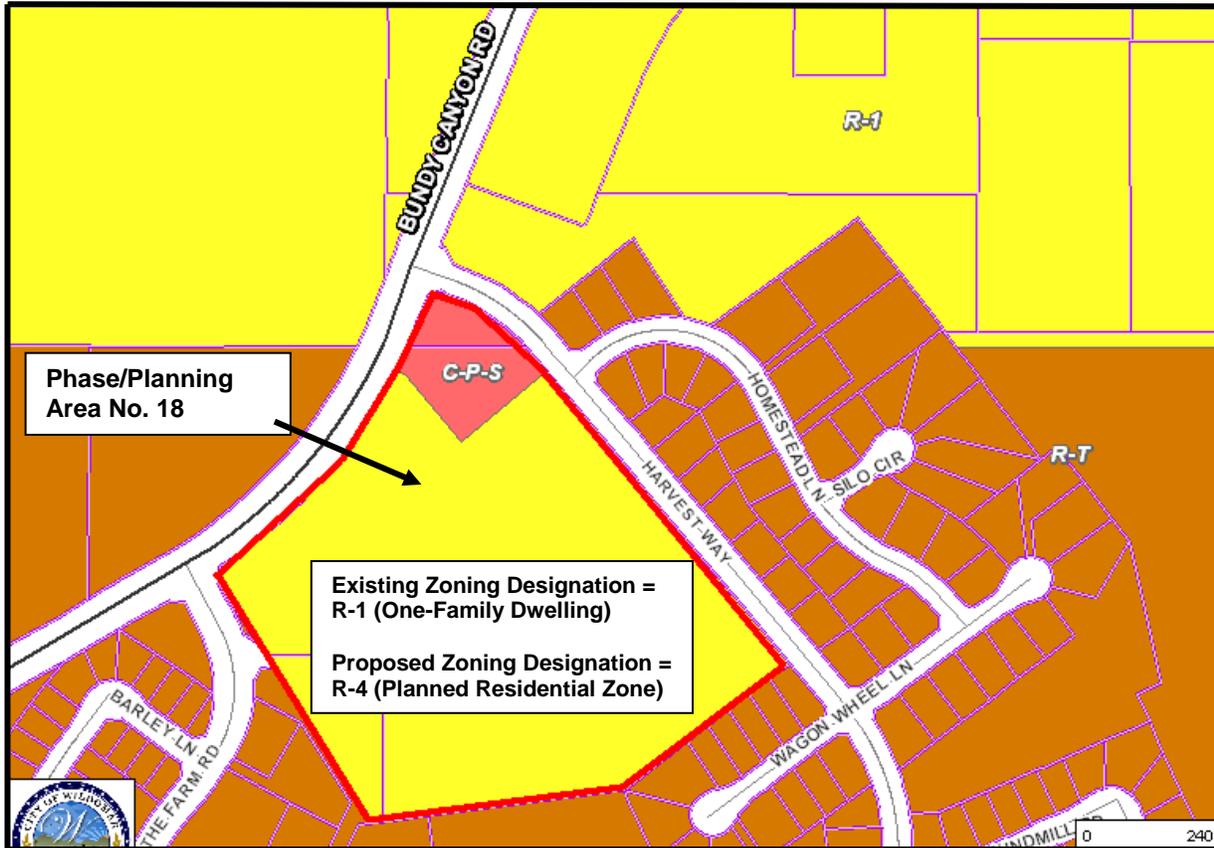
- a) Rezone all of the Phase 9 Planning Area from the current zoning designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone - to allow for single family residential development with a minimum lot size of 6,000 square feet). The general boundary is noted on the following page with the specific legal description provided in PC Resolution No. 13-07 (Attachment C, Exhibit 1).

**Existing and Proposed Zoning  
Phase/Planning Area No. 9 Zone Change Exhibit**



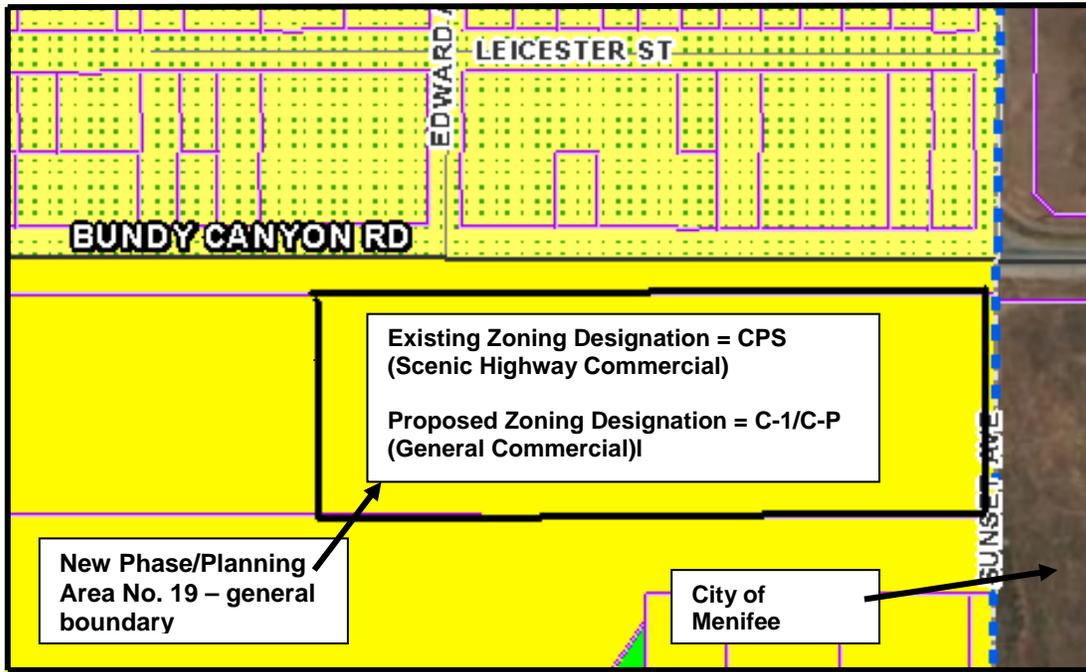
- b) Rezone all of the Phase 18 Planning Area from the current zoning designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone - to allow for single family residential development with a minimum lot size of 4,500 square feet. The general boundary is noted on the following page with the specific legal description provided in PC Resolution No. 13-07 (Attachment C, Exhibit 1).

**Existing and Proposed Zoning  
Phase/Planning Area No. 18 Zone Change Exhibit**



- c) Rezone all of the Phase 19 Planning area from the current zoning designation of C-P-S (Scenic Highway Commercial) to C-1/C-P (General Commercial). The applicant is also proposing to increase the size of Phase 19 from 1.1 acres to approximately 5.0 acres and relocate it from its current location to the southwest corner of Sunset Avenue and Bundy Canyon Road. The general boundary is noted on the following page with the specific legal description provided in PC Resolution No. 13-07 (Attachment C, Exhibit 1).

**Existing and Proposed Zoning Phase/Planning Area No. 19  
Zone Change Exhibit (a portion of APN: 362-080-004)**



Specific Plan Amendment No. 116, Amendment No. 4:

The applicant is proposing to amend the existing Farm Specific Plan to create special development standards and design guidelines (including architectural and landscape design guidelines) to accommodate the development of a proposed 275 lot single family residential subdivision project (with private parks/recreational amenities and open space) and commercial retail site. A copy of the SPA document is provided in Attachment C, Exhibit 2. An analysis of the components of the specific plan amendment is provided in the Analysis Section of this report.

Tentative Tract Map No. 36388:

The applicant is proposing the subdivision of approximately 151± acres into 275 lots for the development of 275 single family residential dwelling units with private parks/recreational amenities, open space, and HOA lettered lots, including one (1) 5.0 acre lot for future commercial/retail development. The tentative tract map is planned to be developed in phases and has been conditioned accordingly. A full size copy of the proposed tract map is provided for Commission consideration in Attachment F (under separate cover).

## Environmental Impact Report (EIR):

In accordance with the California Environmental Quality Act (CEQA) guidelines, the proposed project required the preparation and processing of a Environmental Impact Report (EIR). The EIR must be certified by the City Council for the proposed project to be valid. A more detailed analysis of the EIR process is provided in the Environmental Section of this report. A copy of the DEIR and FEIR are provided as attachments (Attachment A, Exhibit's 1 & 2).

## **PROJECT ANALYSIS:**

### **General Plan Amendment:**

The applicant has proposed to: 1) amend the General Plan Land Use designation for Phase/Planning Area No. 9 and 18 from Medium Density Residential to Medium High Density Residential to accommodate 84 single family lots with a minimum lot size of 6,000 square feet and 88 single family lots with a minimum lot size of 4,500 square feet, respectively; 2) amend the General Plan land use map from Medium Density Residential (on a portion of APN: 362-080-004) to Commercial Retail for Phase/Planning Area No. 19; and 3) to increase the size of Phase/Planning Area No. 19 from 1.0 acres to 5.0 acres and relocate it to the southwest corner of Bundy Canyon Road and Sunset Avenue.

### Phase/Planning Area No. 9

Staff supports the proposed amendment to the General Plan Land Use designation from Medium Density Residential (MDR) to Medium High Density Residential (MHDR) for the Phase/Planning Area No. 9. The amendment is needed to accommodate the proposed development of 84 single family residences (one and two story). Under the MHDR designation for this phase/planning area, the parcels will range in size from a minimum of 6,000 to 10,100 square feet (depending on location) with an average lot size of 6,641 square feet. While the MHDR designation allows for densities that range from 5 – 8 units/acre, the proposed project density for this phase/planning area is about 3.5 units per acre and is within the maximum allowed under the current MDR designation of 2 – 5 units per acre. The proposed lot design for this phase/planning area has a minimum lot size requirement of 6,000 square feet which is consistent with the current requirements of the Farm Specific Plan.

### Phase/Planning Area No. 18

Staff supports the proposed amendment to the General Plan Land Use designation from Medium Density Residential (MDR) to Medium High Density Residential (MHDR) for the Phase/Planning Area No. 18. The amendment is needed to accommodate the proposed development of 88 single-story, single family residences within this phase/planning area. Under the MHDR designation for this phase/planning area, the

parcels will range in size from a minimum of 4,500 square feet to 8,900 square feet (depending on location) with an average lot size of 5,623 square feet which meets the provisions of the General Plan. Under the current land use designation of MDR, this phase/planning area currently allows for the development of single-family residences (1- or 2-story dwellings) on parcels range in size from a 5,500 square feet to 20,000 square feet. Staff believes that the requirement/condition to limit the height of residences to one-story will be in keeping with the existing residences within The Farm community. The average lot size proposed is just 377 square feet shy of the minimum lot size of 6,000 square feet currently allowed under the provisions of the Farm Specific Plan. When considering the density of this phase/planning area, the proposed density of 4.38 units/acre is within the existing density range of 2 – 5 units per acre of the MDR designation.

#### Phase/Planning Area No. 19:

In evaluating the proposal to amend the General Plan land use map for Phase/Planning Area No. 19 to increase the size of the phase/planning area from 1.0 acres to 5.0 acres and relocate the phase/planning area to the southwest corner of Bundy Canyon Road and Sunset Avenue is consistent with General Plan and Farm Specific Plan. The increase in size and relocation of the commercial retail site will create an expanded opportunity for residents within the Farm community and the general area by offering specialized shopping opportunities consistent with the General Plan.

#### **Change of Zone:**

The applicant has proposed a change of zoning for three (3) phase/planning areas as follows: 1) Phase 9 Planning Area from the current zoning designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone) to allow for single family residential development on 6,000 square foot minimum lot sizes; 2) Phase 18 Planning Area from the current zoning designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone) to allow for single family residential development on 4,500 square feet minimum lot sizes; and 3) Rezone all of the Phase 19 Planning area from the current zoning designation of C-P-S (Scenic Highway Commercial) to C-1/C-P (General Commercial). The applicant is also proposing to increase the size of Phase 19 from 1.1 acres to approximately 5.0 acres and relocate it from its current location to the southwest corner of Sunset Avenue and Bundy Canyon Road.

#### Phase/Planning Area No. 9

Staff supports the proposed change of zone for Phase/Planning Area 9 from the current zoning designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone). The R-4 zoning allows for traditional single family residential development as does the R-1 zoning; however, the R-4 zone allows a minimum lot size of 6,000 square rather than 7,200 square feet. The applicant's proposal to subdivide the Phase/Planning Area No. 9 into 84 single family residential lots will be consistent with the current Farm Specific Plan that allows a minimum lot size of 6,000 square feet. Thus, this

phase/planning area will develop in manner that is compatible with the adjacent residential neighborhoods in The Farm community.

#### Phase/Planning Area No. 18

Staff supports the proposed change of zone for Phase/Planning Area 18 from the current zoning designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone). The change of zone is needed to accommodate the proposed development of 88 single-story, single family residences within this phase/planning area. While the minimum lot size proposed for the phase/planning will be 4,500 square feet, the proposed design guidelines restrict this area to the development of only single-story residences. Thus, the appearance of the phase/planning area will be compatible with the existing single story residences adjacent to the project site. If the Commission chooses to recommend the City Council not to support of the R-4 zoning category with the 4,500 square-foot minimum lot size, then the applicant would have to re-design this phase/planning area with lots that have a 6,000 square-foot minimum lot size as currently required by the Farm Specific Plan.

#### Phase/Planning Area No. 19

Staff supports the proposed change of zone for the Phase/Planning Area No. 19 Planning area from the current zoning designation of C-P-S (Scenic Highway Commercial) to C-1/C-P (General Commercial). Both designations are consistent with the General Plan; however, the C-1/C-P zone allows for a greater diversity of commercial/retail uses making the site more marketable. Further, staff supports the relocation of the phase/planning area and its increase in size from 1 to 5 acres as the larger site will allow for a better site design and increased shopping opportunities for residents.

#### **Oak Creek Canyon Specific Plan Amendment:**

The applicant is proposing to amend the existing Farm Specific Plan No. 116-C/W with the intent to establish special development standards and design guidelines (including architectural and landscape design guidelines) to accommodate the Oak Creek Canyon 275-lot residential and commercial/retail development project. The specific plan amendment will represent the 4<sup>th</sup> amendment to the Farm Specific Plan since its original adoption in 1974; however, the changes proposed within Amendment No. 4 will only apply to Phase/Planning Areas No. 9, 17A, 18 and 19. The remainder of the Farm Specific Plan will remain in tact and subject to the existing development standards for all other Phase/Planning areas.

The Oak Creek Canyon SPA document (provided in Attachment C - Exhibit 2) has been divided up into several subsections which will be discussed below. All of the special standards and guidelines applicable to the Oak Creek Canyon project are contained within Chapter 4 of the Farm Specific Plan document.

## Development Standards:

### Residential Development Standards Summary:

Design of residential sites within Oak Creek Canyon (Phases 9, 17A, and 18) is an essential component of the land use plan. Specific standards and criteria are provided for each phase area to address setbacks, pad sizes, lot coverage, and encroachments. Figures 16 through 19 (within the document) illustrate these concepts and offer information regarding placement of residences within the community. Each figure contains a detail of the typical lot with a corresponding table that lists specific development standards for that lot.

Single-family detached homes on minimum 4,500 s.f. lots are allowed in Phase 18 of Oak Creek Canyon. Homes within this Planning Area shall be developed in accordance to the standards provided on Figure 16, Single-Family Detached: Traditional – 4,500 s.f. lots.

Single-family detached homes on minimum 6,000 s.f. lots are allowed in Phase 9 of Oak Creek Canyon. Homes within this Planning Area shall be developed in accordance to the standards provided on Figure 17, Single-Family Detached: Traditional – 6,000 s.f. lots.

Single-family detached homes on minimum 7,200 s.f. lots are allowed in Phase 17A of Oak Creek Canyon. Homes within this Planning Area shall be developed in accordance to the standards provided on Figure 18, Single-Family Detached: Traditional – 7,200 s.f. Minimum Lots and Figure 19, Single-Family Detached: Traditional – 7,200 s.f. Minimum Lots.

### Commercial Development Standards Summary:

Commercial development will be permitted within Phase 19 of Oak Creek Canyon. The Schedule of Permitted Uses is the same as those allowed under Section 17.80 (C-1/C-P Zone) of the City of Wildomar Zoning Ordinance. The following development standards apply in the Commercial Zone within Phase 19:

- There is no minimum lot area requirement.
- The maximum height shall not exceed thirty-five feet (35')
- The yard requirements are as follows:
  - Front yard setback adjacent to Bundy Canyon Road shall be 25 feet
  - Front yard setback adjacent to Sunset Avenue shall be 20 feet
  - Yard adjacent to residentially zoned property shall be 25 feet
  - Rear side yard shall be 15 feet
  - Accessory structure – side/rear setback shall be 5 feet

- No building or structure shall exceed thirty-five feet (35') feet in height, unless a greater height is approved pursuant to Section 17.196 (Variance) of the City's Zoning Ordinance.
- Off-street parking shall be provided as required by Section 17.188 of the City's Zoning Ordinance.
- All roof mounted mechanical equipment shall be screened from public view to a minimum sight distance of 1,320 feet.

### Design Guidelines:

The intent of these Design Guidelines is to create project specific design criteria which will guide the future development of the Oak Creek Canyon portion (Phase 9, 17A, 18 and 19) of The Farm Specific Plan. The Guidelines are intended to assist in providing the continuity and overall image that will make the Oak Creek Canyon a unique development while encouraging creative design and individuality. These criteria are not intended to provide a rigid or inflexible framework for future development; variations based upon changes to site layout, specific site conditions, as well as the visions of individual architects and landscape architects are anticipated. All primary residential structures shall provide 360 degree (360°) architecture. This shall be defined as having articulation on all four sides of the building, consistent with the architectural style. The amount of detailing shall be appropriate to the side of the structure (i.e., it is anticipated that the front of the building will contain the most amount of articulation and detailing, with less on the sides and rear).

The Design Guidelines include design criteria for detached residential and commercial land uses within the Oak Creek Canyon portion (Phase 9, 17A, 18 and 19) of The Farm Specific Plan. All developments within the Oak Creek project area will be designed to comply with these criteria.

### Residential Portion:

The purpose of these Residential Design Guidelines is guide the layout and design of future residential developments with the Oak Creek Canyon project area. These guidelines are intended to be used to establish the character and scale of all future development in the residential planning areas within the Oak Creek Canyon project area (Phase 9, 17A, 18 and 19) of The Farm Specific Plan.

#### Site Layout and Access

The layout of a residential area is the first step in creating a viable neighborhood. A properly planned neighborhood should contain both community-wide and private amenities and encourage safe travel for pedestrians and motor vehicles. The following are key features:

- Neighborhood access points should be logically and functionally located to facilitate safe access for pedestrians and vehicles.

- Enhanced landscaping shall occur at the entries to identify the points of entry and set the tone for the project development.
- Safe travel paths should be provided between all areas within the neighborhood as well as the streets and sidewalks in the surrounding area.
- Public open spaces should be located in areas that are easily accessible to the majority of the surrounding units.
- Varied building setbacks, variations in building façade, varied massing of porch sizes and widths, offsets from the front building setback shall be used to create visual interest and variety along street scene. Plotting of garages left or garages (i.e., side-on) right coupled with the addition of architectural style variation, as well as massing and color shall be utilized.
- Pedestrian walkways should be incorporated into the overall layout of the site in a logical manner.

### Building Orientation

- Buildings should be composed of simple yet varied plans to assure compatibility and variety of the overall building form.
- Buildings on corner lot parcels should be oriented in such a manner as to create courts, open space areas, and/or porches.
- Buildings should be oriented to minimize instances where the primary living spaces of one structure face the primary living spaces of an adjacent unit. Garage locations shall be plotted on the left and right sides of lots, thereby creating multiple conditions and variations for living spaces to be off-set. This shall be accomplished at the precise grading plan and residential product review phases of development.

In evaluating the proposed site layout and building orientation design guidelines, staff believes the development of the Oak Creek Canyon project will be compatible with the existing Farm Community. In addition, the design of the development will achieve a high quality appearance that will compliment the existing neighborhoods.

### Building Design

The architectural styles of the residential homes and non-residential structures within Oak Creek Canyon are intended to complement and reinforce its overall community image. A variety of architectural styles are pivotal to creating a high-quality community image. No specific community theme is proposed; however, the community image will be reinforced through quality residential and commercial architectural designs, a hierarchy of monumentation, and consistent use and application of landscape and hardscape elements. Oak Creek Canyon will feature four (4) unique architectural styles that adhere to the overall community theme. The architectural styles include: American Farmhouse, California Ranch, American Colonial, and Spanish Colonial. These architectural styles were selected based on their variety, compatibility and visual interest they would provide.

The American Farmhouse Style component is based largely on the architectural elements used in Colonial styles from New England and the Mid-West. The main feature of the style is a large, covered wrapping front porch. Key elements of the style include two-story massing, dormers, and symmetrical elevations, while the asymmetrical, “casual cottage” elevation with a decorative appearance is less common, but still quite popular. The style represents a very practical and picturesque country home. Additional design criteria are outlined in the Chapter IV of the SPA document. Refer to the following pages for an exhibit of this design.

California Ranch Architectural Style inspired by the California cattle ranches developed by early Californians in the late 1800’s, the California Ranch architectural style evolved from native materials with considerations of climate and lifestyle. Primary building materials have evolved from adobe and wood to shingles for roofs, board and batten siding, and other colonial features. Current versions of the style are typically simple and straightforward with stucco walls, gabled roofs, and wood accents. Additional design criteria are outlined in the Chapter IV of the SPA document. Refer to the following pages for an exhibit of this design.

American Colonial Architectural Style The American Colonial component is based largely on the architectural elements used in Colonial styles from New England and the Mid-West. The main feature of the style is a large, covered wrapping front porch. Key elements of the style include two-story massing, dormers, and symmetrical elevations, while the asymmetrical, “casual cottage” elevation with a decorative appearance is less common, but still quite popular. The style represents a very practical and picturesque country home. Additional design criteria are outlined in the Chapter IV of the SPA document. Refer to the following pages for an exhibit of this design.

Spanish Colonial Spanish Colonial is an adaptation of Mission Revival enriched with additional Latin American details and elements. The style attained widespread popularity after its use in the Panama-California Exposition of 1915. The simple courtyards of the Spanish Colonial heritage with hanging pots, a flowering garden and sprawling shade trees are hardly surpasses as foreground design elements. Further architectural distinction is established through the use of tile roofs, stucco walls, heavily textured wooden doors and highlighted ornamental ironwork. Additional design criteria are outlined in the Chapter IV of the SPA document. Refer to the following pages for an exhibit of this design.

## Proposed Architectural Theme Exhibits



### American Farmhouse Architectural Style

- 1 Two-story box-like or L-shaped form.
- 2 Medium-pitched, primary front to back main gable roof form with intersecting hip, gable and shed roofs and standard overhangs.
- 3 Flat, shake-textured concrete tile material with standing metal seam accents.
- 4 Large covered porches with simple wood columns.
- 5 Lap siding accent on main body.



### California Ranch Architectural Style

- 1 Horizontal, one and two-story massing form.
- 2 Low to medium-pitched main gable roof form with standard overhangs.
- 3 Flat, shake-textured concrete tile roof material.
- 4 Large porch at entry with simple columns.
- 5 Stucco on main body with lap siding board and batten accents.
- 6 Wall accents to have brick or stone wainscots.



### American Colonial Architectural Style

- 1 Two-story symmetrical box-like form.
- 2 Large main gable or roof.
- 3 Enhanced entry portico or covered porch supported by simple columns.
- 4 Horizontal siding may be combined with brick.
- 5 Multi-paned windows with shutters on front elevations.



### Spanish Colonial Architectural Style

- 1 Horizontal, one and two-story massing form.
- 2 Low to medium-pitched main gable roof form with standard overhangs.
- 3 'S' concrete tile roof material.
- 4 Porch at entry with simple columns.
- 5 Stucco on main body.

In evaluating the proposed building/architectural site layout and building orientation design guidelines, staff believes the development of the Oak Creek Canyon project will be compatible with the existing Farm Community. In addition, the design of the development will achieve a high quality appearance that will compliment the existing neighborhoods. Additional design criteria relating to mass and scale, building materials and colors, windows and doors, etc., are provided for in the Oak Creek Canyon SPA document.

### Landscape Criteria:

The purpose and intent of the Landscaping Guidelines are to use only California native plants in all detention areas, in the water tower area, along the slopes leading up to the water tower, and other areas of open space that drain into a watershed, and to provide direction to the design and construction of homeowner association maintained landscape areas and to provide a reference on yard landscaping for individual homeowners. The use of these Landscaping Guidelines for individual homeowners and for areas within the rear and side areas is optional. Landscape plans for areas with native and naturally occurring vegetation do not require the submittal of a landscape plan when the native vegetation is being retained. All future plans, including construction documents will need to draw inspiration from that plan and remain consistent with the overall image developed for Oak Creek Canyon. The following is a summary of the general guidelines that will apply to landscaping within Oak Creek Canyon project area:

- Landscape plans should include a combination of trees, shrubs, and ground cover.
- Specimen trees should be strategically planted to assist new development in looking “established” as quickly as possible.
- Trees and shrubs should be located and spaced to allow for mature and long-term growth.
- Trees and larger shrubs should be selected and planted in locations which will minimize future root problems.
- Deciduous trees can be used to provide solar control during summer and winter, provide fall color, seasonal flower, and other desired effects.
- Drought tolerant landscaping should be incorporated into landscape plans wherever possible.
- Appropriate water conservation techniques should be incorporated into all landscape designs.
- All landscaped areas should incorporate automatic irrigation systems.
- Irrigation systems should be designed to prevent overspray onto walkways, parking areas, buildings, and fences.
- Landscaping shall not impact sight distance.
- City maintained areas are to comply with City planting requirements.

In evaluating the proposed landscape guidelines, staff believes the landscape theme for the Oak Creek Canyon project will be compatible with the existing Farm Community. In addition, the landscape design will achieve a high quality appearance that will compliment the existing neighborhoods, as well as establish a beautiful streetscape. An overall Conceptual Landscape Plan is provided in the Oak Creek Canyon SPA document.

#### Walls, Fences, Monumentation:

The Wall and Fence Plan is included as Figure 31a, 31b and 31c, Wall and Fence Plan document. This wall plan also includes the location of major and minor monumentation, as well as the gating for the Phases. Five types of fencing are proposed in Oak Creek Canyon. Where fencing and walls are essential, these elements should be designed to complement the architecture of the Project. The following general guidelines shall apply to fencing that is visible within Oak Creek Canyon:

- Fence and wall materials and colors should be designed to complement the architecture of the adjacent buildings.
- Fences and walls adjacent to arterial streets should be constructed as low as possible consistent with their screening, noise attenuation, and security functions.
- The materials and colors of any walls adjacent to arterial streets should be compatible and complementary with the existing walls near the property.
- Fencing is preferred over walls and should be encouraged wherever possible.
- Solid walls in sloping terrain should be “stepped” to follow the terrain.
- Double fencing (i.e., existing fencing abutting proposed fencing) on a property is strongly discouraged.
- Locations of walls and fences shall not interfere with sight distance.
- City will only maintain standard sound walls; all other walls and fences shall be privately maintained.

In evaluating the proposed wall/fence design guidelines for the Oak Creek Canyon project, staff believes it will be compatible with the existing Farm Community. In addition, the wall/fence design guidelines will achieve a high quality appearance that will compliment the development and be compatible with existing neighborhoods. Additional criteria are provided for Oak Creek Canyon SPA document.

#### Recreational Amenities:

Three (3) neighborhood serving parks (2 private and 1 public) are provided in Oak Creek Canyon project area. The locations of these are depicted on Figures 24a, 24b and 24c, Conceptual Landscape Plan of the SPA document and the tract map. These parks have been located in Phase/Planning Area No. 9, 17A and 18 in order to provide recreational opportunities, green space and a community gathering space

within each of these Phases. No automobile parking spaces are proposed in these neighborhood serving parks, as it is envisioned that the majority of trips to the park will be from walking. The details of these parks are discussed below.

### Park 1

Park 1 is a private park open to Oak Creek Canyon residents and located in Phase 18 as depicted in Figure 40, Park 1 (refer to the SPA document). Park 1 is approximately 1.1 acres, and will provide both active and passive recreation to include, but not be limited to, tot lot with benches, barbeque area with tables and shade structure, shaded seating areas, open lawn play area, half-court basketball (2), and pool with restroom/shower building refer to Page IV-58 in SPA Document). As this is a private park, it will be managed and maintained by the future Oak Creek Canyon Homeowners Association.

### Park 2

Park 2 is a private park open to Oak Creek Canyon residents and located in Phase 17A as depicted on Figure 41, Park 2 (refer to the SPA document). Park 2 is approximately 1.8 acres, and will provide both active and passive recreation to include, but not be limited to, tot lot with benches, picnic shelter with tables, half-court basketball (2), barbeque area with tables and shade structure, open lawn play area, cabanas (3), pool with restroom/shower building, wading pool, as depicted on page IV-58. As this is a private park, it will be managed and maintained by the future Oak Creek Canyon Homeowners Association.

### Park 3

Park 3 is a private park open to Oak Creek Canyon residents and located in Phase 9 as depicted on Figure 42a, Park 3 (refer to SPA document). Park 3 is approximately 1.8 acres and will provide both active and passive recreation to include, but not be limited to, a dog park (separated for both small and large dogs), picnic shelter with tables, tot lot with benches, open lawn play area and half-court basketball (2), as depicted on page IV-58. Fencing for the dog park portion of this park shall be vinyl coated chain link fencing as allowed by the Oak Creek design guidelines. This fencing is depicted on Figure 42b, Vinyl Coated Chain Link Fencing (refer to the SPA document). Vinyl coated chain link fencing is appropriate in this application, as it will not detract from the park aesthetic and will provide the necessary security and safety for the dogs as well as other users of the park. As this is a private park, it will be managed and maintained by the future Oak Creek Canyon Homeowners Association.

### Trails

A ten foot (10') wide trail is proposed within Oak Creek Canyon, as depicted on Figure 43a, Community Trail Plan of the SPA document. This trail will be composed

of decomposed granite and be designed in accordance with Figure 43b, Community Trail Section. This trail will be maintained by the future Oak Creek Canyon Homeowner's Association (HOA) and will link the different phase/planning areas. The trail exhibit is shown on the following page:

### **Community Trail Exhibit**



### **Commercial Portion:**

The purpose of these Commercial Design Guidelines is to guide the layout and design of future commercial development within Phase 19 of Oak Creek Canyon. These guidelines will be used to determine the character and scale of all future development in the commercial planning area.

### **Site Planning**

The layout of a commercial site the site is often critical to its economic success and functionality. A properly planned commercial center provides a solid foundation for the anticipated economic and social activities that will occur once the commercial center is completed. A concept commercial site plan has been developed as a guide to potential future commercial development in Phase 19. This plan is depicted on Figure 48, Potential/Conceptual Commercial Site Plan. This plan illustrates how the site may be developed, based on a mixture of commercial uses that will be more "neighborhood" serving in nature. Ultimate development may reflect the elements contained on this plan, or may be subject to change based on specific tenants and their needs. The following guidelines will ensure that the site will be developed in a manner that meets the requirements of the City and the needs of the commercial developer.

## Building Orientation

- Buildings should be oriented toward the streets and parking areas.
- In complexes with multiple buildings, whenever possible some buildings should be located closer to the street to emphasize building architecture and minimize the tendency for parking lots to be the key definer of the street edge.
- Buildings should consider local weather conditions and sun protection in their design and orientation.

## Building Design

Building scale, materials, and architectural character are blended in the correct way, both the project and the community are enriched. Building designs should incorporate 360-degree architecture which includes appropriate articulation on all building facades, variations in building massing and roof lines, and changes in wall planes and windows. A concept commercial elevation has been developed as a guide to potential future commercial development in Phase 19. This plan is depicted on Figure 49, Elevation Examples. This plan illustrates how commercial elevations may be developed. Ultimate design may reflect the elements contained on these elevations, or may be subject to change based on specific tenants and their needs. The following guidelines will ensure that the building design is developed in a manner than meets the requirements of the City and the needs of the commercial developer.

## Architecture

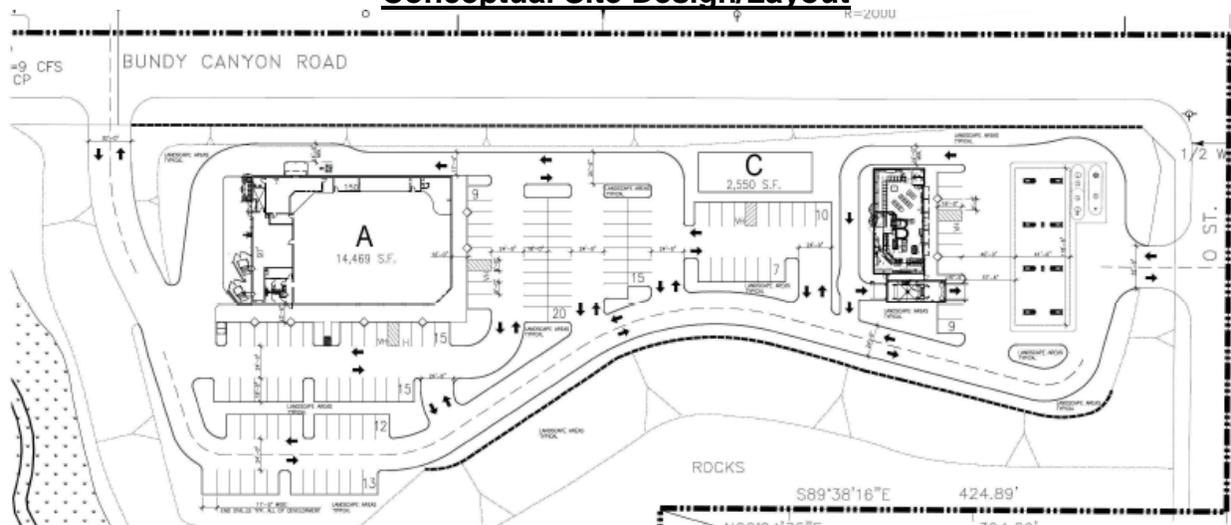
- No specific architectural styles are required within the commercial portions of this specific plan. However, the building architecture should emphasize elements that are commonly found within the region and that reflect the functionality of the buildings.
- While recognizing that individual tenants may have specific architectural needs, the commercial complex as a whole should have a consistent architectural style with individual buildings designed with complementary forms, colors and materials.
- Corporate “chain” style architecture should be adjusted to complement the rest of the center and fit into the scale and character of the community.
- Buildings should be designed so that the structures do not “turn their backs” to the street; 360-degree architecture is encouraged for buildings placed on prominent corners and project entryways.
- Projects with multiple building should incorporate consistent design themes and elements throughout the entire project to create a cohesive and integrated design.
- Building entrances should be emphasized using lighting, landscaping, and architecture.

- Acknowledging sensitivity to budget, it is expected that the highest level of articulation will occur on the front façade; however, similar and complementary massing, materials, and details should be incorporated into every other building elevation visible to the public.
- Architectural details and materials on lower walls that relate to human scale, such as arches, trellises, or awnings, should be utilized.
- Architectural elements, such as overhangs, trellises, projections, awnings, insets, material, texture, and color, can be used to create shadow patterns that contribute to a building's character.
- Buildings should have clearly defined customer entrances.

### Site Access

- Driveway entries should align with existing or planned median openings or and adjacent driveways.
- Reciprocal access drives are encouraged when feasible to reduce conflicting turning movements and link adjacent properties.
- Developments should provide easily identifiable pedestrian access to building entrances and key areas within the site from the adjacent sidewalks, parking areas, and bus stops.
- Pedestrian walkways should be safe, visually attractive, and well defined by landscaping and lighting.
- Whenever pedestrian and vehicular circulation paths cross, measures should be undertaken to highlight these potential conflict areas.
- On-site textured paving, when provided at crosswalks, should not conflict with the requirements of the American's with Disability Act requirements.
- City sight distance requirements shall be maintained at all site access points.

### Conceptual Site Design/Layout



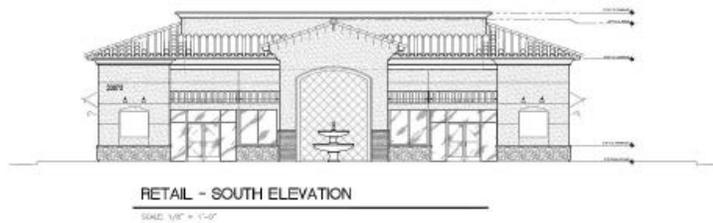
## Materials and Colors

Materials and colors for individual buildings will be determined at the Plot Plan stage. A typical elevation has been included as Figure 50, Color Elevation Example. This elevation will serve as a guide to future development and is not intended as a rigid formula for development. The following language will serve to guide the future architectural character of the commercial development in Phase 19.

- The materials and colors used should convey a sense of quality architecture and permanence.
- Colors used on exterior facades should be harmonious. Contrasting colors are encouraged to accentuate details.
- Roof materials and colors should be consistent with the desired architectural style.
- Materials and colors should be used to enhance different parts of a building's façade.
- Changes in materials should occur at intersecting planes, preferably at the inside corners of changing wall planes or where architectural elements intersect, such as projection or fence line.
- Awnings can also be used provide smaller areas of shade and can contribute to this building's character.
- Building trim and accent areas may incorporate different building materials and colors if compatible with the theme of the center and the architectural style of the buildings.
- Murals, trellises, vines, and/or espaliers can be placed on large expanses of walls at the rear or sides of buildings to break up building mass and to create visual interest.

A conceptual design style of the commercial portion is provided on the following page. In evaluating the proposed commercial design guidelines for the Oak Creek Canyon project, staff believes it will provide a quality architectural style and provide a much needed local shopping opportunity for residents of the Farm and adjacent neighborhoods to the north and east.

## Conceptual Design Style



### Tentative Tract Map No. 36388:

The applicant is proposing the subdivision of approximately 151± acres into 275 lots for the development of 275 single family residential dwelling units with private parks/recreational amenities, open space, and HOA lettered lots, including one (1) 5.0 acre lot for future commercial/retail development. The tentative tract map is planned to be developed in phases and has been conditioned accordingly.

Each of the 275 lots has been allocated to specific phase/planning areas in accordance with the proposed development standards of the Oak Creek Canyon SPA (Amendment No. 4). The following table summarizes the propose lot size information, density, etc., for each phase/planning area. Based on the table below, the proposed minimum lot size, lot width and lot depth meet and exceed the minimum requirements each phase/planning area. In addition, the average lot size for each phase/planning area exceeds the minimum requirements.

**Lot Summary Table**

<b>Phase / Planning Area</b>	<b>Number of Lots / Dwelling Units</b>	<b>Required Lot Area (Per SPA)</b>	<b>Proposed Lot Area (Per TM 36388)</b>	<b>Average Lot Area (Per SPA &amp; TTM)</b>	<b>Required Lot Width/Depth (Per SPA)</b>	<b>Proposed Lot Width/Depth (Per TM 36388)</b>
Phase 9	84 lots	6,000 s.f.	6,000 s.f.	6,641 s.f.	60' / 100' Corner Lot – 65'	60' / 100' Corner Lot – 65'
Phase 17A	103 lots	7,200 s.f.	7,200 s.f.	7,875 s.f.	60' / 100' Corner Lot – 65'	60' / 100' Corner Lot – 65'
Phase 18	88 lots	4,500 s.f.	4,500 s.f.	5,623	45' / 100' Corner Lot – 50'	45' / 100' Corner Lot – 50'
Phase 19 (Comm. Site)	1 lot (retail)	N/A	N/A	N/A	N/A	N/A
<b>Totals</b>	<b>275 Units</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

Staff has evaluated the proposed tract map to ensure compliance with the standards and guidelines of the proposed Oak Creek Canyon specific plan amendment. The lots sizes proposed under Tentative Tract Map No. 36388 for Phase/Planning Area No. 18 will range in size from a minimum of 4,500 square feet to 8,900 square feet (depending on location) with an average lot size of 5,623 square feet. This meets and exceeds the minimum requirements of the which meets the provisions of the Oak Creek Canyon specific plan amendment.

The lots sizes proposed under Tentative Tract Map No. 36388 for Phase/Planning Area No. 9 will range in size from a minimum of 6,000 to 10,100 square feet (depending on location) with an average lot size of 6,641 square feet with an average lot size of 6,641 square feet which meets the provisions of the Oak Creek Canyon specific plan amendment.

The lots sizes proposed under Tentative Tract Map No. 36388 for Phase/Planning Area No. 17A will range in size from a minimum of 7,200 to 10,749 square feet (depending on location) with an average lot size of 7,875 square feet which meets the provisions of the Oak Creek Canyon specific plan amendment.

## Lot Frontage/Cul-de-sac Width Variations

With respect to the minimum cul-de-sac lot width required by the Oak Creek Canyon design standards, the applicant is requesting approval of a variation from this standard width for eight (8) of the 275 lots (lots 47, 48, 212, 213, 214, 222, 223, & 224). When the lot width standard cannot be met as a result of design constraints, the Planning Commission has the authority (or in this case recommend City Council approval) under the City's Design Guidelines to allow a smaller width provided they are reviewed as part of the public hearing process for the tract map. In evaluating the request, staff supports the width variation as they will not impact the integrity of the subdivision design, nor will they result in a lot width too small that a single family home could not be constructed without a variance. The eight (8) lots represent only about 3% of the total lots within the tract.

## **OAK TREE ANALYSIS**

As part of the development review process for the Oak Creek Canyon project, staff required the applicant to prepare an analysis of the impacted Oak trees within the project area. The City does not have an Oak tree preservation ordinance, nor are the removal of Oak trees considered an endangered specie under CEQA law. Nonetheless, the DEIR did analyze the removal of Oak trees and includes a proposed mitigation measure (MM 3.11.4) that requires a minimum of three (3) native oak trees (15 gallons or larger size) to be planted for each oak tree that will be removed as a result of the project.

The Oak tree survey determined that there are 204 Oak trees within the project area boundary. Of the 204 trees, 122 will be preserved in place which are located throughout the project area (about 59% of the trees will be preserved). The remaining 82 trees will be removed as a result of the realignment of Bundy Canyon Road and the proposed subdivision design. With the implementation of the mitigation measure requiring the planting of new Oak trees at a 3 to 1 ratio, the applicant will be required to plant 246 new Oak trees throughout the project area. These trees will be planted along the internal trail as well as other key areas within the project boundary. The Oak tree exhibit prepared for the proposed project is provided for Commission consideration in Attachment F.

## **ENVIRONMENTAL ANALYSIS**

In accordance with the California Environmental Quality Act (CEQA - Public Resources Code Section 21000–21178.1), an Initial Study was prepared to analyze the proposed Oak Creek Canyon Residential project (Planning Application No. 11-0261) to determine any potential significant impacts upon the environment that would result from implementation of the project. The proposed Oak Creek Canyon Development is considered a “project” as defined by the California Environmental Quality Act, Public

Resources Code § 21000 et seq. ("CEQA"). The Planning Commission has the authority to review the proposed Oak Creek Canyon Development project in accordance with the California Government Code, Sections 65358, Section 65453, and 65853 and the City of Wildomar Municipal Code, Title 17, and make a recommendation to the City Council regarding certification of the FEIR.

In the course of reviewing the proposed project, the Planning Director determined that there was substantial evidence that the Oak Creek Canyon Development may have one or more significant effects on the environment and that preparation of an Environmental Impact Report ("EIR") was therefore warranted under Public Resources Code § 21080(d) and § 21082.2(d). In accordance with state law, the City circulated a Notice of Preparation (NOP) of the Draft EIR which began a 30-day comment period on the NOP. The review period began on March 5, 2012 and concluded April 6, 2012. As part of the NOP process, the City conducted a public scoping meeting on March 13, 2012. The purpose of the scoping meeting was intended to receive input from the public on what environmental issues should be addressed in the DEIR. Approximately 70 residents attended the meeting and 25± comments were provided during the meeting.

In the months following the NOP review period and scoping meeting, the City prepared and completed the Draft EIR. A Notice of Completion (NOC) was provided to the State Office of Planning and Research (OPR) on Wednesday, November 19, 2012, as required under CEQA Guidelines § 15085 regarding the required 45-day public review period. In addition, on November 21, 2012, the City also published a Notice of Availability in The Californian newspaper and gave notice to the Riverside County Clerk (and all interested parties requesting said notice) regarding the public review of the draft environmental impact report for the proposed project. The Notice of Availability was also posted at Wildomar City Hall, Wildomar Mission Trail Library, and the Riverside County Clerk of the Board of Supervisors, and on the City of Wildomar website.

The Draft EIR (refer to Attachment A, Exhibit 1) was circulated to the public, responsible agencies and other interested parties as required by CEQA Guidelines § 15087 for a period of 45 days which began on November 19, 2012 and concluded on January 7, 2013. The DEIR was also placed at three public places for review (Wildomar City Hall, Wildomar Mission Trail Library, and the Riverside County Clerk of the Board of Supervisors). The DEIR was also posted on the City's website.

Before the close of the 45-day public comment period, the City received 11 comments on the Draft EIR. In accordance with state law, the City has prepared responses to each comment as part of the Final EIR. The comments from the review period required minor changes to the DEIR. The public review comments, city responses and minor changes formulate the FEIR document. This document is provided for Commission consideration as Attachment A, Exhibit 2). In accordance with state law, the City has prepared Findings of Fact and the Mitigation Monitoring and Reporting Program. These two items are provided for Commission consideration in the PC Resolution No. 13-05 (Attachment A, Exhibits 3 and 4, respectively).

As a result of the EIR process, it has been determined that approval of the Oak Creek Canyon project will not result in significant effects on the environment because all impacts identified in the DEIR/FEIR have been mitigated through changes, alterations and mitigation measures to a less than significant level in accordance Section 15092 of the CEQA Guidelines.

Therefore, based on the findings below (also contained within PC Resolution No. 13-05) and on substantial evidence in the whole of the record, staff is recommending the Planning Commission recommend the City Council 1) adopt the Statement of Facts and Findings and certify the Final Environmental Impact Report No. 2012031064 for the Oak Creek Canyon Development, 2) approve and adopt the Mitigation Monitoring and Reporting Program for the Oak Creek Canyon Development EIR, and 3) direct the Planning Director to prepare a Notice of Determination concerning certification of the Oak Creek Canyon Development EIR, and within five (5) days of project approval, file the Notice with the Riverside County Clerk for posting.

## **REQUIRED PROJECT FINDINGS**

### **CEQA/EIR:**

The Planning Commission, in light of the whole record before it, including but not limited to, the EIR, all documents incorporated by reference therein, any comments received and responses provided, the Statement of Facts and Findings, the Mitigation Monitoring and Reporting Program and other substantial evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2) within the record and/or provided at the public hearing, hereby finds and determines that:

- 1) Preparation of EIR: An Environmental Impact Report was prepared for the Oak Creek Canyon Development and processed in accordance with the California Environmental Quality Act (Public Resources Code § 21000 et seq.), the CEQA Guidelines (14 California Code of Regulations § 15000 et seq.), and the local CEQA Guidelines.
- 2) Notice: The City has complied with CEQA Guidelines § 15085 and §15087 by providing a Notice of Completion of the Draft EIR to OPR and a Notice of Availability to responsible and trustee agencies and other persons and agencies as required.
- 3) Review Period: The City has complied with CEQA Guidelines §§ 15087 and 15105 by making the Draft EIR available to the public for review for the required 45-day period of time.
- 4) Response to Comments: The City has responded to all written comments received during the public review period and included both comments and responses as part of the Final EIR included as Exhibit 2 to this resolution. In response to these comments, the City has made minor revisions to the Draft EIR. These revisions are

identified in the Final EIR and do not constitute significant additional information and do not require recirculation of the Draft EIR.

- 5) Avoidance / Reduction Significant Effects: The EIR identifies potentially significant effects on the environment that could result if the project were adopted without changes or alterations in the project and imposition of mitigation measures. Based thereon, the Planning Commission recommends the City Council further find that:
  - a) Changes, alterations, and mitigation measures have been incorporated into, or imposed as conditions of approval on, the project.
  - b) These changes, alterations, and mitigation measures will avoid the significant environment effects identified in the EIR or lessen their impact below the threshold of significance.
  - c) These changes, alterations, and mitigation measures are fully enforceable because they have either resulted in an actual change to the project as proposed or they have been imposed as conditions of approval on the project.
  - d) The City has prepared a Mitigation Monitoring Program included as Exhibit 4 to this resolution to track compliance with these changes, alterations, and mitigation measures identified in the Oak Creek Canyon Development Environmental Impact Report.
- 6) Environmental Findings and Statement of Overriding Considerations: Approval of the project will not result in significant effects on the environment as all impacts will be mitigated through changes, alterations and mitigation measures to a less than significant level, pursuant to Section 15092 of the CEQA Guidelines; findings thereto are attached as Exhibit 3 to the resolution.
- 7) Independent Judgment: The EIR reflects the independent judgment and analysis of the City.

