AGENDA

REGULAR MEETING OF THE HEMET CITY COUNCIL

June 10, 2014

6:00 p.m.
City of Hemet Council Chambers **www.cityofhemet.org**
450 E. Latham Avenue *Please silence all cell phones*

**Notice: Members of the Public attending shall comply with the Council's adopted Rules of Decorum in Resolution No. 4545. A copy of the Rules of Decorum are available from the City Clerk.*

Call to Order

Roll Call

ROLL CALL: Council Members Krupa, Wright and Youssef, Mayor Pro Tem Milne and Mayor Smith

Closed Session

Notice of Opportunity for Public Comment

Members of the Public may comment upon any identified item on the closed session agenda. Since the Council's deliberation on these items is confidential the City Council and City Staff will not be able to answer or address questions relating to the items other than procedural questions. At the conclusion of the closed session, the City Attorney will report any actions taken by the City Council which the Ralph M. Brown Act required to be publicly reported.

1. Conference with Labor Negotiators
   Pursuant to Government Code section 54957.6
   Agency designated representatives: City Manager Hill
   Employee organization:
   Hemet Fire Fighters Association
   Service Employees International Union (SEIU) General Employees

2. Conference with Legal Counsel - Anticipated Litigation
   Two matters of significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) & (3)

Work Study

Discussion regarding this item, with possible direction to staff

3. Discussion regarding the Preliminary FY 2014-15 Budget and Capital Improvement Plan – City Manager Hill

REGULAR SESSION

7:00 p.m.
City of Hemet City Council Chambers
450 E. Latham Avenue

Call to Order

Roll Call

ROLL CALL: Council Members Krupa, Wright and Youssef, Mayor Pro Tem Milne and Mayor Smith

Invocation

Pledge of Allegiance

City Attorney Closed Session Report

4. Conference with Labor Negotiators
   Pursuant to Government Code section 54957.6
   Agency designated representatives: City Manager Hill
   Employee organization:
   Hemet Fire Fighters Association
   Service Employees International Union (SEIU) General Employees

5. Conference with Legal Counsel - Anticipated Litigation
   Two matters of significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) & (3)

City Council Business

Notice to the Public
The Consent Calendar contains items which are typically routine in nature and will be enacted by one motion by the Council unless an item is removed for discussion by a member of the public, staff, or Council. If you wish to discuss a Consent Calendar item please come to the microphone and state the number of the item you wish to discuss. Then wait near the lecture. When the Mayor calls your turn give your last name, and address, then begin speaking. You will have three minutes at that time to address the Council.

Consent Calendar

6. **Receive and File** – Warrant Register
   a. Warrant registers dated May 15, 2014 in the amount of $1,326,227.24 and May 29, 2014 in the amount of $1,224,278.63. Payroll for the period of May 12, 2014 to May 25, 2014 was $663,483.70.

7. **Recommendation by City Clerk** – Resolution Calling November 4, 2014 Municipal Election
   a. Adopt a resolution consolidating municipal election for November 4, 2014 and requesting the County of Riverside conduct the election.
   Resolution Bill No. 14-035

8. **Recommendation by City Clerk** – Adopting Regulations for Candidate's Statement
   a. Adopt a resolution adopting regulations for candidates for elective office, pertaining candidate's statements and the costs incurred.
   Resolution Bill No. 14-036

9. **Recommendation by Public Works** - Purchase of a CNG Combination Vactor/Jetting Truck for the Storm Drain and Wastewater Divisions
   a. Approve the purchase of a compress natural gas (CNG) fueled combination vactor/jetting truck from Plumbers Depot Inc. of Hawthorne in the amount of $439,574.04; and
   b. Authorize the City Manager to approve a Purchase Order in support of this purchase.

10. **Recommendation by IT** - Replacement of City Desktop Computers
    a. Approve the purchase of 57 new desktop computers from Dell Computer Corporation and authorize the City Manager to approve purchase orders in support of this purchase.

11. **Recommendation by Fire** – Resolution authorizing the Removal of Weeds, Rubbish and Refuse upon Parkways or Private Property
    a. Adopt a resolution declaring that weeds, rubbish, and refuse upon parkways or private property within the City as a hazardous condition and requires the abatement of weeds, rubbish and refuse on properties identified in Exhibit A. At the next regular City Council meeting scheduled for June 24, 2014, a Public Hearing will be set to hear protests and objections to the proposed removal of weeds, rubbish, and refuse.
    Resolution Bill No. 14-037

Successor Agency Consent Calendar

12. **Recommendation by Community Investment** – Amendment to Contract with RSG, Inc. and a new contract with RSG, Inc.
    a. Approve an amendment to the current contract for an amount not to exceed $10,000; and

b. Authorize the City Manager and Executive Director to execute the contract amendment with RSG Inc.; and
c. Approve a new contract for Successor Agency professional services for FY 14-15 and FY 15-16 in an amount not to exceed $75,000 per year ($150,000 total); and
d. Authorize the City Manager and Executive Director to execute the new contract with RSG, Inc.

Public Hearing

The City Council's procedure for public hearings will be as follows: The Mayor will ask the City Manager for the staff report; the City Manager will call on the appropriate staff member for the report. The Mayor will ask for clarification of items presented, if needed. The Mayor will open the public hearing: ask for comments for those IN FAVOR of the case; ask for comments IN OPPOSITION to the case; and finally for rebuttal to any comments made. The Mayor will then CLOSE THE PUBLIC HEARING. The Mayor will ask the City Manager to respond to any questions raised by the public (the public will not have the opportunity to respond). The matter will then be discussed by members of the City Council prior to taking action on the item.

13. **Environmental Impact Report (EA 14-001) for the Ramona Creek Project (Regent Properties)** – Deanna Elliano, Community Development Director
    a. Conduct a public hearing; and
    b. Adopt a resolution certifying the Final EIR, and adopting Mitigation and Monitoring and Reporting Program, Findings of Fact, and Statement of Overriding Considerations regarding the environmental effects of the Ramona Creek Specific Plan No. 12-001, General Plan Amendment No. 12-005, and Tentative Tract Map No. 36570 **Resolution Bill No. 14-017**; and
    c. Direct the Community Development Director to prepare the Notice of Determination (NOD) concerning certification of the EIR and within five (5) days of project approval, file and NOD with the Riverside County Clerk for posting the appropriate 30-day period.

14. **Ramona Creek General Plan Amendment No. 12-005 (Regent Properties) -** Community Development Director Elliano
    a. Conduct a public hearing; and
    b. Adopt a resolution approving the General Plan Amendment for 12-005 amending the land use designation for a 44.9± acre site located on the northwest corner of Devonshire Avenue and Myers Street from LDR to LMDR and adjusting the development mix in the West Florida Avenue Mixed Use Area No. 1 for the Ramona Creek Project. **Resolution Bill No. 14-021**

15. **Ramona Creek Specific Plan No. 12-001 (Regent Properties)** – Community Development Director Elliano
    a. Conduct a public hearing; and
    b. Introduce, read by title only and waive further reading of an ordinance establishing the Ramona Creek Specific Plan on 208.9± acres located on the northwest corner of West Florida Avenue and Myers Street (APN 448-090-003) as the official zoning and development plan for the property.
    Ordinance Bill No. 14-018

16. **Ramona Creek Tentative Tract Map No. 36510 (Regent Properties)** - Community Development Director Elliano
    a. Conduct a public hearing; and
    b. Adopt a resolution approving Tentative Tract Map No. 36510 to subdivide the site into 37 large numbered lots for future conveyance and development and 49 lettered lots, subject to finding and conditions of approval.
    Resolution Bill No. 14-019

Communications from the Public

Anyone who wishes to address the Council regarding items not on the agenda may do so at this time. As a courtesy, please complete a Request to Speak Form found at the City Clerk's desk. Submit your completed form to the City Clerk prior to the beginning of the meeting. Presentations are limited to three minutes in consideration of others who are here for agenda items. Please come forward to the lectern when the Mayor calls upon you. When you are recognized, you may proceed with our comments.
Notice: Members of the Public attending shall comply with the adopted Rules of Decorum in Resolution No. 4545. A copy of the Rules of Decorum are available from the City Clerk.

State law prohibits the City Council from taking action or discussing any item not appearing on the agenda except for brief responses to statements made or questions posed by the public. In addition, they may, on their own initiative or in response to questions posed by the public, ask a question for clarification, provide a reference to staff or other resources for factual information, or request staff to report back to them at a subsequent meeting. Furthermore, a member of the City Council or the Council itself may take action to direct staff to place a matter of business on a future agenda.

City Council Reports

17. CITY COUNCIL REPORTS AND COMMENTS

    A. Council Member Krupa
        1. Traffic and Parking Commission
        2. Riverside Conservation Authority (RCA)
        3. Ramona Bowl Association
        4. Indian Gaming Distribution Fund
        5. Riverside Transit Agency (RTA)
        6. Watermaster Board

    B. Council Member Wright
        1. Park Commission
        2. Planning Commission
        3. Indian Gaming Distribution Fund
        4. Riverside County Habitat Conservation Agency (RCHCA)
        5. Ramona Bowl Association

C. Council Member Youssef
   1. Western Riverside County of Governments (WRCOG)
   2. Riverside County Transportation Commission (RCTC)

D. Mayor Pro Tem Milne
   1. Library Board
   2. League of California Cities
   3. Riverside County Habitat Conservation Agency (RCHCA)
   4. Riverside Transit Agency (RTA)
   5. Riverside Conservation Authority (RCA)
   6. Disaster Planning Commission

E. Mayor Smith
   1. League of California Cities
   2. Riverside County Transportation Commission (RCTC)
   3. Western Riverside County of Governments (WRCOG)
   4. Public Safety Update
   5. National League of Cities
   6. Hemet Community Activities

F. Ad-Hoc Committee Reports
   1. Crime Stoppers Plus Ad-Hoc Committee
   2. West Hemet MSHCP Ad-Hoc Committee
   3. Regent Development Agreement Ad-Hoc Committee

G. City Manager Hill
   1. Manager's Reports
   2. Designation of Voting Delegate and Alternate for the League of California Cities Annual Conference, September 3 – 5, 2014 Los Angeles

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Continued Closed Session

City Attorney Continued Closed Session Report

Future Agenda Items

If Members of Council have items for consideration at a future City Council meeting, please state the agenda item to provide direction to the City Manager.

Adjournment

Adjourn to Tuesday, June 24, 2014 at 7:00 p.m. for consideration of items placed on that agenda. The next regular meeting will be held July 8, 2014.

Staff reports and other disclosable public records related to open session agenda items are available at the City Clerk's Office or at the public counter located at 445 E. Florida Avenue during normal business hours.

AGENDA # 3

Staff Report

TO: Honorable Mayor and Members of the Hemet City Council

FROM: Wally Hill, City Manager
Thomas M. Kanarr, Interim Director of Finance

DATE: June 10, 2014

RE: Discussion of FY 2014-15 Proposed Budget

RECOMMENDATION:
That the Council invite public comment on the FY14-15 Proposed Budget, and continue their discussion and direction to staff on additions, deletions, changes and clarifications to the Budget Document.

The City Council is scheduled to adopt the FY14-15 Budget at its June 24, 2014 meeting.

BACKGROUND:
The FY14-15 Proposed Budget was presented to the City Council at its May 27, 2014 meeting, along with the 5-Year Capital Improvement Plan. Both documentations are available on the City's website, and in the City Clerk's office.

The General Fund portion of the budget has a negative imbalance between revenues and expenditures of approximately $1.4 million. A fuller description of the situation is contained in the city manager's budget statement and in the PowerPoint presentation that was made at the May 27th meeting.

Subsequent to that meeting, a few errors and omissions were discovered, and are summarized on the attached page. These do not materially affect the totals presented previously, but will be incorporated in the final version of the budget to be adopted on June 24th, along with any other changes directed by Council.

Respectfully submitted,

Wally Hill
City Manager

Thomas M. Kanarr
Interim Director of Finance

Attachment: Budget Errata

FY14/15 Budget Errata Sheet

City Clerk Budget ($6,500 decrease) – Decreasing Advertising/Publications by $2,000, Supplies by $1,500, and Outside Printing by $3,000

City Manager's Office ($3,800 decrease) – Removing 1 month of Lobbyist contract to reflect full 12 months' savings. The contract is proposed to be canceled effective June 30, 2014.

Goals and Objectives corrections:

Pg 93: Building Department – Added Department Revenues information

Pg 103: Code Enforcement – Added Department Revenues information

Pg 113: Planning Department – Added Department Revenues information

Pg 131: Engineering Department – Added Department Revenues information

Pg 145: Fire Department – Added Department Revenues information

Pg 221: Facilities Maintenance Dept – Added clarification under Summary of Significant budget adjustments to explain one time projects added to appropriate lines in the Operating Expenses.

AGENDA # 6

Staff Report

TO: Honorable Mayor and Members of the City Council

FROM: Thomas M. Kanarr, Interim Director of Finance; TMK
Wally Hill, City Manager Wally Hill

DATE: June 10, 2014

RE: Warrant Register

The City of Hemet's warrant registers dated May 15, 2014 in the amount of $1,326,227.24 and May 29, 2014 in the amount of $1,224,278.63 are currently posted on the City's website in the Finance Department section, under *Financial Information*. Payroll for the period of May 12, 2014 to May 25, 2014 was $663,483.70.

CLAIMS VOUCHER APPROVAL

"I, Thomas M. Kanarr, Interim Director of Finance, do hereby certify that to the best of my knowledge and ability, that the warrant register posted on the city's website is a true and correct list of warrants for bills submitted to the City of Hemet, and the payroll register through the dates listed above, and that there will be sufficient monies in the respective funds for their payment."

Respectfully submitted,

Thomas M. Kanarr

Thomas M. Kanarr
Interim Director of Finance

TMK: mh

CITY OF HEMET
VOUCHER/WARRANT REGISTER
FOR ALL PERIODS

CLAIMS VOUCHER APPROVAL

I, THOMAS M. KANARR, DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND ABILITY, THAT THE WR POSTED ON THE CITY WEBSITE IS A TRUE AND CORRECT LIST OF WARRANTS FOR BILLS SUBMITTED TO THE CITY OF HEMET THROUGH THE DATES LISTED ABOVE, AND THAT THERE WILL BE SUFFICIENT MONIES IN THE RESPECTIVE FUNDS FOR THEIR PAYMENT.

THOMAS M. KANARR
INTERIM DIRECTOR OF FINANCE

AGENDA # 7

Staff Report

To: **Honorable Mayor and Members of the City Council**

From: **Wally Hill, City Manager**
Sarah McComas, City Clerk

Date: **June 10, 2014**

SUBJECT: **Resolution Calling Municipal Election**

RECOMMENDATION:
Adopt Resolution Bill No. 14-035 calling a consolidated Municipal Election for November 4, 2014 and requesting that the County of Riverside conduct the election.

BACKGROUND:
Two City Council seats are to be filled at the November 4, 2014 Municipal Election. The dates for calling the election are set by State Law and the suggested last date to adopt this Resolution is June 27, 2014.

ANALYSIS:
If the City Council does not call the election as required by law then it will be called by the Secretary of State's office.

FISCAL IMPACT:
The Municipal Election is estimated to cost the city approximately $83,000 to $93,000.

Respectfully submitted,

Sarah McComas
City Clerk

Fiscal Review

Tom Kanarr
Interim Finance Director

Legal Review

Eric S. Vail
City Attorney

CITY OF HEMET
Hemet, California
RESOLUTION BILL NO. 14-035

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A CONSOLIDATED MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY, NOVEMBER 4, 2014, FOR TWO (2) MEMBERS OF THE CITY COUNCIL FOR FOUR (4) YEAR TERMS AND REQUESTING THE REGISTRAR OF VOTERS, COUNTY OF RIVERSIDE, TO CONDUCT THE ELECTION

WHEREAS, pursuant to the requirements of the laws of the State of California relating to general law cities, the City Council of the City of Hemet, calls and orders to be held in the City of Hemet, California, on Tuesday, November 4, 2014, a consolidated municipal election for two (2) members of the City Council for four (4) year terms, which shall end December 11, 2018; and

WHEREAS, the City Council requests the Registrar of Voters, County of Riverside, to conduct the consolidated election,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA DOES HEREBY RESOLVE, DECLARE, AND DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to general law cities within said state, there shall be, and there is hereby called and ordered held in the City of Hemet, California on Tuesday, November 4, 2014, a regular municipal election of the qualified electors of said city for the purpose of electing two (2) members of the City Council for four (4) year terms, which shall end on December 11, 2018.

SECTION 2. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 3. That the polls for said election shall be open at seven o'clock a.m. on the day of the election, and shall remain open continuously from said time until eight o'clock p.m. of the same day when said polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 4. That in all particulars not recited in this resolution, said election shall be held and conducted as provided by law for holding municipal elections in said city.

SECTION 5. That the City shall reimburse the County Registrar of voters for services performed when the work is completed and upon presentation to the City of a properly approved bill.

SECTION 6. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 7. That the City Clerk is directed to forward without delay to the County Registrar of Voters, a certified copy of this resolution.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED, AND ADOPTED this 10th day of June, 2014.

Larry Smith, Mayor

ATTEST:

Sarah McComas, City Clerk

APPROVED AS TO FORM:

Eric S. Vail, City Attorney

State of California)
County of Riverside)
City of Hemet)

I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the foregoing Resolution is the actual Resolution adopted by the City Council of the City of Hemet and was passed at a regular meeting of the City Council on the 10th day of June, 2014 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Sarah McComas, City Clerk

AGENDA # 9

Staff Report

To: **Honorable Mayor and Members of the City Council**

From: **Wally Hill, City Manager**
Sarah McComas, City Clerk

Date: **June 10, 2014**

Subject: **Resolution Adopting Regulations for Candidate's Statements**

RECOMMENDATION:
Adopt Resolution Bill No. 14-036, adopting regulations for candidates for elective office pertaining to candidate's statements and the costs incurred

BACKGROUND:
A Municipal Election will be held on November 4, 2014. This Resolution sets the regulations for those candidates who wish to have a Candidate's Statement printed, specifying the number of words allowed and regulating the method of filing.

ANALYSIS:
It is suggested that this Resolution be adopted no later than June 27, 2014.

FISCAL IMPACT:
Candidates who chose to have a Statement printed and included in the sample ballot will be required to pay for the printing costs.

Respectfully submitted,

Sarah McComas
City Clerk

Legal Review

Eric S. Vail
City Attorney

CITY OF HEMET
Hemet, California
RESOLUTION BILL NO. 14-036

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE, PERTAINING TO MATERIALS SUBMITTED TO THE ELECTORATE AND THE COSTS OF THE CANDIDATE'S STATEMENT FOR THE CONSOLIDATED MUNICIPAL ELECTION TO BE HELD IN THE CITY ON TUESDAY, NOVEMBER 4, 2014

WHEREAS, Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency may adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidate's statement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, AND DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That, pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at the General Municipal election to be held in the City of Hemet on November 4, 2014, may prepare a candidate's statement on an appropriate form provided by the City Clerk. Such statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. Such statement shall not include party affiliation of the candidate, nor membership nor activity in partisan political organizations. Such statement shall be filed in the office of the City Clerk at the time the candidate's nomination papers are filed. Such statement may be withdrawn, but not changed during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

SECTION 2. No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 3. The City Clerk shall estimate the total cost of printing, handling, translating and mailing the candidate's statements filed pursuant to the Elections Code, and require each candidate filing a statement to pay in advance his or her pro rata share as a condition of having his or her statement included in the voter's pamphlet. The City Clerk

shall bill each candidate for any cost in excess of the deposit and shall refund within 30 days of the election any unused portion of the deposit.

SECTION 4. That the City Clerk shall provide each candidate or the candidate's representative a copy of this resolution at the time nominating petitions are issued.

SECTION 5. That all previous resolutions establishing Council policy on payment for candidates' statements are repealed.

SECTION 6. That, pursuant to Section 13309 of the Elections Code of the State of California, if a candidate alleges to be indigent and unable to pay in advance the requisite fee for submitting a candidate statement, the candidate shall submit to the office of the City Clerk a statement of financial worth to be used in determining whether or not he or she is eligible to submit a candidate statement without payment of the fee in advance.

SECTION 7. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the official records.

PASSED, APPROVED, AND ADOPTED this 10th day of June, 2014.

Larry Smith, Mayor

ATTEST:

Sarah McComas, City Clerk

APPROVED AS TO FORM:

Eric S. Vail, City Attorney

State of California)
County of Riverside)
City of Hemet)

I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the foregoing Resolution is the actual Resolution adopted by the City Council of the City of Hemet and was passed at a regular meeting of the City Council on the 10th day of June, 2014 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Sarah McComas, City Clerk

AGENDA # 9

Staff Report

TO: Honorable Mayor and Members of the Hemet City Council

FROM: Kris Jensen, Public Works Director
Wally Hill, City Manager

DATE: June 10, 2014

RE: Approve Purchase of a CNG Combination Vactor/Jetting Truck for the Storm Drain and Wastewater Divisions

RECOMMENDED ACTION:

It is respectfully recommended that City Council:

1. Approve the purchase of a compressed natural gas (CNG) fueled combination vactor/jetting truck from Plumbers Depot Incorporated of Hawthorne in the amount of $439,574.04, and
2. Authorize the City Manager to approve a Purchase Order in support of this purchase.

BACKGROUND:

The City of Hemet owns and maintains approximately 140 miles of wastewater collection mainlines that are maintained by four Wastewater Division staff. Constant and proper maintenance of the system helps ensure that wastewater does not back up on to City streets and private property. The division is required, under the Sewer System Management Plan, to clean the entire pipeline system and 1012 city owned manholes every two years.

The Storm Drain Division is responsible for maintaining the City's storm drain infrastructure which includes 400 catch basins, 31 retention basins and 54 culverts. These facilities serve to ease flooding by moving storm water runoff from street surface and allowing flow through underground pipe structures and road side facilities. This division is responsible for meeting the standards of the Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) including maintaining the system to prevent the discharge of pollutants through storm water flows.

A major maintenance function performed by both divisions is clearing blockages and removing the debris from both wastewater and storm water collection infrastructure. This requires that crews are able to pressure spray or "jet" materials out of infrastructure to allow free flow of wastewater and storm runoff. Currently, both divisions share one combination vactor/jetter truck and one jetting truck to perform their work. With two crews jetting at separate locations, and only one piece of equipment with large debris vactoring capabilities, it is often necessary for the crew with the combination unit to assist the crew with the single function jetting truck. This impacts the efficiencies in both divisions.

ANALYSIS:

This purchase will be a replacement for Unit 4210, a 1988 Ford L8000 combination vactor/jetter truck, that had exceed its useful life, was no longer compliant with current air quality standards, and was no longer economically feasible to operate. The vehicle was taken out of service in early 2012, declared surplus, and sent to auction in March 2014.

Since, losing Unit 4210, regular vactoring maintenance efforts have been cut by more than 50% as crews have to share the remaining vehicles, and schedule work around each other's needs. Downtime required for maintenance results in a complete stop of vactoring activity and adds to delayed jetting maintenance of infrastructure in both divisions. Currently, the Wastewater Division is scheduled three days of use weekly with existing equipment, while the Storm Drain crew is scheduled one day weekly. Purchase of this combination unit would allow daily vactoring and jetting maintenance to occur in each division; an overall 100% increase from current maintenance levels.

The purchase requested is for a combination unit consisting of a 2015 Freightliner chassis and GapVax Body. Purchase of this equipment will provide an invaluable, dual-purpose tool to both the wastewater and storm drain divisions. It also provides a safer working environment for staff and the public with traffic control and lane closures minimized to what necessary for one vehicle, not two.

The existing combination truck and jetting truck will both continue to be used, with the existing jetting truck used in more of a back up, or small job capacity. With two combination units available and the jetting unit available, preventative maintenance on the equipment can occur without completely stopping work assignments. Also, in the event of a wastewater overflow, having access to two vehicles for emergency response to vactor spill material is an important benefit for maintaining the safety to public, and the City.

Funding for this purchase was previously approved in FY 13/14 Operating Budgets as follows:

Wastewater Equipment Replacement Fund No. 380-4600-5400	$ 100,000
Storm Drain Equipment Replacement Fund No. 380-4650-5400	$ 100,000
Wastewater Major Machinery/Equip Fund No. 254-4600-5400	$ 110,000
Storm Drain Major Machinery/Equip Fund No. 254-4650-5400	$ 110,000
AB2766 Subvention Fund No. 224-8240-5400	$ 30,000
Total Budgets	$ 450,000

In 2012 staff applied for, and was awarded, $30,000 of reimbursement funding towards the purchase of this vehicle through the Local Government Match Program administered by the Mobile Source Air Pollution Reduction Review Committee (MSRC). This grant encourages and supports local government agencies in their clean air efforts by providing funding to offset the cost of purchasing heavy duty alternative fuel vehicles. Once received, this reimbursement will be returned to Equipment Replacement for Fund 254.

Regular preventative maintenance and fuel costs for the new combination unit will be absorbed in existing operating budgets.

COORDINATION & REVIEW:

The Procurement Administrator and Public Works staff reviewed pricing for this equipment under a competitive solicitation completed by the County of Los Angeles (COLA), Public Works department (RFB-IS-13201705-1).

Although this would not be considered a standard cooperative agreement, the COLA bid solicitation included both a "Public Agency Clause" and a "most favored customer" clause. The "public agency" clause establishes that the contract prices, terms, and conditions shall be extended to other public agencies and is an agreement by the vendor to offer the same terms and conditions to other public agencies. The "most favored customer" clause guarantees the buyer the best price the vendor offers to any other customer. The City could not obtain better pricing by completing our own independent formal bid solicitation.

Municipal Code Section 329 states "The purchasing agent may also buy directly from a vendor at a price established by competitive bidding by another federal, state, county or local government agency in substantial compliance with sections 2-334, 2-335 and 2-336 even if the city has not joined with that public agency in a cooperative purchase agreement.

It is recommended that the City "piggyback" on this competitive solicitation by a very large county to achieve maximum savings. This specialized equipment is not available through local vehicle dealerships.

FISCAL IMPACT:

No General Fund Impact. Funding for this purchase in the amount of $450,000 was previously approved in FY 13/14 Operating Budget as a combination of funding sources from Storm/Wastewater Fund No. 254, Equipment Replacement Fund 380, and AB2766 Subvention Fund No. 224. Upon receipt of MSRC grant fund reimbursement, $30,000 to be returned to Equipment Replacement Fund No. 380-4600 and 380-4650 equally. Total budget savings anticipated in the amount of $40,429.

Respectfully submitted,

Kristen Jensen
Public Works Director

Fiscal Review:

Thomas Kanarr
Interim Finance Director

AGENDA # 10

Staff Report

TO: Honorable Mayor and Members of the Hemet City Council

FROM: Scott Underwood, IT / Network Systems Supervisor
Wally Hill, City Manager

DATE: June 10, 2014

RE: Replacement of City Desktop Computers

RECOMMENDED ACTION:

It is respectfully requested that the Mayor and City Council approve the purchase of 57 new desktop computers from Dell Computer Corporation and authorize the City Manager to approve purchase orders in support of this purchase.

BENEFIT OF RECOMMENDATION:

- Removes non-Windows 7 compatible desktop computer hardware from the City's network.
- Mitigates the risk associated with continued use of Windows XP.
- Funded with IT Department unreserved fund balance. No impact on General Fund.
- Decreases maintenance costs / Increases Staff productivity.

FISCAL IMPACT:

No impact to the General Fund. Funding for this purchase will come from Fund 680 (Information Technology) unreserved fund balance. The total cost is $79,490

BACKGROUND:

Approximately 14 years ago, the City of Hemet signed a three year lease agreement for desktop computers with Hewlett Packard. This agreement replaced aging 'IBM Clone' computers and standardized the City's desktop computer fleet under a single hardware manufacturer.

Upon the conclusion of the lease agreement, the City terminated the lease agreement with Hewlett Packard due to a lack of available funding. Thereafter, the responsibility for funding replacement desktop computers fell onto each Department. Over the years, this practice has led to irregular computer replacement intervals.

Due to problems with the Hewlett Packard product line, the City of Hemet began to purchase Dell desktop computers. Over the past ten years, the City has replaced all of its desktop computers with Dell computers. These computers have proven themselves to be very reliable. They have continually exceeded their average 5 year lifetime expectancy, delivering an excellent return on the City's investment.

In recent years, funding challenges have made computer replacement a low priority. After 12 years of service, Microsoft officially ended its support of Windows XP on April 8, 2014. In doing so, Microsoft no longer provides patches and updates that resolve usability and security issues.

Microsoft has publically stated that even highly publicized security vulnerabilities will not be patched for users who chose to remain on Windows XP. This has left many City, County, State and Federal agencies looking for a quick migration path away from Windows XP. While some agencies have looked at purchasing Microsoft service contracts to extend XP's support, the cost of doing so exceeds the cost of migrating to Windows 7 or 8. Additionally, several third party software developers have begun announcing they will drop Windows XP support from their applications as part of future releases or updates.

As part of the City of Hemet IT Department's annual hardware inventory process, all computers currently running Windows XP were documented. Of those running Windows XP, the IT Department made a list of computers that met the hardware specifications needed to operate Windows 7 in the City's network environment. The majority of the City's desktop computers can be upgraded simply by removing Windows XP and loading Windows 7. The licensing needed for these upgrades exists within the City's current Microsoft Enterprise Agreement.

While the majority of the City of Hemet's desktop computers are Windows 7 compatible, we do have 57 desktop computers that are not. Their incompatibility is a combination of both equipment age and hardware limitations. The average age of these computers is 9 years old. Due to the age, new parts would be very difficult to locate. The City would not see a return on investment by attempting to upgrade these computers with "new-old stock" or refurbished parts.

In order to mitigate the security risk these 57 Windows XP computers pose, the City of Hemet IT Department recommends these computers be replaced as soon as possible.

PROJECT DESCRIPTION:

Utilizing existing contracts; purchase 57 Dell desktop computers to replace existing, non-upgradable desktop computers.

The 57 computers will be of comparable specifications. The only exception will be the addition of a second computer monitor for the dual monitor computers. All computers will have a 2.9 Gigahertz Intel i5 Quad Core Processor, 8 Gigabytes of memory and 500 Gigabytes of internal hard drive storage space as well as a 5-Year hardware warranty. This will easily accommodate Windows 7 and Windows 8 in the future.

As replacement desktop computers, all current software licensing will transfer over to the new desktop computers. This includes Microsoft Office 2010 and Trend Micro OfficeScan antivirus software.

The 57 replacement desktop computers are "all-in-one" form factor computers. This integrates all the system components into the same case as the display. This eliminates cable clutter and reduces the amount of desk space used. As these computers will replace older 'tower' style models, there will be a small amount of savings achieved through reduced power consumption. This amount can vary depending on how often the computer is left powered on.

Per request, both the Fire Department and Library (public use) will receive 19 single monitor computers. The remaining 38 will be dual monitor computers.

These replacement computers will be allocated to the following Departments:

- City Clerk (Total : 1)
- City Council (Total : 3)
- Administration (Total : 3)
- Building Department (Total : 3)
- Finance Utility Billing (Total : 1)
- Fire Administration (Total : 2)
- Fire Station 1 (Total : 1)
- Fire Station 2 (Total : 1)
- Fire Station 3 (Total : 1)
- Fire Station 4 (Total : 1)
- Human Resources (Total : 1)
- Information Technology (Total : 1)
- Library Staff (Total : 3)
- Library Public Use (Total : 13)
- Police Dispatch (Total : 1)
- Police Explorers (Total : 1)
- Police Property (Total : 1)
- Police Records (Total : 1)
- Police Task Force (Total : 2)
- Planning (Total : 2)
- Code Enforcement (Total : 1)
- Public Works (Total : 5)
- Engineering (Total : 2)
- Facilities Maintenance (Total : 1)
- Mechanics (Total : 1)
- Water (Total : 4)

Upon delivery, replacement of these computers will take approximately 6 weeks for IT Staff to complete. The conversion of Windows 7 compatible computers currently running Windows XP is an ongoing project. We anticipate the complete removal of Windows XP from the City's network by October 1, 2014.

ANALYSIS:

The City of Hemet has used Dell desktop computers for the last 10 years with great success. The City also looked to its peers for recommendations. We referenced desktop replacement and best practices with other government Information Technology (I.T.) Departments who are part of the MISAC (Municipal Information Systems Association of California) group. MISAC serves as an advisory body to the League of California Cities and to the Government Technology conference. All members of the City of Hemet's Information Technology staff are members of MISAC.

Cities that are replacing a high quantity of desktop computers to migrate away from Windows XP tend to stay with their current computer vendor. At this time, the majority of Cities are using Dell desktop computers.

In computer replacement purchases exceeding 50 desktops, Virtual Desktop Infrastructure (VDI) is also being considered by most Cities as a way to reduce ongoing maintenance/replacement costs and provide enhanced mobile and remote access. Implementation of a Virtual Desktop Infrastructure (VDI) is part of the City of Hemet FY 14/15 Citywide Technology Refresh Capital Improvement Project.

The continued cost of computer replacement over the next 5 years is part of the Citywide Desktop/Laptop Refresh Capital Improvement Project. Those costs anticipate the implementation of VDI technology and rollout of thin-client computing within the City of Hemet. Implementation of VDI will dramatically simplify future rollouts of Windows 8 and Microsoft Office 2013.

Replacing desktop computers at regular intervals reduces maintenance costs and increases employee productivity. It also ensures that computer hardware is not outpaced by today's cutting edge software technology.

COORDINATION & REVIEW:

The City of Hemet Information Technology Department met with City of Hemet Procurement Administrator regarding this purchase. To obtain best value in price, quality, and warranty the Procurement Administrator recommends purchase through the Western States Contracting Alliance (WSCA), which is a government purchasing cooperative.

The State of California, through a participating addendum, has elected to be part of the Western States Contracting Alliance (WSCA). This is a national governmental purchasing cooperative that offers competitively bid and awarded contracts. The organization leverages the total purchasing power of participating public agencies to receive larger volume discount from suppliers. The resulting agreements allow the city to pay less for computers and reduce administrative costs. Every WSCA contract is competitively bid, evaluated and awarded by a government entity acting as the lead agency.

Municipal Code Section 2-329 allows "the purchasing agent may participate in a cooperative purchasing agreement for the procurement of any supplies or equipment with any federal, state, county or local government agency when that agency has made their purchases in a competitive manner. The purchasing agent may participate in a cooperative purchasing agreement when the city can obtain supplies or equipment at a purchase price lower than that which the city can obtain through its normal purchasing procedures. In those instances where it is determined that purchasing through the federal, state, county or local government agencies will result in savings to the city, the purchasing agent is authorized to make such purchases

The City of Hemet Procurement Administrator and IT / Network Systems Administrator requested a per-transaction multiple unit discount on top of the normal WSCA pricing. Normal WSCA pricing for the 57 desktop computers is $92,402. With the per-transaction multiple unit discount, we were able bring this cost down to $79,409. This provided a savings to the City of $12,993.

CONSISTENCY WITH ADOPTED GOALS, PLANS, AND PROGRAMS:

The City Council has indicated the importance of technology in managing operations efficiently in the face of budget reductions and reduced manpower throughout the City. Regular refreshment of technology ensures that the City can adhere to constantly evolving security standards set by the Department of Justice / Federal Bureau of Investigation Criminal Justice Information Services (DOJ/CJIS), Payment Card Industry Data Security Standards (PCI DSS) and Health Insurance Portability and Accountability Act (HIPPA.)

Respectfully submitted,

Wally Hill
City Manager

Fiscal Review:

Thomas Kanarr
Interim Finance Director

Attachment(s): WSCA Master Price Agreement, B27160, cover page, Dell Quote # 682934654 (Single Monitor Computers), Dell Quote # 6822934074 (Dual Monitor Computers).

WESTERN STATES CONTRACTING ALLIANCE
MASTER PRICE AGREEMENT
for
COMPUTER EQUIPMENT, SOFTWARE, PERIPHERALS AND RELATED SERVICES

2009-2014 (WSCA/NASPO III)
Dell Marketing L.P.
Number B27160

This Agreement is made and entered into by **Dell Marketing L.P., One Dell Way Mailstop 8708, Round Rock, TX, 78682 ("Contractor")** and the Department of Administration ("State") on behalf of the State of Minnesota, participating members of the National Association of State Procurement officials (NASPO), members of the Western States Contracting Alliance (WSCA) and other authorized Participating States and Participating Entities.

CONTRACTOR CONTACT

Dell Marketing L.P.
One Dell Way Mail Stop 8708
Round Rock, TX 78682
Attn: Ashleigh Lane, WSCA Program Manager
Email: Ashleigh_Lane@dell.com
Phone: 512-723-4355
Fax: 512-283-9092

CURRENT CONTRACT TERM

Agreement Term

Pursuant to Minnesota law, the term of this Agreement shall be effective upon the date of final execution by the State of Minnesota or on **9/1/2009 through 8/31/2014**.

Dell Website: www.dell.com/naspowsca

B27160 Master Price Agreement (with all amendments)

B27160 - Dell Model Participating Addendum

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We welcome your comments and suggestions about our website.

QUOTATION

Quote #:	**684063568**
Customer #:	**4132754**
Contract #:	**WN99ABZ**
CustomerAgreement #:	**WSCA B27160**
Quote Date:	**06/05/2014**
Customer Name:	**CITY OF HEMET**

Date: 6/5/2014

Thanks for choosing Dell! Your quote is detailed below; please review the quote for product and informational accuracy. If you find errors or desire certain changes please contact your sales professional as soon as possible.

Sales Professional Information

SALES REP:	ANNABELLE HARCOURT	**PHONE:**	1800 - 4563355
Email Address:	Annabelle_Harcourt@Dell.com	**Phone Ext:**	7250200

GROUP: 1 QUANTITY: 19 SYSTEM PRICE: $1,095.60 GROUP TOTAL: $20,816.40

Description	Quantity
OptiPlex 9020 All in One (210-AAOX)	19
8GB (2x4GB) 1600MHz DDR3L (370-AAMY)	19
US English (QWERTY) Dell KB212-B QuietKey USB Keyboard Black (580-AAQX)	19
23-inch WLED Full-HD All-in-One Display (480-ABLF)	19
AMD Radeon Graphics (no adapters), Dell OptiPlex AIO (490-BBGP)	19
Intel Wireless 7260 Software (555-BBSP)	19
2.5 inch 500GB Solid State Hybrid Drive (400-AANE)	19
Bracket for 2.5 Hard Drive or Solid State Drive,AIO (470-AACR)	19
Windows 7 Professional, Canada MUI, 64bit (includes Windows 8.1 Pro 64bit License and Media) (536-BBBJ)	19
Non-Canada Orders only (332-1286)	19
Up to 90 % efficient PSU Base 58,4cm (23 INCH) Non-touch with Camera, Discrete (329-BBIZ)	19
TPM Enabled (329-BBJL)	19
Heatsink for Non-Touch LCD, AIO (412-AABF)	19
VESA Mount Bracket, Non-Touch (575-BBBG)	19
Dell USB Optical Mouse MS111 (570-AACR)	19
Energy Star 5.2 Category D (less than 234kWh TEC), EPEAT Gold, Dell Settings (387-BBDG)	19
Optical Bezel, OptiPlex AIO (325-BBCC)	19
8x Slimline DVD+/-RW Drive (429-AACN)	19
Intel Dual Band Wireless-N 7260 2x2 AGN + Bluetooth 4.0 (555-BBSQ)	19
Bracket for Wireless for AIO (575-BBBF)	19
System Power Cord (Philipine/TH/US) (450-AAOJ)	19
Windows 8.1 DVD OS Recovery(English) (620-AASU)	19
Dell Backup and Recovery Basic 1.6 (637-AAAS)	19

Safety/Environment and Regulatory Guide (English/French/ Multi-language) (340-ABSX)	19
Microsoft Office Trial, MUI, OptiPlex, Precision, Latitude (630-AABP)	19
ProSupport: Next Business Day Onsite Service After Remote Diagnosis 4 Year Extended (933-8144)	19
ProSupport : 7x24 Technical Support , 4 Year Extended (933-8304)	19
Dell Limited Hardware Warranty Plus Service Initial Year (935-6167)	19
Dell Limited Hardware Warranty Plus Service Extended Year(s) (939-1018)	19
ProSupport: Next Business Day Onsite Service After Remote Diagnosis Initial Year (939-2511)	19
ProSupport : 7x24 Technical Support , Initial (939-3131)	19
Thank you choosing Dell ProSupport. For tech support, visit http://support.dell.com /ProSupport or call 1-866-5 (989-3449)	19
No UPC/POD Label (389-BCGW)	19
Accidental Damage Service, 5 Year (980-7574)	19
Accidental Damage Service (988-7689)	19
No Bios Required (696-BBBC)	19
Intel vPro Technology Enabled (631-AABI)	19
Resource DVD contains Diagnostics and Drivers for Dell OptiPlex 9020 AIO (340-ABOF)	19
No Quick Reference Guide (340-ABKW)	19
Intel Core I5-4570S Processor (Quad Core, 2.90GHz Turbo, 6MB, w/ HD Graphics 4600) (338-BCDL)	19
No DDPE Encryption Software (954-3465)	19
Keep Your Hard Drive, 5 Year (980-7554)	19
Chassis Intrusion Switch (629-BBBC)	19
No Intel Responsive (551-BBBJ)	19
Shipping Material for AIO (340-ABKT)	19
Shipping Label for AIO, DAO (389-BBUU)	19
Integrated Basic Stand (575-BBBL)	19
Fixed Hardware Configuration (998-BBGZ)	19
PowerDVD Software not included (429-AAGQ)	19
Thank You for Choosing Dell (340-ADBJ)	19
Regulatory Label, 9020 AIO, JSD2 (389-BBYL)	19
Intel Core I5 vPro Label (389-BBWQ)	19
Non-Touch LCD, Dell OptiPlex AIO (391-BBDM)	19
Thank you for buying Dell (421-9982)	19
Dell Data Protection System Tools Digital Delivery/DT (422-0008)	19
Dell Digital Delivery Cirrus Client (422-0025)	19
Camera Software CD Kit (632-BBBL)	19
Camera Software Application for Win7 (632-BBBO)	19
Visit www.dell.com/encryption (632-BBBZ)	19
Thank you for buying Dell (632-BBCB)	19
Adobe Reader 11 (640-BBDF)	19
Dell Data Protection | Protected Workspace (640-BBEV)	19

Enable Low Power Mode (658-BBMQ)	19
Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps),OptiPlex (658-BBMR)	19
Waves Maxx Audio Royalty (658-BBNF)	19
No Anti-Virus software (650-AAHJ)	19
State Environmental Fee for display 15 inches, less than 35 inches (600-0277)	19

SOFTWARE & ACCESSORIES **GROUP TOTAL: $1,795.31**

Product	Quantity	Unit Price	Total
American Power Conversion BE750G Back UPS - 450 Watt (A7000302)	19	$94.49	$1,795.31

***Total Purchase Price:**	**$23,577.05**
Product Subtotal:	$22,535.71
Tax:	$965.34
Shipping & Handling:	$0.00
State Environmental Fee:	$76.00
Shipping Method:	LTL 5 DAY OR LESS

(Amount denoted in $)*

Statement of Conditions

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If this purchase is for your internal use only: Dell's Commercial Terms of Sale (www.dell.com/CTS), which incorporate Dell's U.S. Return Policy (www.dell.com/returnpolicy) and Warranty (www.dell.com/warrantyterms).

If this purchase is intended for resale: Dell's Reseller Terms of Sale (www.dell.com/resellerterms).

If this purchase includes services: in addition to the foregoing applicable terms, Dell's Service Terms (www.dell.com/servicecontracts/global).

If this purchase includes software: in addition to the foregoing applicable terms, your use of the software is subject to the license terms accompanying the software, and in the absence of such terms, then use of the Dell-branded application software is subject to the Dell End User License Agreement - Type A (www.dell.com/AEULA) and use of the Dell-branded system software is subject to the Dell End User License Agreement - Type S (www.dell.com/SEULA).

You acknowledge having read and agree to be bound by the foregoing applicable terms in their entirety. Any terms and conditions set forth in your purchase order or any other correspondence that are in addition to, inconsistent or in conflict with, the foregoing applicable online terms will be of no force or effect unless specifically agreed to in a writing signed by Dell that expressly references such terms.

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If you are a department, agency, division, or office of any district, state, county or municipal government within the United States ("Public Customer"), the following terms ("Public Customer Terms") apply in addition to the foregoing terms: A. If any portion of the foregoing terms and conditions (or any terms referenced therein) is prohibited by law, such portion shall not apply to you. Notwithstanding anything to the contrary, the End User License Agreements shall take precedence in all conflicts relevant to your use of any software. B. By placing your order, you confirm that (1) you are a contracting officer or other authorized representative of Public Customer with authority to bind the Public Customer to these terms and conditions, and (2) you have read and agree to be bound by these terms and conditions.

Pricing, Taxes, and Additional Information

All product, pricing, and other information is valid for U.S. customers and U.S. addresses only, and is based on the latest information available and may be subject to change. Dell reserves the right to cancel quotes and orders arising from pricing or other errors. Sales tax on products shipped is based on your "Ship To" address, and for software downloads is based on your "Bill To" address. Please indicate any tax-exempt status on your PO, and fax your exemption certificate, including your Customer Number, to the Dell Tax Department at 800-433-9023. Please ensure that your tax-exemption certificate reflects the correct Dell entity name: Dell Marketing L.P. Note: All tax quoted above is an estimate; final taxes will be listed on the invoice. If you have any questions regarding tax please send an e-mail to Tax_Department@dell.com.
For certain products shipped to end-users in California, a State Environmental Fee will be applied to your invoice. Dell encourages customers to dispose of electronic equipment properly.

All information supplied to CITY OF HEMET for the purpose of this proposal is to be considered confidential information belonging to Dell.

About Dell

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QUOTATION

Quote #:	684062727
Customer #:	4132754
Contract #:	WN99ABZ
CustomerAgreement #:	WSCA B27160
Quote Date:	06/05/2014
Customer Name:	CITY OF HEMET

Date: 6/5/2014

Thanks for choosing Dell! Your quote is detailed below; please review the quote for product and informational accuracy. If you find errors or desire certain changes please contact your sales professional as soon as possible.

Sales Professional Information

SALES REP:	ANNABELLE HARCOURT	**PHONE:**	1800 - 4563355
Email Address:	Annabelle_Harcourt@Dell.com	**Phone Ext:**	7250200

GROUP: 1 QUANTITY: 38 SYSTEM PRICE: $1,095.60 GROUP TOTAL: $41,632.80

Description	Quantity
OptiPlex 9020 All in One (210-AAOX)	38
8GB (2x4GB) 1600MHz DDR3L (370-AAMY)	38
US English (QWERTY) Dell KB212-B QuietKey USB Keyboard Black (580-AAQX)	38
23-inch WLED Full-HD All-in-One Display (480-ABLF)	38
AMD Radeon Graphics (no adapters), Dell OptiPlex AIO (490-BBGP)	38
Intel Wireless 7260 Software (555-BBSP)	38
2.5 inch 500GB Solid State Hybrid Drive (400-AANE)	38
Bracket for 2.5 Hard Drive or Solid State Drive,AIO (470-AACR)	38
Windows 7 Professional, Canada MUI, 64bit (includes Windows 8.1 Pro 64bit License and Media) (536-BBBJ)	38
Non-Canada Orders only (332-1286)	38
Up to 90 % efficient PSU Base 58,4cm (23 INCH) Non-touch with Camera, Discrete (329-BBIZ)	38
TPM Enabled (329-BBJL)	38
Heatsink for Non-Touch LCD, AIO (412-AABF)	38
VESA Mount Bracket, Non-Touch (575-BBBG)	38
Dell USB Optical Mouse MS111 (570-AACR)	38
Energy Star 5.2 Category D (less than 234kWh TEC), EPEAT Gold, Dell Settings (387-BBDG)	38
Optical Bezel, OptiPlex AIO (325-BBCC)	38
8x Slimline DVD+/-RW Drive (429-AACN)	38
Intel Dual Band Wireless-N 7260 2x2 AGN + Bluetooth 4.0 (555-BBSQ)	38
Bracket for Wireless for AIO (575-BBBF)	38
System Power Cord (Philipine/TH/US) (450-AAOJ)	38
Windows 8.1 DVD OS Recovery(English) (620-AASU)	38
Dell Backup and Recovery Basic 1.6 (637-AAAS)	38

Safety/Environment and Regulatory Guide (English/French/ Multi-language) (340-ABSX)	38
Microsoft Office Trial, MUI, OptiPlex, Precision, Latitude (630-AABP)	38
ProSupport: Next Business Day Onsite Service After Remote Diagnosis 4 Year Extended (933-8144)	38
ProSupport : 7x24 Technical Support , 4 Year Extended (933-8304)	38
Dell Limited Hardware Warranty Plus Service Initial Year (935-6167)	38
Dell Limited Hardware Warranty Plus Service Extended Year(s) (939-1018)	38
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ProSupport : 7x24 Technical Support , Initial (939-3131)	38
Thank you choosing Dell ProSupport. For tech support, visit http://support.dell.com /ProSupport or call 1-866-5 (989-3449)	38
No UPC/POD Label (389-BCGW)	38
Accidental Damage Service, 5 Year (980-7574)	38
Accidental Damage Service (988-7689)	38
No Bios Required (696-BBBC)	38
Intel vPro Technology Enabled (631-AABI)	38
Resource DVD contains Diagnostics and Drivers for Dell OptiPlex 9020 AIO (340-ABOF)	38
No Quick Reference Guide (340-ABKW)	38
Intel Core I5-4570S Processor (Quad Core, 2.90GHz Turbo, 6MB, w/ HD Graphics 4600) (338-BCDL)	38
No DDPE Encryption Software (954-3465)	38
Keep Your Hard Drive, 5 Year (980-7554)	38
Chassis Intrusion Switch (629-BBBC)	38
No Intel Responsive (551-BBBJ)	38
Shipping Material for AIO (340-ABKT)	38
Shipping Label for AIO, DAO (389-BBUU)	38
Integrated Basic Stand (575-BBBL)	38
Fixed Hardware Configuration (998-BBGZ)	38
PowerDVD Software not included (429-AAGQ)	38
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Non-Touch LCD, Dell OptiPlex AIO (391-BBDM)	38
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Dell Data Protection System Tools Digital Delivery/DT (422-0008)	38
Dell Digital Delivery Cirrus Client (422-0025)	38
Camera Software CD Kit (632-BBBL)	38
Camera Software Application for Win7 (632-BBBO)	38
Visit www.dell.com/encryption (632-BBBZ)	38
Thank you for buying Dell (632-BBCB)	38
Adobe Reader 11 (640-BBDF)	38
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Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps),OptiPlex (658-BBMR)	38
Waves Maxx Audio Royalty (658-BBNF)	38
No Anti-Virus software (650-AAHJ)	38
State Environmental Fee for display 15 inches, less than 35 inches (600-0277)	38

SOFTWARE & ACCESSORIES **GROUP TOTAL: $11,711.60**

Product	Quantity	Unit Price	Total
American Power Conversion BE750G Back UPS - 450 Watt (A7000302)	38	$94.49	$3,590.62
Dell 23 Monitor - P2314H (320-9799)	38	$209.71	$7,968.98
State Environmental Fee for display 15 inches, less than 35 inches (600-0277)	38	$4.00	$152.00
3YR Limited Warranty Monitor, Advanced Exchange (986-4872)	38	$0.00	$0.00

***Total Purchase Price:**	**$55,912.62**
Product Subtotal:	$53,040.40
Tax:	$2,568.22
Shipping & Handling:	$0.00
State Environmental Fee:	$304.00
Shipping Method:	LTL 5 DAY OR LESS

(Amount denoted in $)*

Statement of Conditions

The information in this document is believed to be accurate. However, Dell assumes no responsibility for inaccuracies, errors, or omissions, and shall not be liable for direct, indirect, special, incidental, or consequential damages resulting from any such error or omission. Dell is not responsible for pricing or other errors, and reserves the right to cancel orders arising from such errors.
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If this purchase includes software: in addition to the foregoing applicable terms, your use of the software is subject to the license terms accompanying the software, and in the absence of such terms, then use of the Dell-branded application software is subject to the Dell End User License Agreement - Type A (www.dell.com/AEULA) and use of the Dell-branded system software is subject to the Dell End User License Agreement - Type S (www.dell.com/SEULA).

You acknowledge having read and agree to be bound by the foregoing applicable terms in their entirety. Any terms and conditions set forth in your purchase order or any other correspondence that are in addition to, inconsistent or in conflict with, the foregoing applicable online terms will be of no force or effect unless specifically agreed to in a writing signed by Dell that expressly references such terms.

Additional Terms for Public Customers

If you are a department, agency, division, or office of any district, state, county or municipal government within the United States ("Public Customer"), the following terms ("Public Customer Terms") apply in addition to the foregoing terms: A. If any portion of the foregoing terms and conditions (or any terms referenced therein) is prohibited by law, such portion shall not apply to you. Notwithstanding anything to the contrary, the End User License Agreements shall take precedence in all conflicts relevant to your use of any software. B. By placing your order, you confirm that (1) you are a contracting officer or other authorized representative of Public Customer with authority to bind the Public Customer to these terms and conditions, and (2) you have read and agree to be bound by these terms and conditions.

Pricing, Taxes, and Additional Information

All product, pricing, and other information is valid for U.S. customers and U.S. addresses only, and is based on the latest information

available and may be subject to change. Dell reserves the right to cancel quotes and orders arising from pricing or other errors. Sales tax on products shipped is based on your "Ship To" address, and for software downloads is based on your "Bill To" address. Please indicate any tax-exempt status on your PO, and fax your exemption certificate, including your Customer Number, to the Dell Tax Department at 800-433-9023. Please ensure that your tax-exemption certificate reflects the correct Dell entity name: Dell Marketing L.P. Note: All tax quoted above is an estimate; final taxes will be listed on the invoice. If you have any questions regarding tax please send an e-mail to Tax_Department@dell.com.

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All information supplied to CITY OF HEMET for the purpose of this proposal is to be considered confidential information belonging to Dell.

About Dell

Dell Inc. listens to customers and delivers innovative technology and services they trust and value. Uniquely enabled by its direct business model, Dell is a leading global systems and services company and No. 34 on the Fortune 500. For more information, visit www.dell.com.

Privacy Policy

Dell respects your privacy. Across our business, around the world, Dell will collect, store, and use customer information only to support and enhance our relationship with your organization, for example, to process your purchase, provide service and support, and share product, service, and company news and offerings with you. Dell does not sell your personal information. For a complete statement of our Global Privacy Policy, please visit dell.com/privacy.

AGENDA # 11

Staff Report

TO: Honorable Mayor and Members of the Hemet City Council

FROM: Peter Bryan, Interim Fire Chief ; Wally Hill, City Manager

DATE: June 10, 2014

RE: Resolution authorizing the removal of weeds, rubbish and refuse upon parkways or private property.

RECOMMENDED ACTION:

It is respectfully recommended that the City Council:

Approve and adopt the attached Resolution which declares that weeds, rubbish, and refuse upon parkways or private property within the City as a hazardous condition and requires the abatement of weeds, rubbish and refuse on properties identified in Exhibit A hereto. At the next regular City Council meeting scheduled for 7:00 p.m. on June 24, 2014, a Public Hearing will be set to hear protests and objections to the proposed removal of weeds, rubbish, and refuse.

BACKGROUND:

- Weed abatement procedures are governed by the provisions of California Government Code Sections 39560 et seq. These provisions set up a procedure that requires notice to be given to land owners when a government entity, such as the City, seeks to compel land owners to clear their land of weeds, rubbish and refuse (Exhibit B).

PROJECT DESCRIPTION:

- The City of Hemet's Weed Abatement program first involves the City adopting a Resolution identifying affected property by APN and declaring weeds, rubbish and refuse as a hazardous condition. The City must then give notice to affected land owners of this declaration of hazardous conditions and must schedule a Public Hearing where protests and objections may be heard. After the Public Hearing, the City Council may order City personnel to abate weeds, rubbish and refuse. Notice may be given to landowners by posting the property or by mailing notice to landowners.

ANALYSIS:

- The Fire Department is conducting the weed abatement program under the provisions of California Government Code Section 39560 et seq., in accord with the provisions of Section 30-31 of the Hemet Municipal Code and Section 1103.2 of the Uniform Fire Code in order to mitigate fire hazards associated with combustible weeds, rubbish and refuse.

FISCAL IMPACT:

- The Weed Abatement Program is a budgeted program within the Fire Prevention Division.

Respectfully submitted,

Peter Bryan
Interim Fire Chief

Thomas Kanarr
Interim Finance Director

Attachments:
Resolution
Exhibit A
Exhibit B

CITY OF HEMET
Hemet, California
RESOLUTION BILL NO. 14-037

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA DECLARING A HAZARDOUS CONDITION PURSUANT TO GOVERNMENT CODE SECTIONS 39560 et seq. RELATING TO WEEDS, RUBBISH AND REFUSE UPON PARKWAYS OR PRIVATE PROPERTY WITHIN THE CITY

WHEREAS, the City Council of the City of Hemet has the power and authority pursuant to the provisions of California Government Code Sections 39560 et seq. to declare weeds, rubbish and/or refuse growing on parkways or private property a hazardous condition and to abate such hazard as part of its fire prevention activities; and

WHEREAS, it is in the interest of the health, safety and public welfare of the residents of the City of Hemet that the City Council review and determine whether weeds, rubbish and/or refuse growing on parkways or private property within the City of Hemet constitutes a hazardous condition if it does not abate that condition; and

WHEREAS, the City of Hemet has conducted a review of properties located within its boundaries and has determined that weeds, rubbish and/or refuse exists on those properties identified in Exhibit A hereto, constituting a fire hazard which must be abated under the provisions of California Government Code Section 39560 et seq.; and in accord with the provisions of Sections 30-31 of the Hemet Municipal Code and Section 1103.2 of the Uniform Fire Code.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council of the City of Hemet does hereby find, determine and declare the following:

(a) All weeds growing upon the parkways or private property in the City constitute a seasonal and recurrent hazardous condition which must be abated under the provisions of California Government Code Sections 39560 et seq.; and

(b) All rubbish and refuse upon parkways or private property in the City constitute a hazardous condition which must be abated under the provisions of California Government Code Sections 39560 et seq.; and

(c) Property located on the streets identified in Exhibit A hereto and identified by APN according to the official assessment map have been determined to have weeds, rubbish and/or refuse upon them which must be abated under the provisions of California Government Code Section 39560 et seq. and in accord with the provisions of Sections 30-31 of the Hemet Municipal Code and Section 1103.2 of the Uniform Fire Code which has been adopted by the City of Hemet pursuant to Sections 14-151 et seq. of the Hemet Municipal Code.

(d) In the event that any property owner fails to abate each and every hazard described in this Resolution in accordance with the notice attached as Exhibit B, the City's designated officer is ordered to remove such hazard and cause the cost thereof, plus an administrative charge, to be levied against the affected property as a special assessment lien.

SECTION 2. The City Clerk is hereby ordered to give notice to affected property owners of the City's intention to abate the hazards identified in this Resolution pursuant to the provisions of California Government Code Section 39560 et seq. and setting a public meeting at which time any objections to the proposed removal of the weeds, rubbish and/or refuse shall be heard and considered by the City Council at its regularly scheduled meeting on June 24, 2014

PASSED, APPROVED, AND ADOPTED this 10th day of June, 2014.

Larry Smith, Mayor

ATTEST:

Sarah McComas, City Clerk

APPROVED AS TO FORM:

Eric S. Vail, City Attorney

State of California)
County of Riverside)
City of Hemet)

I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the foregoing Resolution is the actual Resolution adopted by the City Council of the City of Hemet and was passed at a regular meeting of the City Council on the 10th day of June, 2014 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Sarah McComas, City Clerk

EXHIBIT A

432-170-019	442-110-028	443-131-005	444-202-001	444-350-024	448-020-016	448-100-013	455-130-005	464-270-008
432-170-020	442-110-031	443-131-006	444-202-002	444-350-034	448-041-014	448-100-014	455-130-006	464-270-009
438-150-047	443-050-002	443-131-026	444-202-003	444-350-035	448-041-015	448-100-015	455-130-007	464-300-001
438-161-007	443-050-003	443-131-027	444-202-004	444-350-036	448-060-002	448-110-002	455-130-008	464-300-002
438-191-027	443-050-004	443-132-012	444-202-005	444-350-037	448-060-003	448-110-003	455-130-010	464-311-001
438-191-028	443-050-007	443-132-015	444-202-006	444-360-051	448-060-007	448-110-005	455-130-011	464-311-002
438-240-011	443-050-017	443-140-001	444-202-007	444-360-052	448-060-009	448-110-006	455-130-012	464-311-003
439-030-009	443-050-018	443-140-024	444-202-008	444-360-053	448-060-010	448-110-009	455-130-015	464-311-004
439-030-010	443-050-020	443-152-003	444-202-009	444-360-054	448-060-013	448-110-018	455-130-021	464-311-005
439-040-023	443-050-021	443-152-004	444-202-010	444-360-055	445-080-024	448-120-001	455-130-022	464-311-006
439-050-028	443-050-022	443-162-013	444-310-008	444-360-056	448-320-034	448-120-004	455-130-023	464-311-007
439-050-046	443-050-023	443-131-005	444-321-031	444-360-057	448-320-035	448-120-010	455-130-024	464-311-008
439-060-014	443-050-024	443-131-006	444-321-032	444-360-060	448-420-001	448-120-011	455-130-030	464-311-009
439-080-004	443-050-026	443-131-026	444-340-005	444-360-061	448-440-006	448-140-012	455-130-031	464-312-001
439-080-009	443-050-027	443-131-027	444-340-006	444-360-062	448-440-007	448-210-014	455-130-036	464-312-002
442-030-001	443-050-028	443-132-012	444-340-007	444-360-063	448-440-024	448-600-001	455-130-040	464-312-003
442-053-019	443-050-029	443-132-015	444-340-008	444-360-064	448-440-025	451-072-021	455-130-041	464-312-004
442-060-007	443-050-030	443-140-001	444-340-009	444-360-065	448-440-026	451-080-019	455-130-042	464-312-005
442-060-027	443-050-031	443-140-024	444-340-010	444-360-066	448-450-016	454-040-027	455-130-043	464-312-006
442-073-019	443-050-039	443-152-003	444-401-040	444-360-067	451-100-022	454-040-029	455-130-046	464-312-007
442-092-012	443-080-035	443-152-004	445-050-003	444-360-058	451-100-026	454-040-037	455-130-047	464-312-008
442-092-013	443-080-049	443-162-013	445-080-001	444-360-059	454-270-034	454-040-038	455-370-023	464-312-009
442-092-014	445-210-008	444-050-001	445-080-008	444-360-070	454-270-035	454-050-022		465-020-031
448-310-003	448-250-006	444-120-001	445-080-023	444-360-071				
465-030-010	465-030-021	465-100-009	551-040-010	551-040-014				
465-030-018	465-030-022	465-100-010	551-040-011	551-040-029				
465-030-020	465-030-027	465-100-036	551-040-012					
	465-030-028	465-100-037						

Exhibit B

CITY OF HEMET FIRE DEPARTMENT
510 E. Florida Ave
HEMET, CALIFORNIA 92543
951-765-2450

NOTICE TO DESTROY WEEDS AND REMOVE RUBBISH AND REFUSE

Notice is hereby given that on the 10th day of June 2014, the City Council of the City of Hemet passed a resolution declaring that noxious or dangerous weeds were growing upon or in front of the property on this street (see attached listing of parcel numbers), and that rubbish and refuse were upon or in front of property on this street, in the City of Hemet and more particularly described in the resolution, and that they constitute a fire hazard which must be abated by the removal of the weeds, rubbish and refuse. Otherwise, they will be removed and the fire hazard abated by the City and the cost of removal assessed upon the land from or in front of which the weeds, rubbish and refuse are removed and will constitute a lien upon such land until paid. Reference is hereby made to the resolution for further particulars. A copy of said resolution is on file in the office of the city clerk.

This notice to remove weeds, rubbish and refuse does not preclude any obligations of the property owner to comply with all State and Federal laws applicable to the property.

All property owners having any objections to the proposed removal of the weeds, rubbish and refuse are hereby notified to attend a meeting of the Hemet City Council to be held on **June 24, 2014** at 7 p.m. when their objections will be heard and given due consideration.

Dated this 10th day of June 2014.

Peter Bryan

Interim Fire Chief

Sarah Mc Comas

City Clerk

AGENDA # 12

Successor Agency

Staff Report

TO: Honorable Mayor and City Council Acting as Successor Agency

FROM: John Jansons, Director of Community Investment

THROUGH: Wally Hill, City Manager and Executive Director

DATE: June 10, 2014

SUBJECT: Authorization of amendment to contract with RSG Inc. and approval of new contract for FY 14-15 and FY 15/16 with RSG Inc. for Successor Agency professional services.

RECOMMENDATION:

Staff recommends that the Successor Agency:

1. Approve an amendment to the current contract for an amount not to exceed $10,000,
2. Authorize the City Manager and Executive Director to execute the contract amendment with RSG Inc.,
3. Approve a new contract for Successor Agency professional services for FY 14-15 and FY 15-16 in an amount not to exceed $75,000 per year ($150,000 total), and
4. Authorize the City Manager and Executive Director to execute the new contract with RSG Inc.

BACKGROUND:

In 2011, the City contracted with RSG Inc to perform a variety of Successor Agency work associated with the dissolution of the former Hemet Redevelopment Agency as need to conform to AB 1X 26, the dissolution bill and adhere to requirements set forth by the bill and state law.

Pursuant to AB 125, the Successor Agency must now conduct a Property Disposition Management Plan to conform with AB 1X26, AB 1444 and state law.

The current contract with RSG Inc, has been exhausted and additional work is required to continue complying with redevelopment dissolution. Due to the cumulative nature of the work to date, and funds expended by the Successor Agency, it is now recommended that the Successor Agency authorize the additional spending up to an additional $10,000 for the reminder of FY14 to conform to City purchasing regulations **(Attachment 1)**.

In anticipation of professional advisory work required to advance to the dissolution of the former Hemet Redevelopment Agency and conform to State mandates, the Successor Agency requires a new contract for professional services be approved for FY 14-15.

DISCUSSION:

In anticipation of professional advisory work required to advance to the dissolution of the former Hemet Redevelopment Agency and conform to State mandates, the Successor Agency requires a new contract for professional services **(Attachment 2)** be approved for FY 14-15.

Under AB1X26 (HSC Section 34177 [e], successor agencies are required to "dispose of assets and properties of the former redevelopment agency" and to do so "expeditiously and in a manner aimed at maximizing value"

Upon determination of the Oversight Board, proceeds from the sale of former Redevelopment Agency assets can be used to fund approved development projects or to fund other wind-down activities. If no such activities exist, the funds are to be transferred to the Riverside County, Auditor-Controller for distribution to the taxing entities.

On June 27, 2013 the Governor approved a follow-up bill to AB1X26, AB 1484. AB 1484 altered the Oversight Board's role in real property disposition. The Oversight Board's new role is to approve a long range property management plan which, pursuant to the law, must contain a detailed inventory of all real property assets and set forth recommendations regarding how and to whom should the assets be disposed or distributed. AB 1484 specifies that the Plan must be approved by the Oversight Board and be submitted within six months of the issuance of a Finding of Completion, which the Successor Agency received on April 26, 2013.

On June 27, 2012, the Oversight Board heard a presentation from the Successor Agency regarding the status of former Agency assets and subsequently on October 3, 2012 the Oversight Board adopted OB Resolution 2012-004, approving Successor Agency's recommendations regarding former Redevelopment Agency assets and supporting the Successor Agency's plan to manage and dispose of real property assets.

The prior actions where undertaken by the Successor Agency and the Oversight Board prior to direction and guidance received from Department of Finance (DOF), regarding AB 1484 and the required process for considering asset and property disposition, the process and elements of the required plan. In cases where compensation is required for the disposition of assets, the proceeds shall be distributed to the taxing entities.

Pursuant to HSC 34191.4, the Plan, containing an inventory of all real property assets was completed, approved by the Oversight Board on October 17, 2013 (via OB Resolution 2013-03) and submitted to the State for review. At this time, the Successor Agency is awaiting comment, approval or dispute of the Plan by the State.

In 2014, the Successor Agency requires additional professional work by RSG Inc. under the proposed contract amendment. This work includes: advisory service on dissolution requirements and interpretation, preparation of financial reports, including: Recognized Obligation Payment Schedules, true-up of prior reporting periods, responses to State Controller and DOF inquiries, audits and reporting; assistance with facilitation and preparation for Oversight Board meetings, work related to HUSD and RCOE tax claims and preparation of a Property Disposition Plan and other dissolution compliance services.

The new, two-year contract for FY 14-15 and FY 15-16 may not exceed $75,000 per year for a total of $150,000 total without amendment.

ALTERNATIVES:
None recommended.

FISCAL IMPACT:
No City funds are involved with this recommendation. The requested work is funded by the Successor Agency administrative budget provided for by AB 1 X 26 from the Redevelopment Property Tax Trust Fund.

COORDINATION AND REVIEW:
The recommended action has been coordinated with the City Manager's Office, Administrative Services Department, City's RDA Dissolution consultant RSG, Inc. and with input from the City Attorney.

STRATEGIC PLAN AND COUNCIL GOALS INTEGRATION:
The recommended action supports the Successor Agency goals of conforming to AB 1 X 26 and AB 1448 to ensure compliance with State laws governing the dissolution of the former Hemet Redevelopment Agency.

CONCLUSION:
Staff recommends that the Successor Agency:

1. Approve an amendment to the current contract for an amount not to exceed $10,000,
2. Authorize the City Manager and Executive Director to execute the contract amendment with RSG Inc.,
3. Approve a new contract for Successor Agency professional services for FY 14-15 and FY 15-16 in an amount not to exceed $75,000 per year ($150,000 total), and
4. Authorize the Authorize the City Manager and Executive Director to execute the new contract with RSG Inc.

ATTACHMENTS: 2 – Contract amendment and proposed contract with RSG, Inc.

Recommended By:

John Jansons
Community Investment Director

Approved By:

Wally Hill
City Manager and Executive Director

ATTACHMENT 1

THIRD AMENDMENT TO CONSULTANT SERVICES AGREEMENT

by and between

the

CITY OF HEMET

and

ROSENOW SPEVACEK GROUP INC.

Dated June 11, 2014

THIRD **AMENDMENT TO CONSULTANT SERVICES AGREEMENT**

This Third Amendment to Consultant Services Agreement ("Third Amendment"), which is dated for reference as indicated on the cover page, is hereby entered into by and between the CITY OF HEMET, a California general law city ("City"), and ROSENOW SPEVACEK GROUP INC., a California Corporation, ("Consultant"), as follows:

RECITALS

A. City and Consultant entered in an agreement for Redevelopment Agency Policy, Program and Project consulting services on September 1, 2010 ("Agreement"), for the City of Hemet.

B. The Consultant has been performing redevelopment agency consulting services satisfactorily.

C. The First Amendment added additional scope of services related to Redevelopment Agency dissolution and increased compensation twenty-five thousand ($25,000.00) dollars;

D. The Second Amendment added service for a Property Disposition Management Plan for an additional twenty-five thousand dollars ($25,000);

E. This Third Amendment provides additional compensation in the amount of ten thousand dollars ($10,000.00) for continued successor agency services through June 30, 2014. The increase is due to Department of Finance and State Controller's Office requirements.

OPERATIVE PROVISIONS

NOW, THEREFORE, in consideration of the promises made and recited herein, the parties do hereby enter into this Third Amendment which modifies and amends the Agreement as follows:

1. **AMENDMENT. The Agreement is hereby modified and amended as follows:**

   1.1 Section 4. Compensation and Method of Payment is hereby amended as follows: For additional services Consultant shall be paid an amount not to exceed Ten Thousand ($10,000.00) dollars.

2. **GENERAL PROVISIONS.**

   2.1 **Remainder Unchanged**. Except as specifically modified and amended in this Third Amendment, the Agreement remains in full force and effect and binding upon the parties.

   2.2 **Integration**. This Third Amendment consists of three, which constitute the entire understanding and agreement of the parties and supersedes all negotiations or

previous agreements between the parties with respect to all or any part of the transaction discussed in this Third Amendment.

2.3 **Effective Date**. This Third Amendment shall not become effective until the date it has been formally approved by the City Council and executed by the appropriate authorities of the City and Consultant.

2.4 **Applicable Law**. The laws of the State of California shall govern the interpretation and enforcement of this Third Amendment.

2.5 **References**. All references to the Agreement include all their respective terms and provisions. All defined terms utilized in this Third Amendment have the same meaning as provided in the Agreement, unless expressly stated to the contrary in this Third Amendment.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement Amendment on the date and year first-above written.

CITY OF HEMET

By: _____
Wally Hill, City Manager

ATTEST:

By: _____
Sarah McComas, City Clerk

APPROVED AS TO FORM

By: _____
Eric S. Vail, City Attorney

ROSENOW SPEVACEK GROUP, INC.

By: _____

_____

Its: _____

ROSENOW SPEVACEK GROUP, INC.

By: _____

_____

Its: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF

On _____, ____ before me, _____, personally appeared _____, proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

nature: _____

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form

CAPACITY CLAIMED BY SIGNER

- ☐ INDIVIDUAL
- ☐ CORPORATE OFFICER

_____

TITLE(S)

- ☐ PARTNER(S) ☐ LIMITED ☐ GENERAL
- ☐ ATTORNEY-IN-FACT
- ☐ TRUSTEE(S)
- ☐ GUARDIAN/CONSERVATOR
- ☐ OTHER_____

_____

SIGNER IS REPRESENTING:

(NAME OF PERSON(S) OR ENTITY(IES))

_____

_____

DESCRIPTION OF ATTACHED DOCUMENT

_____

TITLE OR TYPE OF DOCUMENT

_____

NUMBER OF PAGES

_____

DATE OF DOCUMENT

_____

SIGNER(S) OTHER THAN NAMED ABOVE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF

On _____, _____ before me, _____, personally appeared _____, proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

nature: _____

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form

CAPACITY CLAIMED BY SIGNER

- ☐ INDIVIDUAL
- ☐ CORPORATE OFFICER

_____

TITLE(S)

- ☐ PARTNER(S) ☐ LIMITED ☐ GENERAL
- ☐ ATTORNEY-IN-FACT
- ☐ TRUSTEE(S)
- ☐ GUARDIAN/CONSERVATOR
- ☐ OTHER_____

_____

SIGNER IS REPRESENTING:

(NAME OF PERSON(S) OR ENTITY(IES))

_____

_____

DESCRIPTION OF ATTACHED DOCUMENT

_____
TITLE OR TYPE OF DOCUMENT

_____
NUMBER OF PAGES

_____
DATE OF DOCUMENT

_____
SIGNER(S) OTHER THAN NAMED ABOVE

ATTACHMENT 2

AGREEMENT FOR SERVICES

By and Between

THE CITY OF HEMET,
a municipal corporation

and

ROSENOW SPEVACEK GROUP INC.

AGREEMENT FOR SERVICES
BETWEEN
THE CITY OF HEMET, CALIFORNIA
AND
ROSENOW SPEVACEK GROUP INC.

This Agreement for Services ("Agreement") is entered into as of this 11th day of June, 2014, by and between the City of Hemet, a municipal corporation ("City") and Rosenow Spevacek Group, a corporation in the State of California ("Service Provider"). City and Service Provider are sometimes hereinafter individually referred to as "Party" and hereinafter collectively referred to as the "Parties."

RECITALS

A. City has sought, by direct negotiation the performance of the services defined and described particularly in Section 2 of this Agreement.

B. Service Provider, following submission of a proposal for the performance of the services defined and described particularly in Section 2 of this Agreement, was selected by the City to perform those services.

C. Pursuant to the City of Hemet's Municipal Code, City has authority to enter into this Services Agreement and the City Manager has authority to execute this Agreement.

D. The Parties desire to formalize the selection of Service Provider for performance of those services defined and described particularly in Section 2 of this Agreement and desire that the terms of that performance be as particularly defined and described herein.

OPERATIVE PROVISIONS

NOW, THEREFORE, in consideration of the mutual promises and covenants made by the Parties and contained here and other consideration, the value and adequacy of which are hereby acknowledged, the Parties agree as follows:

SECTION 1. TERM OF AGREEMENT.

Subject to the provisions of Section 20 "Termination of Agreement" of this Agreement, the Term of this Agreement is for two (2) years, commencing upon completion of a fully executed agreement. The City reserves the right to extend this Agreement for two (2) additional one-year terms. Should the option to renew for additional years be exercised, the City and Service Provider agree to negotiate any rate change. The option to extend the term of this Agreement shall be by written notice to Service Provider within 30 days of expiration of the original term.

SECTION 2. SCOPE OF SERVICES & SCHEDULE OF PERFORMANCE.

(a) Scope of Services. Service Provider agrees to perform the services set forth in Exhibit "A" "Scope of Services" (hereinafter, the "Services") and made a part of this Agreement by this reference.

(b) Schedule of Performance. The Services shall be completed pursuant to the schedule specified in Exhibit "A." Should the Services not be completed pursuant to that schedule, the Service Provider shall be deemed to be in Default of this Agreement. The City, in its sole discretion, may choose not to enforce the Default provisions of this Agreement and may instead allow Service Provider to continue performing the Services.

SECTION 3. ADDITIONAL SERVICES.

Service Provider shall not be compensated for any work rendered in connection with its performance of this Agreement that are in addition to or outside of the Services unless such additional services are authorized in advance and in writing in accordance with Section 26 "Administration and Implementation" or Section 28 "Amendment" of this Agreement. If and when such additional work is authorized, such additional work shall be deemed to be part of the Services.

SECTION 4. COMPENSATION AND METHOD OF PAYMENT.

Subject to any limitations set forth in this Agreement, City agrees to pay Service Provider the amounts specified in Exhibit "B" "Compensation" and made a part of this Agreement by this reference. The total compensation, including reimbursement for actual expenses, shall not exceed seventy five thousand dollars ($75,000.00) per fiscal year for 2014/2015 and 2015/2016, the total amount for the term shall not exceed one hundred fifty thousand dollars ($150,000.00), unless additional compensation is approved in writing in accordance with Section 26 "Administration and Implementation" or Section 28 "Amendment" of this Agreement.