### **General Plan Amendment:**

Pursuant to Government Code Section 65350 – 65362, the Planning Commission recommends that the City Council make the following findings pertaining to the Oak Creek Canyon General Plan Amendment (Planning Application No. 11-0261):

- A. The proposed General Plan Amendment will not cause any internal inconsistencies in the General Plan.

The applicant is proposing to: 1) amend the General Plan Land Use designation for Phase/Planning Area No. 9 and 18 from Medium Density Residential to Medium High Density Residential to accommodate 84 single family lots with a minimum lot size of 6,000 square feet and 88 single family lots with a minimum lot size of 4,500 square feet, respectively; 2) amend the General Plan land use map from Medium

Density Residential (on a portion of APN: 362-080-004) to Commercial Retail for Phase/Planning Area No. 19; and 3) to increase the size of Phase/Planning Area No. 19 from 1.0 acres to 5.0 acres and relocate it to the southwest corner of Bundy Canyon Road and Sunset Avenue.

#### Phase/Planning Area No. 9

The amendment from Medium Density Residential (MDR) to Medium High Density Residential (MHDR) for the Phase/Planning Area No. 9 will not create any inconsistencies in the General Plan. Further the proposed amendment is needed to accommodate the proposed development of 84 single family residences (one and two story). Under the MHDR designation for this phase/planning area, the parcels will range in size from a minimum of 6,000 to 10,100 square feet (depending on location) with an average lot size of 6,641 square feet. While the MHDR designation allows for densities that range from 5 – 8 units/acre, the proposed project density for this phase/planning area is about 3.5 units per acre and well under the maximum allowed under the current MDR designation of 2 – 5 units per acre. The proposed lot design for this phase/planning area has a minimum lot size requirement of 6,000 square feet which is consistent with the current requirements of the Farm Specific Plan.

#### Phase/Planning Area No. 18

The amendment from Medium Density Residential (MDR) to Medium High Density Residential (MHDR) for the Phase/Planning Area No. 18 will not create any inconsistencies in the General Plan. Further, proposed amendment is needed to accommodate the proposed development of 88 single-story, single family residences within this phase/planning area. Under the MHDR designation for this phase/planning area; the parcels will range in size from a minimum of 4,500 square feet to 8,900 square feet (depending on location) with an average lot size of 5,623 square feet which meets the provisions of the General Plan. Under the current land use designation of MDR, this phase/planning area allows for the development of single-family residences (1-or 2-story dwellings) on parcels range in size from a 5,500 square feet to 20,000 square feet. Staff believes that the requirement/condition to limit the height of residences to one-story will be in keeping with the existing residences within the general area. The average lot size proposed is just 377 square feet shy of the minimum lot size of 6,000 square feet currently allowed under the provisions of the Farm Specific Plan. When considering the density of this phase/planning area, the proposed density of 4.38 units/acre is within the existing density range of 2 – 5 units per acre of the MDR designation.

#### Phase/Planning Area No. 19:

The amendment from Medium Density Residential (on a portion of APN: 362-080-004) to Commercial Retail for Phase/Planning Area No. 19, and the proposal to increase the size of the phase/planning area from 1.0 acres to 5.0 acres and

relocate will not create any inconsistencies in the General Plan. Further, proposed amendment will be consistent with the General Plan in that the commercial land use designation will create an expanded opportunity for residents within the Oak Creek Canyon and Farm community (and the general area) to have increased neighborhood level shopping opportunities within a close proximity to homes in accordance with the General Plan.

### **Change of Zone:**

In accordance with the State of California, Government Code Section 65853 – 65857 and Section 17.280 of the Wildomar Zoning Ordinance, the Planning Commission hereby recommends the City Council make the following finding for the proposed Change of Zone No. 11-0261.

- A. The proposed change of zone is in conformance with the adopted General Plan for the City, and the Farm Specific Plan.
1. The proposed rezone for Phase/Planning Area 9 from the current zoning designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone) to allow for single family residential development with a minimum lot size of 6,000 square feet is consistent with the General Plan land use designation of Medium Density Residential (MDR) which is intended for traditional single family residential subdivisions with a density range of 2 – 5 dwelling units per acre on lots that typically range in size from 5,500 to 20,000 square feet. In reviewing the applicant's request to subdivide Phase/Planning Area No. 9 into 84 single family residential lots on 68.3 acres, the overall density is proposed at 1.2 units per acre with a minimum lot size of 6,000 square feet which does not exceed the maximum density allowed by the General Plan.
  2. The proposed rezone for Phase/Planning Area 18 from the current zoning designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone) to allow for single family residential development with a minimum lot size of 4,500 square feet is consistent with the General Plan land use designation of Medium High Density Residential (MHDR) as proposed with General Plan Amendment No. 11-0261 as this land use designation is intended for smaller lot, single family residences with a density range of 5 to 8 dwelling units per acre with minimum lot sizes of 4,000 to 6,500 square feet. Based on the applicant's proposal to subdivide this area into 88 lots, the density of this phase/planning area would be about 4.3 units per acre, which does not exceed the maximum density allowed by the General Plan.
  3. The proposed rezone for the Phase 19 Planning area from the current zoning designation of C-P-S (Scenic Highway Commercial) to C-1/C-P (General Commercial) is consistent with the General Plan in that the proposed future commercial center will allow commercial and retail uses in a manner consistent with the allowed uses encouraged by the General Plan.

### **Specific Plan Amendment:**

In accordance with the State of California, Government Code Section 65450 - 65457 and Section 17.08 of the Wildomar Zoning Ordinance, the Planning Commission hereby recommends the City Council make the following finding for the proposed for Farm Specific Plan Amendment No. 116-C/W, Amendment No. 4 for the Oak Creek Canyon project (Planning Application No. 11-0261)

- A. The proposed Specific Plan Amendment is consistent with the City of Wildomar General Plan and Farm Specific Plan.
  - 1. The proposal to amend the existing Farm Specific Plan to create special development standards and design guidelines (including architectural and landscape design guidelines) to accommodate the development of a proposed 275 lot single family residential subdivision project (with private parks/recreational amenities and open space) and commercial retail site is consistent with the City of Wildomar General Plan and Farm Specific Plan in that the proposed Oak Creek Canyon project will provide new housing opportunities for residents of Wildomar and surrounding areas, and is designed to be compatible with, and enhance, surrounding neighborhoods. Further, the special development standards and design guidelines will provide for a unique residential development that will provide a variety of homeownership opportunities consistent with the General Plan Policy LU 22.4 – LU 22.10.

### **Tentative Tract Map No. 36388:**

In accordance with Wildomar Municipal Code Title 16 and Title 17, and Government Code § 66473.1, § 66473.5 and § 66474, the Planning Commission, in light of the whole record before it, including but not limited to the Planning Department's staff report and all documents incorporated by reference therein, the City's General Plan, Subdivision Ordinance, Zoning Ordinance, standards for public streets and facilities, and any other evidence within the record or provided at the public hearing of this matter, recommends that the City Council hereby find and determine as follows:

- A. The proposed tract map is consistent with the City's General Plan and any applicable specific plan as specified in Government Code Section 65451.

Evidence: The current General Plan Land Use Designation for Phase/Planning Area Nos. 9 and 17A of the Oak Creek Canyon project site is Medium Density Residential (MDR). The MDR land use designation is intended for traditional single family residential subdivisions with a density range of 2 – 5 dwelling units per acre on lots that typically range in size from 5,500 to 20,000 square feet. In reviewing the applicant's request to subdivide Phase/Planning Area No. 9 into 84 single family residential lots on 68.3 acres, the overall density is proposed at 1.2 units per acre with a minimum lot size of 6,000 square feet. Phase/Planning Area No. 17A is proposed to be subdivided into 103 single family residential lots on 66.2 acres which

results in an overall density of about 1.6 units per acre with a minimum lot size of 7,200 square feet. Based on this, the tract map for both phase/planning areas is consistent with the General Plan and Farm Specific Plan in terms of project density and minimum lot sizes.

The current General Plan Land Use Designation for Phase/Planning Area No. 18 is Medium Density Residential (MDR). The applicant desires to subdivide this phase/planning encompassing approximately 20.5 acres into 88 lots with a minimum lot size of 4,500 square feet for single-story, single family residential development. In order to achieve this, the applicant has requested approval of a General Plan Amendment (GPA) for Phase/Planning Area 18 from Medium Density Residential (MDR) to Medium High Density Residential (MHDR). The MHDR land use designation is intended for smaller lot, single family residences with a density range of 5 to 8 dwelling units per acre with minimum lot sizes of 4,000 to 6,500 square feet. Based on the applicant's proposal, the density of this phase/planning area with 88 lots would be about 4.3 units per acre. With approval of the GPA by Council, the proposed project density and design of Phase/Planning Area 18 is consistent with the General Plan and Farm Specific Plan in terms of project density and minimum lot sizes.

- B. The design or improvement of the proposed subdivision is consistent with the City's General Plan and any applicable specific plan.

Evidence: The proposed subdivision has been designed to meet all City standards applicable to residential subdivisions which are designed provide satisfactory pedestrian and vehicular circulation, including emergency vehicle access and on-site and off-site public improvements. Further, all streets, utilities, and drainage facilities have been designed and are required to be constructed in conformance with City standards and the Farm Specific Plan.

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

Evidence: The Oak Creek Canyon project site encompasses approximately 151 acres which includes approximately 69 acres of open space. The tentative tract map proposes to subdivide the project area into 275 lots for single family residential development within three phase/planning areas (9, 17A & 18) consistent with the Farm Specific Plan No. 116. The density allowed by the MDR and MHDR land use designations allows ranges from 2 to 5 dwelling units per acre and 5 to 8 dwelling units per acre, respectively. Both land use designations allow for single family residential development via the traditional single family residential subdivision tract map setting. Further, the MDR and MHDR designations allow single family lots to be subdivided with minimum lot sizes that range from 5,500 to 20,000 square feet (MDR) and 4,500 to 6,500 square feet (MHDR), respectively. In review of the proposed tract map, the overall developable project density has been established at about 3.2 units per acre with minimum lot sizes that range from 6,000 to 7,200 square feet for Phase/Planning Area 9 and 17A, and minimum lot sizes of 4,500

square feet for Phase/Planning Area 18 with approval of the proposed General Plan Amendment for Phase/Planning Area 18. Therefore, the proposed project site is physically suitable for the type and proposed density of development.

- D. The design of the subdivision or proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Evidence: The City prepared an Initial Study that resulted in the preparation, processing and review of an Environmental Impact Report for Tentative Tract Map No. 36388. The DEIR analyzed the environmental issues required by CEQA related to fish and wildlife, including their respective habitats. The DEIR was circulated to the State of California, Office of Planning and Research (OPR) and made available for the required 45-day public review period in accordance with CEQA laws, which began on November 21, 2012 and concluded on January 7, 2013. Based on comments received from the public review period, a Final EIR (FEIR) was prepared responding to each comment received. Based on the DEIR and FEIR process, it has been determined that the design of the subdivision and proposed improvements will not likely cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat project with implementation of the proposed mitigation measures as outlined in the Mitigation Monitoring and Report Program (MMRP). Therefore, the proposed tract map meets this finding.

- E. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

Evidence: The design of the subdivision is in conformance with the City's General Plan, Zoning Code, Subdivision Ordinance and Farm Specific Plan. The design and construction of all improvements to accommodate the project have been conditioned to in accordance with all applicable City of Wildomar ordinances, codes, and standards including, but not limited to, the California Uniform Building Code, the City's Ordinances relating to stormwater runoff management and adopted public works standards. As the City's ordinances, codes, and standards have been created based on currently accepted standards and practices for the preservation of the public health, safety and welfare, the proposed tract map project meets this finding.

- F. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Evidence: No easements of record or easements established by judgment of a court of competent jurisdiction for public access across the site have been disclosed in a search of the title records for the site and the City does not otherwise have any constructive or actual knowledge of any such easements.

## PUBLIC COMMUNICATION / NOTICING

In accordance with Government Code Sections 65353, 65355 and 65090, the Planning Department, on February 21, 2013, mailed a public hearing notice to all property owners within a 600-foot radius of the Oak Creek Canyon project boundaries notifying them of the March 6, 2013 Planning Commission public hearing for the proposed project, and, on February 24, 2013, published a legal notice in "The Californian", a local newspaper of general circulation, notifying the general public of the March 6, 2013 Planning Commission hearing for the proposed project.

Respectfully Submitted,



---

Matthew C. Bassi  
Planning Director

Reviewed By,



---

Tom Jex  
City Attorney

## ATTACHMENTS

- A. PC Resolution No. 13-05 for Environmental Impact Report
  - Exhibit 1 - Oak Creek Canyon Project DEIR (under separate cover)
  - Exhibit 1-A - Oak Creek Canyon DEIR Appendices (under separate cover)
  - Exhibit 2 - Oak Creek Canyon Project FEIR (under separate cover)
  - Exhibit 3 - Oak Creek Canyon Findings of Fact
  - Exhibit 4 - Oak Creek Canyon Project Mitigation Monitoring Program
- B. PC Resolution No. 13-06 for General Plan Amendment
  - Exhibit 1 - Land Use Map Exhibits
- C. PC Resolution No. 13-07 for Change of Zone
  - Exhibit 1 - Draft Ordinance with change of zone exhibits/legal descriptions
- D. PC Resolution No. 13-08 for Specific Plan Amendment
  - Exhibit 1 - Farm/Oak Creek Canyon SPA Document (under separate cover)
- E. PC Resolution No. 13-09 for Tentative Tract Map No. 36388
  - Exhibit 1 - Conditions of Approval Matrix
- F. Tentative Tract Map No. 36388 – Full Size Plans (under separate cover)
  - Exhibit 1 - Tract Map Reductions
- G. Oak Tree Inventory Exhibit (under separate cover)
- H. Conceptual Landscape Plan (under separate cover)
- I. Colored Landscape Exhibit (under separate cover)
- J. Park Landscape Plan – Colored (under separate cover)

### Documents Incorporated By Reference:

1. City of Wildomar General Plan and Environmental Impact Report
2. Elsinore Valley Municipal Water District Master Plan EIR

# **ATTACHMENT A**

## **PC Resolution No. 13-05 Environmental Impact Report**

**PC RESOLUTION NO. 13-05**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL ADOPTION AND CERTIFICATION OF AN ENVIRONMENTAL IMPACT REPORT (SCH# 2012031064) AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE OAK CREEK CANYON RESIDENTIAL/COMMERCIAL PROJECT CONSISTING OF GENERAL PLAN AMENDMENT NO. 11-0261, CHANGE OF ZONE NO. 11-0261, FARM SPECIFIC PLAN NO. 116-C/W, AMENDMENT NO. 4 (PLANNING APPLICATION NO. 11-0261) AND TENTATIVE TRACT MAP NO. 36388**

**WHEREAS**, the Planning Department has received an application from

Applicant/Owner: Bill Lo, Sunbelt Communities  
Project Location: The Farm Specific Plan Area  
APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015)  
Project Area: 151.23 acres, for a the following development applications:

- 1) General Plan Amendment (GPA) - The applicant is proposing to: 1) amend the General Plan Land Use designation for Phase/Planning Area No. 9 and 18 from Medium Density Residential to Medium High Density Residential to accommodate 84 single family lots with a minimum lot size of 6,000 square feet and 88 single family lots with a minimum lot size of 4,500 square feet, respectively; 2) amend the General Plan land use map from Medium Density Residential (on a portion of APN: 362-080-004) to Commercial Retail for Phase/Planning Area No. 19; and 3) to increase the size of Phase/Planning Area No. 19 from 1.0 acres to 5.0 acres and relocate it to the southwest corner of Bundy Canyon Road and Sunset Avenue.
- 2) Change of Zone (CZ) – A proposal to change the zoning designations for three (3) Farm Specific Plan phase/planning areas as follows:
  - a) Rezone all of the Phase 9 Planning Area from the current specific plan designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone - to allow for single family residential development with a minimum lot size of 6,000 square feet).
  - b) Rezone all of the Phase 18 Planning Area from the current specific plan designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone - to allow for single family residential development with a minimum lot size of 4,500 square feet).

- c) Rezone all of the Phase 19 Planning area from the current specific plan designation of C-P-S (Scenic Highway Commercial) to C-1/C-P (General Commercial).
3. Specific Plan Amendment (SPA) – A proposal for Amendment No. 4 to the Farm Specific Plan No. 116-C/W to create special development standards and design guidelines (including architectural and landscape design guidelines) to accommodate the development of a proposed 275 lot single family residential subdivision project (with private parks/recreational amenities and open space/trails) and an approximate 5.2 acre commercial retail site;
4. Tentative Tract Map No. 36388 – The applicant is proposing the subdivision of approximately 151.23 acres into 275 lots for the development of 275 single family residential dwelling units with private parks/recreational amenities, open space, including an approximate 5.2 acre lot for future commercial/retail development; and

**WHEREAS**, the proposed Oak Creek Canyon Development is considered a “project” as defined by the California Environmental Quality Act, Public Resources Code § 21000 et seq. (“CEQA”); and

**WHEREAS**, the Planning Commission of the City of Wildomar, California, has the authority and has reviewed the proposed Oak Creek Canyon Development project in accordance with the California Government Code, Sections 65358, Section 65453, and 65853 and the City of Wildomar Municipal Code, Title 17; and

**WHEREAS**, the Planning Director determined that there was substantial evidence that the Oak Creek Canyon Development may have one or more significant effects on the environment and that preparation of an Environmental Impact Report (“EIR”) was therefore warranted under Public Resources Code § 21080(d) and § 21082.2(d); and,

**WHEREAS**, the City circulated a Notice of Preparation (NOP) of the Draft EIR from March 5, 2012 through April 6, 2012; and

**WHEREAS**, the City conducted a public scoping meeting concerning the proposed project on March 13, 2012; and

**WHEREAS**, upon completion of the Draft EIR, the City provided Notice of Completion (NOC) to the State Office of Planning and Research on Wednesday, November 19, 2012, as required under CEQA Guidelines § 15085; and

**WHEREAS**, on November 21, 2012, the City published Notice of Availability in “The Californian” (a local newspaper of general circulation), and gave notice to the Riverside County Clerk, and all interested parties requesting said notice regarding the preparation and review of a draft environmental impact report (SCH# 2012031064) for

the proposed project (Planning Application No. 11-0261 / TTM No. 36388), and was posted in three public places for review at 1) Wildomar City Hall, 2) Wildomar Mission Trail Library, 3) The Riverside County Clerk of the Board of Supervisors, and on the City of Wildomar website; and

**WHEREAS**, the Draft EIR was circulated to the public, responsible agencies and other interested parties as required by CEQA Guidelines § 15087 for a period of 45 days commencing on November 19, 2012 and closing on January 7, 2013 in accordance with CEQA Guidelines § 15105(a); and

**WHEREAS**, before the close of the public comment period the City received 11 comments on the Draft EIR; and

**WHEREAS**, the EIR consists of the following documents included as Exhibits to this Resolution: Exhibit 1: Oak Creek Canyon Development, Draft Environmental Impact Report, State Clearinghouse Number 2012031064, November 2012; and Exhibit 2: Oak Creek Canyon Final Environmental Impact Report, February 22, 2013; and Exhibit 3: Oak Creek Canyon Development Environmental Impact Report Findings of Fact; and, Exhibit 4: Oak Creek Canyon Development Mitigation Monitoring and Reporting Program; and

**WHEREAS**, this EIR, as authorized under CEQA Guidelines § 15150, incorporates by reference the City of Wildomar General Plan, Zoning Ordinance, and the Final EIR prepared for the project; and

**WHEREAS**, in accordance with Government Code Sections 65353, 65355 and 65090, the City of Wildomar Planning Department, on February 21, 2013, gave public notice by mailing a public hearing notice to all property owners within a 600-foot radius of the project boundaries notifying said property owners of the date and time of the public hearing for the DEIR and FEIR that would be considered by the City of Wildomar Planning Commission; and

**WHEREAS**, in accordance with Government Code Sections 65353, 65355 and 65090 the City of Wildomar Planning Department, on February 24, 2013, published a legal notice in "The Californian", a local newspaper of general circulation, in compliance with State law notifying the public of the holding of a public hearing for the DEIR and FEIR that would be considered by the City of Wildomar Planning Commission; and

**WHEREAS**, in accordance with Government Code Section 65353, the City of Wildomar Planning Commission conducted the duly noticed public hearing on March 6, 2013, at which time interested persons had an opportunity to testify in support of, or opposition to the proposed the DEIR and FEIR and at which time the Planning Commission received public testimony concerning the DEIR and FEIR

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

**SECTION 1      CEQA FINDINGS.**

The Planning Commission, in light of the whole record before it, including but not limited to, the EIR, all documents incorporated by reference therein, any comments received and responses provided, the Statement of Facts and Findings, provided as Exhibit 3 to this Resolution, the Mitigation Monitoring and Reporting Program provided as Exhibit 4 to this Resolution, and other substantial evidence (within the meaning of Public Resources Code § 21080(e) and § 21082.2) within the record and/or provided at the public hearing, hereby finds and determines that:

1. Preparation of EIR: An Environmental Impact Report was prepared for the Oak Creek Canyon Development and processed in accordance with the California Environmental Quality Act (Public Resources Code § 21000 et seq.), the CEQA Guidelines (14 California Code of Regulations § 15000 et seq.), and the local CEQA Guidelines.
2. Notice: The City has complied with CEQA Guidelines § 15085 and §15087 by providing a Notice of Completion of the Draft EIR to OPR and a Notice of Availability to responsible and trustee agencies and other persons and agencies as required.
3. Review Period: The City has complied with CEQA Guidelines §§ 15087 and 15105 by making the Draft EIR available to the public for review for the required 45-day period of time.
4. Response to Comments: The City has responded to all written comments received during the public review period and included both comments and responses as part of the Final EIR included as Exhibit 2 to this resolution. In response to these comments, the City has made minor revisions to the Draft EIR. These revisions are identified in the Final EIR and do not constitute significant additional information and do not require recirculation of the Draft EIR.
5. Avoidance / Reduction Significant Effects: The EIR identifies potentially significant effects on the environment that could result if the project were adopted without changes or alterations in the project and imposition of mitigation measures. Based thereon, the Planning Commission recommends the City Council further find that:
  - a) Changes, alterations, and mitigation measures have been incorporated into, or imposed as conditions of approval on, the project.
  - b) These changes, alterations, and mitigation measures will avoid the significant environment effects identified in the EIR or lessen their impact below the threshold of significance.

- c) These changes, alterations, and mitigation measures are fully enforceable because they have either resulted in an actual change to the project as proposed or they have been imposed as conditions of approval on the project.
  - d) The City has prepared a Mitigation Monitoring Program included as Exhibit 4 to this resolution to track compliance with these changes, alterations, and mitigation measures identified in the Oak Creek Canyon Development Environmental Impact Report.
6. Environmental Findings and Statement of Overriding Considerations: Approval of the project will not result in significant effects on the environment as all impacts will be mitigated through changes, alterations and mitigation measures to a less than significant level, pursuant to Section 15092 of the CEQA Guidelines; findings thereto are attached as Exhibit 3 to the resolution.
  7. Independent Judgment: The EIR reflects the independent judgment and analysis of the City.

## **SECTION 2. PLANNING COMMISSION ACTION.**

Based on the foregoing findings, and on substantial evidence in the whole of the record, the Planning Commission hereby recommends that the City Council take the following actions:

1. Certify EIR: The Planning Commission recommends that the City Council adopt the Statement of Facts and Findings (Attached hereto as Exhibit 3 of this Resolution) and certify the Final Environmental Impact Report (SCH# 2012031064 for the Oak Creek Canyon Residential/Commercial Development.
2. Approve and Adopt the Mitigation Monitoring and Reporting Program: The Planning Commission recommends that the City Council approve and adopt the Mitigation Monitoring and Reporting Program for the Oak Creek Canyon Development EIR.
3. Notice of Determination: The Planning Commission recommends that, in compliance with Public Resources Code § 21152 and CEQA Guidelines § 15094, the City Council direct the Planning Director to prepare a Notice of Determination concerning certification of the Oak Creek Canyon Development EIR, and within five (5) days of project approval, file the Notice with the Riverside County Clerk for posting.
4. Location: The Planning Commission recommends that the Final Environmental Impact Report No. 2012031064 and all documents incorporated therein and forming the record of decision therefore, be filed with the City Wildomar Planning Department at the Wildomar City Hall, 23873 Clinton Keith Road, Suite #201,

Wildomar, California, 92595 and be made available for public review upon request during the hours of 8 am to 5 pm, Monday – Thursday.

**PASSED, APPROVED AND ADOPTED** this 6th day of March 2013, by the following vote:

AYES.

NOES:

ABSENT:

ABSTAINED:

---

Stan Smith  
Planning Commission Chairman

**ATTEST:**

---

Matthew C. Bassi  
Planning Director/Minutes Secretary

**APPROVED AS TO FORM:**

---

Thomas Jex, City Attorney

**EXHIBIT 1 - OF ATTACHMENT A**  
**(Oak Creek Canyon Draft Environmental Impact Report**  
**Under Separate Cover)**

**EXHIBIT 2 - OF ATTACHMENT A**  
**(Oak Creek Canyon Final Environmental Impact Report**  
**Under Separate Cover)**

**EXHIBIT 3 - OF ATTACHMENT A  
(Oak Creek Canyon EIR Findings of Fact)**

**FINDINGS OF FACT  
(SCH# 2012031064)**

FOR THE

**OAK CREEK CANYON DEVELOPMENT  
SPECIFIC PLAN NO. 116-C/W, AMENDMENT NO. 4  
GENERAL PLAN AMENDMENT, CHANGE OF ZONE  
AND TENTATIVE TRACT MAP NO. 36388  
(PLANNING APPLICATION NO. 11-0261)**

---

PREPARED BY:

CITY OF WILDOMAR  
23873 CLINTON KEITH ROAD, SUITE 201  
WILDOMAR, CA 92595

MARCH 2013

## 1.0 INTRODUCTION

### 1.1 ORGANIZATION OF CEQA FINDINGS OF FACT

The content and format of these Findings of Fact (Findings) are designed to meet the current requirements of the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Final Environmental Impact Report (EIR) for the Oak Creek Canyon Residential Development Project (project; proposed project) identified significant environmental impacts that will result from the implementation of the proposed project. However, the City of Wildomar (City) finds that the inclusion of certain mitigation measures as part of project approval will reduce all significant impacts to a less than significant level. As required by CEQA, the City, in adopting these Findings of Fact, also adopts a Mitigation Monitoring and Reporting Program (MMRP) for the proposed project. The City finds that the MMRP, which is incorporated by reference, meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate the significant effects of the proposed project. In accordance with CEQA and the CEQA Guidelines, the City adopts these Findings of Fact as part of the certification of the Final EIR for the proposed project. Pursuant to Public Resources Code Section 21082.1(c)(3), the City also finds that the Final EIR reflects the City's independent judgment as the lead agency for the proposed project.

The Findings of Fact are organized into the following sections:

**Section 1, Introduction,** outlines the organization of this document and identifies the location and custodian of the record of proceedings.

**Section 2, Environmental Setting and Project Description,** describes the location and characteristics of the site, project overview, project design standards, project objectives and benefits, and required permits and approvals for the project.

**Section 3, CEQA Review and Public Participation,** describes the steps the City has undertaken to comply with the CEQA Guidelines as they relate to public input, review, and participation during the preparation of the EIR.

**Section 4, No Environmental Impacts,** provides a summary of those environmental issue areas where no impacts will occur.

**Section 5, Less Than Significant Environmental Impacts,** provides a summary of insignificant impacts and a finding adopting the EIR's conclusions of insignificance.

**Section 6, Less Than Significant Environmental Impacts With Mitigation Incorporated,** provides a summary of potentially significant environmental effects for which implementation of identified feasible mitigation measures will avoid or substantially reduce the environmental effects to less than significant levels.

**Section 7, Significant and Unavoidable Environmental Impacts,** provides a summary of potentially significant environmental effects for which implementation of feasible mitigation measures will not avoid or substantially reduce the environmental effects to less than significant levels.

**Section 8, Feasibility of Project Alternatives,** provides a summary of the alternatives considered for the proposed project.

**Section 9, Long-Term Implications,** provides a summary of the analysis of any potential long-term implications of the proposed project.

**Section 10, Findings on Changes to the EIR and Recirculation**, provides a brief overview of reasons for changes to the EIR and why it is not necessary to recirculate the EIR.

**Section 11, Findings on Mitigation Monitoring and Reporting Program**, provides a brief discussion of the project's compliance with the CEQA Guidelines regarding the adoption of a plan for monitoring and reporting compliance with mitigation measures.

## 1.2 STATUTORY REQUIREMENTS

The California Environmental Quality Act (Public Resources Code Section 21081 et seq.), and particularly the CEQA Guidelines (the Guidelines) (14 California Code of Regulations, Section 15091 et seq.), require:

- (a) *No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:*
- 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.*
  - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.*
  - 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.*

In short, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to avoid or mitigate significant environmental impacts that will otherwise occur with implementation of the proposed project. Project mitigation or alternatives are not required, however, where they are infeasible or where the responsibility for modifying the proposed project lies with another agency (CEQA Guidelines, Section 15091(a), (b)).

For those significant effects that cannot be mitigated to a less than significant level, the public agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the proposed project outweigh the significant effects on the environment (Public Resource Code Section 21081(b)). The CEQA Guidelines state in Section 15093: "If the specific economic, legal, social, technological, or other benefits...of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

## LOCATION AND CUSTODIAN OF RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings of Fact, the record of proceedings for the proposed project consists of a number of documents and other evidence, including the Notice of Preparation and all other public notices issued by the City in conjunction with the proposed project; the Draft EIR, including all documents included and referenced in the appendices and in references in the Draft EIR; the Final EIR, including all documents included in the appendices and in references in the Final EIR; all written comments and public testimony presented during the public comment period on the Draft EIR; the MMRP; the findings and resolution adopted by the City relative to the certification of the Final EIR; the

findings and resolutions adopted by the City in connection with the proposed project and all documents incorporated by reference therein; all final reports, studies, memoranda, maps, staff reports, City reports, and City information packets relating to the proposed project prepared by or at the direction of the City or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA or with respect to the City's actions on the proposed project; all documents submitted to the City by other public agencies or members of the public in connection with the proposed project; the minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the proposed project; any documentary or other evidence submitted to or by the City at such information sessions, public meetings, and public hearings; and any documents cited in these Findings. The documents and other materials that constitute the record of proceedings are located at 23872 Clinton Keith Road, Suite 201, in Wildomar. The City Planning Department is the custodian of such documents and other materials that constitute the record of proceedings. The record of proceedings is provided in compliance with Public Resources Code Section 21081.6(a)(2) and California Code of Regulations Title 14, Section 15091(e).

### 1.3 CERTIFICATION OF FINAL EIR

Pursuant to CEQA Guidelines Section 15090, the City further finds and certifies that:

- a) The Final EIR has been completed in compliance with CEQA;
- b) The Final EIR has been presented to the Wildomar City Council, which constitutes the decision-making body of the lead agency, and the Council has reviewed and considered the information contained in the Final EIR prior to approving the project; and
- c) The Final EIR reflects the City's independent judgment and analysis.

## 2.0 ENVIRONMENTAL SETTING AND PROJECT DESCRIPTION

### 2.1 ENVIRONMENTAL SETTING

#### Location

The project site is located in the City of Wildomar within Riverside County. Bounded by San Bernardino County to the north, Imperial and San Diego counties to the south, and Orange County to the west, Riverside County is located in the Inland Empire region of Southern California. The City of Wildomar is located in the southwestern portion of Riverside County along Interstate 15 (I-15) southeast of Lake Elsinore. I-15 is a major north-south highway that runs through Southern California. The proposed 137.82-acre project site is located entirely within Wildomar.

### 2.2 PROJECT OVERVIEW

#### Project Entitlements

The following applications are the requested City entitlements:

1. **General Plan Amendment** – A proposal to 1) amend the General Plan Land Use designation for Phase/Planning Area No. 9 and 18 from Medium Density Residential (MDR) to Medium High Density Residential (MHDR) to accommodate 84 single family lots with a minimum lot size of 6,000 square feet and 88 single family lots with a minimum lot size of 4,500 square feet, respectively; and 2) amend the General Plan land use map for Phase/Planning Area No. 19 to increase the size of the phase/planning area from 1.0 acres to 5.0 acres and relocate the phase/planning area to the southwest corner of Bundy Canyon Road and Sunset Avenue.

2. **Specific Plan Amendment No. 116 (Amendment 4) to The Farm Specific Plan** – The Farm Specific Plan (Specific Plan No. 116-C/W), which was originally approved on September 24, 1974, and subsequently amended on July 28, 1981 (Resolution No. 81-269) and on January 29, 2002 (Resolution 2002-27), is a master planned community consisting of approximately 1,520 acres with residential uses assigned to occupy 776.7 acres. The remaining 576.7 acres are dedicated to open space and recreation areas consisting of a clubhouse/swimming pool, private park, and lake. Additionally, there were 37.7 acres set aside for school uses, 4.1 acres for a sewage treatment plant, 21.6 acres for commercial use, and 10.3 acres for street purposes. The proposed modification to the Specific Plan (Amendment No. 4) seeks to change the approved land uses for the planning areas identified as Phases 9, 17A, 18, and 19. These changes include the conversion of 1.1 acres from commercial use to residential/open space use, establishment of lot sizes for each residential unit of the subdivision, and creation of a 5.21-acre commercial site.
3. **Zone Change** – The proposed project site is currently zoned R-1 (One-Family Dwelling – Phase 9, 17A, and 18) and C-P-S (Scenic Highway Commercial). The proposal to change the zoning designations for three Farm Specific Plan phasing/planning areas is as follows:
  - a) Rezone all of the Phase 9 Planning Area from the current specific plan designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone) to allow for single-family residential development with a minimum lot size of 6,000 square feet.
  - b) Rezone all of the Phase 18 Planning Area from the current specific plan designation of R-1 (One-Family Dwelling) and C-P-S (Scenic Highway Commercial) to R-4 (Planned Residential Zone) to allow for single-family residential development with a minimum lot size of 4,500 square feet.
  - c) Rezone all of the Phase 19 Planning Area from the current specific plan designation of C-P-S (Scenic Highway Commercial) to C-1/C-P (General Commercial). The applicant is also proposing to increase the size of Phase 19 from 1.1 acres to approximately 5.0 acres and relocate it from its current location to the southwest corner of Sunset Avenue and Bundy Canyon Road.
4. **Approval of Tentative Tract Map No. 36388** – Tentative Tract Map (TTM) 36388 includes the subdivision of the 151.23-acre proposed project site into 275 single-family lots and 17 total open space lots. The 275 single-family lots will have a lot size ranging from a minimum of 4,500 square feet to 7,200 square feet. The overall unit density of the proposed project area will be 1.8 units per acre, with a developable density of 3.5 units per acre. As proposed, the map divides the property into five development units, with units 1–4 providing for residential uses and unit 5 allowing for commercial development.
5. **Grading Permit** – A grading permit will be needed to prepare the property for development consistent with the approved tentative map. As noted on the tentative map, the proposed project estimates approximately 700,000 cubic yards of cut and fill, but does not anticipate the need for import or export of fill material.
6. **Building Permit** – Building permits will be needed to allow construction.
7. **Encroachment Permit** – Encroachment permits will be needed for any construction that must occur on public property or within publicly held easements.

## PHASING OF CONSTRUCTION

Development of the proposed project will occur in at least five development units. While the development units are numbered 1 through 5, there is no requirement for them to be developed consecutively or in phases and the entire project could be developed as a single unit. The first phase of construction will focus on Bundy Canyon Road and the extension of utilities (water, sewer, power, etc.) necessary to

provide for the entire development. Grading of one or more of the units will likely occur concurrently with or immediately after construction of Bundy Canyon Road. The two 500,000-gallon water tanks and 20-foot-wide access road leading from Scott Road will also be constructed as part of the first phase of construction activity.

## **Grading**

Grading will occur in each development unit to accommodate the roadways, utilities, trails, proposed homes, and other improvements. The most substantial change will be grading to accommodate a realignment of Bundy Canyon Road. The realigned roadway will move south from the current alignment and eliminate a curve that occurs in the approximate middle of the property. Grading will also occur to create the roadways, open space, drainage basins, and buildable parcels for each unit. Proposed slopes will be 2:1 or less, and approximately 700,000 cubic yards of material will be moved during the grading process. The maps and application materials indicate that all of the material will remain within the project boundaries and that no import or export of soil is anticipated.

## **Residential Units**

The full buildout of the project proposes to construct 275 single-family residential units. The proposed residential units will be located on residential lots that will feature a minimum size of 4,500 square feet and an average size of 6,730 square feet. Development units 1, 3, and 4 are located south of Bundy Canyon Road, and development unit 2 is located north of Bundy Canyon Road.

## **Private Park Sites and Open Space**

The project also includes the development of three private parks and the creation of approximately 76 acres of open space. Development units 1, 2, and 4 include parks. Units 2, 3, and 4 also include trails leading from the housing units to the park and to development unit 5. While no specific park design is proposed, the intended improvements include swings, slides, a climbing apparatus, benches, sidewalks, a dog park, and similar amenities suitable for small children and families. The parks are small and designed to serve the neighborhood and do not have ball fields or other amenities designed to encourage community or regional use. In addition to the three park sites, the approximate 76 acres of open space will feature trails for recreational use. The precise location of the trails in the open space area has not yet been determined.

## **Commercial/Retail Development**

The project has set aside approximately 5.2 acres, shown as development unit 5, for a future commercial/retail development. The intent of this commercial area as described in the specific plan amendment text is to establish a neighborhood-serving retail center for local residents living within and around The Farm community. Site planning and architectural design guidelines have been included in the specific plan amendment that will ensure future development of this site will be compatible with The Farm community and the surrounding area.

### **2.3 REQUIRED PERMITS AND APPROVALS**

As required by the CEQA Guidelines, this section provides, to the extent the information is known to the City, a list of the agencies that are expected to use the EIR in their decision-making and a list of permits and other approvals required to implement the proposed project.

#### **Lead Agency Approval**

The Final EIR must be certified by the City as to its adequacy in complying with the requirements of CEQA before the City takes any action on the proposed project. The City will consider the information

contained in the EIR in making a decision to approve or deny the proposed project. The analysis in the EIR is intended to provide environmental review for the whole of the proposed project in accordance with CEQA requirements.

### **Other Required Permits and Approvals**

A public agency other than the lead agency that has discretionary approval power over a project is known as a responsible agency, as defined by the CEQA Guidelines. The responsible agencies and their corresponding approvals for this proposed project include:

- *US Army Corps of Engineers (USACE)*: A disturbance to jurisdictional waters of the United States, such as through grading or filling, could potentially trigger the need for a Section 404 permit from the USACE.
  - *California Department of Fish and Wildlife (CDFW)*: A 1603 Streambed Alteration Agreement may be required.
  - *State Water Resources Control Board*: A Notice of Intent will be filed to obtain coverage under the General Construction Activity Storm Water Permit prior to project construction.
  - *Regional Water Quality Control Board (RWQCB)*: Section 401 Water Quality Certification may be required as well as permitting associated with potential recycled water for irrigation use.
  - *City of Menifee*: Encroachment permit and coordination for improvements on the east side of Sunset Avenue.
- Please note that the change in agency name from the California Department of Fish and Game to the California Department of Fish and Wildlife took effect on January 1, 2013. For purposes of this document, the agency names and abbreviations are considered interchangeable.

## **3.0 CEQA REVIEW AND PUBLIC PARTICIPATION**

The City has complied with the CEQA Guidelines during the preparation of the Draft EIR for the proposed project. The Draft EIR, dated November 2012, was prepared following input from the public, responsible agencies, and affected agencies through the Draft EIR scoping process. The “scoping” of the EIR was conducted using several of the tools available under CEQA. In accordance with Section 15082 of the CEQA Guidelines, a Notice of Preparation (NOP) was prepared and distributed to the State Clearinghouse, responsible agencies, affected agencies, and other interested parties on March 5, 2012. The NOP was posted in the Riverside County Clerk’s office for 30 days. Information requested and input provided during the 30-day NOP comment period regarding the scope of the environmental document are included in the EIR. The public review period for the NOP was from March 5, 2012, to April 6, 2012, and the public review period for the NOA/Draft EIR was from November 21, 2012, to January 4, 2013.

### **3.1 NOTICE OF PREPARATION**

Per CEQA Guidelines Section 15082, a NOP was prepared. Public outreach for the NOP included distribution using the methods described below.

#### **Overnight and Certified Mail**

The NOP was sent to 12 local agencies and the Office of Planning and Research, State Clearinghouse for distribution to three state agencies. During the public scoping/comment period, the NOP was made available for review at the following locations:

- Wildomar City Hall, 23873 Clinton Keith Road, Suite 201, Wildomar
- Mission Trail Library, 34303 Mission Trail, Wildomar

### **Online**

The NOP was available online at <http://www.cityofwildomar.org/environmental-documents.asp>.

## **3.2 NOTICE OF AVAILABILITY AND DRAFT ENVIRONMENTAL IMPACT REPORT**

Upon completion of the Draft EIR, and in accordance with CEQA Guidelines Section 15087(a), the Notice of Availability (NOA) was prepared and published. Public outreach for the Draft EIR included distribution of the NOA using the following methods:

### **Newspaper Publications**

The City published the NOA in the legal announcement section of *The Californian* on November 21, 2012.

### **Overnight and Certified Mail**

The NOA and Draft EIR were sent to 23 interested agencies/organizations and the Office of Planning and Research, State Clearinghouse for distribution to three state agencies. During the public review period, the EIR was made available for review at the following locations:

- Wildomar City Hall, 23873 Clinton Keith Road, Suite 201, Wildomar
- Mission Trail Library, 34303 Mission Trail, Wildomar

### **Online**

The NOA and Draft EIR were available online at <http://www.cityofwildomar.org/environmental-documents.asp>.

## **4.0 NO ENVIRONMENTAL IMPACTS**

Based on the Draft EIR, the Final EIR, and the record of proceedings, the City of Wildomar finds that the proposed project will have no environmental impacts for specific topic areas identified below. Page numbers in parentheses refer to the Draft EIR unless otherwise noted.

- Agricultural Resources (all criteria, p. ES-4)
- Cultural Resources (impacts to historical resources, pp. 3.9-16 through -18)
- Hazards and Hazardous Materials (all criteria, p. ES-4)
- Land Use and Planning (physically divide an established community, p. 3.1-6; conflict with applicable habitat conservation plan or natural community conservation plan; p. 3.1-7; cumulative impacts to land use, p. 4.0-2)
- Mineral Resources (all criteria, p. ES-4)

#### 4.1 AGRICULTURAL RESOURCES

The proposed project site does not contain, and is not adjacent to, Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or any land subject to a Williamson Act contract.

- **Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will not result in impacts to agricultural resources.

#### 4.2 CULTURAL RESOURCES

##### **Impacts to Historical Structures** (pp. 3.9-16 through -18)

Implementation of the proposed project would not cause a substantial adverse change in the significance of a known historical resource. The Phase I Cultural Resources Assessment performed for the proposed project identified a number of structures located within the boundaries of the proposed project area, including three lift/pump stations, and an asphalt parking lot and foundation for the old visitor center for The Farm. The identified structures fail to meet the criteria for being considered historical resources.

- **Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will not result in impacts related to historical structures.

#### 4.3 HAZARDS AND HAZARDOUS MATERIALS

The proposed project will not impact a designated evacuation plan or produce hazardous materials or emissions. The proposed project site is not included on any list of hazardous materials sites, and it is located approximately 4 miles from the nearest airport, Skylark Field.

- **Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will not result in impacts related to hazards or hazardous materials.

#### 4.4 LAND USE AND PLANNING

##### **Physically Divide an Established Community** (p. 3.1-6)

The proposed project will be located on various vacant parcels in the northeastern portion of the city. While Interstate 15 currently divides the city from west to east, the proposed project site does not physically divide the city or any of its neighborhood areas. The proposed project will complement the existing development that occurs to the north, east, and south of the project site and provide a new neighborhood commercial center to this portion of the city in the future.

##### **Conflict with Applicable Habitat Conservation Plan or Natural Community Conservation Plan** (p. 3.1-7)

The proposed project will occur within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Only 0.26 acre of the 152-acre site is within a criteria cell, and this inclusion has been determined to be insignificant by the Resource Conservation Authority and does not warrant a Joint Project Review or any conservation (see Comment Letter C in the Final EIR). All of the special-status species associated with the project site are covered by the MSHCP, with mitigation through payment of MSHCP fees.

The proposed project will affect 0.82 acre of riparian habitat for which impacts must be mitigated. Payment of the MSHCP fees does not mitigate impacts to riparian and riverine habitat. See Section 6.6 of these findings.

No impact will occur relative to conflicts between the proposed project and the MSHCP. Upon city incorporation, the City of Wildomar agreed to implement the MSHCP. Implementation of the MSHCP as part of the project development review process fully mitigates for impacts to these covered species.

### **Cumulative Impacts to Land Use (p. 4.0-2)**

The City of Wildomar General Plan and The Farm Specific Plan will be affected by the proposed project. While the proposed project would increase the number of anticipated housing units by 29 (275 proposed versus 246 existing), the large amount of open space and the overall density of the project (2.7 units per acre) make it similar to the existing 2.6 units per acre in The Farm Specific Plan. The amenities included with the proposed project, such as parks, trails, storm drainage basins, and open space, are consistent with other development in the vicinity and with the intent of The Farm Specific Plan. The project would have the cumulative effect of reinforcing and supporting adopted residential land uses planned for the area since 1974. The proposed project also has the effect of enhancing the development of the surrounding community by providing better access to these related projects and existing developments and reducing congestion and traffic in the community.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in no significant impacts related to land use (physically divide an established community; conflict with applicable habitat conservation plan or natural community conservation plan; cumulative impacts to land use).

## **4.5 MINERAL RESOURCES**

The proposed project site is located within Mineral Zone MRZ-3, indicating that there is no current determination regarding the significance of mineral resources present.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will not result in impacts related to mineral resources.

## **5.0 LESS THAN SIGNIFICANT ENVIRONMENTAL IMPACTS**

Based on the Draft EIR, the Final EIR, and the record of proceedings, the City of Wildomar finds that the proposed project will result in less than significant environmental impacts without any mitigation measures for all of the specific topic areas identified below. Page numbers in parentheses refer to the Draft EIR unless otherwise noted.

Land Use (conflict with general plan, zoning code, or specific plan; p. 3.1-6)

Population/Housing/Employment (all criteria; pp. 3.2-7 through -8 and 4.0-2 through -3)

Traffic and Circulation (transit system, p. 3.3-59; roadway or traffic hazards, p. 3.3-59)

Air Quality (regional air quality management planning, pp. 3.4-15 through -17; air quality standard or air quality violation: short-term construction emissions, pp. 3.4-20 through -22; air quality standard or air quality violation: long-term operational emissions, pp. 3.4-23 through -26; substantial carbon monoxide pollutant concentrations, pp. 3.4-26 through -27; toxic air contaminants, pp. 3.4-

27 through -28; exposure of sensitive receptors to odorous emissions; contribution to nonattainment criteria pollutants, pp. 3.4-29 through -30 and 4.0-5)

Noise (exposure to excessive groundborne vibration or noise, pp. 3.5-29 and 4.0-5; contribution to cumulative noise levels, pp. 3.5-32 and 4.0-5 through -6)

Geology and Soils (impacts associated with fault rupture and strong seismic ground shaking, p. 3.6-10; exposure to seismic-related ground failure, including liquefaction and unstable soils, p. 3.6-10; cumulative soil stability and seismic impacts, pp. 3.6-12 through -13 and 4.0-6))

Hydrology and Water Quality (interference with groundwater recharge impacts, 3.7-23; alter drainage patterns/increase stormwater runoff, pp. 3.7-24 through -27; flooding hazards, p. 3.7-27; cumulative impacts to hydrology and water quality, pp. 3.7-27 through -28 and 4.0-6 through -7)

Biological Resources (impacts to endangered, threatened, and other listed species, p. 3.8-24; impacts to the movement of native resident or migratory fish or wildlife species or within established migratory corridor, pp. 3.8-29 through -30; conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, p. 3.8-30; cumulative impacts to biological resources, pp. 3.8-32 and 4.0-7)

Cultural Resources (cumulative impacts to cultural and paleontological resources, pp. 3.9-23 and 4.0-7 through -8)

Public Services and Utilities (all criteria)

Aesthetics and Visual Resources (substantial damage to scenic resources, p. 3.11-5; substantially degrade the existing visual character of the area, pp. 3.11-5 through -6; create a new source of substantial light or glare, pp. 3.11-6 through -7)

Energy Use and Greenhouse Gases (all criteria)

## 5.1 LAND USE

### **Conflict with General Plan, Zoning Code, or Specific Plan** (p. 3.1-6)

The proposed project will occur in an area that is currently vacant and surrounded by separate single-family communities. The proposed project will not physically divide an established community. The proposed project results in single-family homes on individual lots similar to the surrounding Farm Specific Plan area development, the lot sizes are similar to those approved for the original Specific Plan in 1974, and the net density per acre increases by 0.10 unit per acre. The proposed project is considered consistent with the Wildomar General Plan and Zoning Ordinance and The Farm Specific Plan.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in less than significant impacts related to land use (conflict with general plan, zoning code, or specific plan).

## 5.2 POPULATION/HOUSING/EMPLOYMENT

### **All Criteria** (p. pp. 3.2-7 through -8 and 4.0-2 through -3)

Buildout of the proposed project would result in population growth and the generation of employment. The proposed project represents an 11.7 percent increase in population that The Farm Specific Plan assumed and a 0.29 percent increase in the city's overall population. While the proposed commercial property

could be developed with uses that would encourage employees to relocate to Wildomar, the size and location of the commercial land suggests that the uses will be small retail and service uses serving the local population. As a smaller retail use, it is likely that employees will come from the local area and will not need to relocate. The California Economic Development Department reported a 12 percent unemployment rate in the City of Wildomar, which suggests there is an ample labor pool for retail and service uses within the proposed project.

### **Cumulative Population Growth (pp. 4.0-2 through -3)**

Cumulative development in the vicinity of the project would increase the population and number of housing units in Wildomar and Riverside County. However, development at the proposed project site is consistent with the land use designations and growth assumed in the Land Use Element of the General Plan. The cumulative environmental and growth inducement effects are evaluated in the technical sections of the Draft EIR.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in less than significant and less than cumulatively significant impacts related to population, housing, and employment.

## **5.3 TRAFFIC AND CIRCULATION**

### **Transit System (p. 3.3-59)**

Implementation of the proposed project will not conflict with adopted policies, plans, or programs supporting alternative transportation. The proposed Bundy Canyon Road improvements will include area within the right-of-way for future transit stops should the Riverside Transit Authority (RTA) expand the route system at the intersection of Harvest Way and L Street. As shown on Figures 2.0-4d and 2.0-4e of the Draft EIR, an area for a future RTA stop is provided within the right-of-way on Bundy Canyon Road. The City of Wildomar has neither a developed bicycle trail system nor a plan for a bicycle system. Although the proposed project has open space and is likely to include trails, these will be recreation oriented and will connect to other trail systems. The City adopted the Multi-Use Trail System Adopt a Trail Map that shows the Sunset Avenue Regional Trail N-S-14 along the west right-of-way of Sunset Avenue. The Sunset Avenue Trail follows Sunset Avenue roadway to the south, eventually connecting to the Hampton-Hirst (HT-E-50) and Keller Road Regional Trail (W-E-20). The proposed project incorporates the 14-foot Sunset Trail easement as part of right-of-way improvements on Sunset Avenue as shown in Figure 2.0-4b and will be constructed as part of the proposed project. The Bundy Canyon Road improvements will be designed to accommodate bicycle traffic, which will ensure eventual connectivity to other roadways in the community.

### **Roadway or Traffic Hazards (p. 3.3-59)**

Implementation of the proposed project will not result in increased hazards due to a design feature or incompatible uses. The proposed project will complete a portion of the Bundy Canyon Road realignment that is a capital improvement of the Riverside County Transportation Department. Within the proposed project, a portion of the planned Bundy Canyon Road/Scott Road improvements that have been envisioned by Riverside County will be constructed. The proposed project includes other roadways designed for access to homes and commercial and recreation areas. These roadways will be designed consistent with Chapter 16, Subdivisions, of the Wildomar Municipal Code. Section 16.08.020, General Street Design, establishes road standards, including length of cul-de-sacs, width of pavement, intersection alignment, etc. The City Engineer, Planning and Public Works Department, will review final subdivision improvement plans for consistency with City development standards. No exceptions to the City's development standards have been requested.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in less than significant impacts related to traffic and circulation (transit system; roadway or traffic hazards).

## 5.4 AIR QUALITY

### **Regional Air Quality Management Planning** (pp. 3.4-15 through -17)

Land use activities associated with the proposed project will not conflict with or obstruct implementation of regional air quality management planning. The South Coast Air Quality Management District (SCAQMD) adopted the *Draft Final 2007 Air Quality Management Plan* (AQMP) in 2007. Consistency with the AQMP is determined through two criteria, as follows: The proposed project will not result in an increase in the frequency or severity of existing air quality violations, or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. The proposed project will also not exceed the assumptions in the AQMP in 2011 or increments based on the years of project buildout phase.

### **Air Quality Standard or Air Quality Violation: Short-Term Construction Emissions** (pp. 3.4-20 through -22)

Construction-generated emissions will not contribute substantially to an existing or projected air quality violation. Emissions resulting from project construction will not exceed any applicable thresholds. Additionally, it is anticipated that the site will balance, and no import or export of soil will be required.

### **Air Quality Standard or Air Quality Violation: Long-Term Operational Emissions** (pp. 3.4-23 through -26)

Subsequent land use activities associated with implementation of the proposed project will not result in long-term operational emissions that could violate or substantially contribute to a violation of federal and state standards for ozone and coarse and fine particulate matter. Emissions resulting from project operations will not exceed the SCAQMD regional criteria pollutant thresholds for operational activity.

### **Substantial Carbon Monoxide Pollutant Concentrations** (pp. 3.4-26 through -27)

The proposed project will not contribute to localized concentrations of carbon monoxide (CO) that would exceed applicable ambient air quality standards. At buildout of the proposed project, none of the intersections in the vicinity of the proposed project site would have peak hourly traffic volumes exceeding those at the intersections modeled in the 2003 AQMP, nor would there be any reason unique to project area meteorology, such as air-confining structures like a tunnel or overhead freeway, to conclude that this intersection would yield higher CO concentrations if modeled in detail. As a result, the South Coast Air Basin has been designated as attainment for CO since 2007, and even very busy intersections do not result in exceedances of the carbon monoxide standard.

### **Toxic Air Contaminants** (pp. 3.4-27 through -28)

The proposed project would not result in exposure of sensitive receptors to substantial toxic emissions. The proposed project would not exceed SCAQMD localized significance thresholds. The project site is over 2.5 miles (13,241 feet) east of Interstate 15. Therefore, the site lies beyond the CARB-recommended buffer area and future receptors would not be negatively affected by toxic air contaminants generated on Interstate 15. In addition, while the project site is located adjacent to Bundy Canyon Road, this facility is not considered a major roadway as it does not accommodate more than 100,000 daily trips on average. There are no other potential sources of air toxics in the vicinity of the project.

### **Exposure of Sensitive Receptors to Odorous Emissions** (pp. 3.4-28 through -29)

Development of the proposed project will not result in exposure of sensitive receptors to substantial odorous emissions. The project does not contain land uses typically associated with emissions of objectionable odors. Standard construction requirements would minimize odor impacts resulting from construction activity. The City has received no complaints of odors from the nearby wastewater treatment facility or spray field from the existing residents of The Farm community, and the proposed project will not affect current operations of the facility. There is no reason to anticipate that the wastewater treatment facility will create odors or otherwise impact the proposed project.

### **Contribution to Nonattainment Criteria Pollutants** (pp. 3.4-29 through -30 and 4.0-5)

Construction of the proposed project, in combination with existing, approved, proposed, and reasonably foreseeable development in the South Coast Air Basin, will not significantly contribute to cumulative increases in emissions of criteria air pollutants that could contribute to future concentrations of pollutants for which the region is currently designated nonattainment. Since the proposed project is in conformance with the Air Quality Management Plan, it is appropriate to conclude that the project's incremental contribution to criteria pollutant emissions is not cumulatively considerable.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in less than significant cumulative impacts related to air quality (regional air quality management planning; air quality standard or air quality violation: short-term construction emissions; air quality standard or air quality violation: long-term operational emissions; substantial carbon monoxide pollutant concentrations; toxic air contaminants; exposure of sensitive receptors to odorous emissions; contribution to nonattainment criteria pollutants).

## 5.5 NOISE

### **Exposure to Excessive Groundborne Vibration or Noise** (pp. 3.5-29 and 4.0-5)

The implementation of proposed project may expose persons to or generate minimal, short-duration groundborne vibration or groundborne noise levels. As there are no structures on site, and no structures within 25 feet of any area being developed as part of the proposed project, the actual ground vibration will be less than the acceptable standard.

### **Contribution to Cumulative Noise Levels** (pp. 3.5-32 and 4.0-5 through -6)

Implementation of the proposed project would result in predicted increases of 0.0 to 1.0 dB in 2035, and such low levels of increase are considered barely perceptible. The proposed project would not result in a substantial increase in traffic noise levels along primarily affected area roadways.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in less than significant impacts related to noise (exposure to excessive groundborne vibration or noise; contribution to cumulative noise levels).

## 5.6 GEOLOGY AND SOILS

### **Impacts Associated with Fault Rupture and Strong Seismic Ground Shaking** (p. 3.6-10)

The potential for the project site to be exposed to hazards associated with fault rupture or strong seismic ground shaking is considered unlikely. There are no known active faults in the vicinity of the project site nor are there any Alquist-Priolo Special Earthquake Study Zones on or near the site. As no known faults exist at the project site, the potential for ground rupture from a fault and associated strong seismic ground shaking is considered to be low. Furthermore, the proposed project would be designed in accordance with California Building Code requirements that address structural seismic safety.

### **Exposure to Seismic-Related Ground Failure, Including Liquefaction and Unstable Soils** (p. 3.6-10)

The project site does not include soils which may be subject to seismic-related ground failure, including liquefaction and landslide. Studies indicate that saturated, loose to medium dense, near surface cohesionless soils exhibit the highest liquefaction potential, while dry, dense, cohesionless soils and cohesive soils exhibit low to negligible liquefaction potential. A review of geologic literature and geologic mapping did not include the presence of landslides on or adjacent to the site. The proposed project is underlain by very hard gabbroic bedrock, which is generally not susceptible to landslides.

### **Cumulative Soil Stability and Seismic Impacts** (pp. 3.6-12 through -13 and 4.0-6)

The proposed project will either ensure that grading at the periphery is a match to existing topography to avoid subsidence or erosion, or provide appropriate engineered retaining walls at the project boundary. With compliance with existing codes and standards, including the California Building Code and implementation of the mitigation measure associated with Impact 3.6.3, the proposed project's contribution to cumulative impacts related to the area's geology would be less than cumulatively considerable.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in less than significant impacts related to geology and soils (impacts associated with fault rupture and strong seismic ground shaking; exposure to seismic-related ground failure, including liquefaction and unstable soils; cumulative soil stability and seismic impacts).

## 5.7 HYDROLOGY AND WATER QUALITY

### **Interference with Groundwater Recharge Impacts** (p. 3.7-23)

The proposed project would introduce impervious surfaces in the form of structures and parking lots to a previously undeveloped piece of land. This would result in an incremental reduction in recharge of the local groundwater aquifer. The 5.21-acre commercial site represents approximately 3 percent of the total site area, and even if fully covered with impervious surface, would not result in significant coverage of the project area. The open space areas will remain undeveloped, although some small percentage may be covered by trails.

### **Alter Drainage Patterns/Increase Stormwater Runoff** (pp. 3.7-24 through -27)

Development of the proposed project will alter the existing drainage pattern of the site and may impact stormwater runoff rates and volumes compared to existing conditions. The project does not increase the flow rate for the post-project conditions and in fact reduces it in most cases. The proposed storm drain system would mitigate flows for increased runoff, and the off-site flows will be conveyed through the

subsurface storm drain without adversely impacting the project site. Therefore, the project would not result in downstream erosion and/or flooding impacts as a result of increased flow rates, and volumes leading to Lake Elsinore will not be reduced.

### **Flooding Hazards (p. 3.7-27)**

The project site is not within the 100-year floodplain or in an area designated by the Federal Emergency Management Agency (FEMA) as a special flood hazard area. In addition, the project includes a storm drain system that will provide flood protection to the project site for 100-year storm events. Therefore, the project would not place development within the 100-year floodplain and would not expose people or structures to significant risk of flooding.

### **Cumulative Impacts to Hydrology/Water Quality (pp. 3.7-27 through -28 & 4.0-6 through -7)**

The proposed project, when considered in combination with existing, approved, proposed, and reasonably foreseeable development in the Santa Margarita and Santa Ana watersheds, would alter cumulative drainage conditions, rates, volumes, and water quality, which could result in potential flooding and stormwater quality impacts within the overall watersheds. However, the proposed project's storm drain system and implementation of a Water Quality Management Plan would reduce the project's contributions to cumulative runoff, water quality, and flooding impacts.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in less than significant impacts related to hydrology and water quality (flooding hazards; alter drainage patterns/increase stormwater runoff; interference with groundwater recharge impacts; cumulative impacts to hydrology and water quality).

## **5.8 BIOLOGICAL RESOURCES**

### **Impacts to Endangered, Threatened, or Other Listed Species (p. 3.8-24)**

Implementation of the proposed project will not result in impacts to endangered, threatened, and other listed species. All of the special-status species associated with the project site are covered by the Western Riverside County MSHCP. Upon city incorporation, the City of Wildomar agreed to implement the MSHCP.

### **Impacts to the Movement of Native Resident or Migratory Fish or Wildlife Species or Within Established Migratory Corridor (pp. 3.8-29 through -30)**

Implementation of the proposed project could interfere substantially with the movement of native resident or migratory fish or wildlife species. As proposed, the project would avoid both Cottonwood Canyon Creek and its associated riparian area. The creek is currently crossed by Bundy Canyon Road, and the proposed project will widen Bundy Canyon Road consistent with Riverside County Transportation Commission plans for the thoroughfare. Widening the existing road crossing will affect the creek as well as the riparian area. (See Section 6.6 of these findings.)

### **Conflict with Any Local Policies or Ordinances Protecting Biological Resources, Such as a Tree Preservation Policy or Ordinance (p. 3.8-30)**

Implementation of the proposed project may result in a conflict with a local policy or ordinance protecting biological resources. There are native trees growing on the site. Upon city incorporation, the City of Wildomar adopted County Ordinance 559, as amended, regulating the removal of trees. The ordinance regulates tree removal above the 5,000-foot elevation. The project site is below the 2,000-foot elevation;

therefore, a permit will not be required. Most of the trees on the project site are associated with riparian areas. (See Section 6.6 of these findings for mitigation on the removal of oak trees.)

### **Cumulative Impacts to Biological Resources** (pp. 3.8-32 and 4.0-7)

Though the development of the proposed project will continue the urbanization of the area that began long before incorporation of the city, mitigation measures associated with Impact 3.8.8 (see Section 6.6 of these findings) will reduce the project's contribution to cumulative biological impacts.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in less than significant impacts related to biological resources (impacts to endangered, threatened, and other listed species; impacts to the movement of native resident or migratory fish or wildlife species or within an established migratory corridor; conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; cumulative impacts to biological resources).

## 5.9 CULTURAL AND PALEONTOLOGICAL RESOURCES

### **Cumulative Impacts to Cultural and Paleontological Resources** (pp. 3.9-23 and 4.0-7 through -8)

While it is possible that grading and development will result in the accidental discovery of paleontological and cultural resources, mitigation measures associated with Impacts 3.9.2, 3.9.3, and 3.9.4 (see Section 6.7 of these findings) and state and federal laws already in place will set in motion actions designed to mitigate these potential impacts. The proposed project is adjacent to existing development that has disturbed the soil and likely already affected any cultural or paleontological resources.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in less than significant impacts related to cultural and paleontological resources (cumulative impacts to cultural and paleontological resources).

## 5.10 PUBLIC SERVICES AND UTILITIES

### **Increased Demand for Fire Protection and Emergency Medical Services** (p. 3.10-5)

Implementation of the proposed project will not result in the need for additional fire protection and emergency services in order to maintain acceptable service levels. However, the proposed project may result in a slight increase in demand for fire protection and emergency medical services. Wildomar General Plan Policy S-5.1 directs the City to develop and enforce construction and design standards that ensure that proposed development incorporates fire prevention features through specified minimum standards and the inclusion of certain safety features.

### **Significant Risk of Loss Due to Wildland Fire** (pp. 3.10-5 through -6)

While the proposed project is located within an area that is identified as being exposed to a very high risk of wildfire, it is more specifically located in an area that is developed and well served by fire prevention services.

### **Adequate Fire Flow** (pp. 3.10-6 through -7)

While the proposed project will result in an additional need for water supply, this additional need will not require the creation of additional water supply infrastructure. Implementation of the proposed project may result in additional need for water supply and infrastructure to provide adequate fire flows for fire protection. The provision of these facilities could cause environmental impacts.

### **Increased Demand for Law Enforcement Services** (p. 3.10-9)

Implementation of the proposed project will not result in a significant increased demand for law enforcement services and will not result in the need for new or physically altered law enforcement facilities, the construction of which could cause significant environmental impacts. Upon completion, the proposed project will represent an approximate 2.7 percent increase in the population of Wildomar and an approximate 2.5 percent increase in the number of homes in the city. This incremental increase in the city's population and in the number of homes within the city will not warrant the construction of any new facilities for the Riverside County Sheriff's Department (RCSD). Because development associated with the proposed project is in an already developed area, the RCSD will not be required to expand its service area to accommodate the proposed project upon completion.

### **Increased Demand for School Facilities** (p. 3.10-13)

The proposed project will not result in significant increased enrollment in the local school district ultimately resulting in the need for construction of additional school facilities. The proposed project will represent an increase in Lake Elsinore Unified School District (LEUSD) enrollment of less than 1 percent, which would not be sufficient growth to warrant the construction of new facilities. The fees enacted within the LEUSD of \$3.10 per square foot of residential development and \$0.47 per square foot of commercial development will be collected for the proposed project and will act to fully mitigate any impact the proposed project will have on the LEUSD's facilities.

### **Water Supply Demand and Environmental Effects** (pp. 3.10-16 through -17)

Implementation of the proposed project will slightly increase demand for water supply, which could result in significant effects on the physical environment. However, adequate water supply sources exist, and the proposed project's and the Elsinore Valley Municipal Water District's (EVMWD) water conservation provisions would ensure adequate water service. With estimated water consumption at 248.7 acre-feet annually, the proposed project will represent an increase in water consumption by the EVMWD of 1.08 percent in years of low water consumption, 0.78 percent in years of high water consumption, and a 0.94 percent increase over the historic average water consumption of EVMWD's customers.

The proposed project will connect to The Farm Mutual Water Company water system, which will deliver the EVMWD water to the proposed project. The proposed project will extend the existing 10-inch water line in Bundy Canyon Road from Harvest Way West to Harvest Way East. A 16-inch water line will extend from the water storage tanks to the proposed commercial area to the east end of lot 313, as shown on Figure 2.0-4e. The 16-inch water line is needed for the 3,000 gallon per minute fire flow required for commercial development. In the residential areas of the proposed project, 8- or 12-inch water lines may be used, as residential development has a lower fire flow requirement per the California Fire Code. A water booster pump connected to the 10-inch water line in Bundy Canyon Road will be used to pump water from the existing 10-inch line into the two new 500,000-gallon water storage tanks.

Final water line sizing is dependent on a number of factors, including length of street, number of hydrants, anticipated water pressure, and fire flow requirements. The exact size of the water line is determined during preparation of subdivision improvement plans for construction of the facility and is reviewed and approved by The Farm as part of their review of the construction documents.

With the exception of the new water storage tanks, all of the water system improvements will be underground and within road rights-of-way or within utility easements shown on the proposed subdivision map (see Figures 2.0-4a through 2.0-4e). The water system will be looped within the proposed project, enabling portions of the system to be turned off as needed for maintenance.

From a construction standpoint, the physical difference in water pipe size between 8-, 10-, or 12-inch water line does not affect the width or depth of the trench and therefore the environmental impacts of construction are identical. The project roadways will be graded as part of the overall grading plan (see Figures 2.0-4c through 2.0-4e). Construction impacts associated with the installation of water system improvements are addressed through application of mitigation measures MM 3.3.4 (traffic management plan, page 3.3-60), MM 3.4.2a and MM 3.4.2b (air quality, page 3.4-19), MM 3.5.4a through MM 3.5.4c (noise, page 3.5-27), and MM 3.9.2a through MM 3.9.2g (cultural resources, page 3.9-19).

### **Water Supply Infrastructure (p. 3.10-17)**

Implementation of the proposed project would increase demand for water supply and thus require additional water supply infrastructure that could result in a physical impact to the environment. The Farm Mutual Water Company has reviewed the proposed project and indicated that they can provide service to the proposed project with minimal improvements (see Attachment D to the Final EIR). The Elsinore Valley Municipal Water District will be able to supply the estimated increase in the amount of water required by the proposed project to the Farm Mutual Water Company.

### **Waste Discharge Requirements (p. 3.10-22)**

Implementation of the proposed project will not result in wastewater discharge that would exceed the wastewater treatment requirements of the San Diego Regional Water Quality Control Board (RWQCB). The EVMWD is not exceeding any limits established in its current Urban Water Management Plan and will be required by the San Diego RWQCB to remain in compliance after any future expansion of flow capacity. Therefore, the proposed project is not expected to exceed wastewater treatment requirements or orders of the San Diego Regional Water Quality Control Board.

### **Wastewater Conveyance and Treatment (p. 3.10-23)**

The proposed project will slightly increase wastewater flows. However, the increase represented by the proposed project will not require any additional infrastructure or treatment capacity beyond what is planned in the EVMWD master sewer and water plans. This increase in wastewater flow associated with the proposed project is equivalent to a 1.1 percent increase in the average annual wastewater flows of the EVMWD. The increase would not be enough to require additional wastewater treatment facilities.

The proposed project will construct an 8,600-foot portion of the EVMWD's planned gravity system improvement that extends from The Farm Road west in Bundy Canyon Road to a point near Valley Vista Circle. The 10-inch sewer main is identified as project Gravity Sewer Improvement RP-23 in the EVMWD Wastewater Master Plan. The impacts of the Wastewater Master Plan were evaluated in the Elsinore Valley Municipal Water District Program Environmental Impact Report: Water Distribution Master Plan and Wastewater Master Plan (SCH 2008111100). The sewer line will be located entirely within the existing road prism of Bundy Canyon Road. The 10-inch line is shown on Figure 2.0-4c in Section 2.0, Project Description, of the Draft EIR. The sewer main represents a 0.45 percent increase in the approximate 348 miles of sewer mains operated by the Elsinore Valley Municipal Water District. Management for construction of the sewer connection is the responsibility of the EVMWD, consistent with the district's construction standards.

### **Increased Solid Waste Disposal** (pp. 3.10-26 through -27)

Implementation of the proposed project will generate increased amounts of solid waste that will need to be disposed of in landfills or recycled. There is sufficient capacity at the landfills to accept the anticipated 1,221 cubic yards of potential solid waste from the proposed project.

### **Compliance with Federal, State, and Local Statutes for Solid Waste** (p. 3.10-27)

Implementation of the proposed project could fail to comply with federal, state, and local statutes and regulations related to solid waste. Through compliance with the California Department of Resources Recycling and Recovery (CalRecycle) source reduction and recycling element (SRRE) and City ordinances, the proposed project will comply with federal, state, and local regulations regarding solid waste.

### **Increased Demand for Parks and Recreation Facilities** (pp. 3.10-30 through -31)

Implementation of the proposed project would accommodate a slight increase in population that will be served by the park and recreation facilities to be built as part of the proposed project. Per City ordinance, the new population will generate demand for 2.7 acres of parkland. The proposed project includes 4.7 acres of parkland, which exceeds the requirement of the City ordinance and the Quimby Act. Further, the parks and open space needs of the residents will also be met by the total of 76 acres of open space that includes trails. While the parks will be owned and operated by the proposed project's homeowners association, they will not be fenced. The parks will also not have community-serving features such as soccer fields or baseball diamonds intended for league play.

### **Cumulative Demand for Fire Protection and Emergency Medical Services** (pp. 3.10-7 and 4.0-8)

The Riverside County Fire Department was contacted and determined that with standard development conditions in place, the department can provide service to the project area. Growth in the project area was previously addressed, and the proposed project is consistent with the development potential for the area.

### **Cumulative Demand for Law Enforcement Services** (pp. 3.10-10 and 4.0-8)

The Riverside County Sheriff's Department was contacted and determined that law enforcement service can be provided to the project area. Growth in the project area and the related need for law enforcement services was addressed previously, and the proposed project is consistent with the development potential for the area.

### **Cumulative Schools Impacts** (pp. 3.10-14 and 4.0-8)

All new development associated with the proposed project will be required to pay the applicable development impact fees. Furthermore, any significant expansion of school facilities or development of new school facilities would be subject to the appropriate CEQA environmental review, which would identify any site-specific impacts and provide mitigation to reduce those impacts.

### **Cumulative Water Supply Impacts** (pp. 3.10-18 and 4.0-9)

The Draft EIR calculated future water demands based on predictions contained with the 2011 Urban Water Management Plan. These calculated future water demands of the proposed project will be met by the Elsinore Valley Municipal Water District's planned future demand for water deliveries.

### **Cumulative Wastewater Service Impacts** (pp. 3.10-23 through -24 and 4.0-9)

The proposed project will construct all of the wastewater collection systems necessary to meet its needs. No future phases of the project will require additional wastewater collection or treatment facilities.

### **Cumulative Solid Waste Impacts** (pp. 3.10-28 and 4.0-9 through -10)

There is adequate capacity in the landfills that receive solid waste from the City of Wildomar. The approximate 1,221 cubic yards of solid waste generated by the proposed project will not significantly affect the life span of the receiving landfills. Further, compliance with the SRRE will reduce or divert solid waste from the landfills.

### **Cumulative Park and Recreation Demands** (pp. 3.10-31 and 4.0-10)

The proposed project provides more parkland and open space than required to meet the City's ordinance. Further, the project will maintain its own parkland and open space.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in less than significant impacts related to public services and utilities.

## 5.10 AESTHETICS AND VISUAL RESOURCES

### **Substantial Damage to Scenic Resources** (p. 3.11-5)

The proposed project will not have a substantial adverse effect on a scenic vista or substantially degrade the existing visual character or quality of the site and its surroundings. The proposed project will include the removal of some of the trees and rock outcroppings currently located on the project site to accommodate the new homes. While the changes will affect the views of the property from the surrounding area, the trees and rock outcroppings are not unique to the area, nor are they formally recognized as a scenic vista by any local or regional government agency. Approximately 76 acres of the site will remain as open space and largely untouched by the development. While there will be trails and some minor improvements such as the road leading to the water storage tanks in the open space, these improvements will be similar to others made in the area to support existing development.

### **Substantially Degrade the Existing Visual Character of the Area** (pp. 3.11-5 through -6)

While the potential project will result in changes to the existing visual character of the project site, these changes will not lead to a significant degradation of the existing visual character of the area. The proposed project will construct single-family residences, a small commercial area, and several local parks in a currently undeveloped area that is surrounded by residential land uses on nearly all sides. With the exception of an undeveloped area directly west of the project site, the project density of 1.8 units per gross acre (3.5 units per acre net developable area) will be consistent with the current density range of 2–5 units per acre of the existing residential development in the surrounding area. As part of the development review process, the City of Wildomar will evaluate the design of the commercial land as part of plot plan review procedures. The Oak Creek Specific Plan includes commercial design guidelines so aesthetics and design will be part of the review process. The proposed project also includes the preservation of approximately 76 acres of open space. The developed open space will continue to retain the characteristics of the natural environment of the area while allowing new natural scenic resources to develop.

### **Create a New Source of Substantial Light or Glare (pp. 3.11-6 through -7)**

The proposed project will not result in any new significant sources of glare or light that would adversely affect the day or nighttime views of the area. The proposed project will include residential and eventually commercial structures as potential sources of glare. Building materials (e.g., reflective glass and polished surfaces) are the most substantial sources of glare. The amount of glare depends on the intensity and direction of sunlight, which is more acute at sunrise and sunset because the angle of the sun is lower during these times. The City's Light Pollution Ordinance, Chapter 8.64 of the Wildomar Municipal Code, establishes limits on the types of fixtures and size of bulbs for aspects of the development. Compliance with the ordinance will result in a less than significant impact on nighttime light pollution.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in less than significant impacts related to aesthetics and visual resources (substantial damage to scenic resources; substantially degrade the existing visual character of the area; create a new source of substantial light or glare).

## **5.11 ENERGY USE AND GREENHOUSE GASES**

### **Inefficient, Wasteful, and Unnecessary Consumption of Energy (pp. 3.12-14 through -15)**

The construction and operation of the proposed project will not result in inefficient, wasteful, and unnecessary consumption of energy. Construction of the proposed project would constitute a small percentage of typical annual fuel usage in the state as reported by the California Energy Commission. The proposed project would increase electricity and natural gas consumption, but not at a level that would be considered substantial in relation to regional energy supplies. The project would not result in energy demands that would require the development of new energy sources or affect service to existing customers.

### **GHG Emissions (pp. 3.12-15 through -16)**

The proposed project will not generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment. The proposed project would not exceed the threshold of 6.6 metric tons of CO<sub>2</sub>e per service population per year.

### **Conflict with Applicable Plan, Policy, or Regulation (pp. 3.12-16 through -19)**

Implementation of the proposed project will not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The proposed project is consistent with or otherwise not in conflict with the California Air Resources Board (CARB) Scoping Plan recommended measures and actions. As such, a qualitative assessment of the project impacts based on consistency with the CARB Scoping Plan supports the conclusion that the project's GHG emissions are not cumulatively considerable. Results of the analysis indicate that the proposed project will not exceed the applicable quantitative thresholds.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in less than significant impacts related to energy use and greenhouse gases.

## **6.0 LESS THAN SIGNIFICANT ENVIRONMENTAL IMPACTS WITH MITIGATION INCORPORATED**

Based on the Draft EIR, the Final EIR, and the record of proceedings, the City of Wildomar makes the following findings associated with significant, potentially significant, and cumulatively significant impacts

that can be mitigated to a less than significant level through implementation of proposed mitigation measures, for all of the specific topic areas identified below. Page numbers in parentheses refer to the Draft EIR unless otherwise noted.

Traffic and Circulation (roadway facilities, pp. 3.3-38 through -59; emergency access, pp. 3.3-60 through -61; cumulative traffic impacts on local roadways and state highways, pp. 3.3-64 through -68 and 4.0-3 through -4)

Air Quality (short-term construction-generated emissions of criteria air pollutants, pp. 3.4-17 through -18)

Noise (exposure to excessive noise levels, pp. 3.5-25 through -26; result in a permanent increase in ambient noise levels, p. 3.5-29; result in a temporary increase in ambient noise levels, p. 3.5-30)

Geology and Soils (impacts associated with liquefaction or collapse, p. 3.6-11; expansive soils, pp. 3.6-11 through -12)

Hydrology and Water Quality (degrade water quality or violate standards, pp. 3.7-15 through -22)

Biological Resources (impacts to non-listed sensitive species, p. 3.8-25; impacts to sensitive biological communities, including riparian habitat, pp. 3.8-27 through -28; impacts to jurisdictional wetlands, p. 3.8-28; conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan, pp. 3.8-30 through -31)

Cultural and Paleontological Resources (impacts to archeological resources, pp. 3.9-18 through -19; impacts to paleontological resources, p. 3.9-20; impacts to human remains, p. 3.9-21)

Aesthetics and Visual Resources (cumulative impacts to scenic resources, existing visual character, and light and glare, pp. 3.11-7 and 4.0-10)

## 6.1 TRAFFIC AND CIRCULATION

### **Roadway Facilities** (pp. 3.3-38 through -59)

Implementation of the proposed project would cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system. Based on the City of Wildomar specialized significance criteria, several intersections were found to be impacted by the project under Existing plus Project and Opening Year 2015 (but not Horizon Year 2035) conditions.

### **Emergency Access** (pp. 3.3-60 through -61)

Implementation of the proposed project could result in temporary blockages of Bundy Canyon Road and other roadways, causing an impact on emergency access. All of the roadways proposed with the project meet the City's design standards for access. During construction, however, the roadways may be temporarily blocked or subject to detours and delays, which could temporarily affect emergency access.

### **Cumulative Traffic Impacts on Local Roadways and State Highways** (pp. 3.3-64 through -68 and 4.0-3 through -4)

When considered with existing, proposed, planned, and approved development in the region, implementation of the proposed project would contribute to cumulative traffic volumes in the region that result in significant impacts to level of service and operations.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in potentially significant and potentially cumulatively considerable impacts to traffic and circulation (roadway facilities; emergency access; cumulative traffic impacts on local roadways and state highways). The following mitigation measures shall be implemented to reduce the severity of the impacts:

## **Mitigation Measures**

**MM 3.3.1** The project applicant shall be required to implement the following traffic improvements:

*Sellers Road/Bundy Canyon Road*

- Install a traffic signal.
- Construct an eastbound left turn lane and two additional through lanes.
- Construct a westbound left turn lane.

*Monte Vista Drive/Bundy Canyon Road*

- Install a traffic signal.

*Harvest Way West/Bundy Canyon Road*

- Install a traffic signal.
- Stripe a shared northbound through-right turn lane in place of the existing de facto right turn lane.
- Construct a southbound left turn lane and shared through-right turn lane.
- Construct an eastbound left turn lane and two additional through lanes.
- Construct two additional westbound through lanes.

*Harvest Way East/Bundy Canyon Road*

- Install a traffic signal.
- Construct an eastbound left turn lane and two additional through lanes.
- Construct a westbound left turn lane.

*Sunset Avenue/Bundy Canyon Road*

- Install a traffic signal.
- Construct an eastbound left turn lane and two additional through lanes.
- Construct a westbound left turn lane.

- Ensure a northbound and southbound lane of traffic along the frontage of the commercial parcel.
- Coordinate improvements with the City of Menifee.

**MM 3.3.4**

The project applicant will prepare and implement a Traffic Management Plan (TMP) to minimize the inconveniences during construction. Included among the provisions, the contractor will coordinate with the City of Wildomar, Riverside County, and local police, fire, and emergency medical service providers regarding construction scheduling and any other practical measures to maintain adequate access to properties and response times. The TMP will include contact information for the general public who may have questions concerning the project and access to their property. Two-way traffic through the construction zone will be maintained throughout the construction period.

**MM 3.3.5**

The project applicant shall be required to implement, or pay a fair share of the costs of the implementation of, the following traffic improvements:

Murrieta Road/Scott Road

- Install a traffic signal.
- Construct an eastbound left turn lane.
- Restripe the southbound shared left-right turn lane as a right turn lane and construct two left turn lanes.
- Construct an additional eastbound through lane.
- Construct an additional westbound through lane and a dedicated right turn lane.

I-215 Southbound Ramps/Scott Road

- Restripe the southbound shared left-through lane as a left turn lane and construct a second left turn lane and second right turn lane.
- Construct three additional eastbound through lanes.
- Eliminate the westbound left turn lane and construct two additional through lanes and a right turn lane.

It should be noted that these improvements are consistent with the planned Bundy Canyon Road/Scott Road and Interstate 215 at Scott Road interchange improvements planned by the Riverside County Transportation Commission funded by the Transportation Uniform Mitigation Fee.

I-215 Northbound Ramps/Scott Road

- Construct a second northbound right turn lane and restripe the shared left-through lane as a through lane.
- Construct two southbound right turn lanes.

- Construct a second eastbound left turn lane and two additional through lanes.
- Construct two additional westbound through lanes and a shared through-right turn lane.

It should be noted that these improvements are consistent with the planned Bundy Canyon Road/Scott Road and Interstate 215 at Scott Road interchange improvements planned by the Riverside County Transportation Commission funded by the Transportation Uniform Mitigation Fee. This project's payment of the TUMF is considered adequate mitigation.

## Residual Impact

After the implementation of mitigation measures MM 3.3.1, MM 3.3.4, and MM 3.3.5, the proposed project's traffic impacts would be less than significant and less than cumulatively considerable.

## 6.2 AIR QUALITY

### Short-Term Construction-Generated Emissions of Criteria Air Pollutants (pp. 3.4-17 through -18)

Construction-generated emissions could result in an air quality violation concerning localized significance. Emissions of PM<sub>10</sub> and PM<sub>2.5</sub> associated with the proposed project exceed localized significance thresholds for construction

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in potentially significant impacts to air quality (short-term construction-generated emissions of criteria air pollutants). The following mitigation measures shall be implemented to reduce the severity of the impact:

### Mitigation Measures

**MM 3.4.2a** The following measures shall be incorporated into project plans and specifications and complied with by the project applicant at all times during construction:

- All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 miles per hour (mph).
- The construction contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project site are watered daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day. (As shown in Table XI-A in Appendix 3.4-1, implementation of this measure is estimated to reduce PM<sub>10</sub> and PM<sub>2.5</sub> fugitive dust emissions by approximately 61 percent.)
- The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour (mph) or less to reduce PM<sub>10</sub> and PM<sub>2.5</sub> fugitive dust haul road emissions by approximately 44 percent.

**MM 3.4.2b** Prior to issuance of a grading permit, the grading plans shall reference that a sign will be posted on-site stating that construction workers need to shut off engines after 5

minutes of idling. The California Air Resources Board, in Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations, imposes a requirement that heavy-duty trucks accessing the site shall not idle for greater than 5 minutes at any location. This measure is intended to apply to construction traffic.

## **Residual Impact**

After the implementation of mitigation measures MM 3.4.2a and MM 3.4.2b, the proposed project's air quality impacts would be less than significant.

## **6.3 NOISE**

### **Exposure to Excessive Noise Levels (pp. 3-5-25 through -26)**

The completed proposed project may expose persons to, or generate, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The results of the noise impact analysis prepared for the proposed project indicate the future unmitigated exterior noise levels for the lots analyzed will range from 72.8 to 75.0 dBA CNEL. Based on the calculated noise level impacts presented, future traffic-related noise levels are expected to exceed the City of Wildomar exterior noise level standard of 65 dBA CNEL.

### **Result in a Permanent Increase in Ambient Noise Levels (p. 3.5-29)**

Completion of the proposed project may result in a substantial permanent increase in ambient noise levels in the project vicinity. The proposed project's incremental off-site traffic noise level contributions will be considered barely perceptible. However, future uses within the commercial area of the proposed project near the intersection of Bundy Canyon Road and Sunset Avenue have the potential to produce unacceptable operational noise levels.

### **Result in a Temporary Increase in Ambient Noise Levels (p. 3.5-30)**

Construction of the proposed project may result in a temporary increase in ambient noise levels in the project vicinity. Using a drop-off rate of 6 dBA per doubling of distance, noise levels are estimated at 83 dBA  $L_{eq}$  at 100 feet, at 77 dBA at 200 feet, and at 71 dBA at 400 feet. This noise level impact represents a worst-case condition when grading equipment is operating near the project boundaries and adjacent to the noise-sensitive residential areas adjacent to the project site.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in potentially significant impacts to noise (exposure to excessive noise levels; result in a permanent increase in ambient noise levels; result in a temporary increase in ambient noise levels). The following mitigation measures shall be implemented to reduce the severity of the impacts:

## **Mitigation Measures**

**MM 3.5.1a** The project applicant shall construct at least a 6.5-foot-high decorative block wall or similarly effective noise barrier consistent with the design/wall guidelines of the specific plan for lots 33–50 adjacent to Bundy Canyon Road to mitigate for exterior noise impacts to residents. The designed noise screening may only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area and has no decorative cutouts or line-of-sight openings between shielded areas and the roadways. The recommended noise control barrier may be constructed using one of the following alternative materials:

- Masonry block
- Stucco veneer over wood framing (or foam core), or 1-inch-thick tongue-and-groove wood of sufficient weight per square foot
- Glass (1/4 inch thick), or other transparent material with sufficient weight per square foot
- Earthen berm
- Any combination of these construction materials

The recommended barrier must present a solid face from top to bottom. Unnecessary openings or decorative cutouts should not be made. All gaps (except for weep holes) should be filled with grout or caulking.

**MM 3.5.1b**

The project applicant shall construct a 6.0-foot-high decorative block wall or similarly effective noise barrier consistent with the design/wall guidelines of the specific plan for lots 89–96, 131–144, 150–164, and 198–222 adjacent to Bundy Canyon Road to mitigate for exterior noise impacts to residents. The designed noise screening may only be accomplished if the barrier’s weight is at least 3.5 pounds per square foot of face area and has no decorative cutouts or line-of-sight openings between shielded areas and the roadways. The recommended noise control barrier may be constructed using one of the following alternative materials:

1. Masonry block
2. Stucco veneer over wood framing (or foam core), or 1-inch-thick tongue-and-groove wood of sufficient weight per square foot
3. Glass (1/4 inch thick), or other transparent material with sufficient weight per square foot
4. Earthen berm
5. Any combination of these construction materials

The recommended barrier must present a solid face from top to bottom. Unnecessary openings or decorative cutouts should not be made. All gaps (except for weep holes) should be filled with grout or caulking.

**MM 3.5.1c**

The project applicant shall provide a “windows closed” condition, requiring a means of mechanical ventilation and standard dual-glazed windows with a minimum Sound Transmission Class (STC) rating of 26 at first-floor elevations, with upgraded dual-glazed windows with a minimum Sound Transmission Class (STC) rating of 29 at second-floor elevations for lots 33–50, 89–96, 131–144, 152–164, and 198–222.

**MM 3.5.1d**

The project applicant shall provide a “windows closed” condition, requiring a means of mechanical ventilation and standard dual-glazed windows with a minimum Sound Transmission Class (STC) rating of 26 at first- and second-floor elevations for lots 1–3, 145–151, 173, 197, and 223–224.

**MM 3.5.1e**

All window and door assemblies used throughout the project shall be free of cutouts and openings and shall be well fitted and well weather-stripped.

- MM 3.5.1f** A final noise study shall be prepared prior to obtaining building permits for lots 1–3, 33–50, 89–96, 131–151, 152–164, 173, and 197–224. This report will finalize the noise requirements based upon precise grading plans and actual building design specifications. The report may result in the need for additional building-specific architectural treatments to meet the interior noise specifications of the City.
- MM 3.5.3** The project applicant shall ensure that future commercial uses do not result in exterior noise levels at the nearest sensitive receptor that exceeds 65 dB or interior noise levels that exceed 45 dB. Examples of design features that can be used to reduce noise impacts associated with any future commercial use include, but are not limited to, noise barriers (walls), limited hours of operation, reconfiguration of site design, or restriction of uses or types of use.
- MM 3.5.4a** Pursuant to Section 9.48.020 of the City of Wildomar Municipal Code establishing noise regulations, from June through September, construction can occur from 6:00 AM through 6:00 PM. During the period of October through May, construction activities can occur from 7:00 AM through 6:00 PM (Municipal Code Section 9.48.020(1)(2)). Hours of construction during these seasons shall be limited to these time frames.
- MM 3.5.4b** During all project site excavation and grading, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise-sensitive receptors nearest the project site.
- MM 3.5.4c** The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.
- MM 3.5.4d** Homeowners adjacent to project construction areas shall be notified via US mail and postings on the construction site at least 24 hours prior to the commencement of major construction-related noise impacts, such as grading, which may affect them.

### **Residual Impact**

After the implementation of mitigation measures MM 3.5.1a through MM 3.5.1f, MM 3.5.3, and MM 3.5.4a through MM 3.5.4d, the proposed project's noise impacts would be less than significant.

## **6.4 GEOLOGY AND SOILS**

### **Impacts Associated with Liquefaction or Collapse (p. 3.6-11)**

The proposed project site is located in an area of shallow alluvium underlain by gabbroic bedrock. The earth materials on the site are composed of artificial fill, undocumented or previously placed by others, topsoil, Quaternary alluvium, Quaternary older alluvium, and Cretaceous gabbro bedrock. The areas of undocumented artificial fill, alluvium, and portions of the old alluvium are not suitable to support the structures of the proposed project. Furthermore, all the earth materials on the project site are prone to potential settlement. This potential could result in a significant impact if the soils in question are not over-excavated to the underlying competent Cretaceous gabbro within the areas of the proposed structures, fill, or improvements.

### **Expansive Soils** (pp. 3.6-11 through -12)

Soils testing indicates that non-expansive and expansive soils are present within the proposed project site. The City requires that site-specific soils reports accompany a building permit application request, which ensures that the type of building proposed is consistent with the actual soils present on the proposed building location.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in potentially significant impacts to geology and soils (expansive soils; impacts associated with liquefaction or collapse). The following mitigation measure shall be implemented to reduce the severity of the impacts:

#### **Mitigation Measure**

**MM 3.6.3** All existing undocumented artificial fill, topsoil, Quaternary alluvium, Quaternary older alluvium, and unsuitable upper intensely weathered Cretaceous gabbro should be over-excavated to underlying competent Cretaceous gabbro within the areas of proposed structures, fill, or improvements. Anticipated removal depths range from approximately 2 to 14 feet below the existing surface.

#### **Residual Impact**

After the implementation of mitigation measure MM 3.6.3, the proposed project's geology and soils impacts would be less than significant.

## **6.5 HYDROLOGY AND WATER QUALITY**

### **Degrade Water Quality or Violate Standards** (pp. 3.7-15 though -22)

Construction and operation of the proposed project will not result in erosion and water quality degradation of downstream surface water and groundwater resources.

The proposed project has the potential to result in the generation of new dry weather runoff containing pollutants and to increase the concentration and/or total load of the pollutants in wet weather stormwater runoff. Should construction of the proposed project require dewatering, the project applicant would be required to submit a Notice of Intent, as well as a Best Management Practices Plan, to comply with the general permit. The BMP Plan would include disposal practices to ensure compliance with the general permit, such as the use of sediment basins or traps, dewatering tanks, or gravity or pressurized bag filters. Monitoring and reporting would also be performed to ensure compliance with the permit. A variety of design features intended to ensure water quality may be included in the final Preliminary Water Quality Management Plan (WQMP) adopted for the proposed project.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in potentially significant impacts to hydrology and water quality (degrade water quality or violate standards). The following mitigation measure shall be implemented to reduce the severity of the impacts:

#### **Mitigation Measure**

**MM 3.7.1** Prior to the approval of the grading permit for future development on the project site, the project applicant(s) shall be required to prepare a stormwater pollution and prevention plan (SWPPP) consistent with the NPDES General Permit for Storm

Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2010-0014-DWQ), which is to be administered through all phases of grading and project construction. The SWPPP shall incorporate best management practices (BMPs) and be consistent with the *Riverside County Stormwater Quality Best Management Practice Design Handbook* to ensure that potential water quality impacts during construction phases are minimized. The SWPPP shall be submitted to the Regional Water Quality Control Board and to the City of Wildomar for review. A copy of the SWPPP must be kept accessible on the project site at all times. In addition, the project applicant(s) will be required to submit, and obtain City approval of, a Water Quality Management Plan prior to the issuance of any building or grading permit for future development on the project site in order to comply with the Area-wide Urban Runoff Management Program. The project shall implement site design BMPs, source control BMPs, and treatment control BMPs as identified in the Water Quality Management Plan. Site design BMPs shall include, but are not limited to, landscape buffer areas, on-site ponding areas, roof and paved area runoff directed to vegetated areas, and vegetated swales. Source control BMPs shall include, but are not limited to, education, landscape maintenance, litter control, parking lot sweeping, irrigation design to prevent overspray, and covered trash storage. Treatment control BMPs shall include vegetated swales and a detention basin, or an infiltration device. The project will be responsible for maintenance of the basins to ensure they drain within 72 hours of a storm event.

## **Residual Impact**

After the implementation of mitigation measure MM 3.7.1, the proposed project's hydrology and water quality impacts would be less than significant.

## **6.6 BIOLOGICAL RESOURCES**

### **Impacts to Non-Listed Sensitive Species (p. 3.8-25)**

#### Raptors and Migratory Birds

Habitats on and adjacent to the project site may provide suitable nesting habitat for birds protected under the Migratory Bird Treaty Act and Section 3503.5 of the California Fish and Game Code. Therefore, removal of trees and vegetation during construction activities could result in noise, dust, human disturbance, and other direct/indirect impacts to nesting raptors and migratory bird species in the project vicinity.

#### Burrowing Owl

Project implementation may also result in the loss of western burrowing owls through destruction of active nesting sites, as well as incidental burial of adults, young, and eggs.

### **Impacts to Sensitive Biological Communities, Including Riparian Habitat (pp. 3.8-27 through -28)**

Sensitive habitats include those that are of special concern to resource agencies and those that are protected under the MSHCP, CEQA, Section 1600 of the Fish and Game Code, and Section 404 of the Clean Water Act (CWA). Project grading to support development may result in the loss of riparian habitat from proposed vegetation disturbance or removal. A 1602 Streambed Alteration Agreement for removal of or disturbance to riparian habitat and waters of the State (e.g., stream, lake, or river) from the California

Department of Fish and Game (CDFG) may be required for the proposed project. This agreement would include measures to minimize and restore riparian habitat.