(a) Each month Service Provider shall furnish to City an original invoice for all work performed and expenses incurred during the preceding month. The invoice shall detail charges by the following categories: labor (by sub-category), travel, materials, equipment, supplies, and sub-Service Provider contracts. Sub-Service Provider charges shall be detailed by the following categories: labor, travel, materials, equipment and supplies. If the compensation set forth in subsection (a) and Exhibit "B" include payment of labor on an hourly basis (as opposed to labor and materials being paid as a lump sum), the labor category in each invoice shall include detailed descriptions of task performed and the amount of time incurred for or allocated to that task. City shall independently review each invoice submitted by the Service Provider to determine whether the work performed and expenses incurred are in compliance with the provisions of this Agreement. In the event that no charges or expenses are disputed, the invoice shall be approved and paid according to the terms set forth in subsection (c). In the event any charges or expenses are disputed by City, the original invoice shall be returned by City to Service Provider for correction and resubmission.

(b) Except as to any charges for work performed or expenses incurred by Service Provider which are disputed by City, City will use its best efforts to cause Service Provider to be paid within forty-five (45) days of receipt of Service Provider's correct and undisputed invoice.

(c) Payment to Service Provider for work performed pursuant to this Agreement shall not be deemed to waive any defects in work performed by Service Provider.

SECTION 5. INSPECTION AND FINAL ACCEPTANCE.

City may inspect and accept or reject any of Service Provider's work under this Agreement, either during performance or when completed. City shall reject or finally accept Service Provider's work within sixty (60) days after submitted to City. City shall reject work by a timely written explanation, otherwise Service Provider's work shall be deemed to have been accepted. City's acceptance shall be conclusive as to such work except with respect to latent defects, fraud and such gross mistakes as amount to fraud. Acceptance of any of Service Provider's work by City shall not constitute a waiver of any of the provisions of this Agreement including, but not limited to, Section 16 "Indemnification" and Section 17 "Insurance."

SECTION 6. OWNERSHIP OF DOCUMENTS.

All original maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents prepared, developed or discovered by Service Provider in the course of providing the Services pursuant to this Agreement shall become the sole property of City and may be used, reused or otherwise disposed of by City without the permission of the Service Provider. Upon completion, expiration or termination of this Agreement, Service Provider shall turn over to City all such original maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files and other documents.

If and to the extent that City utilizes for any purpose not related to this Agreement any maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files or other documents prepared, developed or discovered by Service Provider in the course of providing the Services pursuant to this Agreement, Service Provider's guarantees and warranties in Section 9 "Standard of Performance" of this Agreement shall not extend to such use of the maps, models, designs, drawings, photographs, studies, surveys, reports, data, notes, computer files, files or other documents.

SECTION 7. SERVICE PROVIDER'S BOOKS AND RECORDS.

(a) Service Provider shall maintain any and all documents and records demonstrating or relating to Service Provider's performance of the Services. Service Provider shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, or other documents or records evidencing or relating to work, services, expenditures and disbursements charged to City pursuant to this Agreement. Any and all such documents or records shall be maintained in accordance with generally accepted accounting principles and shall be sufficiently complete and detailed so as to permit an accurate evaluation of the services provided by Service Provider pursuant to this Agreement. Any and all such documents or records shall be maintained for three (3) years from the date of execution of this Agreement and to the extent required by laws relating to audits of public agencies and their expenditures.

(b) Any and all records or documents required to be maintained pursuant to this section shall be made available for inspection, audit and copying, at any time during regular business hours, upon request by City or its designated representative. Copies of such documents or records shall be provided directly to the City for inspection, audit and copying when it is practical to do so; otherwise, unless an alternative is mutually agreed upon, such documents and

records shall be made available at Service Provider's address indicated for receipt of notices in this Agreement.

(c) Where City has reason to believe that any of the documents or records required to be maintained pursuant to this section may be lost or discarded due to dissolution or termination of Service Provider's business, City may, by written request, require that custody of such documents or records be given to the City. Access to such documents and records shall be granted to City, as well as to its successors-in-interest and authorized representatives.

SECTION 8. INDEPENDENT CONTRACTOR.

(a) Service Provider is and shall at all times remain a wholly independent contractor and not an officer, employee or agent of City. Service Provider shall have no authority to bind City in any manner, nor to incur any obligation, debt or liability of any kind on behalf of or against City, whether by contract or otherwise, unless such authority is expressly conferred under this Agreement or is otherwise expressly conferred in writing by City.

(b) The personnel performing the Services under this Agreement on behalf of Service Provider shall at all times be under Service Provider's exclusive direction and control. Neither City, nor any elected or appointed boards, officers, officials, employees or agents of City, shall have control over the conduct of Service Provider or any of Service Provider's officers, employees, or agents except as set forth in this Agreement. Service Provider shall not at any time or in any manner represent that Service Provider or any of Service Provider's officers, employees, or agents are in any manner officials, officers, employees or agents of City.

(c) Neither Service Provider, nor any of Service Provider's officers, employees or agents, shall obtain any rights to retirement, health care or any other benefits which may otherwise accrue to City's employees. Service Provider expressly waives any claim Service Provider may have to any such rights.

SECTION 9. STANDARD OF PERFORMANCE.

Service Provider represents and warrants that it has the qualifications, experience and facilities necessary to properly perform the Services required under this Agreement in a thorough, competent and professional manner. Service Provider shall at all times faithfully, competently and to the best of its ability, experience and talent, perform all Services. In meeting its obligations under this Agreement, Service Provider shall employ, at a minimum, generally accepted standards and practices utilized by persons engaged in providing services similar to the Services required of Service Provider under this Agreement. In addition to the general standards of performance set forth this section, additional specific standards of performance and performance criteria may be set forth in Exhibit "A" "Scope of Work" that shall also be applicable to Service Provider's work under this Agreement. Where there is a conflict between a general and a specific standard of performance or performance criteria, the specific standard or criteria shall prevail over the general.

SECTION 10. COMPLIANCE WITH APPLICABLE LAWS; PERMITS AND LICENSES.

Service Provider shall keep itself informed of and comply with all applicable federal, state and local laws, statutes, codes, ordinances, regulations and rules in effect during the term of this Agreement. Service Provider shall obtain any and all licenses, permits and authorizations necessary to perform the Services set forth in this Agreement. Neither City, nor any elected or appointed boards, officers, officials, employees or agents of City, shall be liable, at law or in equity, as a result of any failure of Service Provider to comply with this section.

SECTION 11. PREVAILING WAGE LAWS

It is the understanding of City and Service Provider that California prevailing wage laws do not apply to this Agreement because the Agreement does not involve any of the following services subject to prevailing wage rates pursuant to the California Labor Code or regulations promulgated thereunder: Construction, alteration, demolition, installation, or repair work performed on public buildings, facilities, streets or sewers done under contract and paid for in whole or in part out of public funds. In this context, "construction" includes work performed during the design and preconstruction phases of construction including, but not limited to, inspection and land surveying work.

SECTION 12. NONDISCRIMINATION.

Service Provider shall not discriminate, in any way, against any person on the basis of race, color, religious creed, national origin, ancestry, sex, age, physical handicap, medical condition or marital status in connection with or related to the performance of this Agreement.

SECTION 13. UNAUTHORIZED ALIENS

Service Provider hereby promises and agrees to comply with all of the provisions of the Federal Immigration and Nationality Act, 8 U.S.C.A. §§ 1101, et seq., as amended, and in connection therewith, shall not employ unauthorized aliens as defined therein. Should Service Provider so employ such unauthorized aliens for the performance of the Services, and should the any liability or sanctions be imposed against City for such use of unauthorized aliens, Service Provider hereby agrees to and shall reimburse City for the cost of all such liabilities or sanctions imposed, together with any and all costs, including attorneys' fees, incurred by City.

SECTION 14. CONFLICTS OF INTEREST.

(a) Service Provider covenants that neither it, nor any officer or principal of its firm, has or shall acquire any interest, directly or indirectly, which would conflict in any manner with the interests of City or which would in any way hinder Service Provider's performance of the Services. Service Provider further covenants that in the performance of this Agreement, no person having any such interest shall be employed by it as an officer, employee, agent or subcontractor without the express written consent of the City Manager. Service Provider agrees to at all times avoid conflicts of interest or the appearance of any conflicts of interest with the interests of City in the performance of this Agreement.

(b) City understands and acknowledges that Service Provider is, as of the date of execution of this Agreement, independently involved in the performance of non-related services for other governmental agencies and private parties. Service Provider is unaware of any stated position of City relative to such projects. Any future position of City on such projects shall not be considered a conflict of interest for purposes of this section.

(c) City understands and acknowledges that Service Provider will perform non-related services for other governmental agencies and private Parties following the completion of the Services under this Agreement. Any such future service shall not be considered a conflict of interest for purposes of this section.

SECTION 15. CONFIDENTIAL INFORMATION; RELEASE OF INFORMATION.

(a) All information gained or work product produced by Service Provider in performance of this Agreement shall be considered confidential, unless such information is in the public domain or already known to Service Provider. Service Provider shall not release or disclose any such information or work product to persons or entities other than City without prior written authorization from the City Manager, except as may be required by law.

(b) Service Provider, its officers, employees, agents or subcontractors, shall not, without prior written authorization from the City Manager or unless requested by the City Attorney of City, voluntarily provide declarations, letters of support, testimony at depositions, response to interrogatories or other information concerning the work performed under this Agreement. Response to a subpoena or court order shall not be considered "voluntary" provided Service Provider gives City notice of such court order or subpoena.

(c) If Service Provider, or any officer, employee, agent or subcontractor of Service Provider, provides any information or work product in violation of this Agreement, then City shall have the right to reimbursement and indemnity from Service Provider for any damages, costs and fees, including attorneys fees, caused by or incurred as a result of Service Provider's conduct.

(d) Service Provider shall promptly notify City should Service Provider, its officers, employees, agents or subcontractors, be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, request for admissions or other discovery request, court order or subpoena from any party regarding this Agreement and the work performed thereunder. City retains the right, but has no obligation, to represent Service Provider or be present at any deposition, hearing or similar proceeding. Service Provider agrees to cooperate fully with City and to provide City with the opportunity to review any response to discovery requests provided by Service Provider. However, this right to review any such response does not imply or mean the right by City to control, direct, or rewrite said response.

SECTION 16. INDEMNIFICATION.

(a) Indemnification for Professional Liability. Where the law establishes a professional standard of care for Service Provider's services, to the fullest extent permitted by law, Service Provider shall indemnify, protect, defend and hold harmless City and any and all of its officials, employees and agents ("Indemnified Parties") from and against any and all liability

(including liability for claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including attorneys fees and costs, court costs, interest, defense costs, and expert witness fees) arise out of, are a consequence of, or are in any way attributable to, in whole or in part, any negligent or wrongful act, error or omission of Service Provider, or by any individual or entity for which Service Provider is legally liable, including but not limited to officers, agents, employees or sub-contractors of Service Provider, in the performance of professional services under this Agreement.

(b) Indemnification for Other than Professional Liability. Other than in the performance of professional services and to the full extent permitted by law, Service Provider shall indemnify, protect, defend and hold harmless City, and any and all of its employees, officials and agents from and against any liability (including liability for claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including attorneys fees and costs, court costs, interest, defense costs, and expert witness fees), where the same arise out of, are a consequence of, or are in any way attributable to, in whole or in part, the performance of this Agreement by Service Provider, or by any individual or entity for which Service Provider is legally liable, including but not limited to officers, agents, employees or sub-contractors of Service Provider.

(c) Indemnification from Sub-Service Providers. Service Provider agrees to obtain executed indemnity agreements with provisions identical to those set forth in this section from each and every sub-Service Provider or any other person or entity involved by, for, with or on behalf of Service Provider in the performance of this Agreement naming the Indemnified Parties as additional indemnitees. In the event Service Provider fails to obtain such indemnity obligations from others as required herein, Service Provider agrees to be fully responsible according to the terms of this section. Failure of City to monitor compliance with these requirements imposes no additional obligations on City and will in no way act as a waiver of any rights hereunder. This obligation to indemnify and defend City as set forth herein is binding on the successors, assigns or heirs of Service Provider and shall survive the termination of this Agreement or this section.

(d) Limitation of Indemnification. Notwithstanding any provision of this section to the contrary, design professionals are required to defend and indemnify the City only to the extent permitted by Civil Code Section 2782.8, which limits the liability of a design professional to claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the design professional. The term "design professional," as defined in Section 2782.8, is limited to licensed architects, licensed landscape architects, registered professional engineers, professional land surveyors, and the business entities that offer such services in accordance with the applicable provisions of the California Business and Professions Code.

(e) City's Negligence. The provisions of this section do not apply to claims occurring as a result of City's sole negligence. The provisions of this section shall not release City from liability arising from gross negligence or willful acts or omissions of City or any and all of its officials, employees and agents.

SECTION 17. INSURANCE.

Service Provider agrees to obtain and maintain in full force and effect during the term of this Agreement the insurance policies set forth in Exhibit "C" "Insurance" and made a part of this Agreement. All insurance policies shall be subject to approval by City as to form and content. These requirements are subject to amendment or waiver if so approved in writing by the City Manager. Service Provider agrees to provide City with copies of required policies upon request.

SECTION 18. ASSIGNMENT.

The expertise and experience of Service Provider are material considerations for this Agreement. City has an interest in the qualifications and capability of the persons and entities who will fulfill the duties and obligations imposed upon Service Provider under this Agreement. In recognition of that interest, Service Provider shall not assign or transfer this Agreement or any portion of this Agreement or the performance of any of Service Provider's duties or obligations under this Agreement without the prior written consent of the City. Any attempted assignment shall be ineffective, null and void, and shall constitute a material breach of this Agreement entitling City to any and all remedies at law or in equity, including termination of this Agreement pursuant to Section 20 "Termination of Agreement." City acknowledges, however, that Service Provider, in the performance of its duties pursuant to this Agreement, may utilize sub-contractors.

SECTION 19. CONTINUITY OF PERSONNEL.

Service Provider shall make every reasonable effort to maintain the stability and continuity of Service Provider's staff and sub-contractors, if any, assigned to perform the Services. Service Provider shall notify City of any changes in Service Provider's staff and sub-contractors, if any, assigned to perform the Services prior to and during any such performance.

SECTION 20. TERMINATION OF AGREEMENT.

(a) City may terminate this Agreement, with or without cause, at any time by giving thirty (30) days written notice of termination to Service Provider. In the event such notice is given, Service Provider shall cease immediately all work in progress.

(b) Service Provider may terminate this Agreement for cause at any time upon thirty (30) days written notice of termination to City.

(c) If either Service Provider or City fail to perform any material obligation under this Agreement, then, in addition to any other remedies, either Service Provider, or City may terminate this Agreement immediately upon written notice.

(d) Upon termination of this Agreement by either Service Provider or City, all property belonging exclusively to City which is in Service Provider's possession shall be returned to City. Service Provider shall furnish to City a final invoice for work performed and expenses incurred by Service Provider, prepared as set forth in Section 4 "Compensation and Method of Payment" of this Agreement. This final invoice shall be reviewed and paid in the

same manner as set forth in Section 4 "Compensation and Method of Payment" of this Agreement.

SECTION 21. DEFAULT.

In the event that Service Provider is in default under the terms of this Agreement, the City shall not have any obligation or duty to continue compensating Service Provider for any work performed after the date of default. Instead, the City may give notice to Service Provider of the default and the reasons for the default. The notice shall include the timeframe in which Service Provider may cure the default. This timeframe is presumptively thirty (30) days, but may be extended, though not reduced, if circumstances warrant. During the period of time that Service Provider is in default, the City shall hold all invoices and shall, when the default is cured, proceed with payment on the invoices. In the alternative, the City may, in its sole discretion, elect to pay some or all of the outstanding invoices during the period of default. If Service Provider does not cure the default, the City may take necessary steps to terminate this Agreement under Section 20 "Termination of Agreement." Any failure on the part of the City to give notice of the Service Provider's default shall not be deemed to result in a waiver of the City's legal rights or any rights arising out of any provision of this Agreement.

SECTION 22. EXCUSABLE DELAYS.

Service Provider shall not be liable for damages, including liquidated damages, if any, caused by delay in performance or failure to perform due to causes beyond the control of Service Provider. Such causes include, but are not limited to, acts of God, acts of the public enemy, acts of federal, state or local governments, acts of City, court orders, fires, floods, epidemics, strikes, embargoes, and unusually severe weather. The term and price of this Agreement shall be equitably adjusted for any delays due to such causes.

SECTION 23. COOPERATION BY CITY.

All public information, data, reports, records, and maps as are existing and available to City as public records, and which are necessary for carrying out the Services shall be furnished to Service Provider in every reasonable way to facilitate, without undue delay, the Services to be performed under this Agreement.

SECTION 24. NOTICES.

All notices required or permitted to be given under this Agreement shall be in writing and shall be personally delivered, or sent by telecopier or certified mail, postage prepaid and return receipt requested, addressed as follows:

To City: City of Hemet
Attn: City Manager
445 E. Florida Avenue
Hemet, CA 92543

To Service Provider: Rosenow Spevacek Group Inc.

Attn: Hitta Mosesman, Principal

309 West 4th St.

Santa Ana, CA 92701-4502

Notice shall be deemed effective on the date personally delivered or transmitted by facsimile or, if mailed, three (3) days after deposit of the same in the custody of the United States Postal Service.

SECTION 25. AUTHORITY TO EXECUTE.

The person or persons executing this Agreement on behalf of Service Provider represents and warrants that he/she/they has/have the authority to so execute this Agreement and to bind Service Provider to the performance of its obligations hereunder.

SECTION 26. ADMINISTRATION AND IMPLEMENTATION.

This Agreement shall be administered and executed by the City Manager or his or her designated representative. The City Manager shall have the authority to issue interpretations and to make amendments to this Agreement, including amendments that commit additional funds, consistent with Section 28 "Amendment" and the City Manager's contracting authority under the Hemet Municipal Code.

SECTION 27. BINDING EFFECT.

This Agreement shall be binding upon the heirs, executors, administrators, successors and assigns of the Parties.

SECTION 28. AMENDMENT.

No amendment to or modification of this Agreement shall be valid unless made in writing and approved by the Service Provider and by the City. The City Manager shall have the authority to approve any amendment to this Agreement if the total compensation under this Agreement, as amended, would not exceed the City Manager's contracting authority under the Hemet Municipal Code. All other amendments shall be approved by the City Council. The Parties agree that the requirement for written modifications cannot be waived and that any attempted waiver shall be void.

SECTION 29. WAIVER.

Waiver by any Party to this Agreement of any term, condition, or covenant of this Agreement shall not constitute a waiver of any other term, condition, or covenant. Waiver by any Party of any breach of the provisions of this Agreement shall not constitute a waiver of any other provision nor a waiver of any subsequent breach or violation of any provision of this Agreement. Acceptance by City of any work or services by Service Provider shall not constitute a waiver of any of the provisions of this Agreement.

SECTION 30. LAW TO GOVERN; VENUE.

This Agreement shall be interpreted, construed and governed according to the laws of the State of California. In the event of litigation between the Parties, venue in state trial courts shall lie exclusively in the County of Riverside, California. In the event of litigation in a U.S. District Court, venue shall lie exclusively in the Central District of California, in Riverside.

SECTION 31. ATTORNEYS FEES, COSTS AND EXPENSES.

In the event litigation or other proceeding is required to enforce or interpret any provision of this Agreement, the prevailing Party in such litigation or other proceeding shall be entitled to an award of reasonable attorney's fees, costs and expenses, in addition to any other relief to which it may be entitled.

SECTION 32. ENTIRE AGREEMENT.

This Agreement, including the attached Exhibits "A" through "C", is the entire, complete, final and exclusive expression of the Parties with respect to the matters addressed therein and supersedes all other agreements or understandings, whether oral or written, or entered into between Service Provider and City prior to the execution of this Agreement. No statements, representations or other agreements, whether oral or written, made by any Party which are not embodied herein shall be valid and binding.

SECTION 33. SEVERABILITY.

If any term, condition or covenant of this Agreement is declared or determined by any court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Agreement shall not be affected thereby and the Agreement shall be read and construed without the invalid, void or unenforceable provision(s).

SECTION 34. CONFLICTING TERMS.

Except as otherwise stated herein, if the terms of this Agreement conflict with the terms of any Exhibit hereto, or with the terms of any document incorporated by reference into this Agreement, the terms of this Agreement shall control.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date and year first-above written.

CITY OF HEMET

_____
Wally Hill
City Manager

ATTEST:

_____
Sarah McComas
City Clerk

APPROVED AS TO FORM

_____
Eric S. Vail
City Attorney

ROSENOW SPEVACEK GROUP, INC.

By: _____

Its: _____

ROSENOW SPEVACEK GROUP, INC.

By: _____

Its: _____

NOTE: SERVICE PROVIDER'S SIGNATURES SHALL BE DULY NOTARIZED, AND APPROPRIATE ATTESTATIONS SHALL BE INCLUDED AS MAY BE REQUIRED BY THE BYLAWS, ARTICLES OF INCORPORATION, OR OTHER RULES OR REGULATIONS APPLICABLE TO SERVICE PROVIDER'S BUSINESS ENTITY.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF

On _____, ____ before me, _____, personally appeared _____, proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form

CAPACITY CLAIMED BY SIGNER

☐ INDIVIDUAL
☐ CORPORATE OFFICER

_____
TITLE(S)

☐ PARTNER(S) ☐ LIMITED ☐ GENERAL
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER_____

_____

DESCRIPTION OF ATTACHED DOCUMENT

_____
TITLE OR TYPE OF DOCUMENT

_____
NUMBER OF PAGES

_____
DATE OF DOCUMENT

_____
SIGNER(S) OTHER THAN NAMED ABOVE

SIGNER IS REPRESENTING:
(NAME OF PERSON(S) OR ENTITY(IES))

_____

_____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF

On _____, ____ before me, _____, personally appeared _____, proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form

CAPACITY CLAIMED BY SIGNER

☐ INDIVIDUAL
☐ CORPORATE OFFICER

_____
TITLE(S)

☐ PARTNER(S) ☐ LIMITED ☐ GENERAL
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER_____

_____

SIGNER IS REPRESENTING:
(NAME OF PERSON(S) OR ENTITY(IES))

_____

_____

DESCRIPTION OF ATTACHED DOCUMENT

_____
TITLE OR TYPE OF DOCUMENT

_____
NUMBER OF PAGES

_____
DATE OF DOCUMENT

_____
SIGNER(S) OTHER THAN NAMED ABOVE

EXHIBIT "A"

SCOPE OF SERVICES

I. Service Provider will perform the following proposed Successor Agency Consulting Services:

A. Preparation of Recognized Obligation Payment Schedules ("ROPS") and response to Department of Finance ("DOF") inquiries/disputes of ROPS enforceable obligations;
B. Coordination and interface with the State Controller's Office ("SCO") regarding annual Successor Agency audits and other issues, including inquiries/disputes related to Successor Agency and Oversight Board actions;
C. Preparation of a Strategic Property Disposition Plan document outlining a disposition procedure that would be adopted by the Successor Agency and the Oversight Board. The Plan would be submitted to staff for review, and upon completion of edits, Service Provider would prepare a final report and presentation for the Successor Agency and Oversight Board meetings.
D. It is also envisioned that this Plan would be prepared in a flexible manner to allow for many elements to be used for a City Property Disposition Plan (to be prepared and approved at a later date).
E. Coordination of communications and response to overall inquiries from DOF, SCO, Riverside County Auditor-Controller, affected taxing entities, and other involved parties;
F. Preparation for and attendance at "Meet and Confer" sessions with DOF;
G. Preparation of pass-through payment calculations to respond to any demands for payment of additional pass-throughs from affected taxing entities;
H. Preparation of a long-term Successor Agency cash flow model, which incorporates not only costs associated with ROPS and administrative budgets, but also the timing of available revenues from both a collections and allocation standpoint;
I. Analyze legislation and quickly identify the fiscal and procedural implications for the Successor Agency. Service Provider would review the ramifications of legislative changes and work with Successor Agency legal counsel to explain the immediate and future impacts to the Successor Agency and affected taxing agencies;
J. Coordination of the transfer and sale of properties pursuant to the Successor Agency's Long Range Property Management Plan;
K. Provide staff support services for, and attend, all Oversight Board meetings;
L. Attendance at meetings, as requested by staff, including, but not limited to, City Council, Successor Agency, Housing Authority, and staff-level meetings; and
M. In addition to tasks defined above, Service Provider would be available for other professional advisory, financial, or management services, as requested and directed by staff.

II. As part of the Services, Service Provider will prepare and deliver the following tangible work products to the City:

A. ROPS 14-15B and 15-16A; ROPS 15-16B and 16-17A; ROPS reporting must be completed in accordance with State of California, Department of Finance reporting schedule.

B. Agenda packets, including all agendas, staff reports, resolutions and support documents for all monthly Oversight Board meetings;

C. Strategic Property Disposition Plan; reporting must be completed in accordance with State of California, Department of Finance reporting schedule.

D. Successor Agency cash flow;

E. Correspondence to DOF, SCO, Riverside County Auditor Controller's Office and affected taxing entities, as needed and directed by staff; and

F. Other deliverables as needed and directed by staff.

III. Service Provider will utilize the following personnel to accomplish the Services:

A. Hitta Mosesman, Principal-in-Charge, Project Manager

B. Dmitry Galkin, Analyst

IV. Service Provider will utilize the following subcontractors to accomplish the Services:

A. None

EXHIBIT "B"
COMPENSATION

I. Service Provider charges for services on a time-and-materials basis and the City will only be billed actual time spent on services, in fifteen (15) minute increments, in accordance with the following rates of pay:

Principal / Director	$ 210
Senior Associate	$ 165
Associate	$ 150
Senior Analyst	$ 125
Analyst	$ 115
Research Assistant	$ 100
Technician	$ 75
Clerical	$ 60

II. Service Provider will not charge City for travel or mileage (except direct costs related to field work/surveys), parking, standard telephone/fax expenses, general postage or incidental copies.

III. The City will compensate Consultant for the Services performed upon submission of a valid invoice. Each invoice is to include:

A. Line items for all personnel describing the work performed, the number of hours worked, and the hourly rate.
B. Line items for all supplies properly charged to the Services.
C. Line items for all travel properly charged to the Services.
D. Line items for all equipment properly charged to the Services.
E. Line items for all materials properly charged to the Services.
F. Line items for all subcontractor labor, supplies, equipment, materials, and travel properly charged to the Services.

IV. The total compensation for the Services shall not exceed $75,000.00 per fiscal year, as provided in Section 4 "Compensation and Method of Payment" of this Agreement.

EXHIBIT "C"
INSURANCE

A. Insurance Requirements. Service Provider shall provide and maintain insurance, acceptable to the City, in full force and effect throughout the term of this Agreement, against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the Services by Service Provider, its agents, representatives or employees. Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII.

Service Provider shall provide the following scope and limits of insurance:

1. Minimum Scope of Insurance. Coverage shall be at least as broad as:

(1) Commercial General Liability. Insurance Services Office form Commercial General Liability coverage (Occurrence Form CG 0001).

(2) Automobile. Insurance Services Office form number CA 0001 (Ed. 1/87) covering Automobile Liability, including code 1 "any auto" and endorsement CA 0025, or equivalent forms subject to the written approval of the City.

(3) Workers' Compensation. Workers' Compensation insurance as required by the Labor Code of State of California covering all persons providing Services on behalf of the Service Provider and all risks to such persons under this Agreement.

(4) Professional Liability. Professional liability insurance appropriate to the Service Provider's profession. This coverage may be written on a "claims made" basis, and must include coverage for contractual liability. The professional liability insurance required by this Agreement must be endorsed to be applicable to claims based upon, arising out of or related to Services performed under this Agreement. The insurance must be maintained for at least three (3) consecutive years following the completion of Service Provider's services or the termination of this Agreement. During this additional three (3) year period, Service Provider shall annually and upon request of the City submit written evidence of this continuous coverage.

2. Minimum Limits of Insurance. Service Provider shall maintain limits of insurance no less than:

(1) Commercial General Liability. $1,000,000 general aggregate for bodily injury, personal injury and property damage.

(2) Automobile. $1,000,000 per accident for bodily injury and property damage. A combined single limit policy with aggregate limits in an amount of not less than $2,000,000 shall be considered equivalent to the said required minimum limits set forth above.

(3) Workers' Compensation. Workers' Compensation as required by the Labor Code of the State of California of not less than $1,000,000 per occurrence.

(4) Professional Liability. $1,000,000 per occurrence.

B. Other Provisions. Insurance policies required by this Agreement shall contain the following provisions:

1. All Policies. Each insurance policy required by this Agreement shall be endorsed and state the coverage shall not be suspended, voided, cancelled by the insurer or either Party to this Agreement, reduced in coverage or in limits except after 30 days' prior written notice by certified mail, return receipt requested, has been given to City.

2. Commercial General Liability and Automobile Liability Coverages.

(1) City, and its respective elected and appointed officers, officials, and employees and volunteers are to be covered as additional insureds as respects: liability arising out of activities Service Provider performs; products and completed operations of Service Provider; premises owned, occupied or used by Service Provider; or automobiles owned, leased, hired or borrowed by Service Provider. The coverage shall contain no special limitations on the scope of protection afforded to City, and their respective elected and appointed officers, officials, or employees.

(2) Service Provider's insurance coverage shall be primary insurance with respect to City, and its respective elected and appointed, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by City, and its respective elected and appointed officers, officials, employees or volunteers, shall apply in excess of, and not contribute with, Service Provider's insurance.

(3) Service Provider's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

(4) Any failure to comply with the reporting or other provisions of the insurance policies, including breaches of warranties, shall not affect coverage provided to City, and its respective elected and appointed officers, officials, employees or volunteers.

3. Workers' Compensation Coverage. Unless the City Manager otherwise agrees in writing, the insurer shall agree to waive all rights of subrogation against City, and its respective elected and appointed officers, officials, employees and agents for losses arising from work performed by Service Provider.

C. Other Requirements. Service Provider agrees to deposit with City, at or before the effective date of this Agreement, certificates of insurance necessary to satisfy City that the

insurance provisions of this contract have been complied with. The City may require that Service Provider furnish City with copies of original endorsements effecting coverage required by this Exhibit "C". The certificates and endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. City reserves the right to inspect complete, certified copies of all required insurance policies, at any time.

1. Service Provider shall furnish certificates and endorsements from each sub-contractor identical to those Service Provider provides.

2. Any deductibles or self-insured retentions must be declared to and approved by City. At the option of City, either the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects City or its respective elected or appointed officers, officials, employees and volunteers, or the Service Provider shall procure a bond guaranteeing payment of losses and related investigations, claim administration, defense expenses and claims.

3. The procuring of such required policy or policies of insurance shall not be construed to limit Service Provider's liability hereunder nor to fulfill the indemnification provisions and requirements of this Agreement.

#13

Staff Report

TO: Honorable Mayor and Members of the Hemet City Council

FROM: Wally Hill, City Manager
Deanna Elliano, Community Development Director

DATE: June 10, 2014

RE: **ENVIRONMENTAL IMPACT REPORT (EA 14-001) FOR THE RAMONA CREEK SPECIFIC PLAN NO. 12-001** - A request for City Council review and certification of the Final Environmental Impact Report (EIR) regarding the proposed Ramona Creek Specific Plan SP No. 12-001, GPA 12-005, and TTM 36570; adoption of the proposed Mitigation Monitoring & Reporting Plan, and Findings of Fact and Statement of Overriding Considerations that have been prepared to assess the environmental effects of the project.

PROJECT APPLICANT INFORMATION:

Owner:	Regent Properties
Authorized Agent:	Daniel Gryczman, Regent Properties
Project Location:	Northwest corner of West Florida Avenue and Myers Street
APN Information:	448-090-003
Lot Area:	208.9± acres

RECOMMENDED ACTION:

That the City Council:

1. *Adopt City Council **Resolution Bill No. 14-017** certifying the Final EIR, and adopting a Mitigation and Monitoring and Reporting Program, Findings of Fact, and Statement of Overriding Considerations regarding the environmental effects of the Ramona Creek Specific Plan, General Plan Amendment, and Tentative Tract Map; and*

2. *Direct the Community Development Director to prepare a Notice of Determination (NOD) concerning certification of the EIR and within five (5) days of project approval, file the NOD with the Riverside County Clerk for posting for the appropriate 30-day period.*

BACKGROUND

Regent Properties is proposing the Ramona Creek Specific Plan (SP 12-001) and associated Master Tentative Tract Map (TTM No. 36510) and General Plan Amendment (GPA No. 12-005), to establish a master planned development of mixed commercial and residential uses on a 208.9± acre site located on the northwest corner of West Florida Avenue and Myers Street, as shown in the Locational Map (Attachment A). A description and analysis of each of the proposed project applications are discussed under separate staff reports on this agenda.

The property was previously known as the Garrett Ranch property, and has historically been used for farming. The site is presently vacant agricultural land zoned C-2 (General Commercial), M-2 (General Industrial), R-1-6 (Single Family Residential), and A-5 (Agricultural). Adoption of the Specific Plan will replace the present zoning and development standards for the property. Adjacent to the project site includes the existing Florida Promenade commercial development located to the east, the Hemet Auto Mall and Hemet West Mobile Home Park to the south, the undeveloped (but approved) Tres Cerritos Specific Plan to the north, and vacant land area and Warren Road to the west.

A Draft Environmental Impact Report (EIR) was been prepared to examine the potential environmental effects of the proposed project and its alternatives. The Draft Environmental Impact Report (DEIR) was circulated for its 45-day public review and comment period on March 21, 2014. The conclusion of the DEIR review period occurred on May 5, 2014, and a total of nine comment letters were received. Public hearings before the Planning Commission were held on April 1, 2014 and May 6, 2014 to take public comment on the project and the Draft EIR. The responses to the comments and any associated changes or additions to the Draft EIR have been compiled into a Final EIR (Attachment 1B) for the City Council's consideration along with the Mitigation Monitoring & Reporting Plan, Findings of Fact, and Statement of Overriding Considerations (Attachment 1C).

ENVIRONMENTAL IMPACT REPORT

The EIR addresses several potential issues associated with the project, including aesthetics, agricultural resources, air quality, greenhouse gas emissions, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, noise, public service, traffic and utilities. Mitigation measures proposed for many of the impacts are summarized in Chapter 1 (Executive Summary) of the DEIR. (See Attachment No.1A).

In addition to the proposed project, the EIR analyzed four alternatives which include: A) No Project (Continuation of Existing Uses); B) No School Project; C) Residential-Oriented Project; and D) Commercial-Oriented Project. At the start of the process of preparing the Draft EIR, the Notice of Preparation (NOP) was originally sent out stipulating a project which would include 1,077 residential dwelling units and 535,788 square feet of commercial land uses. Alternative D includes 778 residential dwelling units and 760,035 square feet of commercial land uses. Although the amount of commercial square footage is higher than under the Project, it would not result in any new or increased significant impacts beyond those identified for the Project.

Despite a number of project design features and mitigation measures that serve to reduce the environmental impact of the project to less than significant, the DEIR has found that there will be impacts to the environment concerning air quality and traffic that cannot be completely mitigated. Regional construction and localized construction emissions have been mitigated to levels that would not be considered significant. However, regional (cumulative) operational emissions would be significant and unavoidable. The project site, as well as the majority of Southern California, is in an air basin designated as an extreme non-attainment area for O3 (ozone), and non-attainment area for PM10 (Repirable Particulate Matter) and PM2.5 (Fine Particulate Matter). Project energy efficiency measures/design features are recommended to reduce the severity of the impact. Project operations-source emissions would not result in or cause a significant localized air quality impact. The project traffic will not cause or result in CO concentrations exceeding applicable state standards. Project operational-source emissions would not adversely affect sensitive receptors in the Project Area. Project operational-source emissions would not

conflict with the 2007 Southern California Regional Air Quality Management Plan (AQMD). In addition, the air quality modeling tool is very conservative and does not take into consideration that new residents of the project will be relocating from other areas within the air quality basin.

In addition to the construction of the adjacent roadways and signals to serve the project, three mitigation measures are proposed in the DEIR for traffic impacts. Measure O-1 calls for signalized intersection improvements at Warren Road and Devonshire Avenue (Intersection 9) prior to the issuance of the 718th equivalent dwelling unit (EDU). An EDU is a measurement that combines both commercial and residential growth for the purposes of traffic mitigation thresholds. The Warren Road and Auto Boulevard (Intersection 12) would need a traffic signal installed prior to the 1,193 EDU within the Specific Plan area. Separate traffic calculations will be required for each individual development project in order to track the cumulative numbers of EDU's in the Specific Plan. (On a related note, the City Engineer has recently authorized a signal warrant study for the Warren Rd/Auto Mall Blvd. intersection to better assess existing volumes and turning movements at that location).

The project will also be responsible for paying its fair share for other necessary area-wide traffic improvements by paying the City's Development Impact Fees (DIF) and the Riverside County Transportation Uniform Mitigation Fees (TUMF). Table IV.O-20 of the DEIR lists the improvements that are included in the DIF and TUMF programs.

In addition, Traffic Mitigation Measure O-3 requires the project to participate in paying its fair-share for Non-DIF and Non-TUMF projects. The master developer or developer of an individual development project shall make a fair-share payment to the City in proportion to the individual project's applicable portion of the entire Specific Plan's percentage fair-share contribution for each of the identified cumulatively impacted intersections listed on Table IV.O-20.

Build-out of the roadway improvements identified in the Traffic Study and the City's General Plan would mitigate the significant impacts to roadway segments under the Cumulative (2035) With-Project traffic conditions. However, full funding and timing of implementation (in relation to build-out of the Project) of some of the improvements required are not guaranteed at this particular time or not under the City's control. Therefore, in order to take a conservative approach based on the known information at this time, the cumulative impacts on these roadway intersections would remain significant and unavoidable.

Attachment 1C is the Findings and Statement of Overriding Considerations on these specific air quality and traffic impacts identified in the EIR. The Statement of Overriding Considerations weighs the project's benefits in light of the unavoidable impacts and determines that the impacts are acceptable in light of the many public benefits provided by the project. This Statement, as well as the Final EIR must be adopted by the Council prior to approval of the project.

PUBLIC NOTICE AND COMMUNICATIONS

The Draft Environmental Impact Report (DEIR) was been prepared for the project and circulated for a 45-day comment period starting on March 21, 2014 and ending on May 5, 2014. Owners of properties in the project area and those within a 500 foot radius were notified by mailed notice of the Planning Commission and City Council hearings and the public comment period for the DEIR. The general public was notified of the hearings with a legal advertisement in the Press Enterprise. Copies of the Specific Plan and DEIR were made available at the Planning Division, Hemet Public Library and on the City's website.

Nine (9) comment letters were received on the Draft EIR and are included in Attachment 1B, as well as the City's responses to those comments. In some instances, changes were made to the Final EIR or the project in response to comments made by other agencies. Comment letters were received from the following entities:

- Riverside Transit Agency (RTA)
- Riverside County Flood Control District
- Riverside County Airport Land Use Commission (ALUC)
- Soboba Band of Luiseño Indians
- Pechanga Band of Luiseño Indians
- Southern California Edison (SCE)
- Hemet Unified School District (HUSD)
- State Clearing House (SCH)
- City of San Jacinto

MITIGATION MONITORING & REPORTING PROGRAM

The environmental consultant has prepared a Mitigation Monitoring & Reporting Program as required by CEQA. The program is included as Section V of the FEIR (see Attachment 1b). The program lists all of the required mitigation measures for the project and indicates which agency or City department that will be responsible for compliance.

EIR TEXT REVISIONS

Section IV of the Final EIR contains those pages of the Draft EIR that need to be corrected as part of the public review process, and in response to the comments received.

CONCLUSION

The Environmental Impact Report analyzed the proposed Ramona Creek Specific Plan, General Plan Amendment and Tentative Tract Map for their potential impacts to the environment. The project design features and the proposed mitigation measures have reduced the potential environmental impacts of the project to levels of non-significance with the exception of certain limited traffic and air quality aspects as discussed in this report. The Final EIR is comprised of the DEIR and the Responses to Comments, and must be certified by the City Council as in compliance with CEQA. The Mitigation Monitoring & Reporting Program, Findings of Fact, and Statement of Overriding Considerations must also be considered and adopted by the Council, prior to approval of the project.

Respectfully submitted,

Ronald Running
Project Planner

Reviewed by

Deanna Elliano
Community Development Director

RR/mc

ATTACHMENTS

A) Locational Exhibit

1) City Council Resolution Bill No. 14-017 certifying the Final Environmental Impact Report for the Ramona Creek Specific Plan (SP 12-001).
   - **a.** Ramona Creek Draft Environmental Impact Report (DEIR) **(Provided to the City Council only – also available at the City's website at www.cityofhemet.org and at the Planning Division Public Counter and the Hemet Public Library).**
   - **b.** Ramona Creek Final Environmental Impact Report (FEIR) **(also available at the City's website at www.cityofhemet.org and at the Planning Division Public Counter and the Hemet Public Library).**
     - i. Responses to Comments.
     - **ii.** Corrections and Additions to the Draft EIR.
     - **iii.** Mitigation Monitoring & Reporting Program.
   - **c.** Findings of Fact and Statement of Overriding Consideration for the Ramona Creek Project.

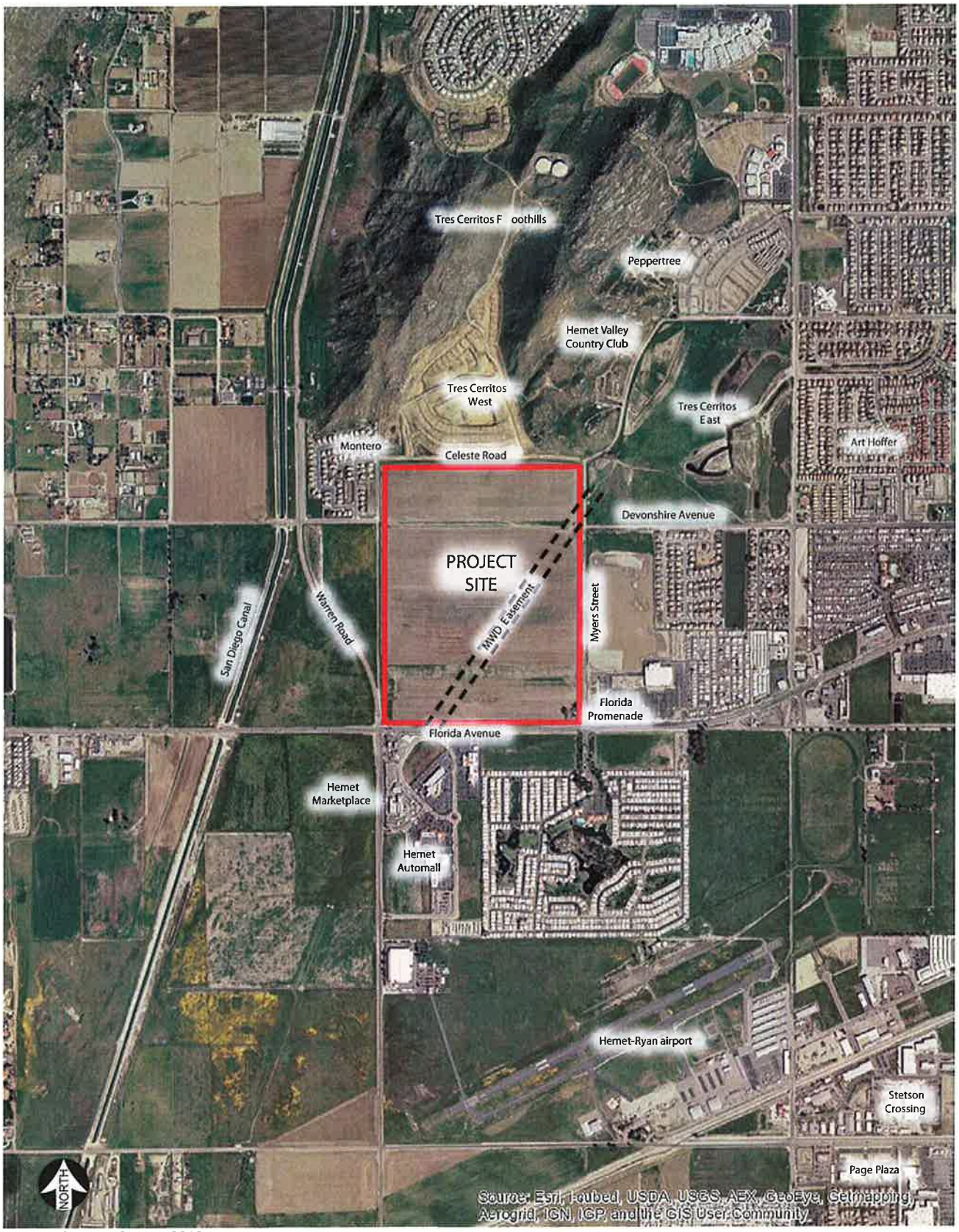
INCORPORATED HEREIN BY REFERENCE

City of Hemet General Plan
City of Hemet General Plan EIR
City of Hemet Zoning Ordinance
City of Hemet Subdivision Ordinance
Project Site's Riverside County Integrated Plan Multi-Species Habitat Conservation Plan Summary Report
Contents of City of Hemet Planning Division Project File(s) SP No. 12-001, GPA 12-005 and TTM 36510

Attachment No. A

Locational Exhibit

City Council Meeting of June 10, 2014



Source: The Planning Center, 2013.

CAJA Environmental Services, LLC

Figure II-3
Aerial Photograph

Attachment No. 1

City Council Reso. Bill No. 14-017 For EA 14-001

City Council Meeting of June 10, 2014

CITY OF HEMET
Hemet, California
RESOLUTION BILL NO. 14-017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (EA NO. 14-001) (SCH NO. 2013021051) AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, FINDINGS OF FACT, AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE ENVIRONMENTAL EFFECTS OF THE RAMONA CREEK SPECIFIC PLAN (SP 12-001), GENERAL PLAN AMENDMENT (GPA 12-005), AND TENTATIVE TRACT MAP 36510 (TTM 26510)

WHEREAS, Regent Ramona Creek, LLC submitted applications for the Ramona Creek Specific Plan (SP 12-001), General Plan Amendment (GPA 12-005), and associated Tentative Tract Map 36510 (TTM 36510) to establish a master planned development of mixed commercial and residential uses on a 208.9+/- site located at the northwest corner of West Florida Avenue and Myers Street (APN 44-090-003).

WHEREAS, the proposed Ramona Creek SP, GPA, and TTM is considered a "project" as defined by the California Environmental Quality Act, Public Resources Code §21000 et seq. (CEQA); and

WHEREAS, a Notice of Preparation (NOP) for the Draft EIR was circulated to the public, responsible agencies, and other interested persons for their review and comment for a 30-day period commencing on February 22, 2013, and a noticed public scoping meeting was held on March 14, 2013; and

WHEREAS, the Draft EIR was prepared in accordance with CEQA, Public Resources Code §21000 et seq., and the CEQA Guidelines, 14 California Code of Regulations §15000 et seq.; and

WHEREAS, upon completion of the Draft EIR, the City provided a Notice of Completion (NOC) to the State Clearinghouse on March 21, 2014 as required under CEQA Guidelines § 15085 and published a Notice of Availability (NOA) on March 21, 2014 as required under CEQA Guidelines §15087; 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 March 21, 2014 and closing on May 5, 2014, including a duly noticed public hearing before

the Planning Commission to receive comment on April 1, 2014, all in accordance with CEQA Guidelines §15105(a); and

WHEREAS, before and shortly after the close of the public comment period, the City received nine (9) comment letters regarding the Draft EIR; and

WHEREAS, the Hemet Planning Commission conducted a duly noticed public hearing on April 1, 2014 and May 6, 2014, at which time it received public testimony concerning EIR 14-001, Ramona Creek SP 12-001, GPA 12-005, and TTM 36510 and recommended unanimously that the City prepare the Final EIR, Mitigation Monitoring and Reporting Program, Findings of Fact, and Statement of Overriding Considerations for consideration by the City Council; and

WHEREAS, the Hemet City Council conducted a duly noticed public hearings on June 10, 2014, at which time it received public testimony concerning EIR 14-001, Ramona Creek SP 12-001, GPA 12-005, and TTM 36510; and

WHEREAS, the City Council has considered all public testimony and written and oral reports and documents provided by staff, and all other documents composing the Final EIR, including the Draft EIR, as amended, the Responses to Comments, the Mitigation Monitoring and Reporting Program, and the Findings of Fact and Statement of Overriding Considerations.

NOW THEREFORE, the City Council of the City of Hemet does herby resolve, determine, and order as follows:

SECTION 1. FINDINGS.

The City Council, in light of the whole record before it, including but not limited to, the Draft and Final EIR (Exhibit A), all documents incorporated by reference therein, including any comments received and responses provided, the Mitigation Monitoring and Reporting Program (Exhibit B), the Findings of Fact and the Statement of Overriding Considerations (Exhibit C), 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 and Public Notice of EIR:** An EIR was prepared and noticed for the Ramona Creek SP 12-001, GPA 12-005, and TTM 36510 in accordance with Public Resources Code §21080(d) and §21082.2(d) and the EIR was prepared and processed in accordance with CEQA (Public Resources Code §2100 et seq.), the CEQA Guidelines (14 California Code of Regulations §15000 et seq.), and the local CEQA Guidelines and Thresholds of Significance adopted by the City of Hemet, including the Notice of Preparation in accordance with CEQA Guidelines §15375 and §15082, and Notice of Completion in accordance with CEQA Guidelines §15372 and §15085.

2. **Scoping Meeting**. The EIR was submitted to the State Clearinghouse and complied with the scoping meeting requirements applicable to projects of regional significance in accordance with CEQA Guidelines §15206 and §15082(c)(1).

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. **Responses to Comments:** As set forth in Exhibit B, the City has responded to all written comments received during the public review period and included both comments and responses as part of the EIR in accordance with CEQA Guidelines §15088. In response to these comments, pursuant to CEQA Guidelines Section 15088(d), the City has made minor revisions to the EIR. Pursuant to CEQA Guidelines §15088.5(b) and §15088.5(f), these revisions are identified in the responses, merely clarify or amplify the information, and do not constitute significant additional information and, therefore, do not require recirculation of the EIR

5. **Avoidance/Reduction of Significant Effects:** The EIR identifies potentially significant effects on the environment that could result if the project were adopted without changes or alternations in the project and imposition of mitigation measures. Based thereon, the City Council further finds pursuant to CEQA Guidelines 15091(a) and (b), based on the findings and as described in Exhibit C, that:

   (a) Changes, alterations, and mitigation measures have been incorporated into or imposed as mitigation 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 mitigation measures, policies, and implementation measures within the Ramona Creek SP 12-001, GPA 12-005, and TTM 36510.

   (d) The City has prepared a Mitigation Monitoring and Reporting Program pursuant to CEQA Guidelines §15097 (Exhibit B) to track compliance with these changes, alterations, and mitigation measures.

6. **Environmental Findings and Statement of Overriding Considerations:** As described in detail in Exhibit C, approval of the project will result in significant effects on the environment even though most potentially significant effects identified in the EIR will be mitigated through mitigation measures, pursuant to §15092 of the CEQA Guidelines. However, these significant effects will be eliminated or substantially lessened where feasible, and the remaining significant effects are found to be unavoidable under §15091 and acceptable due to overriding considerations under §15093. Based on the findings in Exhibit C, the City has balanced the economic, legal, social, technological, and other benefits of the project against the unavoidable environmental risks that may result, and finds that the specific economic, legal social, technological, and other benefits outweigh the unavoidable adverse environmental effects.

7. **Independent Judgment:** The EIR reflects the independent judgment and analysis of the City as the Lead Agency under CEQA.

SECTION 2. CITY COUNCIL ACTIONS.

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

1. **Certify Final EIR:** The City Council certifies the Final EIR (Environmental Assessment 14-001) (SCH No. 2013021051) for the Ramona Creek SP 12-001, GPA 12-005, and TTM 36510, attached as Exhibits A and B.

2. **Adopt MMRP:** The City Council approves and adopts the Mitigation Monitoring and Reporting Program for the EIR attached as Exhibit B.

3. **Adopt Findings of Fact and Statement of Overriding Considerations:** The City Council approves and adopts the Findings of Fact and Statement of Overriding Considerations for the EIR attached as Exhibit C.

4. **Notice of Determination:** The City Council, in compliance with Public Resources Code §15094, directs the Community Development Director to prepare a Notice of Determination (NOD) concerning certification of the EIR and within five (5) days of project approval, file the NOD with the Riverside County Clerk for posting for the appropriate 30-day period.

5. **Location of Public Record:** Pursuant to CEQA Guidelines §15091(f), the City Council directs that EIR (Environmental Assessment No. 14-001) (SCH No. 2013021051) and all documents incorporated therein and forming the record of decision therefore, be filed with the Hemet Planning Department at the Hemet City Hall, 45 E. Florida Avenue, Hemet, California, 92543 and be made available for public review upon request.

PASSED, APPROVED, AND ADOPTED this ___th day of _____, 2014.

_____
Larry Smith, Mayor

ATTEST:

_____
Sarah McComas, City Clerk

APPROVED AS TO FORM:

_____
Eric S. Vail, City Attorney

State of California)
County of Riverside)
City of Hemet)

I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the foregoing Resolution is the actual Resolution adopted by the City Council of the City of Hemet and was passed at a regular meeting of the City Council on the ___th day of _____, 2014 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Sarah McComas, City Clerk

Attachment No. 1a

Ramona Creek Draft Environmental Impact Report (DEIR)

(Document provided to the City Council only – also available at the City's website at www.cityofhemet.org and at the Planning Division Public Counter and the Hemet Public Library)

City Council Meeting of June 10, 2014

Attachment No. 1b

Ramona Creek Final EIR

City Council Meeting of June 10, 2014

PUBLIC REVIEW
FINAL ENVIRONMENTAL IMPACT REPORT

RAMONA CREEK SPECIFIC PLAN (SP 12-001) AND GENERAL PLAN AMENDMENT (GPA 12-005)

PREPARED FOR:

CITY OF HEMET
COMMUNITY DEVELOPMENT DEPARTMENT
445 EAST FLORIDA AVENUE
HEMET, CA 92543

PREPARED BY:

CAJA ENVIRONMENTAL SERVICES, LLC
11990 SAN VICENTE BOULEVARD
LOS ANGELES, CA 90049

STATE CLEARINGHOUSE NO. 2013021051

CAJA Environmental Services, LLC

May 2014

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APPENDICES

Appendix A: Comment Letters and April 1, 2014 Planning Commission Hearing Minutes

I. INTRODUCTION

A. INTRODUCTION

Before approving a project, the California Environmental Quality Act (CEQA) requires the lead agency to prepare and certify a Final Environmental Impact Report (Final EIR). The contents of a Final EIR are specified in Section 15132 of the CEQA Guidelines, as follows:

The Final EIR shall consist of:

(a) The Draft EIR or a revision of the Draft.

(b) Comments and recommendations received on the Revised Draft EIR either verbatim or in summary.

(c) A list of persons, organizations, and public agencies commenting on the Revised Draft EIR.

(d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.

(e) Any other information added by the lead agency.

The lead agency must provide each agency that commented on the Draft EIR with a copy of the lead agency's proposed response at least 10 days before certifying the Final EIR.

B. BACKGROUND

The Draft EIR for the Project was circulated for a 45-day public review period from March 21, 2014 to May 5, 2014. Several comment letters were submitted on the Draft EIR to the City and are included in Appendix A. Responses to all comments received are provided in Section III of the Final EIR.

C. ORGANIZATION OF FINAL EIR

Together with the Draft EIR, this document constitutes the Final EIR for the Project and includes the following sections:

Section I. Introduction: This section provides an introduction to the Final EIR.

Section II. List of Commenters: This section includes a list of the persons and agencies that submitted comments on the Draft EIR.

Section III. Responses to Comments: This section includes responses to each of the comments submitted by persons and agencies listed in Section II.

Section IV. Corrections and Additions to the Draft EIR: This section provides corrections and additions to the Draft EIR, based on comments received during and after the public review period and based on staff-initiated text changes.

Section V. Mitigation Monitoring and Reporting Plan: This section includes all of the mitigation measures identified to reduce or avoid environmental impacts of the project and notes the monitoring phase, the enforcement phase, and the applicable department or agency responsible for ensuring that each mitigation measure is implemented.

Appendices: The appendices to this document include copies of all the comments received on the Draft EIR.

III. RESPONSES TO COMMENTS

INTRODUCTION

This section contains written responses to each of the comments on the Draft EIR received during the public review period. All comments on the Draft EIR are included in Appendix A to this document and are organized in alphabetical order by last name of the agency/organization. Corrections and additions to the Draft EIR resulting from comments and responses to comments are presented in Section IV (Corrections and Additions) of the Final EIR.

RESPONSES TO COMMENTS

Comment Letter: Airport Land Use Commission – Riverside County (ALUC)

Response to Comment ALUC-1

The comment letter notes that the Project is within Airport Area III of the Hemet –Ryan Airport Influence Area and requires a consistency review by the Airport land Use Commission (ALUC). It is acknowledged that the ALUC conducted a hearing for the Project on May 8, 2014 at which the Project was found to be consistent with Hemet-Ryan Airport Comprehensive Land Use Plan, subject to conditions of approval. The adopted conditions have subsequently been incorporated into the proposed Specific Plan and/or the conditions for the proposed Tentative Tract Map 36510, as appropriate. The Project has also received a "Determination of No Hazard to Air Navigation" from the Federal Aviation Administration, issued on May 16, 2014, regarding the height of structures proposed associated with the Specific Plan. The determination expires on November 16, 2015 unless construction has started or the determination is extended. In addition, the Draft EIR on page IV.I-6 in Section IV.I (Hazards and Hazardous Materials) contains various standard mitigation measures that have been applied to the Project to ensure that any potential impacts to the airport operations as a result of the Project are reduced to a less than significant level.

Comment Letter: Hemet Unified School District (HUSD)

Response to Comment HUSD-1

This comment includes a summary of the Project and acknowledges the City and Applicant's coordination efforts with HUSD, including the potential location of a 12-acre elementary school site at the Project site under the "School Overlay" alternative HUSD also notes the current rate of school mitigation fees as adopted by the school district. No changes to the Draft EIR or further responses are required as a result of the comments presented.

Comment Letter: Pechanga Band of Luiseno Mission Indians

Response to Comment Pechanga-1

As requested by the commenter, Mitigation Measures F-1, F-3, and F-4 from the Draft EIR and repeated in the comment have been revised as shown below (also, refer to Section IV [Changes and Additions to the Draft EIR] and Section V [Mitigation Monitoring and Reporting Plan]). The revised mitigation measures also incorporate modifications as requested by the Soboba Band of Luiseno Indians in their comment letter received on the Draft EIR, which is addressed separately in this document.

F-1: Prior to beginning project construction, the Project Developer(s) shall retain ~~an~~ City of Hemet-approved archaeological monitor to monitor all ground-disturbing activities, including off-site grading, 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 appropriate local ~~Tribe or Band~~Soboba Band or Pechanga Tribe, in accordance with the Treatment and Monitoring Agreement required in Mitigation Measure F-2.

F-3: Prior to beginning project construction, the project archaeologist shall file a pre-grading report with the City (if required) to document the proposed methodology for grading activity observation. 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 F-2, the archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the appropriate local ~~Tribe or Band~~ Soboba Band or Pechanga Tribe in order to evaluate the significance of any archaeological resources discovered on the property. ~~Tribe or Band~~ Soboba Band or Pechanga Tribe monitors shall be allowed to monitor all on-site and off-site grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist. The archaeologist shall also be responsible for a post-grading monitoring report to be submitted to the City, the Project Developer(s), the Eastern Information Center, and the Pechanga Tribe ~~or~~ and the Soboba Band of Luiseno Indians no later than 45 days after completion of all monitoring activities.

F-4: The landowner(s) 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 appropriate local ~~Tribe or Band~~Soboba Band or Pechanga Tribe for proper treatment and disposition as outlined in the Treatment and Monitoring Agreement required in Mitigation Measure F-2.

Comment Letter: Riverside County Flood Control District (RCFCD)

Response to Comment RCFCD-1

This comment is a checklist of requirements related to the Project's drainage infrastructure as related to RCFCD and does not include any statements about Project impacts or the Draft EIR. The RCFCD's requirements have been taken into consideration in the design of the drainage system and infrastructure for the Project. No changes to the Draft EIR or further responses are required as a result of the comments presented.

Comment Letter: Riverside Transit Agency (RTA)

Response to Comment RTA-1

As recommended by the RTA, the Project and the proposed Specific Plan have been modified to include development of a bus stop along Florida Avenue, on the west side of A Street (refer to Section IV [Changes and Additions to the Draft EIR] and revised Figure III-5 [Mobility Plan] included on page IV-12 of this document). The comment includes design recommendations for the bus stop, which will be incorporated into the design of the Florida Avenue roadway improvements to be constructed by the Project developer.

Comment Letter: City of San Jacinto

Response to Comment City of San Jacinto-1

The traffic analysis prepared for the Project (refer to Section IV.O [Transportation/Traffic] and Appendix IV.O [Traffic Impact Analysis] of the Draft EIR) analyzed potential Project impacts to 52 study intersections and 74 roadway segments, based on the Project's traffic distribution. These study intersections and roadway segments included facilities under jurisdiction (or in part) of the City of San Jacinto (i.e., Intersections: 5: Warren Road/Ramona Expressway, 6: Warren Road/Cottonwood Avenue, 7: Warren Road/7th Street, and 8: Warren Road/Esplanade Avenue [refer to Table IV.O-1 on page IV.O-2]. Segments: 1: Warren Road, south of Ramona Expressway, 2: Warren Road, north of Cottonwood Avenue, 3: Warren Road, south of Cottonwood Avenue, 4: Warren Road, North of Esplanade Avenue, and 33: Ramona Expressway west of Warren Road [refer to Table IV.O-2 on page IV.O-6].)

Consistent with the CEQA Guidelines, Project-specific direct impacts were identified by providing a comparison of the Project's traffic contribution against the existing baseline, as represented under the Existing (2012) With-Project Conditions. Additionally, the Project's contribution toward potential significant cumulative traffic impacts was also determined for the Near-Term (2015) and General Plan Cumulative Buildout (Post-2035) Conditions. The traffic analysis prepared for the Project determined that the Project's traffic would not cause any significant impacts at any of the study intersections or roadway segments under jurisdiction (or in part) of the City of San Jacinto under the Existing (2013) With-Project

Conditions. The same is true for roadway segments under the Near-Term (2015) With-Project Conditions. As such, no Project-specific mitigation is required for the roadway segments and intersections of Warren Road and Esplanade Avenue in San Jacinto, as requested in the City of San Jacinto's comment letter.

The traffic analysis determined that the Project's traffic, along with traffic associated with general growth in the region and other reasonably foreseeable development in the Project area, including the build-out of several approved subdivisions and projects located in the City of San Jacinto, would contribute to cumulative impacts at San Jacinto study intersections 5 and 8 under the Near-Term (2015) With-Project Conditions and at San Jacinto study intersections 6, 7, and 8 under the General Plan Cumulative Buildout (Post-2035) With-Project Conditions. The Project would contribute to cumulative impacts at San Jacinto study roadway segment 4 only under the General Plan Cumulative Buildout (Post-2035) With-Project Conditions. It is important to note, however, that significant impacts would occur at these study intersections and roadway segment without the addition of Project traffic, as well. Because the Project would contribute to a portion of the cumulative impacts identified at these study intersections and roadway segments, the Project Applicant is required to pay its fair-share contribution toward the TUMF and DIF roadway improvements identified on Table IV.O-20 on page IV.O-140 of the Draft EIR.

The improvements recommended by the City of San Jacinto are generally consistent with the improvements identified on Table IV.O-20 required for cumulative traffic conditions identified for Warren Road and Esplanade Avenue, west of Sanderson Avenue. Therefore, consistent with CEQA guidance and common practice, the Project's proportional share of the necessary cumulative traffic improvements throughout the study area are addressed through a combination of fee payments and fair-share contributions, not Project construction of these off-site improvements. Based on the results of the traffic study for the Project that has been prepared in accordance with CEQA Guidelines and traffic engineering industry standards, there is not a sufficient nexus to require the Project to construct the identified improvements in the City of San Jacinto that are needed to serve area wide cumulative traffic growth. The purpose of the adopted regional and local transportation fee programs is to provide a mechanism to allow individual projects to pay their fair-share proportion towards cumulative transportation improvements.

Comment Letter: California State Clearinghouse (SCH)

Response to Comment SCH-1

This comment is the SCH stating that the City has complied with SCH's review requirements for the Draft EIR and that no comments from state agencies were submitted regarding the Draft EIR. Therefore, no further responses are required to address this comment.

Comment Letter: Southern California Edison (SCE)

Response to Comment SCE-1

As requested by the commenter, the first sentence of the second paragraph on page IV.P-35 in Section IV.P (Utilities and Service Systems) has been removed from the Draft EIR as follows (refer to Section IV [Corrections and Additions to the Draft EIR]):

> ~~Per the City's General Plan, SCE also recognizes that high voltage overhead lines are generally considered to have negative visual impacts; therefore, SCE participates with efforts to underground regular overhead utility lines.~~

Comment Letter: Soboba Band of Luiseno Indians

Response to Comment Soboba-1

This comment requests avoidance of all known cultural resources within the Project area. The commenter is referred to page IV.F-6 in Section IV.F (Cultural Resources) that states following:

> *The field survey performed by Discovery Works in December of 2006 yielded no surface indications of historic or prehistoric archaeological sites. However, the lack of surface evidence of archaeological resources does not preclude their subsurface existence. During the field survey, a potential prehistoric artifact was found within the Project site. The artifact appeared to be a hand grinding stone fragment.*
>
> *The soils within the Project site have been extensively modified due to historic and modern-era agricultural activities. However, in consideration of the past site activities and based on the known ethnographic and historic information for the region and the potential for finding buried remains in alluvium deposits, there is a possibility that archaeological resources could be unearthed during excavation and grading activities. Additionally, the northern boundary of the Project site is located adjacent to the foothills of the Tres Cerritos Foothills, which are known for their cultural resource sensitivity. Thus, given the potential to unearth archaeological resources at the Project site during excavation and grading activities, Mitigation Measures F-1 through F-6 would be required for all development under the Project that includes ground-disturbing activities. With implementation of these mitigation measures, no significant impacts related to archaeological resources would occur.*

Response to Comment Soboba-2

As requested by the commenter, Mitigation Measure F-1 identified in the Draft EIR will be revised as shown below to name the Soboba Band or the Pechanga Tribe in lieu of "the appropriate local Tribe or Band" (refer to Response to Comment Pechanga-1, Section IV [Corrections and Additions], and Section

V [Mitigation Monitoring and Reporting Plan]). Mitigation Measure F-1 will now require the Project archaeologist to consult with Soboba Band or Pechanga Tribe, and Mitigation Measure F-2 identified in the Draft EIR includes the Native American monitoring requested by the commenter.

F-1: Prior to beginning project construction, the Project Developer(s) shall retain a~~n~~ City of Hemet-approved archaeological monitor to monitor all ground-disturbing activities, including off-site grading, 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 appropriate local ~~Tribe or Band~~Soboba Band or Pechanga Tribe, in accordance with the Treatment and Monitoring Agreement required in Mitigation Measure F-2.

Response to Comment Soboba-3

No additional archaeological fieldwork is anticipated prior to Project grading. Mitigation Measure F-1 requires the Project Developer to enter into a Treatment and Monitoring Agreement with the Soboba Band or the Pechanga Tribe to ensure appropriate monitoring prior to the initiation of construction activity, including the authority to stop or redirect the grading operations.

Response to Comment Soboba-4

As requested by the commenter, Mitigation Measures F-2 through F-4 and Mitigation Measure F-6 identified in the Draft EIR will be revised as follows to name the Soboba Band or the Pechanga Tribe in lieu of "the appropriate local Tribe or Band" (refer to Response to Comment Pechanga-1, Section IV [Corrections and Additions], and Section V [Mitigation Monitoring and Reporting Plan]):

F-2: At least 30 days prior to beginning project construction, the Project Developer(s) shall contact the appropriate local ~~Tribe or Band~~Soboba Band or Pechanga Tribe to notify them of grading, excavation, and the monitoring program, and to coordinate with the City and ~~the Tribe or Band~~Soboba Band or Pechanga Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of ~~Native American Tribal or Band~~Soboba Band or Pechanga Tribe monitors during on-site and off-site grading, excavation, and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

F-3: Prior to beginning project construction, the project archaeologist shall file a pre-grading report with the City (if required) to document the proposed methodology for grading activity observation. 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 F-2, the archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the appropriate local ~~Tribe or Band~~Soboba Band or Pechanga Tribe in order to evaluate the significance of any archaeological resources discovered on the property. ~~Tribe or Band~~Soboba Band or Pechanga Tribe monitors shall be allowed to monitor all on-site and off-site grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist. The archaeologist shall also be responsible for a post-grading monitoring report to be submitted to the City, the Project Developer(s), the Eastern Information Center, and the Pechanga Tribe ~~or~~and the Soboba Band of Luiseno Indians no later than 45 days after completion of all monitoring activities.

F-4: The landowner(s) 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 appropriate local ~~Tribe or Band~~Soboba Band or Pechanga Tribe for proper treatment and disposition as outlined in the Treatment and Monitoring Agreement required in Mitigation Measure F-2.

F-6: If inadvertent discoveries of subsurface archaeological resources are discovered during grading, the Project Developer(s), the project archaeologist, and the appropriate local ~~Tribe or Band~~Soboba Band or Pechanga Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Project Developer(s) and the ~~Tribe or Band~~Soboba Band or Pechanga Tribe cannot agree on the significance or the mitigation for such resources, these issues shall be presented to the City's Community Development Director for decision. The City shall make the determination based on the provisions of CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the ~~Tribe or Band~~Soboba Band or Pechanga Tribe.

Response to Comment Soboba-5

The City and Applicant agree with the commenter that the treatment and disposition of cultural items will be outlined in the established Treatment and Dispositions Agreement that will be in place between the tribe and developer prior to grading.

Response to Comment Soboba-6

As requested by the commenter, Mitigation Measures F-1 through F-4 and Mitigation Measure F-6 identified in the Draft EIR have been revised to name the Soboba Band or the Pechanga Tribe in lieu of "the appropriate local Tribe or Band."

Response to Comment Soboba-7

Both the Soboba Band and the Pechanga Tribe have responded to the SB 18 notice, and a determination has not been made for this Project site. Mitigation Measures F-1 through F-4 and Mitigation Measure F-6 identified in the Draft EIR have been revised to name the Soboba Band or the Pechanga Tribe in lieu of "the appropriate local Tribe or Band" to ensure appropriate monitoring for inadvertent discoveries.

Response to Comment Soboba-8

The authority and identification of the Tribal Monitor will be further refined in the terms of the Treatment and Monitoring Agreement entered into between the Tribal Monitor and the Project Developer prior to grading activities.

Response to Comment Soboba-9

Mitigation Measure F-3 has been modified to require the post-grading monitoring report to be submitted to both the Soboba Band and the Pechanga Tribe within 45 days of the completion of the monitoring activities onsite. All requests for copies of cultural resources information can be further delineated in the terms of the Treatment and Monitoring Agreement between the Tribal Monitor and the Project Developer.

Response to Comment Soboba-10

Both the Soboba Band and the Pechanga Tribe have responded to the SB 18 notice, and a determination has not been made for this Project site. Mitigation Measures F-1 through F-4 and Mitigation Measure F-6 identified in the Draft EIR have been revised to name the Soboba Band or the Pechanga Tribe in lieu of "the appropriate local Tribe or Band" to ensure appropriate monitoring for inadvertent discoveries. Ownership of all cultural objects for proper treatment and disposition will be addressed in the terms of the Treatment and Monitoring Agreement between the Tribal Monitor and the Project Developer.

Planning Commission Minutes (April 1, 2014)

In addition to the comment letters referenced above, the Planning Commission held a noticed public hearing on April 1, 2014 where the hearing was opened to accept public testimony regarding the Project and the Draft EIR during the 45-day comment period for the Draft EIR. The minutes of the meeting are provided in Appendix A and reflect comments about the Project and questions about the merits and features of the Project by the Commission and the public. Responses to questions and comments about Project details were provided at the hearing. No comments or questions were submitted at the hearing about the Draft EIR. The Planning Commission Hearing Minutes from April 1, 2014 will be forwarded to the decision makers as part of the public record for the Project.

IV. CORRECTIONS AND ADDITIONS TO THE DRAFT EIR

INTRODUCTION

This section presents corrections and additions that have been made to the text of the Draft EIR. These changes include revisions resulting from responses to comments and staff-initiated text changes to provide clarifications to the project description and analysis and to correct non-substantive errors. The revisions are organized by section and page number as they appear in the Draft EIR. Text deleted from the Draft EIR is shown in ~~strikethrough~~, and new text is underlined. For corrections resulting from a response to a comment on the documents, references in parentheses refer to the comment letter and comment number.

I. INTRODUCTION

During preparation of the Final EIR and the Findings for the Project, a clerical error was noted that does not change the analysis in the Draft EIR or impact conclusion. The text on Table I-1 on page I-7 has been revised as follows (staff-initiated text change):

Light and Glare		
With implementation of Mitigation Measure B-1, ~~The~~the Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area, and impacts would be less than significant	~~No mitigation measures are required.~~ B-1: Prior to the approval of a Street Improvement Plan for residential or commercial development, the Project applicant shall submit a street lighting plan for review and approval by the Department of Public Works. The plan shall include the amount, location, height, and intensity of street lighting limited to the minimum necessary for public safety in order to reduce potential for light and glare and incidental spillover into adjacent properties and/or roadways.	Less than significant

Although implementation of SCAQMD's standard measures is required, for purposes of clarification and reference, these standard measures have been added to Table I-1 on page I-8 (staff-initiated text change):

Localized Construction Emissions		
Emissions during construction activity would exceed the SCAQMD's localized significance thresholds for PM_{10} and $PM_{2.5}$.	D-3. During any construction activities, active heavy-duty construction equipment shall be located at least 100 feet away from sensitive receptors (including on-site and off-site residences and schools).	Less than significant

	SCAQMD Standard Construction BMPs D-4: Water or a stabilizing agent shall be applied to exposed surfaces at least three times per day to prevent generation of dust plumes. D-5: The construction contractor shall utilize at least one of the following measures at each vehicle egress from the project site to a paved public road: • Install a pad consisting of washed gravel maintained in clean condition to a depth of at least six inches and extending at least 30 feet wide and at least 50 feet long; • Pave the surface extending at least 100 feet and at least 20 feet wide; • Utilize a wheel shaker/wheel spreading device consisting of raised dividers at least 24 feet long and 10 feet wide to remove bulk material from tires and vehicle undercarriages; or • Install a wheel washing system to remove bulk material from tires and vehicle undercarriages. D-6: All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions). D-7: Construction activity on unpaved surfaces shall be suspended when wind speed exceed 25 miles per hour (such as instantaneous gusts). D-8: Ground cover in disturbed areas shall be replaced	

	as quickly as possible. D-9: Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more). D-10: Traffic speeds on all unpaved roads to be reduced to 15 mph or less. D-11: Sweep streets at the end of the day if visible soil is carried onto adjacent public paved roads. If feasible, use water sweepers with reclaimed water. D-12: Heavy-duty equipment operations shall be suspended during first and second stage smog alerts. D-13: Equipment and vehicle engines shall be maintained in good condition and in proper tune per manufacturers' specifications. D-14: All diesel-powered off-road construction equipment greater than 50 horsepower shall meet USEPA Tier 4 or higher emissions standards. In addition, all construction equipment shall be outfitted with best available control technology (BACT) devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a CARB-defined Level 3 diesel emissions control strategy for a similarly sized engine. D-15: All diesel-powered construction equipment shall use CARB Level 2 or higher diesel particulate filters. D-16: Electricity shall be utilized from power supply sources rather than temporary gasoline or diesel	

	power generators, as feasible. D-17: Heavy-duty trucks shall be prohibited from idling in excess of five minutes, both on- and off-site. **PDFs** D-18: **4.3.1 Building Materials** • Architectural paints and coatings shall comply with VOC limits identified in the CalGreen Code (required). • Prefinished building materials that do not require additional paining or staining should be utilized when possible as discussed in SectionA4.405, Material Sources, of the CalGreen Code (suggested). • Insulation with at least 75 percent recycled content on the aggregate, such as cellulose, newspaper, or recycled cotton (suggested). D-19: **4.3.2. Indoor/Outdoor Air Quality** • Outdoor electrical outlets for electric outdoor equipment. • Pre-wiring electric vehicle plug-in stations as part of surface or indoor parking lot. • Flooring and insulation products that are low emitters of volatile organic compounds (VOC) and formaldehyde (required). • Low- and zero- VOC paints, finishes, adhesives, caulks, and other substances to improve indoor air quality and avoid harmful health effects of off-gassing (required. • Natural gas fireplaces to minimize smoke and pollutants from wood burning fireplaces (e.g. CO, NO and VOCs)(required). • Construction equipment shall be properly maintained and serviced to minimize construction related exhaust emissions	

	(required). • Smoking shall be prohibited in nonresidential buildings and within 25 feet of nonresidential building entries, outdoor air intakes, and operable windows per Section 5.504, Pollution Control, of the CalGreen Code (required).	

The text on Table I-1 on page I-14 has been revised as following (Responses to Comments Pechanga-1, Soboba-2, and Soboba-4):

Archaeological Resources			
Based on the known ethnographic and historic information for the region, the potential for finding buried remains in alluvium deposits, and the site's location adjacent to the foothills of the Tres Cerritos Foothills, there is a possibility that archaeological resources could be unearthed during excavation and grading activities.	F-1:	Prior to beginning project construction, the Project Developer(s) shall retain a~~n~~ City of Hemet-approved archaeological monitor to monitor all ground-disturbing activities, including off-site grading, 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 appropriate local ~~Tribe or Band~~Soboba Band or Pechanga Tribe, in accordance with the Treatment and Monitoring Agreement required in Mitigation Measure F-2.	Less than significant
	F-2:	At least 30 days prior to beginning project construction, the Project Developer(s) shall contact the appropriate local ~~Tribe or Band~~Soboba Band or Pechanga Tribe to notify them of grading, excavation, and the monitoring program, and to coordinate with the City and ~~the Tribe or Band~~Soboba Band or Pechanga Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known	

		cultural resources, the designation, responsibilities, and participation of ~~Native American Tribal or Band~~Soboba Band or Pechanga Tribe monitors during on-site and off-site grading, excavation, and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.	
	F-3:	Prior to beginning project construction, the project archaeologist shall file a pre-grading report with the City (if required) to document the proposed methodology for grading activity observation. 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 F-2, the archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the appropriate local ~~Tribe or Band~~Soboba Band or Pechanga Tribe in order to evaluate the significance of any archaeological resources discovered on the property. ~~Tribe or Band~~Soboba Band or Pechanga Tribe monitors shall be allowed to monitor all on-site and off-site grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist. The archaeologist shall also be responsible for a post-grading monitoring report to be submitted to the City, the Project Developer(s), the Eastern Information	

		Center, and the Pechanga Tribe ~~or~~and the Soboba Band of Luiseno Indians no later than 45 days after completion of all monitoring activities.	
	F-4:	The landowner(s) 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 appropriate local ~~Tribe or Band~~Soboba Band or Pechanga Tribe for proper treatment and disposition as outlined in the Treatment and Monitoring Agreement required in Mitigation Measure F-2.	
	F-6:	If inadvertent discoveries of subsurface archaeological resources are discovered during grading, the Project Developer(s), the project archaeologist, and the appropriate local ~~Tribe or Band~~Soboba Band or Pechanga Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Project Developer(s) and the ~~Tribe or Band~~Soboba Band or Pechanga Tribe cannot agree on the significance or the mitigation for such resources, these issues shall be presented to the City's Community Development Director for decision. The City shall make the determination based on the provisions of CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the ~~Tribe or Band~~Soboba Band or Pechanga Tribe.	