### **Impacts to Jurisdictional Wetlands (p. 3.8-28)**

Implementation of the proposed project would result in the loss of jurisdictional waters of the United States and waters of the State. Although the jurisdictional delineation for the project has not been verified by any state or federal agency, potentially jurisdictional water features have been described on the project site. All water features mapped on the project site are assumed to be considered jurisdictional by the US Army Corps of Engineers (USACE), the Regional Water Quality Control Board (RWQCB), and the CDFG.

### **Conflict with the Provisions of an Adopted Habitat Conservation Plan, Natural Community Conservation Plan, or Other Approved Local, Regional, or State Habitat Conservation Plan (pp. 3.8-30 through -31)**

Implementation of the proposed project would result in disturbance and degradation of riparian/riverine habitat, as defined in Section 6.1.2 of the MSHCP. The MSHCP delineates particular areas of concern through the identification of specific areas known as criteria cells. Areas identified as criteria cells typically contain certain restrictions on development and land alterations. A small portion of the proposed project (0.26 acre) is located within a portion of Cell #5046 of Cell Group J in the Sedco Hills Subunit (SU4) of the Elsinore Area Plan.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in potentially significant impacts to biological resources (impacts to non-listed sensitive species; impacts to sensitive biological communities, including riparian habitat; impacts to jurisdictional wetlands; conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan). The following mitigation measures shall be implemented to reduce the severity of the impacts:

### **Mitigation Measures**

- **MM 3.8.2** The project applicant shall conduct construction and clearing activities outside of the avian nesting season (January 15–August 31), where feasible. If clearing and/or construction activities occur during nesting season, then preconstruction surveys for nesting raptors and migratory birds shall be conducted by a qualified biologist, up to 14 days before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds.
  - If an active nest is located within 100 feet (250 feet for raptors) of construction activities, the project applicant shall establish an exclusion zone (no ingress of personnel or equipment) at a minimum radius of 100 feet or 250 feet, as appropriate, around the nest. Alternative exclusion zones may be established through consultation with the CDFG and the USFWS. The exclusion zones shall remain in force until all young have fledged.
  - Reference to this requirement and to the Migratory Bird Treaty Act shall be included in the construction specifications.

- If construction activities or tree removal are proposed to occur during the non-breeding season (September 1–January 14), a survey is not required, no further studies are necessary, and no mitigation is required.
  
- **MM 3.8.3a** Per MSHCP Species-Specific Objective 6, pre-construction presence/absence surveys for burrowing owl within the survey area where suitable habitat is present will be conducted for all covered activities through the life of the permit. Surveys will be conducted within 30 days prior to disturbance. If owls are found on site during the pre-ground-disturbance survey, the City shall immediately notify both the Regional Conservation Authority (RCA) and the wildlife agencies. A conservation strategy will then be developed by the wildlife agencies and the RCA in accordance with the CDFW’s “Staff Report on Burrowing Owl Mitigation.”
  - The breeding period for burrowing owls is February 1 through August 31, with the peak being April 15 to July 15, the recommended survey window. Winter surveys may be conducted between December 1 and January 31. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed.
  - Surveys shall be completed for occupied burrowing owl burrows within all construction areas and within 150 meters (500 feet) out from the project work areas (where possible and appropriate based on habitat). All occupied burrows will be mapped on an aerial photo.
  
- **MM 3.8.3b** Based on the burrowing owl survey results, the City shall require the project applicant to take the following actions to offset impacts prior to ground disturbance if owls are found to be present:
  - If paired owls are nesting in areas scheduled for disturbance or degradation, nest(s) shall be avoided from February 1 through August 31 by a minimum of a 75-meter (250 feet) buffer or until fledging has occurred. Following fledging, owls may be passively relocated by a qualified biologist.
  - If impacts on occupied burrows in the non-nesting period are unavoidable, on-site passive relocation techniques may be used if approved by the CDFG to encourage owls to move to alternative burrows outside of the impact area. However, no occupied burrows shall be disturbed during the nesting season unless a qualified biologist verifies through noninvasive methods that the burrow is no longer occupied. Foraging habitat for relocated pairs shall be provided in accordance with guidelines provided by the CDFG (2012).
  - The RCA and wildlife agencies do not support passive relocation of burrowing owls except in narrow circumstances where there is suitable adjacent conserved land available. There is currently no suitable land adjacent to the project site. If relocation of the owls is approved for the site by the wildlife agencies, the City shall require the developer to hire a qualified biologist to prepare a plan for relocating the owls to a suitable site. The relocation plan must include all of the following:
    - The location of the nest and owls proposed for relocation.
    - The location of the proposed relocation site.
    - The number of owls involved and the time of year when the relocation is proposed to take place.

- The name and credentials of the biologist who will be retained to supervise the relocation.
  - The proposed method of capture and transport for the owls to the new site.
  - A description of site preparation at the relocation site (e.g., enhancement of existing burrows, creation of artificial burrows, one-time or long-term vegetation control).
  - A description of efforts and funding support proposed to monitor the relocation.
- If paired owls are present within 50 meters (160 feet) of a temporary project disturbance (i.e., parking areas), active burrows shall be protected with fencing/cones/flagging and monitored by a qualified biologist throughout construction to identify losses from nest abandonment and/or loss of reproductive effort (e.g., killing of young).
- **MM 3.8.4** The project applicant shall ensure that there is no net loss of riparian vegetation. Mitigation can include on-site restoration or purchase of mitigation credits at a US Army Corps of Engineers (USACE) approved or mitigation bank. Mitigation associated with regulatory permits issued through the CDFG, USACE, MSHCP, or the Water Resources Control Board may be applied to satisfy this measure.
- Evidence of compliance with this mitigation measure shall be provided prior to construction and grading activities for the proposed project.
- **MM 3.8.5a** The jurisdictional delineation shall be verified by the USACE and the California Department of Fish and Wildlife for waters of the State, and submitted to the City for review.
- **MM 3.8.5b** The project applicant shall ensure that the project will result in no net loss of waters of the United States and waters of the State by providing mitigation through impact avoidance, impact minimization, and/or compensatory mitigation.
  - Compensatory mitigation may consist of (a) obtaining credits from a mitigation bank; (b) making a payment to an in-lieu fee program that will conduct wetland, stream, or other aquatic resource restoration, creation, enhancement, or preservation activities; these programs are generally administered by government agencies or nonprofit organizations that have established an agreement with the regulatory agencies to use in-lieu fee payments collected from permit applicants; and/or (c) providing compensatory mitigation through an aquatic resource restoration, establishment, enhancement, and/or preservation activity.
  - Evidence of compliance with this mitigation measure shall be provided prior to construction and grading activities for the proposed project.
- **MM 3.8.8a** If riparian/riverine habitats covered under the MSHCP cannot be avoided, the project applicant shall submit a Determination of Biological Equivalent or Superior Preservation (DBESP), as outlined in Section 4.2 of the MSHCP Permittee Implementation Guidance Manual, to the City for approval.

- The project applicant shall ensure that the project will result in no net loss of riparian/riverine habitats by providing mitigation through impact avoidance, impact minimization, and/or compensatory mitigation for the impact, as determined in the DBESP. Mitigation accomplished under mitigation measure **MM 3.8.5b** may apply to meet the standards where appropriate.
- **MM 3.8.8b** The project applicant shall submit plans that illustrate how disturbance to the portion of the project site located within the portion of Cell #5046 of Cell Group J in the Sedco Hills Subunit (SU4) of the Elsinore Area Plan will be avoided for City for approval.
- **MM 3.8.8c** The project applicant shall submit fees to the City in accordance to the requirements of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Mitigation Fee Areas, including the MSHCP Mitigation Fee Area and the Stephens' Kangaroo Rat Mitigation Fee Area.

### **Residual Impact**

After the implementation of mitigation measures MM 3.8.2, MM 3.8.3a and MM 3.8.3b, MM 3.8.4, MM 3.8.5a and MM 3.8.5b, and MM 3.8.8a through MM 3.8.8c, the proposed project's biological resources impacts would be less than significant.

## **6.7 CULTURAL AND PALEONTOLOGICAL RESOURCES**

### **Impacts to Archeological Resources (pp. 3.9-18 through -19)**

Implementation of the proposed project could result in a substantial adverse change in the significance of an archaeological resource, as well as the potential disturbance of currently undiscovered cultural resources (i.e., prehistoric archaeological sites, historical archaeological sites, and isolated artifacts and features) and human remains. Although only two small archaeological sites were observed within proposed project boundaries, one of which has been determined to not be considered a significant archaeological resource according to CEQA/California Register criteria, the property is situated in an area considered to be a highly sensitive cultural landscape with a possibility of significant subsurface cultural elements.

### **Impacts to Paleontological Resources (p. 3.9-20)**

Excavations could occur in association with development of the proposed project that could affect paleontological resources buried within the project site. Therefore, it is possible that project-related ground-disturbing activities could uncover previously unknown paleontological resources within project boundaries. Unanticipated and accidental paleontological discoveries during project implementation have the potential to affect significant paleontological resources.

### **Impacts to Human Remains (p. 3.9-21)**

No human remains have been identified within the project site; however, implementation of the proposed project could result in the inadvertent disturbance of currently undiscovered human remains. Any discovery of human remains would trigger state law governing the treatment of human remains.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in potentially significant impacts to cultural and paleontological resources (impacts to archeological resources;

impacts to paleontological resources; impacts to human remains). The following mitigation measures shall be implemented to reduce the severity of the impacts:

## **Mitigation Measures**

- MM 3.9.2a** At least 30 days prior to the issuance of the first grading permit, the project applicant shall enter into a Cultural Resources Treatment and Monitoring Agreement with the Pechanga Band of Luiseno Indians and/or the Cahuilla Band of Indians. The agreement shall include, but not be limited to, outlining provisions and requirements for addressing the treatment of cultural resources; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site; and establishing on-site monitoring provisions and/or requirements for professional Pechanga Tribal monitors during all ground-disturbing activities. A copy of this signed agreement shall be provided to the Planning Director and Building Official prior to the issuance of the first grading permit.
- MM 3.9.2b** Should any cultural resources be uncovered during the grading and construction phases of the proposed project, work shall be halted or relocated to an area outside of the area in which the resource was found while the project archaeologist and the Pechanga representative identify the resource and reassess the area. If the resource found is determined to be an historical or unique archeological resource, a time allotment sufficient to allow for the implementation of avoidance measures or appropriate mitigation shall be made available. Work on the proposed project may continue in other areas of the project site while any historical or unique archeological resource mitigation takes place.
- MM 3.9.2c** Prior to beginning project construction, the project applicant shall retain a Riverside County qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation in consultation with the Pechanga Tribe. The project archaeologist shall be responsible for updating the State DPR forms and completing an Archaeological Monitoring Report detailing the results of the monitoring program, including the final disposition of CA-RIV-8282 and CA-RIV-1256, updated DPR forms, a complete catalog list of resources collected during monitoring activities, and any other pertinent information related to the project. A final copy of the study shall be sent to the project applicant, the City of Wildomar, the Eastern Information Center, and the Pechanga Tribe.
- MM 3.9.2d** Prior to beginning project construction, the project applicant shall file an archaeological monitoring report with the City to document the proposed methodology for grading activity observation, which will be determined in consultation with the Pechanga Tribe. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in mitigation measure MM 3.9.2, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the Pechanga Tribe in order to evaluate the significance of any archaeological resource discovered on the property. Tribal and archaeological monitors shall be allowed to monitor all grading, excavation, and groundbreaking activities, and shall also have the authority to temporarily stop and redirect grading activities.
- MM 3.9.2e** The landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts that are found on the project area

to the Pechanga Tribe for proper treatment and disposition. The Tribe maintains a 36 CFR Part 79 standard facility and requests that all artifacts, not including human remains, sacred/ceremonial items, or grave goods, be curated at that facility. Further, all sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.

**MM 3.9.2f** Significant site CA-RIV-8282 cannot be avoided as the preferred option per CEQA. As there are no large boulder outcrops or other predominant features located within this site, no measures are necessary for relocation. However, because the archaeological testing plan identified cultural resources on the surface and at least 35 centimeters in depth, controlled grading will occur within the boundaries of CA-RIV-8282 in order to observe any buried features, artifacts, or human remains that were not identified during testing. A plan detailing the controlled grading will be prepared in consultation with the Pechanga Tribe describing the process and duration of the grading in this area prior to grading in the CA-RIV-8282 area.

**MM 3.9.2g** Significant site CA-RIV-1256 will be avoided through design of the project. Prior to development in the area, the project archaeologist and the Pechanga Tribe will fence the area to be protected. No impacts to the area should occur during grading. Upon completion of the grading in this area, the fencing will be removed. The Pechanga Tribe and the project applicant will develop a long-term management plan for CA-RIV-1256.

**MM 3.9.3** Prior to issuance of a grading permit, the project applicant shall present a letter to the Chief Building Official indicating that a qualified paleontologist has been retained to carry out a paleontological monitoring and salvage program. The contracting paleontologist shall be present to monitor all initial ground-disturbing activities in native soils or sediments, including all vegetation removal. Should any paleontological resources (i.e., fossils) be uncovered during project construction activities, all work in the immediate vicinity shall be halted or diverted to other areas on the site and the City shall be immediately notified. The qualified paleontologist shall be retained to evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered paleontological resources. The City and the project applicant shall consider the recommendations of the qualified paleontologist. The City, the qualified paleontologist, and the project applicant shall consult and agree upon implementation of a measure or measures that the City, the qualified paleontologist, and the project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project applicant, qualified paleontologist, and the City, as well as the Native American tribal representative if relevant, as to the appropriate preservation or mitigation measures.

**MM 3.9.4** In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

- (1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
  - a. The Riverside County Coroner shall be contacted to determine whether an investigation into the cause of death is required; and
  - b. If the Riverside County Coroner determines the remains are Native American:

- i. The Coroner shall contact the Native American Heritage Commission within 24 hours.
  - ii. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
  - iii. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or
- (2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
- a. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission;
  - b. The descendant identified fails to make a recommendation; or
  - c. The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

## **Residual Impact**

After the implementation of mitigation measures MM 3.9.2a through MM 3.9.2g, MM 3.9.3, and MM 3.9.4, the proposed project's cultural and paleontological resources impacts would be less than significant.

## **6.8 AESTHETICS AND VISUAL RESOURCES**

### **Cumulative Impacts to Scenic Resources, Existing Visual Character, and Light and Glare (pp. 3.11-7 and 4.0-10)**

The proposed project, in conjunction with identified improvements to Bundy Canyon Road, could be perceived to have an adverse cumulative effect on scenic resources because of the need to remove oak trees along the corridor. The proposed project may result in a loss of mature oak trees on the project site. In addition, the oak tree canopy along Bundy Canyon Road, located between Palm Avenue and Harvest Way East, may be impacted by the combination of the proposed project and the Riverside Transportation Commission's Bundy Canyon Road/Scott Road widening project. When taken together, the loss of oak trees and their habitat could be perceived to have an adverse cumulative effect on the visual character of the area.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in potentially cumulatively considerable impacts to aesthetics and visual resources (cumulative impacts to scenic resources, existing visual character, and light and glare). The following mitigation measure shall be implemented to reduce the severity of the impacts:

## Mitigation Measure

### MM 3.11.4

Prior to any development activity or the issuance of any permit or approval removing or encroaching upon oak trees on the project site (this generally includes the canopy dripline of trees within the area of ground disturbance and trees subject to changes in hydrologic regime), an Oak Tree Mitigation Plan prepared by a certified arborist, registered professional forester, botanist, or landscape architect shall be submitted for review and approval by the City that includes:

- 1) A survey showing the location of oak trees 5 inches or more in diameter at breast height, as defined by Public Resources Code Section 21083.4(a).
- 2) The removal of all oak trees 5 inches or more in diameter at breast height shall be mitigated. Removal shall be mitigated by planting (or replanting) and maintaining oak trees. A minimum of three native oak trees of 5 gallons or larger size shall be planted for each oak tree removed that is greater than or equal to 5 inches diameter at breast height (DBH). The trees shall be planted in areas deemed appropriate by the Oak Tree Mitigation Plan, considering future lot development and interference with foundations, fencing, roadways, driveways, and utilities. Replanted oak trees shall be maintained for a period of seven years after they are planted. If any of the replanted oak trees die or become diseased, they shall be replaced and maintained for seven years after the new oak trees are planted.
- 3) A replanting schedule and diagram for trees removed or encroached upon by the project shall be submitted to and approved by the City. Replanted trees shall be planted in areas deemed appropriate by the Oak Tree Mitigation Plan, considering future lot development and interference with foundations, fencing, roadways, driveways, and utilities. Trees planted shall be protected from livestock and other animals.
- 4) Oak tree protection measures for trees to be retained within the project site shall be included in construction specifications. Each oak tree to be preserved shall be surrounded by a tree zone identified by the dripline of the tree. An orange plastic fence or other suitable type of fence shall be used to identify the tree zone during construction activities. No vegetation removal, soil disturbance, or other development activities shall occur within the tree zone in order to protect root systems and minimize compaction of the soil, unless authorized by the Oak Tree Mitigation Plan.
- 5) Conservation easements or funds for off-site oak woodlands conservation shall be proposed to and approved by the City.

## Residual Impact

After the implementation of mitigation measure MM 3.11.4, the proposed project's aesthetics and visual resources impacts would be less than cumulatively considerable.

## 7.0 SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL IMPACTS

The EIR determined that the proposed project does not have significant and unavoidable environmental effects.

## **8.0 FEASIBILITY OF PROJECT ALTERNATIVES**

An EIR must briefly describe the rationale for selection and rejection of alternatives. The lead agency may make an initial determination as to which alternatives are feasible, and therefore merit in-depth consideration, and which are infeasible. The alternatives analyzed in the Draft EIR were ultimately chosen based on each alternative's ability to feasibly attain the basic project objectives while avoiding or reducing one or more the project's significant effects. The EIR discussed several alternatives to the proposed project in order to present a reasonable range of alternatives. The alternatives evaluated included:

Alternative 1 – No Project Alternative, p. 5.0-2

Alternative 2 – Reduced Density Alternative, pp. 5.0-2 through -3

### **8.1 ALTERNATIVE 1 – NO PROJECT ALTERNATIVE**

CEQA Guidelines Section 15126.6(e) requires that a "No Project" alternative be evaluated in an EIR. In the case where the project is a development project on identifiable property, such as the proposed project, the No Project analysis must discuss the circumstance under which the project does not proceed. The comparison is that of the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. The analysis allows the decision-makers to compare the impacts of approving the project with the impacts of not approving the project (CEQA Guidelines Section 15126.6(e)(3)(B)). It is important to note that the project area is both designated and zoned for development within The Farm Specific Plan. While taking no action on the proposed project would not result in this project moving forward, it is reasonable to assume that a project would be proposed at some point in the future consistent with The Farm Specific Plan.

The following analysis compares the No Project Alternative to the significant environmental impacts of the proposed project.

#### **1. Land Use (p. 5.0-3)**

The No Project Alternative would not result in changes to The Farm Specific Plan to allow an increase in density. While the Draft EIR does not consider the change to the Specific Plan a significant impact, leaving the plan unaltered would result in no impact. For purposes of this alternative, no impact is considered as having less of an impact to land use than the proposed project.

#### **2. Population, Housing, and Employment (p. 5.0-3)**

Section 3.2, Population/Housing/Employment, of the Draft EIR notes that the proposed project could generate 895 residents at full buildout. The Draft EIR determined that this represents a 2.73 percent increase in the current population, which is considered a less than significant impact. However, the No Project Alternative would not result in any population or employment growth and therefore has impacts less than those of the proposed project.

#### **3. Traffic and Circulation (pp. 5.0-3 through -4)**

The No Project Alternative would not result in any new trips associated with construction or operation of new buildings, similar to those of the proposed project, as no homes or commercial uses would occur and there would be no new traffic. This alternative would not realign Bundy Canyon Road; however, the alignment would eventually occur as part of the Riverside County Regional Transportation Commission project already under way. As there would be no additional traffic, the project would not result in new signals at the Sellers Road, Monte Vista Drive, Harvest Way West, Harvest Way East, and Sunset Avenue intersections with Bundy Canyon Road. As noted in Table 3.3-11 of Section 3.3, Traffic and Circulation, of the Draft EIR, these intersections would operate at an unacceptable level of service in

2015 without the project. However, it is likely that many if not all of the intersections would be improved as part of the overall Bundy Canyon/Scott Road improvement project. Because there would be no new trips associated with the No Project Alternative, the impacts to traffic and circulation are considered less than those of the proposed project.

#### **4. Air Quality (p. 5.0-4)**

The air quality analysis for the proposed project identified that construction activities, such as clearing, excavation, and grading, and operation of the project would result in vehicle trips, resulting in significant emissions of nitrogen oxides (NOx) and reactive organic gases (ROG). While overall impacts are considered less than significant, the No Project Alternative would not result in any change in air quality impacts and would therefore result in less impact when compared to the proposed project.

#### **5. Noise (p. 5.0-4)**

As discussed in Section 3.5, Noise, of the Draft EIR, the proposed project has mitigation designed to protect proposed homes from the traffic projected to use the existing and expanded Bundy Canyon Road. Impact 3.5.3 also requires additional study for future uses at the commercial site. While the mitigation measures can reduce the impacts of the proposed project, the No Project Alternative would not expose residents to noise impacts associated with Bundy Canyon Road. Noise impacts are considered less than those of the proposed project.

#### **6. Geology and Soils (p. 5.0-4)**

The soil types on the project site are identified in Section 3.6, Geology and Soils, of the Draft EIR. As noted in Impact 3.6.3, there is undocumented artificial fill on the site that would need to be removed to allow for stable construction. Although mitigation measures reduce the impacts of the proposed project to a less than significant level, the soil impacts of the No Project Alternative are less than those of the proposed project.

#### **7. Hydrology and Water Quality (p. 5.0-4)**

The proposed project will result in additional impervious surface, including roadways, homes, driveways, and buildings. As discussed in Section 3.7, Hydrology and Water Quality, of the Draft EIR, the project proposes to collect all on-site stormwater flows via four major subsurface storm drain systems that will convey the flows to one of eight on-site extended detention basins. The stormwater drainage system and retention areas are also intended to address water quality issues associated with the runoff. While all impacts can be reduced to a less than significant level, the No Project Alternative does not result in additional construction of impervious surfaces, and impacts to hydrology and water quality would be less than the proposed project.

#### **8. Biological and Natural Resources (p. 5.0-4)**

The biological assessment for the site identified the potential for disturbance to nesting raptors and migratory birds associated with construction and operation. The No Project Alternative would not result in site disturbance and therefore would have no possibility of affecting nesting habitat. Although mitigation measures outlined in Section 3.8, Biological and Natural Resources, of the Draft EIR are typical of construction projects and will reduce the impacts of the proposed project to a less than significant level, the No Project Alternative would have no impact to biological resources when compared to the proposed project.

## **9. Cultural and Paleontological Resources (p. 5.0-5)**

Cultural resources have been identified on the project site. Development of the site would have the potential for disturbance of undiscovered and presently unknown cultural and paleontological resources at the time the site is graded. While mitigation measures outlined in Impact 3.9.2 reduces impact to cultural and paleontological resources to a less than significant level, the No Project Alternative would not result in site disturbance and would not have the potential to disturb unknown resources. The alternative would therefore have less of an impact than the proposed project.

## **10. Public Services and Utilities (p. 5.0-5)**

Section 3.10, Public Services and Utilities, of the Draft EIR determined that the proposed project would not have a significant impact on public services. However, because there would be no development and therefore no demand on existing services, the No Project Alternative would have less of an impact on public services than the proposed project.

## **11. Aesthetics and Visual Resources (p. 5.0-5)**

Impact 3.11.4 of Section 3.11, Aesthetics and Visual Resources, of the Draft EIR determined that the proposed project would have an impact on oak trees adjacent to Bundy Canyon Road. While mitigation included in the Draft EIR will reduce this impact to a less than significant level, the No Project Alternative would not impact oak trees and would therefore have less of an impact than the proposed project.

## **12. Energy Use and Greenhouse Gases (p. 5.0-5)**

The proposed project will generate greenhouse gases but at a level that is considered less than significant, as discussed in Impact 3.12.2 of Section 3.12, Energy Use and Greenhouse Gases, of the Draft EIR. The No Project Alternative would not generate any new greenhouse gasses and would therefore have less of an impact than the proposed project.

## **Cumulative (p. 5.0-5)**

The No Project Alternative would leave the property in its current state, keep The Farm Specific Plan in its current form, and would not result in improvements to Bundy Canyon Road. While this alternative would result in no impacts to the environment, it also fails to meet any of the project objectives. However, because alternative is the only alternative that reduces or eliminates any of the mitigation measures, the No Project Alternative is the environmentally superior alternative.

**Findings:** While Alternative 1, the No Project Alternative, would not result in any significant environmental impacts, the City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that this alternative does not meet any of the following objectives of the proposed project:

- Provide a residential development that would assist the City in meeting its existing and future housing needs
- Provide a project that minimizes its impact on site resources and existing residents through site design
- Create the opportunity for future commercial/retail services to become established in the area and serve local residents

- Provide private park and recreational amenities for the future Oak Creek Canyon residents
- Improve existing public access through the site by improving Bundy Canyon Road

## 8.2 ALTERNATIVE 2 – REDUCED DENSITY ALTERNATIVE

The original application materials requested a project with 315 single-family lots with minimum parcel sizes of 4,000 to 7,200 square feet. The Notice of Preparation (NOP) was circulated with the original project. While the NOP was being circulated, the project applicant met with the neighbors and residents of The Farm community and reduced the project to the 275 single-family parcels and a minimum parcel size of 4,500 square feet. Ordinarily, this reduction in project features would be the reduced density alternative; however, the applicant modified the proposed project to reflect fewer parcels and larger parcel sizes as discussed with the public. This modified project then became the proposed project for purposes of the Draft EIR.

The Reduced Density Alternative was evaluated to determine whether a smaller project would result in fewer changes to Bundy Canyon Road or a reduction in necessary utilities such as water and sewer. As envisioned in this alternative, the proposed 4,500-square-foot lots identified for Unit 1 would be developed as 7,200-square-foot lots.

The following analysis compares the Reduced Density Alternative to the significant environmental impacts of the proposed project.

### 1. Land Use (p. 5.0-6)

The Reduced Density Alternative would not result in changes to The Farm Specific Plan to allow an increase in density or the increase in commercial land area. While the Draft EIR does not consider the change to the Specific Plan a significant impact, leaving the plan unaltered would result in no impact. For purposes of this alternative, no impact is considered as having less of an impact to land use than the proposed project.

### 2. Population, Housing, and Employment (p. 5.0-6)

Section 3.2, Population/Housing/Employment, of the Draft EIR notes that the proposed project could generate 895 residents at full buildout. The Draft EIR determined that this represents a 2.73 percent increase in the current population, which is considered a less than significant impact. The Reduced Density Alternative would generate 843 residents, which is less than the proposed project and represents a 2.62 increase in the population of Wildomar. The smaller commercial area could also result in fewer potential jobs; however, the jobs projection for both the proposed project and this alternative is too speculative to determine. As this alternative would result in fewer residents and therefore less demand on services, this alternative is considered to have less of an impact than the proposed project.

### 3. Traffic and Circulation (p. 5.0-7)

The Reduced Density Alternative would result in fewer trips than the proposed project. Table 3.3-6 in Section 3.3, Traffic and Circulation, of the Draft EIR estimates 3,933 daily trips from the proposed project. Using the same generation assumptions provided in Table 3.3-5 and assuming that the commercial site would develop as a gas station/car wash only, this alternative would generate 3,702 daily trips, which represents a modest 6.25 percent decrease in the number of trips. The five intersections that require traffic signals would all require signals with or without the proposed project by 2015 (see Table 3.3-11). The slight decrease in the number of trips does not reduce or eliminate the need for the signals, as identified by the increase in delay shown in Table 3.3-10. Trips associated with construction would be

marginally decreased, as fewer homes would be constructed and less commercial area developed. Overall, the Reduced Density Alternative would result in fewer overall trips, but would not significantly reduce the traffic impact when compared to the proposed project. Impacts are therefore considered similar to the proposed project.

#### **4. Air Quality (p. 5.0-7)**

The air quality analysis for the proposed project identified that construction activities, such as clearing, excavation, and grading, and operation of the project would result in vehicle trips, resulting in significant emissions of NO<sub>x</sub> and ROG. The Reduced Density Alternative would likely result in a similar amount of grading to create the streets and parcels. As noted above, trips associated with this alternative would be fewer, although not significantly reduced from the proposed project. There would be fewer vehicle trips associated with the commercial development; however, this reduction may be offset because area residents would not benefit from shorter trips for commercial needs. Overall, the fewer homes associated with the Reduced Density Alternative will result in slightly less of an air quality impact than the proposed project.

#### **5. Noise (p. 5.0-7)**

As discussed in Section 3.5, Noise, of the Draft EIR, the proposed project has mitigation designed to protect proposed homes from the traffic projected to use the existing and expanded Bundy Canyon Road. Impact 3.5.3 also requires additional study for future uses at the commercial site. As this alternative would allow for development within the units identified on the subdivision map, the mitigation established for the proposed project would remain in place. The mitigation for noise from Bundy Canyon Road is not solely the result of traffic from the proposed project, but rather the high traffic volumes anticipated on this connector between Interstate 15 (I-15) and Interstate 215 (I-215). While the Reduced Density Alternative may result in fewer residents subject to noise from the roadway, overall the noise impacts associated with the alternative would be similar to those of the proposed project.

#### **6. Geology and Soils (p. 5.0-7)**

The soil types on the project site are identified in Section 3.6, Geology and Soils, of the Draft EIR. As noted in Impact 3.6.3, there is undocumented artificial fill on the site that would need to be removed to allow for stable construction. Although mitigation measures reduce the impacts of the proposed project to a less than significant level, the soil impacts of the Reduced Density Alternative are similar to those of the proposed project.

#### **7. Hydrology and Water Quality (p. 5.0-8)**

The proposed project will result in additional impervious surface, including roadways, homes, driveways, and buildings. As discussed in Section 3.7, Hydrology and Water Quality, of the Draft EIR, the project proposes to collect all on-site stormwater flows via four major subsurface storm drain systems that will convey the flows to one of eight on-site extended detention basins. The stormwater drainage system and retention areas are also intended to address water quality issues associated with the runoff. The Reduced Density Alternative would result in slightly less impervious surface associated with the commercial development and fewer homes. It is likely that the amount of impervious surface associated with streets and sidewalks would remain similar to that of the proposed project. The largest single difference in impervious surface between this alternative and the proposed project will be the commercial area. If this area remains undeveloped, it may result in less of a need for some of the proposed storm drainage basin(s) or possibly a smaller footprint and design capacity for the basins. However, it is also likely that the system would be designed to accommodate future development of this property, which would result in a storm drainage system similar to the proposed project. Overall, the Reduced Density Alternative would result in impacts to hydrology and water quality similar to the proposed project.

## **8. Biological and Natural Resources (p. 5.0-8)**

The biological assessment for the site identified the potential for disturbance to nesting raptors and migratory birds associated with construction and operation. The Reduced Density Alternative would result in similar site disturbance and impacts to biological resources as the proposed project. The mitigation measures outlined in Section 3.8, Biological and Natural Resources, of the Draft EIR are typical for construction projects and would likely also be applied to the Reduced Density Alternative. As the amount of area graded for this alternative is similar to the proposed project, the impacts to biological resources would also be similar.

## **9. Cultural and Paleontological Resources (p. 5.0-8)**

Cultural resources have been identified on the project site. Development of the site would have the potential for disturbance of undiscovered and presently unknown cultural and paleontological resources at the time the site is graded. Because this alternative would also result in excavation and grading, it is likely that the mitigation measures outlined in Impact 3.9.2 of this Draft EIR would also be applied to this alternative. As the area of disturbance for the Reduced Density Alternative would be similar to that of the proposed project, impacts to cultural resources would also be similar to those of the proposed project.

## **10. Public Services and Utilities (p. 5.0-8)**

Section 3.10, Public Services and Utilities, of the Draft EIR determined that the proposed project would not have a significant impact on public services. The addition of population to the City of Wildomar will result in an incremental increase in the demand for public services. As fewer new residents would result from this alternative, there would be proportionately less demand for services. The Reduced Density Alternative would be expected to have less of an impact on public services than the proposed project.

## **11. Aesthetics and Visual Resources (pp. 5.0-8 through -9)**

Impact 3.11.4 of Section 3.11, Aesthetics and Visual Resources, of the Draft EIR determined that the proposed project would have an impact on oak trees adjacent to Bundy Canyon Road. As this alternative would also result in the realignment of Bundy Canyon Road, the Reduced Density Alternative would also result in impact to the oak trees. While mitigation included in the Draft EIR will reduce this impact to a less than significant level, this alternative would result in removal of the oak trees and would therefore have the same impact as that of the proposed project.

## **12. Energy Use and Greenhouse Gases (p. 5.0-9)**

The proposed project will generate greenhouse gases but at a level that is considered less than significant, as discussed in Impact 3.12.2 of Section 3.12, Energy Use and Greenhouse Gases, of the Draft EIR. The Reduced Density Alternative would generate less greenhouse gases because there would be fewer homes and less traffic associated with the residential and commercial components. The larger commercial area associated with the proposed project could reduce trips by residents of the proposed project and therefore reduce greenhouse gases. The smaller commercial area associated with the Reduced Density Alternative would have fewer services and would not reduce trips or reduce greenhouse gases as much as the proposed project. However, as the commercial uses have not been identified, it is not possible to determine whether the commercial development would in fact reduce greenhouse gases by appealing to residents and resulting in shorter trips. Overall, the fewer homes and smaller commercial project would result in fewer trips. Therefore, the Reduced Density Alternative would have less of an impact on greenhouse gases than the proposed project.

## Cumulative (p. 5.0-9)

The Reduced Density Alternative would result in fewer homes and a smaller commercial area. This alternative would not require modification of The Farm Specific Plan and could be constructed with the current entitlements. The smaller commercial area would result in less opportunity for local commercial, meaning that both existing and future residents would have to drive farther for services. The reduction in the number of vehicle trips associated with this alternative is not sufficient to reduce the number of traffic signals or intersection improvements needed along Bundy Canyon Road. The amount of grading, development, and impact associated with this alternative is similar to that of the proposed project. Overall, while the Reduced Density Alternative does slightly reduce some impacts, the extent of physical impact on the existing environment is considered similar to that of the proposed project.

**Findings** Alternative 2, the Reduced Density Alternative, would not result in any significant environmental impacts and would meet all the project objectives. The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that this alternative is less desirable than the proposed project. It is rejected because while it would reduce the scale of some of the proposed project's impacts, it would not reduce any of these impacts to a degree that would change the significance of the impacts.

## 9.0 LONG-TERM IMPLICATIONS

CEQA Guidelines Section 15126.2(d) requires that an EIR evaluate the growth-inducing impacts of a proposed action. A growth-inducing impact is defined in CEQA Guidelines Section 15126.2(d) as follows:

*...the way in which a proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth...Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also...the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.*

The Draft EIR evaluated whether the proposed project will induce economic, population, or housing growth directly, secondarily, and on The Farm Specific Plan.

### 9.1 Growth Inducement Potential

Implementation of the proposed project would involve the development of 275 single-family homes in the City of Wildomar. This project will require a modification of The Farm Specific Plan, a rezoning of the project site, and the approval of Tentative Tract Map 36388.

The proposed project also includes construction of public improvements necessary to support the subdivision, including two 500,000-gallon water tanks and an access road, a realigned portion of Bundy Canyon Road, and internal and external roadway improvements to City of Wildomar standards. The Draft EIR does not address the future development of the contained commercial property except in a conceptual manner, as there are no proposed land uses or specific development plans for the commercial portion of the site at this time.

### 9.2 Secondary Effects of Growth

Development of the proposed project would result in additional water storage, more travel lanes for a small portion of Bundy Canyon Road, and the extension of additional electrical and sewer lines into The Farm Specific Plan area for the proposed project. The project area has been zoned for medium-density

residential development, and as shown in Figure 2.0-2, much of the area surrounding the proposed project is already subdivided for residential development. Extension of utilities into this area of the city will allow for future development consistent with the existing General Plan and zoning designations; however, the growth potential is limited in this area by topography, existing development, and jurisdictional boundaries.

Construction of a portion of Bundy Canyon Road is consistent with the Bundy Canyon Road/Scott Road Improvement Project improvements proposed by the Riverside County Transportation Commission (RCTC) and will eventually result in additional traffic capacity. The additional capacity could increase the amount of traffic traveling between Interstate 15 in the west and Interstate 215 (via Scott Road) in the east. The eventual widening of Bundy Canyon Road between I-15 and I-215 is part of the regional transportation improvements managed by the RCTC and numerous cities in Riverside County. A Draft EIR for the Bundy Canyon Road improvements was circulated for public review in January 2013 (SCH 2007051156). The Bundy Canyon Road improvements will extend from I-15 in the west to I-215 in the east. The proposed project contains only a small portion of the overall road length contained within the project boundaries.

### **9.3 Growth Impact of the Requested Change in Density for The Farm Specific Plan**

The net density for the proposed project will average 7.0 units per acre for the 41.30 acres of residentially developable land. This is an increase of 2.5 units per acre from the existing 4.5 units per acre allowed in The Farm Specific Plan for the same area. This increase results in an allowable increase in the number of homes from 243 to 290 for the project area. The proposed project is requesting 275 dwelling units, which is less than The Farm Specific Plan would allow. Note that both the existing Farm Specific Plan and the proposed project keep most of the project area in open space or roadways (105.5 acres of streets and open space for the existing Farm Specific Plan and 113.7 for the proposed project), which, when combined with biological and topographical constraints, substantially reduces the potential number of dwelling units.

When considered with the remainder of The Farm Specific Plan, however, the gross density does not change from the existing 1.3 dwelling units per acre and the overall net density increases from 2.6 to 2.7 units per acre. This overall increase in density is not considered a significant change in the allowable density, allowing a difference of only 40 units over the 739 existing net acres and representing an increase of approximately 2 percent. The increase in density associated with the proposed project is localized to only the area affected by the proposed project and would not result in any changes to existing allowable density for the remainder of The Farm Specific Plan. The overall changes to The Farm Specific Plan requested by the proposed project are small and would not result in substantial new growth or development within the Specific Plan area.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in less than significant impacts related to growth inducement.

### **9.4 IRREVERSIBLE ENVIRONMENTAL CHANGES**

The mitigation measures described in detail in this Draft EIR are similar to other construction-related requirements in the City of Wildomar. The specific location of the traffic signal and roadway improvements is based on the traffic impact analysis. The physical installation of traffic signals is similar to other intersections in the city and results in the need for excavation for footings, the installation of metal traffic signal support poles, and the use of power to operate the signals. Depending on the type of signal, there may also be detectors placed in the roadway surface to trigger the signal. The intersection improvements will involve sidewalk, curb, and gutter, with a small amount of pavement and paint used for turn lanes. The improvements at each intersection will be consistent with the City of Wildomar development standards as well as with the design expectations for Bundy Canyon Road.

There are no unique or extraordinary mitigation measures or requirements necessary for this development project to reduce environmental impacts to a less than significant level.

**Findings:** The City finds, based on the Draft EIR, the Final EIR, and the whole of the record, that the proposed project will result in less than significant impacts related to irreversible environmental changes.

## **10.0 FINDINGS ON CHANGES TO THE EIR AND RECIRCULATION**

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of a Draft EIR, but before certification. Such new information includes: (i) significant changes to the project; (ii) significant changes in the environmental setting; or (iii) significant additional data or other information. Section 15088.5 further provides that “[n]ew information added to an EIR is not ‘significant’ unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.”

No new or substantial changes to the Draft EIR were proposed as a result of the public comment process. The Final EIR responds to comments and makes changes, clarifications or additions to the Draft EIR in order to help clarify the project and its impacts in response to public or agency comments. The minor changes, clarifications, or additions to the Draft EIR do not identify any new significant impacts or substantial increase in the severity of any environmental impacts, and do not include any new mitigation measures that would have a potentially significant impact. Therefore, recirculation of the EIR is not required.

## **11.0 FINDINGS ON MITIGATION MONITORING AND REPORTING PROGRAM**

### **INTRODUCTION**

Pursuant to CEQA and CEQA Guidelines Sections 15091(d) and 15097, the lead agency (in the case of the proposed project, the City of Wildomar) for a proposed project must adopt a program for monitoring or reporting mitigation measures identified in the EIR, if the lead agency makes findings of significant impacts during the process of certifying the EIR. The primary purpose of the Mitigation Monitoring and Reporting Program (MMRP) is to ensure that the mitigation measures identified in the EIR are implemented, thereby reducing or avoiding identified environmental impacts. Due to the specialized nature of some of the mitigation measures identified in the EIR, the City may delegate responsibilities to environmental monitors or other professionals, as warranted.

### **MITIGATION MONITORING AND REPORTING PROGRAM**

The purpose of the MMRP is to ensure the effective implementation of the mitigation measures imposed by the City for the proposed project. In addition, the MMRP provides a means of identifying corrective actions, if necessary, before irreversible environmental damage occurs. The MMRP includes:

- A brief description of each impact expected to occur from the proposed project;
- Mitigation measure(s) associated with each impact;
- Responsible monitoring party;
- Responsible implementing party;

- Implementation phase (i.e., pre-construction, construction, prior to occupancy, post-occupancy); and
- Completion date and initials of reviewing party.

As the lead agency for the proposed project, the City will be required to comply with all applicable plans, permits, and conditions of approval for the proposed project, in addition to implementation of the MMRP. The mitigation measures presented in the MMRP will be implemented as indicated to avoid or minimize environmental impacts as a result of the proposed project.

The Draft EIR was released for public and agency review on November 21, 2012, with the 45-day review period ending on January 7, 2013. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives. The Draft EIR was provided to interested public agencies and the public and was made available for review on the City's website, at Wildomar City Hall, 23873 Clinton Keith Road in Wildomar, and at the Mission Trail Community Library, 34303 Mission Trail, Wildomar, CA 92595.

**EXHIBIT 4 - OF ATTACHMENT A**  
**(Oak Creek Canyon Mitigation Monitoring and Reporting Program)**

# **Oak Creek Canyon (Project No. 11-0261) Mitigation Monitoring and Reporting Program**

---

## **1 INTRODUCTION**

This document is the Mitigation Monitoring and Reporting Program (MMRP) for the **Oak Creek Canyon Residential Development** (Planning Application No. 11-0261) project. This MMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to “adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment”. An MMRP is required for the proposed project because the EIR has identified significant adverse impacts, and measures have been identified to mitigate those impacts.

## **2 MITIGATION MONITORING AND REPORTING PROGRAM**

As lead agency, the City of Wildomar will be responsible for monitoring compliance with all mitigation measures. Different departments within the city are responsible for aspects of the project. The MMRP identifies the department with the responsibility for ensuring the measure is completed however it is expected that one or more departments will coordinate efforts to ensure compliance.

The MMRP is presented in tabular form on the following pages. The components of the MMRP are described briefly below:

1. **Mitigation Measure:** The mitigation measures are taken from the EIR, in the same order that they appear in the EIR.
2. **Timing:** Identifies at which stage of the project the mitigation must be completed.
3. **Monitoring Responsibility:** Identifies the department within the City with responsibility for mitigation monitoring.
4. **Verification (Date and Initials):** Provides a contact who reviewed the mitigation measure and the date the measure was determined complete.

### Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<b>3.1 Land Use – None Required</b>	N/A	N/A	N/A
<b>3.2 Population, Housing and Employment – None Required</b>	N/A	N/A	N/A
<b>3.3 Traffic</b>			
<p><b>MM 3.3.1</b> The project applicant shall be required to implement the following traffic improvements:</p> <p><u>Sellers Road/Bundy Canyon Road</u></p> <ul style="list-style-type: none"> <li>• Install a traffic signal.</li> </ul> <p><u>Monte Vista Drive/Bundy Canyon Road</u></p> <ul style="list-style-type: none"> <li>• Install a traffic signal.</li> </ul> <p><u>Harvest Way West/Bundy Canyon Road</u></p> <ul style="list-style-type: none"> <li>• Install a traffic signal.</li> <li>• Stripe a shared northbound through-right turn lane in place of the existing de facto right turn lane.</li> <li>• Construct a southbound left turn lane and shared through-right turn lane.</li> <li>• Construct an eastbound left turn lane and two additional through lanes.</li> <li>• Construct two additional westbound through lanes.</li> </ul> <p><u>Harvest Way East/Bundy Canyon Road</u></p> <ul style="list-style-type: none"> <li>• Install a traffic signal.</li> <li>• Construct an eastbound left turn lane and two additional through lanes.</li> <li>• Construct a westbound left turn lane.</li> </ul> <p><u>Sunset Avenue/Bundy Canyon Road</u></p> <ul style="list-style-type: none"> <li>• Install a traffic signal.</li> <li>• Construct an eastbound left turn lane and two additional through lanes.</li> </ul>	<p><i>Prior to issuance of Final Map, a subdivision improvement agreement will be executed that will establish the precise timing for the improvements. All improvements shall be in place prior to full build out of the project.</i></p>	<p><i>City of Wildomar Public Works Department</i></p>	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<ul style="list-style-type: none"> <li>Construct a westbound left turn lane.</li> <li>Ensure a northbound and southbound lane of traffic along the frontage of the commercial parcel.</li> <li>Coordinate improvements with the City of Menifee.</li> </ul>			
<p><b>MM 3.3.4</b> The project applicant will prepare and implement a Traffic Management Plan (TMP) to minimize the inconveniences during construction. Included among the provisions, the contractor will coordinate with the City of Wildomar, Riverside County, and local police, fire, and emergency medical service providers regarding construction scheduling and any other practical measures to maintain adequate access to properties and response times. The TMP will include contact information for the general public who may have questions concerning the project and access to their property. Two-way traffic through the construction zone will be maintained throughout the construction period.</p>	<p><i>Prior to filing of a final map</i></p>	<p><i>City of Wildomar Public Works and Planning Departments</i></p>	
<p><b>MM 3.3.5</b> The project applicant shall be required to implement, or pay a fair share of the costs of the implementation of, the following traffic improvements:</p> <p><u>Murrieta Road/Scott Road</u></p> <ul style="list-style-type: none"> <li>Install a traffic signal.</li> <li>Construct an eastbound left turn lane.</li> <li>Restripe the southbound shared left-right turn lane as a right turn lane and construct two left turn lanes.</li> <li>Construct an additional eastbound through lane.</li> <li>Construct an additional westbound through lane and a dedicated right turn lane.</li> </ul> <p><u>I-215 Southbound Ramps/Scott Road</u></p> <ul style="list-style-type: none"> <li>Restripe the southbound shared left-through lane as a left turn lane and construct a second left turn lane and second</li> </ul>	<p><i>Prior to issuance of building permits.</i></p>	<p><i>City of Wildomar Public Works and Building Departments</i></p>	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<p>right turn lane.</p> <ul style="list-style-type: none"> <li>Construct three additional eastbound through lanes.</li> <li>Eliminate the westbound left turn lane and construct two additional through lanes and a right turn lane.</li> </ul> <p>It should be noted that these improvements are consistent with the planned Bundy Canyon Road/Scott Road and Interstate 215 at Scott Road interchange improvements planned by the Riverside County Transportation Commission funded by the Transportation Uniform Mitigation Fee.</p> <p><u>I-215 Northbound Ramps/Scott Road</u></p> <ul style="list-style-type: none"> <li>Construct a second northbound right turn lane and restripe the shared left-through lane as a through lane.</li> <li>Construct two southbound right turn lanes.</li> <li>Construct a second eastbound left turn lane and two additional through lanes.</li> <li>Construct two additional westbound through lanes and a shared through-right turn lane.</li> </ul> <p>It should be noted that these improvements are consistent with the planned Bundy Canyon Road/Scott Road and Interstate 215 at Scott Road interchange improvements planned by the Riverside County Transportation Commission funded by the Transportation Uniform Mitigation Fee. This project's payment of the TUMF is considered adequate mitigation.</p>			
<b>3.4. Air Quality</b>			
<p><b>MM 3.4.2a</b> The following measures shall be incorporated into project plans and specifications and complied with by the project applicant at all times during construction:</p> <ul style="list-style-type: none"> <li>All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 miles per hour (mph).</li> </ul>	<p><i>As a condition of project approval, and implemented during ground-disturbing activities</i></p>	<p><i>City of Wildomar Public Works and Building Departments</i></p>	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<ul style="list-style-type: none"> <li>The construction contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project site are watered daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day. (As shown in Table XI-A in <b>Appendix 3.4-1</b>, implementation of this measure is estimated to reduce PM<sub>10</sub> and PM<sub>2.5</sub> fugitive dust emissions by approximately 61 percent.)</li> <li>The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour (mph) or less to reduce PM<sub>10</sub> and PM<sub>2.5</sub> fugitive dust haul road emissions by approximately 44 percent.</li> </ul>			
<b>MM 3.4.2b</b> Prior to issuance of a grading permit, the grading plans shall reference that a sign will be posted on-site stating that construction workers need to shut off engines after 5 minutes of idling. The California Air Resources Board, in Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations, imposes a requirement that heavy-duty trucks accessing the site shall not idle for greater than 5 minutes at any location. This measure is intended to apply to construction traffic	<i>As a condition of project approval, and implemented during ground-disturbing activities</i>	<i>City of Wildomar Public Works and Building Departments</i>	
<b>3.5 Noise</b>			
<b>MM 3.5.1a</b> The project applicant shall construct at least a 6.5-foot-high decorative block wall or similarly effective noise barrier consistent with the design/wall guidelines of the specific plan for lots 33–50 adjacent to Bundy Canyon Road to mitigate for exterior noise impacts to residents. The designed noise screening may only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area and has no decorative cutouts or line-of-sight openings between shielded areas and the roadways. The recommended noise control barrier may be constructed	<i>Prior to a Certificate of Occupancy for lots 33–50 (Phase 18 planning area)</i>	<i>City of Wildomar Public Works and Building Departments</i>	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<p>using one of the following alternative materials:</p> <ol style="list-style-type: none"> <li>1) Masonry block</li> <li>2) Stucco veneer over wood framing (or foam core), or 1-inch-thick tongue-and-groove wood of sufficient weight per square foot</li> <li>3) Glass (1/4 inch thick), or other transparent material with sufficient weight per square foot</li> <li>4) Earthen berm</li> <li>5) Any combination of these construction materials</li> </ol> <p>The recommended barrier must present a solid face from top to bottom. Unnecessary openings or decorative cutouts should not be made. All gaps (except for weep holes) should be filled with grout or caulking.</p>			
<p><b>MM 3.5.1b</b> The project applicant shall construct a 6.0-foot-high decorative block wall or similarly effective noise barrier consistent with the design/wall guidelines of the specific plan for lots 89–96, 131–144, 150–164, and 198–222 adjacent to Bundy Canyon Road to mitigate for exterior noise impacts to residents. The designed noise screening may only be accomplished if the barrier’s weight is at least 3.5 pounds per square foot of face area and has no decorative cutouts or line-of-sight openings between shielded areas and the roadways. The recommended noise control barrier may be constructed using one of the following alternative materials:</p> <ol style="list-style-type: none"> <li>1) Masonry block</li> <li>2) Stucco veneer over wood framing (or foam core), or 1-inch-thick tongue-and-groove wood of sufficient weight per square foot</li> <li>3) Glass (1/4 inch thick), or other transparent material with sufficient weight per square foot</li> <li>4) Earthen berm</li> </ol>	<p><i>Prior to a Certificate of Occupancy for lots 89–96, 131–144, 150–164 (Phase 9 planning area) and 198–222 (Phase 17A planning area)</i></p>	<p><i>City of Wildomar Planning and Building Departments</i></p>	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<p>5) Any combination of these construction materials</p> <p>6) The recommended barrier must present a solid face from top to bottom. Unnecessary openings or decorative cutouts should not be made. All gaps (except for weep holes) should be filled with grout or caulking.</p>			
<p><b>MM 3.5.1c</b> The project applicant shall provide a “windows closed” condition, requiring a means of mechanical ventilation and standard dual-glazed windows with a minimum Sound Transmission Class (STC) rating of 26 at first-floor elevations, with upgraded dual-glazed windows with a minimum Sound Transmission Class (STC) rating of 29 at second-floor elevations for lots 33–50, 89–96, 131–144, 152–164, and 198–222.</p>	<p><i>Prior to a Certificate of Occupancy (as a part of building permit requirements) for lots 33–50, 89–96, 131–144, 152–164, and 198–222</i></p>	<p><i>City of Wildomar Planning and Building Departments</i></p>	
<p><b>MM 3.5.1d</b> The project applicant shall provide a “windows closed” condition, requiring a means of mechanical ventilation and standard dual-glazed windows with a minimum Sound Transmission Class (STC) rating of 26 at first- and second-floor elevations for lots 1–3, 145–151, 173, 197, and 223–224.</p>	<p><i>Prior to a Certificate of Occupancy (as a part of building permit requirements) for lots 1–3, 145–151, 173, 197, and 223–224</i></p>	<p><i>City of Wildomar Planning and Building Departments</i></p>	
<p><b>MM 3.5.1e</b> All window and door assemblies used throughout the project shall be free of cutouts and openings and shall be well fitted and well weather-stripped.</p>	<p><i>Prior to a Certificate of Occupancy (as a part of building permit requirements)</i></p>	<p><i>City of Wildomar Planning and Building Departments</i></p>	
<p><b>MM 3.5.1f</b> A final noise study shall be prepared prior to obtaining building permits for lots 1–3, 33–50, 89–96, 131–151, 152–164, 173, and 197–224. This report will finalize the noise requirements based upon precise grading plans and actual building design specifications. The report may result in the need for additional building-specific architectural treatments to meet the interior noise specifications of the City.</p>	<p><i>As a part of building permit requirements</i></p>	<p><i>City of Wildomar Planning and Building Departments</i></p>	
<p><b>MM 3.5.3</b> The project applicant shall ensure that future</p>	<p><i>Prior to approval of a Plot Plan or</i></p>	<p><i>City of Wildomar Planning and Building</i></p>	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<p>commercial uses do not result in exterior noise levels at the nearest sensitive receptor that exceeds 65 dB or interior noise levels that exceed 45 dB. Examples of design features that can be used to reduce noise impacts associated with any future commercial use include, but are not limited to, noise barriers (walls), limited hours of operation, reconfiguration of site design, or restriction of uses or types of use.</p>	<p><i>Conditional Use Permit for any commercial development within the Phase 19 planning area</i></p>	<p><i>Departments</i></p>	
<p><b>3.6 Geology and Soils</b></p>			
<p><b>MM 3.6.3</b> All existing undocumented artificial fill, topsoil, Quaternary alluvium, Quaternary older alluvium, and unsuitable upper intensely weathered Cretaceous gabbro should be over-excavated to underlying competent Cretaceous gabbro within the areas of proposed structures, fill, or improvements. Anticipated removal depths range from approximately 2 to 14 feet below the existing surface.</p>	<p><i>During grading and building activities</i></p>	<p><i>City of Wildomar City Public Works and Building Departments</i></p>	
<p><b>3.7 Hydrology and Water Quality</b></p>			
<p><b>MM 3.7.1</b> Prior to the approval of the grading permit for future development on the project site, the project applicant(s) shall be required to prepare a stormwater pollution and prevention plan (SWPPP) consistent with the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2010-0014-DWQ), which is to be administered through all phases of grading and project construction. The SWPPP shall incorporate best management practices (BMPs) and be consistent with the <i>Riverside County Stormwater Quality Best Management Practice Design Handbook</i>, to ensure that potential water quality impacts during construction phases are minimized. The SWPPP shall be submitted to the Regional Water Quality Control Board and to the City of Wildomar for review. A copy of the SWPPP must be kept accessible on</p>	<p><i>Prior to the issuance of a grading permit</i></p>	<p><i>City of Wildomar Engineering Department</i></p>	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<p>the project site at all times. In addition, the project applicant(s) will be required to submit, and obtain City approval of, a Water Quality Management Plan prior to the issuance of any building or grading permit for future development on the project site in order to comply with the Areawide Urban Runoff Management Program. The project shall implement site design BMPs, source control BMPs, and treatment control BMPs as identified in the Water Quality Management Plan. Site design BMPs shall include, but are not limited to, landscape buffer areas, on-site ponding areas, roof and paved area runoff directed to vegetated areas, and vegetated swales. Source control BMPs shall include, but are not limited to, education, landscape maintenance, litter control, parking lot sweeping, irrigation design to prevent overspray, and covered trash storage. Treatment control BMPs shall include vegetated swales and a detention basin, or an infiltration device. The project will be responsible for maintenance of the basins to ensure they drain within 72 hours of a storm event.</p>			
<p><b>3.8 Biological and Natural Resources</b></p>			
<p><b>MM 3.8.2</b> The project applicant shall conduct construction and clearing activities outside of the avian nesting season (January 15–August 31), where feasible. If clearing and/or construction activities occur during nesting season, then preconstruction surveys for nesting raptors and migratory birds shall be conducted by a qualified biologist, up to 14 days before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds.</p> <p>If an active nest is located within 100 feet (250 feet for</p>	<p><i>The project applicant shall incorporate requirements into all rough and/or precise grading plan documents. The project applicant's construction inspector shall monitor to ensure that measures are implemented during construction.</i></p>	<p><i>City of Wildomar Planning and Public Works Departments</i></p>	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<p>raptors) of construction activities, the project applicant shall establish an exclusion zone (no ingress of personnel or equipment) at a minimum radius of 100 feet or 250 feet, as appropriate, around the nest. Alternative exclusion zones may be established through consultation with the CDFG and the USFWS. The exclusion zones shall remain in force until all young have fledged.</p> <p>Reference to this requirement and to the Migratory Bird Treaty Act shall be included in the construction specifications.</p> <p>If construction activities or tree removal are proposed to occur during the non-breeding season (September 1–January 14), a survey is not required, no further studies are necessary, and no mitigation is required.</p>			
<p><b>MM 3.8.3a</b> Per MSHCP Species-Specific Objective 6, pre-construction presence/absence surveys for burrowing owl within the survey area where suitable habitat is present will be conducted for all covered activities through the life of the permit. Surveys will be conducted within 30 days prior to disturbance. If owls are found on site during the pre-ground-disturbance survey, the City shall immediately notify both the Regional Conservation Authority (RCA) and the wildlife agencies. A conservation strategy will then be developed by the wildlife agencies and the RCA in accordance with the CDFW’s “Staff Report on Burrowing Owl Mitigation.”</p> <p>The breeding period for burrowing owls is February 1 through August 31, with the peak being April 15 to July 15, the recommended survey window. Winter surveys may be conducted between December 1 and January 31. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed.</p> <p>Surveys shall be completed for occupied burrowing owl burrows within all construction areas and within 150 meters</p>	<p><i>30-days prior to any vegetation removal or ground-disturbing activities</i></p>	<p><i>City of Wildomar Planning Department</i></p>	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
(500 feet) out from the project work areas (where possible and appropriate based on habitat). All occupied burrows will be mapped on an aerial photo.			
<p><b>MM 3.8.3b</b> Based on the burrowing owl survey results, the City shall require the project applicant to take the following actions to offset impacts prior to ground disturbance if owls are found to be present:</p> <ul style="list-style-type: none"> <li>• If paired owls are nesting in areas scheduled for disturbance or degradation, nest(s) shall be avoided from February 1 through August 31 by a minimum of a 75-meter (250 feet) buffer or until fledging has occurred. Following fledging, owls may be passively relocated by a qualified biologist.</li> <li>• If impacts on occupied burrows in the non-nesting period are unavoidable, on-site passive relocation techniques may be used if approved by the CDFG to encourage owls to move to alternative burrows outside of the impact area. However, no occupied burrows shall be disturbed during the nesting season unless a qualified biologist verifies through noninvasive methods that the burrow is no longer occupied. Foraging habitat for relocated pairs shall be provided in accordance with guidelines provided by the CDFG (2012).</li> <li>• The RCA and Wildlife agencies do not support passive relocation of burrowing owls except in narrow circumstances where there is suitable adjacent conserved land available. There is currently no suitable land adjacent to the project. If relocation of the owls is approved for the site by the Wildlife Agencies, the City shall require the developer to hire a qualified biologist to prepare a plan for relocating the owls to a suitable site. The relocation plan must include all of the following: <ul style="list-style-type: none"> <li>• The location of the nest and owls proposed for</li> </ul> </li> </ul>	<p><i>Prior to any vegetation removal or ground-disturbing activities</i></p>	<p><i>City of Wildomar Planning Department</i></p>	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<p>relocation.</p> <ul style="list-style-type: none"> <li>• The location of the proposed relocation site.</li> <li>• The number of owls involved and the time of year when the relocation is proposed to take place.</li> <li>• The name and credentials of the biologist who will be retained to supervise the relocation.</li> <li>• The proposed method of capture and transport for the owls to the new site.</li> <li>• A description of site preparation at the relocation site (e.g., enhancement of existing burrows, creation of artificial burrows, one-time or long-term vegetation control).</li> <li>• A description of efforts and funding support proposed to monitor the relocation.</li> <li>• If paired owls are present within 50 meters (160 feet) of a temporary project disturbance (i.e., parking areas), active burrows shall be protected with fencing/cones/flagging and monitored by a qualified biologist throughout construction to identify losses from nest abandonment and/or loss of reproductive effort (e.g., killing of young).</li> </ul>			
<p><b>MM 3.8.4</b> The project applicant shall ensure that there is no net loss of riparian vegetation. Mitigation can include on-site restoration or purchase of mitigation credits at a US Army Corps of Engineers (USACE) approved or mitigation bank. Mitigation associated with regulatory permits issued through the CDFG, USACE, MSHCP, or the Water Resources Control Board may be applied to satisfy this measure. Evidence of compliance with this mitigation measure shall be provided prior to construction and grading activities for the proposed project.</p>	<p><i>Prior to project vegetation removal or ground-disturbing activities</i></p>	<p><i>City of Wildomar Planning Department and Public Works Department</i></p>	
<p><b>MM 3.8.5a</b> The jurisdictional delineation shall be verified</p>	<p><i>Prior to any vegetation removal or</i></p>	<p><i>City of Wildomar</i></p>	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
by the USACE and the California Department of Fish and Wildlife for waters of the State and submitted to the City for review.	<i>ground-disturbing activities</i>	<i>Planning Department and Public Works Department</i>	
<p><b>MM 3.8.5b</b> The project applicant shall ensure that the project will result in no net loss of waters of the United States and waters of the State by providing mitigation through impact avoidance, impact minimization, and/or compensatory mitigation.</p> <p>Compensatory mitigation may consist of (a) obtaining credits from a mitigation bank; (b) making a payment to an in-lieu fee program that will conduct wetland, stream, or other aquatic resource restoration, creation, enhancement, or preservation activities; these programs are generally administered by government agencies or nonprofit organizations that have established an agreement with the regulatory agencies to use in-lieu fee payments collected from permit applicants; and/or (c) providing compensatory mitigation through an aquatic resource restoration, establishment, enhancement, and/or preservation activity.</p>	<i>Prior to any vegetation removal or ground-disturbing activities</i>	<i>City of Wildomar Planning Department and Public Works Department</i>	
<p><b>MM 3.8.8a</b> If riparian/riverine habitats covered under the MSHCP cannot be avoided, the project applicant shall submit a Determination of Biological Equivalent or Superior Preservation (DBESP), as outlined in Section 4.2 of the MSHCP Permittee Implementation Guidance Manual, to the City for approval.</p> <p>The project applicant shall ensure that the project will result in no net loss of riparian/riverine habitats by providing mitigation through impact avoidance, impact minimization, and/or compensatory mitigation for the impact, as determined in the DBESP. Mitigation accomplished under mitigation measure <b>MM 3.8.5b</b> may apply to meet the standards where appropriate.</p>	<i>Prior to any vegetation removal or ground-disturbing activities</i>	<i>City of Wildomar Planning Department and Public Works Department</i>	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<b>MM 3.8.8b</b> The project applicant shall submit plans that illustrate how disturbance to the portion of the project site located within the portion of Cell #5046 of Cell Group J in the Sedco Hills Subunit (SU4) of the Elsinore Area Plan will be avoided for City for approval.	<i>Prior to any vegetation removal or ground-disturbing activities</i>	<i>City of Wildomar Planning Department and Public Works Department</i>	
<b>MM 3.8.8c</b> The project applicant shall submit fees to the City in accordance to the requirements of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Mitigation Fee Areas, including the MSHCP Mitigation Fee Area and the Stephens' Kangaroo Rat Mitigation Fee Area.	<i>Prior to any vegetation removal or ground-disturbing activities</i>	<i>City of Wildomar Planning Department</i>	
<b>3.9 Cultural and Paleontological Resources</b>			
<b>MM 3.9.2a</b> At least 30 days prior to the issuance of the first grading permit, the project applicant shall enter into a Cultural Resources Treatment and Tribal Monitoring Agreement with the Pechanga Band of Luiseno Indians and/or the Cahuilla Band of Indians. The agreement shall include, but not be limited to, outlining provisions and requirements for addressing the treatment of cultural resources; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site; and establishing on-site monitoring provisions and/or requirements for professional Pechanga Tribal monitors during all ground-disturbing activities. A copy of this signed agreement shall be provided to the Planning Director and Building Official prior to the issuance of the first grading permit..	<i>Prior to ground-disturbing activities</i>	<i>City of Wildomar Planning and Building Department</i>	
<b>MM 3.9.2b</b> Should any cultural resources be uncovered during the grading and construction phases of the proposed project, work shall be halted or relocated to an area outside of the area in which the resource was found while the project archaeologist and the Pechanga representative identify the resource and reassess the area. If the resource found is	<i>During all grading and construction activities</i>	<i>City of Wildomar Planning Department and Public Works Department</i>	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<p>determined to be an historical or unique archeological resource, a time allotment sufficient to allow for the implementation of avoidance measures or appropriate mitigation shall be made available. Work on the proposed project may continue in other areas of the project site while any historical or unique archeological resource mitigation takes place.</p>			
<p><b>MM 3.9.2c</b> Prior to beginning project construction, the project applicant shall retain a Riverside County qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation in consultation with the Pechanga Tribe. The project archaeologist shall be responsible for updating the State DPR forms and completing an Archaeological Monitoring Report detailing the results of the monitoring program, including the final disposition of CA-RIV-8282 and CA RIV-1256, updated DPR forms, a complete catalog list of resources collected during monitoring activities, and any other pertinent information related to the project. A final copy of the study shall be sent to the project applicant, the City of Wildomar, the Eastern Information Center, and the Pechanga Tribe.</p>	<p><i>During all grading and construction activities</i></p>	<p><i>City of Wildomar Planning Department and Public Works Department</i></p>	
<p><b>MM 3.9.2d</b> Prior to beginning project construction, the project applicant shall file an archaeological monitoring report with the City to document the proposed methodology for grading activity observation, which will be determined in consultation with the Pechanga Tribe. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in mitigation measure MM 3.9.2, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the Pechanga Tribe in order to</p>	<p><i>During all grading and construction activities</i></p>	<p><i>City of Wildomar Planning Department and Public Works Department</i></p>	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<p>evaluate the significance of any archaeological resource discovered on the property. Tribal and archaeological monitors shall be allowed to monitor all grading, excavation, and groundbreaking activities, and shall also have the authority to temporarily stop and redirect grading activities.</p>			
<p><b>MM 3.9.2e</b> The landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts that are found on the project area to the Pechanga Tribe for proper treatment and disposition. The Tribe maintains a 36 CFR Part 79 standard facility and requests that all artifacts, not including human remains, sacred/ceremonial items, or grave goods, be curated at that facility. Further, all sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.</p>	<p><i>During all grading and construction activities</i></p>	<p><i>City of Wildomar Planning Department and Public Works Department</i></p>	
<p><b>MM 3.9.2f</b> Significant site CA-RIV-8282 cannot be avoided as the preferred option per CEQA. As there are no large boulder outcrops or other predominant features located within this site, no measures are necessary for relocation. However, because the archaeological testing plan identified cultural resources on the surface and at least 35 centimeters in depth, controlled grading will occur within the boundaries of CA-RIV-8282 in order to observe any buried features, artifacts, or human remains that were not identified during testing. A plan detailing the controlled grading will be prepared in consultation with the Pechanga Tribe describing the process and duration of the grading in this area prior to grading in the CA-RIV-8282 area.</p>	<p><i>During all grading and construction activities</i></p>	<p><i>City of Wildomar Planning Department and Public Works Department</i></p>	
<p><b>MM 3.9.2g</b> Significant site CA-RIV-1256 will be avoided through design of the project. Prior to development in the area, the project archaeologist and the Pechanga Tribe will fence the area to be protected. No impacts to the area should occur during grading. Upon completion of the grading in this</p>	<p><i>During all grading and construction activities</i></p>	<p><i>City of Wildomar Planning Department and Public Works Department</i></p>	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<p>area, the fencing will be removed. The Pechanga Tribe and the project applicant will develop a long-term management plan for CA-RIV-1256.</p>			
<p><b>MM 3.9.3</b> Prior to issuance of a grading permit, the project applicant shall present a letter to the Chief Building Official indicating that a qualified paleontologist has been retained to carry out a paleontological monitoring and salvage program. The contracting paleontologist shall be present to monitor all initial ground-disturbing activities in native soils or sediments, including all vegetation removal. Should any paleontological resources (i.e., fossils) be uncovered during project construction activities, all work in the immediate vicinity shall be halted or diverted to other areas on the site and the City shall be immediately notified. The qualified paleontologist shall be retained to evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered paleontological resources. The City and the project applicant shall consider the recommendations of the qualified paleontologist. The City, the qualified paleontologist, and the project applicant shall consult and agree upon implementation of a measure or measures that the City, the qualified paleontologist, and the project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project applicant, qualified paleontologist, and the City, as well as the Native American tribal representative if relevant, as to the appropriate preservation or mitigation measures.</p>	<p><i>As a condition of project approval, and implemented prior to issuance of a grading permit and during ground-disturbing activities</i></p>	<p><i>City of Wildomar Planning Department and Public Works Department</i></p>	
<p><b>MM 3.9.4</b> In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:</p>	<p><i>As a condition of project approval, and implemented prior to issuance of a grading permit and during ground-disturbing activities</i></p>	<p><i>City of Wildomar Planning Department and Public Works Department</i></p>	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<p>1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:</p> <ul style="list-style-type: none"> <li>a. The Riverside County Coroner shall be contacted to determine whether an investigation into the cause of death is required; and</li> <li>b. If the Riverside County Coroner determines the remains are Native American: <ul style="list-style-type: none"> <li>i. The Coroner shall contact the Native American Heritage Commission within 24 hours.</li> <li>ii. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.</li> <li>iii. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or</li> </ul> </li> </ul> <p>2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p> <ul style="list-style-type: none"> <li>a. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission;</li> <li>b. The descendant identified fails to make a recommendation; or</li> </ul>			

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
c. The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.			
<b>3.10 Public Services and Utilities – None Required</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>3.11 Aesthetics and Visual Resources</b>			
<p><b>MM 3.11.4</b> Prior to any development activity or the issuance of any permit or approval removing or encroaching upon oak trees on the project site (this generally includes the canopy dripline of trees within the area of ground disturbance and trees subject to changes in hydrologic regime), an Oak Tree Mitigation Plan prepared by a certified arborist, registered professional forester, botanist, or landscape architect shall be submitted for review and approval by the City that includes:</p> <ol style="list-style-type: none"> <li>1) A survey showing the location of oak trees 5 inches or more in diameter at breast height, as defined by Public Resources Code Section 21083.4(a).</li> <li>2) The removal of all oak trees 5 inches or more in diameter at breast height shall be mitigated. Removal shall be mitigated by planting (or replanting) and maintaining oak trees. A minimum of three native oak trees of 5 gallons or larger size shall be planted for each oak tree removed that is greater than or equal to 5 inches diameter at breast height (DBH). The trees shall be planted in areas deemed appropriate by the Oak Tree Mitigation Plan, considering future lot development and interference with foundations, fencing, roadways, driveways, and utilities. Replanted oak trees shall be maintained for a period of seven years after they are planted. If any of the replanted oak trees die or become diseased, they shall be replaced and maintained for seven years after the new oak trees are planted.</li> </ol>	<i>Prior to any ground disturbance activities</i>	<i>City of Wildomar Planning Department and Public Works Department</i>	

Mitigation Measure	Timing	Monitoring Responsibility	Verification (Date and Initials)
<p>3) A replanting schedule and diagram for trees removed or encroached upon by the project shall be submitted to and approved by the City. Replanted trees shall be planted in areas deemed appropriate by the Oak Tree Mitigation Plan, considering future lot development and interference with foundations, fencing, roadways, driveways, and utilities. Trees planted shall be protected from livestock and other animals.</p> <p>4) Oak tree protection measures for trees to be retained within the project site shall be included in construction specifications. Each oak tree to be preserved shall be surrounded by a tree zone identified by the dripline of the tree. An orange plastic fence or other suitable type of fence shall be used to identify the tree zone during construction activities. No vegetation removal, soil disturbance, or other development activities shall occur within the tree zone in order to protect root systems and minimize compaction of the soil, unless authorized by the Oak Tree Mitigation Plan.</p> <p>5) Conservation easements or funds for off-site oak woodlands conservation shall be proposed to and approved by the City.</p>			
<b>3.12 Energy Use and Greenhouse Gas – None Required</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

## **ATTACHMENT B**

### **PC Resolution No. 13-06 General Plan Amendment**

**PC RESOLUTION NO. 13-06**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENT NO. 11-0261 TO 1) AMEND THE GENERAL PLAN LAND USE MAP FROM MEDIUM DENSITY RESIDENTIAL TO MEDIUM HIGH DENSITY RESIDENTIAL FOR PHASE/PLANNING AREAS NO. 9 AND 18; AND 2) TO AMEND THE GENERAL PLAN LAND USE MAP FROM MEDIUM DENSITY RESIDENTIAL (ON A PORTION OF APN: 362-080-004) TO COMMERCIAL RETAIL FOR PHASE/PLANNING AREA NO. 19 AND 3) INCREASE THE SIZE OF PHASE/PLANNING AREA NO. 19 FROM 1.0 ACRES TO 5.0 ACRES AND RELOCATE THE PHASE/PLANNING AREA TO THE SOUTHWEST CORNER OF BUNDY CANYON ROAD AND SUNSET AVENUE (ON A PORTION OF APN: 362-080-004) FOR THE OAK CREEK CANYON RESIDENTIAL/COMMERCIAL PROJECT.**

**WHEREAS**, the Planning Department has received an application for a General Plan Amendment filed by:

Applicant/Owner: Bill Lo, Sunbelt Communities  
Project Location: The Farm Specific Plan Area  
APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015)  
Project Area: 151.23 acres

**WHEREAS**, the Planning Commission of the City of Wildomar, California, has the authority and has reviewed the proposed Oak Creek Canyon Development project and General Plan Amendment No. 11-0261 as proposed in accordance with the California Government Code, Sections 65358, Section 65453, and 65853 and the City of Wildomar Municipal Code, Title 17; and

**WHEREAS**, the proposed Oak Creek Canyon Development is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code § 21000 et seq. ("CEQA"); and

**WHEREAS**, the Planning Director determined that there was substantial evidence that the Oak Creek Canyon Development may have one or more significant effects on the environment and that preparation of an Environmental Impact Report ("EIR") was therefore warranted under Public Resources Code § 21080(d) and § 21082.2(d); and,

**WHEREAS**, the City circulated a Notice of Preparation (NOP) of the Draft EIR from March 5, 2012 through April 6, 2012; and

**WHEREAS**, the City conducted a public scoping meeting concerning the proposed project on March 13, 2012; and

**WHEREAS**, upon completion of the Draft EIR, the City provided Notice of Completion (NOC) to the State Office of Planning and Research on Wednesday, November 19, 2012, as required under CEQA Guidelines § 15085 and provided Notice of Availability on November 21, 2012, as required under CEQA Guidelines § 15087; and,

**WHEREAS**, on November 21, 2012, the City published Notice of Availability in "The Californian" (a local newspaper of general circulation), and gave notice to the Riverside County Clerk, and all interested parties requesting said notice regarding the preparation and review of a draft environmental impact report (SCH# 2012031064) for the proposed project (Planning Application No. 11-0261 / TTM No. 36388), and was posted in three public places for review at 1) Wildomar City Hall, 2) Wildomar Mission Trail Library, 3) The Riverside County Clerk of the Board of Supervisors, and on the City of Wildomar website; and

**WHEREAS**, the Draft EIR was circulated to the public, responsible agencies and other interested parties as required by CEQA Guidelines § 15087 for a period of 45 days commencing on November 19, 2012 and closing on January 7, 2013 in accordance with CEQA Guidelines § 15105(a); and

**WHEREAS**, before the close of the public comment period the City received 11 comments on the Draft EIR; and

**WHEREAS**, the EIR consists of the following documents included as Exhibits to this Resolution: Exhibit 1: Oak Creek Canyon Development, Draft Environmental Impact Report, State Clearinghouse Number 2012031064, November 2012; and Exhibit 2: Oak Creek Canyon Final Environmental Impact Report, February 22, 2013; and Exhibit 3: Oak Creek Canyon Development Environmental Impact Report Findings of Fact; and, Exhibit 4: Oak Creek Canyon Development Mitigation Monitoring and Reporting Program; and

**WHEREAS**, this EIR, as authorized under CEQA Guidelines § 15150, incorporates by reference the City of Wildomar General Plan, Zoning Ordinance, and the Final EIR prepared for the project; and

**WHEREAS**, in accordance with Government Code Sections 65353, 65355 and 65090, the City of Wildomar Planning Department, on February 21, 2013, gave public notice by mailing a public hearing notice to all property owners within a 600-foot radius of the project boundaries notifying said property owners of the date and time of the public hearing for the General Plan Amendment No. 11-0261 that would be considered by the City of Wildomar Planning Commission; and

**WHEREAS**, in accordance with Government Code Sections 65353, 65355 and 65090 the City of Wildomar Planning Department, on February 24, 2013, published a legal notice in “The Californian”, a local newspaper of general circulation, in compliance with State law notifying the public of the holding of a public hearing for the General Plan Amendment No. 11-0261 that would be considered by the City of Wildomar Planning Commission; and

**WHEREAS**, in accordance with Government Code Section 65353, the City of Wildomar Planning Commission conducted the duly noticed public hearing on March 6, 2013, at which time interested persons had an opportunity to testify in support of, or opposition to the proposed the General Plan Amendment No. 11-0261, and at which time the Planning Commission received public testimony concerning General Plan Amendment No. 11-0261.

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

**SECTION 1. CEQA:**

The approval of this General Plan Amendment is in compliance with requirements of the California Environmental Quality Act (“CEQA”), in that on March 6, 2013, at a duly noticed public hearing, the Planning Commission recommended approval and certification of an Environmental Impact Report reflecting its independent judgment and analysis and documenting the environmental impacts and mitigation measures related to the project. The documents comprising the City’s environmental review for the project are on file and available for public review at Wildomar City Hall, 23873 Clinton Keith Rd., Suite 201, Wildomar, CA 92595.

**SECTION 2. GENERAL PLAN AMENDMENT FINDINGS.**

Pursuant to Government Code Section 65350 – 65362, the Planning Commission recommends that the City Council make the following findings pertaining to the Oak Creek Canyon General Plan Amendment (Planning Application No. 11-0261):

- A. The proposed General Plan Amendment will not cause any internal inconsistencies in the General Plan.

The applicant is proposing to: 1) amend the General Plan Land Use designation for Phase/Planning Area No. 9 and 18 from Medium Density Residential to Medium High Density Residential to accommodate 84 single family lots with a minimum lot size of 6,000 square feet and 88 single family lots with a minimum lot size of 4,500 square feet, respectively; 2) amend the General Plan land use map from Medium Density Residential (on a portion of APN: 362-080-004) to Commercial Retail for Phase/Planning Area No. 19; and 3) to increase the size of Phase/Planning Area No. 19 from 1.0 acres to 5.0 acres and relocate it to the southwest corner of Bundy Canyon Road and Sunset Avenue.

### Phase/Planning Area No. 9

The amendment from Medium Density Residential (MDR) to Medium High Density Residential (MHDR) for the Phase/Planning Area No. 9 will not create any inconsistencies in the General Plan. Further the proposed amendment is needed to accommodate the proposed development of 84 single family residences (one and two story). Under the MHDR designation for this phase/planning area, the parcels will range in size from a minimum of 6,000 to 10,100 square feet (depending on location) with an average lot size of 6,641 square feet. While the MHDR designation allows for densities that range from 5 – 8 units/acre, the proposed project density for this phase/planning area is about 3.5 units per acre and well under the maximum allowed under the current MDR designation of 2 – 5 units per acre. The proposed lot design for this phase/planning area has a minimum lot size requirement of 6,000 square feet which is consistent with the current requirements of the Farm Specific Plan.

### Phase/Planning Area No. 18

The amendment from Medium Density Residential (MDR) to Medium High Density Residential (MHDR) for the Phase/Planning Area No. 18 will not create any inconsistencies in the General Plan. Further, proposed amendment is needed to accommodate the proposed development of 88 single-story, single family residences within this phase/planning area. Under the MHDR designation for this phase/planning area; the parcels will range in size from a minimum of 4,500 square feet to 8,900 square feet (depending on location) with an average lot size of 5,623 square feet which meets the provisions of the General Plan. Under the current land use designation of MDR, this phase/planning area allows for the development of single-family residences (1-or 2-story dwellings) on parcels range in size from a 5,500 square feet to 20,000 square feet. Staff believes that the requirement/condition to limit the height of residences to one-story will be in keeping with the existing residences within the general area. The average lot size proposed is just 377 square feet shy of the minimum lot size of 6,000 square feet currently allowed under the provisions of the Farm Specific Plan. When considering the density of this phase/planning area, the proposed density of 4.38 units/acre is within the existing density range of 2 – 5 units per acre of the MDR designation.

### Phase/Planning Area No. 19:

The amendment from Medium Density Residential (on a portion of APN: 362-080-004) to Commercial Retail for Phase/Planning Area No. 19, and the proposal to increase the size of the phase/planning area from 1.0 acres to 5.0 acres and relocate will not create any inconsistencies in the General Plan. Further, proposed amendment will be consistent with the General Plan in that the commercial land use designation will create an expanded opportunity for residents within the Oak Creek Canyon and Farm community (and the general area) to have increased

neighborhood level shopping opportunities within a close proximity to homes in accordance with the General Plan.

**SECTION 3. PLANNING COMMISSION ACTION:**

The Planning Commission hereby adopts PC Resolution No. 13-06 recommending City Council approval of General Plan Amendment No. 11-0261 to: 1) amend the General Plan Land Use designation for Phase/Planning Area No. 9 and 18 from Medium Density Residential to Medium High Density Residential to accommodate 84 single family lots with a minimum lot size of 6,000 square feet and 88 single family lots with a minimum lot size of 4,500 square feet, respectively; 2) amend the General Plan land use map from Medium Density Residential (on a portion of APN: 362-080-004) to Commercial Retail for Phase/Planning Area No. 19; and 3) to increase the size of Phase/Planning Area No. 19 from 1.0 acres to 5.0 acres and relocate it to the southwest corner of Bundy Canyon Road and Sunset Avenue, as illustrated herein and attached hereto to this Resolution as Exhibit 1.

**PASSED, APPROVED AND ADOPTED** this 6th day of March 2013, by the following vote:

AYES.

NOES:

ABSENT:

ABSTAINED:

---

Stan Smith  
Planning Commission Chairman

**ATTEST:**

---

Matthew C. Bassi  
Planning Director/Minutes Secretary

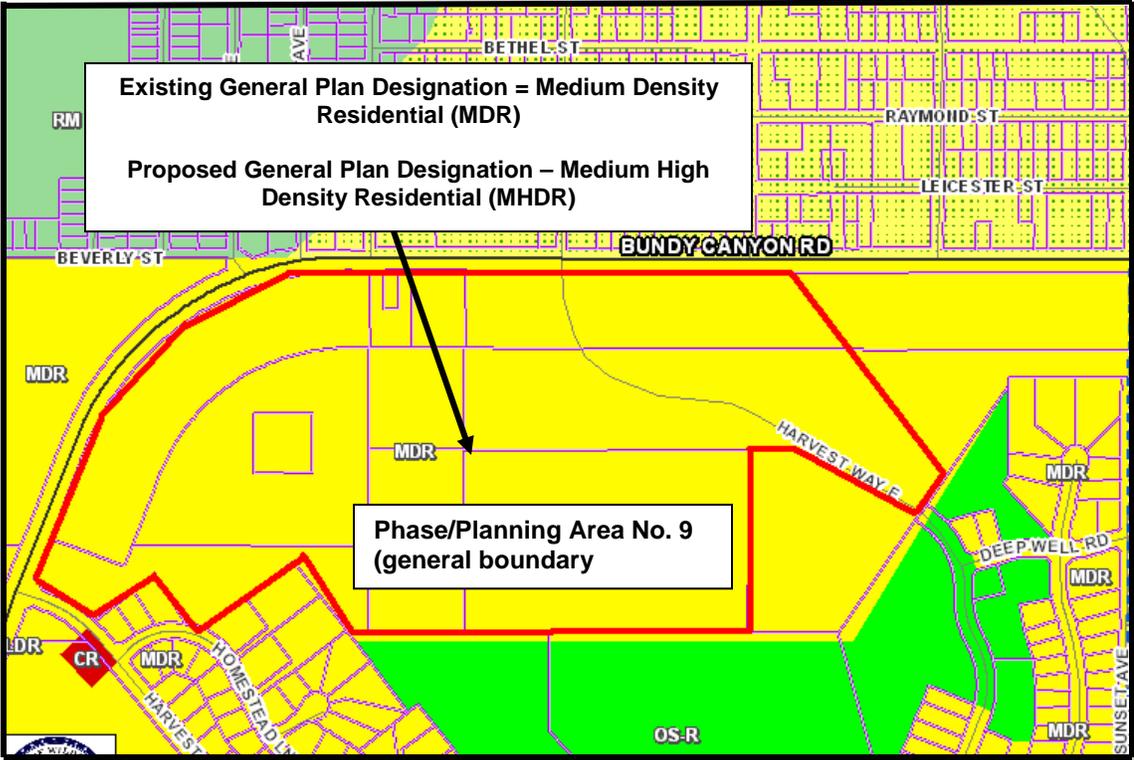
**APPROVED AS TO FORM:**

---

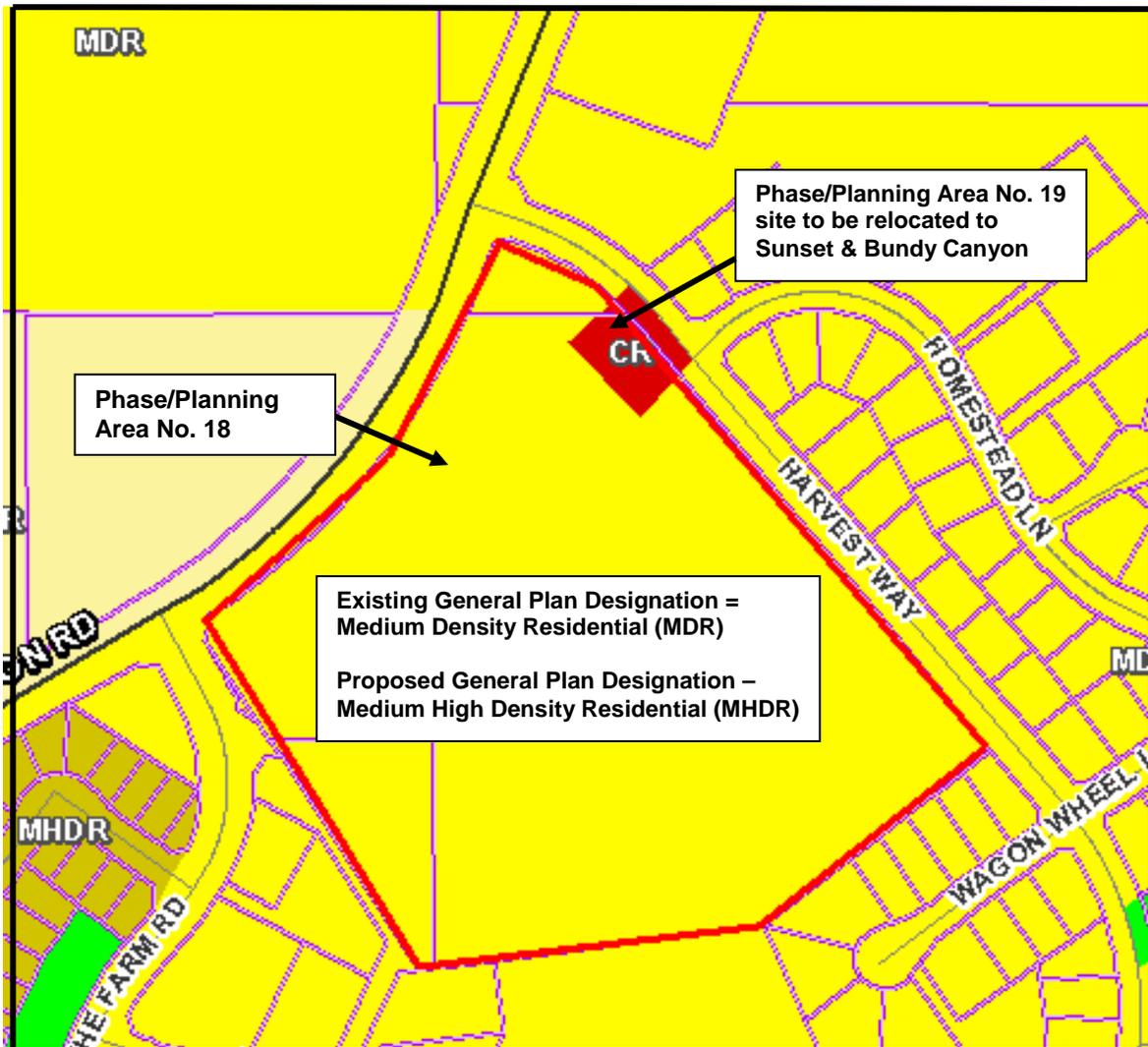
Thomas Jex, City Attorney

**EXHIBIT 1  
ATTACHMENT B**

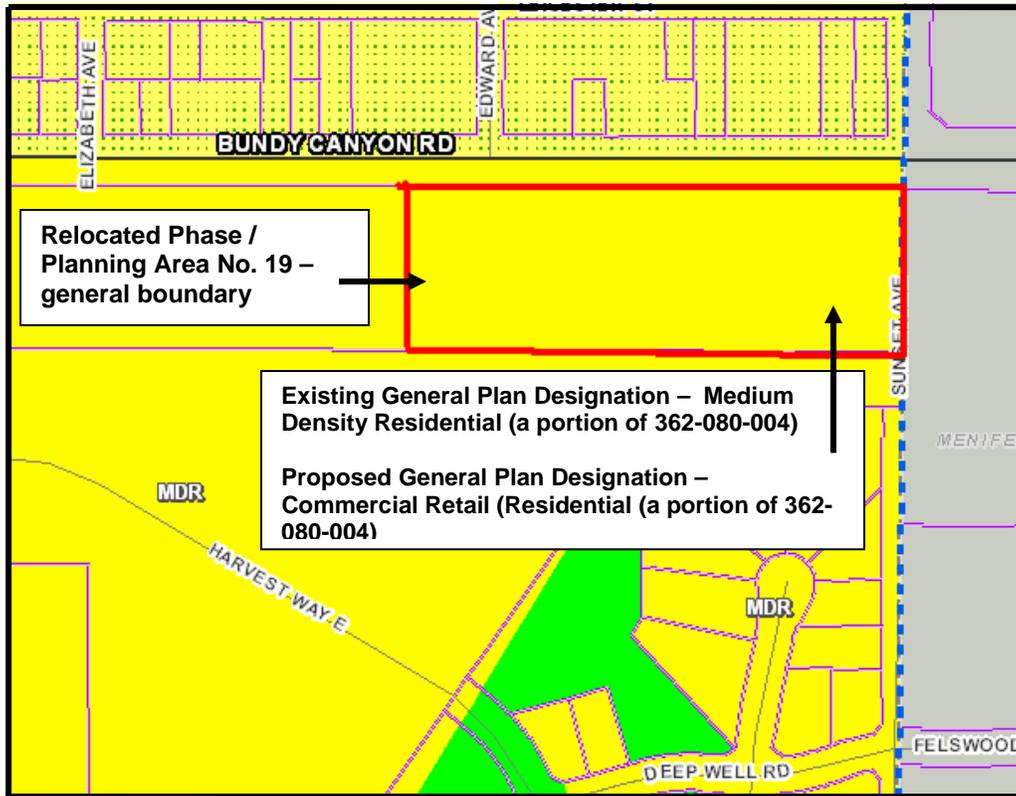
**Existing and Proposed Land Use  
Phase/Planning Area No. 9 Land Use Amendment Exhibit**



**Existing and Proposed Land Use**  
**Phase/Planning Area No. 18 Land Use Amendment Exhibit**



**Existing and Proposed Land Use  
Phase/Planning Area No. 19 Land Use Amendment Exhibit**



*This page left intentionally blank*

# **ATTACHMENT C**

## **PC Resolution No. 13-07 Change of Zone**

**PC RESOLUTION NO. 13-07**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL APPROVAL OF CHANGE OF ZONE NO. 11-0261 TO CHANGE THE ZONING MAP FROM: 1) R-1 (ONE-FAMILY DWELLING) TO R-4 (PLANNED RESIDENTIAL ZONE) FOR PHASE/PLANNING AREA NO. 9; 2) R-1 (ONE-FAMILY DWELLING) TO R-4 (PLANNED RESIDENTIAL ZONE) FOR PHASE/PLANNING AREA NO. 18; AND 3) C-P-S (SCENIC HIGHWAY COMMERCIAL) TO C-1/C-P (GENERAL COMMERCIAL) FOR PHASE/PLANNING AREA NO. 19 FOR THE OAK CREEK CANYON RESIDENTIAL/COMMERCIAL PROJECT.**

**WHEREAS**, the Planning Department has received an application for Change of Zone (Planning Application No. 11-0261) by:

Applicant/Owner: Bill Lo, Sunbelt Communities  
Project Location: The Farm Specific Plan Area  
APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015)  
Project Area: 151.23 acres; and

**WHEREAS**, the proposed change of zone is described as a proposal to change the zoning designations for three (3) Farm Specific Plan phasing/planning areas as follows:

- a) Rezone all of the Phase 9 Planning Area from the current zoning designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone - to allow for single family residential development with a minimum lot size of 6,000 square feet). The general boundary is noted on the following page with the specific legal description provided in PC Resolution No. 13-07 (Attachment C, Exhibit 1).
- b) Rezone all of the Phase 18 Planning Area from the current zoning designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone - to allow for single family residential development with a minimum lot size of 4,500 square feet; and
- c) Rezone all of the Phase 19 Planning area from the current zoning designation of C-P-S (Scenic Highway Commercial) to C-1/C-P (General Commercial). The applicant is also proposing to increase the size of Phase 19 from 1.1 acres to approximately 5.0 acres and relocate it from its current location to the southwest corner of Sunset Avenue and Bundy Canyon Road; and

**WHEREAS**, the Planning Commission of the City of Wildomar, California, has the authority and has reviewed the proposed Oak Creek Canyon Development project Change of Zone as proposed in accordance with the California Government Code, Sections 65853 - 65857 and the City of Wildomar Municipal Code, Title 17; and

**WHEREAS**, the proposed Change of Zone is considered a "Project" as defined by the California Environmental Quality Act, Public Resources Code §21000 et seq. ("CEQA"); and

**WHEREAS**, the Planning Director determined that there was substantial evidence that the Oak Creek Canyon Development may have one or more significant effects on the environment and that preparation of an Environmental Impact Report ("EIR") was therefore warranted under Public Resources Code § 21080(d) and § 21082.2(d); and,

**WHEREAS**, the City circulated a Notice of Preparation (NOP) of the Draft EIR from March 5, 2012 through April 6, 2012; and

**WHEREAS**, the City conducted a public scoping meeting concerning the proposed project on March 13, 2012; and

**WHEREAS**, upon completion of the Draft EIR, the City provided Notice of Completion (NOC) to the State Office of Planning and Research on Wednesday, November 19, 2012, as required under CEQA Guidelines § 15085 and provided Notice of Availability on November 21, 2012, as required under CEQA Guidelines § 15087; and,

**WHEREAS**, on November 21, 2012, the City published Notice of Availability in "The Californian" (a local newspaper of general circulation), and gave notice to the Riverside County Clerk, and all interested parties requesting said notice regarding the preparation and review of a draft environmental impact report (SCH# 2012031064) for the proposed project (Planning Application No. 11-0261 / TTM No. 36388), and was posted in three public places for review at 1) Wildomar City Hall, 2) Wildomar Mission Trail Library, 3) The Riverside County Clerk of the Board of Supervisors, and on the City of Wildomar website; and

**WHEREAS**, the Draft EIR was circulated to the public, responsible agencies and other interested parties as required by CEQA Guidelines § 15087 for a period of 45 days commencing on November 19, 2012 and closing on January 7, 2013 in accordance with CEQA Guidelines § 15105(a); and

**WHEREAS**, before the close of the public comment period the City received 11 comments on the Draft EIR; and

**WHEREAS**, this EIR, as authorized under CEQA Guidelines § 15150, incorporates by reference the City of Wildomar General Plan, Zoning Ordinance, and the Final EIR prepared for the project; and

**WHEREAS**, in accordance with Government Code Sections 65353, 65355 and 65090, the City of Wildomar Planning Department, on February 21, 2013, gave public notice by mailing a public hearing notice to all property owners within a 600-foot radius of the project boundaries notifying said property owners of the date and time of the public hearing for the Change of Zone No. 11-0261 that would be considered by the City of Wildomar Planning Commission; and

**WHEREAS**, in accordance with Government Code Sections 65353, 65355 and 65090 the City of Wildomar Planning Department, on February 24, 2013, published a legal notice in "The Californian", a local newspaper of general circulation, in compliance with State law notifying the public of the holding of a public hearing for the Change of Zone No. 11-0261 that would be considered by the City of Wildomar Planning Commission; and

**WHEREAS**, in accordance with Government Code Section 65353, the City of Wildomar Planning Commission conducted the duly noticed public hearing on March 6, 2013, at which time interested persons had an opportunity to testify in support of, or opposition to the proposed the General Plan Amendment No. 11-0261, and at which time the Planning Commission received public testimony concerning Change of Zone No. 11-0261.

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

**SECTION 1. CEQA:**

The approval of this Change of Zone is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on March 6, 2013, at a duly noticed public hearing, the Planning Commission recommended approval and certification of an Environmental Impact Report reflecting its independent judgment and analysis and documenting the environmental impacts and mitigation measures related to the project. The documents comprising the City's environmental review for the project are on file and available for public review at Wildomar City Hall, 23873 Clinton Keith Rd., Suite 201, Wildomar, CA 92595.

## **SECTION 2. ZONE CHANGE FINDINGS**

In accordance with the State of California, Government Code Section 65853 – 65857 and Section 17.280 of the Wildomar Zoning Ordinance, the Planning Commission hereby recommends the City Council make the following finding for the proposed Change of Zone No. 11-0261.

- A. The proposed change of zone is in conformance with the adopted General Plan for the City, and the Farm Specific Plan.
1. The proposed rezone for Phase/Planning Area 9 from the zoning designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone) to allow for single family residential development with a minimum lot size of 6,000 square feet is consistent with the General Plan land use designation of Medium Density Residential (MDR) which is intended for traditional single family residential subdivisions with a density range of 2 – 5 dwelling units per acre on lots that typically range in size from 5,500 to 20,000 square feet. In reviewing the applicant's request to subdivide Phase/Planning Area No. 9 into 84 single family residential lots on 68.3 acres, the overall density is proposed at 1.2 units per acre with a minimum lot size of 6,000 square feet which does not exceed the maximum density allowed by the General Plan.
  2. The proposed rezone for Phase/Planning Area 18 from the current zoning designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone) to allow for single family residential development with a minimum lot size of 4,500 square feet is consistent with the General Plan land use designation of Medium High Density Residential (MHDR) as proposed with General Plan Amendment No. 11-0261 as this land use designation is intended for smaller lot, single family residences with a density range of 5 to 8 dwelling units per acre with minimum lot sizes of 4,000 to 6,500 square feet. Based on the applicant's proposal to subdivide this area into 88 lots, the density of this phase/planning area would be about 4.3 units per acre, which does not exceed the maximum density allowed by the General Plan.
  3. The proposed rezone for the Phase 19 Planning area from the current zoning designation of C-P-S (Scenic Highway Commercial) to C-1/C-P (General Commercial) is consistent with the General Plan in that the proposed future commercial center will allow commercial and retail uses in a manner consistent with the allowed uses encouraged by the General Plan.

## **SECTION 3. PLANNING COMMISSION ACTION.**

The Planning Commission, based on the findings above, hereby adopts PC Resolution No. 13-07 recommending the City Council adoption of an Ordinance (attached hereto and incorporated herein by reference as Exhibit 1) approving Change of Zone No. 11-0261 as follows:

- 1) Rezone all of the Phase 9 Planning Area from the current zoning designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone - to allow for single family residential development with a minimum lot size of 6,000 square feet);
- 2) Rezone all of the Phase 18 Planning Area from the current zoning designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone - to allow for single family residential development with a minimum lot size of 4,500 square feet; and
- 3) Rezone all of the Phase 19 Planning area from the current zoning designation of C-P-S (Scenic Highway Commercial) to C-1/C-P (General Commercial). The applicant is also proposing to increase the size of Phase 19 from 1.1 acres to approximately 5.0 acres and relocate it from its current location to the southwest corner of Sunset Avenue and Bundy Canyon Road.

**PASSED, APPROVED AND ADOPTED** this 6th day of March 2013, by the following vote:

AYES.  
NOES:  
ABSENT:  
ABSTAINED:

---

Stan Smith  
Planning Commission Chairman

**ATTEST:**

---

Matthew C. Bassi  
Planning Director/Minutes Secretary

**APPROVED AS TO FORM:**

---

Thomas Jex, City Attorney

**EXHIBIT 1  
ATTACHMENT C  
Draft City Council Ordinance**

DRAFT ORDINANCE NO. \_\_\_\_

**A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA APPROVING CHANGE OF ZONE NO. 11-0261 TO CHANGE THE ZONING MAP FROM: 1) R-1 (ONE-FAMILY DWELLING) TO R-4 (PLANNED RESIDENTIAL ZONE) FOR PHASE/PLANNING AREA NO. 9; 2) R-1 (ONE-FAMILY DWELLING) TO R-4 (PLANNED RESIDENTIAL ZONE) FOR PHASE/PLANNING AREA NO. 18; AND 3) C-P-S (SCENIC HIGHWAY COMMERCIAL) TO C-1/C-P (GENERAL COMMERCIAL) FOR PHASE/PLANNING AREA NO. 19 FOR THE OAK CREEK CANYON RESIDENTIAL/COMMERCIAL PROJECT.**

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

**SECTION 1. CEQA**

The approval of this Change of Zone is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on March 6, 2013, at a duly noticed public hearing, the Planning Commission recommended approval and certification of an Environmental Impact Report reflecting its independent judgment and analysis and documenting the environmental impacts and mitigation measures related to the project. The documents comprising the City's environmental review for the project are on file and available for public review at Wildomar City Hall, 23873 Clinton Keith Rd., Suite 201, Wildomar, CA 92595.

**SECTION 2. CHANGE OF ZONE FINDINGS**

In accordance with the State of California, Government Code Section 65853 – 65857 and Section 17.280 of the Wildomar Zoning Ordinance, the Planning Commission hereby recommends the City Council make the following finding for the proposed Change of Zone No. 11-0261.

- A. The proposed change of zone is in conformance with the adopted General Plan for the City, and the Farm Specific Plan.
1. The proposed rezone for Phase/Planning Area 9 from the zoning designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone) to allow for single family residential development with a minimum lot size of 6,000 square feet is consistent with the General Plan land use designation of Medium Density Residential (MDR) which is intended for traditional single family residential subdivisions with a density range of 2 – 5 dwelling units per acre on lots that typically range in size from 5,500 to 20,000 square feet. In reviewing the applicant's request to subdivide Phase/Planning Area No. 9 into 84 single family residential lots on 68.3 acres, the overall density is proposed

- at 1.2 units per acre with a minimum lot size of 6,000 square feet which does not exceed the maximum density allowed by the General Plan.
2. The proposed rezone for Phase/Planning Area 18 from the current zoning designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone to allow for single family residential development with a minimum lot size of 4,500 square feet is consistent with the General Plan land use designation of Medium High Density Residential (MHDR) as proposed with General Plan Amendment No. 11-0261 as this land use designation is intended for smaller lot, single family residences with a density range of 5 to 8 dwelling units per acre with minimum lot sizes of 4,000 to 6,500 square feet. Based on the applicant's proposal to subdivide this area into 88 lots, the density of this phase/planning area would be about 4.3 units per acre, which does not exceed the maximum density allowed by the General Plan.
  3. The proposed rezone for the Phase 19 Planning area from the current zoning designation of C-P-S (Scenic Highway Commercial) to C-1/C-P (General Commercial) is consistent with the General Plan in that the proposed future commercial center will allow commercial and retail uses in a manner consistent with the allowed uses encouraged by the General Plan.

### **SECTION 3: AMENDMENT TO ZONING MAP**

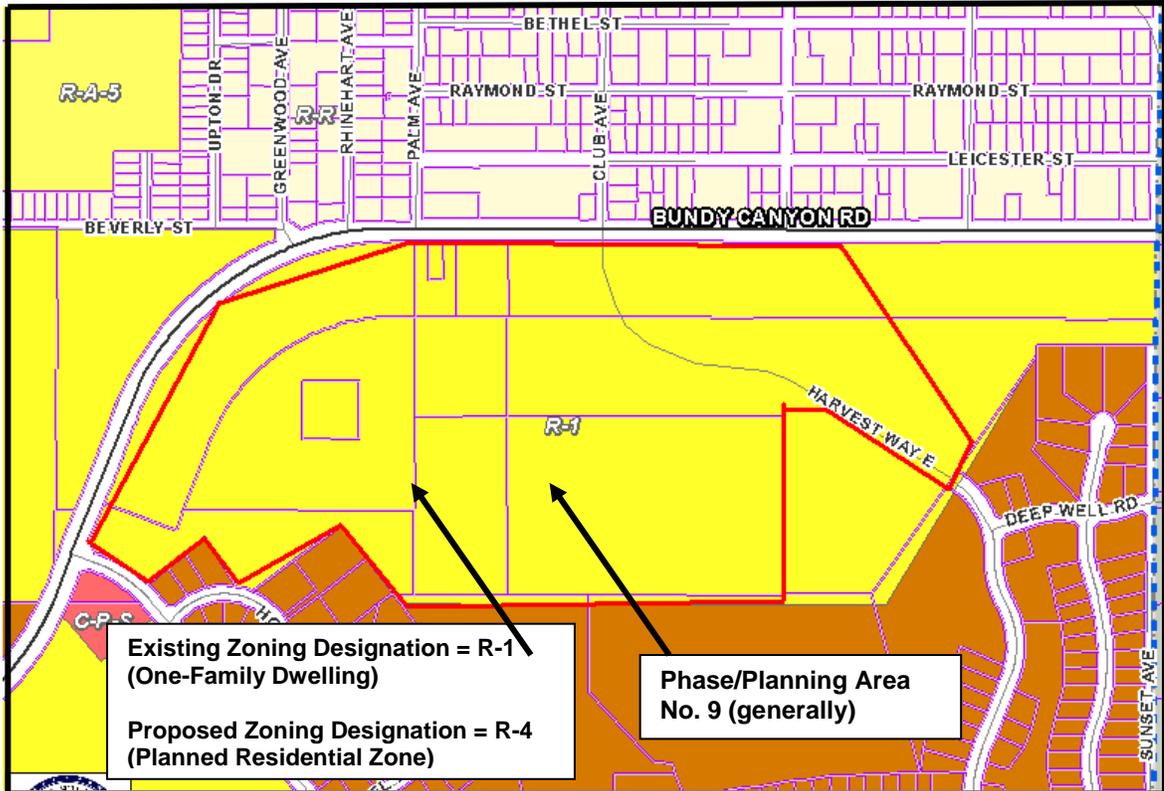
The City Council, based on the findings above, hereby approves the following changes to the Zoning Map, as attached hereto and described herein in Exhibit 1 to this Ordinance:

- 1) Rezone all of the Phase 9 Planning Area from the current zoning designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone - to allow for single family residential development with a minimum lot size of 6,000 square feet);
- 2) Rezone all of the Phase 18 Planning Area from the current zoning designation of R-1 (One-Family Dwelling) to R-4 (Planned Residential Zone - to allow for single family residential development with a minimum lot size of 4,500 square feet; and
- 3) Rezone all of the Phase 19 Planning area from the current zoning designation of C-P-S (Scenic Highway Commercial) to C-1/C-P (General Commercial). The applicant is also proposing to increase the size of Phase 19 from 1.1 acres to approximately 5.0 acres and relocate it from its current location to the southwest corner of Sunset Avenue and Bundy Canyon Road.

EXHIBIT 1 OF ORDINANCE NO. \_\_\_\_\_

CHANGE OF ZONE NO. 11-0261 - MAPS AND LEGAL DESCRIPTIONS

Phase/Planning Area No. 9 Zone Change Exhibit



**Phase/Planning Area No. 9 Legal Description:**

LEGAL DESCRIPTION OF THE PROPERTY LYING IN SECTION 19, TOWNSHIP 6 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 19; THENCE S00°23'01"W 37.86 FEET;  
THENCE S00°23'01"W 367.14 FEET TO THE CORNER OF TRACT NO. 18456 AS SHOWN IN M.B. 139/13-17;  
THENCE N89°39'07"W 424.79 FEET TO THE CORNER OF TRACT NO. 18456 AS SHOWN ON M.B.139/13-17 SAID POINT BEING THE POINT OF BEGINNING;  
THENCE S00°36'03"W 29.37 FEET;  
THENCE S31°39'15"W 1077.47 FEET;  
THENCE N89°37'00"W 330.81 FEET;  
THENCE N00°17'49"E 24.65 FEET;

THENCE N89°55'35"W 1347.76 FEET TO A POINT ON THE BOUNDARY OF TRACT NO.6379 M.B.99/83-91;

THENCE N36°55'48"W 348.27 FEET TO THE NORTHERLY CORNER OF SAID TRACT;

THENCE S53°04'47"W 397.48 FEET TO A POINT ON THE RIGHT OF WAY OF HOMESTEAD LANE AS SHOWN ON SAID TRACT;

THENCE NORTHWESTERLY ALONG A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 255.00 FEET THROUGH A CENTRAL ANGLE OF 13°26'39" AND A LENGTH OF 59.83 FEET;

THENCE N33°34'38"W 210.12 FEET TO THE NORTHERLY CORNER OF TRACT NO.6379 M.B.99/83-91;

THENCE S50°26'35"W 265.13 FEET TO A POINT ON THE 33.00 FOOT RIGHT OF WAY OF SAID TRACT;

THENCE S42°33'32"W 33.00 FEET TO THE CENTER LINE OF HARVEST WAY (WEST);

THENCE N47°42'53"W 172.15 FEET TO THE CENTER LINE OF BUNDY CANYON ROAD;

THENCE N43°31'52"E 315.41 FEET TO THE BEGINNING OF A CURVE;

THENCE NORTHEASTERLY ALONG A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 2900.00 FEET THROUGH A CENTRAL ANGLE OF 46°35'16" AND A LENGTH OF 2358.02 FEET;

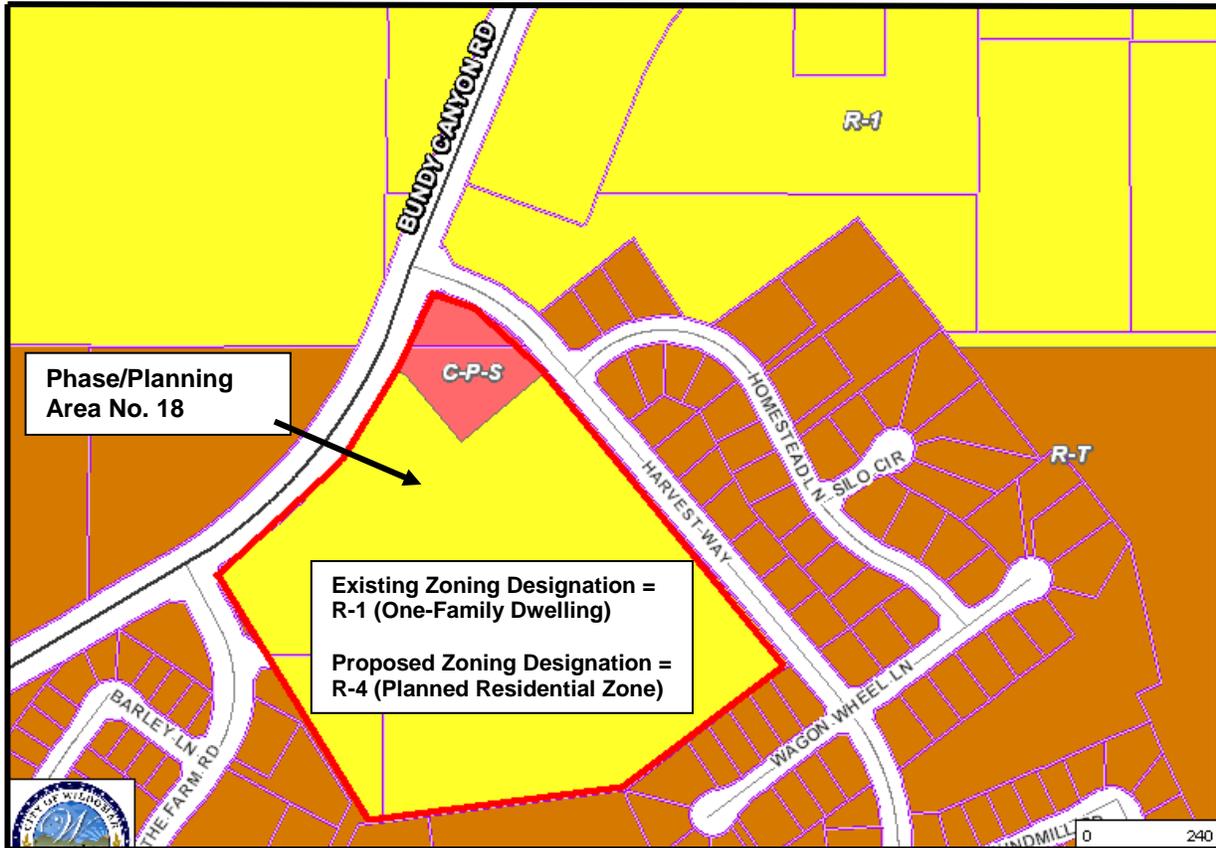
THENCE S89°52'52"E 511.67 FEET;

THENCE S00°31'03"W 205.65 FEET;

THENCE S20°24'16"E 221.69 FEET;

THENCE N83°03'13"E 388.80 FEET TO THE POINT OF BEGINNING.

**Existing and Proposed Zoning  
Phase/Planning Area No. 18 Zone Change Exhibit**



**Phase 18 Planning Area Legal Description:**

LEGAL DESCRIPTION OF THE PROPERTY LYING IN SECTION 19, TOWNSHIP 6 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 19; THENCE S00°23'01"W 37.86 FEET;  
THENCE S00°23'01"W 367.14 FEET TO THE CORNER OF TRACT NO. 18456 AS SHOWN IN M.B. 139/13-17;  
THENCE N89°39'07"W 424.79 FEET TO THE CORNER OF TRACT NO. 18456 AS SHOWN ON M.B.139/13-17;  
THENCE S00°36'03"W 29.37 FEET;  
THENCE S31°39'15"W 1077.47 FEET;  
THENCE N89°37'00"W 330.81 FEET;  
THENCE N00°17'49"E 24.65 FEET;  
THENCE N89°55'35"W 1347.76 FEET TO A POINT ON THE BOUNDARY OF TRACT NO.6379 M.B.99/83-91;  
THENCE N36°55'48"W 348.27 FEET TO THE NORTHERLY CORNER OF SAID TRACT;

THENCE S53°04'47"W 397.48 FEET TO A POINT ON THE RIGHT OF WAY OF HOMESTEAD LANE AS SHOWN ON SAID TRACT;

THENCE NORTHWESTERLY ALONG A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 255.00 FEET THROUGH A CENTRAL ANGLE OF 13°26'39" AND A LENGTH OF 59.83 FEET;

THENCE N33°34'38"W 210.12 FEET TO THE NORTHERLY CORNER OF TRACT NO.6379 M.B.99/83-91;

THENCE S50°26'35"W 265.13 FEET TO A POINT ON THE 33.00 FOOT RIGHT OF WAY OF SAID TRACT;

THENCE S42°33'32"W 33.00 FEET TO THE CENTER LINE OF HARVEST WAY (WEST) TO THE POINT OF BEGINNING;

THENCE S42°33'32"W 33.00 FEET TO THE SOUTHWESTERLY LINE OF HARVEST WAY (WEST);

THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE TO SOUTHWEST HAVING A RADIUS OF 467.00 FEET

THROUGH A CENTRAL ANGLE OF 07°38'27" AND A LENGTH OF 62.28 FEET;

THENCE S39°47'23"E 854.96 FEET TO THE CORNER OF TRACT NO.6379 M.B.99/83-91;

THENCE S53°04'19"W 452.21 TO THE CORNER OF SAID TRACT;

THENCE S82°25'01"W 549.87 FEET TO THE CORNER OF TRACT 6378 M.B.91/19-25;

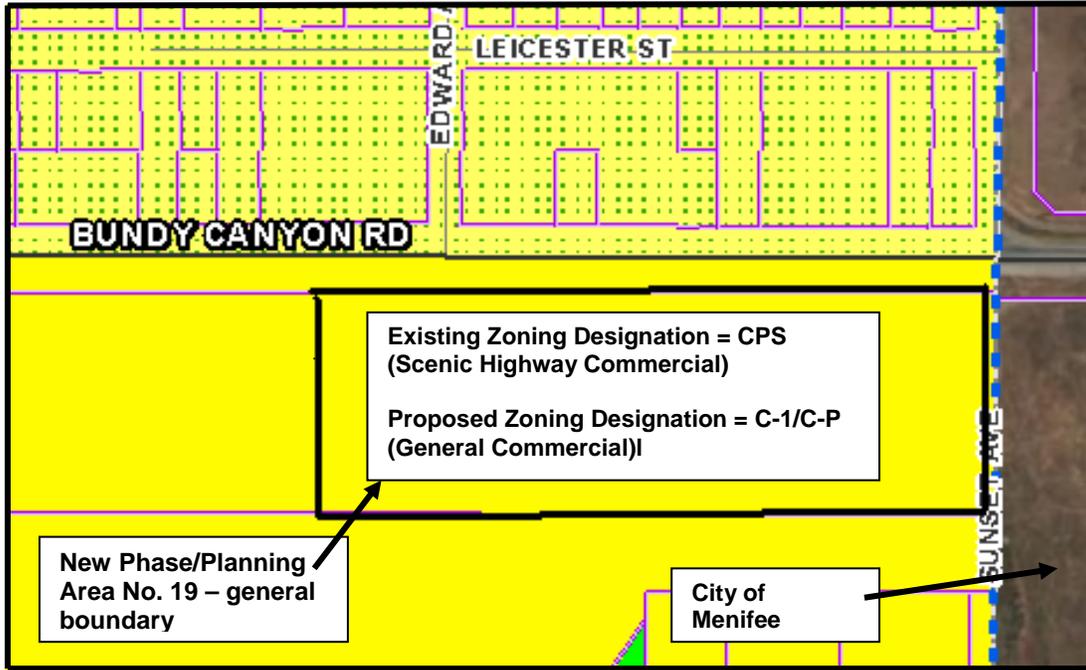
THENCE N32°30'36"W 723.82 FEET TO THE CENTER LINE OF BUNDY CANYON ROAD;

THENCE NORTHEASTERLY ALONG A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 2600.00 FEET THROUGH A CENTRAL ANGLE OF 12°18'51" AND A LENGTH OF 558.80 FEET;

THENCE N43°31'52"E 274.76 FEET TO THE INTERSECTION OF HARVEST WAY (WEST);

THENCE S47°42'53"E 172.15 FEET TO THE POINT OF BEGINNING.

**Existing and Proposed Zoning Phase/Planning Area No. 19  
Zone Change Exhibit (a portion of APN: 362-080-004)**



**Phase 19 Planning Area Legal Description:**

LEGAL DESCRIPTION OF THE PROPERTY LYING IN SECTION 19, TOWNSHIP 6 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 19; THENCE S00°23'01"W 37.86 FEET TO THE POINT OF BEGINNING;

THENCE S00°23'01"W 367.14 FEET TO THE CORNER OF TRACT NO. 18456 AS SHOWN IN M.B. 139/13-17;

THENCE N89°39'07"W 424.79 FEET TO THE CORNER OF TRACT NO. 18456 AS SHOWN ON M.B.139/13-17;

THENCE S83°03'13"W 388.80 FEET;

THENCE N20°24'16"W 221.69 FEET;

THENCE N00°31'03"E 205.65 FEET TO THE CENTER LINE OF BUNDY CANYON ROAD;

THENCE S89°52'52"E 888.62 FEET TO THE POINT OF BEGINNING.

# **ATTACHMENT D**

## **PC Resolution No. 13-08 Specific Plan Amendment**

**PC RESOLUTION NO. 13-08**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL APPROVAL OF FARM SPECIFIC PLAN NO. 116-C/W, AMENDMENT NO. 4 (PLANNING APPLICATION NO. 11-0261), TO ESTABLISH SPECIAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES FOR THE OAK CREEK CANYON RESIDENTIAL/COMMERCIAL PROJECT.**

**WHEREAS**, the Planning Department has received an application for a Specific Plan Amendment to the Farm Specific Plan No. 116-C/W, Amendment No. 4 (Planning Application No. 11-0261) by:

Applicant/Owner: Bill Lo, Sunbelt Communities  
Project Location: The Farm Specific Plan Area  
APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015)  
Project Area: 151.23 acres; and

**WHEREAS**, Farm Specific Plan Amendment No. 116-C/W, Amendment No. 4 (Planning Application No. 11-0261), is a proposal to amend the Farm Specific Plan to create special development standards and design guidelines for a proposed 275 lot single family residential subdivision project, including private parks/recreational amenities, open space and a 5 acre commercial site; and

**WHEREAS**, the Planning Commission of the City of Wildomar, California, has the authority and has reviewed the proposed Farm Specific Plan Amendment No. 116-C/W, Amendment No. 4 for the Oak Creek Canyon project (Planning Application No. 11-0261), in accordance with the California Government Code, Sections 65450 - 65457 and the City of Wildomar Municipal Code, Title 17; and

**WHEREAS**, the proposed Farm Specific Plan Amendment No. 116-C/W, Amendment No. 4 for the Oak Creek Canyon project (Planning Application No. 11-0261), is considered a "Project" as defined by the California Environmental Quality Act, Public Resources Code §21000 et seq. ("CEQA"); and

**WHEREAS**, the Planning Director determined that there was substantial evidence that the proposed Farm Specific Plan Amendment No. 116-C/W, Amendment No. 4 for the Oak Creek Canyon project (Planning Application No. 11-0261), may have one or more significant effects on the environment and that preparation of an Environmental Impact Report ("EIR") was therefore warranted under Public Resources Code § 21080(d) and § 21082.2(d); and,

**WHEREAS**, the City circulated a Notice of Preparation (NOP) of the Draft EIR from March 5, 2012 through April 6, 2012; and

**WHEREAS**, the City conducted a public scoping meeting concerning the proposed project on March 13, 2012; and

**WHEREAS**, upon completion of the Draft EIR, the City provided Notice of Completion (NOC) to the State Office of Planning and Research on Wednesday, November 19, 2012, as required under CEQA Guidelines § 15085 and provided Notice of Availability on November 21, 2012, as required under CEQA Guidelines § 15087; and,

**WHEREAS**, on November 21, 2012, the City published Notice of Availability in "The Californian" (a local newspaper of general circulation), and gave notice to the Riverside County Clerk, and all interested parties requesting said notice regarding the preparation and review of a draft environmental impact report (SCH# 2012031064) for the proposed project (Planning Application No. 11-0261 / TTM No. 36388), and was posted in three public places for review at 1) Wildomar City Hall, 2) Wildomar Mission Trail Library, 3) The Riverside County Clerk of the Board of Supervisors, and on the City of Wildomar website; and

**WHEREAS**, the Draft EIR was circulated to the public, responsible agencies and other interested parties as required by CEQA Guidelines § 15087 for a period of 45 days commencing on November 19, 2012 and closing on January 7, 2013 in accordance with CEQA Guidelines § 15105(a); and

**WHEREAS**, before the close of the public comment period the City received 11 comments on the Draft EIR; and

**WHEREAS**, this EIR, as authorized under CEQA Guidelines § 15150, incorporates by reference the City of Wildomar General Plan, Zoning Ordinance, and the Final EIR prepared for the project; and

**WHEREAS**, in accordance with Government Code Sections 65353, 65355 and 65090, the City of Wildomar Planning Department, on February 21, 2013, gave public notice by mailing a public hearing notice to all property owners within a 600-foot radius of the project boundaries notifying said property owners of the date and time of the public hearing for Farm Specific Plan Amendment No. 116-C/W, Amendment No. 4 for the Oak Creek Canyon project (Planning Application No. 11-0261) that would be considered by the City of Wildomar Planning Commission; and

**WHEREAS**, in accordance with Government Code Sections 65353, 65355 and 65090 the City of Wildomar Planning Department, on February 24, 2013, published a legal notice in "The Californian", a local newspaper of general circulation, in compliance with State law notifying the public of the holding of a public hearing for Farm Specific Plan Amendment No. 116-C/W, Amendment No. 4 for the Oak Creek Canyon project (Planning Application No. 11-0261) that would be considered by the City of Wildomar Planning Commission; and

**WHEREAS**, in accordance with Government Code Section 65353, the City of Wildomar Planning Commission conducted the duly noticed public hearing on March 6, 2013, at which time interested persons had an opportunity to testify in support of, or opposition Farm Specific Plan Amendment No. 116-C/W, Amendment No. 4 for the Oak Creek Canyon project (Planning Application No. 11-0261), and at which time the Planning Commission received public testimony concerning the proposed specific plan amendment.

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

**SECTION 1. CEQA:**

The approval of this General Plan Amendment is in compliance with requirements of the California Environmental Quality Act (“CEQA”), in that on March 6, 2013, at a duly noticed public hearing, the Planning Commission recommended approval and certification of an Environmental Impact Report reflecting its independent judgment and analysis and documenting the environmental impacts and mitigation measures related to the project. The documents comprising the City’s environmental review for the project are on file and available for public review at Wildomar City Hall, 23873 Clinton Keith Rd., Suite 201, Wildomar, CA 92595.

**SECTION 2. SPECIFIC PLAN AMENDMENT FINDING.**

In accordance with the State of California, Government Code Section 65450 - 65457 and Section 17.08 of the Wildomar Zoning Ordinance, the Planning Commission hereby recommends the City Council make the following finding for the proposed for Farm Specific Plan Amendment No. 116-C/W, Amendment No. 4 for the Oak Creek Canyon project (Planning Application No. 11-0261):

- A. The proposed Specific Plan Amendment is consistent with the City of Wildomar General Plan and Farm Specific Plan.
  - 1. The proposal to amend the existing Farm Specific Plan to create special development standards and design guidelines (including architectural and landscape design guidelines) to accommodate the development of a proposed 275 lot single family residential subdivision project (with private parks/recreational amenities and open space) and commercial retail site is consistent with the City of Wildomar General Plan and Farm Specific Plan in that the proposed Oak Creek Canyon project will provide new housing opportunities for residents of Wildomar and surrounding areas, and is designed to be compatible with, and enhance, surrounding neighborhoods. Further, the special development standards and design guidelines will provide for a unique residential development that will provide a variety of homeownership opportunities consistent with the General Plan Policy LU 22.4 – LU 22.10.

**SECTION 3. PLANNING COMMISSION ACTION:**

The Planning Commission hereby adopts PC Resolution No. 13-08 recommending City Council approval of Farm Specific Plan Amendment No. 116-C/W, Amendment No. 4 for the Oak Creek Canyon project (Planning Application No. 11-0261) to create special development standards and design guidelines (including architectural and landscape design guidelines) to accommodate the development of a proposed 275 lot single family residential subdivision project (with private parks/recreational amenities and open space) and commercial retail site, as provided herein and attached hereto to this Resolution as Exhibit 1.

**PASSED, APPROVED AND ADOPTED** this 6th day of March 2013, by the following vote:

AYES.

NOES:

ABSENT:

ABSTAINED:

---

Stan Smith  
Planning Commission Chairman

**ATTEST:**

---

Matthew C. Bassi  
Planning Director/Minutes Secretary

**APPROVED AS TO FORM:**

---

Thomas Jex, City Attorney

**EXHIBIT 1 – ATTACHMENT D**

**FARM/OAK CREEK CANYON SPECIFIC PLAN AMENDMENT DOCUMENT  
(UNDER SEPARATE COVER)**

# **ATTACHMENT E**

**PC Resolution No. 13-09  
Tentative Tract Map No. 36388**

**PC RESOLUTION NO. 13-09**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA RECOMMENDING CITY COUNCIL APPROVAL OF TENTATIVE TRACT MAP NO. 36388 FOR THE SUBDIVISION OF APPROXIMATELY 151.23 ACRES INTO 275 LOTS FOR FUTURE SINGLE FAMILY RESIDENTIAL DEVELOPMENT (WITH PRIVATE PARKS, OPEN SPACE, AND RECREATIONAL AMENITIES), AND ONE (1) LOT FOR FUTURE COMMERCIAL/RETAIL DEVELOPMENT SUBJECT TO CONDITIONS.**

**WHEREAS**, the Planning Department has received an application for Tentative Tract Map No. 36388) for the subdivision of approximately 151.23 acres into 275 lots for future single family residential development located generally on the north and south side of Bundy Canyon Road between Sunset Avenue to the east and Farm Road to the west filed by:

Applicant/Owner: Mr. Bill Lo, Sunbelt Communities  
Project Location: The Farm Specific Plan Project Area  
APN(s): 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015  
Project Area: 151.23 acres

**WHEREAS**, in accordance with the California Government Code Section 66452 – 66452.22 (Subdivision Map Act) and the City of Wildomar Subdivision Ordinance (Title 16), and the City of Wildomar Zoning Ordinance (Title 17) the Planning Commission of the City of Wildomar, California, has the authority and has reviewed the proposed Tentative Tract Map No. 36388 for the Oak Creek Canyon Development project; and

**WHEREAS**, in accordance with Government Code Section 66452.3, the City has provided the applicant with a copy of the Planning Department staff report and resolutions for Tentative Tract Map No. 36388 containing staff's recommendation to the Planning Commission at least three (3) days prior to the below referenced noticed public hearing; and

**WHEREAS**, the proposed Tentative Tract Map No. 36388 for the Oak Creek Canyon Development is considered a "Project" as defined by the California Environmental Quality Act, Public Resources Code §21000 et seq. ("CEQA"); and

**WHEREAS**, the Planning Director determined that there was substantial evidence that Tentative Tract Map No. 36388 for the Oak Creek Canyon Development may have one or more significant effects on the environment and that preparation of an

Environmental Impact Report (“EIR”) was therefore warranted under Public Resources Code § 21080(d) and § 21082.2(d); and,

**WHEREAS**, the City circulated a Notice of Preparation (NOP) of the Draft EIR from March 5, 2012 through April 6, 2012; and

**WHEREAS**, the City conducted a public scoping meeting concerning the proposed project on March 13, 2012; and

**WHEREAS**, upon completion of the Draft EIR, the City provided Notice of Completion (NOC) to the State Office of Planning and Research on Wednesday, November 19, 2012, as required under CEQA Guidelines § 15085 and provided Notice of Availability on November 21, 2012, as required under CEQA Guidelines § 15087; and,

**WHEREAS**, on November 21, 2012, the City published Notice of Availability in “The Californian” (a local newspaper of general circulation), and gave notice to the Riverside County Clerk, and all interested parties requesting said notice regarding the preparation and review of a draft environmental impact report (SCH# 2012031064) for the proposed project (Planning Application No. 11-0261 / TTM No. 36388), and was posted in three public places for review at 1) Wildomar City Hall, 2) Wildomar Mission Trail Library, 3) The Riverside County Clerk of the Board of Supervisors, and on the City of Wildomar website; and

**WHEREAS**, the Draft EIR was circulated to the public, responsible agencies and other interested parties as required by CEQA Guidelines § 15087 for a period of 45 days commencing on November 19, 2012 and closing on January 7, 2013 in accordance with CEQA Guidelines § 15105(a); and

**WHEREAS**, before the close of the public comment period the City received 11 comments on the Draft EIR; and

**WHEREAS**, this EIR, as authorized under CEQA Guidelines § 15150, incorporates by reference the City of Wildomar General Plan, Zoning Ordinance, and the Final EIR prepared for the project; and

**WHEREAS**, in accordance with Government Code Sections 65353, 65355 and 65090, the City of Wildomar Planning Department, on February 21, 2013, gave public notice by mailing a public hearing notice to all property owners within a 600-foot radius of the project boundaries notifying said property owners of the date and time of the public hearing for Tentative Tract Map No. 36388 for the Oak Creek Canyon Development (Planning Application No. 11-0261) that would be considered by the City of Wildomar Planning Commission; and

**WHEREAS**, in accordance with Government Code Sections 65353, 65355 and 65090 the City of Wildomar Planning Department, on February 24, 2013, published a

legal notice in “The Californian”, a local newspaper of general circulation, in compliance with State law notifying the public of the holding of a public hearing for Tentative Tract Map No. 36388 for the Oak Creek Canyon Development (Planning Application No. 11-0261) that would be considered by the City of Wildomar Planning Commission; and

**WHEREAS**, in accordance with Government Code Section 65353, the City of Wildomar Planning Commission conducted the duly noticed public hearing on March 6, 2013, at which time interested persons had an opportunity to testify in support of, or opposition to, Tentative Tract Map No. 36388 for the Oak Creek Canyon Development (Planning Application No. 11-0261), and at which time the Planning Commission received public testimony concerning the proposed tentative tract map.

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

**SECTION 1. CEQA:**

The approval of this General Plan Amendment is in compliance with requirements of the California Environmental Quality Act (“CEQA”), in that on March 6, 2013, at a duly noticed public hearing, the Planning Commission recommended approval and certification of an Environmental Impact Report reflecting its independent judgment and analysis and documenting the environmental impacts and mitigation measures related to the project. The documents comprising the City’s environmental review for the project are on file and available for public review at Wildomar City Hall, 23873 Clinton Keith Rd., Suite 201, Wildomar, CA 92595.

**SECTION 2. TENTATIVE TRACT MAP FINDINGS.**

In accordance with Wildomar Municipal Code Title 16 and Title 17, and Government Code § 66473.1, § 66473.5 and § 66474, the Planning Commission, in light of the whole record before it, including but not limited to the Planning Department’s staff report and all documents incorporated by reference therein, the City’s General Plan, Subdivision Ordinance, Zoning Ordinance, standards for public streets and facilities, and any other evidence within the record or provided at the public hearing of this matter, recommends that the City Council hereby find and determine as follows:

1. The proposed tract map is consistent with the City’s General Plan and any applicable specific plan as specified in Government Code Section 65451.

Evidence: The current General Plan Land Use Designation for Phase/Planning Area Nos. 9 and 17A of the Oak Creek Canyon project site is Medium Density Residential (MDR). The MDR land use designation is intended for traditional single family residential subdivisions with a density range of 2 – 5 dwelling units per acre on lots that typically range in size from 5,500 to 20,000 square feet. In reviewing the applicant’s request to subdivide Phase/Planning Area No. 9 into 84 single family residential lots on 68.3 acres, the overall density is proposed at 1.2

units per acre with a minimum lot size of 6,000 square feet. Phase/Planning Area No. 17A is proposed to be subdivided into 103 single family residential lots on 66.2 acres which results in an overall density of about 1.6 units per acre with a minimum lot size of 7,200 square feet. Based on this, the tract map for both phase/planning areas is consistent with the General Plan and Farm Specific Plan in terms of project density and minimum lot sizes.

The current General Plan Land Use Designation for Phase/Planning Area No. 18 is Medium Density Residential (MDR). The applicant desires to subdivide this phase/planning encompassing approximately 20.5 acres into 88 lots with a minimum lot size of 4,500 square feet for single-story, single family residential development. In order to achieve this, the applicant has requested approval of a General Plan Amendment (GPA) for Phase/Planning Area 18 from Medium Density Residential (MDR) to Medium High Density Residential (MHDR). The MHDR land use designation is intended for smaller lot, single family residences with a density range of 5 to 8 dwelling units per acre with minimum lot sizes of 4,000 to 6,500 square feet. Based on the applicant's proposal, the density of this phase/planning area with 88 lots would be about 4.3 units per acre. With approval of the GPA by Council, the proposed project density and design of Phase/Planning Area 18 is consistent with the General Plan and Farm Specific Plan in terms of project density and minimum lot sizes.

2. The design or improvement of the proposed subdivision is consistent with the City's General Plan and any applicable specific plan.

Evidence: The proposed subdivision has been designed to meet all City standards applicable to residential subdivisions which are designed provide satisfactory pedestrian and vehicular circulation, including emergency vehicle access and on-site and off-site public improvements. Further, all streets, utilities, and drainage facilities have been designed and are required to be constructed in conformance with City standards and the Farm Specific Plan.

3. The site is physically suitable for the type and proposed density of development.

Evidence: The Oak Creek Canyon project site encompasses approximately 151 acres which includes approximately 69 acres of open space. The tentative tract map proposes to subdivide the project area into 275 lots for single family residential development within three phase/planning areas (9, 17A & 18) consistent with the Farm Specific Plan No. 116. The density allowed by the MDR and MHDR land use designations allows ranges from 2 to 5 dwelling units per acre and 5 to 8 dwelling units per acre, respectively. Both land use designations allow for single family residential development via the traditional single family residential subdivision tract map setting. Further, the MDR and MHDR designations allow single family lots to be subdivided with minimum lot sizes that range from 5,500 to 20,000 square feet (MDR) and 4,500 to 6,500 square feet (MHDR), respectively. In review of the proposed tract map, the overall developable project density has

been established at about 3.2 units per acre with minimum lot sizes that range from 6,000 to 7,200 square feet for Phase/Planning Area 9 and 17A, and minimum lot sizes of 4,500 square feet for Phase/Planning Area 18 with approval of the proposed General Plan Amendment for Phase/Planning Area 18. Therefore, the proposed project site is physically suitable for the type and proposed density of development.

4. The design of the subdivision or proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Evidence: The City prepared an Initial Study that resulted in the preparation, processing and review of an Environmental Impact Report for Tentative Tract Map No. 36388. The DEIR analyzed the environmental issues required by CEQA related to fish and wildlife, including their respective habitats. The DEIR was circulated to the State of California, Office of Planning and Research (OPR) and made available for the required 45-day public review period in accordance with CEQA laws, which began on November 21, 2012 and concluded on January 7, 2013. Based on comments received from the public review period, a Final EIR (FEIR) was prepared responding to each comment received. Based on the DEIR and FEIR process, it has been determined that the design of the subdivision and proposed improvements will not likely cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat project with implementation of the proposed mitigation measures as outlined in the Mitigation Monitoring and Report Program (MMRP). Therefore, the proposed tract map meets this finding.

5. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

Evidence: The design of the subdivision is in conformance with the City's General Plan, Zoning Code, Subdivision Ordinance and Farm Specific Plan. The design and construction of all improvements to accommodate the project have been conditioned to in accordance with all applicable City of Wildomar ordinances, codes, and standards including, but not limited to, the California Uniform Building Code, the City's Ordinances relating to stormwater runoff management and adopted public works standards. As the City's ordinances, codes, and standards have been created based on currently accepted standards and practices for the preservation of the public health, safety and welfare, the proposed tract map project meets this finding.

6. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Evidence: No easements of record or easements established by judgment of a court of competent jurisdiction for public access across the site have been disclosed in a search of the title records for the site and the City does not otherwise have any constructive or actual knowledge of any such easements.

**SECTION 3. PLANNING COMMISSION ACTION**

The Planning Commission hereby adopts PC Resolution No. 13-09 recommending City Council of approval of Tentative Tract Map No. 36388 (Planning Application No. 11-0261) subject to conditions as provided herein and attached hereto to this Resolution as Exhibit 1.

**PASSED, APPROVED AND ADOPTED** this 6th day of March 2013, by the following vote:

AYES.

NOES:

ABSENT:

ABSTAINED:

---

Stan Smith  
Planning Commission Chairman

**ATTEST:**

---

Matthew C. Bassi  
Planning Director/Minutes Secretary

**APPROVED AS TO FORM:**

---

Thomas Jex, City Attorney

*This page left intentionally blank*

<b>EXHIBIT 1 - ATTACHMENT D</b>				
<b>CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project</b>				
<b>Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)</b>				
<b>APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, &amp; 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 &amp; 015</b>				
<b>City Council Approval Date: March 27, 2013</b>		<b>Expiration Date: March 27, 2016</b>		
<b>Conditions of Approval</b>	<b>Timing / Implementation</b>	<b>Enforcement / Monitoring</b>	<b>Unit/Phase Areas</b>	<b>Verification (Date and Signature)</b>

<b>PLANNING DEPARTMENT CONDITIONS</b>					
<b><u>General Conditions</u></b>					
1.	In compliance with Section 15094 of the CEQA Guidelines, a Notice of Completion shall be filed with the Riverside County Clerk within five (5) days of project approval by the City Council. The Notice shall include the required California Department of Fish and Game (Code Section 711.4.d.3) fee, and the Riverside County Clerk administrative fee. The applicant shall submit to the Planning Department a check or money order made payable to the Riverside County Clerk in the amount of <b>\$3,045.25</b> no later than <b>March 28, 2013</b> . Failure to pay the required fee will result in the project being deemed null and void (California Fish and Game Code Section 711.4(c)). The above fee is broken down as follows:  <div style="margin-left: 40px;">           a. California Department of Fish &amp; Game = \$2,995.25            b. Riverside County Clerk Admin. Fee = \$50.00         </div>	March 28, 2013	Planning Department	N/A	
2.	The applicant shall review and sign below verifying the "Acceptance of the Conditions of Approval" and return the signed conditions to the Planning Department no later than <b>April 3, 2013</b> .  <hr style="width: 80%; margin-left: 0;"/> <div style="display: flex; justify-content: space-between;"> <span>Applicant Signature:</span> <span>Date:</span> </div>	April 3, 2013	Planning Department	N/A	

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<p>3. The applicant shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, law suits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures), (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivisions Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that applicant shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the applicant of any Action brought and City shall cooperate with applicant in the</p>	<p align="center">On-Going</p>	<p align="center">Planning Department</p>	<p align="center">ALL PHASES</p>	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
defense of the Action.				
4. Approval of Tentative Tract Map No. 36388 (Planning Application No. 11-0261) shall expire on <b>March 27, 2016</b> if the final tract map has not been recorded. The applicant may file with the Planning Department a request for a one-year time extension as permitted in the Wildomar Subdivision and Zoning Ordinance provided a written request is made with the required EOT application and fee no later than <b>January 27, 2015</b> (60 days prior to expiration). In accordance with the State of California Subdivision Map Act, the applicant may record multiple final maps for TTM 36388.	January 27, 2015	Planning Department	ALL PHASES	
5. Within 30 days of approval of Tentative Tract Map No. 36388 (Project No. 11-0261) by the City Council, any outstanding deposit account balance shall be paid in full by the applicant.	April 27, 2013	Planning Department	N/A	
6. In accordance with the procedures set forth in Government Code Section 66020, the applicant has 90 days from the approval date by City Council to protest the imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of this approval or conditional approval.	On-Going	Planning Department	ALL PHASES	
7. The project shall be subdivided and developed in accordance with the tentative tract map approved by the City Council on March 27, 2013. The applicant may request a minor modification/revision to the final tract map(s) as permitted in	On-Going	Planning Department	ALL PHASES	

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<p>the City's Subdivision Ordinance and Zoning Ordinance and State of California Subdivision Map Act. In addition and in accordance with the Oak Creek Canyon residential development standards and design guidelines, the residential lots within Phase/Planning Area No. 18 shall be restricted to single-story dwelling units only.</p>				
<p>8. If human remains are encountered during grading activities, 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.</p>	On-Going	Planning Department	ALL PHASES	
<p>9. If during ground disturbance activities unique cultural resources are discovered, that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition, as being multiple artifacts in close association</p>	On-Going	Planning Department	ALL PHASES	

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
------------------------	-------------------------	--------------------------	------------------	-----------------------------------

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 Pechanga and Soboba Band representatives 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.