For purposes of consistency with the requirements of the ALUC, Mitigation Measure I-4 on Table I-1 on page I-20 has been revised as follows (staff-initiated text change):

I-4. The following notice shall be given to all initial prospective buyers ~~and tenants~~by the Applicant or their successors in interest: Notice of Airport in Vicinity: This property is presently located in the vicinity of an airport, within what is know as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business and Professions Code 11010 12(A).

To amplify the protection of neighbors from construction noise generated by the Project, the following mitigation measures have been added to Table I-1 on page I-23 (staff-initiated text change):

Construction Noise		
The noise impacts associated with construction of the Project are expected to create temporary high-level noise impacts at receptors surrounding the Project site when certain activities occur near the Project property line.	L-1: During all Project site construction, the 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. L-2: The construction contractor shall locate equipment staging in areas that would create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the Project site during all Project construction. L-3: The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. Haul routes shall not pass sensitive land uses or residential dwellings. L-4: Prior to any construction activities, the Project Developer shall notify all land uses in the vicinity	Less than significant

	of the construction site of the construction schedule. L-5: Prior to any construction activities, the contact name and number of the Project contractor or County staff to receive noise complaints shall be posted in a location readily visible to off-site land uses. L-6: All construction activities shall occur between the hours of 6:00 a.m. and 6:00 p.m. during the months of June through September and between the hours of 7:00 a.m. and 6:00 p.m. during the months of October through May. Saturday construction shall be permitted between the hours of 7:00 a.m. and 6:00 p.m. Sunday construction shall be prohibited. Exceptions to these standards may be granted only by the City building official and/or the City Council. L-7: Any mass grading activity within 200 feet of a sensitive receptor shall require the installation of a temporary noise attenuation fence.	
On-Site Traffic Noise		
Single-family homes adjacent to portions of Old Warren Road, Warren Road, Myers Street, and Devonshire Avenue would be exposed to significant traffic noise levels.	L-48: To satisfy the City of Hemet's 65 dBA CNEL exterior noise level standard for noise-sensitive residential land uses, a 6.0-foot high noise barrier shall be constructed at the following locations within the Project site: • Lots facing Warren Road, north of Florida Avenue, in Planning Area 5. • Lots facing Myers Street, between Driveway 10 and Florida Avenue, in Planning Area 3. • Lots facing Devonshire Avenue, between Old Warren Road and Driveway 3, in Planning Areas 8 and 9. • Lots facing Devonshire Avenue between Driveway 3 and Driveway 6, in Planning Areas 7 and 9.	Less than significant

	• Lots facing Devonshire Avenue, between Driveway 6 and Myers Street, in Planning Area 10. The noise barrier must weigh at least 4.0 pounds per square foot of face area and have no decorative cutouts or line-of-sight openings between shielded areas and the roadways. The noise 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 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. ~~L-5 Prior to obtaining building permits for the Project, a final noise study shall be prepared to finalize mitigation measures using the precise grading plans and actual building design specifications.~~	

As shown above, Mitigation Measure L-5 was inadvertently included on Table I-1. Because all development is required to meet Title 24 interior noise standards, this mitigation measure has been removed from Table I-1 on Page I-25 (staff-initiated text change).

~~L-5 Prior to obtaining building permits for the Project, a final noise study shall be prepared to finalize mitigation measures using the precise grading plans and actual building design specifications.~~

For purposes of clarification, PDF P-1 on Table I-1 on page I-32 has been revised as follows (staff-initiated text change):

P-1. The construction contractor shall only contract for waste disposal services with a company that recycles demolition and construction-related wastes. The contract specifying recycled waste service shall be presented to the Building and Safety ~~Department~~Division prior to approval of Certificate of Occupancy.

III. PROJECT DESCRIPTION

The Mobility Plan shown on Figure III-5 on page III-11 has been revised to show the location of a bus stop along Florida Avenue, far side of A Street (refer to Response to Comment RTA-1). The revised figure is included on page IV-12, below.

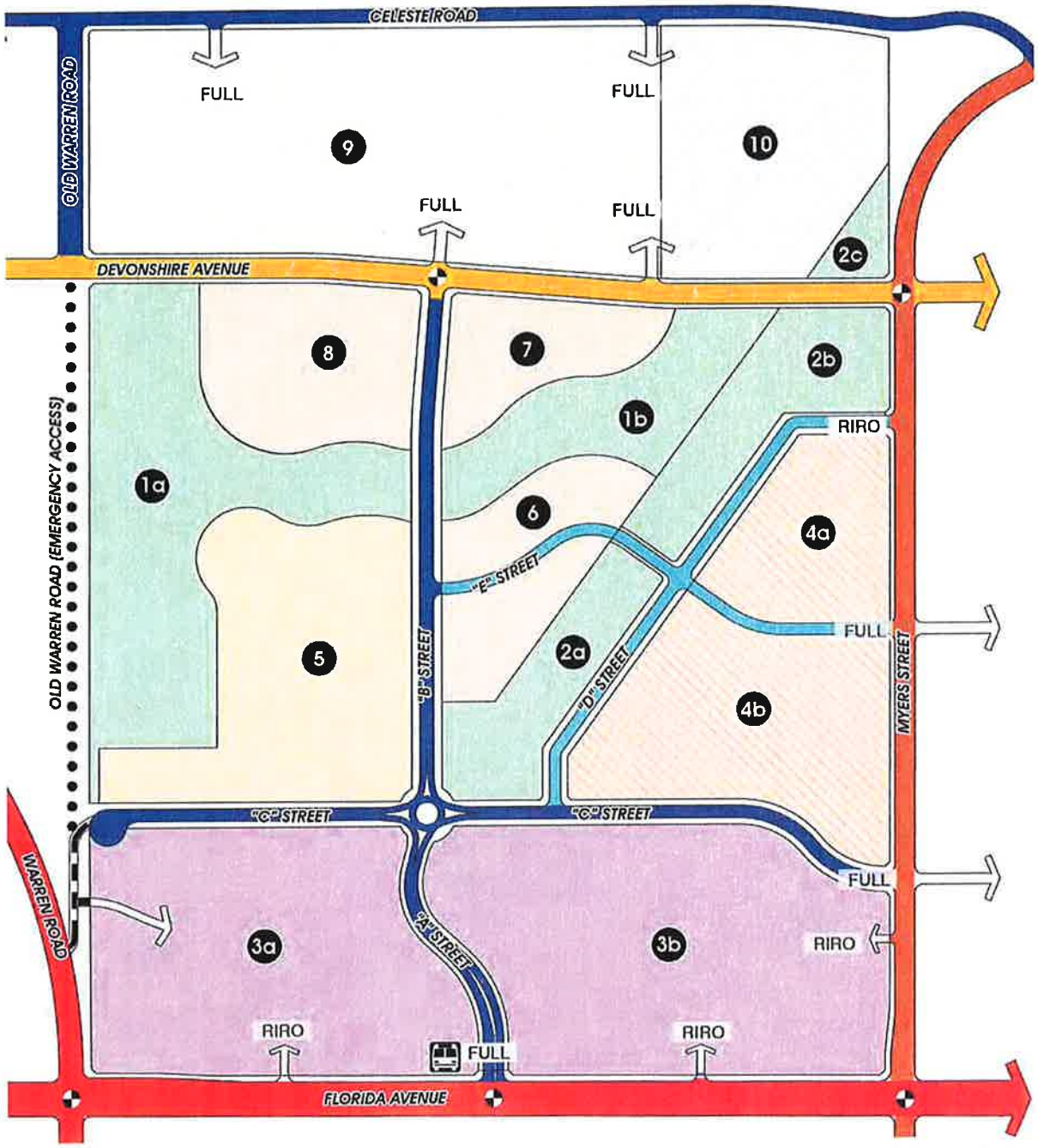
To be consistent with the City's Conditions of Approval for the Project, the following text has been added to the list of Indoor/Outdoor Air Quality policies for the Project on page III-19:

- **Outdoor electrical outlets** for electric outdoor equipment (required).
- **Pre-wiring electric vehicle** plug-in stations as part of surface or indoor parking lot (suggested).

IV.A AESTHETICS

During preparation of the Final EIR and the Findings for the Project a clerical error was noted that does not change the analysis in the Draft EIR or impact conclusion. The impact statement on page IV.B-9 has been revised as follows (staff-initiated text change):

Impact IV.B-1: With implementation of Mitigation Measure B-1, ~~The~~the Project would not have a substantial adverse effect on a scenic vista, and impacts would be less than significant.



LEGEND

- ARTERIAL
- COLLECTOR STREET
- EMERGENCY ACCESS*
- FULL = FULL ACCESS
- RIRO = RIGHT-IN/RIGHT- OUT ACCESS ONLY
- SECONDARY
- DIVIDED SECONDARY
- OLD WARREN ROAD R.O.W. (includes emergency access road)
- FUTURE BUS STOP
- LOCAL RESIDENTIAL
- PLANNING AREA
- POTENTIAL FUTURE TRAFFIC SIGNAL IF WARRANTED

NORTH

0 225 450

Scale (Feet)

Source: The Planning Center, 2014.

CAJA Environmental Services, LLC

Figure III-5
Revised Mobility Plan

During preparation of the Final EIR and the Findings for the Project a clerical error was noted that does not change the analysis in the Draft EIR or impact conclusion. The text under "MITIGATION MEASURES" on page IV.B-22 has been revised as follows (staff-initiated text change):

> ~~No significant impacts related to aesthetics have been identified, and no mitigation measures are required.~~ To ensure that all exterior lighting is designed, arranged, directed, or shielded to contain direct illumination on-site, while maintaining public safety and security, Mitigation Measure B-1 is required.
>
> B-1: Prior to the approval of a Street Improvement Plan for residential or commercial development, the Project applicant shall submit a street lighting plan for review and approval by the Department of Public Works. The plan shall include the amount, location, height, and intensity of street lighting limited to the minimum necessary for public safety in order to reduce potential for light and glare and incidental spillover into adjacent properties and/or roadways.

During preparation of the Final EIR and the Findings for the Project a clerical error was noted that does not change the analysis in the Draft EIR or impact conclusion. The text under "LEVEL OF SIGNIFICANCE AFTER MITIGATION" on page IV.B-22 has been revised as follows (staff-initiated text change):

> Project impacts with respect to scenic vistas, scenic resources, and visual character would be less than significant. With implementation of Mitigation Measure B-1, Project ~~Impacts~~impacts related to ~~aesthetics~~light and glare would be less than significant.

IV.D AIR QUALITY

For ease of reference and for purposes of clarification, the assumptions made in the pollutant emissions (these assumptions have not been changed from those in the Draft EIR), the following construction assumptions have been added to the top of page IV.D-27 (staff-initiated text change):

Site Preparation

- Duration: 60 Days
- Number of Employees per Day: Up to 18 worker trips
- Number of On-Site Haul Trips per Day: N/A
- Haul Trip Length: N/A

- Full-time Operating Equipment: 3 Rubber Tired Dozers, 4 tractors/loaders/backhoes
- Maximum acres of land to be graded in one day: N/A
- Vendor trips: Up to 6 round trips

Grading and Earthwork

- Duration: 120 Days
- Full-time Operating Equipment: 2 Excavators, 2 Graders, 3 Rubber Tired Dozers, 4 Scrapers, 2 tractors/loaders/backhoes
- Total acres of land to be graded: 600 acres
- Maximum acres of land to be graded in one day: 5
- Number of Employees per Day: Up to 33 worker trips
- Number of On-Site Haul Trips per Day: N/A
- Haul Trip Length: N/A
- Vendor trips: Up to 6 round trips

Construction

- Duration: 430 Days
- Number of Employees per Day: Up to 846 trips
- Full-time Operating Equipment: 1 crane, 3 forklifts, 1 generator set, 3 tractor/loader/backhoes, 1 welder
- Vendor trips: Up to 219 round trips

Asphalt Paving

- Duration: 90 Days
- Number of Employees per Day: Up to 15 trips
- Total Operating Equipment: 2 paving equipment, 2 pavers, 2 rollers

- Vendor trips: 0

Architectural Coatings

- Duration: 313 Days
- Total Operating Equipment: Air compressors
- Assumes worst-case scenario mix of coatings that average 100 g/L VOC. SCAQMD Rule 1113 (Architectural Coatings) has limits on common coatings: Flats (50 g/L), Non-Flats (50 g/L), Primers/Sealers/Undercoaters (100 g/L), Stains (100 g/L), Waterproofing Sealers (100 g/L).

For purposes of ease of reference and purposes of clarification, the following text has been copied from the existing analysis on page IV.D-23 and repeated after heading "CUMULATIVE IMPACTS" on page IV.D-33 (staff-initiated text change):

> The SCAQMD's *CEQA Air Quality Handbook* identifies several methods to determine the cumulative significance of land use projects (i.e., whether the contribution of a project's emissions is cumulatively considerable). However, the SCAQMD no longer recommends the use of these methodologies. Instead, the SCAQMD recommends that any construction-related emissions and operational emissions from individual development projects that exceed the project-specific mass daily emissions thresholds identified above also be considered cumulatively considerable. The SCAQMD neither recommends quantified analyses of the emissions generated by a set of cumulative development projects nor provides thresholds of significance to be used to assess the impacts associated with these cumulative emissions. The discussion of the Project's contribution to potential cumulative air quality impacts, below, is consistent with this methodology.

For purposes of ease of reference and purposes of clarification, the following text has been summarized from the existing analysis on pages IV.D-24 through IV.D-26 and repeated after the last paragraph under "CUMULATIVE IMPACTS" on page IV.D-33 (staff-initiated text change):

> Additionally, as discussed previously the Project would be consistent with SCAQMD's two criteria for determining consistency with the AQMP. The Project's mitigated localized construction-source emissions would not exceed applicable significance thresholds. Also, the proposed increase in residential along with the decrease in commercial retail and office results in a net decrease in the number of vehicle trips anticipated to be generated by the Project as compared to the number of vehicle trips forecasted for the Project area based on the intensity of uses currently allowed within the Florida Avenue Commercial Mixed-Use Area #1 of the General Plan. Accordingly, while the Project includes General Plan amendments, the decrease in number

of vehicle trips and associated mobile source emissions and air quality impacts assures consistency with the growth assumptions in the current AQMP. The Project would not exceed the growth assumptions included in the 1992 General Plan and hence would not exceed the growth projections in the 2007 AQMP. Additionally, the Project's reduction in vehicle trips and associated mobile source emissions and air quality impacts as compared to the 2030 General Plan assumption demonstrates consistency with the growth assumptions in the current 2012 AQMP. Therefore, the Project would be consistent with the AQMP, and impacts related to this issue would be less than significant. Since the Project would not jeopardize attainment of air quality standards in the AQMP for the Basin, the Project does not have the potential to contribute to any potential inconsistencies associated with the related projects. Thus, the Project would not have a cumulatively considerable contribution to any impact related to potential cumulative conflict with or obstruction of the implementation of the applicable AQMP.

Although implementation of SCAQMD's standard measures is required, for purposes of clarification and reference, these standard mitigation measures have been added to page IV.D-34 after Mitigation Measure D-3, as follows (staff-initiated text change):

SCAQMD Standard Construction BMPs

D-4: Water or a stabilizing agent shall be applied to exposed surfaces at least three times per day to prevent generation of dust plumes.

D-5: The construction contractor shall utilize at least one of the following measures at each vehicle egress from the project site to a paved public road:

- Install a pad consisting of washed gravel maintained in clean condition to a depth of at least six inches and extending at least 30 feet wide and at least 50 feet long;
- Pave the surface extending at least 100 feet and at least 20 feet wide;
- Utilize a wheel shaker/wheel spreading device consisting of raised dividers at least 24 feet long and 10 feet wide to remove bulk material from tires and vehicle undercarriages; or
- Install a wheel washing system to remove bulk material from tires and vehicle undercarriages.

D-6: All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).

D-7: Construction activity on unpaved surfaces shall be suspended when wind speed exceed 25 miles per hour (such as instantaneous gusts).

D-8: Ground cover in disturbed areas shall be replaced as quickly as possible.

D-9: Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).

D-10: Traffic speeds on all unpaved roads to be reduced to 15 mph or less.

D-11: Sweep streets at the end of the day if visible soil is carried onto adjacent public paved roads. If feasible, use water sweepers with reclaimed water.

D-12: Heavy-duty equipment operations shall be suspended during first and second stage smog alerts.

D-13: Equipment and vehicle engines shall be maintained in good condition and in proper tune per manufacturers' specifications.

D-14: All diesel-powered off-road construction equipment greater than 50 horsepower shall meet USEPA Tier 4 or higher emissions standards. In addition, all construction equipment shall be outfitted with best available control technology (BACT) devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a CARB-defined Level 3 diesel emissions control strategy for a similarly sized engine.

D-15: All diesel-powered construction equipment shall use CARB Level 2 or higher diesel particulate filters.

D-16: Electricity shall be utilized from power supply sources rather than temporary gasoline or diesel power generators, as feasible.

D-17: Heavy-duty trucks shall be prohibited from idling in excess of five minutes, both on- and off-site.

To be consistent with the City's Conditions of Approval, the following PDFs that were already included in Section III (Project Description) (and as amended in this section) have been added after the list of SCAQMD Standard BMPs on page IV.D-34 for ease of reference (staff-initiated text change):

PDFs

D-18: **4.3.1 Building Materials**

- Architectural paints and coatings shall comply with VOC limits identified in the CalGreen Code (required).

- Prefinished building materials that do not require additional paining or staining should be utilized when possible as discussed in SectionA4.405, Material Sources, of the CalGreen Code (suggested).
- Insulation with at least 75 percent recycled content on the aggregate, such as cellulose, newspaper, or recycled cotton (suggested).

D-19: **4.3.2. Indoor/Outdoor Air Quality**

- Outdoor electrical outlets for electric outdoor equipment (required).
- Pre-wiring electric vehicle plug-in stations as part of surface or indoor parking lot (suggested).
- Flooring and insulation products that are low emitters of volatile organic compounds (VOC) and formaldehyde (required).
- Low- and zero- VOC paints, finishes, adhesives, caulks, and other substances to improve indoor air quality and avoid harmful health effects of off-gassing (required.
- Natural gas fireplaces to minimize smoke and pollutants from wood burning fireplaces (e.g. CO, NO and VOCs) (required).
- Construction equipment shall be properly maintained and serviced to minimize construction related exhaust emissions (required).
- Smoking shall be prohibited in nonresidential buildings and within 25 feet of nonresidential building entries, outdoor air intakes, and operable windows per Section 5.504, Pollution Control, of the CalGreen Code (required).

IV.F CULTURAL RESOURCES

Mitigation Measures F-1 through F-4 and Mitigation Measure F-6 on pages IV.F-7 and IV-F-8 have been revised as follows (refer to Responses to Comments Pechanga-1, Soboba-2, and Soboba-4):

F-1: Prior to beginning project construction, the Project Developer(s) shall retain ~~an~~ City of Hemet-approved archaeological monitor to monitor all ground-disturbing activities, including off-site grading, 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 appropriate local ~~Tribe or Band~~Soboba Band or Pechanga Tribe, in accordance with the Treatment and Monitoring Agreement required in Mitigation Measure F-2.

F-2: At least 30 days prior to beginning project construction, the Project Developer(s) shall contact the appropriate local ~~Tribe or Band~~Soboba Band or Pechanga Tribe to notify them of grading, excavation, and the monitoring program, and to coordinate with the City and ~~the Tribe or Band~~Soboba Band or Pechanga Tribe to develop a Cultural Resources

Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of ~~Native American Tribal or Band~~Soboba Band or Pechanga Tribe monitors during on-site and off-site grading, excavation, and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

F-3: Prior to beginning project construction, the project archaeologist shall file a pre-grading report with the City (if required) to document the proposed methodology for grading activity observation. 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 F-2, the archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the appropriate local ~~Tribe or Band~~Soboba Band or Pechanga Tribe in order to evaluate the significance of any archaeological resources discovered on the property. ~~Tribe or Band~~Soboba Band or Pechanga Tribe monitors shall be allowed to monitor all on-site and off-site grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist. The archaeologist shall also be responsible for a post-grading monitoring report to be submitted to the City, the Project Developer(s), the Eastern Information Center, and the Pechanga Tribe ~~or~~and the Soboba Band of Luiseno Indians no later than 45 days after completion of all monitoring activities.

F-4: The landowner(s) 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 appropriate local ~~Tribe or Band~~Soboba Band or Pechanga Tribe for proper treatment and disposition as outlined in the Treatment and Monitoring Agreement required in Mitigation Measure F-2.

F-6: If inadvertent discoveries of subsurface archaeological resources are discovered during grading, the Project Developer(s), the project archaeologist, and the appropriate local ~~Tribe or Band~~Soboba Band or Pechanga Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Project Developer(s) and the ~~Tribe or Band~~Soboba Band or Pechanga Tribe cannot agree on the significance or the mitigation for such resources, these issues shall be presented to the City's Community Development Director for decision. The City shall make the determination based on the provisions of CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the ~~Tribe or Band~~Soboba Band or Pechanga Tribe.

IV.H GREENHOUSE GAS EMISSIONS

For ease of reference and for purposes of clarity, the following energy reduction standard (which was already included as part of the Specific Plan) has been added to the list shown under Project Design Feature GHG-1 on page IV.H-30, extending on to page IV.H-31 (staff-initiated text change):

k) The Project shall comply with all applicable CalGreen Standards.

For ease of reference and for purposes of clarity, the first bulleted text under "Project Design Feature GHG-3" on page IV.H-31 has been revised as follows, consistent with existing language in the Specific Plan (staff-initiated text change):

- Landscaping palette emphasizing drought tolerant plants (the Specific Plan requires the plant selection to use up to 75 percent water-conserving/drought-tolerant, native, or Mediterranean plant materials.

For ease of reference and for purposes of clarity, the following sentences have been added to the end of PDF GHG-4 on page IV.H-31, extending on to page IV.H-32, consistent with existing language in the Specific Plan (staff-initiated text change):

> Also, the Project's circulation system would allow for residents to drive neighborhood electric vehicles between neighborhoods and amenities to further reduce automobile use within the Project. (Figure 2-13 of the Specific Plan depicts the NEB Network/Class II bikeway.) Bicycle parking facilities will be provided in the Commercial Mixed Use District and at key points within the open space and park system.

For ease of reference and for purposes of clarity, the discussion of the Project's consistency with the seventh strategy on Table IV.H-8 on page IV.H-34 has been revised as follows (staff-initiated text change):

Green Buildings	GB-1	The Project shall be required to be constructed in compliance with state or local green building standards in effect at the time of building construction, including CalGreen Standards.

For ease of reference and for purposes of clarity, the following sentences have been added after the third to the last sentence of the second paragraph on page IV.H-35 has been revised as follows, consistent with the existing language from the Specific Plan (staff-initiated text change):

> Also, the Project's circulation system would allow for residents to drive neighborhood electric vehicles between neighborhoods and amenities to further reduce automobile use within the Project. (Figure 2-13 of the Specific Plan depicts the NEB Network/Class II bikeway.) Bicycle

parking facilities will be provided in the Commercial Mixed Use District and at key points within the open space and park system.

IV.I HAZARDS AND HAZARDOUS MATERIALS

During preparation of the Final EIR and the Findings for the Project a clerical error was noted in the numbering of the impact statements that does not change the analysis in the Draft EIR or impact conclusion. The impact statement on page IV.I-8 has been revised as follows (staff-initiated text change):

> ***Impact IV.I-~~2~~1: The Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, and impacts would be less than significant.***

During preparation of the Final EIR and the Findings for the Project a clerical error was noted in the numbering and wording of the impact statements that does not change the analysis in the Draft EIR or impact conclusion. The impact statement on page IV.I-9 has been revised as follows (staff-initiated text change):

> ***Impact IV.I-~~5~~2: With implementation of Mitigation Measures I-4 through I-7, ~~The~~the Project would not result in a safety hazard with respect to an airport land use plan for people residing or working in the Project area, and impacts would be less than significant with implementation of the provided mitigation measures.***

During preparation of the Final EIR and the Findings for the Project a clerical error was noted in the numbering of the mitigation measures that does not change the analysis in the Draft EIR or impact conclusion. The first sentence of the last paragraph on page IV.I-11 has been revised as follows (staff-initiated text change):

> Mitigation Measures I-~~4~~1 through I-~~7~~4 have been provided below to ensure future land use compatibility with the Hemet-Ryan Airport.

During preparation of the Final EIR and the Findings for the Project a clerical error was noted in the numbering of the impact statements that does not change the analysis in the Draft EIR or impact conclusion. The impact statement on page IV.I-12 has been revised as follows (staff-initiated text change):

Impact IV.I-~~8~~3: The Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, and impacts would be less than significant with implementation of the provided mitigation measures.

For purposes of consistency with the requirements of the ALUC, Mitigation Measure I-4 on page IV.I-13 has been revised as follows (staff-initiated text change):

I-4. The following notice shall be given to all initial prospective buyers ~~and tenants~~by the Applicant or their successors in interest: Notice of Airport in Vicinity: This property is presently located in the vicinity of an airport, within what is know as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business and Professions Code 11010 12(A).

IV.L NOISE

To amplify the protection of neighbors from construction noise generated by the Project, the following mitigation measures have been added to Table I-1 on page I-23 (staff-initiated text change):

L-4: Prior to any construction activities, the Project Developer shall notify all land uses in the vicinity of the construction site of the construction schedule.

L-5: Prior to any construction activities, the contact name and number of the Project contractor or County staff to receive noise complaints shall be posted in a location readily visible to off-site land uses.

L-6: All construction activities shall occur between the hours of 6:00 a.m. and 6:00 p.m. during the months of June through September and between the hours of 7:00 a.m. and 6:00 p.m. during the months of October through May. Saturday construction shall be permitted between the hours of 7:00 a.m. and 6:00 p.m. Sunday construction shall be prohibited. Exceptions to these standards may be granted only by the City building official and/or the City Council.

L-7: Any mass grading activity within 200 feet of a sensitive receptor shall require the installation of a temporary noise attenuation fence.

Do to the addition of these mitigation measures, Mitigation Measure L-4 on page IV.L-32 has been renumbered as L-8.

IV.O TRANSPORTATION/TRAFFIC

During preparation of the Final EIR and the Findings for the Project, a clerical error was noted that does not change the analysis in the Draft EIR or impact conclusion. The following impact statement has been added to page IV.O-58, after "PROJECT IMPACTS" to match the format of the other sections (staff-initiated text change):

> ***Impact IV.O-1: With implementation of mitigation, the Project would conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit, and impacts would be significant and unavoidable.***

During preparation of the Final EIR and the Findings for the Project, a clerical error was noted that does not change the analysis in the Draft EIR or impact conclusion. The title of Table IV.O-14 on page IV.O-91 has been revised as follows (staff-initiated text change):

> Intersection Analysis for Near-Term (2015) ~~Without Project~~ Conditions

IV.P UTILITIES AND SERVICE SYSTEMS

The impact statement on page IV.P-4 has been revised as follows (staff-initiated text change):

> ***Impact IV.P-~~2~~1 and Impact IV.P-~~3~~2: The Project would not require the construction or expansion of new wastewater treatment facilities, nor would the Project cause the wastewater treatment provider to exceed its capacity, and impacts would be less than significant.***

The impact statement on page IV.P-17 has been revised as follows (staff-initiated text change):

> ***Impact IV.P-~~4~~3: The Project would not require the construction of new water treatment facilities or the expansion of existing facilities, and impacts would be less than significant.***

The impact statement on page IV.P-18 has been revised as follows (staff-initiated text change):

Impact IV.P-~~5~~4: There would be sufficient water supplies to serve the Project, and as such, impacts would be less than significant.

The impact statement on page IV.P-31 has been revised as follows (staff-initiated text change):

Impact IV.P-~~6~~5: The Project would be served by landfills with sufficient permitted capacity to accommodate the project's solid waste disposal needs, and no significant impacts would occur.

For purposes of clarification, PDF P-1 on Table I-1 on page I-32 has been revised as follows (staff-initiated text change):

P-1. The construction contractor shall only contract for waste disposal services with a company that recycles demolition and construction-related wastes. The contract specifying recycled waste service shall be presented to the Building and Safety ~~Department~~Division prior to approval of Certificate of Occupancy.

The first sentence of the second paragraph on page IV.P-35 in has been removed from the Draft EIR as follows (Response to Comment SCE-1):

~~Per the City's General Plan, SCE also recognizes that high voltage overhead lines are generally considered to have negative visual impacts; therefore, SCE participates with efforts to underground regular overhead utility lines.~~

IV.O TRANSPORTATION/TRAFFIC

The first sentence of the second paragraph on page IV.O-148 has been revised as follows (staff-initiated text change):

As shown on Table IV.O-22, with implementation of Mitigation Measures O-1 and O-2 and the roadway improvements listed for Project-specific impacts, Project impacts related to intersection LOS would be less than significant.

The first sentence of the third paragraph on page IV.O-148 has been revised as follows (staff-initiated text change):

As shown on Table IV.O-23, with implementation of Mitigation Measures O-1, O-2, and O-3 and the roadway improvements listed for Project-specific impacts, Project impacts related to intersection LOS would be less than significant.

V. MITIGATION MONITORING AND REPORTING PLAN

A. INTRODUCTION

Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a "reporting or 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" (Mitigation Monitoring Program, Section 15097 of the CEQA Guidelines provides additional direction on mitigation monitoring or reporting). The City of Hemet (the "City") is the Lead Agency for the Ramona Specific Plan.

An Environmental Impact Report has been prepared to address the potential environmental impacts of the Project. Where appropriate, this environmental document identified Project design features or recommended mitigation measures to avoid or to reduce potentially significant environmental impacts of the Project. This Mitigation Monitoring and Reporting Plan (MMRP) is designed to monitor implementation of the mitigation measures identified for the Project (refer to the MMRP table on the following pages). The MMRP is subject to review and approval by the Lead Agency as part of the certification of the EIR and adoption of project conditions. The required mitigation measures are listed and categorized by impact area, as identified in the Draft EIR and Final EIR, with an accompanying identification of the following:

- Monitoring Phase, the phase of the project during which the mitigation measure shall be monitored;
    - Pre-Construction, including the design phase
    - Construction
    - Pre-Occupancy (prior to issuance of a Certificate of Occupancy)
    - Occupancy (post-construction)
- Enforcement Agency, the agency with the power to enforce the mitigation measure; and
- Monitoring Agency, the agency to which reports including feasibility, compliance, implementation, and development are made.

The Project Applicant shall be responsible for implementing all mitigation measures unless otherwise noted.

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
IV.B Aesthetics				
Mitigation Measure B-1: Light and Glare Prior to the approval of a Street Improvement Plan for residential or commercial development, the Project applicant shall submit a street lighting plan for review and approval by the Department of Public Works. The plan shall include the amount, location, height, and intensity of street lighting limited to the minimum necessary for public safety in order to reduce potential for light and glare and incidental spillover into adjacent properties and/or roadways.	Prior to the approval of a Street Improvement Plan	City of Hemet - Engineering Division		
IV.D Air Quality				
Mitigation Measure D-1: Regional Construction Emissions During any grading activities, all heavy-duty diesel equipment (≥ 100 horsepower) shall be CARB Tier 3 Certified or better.	On-going through any construction phase	City of Hemet – Engineering Division		
Mitigation Measure D-2: Regional Construction Emissions Only Zero-Volatile Compounds paints (no more than 100 gram/liter of VOC) and/or High-Pressure Low-Volume applications consistent with SCAQMD Rule 1113 shall be used.	On-going through any construction phase	City of Hemet – Engineering Division		
Mitigation Measure D-3: Localized Construction Emissions During any construction activities, active heavy-duty construction equipment shall be located at least 100 feet away from sensitive receptors (including on-site and off-site residences and schools).	On-going through any construction phase	City of Hemet – Engineering Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
Mitigation Measure D-4: Localized Construction Emissions Water or a stabilizing agent shall be applied to exposed surfaces at least three times per day to prevent generation of dust plumes.	On-going through any construction phase	City of Hemet – Engineering Division		
Mitigation Measure D-5: Localized Construction Emissions The construction contractor shall utilize at least one of the following measures at each vehicle egress from the project site to a paved public road: • Install a pad consisting of washed gravel maintained in clean condition to a depth of at least six inches and extending at least 30 feet wide and at least 50 feet long; • Pave the surface extending at least 100 feet and at least 20 feet wide; • Utilize a wheel shaker/wheel spreading device consisting of raised dividers at least 24 feet long and 10 feet wide to remove bulk material from tires and vehicle undercarriages; or • Install a wheel washing system to remove bulk material from tires and vehicle undercarriages.	On-going through any construction phase	City of Hemet – Engineering Division		
Mitigation Measure D-6: Localized Construction Emissions All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).	On-going through any construction phase	City of Hemet – Engineering Division		
Mitigation Measure D-7: Localized Construction Emissions Construction activity on unpaved surfaces shall be suspended when wind speed exceed 25 miles per hour (such as instantaneous gusts).	On-going through any construction phase	City of Hemet – Engineering Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
Mitigation Measure D-8: Localized Construction Emissions Ground cover in disturbed areas shall be replaced as quickly as possible.	On-going through any construction phase	City of Hemet – Engineering Division		
Mitigation Measure D-9: Localized Construction Emissions Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).	On-going through any construction phase	City of Hemet – Engineering Division		
Mitigation Measure D-10: Localized Construction Emissions Traffic speeds on all unpaved roads to be reduced to 15 mph or less.	On-going through any construction phase	City of Hemet – Engineering Division		
Mitigation Measure D-11: Localized Construction Emissions Sweep streets at the end of the day if visible soil is carried onto adjacent public paved roads. If feasible, use water sweepers with reclaimed water.	On-going through any construction phase	City of Hemet – Engineering Division		
Mitigation Measure D-12: Localized Construction Emissions Heavy-duty equipment operations shall be suspended during first and second stage smog alerts.	On-going through any construction phase	City of Hemet – Engineering Division		
Mitigation Measure D-13: Localized Construction Emissions Equipment and vehicle engines shall be maintained in good condition and in proper tune per manufacturers' specifications.	On-going through any construction phase	City of Hemet – Engineering Division		
Mitigation Measure D-14: Localized Construction Emissions All diesel-powered off-road construction equipment greater than 50 horsepower shall meet USEPA Tier 4 or higher emissions standards. In	On-going through any construction phase	City of Hemet – Engineering Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
addition, all construction equipment shall be outfitted with best available control technology (BACT) devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a CARB-defined Level 3 diesel emissions control strategy for a similarly sized engine.				
Mitigation Measure D-15: Localized Construction Emissions All diesel-powered construction equipment shall use CARB Level 2 or higher diesel particulate filters.	On-going through any construction phase	City of Hemet – Engineering Division		
Mitigation Measure D-16: Localized Construction Emissions Electricity shall be utilized from power supply sources rather than temporary gasoline or diesel power generators, as feasible.		City of Hemet – Engineering Division/Building & Safety Division		
Mitigation Measure D-17: Localized Construction Emissions Heavy-duty trucks shall be prohibited from idling in excess of five minutes, both on- and off-site.	On-going through any construction phase	City of Hemet – Engineering Division/Building & Safety Division		
Mitigation Measure D-18: **4.3.1 Building Materials** • Architectural paints and coatings shall comply with VOC limits identified in the CalGreen Code (required). • Prefinished building materials that do not require additional paining or staining should be utilized when possible as discussed in SectionA4.405, Material Sources, of the CalGreen Code (suggested). • Insulation with at least 75 percent recycled content on the aggregate, such as cellulose, newspaper, or recycled cotton (suggested).	On-going through any construction phase	City of Hemet – Building & Safety Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
Mitigation Measure D-19: **4.3.2. Indoor/Outdoor Air Quality** • Outdoor electrical outlets for electric outdoor equipment. • Pre-wiring electric vehicle plug-in stations as part of surface or indoor parking lot. • Flooring and insulation products that are low emitters of volatile organic compounds (VOC) and formaldehyde (required). • Low- and zero- VOC paints, finishes, adhesives, caulks, and other substances to improve indoor air quality and avoid harmful health effects of off-gassing (required. • Natural gas fireplaces to minimize smoke and pollutants from wood burning fireplaces (e.g. CO, NO and VOCs)(required). • Construction equipment shall be properly maintained and serviced to minimize construction related exhaust emissions (required). • Smoking shall be prohibited in nonresidential buildings and within 25 feet of nonresidential building entries, outdoor air intakes, and operable windows per Section 5.504, Pollution Control, of the CalGreen Code (required).	On-going prior to issuance of certificate of occupancy.	City Hemet, Building and Safety Division		
IV.E Biological Resources				
Mitigation Measure E-1: Multiple Species Habitat Conservation Plan The Project applicant shall pay the MSHCP Local Development Mitigation fees as established and implemented by the City of Hemet.	Prior to issuance of grading permit	City of Hemet – Building & Safety Division		
Mitigation Measure E-2: Stephens' Kangaroo Rat The Project site falls within the Stephens' Kangaroo Rat (SKR) fee area outlined in the Riverside County SKR HCP. The Project applicant shall pay the fees pursuant to County Ordinance 663.10 for the Riverside County SKR HCP Fee Assessment Area as established and implemented by the	Prior to issuance of grading permit	City of Hemet – Building & Safety Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
County.				
Mitigation Measure E-3: Burrowing Owl A 30-day burrowing owl preconstruction survey shall be conducted immediately prior to the initiation of ground-disturbing construction to ensure protection for this species and compliance with the conservation goals as outlined in the MSHCP. The survey will be conducted in compliance with both MSHCP and CDFW guidelines (MSHCP 2006, CDFW 2012). A report of the findings prepared by a qualified biologist shall be submitted to the City of Hemet prior to any permit or approval for ground disturbing activities. If burrowing owls are detected on-site during the 30-day preconstruction survey, during the breeding season (February 1 to August 31), then construction activities shall be limited to beyond 300 feet of the active burrows until a qualified biologist has confirmed that nesting efforts are compete or not initiated. In addition to monitoring breeding activity, if construction would occur during the breeding season and/or if active relocation is proposed, a burrowing owl mitigation plan shall be developed based on the County of Riverside Environmental Programs Division, CDFW and USFWS requirements for the active relocation of individuals to the Lake Mathews Preserve.	On-going prior to issuance of grading permit	City of Hemet – Planning Division/Building & Safety Division		
Mitigation Measure E-4: Migratory Bird Treaty Act Mitigation for potential direct/indirect impacts to common and MSHCP covered sensitive passerine and raptor species will require compliance with the federal MBTA. Construction outside the nesting season (between September 16th and January 31st) does not require pre-removal nesting bird surveys. If construction is proposed between February 1st and September	On-going prior to issuance of grading permit	City of Hemet – Planning Division/Engineering Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
15th,, a qualified biologist must conduct a nesting bird survey(s) no more than fourteen days prior to initiation of grading to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the Project site. The survey(s) would focus on identifying any raptors and/or passerines nests that would be directly or indirectly affected by construction activities. If active nests are documented, species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. At a minimum, grading in the vicinity of a nest shall be deterred until the young birds have fledged. A minimum exclusion buffer of 100 feet shall be maintained during construction, depending on the species and location. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area. A survey report by a qualified biologist verifying that no active nests are present, or that the young have fledged, shall be submitted to the City of Hemet prior to initiation of grading in the nest-setback zone. The qualified biologist shall serve as a construction monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur. A report of the findings prepared by a qualified biologist shall be submitted to the City of Hemet prior to construction that has the potential to disturb any active nests during the nesting season. Any nest permanently vacated for the season would not warrant protection pursuant to the MBTA.				
Mitigation Measure E-5: Riparian/Riverine/Vernal Pool Resources To meet the criteria of a biologically equivalent or superior alternative, the applicant shall offset impacts to 0.45 acre of vernal pools and 0.59 acre of	Prior to the issuance of grading permits	City of Hemet – Planning Division/Engineering Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
agricultural ditches by preserving a minimum of 2.08 acre of vernal pool habitat within Criteria Cell 3684 Cell Group D (APN 465-020-030, Hemet Marketplace) as directed by the RCA, USFWS, CDFW, USACE, and RWQCB. The 2.08 acres of mitigation lands (2:1 ratio) shall be identified, preserved and conveyed in fee title, or by conservation easement, to the RCA. The proposed mitigation study area within which 2.08 acres will be preserved is located south of Florida Avenue and west of Warren Road in the City of Hemet, California, as illustrated in Figure IV.E-7, Proposed Off-site Mitigation Preservation Study Area. Specifically, the study area is located within the MSHCP San Jacinto Valley Area Plan, Subunit 4: Hemet Vernal Pool Areas East in Cell 3584. In addition to preserving lands southwest of the Project site, the Project proponent shall also provide design elements that will contribute to the Regional Drainage Plan. Specifically, the Project shall safely convey the region-wide peak flows (the maximum flow rate associated with a 100-year storm event), as well as the increased surface flows that will result from the development of the site, from the intersection of Myers Street and Devonshire Road to the intersection of Warren Road and Florida Avenue. The watershed runoff shall be discharged into an existing channel system along Warren Road, which then extends south of Florida Avenue and recharges the vernal pool system. Runoff patterns shall be recreated to mimic pre-development conditions.				
Mitigation Measure E-6: CDFW/RWQCB Prior to issuance of a grading permit, the Project applicant shall obtain a 1602 SAA from CDFW and a WDR permit issued by the RWQCB pursuant to the California Water Code Section 13260. At a minimum, the Project Applicant shall comply with Mitigation Measure E-5 to mitigate its	Prior to issuance of a grading permit	California Department of Fish and Wildlife Regional Water Quality Control Board City of Hemet – Planning		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
impacts to CDFW/RWWCB resources, and shall otherwise comply with the applicable permit conditions of the 1602 SAA and WDR permit.		Division/Engineering Division		
Mitigation Measure E-7: Indirect Impacts Final Project design shall be developed to ensure that best management practices incorporated into the Project address and minimize edge effects associated with the Urban/Wildlands Interface of open space lands proposed within the southwest region of the property (vernal pool – alkaline complex), including the maintenance and conveyance of season clean water flows through the Project site to the MSHCP Criteria Area where alkali vernal plain habitat is located west and southwest of the property (Noncontiguous Habitat Block 7).	On-going during project design review	City of Hemet – Planning Division/Engineering Division		
IV.F Cultural Resources				
Mitigation Measure F-1: Archaeological Resources Prior to the beginning of Project construction, the Project Developer(s) shall retain a City of Hemet-approved archaeological monitor to monitor all ground-disturbing activities, including off-site grading, 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 appropriate local Soboba Band or Pechanga Tribe.	Prior to issuance of a grading permit	City of Hemet – Planning Division/Engineering Division Appropriate Tribe or Band		
Mitigation Measure F-2: Archaeological Resources At least 30 days prior to beginning Project construction, the Project Developer(s) shall contact the appropriate local Soboba Band or Pechanga Tribe to notify them of grading, excavation, and the monitoring program, and to coordinate with the City and the Soboba Band or Pechanga Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of Soboba Band or Pechanga	Prior to issuance of a grading permit	City of Hemet – Planning Division/Engineering Division Appropriate Tribe or Band		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
Tribe monitors during on-site and off-site grading, excavation, and ground disturbing activities; Project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.				
Mitigation Measure F-3: Archaeological Resources Prior to beginning Project construction, the Project archaeologist shall file a pre-grading report with the City (if required) to document the proposed methodology for grading activity observation. 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 F-1, the archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the appropriate local Soboba Band or Pechanga Tribe in order to evaluate the significance of any archaeological resources discovered on the property. Soboba Band or Pechanga Tribe monitors shall be allowed to monitor all on-site and off-site grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the Project archaeologist. The archaeologist shall also be responsible for a post-grading monitoring report to be submitted to the City, the Project Developer(s), the Eastern Information Center, and the Pechanga Tribe and the Soboba Band of Luiseno Indians no later than 45 days after completion of all monitoring activities.	Prior to issuance of a grading permit	City of Hemet – Engineering Division Appropriate Tribe or Band		
Mitigation Measure F-4: Archaeological Resources The landowner(s) shall relinquish ownership of all cultural objects, including sacred items, burial goods, and all archaeological artifacts that are found on the Project area to the appropriate local Soboba Band or Pechanga Tribe for proper treatment and disposition as outlined in the	On-going during any construction	City of Hemet – Planning Division/Engineering Division Appropriate Tribe or Band		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
Treatment and Monitoring Agreement required in Mitigation Measure F-2.				
Mitigation Measure F-5: Archaeological Resources All sacred sites, should they be encountered within the Project area, shall be avoided and preserved as the preferred mitigation, if feasible.	On-going during any construction	City of Hemet – Planning Division/Engineering Division Appropriate Tribe or Band		
Mitigation Measure F-6: Archaeological Resources If inadvertent discoveries of subsurface archaeological resources are discovered during grading, the Project Developer(s), the Project archaeologist, and the appropriate local Soboba Band or Pechanga Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Project Developer(s) and the Soboba Band or Pechanga Tribe cannot agree on the significance or the mitigation for such resources, these issues shall be presented to the City's Community Development Director for decision. The City shall make the determination based on the provisions of CEQA and with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Soboba Band or Pechanga Tribe.	On-going during any construction	City of Hemet – Engineering Division Appropriate Tribe or Band		
Mitigation Measure F-7: Paleontological Prior to the issuance of grading permits, the developer shall retain a qualified paleontologist to develop a Paleontologic Resource Impact Mitigation Program (PRIMP) for the excavation phase of the proposed Project. The PRIMP shall conform to the guidelines of the County of Riverside and the Society of Vertebrate Paleontology. It shall include the following steps. • A trained paleontological monitor shall be present during ground-disturbing activities within the Project area in sediments determined likely to contain paleontological resources. The monitor shall be empowered to temporarily halt or redirect	On-going prior to issuance of grading permit	City of Hemet – Engineering Division and paleontologist		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
construction activities to ensure avoidance of adverse impacts to paleontological resources. The monitor shall be equipped to rapidly remove any large fossil specimens encountered during excavation. During monitoring, samples shall be collected and processed to recover microvertebrate fossils. Processing shall include wet screen washing and microscopic evaluation of the residual materials to identify small vertebrate remains. • Upon encountering a large deposit of bone, salvage of all bone in the area shall be conducted with additional field staff in accordance with modern paleontological techniques. • All fossils collected during the proposed Project shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of all material collected and identified shall be provided to the museum repository along with the specimens. • A report documenting the results of the monitoring and salvage activities and the significance of the fossils shall be prepared. • All fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a museum repository for permanent curation and storage.				
Mitigation Measure F-8: Human Remains If human remains are discovered at the Project site during construction, work at the specific construction site at which the remains have been uncovered shall be suspended, and the City Public Works Department and County coroner staff shall be immediately notified. If the remains are determined by the County coroner to be Native American, the NAHC shall be notified within 24 hours, and the guidelines of the NAHC shall be	On-going during any construction	City of Hemet – Engineering Division NAHC		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
adhered to in the treatment and disposition of the remains.				
IV.G Geology and Soils				
Mitigation Measure G-1: Expansive Soils Prior to the issuance of grading permits, a detailed geotechnical investigation report shall be submitted with engineered grading plans to further evaluate expansive soils, and provide site-specific recommendations to mitigate (e.g., removal and replacement of near surface soils with engineered fill) potential hazards as a result of expansive soils in accordance with the criteria and seismic design parameters of the UBC, CBC, and the SEAOC. The geotechnical report shall be prepared and signed/stamped by a Registered Civil Engineer specializing in geotechnical engineering and a Certified Engineering Geologist. Geotechnical rough grading plan review reports shall be prepared in accordance with the City of Hemet Grading Ordinance.	On-going prior to issuance of grading permit	City of Hemet - Building & Safety Division		
IV.I Hazards and Hazardous Materials				
Mitigation Measure I-1: Airport Safety Prior to approval of building permits, the applicant shall record Aviation Easements covering the entire parcel proposed for development to the County of Riverside as owner-operator of Hemet-Ryan Airport. (Contact the Riverside County Economic Development Agency – Aviation Division for further information.)	On-going prior to issuance of building permit	County of Riverside – Airport Land Use Commission City of Hemet – Planning Division		
Mitigation Measure I-2: Airport Safety Any outdoor lighting installed shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky.	On-going prior to issuance of building permit	City of Hemet – Planning Division/Building & Safety Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
Mitigation Measure I-3: Airport Safety The following uses shall be prohibited: a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator. b. Any use which could cause sunlight to be reflected towards and aircraft engaged in an initial straight climb following takeoff or towards and aircraft engaged in a straight final approach towards a landing at an airport. c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.	On-going prior to issuance of building permit	City of Hemet – Planning Division/Building & Safety Division		
Mitigation Measure I-4: Airport Safety The following notice shall be given to all initial prospective buyers by the applicant or their successors in interest: Notice of Airport in Vicinity: This property is presently located in the vicinity of an airport, within what is know as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and	On-going prior to issuance of grading permit	City of Hemet – Planning Division/Building & Safety Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
determine whether they are acceptable to you. Business and Professions Code 11010 12(A).				
Mitigation Measure I-5: Wildland Fires Prior to issuance of a building permit, the applicants of any development north of Devonshire Avenue shall coordinate with the Hemet Fire Department or any other agency providing fire protection services to the City for review and approval of site plans and shall incorporate all appropriate recommendations into the design and construction of the development.	On-going prior to issuance of building permit	City of Hemet - Fire Department		
IV.L Noise				
Mitigation Measure L-1: Construction Noise During all Project site construction, the 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.	On-going during all construction	City of Hemet, Building & Safety Division		
Mitigation Measure L-2: Construction Noise The construction contractor shall locate equipment staging in areas that would create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the Project site during all Project construction.	On-going during all construction	City of Hemet - Building & Safety Division		
Mitigation Measure L-3: Construction Noise The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. Haul routes shall not pass	On-going during all construction	City of Hemet - Building & Safety Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
sensitive land uses or residential dwellings.				
Mitigation Measure L-4: Construction Noise Prior to any construction activities, the Project Developer shall notify all land uses in the vicinity of the construction site of the construction schedule.	On-going during all construction	City of Hemet - Building & Safety Division/Planning Division		
Mitigation Measure L-5: Construction Noise Prior to any construction activities, the contact name and number of the Project contractor or County staff to receive noise complaints shall be posted in a location readily visible to off-site land uses.	On-going during all construction	City of Hemet - Building & Safety Division		
Mitigation Measure L-6: Construction Noise All construction activities shall occur between the hours of 6:00 a.m. and 6:00 p.m. during the months of June through September and between the hours of 7:00 a.m. and 6:00 p.m. during the months of October through May. Saturday construction shall be permitted between the hours of 7:00 a.m. and 6:00 p.m. Sunday construction shall be prohibited. Exceptions to these standards may be granted only by the City building official and/or the City Council.	On-going during all construction	City of Hemet - Building & Safety Division		
Mitigation Measure L-7: Construction Noise Any mass grading activity within 200 feet of a sensitive receptor shall require the installation of a temporary noise attenuation fence.	On-going during all construction	City of Hemet - Building & Safety Division		
Mitigation Measure L-8: On-Site Traffic Noise To satisfy the City of Hemet's 65 dBA CNEL exterior noise level standard for noise-sensitive residential land uses, a 6.0-foot high noise barrier shall be constructed at the following locations within the Project site:	On-going prior to issuance of building permit	City of Hemet - Building & Safety Division/Planning Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
• Lots facing Warren Road, north of Florida Avenue, in Planning Area 5. • Lots facing Myers Street, between Driveway 10 and Florida Avenue, in Planning Area 3. • Lots facing Devonshire Avenue, between Old Warren Road and Driveway 3, in Planning Areas 8 and 9. • Lots facing Devonshire Avenue between Driveway 3 and Driveway 6, in Planning Areas 7 and 9. • Lots facing Devonshire Avenue, between Driveway 6 and Myers Street, in Planning Area 10. The noise barrier must weigh at least 4.0 pounds per square foot of face area and have no decorative cutouts or line-of-sight openings between shielded areas and the roadways. The noise 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 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.				
IV.N Public Services				

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
Mitigation Measure N-1: Fire Protection Services To maintain response times, availability, and overall level of fire protection service, the Project shall (a) form or participate in a Public Safety CFD in accordance with City Council Resolution 3821, and (b) pay DIF and/or construct and/or fund the required fire service improvements to and obtain DIF credit, in accordance with City Council Resolution 3981.	Prior to recordation of first final map	City of Hemet – Planning Division		
Mitigation Measure N-2: Police Protection Services To maintain response times, availability, and overall level of police service, the Project shall (a) form or participate in a Public Safety CFD in accordance with City Council Resolution 3821, and (b) pay DIF and/or construct and/or fund the required police service improvements to and obtain DIF credit, in accordance with City Council Resolution 3981.	Prior to recordation of first final map	City of Hemet – Planning Division		
IV.O Transportation/Traffic				
Mitigation Measure O-1: Intersection and Roadway Segment LOS Improvements for Project-Specific Impacts. The two intersection improvements listed below shall be fully constructed or guaranteed for construction by the master developer or a developer for an individual development project within the Specific Plan Area, in accordance with the thresholds listed below. During the review process for each individual development project within the Specific Plan, the developer shall have a qualified traffic engineer calculate the portion of the total Specific Plan peak-hour traffic trips associated with such development for the project impacted intersections noted below. Such analysis shall be based on the Ramona Creek Traffic Analysis (TIA) prepared by Urban Crossroads dated February 12, 2014 and included as Appendix IV.O of the Draft EIR and shall use the same methodology as the TIA (e.g. trip generation rates and distribution). All individual development projects within the Specific Plan	Prior to issuance of an certificate of occupancy per the phasing schedule of SP 12-001	City of Hemet – Engineering Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
Area shall contribute their fair-share towards the identified improvements prior to the issuance of the first building permit for the individual development project. The funds for these improvements shall be held in an account administered by the City and used to construct the facilities identified. The City shall enter into a fee credit and reimbursement agreement with the developer responsible for constructing the actual improvements. Intersection 9: Warren Road/Devonshire Avenue • Install a traffic signal • Construct a northbound left-turn lane • Construct a southbound left-turn lane • Construct an eastbound left-turn lane • Construct a westbound left-turn lane This improvement shall be constructed by the master developer, or developer for an individual development project within the Specific Plan Area, on or before the issuance of the building permit for the 718 equivalent dwelling unit (EDU) within the Specific Plan Area. Intersection 12: Warren Road/Auto Boulevard • Install a traffic signal This improvement shall be constructed by the master developer, or a developer for an individual development project within the Specific Plan Area, on or before the issuance of the building permit for the 1,193 EDU within the Specific Plan Area.				
Mitigation Measure O-2: Intersection and Roadway Segment LOS Improvements for Project Cumulative Contribution to Near-Term (2015) and General Plan Cumulative Buildout (2035) Impacts. The master	On-going prior to issuance of building permit	City of Hemet – Engineering Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
developer or a developer of an individual project within the Specific Plan Area shall participate in the funding of improvements to mitigate cumulative traffic conditions through the payment of City Development Impact Fees (DIF) and Transportation Uniform Mitigation Fees (TUMF) in the amount and at the time specified for each funding program. Refer to Table IV.O-20 for the list of improvements that are included in DIF and TUMF.				
Mitigation Measure O-3: Intersection and Roadway Segment LOS Improvements for Non-DIF or TUMF projects. To the extent that an identified traffic improvement is not included, or is only partially included, in either DIF and/or TUMF (refer to Table IV.O-20 for the list of improvements that are not included within DIF and TUMF), the master developer of a developer of an individual development project within the Specific Plan Area shall make a fair-share payment to the City in proportion to the individual project's applicable portion of the entire Specific Plan's percentage fair-share contribution for each identified, cumulatively impacted intersection toward the intersection improvements listed on Table IV.O-20, prior to issuance of a building permit for such individual development. During the review process for each individual development project within the Specific Plan Area, the developer shall have a qualified traffic engineer calculate the portion of the total peak-hour Specific Plan traffic trips associated with the individual project's contribution to cumulatively impacted intersections that are not included in DIF or TUMF. Such an assessment shall be conducted consistent with the Ramona Creek TIA prepared by Urban Crossroads dated February 12, 2014 and included as Appendix IV.O of the Draft EIR) and shall use the same methodology as the Ramona Creek TIA (e.g., trip generation rates, distribution, etc.) as contained therein. The fair-share payments shall be held in an account administered by the City and shall be used by the City	On-going prior to issuance of building permit	City of Hemet – Engineering Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
or third party to construct the identified traffic improvements, in order to achieve acceptable LOS for the intersections impacted by the project and other cumulative development.				
IV.P Utilities and Service Systems				
Mitigation Measure P-1: Solid Waste The construction contractor shall only contract for waste disposal services with a company that recycles demolition and construction-related wastes. The contract specifying recycled waste service shall be presented to the Building and Safety Division prior to approval of Certificate of Occupancy.	On-going during any construction On-going prior to approval of certificate of occupancy	City of Hemet, Building & Safety Division/Public Works Department City of Hemet – Public Works Department		
Mitigation Measure P-2: Solid Waste To facilitate on-site separation and recycling of construction-related wastes, the construction contractor should provide temporary separation bins onsite during demolition.	On-going during any construction	City of Hemet - Building & Safety Division/Public Works Department		
Mitigation Measure P-3: Solid Waste Trash service may be individual or centralized collection, as is appropriate for the design of each area of the Project.	On-going prior to issuance of certificate of occupancy	City of Hemet – Building & Safety Division/Public Works Department		
Mitigation Measure P-4: Solid Waste Individual collection is trash collection that is provided at each unit. Homes serviced using individual containers shall have a minimum of nine square feet of designated space for each container and the space to store two containers. The container storage space does not have to be contiguous or indoors. The approved floor plan must identify the container storage area.	On-going prior to issuance of certificate of occupancy	City of Hemet – Building & Safety/Public Works Department		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
Mitigation Measure P-5: Solid Waste Centralized collection areas provide common trash bins for projects without individual containers. Walking distance to a bin or compactor should be less than 250 feet from the door of the facility it serves. Unless a larger area is specifically required by the trash hauler based upon the proposed use, common refuse and recycling enclosures shall have a minimum interior dimension of ten square feet.	On-going prior to issuance of certificate of occupancy	City of Hemet – Building & Safety Division/Public Works Department		
Mitigation Measure P-6: Solid Waste Centralized trash collection areas shall be enclosed within a building or screened with masonry walls having a minimum height of six feet with self-latching gates. Access gates or doors to any trash area not enclosed within a building are to be of opaque material. Screening and enclosures shall be designed to be architecturally compatible with the building and landscape design in terms of material, color, shape, and size. Refuse and recycling receptacles shall be completely screened from public rights-of-way and parking areas through site orientation, enclosures, and/or landscaping, and shall be situated so as to eliminate noise and visual intrusion and eliminate fire hazards.	On-going prior to issuance of certificate of occupancy	City of Hemet – Building & Safety Division/Public Works Department		
Mitigation Measure P-7: Solid Waste The certified waste hauler contracted by the developer(s) shall implement a curbside recycling program within the proposed project. The contract shall also include provisions for separating lawn trimmings and other green waste for recycling. The responsibility for the waste hauler contract shall ultimately be transferred from the developer to the homeowner's association for residential areas or property owner for non-residential areas.	On-going prior to issuance of certificate of occupancy	City of Hemet – Building & Safety Division/Public Works Department		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
Mitigation Measure P-8: Solid Waste All commercial use shall be required to provide trash compactors for non-recyclable wastes. Each separate building in the Commercial Mixed-Use District shall provide one refuse bin and one recycling bin, or as required by trash provider.	On-going prior to issuance of certificate of occupancy	City of Hemet – Building & Safety Division/Public Works Department		
Mitigation Measure P-9: Solid Waste Prior to recordation of the first subdivision map on the property, a comprehensive waste-recycling program for the City shall be submitted and approved by the City's waste hauler.	On-going prior to issuance of certificate of occupancy	City of Hemet – Engineering Division/Public Works Department		

APPENDIX

APPENDIX A: COMMENT LETTERS

APPENDIX A

COMMENT LETTERS

AIRPORT LAND USE COMMISSION
(ALUC)

Ron Running

From: Guerin, John <JGUERIN@rctlma.org>
Sent: Thursday, May 01, 2014 6:08 PM
To: Deanna Elliano; Ron Running; Carole Kendrick
Subject: Notice of Availability - Ramona Creek Specific Plan and General Plan Amendment Draft Program EIR

Thank you for providing the Riverside County Airport Land Use Commission (ALUC) with a Notice of Availability for the Draft Program Environmental Impact Report for the above-referenced project (SCH#2013021051), which was received by this office on March 24, 2014. The Draft EIR analyzes the environmental impacts of the proposed adoption of General Plan Amendment No. 12-005, Specific Plan No. 12-001 (Ramona Creek Specific Plan), and Tentative Tract Map No. 36510. The project is located in Airport Area III of the Hemet-Ryan Airport Influence Area. As the project includes a Specific Plan and General Plan Amendment, ALUC review is mandatory. The project applicant submitted these cases for ALUC review on March 25, and the cases have been scheduled for hearing before ALUC on Thursday, May 8. A staff report has been prepared and is available online at www.rcaluc.org (click Agendas and go to 05 08 14). 1

CITY OF SAN JACINTO

Community Development Department
595 South San Jacinto Avenue
San Jacinto, CA 92583
(951) 487-7330
Fax (951) 654-3728

May 2, 2014

Ms. Deanna Elliano
Community Development Director
City of Hemet
445 East Florida Avenue
Hemet, CA 92543

Subject: Ramona Creek Specific Plan and Draft Program Environmental Impact Report

Dear Ms. Elliano:

Thank you for the opportunity to comment on the Ramona Creek Specific Plan and Environmental Impact Report (EIR), and Traffic Analysis.

The City is providing the following comments and requests for conditions of approval to be placed on the Specific Plan and related applications to address the impacts of the proposed development on City of San Jacinto streets.

The Traffic Analysis prepared by Urban Crossroads, references the use of Transportation Uniform Mitigation Fees (TUMF) and City of Hemet Development Impact Fees (DIF), for financing the construction of the regional and local infrastructure. This assumption to use fees is typical and commonly used by Traffic Engineers, as mitigation to the traffic impacts. Although TUMF and DIF are appropriate financing tools, they do not relieve traffic congestion and direct impacts to the surrounding roads, as completion of improvements would. The better scenario is for the developer(s) to build the offsite improvements and apply for TUMF and DIF credits. 1

Based on the City's review of the Ramona Creek Specific Plan, EIR, and Traffic Analysis, it has been determined that Warren Road in San Jacinto will serve as a major street to the project. Esplanade Avenue from Warren Road to Sanderson Avenue will also serve the project.

To address the traffic impacts created by the Ramona Creek Specific Plan, the City of San Jacinto requests the following conditions of approval be included:

> Improve Warren Road north to Cottonwood Avenue. These improvements shall include street widening and signalization at the intersection of Esplanade Avenue and Warren Road.
>
> Improve Esplanade Avenue from Warren Road east to Sanderson Avenue, and the south side of Esplanade east of Sanderson Avenue to the shopping center signal, and complete signal improvements that may be needed to the existing signal.

1
(Cont.)

If you have any questions or comments regarding this request, please contact me or City Engineer Habib Motlagh at (951) 487-7330.

Sincerely,

Mary E. Lanier, Planning Consultant

c: Tim Hults, City Manager
Habib Motlagh, City Engineer

HEMET UNIFIED SCHOOL DISTRICT
(HUSD)

Dr. Barry L. Kayrell
Superintendent

Dr. LaFaye Platter
Deputy Superintendent

Dr. David Horton
Assistant Superintendent

Vince Christakos
Assistant Superintendent

Professional Development Service Center
1791 W. Acacia Avenue
Hemet, CA 92545
(951) 765-5100
Fax: (951) 765-5115

Professional Development Academy
2085 W. Acacia Avenue
Hemet, CA 92545
(951) 765-5100
Fax: (951) 765-6421

www.hemetusd.k12.ca.us

Governing Board
Paul Bakkom
Dr. Lisa DeForest
Marilyn Forst
Vic Scavarda
James Smith
Ross Valenzuela
Joe Wojcik

May 5, 2014

Ms. Deanna Elliano
Community Development Director
City of Hemet
445 E Florida Avenue
Hemet, CA 92543

Re: Ramona Creek Specific Plan SP 12-001, General Plan Amendment GPA 12-005, Tentative Tract Map 36510 and Draft Environmental Impact Report

Dear Ms. Elliano:

The Hemet Unified School District ("District" or "HUSD"), is in receipt of the City of Hemet's ("City") transmittal and supporting documentation for the Specific Plan SP 12-001, General Plan Amendment GPA 12-005, Tentative Tract Map 36510 and Draft Environmental Impact Report ("DEIR") for Ramona Creek ("Ramona Creek" or "Project"), dated April 21, 2014. Ramona Creek is located at the northwest corner of Florida Avenue and Meyers Street on approximately 200 acres. The Project proposes a Commercial Mixed Use District, Village Residential District, Medium Density Residential District, Low Medium Density Residential District and an Open Space District. Up to 1,077 dwelling units of varying types and densities are allowed, some of which may or may not become senior-restricted.

Also proposed are the Mixed Use Overlay and School Overlay, to allow developers to respond to market conditions and the ability to provide flexibility within the Project. The School Overlay allows for the construction of a 12 acre elementary school in the northeast portion of the Project, within Planning Area 10. HUSD is pleased that Regent Properties has included an option for a 12 acre elementary school site within the Project, and that the option with the school site is the primary Project in the DEIR. 1

HUSD has attended several Development Review Committee meetings with the City and Regent Properties, in addition to having submitted written comments on November 28, 2012 regarding the Project. To date, all of HUSD's concerns regarding Ramona Creek have been addressed. In addition, the many goals and policies developed in the Ramona Creek Specific Plan and DEIR relating to school facilities will benefit both HUSD and the City.

Regent Properties proposes to mitigate its impact from the Project on HUSD by the payment of standard School Fees. Currently, HUSD charges a Level 2 School Fee of $4.00/sq ft for residential construction and a Level 1 School Fee of $0.51/sq ft for commercial/industrial and senior residential

construction. On June 23, 2014 the Level 1 School Fee for commercial/industrial and senior residential construction will increase to $0.54/sq ft.

HUSD applauds Regent Properties and the City for this well-planned project and believes that Ramona Creek will become an asset to the community. If you have any questions or comments please contact me at (951) 765-5100 x5465 or jbridwell@hemetusd.k12.ca.us. 1 (cont.)

Sincerely,

Jesse Bridwell
Facilities Planner

PECHANGA

Chairperson:
Mary Bear Magee

Vice Chairperson:
Darlene Miranda

Committee Members:
Evie Gerber
Bridgett Barcello Maxwell
Richard B. Scearce, III
Germaine Arenas

Director:
Gary DuBois

Coordinator:
Paul Macarro

Cultural Analyst:
Anna Hoover

PECHANGA CULTURAL RESOURCES
Temecula Band of Luiseño Mission Indians

Post Office. Box 2183 • Temecula, CA 92593
Telephone (951) 308-9295 • Fax (951) 506-9491

May 5, 2014

VIA E-Mail and USPS

Ms. Deanna Elliano
Community Development Director
City of Hemet Community Development
445 E. Florida Avenue
Hemet, CA 92543

Re: Pechanga Tribe Comments on the Draft Program Environmental Impact Report for the Ramona Creek Specific Plan and General Plan Amendment (SCH No. 2013021051)

Dear Ms. Elliano;

This comment letter is submitted by the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government, in response to receipt of the March 2014 Draft Program Environmental Impact Report (DPEIR) for the above named project.

The Tribe is in agreement with the proposed mitigation measures for cultural resources as presented in the document for this Project and request that they be incorporated into the final DPEIR and added as conditions of approval for the Project. Hemet is a culturally significant area and the Tribe appreciates the opportunity to preserve and protect the sensitive Luiseño cultural resources in the area.

Based upon the information provided to the Tribe, there are no known cultural resources located within the Project boundaries. However, we know that, contrary to the information provided in the archaeological study, there are two villages located to the north and west of this Project. Nevertheless, we know that the sensitivity of this Project lies with the potential to impact subsurface, unknown cultural resources during earthmoving activities. At this time, the Tribe thanks the City of Hemet for working closely with us to develop appropriate and adequate mitigation measures. These are identified in the DPEIR as F-1 to F-6 & F-8 and have been copied below for reference. We request that these measures/conditions of approval, with the requested changes, be incorporated into the final DPEIR and any other final environmental documents approved by the County. 1

F-1: Prior to beginning project construction, the Project Developer(s) shall retain an City of Hemet-approved archaeological monitor to monitor all ground-disturbing activities, including off-site grading, 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 appropriate local Tribe or Band, in accordance with the Treatment and Monitoring Agreement required in Mitigation Measure F-2.

F-2: At least 30 days prior to beginning project construction, the Project Developer(s) shall contact the appropriate local Tribe or Band to notify them of grading, excavation, and the monitoring program, and to coordinate with the City and the Tribe or Band to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of Native American Tribal or Band monitors during on-site and off-site grading, excavation, and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

F-3: Prior to beginning project construction, the project archaeologist shall file a pre-grading report with the City (if required) to document the proposed methodology for grading activity observation. 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 F-2, the archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the appropriate local Tribe or Band in order to evaluate the significance of any archaeological resources discovered on the property. Tribal or Band monitors shall be allowed to monitor all on-site and off-site grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist. The archaeologist shall also be responsible for a post-grading monitoring report to be submitted to the City, the Project Developer(s), the Eastern Information Center, and the Pechanga Tribe ~~or~~ and the Soboba Band of Luiseno Indians no later than 45 days after completion of all monitoring activities.

1
(Cont.)

F-4: The landowner(s) 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 appropriate local Tribe or Band for proper treatment and disposition as outlined in the Treatment and Monitoring Agreement required in Mitigation Measure F-2.

F-5: All sacred sites, should they be encountered within the Project area, shall be treated in accordance with the Treatment and Monitoring agreement required in Mitigation Measure F-2.

F-6: If inadvertent discoveries of subsurface archaeological resources are discovered during grading, the Project Developer(s), the project archaeologist, and the appropriate local Tribe or Band shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Project Developer(s) and the Tribe or Band cannot agree on the significance or the mitigation for such resources, these issues shall be presented to the City's Community Development Director for decision. The City shall make the determination based on the provisions of CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Tribe or Band.

F-7: Not applicable

F-8: If human remains are discovered at the Project site during construction, work at the specific construction site at which the remains have been uncovered shall be suspended, and the City Public Works Department and County coroner shall be immediately notified. If the remains are determined by the County coroner to be Native American, the NAHC shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains.

1
(Cont.)

The Pechanga Tribe looks forward to continuing to work together with the City of Hemet in protecting the invaluable Pechanga cultural resources found in the City. Please contact me at 951-770-8104 if you have any questions or comments.

Sincerely,

Anna M. Hoover
Cultural Analyst

cc: Pechanga Office of the General Counsel

RIVERSIDE COUNTY FLOOD CONTROL
(RCFC)

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org
160206
SKM·bad

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

City of Hemet
Planning Department
445 E. Florida Avenue
Hemet, California 92543

Attention: Deanna Elliano

Ladies and Gentlemen:

Re: DEIR for Ramona Creek (SP12-001), GPA12-005

The District does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check city land use cases, or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District has not reviewed the proposed project in detail and the following checked comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety or any other such issue:

____ No comment.

____ This project would not be impacted by District Master Drainage Plan facilities nor are other facilities of regional interest proposed.

√ This project involves District Master Plan facilities. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.

____ This project proposes channels, storm drains 36 inches or larger in diameter, or other facilities that could be considered regional in nature. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection and administrative fees will be required.

√ This project is located within the limits of the District's Salt Creek Channel-Winchester/North Hemet/Hemet Regional Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

____ An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities. For further information, contact the District's encroachment permit section at 951.955.1266.

1

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation, or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped flood plain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

If a natural watercourse or mapped flood plain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

Attachment: Map

HENRY OLIVO
Engineering Project Manager

Date: 4/4/2014

c: Riverside County Planning Department
Attn: Kristi Lovelady

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APR 16 2014
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MIRA DR
VISTA RIO DR
NAVY CANYON DR
W MENLO AVE
BLUE CANYON RD
QUINTA DR
PARKSIDE DR
WARREN RD
CELESTE RD
MONTEROCT
ROSE RD
DEVONSHIRE RETENTION BASIN
WEST MDP LINE "D"
SANDTRAP PL
W DEVONSHIRE AVE
SHETLAND ST
WEST HEMET MDP LINE "A"
APPALOOSA DR
HANOVERIAN DR
Salt Creek Channel - Winchester/North Hemet
Hemet Regional
MYERS ST
N WARREN RD
FLORIDA AVE
CARRIAGE CIR
AUTO BLVD
WINTER RD
CYPRESS RD
WEST RD
SPRING RD
EAST RD
AUTUMN
SUMMER DR
ATTACHMENT
N
800 400 0 800 Feet

Riverside Transit Agency
1825 Third Street
P.O. Box 59968
Riverside, CA 92517-1968
Phone: (951) 565-5000
Fax: (951) 565-5001

April 4, 2014

Deanna Elliano
Community Development Director
City of Hemet
445 East Florida Ave
Hemet, CA 92543

RECEIVED
APR - 7 2014
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Subject: Ramona Creek Specific Plan

Dear Ms. Elliano:

Thank you for the opportunity for Riverside Transit Agency (RTA) to comment on the Draft Program Environmental Impact Report for the Ramona Creek Specific Plan. RTA currently has service in the area with Route 27, a regional route which serves the cities and communities of Hemet, Valle Vista, Romoland, Menifee, Sun City, Perris, Woodcrest, and Riverside. It is anticipated that this project will cause an increase in transit demand due to the proposed commercial, residential, and educational land uses. Therefore, it is recommended that a bus stop, compliant with the Americans with Disabilities Act (ADA), be incorporated into the project.

RTA recommends that a bus stop be placed along Florida Avenue far side of "A" Street (Attachment A). Bus stop specifications vary by location and jurisdiction, but the following are some general guidelines.

- Integrate methods that will allow buses to stop at transit stops while not disrupting vehicular traffic.
    - One strategy is to having the outer traffic lane twenty feet wide, including the bike lane. While this creates a safer condition for the bus to stop, it also provides a greater distance between pedestrians and vehicular traffic. 1
    - In cases where the outer lane is less than twenty feet wide, consider a turnout for the bus at the stop location. (Exhibit A).
- Have transit stops located at far side locations from intersections where traffic is likely to be clear -allowing buses easier mobility (Exhibits B & C).
- Similar to sidewalks, accessibility to transit stops must meet ADA requirements. A part of that requirement is having a continuous paved connection to and from the stop. Most commonly, these are sidewalks and at the stop itself, provide clearance for wheelchair movement (Exhibit D).
- Provide amenities for transit users such as lighting, shelters and benches.

As these recommendations illustrate, public transportation is a viable alternative to mitigating traffic and is a valuable asset for residents and businesses in the City of Hemet. For more information on design guidelines for bus transit service, please see RTA's *Design Guidelines for Bus Transit* document at www.riversidetransit.com, under publications.

Please do not hesitate to contact me with any questions by phone at (951) 565-5134 or email at llovegren@riversidetransit.com.

Sincerely,

Leif Lovegren
Planning Analyst

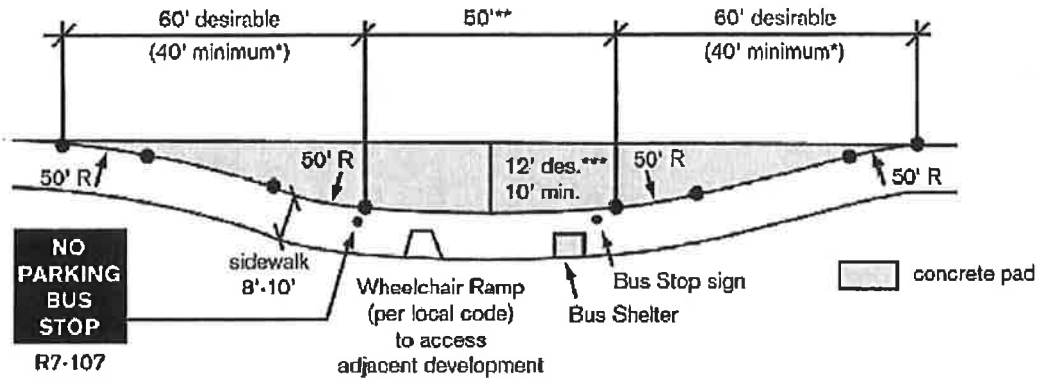
Cc: Sam Wattana, Stops and Zones Supervisor

Exhibit A:

FIGURE 31

Design parameters for large bus turnout

Not to scale

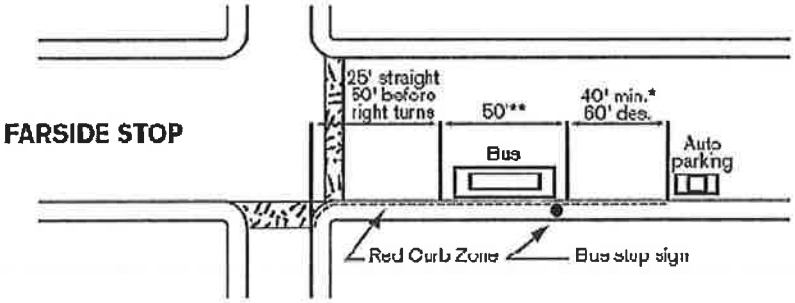


* 40' minimum for low speed and low volume streets; 60' desirable for high speed and high volume streets.