**Environmental Impact Report (EIR) Mitigation Measures:**

10.	<p><b>MM 3.3.1</b> The project applicant shall be required to implement the following traffic improvements:</p> <p><u>Sellers Road/Bundy Canyon Road</u></p> <ul style="list-style-type: none"> <li>• Install a traffic signal.</li> </ul> <p><u>Monte Vista Drive/Bundy Canyon Road</u></p> <ul style="list-style-type: none"> <li>• Install a traffic signal.</li> </ul> <p><u>Harvest Way West/Bundy Canyon Road</u></p> <ul style="list-style-type: none"> <li>• Install a traffic signal.</li> <li>• Stripe a shared northbound through-right turn lane in</li> </ul>	Prior to the Issuance of a Final Map	Planning and Public Works Depts.	ALL PHASES	
-----	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------	----------------------------------	------------	--

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<b>Conditions of Approval</b>				
<p>place of the existing de facto right turn lane.</p> <ul style="list-style-type: none"> <li>• Construct a southbound left turn lane and shared through-right turn lane.</li> <li>• Construct an eastbound left turn lane and two additional through lanes.</li> <li>• Construct two additional westbound through lanes.</li> </ul> <p><u>Harvest Way East/Bundy Canyon Road</u></p> <ul style="list-style-type: none"> <li>• Install a traffic signal.</li> <li>• Construct an eastbound left turn lane and two additional through lanes.</li> <li>• Construct a westbound left turn lane.</li> </ul> <p><u>Sunset Avenue/Bundy Canyon Road</u></p> <ul style="list-style-type: none"> <li>• Install a traffic signal.</li> <li>• Construct an eastbound left turn lane and two additional through lanes.</li> <li>• Construct a westbound left turn lane.</li> <li>• Ensure a northbound and southbound lane of traffic along the frontage of the commercial parcel.</li> <li>• Coordinate improvements with the City of Menifee.</li> </ul>				
<p>11. <b>MM 3.3.4</b> The project applicant will prepare and implement a Traffic Management Plan (TMP) to minimize the inconveniences during construction. Included among the provisions, the contractor will coordinate with the City of Wildomar, Riverside County, and local police, fire, and emergency medical service providers regarding</p>	Prior to the Issuance of a Final Map	Planning and Public Works Depts.	ALL PHASES	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<b>Conditions of Approval</b>				
<p>construction scheduling and any other practical measures to maintain adequate access to properties and response times. The TMP will include contact information for the general public who may have questions concerning the project and access to their property. Two-way traffic through the construction zone will be maintained throughout the construction period.</p>				
<p>12. <b>MM 3.3.5</b> The project applicant shall be required to implement, or pay a fair share of the costs of the implementation of, the following traffic improvements:</p> <p><u>Murrieta Road/Scott Road</u></p> <ul style="list-style-type: none"> <li>• Install a traffic signal.</li> <li>• Construct an eastbound left turn lane.</li> <li>• Restripe the southbound shared left-right turn lane as a right turn lane and construct two left turn lanes.</li> <li>• Construct an additional eastbound through lane.</li> <li>• Construct an additional westbound through lane and a dedicated right turn lane.</li> </ul> <p><u>I-215 Southbound Ramps/Scott Road</u></p> <ul style="list-style-type: none"> <li>• Restripe the southbound shared left-through lane as a left turn lane and construct a second left turn lane and second right turn lane.</li> <li>• Construct three additional eastbound through lanes.</li> <li>• Eliminate the westbound left turn lane and construct two additional through lanes and a right turn lane.</li> </ul> <p>It should be noted that these improvements are consistent</p>	<p>Prior to the Issuance of Building Permits</p>	<p>Planning and Public Works Depts.</p>	<p>ALL PHASES</p>	

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<p>with the planned Bundy Canyon Road/Scott Road and Interstate 215 at Scott Road interchange improvements planned by the Riverside County Transportation Commission funded by the Transportation Uniform Mitigation Fee.</p> <p><u>I-215 Northbound Ramps/Scott Road</u></p> <ul style="list-style-type: none"> <li>• Construct a second northbound right turn lane and restripe the shared left-through lane as a through lane.</li> <li>• Construct two southbound right turn lanes.</li> <li>• Construct a second eastbound left turn lane and two additional through lanes.</li> <li>• Construct two additional westbound through lanes and a shared through-right turn lane.</li> </ul> <p>It should be noted that these improvements are consistent with the planned Bundy Canyon Road/Scott Road and Interstate 215 at Scott Road interchange improvements planned by the Riverside County Transportation Commission funded by the Transportation Uniform Mitigation Fee. This project's payment of the TUMF is considered adequate mitigation.</p>				
<p>13. <b>MM 3.4.2a</b> The following measures shall be incorporated into project plans and specifications and complied with by the project applicant at all times during construction:</p> <ul style="list-style-type: none"> <li>• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 miles per hour (mph).</li> <li>• The construction contractor shall ensure that all disturbed</li> </ul>	<p>During Ground-disturbing Activities</p>	<p>Public Works and Building Departments</p>	<p>ALL PHASES</p>	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<p>unpaved roads and disturbed areas within the project site are watered daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day. (As shown in Table XI-A in <b>Appendix 3.4-1</b>, implementation of this measure is estimated to reduce PM<sub>10</sub> and PM<sub>2.5</sub> fugitive dust emissions by approximately 61 percent.)</p> <ul style="list-style-type: none"> <li>The contractor shall ensure that traffic speeds on unpaved roads and project site areas are reduced to 15 miles per hour (mph) or less to reduce PM<sub>10</sub> and PM<sub>2.5</sub> fugitive dust haul road emissions by approximately 44 percent.</li> </ul>				
<p>14. <b>MM 3.4.2b</b> Prior to issuance of a grading permit, the grading plans shall reference that a sign will be posted on-site stating that construction workers need to shut off engines after 5 minutes of idling. The California Air Resources Board, in Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations, imposes a requirement that heavy-duty trucks accessing the site shall not idle for greater than 5 minutes at any location. This measure is intended to apply to construction traffic</p>	<p>Prior to the Issuance of a Grading Permit</p>	<p>Public Works and Building Departments</p>	<p>ALL PHASES</p>	
<p>15. <b>MM 3.5.1a</b> The project applicant shall construct at least a 6.5-foot-high decorative block wall or similarly effective noise barrier consistent with the design/wall guidelines of the specific plan for lots 33–50 adjacent to Bundy Canyon Road to mitigate for exterior noise impacts to residents. The designed noise screening may only be accomplished if</p>	<p>Prior to a Certificate of Occupancy</p>	<p>Planning, Public Works and Building Departments</p>	<p>ALL PHASES</p>	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<p>the barrier's weight is at least 3.5 pounds per square foot of face area and has no decorative cutouts or line-of-sight openings between shielded areas and the roadways. The recommended noise control barrier may be constructed using one of the following alternative materials:</p> <ol style="list-style-type: none"> <li>1. Masonry block</li> <li>2. Stucco veneer over wood framing (or foam core), or 1-inch-thick tongue-and-groove wood of sufficient weight per square foot</li> <li>3. Glass (1/4 inch thick), or other transparent material with sufficient weight per square foot.</li> <li>4. Earthen berm.</li> <li>5. Any combination of these construction materials</li> </ol> <p>The recommended barrier must present a solid face from top to bottom. Unnecessary openings or decorative cutouts should not be made. All gaps (except for weep holes) should be filled with grout or caulking.</p>				
<p>16. <b>MM 3.5.1b</b> The project applicant shall construct a 6.0-foot-high decorative block wall or similarly effective noise barrier consistent with the design/wall guidelines of the specific plan for lots 89–96, 131–144, 150–164, and 198–222 adjacent to Bundy Canyon Road to mitigate for exterior noise impacts to residents. The designed noise screening may only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area and has no decorative cutouts or line-of-sight openings between shielded areas and the roadways. The recommended</p>	<p>Prior to a Certificate of Occupancy</p>	<p>Planning, Public Works and Building Departments</p>	<p>ALL PHASES</p>	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<p>noise control barrier may be constructed using one of the following alternative materials:</p> <ol style="list-style-type: none"> <li>1. Masonry block</li> <li>2. Stucco veneer over wood framing (or foam core), or 1-inch-thick tongue-and-groove wood of sufficient weight per square foot</li> <li>3. Glass (1/4 inch thick), or other transparent material with sufficient weight per square foot</li> <li>4. Earthen berm</li> <li>5. Any combination of these construction materials</li> </ol> <p>The recommended barrier must present a solid face from top to bottom. Unnecessary openings or decorative cutouts should not be made. All gaps (except for weep holes) should be filled with grout or caulking.</p>				
<p>17. <b>MM 3.5.1c</b> The project applicant shall provide a “windows closed” condition, requiring a means of mechanical ventilation and standard dual-glazed windows with a minimum Sound Transmission Class (STC) rating of 26 at first-floor elevations, with upgraded dual-glazed windows with a minimum Sound Transmission Class (STC) rating of 29 at second-floor elevations for lots 33–50, 89–96, 131–144, 152–164, and 198–222.</p>	<p>Prior to a Certificate of Occupancy</p>	<p>Planning and Building Departments</p>	<p>ALL PHASES</p>	
<p>18. <b>MM 3.5.1d</b> The project applicant shall provide a “windows closed” condition, requiring a means of mechanical ventilation and standard dual-glazed windows with a</p>	<p>Prior to a Certificate of Occupancy</p>	<p>Planning and Building Departments</p>	<p>ALL PHASES</p>	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
minimum Sound Transmission Class (STC) rating of 26 at first- and second-floor elevations for lots 1–3, 145–151, 173, 197, and 223–224.				
19. <b>MM 3.5.1e</b> All window and door assemblies used throughout the project shall be free of cutouts and openings and shall be well fitted and well weather-stripped.	Prior to a Certificate of Occupancy	Planning and Building Departments	ALL PHASES	
20. <b>MM 3.5.1f</b> A final noise study shall be prepared prior to obtaining building permits for lots 1–3, 33–50, 89–96, 131–151, 152–164, 173, and 197–224. This report will finalize the noise requirements based upon precise grading plans and actual building design specifications. The report may result in the need for additional building-specific architectural treatments to meet the interior noise specifications of the City.	Prior to Issuance of a Building Permit	Planning and Building Departments	ALL PHASES	
21. <b>MM 3.5.3</b> The project applicant shall ensure that future commercial uses do not result in exterior noise levels at the nearest sensitive receptor that exceeds 65 dB or interior noise levels that exceed 45 dB. Examples of design features that can be used to reduce noise impacts associated with any future commercial use include, but are not limited to, noise barriers (walls), limited hours of operation, reconfiguration of site design, or restriction of uses or types of use.	Prior to approval of a Plot Plan or Conditional Use Permit for any commercial development within the Phase 19 planning area	Planning and Building Departments	UNIT 5/PHASE 19 PLANNING AREA	
22. <b>MM 3.6.3</b> All existing undocumented artificial fill, topsoil, Quaternary alluvium, Quaternary older alluvium, and unsuitable upper intensely weathered Cretaceous gabbro	During grading and building activities	Public Works and Building Departments	ALL PHASES	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

	Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
	should be over-excavated to underlying competent Cretaceous gabbro within the areas of proposed structures, fill, or improvements. Anticipated removal depths range from approximately 2 to 14 feet below the existing surface.				
23.	<p><b>MM 3.7.1</b> Prior to the approval of the grading permit for future development on the project site, the project applicant(s) shall be required to prepare a stormwater pollution and prevention plan (SWPPP) consistent with the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2010-0014-DWQ), which is to be administered through all phases of grading and project construction. The SWPPP shall incorporate best management practices (BMPs) and be consistent with the <i>Riverside County Stormwater Quality Best Management Practice Design Handbook</i>, to ensure that potential water quality impacts during construction phases are minimized. The SWPPP shall be submitted to the Regional Water Quality Control Board and to the City of Wildomar for review. A copy of the SWPPP must be kept accessible on the project site at all times. In addition, the project applicant(s) will be required to submit, and obtain City approval of, a Water Quality Management Plan prior to the issuance of any building or grading permit for future development on the project site in order to comply with the Areawide Urban Runoff Management Program. The project shall implement site design BMPs, source control BMPs, and treatment control BMPs as identified in the</p>	Prior to the issuance of a Grading Permit	Public Works Department	ALL PHASES	

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<p>Water Quality Management Plan. Site design BMPs shall include, but are not limited to, landscape buffer areas, on-site ponding areas, roof and paved area runoff directed to vegetated areas, and vegetated swales. Source control BMPs shall include, but are not limited to, education, landscape maintenance, litter control, parking lot sweeping, irrigation design to prevent overspray, and covered trash storage. Treatment control BMPs shall include vegetated swales and a detention basin, or an infiltration device. The project will be responsible for maintenance of the basins to ensure they drain within 72 hours of a storm event.</p>				
<p>24. <b>MM 3.8.2</b> The project applicant shall conduct construction and clearing activities outside of the avian nesting season (January 15–August 31), where feasible. If clearing and/or construction activities occur during nesting season, then preconstruction surveys for nesting raptors and migratory birds shall be conducted by a qualified biologist, up to 14 days before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds.</p> <p>If an active nest is located within 100 feet (250 feet for raptors) of construction activities, the project applicant shall establish an exclusion zone (no ingress of personnel or equipment) at a minimum radius of 100 feet or 250 feet, as appropriate, around the nest. Alternative exclusion</p>	<p>Prior to any ground disturbing activities</p>	<p>Planning and Public Works Department</p>	<p>ALL PHASES</p>	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<b>Conditions of Approval</b>				
<p>zones may be established through consultation with the CDFG and the USFWS. The exclusion zones shall remain in force until all young have fledged.</p> <p>Reference to this requirement and to the Migratory Bird Treaty Act shall be included in the construction specifications.</p> <p>If construction activities or tree removal are proposed to occur during the non-breeding season (September 1–January 14), a survey is not required, no further studies are necessary, and no mitigation is required.</p>				
<p>25. <b>MM 3.8.3a</b> Per MSHCP Species-Specific Objective 6, pre-construction presence/absence surveys for burrowing owl within the survey area where suitable habitat is present will be conducted for all covered activities through the life of the permit. Surveys will be conducted within 30 days prior to disturbance. If owls are found on site during the pre-ground-disturbance survey, the City shall immediately notify both the Regional Conservation Authority (RCA) and the wildlife agencies. A conservation strategy will then be developed by the wildlife agencies and the RCA in accordance with the CDFW’s “Staff Report on Burrowing Owl Mitigation.”</p> <p>The breeding period for burrowing owls is February 1 through August 31, with the peak being April 15 to July 15, the recommended survey window. Winter surveys may be conducted between December 1 and January 31. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed.</p>	30-days prior to any vegetation removal or ground-disturbing activities	Planning Department.	ALL PHASES	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

	Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
	Surveys shall be completed for occupied burrowing owl burrows within all construction areas and within 150 meters (500 feet) out from the project work areas (where possible and appropriate based on habitat). All occupied burrows will be mapped on an aerial photo.				
26.	<p><b>MM 3.8.3b</b> Based on the burrowing owl survey results, the City shall require the project applicant to take the following actions to offset impacts prior to ground disturbance if owls are found to be present:</p> <ul style="list-style-type: none"> <li>• If paired owls are nesting in areas scheduled for disturbance or degradation, nest(s) shall be avoided from February 1 through August 31 by a minimum of a 75-meter (250 feet) buffer or until fledging has occurred. Following fledging, owls may be passively relocated by a qualified biologist.</li> <li>• If impacts on occupied burrows in the non-nesting period are unavoidable, on-site passive relocation techniques may be used if approved by the CDFG to encourage owls to move to alternative burrows outside of the impact area. However, no occupied burrows shall be disturbed during the nesting season unless a qualified biologist verifies through noninvasive methods that the burrow is no longer occupied. Foraging habitat for relocated pairs shall be provided in accordance with guidelines provided by the CDFG (2012).</li> <li>• The RCA and Wildlife agencies do not support passive relocation of burrowing owls except in narrow circumstances where there is suitable adjacent conserved</li> </ul>	Prior to any vegetation removal or ground-disturbing activities	Planning Department	ALL PHASES	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<p>land available. There is currently no suitable land adjacent to the project. If relocation of the owls is approved for the site by the Wildlife Agencies, the City shall require the developer to hire a qualified biologist to prepare a plan for relocating the owls to a suitable site. The relocation plan must include all of the following:</p> <ul style="list-style-type: none"> <li>- The location of the nest and owls proposed for relocation.</li> <li>- The location of the proposed relocation site.</li> <li>- The number of owls involved and the time of year when the relocation is proposed to take place.</li> <li>- The name and credentials of the biologist who will be retained to supervise the relocation.</li> <li>- The proposed method of capture and transport for the owls to the new site.</li> <li>- A description of site preparation at the relocation site (e.g., enhancement of existing burrows, creation of artificial burrows, one-time or long-term vegetation control).</li> <li>- A description of efforts and funding support proposed to monitor the relocation.</li> <li>• If paired owls are present within 50 meters (160 feet) of a temporary project disturbance (i.e., parking areas), active burrows shall be protected with fencing/cones/flagging and monitored by a qualified biologist throughout construction to identify losses from nest abandonment and/or loss of reproductive effort (e.g., killing of young).</li> </ul>				
<p><b>27. MM 3.8.4</b> The project applicant shall ensure that there is no net loss of riparian vegetation. Mitigation can</p>	Prior to project vegetation	Planning and Public Works	ALL PHASES	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

	Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
	<p>include on-site restoration or purchase of mitigation credits at a US Army Corps of Engineers (USACE) approved or mitigation bank. Mitigation associated with regulatory permits issued through the CDFG, USACE, MSHCP, or the Water Resources Control Board may be applied to satisfy this measure.</p> <p>Evidence of compliance with this mitigation measure shall be provided prior to construction and grading activities for the proposed project.</p>	removal or ground-disturbing activities	Departments		
28.	<p><b>MM 3.8.5a</b> The jurisdictional delineation shall be verified by the USACE and the California Department of Fish and Wildlife for waters of the State and submitted to the City for review.</p>	Prior to any vegetation removal or ground-disturbing activities	Planning and Public Works Departments	ALL PHASES	
29.	<p><b>MM 3.8.5b</b> The project applicant shall ensure that the project will result in no net loss of waters of the United States and waters of the State by providing mitigation through impact avoidance, impact minimization, and/or compensatory mitigation.</p> <p>Compensatory mitigation may consist of (a) obtaining credits from a mitigation bank; (b) making a payment to an in-lieu fee program that will conduct wetland, stream, or other aquatic resource restoration, creation, enhancement, or preservation activities; these programs are generally administered by government agencies or nonprofit organizations that have established an agreement with the regulatory agencies to use in-lieu fee payments collected from permit applicants; and/or (c)</p>	Prior to any vegetation removal or ground-disturbing activities	Planning and Public Works Departments	ALL PHASES	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
providing compensatory mitigation through an aquatic resource restoration, establishment, enhancement, and/or preservation activity.				
<p>30. <b>MM 3.8.8a</b> If riparian/riverine habitats covered under the MSHCP cannot be avoided, the project applicant shall submit a Determination of Biological Equivalent or Superior Preservation (DBESP), as outlined in Section 4.2 of the MSHCP Permittee Implementation Guidance Manual, to the City for approval.</p> <p>The project applicant shall ensure that the project will result in no net loss of riparian/riverine habitats by providing mitigation through impact avoidance, impact minimization, and/or compensatory mitigation for the impact, as determined in the DBESP. Mitigation accomplished under mitigation measure <b>MM 3.8.5b</b> may apply to meet the standards where appropriate.</p>	Prior to any vegetation removal or ground-disturbing activities	Planning and Public Works Departments	ALL PHASES	
<p>31. <b>MM 3.8.8b</b> The project applicant shall submit plans that illustrate how disturbance to the portion of the project site located within the portion of Cell #5046 of Cell Group J in the Sedco Hills Subunit (SU4) of the Elsinore Area Plan will be avoided for City for approval.</p>	Prior to any vegetation removal or ground-disturbing activities	Planning and Public Works Departments	ALL PHASES	
<p>32. <b>MM 3.8.8c</b> The project applicant shall submit fees to the City in accordance to the requirements of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Mitigation Fee Areas, including the MSHCP Mitigation Fee Area and the Stephens' Kangaroo</p>	Prior to the Issuance of Building Permits	Planning and Building Departments	ALL PHASES	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
33. <b>MM 3.9.2a</b> At least 30 days prior to the issuance of the first grading permit, the project applicant shall enter into a Cultural Resources Treatment and Tribal Monitoring Agreement with the Pechanga Band of Luiseno Indians and/or the Cahuilla Band of Indians. The agreement shall include, but not be limited to, outlining provisions and requirements for addressing the treatment of cultural resources; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site; and establishing on-site monitoring provisions and/or requirements for professional Pechanga Tribal monitors during all ground-disturbing activities. A copy of this signed agreement shall be provided to the Planning Director and Building Official prior to the issuance of the first grading permit..	Prior to ground-disturbing activities	Planning and Building Departments	ALL PHASES	
34. <b>MM 3.9.2b</b> Should any cultural resources be uncovered during the grading and construction phases of the proposed project, work shall be halted or relocated to an area outside of the area in which the resource was found while the project archaeologist and the Pechanga representative identify the resource and reassess the area. If the resource found is determined to be an historical or unique archeological resource, a time allotment sufficient to allow for the implementation of avoidance measures or appropriate mitigation shall be made available. Work on the	During all grading and construction activities	During all grading and construction activities	ALL PHASES	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

	Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
	proposed project may continue in other areas of the project site while any historical or unique archeological resource mitigation takes place.				
35.	<b>MM 3.9.2c</b> Prior to beginning project construction, the project applicant shall retain a Riverside County qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation in consultation with the Pechanga Tribe. The project archaeologist shall be responsible for updating the State DPR forms and completing an Archaeological Monitoring Report detailing the results of the monitoring program, including the final disposition of CA-RIV-8282 and CA RIV-1256, updated DPR forms, a complete catalog list of resources collected during monitoring activities, and any other pertinent information related to the project. A final copy of the study shall be sent to the project applicant, the City of Wildomar, the Eastern Information Center, and the Pechanga Tribe.	During all grading and construction activities	During all grading and construction activities		
36.	<b>MM 3.9.2d</b> Prior to beginning project construction, the project applicant shall file an archaeological monitoring report with the City to document the proposed methodology for grading activity observation, which will be determined in consultation with the Pechanga Tribe. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in mitigation measure MM 3.9.2, the archaeological	During all grading and construction activities	During all grading and construction activities		

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<p>monitor's authority to stop and redirect grading will be exercised in consultation with the Pechanga Tribe in order to evaluate the significance of any archaeological resource discovered on the property. Tribal and archaeological monitors shall be allowed to monitor all grading, excavation, and groundbreaking activities, and shall also have the authority to temporarily stop and redirect grading activities.</p> <p>37. <b>MM 3.9.2e</b> The landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts that are found on the project area to the Pechanga Tribe for proper treatment and disposition. The Tribe maintains a 36 CFR Part 79 standard facility and requests that all artifacts, not including human remains, sacred/ceremonial items, or grave goods, be curated at that facility. Further, all sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.</p>	During all grading and construction activities	During all grading and construction activities		
<p>38. <b>MM 3.9.2f</b> Significant site CA-RIV-8282 cannot be avoided as the preferred option per CEQA. As there are no large boulder outcrops or other predominant features located within this site, no measures are necessary for relocation. However, because the archaeological testing plan identified cultural resources on the surface and at least 35 centimeters in depth, controlled grading will occur within the boundaries of CA-RIV-8282 in order to observe any buried features, artifacts, or human remains that were not identified during testing. A plan detailing the controlled grading will be prepared in consultation with the Pechanga Tribe describing</p>	During all grading and construction activities	During all grading and construction activities		

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

	Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
	the process and duration of the grading in this area prior to grading in the CA-RIV-8282 area.				
39.	<b>MM 3.9.2g</b> Significant site CA-RIV-1256 will be avoided through design of the project. Prior to development in the area, the project archaeologist and the Pechanga Tribe will fence the area to be protected. No impacts to the area should occur during grading. Upon completion of the grading in this area, the fencing will be removed. The Pechanga Tribe and the project applicant will develop a long-term management plan for CA-RIV-1256.	During all grading and construction activities	During all grading and construction activities		
40.	<b>MM 3.9.3</b> Prior to issuance of a grading permit, the project applicant shall present a letter to the Chief Building Official indicating that a qualified paleontologist has been retained to carry out a paleontological monitoring and salvage program. The contracting paleontologist shall be present to monitor all initial ground-disturbing activities in native soils or sediments, including all vegetation removal. Should any paleontological resources (i.e., fossils) be uncovered during project construction activities, all work in the immediate vicinity shall be halted or diverted to other areas on the site and the City shall be immediately notified. The qualified paleontologist shall be retained to evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered paleontological resources. The City and the project applicant shall consider the recommendations of the qualified paleontologist. The City, the qualified paleontologist, and the project applicant shall consult and agree upon implementation of a measure or	Prior to Issuance of a Grading Permit and during ground-disturbing activities	Planning and Public Works Departments	ALL PHASES	

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<p>measures that the City, the qualified paleontologist, and the project applicant deem feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by the project applicant, qualified paleontologist, and the City, as well as the Native American tribal representative if relevant, as to the appropriate preservation or mitigation measures.</p>				
<p>41. <b>MM 3.9.4</b> In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:</p> <p>(1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:</p> <p>a. The Riverside County Coroner shall be contacted to determine whether an investigation into the cause of death is required; and</p> <p>b. If the Riverside County Coroner determines the remains are Native American:</p> <p>i. The Coroner shall contact the Native American Heritage Commission within 24 hours.</p> <p>ii. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native</p>	<p>Prior to Issuance of a Grading Permit and during ground-disturbing activities</p>	<p>Planning and Public Works Department</p>	<p>ALL PHASES</p>	

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<p>American.</p> <p>iii. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or</p> <p>(2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p> <p>a. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission;</p> <p>b. The descendant identified fails to make a recommendation; or</p> <p>c. The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.</p>				
<p>42. <b>MM 3.11.4</b> Prior to any development activity or the issuance of any permit or approval removing or</p>	<p>Prior to any ground</p>	<p>Planning and Public Works</p>	<p>ALL PHASES</p>	

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<p>encroaching upon oak trees on the project site (this generally includes the canopy dripline of trees within the area of ground disturbance and trees subject to changes in hydrologic regime), an Oak Tree Mitigation Plan prepared by a certified arborist, registered professional forester, botanist, or landscape architect shall be submitted for review and approval by the City that includes:</p> <ol style="list-style-type: none"> <li>1. A survey showing the location of oak trees 5 inches or more in diameter at breast height, as defined by Public Resources Code Section 21083.4(a).</li> <li>2. The removal of all oak trees 5 inches or more in diameter at breast height shall be mitigated. Removal shall be mitigated by planting (or replanting) and maintaining oak trees. A minimum of three native oak trees of 5 gallons or larger size shall be planted for each oak tree removed that is greater than or equal to 5 inches diameter at breast height (DBH). The trees shall be planted in areas deemed appropriate by the Oak Tree Mitigation Plan, considering future lot development and interference with foundations, fencing, roadways, driveways, and utilities. Replanted oak trees shall be maintained for a period of seven years after they are planted. If any of the replanted oak trees die or become diseased, they shall be replaced and maintained for seven years after the new oak trees are planted.</li> <li>3. A replanting schedule and diagram for trees removed or encroached upon by the project shall be submitted to and approved by the City. Replanted trees shall be planted in areas deemed appropriate by the Oak Tree Mitigation</li> </ol>	disturbance activities	Department		

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
------------------------	----------------------------	-----------------------------	---------------------	-----------------------------------------

	<p>Plan, considering future lot development and interference with foundations, fencing, roadways, driveways, and utilities. Trees planted shall be protected from livestock and other animals.</p> <p>4. Oak tree protection measures for trees to be retained within the project site shall be included in construction specifications. Each oak tree to be preserved shall be surrounded by a tree zone identified by the dripline of the tree. An orange plastic fence or other suitable type of fence shall be used to identify the tree zone during construction activities. No vegetation removal, soil disturbance, or other development activities shall occur within the tree zone in order to protect root systems and minimize compaction of the soil, unless authorized by the Oak Tree Mitigation Plan.</p> <p>5. Conservation easements or funds for off-site oak woodlands conservation shall be proposed to and approved by the City.</p>				
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--	--

**Prior to Issuance of a Grading Permit**

43.	<p>Prior to the issuance of the 1st first grading permit for Tentative Tract Map No. 36388, the applicant shall enter into a Tribal Monitoring Agreement with the Pechanga Band of Luiseno Indians. The agreement shall, include, but not be limited to, outlining provisions and requirements for addressing the treatment of cultural resources and establishing on-site monitoring provisions/requirements during</p>	<p>Prior to Issuance of a Grading Permit</p>	<p>Planning Department</p>	<p>UNIT/PHASE 1</p>	
-----	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------	--------------------------------	---------------------	--

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
------------------------	-------------------------	--------------------------	------------------	-----------------------------------

<p>all on-site ground disturbing activities. A copy of this signed agreement shall be provided to the Planning Director and Building Official prior to the issuance of the 1st grading permit.</p>				
<p>44. The grading plan shall include the following information in the Notes Section of the Grading Plan: <i>"No grubbing/clearing of the site shall occur prior to scheduling the pre-grading meeting with Engineering. All project sites containing suitable habitat for burrowing owls, whether owls were found or not, require a 30-day preconstruction survey that shall be conducted within 30 days prior to ground disturbance to avoid direct take of burrowing owls. If the results of the survey indicate that no burrowing owls are present on-site, then the project may move forward with grading, upon Planning Department approval. If burrowing owls are found to be present or nesting on-site during the preconstruction survey, then the following recommendations must be adhered to: Exclusion and relocation activities may not occur during the breeding season, which is defined as March 1 through August 31, with the following exception: From March 1 through March 15 and from August 1 through August 31 exclusion and relocation activities may take place if it is proven to the City and appropriate regulatory agencies (if any) that egg laying or chick rearing is not taking place. This determination must be made by a qualified biologist."</i></p>	<p>Prior to Issuance of a Grading Permit</p>	<p>Planning Department</p>	<p>ALL PHASES</p>	
<p>45. The grading plan shall include the following information in the Notes Section of the Grading Plan: <i>"If at any time during excavation/construction of the site, archaeological/cultural resources, or any artifacts or other objects which reasonably</i></p>	<p>Prior to Issuance of a Grading Permit</p>	<p>Planning Department</p>	<p>ALL PHASES</p>	

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<p><i>appears to be evidence of cultural or archaeological resource are discovered, the property owner shall immediately advise the City of such and the City shall cause all further excavation or other disturbance of the affected area to immediately cease. The Planning Director at his/her sole discretion may require the property owner to deposit a sum of money it deems reasonably necessary to allow the City to consult and/or authorize an independent, fully qualified specialist to inspect the site at no cost to the City, in order to assess the significance of the find. Upon determining that the discovery is not an archaeological/cultural resource, the Planning Director shall notify the property owner of such determination and shall authorize the resumption of work. Upon determining that the discovery is an archaeological/cultural resource, the Planning Director shall notify the property owner that no further excavation or development may take place until a mitigation plan or other corrective measures have been approved by the Planning Director."</i></p>				
<p>46. Prior to the issuance of a the 1st grading permit the applicant shall receive approval of a haul permit for any import of material to the site or export of material off-site. The request for a haul permit shall include a haul route plan addressing the limitations of haul hours, number of loads per day and the posting of traffic control personnel at all approved entrances/exits onto public roads. This haul permit shall be in place prior to the issuance of the grading permit and the mobilization of equipment on the project site. If the proposed material source or disposal site was not previously evaluated by the mitigated negative declaration, a grading environmental</p>	<p>Prior to Issuance of a Grading Permit</p>	<p>Planning Department</p>	<p>UNIT/PHASE 1</p>	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
------------------------	-------------------------	--------------------------	------------------	-----------------------------------

assessment shall be approved by the planning director prior to the issuance of the haul permit.				
47. Prior to the issuance of the 1st grading permit for each phase , the applicant shall provide a note on the grading plans that state the following: "All existing native, oak or riparian trees on the property identified for preservation in the "Oak Creek Canyon Tree Preservation Plan" shall also be identified on the grading plan for preservation. No grading or grubbing activities shall be allowed within the protected area for any preserved native, oak or riparian tree. The protected areas shown on the grading plan shall be fenced in accordance with city standards to prevent accidental grading activities in these sensitive areas.	Prior to Issuance of a Grading Permit	Planning Department	ALL PHASES	
48. Prior to the issuance of the 1st grading permit for each phase , the applicant shall provide a note on the grading plans that state the following: <i>"No ground disturbing or grubbing activities shall be allowed within the protected drip line of any preserved native, oak or riparian tree identified for preservation. Fencing shall be placed around these protected areas."</i>	Prior to Issuance of a Grading Permit	Planning Department	ALL PHASES	

#### **Prior to Final Map / Recordation Approval**

49. Prior to the recordation of the first final tract map, the applicant shall establish the formation of a Maintenance CFD (in accordance with the recommendations of the Oak Creek Canyon Fiscal Impact Study prepared for this project), that will establish a mechanism to pay for recurring public service costs as a result of the negative fiscal impacts from this project. The provisions of the CFD shall be reviewed and	Prior to 1st Final Map Recordation	Finance, Planning & Engineering Depts.	UNIT/PHASE 1	
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------	----------------------------------------	--------------	--

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
approved by the Finance, Planning and Engineering departments.				
50. Prior to the recordation of the final tract map for TTM 36388, or any subsequent final maps within the project area, the Applicant shall pay all fees in accordance with Zone A of the Southwest Road and Bridge Benefit District.	Prior to Final Map Approval	Planning Department	ALL PHASES	
51. Prior to the recordation of the final tract map for TTM 36388, or any subsequent final maps within the project area, the applicant shall pay the appropriate impact mitigation fee to the Riverside County Flood Control and Water Conservation District.	Prior to Final Map Approval	Planning Department	ALL PHASES	
52. Prior to the recordation of the final map for TTM 36388, a copy of the proposed Covenants, Conditions, and Restrictions (CC&R's) shall be submitted to the Planning Director and City Attorney for review. The CC&R's shall include liability insurance and methods of maintaining landscaping, parking areas, private roads, exterior of all buildings (if applicable), and all landscaped and open areas including parkways, as well as a provisions indicating that the homeowners association may not be terminated or dissolved with the permission of the City. The CC&Rs shall be in the form and content approved by the planning director and city attorney and shall include such provisions as are required by this approval and as said officials deem necessary to protect the interests of the City and its residents.	Prior to Final Map Approval	Planning Department	UNIT/PHASE 1	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
------------------------	-------------------------	--------------------------	------------------	-----------------------------------

#### Prior to Issuance of Building Permits

53.	Prior to the issuance of the 1st building permit for each phase/planning area, the applicant shall pay all applicable Development Impact Fees and City Mitigation Fees as determined by the Building and Engineering departments.	Prior to Issuance of Building Permits	Building and Engineering Departments	ALL PHASES	
54.	Prior to the issuance of the 1st building permit for each phase/planning area, the applicant shall submit for review and approval by the Planning Department a "Final Site Plan of Development" package (including the required application and deposit fee) for review and approval. All development plans under Tentative Tract Map No. 36388 shall be consistent with the residential site/architectural design guidelines approved under Specific Plan No. 116, Amendment No. 4 (Planning Application No. 11-0261).	Prior to Issuance of the 1st Building Permit for each Planning Sub-Area	Planning Department	ALL PHASES	
55.	Prior to the issuance of the 1st building permit for phase/planning area No. 9, 17A and 18, the applicant shall submit for review and approval by the Planning Department a Minor Plot Plan application for development of each park site. The park development plan shall be consistent with the site planning, design and landscape guidelines of Specific Plan No. 116, Amendment No. 4 (PA No. 11-0261).	Prior to Issuance of the 1st Building Permit for each Planning Sub-Area	Planning Department	ALL PHASES	
56.	Prior to the issuance of the of the 42nd building permit within planning/phase area No 9, the applicant shall have completed construction and installed all park improvements for the 1.8 acre park site approved within this phase/planning area. The park development shall be consistent with the site planning,	Prior to Issuance of the 42nd Building Permit.	Planning Department	UNIT/PHASE 4	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

	Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
	design and landscape guidelines of Specific Plan No. 116, Amendment No. 4 (PA No. 11-0261).				
57.	Prior to the issuance of the of the 52nd building permit within planning/phase area No 17A, the applicant shall have completed construction and installed all park improvements for the 1.8 acre park site approved within this phase/planning area. The park development shall be consistent with the site planning, design and landscape guidelines of Specific Plan No. 116, Amendment No. 4 (PA No. 11-0261).	Prior to Issuance of the 52nd Building Permit.	Planning Department	UNIT/PHASE 4	
58.	Prior to the issuance of the of the 44th building permit within planning/phase area No 18A, the applicant shall have completed construction and installed all park improvements for the 1.8 acre park site approved within this phase/planning area. The park development shall be consistent with the site planning, design and landscape guidelines of Specific Plan No. 116, Amendment No. 4 (PA No. 11-0261).	Prior to Issuance of the 44th Building Permit.	Planning Department	UNIT/PHASE 4	
59.	Prior to the issuance of the 1st building permit to construct any signs, the applicant shall submit a Minor Plot Plan application for review and approval by the Planning Director, a master sign program. The proposed sign program shall be consistent with the location and design guidelines approved under Specific Plan No. 116, Amendment No. 4 (PA No. 11-0261).	Prior to Issuance of the 1st Building Permit	Planning Department	UNIT/PHASE 1	
60.	Prior to the issuance of a building permit for development of the commercial parcel, the applicant shall submit a Plot Plan application to the Planning Department for review and approval. The proposed commercial/retail project shall	Prior to Issuance of a Building Permit	Planning Department	PHASE 1 OF THE COMMERCIAL SITE	

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
------------------------	-------------------------	--------------------------	------------------	-----------------------------------

comply with the design guidelines approved under Specific Plan No. 116, Amendment No. 4 (PA No. 11-0261).				
-----------------------------------------------------------------------------------------------------------	--	--	--	--

**Special Landscaping Conditions**

61.	Prior to the issuance of the 1st building permit for each phase/planning area, the applicant shall submit two (2) sets of detailed landscape and irrigation plans (drawn at a scale of 20 feet to 1 inch - any other scale shall be first approved by the Planning Director and City Landscape Architect) for review and approval by the Planning Director and City Landscape Architect. The landscape and irrigation plans shall be prepared by a registered landscape architect and be designed to be consistent with the landscape design guidelines approved under Specific Plan No. 116, Amendment No. 4 (PA No. 11-0261).	Prior to Issuance of a Building Permit	Planning Department	ALL PHASES	
62.	All landscape and irrigation plans shall also meet the standards outlined in Title 17.276 of the Wildomar Zoning Ordinance (Water Efficient Landscapes and Water Efficient Irrigation Guidelines).	On-Going	Planning Department	ALL PHASES	
63.	All existing California Native Oak trees ( <i>Quercus species</i> ) designated to be relocated and/or preserved on-site, which are damaged during construction, shall be replaced at the direction of the Planning Director and City Landscape Architect.	On-Going	Planning Department	ALL PHASES	
64.	No trees shall be removed during the bird migratory season, if it is determined and verified that live nests exist in the trees.	On-Going	Planning Department	ALL PHASES	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

	Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
65.	No light fixture, electric transformer, fire detector check or fire hydrant shall be designed for any location in a planting area, which would make it necessary to eliminate a tree.	On-Going	Planning Department	ALL PHASES	
66.	All ground covers shall be installed from living plant materials. Spacing shall be such that 100% coverage is achieved within 2 years of the installation.	On-Going	Planning Department	ALL PHASES	
67.	Decorative rock and crushed rock areas shall be allowed in limited quantity, where approved by the Planning Director and City Landscape Architect for maintenance, pathways, or particular use.	On-Going	Planning Department	ALL PHASES	
68.	Cool-season turf grass is discouraged, except as necessary for recreational use areas. Warm season turf grass is allowed. An approved concrete mow strip shall separate all turf and shrub beds, except at individual residences.	On-Going	Planning Department	ALL PHASES	
69.	Planting areas adjacent to streets shall have approved species of trees provided at the rate of one-24" box planted at 30 feet on center.	On-Going	Planning Department	ALL PHASES	
70.	All subdivision individual lots shall have one approved species street tree per lot installed from a 24" box container. Lots with 10 feet or greater planter area between lots shall have an additional street tree installed. Street trees shall be installed one-foot outside the right-of-way within the private area of the residential front yard; at least 5 feet from side property lines, structures, utilities, and driveways; at least 3 feet from water	On-Going	Planning Department	ALL PHASES	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
71. Individual front yard typical landscaping shall be designed to provide a complete and finished looking landscape installation, including yard trees, shrubs and ground covers, without large areas of bark mulch.	On-Going	Planning Department	ALL PHASES	
72. Mature specimen trees in 36-inch and 48-inch boxes shall be supplied in sufficient quantity to provide variety and emphasis at main focal areas, monument signs, and project entries.	On-Going	Planning Department	ALL PHASES	
73. All trees shall be double staked with vinyl/rubber type ties nailed to the lodge pole stakes in at least two vertical locations. Trunk protection devices shall be provided to all trees located in turf grass areas and a 24-inch diameter grass cut-out at the trunk shall be filled with 3 inches of approved bark mulch kept 3 inches away from the tree trunk.	On-Going	Planning Department	ALL PHASES	
74. All irrigation design shall conform to the ETo requirements set forth by Elsinore Valley Municipal Water District (60% ETo). No irrigation design shall force the owner into a tier greater than one upon initial design calculation.	On-Going	Planning Department	ALL PHASES	
75. All irrigation in shrub areas shall be designed and installed using drip irrigation or irrigation measured in gallons per hour.	On-Going	Planning Department	ALL PHASES	
76. The irrigation systems shall be installed using pipe and equipment for reclaimed water.	On-Going	Planning Department	ALL PHASES	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

	Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
77.	A weather-based irrigation controller shall be installed that measures evapo-transpiration. A rain shut off device shall be installed connected with the irrigation controller.	On-Going	Planning Department	ALL PHASES	
78.	Plant materials within shrub areas shall incorporate low water use species as a general rule, be water-efficient, and hydro-zoned. California native plants are encouraged.	On-Going	Planning Department	ALL PHASES	
79.	Root barriers ("Bio-barrier"™), shall be installed for all trees planted within 10 feet of paving along public streets. Within the project, root barriers of a type approved by the City Landscape Architect (continuous and non-paneled), shall be installed for all trees located within 5 feet of paving.	On-Going	Planning Department	ALL PHASES	
80.	No Eucalyptus or plant materials that could freeze shall be utilized in the design.	On-Going	Planning Department	ALL PHASES	
81.	All grass shall be installed from sod in individual residences, if applicable.	On-Going	Planning Department	ALL PHASES	
82.	Bio-swales, drainage areas, detention basins, and open spaces shall incorporate California native plants (ground cover, shrubs, and trees). Un-mowed California native low-water usage perennial grasses and other approved low growing ground covers, may be designed, as approved by the City Landscape Architect as required for the minimum expected soil moisture in the bio-swales, drainage areas, detention basins, and open spaces as a best management practice for water and energy conservation.	On-Going	Planning Department	ALL PHASES	
83.	The landscape plans required as part of the Final Site Plan of Development for each planning/phase area shall reflect the	On-Going	Planning Department	ALL PHASES	

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<p>following standards for slopes:</p> <p>a) All slopes over 3 feet in vertical height, must be landscaped. A minimum of 4 inches of medium grind bark mulch shall be applied to control erosion and weed growth. Trees shall be located at least 10 feet below the top of the slope, if another residential property is located above the other property. Trees located at the top of the slope should be installed towards the side property lines to preserve the homeowners' views. Shrubs shall be designed in a clustered and massed layout to appear natural. Ground cover shall be planted at a spacing to fill in 100% within 1 year of installation.</p>				
<p>84. The landscape contractor is responsible for providing an agronomic soil report that determines soil fertility and recommendations prior to initiating each major area of work. The report shall be transmitted electronically to the City Landscape Architect, and it shall include recommendations for pre-plant and long-term landscape maintenance. The soil report shall specifically recommend materials and rates representing the area of the project where construction will take place. Soil reports for cut or fill slopes shall be provided separately from areas that require less grading.</p>	On-Going	Planning Department	ALL PHASES	
<p>85. All fertilizers and soil amendments used during planting preparation and installation shall be derived from organic-based materials as a best management practice for storm water source control.</p>	On-Going	Planning Department	ALL PHASES	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

	Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
86.	All landscaping that drains into existing creeks or drainage areas shall be installed using California native plants.	On-Going	Planning Department	ALL PHASES	
87.	The landscape concept for fuel modification zones/areas shall be included and shown in the required landscape plans required herein.	On-Going	Planning Department	ALL PHASES	
88.	All areas of the project on or off-site, which are graded, shall be planted and irrigated at the direction of the City Landscape Architect, whether shown as a part of this project or not.	On-Going	Planning Department	ALL PHASES	
89.	Specific long-term landscape maintenance specifications shall be provided by the project landscape architect to ensure proper landscape maintenance for the homeowners' association.	On-Going	Planning Department	ALL PHASES	
90.	The City Landscape Architect shall meet with the job site superintendent and the landscape contractor for a pre-job meeting. A copy of the soil fertility recommendations shall be presented prior to the meeting. No landscaping or site work in the public right-of-way or privately maintained areas shall occur prior to the meeting.	On-Going	Planning Department	ALL PHASES	
91.	All required landscaping and irrigation systems shall be installed in a condition acceptable to the City and in accordance with the approved landscape construction plans. The City will conduct inspections to ensure that the landscape installation is in compliance with the approved landscape plans.	Prior to Occupancy Permits for each Unit/Phase Area	Planning Department	ALL PHASES	

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
------------------------	-------------------------	--------------------------	------------------	-----------------------------------

**Prior to Issuance of a Certificate of Occupancy**

92.	Prior to the issuance of a certificate of occupancy for any dwelling unit within each phase/planning area, all conditions of approval for that phase/planning area shall be satisfied.	Prior to Issuance of a Certificate of Occupancy	Planning and Building Department	ALL PHASES	
-----	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------	----------------------------------	------------	--

**PUBLIC WORKS/ENGINEERING/BUILDING DEPARTMENT CONDITIONS**

**General Conditions**

1.	All above-ground utilities, including but not limited to communication and power that are 33KV in size or less within the Oak Creek Canyon project area, shall be undergrounded by the developer in accordance with City requirements. The undergrounding of utilities shall be reflected on the project improvement plans.	On-Going	Public Works Dept.	ALL PHASES	
2.	The developer shall obtain City approval for any modifications or revisions to the approval of this project. Deviations not identified on the plans may not be approved by the City, potentially resulting in the need for the project to be redesigned. Amended entitlement approvals may be necessary as a result.	On-Going	Public Works Dept.	ALL PHASES	
3.	All retaining walls shall require a separate permit from the Building Department.	On-Going	Building Dept.	ALL PHASES	
4.	The proposed access to the basins from Bundy Canyon Road shall be designed in a safe manner and designed and constructed to the satisfaction of the City Engineer.	On-Going	Public Works Dept.	ALL PHASES	
5.	The Bundy Canyon driveway for the commercial parcel (Lot	On-Going	Public Works	ALL PHASES	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
		Dept.		
6. All non standard features, such as stamped concrete and/or pavers shall be outside of the public right of way and the maintenance shall be the responsibility of the Oak Creek Canyon homeowners association. This condition shall be included in the CC&R's required for this project.	On-Going	Public Works Dept.	ALL PHASES	
7. All proposed gates within any of the phase/planning areas shall be reviewed and approved by the Planning and Public Works Directors prior to installation.	On-Going	Engineering & Planning Depts.	ALL PHASES	
8. No grading shall be performed within the Oak Creek Canyon project area without first applying for a grading permit from the Public Works Department.	On-Going	Public Works Dept.	ALL PHASES	
9. Written permission shall be obtained from the affected property owners allowing the proposed grading and/or facilities to be installed outside of the project boundaries.	On-Going	Public Works Dept.	ALL PHASES	
10. The developer's contractor is required to submit for a haul route permit for the hauling of material to and from the project site. Said permit will include limitations of haul hours, number of loads per day and the posting of traffic control personnel at all approved entrances/exits onto public roads. This permit shall be in place prior to the issuance of the grading permit and the mobilization of equipment on the project site.	On-Going	Public Works Dept.	ALL PHASES	
11. The Developer shall dedicate, design and construct all improvements in accordance with the City of Wildomar Road	On-Going	Public Works Dept.	ALL PHASES	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
Improvement Standards & Specification, Improvement Plan Check Policies and Guidelines, as further conditioned herein and to the satisfaction of the City Engineer.				
12. The Developer shall be responsible for all costs associated with off-site right-of-way acquisition, including any costs associated with the eminent domain process, if necessary.	On-Going	Public Works Dept.	ALL PHASES	
13. All grading shall conform to the California Building Code, Ordinance 457, and all other relevant laws, rules, and regulations governing grading in the City of Wildomar. Prior to commencing any grading which includes 50 or more cubic yards, the developer shall obtain a grading permit from the Building Department.	On-Going	Public Works & Building Depts.	ALL PHASES	
14. All necessary measures to control dust shall be implemented by the developer during grading to the satisfaction of the City Engineer. A PM10 plan may be required at the time a grading permit is issued, as determined by the City Engineer.	On-Going	Public Works Dept.	ALL PHASES	
15. Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved by the City Engineer and Planning Director.	On-Going	Engineering & Planning Depts.	ALL PHASES	
16. Grading in excess of 199 cubic yards will require performance security to be posted with the City.	On-Going	Public Works Dept.	ALL PHASES	
17. 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). Planting shall occur within 30 days of meeting final grades to	On-Going	Public Works Dept.	ALL PHASES	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
minimize erosion and to ensure slope coverage prior to the rainy season. The Developer shall plant & irrigate all manufactured slopes steeper than a 4:1 (horizontal to vertical) ratio and 3 feet or greater in vertical height with grass or ground cover; slopes 15 feet or greater in vertical height shall be planted with additional shrubs or trees or as approved by the City Engineer.				
18. Should this project lie within any assessment/benefit district, the project proponent shall, prior to acceptance of improvements, make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district unless said fees are otherwise deferred.	On-Going	Public Works Dept.	ALL PHASES	
19. The developer shall design and construct all driveways in accordance with the City of Wildomar Improvement Standards.	On-Going	Public Works Dept.	ALL PHASES	
20. The improvement plans for the required public improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the project boundaries at a grade and alignment as approved by the City Engineer.	On-Going	Public Works Dept.	ALL PHASES	
21. All flood control plans to be reviewed shall be submitted through the City of Wildomar, unless otherwise directed by the City Engineer.	On-Going	Public Works Dept.	ALL PHASES	
22. The HOA shall maintain the connecting lots (Detention Basins) for the 72" RCP's connecting Lots 315 to 316 and Lots 316 to	On-Going	Public Works Dept.	UNIT/PHASE 3	