** This 50' berth is for a single 40' vehicle. For articulated vehicles, a 70' berth is necessary.

*** 10' minimum for low speed and low volume streets; 12' desirable for high speed and high volume streets

Exhibit B:

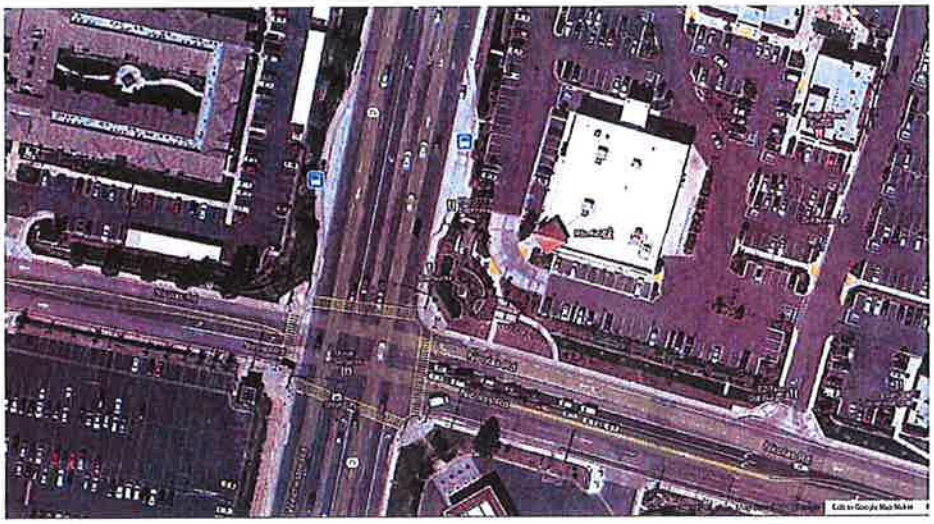


* 40' minimum for low speed and low volume streets 60' desirable for high speed and high volume streets.

** This 50' berth is for a single large 40' long vehicle. For articulated vehicles, a 70' berth is necessary. These dimensions are for one bus position only; if more positions are required at a stop, see Figure 9 on how to estimate the length needed for multiple berths.

Exhibit C:

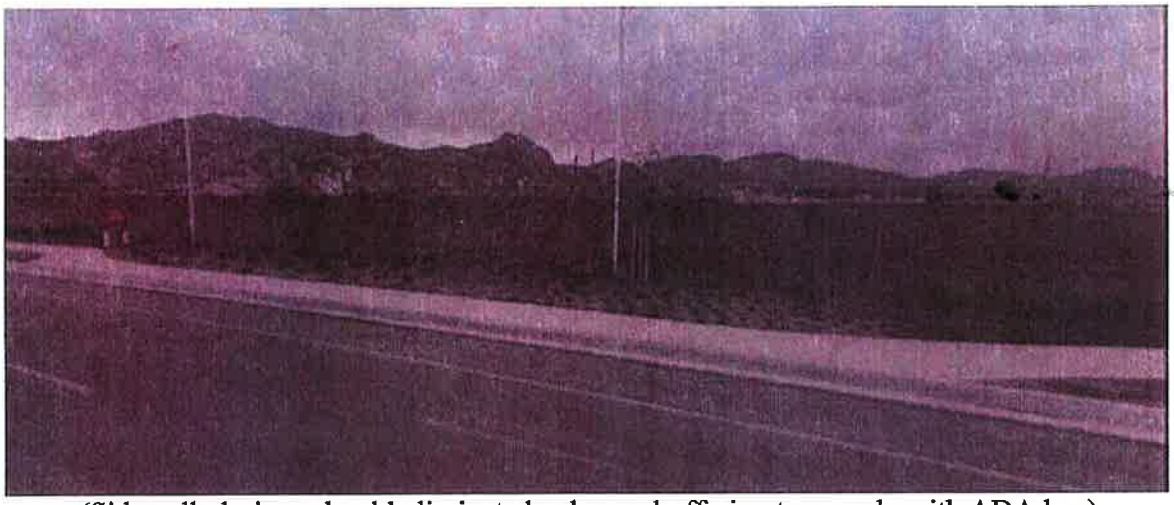
(Example of far side bus turnout)



(Example of far side and near side bus turnouts)

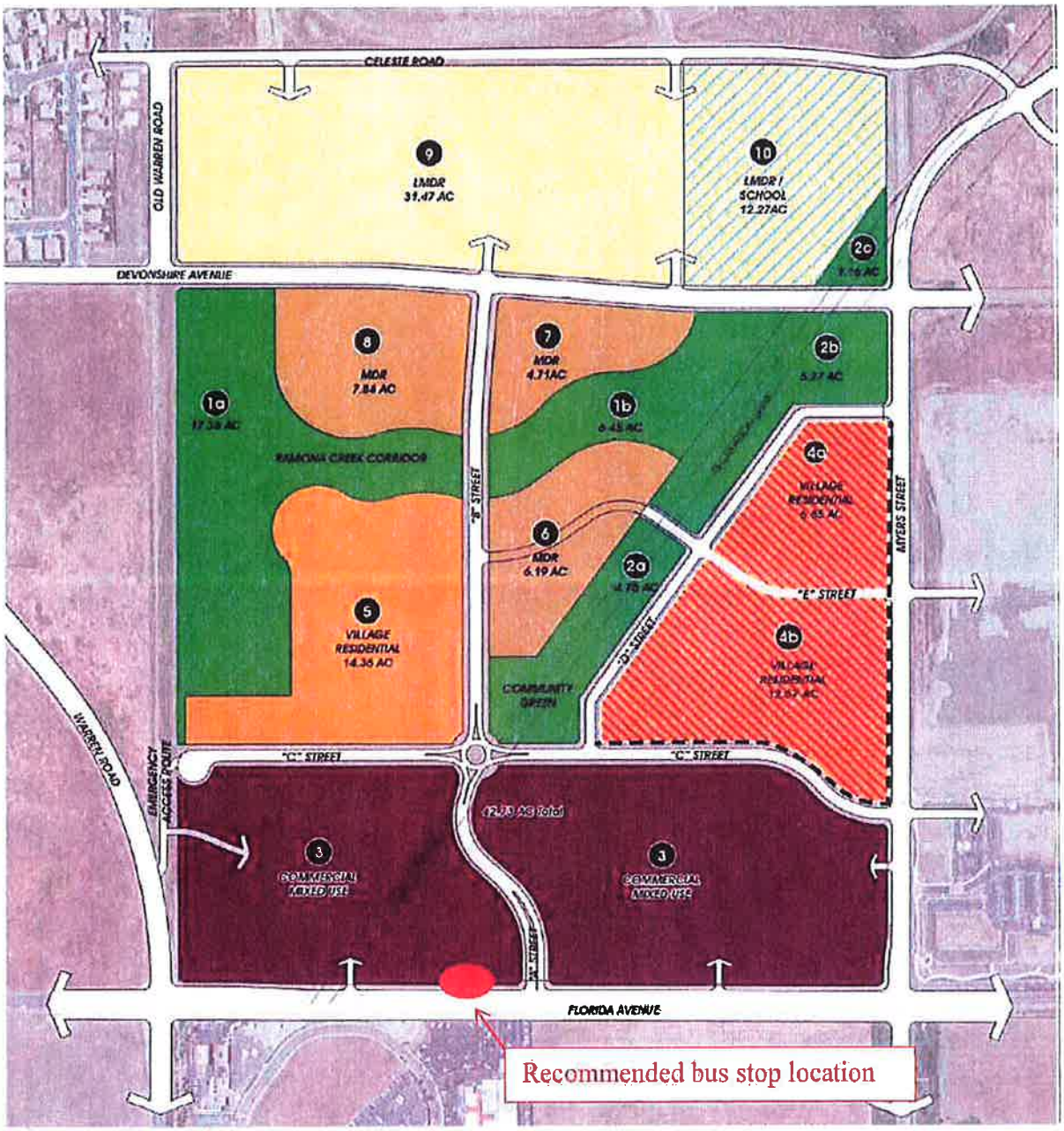
Exhibit D:

(Sidewalks separated from the street by grass are not ADA compliant for bus stops)



(Sidewalk designs should eliminate landscape buffering to comply with ADA law)

Attachment A:



SOUTHERN CALIFORNIA EDISON (SCE)
Raymond Hicks, Region Manager
Local Public Affairs
26100 Menifee Road
Menifee, CA 92585

May 5, 2014

Deanna Elliano
Community Development Director
City of Hemet
445 East Florida Avenue
Hemet, CA 92543
delliano@cityofhemet.org

Re: Ramona Creek Specific Plan and Draft Program Environmental Impact Report

Southern California Edison (SCE) appreciates the opportunity to review and provide comments on the Draft Program Environmental Impact Report for the Ramona Creek Specific Plan. The Ramona Creek Specific Plan proposes a long-range plan for development of the Project site (approximately 208.87 acres) with a multiple-use commercial and residential community concentrated around open space amenities, with approximately 594 residential units and 649,044 square feet of commercial land uses. The Specific Plan also allows for alternative development scenarios based on market conditions over time, with flexibility up to a maximum of 1,077 dwelling units or a maximum of 760,035 square feet of commercial/office uses, with a corresponding reduction in other uses. The project also includes all related infrastructure to serve the development, including circulation elements, on-site drainage facilities, and utilities.

SCE is the electrical service provider for the City of Hemet and maintains an electrical system that consists of a network of electrical facilities (transmission, distribution, and supporting appurtenances) within the City. SCE has not evaluated the electric service requirements for the proposed project. Based on the scope of the project, it may require upgrades to SCE's electric system and infrastructure. To initiate the service evaluation, SCE requests that the project developer contact our Local Planning Department at (951) 928-8290. The project developer will be responsible for the costs of any new distribution and/or line extension work, and any relocation of facilities required to accommodate the distribution line and/or service extensions required by SCE to serve the project. 1

SCE has reviewed the Draft EIR and respectfully requests removal of the following statement on page IV.P-35, "Per the City's General Plan, SCE also recognizes that high voltage overhead lines are generally considered to have a negative visual impacts; therefore SCE participates with efforts to underground regular overhead utility lines." Thanks again for the opportunity to review the Draft EIR. SCE looks forward to working with the City and the developer on the proposed project. If you have any questions regarding this letter, please do not hesitate to contact me at Raymond.Hicks@sce.com or (951) 928-8238.

Sincerely,

Raymond Hicks

Raymond Hicks
Local Public Affairs Region Manager
Southern California Edison Company

STATE CLEARINGHOUSE
(SCH)

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

May 6, 2014

Carole Kendrick
City of Hemet
445 E. Florida Avenue
Hemet, CA 92543

Subject: Ramona Creek Specific Plan (SP 12-001) and General Plan Amendment (GPA 12-005)
SCH#: 2013021051

Dear Carole Kendrick:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on May 5, 2014, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. 1

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

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MAY 12 2014
PLANNING DEPT

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2013021051
Project Title Ramona Creek Specific Plan (SP 12-001) and General Plan Amendment (GPA 12-005)
Lead Agency Hemet, City of

Type EIR Draft EIR

Description The Project is a Specific Plan to allow for development of the Project Site with a multiple-use commercial and residential community concentrated around open space amenities. The Project Applicant is requesting from the City a General Plan Amendment, Specific Plan Approval, Development Agreement, and Tentative Map. Other approvals/permits could be required by Responsible Agencies. Refer to attached NOP for more details about the Project.

Lead Agency Contact

Name Carole Kendrick
Agency City of Hemet
Phone 951 765 2373 **Fax**
email
Address 445 E. Florida Avenue
City Hemet **State** CA **Zip** 92543

Project Location

County Riverside
City Hemet
Region
Lat / Long 33° 44' 37.9" N / 117° 1' 58" W
Cross Streets Florida Avenue and Myers Street
Parcel No. 448030003
Township 5S **Range** 1W **Section** 7S **Base**

Proximity to:

Highways Hwy 79
Airports Hemet-Ryan Airport
Railways
Waterways
Schools
Land Use LU: Vacant, dry farming
Z: A-5, R-1-6, M-2, C-2
GP: Mixed-Use, Low-Density Residential

Project Issues Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Aesthetic/Visual

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 6; Cal Fire; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services, California; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 8; Air Resources Board; Regional Water Quality Control Board, Region 8; Native American Heritage Commission

Date Received 03/21/2014 **Start of Review** 03/21/2014 **End of Review** 05/05/2014

SOBOBA

SOBOBA BAND OF LUISEÑO INDIANS

EST. JUNE 19, 1883

May 2, 2014

Attn: Deanna Elliano, Director
Community Development Department
City of Hemet
445 East Florida Ave.
Hemet, CA 92543

Re: Ramona Creek Specific Plan Project (SP 12-001) and General Plan Amendment (GPA 12-005) Project- Draft Environmental Impact Report

The Soboba Band of Luiseño Indians has reviewed the March 2014 Draft Environmental Impact Report and has drafted comments to this document accordingly. The tribe is concerned about protecting both the known resources within the project area, as well as inadvertent discoveries that may be encountered during the course of the project and therefore recommends **avoidance of all known cultural resources** within the project area. Below are comments and recommendations from the tribe in pertaining to the following sections of the DEIR:

Section IV.F Cultural Resources
Mitigation Measures (Archaeological Resources) 1

- The Soboba Band requests a**voidance of all known cultural resources** within the project area.

- **Controlled grading must be incorporated into the Mitigation Measures.** It is imperative that conditions are established into the EIR for controlled grading in all sensitive areas.

- F-1 states, "Prior to the beginning project construction, the Project Developer(s) stall retain an archaeological monitor to monitor all ground-disturbing activities, including off site grading, 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 appropriate tribe or band"

  The Soboba Band requests that a Native American monitoring component be included as a mitigation measure for the Environmental Impact Report, which states that the Soboba Band be on site during all ground-disturbing activities, and have be consulted concerning cultural resources evaluations that are of prehistoric or proto-historic concerning of a Native American nature. 2

- F-2 states, "At least 30 days prior to construction, the Project Developer(s) shall contact the appropriate local Tribe or Band to notify them of grading to develop a Cultural resources Treatment and Monitoring Agreement…"

  The Soboba Band is requesting that a Treatment and Dispositions Agreement between the developer and The Soboba Band be provided to the City of Hemet to the issuance of a grading permit and before conducting any additional archaeological fieldwork. 3

  The Soboba Band of Luiseño Indians be named as a consulting tribal entity rather than "the appropriate local Tribe or Band" 4

- F-2 through F-5

  These specifics will be detailed regarding treatment and disposition of cultural items will be discussed in the previously establish Treatment and Dispositions Agreement that will be in place between the tribe and the developer. 5

  The Soboba Band of Luiseño Indians be named as a consulting tribal entity rather than "the appropriate local Tribe or Band" 6

  The Soboba Band has been named Most Likely Descendent in the past by the Native American Heritage Commission for the City of Hemet. 7

- F-3, states "…Tribal or Band monitors shall be allowed to monitor all on and off site grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist".

  The authority of an approved Tribal Monitor to halt or redirect grading or ground-disturbing activities shall have no bearing on whether or not an archaeologist is present at the time. 8

- F-3, states "… the archaeologist shall also be responsible for a post-grading monitoring report to be submitted to the City, the Project Developer(s), the Eastern Information Center, and the Pechanga Band **or** the Soboba Band of Indians no later than 45 days after competition of all monitoring activities".

  The Soboba Band of Luiseño Indians requests copies of all cultural resources documentation that is to be generated in efforts with this project regardless of which other tribes have also requested or not requested information. 9

- F-4, states "The landowner(s) shall relinquish ownership of all cultural objects, including sacred items, burial goods, all archaeological artifacts that are found on the Project area to the appropriate local Tribe or Band for proper treatment and disposition."

  The Soboba Band has been named Most Likely Descendent in the past by the Native American Heritage Commission for the City of Hemet. 10

Sincerely,

Joseph Ontiveros
Cultural Resource Director
Soboba Band of Luiseño Indians
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

PLANNING COMMISSION

MEETING MINUTES

DATE: **APRIL 1, 2014** **CALLED TO ORDER: 6:00P.M.**

MEETING LOCATION: City Council Chambers
450 East Latham Avenue
Hemet, CA 92543

1. CALL TO ORDER:

PRESENT: Chairman John Gifford, Vice Chairman Greg Vasquez, and Commissioner Michael Perciful
ABSENT: Commissioners Rick Crimeni and Vince Overmyer

Invocation and Flag Salute: Commissioner Michael Perciful

2. PUBLIC COMMENTS:

There were no members of the public who wished to address the commission regarding items not on the agenda.

3. APPROVAL OF MINUTES:

A. Minutes of the Planning Commission meeting of March 18, 2014

It was **MOVED** by Vice Chair Greg Vasquez and **SECONDED** by Commissioner Michael Perciful to **APPROVE** the Minutes of the Planning Commission meeting of March 18, 2014.

The **MOTION** was carried by the following vote:

AYES: Chairman John Gifford, Vice Chair Greg Vasquez, Commissioner Michael Perciful
NOES: None
ABSENT: Commissioners Vince Overmyer and Rick Crimeni

PUBLIC HEARING ITEMS

4. RAMONA CREEK SPECIFIC PLAN NO. 12-001, GPA 12-005, TTM 36510 & DRAFT ENVIRONMENTAL IMPACT REPORT - A request for Planning Commission review and recommendation to the City Council regarding the

establishment of the proposed Ramona Creek Specific Plan establishing 954 residential units and 649,044 square feet of commercial space; consideration of an associated General Plan Amendment to the Land Use Element to modify the mix of residential units and commercial acreage in Mixed Use Area No. 1 and to change the land use designation on 44.9 acres from Low Density Residential (2.1 - 5.0 d.u./ac.) to Low Medium Density Residential (5.1 - 8.0 d.u./ac.); and consideration of a master tentative tract map to subdivide the site into 37 large lots. The Planning Commission will also consider the Draft Environmental Impact Report (EIR) that has been prepared to assess the environmental effects of the project.

PROJECT APPLICANT INFORMATION:

Owner:	**Regent Properties**
Authorized Agent:	**Daniel Gryczman, Regent Properties**
Project Location:	**Corner of W. Florida Ave. and Myers Street**
APN Information:	**448-090-003**
Lot Area:	**208.9+/- acres**

(A detailed presentation was delivered by Planner Ron Running)

Chairman Gifford asked a series of questions including the following:

1. Do the design guidelines call out numbers of trees or type of landscape for the drainage area, and can the Commission be assured that the pictures in the report accurately reflect what the drainage area will look like?
2. In the commercial area, is there a possibility that some type of educational complex (university extension, etc.) could be established there?
3. Have there been changes other than just residential density designations?
4. Has there been discussion with EMWD concerning supplying water to this site, considering the drought concerns in Southern California?

Planner Running replied that there are only slight changes in the density designations. Most of the work had to do with the refining of the Specific Plan, and he added the applicant could answer some of the other questions.

Vice Chair Vasquez asked if there was going to be permitting required to use any of the recreational areas.

Planner Running expressed his belief that there would be. However, the management structure of the park area has not yet been decided. They are hoping that Valley Wide will be the managing entity.

Vice Chair Vasquez stated he felt the plan was a good one but wondered if there had been any study as to how this project might impact efforts to improve the downtown area.

Planner Running stated that the applicant did provide a marketing analysis that concluded this project will be an attempt to capture the leakage that currently exists to outside communities.

CDD Elliano expressed the belief that this project would be complementary to the downtown area, in that this project is very different in scale than the downtown where the existing small lots would have to be purchased and assembled to provide the big-box types of retail establishments being proposed.

Vice Chair Vasquez asked for more information about the MWD constraints, and Planner Running explained that there are two-6' foot diameter water pipelines that go through the easement right now. No structures are allowed over the pipelines, but some roads will be allowed to cross. The project is designed in increments in case more work needs to be done in the easement in the future. There is limited use where the pipes exist.

Planner Running also explained the variations in densities, such as mixed use, village residential and single-family dwelling units.

CDD Elliano added that the development will occur over multiple years, and in an effort to maintain flexibility, they are proposing many different alternative scenarios to make it most responsive to the marketplace as it evolves.

Vice Chair Vasquez asked questions about neighborhood electric vehicles, sustainability and retention basins discharging in a metered fashion.

Planner Running explained that part of the sustainability planning includes accommodations for hybrid vehicles, bicycles, parking facilities, NEV lanes. Also, storm water will be retained in the southern portion of the corridor and pumped out in a metered fashion through the pipeline to the south so as to control the rate of the water flow and prevent flooding. The size of the pipes could not handle a 100-year flood flow, so it would be retained and then pumped out over a period of time.

Commissioner Perciful inquired about plans for accommodating new schools, as Whittier Elementary School is the second-most populated elementary school in the state of California.

Planner Running said the plan has flexibility to allow for a school site, with CDD Elliano further explaining that it is up to the school district to purchase property to secure a school site. The plan has allowed for it; it is just when the school district is ready to move forward.

Chairman Gifford opened the public hearing and invited the applicant to approach the lectern.

Daniel Gryczman, executive vice president of Regent Properties, thanked the planning staff for two years of hard work in bringing this project forward and for the Commission's willingness to work through 4,000 pages of plan documents. He expressed the idea that flexibility is a future-looking method of telling the world that Hemet is open for business. He stated that getting the first "big fish" in the retail component will influence how the residential will be developed.

He further indicated that his team did a full consultation regarding water issues, and he can call his consultants to testify, if needed.

Chairman Gifford again stated that he is particularly interested in the education component, wishing a four-year degree institution would be available in the Valley to keep the young people here.

Mr. Gryczman noted what they had done in Menifee, sold land at a reduced price for a charter school, and stated they wanted to create different opportunities for different people. He also added that they were going to be doing all their own grading on-site for the recreational facilities, thereby reducing trucking impacts, and utilizing easement land for such things as outfields, with facilities such as amphitheaters and rest rooms being added on additional land they have added for recreational purposes.

He ended his discussion by saying they were planning to put the higher-priced homes fronting the drainage area because the plan is to make that a beautiful amenity for the project and for the city.

Chairman Gifford asked that the language in the plan for the drainage area be analyzed and developed in such a way that there is assurance that it will look as represented. Mr. Gryczman committed to work with the city on this issue.

Joe Castaneda, JLC Engineering, 36263 Calle de Lobo, Murrieta, discussed the subject of metering and drainage in the event of substantial drainage, indicating fencing to close off the park and some residential areas. The drainage area will be lockable during a storm event by the City works department. Any water from nuisance flows, such as irrigation flows from people overwatering their lawns, would be collected and maintained, using a pump to deliver the water to a landscape system that would feed off the stored water.

John Tanner, RBF Consulting, 40810 County Center Drive in Temecula, explained the process the applicants have successfully completed with the EMWD, including a water supply assessment which determined that they have the water needed to supply the project. The second component of the study is called a plan of service, which lays out the network of pipes for sewer, water, recycled water. That second component has been completed, as well.

Tom Shollin, a property owner of Tres Cerritos East, stated he was here to support Ramona Creek, as it will help the property owners on the west side. Their only concern was trying to understand the drainage issues, and the applicant has allayed their concerns.

Jeff Holbrook, 27132 B Paseo Espada, San Juan Capistrano, spoke in support of the applicant and applauded the concept of flexibility.

Brian Rubin (no address given) asked if the drainage and landscaping would be done in phases or in the first phase.

CDD Elliano explained that it would be done in stages; however, it is anticipated that the west side would go first. Staff and applicant spent a lot of time to make sure that when it's graded, the master graded landscaping plan is prepared and approved so when the development comes, all the amenities are provided in a reasonable time period.

Mr. Rubin stated he hopes the densities will stay as they are in the General Plan. He also asked about an HOA and LMD.

CDD Elliano replied that there will be a number of maintenance mechanisms. There will be a master HOA that provides for the community areas. They are looking at a LMD or CFD that would take care of the drainage in the Ramona Creek area. There will probably be a property owner association for the commercial areas and individual HOAs for different types of development that might have internal recreational and landscaping amenities.

Gene Hikel, Four Season's Community Awareness Committee, 8405 Singh Court, Hemet, applauded the thought, character and quality that Regent has put into this plan, stressing the importance of good governing bodies and amenities.

Mr. Gryczman added some comments about the area north of Devonshire, which is currently low density residential. The reason Regent is asking for low median is because if a school comes in, to make this project work economically, they want to have the ability to move the density to the rest of the area.

After closing the public hearing, Chairman Gifford asked for a motion.

It was **MOVED** by Commissioner Michael Perciful and **SECONDED** by Vice Chair Greg Vasquez to **CONTINUE** the public hearing on this matter to the May 6, 2014 Planning Commission Meeting.

The **MOTION** was carried by the following vote:

AYES: Chairman John Gifford, Vice Chair Greg Vasquez, and Commissioner Michael Perciful.
NOES: None
ABSENT: Commissioners Vince Overmyer and Rick Crimeni

(Ten-minute recess called by Chairman Gifford.)

5. **CONDITIONAL USE PERMIT NO. 13-005 (7 DAYS MARKET)** - A request for Planning Commission review and approval of a Conditional Use Permit allowing the construction and operation of fuel dispensers and a canopy in conjunction with an existing convenience store, and expansion of the hours of operation to 24 hours a day, located on the northwest corner of Stanford Street and Florida Avenue, with consideration of an environmental exemption pursuant to CEQA Guidelines Section 15301.

PROJECT APPLICANT INFORMATION:

Owner: Sanjay Jariwala
Authorized Agent: Nasser Moghadam
Project Location: 3600 East Florida Avenue
Lot Area: 0.62 Acres

(Informational presentation by Carole Kendrick.)

Vice Chair Vasquez asked if the removal of the gas pumps in 1992 was something the city required. He also wondered if the applicant had a particular brand of gasoline they were planning to sell and if the trash enclosure would be gated.

Planner Kendrick said that the 7-Eleven had been closed and the property was up for sale. It was part of the sale that the gas tanks were removed due to changes in the fueling regulations, so it was an agreement as part of the sale. Also, there is a gate mandated for the trash enclosure.

Commissioner Perciful asked about the Shell gas station across the street and if it was open 24 hours a day.

Planner Kendrick stated it was on county property, and she did not know its hours of operation. She also stated the city had received only one phone call, and it was in favor of the project.

Chairman Gifford opened the public hearing at this point and invited the applicant to speak.

Nasser Moghadam, 44052 Galacia Drive, Hemet, repeated that there is a gate at the trash enclosure. He also explained that most of the major gas companies want stations with convenience markets to be open 24 hours. That is the reason they are asking for the 24-hour opening. Each company has its own logo, but the final color will be determined by the City planning department. He commented further on the access to the site, giving background and Caltrans' determination that the city has the right to make traffic decisions. And that means now there is a double yellow line there rather than a median. He also mentioned that the security screen, which pre-dated even the 7-Eleven use, would remain unless the city felt it should be removed.

Chairman Gifford closed the public hearing and asked for a motion.

It was **MOVED** by Vice Chair Greg Vasquez and **SECONDED** by Commissioner Michael Perciful to **ADOPT** Planning Commission Bill No. 14-006 **APPROVING** CUP 13-005 subject to the findings and conditions of approval and **DIRECT** staff to file a Notice of Exemption with the County Clerk

The **MOTION** was carried by the following vote:

AYES: Chairman John Gifford, Vice Chair Greg Vasquez, and Commissioner Michael Perciful.
NOES: None
ABSENT: Commissioners Vince Overmyer and Rick Crimeni

DEPARTMENT REPORTS

6. CITY ATTORNEY REPORTS:

Assistant City Attorney Vega reminded the Commissioners of the change in the Brown Act in January of this year requiring audible votes if electronic voting machines were not working.

7. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:

A. Report on actions from the March 25, 2014 City Council Meeting

CDD Elliano congratulated the two Commissioners who were reappointed for another two-year term. The other item of interest to the Planning Commission was the Council's direction to John Janson of the Community Investment Department to propose an ordinance that would mirror what City of Riverside is doing with film permits, so that ordinance was before the Council. It would be a no-fee process, hoping that this will act as an incentive for the movie industry to utilize local hotels and sites while in town.

8. PLANNING COMMISSIONER REPORTS:

A. Chairman Gifford (Nothing to report)
B. Vice Chair (Vasquez (Nothing to report)
C. Commissioner Perciful (Nothing to report)
D. Commissioner Overmyer (Absent)
E. Commissioner Crimeni (Absent)

9. FUTURE AGENDA ITEMS:

A. Jasmine Gardens CUP Extension of Time
B. Multi-tenant office building
C. General Plan Consistency Zoning Program - Phase II
D. Zone Text Amendment for Temporary Signs

10. ADJOURNMENT:

It was unanimously agreed to **ADJOURN** the meeting at 8:12 p.m. to the regular meeting of the City of Hemet Planning Commission scheduled for **April 15, 2014 at 6:00 p.m.** to be held at the City of Hemet Council Chambers located at 450 E. Latham Avenue, Hemet, CA 92543.

Greg Vasquez

Greg Vasquez, Vice Chairman
Hemet Planning Commission

ATTEST:

Melissa Couden

Melissa Couden, Records Secretary
Hemet Planning Commission

Attachment No. 1c

Findings of Fact and Statement of Overriding Considerations

City Council Meeting of June 10, 2014

Findings of Fact and Statement of Overriding Considerations

Ramona Creek Specific Plan (SP 12-001) and General Plan Amendment (GPA 12-005)

Prepared for:

City of Hemet
Community Development Department
445 East Florida Avenue
Hemet, CA 92543

Prepared by:

CAJA Environmental Services, LLC
11990 San Vicente Boulevard
Los Angeles, CA 90049

State Clearinghouse No. 2013021051

CAJA Environmental Services, LLC

June 2014

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1. INTRODUCTION

1.1 INTRODUCTION

The City of Hemet (the "City") has evaluated the environmental impacts of implementation of the Ramona Creek Specific Plan (SP 12-001), General Plan Amendment (GPA 12-005), and Tentative Tract Map 36510 (TTM 36510) (the "Project") by preparing an environmental impact report ("EIR") (Environmental Assessment No. 14-001/State Clearinghouse No. 2013021051). The EIR was prepared in compliance with the California Environmental Quality Act of 1970, Public Resources Code Section 21000 et seq. ("CEQA") and the California Code of Regulations Title 15, Chapter 6 ("CEQA Guidelines"). The findings discussed in this document are made relative to the conclusions of the EIR.

CEQA Section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." CEQA Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles announced in CEQA Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See CEQA §21081[a]; CEQA Guidelines §15091[a].) For each significant environmental impact identified in an EIR for a proposed project, the approving agency must issue a written finding, based on substantial evidence in light of the whole record, reaching one or more of the three possible findings, as follows:[1]

1) Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant impacts as identified in the 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, or can or should be, adopted by that other agency.

---

[1] *For the purposes of CEQA and the CEQA Guidelines, the term "substantial evidence" means "fact, a reasonable assumption predicated on fact, or expert opinion supported by fact." CEQA §21080(e)(1). By contrast, substantial evidence is "not argument, speculation, unsubstantiated opinion or narrative, evidence that is clearly inaccurate or erroneous, or evidence of social or economic impacts that do not contribute to, or are not caused by, physical impacts to the environment." CEQA §21080(e)(2).*

3) Specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

(CEQA§ 21081[a]; see also CEQA Guidelines §15091[a].)

CEQA Section 21061.1 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." CEQA Guidelines Section 15364 add another factor: "legal" considerations. (See also Citizens of Goleta Valley v. Board of Supervisors [Goleta II] (1990) 52 Cal.3d 553, 565.)

The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project (City of Del Mar v. City of San Diego [1982] 133 Cal.App.3d 410, 417 [City of Del Mar].). "'[F]easibility' under CEQA encompasses "desirability" to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (Ibid.; see also Sequoyah Hills Homeowners Assn. v. City of Oakland [1993] 23 Cal.App.4th 704, 715 [Sequoyah Hills].)

For the purposes of these Findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less than significant level. These interpretations appear to be mandated by the holding in Laurel Hills Homeowners Assn. v. City Council, 83 Cal.App.3d 515, 519-527, 147 Cal.Rptr. 842 (1978), in which the Court of Appeals held that an agency had satisfied its obligation to substantially lessen or avoid significant efforts by adopting numerous mitigation measures, not all of which rendered the significant impacts in question (e.g., the "loss of biological resources") less than significant.

Although CEQA Guidelines Section 15091 requires only that approving agencies specify that a significant effect is "avoid[ed] *or* substantially lessen[ed]," these Findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less than significant level, or has simply been substantially lessened but remains significant.

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or feasible environmentally superior alternatives, a public agency, after adopting proper findings based on substantial evidence, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's benefits rendered acceptable its unavoidable adverse environmental effects. (CEQA Guidelines §15093, 15043[b]; see also CEQA § 21081[b].)

Because the EIR identified significant effects that may occur as a result of the Project, and in accordance with the provisions of the Guidelines presented above, the City of Hemet hereby adopts these findings set forth in this document as part of the approval of the Project. These findings constitute the City's best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with the requirements of CEQA. These findings, in other words, are not solely informational, but rather constitute a binding set of obligations that come into effect with the City's approval of the Project.

The findings and determinations contained herein are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project and the EIR. The findings and determinations constitute the independent findings and determinations by this City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

Although the findings below identify specific sections within the EIR in support of various conclusions reached below, the City Council incorporates by reference and adopts as its own, the reasoning and analysis set forth in the EIR and thus relies on that reasoning, even where not specifically mentioned or cited below, in reaching the conclusions set forth below, except where additional evidence is specifically mentioned. This is especially true with respect to the Council's approval of all mitigation measures recommended in the EIR and the reasoning set forth in responses to comments in the EIR. The City Council further intends that if these findings fail to cross-reference or incorporate by reference any other part of these findings, any finding required or permitted to be made by this City Council with respect to any particular subject matter of the Project must be deemed made if it appears in any portion of these findings or findings elsewhere in the record. The EIR, comments and responses to comments, and all appendices are hereby fully incorporated herein by this reference.

1.2 ORGANIZATION OF CEQA FINDINGS OF FACT

The content and format of this CEQA Findings of Fact is designed to meet the standards of CEQA the CEQA Guidelines in effect as of the date of the City Council's approval and are organized into the following sections:

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

Chapter 2, Project Description describes the location, overview, objectives, and the required permits and approvals for the Project.

Chapter 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.

Chapter 4, Less Than Significant Environmental Effects without Mitigation provides a summary of impacts determined by the EIR to be below the threshold of significance without the incorporation of mitigation measures.

Chapter 5, Less Than Significant Environmental Effects with Mitigation provides a summary of potentially significant environmental effects identified in the EIR for which implementation of identified feasible mitigation measures would avoid or substantially reduce the environmental effects to less than significant levels.

Chapter 6, Significant Environmental Effects provides a summary of potentially significant environmental effects identified in the EIR for which no feasible mitigation measures are identified for which implementation of identified feasible mitigation measures would not avoid or substantially reduce the environmental effects to less than significant levels.

Chapter 7, Findings Regarding Project Alternatives provides a summary of the alternatives considered in the EIR for the Project.

Chapter 8, Statement of Overriding Considerations provides a summary of the Project's significant unavoidable adverse impacts identified in the EIR, identifies, based on substantial evidence in the record, substantial benefits of the Project that outweigh and override the Project's significant unavoidable impacts, such that the impacts are considered acceptable.

Chapter 9, 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 Mitigation Monitoring and Reporting Program.

Chapter 10, Findings Regarding Changes to the Draft EIR and Recirculation provides a summary of the changes to the Draft EIR in response to public comments received and the findings to support the City Council's decision that such changes do not require recirculation of the Draft EIR for public review.

1.3 RECORD OF PROCEEDINGS

The record of proceedings includes the documents and other materials that constitute the administrative record upon which the City approved the Project. The following information is incorporated by reference and made part of the record supporting these Findings of Fact:

- All project plans and application materials including supportive technical reports;
- The Draft EIR and Appendices (March 2014) and Final EIR (May 2014), and all documents relied upon or incorporated therein by reference;
- The Mitigation Monitoring and Reporting Program (MMRP) prepared for the project;
- The City of Hemet General Plan and related EIR;

- Municipal Code of the City of Hemet, including but not limited to the Zoning Ordinance and Subdivision Ordinance.
- All records of decision, resolutions, staff reports, memoranda, maps, exhibits, letters, minutes of meetings, summaries, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the Project;
- Any documents expressly cited in these Findings of Fact, in addition to those cited above; and
- Any and all other materials required for the record of proceedings by Public Resources Code Section 21167.6(e).

Pursuant to CEQA Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City has based its decision are located in and may be obtained from Hemet Planning Department, as the custodian of such documents and other materials that constitute the record of proceedings, located at 445 East Florida Avenue in Hemet. Copies of the Draft EIR and Final EIR are also available at the Hemet Public Library at 300 East Latham Avenue in Hemet.

2. PROJECT DESCRIPTION

2.1 ENVIRONMENTAL SETTING

The 208.87-acre Project site is located in the western portion of the City. The Project site comprises Assessor's Parcel Number (APN) 448-090-003. The City of San Jacinto is to the north of the City of Hemet (the "City") and unincorporated Riverside County territory surrounds Hemet on the south, west, and east. Diamond Valley Lake and the Santa Rosa Hills lie south of the City. California State Highway Routes 74 and 79 provide regional access to the Project area. The Project site is approximately three miles west of downtown Hemet and one-half mile northwest of the Hemet-Ryan Airport. The Project site is bound by Florida Avenue (SR-74) on the south, Celeste Road on the north, and Myers Street on the east. Warren Road is west of the site, and Devonshire Avenue bisects the northern portion of the Project site from east to west.

2.2 PROJECT CHARACTERISTICS

The site of the proposed Ramona Creek Specific Plan Project (the "Project") is undeveloped and is located in the City, approximately 10 miles from Interstate 215, a major regional thoroughfare. Immediately adjacent to the future State Route 79 (SR-79), the Project site spans approximately 208.87 acres and is bounded by Florida Avenue (SR-74) to the south, Myers Street to the east, Celeste Road to the north, and Warren Road to the west. Devonshire Avenue bisects the northern portion of the Project site from east to west.

The Project is a Specific Plan that covers the entire 208.87-acre Project site. The Specific Plan includes a long-range plan for development of the Project site with a multiple-use commercial and residential community concentrated around open space amenities. The Project also includes all related infrastructure to serve the development, including circulation elements, on-site drainage facilities, and utilities. The primary land uses associated with the Project are divided into 10 Planning Areas. The Project also includes two overlay zones, which could be employed in combination with or instead of the underlying land use categories. The School Overlay includes the potential development of a kindergarten through 5th grade (K-5) elementary school in the northeastern portion of the Project site (Planning Area 10) if the School Overlay site is needed by the Hemet Unified School District. (The approximately 72 residential dwelling units permitted in the underlying land use category may be transferred to any other residentially zoned area within the Project.) The Mixed-Use Overlay would allow for the development of commercial land uses in all or part of Planning Area 4 of the Project site. (Up to 10 percent of the residential dwelling units permitted in the underlying land use category for Planning Area 4 [up to 33 dwelling units] may be transferred to any other residentially zoned area with the Project.)

The Project includes General Plan Amendment (GPA 12-005) to: (i) amend the development capacity allowed in the Florida Avenue Commercial Mixed-Use Area #1 as shown on Table 2.3 and as described in Section 2.6.4 of the 2030 General Plan; (ii) increase the base maximum allowed density north of

Devonshire Avenue (Planning Areas 9 and 10) from a maximum of 5.0 du/acre to 8.0 du/acre; and (iii) increase the allowed maximum density in Planning Area 9 up to 8.0 du/acre if necessary to accommodate the potential transfer of residential units in the event the Hemet Unified School District does acquire the School Overlay (Planning Area 10).

2.3 PROJECT OBJECTIVES

The objectives of the Project are as follows:

- Expand the range of housing choices in the City of Hemet to serve a range of lifestyles, including first-time buyers, young singles and couples, families, empty nesters, and seniors, by providing both attached and detached housing options at a variety of densities, configurations, and prices.
- Provide a mixture of residential and nonresidential uses, strategically located recreational facilities, and a desirable package of amenities to encourage outdoor activity and create a sense of community and identity.
- Utilize onsite drainage and utility corridors as opportunities to balance cut and fill as well as provide recreational amenities, walkable connections, and add value to the community.
- Implement the goals and policies of the City of Hemet General Plan to encourage a balanced and sustainable pattern of land use and implement high-quality pedestrian-oriented design.
- Establish plans for the improvement and/or development of new public infrastructure to serve the project area consistent with applicable master plans.
- Create an integrated and interconnected community that allows residents to access the various amenities, shops, and services without the need to use the automobile.
- Provide for new residential, commercial, and open space development that is integrated with existing and planned surrounding development.
- Enhance the economic well being of the City by locating uses that capitalize on the Florida Avenue frontage.
- Enhance the City's existing job base through the creation of a broad range of employment and career opportunities.
- Accommodate a range of commercial, service, and professional business and employment options to meet the needs of the market and to create a project that is fiscally positive.

- Provide flexible standards to allow the project to best meet market demand at the time of development.

2.4 DISCRETIONARY ACTIONS

The discretionary approvals requested by the applicant include the following:

- General Plan Amendment (GPA 12-005) to:

  (i) Amend the development capacity allowed in the Florida Avenue Commercial Mixed-Use Area #1 as shown on Table 2.3 and as described in Section 2.6.4 of the 2030 General Plan;

  (ii) Amend land use designation of the area north of Devonshire Avenue (Planning Areas 9 and 10) from LDR (Low Density Residential) to LMDR (Low Medium Density Residential), increasing density from a maximum of 5.0 du/acre to 8.0 du/acre; and

  (iii) Increase the allowed maximum density in Planning Area 9 up to 8.0 du/acre if necessary to accommodate the potential transfer of residential units in the event the Hemet Unified School District does acquire the School Overlay (Planning Area 10).

- Specific Plan Approval (SP-12-001) (including future implementation, including Site Development Review, Design Review, Conditional Use Permits, etc.).

- Approval of a Master Tentative Tract Map No. 36510, which would subdivide the Project site into 37 builder lots and future Subdivision Map approvals to implement the Project (e.g., tentative and final maps).

- Approval of a possible agreement related to the acquisition and operation of the Project's recreational facilities with Valley-Wide Recreation & Park District, acquisition and operation of recreational facilities.

- Future Development Agreement with the City of Hemet.

- Encroachment permits.

- Any other discretionary approvals required by applicable laws or regulations to implement to the Project.

Other non-discretionary actions anticipated to be taken by the City at the staff level as part of the Project include:

- Review and approval of all on and off-site grading and infrastructure plans, including street and utility improvements pursuant to the conditions of approval.
- Approval of a Preliminary Water Quality Management Plan to mitigate post-construction run-off flows pursuant to the conditions of approval.
- Lot line adjustments consistent with the Specific Plan.
- Building permits pursuant to the conditions of approval.
- Any other non-discretionary actions consistent with the conditions of approval to implement the Project.

Other City, regional, and state departments/agencies also may use the EIR in conjunction with other required permits and approvals, including (but not limited to) the following:

- Santa Ana Regional Water Quality Control Board, National Pollutant Discharge Elimination System compliance for Project construction and operations and issuance of Waste Discharge Requirements for impacts to on-site drainage ditches.
- California Department of Fish and Wildlife, 1603 Lake and Streambed Alternation Agreement for impacts to on-site drainage ditches and Multiple Species Habitat Conservation Plan (MSHCP) compliance review.
- U.S. Fish & Wildlife Service, review of MSHCP compliance.
- Western Riverside County Regional Conservation Authority, review of MSHCP compliance.
- California Department of Transportation, encroachment permits for roadway improvements.
- Riverside Transit Agency, review of bus routes to serve the Project.
- Riverside County Airport Land Use Commission, consistency review for the Hemet-Ryan Airport Land Use Plan.
- Hemet Unified School District, potential new site acquisition and development.
- Eastern Municipal Water District, approval of construction of new plans for water service, water irrigation, and sewer collection facilities.

- Riverside County Flood Control and Water Conservation District, potential approval of stormwater drainage system.
- Valley-Wide Recreation & Park District, acquisition and operation of recreational facilities.

3. CEQA REVIEW AND PUBLIC PARTICIPATION

For purposes of CEQA and these Findings, the Record of Proceedings for the Project described in Section 1.3 above includes (but is not limited to) the following documents:

Notice of Preparation. In compliance with CEQA Guidelines §15375 and §15082, the City published the Notice of Preparation (the "NOP"), which was sent to responsible agencies and interested parties for a 30-day review period starting on February 22, 2013, identifying the scope of the environmental issues. The NOP and the responses to the NOP from agencies and interested parties are included in Appendix I to the Draft EIR. A total of 14 comment letters were received. Information requested and input provided during the 30-day NOP comment period regarding the scope of the EIR are included in the EIR.

Public Scoping Meeting. In compliance with CEQA Guidelines §15206 and §15082(c)(1), as a project of regional significance, a Public Scoping Meeting was held on March 14, 2013 at the City Council Chambers to give the public the opportunity to provide comments as related to the Project and the issues the public would like addressed in the EIR.

Draft EIR. The Draft EIR was distributed for public review (including the State Clearinghouse) on March 21, 2014 for a 45-day review period with the comment period expiring on May 5, 2014. A total of 9 comment letters were received by the close of the public comment period. The specific and general responses to comments are in Section III (Responses to Comments) of the Final EIR. Responses to public agency comments were distributed to those public agencies on May 23, 2014.

A Notice of Availability (NOA) was distributed to approximately 25 interested parties that informed them of where they could view the document and how to comment. The Draft EIR was available to the public at the Planning Department and at the Hemet Public Library. A copy of the document was also posted online at www.cityofhemet.org. Notices were filed with the County Clerk on March 21, 2014.

Notice of Completion. A Notice of Completion was sent with the Draft EIR to the Governor's Office of Planning and Research State Clearinghouse on March 21, 2014, and notice was provided in newspapers of general and/or regional circulation.

Planning Commission Hearing. On April 1, 2014, during the comment period, the Planning Commission held a duly notice to receive comments on the Draft EIR. The specific and general responses to comments are in Section III (Responses to Comments) of the Final EIR.

Final EIR. The Final EIR was distributed May 23, 2014. The Final EIR has been prepared by the City in accordance with CEQA and the CEQA Guidelines. The City has relied on Section 15084(d)(2) of the CEQA Guidelines that allows contracting with another entity, public or private, to prepare the EIR. The City has reviewed drafts of all portions of the EIR and subjected them to its own review and analysis. The Final EIR that was released for public review reflected the independent judgment of the City.

Certification. On May 6, 2014, the Planning Commission conducted a duly noticed public hearing on, at which time it received public testimony concerning EIR 14-001, Ramona Creek SP 12-001, GPA 12-005, and TTM 36510 and recommended unanimously that staff and the City's environmental consultant pepare the Final EIR, including a Mitigation Monitoring and Reporting Program, Findings of Fact, and a Statement of Overriding Considerations. On June 10, 2014, the City Council will hold a public hearing concerning EIR 14-001, Ramona Creek SP 12-001, GPA 12-005, and TTM 36510 and will consider certification of the EIR, adoption of the Mitigation Monitoring and Reporting Program, adoption of these Findings of Fact and a Statement of Overriding Considerations.

4. LESS THAN SIGNIFICANT IMPACTS WITHOUT MITIGATION

Impacts of the Project found to be less than significant in the EIR and that require no mitigation are identified below. The impact area and the appropriate section number follow the impact titling and follow the numbering conventions used in the EIR. The City has reviewed the record and agrees with the conclusion that he following environmental issues would not be significantly affected by the Project and therefore, no additional findings are needed.

These finding do not repeat the full discussions of environmental impacts contained in the EIR. The Council ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the EIR. The Council adopts the reasoning of the EIR, City staff reports, and presentations regarding the Project.

IV.B AESTHETICS

The Final EIR discussed the impacts related to aesthetics in Section IV.B.

Impact IV.B-1: Scenic Vista

Implementation of the Project would partially obstruct views of surrounding mountains and foothills. However, views of the mountains and foothills would still largely be viewable with the Project in place. Impacts related to scenic vistas would be less than significant. No mitigation is required.

Impact IV.B-2: Scenic Resources

The Project site does not contain scenic resources including trees, rock outcroppings, or other unique or landmark features. Therefore, Project development would not cause the removal of scenic resources and thus would result in a less than significant impact to scenic resources. No mitigation is required.

Impact IV.B-3: Visual Character

Although the Project would substantially alter the visual appearance of the Project site from vacant to developed land, adherence to the development standards and design guidelines provided in the Ramona Creek Specific Plan would ensure that the Project would be developed as a high-quality master planned community. As such, development of the Project would not negatively impact the aesthetic appearance of the Project site or surrounding area, and impacts with respect to visual character would be less than significant. No mitigation is required.

IV.B.1 FINDINGS

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to scenic vistas, scenic resources, and visual character would be less than significant.

IV.C AGRICULTURAL RESOURCES

The Final EIR discussed the impacts related to agricultural resources in Section IV.C.

Impact IV.C-1: Agricultural Zoning

Although the Project would change the agricultural zoning for the Project site to Specific Plan, because the EIR prepared for the General Plan already addressed impacts of changing the land use designations of the portions of the Project site previously zoned for agricultural land uses, and because the intended use of the Project site and surrounding properties does not include agriculture, the change in the zoning of the site would not result in conflicts with existing agricultural zoning. Thus, no impacts would occur as a result of the Project. No mitigation is required.

IV.C.1 FINDINGS

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to agricultural zoning would be less than significant.

IV.D AIR QUALITY

The Final EIR discussed the impacts related to air quality in Section IV.D.

Impact IV.D-1: AQMP Consistency

The Project satisfies both of the SCAQMD's criteria for determining consistency, the Project would be consistent with the AQMP, and impacts related to this issue would be less than significant. No mitigation is required.

Impact IV.D-4: Sensitive Receptors

The Project would not produce the volume of traffic required to generate a CO hotspot. Therefore, CO hotspots are not an environmental impact of concern for the Project. Therefore, localized air quality impacts related to mobile-source emissions would be less than significant. No mitigation is required.

Impact IV.D-5: Odors

The Project does not contain any land uses that are typically associated with emitting objectionable odors. Therefore, odors associated with the Project construction and operations would be less than significant. No mitigation is required.

IV.D.1 FINDINGS

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to AQMP consistency, sensitive receptors, and odors would be less than significant.

IV.G GEOLOGY AND SOILS

The Final EIR discussed the impacts related to geology and soils in Section IV.G.

Impact IV.G-1: Seismic Groundshaking

All development associated with the Project would be required by state law to meet UBC and CBC requirements for structures in Seismic Risk Zone 4. The maximum expected magnitude of an earthquake in this zone is 8.5, and structures built in this zone are required to be designed to withstand an earthquake of this magnitude. Upon compliance with existing laws and UBC requirements, the risk that seismic ground shaking would pose to the Project would be less than significant. No mitigation is required.

Impact IV.G-2: Ground Failure

The potential for liquefaction to occur within the Project site is considered to be low. The potential for hydrocollapse was evaluated as a part of the geotechnical investigation and was found to below, that is, less than one percent of soil thickness. Therefore, hazards associated with the potential for liquefaction and collapsible soils due to development of the Project would be a less than significant impact. No mitigation is required.

IV.G.1 FINDINGS

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to seismic groundshaking and ground failure would be less than significant.

IV.H GREENHOUSE GAS EMISSIONS

The Final EIR discussed the impacts related to GHG emissions in Section IV.H.

Impact IV.H-1: GHG Emissions

The Project's GHG emissions result in an emissions reduction of 31.06 percent when compared to the BAU scenario. This reduction is consistent with the target reduction percentage of 28.5 percent based on CARB's analysis supporting AB 32. Therefore, Project impacts related to GHG emissions would be less than significant.

Impact IV.H-2: Consistency with AB 32 and SB 75

The Project would be consistent with the applicable measures from the 2008 Scoping Plan. For these reasons, the Project would be consistent with AB 32. Also, while the Project includes General Plan amendments, the decrease in number of vehicle trips demonstrates consistency with SB 375. Furthermore, the Project would reduce VMT by improving the design elements to enhance walkability and connectivity, as well as incorporating bicycle lanes and paths improving the on-site pedestrian network and connecting off-site. As such, the Project would be consistent with SB 375. Therefore, Project impacts related consistency with AB 32 and SB 75 would be less than significant.

IV.H.1 FINDINGS

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to GHG emission and consistency with AB 32 and SB 75 would be less than significant.

IV.I HAZARDS AND HAZARDOUS MATERIALS

The Final EIR discussed the impacts related to hazards and hazardous materials in Section IV.I.

Impact IV.I-1: Risk of Upset

No recognized environmental conditions exist at the Project site, and no significant impacts related to hazards and hazardous materials would occur. No mitigation is required.

IV.I.1 FINDINGS

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to risk of upset would be less than significant.

IV.J HYDROLOGY AND WATER QUALITY

The Final EIR discussed the impacts related to hydrology and water quality in Section IV.J.

Impact IV.J-1: Alteration of Drainage Resulting in Erosion/Siltation

During construction, the Project Applicant would be required to prepare and submit a NOI and SWPPP prior to the commencement of construction activities in compliance with General Construction Permit requirements. The SWPPP would describe the BMPs to be implemented during the Project's construction activities. Through compliance with the General Construction Permit requirements, no significant impacts related to erosion and sedimentation would occur as a result of Project construction activities. No mitigation is required.

During operation, the Project Applicant would implement the BMPs outlined in a WQMP would address potential erosion and siltation impacts during the operational phases of the Project to ensure that runoff from the Project site flows to impervious areas, landscaping, and other drainage features and would not encounter bare ground. Therefore, Project impacts related to erosion and sedimentation would be less than significant. No mitigation is required.

Impact IV.J-2: Changes in Drainage Causing Flooding

Although the Project would alter drainage patterns on the Project site, all runoff associated with the Project would be accommodated via appropriately sized storm drain facilities and would control rate and volume of runoff from the Project site to pre-Project conditions. Thus, no onsite or offsite flooding would occur. Therefore, impacts related to this issue would be less than significant. No mitigation is required.

Impact IV.J-3: Stormdrain Capacity

Although the Project would alter drainage patterns on the Project site, all runoff associated with the Project would be accommodated via appropriately sized storm drain facilities and would control rate and volume of runoff from the Project site to pre-Project conditions. Thus, the Project would not exceed storm drain capacity. Therefore, impacts related to this issue would be less than significant. No mitigation is required.

Impact IV.J-4: Water Quality

During construction, submittal of an NOI and implementation of the SWPPP and its associated BMPs throughout the construction phase of the proposed project would address anticipated and expected pollutants of concern as a result of construction activities. Compliance with the General Construction Permit requirements would ensure that water quality standards are met/exceeded during the Project's

construction. Therefore, Project construction-related water quality impacts would be less than significant. No mitigation measures are required.

During operation, the collective site-design, source, and treatment-control BMPs would address the anticipated and expected pollutants of concern from the operational phase of the Project and ensure that water quality standards are met. Therefore, Project impacts related to water quality would be less than significant. No mitigation is required.

Impact IV.J-5: 100-year Flood Zone

A small portion of the southwestern part of the Project site lies within a 100-year flood zone as designated by FEMA. However, the only Project development that would occur within this area includes surface parking and landscaping, neither of which would impede any flood flows within the flood zone. Additionally, the Project's Line BB storm drain would collect runoff and eliminate flooding along Florida Avenue and Myers Street. Therefore, Project impacts related to this issue would be less than significant. No mitigation is required.

IV.J.1 FINDINGS

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to alternation of drainage resulting in erosion/siltation, changes in drainage causing flooding, stormdrain capacity, water quality, and 100-year flood zone would be less than significant.

IV.K LAND USE AND PLANNING

The Final EIR discussed the impacts related to land use and planning in Section IV.K.

Impact IV.K-1: Policy Consistency

The Project would be substantially consistent with all applicable plans, policies, and regulations that apply to development of the Project site, including the Compass Blueprint 2% Strategy, 2008 Regional Comprehensive Plan (the "2008 RCP"), Regional Transportation Plan/Sustainable Communities Strategy (the "RTP/SCS"), Air Quality Management Plan (the "AQMP"), Riverside County Congestion Management Program (the "CMP"), Hemet-Ryan Airport Comprehensive Airport Land Use Plan (the "ALUP"), MSHCP, City's General Plan, and City Zoning Code. Project impacts related to land use and planning would be less than significant. No mitigation is required.

IV.K.1 FINDINGS

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to policy consistency would be less than significant.

IV.L NOISE

The Final EIR discussed the impacts related to noise in Section IV.L.

Impact IV.L-1: Noise Levels in Excess of Standards (Operational)

The expected operational noise level impacts associated with the Project are lower than the existing ambient noise level conditions and would be overshadowed by traffic noise from adjacent roadways. Therefore, the Project would result in a less than significant operational noise impact. No mitigation is required.

Impact IV.L-2: Groundborne Vibration

Using the construction vibration assessment methods provided by the FTA, the Project would not include nor require equipment, facilities, or activities that would result in groundborne vibration damage or in a perceptible human response (annoyance). As such, Project impacts with respect to groundborne vibration during construction would be less than significant. No mitigation is required.

Impact IV.L-3: Permanent Increase in Ambient Noise

The expected operational noise level impacts associated with the Project are lower than the existing ambient noise level conditions and would be overshadowed by traffic noise from adjacent roadways. In addition, the Project would not create a significant off-site traffic noise level impact on the study area roadway segments. Therefore, the Project would not result in a substantial permanent increase in ambient noise levels in the Project vicinity, and impacts would be less than significant. No mitigation is required.

Impact IV.L-5: Airport Land Use Plan Noise

The Project site is located approximately ¾ of a mile north of the Hemet Ryan Airport. However, the Project site is located well outside the 60 dBA CNEL aircraft noise contour boundaries. According to the City of Hemet Land Use Compatibility for Community Noise Environments the noise exposure associated with the Hemet Ryan Airport is considered "Normally Acceptable." As such, the Project would not expose people in the Project area to excessive noise levels associated with an airport land use plan. No mitigation is required.

IV.L.1 FINDINGS

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to noise levels in excess of standards (operational), groundborne vibration, permanent increase in ambient noise, and airport land use plan noise would be less than significant.

IV.M POPULATION AND HOUSING

The Final EIR discussed the impacts related to population and housing in Section IV.M.

Impact IV.M-1: Population Growth

The Project's residential population, residential units, and employment would be consistent with projected growth for the Project site. Therefore, Project impacts related to population and housing would be less than significant. No mitigation is required.

IV.M.1 FINDINGS

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to population growth would be less than significant.

IV.N PUBLIC SERVICES

The Final EIR discussed the impacts related to public services in Section IV.N.

Impact IV.N-3: School Services

The Project would generate approximately 568 students, including 307 elementary students, 87 middle school students, and 174 high school students. Pursuant to the California Government Code and the City's Municipal Code, payment of the school fees established by the Hemet Unified School District (the "HUSD") in accordance with existing rules and regulations regarding the calculation and payment of such fees would, by law, mitigate any potential direct and indirect impacts to schools. Therefore, Project impacts to school services would be less than significant. No mitigation is required.

Impact IV.N-4: Parks and Recreational Services

Based on the City's performance standard for parks (i.e., 5 acres/1,000 residents), the Project would be required to provide approximately 12.5 acres of parkland. Thus, the Project's inclusion of approximately 35.1 acres of open space and recreational areas would exceed the City's requirement for parkland, and impacts related to parks and recreational services would be less than significant.

Impact IV.N-5: Library Services

The Project would create a need for approximately 6,175 to 6,792 books, 1,235 to 1,482 square feet of library space, and 9 library seats. The City provides for library services through the City's DIF in accordance with City Council Resolution No. 3981. The additional library facilities and material costs in the City due to buildout of the Project would be offset through the payment of the required DIF. Project impacts related to library services would be less than significant.

IV.N.1 FINDINGS

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to school services, parks and recreational services, library services would be less than significant.

IV.P UTILITIES AND SERVICE SYSTEMS

The Final EIR discussed the impacts related to utilities and service systems in Section IV.P.

Impacts IV.P-1 and IV.P-2: Wastewater Treatment

The Project would generate an approximate average flow of 224.4 gallons of wastewater per minute (or 322,560 gpd) and an approximate peak flow of 561.1 gallons of wastewater per minute (or 807,984 gpd). As stated previously, the SJVRWRF has an existing capacity of 12.4 mgd, with expansion to 14 mgd expected for completion by 2014; while existing wastewater flow through the facility is approximately 9.4 mgd. As a result, the SJVRWRF would have adequate wastewater treatment capacity to serve the Project. Therefore, implementation of the Project would not require construction of new wastewater treatment facilities or expansion of existing facilities, and impacts would be less than significant.

Impact IV.P-3: Water Treatment

The Project's water demand would be approximately 560.7 acre-feet per year (or roughly 500,625 gpd), which falls within the existing and projected water supplies of EMWD. Thus, the water treatment plants would have adequate capacity to treat any water associated with the Project. As such, no new or expanded water treatment facilities would be necessary to construct. Therefore, Project impacts related to water treatment would be less than significant.

Impact IV.P-4: Water Supply

EMWD prepared a WSA for the Development Project (refer to Appendix IV.P) in conformance with California law to ensure that the water usage of the Project would be consistent with EMWD's long-term water supply availability. The estimated water demand for the Project is 560.7 acre-feet annually. EMWD concluded that the Project's demand for water could be accommodated by EMWD's existing and projected supplies. Thus, the Project would not require the expansion or acquisition of new water supplies. Therefore, Project impacts related to water supply would be less than significant.

Impact IV.P-5: Solid Waste (Construction)

The remaining combined daily intake capacity of the landfills serving the Project area is 10,605 tpd. As such, these landfills would have adequate capacity to accommodate the average daily construction waste generated by the Project. Additionally, adherence to AB 939 and required use of recycling facilities

would reduce further the amount of construction waste that could be deposited in the landfills. Therefore, Project impacts related to construction solid waste disposal would be less than significant.

Impact: Energy

The Project would consume approximately 16,616,409 kilowatts per hour (kWh) per year, representing approximately two percent of the County of Riverside's (the "County") forecasted electricity consumption of 684,601,745 kWh per year in 2030 for the County as a whole. Therefore, it is anticipated that Southern California Edison's (SCE) existing and planned electrical capacity and electricity supplies would be sufficient to support the Project's electricity consumption. Therefore, the Project would not require the acquisition of additional electricity resources beyond those that are anticipated by SCE, and impacts related to electricity service would be less than significant.

IV.P.1 FINDINGS

Based on the EIR analysis and the whole of the record, the City finds that Project impacts related to wastewater treatment, water treatment, water supply, solid waste (construction), and energy would be less than significant.

5. LESS THAN SIGNIFICANT IMPACTS WITH MITIGATION

The EIR determined that the Project has potentially significant environmental impacts in the areas discussed below. The EIR identified feasible mitigation measures to avoid or substantially reduce the environmental impacts in these areas to a level of less than significant. Based on the information and analysis set forth in the EIR, the Project would not have any significant environmental impacts in these areas, as long as all identified feasible mitigation measures are incorporated into the Project. The Council again ratifies, adopts, and incorporates the full analysis, explanation, findings, responses to comments, and conclusions of the EIR.

IV.B AESTHETICS

The Final EIR discussed the impacts related to aesthetics in Section IV.B.

Impact IV.B-4: Light and Glare

The Project would result in new sources of light and glare at the Project site. Project compliance with the Project Design Features with respect to lighting, the Specific Plan design guidelines related to lighting, and Mitigation Measure B-1, would ensure that the Project's nighttime lighting and lighting spillover impacts would be less than significant.

Mitigation Measures – Light and Glare

B-1: Prior to the approval of a Street Improvement Plan for residential or commercial development, the Project applicant shall submit a street lighting plan for review and approval by the Department of Public Works. The plan shall include the amount, location, height, and intensity of street lighting limited to the minimum necessary for public safety in order to reduce potential for light and glare and incidental spillover into adjacent properties and/or roadways.

IV.B.1 FINDINGS

The City Council finds that Mitigation Measure B-1 is herby incorporated into the Project and avoids or substantially lessens the significant light and glare impact to less than significant as identified in the EIR.

IV.D AIR QUALITY

The Final EIR discussed the impacts related to air quality in Section IV.D.

Impacts IV.D-2: Construction Emissions

The Project would generate pollutant emissions during the Project's construction phase. With implementation of Mitigation Measures D-1, D-2, and D-3, the Project's regional construction-related

VOC and NO_x emissions and all localized emissions would be reduced and would not exceed the significance thresholds. Impacts would be less than significant.

Mitigation Measures – Construction Emissions

D-1: During any grading activities, all heavy-duty diesel equipment (≥ 100 horsepower) shall be CARB Tier 3 Certified or better.

D-2: Only Zero-Volatile Compounds paints (no more than 100 gram/liter of VOC) and/or High-Pressure Low-Volume applications consistent with SCAQMD Rule 1113 shall be used.

D-3: During any construction activities, active heavy-duty construction equipment shall be located at least 100 feet away from sensitive receptors (including on-site and off-site residences and schools).

D-4: Water or a stabilizing agent shall be applied to exposed surfaces at least three times per day to prevent generation of dust plumes.

D-5: The construction contractor shall utilize at least one of the following measures at each vehicle egress from the project site to a paved public road:

- Install a pad consisting of washed gravel maintained in clean condition to a depth of at least six inches and extending at least 30 feet wide and at least 50 feet long;
- Pave the surface extending at least 100 feet and at least 20 feet wide;
- Utilize a wheel shaker/wheel spreading device consisting of raised dividers at least 24 feet long and 10 feet wide to remove bulk material from tires and vehicle undercarriages; or
- Install a wheel washing system to remove bulk material from tires and vehicle undercarriages.

D-6: All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).

D-7: Construction activity on unpaved surfaces shall be suspended when wind speed exceed 25 miles per hour (such as instantaneous gusts).

D-8: Ground cover in disturbed areas shall be replaced as quickly as possible.

D-9: Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).

D-10: Traffic speeds on all unpaved roads to be reduced to 15 mph or less.

D-11: Sweep streets at the end of the day if visible soil is carried onto adjacent public paved roads. If feasible, use water sweepers with reclaimed water.

D-12: Heavy-duty equipment operations shall be suspended during first and second stage smog alerts.

D-13: Equipment and vehicle engines shall be maintained in good condition and in proper tune per manufacturers' specifications.

D-14: All diesel-powered off-road construction equipment greater than 50 horsepower shall meet USEPA Tier 4 or higher emissions standards. In addition, all construction equipment shall be outfitted with best available control technology (BACT) devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a CARB-defined Level 3 diesel emissions control strategy for a similarly sized engine.

D-15: All diesel-powered construction equipment shall use CARB Level 2 or higher diesel particulate filters.

D-16: Electricity shall be utilized from power supply sources rather than temporary gasoline or diesel power generators, as feasible.

D-17: Heavy-duty trucks shall be prohibited from idling in excess of five minutes, both on- and off-site.

D-18: **4.3.1 Building Materials**

- Architectural paints and coatings shall comply with VOC limits identified in the CalGreen Code (required).
- Prefinished building materials that do not require additional paining or staining should be utilized when possible as discussed in SectionA4.405, Material Sources, of the CalGreen Code (suggested).
- Insulation with at least 75 percent recycled content on the aggregate, such as cellulose, newspaper, or recycled cotton (suggested).

D-19: **4.3.2. Indoor/Outdoor Air Quality**

- Outdoor electrical outlets for electric outdoor equipment (required).

- Pre-wiring electric vehicle plug-in stations as part of surface or indoor parking lot (suggested).
- Flooring and insulation products that are low emitters of volatile organic compounds (VOC) and formaldehyde (required).
- Low- and zero- VOC paints, finishes, adhesives, caulks, and other substances to improve indoor air quality and avoid harmful health effects of off-gassing (required.
- Natural gas fireplaces to minimize smoke and pollutants from wood burning fireplaces (e.g. CO, NO and VOCs)(required).
- Construction equipment shall be properly maintained and serviced to minimize construction related exhaust emissions (required).
- Smoking shall be prohibited in nonresidential buildings and within 25 feet of nonresidential building entries, outdoor air intakes, and operable windows per Section 5.504, Pollution Control, of the CalGreen Code (required).

IV.D.1 FINDINGS

The City Council finds that Mitigation Measures D-1 through D-19 are herby incorporated into the Project and avoid or substantially lessen the significant construction emissions impacts to less than significant as identified in the EIR.

IV.E BIOLOGICAL RESOURCES

The Final EIR discussed the impacts related to biological resources in Section IV.E.

Impact IV.E-1: Biological Resources

The Project could result in the loss or degradation of special-status species, riparian habitat/sensitive natural communities, and wetlands and has the potential to conflict with local policies/ordinances related to biological resources and with the MSHCP. With implementation of mitigation measures E-1 through E-7, Project impacts related to biological resources would be less than significant.

Mitigation Measures – Biological Resources

E-1: **MSHCP Local Development Mitigation Fee**

The Project applicant shall pay MSHCP Local Development Mitigation fees as established and implemented by the City of Hemet.

E-2: **SKR Fee Area**

The Project site falls within the Stephens' kangaroo rat (SKR) fee area outlined in the Riverside County SKR HCP. The Project applicant shall pay the fees pursuant to County Ordinance 663.10 for the Riverside County SKR HCP Fee Assessment Area as established and implemented by the County.

E-3: **Burrowing Owl 30-Day Preconstruction Surveys**

A 30-day burrowing owl preconstruction survey shall be conducted immediately prior to the initiation of ground-disturbing construction to ensure protection for this species and compliance with the conservation goals as outlined in the MSHCP. The survey will be conducted in compliance with both MSHCP and CDFW guidelines (MSHCP 2006, CDFW 2012). A report of the findings prepared by a qualified biologist shall be submitted to the City of Hemet prior to any permit or approval for ground disturbing activities.

If burrowing owls are detected on-site during the 30-day preconstruction survey, during the breeding season (February 1 to August 31), then construction activities shall be limited to beyond 300 feet of the active burrows until a qualified biologist has confirmed that nesting efforts are compete or not initiated. In addition to monitoring breeding activity, if construction would occur during the breeding season and/or if active relocation is proposed, a burrowing owl mitigation plan shall be developed based on the County of Riverside Environmental Programs Division, CDFW and USFWS requirements for the active relocation of individuals to the Lake Mathews Preserve.

E-4: **Federal Migratory Bird Treaty Act**

Mitigation for potential direct/indirect impacts to common and MSHCP covered sensitive passerine and raptor species will require compliance with the federal MBTA. Construction outside the nesting season (between September 16th and January 31st) does not require pre-removal nesting bird surveys. If construction is proposed between February 1st and September 15th, a qualified biologist must conduct a nesting bird survey(s) no more than fourteen days prior to initiation of grading to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the Project site.

The survey(s) would focus on identifying any raptors and/or passerines nests that would be directly or indirectly affected by construction activities. If active nests are documented, species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. At a minimum, grading in the vicinity of a nest shall be deterred until the young birds have fledged. A minimum exclusion buffer of 100 feet shall be maintained

during construction, depending on the species and location. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area. A survey report by a qualified biologist verifying that no active nests are present, or that the young have fledged, shall be submitted to the City of Hemet prior to initiation of grading in the nest-setback zone. The qualified biologist shall serve as a construction monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur. A report of the findings prepared by a qualified biologist shall be submitted to the City of Hemet prior to construction that has the potential to disturb any active nests during the nesting season. Any nest permanently vacated for the season would not warrant protection pursuant to the MBTA.

E-5: **MSHCP Riparian/Riverine/Vernal Pool Resources**

To meet the criteria of a biologically equivalent or superior alternative, the applicant shall offset impacts to 0.45 acre of vernal pools and 0.59 acre of agricultural ditches by preserving a minimum of 2.08 acre of vernal pool habitat within Criteria Cell 3684 Cell Group D (APN 465-020-030, Hemet Marketplace) as directed by the RCA, USFWS, CDFW, USACE, and RWQCB. The 2.08 acres of mitigation lands (2:1 ratio) shall be identified, preserved and conveyed in fee title, or by conservation easement, to the RCA. The proposed mitigation study area within which 2.08 acres will be preserved is located south of Florida Avenue and west of Warren Road in the City of Hemet, California. Specifically, the study area is located within the MSHCP San Jacinto Valley Area Plan, Subunit 4: Hemet Vernal Pool Areas East in Cell 3584.

In addition to preserving lands southwest of the Project site, the Project proponent shall also provide design elements that will contribute to the Regional Drainage Plan. Specifically, the Project shall safely convey the region-wide peak flows (the maximum flow rate associated with a 100-year storm event), as well as the increased surface flows that will result from the development of the site, from the intersection of Myers Street and Devonshire Road to the intersection of Warren Road and Florida Avenue. The watershed runoff shall be discharged into an existing channel system along Warren Road, which then extends south of Florida Avenue and recharges the vernal pool system. Runoff patterns shall be recreated to mimic pre-development conditions.

E-6: **CDFW/RWQCB**

Prior to issuance of a grading permit, the Project applicant shall obtain a 1602 SAA from CDFW and a WDR permit issued by the RWQCB pursuant to the California Water Code Section 13260. At a minimum, the Project Applicant shall comply with Mitigation Measure E-5 to mitigate its

impacts to CDFW/RWWCB resources, and shall otherwise comply with the applicable permit conditions of the 1602 SAA and WDR permit.

E-7: **Indirect Impacts**

Final Project design shall be developed to ensure that best management practices incorporated into the Project address and minimize edge effects associated with the Urban/Wildlands Interface of open space lands proposed within the southwest region of the property (vernal pool – alkaline complex), including the maintenance and conveyance of season clean water flows through the Project site to the MSHCP Criteria Area where alkali vernal plain habitat is located west and southwest of the property (Noncontiguous Habitat Block 7).

IV.E.1 FINDINGS

The City Council finds that Mitigation Measures E-1 through E-7 are herby incorporated into the Project and avoid or substantially lessen the significant biological resources impacts to less than significant as identified in the EIR.

IV.F CULTURAL RESOURCES

The Final EIR discussed the impacts related to cultural resources in Section IV.F.

Impact IV.F-1: Archaeological Resources

No known archaeological resources exist at the Project site. However, it is possible that unknown resources could be encountered during the Project's grading and excavation phases. With implementation of Mitigation Measures F-1 through F-6, impacts would be less than significant.

Impact IV.F-2: Paleontological Resources

However, in the event of an unanticipated discovery of paleontological resources during grading and excavation of the site, implementation of Mitigation Measure F-7 would be required for all development under the Project that includes ground-disturbing activities. With implementation of this mitigation measure, no significant impacts related to archaeological resources would occur.

Impact IV.F-3: Human Remains

No human remains are known to occur at the Project site. In the unlikely event that human remains are encountered during construction of the Project, implementation of Mitigation Measure F-8 would be required for all development under the Project that includes ground-disturbing activities. With implementation of this mitigation measure, no significant impacts related to human remains would occur.

Mitigation Measures – Cultural Resources

F-1: Prior to the beginning of Project construction, the Project Developer(s) shall retain a City of Hemet-approved archaeological monitor to monitor all ground-disturbing activities, including off-site grading, 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 appropriate local Soboba Band or Pechanga Tribe, in accordance with the Treatment and Monitoring Agreement required in Mitigation Measure F-2.

F-2: At least 30 days prior to beginning Project construction, the Project Developer(s) shall contact the appropriate local Soboba Band or Pechanga Tribe to notify them of grading, excavation, and the monitoring program, and to coordinate with the City and the Soboba Band or Pechanga Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of Soboba Band or Pechanga Tribe monitors during on-site and off-site grading, excavation, and ground disturbing activities; Project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

F-3: Prior to beginning Project construction, the Project archaeologist shall file a pre-grading report with the City (if required) to document the proposed methodology for grading activity observation. 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 F-1, the archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the appropriate local Soboba Band or Pechanga Tribe in order to evaluate the significance of any archaeological resources discovered on the property. Soboba Band or Pechanga Tribe monitors shall be allowed to monitor all on-site and off-site grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the Project archaeologist. The archaeologist shall also be responsible for a post-grading monitoring report to be submitted to the City, the Project Developer(s), the Eastern Information Center, and the Pechanga Tribe and the Soboba Band of Luiseno Indians no later than 45 days after completion of all monitoring activities.

F-4: The landowner(s) shall relinquish ownership of all cultural objects, including sacred items, burial goods, and all archaeological artifacts that are found on the Project area to the appropriate local Soboba Band or Pechanga Tribe for proper treatment and disposition as outlined in the Treatment and Monitoring Agreement required in Mitigation Measure F-2.

F-5: All sacred sites, should they be encountered within the Project area, shall be treated in accordance with the Treatment and Monitoring agreement required in Mitigation Measure F-2.

F-6: If inadvertent discoveries of subsurface archaeological resources are discovered during grading, the Project Developer(s), the Project archaeologist, and the appropriate local Soboba Band or Pechanga Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Project Developer(s) and the Soboba Band or Pechanga Tribe cannot agree on the significance or the mitigation for such resources, these issues shall be presented to the City's Community Development Director for decision. The City shall make the determination based on the provisions of CEQA and with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Soboba Band or Pechanga Tribe.

F-7: Prior to issuance of grading permits, the developer shall retain a qualified Paleontologist to develop a Paleontologic Resource Impact Mitigation Program (PRIMP) for the excavation phase of the proposed project. The PRIMP shall conform to the guidelines of the County of Riverside and the Society of Vertebrate Paleontology. It shall include the following steps:

- A trained paleontological monitor shall be present during ground-disturbing activities within the project area in sediments determined likely to contain paleontological resources. The monitor shall be empowered to temporarily halt or redirect construction activities to ensure avoidance of adverse impacts to paleontological resources. The monitor shall be equipped to rapidly remove any large fossil specimens encountered during excavation. During monitoring, samples shall be collected and processed to recover microvertebrate fossils. Processing shall include wet screen washing and microscopic examination of the residual materials to identify small vertebrate remains.

- Upon encountering a large deposit of bone, salvage of all bone in the area shall be conducted with additional field staff and in accordance with modern paleontological techniques.

- All fossils collected during the proposed project shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of all material collected and identified shall be provided to the museum repository along with the specimens.

- A report documenting the results of the monitoring and salvage activities and the significance of the fossils shall be prepared.

- All fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a museum repository for permanent curation and storage.

F-8: If human remains are discovered at the Project site during construction, work at the specific construction site at which the remains have been uncovered shall be suspended, and the City Public Works Department and County coroner shall be immediately notified. If the remains are determined by the County coroner to be Native American, the NAHC shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains.

IV.F.1 FINDINGS

The City Council finds that Mitigation Measures F-1 through F-8 are herby incorporated into the Project and avoid or substantially lessen the significant cultural resources impacts to less than significant as identified in the EIR.

IV.G GEOLOGY AND SOILS

The Final EIR discussed the impacts related to geology and soils in Section IV.G.

Impact IV.G-3: Expansive Soils

Two samples of soil from the Project site were tested for expansion potential as a part of the geotechnical investigation. The expansion indices of the samples were 78 and 79, indicating a medium expansion potential. With implementation of Mitigation Measure G-1, Project impacts related to expansive soils would be less than significant.

Mitigation Measures – Expansive Soils

G-1: Prior to issuance of grading permits, a detailed geotechnical investigation report shall be submitted with engineered grading plans to further evaluate expansive soils, and provide site-specific recommendations to mitigate (e.g., removal and replacement of near surface soils with engineered fill) potential hazards as a result of expansive soils in accordance with the criteria and seismic design parameters of the UBC, CBC, and the SEAOC. The geotechnical report shall be prepared and signed/stamped by a Registered Civil Engineer specializing in geotechnical engineering and a Certified Engineering Geologist. The recommendations contained in the geotechnical report shall be implemented by the developer. Geotechnical rough grading plan review reports shall be prepared in accordance with the City of Hemet Grading Ordinance.

IV.G.1 FINDINGS

The City Council finds that Mitigation Measure G-1 is herby incorporated into the Project and avoids or substantially lessens the significant expansive soils impact to less than significant as identified in the EIR.

IV.I HAZARDS AND HAZARDOUS MATERIALS

The Final EIR discussed the impacts related to hazards and hazardous materials in Section IV.I.

Impact IV.I-2: Airport Hazards

The Project site is located approximately one-half mile northeast of the Hemet-Ryan Airport, approximately 3,500 feet from the Hemet-Ryan Airport runway at the closest point, which is the southeast corner of the Project site. As such, the Project would be required to implement Mitigation Measures I-4 through I-5 to ensure future land use compatibility with the Hemet-Ryan Airport. With implementation of these mitigation measures, impacts with respect to airport safety hazards would be less than significant.

Impact IV.I-3: Wildland Fire Hazards

Low-medium density residential land uses and potentially a school would be developed within the portion of the Project site north of Devonshire Avenue that is within the moderate fire hazard zone. All developers under the Project would be required to coordinate with the Hemet Fire Department for review and approval of Project plans (refer to Mitigation Measure I-5). Through compliance with Hemet Fire Department requirements as a result of site plan review and approval, Project impacts related to wildand fires would be less than significant.

Mitigation Measures – Hazards and Hazardous Materials

Airport Safety

I-1: Prior to approval of building permits, the applicant shall record Avigation Easements covering the entire parcel proposed for development to the County of Riverside as owner-operator of Hemet-Ryan Airport. (Contact the Riverside County Economic Development Agency – Aviation Division for further information.)

I-2: Any outdoor lighting installed shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky.

I-3: The following uses shall be prohibited:

a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

b. Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

I-4a: The following notice shall be given to all initial prospective buyers by the applicant or their successors-in-interest: Notice of Airport in Vicinity: This property is presently located in the vicinity of an airport, within what is know as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business and Professions Code 11010 12(A).

I-4b: The Project Applicant shall modify the Specific Plan text to include the "FAA Construction Notification Areas" exhibit and incorporate the text of Specific Plan Section 5.4.4 Hemet-Ryan Airport into this new section.

I-4c: Development implementing the Specific Plan shall comply with FAA Part 77, in particular requirements for Obstruction Evaluation based on the distance of the closest operating runway at Hemet-Ryan Airport and relative elevation between the runway and proposed development grade and building height. Any implementing development that does require FAA Obstruction Evaluation review shall submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the FAA for each building and shall have received a determination of "Not a Hazard to Air Navigation" from the FAA. Copies of the FAA determination shall be provided to the City of Hemet Community Development Department and the Riverside County Airport Land Use Commission.

I-4d: Any new storm water retention basins on the Project site shall be designed so as to provide for a maximum 72-hour detention period following the conclusion of a storm event for the design storm (may be less, but not more). Water quality and re-use basins with fluctuating water levels that are under two acres in size are exempt from the requirement. Vegetation in and around the retention and water quality basin(s) that would provide food or cover for waterfowl species that would be incompatible with airport operations shall not be utilized in the landscaping and shall not include trees that produce seeds, fruits, or berries.

Wildland Fires

I-5: Prior to issuance of a building permit, the applicants of any development north of Devonshire Avenue shall coordinate with the Hemet Fire Department or any other agency providing fire protection services to the City for review and approval of site plans and shall incorporate all appropriate recommendations into the design and construction of the development.

IV.I.1 FINDINGS

The City Council finds that Mitigation Measures I-1 through I-5 are hereby incorporated into the Project and avoid or substantially lessen the significant hazards and hazardous materials impacts to less than significant as identified in the EIR.

IV.L NOISE

The Final EIR discussed the impacts related to noise in Section IV.L.

Impact IV.L-1: Noise Levels in Excess of Standards (Construction)

Based on the five phases of construction-related noise impacts, the noise impacts associated with the Project are expected to create temporary high-level noise impacts at receptors surrounding the Project site when certain activities occur near the Project property line. As such, construction of the Project would result in a potentially significant impact with respect to construction noise. However, Mitigation Measures L-1 through L-3 have been provided in order to reduce construction noise impacts to less than significant.

Impact IV.L-4: Temporary Increase in Ambient Noise

Based on the five phases of construction-related noise impacts, the noise impacts associated with the Project are expected to create temporary high-level noise impacts at receptors surrounding the Project site when certain activities occur near the Project property line. However, implementation of Mitigation Measures L-1 through L-3 would reduce the Project's impacts to less than significant.

Mitigation Measures – Noise

Construction Noise

L-1: During all Project site construction, the 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.

L-2: The construction contactor shall locate equipment staging in areas that would create the greatest distance between construction-related noise sources and noise sensitive receptors nearest he Project site during all Project construction.

L-3: The construction contactor shall limit haul truck deliveries to the same hours specified for construction equipment. Haul routes shall not pass sensitive land uses or residential dwellings.

L-4: Prior to any construction activities, the Project Developer shall notify all land uses in the vicinity of the construction site of the construction schedule.

L-5: Prior to any construction activities, the contact name and number of the Project contractor or County staff to receive noise complaints shall be posted in a location readily visible to off-site land uses.

L-6: All construction activities shall occur between the hours of 6:00 a.m. and 6:00 p.m. during the months of June through September and between the hours of 7:00 a.m. and 6:00 p.m. during the months of October through May. Saturday construction shall be permitted between the hours of 7:00 a.m. and 6:00 p.m. Sunday construction shall be prohibited. Exceptions to these standards may be granted only by the City building official and/or the City Council.

L-7: Any mass grading activity within 200 feet of a sensitive receptor shall require the installation of a temporary noise attenuation fence.

On-Site Traffic Noise

L-8: To satisfy the City of Hemet's 65 dBA CNEL exterior noise level standard for noise-sensitive residential land uses, a 6.0-foot high noise barrier shall be constructed at the following locations within the Project site (see also Figure IV.L-3):

- Lots facing Warren Road, north of Florida Avenue, in Planning Area 5.
- Lots facing Myers Street, between Driveway 10 and Florida Avenue, in Planning Area 3.
- Lots facing Devonshire Avenue, between Old Warren Road and Driveway 3, in Planning Areas 8 and 9.
- Lots facing Devonshire Avenue, between Driveway 3 and Driveway 6, in Planning Areas 7 and 9.
- Lots facing Devonshire Avenue, between Driveway 6 and Myers Street, in Planning Area 10.

The noise barrier must weigh at least 4.0 pounds per square foot of face area and have no decorative cutouts or line-of-sight openings between shielded areas and the roadways. The noise 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 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.

IV.L.1 FINDINGS

The City Council finds that Mitigation Measures L-1 through L-8 are herby incorporated into the Project and avoid or substantially lessen the significant noise impacts to less than significant as identified in the EIR.

IV.N PUBLIC SERVICES

The Final EIR discussed the impacts related to public services in Section IV.N.

Impact IV.N-1: Fire Protection

The Project's increase in the number of residents (approximately 2,470) and employees (approximately 2,300) would increase the need for fire protection and emergency medical services at the Project site. However, the Project Applicant would be required to implement Mitigation Measures N-1, requiring (a) formation of a or participation in the Public Safety CFD in accordance with City Council Resolution 3821, and (b) payment of DIF and/or construction and/or funding the required fire protection services improvements to and obtain DIF credit, in accordance with City Council Resolution 3981. With implementation of Mitigation Measure N-1, Project impacts related to fire protection services would be less than significant.

Impact IV.N-2: Police Protection

The Project's increase in the number of residents (approximately 2,470) and employees (approximately 2,300) would increase the need for police services at the Project site. However, the Project Applicant

would be required to implement Mitigation Measures N-2, requiring (a) formation of a or participation in the Public Safety CFD in accordance with City Council Resolution 3821, and (b) payment of DIF and/or construction and/or funding the required police protection services improvements to and obtain DIF credit, in accordance with City Council Resolution 3981. With implementation of Mitigation Measure N-2, Project impacts related to police services would be less than significant.

Mitigation Measures – Public Services

Fire Protection

N-1: To maintain response times, availability, and overall level of fire protection service, the Project shall (a) form or participate in a Public Safety CFD in accordance with City Council Resolution 3821, and (b) pay DIF and/or construct and/or fund the required fire service improvements to and obtain DIF credit, in accordance with City Council Resolution 3981.

Police Protection

N-2: To maintain response times, availability, and overall level of police service, the Project shall (a) form or participate in a Public Safety CFD in accordance with City Council Resolution 3821, and (b) pay DIF and/or construct and/or fund the required police service improvements to and obtain DIF credit, in accordance with City Council Resolution 3981.

IV.N.1 FINDINGS

The City Council finds that Mitigation Measures N-1 and N-2 are herby incorporated into the Project and avoid or substantially lessen the significant fire and police protection impacts to less than significant as identified in the EIR.

IV.O TRANSPORTATION/TRAFFIC

The Final EIR discussed the impacts related to Transportation and Traffic in Section IV.O.

Impact IV.O-1: Level of Service: With implementation of mitigation, the Project would conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit, and impacts would be significant and unavoidable. The Project would generate approximately 25,555 trip-ends per day with 1,846 AM peak-hour trips and 2,040 PM peak-hour trips and would result in significant impacts at study intersections and roadway segments.

Mitigation Measures – Level of Service

Based on the information and analysis set forth in the Final EIR and the record of proceedings, the following mitigation measures will reduce the Project impacts on intersection level of service to a less than significant level:

O-1: Improvements for Project-Specific Impacts. The two intersection improvements listed below shall be fully constructed or guaranteed for construction by the master developer or a developer for an individual development project within the Specific Plan Area, in accordance with the thresholds listed below.[2] During the review process for each individual development project within the Specific Plan, the developer shall have a qualified traffic engineer calculate the portion of the total Specific Plan peak-hour traffic trips associated with such development for the project impacted intersections noted below. Such analysis shall be based on the Ramona Creek Traffic Analysis (TIA) prepared by Urban Crossroads dated February 12, 2014 and included as Appendix IV.O of the Draft EIR and shall use the same methodology as the TIA (e.g. trip generation rates and distribution). All individual development projects within the Specific Plan Area shall contribute their fair-share towards the identified improvements prior to the issuance of the first building permit for the individual development project. The funds for these improvements shall be held in an account administered by the City and used to construct the facilities identified. The City shall enter into a fee credit and reimbursement agreement with the developer responsible for constructing the actual improvements.

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[2] *Intersection 4: California Avenue and Florida Avenue has not been included, because the improvement identified to improve the LOS at this facility (installation of a traffic signal) is fully funded, and construction is eminent.*

Intersection 9: Warren Road/Devonshire Avenue

- Install a traffic signal
- Construct a northbound left-turn lane
- Construct a southbound left-turn lane
- Construct an eastbound left-turn lane
- Construct a westbound left-turn lane

This improvement shall be constructed by the master developer, or developer for an individual development project within the Specific Plan Area, on or before the issuance of the building permit for the 718 equivalent dwelling unit (EDU) within the Specific Plan Area.[3]

Intersection 12: Warren Road/Auto Boulevard

- Install a traffic signal

This improvement shall be constructed by the master developer, or a developer for an individual development project within the Specific Plan Area, on or before the issuance of the building permit for the 1,193 EDU within the Specific Plan Area.[4]

IV.O.1 FINDINGS

The City Council finds that Mitigation Measures O-1 is herby incorporated into the Project and avoid or substantially lessen the Project impacts on intersection level of service under the Existing (2012) With-Project Condition to a less than significant level.

IV.P UTILITIES AND SERVICE SYSTEMS

The Final EIR discussed the impacts related to utilities and service systems in Section IV.P.

Impact IV.P-5: Solid Waste (Operation)

The Project would generate approximately 9.53 tons of solid waste per day during the Project's operation phase, conservatively assuming no recycling efforts. As stated previously, the remaining combined daily intake capacity of the landfills serving the Project area is 10,605 tpd. As such, these facilities would have adequate capacity to accommodate the daily operational waste (9.53 tons) generated by the Project.

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[3] *Refer to the EDU table in Chapter 10 of the Ramona Creek TIA included as Appendix IV.O of the Draft EIR.*

[4] *Ibid.*

Additionally, adherence to AB 939 and required use of recycling facilities would reduce further the amount of waste that could be deposited in the landfills. Also, the Project would be required to participate in the City's on-going recycling efforts (refer to Mitigation Measures P-1 through P-9) to further reduce the need the landfill capacity. Therefore, Project impacts related to operational solid waste disposal would be less than significant.

Mitigation Measures – Solid Waste (Operation)

P-1: The construction contractor shall only contract for waste disposal services with a company that recycles demolition and construction-related wastes. The contract specifying recycled waste service shall be presented to the Building and Safety Department prior to approval of Certificate of Occupancy.

P-2: To facilitate on-site separation and recycling of construction-related wastes, the construction contractor should provide temporary separation bins onsite during demolition.

P-3: Trash service may be individual or centralized collection, as is appropriate for the design of each area of the Project.

P-4: Individual collection is trash collection that is provided at each unit. Homes serviced using individual containers shall have a minimum of nine square feet of designated space for each container and the space to store two containers. The container storage space does not have to be contiguous or indoors. The approved floor plan must identify the container storage area.

P-5: Centralized collection areas provide common trash bins for projects without individual containers. Walking distance to a bin or compactor should be less than 250 feet from the door of the facility it serves. Unless a larger area is specifically required by the trash hauler based upon the proposed use, common refuse and recycling enclosures shall have a minimum interior dimension of ten square feet.

P-6: Centralized trash collection areas shall be enclosed within a building or screened with masonry walls having a minimum height of six feet with self-latching gates. Access gates or doors to any trash area not enclosed within a building are to be of opaque material. Screening and enclosures shall be designed to be architecturally compatible with the building and landscape design in terms of material, color, shape, and size. Refuse and recycling receptacles shall be completely screened from public rights-of-way and parking areas through site orientation, enclosures, and/or landscaping, and shall be situated so as to eliminate noise and visual intrusion and eliminate fire hazards.

P-7: The certified waste hauler contracted by the developer(s) shall implement a curbside recycling program within the proposed project. The contract shall also include provisions for separating

lawn trimmings and other green waste for recycling. The responsibility for the waste hauler contract shall ultimately be transferred from the developer to the homeowner's association for residential areas or property owner for non-residential areas.

P-8: All commercial use shall be required to provide trash compactors for non-recyclable wastes. Each separate building in the Commercial Mixed-Use District shall provide one refuse bin and one recycling bin, or as required by trash provider.

P-9: Prior to recordation of the first subdivision map on the property, a comprehensive waste-recycling program for the City shall be submitted and approved by the City's waste hauler.

IV.P.1 FINDINGS

The City Council finds that Mitigation Measures P-1 through P-9 are herby incorporated into the Project and avoid or substantially lessen the significant solid waste (operation) impact to less than significant as identified in the EIR.

6. SIGNIFICANT UNAVOIDABLE IMPACTS

The EIR determined that the Project would result in potentially significant environmental impacts related to air quality and transportation/traffic. The EIR identified all feasible mitigation measures to reduce these impacts, but even with implementation of feasible mitigation measures, impacts would remain significant and unavoidable for the following impacts:

Air Quality – Regional Operational Emissions

Transportation/Traffic – LOS

The Council again ratifies, adopts, and incorporates the full analysis, explanation, findings, responses to comments, and conclusions of the EIR.

IV.D AIR QUALITY

The Final EIR discussed the impacts and mitigation measures related to air quality in Section IV.D.

IV.D-3: Regional Operational Emissions

Based on the information and analysis set forth in the EIR and the record of proceedings, the Project's impacts related to regional operational emissions are significant and unavoidable at the Project and cumulative levels.

Operation of the Project would exceed criteria pollutant thresholds established by the SCAQMD for VOCs, NO_X, CO, PM_{10}, and $PM_{2.5}$ during the summer and winter scenarios. Therefore, Project impacts related to regional operational emissions would be significant.

The majority of regional operational emissions area result of mobile sources. As described in the EIR, the Specific Plan's Sustainability Plan (Chapter 4) includes a substantial range of policies that designed to reduce operational air quality emissions to the extent feasible, including from mobile sources, including those listed as follows:

Landscaping

Sustainable landscaping practices and techniques help promote water conservation and reduce water demand as well as help to control water and irrigation costs. Efficient irrigation techniques help reduce water demand, while sustainable landscape design can lead to the reduction of the heat-island effect (the absorption of solar heat in paved surfaces), improved environmental habitat, and reduced overall maintenance and replacement cost.

- **Hemet Municipal Code** - comply with Article XLVIII, Landscaping and Irrigation (required).

- **High efficiency irrigation systems** would be installed to reduce the amount of water devoted to landscaped areas, such as drip and bubbler irrigation and low-angle, low-flow nozzles on spray heads (required).

- **Automated irrigation controllers** would be properly programmed, including evapotranspiration-based systems, which are water efficient and weather based (required).

- **Plant material selection** shall be based on species that are drought tolerant, heat resistant, and hardy. Native plant material should also be closely examined and considered for most landscape areas. On the aggregate, plant selection within the Project site should strive to use up to 75 percent water-wise/drought-tolerant, native, or Mediterranean plant materials (required).

- **Large turf areas** shall be prohibited except within the Recreation Spine and Community Green. Water conserving native groundcovers or perennial grasses, shrubs, and trees shall be specified instead (required).

- **Trails** should be constructed of pervious materials such as decomposed granite or existing earth (suggested).

- **Hydrozones** - plants with similar water requirements shall be grouped together. A reference is available from the California Department of Water Resources (required).

- **Mulch** planting beds and apply compost and environmentally friendly fertilizers to promote healthy topsoil, maximize plant growth, and reduce plant replacement as well as the need for longer or more frequent irrigation run times (suggested).

- **Recycled water** would be used where available and approved by the Eastern Municipal Water District in residential front and back yards, private common areas, and in adjacent public street parkways. Where recycled water is not used, turf is limited to 33 percent of the landscaped area of a conventional single-family development lot (required)

- **Irrigation systems** for parking lot landscaping would consist of systems that minimize runoff and evaporation and maximize water availability to plant roots (required).

- **Diamond-shaped tree planter islands** are suggested at a ratio of one for every eight parking spaces within double-loaded parking rows in all parking lots (suggested).

- **Planter islands** extending the full length of the parking isle shall be provided at the end of parking aisles (required).

- **Shade** shall be provided in parking lots by tree cover to reduce the amount of heat absorbed by paved parking areas where feasible (required).

Building-Level Sustainability

Building Materials

- **Architectural paints and coatings** shall comply with VOC limits identified in the CALGreen Code (required).
- **Prefinished building materials** that do not require additional painting or staining should be utilized when possible as discussed in Section A4.405, Material Sources, of the CALGreen Code (suggested).
- **Insulation** with at least 75 percent recycled content on the aggregate, such as cellulose, newspaper, or recycled cotton (suggested).

Indoor/Outdoor Air Quality

- **Outdoor electrical outlets** for electric outdoor equipment (required).
- **Pre-wiring electric vehicle** plug-in stations as part of surface or indoor parking lot (suggested).
- **Flooring and insulation** products that are low emitters of volatile organic compounds (VOC) and formaldehyde (required).
- **Low- and zero-VOC paints**, finishes, adhesives, caulks, and other substances to improve indoor air quality and avoid harmful health effects of off-gassing (required).
- **Natural gas fireplaces** to minimize smoke and pollutants from wood burning fireplaces (e.g., CO, NO, and VOCs) (required).
- **Construction equipment** shall be properly maintained and serviced to minimize construction related exhaust emissions (required).
- **Smoking** shall be prohibited in nonresidential buildings and within 25 feet of nonresidential building entries, outdoor air intakes, and operable windows per Section 5.504, Pollution Control, of the CALGreen Code (required).
- **Outdoor illumination** in Ramona Creek shall comply with requirements of the California Energy Code per Section 5.106.8, Light Pollution Reduction, of the CALGreen Code (required).

Lighting

- **Outdoor illumination** in Ramona Creek shall comply with requirements of the California Energy Code per Section 5.106.8, Light Pollution Reduction, of the CALGreen Code (required).
- **Shielded fixtures** shall be installed to avoid overhead lighting of areas such as walkways (required).
- **Low-contrast lighting, low-voltage fixtures and energy-efficient bulbs**, such as compact fluorescent (CFL) and light emitting diode (LED) bulbs. Only energy efficient street lighting shall be used (required).
- **Automated occupancy sensors** in nonresidential buildings that automatically shut off lights when rooms are unoccupied (required).
- **Building lighting** shall consist of at least 90 percent Energy Star qualified hard-wired fixtures per Section A4.209, Lighting, of the CALGreen Code (required).

Building Envelope

- **Radiant barriers** shall be installed to reduce summer heat gain and winter heat loss, while preventing solar heat from being absorbed through the roof (required).
- **Building articulation and form** should be expressive of environmental conditions such as solar orientation, views, noise, prevailing winds, and local climate. (suggested).
- **Floor plans** employing features such as courtyards, plazas, and patios are encouraged to provide shading and air circulation (suggested).
- **Natural ventilation techniques**, such as operable windows, to take advantage of airflow for cooling residential interiors, thus reducing the amount of energy used for cooling (required).
- **Cool roofs**, painted with a highly reflective coating, or light-colored material shall be considered, as well as green roofs (vegetated roof areas containing plants in engineered soil) to reduce heat absorption and decrease storm water run-off (suggested).
- **Water and energy saving fixtures and appliances**, such as showerheads, toilets, washing machines, clothes dryers, refrigerators, and dishwashers shall be certified as Energy Star compliant (required).

- **Recirculating hot water systems**, or tankless water heaters should be considered instead of storing hot water in tanks, to reduce standby energy use (suggested).
- **Insulation value** of R30 or higher in ceilings (required).
- **Programmable thermostats** in all units (required).

Resource Conservation

Actions that increase water and energy efficiency and conserve resources offer tremendous cost savings to builders, future tenants and owners. Through techniques such as strategic maximization of shading and insulation and incorporation of high-performance heating, ventilation, and air conditioning (HVAC) systems, a substantial reduction in energy use can be achieved. The use of high-performance appliances and irrigation systems that minimize water and energy use can substantially impact the amount of resources flowing into and out of the community. Providing access to multi-modal methods of transportation reduces emissions and expending natural resources.

Water

- **Water Efficiency and Conservation** – comply with Sections 4 and 5 of the CALGreen Code, which outlines indoor water use requirements for residential (Section 4.3) and nonresidential development (Section 5.3). The Project would comply with the 20 percent reduction in indoor water usage mandated by the CALGreen Code and the 30 percent reduction in outdoor water usage required by the City's water efficient landscape ordinance (required).
- **Energy Star compliant appliances** and fixtures shall be incorporated including the following:
    - Sensor operated faucets shall be installed in nonresidential buildings (required);
    - Dual flush or other toilets using less than 1.6 GPF (required);
    - Waterless urinals in nonresidential buildings (required);
    - Low flow faucets and showerheads using 2.5 GPM or less (required);
    - Reducing valves, and insulated hot water lines (required).
- **Water-saving landscaping techniques**, such as drip irrigation systems and drought-tolerant plant species shall be considered. For a more detailed list of water-saving techniques and practices, see the Landscaping section of this chapter (required).

- **Reclaimed water** shall be used for irrigation of landscaping for the Mixed-Use District, Recreation Spine, Ramona Creek Corridor, and roadway medians/landscaping if available and approved by EMWD. A separate water gray water transmission system shall be installed to facilitate the use of reclaimed water (required).

Energy

- **Energy-efficient windows**, such as models with spectrally selective low-e glass with wood, vinyl, or fiberglass frames shall be installed on all structures (required).

- **Building materials** taking advantage of heat storage or thermal mass to reduce energy needed for heating and cooling interiors shall be incorporated. Materials such as concrete, masonry, and wallboard store heat absorbed during the day and slowly release it throughout the evening, thereby moderating indoor temperatures over a 24-hour period (required).

- **Participation in energy efficiency rebate programs** offered by utility providers and government agencies shall be encouraged (required).

- **Natural gas consumption** shall be reduced through implementation of conservation practices including use of an automatic flue gas damper when using a gas heating system, use of electrically lighted pilot lights for all gas systems, and insulation of all gas-heated hot water tanks (required).

- **Energy-saving devices** shall be incorporated where feasible. These devices may include:

    - The use of individual meters versus multiple meters (suggested).

    - The installation of lighting switches and multi-switch provisions for control by occupants and building personnel (suggested).

    - The use of time-controlled interior and exterior public lighting limited to that necessary for the safety of persons and property (suggested).

    - High efficiency lighting in 50 percent of the aggregated project (suggested).

    - Energy Star-rated appliances (required).

Heating, Ventilation and Air Conditioning (HVAC)

- **Indoor Air Quality and Exhaust** - comply with provisions of Section 4.506, and Section 4.507, Environmental Comfort, of the CALGreen Code (required).

- **HVAC systems** shall be designed according to the standards provided by the Air Conditioning Contractors of America (ACCA) handbooks or other comparable high-performance HVAC standards (required).

- **Sealed-combustion/sealed-duct furnaces** and water heaters shall be installed for increased efficiency and indoor air quality (required).

- **Ceiling fans** shall be Energy Star qualified to circulate air, improve comfort, and reduce the demand on heating and cooling systems (required).

- **Duct openings and mechanical equipment** associated with heating and cooling shall be covered during construction to reduce the amount of dust or debris that may collect in the system as per the CALGreen Code (required).

Mobility

- **Bicycle parking facilities** in nonresidential development shall comply with Section 5.106 of the CALGreen Code. Bicycle racks shall be provided at the Commercial Mixed Use District and at key points within the open space and park system (required).

- **Preferred parking for high-occupancy vehicles/carpool/vanpool** shall be provided within nonresidential uses. Ten percent of total designated parking spaces should be designated for use by low-emitting, fuel-efficient, and carpool/vanpool vehicles as required by Section 5.106.5.1 of the CALGreen Code (required).

- **Transportation System Management Plans** shall be required to be consistent with SCAQMD Regulation XV air pollution reduction programs to reduce trip making where feasible. Features of these plans may include, but are not limited to:

    - Consideration of transit use incentives by employers to encourage public transit use by employees (suggested).

    - Consideration of employee carpooling is required for all new development and businesses (suggested).

    - Consideration of utilizing staggered work hours (suggested).

    - Consideration for providing convenient bus shelters and bus turnouts along Florida Avenue to encourage ridership and improve traffic flow (required).

- **Neighborhood Electric Vehicle Network (NEV)** has been designed within the Specific Plan to provide an environmentally-friendly alternative to automobile travel. NEV's are powered by electric batteries and have a maximum speed of 25 miles per hour. NEV lanes are dedicated 8-foot-wide travel lanes occurring on both sides of a street, and are shared with Class 2 bikeways. The NEV network includes Devonshire Avenue, Warren Road, "B" Street, and "C" Street east of "A" Street.

- **Pedestrian and combination biking/pedestrian trails** shown in the Specific Plan shall be provided to encourage walking and biking for short destination trips (required).

- **Develop a bus stop along Florida Avenue** on the west side of A Street, in conformance with RTA's design guidelines (refer to revised Figure III [Mobility Plan] in the Final EIR).[5]

- **Excess day time parking** in Planning Area 3, available as determined after one year of operation of the Commercial Mixed Use area, shall be converted to a designated park-n-ride area in the least used portion of the parking lot. The designated area shall be for used on weekdays between 6:00 a.m. and 6:00 p.m. to encourage ridesharing/transit ridership and reduce commuter traffic (suggested).

- **Reduction of vehicle miles** traveled by: creating a master-planned community with a diversity of land uses, enhancing multi-modal connectivity and the onsite pedestrian network, and providing connections to offsite destinations (required).

Solid Waste

The measures listed below would ensure the volume of trash generated by Project and deposited in the landfills would be minimized compared to the typical residential or commercial development. Trash service could be handled through individual or centralized collection, as is appropriate for the design of each area of the project. Individual collection is trash deposited in small containers at curbside for each unit. Centralized collection areas provide common trash bins for projects without individual containers. The measures listed below cover trash collection for both individual and centralized collection as well as waste generated during construction of the Project.

- **Construction waste reduction, disposal and recycling.** As per Section 4.408 of the CALGreen Code a construction waste management plan shall be submitted to the City prior to the recordation of the first subdivision map on the property. The plan shall be approved by the City prior to the start of construction (required).

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[5] *This measure is consistent with the recommendations in RTA's commenter letter on the Draft EIR.*

- **Waste disposal services.** The construction contractor shall only contract with the city's solid waste hauler for demolition and construction-related wastes (required).
- **Onsite separation and recycling of construction-related wastes** shall be facilitated by the construction contractor by providing temporary separation bins onsite during demolition (required).
- **Homes serviced through the use of trash containers** shall have a minimum of nine square feet of designated space for each container and the space to store two containers. The container storage space does not have to be contiguous or indoors. The approved floor plan for each home must identify the container storage area (required).
- **Centralized trash collection** areas shall include the following features:
    - **Walking distance** should be less than 250 feet to a bin or compactor from the door of the facility it serves (suggested).
    - **A minimum interior dimension of 10 square feet** shall be provided for common refuse and recycling enclosures unless a larger area is specifically required by the trash hauler based upon the proposed use (required).
    - **Collection areas** shall be enclosed within a building or screened with masonry walls having a minimum height of six feet with self-latching gates (required).
    - **Access gates or doors** to any trash area not enclosed within a building are to be of opaque material (required).
    - **Trash enclosures serving multi-family** residential buildings shall be located a minimum of 5' from the edge of the roof eave line (required).
    - **Screening and enclosures** shall be designed to be architecturally compatible with the building and landscape design in terms of material, color, shape, and size (required).
    - **Refuse and recycling receptacles** shall be completely screened from public rights-of-way and parking areas through site orientation, enclosures, and/or landscaping, and shall be situated so as to eliminate noise and visual intrusion and eliminate fire hazards (required).
- **A curbside recycling program** shall be established with the City's contracted waste hauler including provisions for separating lawn trimmings and other green waste for recycling. Once a homeowner's association is established, the responsibility for the waste hauler contract shall be

transferred from the developer/ builder to the homeowner's association for residential areas or property owner for non-residential areas (required).

- **Trash compactors** shall be provided for non-recyclable wastes within commercial uses. Each separate building in the Commercial Mixed Use District shall provide one refuse bin and one recycling bin, or as required by the City's contracted trash provider (required).

As described in the Draft EIR, the Project has been designed to reduce vehicle miles traveled by including a balanced mix of residential, commercial and recreational uses. The proposed increase in residential along with the decrease in commercial retail and office results in a net decrease in the number of vehicle trips anticipated to be generated by the Project as compared to the number of vehicle trips forecasted for the Project area based on the intensity of uses currently allowed within the Florida Avenue Commercial Mixed-Use Area #1 of the General Plan. Accordingly, the decrease in number of vehicle trips and associated mobile source emissions and air quality impacts assures consistency with the growth assumptions in the current AQMP. The Project would not exceed the growth assumptions included in the 1992 General Plan and hence would not exceed the growth projections in the 2007 AQMP. In addition, the Project's circulation system has been designed to maximize opportunities for residents to walk, bicycle and/or drive neighborhood electric vehicles between neighborhoods and amenities to further reduce automobile use within the Project. (Figure 2-13 of the Specific Plan depicts the NEB Network/Class II bikeway.). Bicycle parking facilities will be provided in the Commercial Mixed Use District and at key points within the open space and park system.

As discussed in Draft EIR page VI-3 under the title "Alternatives Considered But Rejected" and subtitle "Maximum Reduced Density Alternative" in order to avoid the significant unavoidable regional air quality impacts, the Project would need to be reduced to approximately one-eighth (1/8) the size of what is proposed. Such reductions would render the Project financially infeasible, and incapable of achieving the most basic Project objectives, including development of the site at a density that would be consistent with the General Plan goals and policies for the Project site to encourage a balanced and sustainable pattern of land use and pedestrian-oriented design.

IV.D.1 FINDINGS

For the reasons discussed above and based on the substantial evidence in the whole of the record, the City Council finds that project-specific and cumulative impacts to regional air quality emissions (VOCs, NO_X, CO, PM_{10}, and $PM_{2.5}$ during the summer and winter scenarios) would be significant and unavoidable and no feasible mitigation measures beyond those already identified in the EIR are available. As set forth in the Statement of Overriding Considerations, these impacts are acceptable in the light of the Project's benefits.

IV.O TRANSPORTATION/TRAFFIC

The Final EIR discussed the impacts and mitigation measures related to transportation/traffic in Section IV.O. Based on the information and analysis set forth in the EIR and the record of proceedings, with implementation of Mitigation Measures O-1, O-2, and O-3 and the roadway improvements identified for Project-specific impacts in Section IV.O, the Project's contribution to cumulative impacts under the Near-Term (2015) With-Project Cumulative Condition and the General Plan Cumulative Buildout (Post-2035) related to intersection LOS would be less than significant. However, as discussed in Section IV.O, full funding and timing of implementation (in relation to buildout of the Project) of some of the improvements required to reduce impacts to less than significant are not fully guaranteed at this time. Therefore, the Project's contribution to cumulative impacts related to traffic level of service are significant and unavoidable for the intersections under the Near-Term (2015) Cumulative With-Project Conditions (refer to Table IV.O-22 on page IV.O-150 of the EIR) and for the intersections and roadway segments under the General Plan Cumulative Buildout (Post-2035) With-Project Conditions (refer to Table IV.O-23 on page IV.O-152 of the EIR) listed below. However, it is important to note that the Project will pay its fair-share contribution toward the improvements associated with improving the level of service at these intersections and roadway segments in accordance with the fair-share percentages set forth in the Traffic Impact Analysis for the Project.

Near Term (2015) Cumulative With-Project Conditions

The Near-Term (2015) Cumulative With-Project Conditions scenario assumes: 1) the existing (2012) traffic volumes within the study area; 2) three years of background (ambient) traffic growth at 2.0 percent per year, for a total ambient traffic growth of 6.12 percent; 4) traffic generated by development of future reasonably-foreseeable development; and 5) traffic generated by the Project. Table IV.O-14 indicates the percentage contribution to each intersection and is used to determine the Project's fair-share contribution to the cumulative impact. The Project will pay its fair-share contribution toward the improvements associated with improving the level of service at these intersections in accordance with the fair-share percentages set forth in the Traffic Impact Analysis for the Project.

Intersections

- Intersection 8: Warren Road/Esplanade Avenue (PM Peak Hour)
- Intersection 11: Warren Road/Florida Avenue (PM Peak Hour)
- Intersection 13: Warren Road/Stetson Avenue (AM and PM Peak Hour)
- Intersection 15: Warren Road/Simpson Road (PM Peak Hour)
- Intersection 16: Warren Road/Domenigoni Parkway (PM Peak Hour)
- Intersection 27: Myers Street/Devonshire Avenue (AM and PM Peak Hour)
- Intersection 32: Myers Street/Florida Avenue (PM Peak Hour)
- Intersection 34: Cawston Avenue/Menlo Avenue (AM and PM Peak Hour)

- Intersection 39: Sanderson Avenue/Menlo Avenue (PM Peak Hour)
- Intersection 40: Sanderson Avenue/Devonshire Avenue (PM Peak Hour)
- Intersection 41: Sanderson Avenue/Florida Avenue (PM Peak Hour)
- Intersection 42: Intersection Avenue/Acacia Avenue (PM Peak Hour)
- Intersection 45: Sanderson Avenue/Tanya Avenue (AM and PM Peak Hour)
- Intersection 46: Sanderson Avenue/Stetson Avenue (AM and PM Peak Hour)

General Plan Cumulative Buildout (Post-2035) With-Project Conditions

Traffic projections for General Plan Cumulative Buildout (Post-2035) Conditions scenario was derived from the City focused version of RivTAM 2035 using accepted procedures for model forecast refinement and smoothing. The traffic forecasts reflect the area-wide growth anticipated between Existing (2012) Conditions and General Plan Cumulative Buildout (Post-2035) Conditions. As shown on Table IV.O-17 on page IV.O-110 of the EIR, General Plan Cumulative Buildout (Post-2035) traffic would result in significant impacts to the intersections listed below, even without the addition of Project traffic. Project traffic would add to the impacts at these intersections but would not result in any additional impacts beyond those identified under the General Plan Cumulative Buildout (Post-2035) Conditions. Table IV.O.17 indicates the percentage contribution to each intersection and is used to determine the Project's fair share contribution to the cumulative impact. Additionally, as shown on Tables IV.O-18 and IV.O-19, General Plan Cumulative Buildout (Post-2035) traffic would result in significant impacts to the roadway segments listed below, even without the addition of Project traffic. Project traffic would add to the impacts at these roadway segments but would not result in any additional impacts beyond those identified under the Near-Term (2015) Cumulative Without-Project Conditions. The Project will pay its fair-share contribution toward the improvements associated with improving the level of service at these intersections and roadway segments in accordance with the fair-share percentages set forth in the Traffic Impact Analysis for the Project.

Intersections

- Intersection 2: Winchester Road/Florida Avenue (AM and PM Peak Hour)
- Intersection 3: Four Seasons Boulevard/Florida Avenue (PM Peak Hour)
- Intersection 4: California Avenue/Florida Avenue (AM and PM Peak Hour)
- Intersection 6: Warren Road/Cottonwood Avenue (AM and PM Peak Hour)
- Intersection 8: Warren Road/Esplanade Avenue (AM and PM Peak Hour)
- Intersection 9: Warren Road/Devonshire Avenue (AM and PM Peak Hour)
- Intersection 11: Warren Road/Florida Avenue (AM and PM Peak Hour)
- Intersection 12: Warren Road/Auto Boulevard (AM and PM Peak Hour)
- Intersection 13: Warren Road/Stetson Avenue (AM and PM Peak Hour)
- Intersection 14: Warren Road/Mustang Way (PM Peak Hour)

- Intersection 15: Warren Road/Simpson Road (AM and PM Peak Hour)
- Intersection 16: Warren Road/Domenigoni Parkway (PM Peak Hour)
- Intersection 27: Myers Street/Devonshire Avenue (AM and PM Peak Hour)
- Intersection 32: Myers Street/Florida Avenue (AM and PM Peak Hour)
- Intersection 34: Cawston Avenue/Menlo Avenue (AM and PM Peak Hour)
- Intersection 35: Cawston Avenue/Devonshire Avenue (AM and PM Peak Hour)
- Intersection 36: Cawston Avenue/Florida Avenue (AM and PM Peak Hour)
- Intersection 38: Sanderson Avenue/Fruitvale Avenue (PM Peak Hour)
- Intersection 39: Sanderson Avenue/Menlo Avenue (AM and PM Peak Hour)
- Intersection 40: Sanderson Avenue/Devonshire Avenue (AM and PM Peak Hour)
- Intersection 41: Sanderson Avenue/Florida Avenue (AM and PM Peak Hour)
- Intersection 42: Intersection Avenue/Acacia Avenue (PM Peak Hour)
- Intersection 44: Sanderson Avenue/Wentworth Drive (PM Peak Hour)
- Intersection 45: Sanderson Avenue/Tanya Avenue (AM and PM Peak Hour)
- Intersection 46: Sanderson Avenue/Stetson Avenue (AM and PM Peak Hour)
- Intersection 47: Kirby Street/Menlo Avenue (AM and PM Peak Hour)
- Intersection 49: Kirby Street/Florida Avenue (PM Peak Hour)

Roadway Segments

- Warren Road, north of Esplanade Avenue (Northbound, PM Peak Hour)
- Warren Road, south of Esplanade Avenue (Southbound, AM Peak Hour; Northbound, PM Peak Hour)
- Warren Road, north of Devonshire (Southbound, AM Peak Hour; Northbound, PM Peak Hour)

O-2: Improvements for Project Cumulative Contribution to Near-Term (2015) and General Plan Cumulative Buildout (2035) Impacts. The master developer or a developer of an individual project within the Specific Plan Area shall participate in the funding of improvements to mitigate cumulative traffic conditions through the payment of City Development Impact Fees (DIF) and Transportation Uniform Mitigation Fees (TUMF) in the amount and at the time specified for each funding program. Refer to Table IV.O-20[*] for the list of improvements that are included in DIF and TUMF.

O-3: Improvements for Non-DIF or TUMF projects. To the extent that an identified traffic improvement is not included, or is only partially included, in either DIF and/or TUMF (refer to Table IV.O-20 for the list of improvements that are not included within DIF and TUMF), the master developer of a developer of an individual development project within the Specific Plan Area shall make a fair-share payment to the City in proportion to the individual project's applicable portion of the entire Specific Plan's percentage fair-share contribution for each

identified, cumulatively impacted intersection toward the intersection improvements listed on Table IV.O-20,[*] prior to issuance of a building permit for such individual development. During the review process for each individual development project within the Specific Plan Area, the developer shall have a qualified traffic engineer calculate the portion of the total peak-hour Specific Plan traffic trips associated with the individual project's contribution to cumulatively impacted intersections that are not included in DIF or TUMF. Such an assessment shall be conducted consistent with the Ramona Creek TIA prepared by Urban Crossroads dated February 12, 2014 and included as Appendix IV.O of the Draft EIR) and shall use the same methodology as the Ramona Creek TIA (e.g., trip generation rates, distribution, etc.) as contained therein. The fair-share payments shall be held in an account administered by the City and shall be used by the City or third party to construct the identified traffic improvements, in order to achieve acceptable LOS for the intersections impacted by the project and other cumulative development.

**Table IV.O-20 can be found on pages IV.O 140-147 of the Draft EIR.*

Even with implementation of Mitigation Measures O-1 through O-3, the Project would result in significant unavoidable impacts at 14 study intersections under the Near-Term (2015) With-Project condition, and 27 study intersections and the identified roadway segments under the General Plan Cumulative Buildout (post-2035) With-Project condition).

Table IV.O-20 shows the roadway improvements (some of which are currently part of the TUMF and DIF programs) that would be necessary to reduce the cumulative impacts associated with the to Near-Term (2015) With-Project and General Plan Cumulative Buildout (post-2035) With-Project impacts. The Project Applicant would be required to pay the Project's fair-share contribution toward these improvements, as shown on Table IV.O-20. Additionally, the Project would generate less traffic than what was anticipated for development of the Project site in conformance with the General Plan land use designation. While the improvements are anticipated to be feasible to construct, full funding and timing of implementation (in relation to buildout of the Project) of some of the improvements required to help reduce impacts to less than significant is uncertain and cannot be fully guaranteed at this time. Therefore, this analysis presents a conservative approach that the impacts at these identified intersections and roadway segments would remain significant and unavoidable.

IV.O.1 FINDINGS

The City Council finds that Mitigation Measures O-1, O-2, and O-3 are hereby incorporated into the Project. As stated previously, these mitigation measures will substantially lessen but not avoid the impacts to traffic level of service for the intersections listed above in the Near-Term (2015) With-Project Conditions, and for the intersections and roadway segments listed above in the General Plan Cumulative Buildout (Post-2035) With-Project Conditions as identified in the EIR.

As set forth in the Statement of Overriding Considerations, these impacts are acceptable in the light of the Project's benefits.

7. FINDINGS REGARDING PROJECT ALTERNATIVES

Section 15126.6(f) of the CEQA Guidelines requires that an EIR include "a range of reasonable alternatives to the project, or to the location of the project, which would avoid or substantially lessen any significant effects of the project." As discussed in Section 6 of these findings above, and based on the analysis in the EIR, the project is expected to result in significant and unavoidable impacts to regional air quality and cumulative transportation/traffic.

Four alternatives were scoped and studied in the EIR. Section VI of the Draft EIR also identified two other types of alternatives that were considered by rejected without further analysis, an Alternate Project Site Alternative and Maximum Reduced Density Alternative. Further analysis of any Alternate Project Site Alternative was rejected from further consideration because the Project Applicant does not own any other developable property in the City and cannot "reasonably acquire, control or otherwise have access to [an] alternative site" (refer to Section 15126.6[f][1] of the CEQA Guidelines) and because development of the Project on an alternate site (if one were controlled by the Applicant) in the Project area would likely result in environmental impacts similar to those identified in this EIR, including the significant unavoidable impacts related to regional operational emissions and cumulative intersection LOS, due to similar existing environmental conditions as those associated with the Project site (i.e., the developed nature of the Project area, regional air quality, and traffic conditions). Similarly, further analysis of any Maximum Reduced Density Alternative to considered reductions in the overall size of the Project was rejected from further consideration because to avoid the significant unavoidable regional air quality impacts, the Project would need to be reduced to approximately one-eighth the size of what is proposed and even further to avoid the significant unavoidable cumulative traffic impacts. Such reductions in the Project would render it financially infeasible and incapable of meeting even the most of the basic Project objectives, including development the Project site at a density that would allow for implementation of the goals and policies of the City's General Plan to encourage a balanced and sustainable pattern of land use and implement high-quality pedestrian-oriented design.

Section VI (Alternatives to the Proposed Project) of the Draft EIR discussed several alternatives to Project in order to present a reasonable range of options. These alternatives evaluated included the following:

Alternative A: No Project (Continuation of Existing Conditions)

Alternative B: No School

Alternative C: Residential-Oriented

Alternative D: Commercial-Oriented

Three of the alternatives, Alternative B (No School Site), Alternative C (Residential-Oriented) and Alternative D (Commercial-Oriented) are variations of the proposed Specific Plan that also meet the Project objectives, are considered feasible, and would be allowed to be developed under the Specific Plan as proposed, depending on market conditions at the time the Project site is developed. Alternative C analyzes the Specific Plan in the event the allowed residential uses are built to the maximum allowed (1,077) with the required, corresponding reduction in commercial intensity. By contrast, Alternative C analyzes the Specific Plan in the even the allowed commercial uses were built to the maximum allowed (760,035) with the required, corresponding reduction in residential density. These alternatives have been included to ensure that the full range of potential impacts of the Ramona Creek Specific Plan were analyzed. The City has reviewed the significant impacts associated with a reasonable range of alternatives as compared to the proposed project, and in evaluating the alternatives has also considered each alternative's feasibility, taking into account economic, environmental, social, legal, and other factors.

The City finds that Alternative 1 No Project (Continuation of Existing Conditions) is the environmentally superior alternative. Where the environmentally superior alternative is also the no project alternative, CEQA Guidelines Section 15126.6(e)(2) requires the EIR to identify an environmentally superior alternative from among the other alternatives. In this case, as described below, Alternative D (Commercial-Oriented) is the next most environmentally superior alternative. As set forth below, the City finds that Alternatives 1 does not meet the Project objectives and is infeasible based on specific economic, legal, social, technological and other factors. The City also finds that each of Alternatives B, C and D are feasible and meet the Project objectives. Each alternative and the facts supporting the findings regarding each alternative are set forth below.

To facilitate this comparison, the objectives of the Project contained in Section III (Project Description) of the Final EIR are restated as follows:

1. Expand the range of housing choices in the City of Hemet to serve a range of lifestyles, including first-time buyers, young singles and couples, families, empty nesters, and seniors, by providing both attached and detached housing options at a variety of densities, configurations, and prices.

2. Provide a mixture of residential and nonresidential uses, strategically located recreational facilities, and a desirable package of amenities to encourage outdoor activity and create a sense of community and identity.

3. Utilize onsite drainage and utility corridors as opportunities to balance cut and fill as well as provide recreational amenities, walkable connections, and add value to the community.

4. Implement the goals and policies of the City of Hemet General Plan to encourage a balanced and sustainable pattern of land use and implement high-quality pedestrian-oriented design.

5. Establish plans for the improvement and/or development of new public infrastructure to serve the project area consistent with applicable master plans.

6. Create an integrated and interconnected community that allows residents to access the various amenities, shops, and services without the need to use the automobile.

7. Provide for new residential, commercial, and open space development that is integrated with existing and planned surrounding development.

8. Enhance the economic well being of the City by locating uses that capitalize on the Florida Avenue frontage.

9. Enhance the City's existing job base through the creation of a broad range of employment and career opportunities.

10. Accommodate a range of commercial, service, and professional business and employment options to meet the needs of the market and to create a project that is fiscally positive.

11. Provide flexible standards to allow the project to best meet market demand at the time of development.

The Council again ratifies, adopts, and incorporates the full analysis, explanation, findings, responses to comments, and conclusions of the EIR related to the analysis of Alternatives.

7.1 ALTERNATIVE A: NO PROJECT (CONTINUATION OF EXISTING CONDITIONS)

The Draft EIR discusses Alternative A and compares this alternative to the Project in Section VI and provides a summary comparative matrix on Table VI-37.

For the purposes of this EIR, Alternative A assumes that the Project site would remain in its current undeveloped condition. Although no new development would occur on the Project site under Alternative A, this alternative assumes the development of other reasonably foreseeable future projects in the area of the Project site.

7.1.1 ENVIRONMENTAL IMPACTS

Because Alternative A does not include any development of the Project site, none of the impacts identified for the Project would occur under this alternative.

7.1.2 Findings

CEQA requires that an EIR alternatives analysis include designation of an "environmentally superior" alternative. Based on the analysis presented in this section, Alternative A: No Project would result in the greatest reduction in Project impacts and would be the environmentally superior alternative. However, CEQA requires that if the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives (CEQA Guidelines, Section 15126.6[e][2]). For this reason, Alternative A is not environmentally superior to the Project.

Alternative A, identified in the EIR and described above, an infeasible alternative as the alternative would not meet any of the primary project objectives.

7.2 ALTERNATIVE B: NO SCHOOL

The Draft EIR discusses Alternative B and compares this alternative to the Project in Section VI and provides a summary comparative matrix on Table VI-37.

Alternative B assumes development of the Project site with land uses similar to the types and sizes included under the Project, but without the development of the elementary school. Specifically, Alternative B would include 1,077 residential dwelling units (of varying types) (123 more than under the Project), 535,788 square feet of commercial mixed-use land uses (112,256 square feet less than the Project), 35.1 acres of parks and open space (same as under the Project), and 34.47 acres of street right-of-way (same as under the Project).

7.2.1 ENVIRONMENTAL IMPACTS

Alternative B would slightly reduce impacts related to GHG emissions, traffic, wastewater, and water as compared to the Project. All other impacts under this alternative would occur to a similar degree as under the Project. For this reason, Alternative B is slightly environmentally superior to the Project, but is not designated the environmentally superior alternative.

7.2.2 Findings

Alternative B is meets all of the project objectives and is a feasible alternative to the Project, and may be implemented under the Ramona Creek Specific Plan if the Hemet Unified School District does not elect to purchase the school site. In the event HUSD elects to purchase the school site as provided in the Specific Plan, Alternative B would no longer be feasible for lack of site control by the Project Applicant.

7.3 ALTERNATIVE C: RESIDENTIAL-ORIENTED

The Draft EIR discusses Alternative C and compares this alternative to the Project in Section VI and provides a summary comparative matrix on Table VI-37.

Alternative C assumes development of the Project site with land uses similar to the types and sizes included under the Project, but reduces the commercial square footage by 113,256 square feet. Specifically, Alternative C would include 1,077 residential dwelling units (of varying types) (123 more than under the Project), 166,000 square feet of office land uses (52,744 square feet less than under the Project), a 750-student elementary school (same as under the Project), 369,788 square feet of shopping center land uses (same as under the Project), 35.1 acres of parks and open space (same as under the Project), and 34.47 acres of street right-of-way (same as under the Project).

7.3.1 ENVIRONMENTAL IMPACTS

Alternative C would slightly reduce impacts related to GHG emissions and traffic and would increase impacts related to wastewater and water as compared to the Project. All other impacts under this alternative would occur to a similar degree as under the Project. For this reason, Alternative C is considered environmentally equivalent to the Project, but is not designated the environmentally superior alternative

7.3.2 Findings

Alternative C is meets all of the project objectives and is a feasible alternative to the Project, and may be implemented under the Ramona Creek Specific Plan if market conditions facilitate residential development of the Project site. In the event market conditions do not support maximum residential development, at the time the site is developed, Alternative C would no longer be feasible for lack of economic feasibility based on market demand.

7.4 ALTERNATIVE D: COMMERCIAL-ORIENTED

The Draft EIR discusses Alternative D and compares this alternative to the Project in Section VI and provides a summary comparative matrix on Table VI-37.

Alternative D assumes development of the Project site with land uses similar to those included under the Project, but generally with fewer dwelling units and no elementary school. Specifically, Alternative D would include 778 residential dwelling units (176 fewer dwelling units than under the Project), 224,247 square feet of office land uses (58,247 square feet more than under the Project), 535,788 square feet of shopping center land uses (166,000 square feet less than under the Project), 35.1 acres of parks and open space (same as under the Project), and 34.47 acres of street right-of-way (same as under the Project).

7.4.1 ENVIRONMENTAL IMPACTS

Alternative D would result in the development of less overall square footage and fewer residential dwelling units. As such, although the level of significance of each of the impacts under the Project would be the same under Alternative D, the degree to which impacts would occur under this alternative would be less than the Project. For instance, under Alternative D, although the maximum daily grading/construction assumptions for Alternative D would be the same as for the Project, because Alternative D includes development of less overall square footage, the overall construction schedule would be shorter and the total amount of construction emissions that would be generated by this alternative would be less than under the Project. This also would be true for construction-related noise: same maximum daily construction scenario as the Project, but shorter overall construction schedule and shorter construction-noise exposure. Alternative D also would generate 793 fewer daily traffic trips, 793 fewer AM peak-hour trips, and 397 fewer PM peak-hour trips. Additionally, this alternative is anticipated to would generate less wastewater and solid waste and would require less water, electricity, and natural gas than would the Project. For these reasons, Alternative D was selected as the environmentally superior alternative.

7.4.2 Findings

Alternative D meets all of the project objectives and is a feasible alternative to the Project, and may be implemented under the Ramona Creek Specific Plan if market conditions facilitate maximum commercial development of the Project site. In the event market conditions do not support maximum commercial development, at the time the site is developed, Alternative D would no longer be feasible for lack of economic feasibility based on market demand.

8. STATEMENT OF OVERRIDING CONSIDERATIONS

As described in Section 1 through 7 of these CEQA Findings of Fact, the City Council has considered all potentially feasible mitigation measures to substantially lessen or avoid the Project's significant and unavoidable impacts. Where feasible, mitigation measures have been adopted as part of the Project. As discussed in Section 6, the imposition of these measures will reduce all impacts to a less than significant level, with the exception of the identified regional air quality emissions and cumulative traffic/transportation level of service. The City Council finds that it is not feasible to fully mitigate these Project impacts.

After review of the entire administrative record, including, but not limited to, the EIR, the staff reports, the oral and written testimony, and evidence presented at public hearings, the City Council finds that following specific economic, social, region-wide environmental benefits, and other anticipated benefits of the Project outweigh the significant and unavoidable impacts and therefore, justify the approval of the Project notwithstanding the identified significant and unavoidable impacts.

The CEQA Guidelines provide the following:

> *CEQA requires the decision-maker to balance the benefits of a proposed project against its unavoidable adverse risks in determining whether to approve a project. If the benefits of the proposed project outweigh the unavoidable adverse environmental effects, the adverse impacts may be considered acceptable. Where the decision of the public agency allows the occurrence of significant effects which are identified in the Final Environmental Impact Report (EIR) but are not at least substantially mitigated, the agency must state in writing the reasons to support its action based on the Final EIR and/or other information in the record. This statement may be necessary if the agency also makes the finding under Section 15091 (a)(2) or (a)(3). If an agency makes a statement of overriding considerations, that statement should be included in the record of the project approval and should be mentioned in the Notice of Determination.* (Section 15093 of the CEQA Guidelines)

Pursuant to the CEQA Guidelines and to the extent that any impacts from adoption of the Project are significant and have not been mitigated to a less than significant level, the City adopts and makes the following Statement of Overriding Considerations regarding the potential significant unavoidable environmental impacts of the Project and the anticipated benefits and considerations of the Project.

The City Council has balanced the Project's benefits against the Project's significant unavoidable impacts related to air quality and cumulative transportation/traffic. The City Council finds that the Project's benefits outweigh the Project's significant unavoidable impacts, and the impacts are therefore considered acceptable in light of the Project's benefits. The City Council finds that each of the overriding considerations expressed as benefits constitutes a separate and independent ground for such a finding. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even

if a court were to conclude that not every reason is supported by substantial evidence, the City Council will stand by its determination that each individual reason is sufficient by itself. The substantial evidence supporting the various benefits can be found in the findings within this document and in the documents found in the record of proceedings regarding this Project.

ECONOMIC BENEFITS

As described in the Fiscal Impact Study for the Ramona Creek Project prepared by Taussig & Associates, Inc. dated July 11, 2012 (the "Fiscal Impact Study," which in the Project's file at the City), the Project will contribute the following economic benefits to the City of Hemet (and other taxing agencies), resulting in a total annual surplus of approximately $1,201,900.

1. Property Taxes

As summarized on Fiscal Study Table 3A, the Project is estimated to contribute property taxes annually in the amount $367,401.

2. Direct Sales Tax

As summarized on Fiscal Study Table 3A, the Project is estimated to contribute sales taxes annually in the amount $1,172,566.

3. Other Recurring Fiscal Revenues

As summarized on Fiscal Study Table 3A, the Project is estimated to contribute approximately $802,861 in other recurring fiscal revenues, including vehicle license fees, indirect sales tax, community development revenues, franchises, business licenses, property transfer taxes and other administrative fees and charges.

4. Development Impact Fees

As calculated using the Project's land uses as multiplied by the fees in effect in the City, the Project is anticipated to contribute approximately $9.2 million dollars, including the Bridge, Signals and Thoroughfares Fee, Fire Suppression Facilities, General Facilities Fee, General Plan Fee, Law Enforcement Fee, Library Expansion Fee, Lighting & Landscaping Maintenance Fee, Parks & Recreation Facilities Fee, Retention Basin Capacity Fee/Acre, Sewer Connection Fee, Storm Drainage Facilities, Valley Wide Parks and Recreation Fee, and Water Holding and Distribution Fee and applicable administration fees.

5. *Regional Traffic Improvements Fees*

As calculated using the Project's land uses as multiplied by the TUMF fees in effect for Western Riverside County, the Project is anticipated to contribute approximately $11.9 million dollars to regional traffic improvements.

6. *Employment*

In addition to the substantial number of short-term jobs during construction of the Project, the Project is anticipated to result in approximately 2,300 permanent jobs, including office (542), school (251), institutional (505), and retail/shopping center (1,002). See Table IV.M-2 of the Draft EIR (Approximate Employee Generation).

SOCIAL BENEFITS

1. *Sustainable Pattern of Land Use*

As described in Draft EIR Chapter IV.K, Land Use and Planning, and Table IV.K-3, the Project effectively and feasibly implement the goals and policies of the City of Hemet General Plan to create an integrated and interconnected community that allows residents to access the various amenities, shops, and services without the need to use the automobile and to encourage a balanced and sustainable pattern of a mix of land uses with a high-quality pedestrian-oriented design.

2. *Regional Housing*

As described in Draft EIR Chapter IV.M, Population and Housing, the Project is expected to provide housing for approximately 2,470 people. The Project will help the City meet its Regional Housing Needs Assessment ("RHNA") and to expand the range of housing choices in the City to serve a range of lifestyles, including first-time buyers, young singles and couples, families, empty nesters, and seniors, by providing both attached and detached housing options at a variety of densities, configurations, and prices, including single family homes, condominiums, townhomes, and potential student housing.

REGION-WIDE ENVIRONMENTAL BENEFITS

Regional Stormwater Improvements and Balanced On-Site Cut and Fill.

An area of approximately 2,200 acres in the City of Hemet drains through the Project site. Draft EIR Figure IV.J-3 shows the area tributary to the Project site. Approximately 1,800 acres of this area is east of the Project site, extending as far east as San Jacinto Street, approximately 3.8 miles east of the Project site, and the remaining 400 acres consist of the Project site and part of the Los Cerritos Foothills to the north. The City of Hemet Master Drainage Plan is shown on Draft EIR Figure IV.J-4. Only portions of

the master planned facilities have been constructed within the local watershed. Per the Master Plan, the on-site retention basin would be 30 acres with a storage volume of 143 acre-feet and would discharge to future Line A. Future Line A is planned to discharge into Hemet Channel, which in turn would discharge into Salt Creek (refer to Figure IV.J-2). Existing drainage facilities do not currently outlet into Salt Creek (via Hemet Channel) because the drainage facilities have not been constructed. The hydrology analysis for the Project and analyzed in Chapter IV.N, Hydrology and Water Quality, of the Draft EIR demonstrated that the Project's drainage improvements have been designed to provide on-site storage for buildout conditions of the tributary area and therefore have regional benefit. The on-site retention basin would accommodate storm flows for the 100-year, 3-hour design storm even assuming that existing upstream storage basins are eliminated by future development. Moreover, the drainage solution eliminates existing flooding issues associated with flows emanating from areas upgradient of the Project site. Project improvements would eliminate existing inundation and flooding conditions at Florida Avenue and Warren Road. A pump system would regulate the outflow of the on-site retention basin to ensure that runoff does not exceed the capacity of the existing 18-inch storm drain culvert at the intersection. And, in addition, the proposed project storm drain system would replicate existing flow patterns by discharging runoff into the existing storm drain culvert at the Warren Road and Florida Avenue intersection that will help ensure water quality and quantity is maintained and improved for the significant vernal pools located to the southwest of the site. Finally, this drainage solution results in balanced on-site cut and fill and eliminates the need to import soil, which reduces resulting substantial regional air quality and traffic impacts related to trucking substantial volumes of soil to the site.

OTHER BENEFITS

1. Recreation Improvements

As described in the Ramona Creek Specific Plan and Chapter IV.N, Public Services in the Draft EIR, the Project will provide approximately 35 acres of open space and recreational areas to serve future residents and the residents of Hemet and the surrounding area. This includes approximately 22.8 acres of passive recreation area along the Ramona Creek Corridor which would serve as a regional stormwater facility along approximately 2 miles of landscaped walking trails, picnic areas, seating areas and exercise courses. The Project also include an approximately 2-acre area referred to as the "Community Green" that would serve as the 'central park' of the community and accommodate community uses, such as an amphitheater and community room for outdoor plays, concerts and events. Finally, the Project includes an approximately 9.2 acre recreational area known as the "Recreational Spine" which cuts across the site from northeast to southwest and will include such recreational amenities as open fields, sports courts, play equipment, picnic areas and exercise opportunities.

2. *Sustainability*

As set forth in Chapter 4 of the Specific Plan and described in the EIR, the Project Applicant has committed to a number of environmental responsibility measures and efforts to ensure a sustainable project:

Building-Level Sustainability

Sustainable building practices and techniques encourage safe and healthy living environments. Materials and actions that improve indoor air quality and the comfort of homes as well as reduce the impacts of light pollution are critical to community health and well being.

Building Materials

- **Architectural paints and coatings** shall comply with VOC limits identified in the CALGreen Code (required).
- **Prefinished building materials** that do not require additional painting or staining should be utilized when possible as discussed in Section A4.405, Material Sources, of the CALGreen Code (suggested).
- **Insulation** with at least 75 percent recycled content on the aggregate, such as cellulose, newspaper, or recycled cotton (suggested).

Indoor/Outdoor Air Quality

- **Outdoor electrical outlets** for electric outdoor equipment (required).
- **Pre-wiring electric vehicle plug-in stations** as part of surface or indoor parking lot (suggested).
- **Flooring and insulation** products that are low emitters of volatile organic compounds (VOC) and formaldehyde (required).
- **Low- and zero-VOC paints**, finishes, adhesives, caulks, and other substances to improve indoor air quality and avoid harmful health effects of off-gassing (required).
- **Natural gas fireplaces** to minimize smoke and pollutants from wood burning fireplaces (e.g., CO, NO, and VOCs) (required).
- **Construction equipment** shall be properly maintained and serviced to minimize construction related exhaust emissions (required).

- **Smoking** shall be prohibited in nonresidential buildings and within 25 feet of nonresidential building entries, outdoor air intakes, and operable windows per Section 5.504, Pollution Control, of the CALGreen Code (required).

- **Outdoor illumination** in Ramona Creek shall comply with requirements of the California Energy Code per Section 5.106.8, Light Pollution Reduction, of the CALGreen Code (required).

Lighting

- **Outdoor illumination** in Ramona Creek shall comply with requirements of the California Energy Code per Section 5.106.8, Light Pollution Reduction, of the CALGreen Code (required).

- **Shielded fixtures** shall be installed to avoid overhead lighting of areas such as walkways (required).

- **Low-contrast lighting, low-voltage fixtures and energy-efficient bulbs**, such as compact fluorescent (CFL) and light emitting diode (LED) bulbs. Only energy efficient street lighting shall be used (required).

- **Automated occupancy sensors** in nonresidential buildings that automatically shut off lights when rooms are unoccupied (required).

- **Building lighting** shall consist of at least 90 percent Energy Star qualified hard-wired fixtures per Section A4.209, Lighting, of the CALGreen Code (required).

Building Envelope

- **Radiant barriers** shall be installed to reduce summer heat gain and winter heat loss, while preventing solar heat from being absorbed through the roof (required).

- **Building articulation and form** should be expressive of environmental conditions such as solar orientation, views, noise, prevailing winds, and local climate. (suggested).

- **Floor plans** employing features such as courtyards, plazas, and patios are encouraged to provide shading and air circulation (suggested).

- **Natural ventilation techniques**, such as operable windows, to take advantage of airflow for cooling residential interiors, thus reducing the amount of energy used for cooling (required).

- **Cool roofs**, painted with a highly reflective coating, or light-colored material shall be considered, as well as green roofs (vegetated roof areas containing plants in engineered soil) to reduce heat absorption and decrease storm water run-off (suggested).

- **Water and energy saving fixtures and appliances**, such as showerheads, toilets, washing machines, clothes dryers, refrigerators, and dishwashers shall be certified as Energy Star compliant (required).

- **Recirculating hot water systems**, or tankless water heaters should be considered instead of storing hot water in tanks, to reduce standby energy use (suggested).

- **Insulation value** of R30 or higher in ceilings (required).

- **Programmable thermostats** in all units (required).

Resource Conservation

Actions that increase water and energy efficiency and conserve resources offer tremendous cost savings to builders, future tenants and owners. Through techniques such as strategic maximization of shading and insulation and incorporation of high-performance heating, ventilation, and air conditioning (HVAC) systems, a substantial reduction in energy use can be achieved. The use of high-performance appliances and irrigation systems that minimize water and energy use can substantially impact the amount of resources flowing into and out of the community. Providing access to multi-modal methods of transportation reduces emissions and expending natural resources.

Water

- **Water Efficiency and Conservation** – comply with Sections 4 and 5 of the CALGreen Code, which outlines indoor water use requirements for residential (Section 4.3) and nonresidential development (Section 5.3). The Project would comply with the 20 percent reduction in indoor water usage mandated by the CALGreen Code and the 30 percent reduction in outdoor water usage required by the City's water efficient landscape ordinance (required).

- **Energy Star compliant appliances** and fixtures shall be incorporated including the following:

    - Sensor operated faucets shall be installed in nonresidential buildings (required);

    - Dual flush or other toilets using less than 1.6 GPF (required);

    - Waterless urinals in nonresidential buildings (required);

- Low flow faucets and showerheads using 2.5 GPM or less (required);
- Reducing valves, and insulated hot water lines (required).

- **Water-saving landscaping techniques**, such as drip irrigation systems and drought-tolerant plant species shall be considered. For a more detailed list of water-saving techniques and practices, see the Landscaping section of this chapter (required).
- **Reclaimed water** shall be used for irrigation of landscaping for the Mixed-Use District, Recreation Spine, Ramona Creek Corridor, and roadway medians/landscaping if available and approved by EMWD. A separate water gray water transmission system shall be installed to facilitate the use of reclaimed water (required).

Energy

- **Energy-efficient windows**, such as models with spectrally selective low-e glass with wood, vinyl, or fiberglass frames shall be installed on all structures (required).
- **Building materials** taking advantage of heat storage or thermal mass to reduce energy needed for heating and cooling interiors shall be incorporated. Materials such as concrete, masonry, and wallboard store heat absorbed during the day and slowly release it throughout the evening, thereby moderating indoor temperatures over a 24-hour period (required).
- **Participation in energy efficiency rebate programs** offered by utility providers and government agencies shall be encouraged (required).
- **Natural gas consumption** shall be reduced through implementation of conservation practices including use of an automatic flue gas damper when using a gas heating system, use of electrically lighted pilot lights for all gas systems, and insulation of all gas-heated hot water tanks (required).
- **Energy-saving devices** shall be incorporated where feasible. These devices may include:
    - The use of individual meters versus multiple meters (suggested).
    - The installation of lighting switches and multi-switch provisions for control by occupants and building personnel (suggested).
    - The use of time-controlled interior and exterior public lighting limited to that necessary for the safety of persons and property (suggested).

- High efficiency lighting in 50 percent of the aggregated project (suggested).
- Energy Star-rated appliances (required).

Heating, Ventilation and Air Conditioning (HVAC)

- **Indoor Air Quality and Exhaust** - comply with provisions of Section 4.506, and Section 4.507, Environmental Comfort, of the CALGreen Code (required).
- **HVAC systems** shall be designed according to the standards provided by the Air Conditioning Contractors of America (ACCA) handbooks or other comparable high-performance HVAC standards (required).
- **Sealed-combustion/sealed-duct furnaces** and water heaters shall be installed for increased efficiency and indoor air quality (required).
- **Ceiling fans** shall be Energy Star qualified to circulate air, improve comfort, and reduce the demand on heating and cooling systems (required).
- **Duct openings and mechanical equipment** associated with heating and cooling shall be covered during construction to reduce the amount of dust or debris that may collect in the system as per the CALGreen Code (required).

Mobility

- **Bicycle parking facilities** in nonresidential development shall comply with Section 5.106 of the CALGreen Code. Bicycle racks shall be provided at the Commercial Mixed Use District and at key points within the open space and park system (required).
- **Preferred parking for high-occupancy vehicles/carpool/vanpool** shall be provided within nonresidential uses. Ten percent of total designated parking spaces should be designated for use by low-emitting, fuel-efficient, and carpool/vanpool vehicles as required by Section 5.106.5.1 of the CALGreen Code (required).
- **Transportation System Management Plans** shall be required to be consistent with SCAQMD Regulation XV air pollution reduction programs to reduce trip making where feasible. Features of these plans may include, but are not limited to:
    - Consideration of transit use incentives by employers to encourage public transit use by employees (suggested).

- Consideration of employee carpooling is required for all new development and businesses (suggested).
- Consideration of utilizing staggered work hours (suggested).
- Consideration for providing convenient bus shelters and bus turnouts along Florida Avenue to encourage ridership and improve traffic flow (required).

- **Pedestrian and combination biking/pedestrian trails** shown in the Specific Plan shall be provided to encourage walking and biking for short destination trips (required).
- **Neighborhood Electric Vehicle Network (NEV)** has been designed within the Specific Plan to provide an environmentally-friendly alternative to automobile travel. NEV's are powered by electric batteries and have a maximum speed of 25 miles per hour. NEV lanes are dedicated 8-foot-wide travel lanes occurring on both sides of a street, and are shared with Class 2 bikeways. The NEV network includes Devonshire Avenue, Warren Road, "B" Street, and "C" Street east of "A" Street.
- **Develop a bus stop along Florida Avenue** on the west side of A Street, in conformance with RTA's design guidelines (refer to revised Figure III [Mobility Plan] in the Final EIR).[6]
- **Excess day time parking** in Planning Area 3, available as determined after one year of operation of the Commercial Mixed Use area, shall be converted to a designated park-n-ride area in the least used portion of the parking lot. The designated area shall be for used on weekdays between 6:00 a.m. and 6:00 p.m. to encourage ridesharing/transit ridership and reduce commuter traffic (suggested).
- **Reduction of vehicle miles** traveled by: creating a master-planned community with a diversity of land uses, enhancing multi-modal connectivity and the onsite pedestrian network, and providing connections to offsite destinations (required).

Solid Waste

The measures listed below would ensure the volume of trash generated by Project and deposited in the landfills would be minimized compared to the typical residential or commercial development. Trash service could be handled through individual or centralized collection, as is appropriate for the design of each area of the project. Individual collection is trash deposited in small containers at curbside for each

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[6] *This measure is consistent with the recommendations in RTA's commenter letter on the Draft EIR.*

unit. Centralized collection areas provide common trash bins for projects without individual containers. The measures listed below cover trash collection for both individual and centralized collection as well as waste generated during construction of the Project.

- **Construction waste reduction, disposal and recycling.** As per Section 4.408 of the CALGreen Code a construction waste management plan shall be submitted to the City prior to the recordation of the first subdivision map on the property. The plan shall be approved by the City prior to the start of construction (required).

- **Waste disposal services.** The construction contractor shall only contract with the city's solid waste hauler for demolition and construction-related wastes (required).

- **Onsite separation and recycling of construction-related wastes** shall be facilitated by the construction contractor by providing temporary separation bins onsite during demolition (required).

- **Homes serviced through the use of trash containers** shall have a minimum of nine square feet of designated space for each container and the space to store two containers. The container storage space does not have to be contiguous or indoors. The approved floor plan for each home must identify the container storage area (required).

- **Centralized trash collection** areas shall include the following features:

    - **Walking distance** should be less than 250 feet to a bin or compactor from the door of the facility it serves (suggested).

    - **A minimum interior dimension of 10 square feet** shall be provided for common refuse and recycling enclosures unless a larger area is specifically required by the trash hauler based upon the proposed use (required).

    - **Collection areas** shall be enclosed within a building or screened with masonry walls having a minimum height of six feet with self-latching gates (required).

    - **Access gates or doors** to any trash area not enclosed within a building are to be of opaque material (required).

    - **Trash enclosures serving multi-family** residential buildings shall be located a minimum of 5' from the edge of the roof eave line (required).

    - **Screening and enclosures** shall be designed to be architecturally compatible with the building and landscape design in terms of material, color, shape, and size (required).

- **Refuse and recycling receptacles** shall be completely screened from public rights-of-way and parking areas through site orientation, enclosures, and/or landscaping, and shall be situated so as to eliminate noise and visual intrusion and eliminate fire hazards (required).

- **A curbside recycling program** shall be established with the City's contracted waste hauler including provisions for separating lawn trimmings and other green waste for recycling. Once a homeowner's association is established, the responsibility for the waste hauler contract shall be transferred from the developer/ builder to the homeowner's association for residential areas or property owner for non-residential areas (required).

- **Trash compactors** shall be provided for non-recyclable wastes within commercial uses. Each separate building in the Commercial Mixed Use District shall provide one refuse bin and one recycling bin, or as required by the City's contracted trash provider (required).

Accordingly, the City Council adopts this Statement of Overriding Considerations, recognizing that significant unavoidable impacts will result from implementation of the Project and having (i) adopted all feasible mitigation measures, including a Mitigation Monitoring and Reporting Plan, as discussed in the EIR and this CEQA Findings of Fact; (ii) considered and rejected Alternative A to the Project as discussed in the EIR and Section 6 of these CEQA Findings of Fact; and (iii) recognized the significant unavoidable impacts of the Project, the City Council hereby finds that each of the separate benefits of the Project, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants approval of the Project and outweighs and overrides its significant unavoidable impacts, and thereby justifies the approval of the Project. The City Council finds also that Alternatives B, C and D, which are also included in the Ramona Creek Specific Plan, as described in Section 6 of these CEQA Findings of Fact, have similar economic, social, region-wide environmental and other benefits as described above.

9. FINDINGS ON MITIGTION MONITORING AND REPORTING PROGRAM

Pursuant to Section 15091 (a)(1) of the CEQA Guidelines, the City finds that implementation of the mitigation measures and Project design standards included in Section V of the Final EIR would substantially lessen the significant environmental effects resulting from the Project. These mitigation measures and design features have been required in, or incorporated into the Project. In accordance with Section 15091 (d) and Section 15097 of the CEQA Guidelines that require a public agency to adopt a program for reporting or monitoring required changes or conditions of approval to substantially lessen significant environmental effects, the Mitigation Monitoring and Reporting Program provided as an appendix to the Final EIR is hereby adopted as the mitigation monitoring and reporting program for this Project.

10. FINDINGS ON CHANGES TO THE DRAFT EIR AND RECIRCUATION

10.1 CHANGES TO THE DRAFT EIR

In response to comments from the public and other public agencies, the Project has incorporated changes subsequent to publication of the Draft EIR. All of the changes to the Draft EIR are described in Section IV of the Final EIR.

10.2 FINDINGS REGARDING FINAL EIR

Pursuant to CEQA, on the basis of the review and consideration of the Final EIR, the City finds the following:

1. Factual corrections and minor changes have been set forth as clarifications and modifications to the Draft EIR;

2. The factual corrections and minor changes to the Draft EIR are not substantial changes in the Draft EIR that would deprive the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the Project, a feasible way to mitigated or avoid such an effect, or a feasible project alternative;

3. The factual corrections and minor changes to the Draft EIR will not result in new significant environmental effects or substantially increase the severity of the previously identified significant effects disclosed in the Draft EIR;

4. The factual corrections and minor changes in the Draft EIR will not involve mitigation measures or alternatives that are considerably different from those analyzed in the Draft EIR that would substantially reduce one or more significant effect on the environment; and

5. The factual corrections and minor changes to the Draft EIR do not render the Draft EIR so fundamentally inadequate and conclusory in nature that meaningful public review and comment would be precluded.

Thus, none of the conditions set forth in CEQA requiring recirculation of a Draft EIR have been met. Incorporation of the factual corrections and minor changes to the Draft EIR into the Final EIR does not require the Final EIR to be circulated for public comment.

#14

Staff Report

TO: Honorable Mayor and Members of the Hemet City Council

FROM: Wally Hill, City Manager
Deanna Elliano, Community Development Director

DATE: June 10, 2014

RE: **RAMONA CREEK GENERAL PLAN AMENDMENT NO. 12-005** - A proposed General Plan Amendment to the Land Use Element to modify the mix of residential units and commercial acreage in Mixed Use Area No. 1 and to change the land use designation on 44.9 acres from Low Density Residential (2.1 – 5.0 d.u./ac.) to Low Medium Density Residential (5.1 – 8.0 d.u./ac.).