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
320. The 72" RCP shall be placed outside of the paved improvements for Bundy Canyon to the satisfaction of the City Engineer.				
23. The HOA shall obtain an easement for the RCP within Lot 163 and 199.	On-Going	Public Works Dept.	UNIT/PHASE 4	
24. The HOA and/or a maintenance district shall maintain the drainage facilities, water quality basins and areas within the project boundaries including but not limited to the areas north of Lot 269; between Lot 105 and 106; within Lot 163, 199, 310, 322; between Lot 124 and 125; and the RCP connecting Lots 312 to 321.	On-Going	Public Works Dept.	ALL PHASES	
25. The HOA shall maintain all open space areas including but not limited to trails, slopes, terrace drains, interceptor drains, walls, drainage pipes, headwalls, outfalls, detention basins and their access drives and other associated facilities.	On-Going	Public Works Dept.	ALL PHASES	
26. The 36" culvert under Beverly Street shall be resized and constructed to handle additional flows from this project to the satisfaction of the City Engineer.	On-Going	Public Works Dept.	ALL PHASES	
<b><u>Prior to Issuance of a Grading Permit</u></b>				
27. Prior to the issuance of the first grading permit in any phase/planning area, the developer shall submit final geotechnical soils reports to the City Engineer for review and approval prior to issuance of grading permit. All grading shall be in conformance with the recommendations of the geotechnical/soils reports as approved by City of Wildomar.	Prior to Issuance of the first Grading Permit	Public Works Dept.	UNIT/PHASE 1	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<b>Conditions of Approval</b>				
28. Prior to the issuance of a grading permit, it shall be the sole responsibility of the developer to obtain any and all easements and/or permissions necessary to perform the grading required for the project. A notarized letter of permission from all affected property owners or easement holders, or encroachment permit, is required for all off-site grading.	Prior to Issuance of a Grading Permit	Public Works Dept.	ALL PHASES	
29. Prior to the issuance of grading permits, the project specific SWPPP shall be approved by the City Engineer.	Prior to Issuance of a Grading Permit	Public Works Dept.	ALL PHASES	
30. Prior to issuance of grading permits, the Developer shall provide the Engineering Department evidence of compliance with the National Pollutant Discharge Elimination System (NPDES) and obtain a construction permit from the State Water Resource Control Board (SWRRCB).	Prior to Issuance of a Grading Permit	Public Works Dept.	ALL PHASES	
31. Prior to the issuance of a grading permit, the developer shall have obtained approval for the import/export location from the City of Wildomar. Additionally, if either location was not previously approved by an Environmental Assessment, prior to issuing a grading permit, a Grading Environmental Assessment shall be submitted to the Planning Director for review and comment and to the City Engineer for approval.	Prior to Issuance of a Grading Permit	Engineering & Planning Depts.	ALL PHASES	
32. Prior to the issuance of a grading permit, the developer shall submit a Final Water Quality Management Plan (WQMP), in conformance with the requirements of the San Diego Regional Water Quality Control Board. All stormwater quality treatment devices shall be located outside of the ultimate public right of way. The developer shall design the stormwater quality	Prior to Issuance of a Grading Permit	Public Works Dept.	ALL PHASES	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
treatment devices to accommodate all project runoff, ensuring post-construction flows and volumes do not exceed pre-construction levels, in accordance with City of Wildomar's Hydrology Manual, Stormwater Quality Best Management Practice Design Handbook, Improvement Standards, and to the satisfaction of the City Engineer. These BMPs shall be consistent with the Final WQMP and installed to the satisfaction of the City Engineer.				
33. Prior to the issuance of a grading permit, the developer is to provide the appropriate documentation that will allow this project a waiver for mitigation volume related to the Lake Elsinore sub watershed of the Santa Ana Watershed. Please note the City is not a permittee in the MS4 permit for the Santa Ana River Watershed (Lake Elsinore) and is governed only by the MS4 permit for the Santa Margarita Watershed, therefore the Applicant needs to provide evidence that this waiver has been approved by the Santa Ana Regional Water Quality Control Board. Otherwise volume has to be addressed.	Prior to Issuance of a Grading Permit	Public Works Dept.	ALL PHASES	
34. Prior to the issuance of grading permit, the developer shall prepare and submit a comprehensive drainage study and plan that includes, but is not limited to: definition with mapping of the existing watersheds; a detailed pre- and post-project hydrologic and hydraulic analysis of the project and project impacts; definition of the local controlling 100-year frequency water levels existing and with project; the proposed method of flow conveyance to mitigate the potential project impacts with adequate supporting calculations; any proposed improvements to mitigate the impacts of increased runoff from	Prior to Issuance of a Grading Permit	Public Works Dept.	ALL PHASES	

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<p>the project and any change in runoff; including quality, quantity, volume, and duration in accordance with City of Wildomar's Hydrology Manual, Improvement Standards, and to the satisfaction of the City Engineer. Specifically, the study will:</p> <ol style="list-style-type: none"> <li>a. Analyze the detention basin drainage area for a project using the Rational Method 100-year storm event for the pre-project and post-project.</li> <li>b. Analyze 4 hydrographs for the detention basin drainage area for a project using the Unit Hydrograph 100-year storm event for the 1-hour, 3-hour, 6-hour, and 24-hour storm durations for post-project condition.</li> <li>c. Using the Unit Hydrographs determine which duration provides the highest flow rate. Adjust parameters such as lag time, flow line roughness coefficient or other parameters to calibrate Unit Hydrograph model to provide results similar to the Rational Method.</li> <li>d. Using the calibrated Unit Hydrograph for the detention basin drainage area perform basin routing analysis to demonstrate that the outflow is less than the pre-project Rational Method flow rate.</li> </ol>				
<p>35. Prior to issuance of a grading permit for Unit/Phase 1, the developer is to vacate easement #8, 'An easement for sewer and incidental purposes, granted to the Farm, a California Corporation, recorded September 18, 1978 as instrument No. 196924 of O.R. If easement #8 can not be vacated, amended entitlement approvals may be necessary as a result.</p>	<p>Prior to Issuance of a Grading Permit</p>	<p>Public Works Dept.</p>	<p>ALL PHASES</p>	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
36. Prior to issuance of a grading permit, the developer is to vacate easement #7, within Unit/Phase 3, 'An easement for street, ingress, egress and incidental purposes, granted to Title Insurance and Trust Company, a California Corporation, recorded April 9, 1962 as instrument No. 3229 of O.R.' within Unit 3. If easement #7 can not be vacated, amended entitlement approvals may be necessary as a result.	Prior to Issuance of a Grading Permit	Public Works Dept.	UNIT/PHASE 3	
<b><u>Prior to Improvement Plan Approval</u></b>				
37. Prior to the 1st Improvement Plan submittal, the developer shall show all easements per the Title Report to the satisfaction of Public Works. Any conflicts with existing easements shall result in the site being redesigned and potentially going back to Planning Commission and City Council.	Prior to 1st Improvement Plan Submittal	Public Works Dept.	ALL PHASES	
<b><u>Prior to Final Map Approval</u></b>				
38. Prior to final map approval, improvement plans shall be prepared, processed, approved and complete the improvements; or execute an Improvement Agreement and Improvement Security. This condition shall be in conformance with local regulations and the Subdivision Map Act, and applies to the conditions of approval Nos. 39 – 75.	Prior to Final Map Approval	Public Works Dept.	ALL PHASES	
39. Prior to Final Map approval, the developer, for the entire project frontage of Bundy Canyon Road from Unit 1 to Unit 5, shall dedicate, design and construct Bundy Canyon Road based upon a 152 foot urban arterial highway, Standard No. 91, in accordance with the City of Wildomar Improvement	Prior to Final Map Approval	Public Works Dept.	ALL PHASES	

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
------------------------	-------------------------	--------------------------	------------------	-----------------------------------

	Standards & Specifications and to the satisfaction of the City Engineer.				
40.	Prior to Final Map approval, all appropriate offsite transition on Bundy Canyon Road in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	ALL PHASES	
41.	Prior to Final Map approval, the developer shall dedicate, design and construct the intersection of Bundy Canyon Road / Sunset Avenue based on the expanded intersection Standard No. 91 and modified Standard 111, in accordance with the City of Wildomar Road Improvement Standards & Specification to the satisfaction of the City Engineer. A modified expanded intersection may be approved by the City Engineer prior to the development of Unit 5.	Prior to Final Map Approval & Unit 5	Public Works Dept.	ALL PHASES	
42.	Prior to Final Map approval, the developer shall dedicate, design and construct streetlights in accordance with the City of Wildomar Road Improvement Standards & Specification, Improvement Plan Check Policies and Guidelines, City Ordinances and to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	ALL PHASES	
43.	Prior to Final Map approval, the developer shall dedicate a public utility easement adjacent to all public and private streets for overhead and/or underground facilities and appurtenances to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	ALL PHASES	
44.	Prior to Final Map approval, the developer shall submit landscaping and irrigation plans within the public right-of-way to the Planning Department. These plans shall include water usage calculations, estimate of irrigation and the location of all	Prior to Final Map Approval	Public Works & Planning Depts.	ALL PHASES	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
existing trees that will remain. All plans and calculations shall be designed and calculated per the City of Wildomar Road Improvement Standards & Specification, Improvement Plan Check Policies and Guidelines, City Codes and to the satisfaction of the City Engineer.				
45. Prior to Final Map approval, the developer shall submit to the City Engineer traffic control plans along Bundy Canyon Road to ensure the continued flow of traffic during construction.	Prior to Final Map Approval	Public Works Dept.	ALL PHASES	
46. Prior to Final Map approval, the developer shall execute a maintenance agreement for the stormwater quality control treatment device to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	ALL PHASES	
47. Prior to Final Map approval, the developer shall execute a maintenance agreement for the maintenance of the detention basins and 72" RCP to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	ALL PHASES	
48. Prior to issuance of any permit or final map, the developer is to vacate easement #8 on the plot plan (#46 in the title report), 'An easement for sewer and incidental purposes, granted to the Farm, a California Corporation, recorded September 18, 1978 as instrument No. 196924 of O.R. If this easement can not be vacated, amended entitlement approvals may be necessary as a result.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 1	
49. Prior to issuance of any permit or final map, the developer is to vacate easement #50 in the title report, 'An easement for public utilities and incidental purposes, granted to The Farm Master Antenna System, Inc., recorded November 20, 1984 as instrument No. 84-250856 of O.R. If this easement can not	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 1	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
	be vacated, amended entitlement approvals may be necessary as a result.			
50.	Prior to Final Map approval, the developer, shall dedicate, design and construct all internal streets as identified on the tentative map, in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 1
51.	Prior to Final Map approval, the developer, shall dedicate, design and construct Harvest Way West based upon a 66 foot enhanced local, Standard No. 104, as identified on the tentative map, in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer. Prior to the installation of the traffic signal access restrictions may be imposed at this intersection.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 1
52.	Written permission shall be obtained from the affected property owners allowing the proposed drainage leaving the project boundaries from Lot 300 and 323.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 1
53.	Prior to Final Map approval, the developer, shall dedicate, design and construct all internal streets as identified on the tentative map, in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 2
54.	Prior to Final Map approval, the developer, shall design and construct Beverly Street, modified Standard 105-A, and	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 2

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
associated drainage facilities as identified on the tentative map, in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.				
55. Prior to Final Map approval, the developer, shall design and modify the intersection of Bundy Canyon Road / Harvest Way West to incorporate the north leg of the intersection (L Street), as identified on the tentative map, in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 2	
56. Prior to Final Map approval, the developer, shall design and construct a traffic signal at the intersection of Bundy Canyon Road / Harvest Way West, in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 2	
57. Prior to Final Map approval, the developer, shall dedicate, design and construct the intersection of Bundy Canyon Road / I Street, consistent with the tentative map widths, as a right-in/out and left-in intersection, in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 2	
58. Prior to issuance of any permit or final map approval, the developer is to vacate easement #7 on the plot plan (#45 in the title report), within Unit 3, 'An easement for street, ingress, egress and incidental purposes, granted to Title Insurance and Trust Company, a California Corporation, recorded April 9, 1962 as instrument No. 3229 of O.R.' within Unit 3. If this	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 3	

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
------------------------	-------------------------	--------------------------	------------------	-----------------------------------

	easement can not be vacated, amended entitlement approvals may be necessary as a result.				
59.	Prior to issuance of any permit or final map, the developer is to vacate easement #50 in the title report, 'An easement for public utilities and incidental purposes, granted to The Farm Master Antenna System, Inc., recorded November 20, 1984 as instrument No. 84-250856 of O.R. If this easement can not be vacated, amended entitlement approvals may be necessary as a result.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 3	
60.	Prior to Final Map approval, the developer, shall dedicate, design and construct all internal streets as identified on the tentative map, in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 3	
61.	Prior to Final Map approval, the developer, shall dedicate, design and construct Harvest Way East based upon a 66 foot enhanced local, Standard No. 104, as identified on the tentative map, in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 3	
62.	Prior to Final Map approval, the developer, shall dedicate, design and construct the intersection of Bundy Canyon Road / Harvest Way East in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 3	
63.	Prior to Final Map approval, the developer, shall design and construct a traffic signal at the intersection of Bundy Canyon	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 3	

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
Road / Harvest Way East, in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.				
64. Prior to issuance of any permit or final map, the developer is to vacate easement #50 in the title report, 'An easement for public utilities and incidental purposes, granted to The Farm Master Antenna System, Inc., recorded November 20, 1984 as instrument No. 84-250856 of O.R. If this easement can not be vacated, amended entitlement approvals may be necessary as a result.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 4	
65. Prior to Final Map approval, the developer, shall dedicate, design and construct all internal streets as identified on the tentative map, in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 4	
66. Prior to Final Map approval, the developer, shall dedicate, design and construct Harvest Way East based upon a 66 foot enhanced local, Standard No. 104, as identified on the tentative map, in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 4	
67. Prior to Final Map approval, the developer, shall dedicate, design and construct the intersection of Bundy Canyon Road / Harvest Way East in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 4	

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
68. Prior to Final Map approval, the developer, shall design and construct a traffic signal at the intersection of Bundy Canyon Road / Harvest Way East, in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 4	
69. Prior to issuance of any permit or final map, the developer is to vacate easement #50 in the title report, 'An easement for public utilities and incidental purposes, granted to The Farm Master Antenna System, Inc., recorded November 20, 1984 as instrument No. 84-250856 of O.R. If this easement can not be vacated, amended entitlement approvals may be necessary as a result.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 5	
70. Prior to Final Map approval, the developer, shall dedicate, design and construct Sunset Avenue based upon a 78 foot industrial collector street, Standard No. 111, in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 5	
71. Prior to Final Map approval, the developer, shall dedicate, design and construct 14 foot trail adjacent to Sunset Avenue, as shown on the tentative map, in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 5	
72. Prior to Final Map approval, the developer shall dedicate, design and construct all appropriate offsite transition on	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 5	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
------------------------	-------------------------	--------------------------	------------------	-----------------------------------

	Sunset Avenue in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.				
73.	Prior to Final Map approval, the developer, shall dedicate, design and construct the intersection of Bundy Canyon Road / Sunset Avenue in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 5	
74.	Prior to Final Map approval, the developer, shall design and construct a traffic signal at the intersection of Bundy Canyon Road / Sunset Avenue, in accordance with the City of Wildomar Improvement Standards & Specifications and to the satisfaction of the City Engineer.	Prior to Final Map Approval	Public Works Dept.	UNIT/PHASE 5	

#### **Prior to Issuance of a Building Permit**

75.	Prior to the issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the City Engineer.	Prior to Issuance of a Building Permit	Building Dept.	ALL PHASES	
76.	Prior to the issuance of a building permit, Improvement plans shall be approved by the City Engineer and all improvements to be constructed shall be secured by the Developer.	Prior to Issuance of a Building Permit	Building Dept.	ALL PHASES	
77.	Prior to issuance of a building permit, the developer shall provide will serve letters from the appropriate water and sewer agencies.	Prior to Issuance of a Building Permit	Building Dept.	ALL PHASES	
78.	Prior to issuance of a building permit, the developer shall install streetlights in accordance with the City of Wildomar	Prior to Issuance of a Building	Building Dept.	ALL PHASES	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<b>Conditions of Approval</b>				
	Permit			
79. Road Improvement Standards & Specification, Improvement Plan Check Policies and Guidelines, City Ordinances and to the satisfaction of the City Engineer.	Prior to Issuance of a Building Permit	Building Dept.	ALL PHASES	
80. Prior to issuance of a building permit, the developer shall install all street name signs at intersections adjacent to the project, public or private and/or replace street name signs in accordance with the City of Wildomar Standard Details and to the satisfaction of the City Engineer.	Prior to Issuance of a Building Permit	Building Dept.	ALL PHASES	
81. Prior to issuance of a building permit the developer shall annex into all applicable Community Service Areas and Landscaping Maintenance District for landscaping, lighting, drainage and maintenance to the satisfaction of the City Engineer or otherwise form a District where one is not currently in place.	Prior to Issuance of a Building Permit	Building Dept.	ALL PHASES	
82. Prior to issuance of a building permit the developer shall pay all necessary impact and mitigation fees required. These fees include, but are not limited to, fees associated with Transportation Uniform Mitigation Fee (TUMF), Quimby (parkland in-lieu) Fee, Riverside County Flood Control and Water Conservation District, Southwest Road and Bridge Benefit District (R&BBD) and City Development Impact Fees.	Prior to Issuance of a Building Permit	Building Dept.	ALL PHASES	
83. Prior to issuance of a building permit the developer shall construct the stormwater quality treatment devices to accommodate all project runoff in accordance with City of Wildomar's Hydrology Manual, Stormwater Quality Best Management Practice Design Handbook, Improvement	Prior to Issuance of a Building Permit	Building Dept.	ALL PHASES	

## EXHIBIT 1 - ATTACHMENT D

### CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
------------------------	-------------------------	--------------------------	------------------	-----------------------------------

Standards, and to the satisfaction of the City Engineer. All stormwater quality treatment devices shall be constructed outside of the ultimate public right of way.				
---------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--	--

### RIVERSIDE COUNTY FIRE DEPT.

#### General Conditions

<p>1. <u>10.FIRE.999 MAP #50-BLUE DOT REFLECTORS</u> Blue retro-reflective pavement markers shall be mounted on private streets, public streets and driveways to indicate location of fire hydrants. Prior to installation, placement of markers must be approved by the Riverside County Fire Dept..</p>	On-Going	County Fire Dept.	ALL PHASES	
<p>2. <u>10.FIRE.999 MAP-#16-HYDRANT/SPACING</u> Schedule A fire protection approved standard fire hydrants, (6"x 4"x 2 1/2") locate one at each street intersection and space no more than 500 feet apart in any direction, with no portion of any lot frontage more than 250 feet from hydrant. Minimum fire flow shall be 1000 GPM for 2 hours duration at 20 PSI, and shall include perimeter streets at each intersection and spaced 1000 feet apart.</p>	On-Going	County Fire Dept.	ALL PHASES	

#### Prior to Recordation of Final Map

<p>3. <u>50.FIRE.999 MAP-#004-ECS-FUEL MODIFICATION.</u> ECS map must be stamped by the Riverside County Surveyor with the following Note: Prior to the issuance of a grading permit, the developer shall prepare and submit to the County Fire Dept. for approval a fire protection/vegetation</p>	Prior to Recordation of Final Map	County Fire Dept.	ALL PHASES	
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------	-------------------	------------	--

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
<p>management that should include but not limited to the following items: a) Fuel modification to reduce fire loading. b) Appropriate fire breaks according to fuel load, slope and terrain. c) Non flammable walls along common boundaries between rear yards and open space areas shall be provided at intervals not to exceed 1500'. e) A homeowner's association or appropriate district shall be responsible for maintenance of all fire protection measures within the open space areas. ANY HABITAT CONSERVATION ISSUE AFFECTING THE COUNTY FIRE DEPT. FUEL MODIFICATION REQUIREMENTS SHALL HAVE CONCURRENCE WITH THE RESPONSIBLE WILDLIFE AND/OR OTHER CONSERVATION AGENCY.</p>				
<p>4. <u>50.FIRE.999 MAPS-#46-WATER PLANS.</u> The applicant or developer shall furnish one copy of the water system plans to the County Fire Dept. for review. Plans shall be signed by a registered civil engineer, containing a County Fire Dept. approval signature block, and shall conform to hydrant type, location, spacing and minimum fire flow. Once plans are signed by local water company, the originals shall be presented to the County Fire Dept. for signature.</p>	<p>Prior to Recordation of Final Map</p>	<p>County Fire Dept.</p>	<p>ALL PHASES</p>	
<p>5. <u>50.FIRE.999 MAP-#53-ECS-WTR PRIOR/COMBUSTION.</u> ECS map must be stamped by Riverside County Surveyor with the following Note: The required water system, including fire hydrants, shall be installed and accepted by the appropriate water agency prior to any combustible building material placed on an individual lot.</p>	<p>Prior to Recordation of Final Map</p>	<p>County Fire Dept.</p>	<p>ALL PHASES</p>	

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
------------------------	-------------------------	--------------------------	------------------	-----------------------------------

**Prior to Issuance of a Grading Permit**

6.	<p><u>60.FIRE.999 MAP-#004-ECS-FUEL MODIFICATION.</u>                      ECS map must be stamped by the Riverside County Surveyor with the following Note: Prior to the issuance of a grading permit, the developer shall prepare and submit to the County Fire Dept. for approval a fire protection/vegetation management that should include but not limited to the following items: a) Fuel modification to reduce fire loading. b) Appropriate fire breaks according to fuel load, slope and terrain. c) Non-flammable walls along common boundaries between rear yards and open space areas shall be provided at intervals not to exceed 1500'. e) A homeowner's association or appropriate district shall be responsible for maintenance of all fire protection measures within the open space areas. ANY HABITAT CONSERVATION ISSUE AFFECTING THE COUNTY FIRE DEPT. FUEL MODIFICATION REQUIREMENTS SHALL HAVE CONCURRENCE WITH THE RESPONSIBLE WILDLIFE AND/OR OTHER CONSERVATION AGENCY.</p>	Prior to Issuance of a Grading Permit	County Fire Dept.	ALL PHASES	
----	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------	-------------------	------------	--

**Prior to Issuance of Building Permits**

7.	<p><u>80.FIRE.999 MAP-#50-TRACT WATER VERIFICATION.</u>                      The required water system, including all fire hydrant (s), shall be installed and accepted by the appropriate water agency and the Riverside County Fire Dept. prior to any combustible building material placed on an individual lot. Contact the Riverside County Fire Dept. to inspect the required fire flow,</p>	Prior to Issuance of a Building Permit	County Fire Dept.	ALL PHASES	
----	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------	-------------------	------------	--

**EXHIBIT 1 - ATTACHMENT D**

**CONDITIONS OF APPROVAL – Oak Creek Canyon Residential/Commercial Project**

**Project Application: Tentative Tract Map No. 36388 (Planning Application No. 11-0261)**

**APN: 362-070-001, 003, 006, 010, 013, 018, 021, 023, & 024; 362-080-004, 005, 007, 008, 009, 012; 362-090-009 & 015**

**City Council Approval Date: March 27, 2013**

**Expiration Date: March 27, 2016**

Conditions of Approval	Timing / Implementation	Enforcement / Monitoring	Unit/Phase Areas	Verification (Date and Signature)
------------------------	-------------------------	--------------------------	------------------	-----------------------------------

	street signs, all weather surface, and all access and/or secondary. Approved water plans must be at the job site.			
--	-------------------------------------------------------------------------------------------------------------------	--	--	--

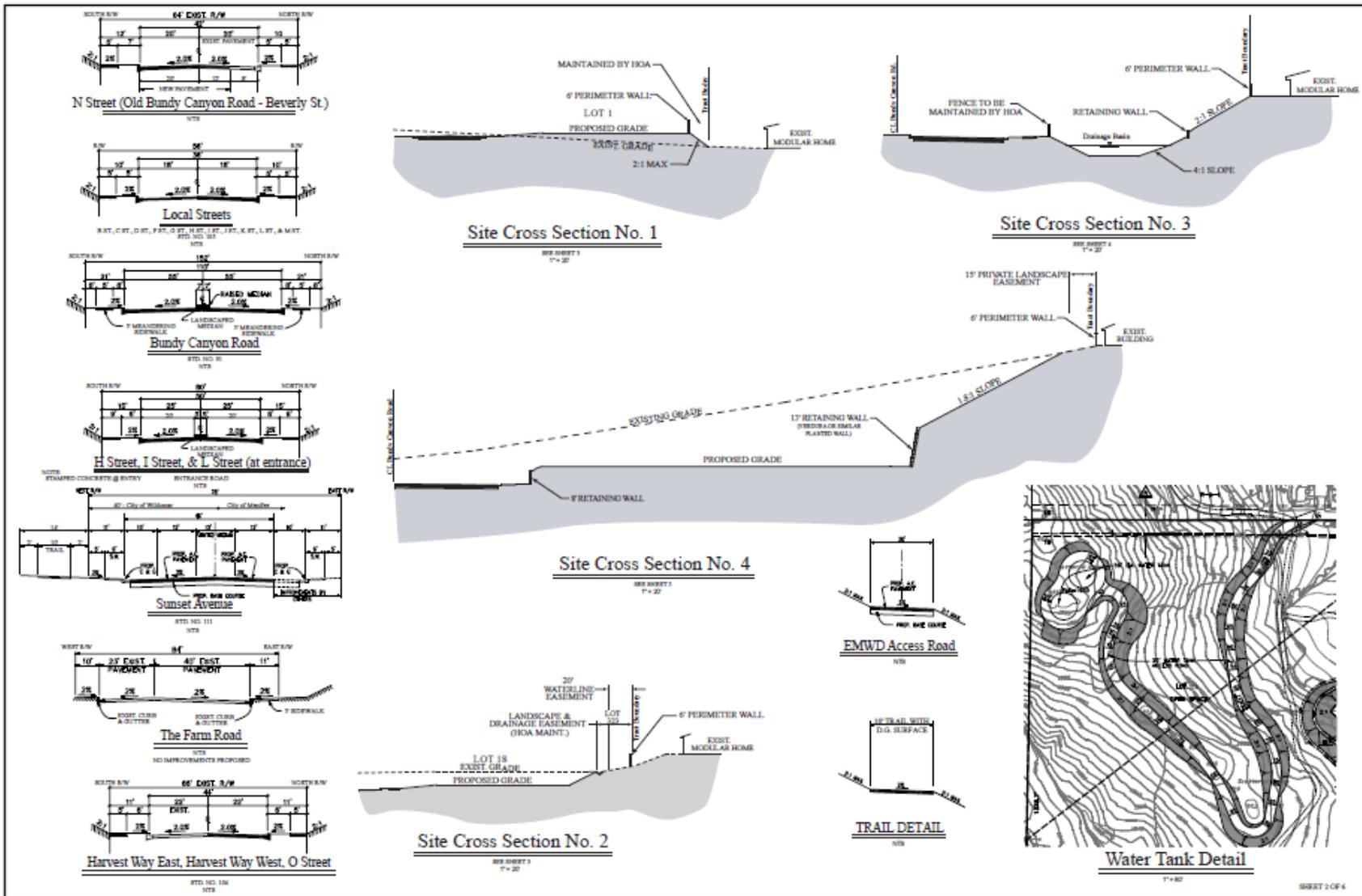
**Prior to Issuance of Occupancy Permits/Final Inspection**

8.	<u>80.FIRE.999 MAP – MAP INSPECTION OF PRIOR TO BUILD ISSUES:</u> The applicant or developer shall request Fire Dept. Inspection for all items listed as prior to building permit issuance.	Prior to Issuance of Occupancy Permits	County Fire Dept.	ALL PHASES	
9.	<u>80.FIRE.999 MAP – RESIDENTIAL FIRE SPRINKLER</u> Residential fire sprinklers are required in all one and two family dwellings per the California Residential code, California Building Code and the California Fire Code. See NFPA 13D, 2010 Edition or contact the Riverside County Fire Dept. for the Residential Fire Sprinkler Standard. All sprinkler plans must be reviewed and approved prior to installation. West County – Riverside Office 951 955-4777	Prior to Issuance of Occupancy Permits	County Fire Dept.	ALL PHASES	

*This page left intentionally blank*

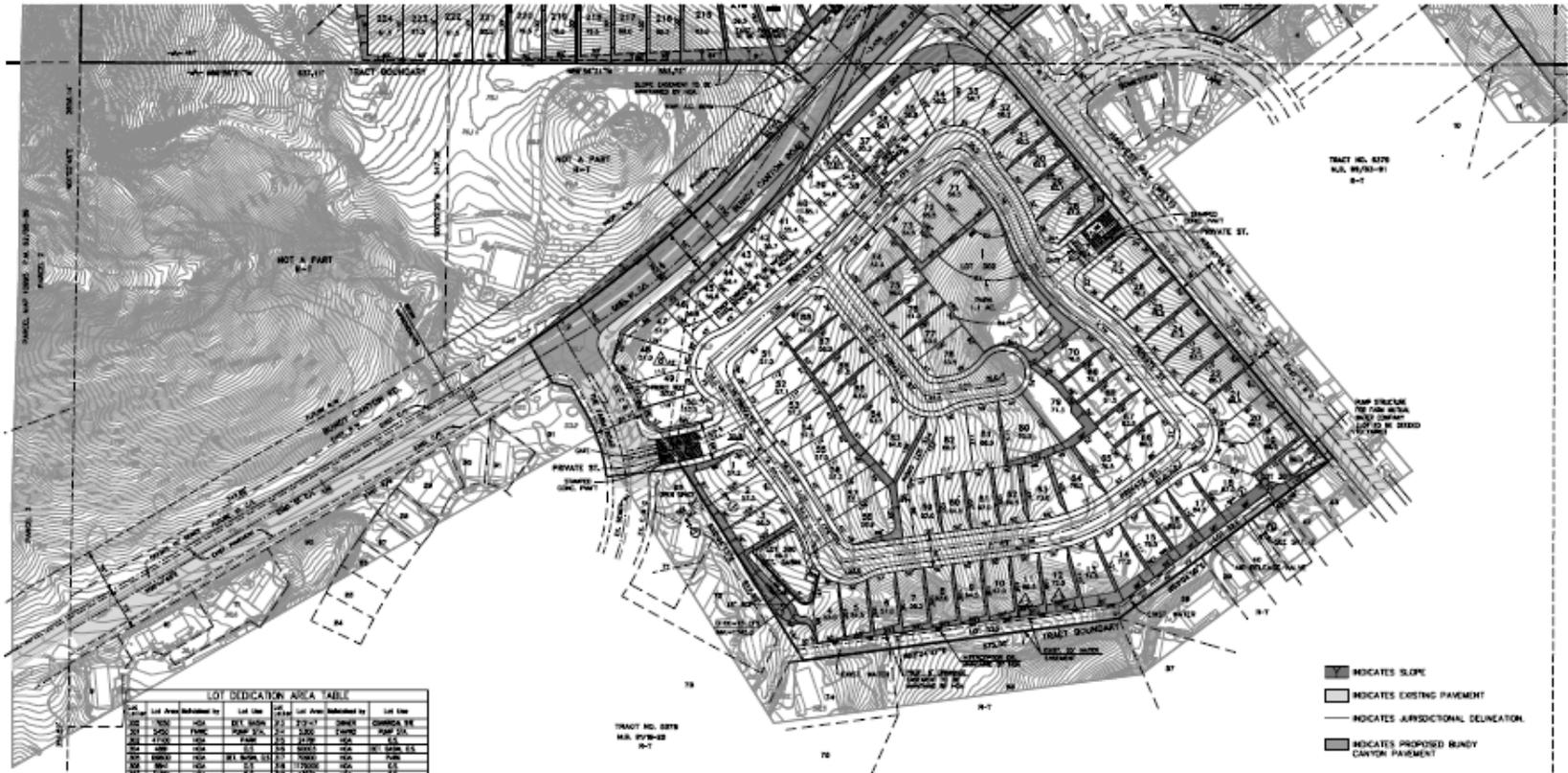
**ATTACHMENT F**  
**Reduced TTM Exhibits and**  
**Full Size Tentative Tract Map Plans - (under separate cover)**





SEE SHEET NO. 4

SEE SHEET NO. 5



**LOT DEDICATION AREA TABLE**

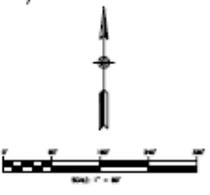
Lot No.	Lot Area (Substantive to)	Lot Use	Lot No.	Lot Area (Substantive to)	Lot Use
102	1524	HA	117	1737-1	SHRUB
103	1450	THICK	118	1400	THICK
104	1450	THICK	119	1400	THICK
105	1450	THICK	120	1400	THICK
106	1450	THICK	121	1400	THICK
107	1450	THICK	122	1400	THICK
108	1450	THICK	123	1400	THICK
109	1450	THICK	124	1400	THICK
110	1450	THICK	125	1400	THICK
111	1450	THICK	126	1400	THICK
112	1450	THICK	127	1400	THICK
113	1450	THICK	128	1400	THICK
114	1450	THICK	129	1400	THICK
115	1450	THICK	130	1400	THICK

**LOT AREA TABLE - PHASE 1B PLANNING AREA**

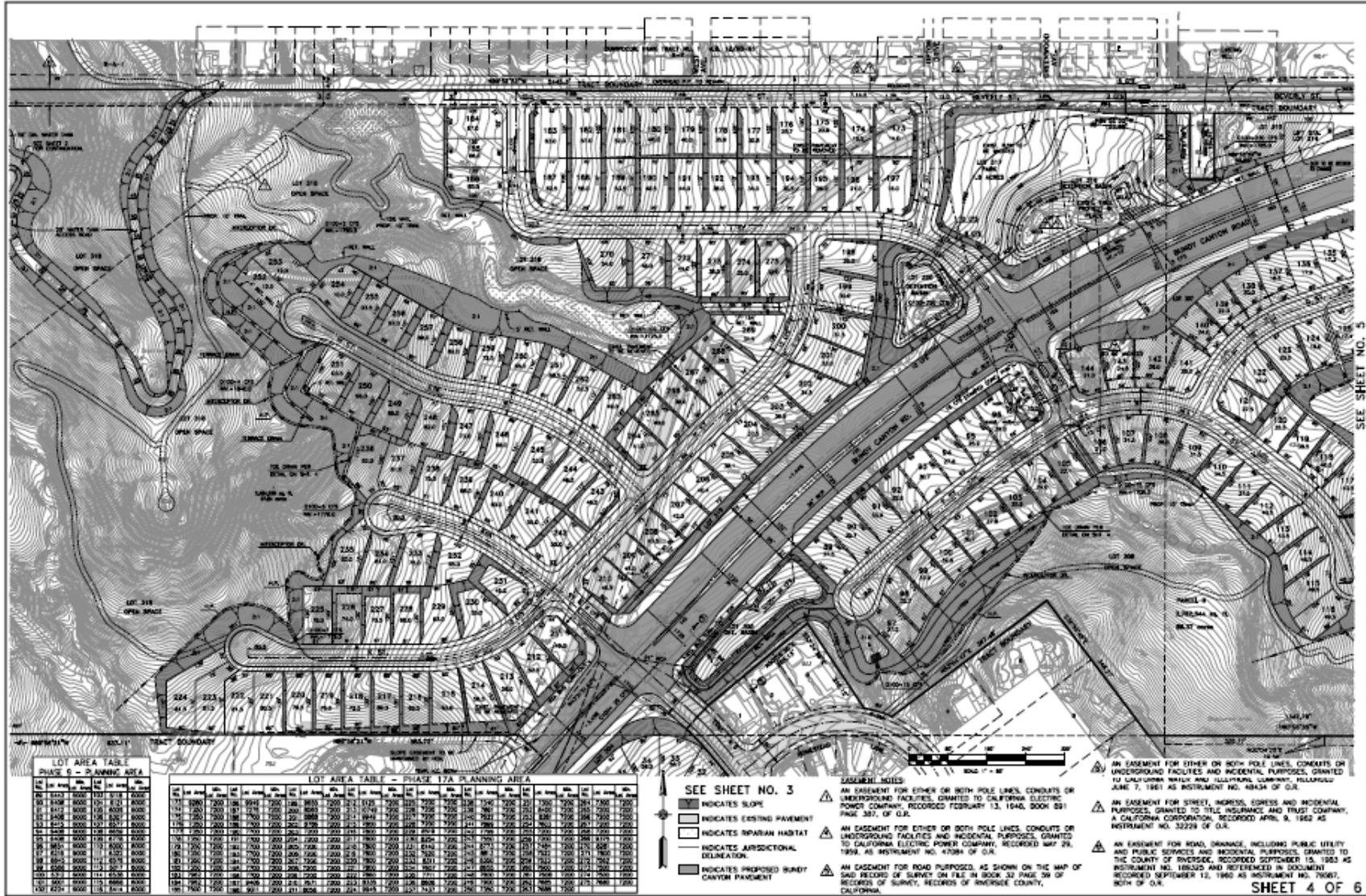
Lot No.	Lot Area									
1	1867	2002	11	1210	2100	21	1818	3000	31	2000
2	1867	2002	12	1210	2100	22	1818	3000	32	2000
3	1867	2002	13	1210	2100	23	1818	3000	33	2000
4	1867	2002	14	1210	2100	24	1818	3000	34	2000
5	1867	2002	15	1210	2100	25	1818	3000	35	2000
6	1867	2002	16	1210	2100	26	1818	3000	36	2000
7	1867	2002	17	1210	2100	27	1818	3000	37	2000
8	1867	2002	18	1210	2100	28	1818	3000	38	2000
9	1867	2002	19	1210	2100	29	1818	3000	39	2000
10	1867	2002	20	1210	2100	30	1818	3000	40	2000

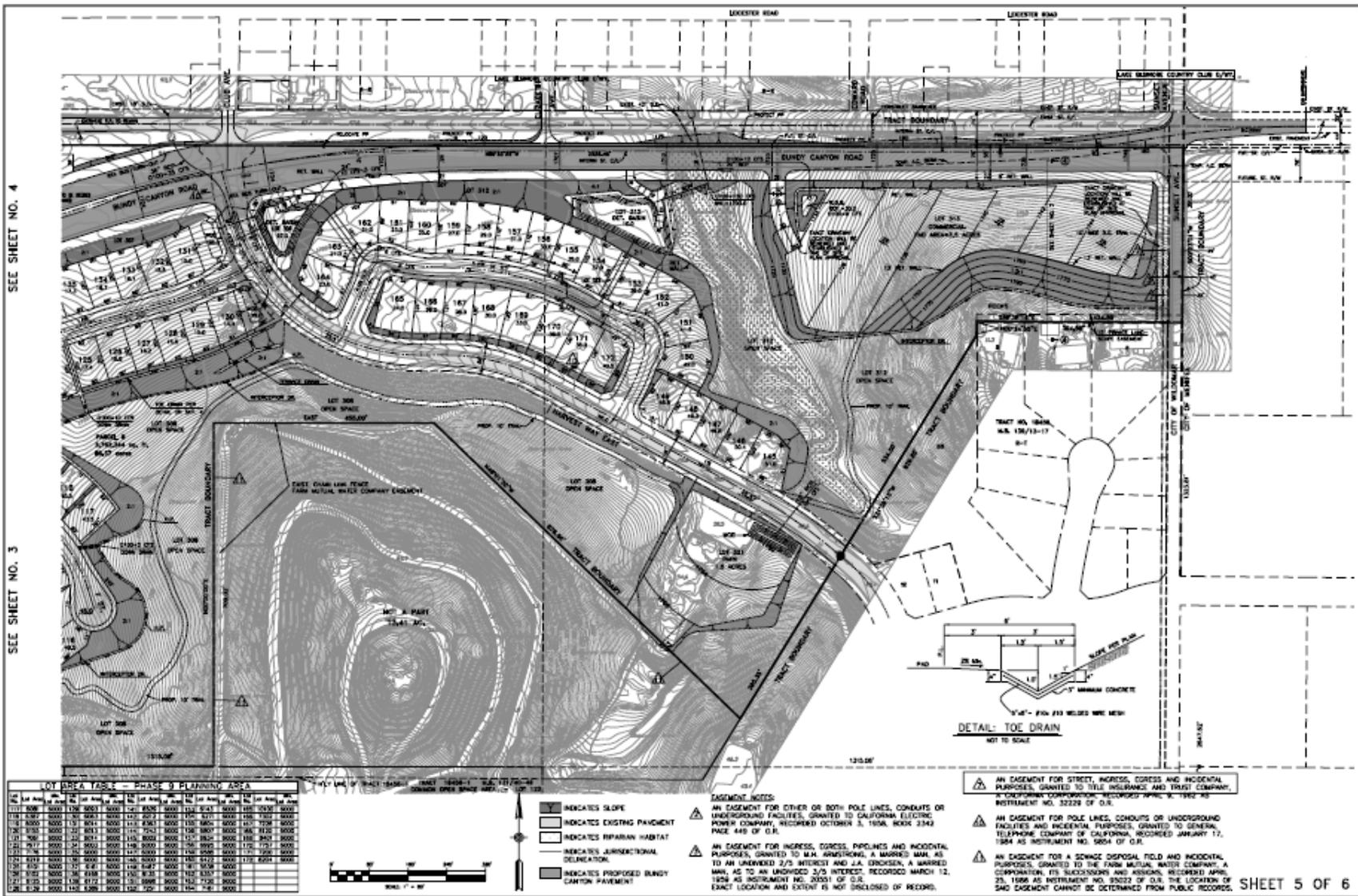
**EASEMENT NOTES:**

- AN EASEMENT FOR SETBACK AND INCIDENTAL PURPOSES, GRANTED TO THE FARM, A CALIFORNIA CORPORATION, RECORDED SEPTEMBER 18, 1978 AS INSTRUMENT NO. 199924 OF O.R.
- AN EASEMENT FOR PIPELINE OR PIPELINES, INGRESS, EGRESS AND INCIDENTAL PURPOSES, GRANTED TO FARM MUTUAL WATER COMPANY, ITS SUCCESSORS AND ASSIGNS, RECORDED APRIL 27, 2000 AS INSTRUMENT NO. 00-156881 OF O.R.
- AN EASEMENT FOR PIPELINES, EASEMENT ROADS AND APPURTENANCES WITHIN THE EASEMENT AND FOR INGRESS AND EGRESS AND INCIDENTAL PURPOSES, GRANTED TO FARM MUTUAL WATER COMPANY, ITS SUCCESSORS AND ASSIGNS, RECORDED APRIL 27, 2000 AS INSTRUMENT NO. 00-156882 OF O.R.

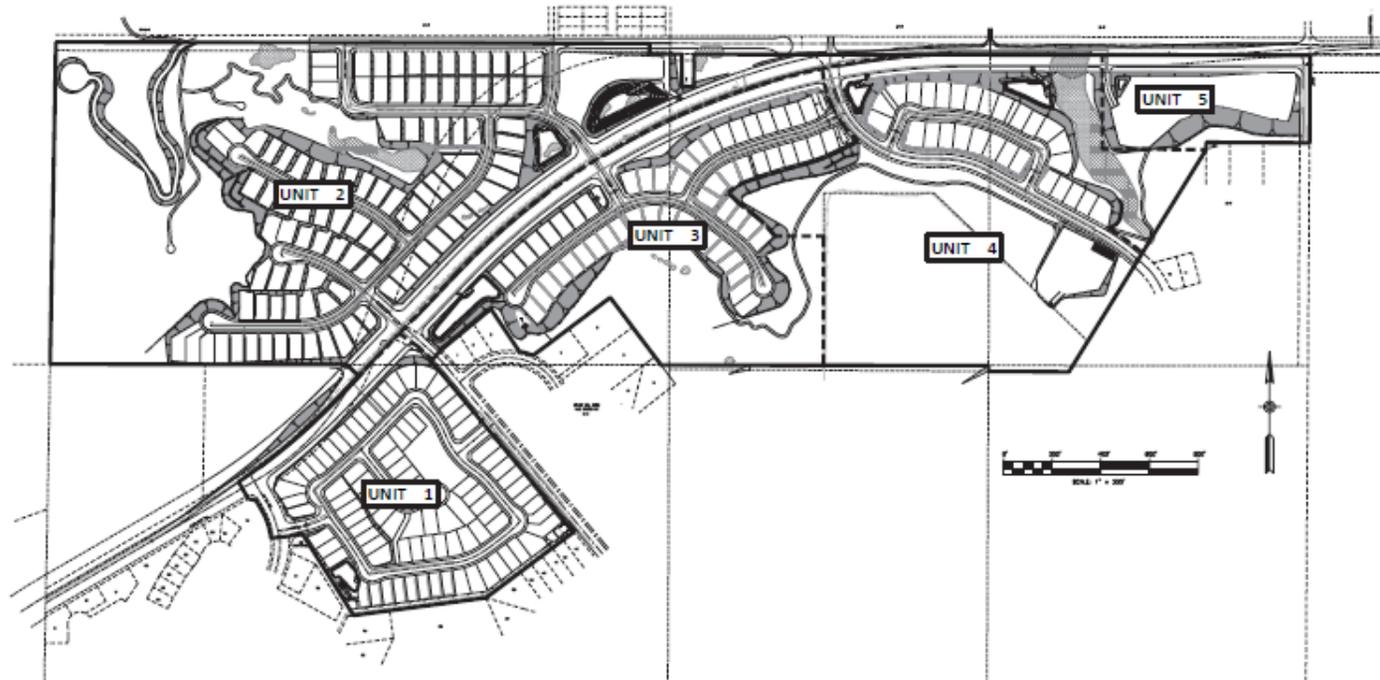


SHEET 3 OF 6





# PHASING MAP



PHASE	DESCRIPTION	TOTAL ACREAGE	RESIDENTIAL ACREAGE	NO. OF LOTS	GROSS DENSITY PER ACRE	STREET ACREAGE	NET DENSITY PER ACRE	COMMERCIAL	OPEN SPACE
1A	UNIT 1	25.5	11.8	86	4.3	6.6	7.5	0	2.1
1B	UNIT 2	66.2	39.4	103	1.6	13.4	5.3	0	14.4
9	UNITS 3 & 4	45.9	12.8	94	1.9	22.2	6.6	0	13.3
<b>TOTALS</b>		<b>137.6</b>	<b>64</b>	<b>283</b>	<b>2.1</b>	<b>42.2</b>	<b>6.3</b>	<b>0</b>	<b>29.8</b>
10	UNIT 5	5.2	0					5.2	0

NOTE: PROJECT PHASES MAY NOT DEVELOP IN NUMERICAL ORDER.

SHEET 6 OF 6

*This page left intentionally blank*

**ATTACHMENT G**  
Oak Tree Inventory Exhibit  
(Under Separate Cover)

*This page left intentionally blank*

**ATTACHMENT H**  
Conceptual Landscape Plan  
(Under Separate Cover)

*This page left intentionally blank*

**ATTACHMENT I**  
Colored Landscape Exhibit  
(Under Separate Cover)

*This page left intentionally blank*

**ATTACHMENT J**  
Park Landscape Exhibit - Colored  
(Under Separate Cover)