PROJECT APPLICANT INFORMATION:

Owner:	Regent Properties
Authorized Agent:	Daniel Gryczman, Regent Properties
Project Location:	Northwest corner of West Florida Avenue and Myers Street
APN Information:	448-090-003
Lot Area:	208.9± acres

RECOMMENDED ACTION:

That the City Council:

1. *Adopt the attached City Council Resolution Bill No. 14-021 (Attachment No. 1),approving GPA 12-005, as recommended by the Planning Commission.*

BACKGROUND

Regent Properties is proposing a Specific Plan and associated Master Tentative Tract Map and General Plan Amendment, to establish a master planned development of mixed commercial and residential uses on a 208.9± acre site located on the northwest corner of West Florida Avenue and Myers Street, as shown in the Locational Map (Attachment A). The proposed Ramona Creek Specific Plan provides a vision, development plan, and implementation program consistent with the City's adopted General Plan goals and policies for the site. However, there are two aspects of the General Plan Land Use Element that will require an amendment in order to adopt the Specific Plan, as discussed in more detail in this report.

A conceptual land use plan for the project was originally shown to the Planning Commission and City Council at a work study session on August 14, 2012. An additional work study regarding the project was held before the Planning Commission at their meeting of June 4, 2013. In both work study sessions,

comments from the City and the public were favorable in regard to the overall land uses and the conceptual design of the project. Over the past several months, the developer and their design team have continued to work with city staff on the more detailed aspects of the project and the infrastructure phasing included in the Specific Plan document. In addition, a Draft Environmental Impact Report (EIR) has been prepared to examine the potential environmental effects of the proposed project and its alternatives. The proposed Draft Specific Plan, GPA, TTM, and Draft EIR have now been completed. The Draft Environmental Impact Report (DEIR) was circulated for its 45-day public review and comment period on March 21, 2014. The conclusion of the review period was on May 5, 2014. The environmental consultant has prepared responses to the comments made during the public review of the DEIR and has prepared the Final EIR for certification by the Council, in conjunction with the consideration of the project. The Planning Commission recommended that the City Council approve GPA 12-005 at the public hearing held on May 6, 2014.

The property was previously known as the Garrett Ranch property, and has historically been used for farming. The site is presently vacant agricultural land zoned C-2 (General Commercial), M-2 (General Industrial), R-1-6 (Single Family Residential), and A-5 (Agricultural). (See Figure 5-3 on page 5-9 of the Ramona Creek Specific Plan). Adoption of the Specific Plan will replace the present zoning and development standards for the property. Adjacent to the project site includes the existing Florida Promenade commercial development located to the east, the Hemet Auto Mall and Hemet West Mobile Home Park to the south, the undeveloped (but approved) Tres Cerritos Specific Plan to the north, and vacant land area and Warren Road to the west.

GENERAL PLAN AMENDMENT NO. 12-005

The 2030 General Plan designated the project site as part of the "West Florida Avenue Mixed-Use Area No. 1", and Low Density Residential, as shown in Attachment 2. As such, a mixture of residential and commercial land uses were anticipated as part of the region's primary retail destination due in part because of the proximity of the future SR 74/79 interchange.

The area north of Devonshire Avenue is presently designated as Low Density Residential (LDR-2.1 to 5.0 d.u./ac.). The applicant is requesting that this 44.9 acre area be designated Low-Medium Density Residential (LMDR - 5.1-8.0 d.u./ac.) which would allow for small lot single family residential development. The existing Low Density designation allows for a maximum of 218 single family units on the 44.9 acres site in Planning Areas 9 and 10 of the Specific Plan. The change to Low-Medium Density Residential could allow up to 349 single family units, however, the applicant is proposing a maximum of 254 single family units in the area, which is only 36 additional dwelling units for the property. These units are outside of the Mixed-Use Area No. 1 and therefore do not need to be accounted for in Table 2.3. Exhibit No. 1A illustrates the proposed land use for this area, and Attachment 3 shows the existing land use designation.

Table 2.3 of the General Plan (Attachment 1b) assumed that of the 430 acres of Mixed-Use Area No. 1 (the portion which is within the City's boundaries) a total of 516 dwelling units would be developed. The Ramona Creek project is proposing a maximum of 1,077 dwelling units by itself. However, the General Plan commercial density for this area estimated 3.4 million square feet of new commercial (city and county areas), based upon prior development proposals for the site and surrounding area. The land use mix for the site as proposed by the applicant and supported by their market and fiscal studies, indicates that a more appropriate and achievable land use distribution for the area is needed. Therefore a General Plan Amendment (GPA 12-005) was required to revise the allocation of residential and commercial development anticipated for the Mixed-Use Area No. 1. The General Plan currently states that a revision of more than 10 percent change in land use requires a General Plan Amendment.

The maximum number of dwellings proposed in the Ramona Creek project is 1,077. As mentioned above, 254 units would be located north of Devonshire Avenue. The remaining 823 units need to be allocated in Mixed-Use Area No. 1. The Ramona Creek project area is approximately 48.6% of the area in Mixed-Use Area No. 1 that could support residential uses. Therefore, 250 units of the 516 total units (48%) in the City portion of Mixed-Use Area No. 1 can be credited to the site. This leaves 573 units that need to be added to this category in Table 2.3. The traffic analysis indicates that 500 units equates to roughly 111,000 sq. ft. of retail commercial use. Therefore the 573 unit equivalent is 130,000 sq. ft. of commercial area that should be deleted from the commercial allocation for the city portion in Table 2.3. The addition of the 573 units to Table 2.3 adds an additional 1,031 residents in the population column for the Mixed Use No. 1 area. Exhibit 1B shows the amended Table 2.3 that is proposed for the General Plan. An additional note is proposed to be added to Table 2.3 to explain the process of future modifications to the table. Essentially, Table 2.3 of the General Plan serves as the basis by which the EIR for the 2030 General Plan anticipated the long term build-out of the City and larger Planning Areas. It was always anticipated that over time the land uses would be adjusted, and as long as there is a corresponding reduction in another land use category, the assumptions underlying the General Plan and EIR will still be valid.

The DEIR analyzed the proposed changes to the General Plan and determined that the impacts associated with the more residentially intense land uses had fewer impacts than with the greater commercial land use scenario originally analyzed in the General Plan Final EIR. Therefore, the proposed General Plan Amendment is still consistent with the overall development capacity anticipated for the 2030 General Plan, and the build-out analysis conducted in the Final EIR for the General Plan update.

GENERAL PLAN CONSISTENCY

Appendix A of the Ramona Creek Specific Plan contains a detailed Consistency Analysis of the project with the 2030 General Plan. The document lists 207 General Plan policies that the proposed Specific Plan complies with in some fashion. The following table summarizes the general topics that are discussed in the Consistency Analysis:

Table 1
General Plan Consistency Analysis Topics

Consistency Topics	Policies
Residential Housing Opportunities and Variety	3
Mixed Use Neighborhoods	12
Commercial Districts & Economic Growth	11
Master Planned Development Compatibility	7
Land Use Compatibility	10
Public Facilities	3
Public Services & Infrastructure	27
Hemet-Ryan Airport	3
Agricultural Land	2
Community Design	10
Streetscape	8
Walkability	6
Design Elements	13
Public Amenities	8

Wayfinding	12
Complete Streets	15
Transportation Capacity	4
Access and Parkways	3
Schools	3
Sustainability	7
Public Safety	7
Open Space & Conservation	6
Parks & Open Space	19
Public Art & Community Events	8
Total	**207**

The proposed project is consistent with and implements the General Plan's major land use goals and policies. The proposed Ramona Creek community is a balanced and sustainable development with both commercial, residential and public facilities amenities that will serve both future residents and existing residents in the surrounding areas (Goal LU-1). The Ramona Creek project is in compliance with the General Plan Smart Growth Principles that are outlined in Chapter 4 of the Specific Plan (Goal LU-2). The project creates opportunities for mixed use that would complement and support a regional commercial node at the site (Goal LU-5). Additionally the project establishes development standards and guidelines for mixed use (Goal CD-10).

The proposed size of the commercial area in the plan would establish the center as a viable regional commercial center (Goal LU-6). The project will establish a unique sense of place for West Hemet with the life style center in the commercial area of Planning Area 3 and the recreational spine in Planning Area 2 (Goal LU-9, LU-12 and CD-1). These areas, along with the provision for pedestrian trails, NEV lanes, and bicycle paths, promotes a healthy lifestyle for community residents (Goal CD-8).

The following General Plan goals are pertinent to the proposed Ramona Creek project:

Goal LU-1 *Achieve a balanced and sustainable pattern of land uses, community services and amenities that provide for the needs of the City's residents and businesses and enhance the overall quality of life in the community.*

Goal LU-2 *Provide for new and infill development in compliance with Smart Growth Principles and in accordance with infrastructure and public service capacities.*

Goal LU-3 *Avoid land use conflicts and provide for compatible development.*

Goal LU-5 *Create opportunities for mixed use and Transit-Oriented Development to complement and support vibrant city centers, regional commercial nodes, and business districts.*

Goal LU-6 *Establish a comprehensive range of attractive and economically viable commercial centers throughout the City that meet the needs of the community.*

Goal LU-9 *Establish a unique sense of place for West Hemet and enhance its role in the region.*

Goal LU-11 *Promote a strong and diversified economic base and retain and attract new investment,*

businesses, industries and employment opportunities to the City.

Goal LU-12 *Enhance Hemet's sense of place and local identity to attract visitors and expand the tourist tax base.*

Goal LU-15 *Foster a healthy community through land use and urban design practices that support healthy and sustainable lifestyles for all Hemet residents.*

Goal CD-1 *Enhance Hemet's sense of place and local identity to develop community pride and expand tourism and investment.*

Goal CD-2 *Use gateway markers, monuments, community signage, and landscaping to portray a positive visual entry into the City and to key locations.*

Goal CD-3 *Develop a streetscape system that provides cohesive design, enhances community image, incorporates green street concepts, and develops an attractive identity for the various City districts.*

Goal CD-5 *Promote attractive community design to make Hemet a more desirable place to live.*

Goal CD-7 *Enhance the visual image of the City through landscaping and perimeter walls and fencing.*

Goal CD-8 *Facilitate good community design featuring pedestrian access and amenities that offer a pleasurable walking environment, and encourages residents to consider alternatives to the automobile.*

Goal CD-9 *Maintain and create public spaces for people to gather within the City.*

Goal CD-10 *Establish mixed-use development standards that facilitate design excellence and compatibility with neighboring uses.*

Section 2.6 of the 2030 General Plan (See Attachment 1B) describes the purpose and intent of establishing the Mixed-Use areas in the City's General Plan Land Use Map. Section 2.6.3, in particular, outlines how the Mixed-Use areas will be implemented which generally will be through approval of a Specific Plan. Flexibility of the percentage of anticipated land uses are expected. However, each project will need to be evaluated to see that traffic generation does not increase. If there are increases in traffic, can they be mitigated. The proposed changes should not dramatically alter the adopted land use mix or environmental conditions. Individual project should be evaluated in terms of their integration with surrounding properties.

Section 2.6.4 of the General Plan specifically outlines the purpose of the West Florida Avenue Mixed-use Area No. 1. Anticipated land uses and development considerations are listed. The Ramona Creek property – formerly the Garrett Ranch, calls for development of a Specific Plan, which is satisfied with the companion application of SP 12-001 for the Ramona Creek Specific Plan.

ENVIRONMENTAL IMPACT REPORT

A Draft Environmental Impact Report (DEIR) has been prepared for the project and circulated for a 45-day comment period starting on March 21, 2014 and ending on May 5, 2014. The DEIR addresses several potential issues including aesthetics, agricultural resources, air quality, greenhouse gas emissions,

biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, noise, public service, traffic and utilities. Mitigation measures proposed for many of the impacts are provided in Chapter 1 (Executive Summary) of the DEIR.

The DEIR analyzed the proposed General Plan Amendment along with the Specific Plan and TTM No. 36510. Responses to the public comments on the DEIR have been prepared by the environmental consultant and staff, and comprise the Final EIR also on the agenda for consideration by the Council.

PUBLIC NOTICE AND COMMUNICATIONS

Owners of properties in the project area and those within a 500 foot radius were notified by mailed notice of the City Council hearing on May 29, 2014. The general public was notified on May 29, 2014 with a legal advertisement in the Press Enterprise. Copies of the Specific Plan and DEIR were made available at the Planning Division, Hemet Public Library and on the City's website. Public comment letters received to date are included in the staff reports on the Specific Plan and the Draft EIR.

CONCLUSION

The proposed General Plan Amendment (GPA 12-005) allows for future development at the site in a manner that is consistent with the overall vision outlined in the City's 2030 General Plan. The proposed General Plan Amendment will facilitate the goals and policies of the 2030 General Plan by allowing a mixture of land uses that are flexible to meet market demands of the current reality and the future. The associated Specific Plan provides development regulations for both commercial and residential land uses, in particular for mixed use development, and provides flexibility in responding to market conditions over time, while maintaining appropriate controls.

Respectfully submitted,

Ronald Running
Project Planner

Reviewed by

Deanna Elliano
Community Development Director

RR/mc

ATTACHMENTS

A) Locational Exhibit
1) City Council Resolution Bill No. 14-021
   Exhibit 1A - Proposed General Plan Land Use Map Amendment (GPA 12-005)
   Exhibit 1B - Proposed Amended General Plan Use Table 2.3 – Development Capacity Text.
2) Existing General Plan Land Uses for the site
3) Existing General Plan West Florida Mixed Use Area No. 1
4) Planning Commission Resolution No. 14-010 recommending approval of GPA 12-005.

INCORPORATED HEREIN BY REFERENCE

City of Hemet General Plan
City of Hemet General Plan EIR
City of Hemet Zoning Ordinance
City of Hemet Subdivision Ordinance
Project Site's Riverside County Integrated Plan Multi-Species Habitat Conservation Plan Summary Report
Contents of City of Hemet Planning Division Project File(s) SP No. 12-001, GPA 12-005 and TTM 36510

Attachment No. A

Locational Exhibit

City Council Meeting of June 10, 2014

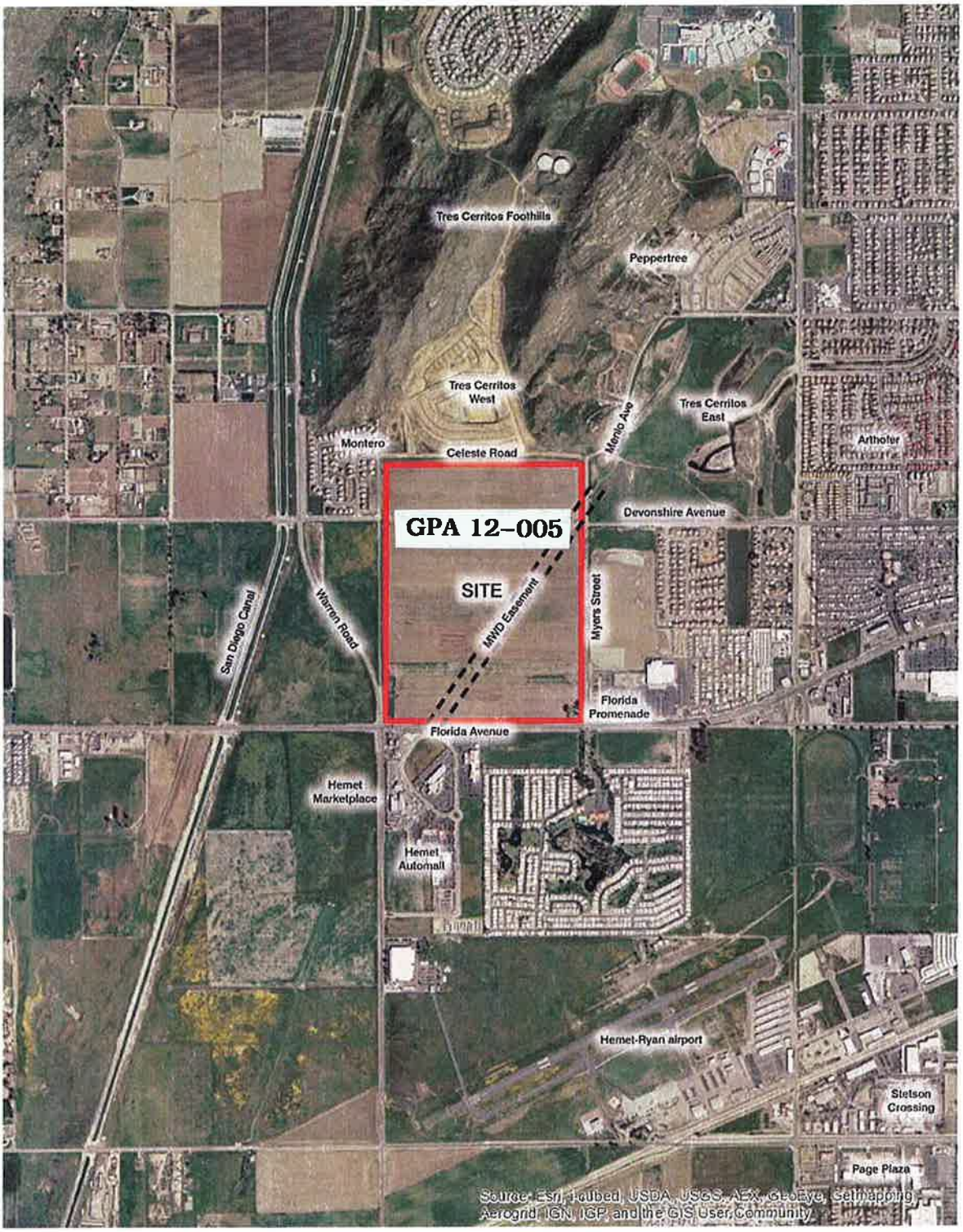


Figure 2-3. Aerial Photograph

GPA 12-005

Attachment No. 1

City Council Reso. Bill No. 14-021 for GPA 12-005

City Council Meeting of June 10, 2014

CITY OF HEMET
Hemet, California

RESOLUTION BILL NO. 14-021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA APPROVING GENERAL PLAN AMENDMENT NO. 12-005 AMENDING THE LAND USE DESIGNATION FOR A 44.9± ACRE SITE LOCATED ON THE NORTHWEST CORNER OF DEVONSHIRE AVENUE AND MYERS STREET FROM LDR (LOW DENSITY RESIDENTIAL 2.1 – 5.0 D.U./AC.) to LMDR (LOW MEDIUM DENSITY RESIDENTIAL 5.1 – 8.0 d.u./ac) AND ADJUSTING THE DEVELOPMENT MIX IN THE WEST FLORIDA AVENUE MIXED USE AREA NO. 1 FOR THE RAMONA CREEK PROJECT.

WHEREAS, an application for General Plan Amendment No. 12-005 to change the General Plan land use designation from LDR (Low Density Residential 2.1 – 5.0 d.u./ac.) to LMDR (Low Medium Density Residential 5.1 – 8.0 d.u./ac) on a 44.9 acre site located on the northwest corner of Devonshire Avenue and Myers Street and adjusting the development mix in the West Florida Avenue Mixed Use Area No. 1 for the Ramona Creek project has been duly filed by:

Owner:	Regent Properties
Agent:	Daniel Gryczman, Regent Properties
Project Location:	Northwest corner of West Florida Avenue and Myers Street
APN Information:	448-090-003
Site Area:	208.9 ± acres; and

WHEREAS, the proposed General Plan Amendment No. 12-005, Specific Plan No. 12-001, and Tentative Tract Map No. 36510 are considered "projects" as defined by the California Environmental Quality Act, Public Resources Code §21000 et seq. ("CEQA"); and,

WHEREAS, the City of Hemet, California, has reviewed the General Plan Amendment No. 12-005, Specific Plan No. 12-001, and Tentative Tract Map No. 36510 in accordance with the authority granted by the California Government Code §65353, §65355 and §65090, and the Hemet Municipal Code §90-41; and,

WHEREAS, after completion of an Initial Study, the Community Development Director determined that there was substantial evidence that the General Plan Amendment No. 12-005, Specific Plan No. 12-001, and Tentative Tract Map No. 36510 may have significant effects on the environment, but that revisions to the project or the

incorporation of mitigation measures would avoid or lessen the effects below the threshold of significance.

WHEREAS, in accordance with Government Code §§s 65353, 65355 and 65090, on March 21, 2014 the City gave public notice in The Press Enterprise, and notices were mailed to property owners within 500 feet of the project site of the holding of a public hearing at which the General Plan Amendment would be considered by the Planning Commission; and

WHEREAS, in accordance with Government Code §65353, on April 1, 2014 and May 6, 2014 the Planning Commission held the noticed public hearings at which interested persons had an opportunity to testify in support of, or opposition to, the General Plan Amendment and at which time the Planning Commission considered the General Plan Amendment; and

WHEREAS, at the public hearing on May 6, 2014, the Planning Commission considered, heard public comments on, and approved Planning Commission Resolution No. 12-010 recommending adoption of GPA No. 12-005; and

WHEREAS, in accordance with Government Code §§s 65353, 65355 and 65090, on May 29, 2014 the City gave public notice in The Press Enterprise, and notices were mailed to property owners within 500 feet of the project site of the holding of a public hearing at which the General Plan Amendment would be considered by the City Council; and

WHEREAS, in accordance with Government Code §65353, on June 10, 2014 the City Council held a noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the General Plan Amendment and as which the City Council considered the General Plan Amendment; and

WHEREAS, at this public hearing on June 10, 2014, the City Council considered and heard public comments on certification of a Final Environmental Impact Report, Statement of Facts and Findings, Statement of Overriding Considerations and Mitigation Monitoring Report Program for the project by Resolution Bill No. 14-017; and,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hemet Does Resolve, Determine, Find and Order as follows:

SECTION 1. ENVIRONMENTAL FINDINGS.

The City Council, in light of the whole record before it, including but not limited to, the City's Local CEQA Guidelines and Thresholds of Significance, the recommendation of the Planning Commission as provided in the Staff Report dated June 10, 2014 and documents incorporated therein by reference, and any other evidence (within the meaning of Public Resources Code §21082.2) with the record or provided at the public hearing of this matter, hereby finds and determines as follows:

1. **CEQA:** The approval of this General Plan Amendment is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on June 10, 2014, at a duly noticed public hearing, the City Council certified a Final Environmental Impact Report, adopting a Statement of Facts and Findings and a Statement of Overriding Considerations, and adopting a Mitigation Monitoring Report Program, all reflecting its independent judgment and analysis and documenting the potential environmental impacts as it pertains to GPA No. 12-005. The documents comprising the City's environmental review for the project are on file and available for public review at Hemet City Hall, 445 E. Florida Avenue, Hemet, California 92543.

2. **Multiple Species Habitat Conservation Plan (MSHCP):** The project is found to be consistent with the MSHCP

SECTION 2. GENERAL PLAN AMENDMENT

The City Council approves General Plan Amendment No. 12-005 on the following findings:

1. The proposed General Plan Amendment No. 12-005 will not cause any internal inconsistencies in the General Plan.
    a. The proposed GPA No. 12-005 is internally consistent with the General Plan Goals, Objectives and Policies.

2. The proposed General Plan Amendment No. 12-005 is not detrimental to the public health, safety and welfare.
    a. The proposed GPA No. 12-005 has been analyzed in the DEIR and is found to not be detrimental to the public health, safety and welfare. The proposed change to the West Florida Mixed Use Area No. 1 has less traffic and associated air quality impacts than that under the current General Plan designation, pursuant to the Draft EIR prepared for the Ramona Creek project.

3. The proposed General Plan Amendment No. 12-005 is consistent with the overall vision, goals, and objectives of the General Plan.
    a. The proposed amendment fulfills the General Plan's land use goal of providing a balanced and sustainable development with both commercial, residential and public facility amenities. The additional residential units will provide a greater market for the future commercial land uses envisioned for the project. The General Plan envisions commercial nodes throughout the City that would serve a local and regional market. The increase in residential land use density from Low Density Residential (2.1-5.0 d.u./ac.) to Low-Medium Density Residential (5.1 – 8.0 d.u./ac.) would allow flexibility in development should an elementary school be developed in the

affected planning area, and results in a total addition of 36 units to the Planning Areas.

b. The proposed amendment is consistent with the following goals of the 2030 General Plan:

Goal LU-1	Achieve a balanced and sustainable pattern of land uses, community services and amenities that provide for the needs of the City's residents and businesses and enhance the overall quality of life in the community.
Goal LU-2	Provide for new and infill development in compliance with Smart Growth Principles and in accordance with infrastructure and public service capacities.
Goal LU-3	Avoid land use conflicts and provide for compatible development.
Goal LU-5	Create opportunities for mixed use and Transit-Oriented Development to complement and support vibrant city centers, regional commercial nodes, and business districts.
Goal LU-6	Establish a comprehensive range of attractive and economically viable commercial centers throughout the City that meet the needs of the community.
Goal LU-9	Establish a unique sense of place for West Hemet and enhance its role in the region.
Goal LU-11	Promote a strong and diversified economic base and retain and attract new investment, businesses, industries and employment opportunities to the City.
Goal LU-12	Enhance Hemet's sense of place and local identity to attract visitors and expand the tourist tax base.
Goal LU-15	Foster a healthy community through land use and urban design practices that support healthy and sustainable lifestyles for all Hemet residents.
Goal CD-1	Enhance Hemet's sense of place and local identity to develop community pride and expand tourism and investment.
Goal CD-2	Use gateway markers, monuments, community signage, and landscaping to portray a positive visual entry into the City and to key locations.
Goal CD-3	Develop a streetscape system that provides cohesive design, enhances community image, incorporates green street concepts, and develops an attractive identity for the various City districts.

Goal CD-5	Promote attractive community design to make Hemet a more desirable place to live.
Goal CD-7	Enhance the visual image of the City through landscaping and perimeter walls and fencing.
Goal CD-8	Facilitate good community design featuring pedestrian access and amenities that offer a pleasurable walking environment, and encourages residents to consider alternatives to the automobile.
Goal CD-9	Maintain and create public spaces for people to gather within the City.
Goal CD-10	Establish mixed-use development standards that facilitate design excellence and compatibility with neighboring uses.

SECTION 3. CITY COUNCIL ACTIONS.

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

1. Approve General Plan Amendment No. 12-005 to change the General Plan land use designation from LDR (Low Density Residential 2.1 – 5.0 d.u./ac.) to LMDR (Low Medium Density Residential 5.1 – 8.0 d.u./ac) on a 44.9 acre site located on the northwest corner of Devonshire Avenue and Myers Street and adjusting the development mix in the West Florida Avenue Mixed Use Area No. 1 for the Ramona Creek project.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2014.

_____
Larry Smith, Mayor

ATTEST:

_____
Sarah McComas, City Clerk

APPROVED AS TO FORM:

_____
Eric S. Vail, City Attorney

State of California)
County of Riverside)
City of Hemet)

I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the foregoing Resolution is the actual Resolution adopted by the City Council of the City of Hemet and was passed at a regular meeting of the City Council on the _____ day of _____, 2014 by the following vote:

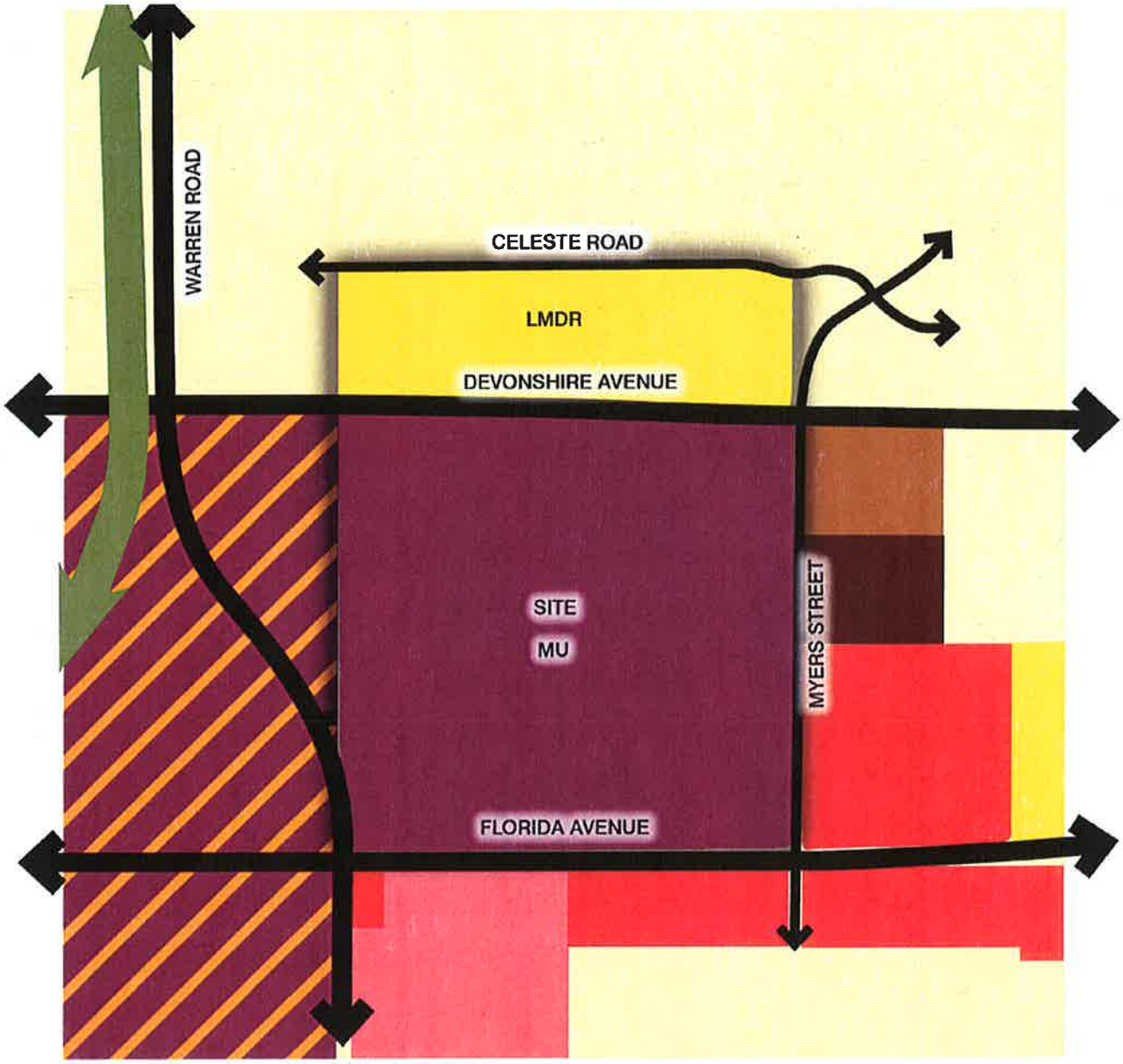
AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Sarah McComas, City Clerk

Exhibit No. 1A

Proposed General Plan Land Uses for GPA 12-005

City Council
Meeting of
June 10, 2014



LEGEND

LDR	LOW DENSITY RESIDENTIAL (2.1 - 5.0 DU/AC)
LMDR	LOW MEDIUM DENSITY RESIDENTIAL (5.1 - 8.0 DU/AC)
	HIGH DENSITY RESIDENTIAL (18.1 - 30.0 DU/AC)
VHDR	VERY HIGH DENSITY RESIDENTIAL (18.1 - 30.0 DU/AC)
CC	COMMUNITY COMMERCIAL (FAR 0.40)
RC	REGIONAL COMMERCIAL (FAR 0.50)
	OPEN SPACE
	AREAS SUBJECT TO MSHCP CRITERIA
	MIXED USE

Note: This graphic shows General Plan designations upon adoption of the Ramona Creek Specific Plan.

Figure 5-2. Proposed General Plan Land Use Designations

GPA 12–005

Exhibit No. 1B

Proposed General Plan Land Use Text for GPA 12-005

City Council
Meeting of
June 10, 2014

Table 2.3
Development Capacity

General Plan Designation	General Plan Designation	Acres			Dwelling Units			Non-Residential Square Feet (1,000s)			Population		
		City	Planning Area	Total	City	Planning Area	Total	City	Planning Area	Total	City	Planning Area	Total
Residential		**8,211**	**18,680**	**26,891**	**44,814**	**21,627**	**66,441**	**--**	**--**	**--**	**106,884**	**51,538**	**158,422**
Rural Residential	RR	547	1,306	1,853	595	1,306	1,901	--	--	--	1,413	3,101	4,515
Rural Residential	RR-2.5	72	737	809	215	411	626	--	--	--	511	975	1,486
Rural Residential	RR-5ac	--	1,388	1,388	--	278	278	--	--	--	--	659	659
Hillside Residential	HR	194	8,069	8,264	39	1,780	1,819	--	--	--	92	4,227	4,320
Hillside Residential	HR-10	88	2,076	2,165	9	208	216	--	--	--	21	493	514
Low Density Residential	LDR	5,666	4,536	10,202	20,593	15,815	36,408	--	--	--	48,878	37,445	86,323
Low Medium Density Residential	LMDR	810	429	1,239	6,498	124	6,622	--	--	--	15,407	294	15,701
Medium Density Residential	MDR	429	138	567	6,138	1,706	7,845	--	--	--	14,293	4,343	18,636
High Density Residential	HDR	263	--	263	5,775	--	5,775	--	--	--	14,166	--	14,166
Very High Density Residential	VHDR	141	--	141	4,952	--	4,952	--	--	--	12,102	--	12,102
Commercial/Office		**1,145**	**335**	**1,480**	**--**	**--**	**--**	**12,940**	**3,649**	**16,589**	**--**	**--**	**--**
Neighborhood Commercial	NC	134	21	155	--	--	--	1,459	231	1,689	--	--	--
Community Commercial	CC	794	314	1,108	--	--	--	8,650	3,419	12,068	--	--	--
Regional Commercial	RC	65	--	65	--	--	--	851	--	851	--	--	--
Office Professional/Medical	OP	152	--	152	--	--	--	1,981	--	1,981	--	--	--
Mixed Use		**725**	**641**	**1,366**	**2,184**	**1,639**	**3,823**	**5,586**	**6,380**	**11,966**	**5,186**	**3,893**	**9,080**
Mixed Use 1 - Florida	MU-1	430	130	561	~~516~~ 1,089	156	~~673~~ 1245	~~2,610~~ 2,480	790	~~3,400~~ 3,270	~~1,226~~ 2,257	371	~~1,598~~ 2,629
Mixed Use 2 – West Hemet	MU-2	--	241	241	--	578	578	--	3,270	3,270	--	1,372	1,372
Mixed Use 3 – Hemet Gateway	MU-3	--	121	121	--	326	326	--	1,500	1,500	--	773	773
Mixed Use 4 – Page Ranch	MU-4	--	149	149	--	579	579	--	820	820	--	1,376	1,376
Mixed Use 5 – Diamond Valley Lake	MU-5	108	--	108	172	--	172	980	--	980	410	--	410
Mixed Use Downtown	MU-D	187	--	187	1,495	--	1,495	1,996	--	1,996	3,551	--	3,551
Industrial		**1,122**	**824**	**1,945**	**--**	**--**	**--**	**14,558**	**10,925**	**25,484**	**--**	**--**	**--**
Airport	ARPT	297	--	297	--	--	--	1,942	--	1,942	--	--	--
Business Park	BP	402	786	1,188	--	--	--	5,250	10,277	15,527	--	--	--
Industrial	I	423	37	460	--	--	--	7,366	648	8,014	--	--	--
Public Facilities and Open Space		**4,214**	**10,666**	**14,881**	**--**	**146**	**146**	**787**	**4,843**	**5,631**	**--**	**348**	**348**
Public Facilities	PF	22	230	252	--	--	--	363	4,505	4,868	--	--	--
Parks	P	1,123	129	1,252	--	--	--	258	338	597	--	--	--
Open Space	OS	1,899	6,508	8,407	--	--	--	--	--	--	--	--	--

Table 2.3
Development Capacity
(As proposed by GPA 12-005)

General Plan Designation	General Plan Designation	Acres			Dwelling Units			Non-Residential Square Feet (1,000s)			Population		
		City	Planning Area	Total	City	Planning Area	Total	City	Planning Area	Total	City	Planning Area	Total
Open Space	OS	1,899	6,508	8,407	--	--	--	--	--	--	--	--	--
Agricultural	A	--	2,927	2,927	--	146	146	--	--	--	--	348	348
School	SCH	252	148	400	--	--	--	166	--	166	--	--	--
Quasi Public	QP	919	725	1,643	--	--	--	--	--	--	--	--	--
Right-of-Way/Lake		**2,699**	**13,095**	**15,791**	**--**	**--**	**--**	**--**	**--**	**--**	**--**	**--**	**--**
Diamond Valley Lake	DVL	557	4,610	5,167	--	--	--	--	--	--	--	--	--
Right-of-Way	ROW	2,139	8,485	10,624	--	--	--	--	--	--	--	--	--
2030 Estimated Totals		**18,113**	**44,241**	**62,354**	~~46,998~~ 47,571	**37,928**	~~70,410~~ 70,983	~~33,871~~ 33,741	**25,798**	~~59,669~~ 59,539	~~112,070~~ 113,083	**55,779**	~~167,850~~ 168,863
Existing (2006) Totals					*32,682*	*15,113*	*47,795*	*10,179*	*1,602*	*11,781*	*65,223*	*30,161*	*95,384*
Change, 2006-2030					***14,316***	***8,299***	***22,615***	***23,692***	***24,196***	***47,888***	***46,487***	***25,618***	***72,466***

Notes: 1. The numbers shown in Table 2.3 are approximate and represent the maximum development capacity for buildout of the General Plan. It is anticipated that these estimates will fluctuate over time as actual projects are approved.

2. Allocations for mixed use areas are based on anticipated future development. Future modifications to the table will occur when warranted after appropriate environmental analysis to determine if infrastructure capacity is available to serve the proposed changes as explained in Section 2.6.3 of the General Plan.

2.5.3 GENERAL PLAN DEVELOPMENT CAPACITY

Table 2.3 identifies the development capacity associated with the planned distribution of land uses. Over time, as properties transition from one use to another or property owners rebuild, land uses and intensities will gradually shift to align with the intent of this Land Use Element. Table 2.3 summarizes the land use distribution, and the resultant residential and nonresidential levels of development within the established City and the remainder of Hemet's Planning Area that can be expected from implementation of land use policies established by this General Plan.

2.6 MIXED-USE AREAS

2.6.1 MIXED USE DESIGNATION

The Mixed Use designation facilitates the creation of mixed-use higher intensity environments that offer opportunities for people to live, work, and shop within a compact area. Mixed-use development integrates residential, commercial, and/or office uses into one building or project area. Mixed use in one building is typically referred to as vertical mixed use. For example, a mixed-use building of several floors could have a lower floor dedicated to retail space and upper floor space reserved for offices, apartments, and/or condominiums. Horizontal mixed use refers to a project where retail and residential uses are located in different buildings connected by pedestrian passageways and common design elements. The Land Use Element contains general guidelines for development for each of the six mixed-use areas, and allows for flexibility over time. However, it is anticipated that each district will have a corresponding Specific Plan, Community Plan or Design Guidelines to establish a cohesive identity and land use distribution.

Mixed-use projects should incorporate upper-floor balconies, bays, and windows that overlook the street and enliven the street elevation. Windows and balconies also communicate the residential function of upper levels.

2.6.2 MIXED USE ISSUES AND OPPORTUNITIES

Mixed-use development is a relatively new concept in non-urban environments. Proponents of mixed use cite reduced vehicular emissions, a more pedestrian friendly environment, and a more varied urban atmosphere as reasons to support mixed use. For the City of Hemet, mixed-use development will represent a departure from standard single-use land planning, but if designed correctly and in appropriate locations will be an overall benefit.

To maximize the opportunities associated with mixed use, the City has selected locations that are primarily in emerging activity or transportation corridors or areas which can be readily assimilated into the overall development pattern. The only exception is the downtown area which proposes mixed use as a redevelopment tool to encourage new development as well as to reintroduce people and businesses back to the downtown.

2.6.3 IMPLEMENTATION OF MIXED-USE AREAS

In developing the six mixed-use areas described below, the City of Hemet worked with property owners and other stakeholders in providing a land use mix that will evolve over time. Consequently, mixed-use development should not be seen as a static fixed concept but rather a fluid process that will change over time in response to internal and external conditions. To

this end, implementation of mixed-use concepts will necessarily need to be flexible while respecting the overall vision for the areas. Implementation techniques developed for mixed-use projects are as follows:

1. **Flexibility on percentages of land uses anticipated** Land use percentages were developed at a fixed point in time (2010) based on best available knowledge of how mixed-use projects might be designed. The City recognizes that changes will occur over time and will permit up to a 10 percent adjustment in land use percentages without a General Plan amendment if the proposed change meets the following conditions:

   - **Traffic generation does not increase**. Morning, afternoon, and average daily trips (ADT) are equal to or less than the baseline land use assumptions; or

   - **Traffic slightly increases but can be mitigated**. It can be demonstrated that both on- and off- site capacity exists to absorb slight increases in traffic, or alternative transportation strategies are employed; or

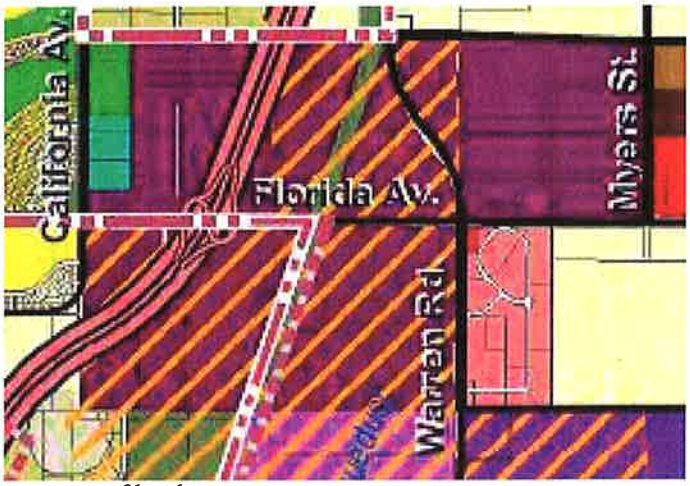
   - **Balance of land uses is maintained**. Proposed changes in land uses do not dramatically alter the adopted land use mix or .environmental conditions.

2. **Individual project proposals** Ideally, each designated mixed-used area would be developed under the auspices of a specific or area-wide plan. The City recognizes however, that funding may not be available to prepare such a plan before development of individual properties within a mixed-use area. To ensure long-term viability and to provide for equitable distribution of costs, the City will consider individual projects as long as the following actions take place:

   - **Integration with surrounding properties** One of the primary functions of mixed use is to permit ease of access between uses and between properties to help reduce vehicular trips. All mixed-use projects need to demonstrate how the project is internally integrated as well as externally integrated through a detailed mobility system and design characteristics. Other factors, including infrastructure components, need to be developed, which shows how a project is served by infrastructure and how a project helps to facilitate the continuation of infrastructure to adjoining properties.

   - **Public design components are developed in concept** Public design components such as streetscapes, entryway monumentation, signage, and architectural theme and scale should be developed at least in concept so that the project can integrate with future developments and approved plans to the maximum extent possible.

2.6.4 FLORIDA AVENUE MIXED-USE AREA #1



Overview

Mixed-Use Area #1 (MU-1) will serve as the region's primary retail destination taking advantage of the SR 74/79 interchange. Services provided will include specialty retail, restaurants, department stores, and general retail uses. Additionally, the area will provide a vibrant office environment as well as medium to high density residential units. All of the uses will be integrated through a comprehensive pedestrian system as well as the more traditional road system.

Anticipated Land Use Summary

1. Retail, commercial, office and institutional: 35 percent of land area

2. Residential: 10-15 percent of land area

3. Open Space and Rights-of-Way: 45-55 percent of land area

   a. Vernal pool conservation area: 40-50 percent of land area unless a criteria refinement is adopted for MSHCP cell blocks. With a criteria refinement, the land use distribution would be increased in the same development percentages. Portions of the MSHCP cell groups are currently under public agency ownership and should serve as the core of the conservation area.

   b. Public open space such as a public plaza, paseos, landscaped setbacks, and trails, but excluding private open space: minimum of 5 percent of land area.

Development Considerations

- **Design** To achieve a harmonious blend of land uses and development patterns, special care shall be given to a comprehensive circulation system consisting of vehicular and pedestrian access and linkages as well as a consistent and thematic design treatment for streetscapes and architectural elements.

- **Specific Plan Requirement** Any mixed-use project within MU-1 shall be submitted through a specific plan or Planned Community Development. The ~~Garrett Ranch~~ 200 acre property (~~approximately 200 acres~~ on the northeast corner of Florida Avenue and Warren Road) shall be considered through a specific plan.

- **Single Use Project Proposals** Single use projects may be submitted through standard zoning ordinance procedures but shall demonstrate consistency with the intent of the MU-1 concept and how the project will integrate with adjoining properties.

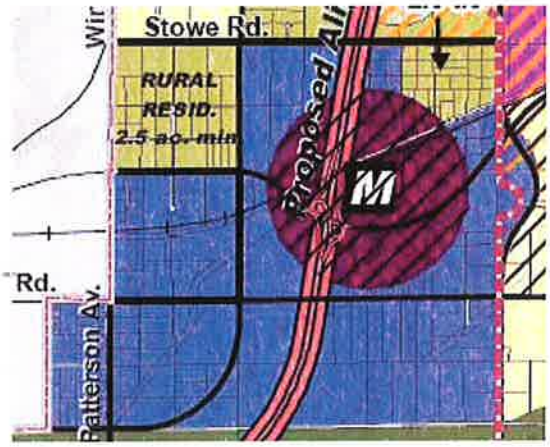
- **MSHCP Compliance** Over one-half of MU-1 is within Cell Group "D" of the MSHCP criteria area. And approximately 70–80 percent of that area must be conserved for permanent open space purposes unless a criteria refinement is approved. Any development within a criteria area will first have to comply with the habitat acquisition negotiation process (HANS) prior to any development submittal to the City.

- **Drainage and Infrastructure** Development in MU-1 is constrained by drainage issues and the future realignment of Highway 79. Special consideration will need to be given not only to protecting development from seasonal flooding, but also to ensuring that the hydraulic connectivity to the vernal pool complex is maintained. Additionally, development within MU-1 must address off-site infrastructure as well as on-site infrastructure needs and how the development will be served by with an overall infrastructure plan.

2.6.5 WEST HEMET MIXED-USE AREA #2

Overview

Mixed-Use Area #2 (MU-2) will serve as the region's primary destination for Research and Development, low intensity industrial, retail and office uses. Of equal importance, the mixed-use area will serve as the support hub for the surrounding business park area. Residential, while permitted, plays a minor role in the overall land use strategy for this area.



It is anticipated that the area will develop over time and will probably follow business park development in the surrounding area. To maintain viability over time, a strong emphasis on architectural controls and a well-planned public infrastructure system will be implemented in the early stages of development. Additionally, MU-2 is the most fluid of the six mixed-use areas in that there is no clear-cut geographically defined boundary. The intent is to promote mixed use in within the business park area but permit flexibility as to where it may occur. In fact, mixed use could occur on two or more sites throughout the business park area as long as overall land uses are consistent with the considerations discussed below. In addition, the mixed use area should be designed in concert with a future Metrolink Station or transit village serving the west end.

Anticipated Land Use Summary

1. Retail/commercial: 30 percent of the land area.

2. Commercial Office: 45 percent of land area.

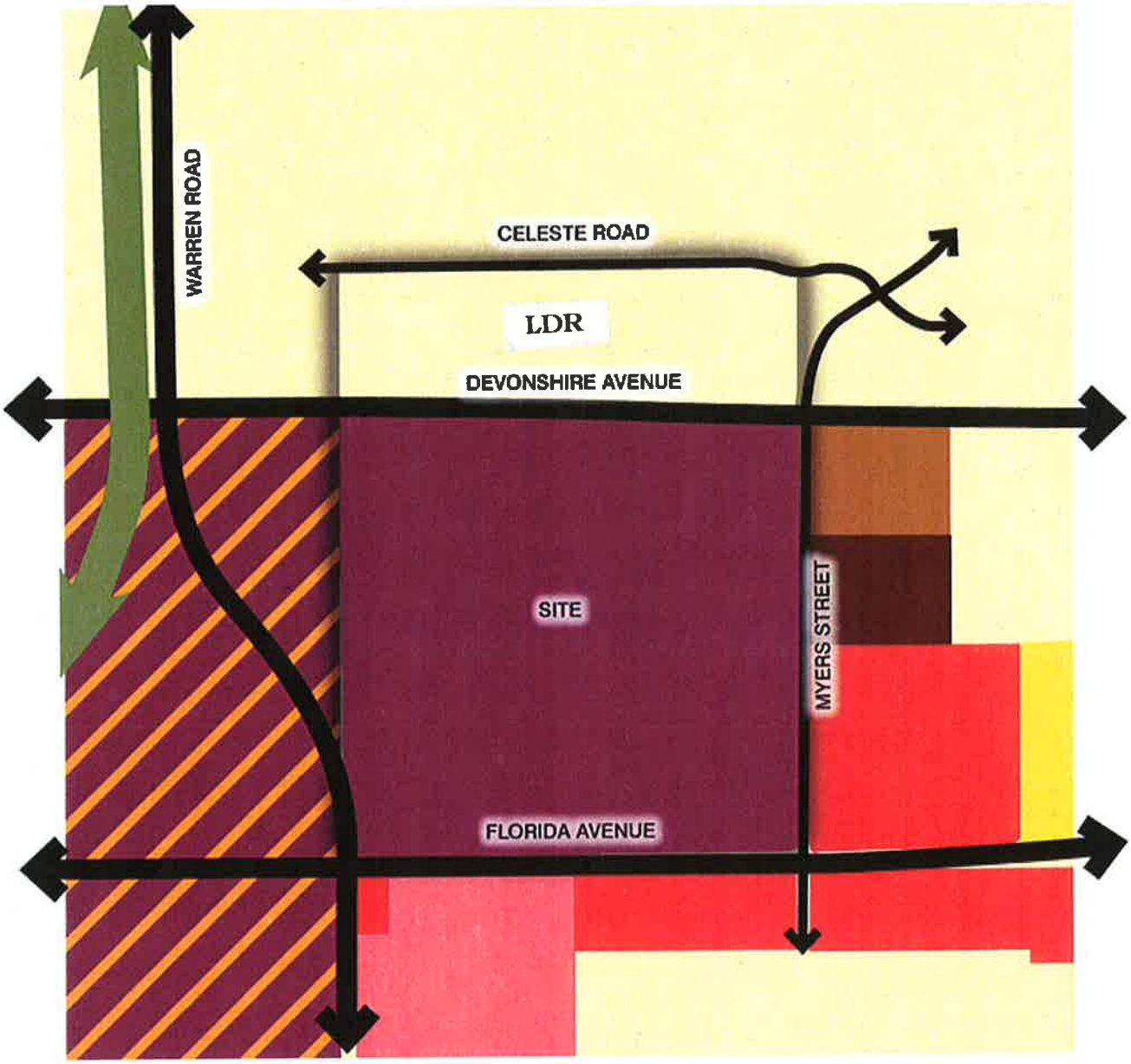
3. Residential: 20 percent of land area.

4. Open Space: 5 percent of land area, which includes public plazas, trails, and paseos, but excludes private open space.

Attachment No. 2

Existing General Plan Land Uses

City Council
Meeting of
June 10, 2014



LEGEND

- LDR — LOW DENSITY RESIDENTIAL (2.1 - 5.0 DU/AC)
- LMDR — LOW MEDIUM DENSITY RESIDENTIAL (5.1 - 8.0 DU/AC)
- HIGH DENSITY RESIDENTIAL (18.1 - 30.0 DU/AC)
- VHDR — VERY HIGH DENSITY RESIDENTIAL (18.1 - 30.0 DU/AC)
- CC — COMMUNITY COMMERCIAL (FAR 0.40)
- RC — REGIONAL COMMERCIAL (FAR 0.50)
- OPEN SPACE
- AREAS SUBJECT TO MSHCP CRITERIA
- MIXED USE

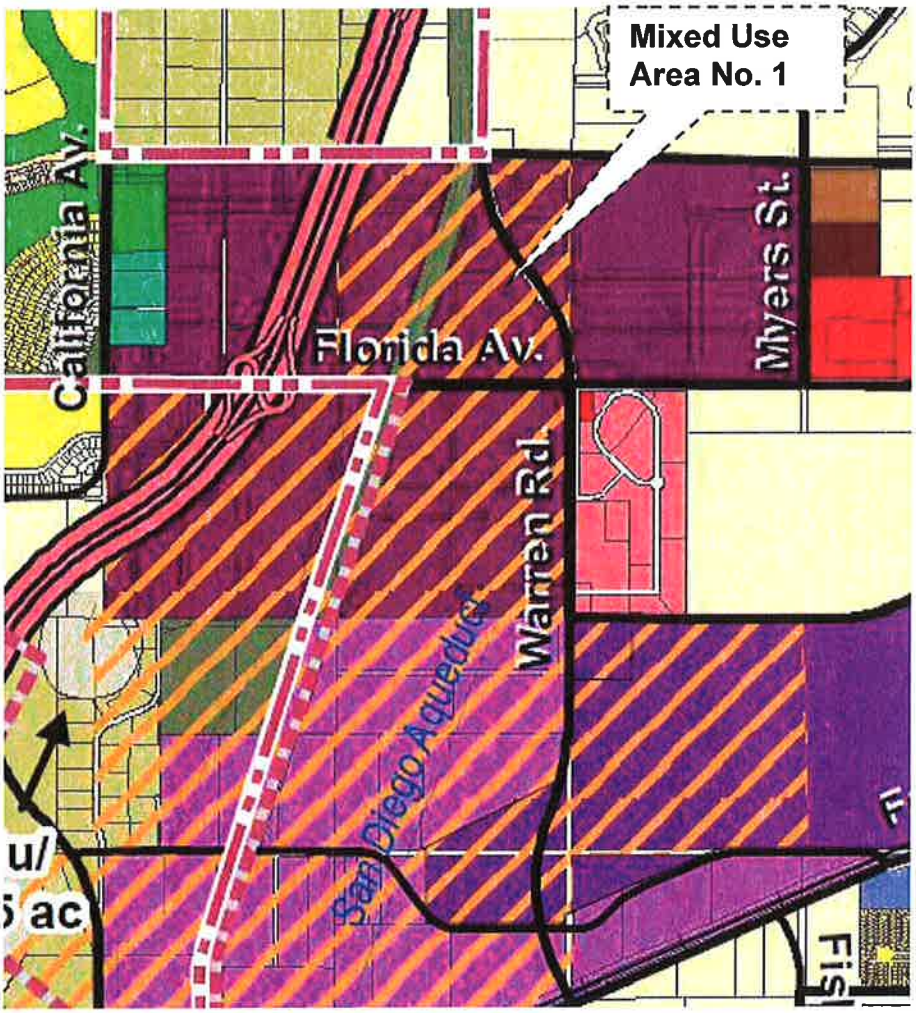
Note: This graphic shows General Plan designations as they existed prior to adoption of the Ramona Creek Specific Plan.

Figure 5-1. Existing General Plan Land Use Designations (2013)

Attachment No. 3

Existing West Florida Mixed Use Area No. 1 Land Use Map

City Council
Meeting of
June 10, 2014



Land Use Designations

- RR Rural Residential (0.0 - 2.0 du/ac)
- HR Hillside Residential (0.0 - 0.5 du/ac)
- LDR Low Density Residential (2.1 - 5.0 du/ac)
- LMDR Low Medium Density Residential (5.1 - 8.0 du/ac)
- MDR Medium Density Residential (8.1 - 18.0 du/ac)
- HDR High Density Residential (18.1 - 30.0 du/ac)
- VHDR Very High Density Residential (30.1 - 45.0 du/ac)
- NC Neighborhood Commercial (FAR 0.35)
- CC Community Commercial (FAR 0.40)
- RC Regional Commercial (FAR 0.50)
- MU Mixed Use (Varies)
- ARPT Airport
- OP Office Professional (FAR 2.0)
- BP Business Park (FAR 0.60)
- I Industrial (FAR 0.45)
- QP/C Quasi-Public/Cultural
- PF Public Facilities
- SCH School
- P Park/Recreation
- OS Open Space
- Agriculture

Environmental Management Area

- Areas subject to MSHCP criteria
- Interim Airport Overlay Zone

2030 Hemet General Plan
West Florida Avenue
Mixed Use Area No. 1

Attachment No. 4

Planning Commission Reso. No. 14-010

City Council
Meeting of
June 10, 2014

CITY OF HEMET
Hemet, California

RESOLUTION NO. 14-010

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA RECOMMENDING TO THE CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENT NO. 12-005 AMENDING THE LAND USE DESIGNATION FOR A 44.9± ACRE SITE LOCATED ON THE NORTHWEST CORNER OF DEVONSHIRE AVENUE AND MYERS STREET FROM LDR (LOW DENSITY RESIDENTIAL 2.1 – 5.0 D.U./AC.) to LMDR (LOW MEDIUM DENSITY RESIDENTIAL 5.1 – 8.0 d.u./ac) AND ADJUSTING THE DEVELOPMENT MIX FOR THE WEST FLORIDA MIXED USE AREA NO. 1 FOR THE RAMONA CREEK PROJECT.

WHEREAS, an application for General Plan Amendment No. 12-005 to change the General Plan land use designation from LDR (Low Density Residential 2.1 – 5.0 d.u./ac.) to LMDR (Low Medium Density Residential 5.1 – 8.0 d.u./ac) on a 44.9 acre site located on the northwest corner of Devonshire Avenue and Myers Street and adjusting the development mix in the West Florida Avenue Mixed Use Area No. 1 for the Ramona Creek project has been duly filed by:

Owner:	Regent Properties
Agent:	Daniel Gryczman, Regent Properties
Project Location:	Northwest corner of West Florida Avenue and Myers Street
APN Information:	448-090-003
Site Area:	208.9 ± acres; and

WHEREAS, the Planning Commission has the authority to review and make recommendations to the City Council on General Plan Amendment 12-005 for a change to the General Plan land use designation from LDR (Low Density Residential 2.1 – 5.0 d.u./ac.) to LMDR (Low Medium Density Residential 5.1 – 8.0 d.u./ac) on a 44.9 acre site located on the northwest corner of Devonshire Avenue and Myers Street and increasing the allowable dwelling units and decreasing the amount of commercial development in the West Florida Avenue Mixed Use Area No. 1 for the Ramona Creek project; and

WHEREAS, the proposed General Plan Amendment No. 12-005, Specific Plan No. 12-001, and Tentative Tract Map No. 36510 are considered "projects" as defined by

the California Environmental Quality Act, Public Resources Code §21000 et seq. ("CEQA"); and,

WHEREAS, the City of Hemet, California, has reviewed the General Plan Amendment No. 12-005 in accordance with the authority granted by the California Government Code §65353, §65355 and §65090, and the Hemet Municipal Code §90-41; and,

WHEREAS, after completion of an Initial Study, the Community Development Director determined that there was substantial evidence that the General Plan Amendment No. 12-005 may have significant effects on the environment, but that revisions to the project or the incorporation of mitigation measures would avoid or lessen the effects below the threshold of significance.

WHEREAS, in accordance with Government Code §§s 65353, 65355 and 65090, on March 21, 2014 the City gave public notice in The Press Enterprise, and notices were mailed to property owners within 500 feet of the project site of the holding of a public hearing at which the General Plan Amendment would be considered by the Planning Commission; and

WHEREAS, in accordance with Government Code §65353, on April 1, 2014 and May 6, 2014 the Planning Commission held the noticed public hearings at which interested persons had an opportunity to testify in support of, or opposition to, the General Plan Amendment and at which time the Planning Commission considered the General Plan Amendment; and

WHEREAS, at this public hearing on May 6, 2014, the Planning Commission considered, heard public comments on, and recommended to the City Council certification of a Draft Environmental Impact Report as it pertains to General Plan Amendment No. 12-005; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Hemet Does Resolve, Determine, Find and Order as follows:

SECTION 1. ENVIRONMENTAL FINDINGS.

The City Council, in light of the whole record before it, including but not limited to, the City's Local CEQA Guidelines and Thresholds of Significance, the recommendation of the Planning Commission as provided in the Staff Report dated May 6, 2014 and documents incorporated therein by reference, and any other evidence (within the meaning of Public Resources Code §21082.2) with the record or provided at the public hearing of this matter, hereby finds and determines as follows:

1. **CEQA:** The approval of this General Plan Amendment is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on

May 6, 2014, at a duly noticed public hearing, the Planning Commission recommended that the City Council certify a Final Environmental Impact Report, all reflecting its independent judgment and analysis and documenting the potential environmental impacts as it pertains to General Plan Amendment No. 12-005. The documents comprising the City's environmental review for the project are on file and available for public review at Hemet City Hall, 445 E. Florida Avenue, Hemet, California 92543.

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

SECTION 2. GENERAL PLAN AMENDMENT

The Planning Commission recommends approval General Plan Amendment No. 12-005 on the following findings:

1. The proposed General Plan Amendment No. 12-005 will not cause any internal inconsistencies in the General Plan.
    a. The proposed GPA No. 12-005 is internally consistent with the General Plan Goals, Objectives and Policies.

2. The proposed General Plan Amendment No. 12-005 is not detrimental to the public health, safety and welfare.
    a. The proposed GPA No. 12-005 has been analyzed in the DEIR and is found to not be detrimental to the public health, safety and welfare. The proposed change to the West Florida Mixed Use Area No. 1 has less traffic and associated air quality impacts than that under the current General Plan designation, pursuant to the Draft EIR prepared for the Ramona Creek project.

3. The proposed General Plan Amendment No. 12-005 is consistent with the overall vision, goals, and objectives of the General Plan.
    a. The proposed amendment fulfills the General Plan's land use goal of providing a balanced and sustainable development with both commercial, residential and public facility amenities. The additional residential units will provide a greater market for the future commercial land uses envisioned for the project. The General Plan envisions commercial nodes throughout the City that would serve a local and regional market. The increase in residential land use density from Low Density Residential (2.1-5.0 d.u./ac.) to Low-Medium Density Residential (5.1 – 8.0 d.u./ac.) would allow flexibility in development should an elementary school be developed in the affected planning area, and results in a total addition of 36 units to the Planning Areas.

b. The proposed amendment is consistent with the following goals of the 2030 General Plan:

Goal LU-1	Achieve a balanced and sustainable pattern of land uses, community services and amenities that provide for the needs of the City's residents and businesses and enhance the overall quality of life in the community.
Goal LU-2	Provide for new and infill development in compliance with Smart Growth Principles and in accordance with infrastructure and public service capacities.
Goal LU-3	Avoid land use conflicts and provide for compatible development.
Goal LU-5	Create opportunities for mixed use and Transit-Oriented Development to complement and support vibrant city centers, regional commercial nodes, and business districts.
Goal LU-6	Establish a comprehensive range of attractive and economically viable commercial centers throughout the City that meet the needs of the community.
Goal LU-9	Establish a unique sense of place for West Hemet and enhance its role in the region.
Goal LU-11	Promote a strong and diversified economic base and retain and attract new investment, businesses, industries and employment opportunities to the City.
Goal LU-12	Enhance Hemet's sense of place and local identity to attract visitors and expand the tourist tax base.
Goal LU-15	Foster a healthy community through land use and urban design practices that support healthy and sustainable lifestyles for all Hemet residents.
Goal CD-1	Enhance Hemet's sense of place and local identity to develop community pride and expand tourism and investment.
Goal CD-2	Use gateway markers, monuments, community signage, and landscaping to portray a positive visual entry into the City and to key locations.
Goal CD-3	Develop a streetscape system that provides cohesive design, enhances community image, incorporates green street concepts, and develops an attractive identity for the various City districts.
Goal CD-5	Promote attractive community design to make Hemet a more desirable place to live.

Goal CD-7	Enhance the visual image of the City through landscaping and perimeter walls and fencing.
Goal CD-8	Facilitate good community design featuring pedestrian access and amenities that offer a pleasurable walking environment, and encourages residents to consider alternatives to the automobile.
Goal CD-9	Maintain and create public spaces for people to gather within the City.
Goal CD-10	Establish mixed-use development standards that facilitate design excellence and compatibility with neighboring uses.

SECTION 3. PLANNING COMMISSION RECOMMENDATION.

The Planning Commission hereby recommends that the City Council take the following action:

1. Approve General Plan Amendment No. 12-005 to change the General Plan land use designation from LDR (Low Density Residential 2.1 – 5.0 d.u./ac.) to LMDR (Low Medium Density Residential 5.1 – 8.0 d.u./ac) on a 44.9 acre site located on the northwest corner of Devonshire Avenue and Myers Street and adjusting the allowable development in the West Florida Avenue Mixed Use Area No. 1 for the Ramona Creek project as shown in Exhibits 1A and 1B which are attached hereto and incorporated here by reference.

PASSED, APPROVED, AND ADOPTED this 6th day of May, 2014 by the following vote:

AYES: Chairman John Gifford, Vice Chairman Greg Vasquez, and Commissioners Michael Perciful, Vince Overmyer, and Rick Crimeni

NOES:

ABSTAIN:

ABSENT:

John Gifford, Chairman
Hemet Planning Commission

ATTEST:

Melissa Couden

Melissa Couden, Records Secretary
Hemet Planning Commission

#15

Staff Report

TO: Honorable Mayor and Members of the Hemet City Council

FROM: Wally Hill, City Manager Wally Hill
Deanna Elliano, Community Development Director DE

DATE: June 10, 2014

RE: **RAMONA CREEK SPECIFIC PLAN NO. 12-001** – An application to establish by ordinance the proposed Ramona Creek Specific Plan (SP 12-001) as the comprehensive zoning and development plan for the project site, including a potential range of 954 to 1,077 residential units and 564,000 to 760,035 square feet of commercial/office space, and associated infrastructure, open space and recreational amenities to serve the development.

PROJECT APPLICANT INFORMATION:

Owner:	Regent Properties
Authorized Agent:	Daniel Gryczman, Regent Properties
Project Location:	Northwest corner of West Florida Avenue and Myers Street
APN Information:	448-090-003
Lot Area:	208.9± acres

RECOMMENDED ACTION:

That the City Council:

1. *Introduce, read by title, and waive further reading of City Council Ordinance Bill No. 14-018 (Attachment No. 1) adopting the Ramona Creek Specific Plan (SP 12-001) as the official zoning and development plan for the property, as recommended by the Planning Commission.*

BACKGROUND

Regent Properties is proposing a Specific Plan and associated Master Tentative Tract Map and General Plan Amendment, to establish a master planned development of mixed commercial and residential uses on a 208.9± acre site located on the northwest corner of West Florida Avenue and Myers Street, as shown in the Locational Map (Attachment A). The project site represents a key western gateway to the City, and is one of the largest vacant land holdings in the City that is under a single ownership. The City's 2030 General Plan recognized this site as having great potential for a comprehensive mixed-use commercial and residential community, and determined that a Specific Plan would be the appropriate land use mechanism to achieve the highest and best use of the property. The proposed Ramona Creek Specific Plan provides a vision, development plan, and implementation program consistent with the City's adopted General Plan for the site.

A conceptual land use plan for the project was originally shown to the Planning Commission and City Council at a work study session on August 14, 2012. An additional work study regarding the project was held before the Planning Commission at their meeting of June 4, 2013. In both work study sessions, comments from the City and the public were favorable in regard to the overall land uses and the conceptual design of the project. Over the past several months, the developer and their design team have continued to work with city staff on the more detailed aspects of the project and the infrastructure phasing included in the Specific Plan document.

On April 1, 2014, the Planning Commission held the first public hearing on the project and the associated Draft Environmental Impact Report (EIR), which occurred during the required 45-day public comment period on the Draft EIR. The proposed SP 12-001, and associated applications for the GPA and TTM, were recommended for adoption by the Planning Commission at a public hearing on May 6, 2014. Overall, the public comments received have been positive and supportive of the project as evidenced by the minutes of the meetings (Attachment 2) and the letters submitted by members of the public regarding the project, provided in this report as Attachment 4.

PROPOSED SPECIFIC PLAN

The proposed Specific Plan contains a development plan along with technical studies to accommodate a proposed project of 954 residential units and 649,044 sq. ft. of commercial and office land uses. The Specific Plan also allows for alternative development scenarios based on market conditions over time, providing flexibility of up to a maximum of 1,077 dwelling units or a maximum of 760,035 square feet of commercial/office uses, provided there is a corresponding reduction in other uses. The Project also includes design guidelines, development standards, and all related infrastructure to serve the development, including circulation networks, on-site drainage facilities, recreational amenities, and utilities. The primary land uses associated with the Project are divided into 10 Planning Areas within the Specific Plan as shown in Attachment B and Attachment 1a to this report. A more detailed overview of the proposed Tentative Tract Map (TTM 36510) is provided in a separate staff report on this agenda.

The property was previously known as the Garrett Ranch property, and has historically been used for farming. The site is presently vacant agricultural land zoned C-2 (General Commercial), M-2 (General Industrial), R-1-6 (Single Family Residential), and A-5 (Agricultural), as shown in Figure 5-3 of the Specific Plan. Adoption of the Specific Plan will replace the present zoning and development standards for the property. Adjacent to the project site includes the existing Florida Promenade commercial development located to the east, the Hemet Auto Mall and Hemet West Mobile Home Park to the south, the undeveloped (but approved) Tres Cerritos Specific Plan to the north, and vacant land area and Warren Road to the west.

Project Purpose

The overall purpose of the Ramona Creek Specific Plan is to provide comprehensive direction for the development of the project area as a distinctive residential community and commercial destination while implementing the goals and polices of the 2030 General Plan. The following guiding principles were identified and are explained in Section 1.1 of the Specific Plan:

- Create a "community".
- Celebrate uniqueness of place.
- Optimize open space relationships.

- Create connectivity.
- Encourage diversity.
- Integrate environmentally responsible practices.
- Enhance local economic well-being.

The Specific Plan replaces the existing zoning on the property and establishes unique development standards and design guidelines for future development projects. The Specific Plan allows for flexibility in land use mix and density transfers that would not be allowed under conventional zoning.

Land Use and Development Plan (Chapter 2)

The proposed land plan hopes to achieve the intensity that is suitable to a site that is located along a major east-west thoroughfare in the Mixed Use Area No. 1 of the 2030 General Plan. The Ramona Creek Specific Plan is divided into ten (10) planning areas as shown in Figure 2-4a of the Specific Plan (See Attachment B). Less intense residential land uses are proposed in the northern portion of the project area north of Devonshire Avenue at a density between 3.0 – 8.0 d.u./ac. Medium density residential land uses are proposed between Devonshire and "C" street. Future product types might include condominiums, townhomes, apartments, and small lot single family residential.

The proposed 43.0 acre commercial area designated as "Commercial Mixed-Use" is located south of "C" street along West Florida Avenue in Planning Area 3. Conceptual illustrations of the proposed commercial area are provided in Section 2.4.1 of the Specific Plan. The proposed area will provide a mix of retail commercial, entertainment, restaurants, and offices centered around an outdoor plaza and water feature in the center of the commercial site, creating a vibrant, pedestrian-oriented destination area for the greater community. Additional opportunities for commercial, office, instructional or educational uses exist in Planning Area 4, designated as "Village Residential" with a "Mixed Use Overlay". The overlay provides the site with the flexibility to accommodate the maximum amount of potential commercial and other non-residential uses on the site, while maintaining appropriate buffers from the surrounding residential uses.

The project is proposing to implement a master- planned drainage detention facility and open space area (Ramona Creek Corridor) on 22.8 acres running east/west through the site (Planning Areas 1a and 1b). The drainage course will have a landscaped perimeter pathway system that can be accessed by future residents in the area. This drainage facility will ultimately assist in conveying storm water flows southwesterly to the Multi-Species Habitat Conservation Plan (MSHCP) conservation area located west of Warren Road and south of West Florida Avenue. The drainage and open space area provides a critical connection in the City's master plan of drainage for the west Hemet area.

Development on the site is constrained by the Metropolitan Water District's (MWD) pipeline easement running diagonally through the site. A 12.3 acre recreational spine is proposed for this area (Planning Areas 2a, 2b and 2c). The recreational area will have a community green at its southern terminus, passive and semi-active recreational areas in the middle, and an active recreational area in the northern area at the southwest corner of Myers Street and Devonshire Avenue.

The plan has built in flexibility to allow a variety of land uses that can adapt to various market forces. For example, Planning Areas 4a and 4b have a mixed use overlay which would allow for a mix of residential/limited commercial/office/institutional land uses. This area was selected for this purpose to encourage an adequate site for a technical school/college or the potential for office development. Higher density residential can also be developed in this location with the appropriate land use buffers.

A 12.0 acre elementary school site is designated in Planning Area 10 located at the northwest corner of West Devonshire Avenue and Myers Street. Should the Hemet Unified School District opt not to acquire the site, an additional 98 single family residential units would be allowed. The adjacent Planning Area 9 allows for single family residential development at the Low-Medium Residential density of up to 8 units/acre, if the school site is provided. The following land use summary for the proposed Project is illustrated in Figure 5-5 of the Specific Plan:

Table 1
Proposed Project
(SP 12-001 – Figure 5-5)

Land Use Category	Acres	Units	Square Feet	Planning Area
Residential:				
• Single Family (LMDR)		254 du	-	9
• Condos/Townhomes (MDR, VR)		524 du	-	4,5,6,7,8
• Student Housing (VR)		176 du	-	4
			-	
Commercial Mixed-Use:				3
• Shopping Center	-	-	369,788	
• Institutional	-	-	166,000	
• General Office	43.0	-	113,256	
Elementary School		750 students		
Parks/Open Space:				
• Community Park	11.2	-	-	2
• Passive Park/Open Space	23.9	-	-	1
• Subtotal	35.1	-	-	
Street R.O.W.	34.5			
Total		**954 du** **750 students**	**649,044**	

The proposed residential land use mix ranges from Low-Medium Density Residential (3-8 d.u./ac.) to Village Residential (18-30 d.u./ac.). Anticipated product types would range from small lot detached single family residential in the planning areas north of West Devonshire Avenue to the most intense allowed in the Village Residential planning areas which would allow three story multi-family residential products. The Specific Plan allows for flexibility within each planning area where less dense product types are allowed depending on what future market demands are.

The Specific Plan allows for unused dwelling unit allocations to be transferred to other planning areas provided that the allowable densities and dwelling unit range is not exceeded. The Village Residential districts in planning areas 4a and 4b allow mixed land uses with some commercial and office uses along with residential.

Chapter 2 of the Specific Plan contains the development criteria and standards for the project. Section 2.4.1 shows four alternatives for the commercial development in Planning Area 3. The alternatives are

illustrative of the configuration and intensity of commercial land uses that are envisioned. Figures 2-9(a) and (b) illustrate the types of loading dock screening that will be required to buffer the future residential areas to the north of "C" street.

Section 2.4.2 outlines the concept for the mixed use area proposed in planning areas 4a and 4b. Expansion of nonresidential uses in the form of office and some commercial retail uses will be allowed in these areas – should the future market conditions demand. Live-work residential units will also be allowed in this area.

The proposed Specific Plan also includes three other land use alternatives that have varying degrees of residential and commercial uses, and are designed to allow for flexibility in the plan as market forces change over time. These variations on the proposed land plan were also examined in the Draft EIR for their respective impacts. It should be noted that the maximum numbers of dwelling units and commercial square footage cannot occur simultaneously. For example, future development of a greater amount of commercial area would result in a lesser number of residential units. A summary of the three land use alternatives included in the Specific Plan (refer to Section 5.7) and addressed in the Draft EIR are as follows:

1. **No School Alternative DEIR Alternative B**: 1,077 residential units + 535, 788 sq. ft. of Commercial
2. **Residential-Oriented Alternative: DEIR Alternative C:** 1,077 residential units + elementary school + 535,788 sq. ft. of Commercial
3. **Commercial-Oriented Alternative: DEIR Alternative D:** 778 residential units + 760,035 sq. ft. of Commercial

Development Standards (Section 2.5)

Section 2.5 of the Specific Plan outlines the development regulations for the project. Table 2-1 contains the permitted uses in each of the land use categories. Table 2-2 lists the development standards for detached residential development. Table 2-3 has the standards for attached residential development. Table 2.4 contains the standards for future commercial and mixed use development.

Circulation/Mobility Plan (Section 2.6)

Section 2.6 contains a discussion about the circulation plan for the project. Figure 2-11 shows the hierarchy of streets. Figures 2-12(a) through 2-12(l) show the cross-sections for all of the street types. Automotive circulation to the site is provided by improvements to West Florida Avenue, Myers Street and Devonshire Avenue. Florida Avenue will be developed as a Major Arterial with six travel lanes and a center median. Myers Street will be a divided secondary street with a raised center median and a bike lane on the western portion of the street. Devonshire Avenue will be developed as a secondary street with an 8 foot NEV/Bike lane on either side. Both Myers Street and Devonshire Avenue will have a right-of-way width of 94 feet. The project is not proposing to develop or improve its western border along the Old Warren Road Right-of-Way unless required during the later phases of development. The R.O.W. contains a EMWD sewer line so a maintenance access road will be provided.

The plan calls for an extensive bicycle and pedestrian network as outlined in Section 2.6.4. The plan will have completely separated off-street paths for bikeways (Class I) along with Class II and Class III (on-street) facilities. Two Neighborhood Electric Vehicle (NEV) routes are included along Devonshire Avenue

and "A" street within the central corridor of the project. The proposed project will be the first one in Hemet to implement the NEV Plan in the 2030 General Plan. Figure 2-13 illustrates the network of pedestrian and bicycle paths.

The Riverside Transit Agency has sent a comment letter on the Draft EIR requesting that the applicant provide for a bus stop on West Florida Avenue at the intersection with Street "A". The Mobility Plan (Figure III-5) has been modified to show the location of the requested bus stop. (See Attachment 1c). The Tentative Tract Map for the project is conditioned appropriately to provide for that transportation amenity.

Recreation Spine (Section 2.7)

The plan has a 12.19 acre recreation spine area that diagonally transects the project along a 200 foot easement that the Metropolitan Water District (MWD) has for its two water transmission lines. The plan calls for developing this area for a variety of plan uses which starts with a "community green" next to the commercial area to the south and ends with a baseball diamond facility in the northern area next to Devonshire Avenue. The types of permanent recreational facilities constructed in the area will be restricted due to the possibility of MWD needing to repair and replace its pipelines in the future. Illustrations of the components of the recreation spine are shown in Figures 2-16 through 2-21. The Community Green area is proposed to have an amphitheater and a multi-purpose Community Center building with proximity to the commercial center to the south.

Public Facilities and Services (Section 2.8)

Section 2.8 discusses the provision of on-site grading, utility service, and infrastructure for the Ramona Creek project. The project proposes to develop 23.83 acres as a regional drainage corridor which will serve the local region. The Ramona Creek Corridor will transmit storm water flows from the northeast to the southwestern corner of the site. The Corridor has been designed to act as a passive landscaped recreational corridor with pathways on each side. A retention basin will allow the storm water flows to be collected and then pumped southerly underneath the Florida Avenue and Warren Road intersection to discharge in a metered fashion along the existing drainage ditch on the west side of Warren Road. (See Figures 2-23 through 2-25).

Other utilities are shown in Figures 2-26 through 2-28. The project will be utilizing reclaimed water that will be available in lines in Devonshire Avenue and Myers Street.

Design Guidelines (Chapter 3)

Chapter 3 of the Specific Plan contains design guidelines for the physical design of the community streetscape elements, neighborhood entries, and architectural development of individual projects. The intent is to create an attractive and cohesive community identity. Section 3.2 illustrates community-wide design elements in the form of entry monuments at major and minor project entries generally located along the perimeter of the project. Section 3.3 deals with directional signage, tenant identification and sign illumination.

Landscape design is covered in Section 3.4. The design concept of the Ramona Creek project will feature a palette of drought-tolerant and native plant materials. Four thematic landscape zones are proposed in the 1) commercial area, 2) residential areas, 3) recreational spine, and the 4) Ramona Creek corridor. General landscape requirements and illustrations for the project are found in Section 3.4.2. Requirements

for walls and fences are found in Section 3.4.8 At the April 1, 2014 public hearing, the Planning Commission noted there was a lack of specificity in the quantities for the future landscaping of the project, in particular with the Ramona Creek Corridor (see Section 3.4.1). The applicant has modified the text establishing a new Section 3.4.5 which includes more specific detail on the proposed quantities and types of landscaping for slope areas. (See Attachment1c).

Commercial non-residential design guidelines are listed in Section 3.5 which includes general design principles for building design, parking, and other environmental considerations. Section 3.6 contains guidelines for mixed-use design inclusive of live-work units. Future projects will follow two non-residential architectural styles of 1) Craftsman, and 2) Spanish Colonial.

Residential design guidelines are shown in Section 3.7. The following five (5) architectural styles have been selected for future residential projects: 1) Farmhouse, 2) Cottage, 3) Craftsman, 4) Monterey, and 5) Spanish Colonial. All future commercial and residential projects require a Site Development Review (SDR) to be considered and approved by the Planning Commission that will review individual project architecture, site design, and landscape elements consistent with the design guidelines in the plan.

Sustainability (Chapter 4)

Chapter 4 of the Specific Plan outlines a sustainable design strategy to incorporate fundamental principles of energy and water conservation. The chapter contains both mandatory and optional requirements that are based on the 2010 CALGreen Code and the Draft Environmental Impact Report (DEIR) for the project. The subsections in this chapter deal with the following topics: 1) Green Infrastructure, 2) Landscaping, 3) Building-Level Sustainability, and 4) Resource Conservation.

Administration & Implementation (Chapter 5)

Chapter 5 of the Specific Plan deals with the administration and implementation of future development of the project area. The chapter also outlines the relationship of the Specific Plan to the City's General Plan and Zoning. Section 5.5 concerns administration of the project with regard to amendments and minor revisions. These procedures are routine as provided for in all specific plans in the City. The review and approval process for new development is listed in Section 5.6. Since the project is conceptual at this time without specifics as to site layout and architecture, all future development projects will require Planning Commission review under a Site Development Review (SDR) application.

The Ramona Creek project is unique in that it provides a considerable amount of flexibility for future land uses as to type and/or density. Consequently, future development will need to be assessed as to whether it conforms to the land use intensity stated in the Land Use Plan. Section 5.7 Development Build-out, contains an explanation of the various alternatives anticipated in the Specific Plan. Figure 5-5 shows the proposed land use plan with a 12.27 acre elementary school site shown in Planning Area 10. If the Hemet Unified School District (HUSD) elects not to build a school in PA10, then a target density of 72 units within a range of 37-98 units could be built on the site. Development over the target density would need a transfer of units from another planning area. Figure 5-6 shows PA 10 without the school site designation, as a land use plan alternative.

The land use plan also allows for additional commercial/office development in the Village Residential Planning Areas 4A and 4B. The table in Figure 5-5 (Proposed Project) shows the allowable area of 649,044 sq. ft. of commercial area within the plan. However, developing at the maximum would result in a

correspondingly lesser number of dwelling units. Figure 5-7 shows the Residential Oriented Alternative with an allowable maximum of 1,077 dwelling units and 535,788 sq. ft. of commercial space. Correspondingly, Figure 5-8 illustrates the Commercial Oriented Alternative where a maximum of 760,035 sq. ft. of commercial space is developed with a 778 d.u. maximum. Section 5.7.1 explains the Development Equivalency Program for the project. Each development proposal in the future will have to be assessed as to its fit with the allowable intensity of the plan.

Section 5.8 – Financing Plan outlines the various funding components that will be utilized in building the project. A variety of financing tools, i.e. special assessment districts and/or lighting and landscaping maintenance districts will be used in addition to developer financing.

Section 5.9 – Implementation, Maintenance & Monitoring. There will be several associations formed to handle the ongoing maintenance and operation of the project. These will be in the form of homeowner, property and business associations. Development and maintenance responsibilities are outlined in Table 5-1 in the Specific Plan.

Section 5.10 – Phasing Plan. This section outlines the various infrastructure and amenity requirements needed prior to implementation of the various phases of the plan. In order to respond to the developer's need for flexibility in the plan, the Phasing Plan is an extensive outline, expressed through graphics and tables, of what infrastructure must be in place prior to the development of a particular planning area.

Generally, the plan has been divided into a West and East Phase. The Western Phase is the commercial area of PA3 and residential areas to the west of "B" street as illustrated in Figures 5-9 through 5-12F.3. The key component of providing for development of the western areas will be the grading and improvement of the drainage basin within the Ramona Creek Corridor in PA1a. The eastern planning areas will be allowed to develop when the drainage corridor is installed in PA1b. There is a small area within PA 2b and 4a that is dependent on improvement of the Tres Cerritos East perimeter drainage channel (see Figure 5-9). Currently this area would be subject to inundation without the perimeter drainage improvement included as part of the upstream Tres Cerritos East project.

The applicant asked for more clarity in the phasing requirements for the project. Table 5-4 (Circulation and Utilities Phasing Plan) has been modified accordingly to indicate where the signalized intersections are located and when the signals would be required. (See Attachment 1c).

GENERAL PLAN AMENDMENT NO. 12-005/GENERAL PLAN CONSISTENCY

The 2030 General Plan designates the project site as part of the West Florida Avenue Mixed-Use Area No. 1, and Low Density Residential. As such, a mixture of residential and commercial land uses were anticipated as part of the region's primary retail destination due in part because of the proximity of the future SR 74/79 interchange.

Table 2.3 of the General Plan assumed that of the 430 acres of Mixed-Use Area No. 1 that is within the City's boundaries, a total of 516 dwelling units would be developed. The Ramona Creek project is proposing a maximum of 1,077 dwelling units by itself. However, the General Plan commercial density for this area estimated 3.4 million square feet of new commercial (city and county areas), based upon prior development proposals for the site and surrounding area. The land use mix for the site as proposed by the applicant and supported by their market and fiscal studies, indicated that a more appropriate and achievable land use distribution for the area was needed which reduced the commercial square footage

and increased the residential units. Therefore a General Plan Amendment was required, and is further discussed in the staff report for GPA 12-005, also on the Council's agenda.

Additionally, the area north of Devonshire Avenue is presently designated as Low Density Residential (LDR-2.1 to 5.0 d.u./ac.) in the General Plan. The applicant is requesting that this 44.9 acre area be designated Low-Medium Density Residential (LMDR - 5.1-8.0 d.u./ac.) which would allow for smaller lot single family residential development in the event that a portion of the area was designated for an elementary school site.

The DEIR analyzed the proposed changes to the General Plan and determined that the impacts associated with the more residentially intense land uses had fewer impacts than with the greater commercial land use scenario originally analyzed in the General Plan Final EIR.

Appendix A of the Specific Plan contains a detailed Consistency Analysis of the project with goals and policies of the 2030 General Plan. This analysis demonstrates that the proposed Specific Plan serves to implement the General Plan vision for the site and implements a substantial amount of the General Plan goals and policies.

AIRPORT LAND USE COMPATIBILITY

All legislative applications (i.e. Zone Changes, Specific Plans) need to be reviewed by the Riverside Airport Land Use Commission (ALUC) for properties within the Airport Influence Area. The proposed project is in Area III (Moderate Risk). Area III allows for the proposed land uses but restricts the height of buildings dependent on the distance they are from the centerline of the airport runway. The ALUC reviewed the Specific Plan in order to determine if it is consistent with the provisions of the 1992 Hemet-Ryan Airport Master Land Use Plan on May 8, 2014. The ALUC found the project to be consistent and recommended several conditions of approval, which have been incorporated into the Specific Plan text and the conditions of approval for the Master TTM. As such, no further review of the subsequent development applications by the ALUC will be required.

The ALUC was concerned that there may be future structures built in areas within the Specific Plan that exceed the height limits of Area III (Moderate Risk) zone. The applicant has provided an exhibit showing the area within the southeastern portion of the Specific Plan where an allowed 50-foot structure would penetrate the 100:1 imaginary surface in this zone thus requiring FAA notification. In addition, the applicant filed a notification with the FAA to obtain clearance in advance of any actual construction activities on site. FAA clearance was received for the project. The exhibit and revised text are shown in Attachment 1c.

ENVIRONMENTAL IMPACT REPORT

A Draft Environmental Impact Report (DEIR) has been prepared for the project and circulated for a 45-day comment period starting on March 21, 2014 and ending on May 5, 2014. The DEIR addresses several potential issues including aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, noise, public service, traffic and utilities. Mitigation measures proposed for many of the impacts are provided in Chapter 1 (Executive Summary) of the DEIR. A more detailed review of the Final EIR is presented in the associated staff report for the Final EIR (EA 14-001). Responses to the public comments on the DEIR have been prepared by the environmental consultant and sent to those who commented on the EIR. The responses to comments will comprise the Final EIR. The Final EIR (FEIR) will be considered

by the Council as a related item on the agenda which includes the Final EIR, Responses to Comments, Findings of Fact, and a Statement of Overriding Considerations.

POLICIES, REQUIREMENTS AND GUIDELINES REVIEW

The proposed Specific Plan was reviewed by the City staff Design Review Committee (DRC) at multiple meetings for consistency with the City's applicable policies, requirements and guidelines. Subsequently, the DRC has recommended that the project be found consistent with the City's General Plan, Zoning Ordinance and other development requirements and guidelines. The complete analysis of this project for consistency with the City's policies, requirements and guidelines can be found in Appendix A of the Specific Plan document, and throughout the DEIR analysis.

PUBLIC NOTICE AND COMMUNICATIONS

Owners of properties in the project area and those within a 500 foot radius were notified by mailed notice of the Planning Commission hearing and the public comment period for the DEIR, and the City Council hearing. The general public was notified with a legal advertisement in the Press Enterprise 10 days prior to both hearings. Copies of the Specific Plan and DEIR were made available at the Planning Division, Hemet Public Library and on the City's website. In addition, the applicant conducted outreach meetings with surrounding property owners and the 4 Seasons Homeowners Association.

Several members of the public, as well as surrounding property owners have shown their support of the project. Their letters of support are included herein as Attachment 4. No members of the public spoke in opposition to the project at the Planning Commission hearings. The Planning commission unanimously recommended approval of the project and adopted Resolution No. 14-011, included as Attachment 3 to this report.

FISCAL IMPACT/MARKET ANALYSIS

The applicant provided the City with a fiscal impact report to determine what, if any, fiscal impacts or benefits, the proposed project would incur to the City (see Attachment 5). The study was prepared in July of 2012 when the initial project concept was proposed. Staff had requested the study to ensure that the land use mix would not impact the City's general fund and the ability of the city to provide public services to the future development.

The study concluded that at ultimate development of the mixed commercial-residential development would result in a net fiscal benefit to the City of $1,201,900 annually. This is based on $2,342,828 in projected annual revenues to the City compared with $1,140,928 in annual costs to provide City services to the project. The overall annual revenue to cost ratio for the project was estimated to be 2.05, demonstrating a very positive fiscal benefit of the project. It is also important to note that the study used very conservative estimates for the housing, sales tax, and property values, given the state of the economy in 2012, and could be expected to be more positive at the time of actual construction of the project.

A Retail and Commercial Market Analysis was also conducted for the proposed project. The study concluded that the Hemet market is underserved both for retail commercial and office space. However, the City currently has several undeveloped commercial projects. Consequently, the scaling back of the amount of commercial development from that originally assumed in the 2030 General Plan for the site is prudent and reasonably achievable. The replacement of a portion of the commercial area with residential units will

also serve to strengthen the demand for commercial services and office space in the West Hemet area.

In addition, staff estimates that the commercial and office portion of the project at build-out could generate approximately 2,042 jobs, based on industry standards for job creation per square footage of commercial/office space. Short-term construction jobs will also be generated by the project as grading, infrastructure design and construction, and building construction occurs over the development phase of the project.

CONCLUSION

The proposed Specific Plan will guide future development at the site in a manner that is consistent with the vision outlined in the City's 2030 General Plan. The Plan will provide the West Hemet area of the City with destination-oriented commercial uses, office and institutional job opportunities, and a range of high-quality housing and recreational opportunities. The Specific Plan provides development regulations for both commercial and residential land uses, in particular for mixed use development, and provides flexibility in responding to market conditions over time, while maintaining appropriate land use and infrastructure controls. Over the past several months, the staff, applicant, and their consultant team, have spent considerable time and effort to develop a Specific Plan that meets the needs and desires of the City. The proposed Specific Plan appropriately responds to growth and the associated demands for infrastructure, public services, and recreational amenities while meeting the market and investment objectives of the applicant. Therefore, staff and the Planning Commission recommend approval of the proposed Ramona Creek Specific Plan and the associated applications.

Respectfully submitted,

Ronald Running
Project Planner

Reviewed by

Deanna Elliano
Community Development Director

ATTACHMENTS

A) Locational Exhibit
B) Proposed Project Land Use Plan (Figure 5-5)
1) City Council Ordinance Bill No. 14-018 for adoption of the Proposed Ramona Creek Specific Plan (SP 12-001).
   a. Ramona Creek Specific Plan (SP 12-001) Text *(Provided to the City Council – also available at the City's website at www.cityofhemet.org and at the Planning Division Public Counter and the Hemet Public Library).*
   b. Legal Description
   c. Revised text pages for SP 12-001
   d. Conditions of Approval for SP 12-001
2) Minutes of the April 1, and May 6, 2014 Planning Commission meetings.
3) Planning Commission Resolution No. 14-011 recommending approval of SP 12-001.
4) Public Comment Letters Received
5) Fiscal Impact Study Prepared by David Taussig and Associates, July 2012

INCORPORATED HEREIN BY REFERENCE

City of Hemet General Plan
City of Hemet General Plan EIR
City of Hemet Zoning Ordinance
City of Hemet Subdivision Ordinance
Project Site's Riverside County Integrated Plan Multi-Species Habitat Conservation Plan Summary Report
Contents of City of Hemet Planning Division Project File(s) SP No. 12-001, GPA 12-005 and TTM 36510

Attachment No. A

Locational Exhibit

City Council Meeting of June 10, 2014

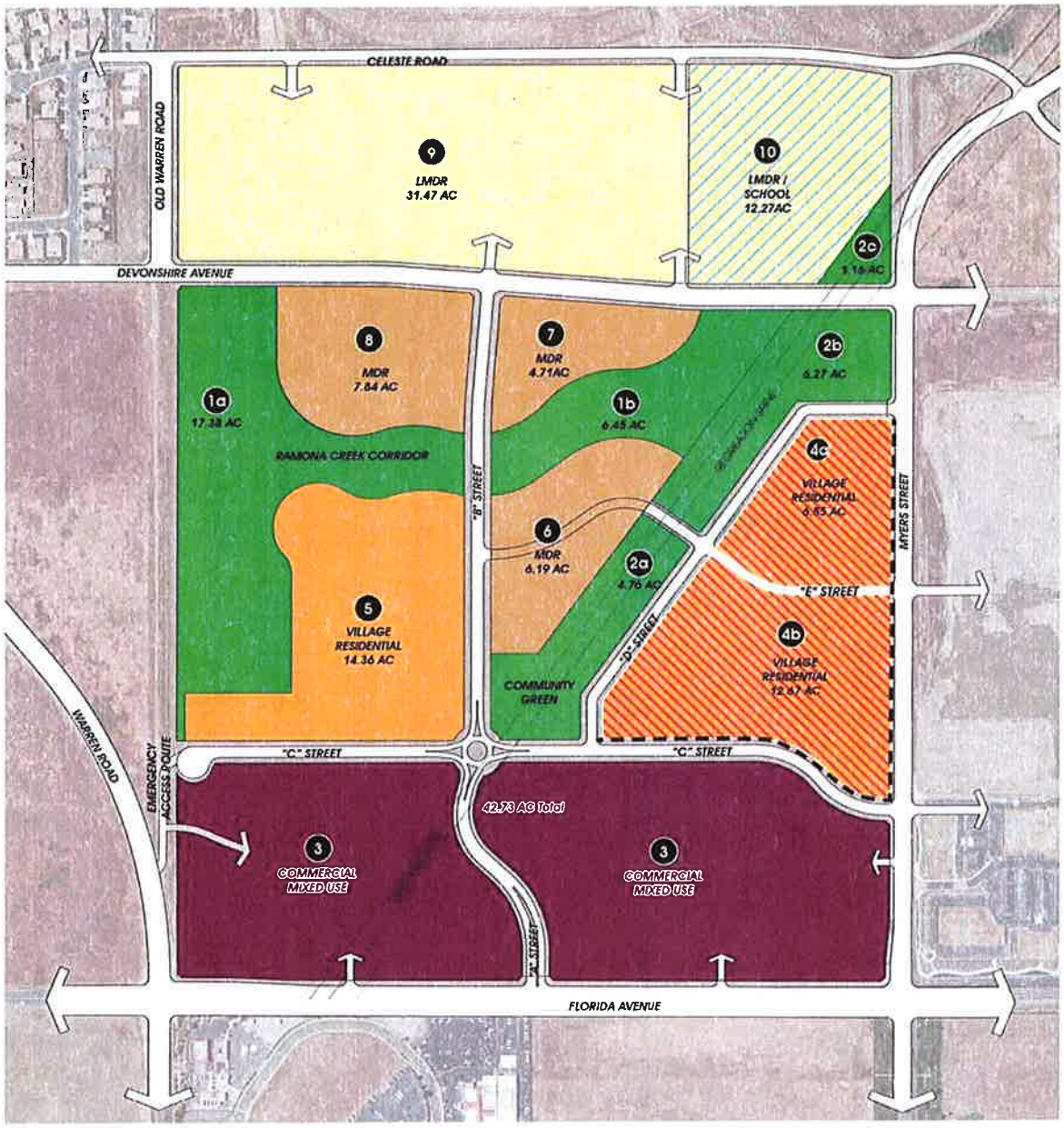
Figure 2-3. Aerial Photograph

SP 12-001

Attachment No. B

Ramona Creek Land Plan

City Council Meeting of June 10, 2014



LEGEND

- LOW MEDIUM DENSITY RESIDENTIAL (LMDR) (3.0-8.0 DU/AC)
- MEDIUM DENSITY RESIDENTIAL (MDR) (8.1-18.0 DU/AC)
- VILLAGE RESIDENTIAL (12.0-30.0 DU/AC)
- COMMERCIAL MIXED USE
- OPEN SPACE
- MIXED USE OVERLAY
- SCHOOL OVERLAY
- PLANNING AREAS
- LIVE-WORK UNITS

Figure 2-4A. Land Use Plan

SP 12-001

Attachment No. 1

City Council Ord. Bill No. 14-018

City Council Meeting of June 10, 2014

CITY OF HEMET
Hemet, California

ORDINANCE BILL NO. 14-018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA, ESTABLISHING THE RAMONA CREEK SPECIFIC PLAN (SP NO. 12-001) ON 208.9 ± ACRES LOCATED ON THE NORTHWEST CORNER OF WEST FLORIDA AVENUE AND MYERS STREET (APN 448-090-003)

WHEREAS, an application for the Ramona Creek Specific Plan (SP No. 12-001) has been duly filed by:

Owner:	Regent Properties
Applicant:	Daniel Gryczman, Regent Properties
Lot Area:	208.9+/- Acres
Location:	Northwest corner of West Florida Avenue and Myers Street
APN:	448-090-003; and,

WHEREAS, the Planning Commission has the authority per Section 90-614 of the Hemet Municipal Code to recommend action on establishment of the Ramona Creek Specific Plan No. 12-001; and,

WHEREAS, on April 1, 2014 and May 6, 2014 the Hemet City Planning Commission conducted a duly noticed public hearing, at which it received public testimony concerning the project, considered the proposed project, and recommended that the City Council approve the said specific plan; and,

WHEREAS, in accordance with Government Code Section 65090, on May 29, 2014, the City gave public notice by advertising in the Press Enterprise and by mailing to property owners within 500 feet, of the holding of a public hearing at which the project would be considered by the City Council; and,

WHEREAS, in accordance with Government Code Section 65453, on June 10, 2014, the City Council held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Ramona Specific Plan No. 12-001: and,

WHEREAS, at this public hearing on June 10, 2014, the City Council considered, heard public comments on, and approved and certified an Environmental Impact Report, Mitigation Monitoring and Reporting Program, Findings of Fact, and Statement of Overriding Considerations for the project by Resolution.

NOW THEREFORE, the City Council of the City of Hemet, California, does determine, find, resolve and order as follows:

SECTION 1: ENVIRONMENTAL FINDINGS

The City Council, in light of the whole record before it, including but not limited to, the City's Local CEQA Guidelines and Thresholds of Significance, the recommendation of the Planning Commission of the City of Hemet, the recommendation of the Community Development Director as provided in the Staff Report dated June 10, 2014 and documents incorporated therein by reference, and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2) within the record or provided at the public hearing of this matter, hereby finds and determines as follows:

1. **CEQA:** The approval of this Specific Plan is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on June 10, 2014, at a duly noticed public hearing, the City Council approved Specific Plan No. 12-001 with a certified Environmental Impact Report, Mitigation Monitoring and Reporting Program, Findings of Fact, and Statement of Overriding Considerations reflecting its independent judgment and analysis and documenting that there was not substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have a significant effect on the environment. The documents comprising the City's environmental review for the project are on file and available for public review at Hemet City Hall, 445 E. Florida Avenue, Hemet, California 92543.

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

SECTION 2: SPECIFIC PLAN FINDINGS

1. **That the Specific Plan is in conformance with the latest adopted General Plan:**

   The proposed project is in conformance with the General Plan for the City of Hemet with the designation of West Florida Avenue Mixed Use Area No. 1 by incorporating into Specific Plan No. 12-001 both residential, commercial and office development. The specific plan includes a master plan of development incorporating pedestrian and multi-modal amenities both internal and external to the project. In addition, the Specific Plan No. 12-001 is designed at a human scale an incorporated buffering in the form of landscaping, setbacks and building orientation to provide a transition between the surrounding uses. The proposed Specific Plan No. 12-001 will implement the goals of providing residential, commercial and recreational amenity and services for the community at large as described in Appendix A – General Plan Consistency Analysis of the Ramona Creek Specific Plan.

2. **The Specific Plan provides for the development of a comprehensively planned project that is superior to development otherwise allowed under the conventional zoning classifications.**

   The proposed Specific Plan No. 12-001 involves pedestrian and vehicular linkages that have been designed to connect the Ramona Creek community with the surrounding residential communities. The proposed development will solve regional storm water drainage and traffic problems and provide needed commercial and recreational opportunities for an area that has experienced under-utilization of land use intensity. The proposed mixed use project will allow for the creation of needed employment opportunities, retail sales tax revenue, and flexibility in housing choices.

3. **The proposed Specific Plan provides for the construction, improvement, or extension of transportation facilities, public utilities and public services required by the long-term needs of the project and/or other area residents, and complements the orderly development of the city beyond the project boundaries.**

   The project as conditioned will improve the site in a manner that is consistent with the General Plan Circulation, Community Services and Infrastructure elements which will serve the circulation and public service needs of the proposed commercial and residential development. The traffic analysis for the Specific Plan has determined that the streets and circulation system in the area will be adequate to handle the future anticipated traffic needs with the provision of the suggested mitigation measures. Regional drainage needs, recreational amenity and utility services are also planned and provided for.

The proposed Specific Plan for the project is compatible with the existing development constructed and planned for immediately north, east and south of the subject site. The Specific Plan will guide development so that streets and circulation system in the area will be adequate to handle the future anticipated traffic and community service needs with the provision of the suggested mitigation measures.

SECTION 3: ADOPTION OF SPECIFIC PLAN

The Ramona Creek Specific Plan No. 12-001 is hereby adopted as indicated in Exhibit 1A, on property as described in Exhibit 1B, and with the modifications and conditions as presented in Exhibits 1C and 1D.

SECTION 4: SEVERABILITY

If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court or competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions thereof be declared invalid or unconstitutional.

SECTION 5: PUBLICATION

The City Clerk is authorized and directed to cause this Ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation and circulated with the City in accordance with Government Code Section 36933(a), or to cause this Ordinance to be published in the manner required by law using the alternative summary and posting procedure authorized under Government Code Section 39633(c).

SECTION 6: EFFECTIVE DATE

This ordinance will become effective 30 days after its adoption.

INTRODUCED at the regular meeting of the Hemet City Council on _____, 2014.

APPROVED, AND ADOPTED this _____ day of _____.

Signatures on next page.

Larry Smith, Mayor

ATTEST:

APPROVED AS TO FORM:

Sarah McComas, City Clerk

Eric S. Vail, City Attorney

State of California)
County of Riverside)
City of Hemet)

I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the foregoing Ordinance is the actual Ordinance introduced and placed upon its first reading at a regular meeting of the City Council on the ___ day of _____ 2014, and adopted by the City Council of the City of Hemet and was passed at a regular meeting of the City Council on the _____ day of _____ by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Sarah McComas, City Clerk

Attachment No. 1a

Ramona Creek Specific Plan (SP 12-001)

(Provided to the City Council only – also available at the City's website at www.cityofhemet.org and at the Planning Division Public Counter and the Hemet Public Library)

City Council Meeting of June 10, 2014

Attachment No. 1B

Ramona Creek SP 12-001 Legal Description

City Council Meeting of June 10, 2014

LEGAL DESCRIPTION

Real property in the City of Hemet, County of Riverside, State of California, described as follows:

THAT PORTION OF TRACT XX, AS SHOWN BY THE PARTITION MAP OF THE RANCHO SAN JACINTO VIEJO ON FILE IN THE OFFICE OF THE COUNTY CLERK OF SAN DIEGO COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER NO. 5 OF SAID TRACT XX, BEING RANCHO CORNER S.J. 14;
THENCE NORTH 3432 FEET, TO RANCHO CORNER S.J. 13;
THENCE NORTH 89º 41' EAST, ALONG THE NORTHERLY LINE OF SAID TRACT XX, 2640 FEET;
THENCE SOUTH 3458.90 FEET;
THENCE NORTH 89º 44' WEST, ALONG THE SOUTHERLY LINE OF SAID TRACT XX, 2640 FEET, TO THE POINT OF BEGINNING;

EXCEPTING THEREFROM THE EASTERLY 30 FEET GRANTED TO THE COUNTY OF RIVERSIDE FOR ROAD PURPOSES BY DEED RECORDED JANUARY 14, 1925 IN BOOK 624 PAGE 515 OF DEEDS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM THAT PORTION AS DESCRIBED IN THAT CERTAIN FINAL ORDER OF CONDEMNATION, IN THE SUPERIOR COURT OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, CASE NO. 92093, A CERTIFIED COPY OF WHICH RECORDED SEPTEMBER 23, 1968 AS INSTRUMENT NO. 91501 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM THOSE PORTIONS CONVEYED TO THE CITY OF HEMET BY GRANT DEED RECORDED JANUARY 20, 1987 AS INSTRUMENT NO. 13863 AND NOVEMBER 13, 1987 AS INSTRUMENT NO. 326129, BOTH OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

SAID PROPERTY IS ALSO SHOWN AS TRACT "A" ON RECORD OF SURVEY ON FILE IN BOOK 6 PAGE 9 OF RECORDS OF SURVEY, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

APN: 448-090-003-4

Attachment No. 1c

Revised Text for SP 12-001

City Council Meeting of June 10, 2014

Old Warren Road south of Devonshire Avenue will be developed as a local residential street.

Emergency Access. As shown on Figure 2-11, Mobility Plan, an emergency access is provided from Warren Road to "C" Street. The emergency access may be unpaved or paved with a surface approved by the fire department and gated with a Knox-Box for rapid entry.

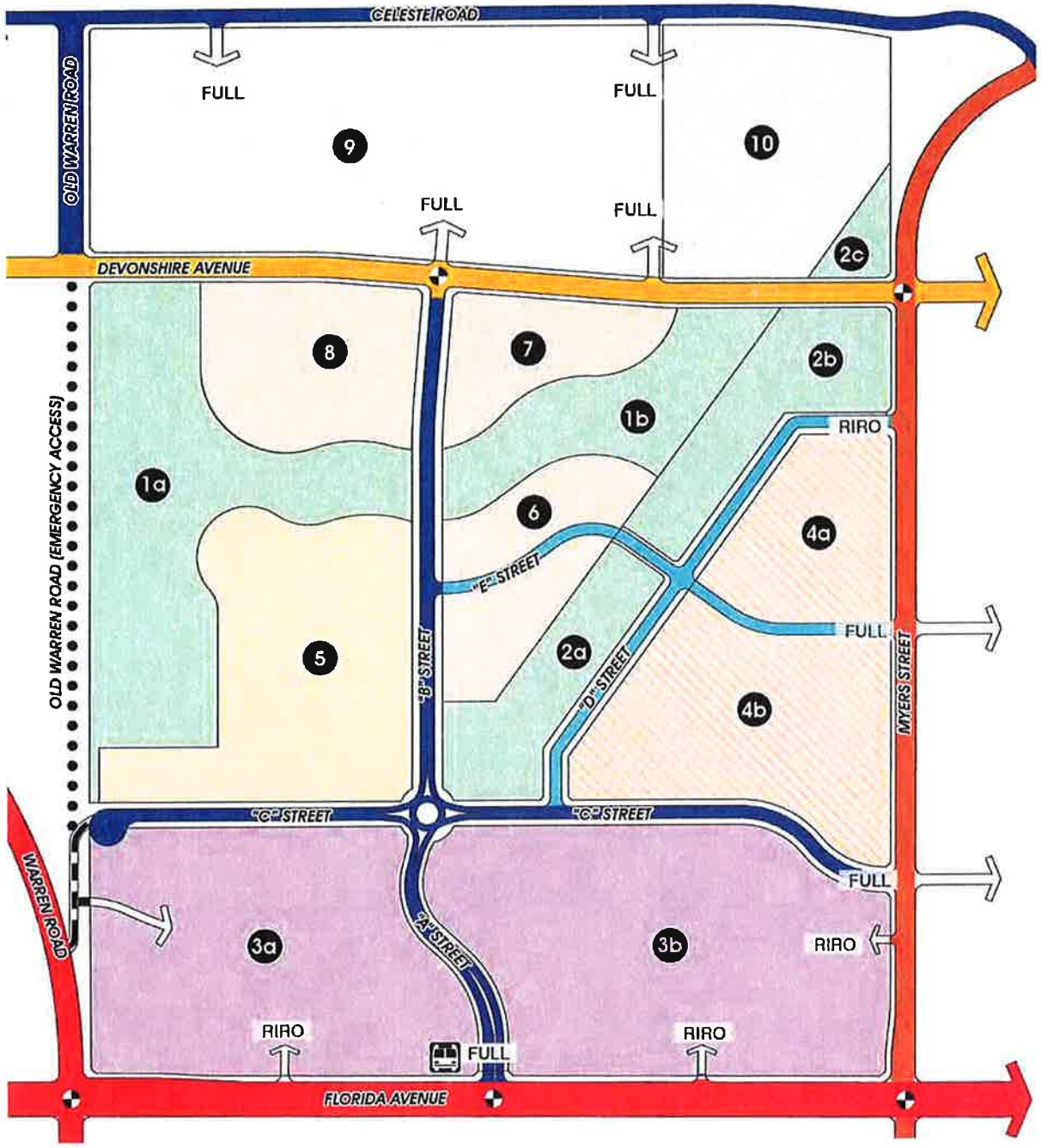
2.6.2 Public Transit

Ramona Creek is currently served by the Riverside Transit Agency (RTA), with existing bus stops on Florida Avenue west of the project site (near Warren Road) and east of the project (near the WinCo Foods grocery store). These bus stops are served by Route 27, a local bus route that travels between the City of Riverside and the community of Valle Vista through the cities of Perris, Menifee, and Hemet. RTA Route 212 also travels on Florida Avenue past Ramona Creek, but the route is a Commuter Link express bus that does not serve local bus stops.

A new bus stop is planned for the intersection of West Florida Avenue and "A" Street, as shown in Figure 2-11. Developers and builders of projects within Ramona Creek shall work with RTA to provide infrastructure that is necessary to implement long-range transit plans, including ~~bus stops~~, bus shelters, and signage. If deemed necessary, infrastructure shall be consistent with RTA's Design Guidelines for Local Planners, Developers, and Decision-Makers, the City of Hemet's Scenic Highway Setback Manual, and Caltrans design standards.

2.6.3 Truck Traffic

According to the City of Hemet General Plan, truck traffic is routed onto arterials to minimize neighborhood disruption. Pursuant to the Hemet Municipal Code (section 78-61), the City of Hemet designates truck routes on Florida Avenue and Warren Road in the vicinity of the project. Moving trucks and local deliveries are permitted on local streets, but the majority of truck movements and truck through-trips are not permitted on local streets.



LEGEND

- ARTERIAL
- COLLECTOR STREET
- EMERGENCY ACCESS*
- FULL = FULL ACCESS
- RIRO = RIGHT-IN/RIGHT- OUT ACCESS ONLY
- SECONDARY
- DIVIDED SECONDARY
- OLD WARREN ROAD R.O.W. (includes emergency access road)
- FUTURE BUS STOP
- LOCAL RESIDENTIAL
- PLANNING AREA
- POTENTIAL FUTURE TRAFFIC SIGNAL IF WARRANTED

NORTH

0 225 450

Scale (Feet)

Source: The Planning Center, 2014.

CAJA Environmental Services, LLC

Figure III-5
Revised Mobility Plan

2.8.2 Grading and Drainage

Storm drainage and grading are illustrated in Figure 2-22, Conceptual Grading Plan,[1] Figure 2-23, Conceptual Drainage Plan, and Figure 2-24, Interim Drainage Plan. A section of drainage facility is included in Figure 2-25, Drainage Sections. Final grading and drainage plans shall comply with City of Hemet standards and relevant mitigation measures identified by the Ramona Creek Specific Plan EIR.

Predevelopment Conditions

At the time of the adoption of this Specific Plan, approximately 85 percent of the watershed area upstream of the project had been developed. However, only a limited number of the master drainage plan facilities within the watershed area had been constructed. As an interim flood management solution until the master plan was constructed, the City utilized retention basins to store the increased volume associated with projects, which was subsequently pumped onto adjacent streets over multiple days.

The existing terrain, swales, storm drain improvements, and streets conveyed the flows from the watershed area to the properties east of Ramona Creek. The drainage improvements to the east retained approximately 170 acre-feet of water and included the Seattle Channel (which acts as a retention basin), the Valley Wide Basin, and the Tres Cerritos East interim basins. ~~The Tres Cerritos East interim basins were illegally graded by a previous property owner~~. The jurisdictional agencies have indicated that the Tres Cerritos East interim basins need to be backfilled at a time when the project is developed. Additionally, the jurisdictional agencies have stated that ultimately, a regional system must be planned for the area that will eliminate the storage of runoff retained by the upstream basins. As a result, the Ramona Creek stormwater drainage system must be planned not only for the ultimate condition, but must also function in the interim condition without the ultimate system in place.

Grading

Due to the existing relatively flat gradient (generally ranging from 1,503 above mean sea level to 1,507 above mean sea level), cuts and fills of less than 5 feet are anticipated outside of the proposed drainage basin described below. The drainage basin is anticipated to generate material needed to bring the overall site close to a balanced condition. Final site grades will be determined by the required depth of cover over the storm drainage and sewer systems. The preliminary grading plan is depicted in Figure 2-22, Conceptual Grading Plan.

Drainage

Ramona Creek is impacted by a watershed area of 2,425 acres. The watershed is roughly bounded by Menlo Avenue to the north, Florida Avenue to the south, Warren Road to the west, and to Buena Vista Street to the east. The majority of the project will

[1] This figure is conceptual in nature and is not to be taken as compulsory or the final design. The final design will be determined during the tract map and grading plan processes and as approved by the City Engineer.

2.8.5 Hemet-Ryan Airport

Ramona Creek is one-half mile north of the Hemet-Ryan Airport, as shown in Figure 2-3, *Aerial Photograph*. According to the adopted Hemet-Ryan Airport Land Use Compatibility Plan (ALUCP) and the City's General Plan, the project site is in an airport influence area (zone III) and traffic pattern zone 6 and, as such, is considered an area of moderate risk.

The Ramona Creek project was found consistent with the 1992 Hemet-Ryan Airport Comprehensive Airport Land Use Plan by the Riverside County Airport Land Use Commission (ALUC) on May 8, 2014. The ALUC stipulated the following conditions:

1. *Any outdoor lighting that is installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky.*

2. *The following uses shall be prohibited:*

   a. *Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.*

   b. *Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.*

   c. *Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.*

   d. *Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.*

3. *The attached notice shall be provided by the applicant and/or its successor-in-interest to all initial purchasers of the property, and all tenants of the applicant and/or its successor-in-interest.*

4. *Prior to issuance of building permits, the landowner shall convey an avigation easement to the County of Riverside as owner of Hemet-Ryan Airport. Contact the Riverside County Economic Development Agency at (951) 955-9802 for additional information.*

5. *Applicant shall modify the Specific Plan text to include the "FAA Construction Notification Areas" exhibit and incorporating the text of Specific Plan Section 5.4.4 Hemet-Ryan Airport into this new section. [See Figure 2-29.]*

6. *Development implementing the Specific Plan shall comply with Federal Aviation Administration (FAA) Part 77, in particular requirements for Obstruction Evaluation based on the distance to the closest operating runway at Hemet-Ryan Airport and relative elevation between the runway and proposed development grade and building height. Any implementing development that does require FAA Obstruction Evaluation review shall submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each building and shall have received a determination of "Not a Hazard to Air Navigation" from the FAA. Copied of the FAA determination shall be provided to the City of Hemet Community Development Department and the Riverside County Airport Land Use Commission.*

7. *Any new storm water retention basins on the site shall be designed so as to provide for a maximum 72-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more). Water quality and reuse baisns with fluctuating water levels which are under two (2) acres in size are exempt from this requirement. Vegetation in and around the retention and water quality basin(s) that would provide food or cover for waterfowl species that would be incompatible with airport operations shall not be utilized in said landscaping, and shall not include trees that produce seeds, fruits or berries.*

~~According to the ALUCP, a navigation easement is required from the Riverside County Airport Land Use Commission (ALUC) for development of the site. Any structures over 200 feet tall are presumed to be hazards to air navigation and require ALUC approval, however the maximum height limit within Ramona Creek is 50' so this restriction does not apply., except in the southeast portion of site adjacent to the corner of Florida Avenue and Myers Street. Because this project involves General Plan and zoning amendments, the ALUC will review and comment on the Specific Plan prior to its adoption. The ALUC's review, comment, and final action on the Ramona Creek Specific Plan Refer to Figure 2-29 , FFA Construction Notification Areas for modifications of the maximum height limit taking into account the five foot elevation difference between the airport and the finished grade of the site. These height limitations shall serve as the ALUC's discretionary review for future uses and structures within the Ramona Creek Specific Plan that are consistent with the permitted uses and site development standards as set forth in the Specific Plan.~~

The maximum height limit within the Ramona Creek project is 50'. Figure 2-29 illustrates the area in the plan where structures could pierce through the 100:1 imaginary slope surface. Any structure greater than the heights indicated would need FAA clearance.

The project applicant received a FAA determination of "No Hazard to Air Navigation" on May 16, 2014. A FAA Form 7460-2, "Notice of Actual Construction or Alteration" must be e-filed any time the project is abandoned or within five (5) days after the construction reaches its greatest height (7460-2, Part 2). The FAA determination expires on November 16, 2015 unless:

1. *The construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alternation, is received by this office.*

2. *Extended, revised, or terminated by the issuing office.*

3. *The construction is subject to the licensing authoring of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 monhts of the date of thisdetermination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.*

For uses or structures that are considered "Discretionary Uses" in the Hemet-Ryan Airport Comprehensive Airport Land Use Plan ("ALUP"), ALUC's approval of the Specific Plan will satisfy the review requirements as delineated under Section VI of the Hemet-Ryan ALUP and will be considered consistent with the Airport Land Use Commission's purpose under PUC 21674. ~~Proposed uses or structures deviating from the Specific Plan site development standards that would require a variance, Conditional Use Permit, Specific Plan Amendment or further discretionary action will be subject to additional discretionary review by the ALUC~~.

Aerial view of the Hemet-Ryan Airport.

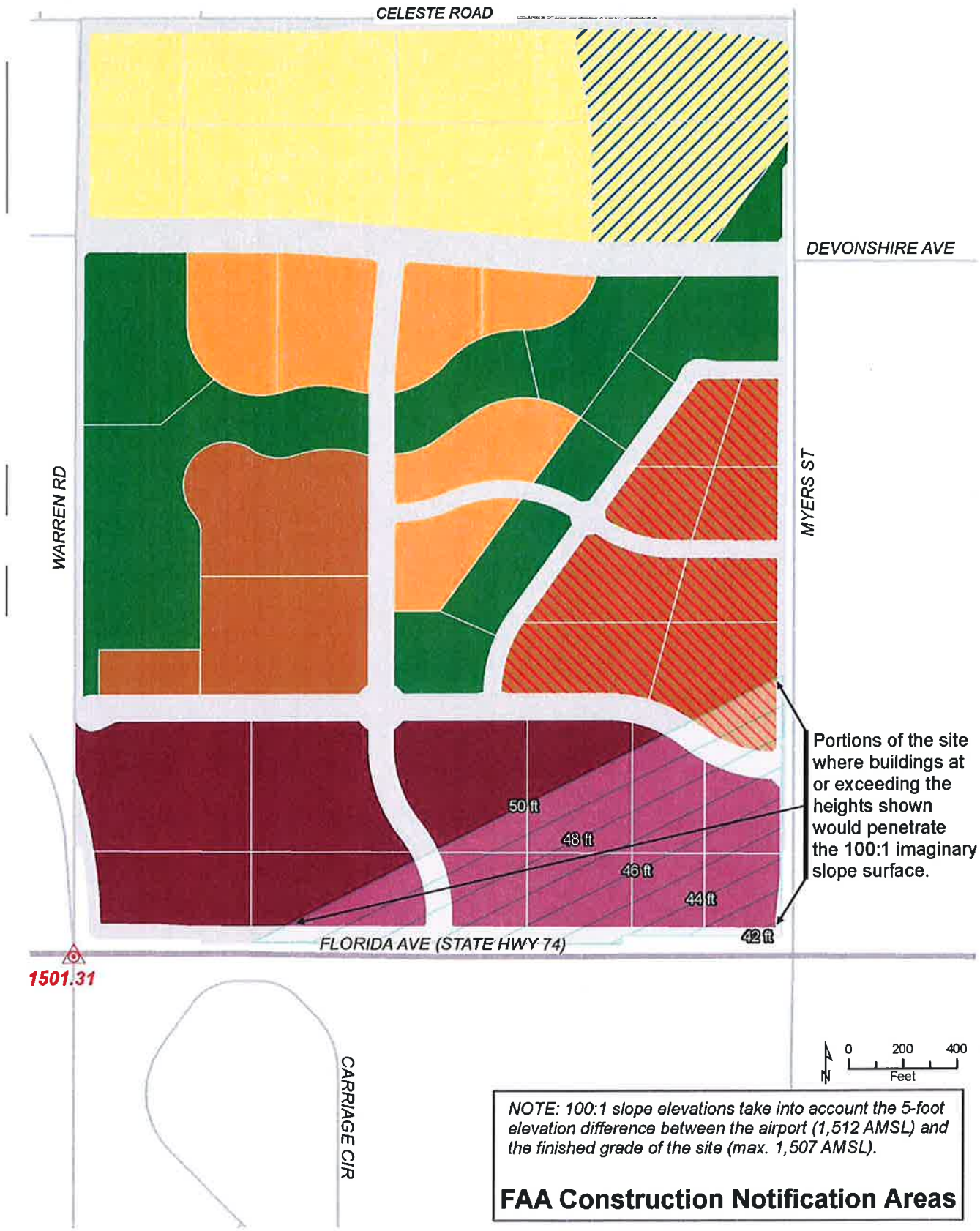


Figure 2-29. Hemet-Ryan Airport Construction Notification Map

3.4.5 Standards for Slope Area Landscaping

The following standards apply to landscape treatments for slope areas within the Ramona Creek Corridor and other areas within the Ramona Creek Specific Plan area:

- All slopes shall contain plantings of trees, shrubs, sub-shrubs, and ground cover grouped according to matched hydro-zones.
- Slope banks four (4) feet or greater in vertical height with slopes greater than or equal to 2:1 shall, at a minimum, be irrigated and landscaped with a combination of appropriate shrubs, vegetative ground cover, and mulch that will absorb rainwater and reduce runoff for erosion control.
- Drip irrigation shall be used on all slopes.
- Slope banks four (4) feet or greater in vertical height with slopes greater than or equal to 2:1 shall, at a minimum, be landscaped to soften their appearance as follows:
    - One fifteen (15) gallon or larger tree per each six hundred square feet of slope area;
    - Shrubs shall be mass planted, a minimum of five (5) gallon size, on all slopes with triangular spacing at 75% of the mature diameter of the shrub (e.g., a shrub that grows to 20 feet should be spaced at 15 feet on-center or 75% of 20 feet).
- In addition to the above requirements, slope banks in excess of eight (8) feet in vertical height with slopes greater or equal to 2:1 shall also provide one five (5) gallon or larger tree per each one thousand (1,000) square feet of slope area.
- Appropriate vegetative ground cover or mulch shall be used. All groundcovers shall be a minimum of one (1) gallon container size. No permanent hydro-seeding is permitted on manufactured or natural slopes. Temporary hydro-seed is permitted for erosion control.
- All trees and shrubs shall be planted in staggered clusters to soften and vary the slope plane.
- Slopes shall be landscaped with appropriate planting for immediate erosion control.

4.2 Landscaping

Sustainable landscaping practices and techniques promote water conservation and reduce water demand as well as reduce water and irrigation costs. Environmentally friendly design can result in reduction of the heat-island effect (the absorption of solar heat in paved surfaces), improved ecosystem habitat, and reduced overall maintenance and replacement cost.

- **Hemet Municipal Code**, Article XLVIII, Landscaping and Irrigation compliance (required).
- **High efficiency irrigation systems** are to be installed to reduce the amount of water devoted to landscaped areas, such as drip and bubbler irrigation and low-angle, low-flow nozzles on spray heads (required).
- **Automated irrigation controllers** are to be properly programmed, including evapotranspiration-based systems, which are water efficient and weather based (required).
- **Plant material selection** shall be based on species that are drought tolerant, heat resistant, and hardy. Native plant material should also be closely examined and considered for most landscape areas. On the aggregate, plant selection within Ramona Creek should strive to use up to 75 percent water-wise/drought-tolerant, native, or Mediterranean plant materials (required). Note: Platanus racemosa, California Sycamore has been omitted from the planting list as a potential canopy tree because it is considered a high ozone emitting species with high water use requirements.
- **Large turf areas** shall be prohibited except within the Recreation Spine and Community Green. Water conserving native groundcovers or perennial grasses, shrubs, and trees shall be specified instead (required).
- **Trails** should be constructed of pervious materials such as decomposed granite or existing earth (suggested).
- **Hydrozones** shall be created where plants with similar water requirements are grouped together. A reference is available from the California Department of Water Resources (required).
- **Mulch** planting beds and apply compost and environmentally friendly fertilizers to promote healthy topsoil, maximize plant growth, and reduce plant replacement as well as the need for longer or more frequent irrigation run times (suggested).

4.3 Building-Level Sustainability

Sustainable building practices and techniques contribute to safe and healthy living environments. Materials and actions that conserve natural resources, improve indoor air quality, and reduce the impact of light pollution are critical to community health and well-being.

4.3.1 Building Materials

- **Architectural paints and coatings** shall comply with VOC limits identified in the CALGreen Code (required).
- **Prefinished building materials** that do not require additional painting or staining should be utilized when possible as discussed in Section A4.405, Material Sources, of the CALGreen Code (suggested).
- **Insulation** with at least 75 percent recycled content on the aggregate, such as cellulose, newspaper, or recycled cotton (suggested).

4.3.2 Indoor/Outdoor Air Quality

- **Flooring and insulation** products that are low emitters of volatile organic compounds (VOC) and formaldehyde (required).
- **Low- and zero-VOC paints, finishes, adhesives, caulks**, and other substances to improve indoor air quality and avoid harmful health effects of off-gassing (required).
- **Natural gas fireplaces** to minimize smoke and pollutants from wood burning fireplaces (e.g., CO, NO, and VOCs) (required).
- **Construction equipment** shall be properly maintained and serviced to minimize construction related exhaust emissions (required).
- **Smoking shall be prohibited** in nonresidential buildings and within 25 feet of nonresidential building entries, outdoor air intakes, and operable windows per Section 5.504, Pollution Control, of the CALGreen Code (required).
- **Outdoor electrical outlets** shall be installed to encourage use of electric outdoor equipment. within both residential and non-residential areas.
- **Electric vehicle plug-in stations** shall be prewired as part of any surface or indoor parking lot.

Table 5-4
Circulation and Utilities Phasing Plan

Construction Phase	***Timing***
RETAIL PHASE (PA 3a & 3b)	
Retail Area 3a	
"A" Street, "C" Street west of "A" Street, half section of Florida west of "A" Street, and half section of Warren Road from retail connection to Florida Avenue including full medians and traffic signal at W. Florida Avenue and "A" Street.	Prior to 1st building permit
Utilities (see Figure 5-12A.1)	Prior to 1st building permit
Retail connection to Warren Road	Prior to PA 3a occupancy permit
Retail Area 3b	
"A" Street, "C" Street east of "A" Street, half sections of Florida east of "A" Street, and half section of Meyers south of "C" Street including full medians and traffic signal at W. Florida Avenue and "A" Street.	Prior to 1st building permit
Utilities (see Figure 5-12A.1)	Prior to 1st building permit
Half section of Meyers Street south of "C" Street including full median and signal	Prior to building permit
Meyers Street north of "C" Street	Maintain one lane in each direction (no improvement)
VILLAGE PHASE (PA 4b, 5, & 6, Excludes PA 4a)	
"B" Street south of Ramona Creek Corridor, "C", and "E" Streets, and "D" Street south of "E" Street	Prior to 1st building permit
Half sections of Meyers Street south of "E" Street including full median and signal at Meyers Street and Devonshire Avenue. Old Warren Road EVA included.	Prior to first building permit and when signal warrants are met. Old Warren Road improvement constructed in conjunction with PA 1 and PA 5.
Meyers Street north of "E" Street	Maintain one lane in each direction (no improvement)
Devonshire Avenue	Maintain one lane in each direction (no improvement)
Utilities (see figure 5-12B.1)	Prior to first building permit
MEDIUM DENSITY PHASE (PA 7 & 8)	
Half sections of Devonshire Avenue, Old Warren Road Emergency Access, and "B" Street north of Ramona Creek Corridor including signal at "B" Street and Devonshire Avenue.	Prior to 1st building permit and when signal warrants are met.
Utilities (see figure 5-12C.1)	Prior to 1st building permit
LOW MEDIUM DENSITY PHASE (PA 9)	
Half Sections of Celeste Road, Devonshire Avenue, and Old Warren Road between Celeste & Devonshire including signal at "B" Street and Devonshire Avenue.	Prior to 1st building permit and when signal warrants are met.
Utilities (see figure 5-12D.1)	Prior to 1st building permit
LOW MEDIUM DENSITY / SCHOOL PHASE (PA 10)	
Half Sections of Celeste Road, Devonshire Avenue, and Meyers between Celeste & Devonshire including full median and signal at "B" Street and Devonshire Avenue.	Prior to 1st building permit and when signal warrants are met.
Utilities (see figure 5-12E.1)	Prior to 1st building permit

Attachment No. 1d

Conditions of Approval for SP 12-001

City Council Meeting of June 10, 2014

Exhibit 1D

CITY OF HEMET

FINAL

CONDITIONS OF APPROVAL

PLANNING COMMISSION DATE: **May 6, 2014**
CITY COUNCIL DATE: **June 10, 2014**

PROJECT NO.: **SP No. 12-001 (Ramona Creek Specific Plan)**
APPLICANT: **Regent Properties**
LOCATION: Northwest corner of West Florida Avenue and Myers Street
DESCRIPTION: Specific Plan for 208.9 ± acres.

Note: Any conditions revised at a hearing will be noted by ~~strikeout~~ (for deletions) and/or underline (for additions), and any newly added conditions will be added at the end of all conditions regardless of the Department originating the condition.

General Conditions:

1. Within 30 calendar days of the adoption of the Specific Plan Ordinance by the City Council, the applicant shall provide twenty (20) copies of the final adopted Specific Plan document to the Planning Division. A master copy of the document in Microsoft Word and Adobe PDF word processing format on compact disc (CD) shall also be provided. A screen check copy of the proposed final Specific Plan shall be provided to the Planning Division for approval in advance of the printed documents.

2. 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 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 defense of the Action. *(City Council Resolution No. 3693, 12-17-02).*

Text Revisions:
(The following required revisions to the Specific Plan document shall be performed prior to second reading of the ordinance at the City Council hearing on the Specific Plan amendment and shown in underline text.)

3. Applicant shall modify the Specific Plan title page to include the Council Ordinance number and date of adoption on the final adopted document.

4. Applicant shall include City Council Ordinance adopting the Specific Plan amendment as an appendix.

5. Applicant shall include the adopted Mitigation Monitoring Reporting Plan as an appendix.

6. Applicant shall amend the Specific Plan text in Section 2.8.2 to delete references to "illegal" grading on the Tres Cerritos East project. **[Completed - see Attachment 1c].**

7. Applicant shall modify the Specific Plan text in Section 3.4.2 for the Ramona Creek Corridor Zone to provide more specific standards for landscaping and slope stability, per Attachment No. 2 of this staff report. **[Completed - see Attachment 1c].**

8. Applicant shall modify the Specific Plan text adding Section 2.9 to include the "FAA Construction Notification Areas" exhibit and incorporating the text of Section 5.4.4 Hemet-Ryan Airport, into this new section, per Attachment No. 3 of this staff report. **[Completed - see Attachment 1c].**

9. Applicant shall modify the Specific Plan text Section 2.6.2 Public Transit and Figure 2-11 Mobility Plan to provide for a bus stop at the intersection of West Florida Avenue and "A" Street. **[Completed - see Attachment 1c].**

10. Applicant shall modify Section 4/5 (Indoor/Outdoor Air Quality) to require the installation of outdoor electrical outlets for electric outdoor equipment. [Added by the Planning Commission 5-6-14]. **[Completed - see Attachment 1c].**

11. Applicant shall modify Section 4.5 (Indoor/Outdoor Air Quality to suggest pre-wiring electric vehicle plug-in stations as part of any surface or indoor parking lot. [Added by the Planning Commission 5-6-14]. **[Completed - see Attachment 1c].**

12. Applicant shall modify Section 4.2.1 (Landscape Design) to note that California Sycamore was purposely omitted from the planting list as a potential canopy tree for the project because it is considered a high ozone emitting tree with higher water use requirements. [Added by the Planning Commission 5-6-14]. **[Completed - see Attachment 1c].**

13. Applicant shall modify Table 5-4 (Circulation and Utilities Phasing Plan) to add the following: **[Completed - see Attachment 1c].**

    a. Retail Area 3a:
        i. Add "...and signal <u>at W. Florida Avenue and "A" Street</u>."

    b. Retail Area 3b:
        i. Add "...and signal <u>at W. Florida Avenue and "A" Street</u>."

    c. Village Phase (PA 4b, 5 & 6, excludes PA 4a):
        i. Add ".. and signal at Myers Street and Devonshire Avenue."
        ii. Add "Prior to 1st building permit <u>and when signal warrants are met. Old Warren Road improvement constructed in conjunction with PA 1 and PA 5.</u>"
        iii. Delete "Discuss Old Warren Road Timing."

    d. Medium Density Phase (PA 7 & 8):
        i. Add ".. and signal at "B" Street and Devonshire Avenue."

    e. Low Medium Density Phase (PA 9):
        i. Add ".. and signal at "B" Street and Devonshire Avenue."

    f. Low Medium Density Phase (PA 10):
        i. Add "...and signal at Myers Street and Devonshire Avenue."
        ii. Add "Prior to 1st building permit and when signal warrants are met."

[Added by Planning Commission 5-6-14].

END

Attachment No. 2

Minutes of the
April 1 & May 6, 2014
P.C. Meetings

City Council Meeting of
June 10, 2014

PLANNING COMMISSION

MEETING MINUTES

DATE: **APRIL 1, 2014** **CALLED TO ORDER: 6:00P.M.**

MEETING LOCATION: City Council Chambers
450 East Latham Avenue
Hemet, CA 92543

1. CALL TO ORDER:

PRESENT: Chairman John Gifford, Vice Chairman Greg Vasquez, and Commissioner Michael Perciful
ABSENT: Commissioners Rick Crimeni and Vince Overmyer

Invocation and Flag Salute: Commissioner Michael Perciful

2. PUBLIC COMMENTS:

There were no members of the public who wished to address the commission regarding items not on the agenda.

3. APPROVAL OF MINUTES:

A. Minutes of the Planning Commission meeting of March 18, 2014

It was **MOVED** by Vice Chair Greg Vasquez and **SECONDED** by Commissioner Michael Perciful to **APPROVE** the Minutes of the Planning Commission meeting of March 18, 2014.

The **MOTION** was carried by the following vote:

AYES: Chairman John Gifford, Vice Chair Greg Vasquez, Commissioner Michael Perciful
NOES: None
ABSENT: Commissioners Vince Overmyer and Rick Crimeni

PUBLIC HEARING ITEMS

4. RAMONA CREEK SPECIFIC PLAN NO. 12-001, GPA 12-005, TTM 36510 & DRAFT ENVIRONMENTAL IMPACT REPORT - A request for Planning Commission review and recommendation to the City Council regarding the

establishment of the proposed Ramona Creek Specific Plan establishing 954 residential units and 649,044 square feet of commercial space; consideration of an associated General Plan Amendment to the Land Use Element to modify the mix of residential units and commercial acreage in Mixed Use Area No. 1 and to change the land use designation on 44.9 acres from Low Density Residential (2.1 - 5.0 d.u./ac.) to Low Medium Density Residential (5.1 - 8.0 d.u./ac.); and consideration of a master tentative tract map to subdivide the site into 37 large lots. The Planning Commission will also consider the Draft Environmental Impact Report (EIR) that has been prepared to assess the environmental effects of the project.

PROJECT APPLICANT INFORMATION:

Owner:	**Regent Properties**
Authorized Agent:	**Daniel Gryczman, Regent Properties**
Project Location:	**Corner of W. Florida Ave. and Myers Street**
APN Information:	**448-090-003**
Lot Area:	**208.9+/- acres**

(A detailed presentation was delivered by Planner Ron Running)

Chairman Gifford asked a series of questions including the following:

1. Do the design guidelines call out numbers of trees or type of landscape for the drainage area, and can the Commission be assured that the pictures in the report accurately reflect what the drainage area will look like?
2. In the commercial area, is there a possibility that some type of educational complex (university extension, etc.) could be established there?
3. Have there been changes other than just residential density designations?
4. Has there been discussion with EMWD concerning supplying water to this site, considering the drought concerns in Southern California?

Planner Running replied that there are only slight changes in the density designations. Most of the work had to do with the refining of the Specific Plan, and he added the applicant could answer some of the other questions.

Vice Chair Vasquez asked if there was going to be permitting required to use any of the recreational areas.

Planner Running expressed his belief that there would be. However, the management structure of the park area has not yet been decided. They are hoping that Valley Wide will be the managing entity.

Vice Chair Vasquez stated he felt the plan was a good one but wondered if there had been any study as to how this project might impact efforts to improve the downtown area.

Planner Running stated that the applicant did provide a marketing analysis that concluded this project will be an attempt to capture the leakage that currently exists to outside communities.

CDD Elliano expressed the belief that this project would be complementary to the downtown area, in that this project is very different in scale than the downtown where the existing small lots would have to be purchased and assembled to provide the big-box types of retail establishments being proposed.

Vice Chair Vasquez asked for more information about the MWD constraints, and Planner Running explained that there are two-6' foot diameter water pipelines that go through the easement right now. No structures are allowed over the pipelines, but some roads will be allowed to cross. The project is designed in increments in case more work needs to be done in the easement in the future. There is limited use where the pipes exist.

Planner Running also explained the variations in densities, such as mixed use, village residential and single-family dwelling units.

CDD Elliano added that the development will occur over multiple years, and in an effort to maintain flexibility, they are proposing many different alternative scenarios to make it most responsive to the marketplace as it evolves.

Vice Chair Vasquez asked questions about neighborhood electric vehicles, sustainability and retention basins discharging in a metered fashion.

Planner Running explained that part of the sustainability planning includes accommodations for hybrid vehicles, bicycles, parking facilities, NEV lanes. Also, storm water will be retained in the southern portion of the corridor and pumped out in a metered fashion through the pipeline to the south so as to control the rate of the water flow and prevent flooding. The size of the pipes could not handle a 100-year flood flow, so it would be retained and then pumped out over a period of time.

Commissioner Perciful inquired about plans for accommodating new schools, as Whittier Elementary School is the second-most populated elementary school in the state of California.

Planner Running said the plan has flexibility to allow for a school site, with CDD Elliano further explaining that it is up to the school district to purchase property to secure a school site. The plan has allowed for it; it is just when the school district is ready to move forward.

Chairman Gifford opened the public hearing and invited the applicant to approach the lectern.

Daniel Gryczman, executive vice president of Regent Properties, thanked the planning staff for two years of hard work in bringing this project forward and for the Commission's willingness to work through 4,000 pages of plan documents. He expressed the idea that flexibility is a future-looking method of telling the world that Hemet is open for business. He stated that getting the first "big fish" in the retail component will influence how the residential will be developed.

He further indicated that his team did a full consultation regarding water issues, and he can call his consultants to testify, if needed.

Chairman Gifford again stated that he is particularly interested in the education component, wishing a four-year degree institution would be available in the Valley to keep the young people here.

Mr. Gryczman noted what they had done in Menifee, sold land at a reduced price for a charter school, and stated they wanted to create different opportunities for different people. He also added that they were going to be doing all their own grading on-site for the recreational facilities, thereby reducing trucking impacts, and utilizing easement land for such things as outfields, with facilities such as amphitheaters and rest rooms being added on additional land they have added for recreational purposes.

He ended his discussion by saying they were planning to put the higher-priced homes fronting the drainage area because the plan is to make that a beautiful amenity for the project and for the city.

Chairman Gifford asked that the language in the plan for the drainage area be analyzed and developed in such a way that there is assurance that it will look as represented. Mr. Gryczman committed to work with the city on this issue.

Joe Castaneda, JLC Engineering, 36263 Calle de Lobo, Murrieta, discussed the subject of metering and drainage in the event of substantial drainage, indicating fencing to close off the park and some residential areas. The drainage area will be lockable during a storm event by the City works department. Any water from nuisance flows, such as irrigation flows from people overwatering their lawns, would be collected and maintained, using a pump to deliver the water to a landscape system that would feed off the stored water.

John Tanner, RBF Consulting, 40810 County Center Drive in Temecula, explained the process the applicants have successfully completed with the EMWD, including a water supply assessment which determined that they have the water needed to supply the project. The second component of the study is called a plan of service, which lays out the network of pipes for sewer, water, recycled water. That second component has been completed, as well.

Tom Shollin, a property owner of Tres Cerritos East, stated he was here to support Ramona Creek, as it will help the property owners on the west side. Their only concern was trying to understand the drainage issues, and the applicant has allayed their concerns.

Jeff Holbrook, 27132 B Paseo Espada, San Juan Capistrano, spoke in support of the applicant and applauded the concept of flexibility.

Brian Rubin (no address given) asked if the drainage and landscaping would be done in phases or in the first phase.

CDD Elliano explained that it would be done in stages; however, it is anticipated that the west side would go first. Staff and applicant spent a lot of time to make sure that when it's graded, the master graded landscaping plan is prepared and approved so when the development comes, all the amenities are provided in a reasonable time period.

Mr. Rubin stated he hopes the densities will stay as they are in the General Plan. He also asked about an HOA and LMD.

CDD Elliano replied that there will be a number of maintenance mechanisms. There will be a master HOA that provides for the community areas. They are looking at a LMD or CFD that would take care of the drainage in the Ramona Creek area. There will probably be a property owner association for the commercial areas and individual HOAs for different types of development that might have internal recreational and landscaping amenities.

Gene Hikel, Four Season's Community Awareness Committee, 8405 Singh Court, Hemet, applauded the thought, character and quality that Regent has put into this plan, stressing the importance of good governing bodies and amenities.

Mr. Gryczman added some comments about the area north of Devonshire, which is currently low density residential. The reason Regent is asking for low median is because if a school comes in, to make this project work economically, they want to have the ability to move the density to the rest of the area.

After closing the public hearing, Chairman Gifford asked for a motion.

It was **MOVED** by Commissioner Michael Perciful and **SECONDED** by Vice Chair Greg Vasquez to **CONTINUE** the public hearing on this matter to the May 6, 2014 Planning Commission Meeting.

The **MOTION** was carried by the following vote:

AYES: Chairman John Gifford, Vice Chair Greg Vasquez, and Commissioner Michael Perciful.
NOES: None
ABSENT: Commissioners Vince Overmyer and Rick Crimeni

(Ten-minute recess called by Chairman Gifford.)

5. CONDITIONAL USE PERMIT NO. 13-005 (7 DAYS MARKET) - A request for Planning Commission review and approval of a Conditional Use Permit allowing the construction and operation of fuel dispensers and a canopy in conjunction with an existing convenience store, and expansion of the hours of operation to 24 hours a day, located on the northwest corner of Stanford Street and Florida Avenue, with consideration of an environmental exemption pursuant to CEQA Guidelines Section 15301.

PROJECT APPLICANT INFORMATION:

Owner: Sanjay Jariwala
Authorized Agent: Nasser Moghadam
Project Location: 3600 East Florida Avenue
Lot Area: 0.62 Acres

(Informational presentation by Carole Kendrick.)

Vice Chair Vasquez asked if the removal of the gas pumps in 1992 was something the city required. He also wondered if the applicant had a particular brand of gasoline they were planning to sell and if the trash enclosure would be gated.

Planner Kendrick said that the 7-Eleven had been closed and the property was up for sale. It was part of the sale that the gas tanks were removed due to changes in the fueling regulations, so it was an agreement as part of the sale. Also, there is a gate mandated for the trash enclosure.

Commissioner Perciful asked about the Shell gas station across the street and if it was open 24 hours a day.

Planner Kendrick stated it was on county property, and she did not know its hours of operation. She also stated the city had received only one phone call, and it was in favor of the project.

Chairman Gifford opened the public hearing at this point and invited the applicant to speak.

Nasser Moghadam, 44052 Galacia Drive, Hemet, repeated that there is a gate at the trash enclosure. He also explained that most of the major gas companies want stations with convenience markets to be open 24 hours. That is the reason they are asking for the 24-hour opening. Each company has its own logo, but the final color will be determined by the City planning department. He commented further on the access to the site, giving background and Caltrans' determination that the city has the right to make traffic decisions. And that means now there is a double yellow line there rather than a median. He also mentioned that the security screen, which pre-dated even the 7-Eleven use, would remain unless the city felt it should be removed.

Chairman Gifford closed the public hearing and asked for a motion.

It was **MOVED** by Vice Chair Greg Vasquez and **SECONDED** by Commissioner Michael Perciful to **ADOPT** Planning Commission Bill No. 14-006 **APPROVING** CUP 13-005 subject to the findings and conditions of approval and **DIRECT** staff to file a Notice of Exemption with the County Clerk

The **MOTION** was carried by the following vote:

AYES: Chairman John Gifford, Vice Chair Greg Vasquez, and Commissioner Michael Perciful.
NOES: None
ABSENT: Commissioners Vince Overmyer and Rick Crimeni

DEPARTMENT REPORTS

6. CITY ATTORNEY REPORTS:

Assistant City Attorney Vega reminded the Commissioners of the change in the Brown Act in January of this year requiring audible votes if electronic voting machines were not working.

7. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:

A. Report on actions from the March 25, 2014 City Council Meeting

CDD Elliano congratulated the two Commissioners who were reappointed for another two-year term. The other item of interest to the Planning Commission was the Council's direction to John Janson of the Community Investment Department to propose an ordinance that would mirror what City of Riverside is doing with film permits, so that ordinance was before the Council. It would be a no-fee process, hoping that this will act as an incentive for the movie industry to utilize local hotels and sites while in town.

8. PLANNING COMMISSIONER REPORTS:

A. Chairman Gifford (Nothing to report)
B. Vice Chair (Vasquez (Nothing to report)
C. Commissioner Perciful (Nothing to report)
D. Commissioner Overmyer (Absent)
E. Commissioner Crimeni (Absent)

9. FUTURE AGENDA ITEMS:

A. Jasmine Gardens CUP Extension of Time
B. Multi-tenant office building
C. General Plan Consistency Zoning Program - Phase II
D. Zone Text Amendment for Temporary Signs

10. ADJOURNMENT:

It was unanimously agreed to **ADJOURN** the meeting at 8:12 p.m. to the regular meeting of the City of Hemet Planning Commission scheduled for **April 15, 2014 at 6:00 p.m.** to be held at the City of Hemet Council Chambers located at 450 E. Latham Avenue, Hemet, CA 92543.

Greg Vasquez

Greg Vasquez, Vice Chairman
Hemet Planning Commission

ATTEST:
Melissa Couden

Melissa Couden, Records Secretary
Hemet Planning Commission

PLANNING COMMISSION

MEETING MINUTES

DATE: **MAY 6, 2014** **CALLED TO ORDER: 6:00 P.M.**

MEETING LOCATION: City Council Chambers
450 East Latham Avenue
Hemet, CA 92543

1. CALL TO ORDER:

PRESENT: Chairman John Gifford, Vice-Chairman Greg Vasquez, and Commissioners Rick Crimeni, Vince Overmyer and Michael Perciful

ABSENT: None

Invocation and Flag Salute: Commissioner Rick Crimeni

2. NOMINATION AND ELECTION OF PLANNING COMMISSION CHAIR FOR 2014-15 — Community Development Director Elliano

It was **MOVED** by Commissioner Vice-Chairman Greg Vasquez and **SECONDED** by Commissioner Vince Overmyer to **NOMINATE** Chairman John Gifford as Planning Commission Chair for 2014-15.

The **MOTION** was carried by the following vote:

AYES: Vice-Chairman Greg Vasquez, Commissioners Michael Perciful, Rick Crimeni and Vince Overmyer
NOES: None
ABSTAIN: Chairman John Gifford

3. NOMINATION AND ELECTION OF PLANNING COMMISSION VICE-CHAIR FOR 2014-15 — Community Development Director Elliano

It was **MOVED** by Commissioner Michael Perciful and **SECONDED** by Commissioner Vince Overmyer to **NOMINATE** Vice-Chair Greg Vasquez as Planning Commission Vice-Chair for 2014-15.

The **MOTION** was carried by the following vote:

AYES: Chairman John Gifford, Commissioners Michael Perciful, Rick Crimeni and Vince Overmyer
NOES: None
ABSTAIN: Vice-Chairman Greg Vasquez

4. APPROVAL OF MINUTES:

A. Minutes of the April 15, 2014 Planning Commission Meeting

It was **MOVED** by Commissioner Rick Crimeni and **SECONDED** by Commissioner Michael Perciful to **APPROVE** the Minutes of the Planning Commission meeting of April 15, 2014.

The **MOTION** was carried by the following vote:

AYES: Vice-Chairman Greg Vasquez, and Commissioners Michael Perciful and Vince Overmyer, and Rick Crimeni
NOES: None
ABSTAIN: Chairman John Gifford

5. PUBLIC COMMENTS:

There were no members of the public who wished to address the Commission regarding items not on the agenda.

PUBLIC HEARING ITEMS

6. RAMONA CREEK PROJECT: SPECIFIC PLAN NO. 12-001, GPA 12-005, TTM 36510 & DRAFT ENVIRONMENTAL IMPACT REPORT — Presentation by Ron Running, Project Planner

PROJECT APPLICANT INFORMATION:

Owner:	Regent Properties
Authorized Agent:	Daniel Gryczman, Regent Properties
Project Location:	Northwest corner of West Florida Avenue and Myers Street
APN Information:	448-00-003
Lot Area:	208.9+/- acres

A. DRAFT ENVIRONMENTAL IMPACT REPORT (EA 14-001) - A request for Planning Commission review and recommendation to the City Council regarding the proposed Ramona Creek Specific Plan SP No. 12-001 Draft Environmental Impact Report (EIR) that has been prepared to assess the environmental effects of the project.

B. GENERAL PLAN AMENDMENT (GPA-12-005) - A request for Planning Commission review and recommendation to the City Council regarding the proposed General Plan Amendment to the Land Use Element to modify the mix of residential units and commercial acreage in Mixed Use Area No. 1 and to change the land use designation on 44.9 acres from Low

Density Residential (2.1-5.0 d.u./ac.) to Low Medium Density Residential (5.1-8.1 d.u./ac.). The Planning Commission will also consider the Draft Environmental Impact Report (EIR) that has been prepared to assess the environmental effects of the project.

C. **RAMONA CREEK SPECIFIC PLAN (SP-12-001)** - A request for Planning Commission review and recommendation to the City Council regarding the proposed Ramona Creek Specific Plan establishing 954 residential units and 649,044 square feet of commercial space; consideration of an associated General Plan Amendment to the Land Use Element to modify the mix of residential units and commercial acreage in Mixed Use Area No. 1 and to change the land use designation on 44.9 acres from Low Density Residential (2.1-5.0 d.u./ac.) to Low Medium Density Residential (5.1-8.0 d.u./ac.). The Planning Commission will also consider the Draft Environmental Impact Report (EIR) that has been prepared to assess the environmental effects of the project.

D. **RAMONA CREEK MASTER SUBDIVISION MAP (TTM 36510)** - A request for Planning Commission review and recommendation to the City Council regarding the proposed Ramona Creek master tentative tract map to subdivide the site into 37 large numbered lots and 49 lettered lots.

(Planner Running gave a detailed report to the Commission and invited comments.)

Chairman Gifford wanted to know the reason for the increase in proposed residential and decrease in commercial as part of the proposed General Plan Amendment.

Chairman Gifford also questioned if the recent changes in the conditions of approval have been approved by the applicant, and Planner Running said they had discussed it by telephone with the applicant and provided it to them at the meeting.

Commissioners Overmyer and Crimeni wanted more information about the increase in residential and change in commercial and its impact on traffic for the Mixed Use Area #1 of the General Plan.

CDD Elliano responded that when you look at the General Plan and potential amendments, in terms of Mixed Use Area #1, the area is larger than just this project site. At the time the City was preparing the general plan update, we studied a maximum build-out condition as a "worst case analysis" in terms of the EIR and the relative impacts to traffic, etc. It was anticipated that the acreages of the actual land uses proposed in the area would change or modify over time. A traffic analysis and environmental analysis was prepared to make sure that reducing the overall commercial square footage and adding residential wasn't going to change the environmental impact assumed originally in the General Plan, and it is, in fact, less of an impact.

Even in the General Plan fiscal analysis done in 2012, the City's fiscal consultant stated that the area was too high for the amount of commercial, based on the foreseeable market. So when the Ramona Creek proposal came forward, it was a

more appropriate mix of land uses for the site, and was further substantiated by the market and fiscal studies prepared for the Ramona Creek project.

Chairman Gifford asked if there was a plan to have Riverside County Flood Control take over management of the flood control features of the project.

City Engineer Biagioni stated that RC Flood Control usually does not take isolated pieces, that building to their specifications does not ensure their management. The advantage is the saving for maintenance.

Chairman Gifford opened the public hearing and invited Daniel Gryczman to the lectern.

Daniel Gryczman, Regent Properties (11990 San Vicente Boulevard, Los Angeles, CA 90049) stated that this was their fourth appearance before the Planning Commission and it had always been a pleasure to work with the City of Hemet. He noted that he had been developing properties all over California for 15 years, and he had never seen such a well put-together package from a city staff, and he appreciated having a partner that takes development as seriously as Regent does.

He clarified that the decrease in commercial and increase in residential had to do with the General Plan, not this specific property, as this had always been their proposal. Retail vs. residential is always a chicken and egg conversation, but their plan really is set up to respond to that market demand.

Mr. Gryczman also explained that the project is being designed to Flood Control District standards, with the hope that eventually the district would take it over.

There were a number of conditions that were proposed to be changed, relative to signals. Putting the Florida Avenue signal aside, (because that signal must be in place before the first building goes up for retail), all the other signals should be installed when they are warranted, from the developer's perspective. That way, when the number of building permits pulled warrant a traffic signal, it's then the developer should be expected to expend a significant amount of money to put the traffic signal in, rather than with the first building permit.

CDD Elliano explained that it was not clear from the Specific Plan what the timing was for the signals and street improvements. The Florida Avenue signal is indeed warranted, in conjunction with the commercial portion of the plan, but the others are going to be when they are warranted based on traffic demand.

Planner Running further noted that street improvement is needed prior to the first building permit, when development occurs, so people can get there. He felt that the two concepts (signals and street improvements) probably should have been separated in the phasing plan chapter of the Specific Plan.

Chairman Gifford remarked that there is no disagreement these three signals need to be put in. It's just a matter of what triggers them.

Mr. Gryczman agreed, and explained further that the phasing plan for the project is somewhat atypical - in a good way - because it's set up to be responsive to the market. The phasing plan is not chronological, therefore, building Phase 3 first doesn't mean a particular traffic signal may or may not be warranted.

After extensive further discussion the suggestion was made to solidify the language of the conditions of approval: General Condition 13(c)2, suggest changing the "and" to "or"; 13(d)1, adding "or when signal warrants are met," and likewise, with (e) and (f), page 3 of 3 on the General Conditions.

Mr. Gryczman noted that he agreed that the streets need to be in place.

Chairman Gifford stated that the consensus was that the matter be deferred to staff for actual language clarification in the modified conditions of approval.

To Commissioner Crimeni's question about anchor stores to attract other retailers, Mr. Gryczman declined to give out names, as these negotiations have not, as yet, been finalized, but stated that they are attending the Shopping Center Conference in Las Vegas and have meetings set up with big boxes, junior boxes, restaurant chains and convenience store representatives.

They have been working hard, as has Hemet's Economic Development Staff, to entice the right anchor. A match has not been found, however he is optimistic that it will. Their leakage study showed that the greatest need in Hemet and surrounding areas is apparel, home goods, entertainment, and that is where they are focused.

Seeing no other members of the public wishing to speak, Chairman Gifford closed the public hearing.

A. It was **MOVED** by Vice Chair Vasquez and **SECONDED** by Commissioner Michael Perciful to direct staff and the City's environmental consultant to prepare the Final EIR for the project including the Response to Comments, The Mitigation Monitoring and Reporting Plan (MMRP), and the Findings and Statement of Overriding Considerations, for City Council review and certification.

AYES: Chairman John Gifford, Vice-Chairman Greg Vasquez, Commissioners Michael Perciful, Rick Crimeni and Vince Overmyer
NOES: None
ABSTAIN: None
ABSENT: None

B. It was **MOVED** by Commissioner Rick Crimeni and **SECONDED** by Commissioner Michael Perciful to **ADOPT** Planning Commission Resolution Bill No. 14-012 recommending to the City Council **APPROVAL** of GPA 12-005.

AYES: Chairman John Gifford, Vice-Chairman Greg Vasquez, Commissioners Michael Perciful, Rick Crimeni and Vince Overmyer
NOES: None
ABSTAIN: None
ABSENT: None

C. It was **MOVED** by Commissioner Vince Overmyer and **SECONDED** by Commissioner Rick Crimeni to **ADOPT** Planning Resolution Bill No. 14-009, recommending approval of the Specific Plan (SP 12-001) to the City Council, subject to the amended conditions of approval presented at the Planning Commission meeting and as further modified by staff.

AYES: Chairman John Gifford, Vice-Chairman Greg Vasquez, Commissioners Michael Perciful, Rick Crimeni and Vince Overmyer
NOES: None
ABSTAIN: None
ABSENT: None

D. It was **MOVED** by Commissioner Rick Crimeni and **SECONDED** by Commissioner Michael Perciful to **ADOPT** the attached Planning Commission Resolution Bill No. 14-010 recommending the City Council approve Tentative Tract Map No. 36510, subject to conditions of approval and the findings contained in Resolution Bill No. 14-010, as modified at the Planning Commission meeting.

AYES: Chairman John Gifford, Vice-Chairman Greg Vasquez, Commissioners Michael Perciful, Rick Crimeni and Vince Overmyer
NOES: None
ABSTAIN: None
ABSENT: None

(Brief Recess)

DEPARTMENT REPORTS

7. CITY ATTORNEY REPORTS:

Assistant City Attorney reported that the Supreme Court had overruled a lower court on the issue of prayer in local government meetings. It ruled that the town of Greece, New York, did not violate the First Amendment by opening its city council meetings or town council meetings with prayer. Had the lower court ruling been upheld by the Supreme Court, it would have been precedent setting.

8. COMMUNITY DEVELOPMENT DIRECTOR REPORTS:

A. Report on actions from the April 22, 2014 City Council Meeting.

CDD Elliano reported that there were no Planning Commission related items on the council's agenda, but a presentation of interest:

A workstudy where Police Chief Brown and the San Bernardino Research Institute presented the quality of life results to the council, including what people valued about the city of Hemet, such as location, scenic setting, sense of community and community pride, with such necessities as a public participation in public safety, crime-free housing program, and the need for community outreach to supplement police oversight.

B. Riverside County Transportation Commission SR-74 Curve Widening Project

CDD Elliano reported that this curve-widening project began in March and is starting with the California Avenue and Florida Avenue traffic signal. From there, it is moving to Calvert, with work during the daytime hours. There will be a speed reduction corridor through that area, with the project completion date sometime in September.

C. Inland Empire Economic Quarterly Report (April 2014)

CDD Elliano referred to a report she had included in the Commissioners' packets from Dr. John Husing regarding Inland Empire economic trends, which included increases in jobs in logistics, healthcare and manufacturing. Construction is picking up, but many laborers have left the area, but overall, the job market is improving.

D. Local Housing Trends for 1st Quarter, 2014

Commissioner Michael Perciful commented on a merger between Hemet/San Jacinto Board of Realtors and Southwest. The cities included in this area are Temecula, Murrieta, Menifee, Lake Elsinore, Wildomar, Canyon Lake, Hemet and San Jacinto. CDD Elliano reported that first quarter single-family unit sales volume in Hemet is very high. Where the divide starts is in the price points. Median home price in Temecula is $427,000 versus $182,000 in Hemet, in part because of the numbers of mobile homes and manufactured homes in the Hemet area. The short sales and foreclosures have dramatically decreased, but lending institutions are restraining the market. There is supply now, but in terms of the resale market, more than with new sales.

CDD Elliano reported that there are some new tracts coming up in the next couple of months for Planning Commission review and consideration.

9. PLANNING COMMISSIONER REPORTS:

A. Chairman Gifford (Nothing to report)
B. Vice Chair Vasquez (Nothing to report)
C. Commissioner Perciful (Nothing to report)
D. Commissioner Overmyer (Nothing to report)
E. Commissioner Crimeni reported that the Ramona Play season was a great season.

10. FUTURE AGENDA ITEMS:

A. Preliminary review for Paseo Santa Fe Project
B. General Plan Consistency Zoning Program - Phase II
C. Other reports requested by the Planning Commission

11. ADJOURNMENT

It was unanimously agreed to adjourn the meeting at 7:32 p.m. to the regular meeting of the City of Hemet Planning Commission scheduled for June 3, 2014 at 6:00 p.m. to

be held at the City of Hemet Council Chambers located at 450 E. Latham Avenue, Hemet, CA 92543.

John Gifford, Chairman
Hemet Planning Commission

ATTEST:

Melissa Couden, Records Secretary
Hemet Planning Commission

Attachment No. 3

Planning Commission Reso. No. 14-011

City Council Meeting of June 10, 2014

CITY OF HEMET
Hemet, California

PLANNING COMMISSION
RESOLUTION NO. 14-011

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA, RECOMMENDING APPROVAL TO THE CITY COUNCIL OF AN ORDINANCE ESTABLISHING THE RAMONA CREEK SPECIFIC PLAN (SP 12-001), LOCATED ON THE NORTHWEST CORNER OF WEST FLORIDA AVENUE AND MYERS STREET (APN 448-090-003)

WHEREAS, an application for Specific Plan No. 12-001 to establish the Ramona Creek Specific Plan (SP 12-001) has been duly filed by:

Owner:	Regent Properties
Applicant:	Daniel Gryczman, Regent Properties
Lot Area:	208.9+/- Acres
Location:	Northwest corner of Florida Avenue and Myers Street
APN:	448-090-003;

WHEREAS, the Planning Commission has the authority per Section 90-986 of the Hemet Municipal Code to recommend action on Specific Plan No. 12-001 to establish the Ramona Creek Specific Plan (SP 12-001); and

WHEREAS, in accordance with Government Code Section 65090, on March 21, 2014, the City gave public notice by advertising in the Press Enterprise and by mailing to property owners within 500 feet, of the holding of a public hearing at which the project would be considered by the Planning Commission; and

WHEREAS, in accordance with Government Code Section 65453, on April 1, 2014 and May 6, 2014, the Planning Commission held the noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to, the Specific Plan No. 12-001 for establishing the specific plan on the site plan area and text; and

WHEREAS, at this public hearing on April 1, 2014 and May 6, 2014, the Planning Commission considered, heard public comments on, and recommended that the City Council approve Specific Plan No. 12-001 with the recommended adoption of a

Environmental Impact Report and Mitigation Measure Monitoring Plan for the project by Resolution; and

NOW THEREFORE, the Planning Commission of the City of Hemet, California, does determine, find, and resolve as follows:

SECTION 1: ENVIRONMENTAL FINDINGS

The Planning Commission, in light of the whole record before it, including but not limited to, the City's Local CEQA Guidelines and Thresholds of Significance, the recommendation of the Community Development Director as provided in the Staff Report dated May 6, 2014 and documents incorporated therein by reference, and any other evidence (within the meaning of Public Resources Code Sections 21080(e) and 21082.2) within the record or provided at the public hearing of this matter, hereby finds and determines as follows:

1. **CEQA:** The approval of this Specific Plan is in compliance with requirements of the California Environmental Quality Act ("CEQA"), in that on April 1, 2014 and May 6, 2014, at a duly noticed public hearing, the Planning Commission recommended that the City Council approve Specific Plan No. 12-001 and recommended approval of a Environmental Impact Report reflecting its independent judgment and analysis and documenting that there was not substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have a significant effect on the environment. The documents comprising the City's environmental review for the project are on file and available for public review at Hemet City Hall, 445 E. Florida Avenue, Hemet, California 92543.

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

SECTION 2: SPECIFIC PLAN AMENDMENT FINDINGS

1. **That the Specific Plan or Amendment systematically implements and is consistent with the latest adopted General Plan:**

   The proposed project is in conformance with the General Plan for the City of Hemet and with the West Florida Avenue Mixed-Use Area No. 1 designation by incorporating into Specific Plan No. 12-001 mixed use residential and commercial development. The specific plan includes a master plan of development incorporating pedestrian and multi-modal amenities both internal and external to the project. In addition, Specific Plan No. 12-001 was designed at a human scale an incorporated buffering in the form of landscaping, setbacks and building orientation to provide a transition between the surrounding residential uses. The

proposed Specific Plan No. 12-001 will implement the goals of providing residential, commercial and recreational amenity and services for the community at large as described in Appendix A – General Plan Consistency Analysis.

2. **The Specific Plan provides for the development of a comprehensively planned project that is superior to development otherwise allowed under the conventional zoning classifications.**

The proposed Specific Plan No. 12-001 involves establishing a network of pedestrian and vehicular linkages designed to connect the project with the surrounding residential communities. The proposed development will solve regional stormwater drainage and traffic problems and provide needed commercial and residential opportunities for an area that has experienced under-utilization of land use intensity. The proposed mixed use project will allow for the creation of needed employment opportunities, retail sales tax revenue, and flexibility in housing choices.

3. **The proposed Specific Plan provides for the construction, improvement, or extension of transportation facilities, public utilities and public services required by the long-term needs of the project and/or other area residents, and complements the orderly development of the city beyond the project boundaries.**

The project, as conditioned will, improve the site in a manner that is consistent with the General Plan Circulation, Community Servies and Infrastructure elements which will serve the circulation and public services needs of the proposed commercial and residential development. The traffic analysis for the Specific Plan has determined that the streets and circulation system in the area will be adequate to handle the future anticipated traffic needs with the provision of the suggested mitigation measures. Regional drainage needs, recreational amenity and utility services are also planned and provided for.

The proposed Specific Plan for the project is compatible with the existing development constructed immediately north, east and south of the subject site. The Specific Plan will guide development so that the streets and circulation system in the area will be adequate to handle the future anticipated traffic and community services needs with the provision of the suggested mitigation measures.

SECTION 3: PLANNING COMMISSION RECOMMENDATION

1. The Planning Commission recommends to the City Council approval of Specific Plan No. 12-001 to establish a specific plan of development for a project area

with text and exhibits as shown on the attached Exhibit 1A and subject to the conditions contained in Exhibit 1B.

PASSED, APPROVED AND ADOPTED this 6th day of May, 2014, by the following vote:

AYES: Chairman John Gifford, Vice Chairman Greg Vasquez, and Commissioners Michael Perciful, Vince Overmyer, and Rick Crimeni

NOES:

ABSTAIN:

ABSENT:

John Gifford, Chairman
Hemet Planning Commission

ATTEST:

Melissa Couden

Melissa Couden, Records Secretary
Hemet Planning Commission

Attachment No. 4

Public Comment Letters

City Council Meeting of June 10, 2014

JON MYHRE
PROPERTIES

March 28, 2014

City of Hemet
Community Development
445 E. Florida Avenue
Hemet, CA 92543

Attn: Deanna Elliano, Community Development Director
Re: Proposed Ramona Creek Project

Dear Deanna,

JMP Bixby Hemet LLC, owners and developers of the Tres Cerritos West Property, support the proposed Ramona Creek Project. We believe the proposed project will complement the Tres Cerritos Development and other single family communities surrounding Ramona Creek. With a mix of commercial, residential, public amenities and parks, Ramona Creek will bring a variety of benefits and positive impacts to the City of Hemet.

If you have any questions, please feel free to call me.

Sincerely,

Jon Myhre
Managing Member
JMP Bixby Hemet, LLC

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MAR 3 1 2014
PLANNING DEPT

CC Lenny Dunn, Regent Properties

Jon Myhre Properties, LLC
3890 11th Street, Suite 202 | Riverside, CA 92501
email jmp@jonmyhreproperties.com | tel (949)795-0800

March28, 2014

Deanna Elliano
Community Development Director
City of Hemet
445 East Florida Ave.
Hemet, CA 92543

VENICE BEACH SUITES & HOTEL ON VENICE BEACH

RE; Ramona Creek specific plan and general plan amendment.

Dear Ms Elliano,

As an adjacent property owner to the subject proposed project I am in support of the project.

This project has many positive attributes which will help the City of Hemet.

A: We know that this area of Hemet has serious drainage problems. The project as proposed will help alleviate these problems.

B: It also is a well thought out and designed project providing a substantial amount of open space.

C: With the mix of residential and commercial this will make the area more pedestrian friendly.

D: This project will greatly help the economic and employment problems the City of Hemet for years to come.

Again I support the project. Please contact me at 310-871-0215 if you have any questions

Andy Layman, Co-Owner
South west corner of Old Warren and Devonshire

CC; Ron Running, Lenny Dunn

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MAR 3 1 2014
PLANNING DEPT

1305 Ocean Front Walk, Venice Beach, CA 90291 • 310-396-4559 • 888-877-7602 • FAX 310-396-4559
email: venicebeachsuite@aol.com • Website: www.venicebeachsuites.com

DON McCOY CORPORATION

March 26, 2014

City Council and City Planning Commission
City of Hemet
445 E. Florida Avenue
Hemet, CA 92543

RE: **SUPPORT OF REGENT PROPERTIES' RAMONA CREEK PROJECT**

Dear Honorable Members of the City Council and Planning Commission:

I am writing to offer my support for Regent Properties' proposed Ramona Creek project (the "Project") at the northeast corner of Florida Avenue and Warren Road. I own two parcels directly across the street on the south side of Florida Avenue within the Hemet Auto Mall. I have had an opportunity to meet with representatives of Regent Properties to discuss and understand the proposed Project. I am appreciative of Regent's outreach efforts and the open dialogue with their team. The Project is a well thought through plan that will result in a wonderful project to have as our neighbor on the west side of Hemet.

I also believe the Project is a benefit to the City and its residents at large because of the mix of retail, commercial and residential uses. In addition, the Project will contain an abundance of park and open space for all residents to enjoy. Finally, Regent is playing a major role in solving the City's drainage issues in this part of town.

I strongly urge you to support Regent's Ramona Creek Project.

Thank you.

Sincerely,

Donald L. McCoy

Donald L. McCoy

Grading Contractors
Lic. A 703480
Phone (949) 492-0063 Fax (949) 459-9188
P.O. BOX 4020 ■ DANA POINT ■ CALIFORNIA 92629-9020

Tami Wilhelm
27637 Vista Del Valle
Hemet, CA 92544
951-235-7952

RECEIVED
MAR 3 1 2014
PLANNING DEPT

March 27.2014

City of Hemet
Planning commission
445 E. Florida Ave
Hemet Ca 92543

RE: Public Hearing, Ramona Creek Specific Plan No. 12-001, GPA 12-005, TTM 36510 and Draft Environmental Impact Report.

Dear Sirs,

I write today to confirm my enthusiastic support for the Ramona Creek Specific Plan proposed by Regent Properties.

I am formerly the owner of Wilhelm Ranch Specific Plan. I have spent more than 15 years working to bring the City's attention to the critical role the West End plays in our economic future. While I regret having had few reasons to address the planning commission, it has been my hope that one day the city would fully embrace this area and that my fellow property owners, unchained by the MSHCP, would soon be filling your chambers. Our chance at a prosperous future lies in the west end.

First in line, Regent Properties is a premiere developer. They build quality projects and even more importantly, they hold a high percentage of the projects they build and consequently remain invested in the success of their projects. Regent Properties is exactly the brand of developer our community must partner with if we are to not only heal from this recession but find our way back to full prosperity. Ramona Creek is a well thought out project that will logically ignite the spark that will inspire more projects along the Florida Ave corridor to the proposed Hwy 79 crossing.

It is no revelation that our community has not endured the economic recession well. Hemet is the hardest hit city in the Inland Empire. While we are beginning to experience some recovery, we have many wounds that will not be healed easily. Median incomes are at a record low. Small businesses remain on a steady decline, and a significant portion of our working population has left and been replaced by folks seeking low rents and access to services. Just as past decisions preordained how we would weather this recession, today's decisions will likewise determine our future.

Hindsight is 20/20. In the last housing boom our unwillingness to embrace the successful practice of public private partnership caused us to alienate most of the premier builders in the state. Instead of courting developers who remain invested in their projects and employ long term supply and demand principals, our city's driving philosophy was to extract as much upfront flesh from developers as they could get. While the city remained focused on the

short term filling of its coffers, officials failed to understand the longer term consequences. The result of this gluttony is an unbalanced community built in large part by short term speculators who built and bailed.

Today, leadership, hindsight and the Regent Properties Ramona Creek Specific Plan offer us a clear opportunity for a new beginning and a second chance path to a prosperous future. Let's send the right message to the premiere developers of the world. "We are open for business and seeking quality development partners to rebuild our future."

I encourage Hemet Planning commissioners to join me in supporting this wonderful project, and a new community partner.

Respectfully,

Tami Wilhelm

K. HOVNANIAN'S
FOUR SEASONS
AT HEMET COMMUNITY ASSOCIATION, INC.
AN ACTIVE ADULT COMMUNITY

May 12, 2014

City Council, City of Hemet
445 East Florida Avenue
Hemet, CA 92543

RE: PROPOSED RAMONA CREEK PROJECT

Dear Honorable Members of the City Council:

On behalf of the K. Hovnanian Four Seasons At Hemet Community Association Inc. Board of Directors, and based on the details described below, we offer this letter in support of Regent Properties' proposed Ramona Creek project at the northeast corner of Florida Avenue and Warren Road in the City of Hemet (the "Project").

First of all, we would like to commend Regent for its outstanding outreach efforts with regard to the Project. Over the past couple years, Regent has attended meetings with both our Association Board as well as our Community Awareness Committee to explain the Project and address our questions. We are appreciative of this open dialogue and Regent's willingness to listen to our thoughts and concerns.

As we understand it, the Project will result in a mix of residential and commercial/retail, recreational and open space uses over approximately 200 acres of land as described in the proposed Specific Plan document. We feel the mix of residential, commercial, recreational and open space will bring many benefits to the west side of Hemet. Specifically, the retail area will not only be a shopping, dining and entertainment destination for residents of our community, but will also provide local jobs and help invigorate our local economy. We also understand that to attract this level of retail to the community, the additional residential uses are necessary. Additionally, the project has been designed to solve a major portion of the City's regional drainage issues. We are all aware of the flooding which occurs in this part of town during large storms.

We believe the project is a well thought out plan that will be a benefit for the City and surrounding residents and property owners. We, the Board of Directors respectfully request your approval.

Sincerely,

Harold T. Townend
President, Board of Directors
K. Hovnanian Four Seasons At Hemet Community Association, Inc.

237 FOUR SEASONS BLVD. HEMET, CA 92545 • PHONE: 951-325-8188 • FAX: 951-325-8189

Attachment No. 5

Ramona Creek Project
Fiscal Impact Report

City Council Meeting of June 10, 2014

DAVID
TAUSSIG
& Associates, Inc.

FISCAL IMPACT REPORT

RAMONA CREEK PROJECT
HEMET, CALIFORNIA

JULY 11, 2012

Public Finance
Urban Economics

Newport Beach
Fresno
Riverside
San Francisco
Chicago
Dallas

FISCAL IMPACT REPORT

RAMONA CREEK PROJECT
HEMET, CALIFORNIA

Prepared For

Regent Properties
11990 San Vicente Boulevard, Suite 200
Los Angeles, California 90049

Prepared By

David Taussig & Associates, Inc.
5000 Birch Street, Suite 6000
Newport Beach, California 92660

TABLE OF CONTENTS

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SECTION 2.	DESCRIPTION OF RECURRING FISCAL REVENURES AND COSTS	3
SECTION 3.	FISCAL IMPACTS	14

APPENDICES

Appendix A: Fiscal Impact Model

Appendix B: Ramona Creek Land Use Plan

EXECUTIVE SUMMARY

I. PURPOSE OF REPORT

The objective of this Fiscal Impact Report (the "Report") is to analyze the fiscal impacts of the proposed development of the Ramona Creek Project (the "Project") on the City of Hemet ("City") and the County of Riverside ("County"). The Project is comprised of approximately 926 residential units and up to 490,000 square feet of mixed-use space. The Report comprehensively analyzes the recurring fiscal impacts of the Project's development on the City General Fund.

II. TYPES OF FISCAL IMPACTS TO CITY OF HEMET EVALUATED IN THE REPORT

FISCAL IMPACTS ON CITY OF HEMET GENERAL FUND

The purpose of the fiscal analysis component of this Report is to estimate the net fiscal impacts of the Project's proposed development and construction on the City General Fund. The fiscal impacts identified in this Report include recurring municipal revenues and costs to the City General Fund that result from the land use scenario analyzed. City General Fund revenues are generated from a variety of revenue sources, including property taxes, sales taxes, fees, and fines. Costs to the City General Fund are associated with a variety of services, such as police protection, fire protection, public works maintenance, and general government services.

III. DESCRIPTION OF RAMONA CREEK PROJECT

The proposed Ramona Creek Project (the "Project") is located in the City of Hemet and the County of Riverside and is comprised of 926 residential units (single-family and multi-family product mixes) and up to approximately 490,000 square feet of mixed-use space. The Project is located at the western gateway to the City of Hemet (the "City"), very near the Hemet-Ryan Airport and Diamond Valley Lake, approximately 10 miles from Interstate 215, a major regional thoroughfare. Immediately adjacent to the future SR79 highway, the Project spans over 200 acres and is bounded by Florida Avenue to the south, Myers Street to the east, generally Rose Road to the north and Warren Road to the west. Please refer to **Appendix B** for further information on the elements and location of the Project.

The Project will also require the construction of significant new infrastructure, financed through public and/or private funds, to be ultimately owned by the City and maintained by the City's General Fund. At this time, it is estimated that these public infrastructure improvements will consist of 11.5 acres of public parks and 25.4 acres of drainage/open space area. Please refer to **Table 2E** for further information on these public improvements.

IV. CONCLUSIONS OF ANALYSIS RELATED TO PROJECT

Following are the major conclusions related to the fiscal impacts of the Project:

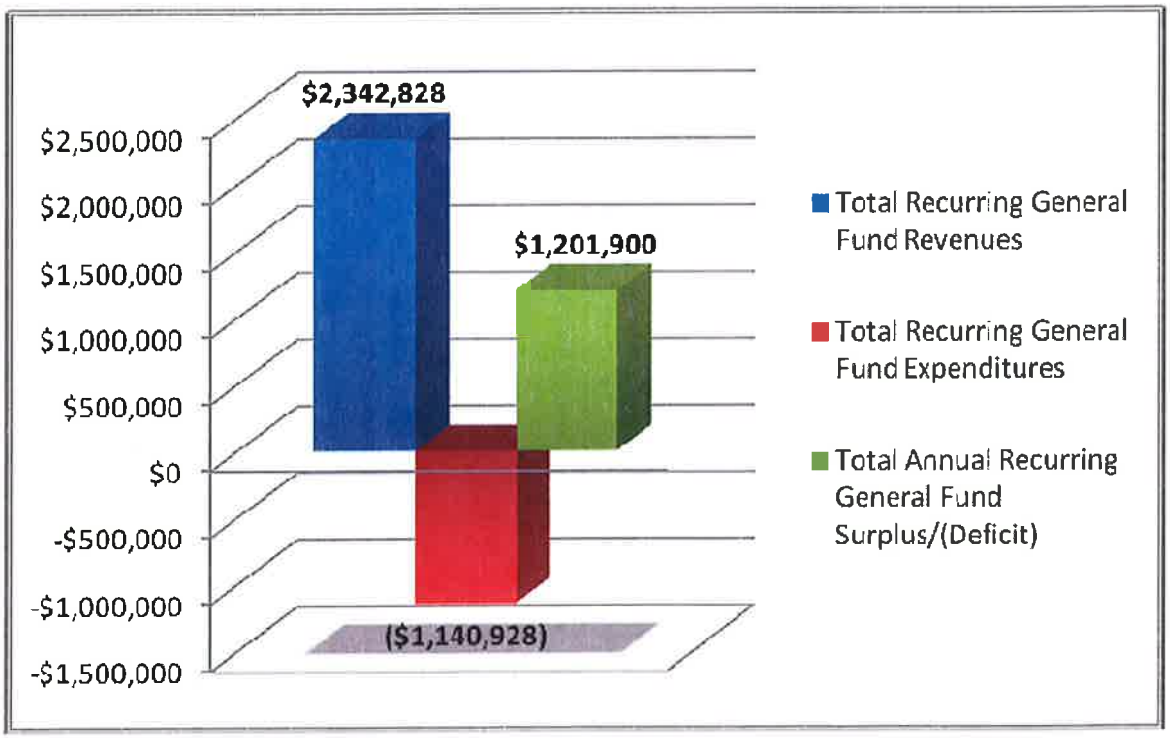
A. FISCAL IMPACTS

As reflected in **Table A** and **Figure A** below, the positive Net Fiscal Impact is estimated to be $1,201,900 annually, based on $2,342,828 in fiscal revenues and $1,140,928 in fiscal costs. The fiscal surplus results primarily from direct sales tax (50.0%) and property tax revenues (secured and unsecured) (16.5%), together constituting approximately 66.5% of total recurring revenues to the City General Fund. The Annual Revenue/Cost Ratio of 2.05 is especially impressive, and demonstrates, inter alia, that the Project will have a very positive impact on the City's General Fund. In comparison, the City's General Fund currently runs a Revenue/Cost Ratio of ~0.88.

TABLE A
NET FISCAL IMPACT (CITY GENERAL FUND)

Category	Amount
Total Recurring Revenues	$2,342,828
Total Recurring Costs	($1,140,928)
Annual Recurring Surplus/(Deficit)	**$1,201,900**
Total Annual Revenue/Cost Ratio	*2.05*

FIGURE A
NET FISCAL IMPACT (CITY GENERAL FUND)



SECTION 1 INTRODUCTION

David Taussig and Associates, Inc. ("DTA") has been engaged by Regent Properties to prepare a Fiscal Impact Report (the "Report") that evaluates the likely fiscal impacts of the proposed development and construction of the Project on the City of Hemet (the "City"). The impact of the Project on the City's General Fund was thoroughly analyzed, although City enterprise and special funds were not explicitly considered within the Report.

I. SCOPE AND METHODOLOGY – RECURRING FISCAL IMPACTS

Fiscal impacts arising from a land development plan can be broadly categorized as one of two types: one-time impacts or recurring impacts. Each of these broad types may, in turn, be divided into a revenue component and a cost component. For purposes of this Report, it has been assumed that one-time revenues would directly offset one-time costs; thus, the fiscal impacts considered in this Report focus on ongoing, or recurring, fiscal impacts of the Project on the City General Fund. To the extent that revenues are generated outside of the City's General Fund (e.g., special district revenues) or costs are incurred by the City outside of the General Fund (e.g., costs financed through a special district), they are not included within this fiscal analysis.

The fiscal impacts projected for the Report are based generally on the *Multiplier Methodology.* The primary *Multiplier Methodology* used to project the fiscal impacts in this Report was the *Per Capita-Employee ("Persons Served") Methodology*. The Persons Served Methodology considers the fact that the exact relationship of service demands and revenue-generating potential between residents and employees is difficult to measure. Thus, utilizing a service population, or Persons Served population, comprised of all residents and 50% of employees is common fiscal practice, and suggests that a resident generally has twice the fiscal impact of an employee. This methodology involves calculating the *average City-wide* revenues/costs per Persons Served, utilizing the fiscal year 2011-2012 City budget, and applying these revenue/cost factors to the specific number of Persons Served projected for the Project.

DTA also used a *Per Employee Methodology* in the Report to project recurring fiscal factors based on employment only, such as business license revenues. Similar to the Persons Served Methodology discussed above, the Per Employee Methodology involves calculating the *average City-wide* revenues/costs per employee, utilizing the fiscal year 2011-2012 City budget, and applying these factors to the specific number of employees projected under the given scenario.

While most recurring revenues analyzed in the Report are projected using the *Multiplier Methodology,* some major revenue sources, including property taxes and sales taxes, are calculated using a *Case Study Methodology* that involves calculating the *marginal revenues* to be specifically generated by a particular land use, instead of applying an *average City-wide* revenue factor. For purposes of the Report, all recurring revenues and costs are stated in constant (un-inflated) 2012 dollars, based on the assumption that the relative impacts of inflation in future years will be the same for both of these fiscal impact categories.

II. LIMITATIONS – ACCURACY OF INFORMATION

The fiscal model in the Report contains an analysis of revenues, costs, and impacts to the City resulting from the Project. This model is based on both (i) information provided to DTA by Regent Properties staff and (ii) certain DTA assumptions taken from DTA's municipal cost database, as compiled by DTA from previous fiscal impact studies prepared by the firm. The sources of information and basis of the estimates calculated in the Report are stated herein. While DTA is confident that the sources of information are reliable, DTA does not express an opinion or any other form of assurance on the accuracy of such information. The analysis of fiscal impacts contained in this report is not considered to be a "financial forecast" or a "financial projection" as technically defined by the American Institute of Certified Public Accountants. The word "projection" used within this report relates to broad expectations of future events or market conditions. Since the analysis contained herein is based on estimates and assumptions that are inherently subject to uncertainty and variation depending on evolving events, DTA cannot represent that such estimates will definitely be achieved. Some assumptions inevitably will not materialize, and unanticipated events and circumstances may occur; therefore, the actual results achieved may vary from these projections stated throughout the Report.

SECTION 2 DESCRIPTION OF RECURRING FISCAL REVENUES/COSTS

The following section presents the recurring revenue and cost impacts to the City General Fund and the methodology and assumptions utilized in the Report to project these impacts. Detailed numerical analyses of the revenue and cost impacts subsequently discussed in this section are contained in **Appendix A.**

I. ANALYSIS OF RECURRING REVENUES

CASE STUDY METHOD:

A. PROPERTY TAXES – SECURED AND UNSECURED

Property tax revenues are conservatively projected based on the City's estimated share of the general 1% property tax levy. Total secured property tax revenues received by the City from the land uses will equal approximately 12.36% of the basic 1% property tax levy from the Tax Rate Areas ("TRAs") encompassing the Project. Please note that the gross tax allocation, as calculated by the Riverside County (the "County") Auditor-Controller, has been reduced to account for the projected Education Revenue Augmentation Fund ("ERAF") property tax shifts. Please refer to **Table 2A** below and **Exhibit 4** of **Appendix A** for details regarding the secured and unsecured property tax assumptions utilized in the fiscal impact analysis.

Unsecured property taxes are levied on tangible personal property that is not secured by real estate. Examples of unsecured property includes trade fixtures (e.g., manufacturing equipment and computers), as well as airplanes, boats, and mobile homes on leased land. In generating the fiscal impact models for this Report, DTA has assumed that unsecured property values average 2.75% of the secured value for residential land uses and 10.00% of the secured value for non-residential land uses.

B. PROPERTY TRANSFER TAX

Per California Revenue & Taxation Code §11901, *et seq.* and the Hemet Municipal Code §3.22.020, sales of real property are taxed by the County at a rate of $1.10 per $1,000 of property value, whereas for property located in the City, the property transfer tax is divided equally between the City and the County, with the City receiving $0.55 per $1,000 of transferred property sale or resale value, excluding assumed liens or encumbrances. Per typical baseline assumptions, DTA assumes that residential development changes ownership at an average rate of 10% per year and that non-residential development changes ownership at an average rate of 5% per year, and that continuing liens and encumbrances are insignificant.

C. PROPERTY TAX IN-LIEU OF VEHICLE LICENSE FEE

The passage of Proposition 1A in California in 2004 enacted a constitutional amendment that introduced a new methodology to calculate property taxes in-lieu of VLF. Per California Revenue and Taxation Code §97.70, the property tax in-lieu of VLF amount now grows in

proportion to the growth rate of gross assessed valuation in a city or county. Property taxes in-lieu of VLF revenues are projected to grow with the change in the City-wide gross assessed valuation of taxable property from the prior fiscal year. Property tax in-lieu of VLF revenues constitute an addition to other property tax apportionments and were calculated for purposes of this Report at $1.22 per $1,000 increase in assessed valuation on a City-wide basis. Please refer to **Table 2A** below and **Exhibit 4** of **Appendix A** for details regarding the property tax assumptions utilized in the fiscal impact analysis.

TABLE 2A – PROPERTY TAX ASSUMPTIONS

Property Tax Assumptions	
Property Tax	
Residential Land Uses	
Single-Family Detached Units	401
Multi-Family Units	525
Blended Sales Price	$218,000
Commercial Land Uses	
Retail	488,569 Sq. Ft.
Estimated Valuation per Sq. Ft.	$200
Secured Property Tax – Net Apportionment Factor to the City of Hemet as a Fraction of 1.0% Property Tax Rate (Net of ERAF)	12.36%
Unsecured Property Tax – Unsecured Taxes as a % of Secured Property Value	2.75% - Residential 10% - Non-Residential
Property Transfer Tax	
Residential Property Turnover Rate	10.00%
Non-Residential Property Turnover Rate	5.00%
Transfer Tax as a % of Price	0.11%
Property Transfer Tax Passed Through to City	50.00%
Property Tax In-Lieu of VLF	
City of Hemet – Total Assessed Value (FY 2011-2012)	$4,071,013,000
City of Hemet – VLF Prop. Tax In-Lieu Revenues (FY 2011-2012)	$4,979,300
VLF Property Tax In-Lieu per $1,000 Assessed Value	$1.22

D. MOTOR VEHICLE LICENSE FEES

(I). BACKGROUND

Prior to June 1, 2004, the Motor Vehicle License Fee ("VLF") tax rate was equal to 2.00% of the value of a vehicle, with 0.65% paid by the vehicle owner and an additional 1.35% supplemented with a backfill from the State General Fund. A large portion of those funds was allocated to cities (42.50%) and counties (42.50%) based on population, while newly-

incorporated cities received an additional population subvention based on three (3) times the number of registered voters for the first seven (7) years after incorporation.

As discussed earlier, in 2004, the VLF allocation was altered. The California Legislature implemented the "VLF Swap" in which the VLF was lowered to 0.65%. The resultant loss of city revenue was swapped with an augmentation of property tax, termed property tax in-lieu of VLF. These amounts grow annually based on the annual increase in assessed value within each respective jurisdiction (see above).

(ii). SUPPLEMENTAL LAW ENFORCEMENT FUNDING ("SLESF") AND OTHER STATE LAW ENFORCEMENT GRANTS

As a part of the 2009 state budget agreement, a number of law enforcement grant programs previously funded by the state general fund were instead funded in fiscal year ("FY") 2009-10 and FY 2010-11 by a temporary 0.15% state VLF increase, which ended on June 30, 2011. The additional 0.15% VLF rate was intended to generate around $500 million annually – the tax generated $414 million in FY 2009-10 and $442 million in FY 2010-11.

(iii). SENATE BILL (SB) 89 - FEES SHIFTED TO FUND STATE LAW ENFORCEMENT GRANTS

SB89, recently signed by Governor Brown, effectively eliminates the 0.65% VLF revenue that was being allocated as a general fund revenue source to California cities. Provisions in SB89 shift hundreds of millions of VLF revenues to fund the state law enforcement grants beginning FY 2011-12. The SB89 plan operates as follows:

- The "Vehicle License Registration Fee" is increased by $12 to produce approximately $300 million in FY 2011-12. This fee will fund state DMV vehicle license registration operations, thereby "freeing up" $300 million of VLF revenue that had been used to fund DMV operations. This money will be transferred to a new Local Law Enforcement Services Account ("LLESA)" to fund the law enforcement grants.

- In addition, beginning July 1, 2011, SB89 transfers the remaining VLF revenue (after the Local Revenue Fund allocation for county health and welfare programs) previously allocated to cities and the County of Riverside to the LLESA.

SB89 takes $130 million of city general revenue and shifts it to save state law enforcement grant programs. Less than $100 million of these grant funds will come back to cities, earmarked for police services. But these funds will likely be offset by the loss of city VLF. Therefore, VLF (as opposed to property tax in-lieu of VLF) revenue was not analyzed as a Project revenue source in this Report.

E. SALES AND USE TAXES

Direct sales tax revenues are generated by retail sales from businesses within City limits, with 1% of taxable sales receipts passed through to the City. **Exhibit 5** of **Appendix A** reflects

taxable sales receipts per square foot for each on-site non-residential land use type, based on data from the *Urban Land Institute's Dollars & Cents of Shopping Projects (2008)* publication and total taxable sales receipts for the Project, based on information provided by Regent Properties and the City.

Indirect sales tax revenues, as summarized in **Exhibit 5** of **Appendix A**, are generated by the purchases made by the Project's employees within the City. Based on studies outlined in the *International Council of Shopping Projects' Office Worker Local Retail Spending Patterns,* DTA assumed that each on-site employee spends nearly $4,168 annually within the City.

TABLE 2B – SALES TAX ASSUMPTIONS

Sales Tax Assumptions	
% Sales Tax Passed Through to City of Hemet	1%
Local Employee Spending (Annual)	$4,168
Capture Rate of Retail Spending (within City of Hemet)	*50%*
Displacement Rate (of existing taxable sales within City)	*20%*
Taxable Sales per Square Foot – Retail	$300

F. INVESTMENT INCOME REVENUES

Investment Income revenues are generated by the increase in General Fund Revenues resulting from the Project. This increase reflects growth in the following revenue categories: property taxes, sales taxes, and multiplier revenues (as discussed below).

Revenues from this source are estimated by multiplying the Projected Recurring General Fund Revenues Available for Investment of $2,338,152 by the Local Agency Investment Fund ("LAIF") investment fund rate of return of 0.40% by the LAIF Percentage of Earnings Cost factor of 50%. This calculation results in estimated Investment Income (less Earnings Cost) of $4,676 (which when added to $2,338,152 equals $2,342,828). LAIF factors are determined quarterly by the California State Treasurer whose office governs the investment of revenues by municipalities.

Please refer to **Table 2C** below and **Exhibit 6** of **Appendix A** for details regarding the investment income assumptions utilized in the fiscal impact analysis.

TABLE 2C – INVESTMENT INCOME ASSUMPTIONS

Investment Income Assumptions	
Investment Period for Recurring Non-Interest General Fund Revenues	12 Months
Local Agency Investment Fund (LAIF) Rate of Return	0.40%
Local Agency Investment Fund (LAIF) Percentage of Earnings	50%
Projected Recurring General Fund Revenues Available for Investment	$2,338,152

MULTIPLIER METHOD:

G. OTHER TAX REVENUES

The Transient Occupancy Tax ("TOT") was forecasted at $5.07 per Persons Served using the *Per Capita-Employee Multiplier Method.* Please note that this revenue multiplier has been reduced by 25% to account for only the portion of the TOT revenues that are expected to be variable with population and employee growth in the City. Hotel/motel operators in the City are required to charge a TOT of ten percent (10%) of the rent charged to "transient" guests. The TOT is also commonly known as a "bed tax." *See* §74-72 of the Hemet Municipal Code.

H. BUSINESS LICENSES

Business License revenues related to issuance, renewals, and delinquent penalties are anticipated to grow due to employment growth only. Therefore, Business Licenses revenues were projected at $20.98 per Employee using the *Per Employee Multiplier Method.*

I. FRANCHISE TAXES

Franchise Taxes, including Gas, Electric, Cable TV, etc., were forecasted at $13.02 per Persons Served using the *Per Capita-Employee Multiplier Method.*

J. LICENSES AND PERMITS

Licenses and Permits are based on the City's collection of fees for various types of permits and community programs, such as bicycle licenses, as well as fire code permits. Revenues are forecasted using a *Per Capita-Employee Multiplier Method* that results in a total multiplier of $0.02 per Persons Served.

K. GENERAL ADMINISTRATION

General Administration Revenues, including transfers from various Enterprise (Water, Sewer, Refuse, etc.) Funds are forecasted using a *Per Capita-Employee Multiplier Method* that results in a total multiplier of $28.75 per Persons Served.

L. CHARGES FOR SERVICES

Current Services, including *special* Police Department service charges, *special* Fire Department service charges, lot cleaning charges, and library fees and fines were projected at $3.49 per Persons Served, based on the *Per Capita-Employee Multiplier Method.* Please note that this revenue multiplier has been reduced by 25% to account for only the portion of the Charges for Services revenues that are expected to be variable with population and employee growth in the City

M. USE OF MONEY & PROPERTY (NON-INTEREST REVENUES)

Use of Money and Property Revenues, including Park and Community Building Rentals (e.g. the Simpson Center, discussed below) were forecasted at $0.61 per Persons Served using the *Per Capita-Employee Multiplier Method*.

N. FINES AND PENALTIES

This revenue category represents fines and penalties collected by the City for various infractions, including Vehicle, Code and certain Parking Fines. Fines and Forfeitures were forecasted at $1.44 per Persons Served using the *Per Capita-Employee Multiplier Method.*

O. INTERGOVERNMENTAL

Intergovernmental Revenues, which includes various state grants, are forecasted using a *Per Capita-Employee Multiplier Method* that results in a total multiplier of $0.72 per Persons Served.

P. COMMUNITY DEVELOPMENT REVENUES

Community Development Revenues, including building permits, engineering map plan check fees, plan storage fees, planning applications fees, engineering inspections, and transportation permits were projected at $23.59 per Persons Served, based on the *Per Capita-Employee Multiplier Method*.

Q. OTHER/MISCELLANEOUS

Other Revenues, including Miscellaneous Revenues, Donations, Utility Building and Land Rental Fees, and Mandated Cost Reimbursements were projected at $12.98 per Persons Served utilizing the *Per Capita-Employee Multiplier Method.* Please note that this revenue multiplier has been reduced by 25% to account for only the portion of the Other/Miscellaneous revenues that are expected to be variable with population and employee growth in the City

TABLE 2D – OTHER GENERAL FUND REVENUES (MULTIPLIER METHOD)

Category	Amount	Methodology
TOT Tax Revenue	$5.07	Persons Served plus 25% Discount
Business Licenses	$20.98	Per Employee
Franchises	$13.02	Persons Served
Licenses/Permits	$0.02	Persons Served
General Administration	$28.75	Persons Served
Charges for Services	$3.49	Persons Served plus 25% Discount

Category	Amount	Methodology
Use of Money & Property	$0.61	Persons Served
Fines and Penalties	$1.44	Persons Served
Intergovernmental	$0.72	Persons Served
Community Development Revenues	$23.59	Persons Served
Other / Miscellaneous	$12.98	Persons Served plus 25% Discount

Please refer to **Exhibit 7** of **Appendix A** for more details on the case study assumptions and revenue multipliers utilized in the Report.

II. ANALYSIS OF RECURRING COSTS

CASE STUDY METHOD:

A. INFRASTRUCTURE AND PARKS MAINTENANCE

The Project will require the construction of new infrastructure to be ultimately owned by the City and maintained by the City's General Fund. At this time, it is estimated that these public infrastructure improvements will consist of 11.5 acres of public parks and 25.4 acres of drainage/open space area. Notably, other improvements to be maintained by other City Funds, i.e., Enterprise Funds, Special Funds, etc., were disregarded for purposes of this Report.

These improvements were multiplied by estimated annual cost figures for each category derived from the DTA Public Works Database, resulting in annual Infrastructure and Parks Maintenance costs of $139,105.

TABLE 2E – INFRASTRUCTURE/PARKS REQUIREMENTS

(CASE STUDY METHOD)

Infrastructure/Parks to be Maintained by City General Fund	Quantity	Cost/Unit
Public Parks (Acres)	**11.5**	**$10,955**
Drainage/Open Space Area (Acres)	**25.4**	**$517**

B. GENERAL GOVERNMENT COSTS

General Government costs are projected at a marginal rate of 6.70% of the City General Fund recurring costs, based on the assumption that the FY 2011-2012 General Government expenditures, equaling $2.5 million, will remain at the same relative proportion of the FY

2011-2012 City General Fund non-governmental expenditures of approximately $28.6 million in future years. The current percentage of General Government expenditures to City General Fund non-governmental expenditures is approximately 8.92%; however, these General Government costs are not expected to increase on a one-for-one basis as a result of the land use development depicted in this Report. Therefore, this Report assumes that General Government costs increase at an estimated marginal rate of 75%, or 6.70%, of the existing General Government cost overhead rate. This approach results in annual General Government costs of $71,561. Importantly, were City staffing numbers not so artificially low due to staffing reductions and concessions since 2007, the marginal rate applied would be 50%.

MULTIPLIER METHOD:

C. POLICE DEPARTMENT

Police services include those costs associated with the Patrol Division, Traffic Bureau, Crime Suppression Unit, Detective Division, Community Services Bureau, and the Police-Fire-9-1-1 Emergency Communications Center (which recently completed a 5-year upgrade). Police Services costs are forecasted at $161.05 per Persons Served using the *Per Capita-Employee Multiplier Method.*

Seventy-five percent (75%) of sworn police personnel are committed to uniformed field assignments (Patrol, Traffic, Crime Suppression, and Gang Task Force). However, budget cuts have resulted in significant reductions in staffing leaving the Traffic and Crime Suppression Units severely understaffed. Additionally, the Hemet Police Station is the oldest operational police facility in Riverside County.

D. ANIMAL REGULATION

Animal Regulation Services costs related to contracts, leases, rents, and taxes were projected at $1.10 per Persons Served using the *Per Capita-Employee Multiplier Method*. Please note that this cost multiplier has been reduced by 50% to account for only the portion of Animal Regulation costs that are expected to be variable with population and employee growth in the City.

E. FIRE DEPARTMENT

Fire services include those costs associated with emergency preparedness, responses, mitigation, and recovery efforts and activities. Fire Services costs are forecasted at $95.24 per Persons Served using the *Per Capita-Employee Multiplier Method.*

The Hemet Fire Department was awarded a $2.26 million Staffing for Adequate Fire & Emergency Response ("S.A.F.E.R.") Grant, which allowed nine (9) firefighters to retain their positions and three (3) additional firefighters to offset overtime for two years. Additionally, the Hemet Fire Department is one of the busiest "per capita" fire departments in the nation – 12,179 emergency responses in a community of 80,000 residents, though it still maintains one of the lowest per capita cost rates in California.

F. FIRE PREVENTION/WEED ABATEMENT

Fire Prevention and Weed Abatement costs were forecasted at $1.38 per Persons Served based on the *Per Capita-Employee Multiplier Method.* Please note that this cost multiplier has been reduced by 50% to account for only the portion of Weed Abatement costs that are expected to be variable with population and employee growth in the City.

The Fire Prevention Division of the Hemet Fire Department receives authority from the provisions of the California Health and Safety Code, Hemet Municipal Code, and California Code of Regulations. This Division, staffed with one Fire Prevention Officer, provides services such as development planning and review, plans examination and consultation, inspection services for new construction, business inspections, fire investigations, and weed abatement.

G. PARKS

Parks costs were forecasted at $2.68 per Persons Served based on the *Per Capita-Employee Multiplier Method.* Please note that this cost multiplier has been reduced by 50% to account for only the portion of Parks costs that are expected to be variable with population and employee growth in the City. This category includes those Parks costs not directly associated with Project-related park maintenance and rehabilitation (i.e. 11.5 acres of public parks and 25.4 acres of drainage/open space area).

The Parks Division is responsible for all aspects of maintenance for eight (8) City Parks including: Gibbel, Mary Henley, Brubaker, Simpson, Cawston Community, Weston, Oltman, and Griffith Neighborhood Community. The City has over 300 acres of parks (including the above 8 parks and one dog park). Crews perform mowing, edging, weeding, trash clean-up, playground equipment inspection, irrigation repairs and administer fertilization, and aeration schedules for the turf. At Gibbel and Weston Parks, crews also perform cleaning and restocking of restrooms, perform daily opening of parks/restrooms, and administer the park security contract. The division is also responsible for performing weekly landscape services on various areas of Florida Avenue and the Corporation Yard, and for overseeing caretakers responsible for the daily maintenance of Simpson Park.

The Parks Division also supports the Parks Commission and Council by enforcing the parks reservation system, preparing the parks for special events, and performing work to update and improve park facilities. City park crews also support large City special events.

H. LIBRARY

Library costs were projected at $7.14 per Persons Served using the *Per Capita-Employee Multiplier Method.* Please note that this cost multiplier has been reduced by 50% to account for only the portion of Library costs that are expected to be variable with population and employee growth in the City.

The Hemet Public Library strives to be the community's premiere life-long learning center for people of all ages, backgrounds, and physical abilities. For over 100 years, the Hemet Public Library has provided the community with the materials and services necessary for

self-education, informed decision making, and recreation. Utilizing unique partnerships with other libraries and entities, most specifically through the Inland Library System, the library ensures maximum sharing of available materials for the benefit of the community.

The Library makes extensive use of volunteer help – 40,150 total hours of volunteer services were donated to the library, its Heritage Room, Library Volunteer Bookshop, Literacy Center, and Library Foundation. The Library checks out 600,000 items annually, provides 38 public internet stations, and received an A+ rating for performance effectiveness and efficiency from an independent auditor.

I. SIMPSON CENTER

Simpson Center costs were forecasted at $1.30 per Persons Served using the *Per Capita-Employee-Multiplier Method*. Please note that this cost multiplier has been reduced by 50% to account for only the portion of Simpson Center costs that are expected to be variable with population and employee growth in the City.

Through services provided by the YMCA, the Simpson Center provides a safe and central location for the community to enjoy leisure activities, social interaction, and lifelong learning to enhance the quality of life. The Simpson Center currently services an estimated 18,000 Hemet residents monthly. Programs and activities include, but are not limited to, Facility Rentals for the Simpson Center, Senior Referral Services, Senior Nutrition Program, entertainment, activities, classes, senior/youth programs, social group meetings, and special events.

J. PLANNING

Planning costs were projected at $11.94 per Persons Served using the *Per Capita-Employee Multiplier Method*. The Planning Department provides two primary functions: Current Planning and Advance Planning. Current Planning is responsible for the review and processing of proposed development projects to ensure conformity with the City's codes and policies, conducting environmental assessments, performing plan checks, assisting the general public with zoning and demographic information, and issuing minor permits. Advance Planning is responsible for maintaining and updating the General Plan and zoning ordinances, processing annexations and special projects, participating in regional planning activities, and assisting in the planning and implementation of Redevelopment projects. Planning staff also provides professional planning support to the City Council and Planning Commission.

K. CODE ENFORCEMENT

Code Enforcement costs were forecasted at $10.16 per Persons Served based on the *Per Capita-Employee Multiplier Method.* The Code Enforcement Division of the Planning Department enforces municipal codes, state codes, ordinances, and resolutions in such areas as planning and zoning, community nuisance, property maintenance, Uniform Building Codes, and Health and Safety codes related to housing conditions. The Code Enforcement Division has been working closely with the Mortgage Companies and Real Estate Agencies to

encourage securing and maintenance of foreclosed properties, in doing so it has reduced the number of properties being abated by the City by almost 40%.

L. BUILDING

Building costs were forecasted at $11.69 per Persons Served using the *Per Capita-Employee-Multiplier Method*. The Building & Safety Department issues building permits for all types of construction taking place within the City limits. This includes plan check services, inspection services, administration of Certificates of Occupancy, etc. The Building Department also inspects commercial establishments to determine compliance with applicable building and fire codes prior to occupancy or conducting business. In addition, it coordinates plan review from outside agencies such as Hemet Unified School District, Eastern Municipal Water District, and Riverside County Health Department.

M. DEVELOPMENT ENGINEERING

Development Engineering costs were forecasted at $4.92 per Persons Served using the *Per Capita-Employee-Multiplier Method*. The Development Engineering Division provides coordination, plan checking, inspection services, and permits issuance for private development projects. The Development Engineering Division interacts with developers, consultants, and the public, for the successful completion of every project. In-house personnel review a variety of improvement plans, subdivision maps, and studies such as: hydrology/hydraulics, traffic impact, water quality management, and all agreements and bonding requirements for residential and commercial projects.

TABLE 2F – OTHER GENERAL FUND COSTS (MULTIPLIER METHOD)

Category	Amount	Methodology
Police Department	$161.05	Persons Served
Animal Regulation	$1.10	Persons Served plus 50% Discount
Fire Department	$95.24	Persons Served
Fire Prevention / Weed Abatement	$1.38	Persons Served plus 50% Discount
Parks	$2.68	Persons Served plus 50% Discount
Library	$7.14	Persons Served plus 50% Discount
Simpson Center	$1.30	Persons Served plus 50% Discount
Planning	$11.94	Persons Served
Code Enforcement	$10.16	Persons Served
Building	$11.69	Persons Served
Development Engineering	$4.92	Persons Served

SECTION 3 FISCAL IMPACTS

I. TOTAL RECURRING REVENUES: CITY OF HEMET

Total recurring revenues to the City equal approximately $2,342,828 per year. As illustrated in **Table 3A** below, the largest percentage of revenue is attributed to the direct sales tax (50.0%) and property tax revenues (secured and unsecured) (16.5%), together constituting approximately 66.5% of total recurring revenues to the City General Fund. **Exhibits 1-6** of **Appendix A** provide additional details about all recurring revenues and the assumptions used in their derivation.

TABLE 3A
RECURRING FISCAL REVENUES (CITY GENERAL FUND)

Category	Amount	Percent*
Direct Sales Tax	$1,172,566	50.0%
Secured Property Tax	$367,401	15.7%
Property Tax In-Lieu of Vehicle License Fee	$362,423	15.5%
Indirect Sales Tax	$107,248	4.6%
General Administration	$86,666	3.7%
Community Development Revenues	$71,111	3.0%
Franchises	$39,248	1.7%
Other / Miscellaneous	$39,128	1.7%
Business Licenses	$25,625	1.1%
Unsecured Property Tax	$18,857	0.8%
Tax Revenue	$15,283	0.7%
Property Transfer Tax	$13,666	0.6%
Charges for Services	$10,520	0.4%
Investment Income	$4,676	0.2%
Fines and Penalties	$4,341	0.2%
Intergovernmental	$2,170	0.1%
Use of Money & Property	$1,839	0.1%
Licenses/Permits	$60	0.0%
Motor Vehicle Licensing Fees	$0	0.0%
Total Revenues	**$2,342,828**	**100.0%**

**Numbers may not sum due to rounding*

II. TOTAL RECURRING SERVICES COSTS: CITY OF HEMET

As illustrated in **Table 3B** below, total annual recurring costs to the City are estimated at **$1,140,928** per year. A majority of the costs are estimated to result from police services, fire services, and Project-specific parks maintenance costs. **Exhibits 2 and 7-10** of **Appendix**

A provide additional details about all recurring costs and the assumptions used in their derivation.

TABLE 3B
RECURRING FISCAL COSTS (CITY GENERAL FUND)

Category	Amount	Percent*
Police Department	$485,478	42.6%
Fire Department	$287,097	25.2%
Infrastructure & Parks Maintenance Costs	$139,105	12.2%
General Government	$71,561	6.3%
Planning	$35,993	3.2%
Building	$35,239	3.1%
Code Enforcement	$30,627	2.7%
Library	$21,523	1.9%
Development Engineering	$14,831	1.3%
Parks	$8,079	0.7%
Fire Prevention / Weed Abatement	$4,160	0.4%
Simpson Center	$3,919	0.3%
Animal Regulation	$3,316	0.3%
Total Costs	**$1,140,928**	**100.00%**

**Numbers may not sum due to rounding*

III. OVERALL NET FISCAL IMPACT TO THE CITY OF HEMET

As shown in **Table 3C** below, the overall fiscal impact to the City as a result of revenues generated by the Project is a recurring annual fiscal surplus of **$1,201,900** based on the generation of **$2,342,828** in recurring annual revenues and **$1,140,928** in recurring annual costs. Annual revenues are projected to equal **2.05** times the associated City General Fund costs. A summary of the overall fiscal impacts to the City is provided in **Exhibit 11** of **Appendix A.**

TABLE 3C
NET FISCAL IMPACT (CITY GENERAL FUND)

Category	Amount
Total Recurring Revenues	$2,342,828
Total Recurring Costs	($1,140,928)
Annual Recurring Surplus/(Deficit)	**$1,201,900**
Total Annual Revenue/Cost Ratio	*2.05*
Surplus per Residential Unit	$1,298

IV. OVERALL NET FISCAL IMPACT TO THE CITY OF HEMET WITH OFFICE COMPONENT

It has also been requested that DTA briefly evaluate the overall fiscal impact to the City as a result of a Ramona Creek Project Scenario (the "Scenario") that includes an office component of approximately 176,000 square feet (resulting in a retail component of approximately 313,000 square feet).

As shown in **Table 3D** below, the overall fiscal impact to the City as a result of revenues generated by the Scenario is a recurring annual fiscal surplus of **$748,337** based on the generation of **$1,846,288** in recurring annual revenues and **$1,097,951** in recurring annual costs. Annual revenues are projected to equal **1.68** times the associated City General Fund costs.

DTA feels that these figures provide a "lower bound" that can assist in the evaluation of not just the Scenario, but also of the overall Project. As evident, even with a significant office component (and a consequently reduced retail element), the Annual Revenue/Cost Ratio is still impressive, and continues to demonstrate, inter alia, that the Scenario and the Project (or some combination thereof) will have a very positive impact on the City's General Fund.

TABLE 3D
NET FISCAL IMPACT (CITY GENERAL FUND) WITH OFFICE COMPONENT

Category	Amount
Total Recurring Revenues	$1,846,288
Total Recurring Costs	($1,097,951)
Annual Recurring Surplus/(Deficit)	**$748,337**
Total Annual Revenue/Cost Ratio	*1.68*
Surplus per Residential Unit	$808

APPENDIX A

FISCAL IMPACT MODEL

EXHIBIT A-1
HEMET, CALIFORNIA: RAMONA CREEK PROJECT
CITY GENERAL FUND REVENUES (BY TYPE)

I. **Demographics and Other Data**

2012 Estimated City Population [1]	80,089
2012 Estimated City Employees [2]	17,376
2012 Persons Served Population [3]	88,777

Notes:

[1] California Department of Finance, Price and Population Information, January 1, 2012.

[2] California Employment Development Department ("EDD") - Labor Market Information Division, 2011 Annual Average NAICS Sector Data.

[3] Assumes City population plus 50% of employees.

[4] Certain revenues are not expected to increase one-to-one with the new development. A discount of 25% was applied to reflect the estimated ratio of fixed revenues to variable revenues and/or one-time to recurring revenues.

II. **City Revenue Sources (by Type)**

Revenue Type	Total Revenues	Revenue Type	Fiscal Impact Basis	Discount [4]	Fiscal Impact Revenue Factor
Tax Revenue	**$13,954,000**		**Persons Served**		**$5.07**
Property Taxes - Current Secured	$3,600,000	Recurring	Case Study	0%	NA
Property Tax - Current Unsecured	$204,000	Recurring	Case Study	0%	NA
Prior Year Property Taxes	$200,000	Recurring	Case Study	0%	NA
Delinquent & Other Property Taxes	$150,000	Recurring	Case Study	0%	NA
Sales and Use Taxes	$9,050,000	Recurring	Case Study	0%	NA
Property Transfer Tax	$150,000	Recurring	Case Study	0%	NA
Transient Occupancy Tax	$600,000	Recurring	Persons Served	25%	$5.07
Business Licenses	**$364,600**	**Recurring**	**Per Employee**	**0%**	**$20.98**
Franchises	**$1,156,000**	**Recurring**	**Persons Served**	**0%**	**$13.02**
Licenses/Permits	**$2,100**	**Recurring**	**Persons Served**	**0%**	**$0.02**
General Administration	**$2,552,200**	**Recurring**	**Persons Served**	**0%**	**$28.75**
Charges for Services	**$412,900**	**Recurring**	**Persons Served**	**25%**	**$3.49**
Use of Money & Property	**$54,000**	**Recurring**	**Persons Served**	**0%**	**$0.61**
Interest Income	**$50,000**	**Recurring**	**Case Study**	**0%**	**NA**
Fines and Penalties	**$128,200**	**Recurring**	**Persons Served**	**0%**	**$1.44**
Intergovernmental	**$64,200**	**Recurring**	**Persons Served**	**0%**	**$0.72**
VLF/Property Tax Compensation	**$4,979,300**	**Recurring**	**Case Study**	**0%**	**NA**
Community Development Revenues	**$2,094,300**	**Recurring**	**Persons Served**	**0%**	**$23.59**
Transfers In	**$600,000**	**Non-Recurring**	**NA**	**0%**	**NA**
Other / Miscellaneous	**$1,536,600**	**Recurring**	**Persons Served**	**25%**	**$12.98**
Total Recurring Revenues	**$27,348,400**				

EXHIBIT A-2
HEMET, CALIFORNIA: RAMONA CREEK PROJECT
CITY GENERAL FUND EXPENDITURES (BY TYPE)

I. Demographics and Other Data

2012 Estimated City Population [1]	80,089
2012 Estimated City Employees [2]	17,376
2012 Persons Served [3]	88,777

Notes:

[1] California Department of Finance, Price and Population Information, January 1, 2012.

[2] California Employment Development Department ("EDD") - Labor Market Information Division, 2011 Annual Average NAICS Sector Data.

[3] Assumes City population plus 50% of employees.

[4] Certain expenditures are not expected to increase one-to-one with the new development. A discount of 50% was applied to reflect the estimated ratio of fixed expenditures to variable expenditures and/or one-time to recurring expenditures.

II. City Expenditures (by Type)

Expenditure Type	Total Expenditures	Revenue Type	Fiscal Impact Basis	Discount [4]	Fiscal Impact Revenue Factor
GENERAL GOVERNMENT					
City Council	$203,800	Recurring	Case Study	0%	NA
City Manager	$520,600	Recurring	Case Study	0%	NA
City Clerk	$187,000	Recurring	Case Study	0%	NA
Finance	$898,200	Recurring	Case Study	0%	NA
Treasurer	$25,500	Recurring	Case Study	0%	NA
Human Resources	$717,100	Recurring	Case Study	0%	NA
NON-GENERAL GOVERNMENT					
Police Department	$14,297,600	Recurring	Persons Served	0%	$161.05
Animal Regulation	$196,000	Recurring	Persons Served	50%	$1.10
Fire Department	$8,455,300	Recurring	Persons Served	0%	$95.24
Fire Prevention / Weed Abatement	$245,000	Recurring	Persons Served	50%	$1.38
Parks	$475,600	Recurring	Persons Served	50%	$2.68
Library	$1,267,000	Recurring	Persons Served	50%	$7.14
Simpson Center	$231,300	Recurring	Persons Served	50%	$1.30
Planning	$1,060,100	Recurring	Persons Served	0%	$11.94
Code Enforcement	$902,100	Recurring	Persons Served	0%	$10.16
Building	$1,037,700	Recurring	Persons Served	0%	$11.69
Development Engineering	$436,400	Recurring	Persons Served	0%	$4.92
Estimated MOU Savings	($1,400,000)	Non-Recurring	NA	0%	NA
Transfers Out	$427,000	Non-Recurring	NA	0%	NA
Total Recurring Expenditures	**$31,156,300**				

EXHIBIT A-3
HEMET, CALIFORNIA: RAMONA CREEK PROJECT
LAND USE AND DEMOGRAPHICS SUMMARY

FUTURE LAND USE DATA

I. Ramona Creek Project Developable Land Use Description

		Number of Units [1]
A.	**Residential Land Uses**	
	Single-Family Detached	401
	Multi-family	525

		Sq. Ft. [1]
B.	**Commercial Land Uses**	
	Retail	488,569
	Non-Retail	0

DEMOGRAPHIC DATA

II. Demographics

		Persons per Household [2]
A.	**Residential Land Use Population**	
	Persons per Household	2.60

		Sq. Ft. per Employee [3]
B.	**Non-Residential Land Use Employee Generation**	
	Commercial Land Uses	
	Retail	400
	Non-Retail	1,667

POPULATION AND EMPLOYEES (CALCULATIONS)

III.	Residential Land Use Type	Number of Units	Residential Population
	Single-Family Detached	401	1,041
	Multi-family	525	1,363

IV.	Non-Residential Land Use Type	Sq. Ft.	Total Direct Employees
	Retail	488,569	1,221
	Non-Retail	0	0

SOI POPULATION AND EMPLOYEES (TOTALS)

V.	**Total Projected Residential Population**	**2,404**
VI.	**Total Projected Direct Employees**	**1,221**
VII.	**Total Persons Served Population**	**3,014**

NOTES:

[1] Source: Regent Properties, City of Hemet.

[2] California Department of Finance - Demographic Research Unit, Census 2010 Demographic Profile Summary File, generated May 12, 2011.

[3] Source: DTA Public Works Database; confirmed by "Employment Density Study," SCAG (2001), and "Logistics Trends and Specific Industries," NAIOP Research Foundation (March 2010).

* *All figures subject to rounding*

EXHIBIT A-4
HEMET, CALIFORNIA: RAMONA CREEK PROJECT
PROPERTY TAX REVENUE ANALYSIS

GENERAL PROPERTY TAX ASSUMPTIONS

I. Property Tax Allocation (as a Portion of the 1% General Property Tax Levy)

	City of Hemet [1]
Category / Code	
City of Hemet / 02-2407 [2]	0.12356363
	12.36%

II. Homeowner's Exemption

Homeowner's Exemption (Annually)	$7,000
Percent of Sale Units Taking Homeowner's Exemption [3]	90%

ASSESSED VALUATION ASSUMPTIONS

III. Assessed Valuation - Projected Land Uses

Residential Land Uses	
A. Single-Family Detached Units	
Number of Units [4]	401
Estimated Blended Sales Price per Unit [5]	$275,000
Total Estimated Net Taxable Value (Includes Estimated Takedown from Homeowner's Exemptions)	$107,748,700
B. Multi-family	
Number of Units [4]	525
Estimated Sales Price per Unit [5]	$175,000
Total Estimated Net Taxable Value	$91,875,000
Non-Residential Land Uses	
C. Retail	
Estimated Number of Sq. Ft. [4]	488,569
Estimated Valuation per Sq. Ft. [6]	$200
Total Estimated Net Taxable Value	$97,713,800
D. Non-Retail	
Estimated Number of Sq. Ft. [4]	0
Estimated Valuation per Sq. Ft. [6]	$90
Total Estimated Net Taxable Value	$0
E. Total Land Use Net Taxable Value (Includes Takeout from Homeowner's Exemption)	$297,337,500

OTHER PROPERTY TAX REVENUE ASSUMPTIONS

IV. Unsecured Property Taxes - Assumptions [7]

Residential	
Unsecured Taxes as a % of Secured	2.75%
Non-Residential	
Unsecured Taxes as a % of Secured	10.00%

V. Property Tax Transfer - Assumptions [8]

Residential Property Turnover Rate	10.00%
Non-Residential Property Turnover Rate	5.00%
Transfer Tax as a % of Assessed Value	0.11%
Property Transfer Tax Passed Through to City of Hemet	50.00%

VI. Motor Vehicle Licensing Fees - Assumptions

Vehicle Licensing Fees per Capita	NA

VII. Property Tax In-Lieu of Vehicle License Fee - Assumptions

Total City of Hemet Gross Assessed Value [9]	$4,071,013,000
City of Hemet Property Tax In-Lieu of Vehicle License Fee [10]	$4,979,300
Property Tax In-Lieu of Vehicle License Fee Increase per $1,000 Assessed Value	$1.22

EXHIBIT A-4
HEMET, CALIFORNIA: RAMONA CREEK PROJECT
PROPERTY TAX REVENUE ANALYSIS

Fiscal Impact Calculation

VIII. Fiscal Impact Category	Fiscal Impact Amount
A. Secured Property Tax	
Residential Land Uses	
Single-Family Detached	$133,138
Multi-family	$113,524
Non-Residential Land Uses	
Commercial Land Uses	
Retail	$120,739
Non-Retail	$0
B. Unsecured Property Tax	
Residential Land Uses	
Single-Family Detached	$3,661
Multi-family	$3,122
Non-Residential Land Uses	
Commercial Land Uses	
Retail	$12,074
Non-Retail	$0
C. Property Transfer Tax	
Residential Land Uses	
Single-Family Detached	$5,926
Multi-family	$5,053
Non-Residential Land Uses	
Commercial Land Uses	
Retail	$2,687
Non-Retail	$0
D. Motor Vehicle Licensing Fees [11]	$0
E. Property Tax In-Lieu of Vehicle License Fee [12]	
Projected Residential and Non-Residential Land Uses	$362,423
Total Property Tax Revenues	**$762,347**

NOTES:

[1] Based on "General Fund" levy for Tax Rate Area (TRA). Data provided by the County of Riverside Auditor-Controller's Office. TRA allocations adjusted for ERAF. As agreed, figure does not include non-General Funds.

[2] Though no TRAs are in unincorporated Riverside County, the City of Hemet would, in that event, receive 25% of the incremental ERAF-adjusted tax allocation post annexation. Source: Resolution No. 81-21 - Master Property Tax Transfer Between the City of Hemet and the County of Riverside Relating to Annexations, dated August 4, 1981.

[3] Estimate, subject to change.

[4] Please see Exhibit A-3. Subject to change.

[5] Source: Regent Properties.

[6] Estimated valuation per square foot based on recently conducted fiscal impact studies by DTA and research conducted by DTA for recently constructed comparable buildings in the Inland Empire. Estimate, subject to change

[7] Based on typical DTA baseline assumptions.

[8] Source: California Revenue & Taxation Code §11901, et seq.; Hemet Municipal Code §74-112.

[9] Source: Riverside County Assessor Annual Report; Fiscal Year 2011-12, City of Hemet total assessed value.

[10] Source: City of Hemet Operating Budget, Fiscal Year 2011-2012.

[11] City of Hemet no longer receiving motor vehicle licensing fees.

[12] Property Tax in-lieu of Vehicle Licensing Fees applies to incremental property value post-annexation. Current estimated land value of Project site of $1,025,243 excluded from calculation.

* ***All figures subject to rounding***

EXHIBIT A-5
HEMET, CALIFORNIA: RAMONA CREEK PROJECT
SALES TAX REVENUE ANALYSIS

INDIRECT SALES TAX ASSUMPTIONS

I. Residential Indirect Sales Tax Assumptions

A. Mortgage Assumptions

Projected Residential Units	
Single-Family Residential and Multi-family	
Projected Sales Price per Unit (Blended)	$218,000
Average Mortgage (20% Down Payment) [1]	$174,400
Annual Mortgage Payment (8% for 30 Years) [2]	$15,356
Additional Annual Taxes & Insurance (2.00%)	$4,360

B. Disposable Income Assumptions

Projected Residential Units	
Single-Family Residential and Multi-family	
Average Household Income (3:1 Income to Household Payment Ratio) [1]	$59,148.68
Retail Taxable Expenditures (as a % of Disposable Income) [3]	29.87%

C. Other Indirect Sales Tax Assumptions

Employees (annual spending per employee) [4]	$4,168
Retail Taxable Sales Capture	
City of Hemet Retail Taxable Purchase Capture [5]	50%
Other Sales Tax Assumptions	
% to the City of Hemet [6]	1.00%

DIRECT SALES TAX ASSUMPTIONS

II. Non-Residential Direct Sales Tax Assumptions

A. Taxable Sales per Sq. Ft. [7]	
Non-Residential	
Retail	$300
Non-Retail	$0
B. Displaced Taxable Sales	
Displaced Existing Taxable Sales within the City of Hemet [8]	20%

FISCAL IMPACT CALCULATION

III. Fiscal Impact Category	Fiscal Impact Amount
A. Indirect Sales Tax	
Projected Residential Land Uses	
Single-Family Residential and Multi-family	$81,796
Employee Taxable Sales	$25,452
B. Direct Sales Tax [7]	
Projected Non-Residential Land Uses	
Commercial Land Uses	
Retail	$1,172,566
Non-Retail	$0
Total Sales Tax Revenues	**$1,279,814**

NOTES:

[1] DTA estimates. Subject to change.
[2] DTA estimate. Annual payment includes principal, interest, property taxes, and homeowner's insurance.
[3] Source: BOE *2008 Consumer Expenditure Survey.*
[4] Source: "Office Worker Retail Spending Patterns: A Downtown and Suburban Area Study," ICSC (2004). Adjusted for inflation assuming 3% annual inflation rate.
[5] Estimate, subject to change.
[6] Source: Hemet Municipal Code §74-40.
[7] Based on the median sales per sq. ft. figure for retail centers as outlined in "Dollars and Cents of Shopping Centers" (2008) published by the Urban Land Institute.
[8] Estimate, subject to change.
* ***All figures subject to rounding***

EXHIBIT A-6
HEMET, CALIFORNIA: RAMONA CREEK PROJECT
INVESTMENT INCOME REVENUES ANALYSIS

ASSUMPTIONS

I.	**Investment Income Assumptions**	
	Investment Period for Recurring Non-Interest General Fund Revenues	12 Months
	Local Agency Investment Fund (LAIF) Rate of Return [1]	0.40%
	Local Agency Investment Fund (LAIF) Percentage of Earnings Cost [2]	50.00%

FISCAL IMPACT CALCULATION

II.	**Fiscal Impact Category**	**Fiscal Impact Amount**
	Total Property Tax Revenues (Exhibit 4)	$762,347
	Total Sales Tax Revenues (Exhibit 5)	$1,279,814
	Total Multiplier Revenues (Exhibit 7)	$295,991
	Projected Recurring General Fund Revenues Available for Investment	**$2,338,152**
	Plus: Investment Income (Less Earnings Cost)	$4,676
	Total Recurring General Fund Revenues	**$2,342,828**

NOTES:

[1] 49-Quarter Average (March Beginning 2000 to September Ending 2011) is 3.0%, yet current rate is ~0.40%, LAIF Apportionment Rates as provided by the California State Treasurer.

[2] Based on quarter ending September 30, 2010, LAIF Administrative Earnings Costs as provided by the California State Treasurer.

* ***All figures subject to rounding***

EXHIBIT A-7
HEMET, CALIFORNIA: RAMONA CREEK PROJECT
MULTIPLIER REVENUE SOURCES ANALYSIS

ASSUMPTIONS

I. Multiplier Revenues

Revenue Category	Multiplier Factor [1]	Revenue Projection Basis
Tax Revenue	$5.07	Persons Served
Business Licenses	$20.98	Per Employee
Franchises	$13.02	Persons Served
Licenses/Permits	$0.02	Persons Served
General Administration	$28.75	Persons Served
Charges for Services	$3.49	Persons Served
Use of Money & Property	$0.61	Persons Served
Fines and Penalties	$1.44	Persons Served
Intergovernmental	$0.72	Persons Served
Community Development Revenues	$23.59	Persons Served
Other / Miscellaneous	$12.98	Persons Served

FISCAL IMPACT CALCULATION

II. Fiscal Impact Category	Fiscal Impact Amount
Tax Revenue	$15,283
Business Licenses	$25,625
Franchises	$39,248
Licenses/Permits	$60
General Administration	$86,666
Charges for Services	$10,520
Use of Money & Property	$1,839
Fines and Penalties	$4,341
Intergovernmental	$2,170
Community Development Revenues	$71,111
Other / Miscellaneous	$39,128
Total Multiplier Revenues	**$295,991**

NOTES:

[1] Based on City of Hemet Operating Budget, Fiscal Year 2011-2012.

* ***All figures subject to rounding***

EXHIBIT A-8
HEMET, CALIFORNIA: RAMONA CREEK PROJECT
MULTIPLIER EXPENDITURES ANALYSIS

ASSUMPTIONS

I. Multiplier Expenditures

Expenditure Category	Multiplier Factor [1]	Expenditure Projection Basis [1]
Police Department	$161.05	Persons Served
Animal Regulation	$1.10	Persons Served
Fire Department	$95.24	Persons Served
Fire Prevention / Weed Abatement	$1.38	Persons Served
Parks	$2.68	Persons Served
Library	$7.14	Persons Served
Simpson Center	$1.30	Persons Served
Planning	$11.94	Persons Served
Code Enforcement	$10.16	Persons Served
Building	$11.69	Persons Served
Development Engineering	$4.92	Persons Served

FISCAL IMPACT CALCULATION

II. Fiscal Impact Category	Fiscal Impact Amount
Police Department	**$485,478**
Animal Regulation	$3,316
Fire Department	**$287,097**
Fire Prevention / Weed Abatement	$4,160
Parks	$8,079
Library	$21,523
Simpson Center	$3,919
Planning	$35,993
Code Enforcement	$30,627
Building	$35,239
Development Engineering	$14,831
Total Multiplier Expenditures	**$930,262**

NOTES:

[1] Based on City of Hemet Operating Budget, Fiscal Year 2011-2012.

* ***All figures subject to rounding***

EXHIBIT A-9
HEMET, CALIFORNIA: RAMONA CREEK PROJECT
CASE STUDY EXPENDITURES ANALYSIS

Infrastructure & Parks Maintenance Costs

I.	**Estimated Additional Infrastructure Requirements [1]**	
	Estimated Lane Miles of Roadway	0.0
	Estimated Number of Signalized Intersections	0
	Estimated Number of Streetlights	0
	Estimated Acres of Parks	11.5
	Estimated Acres of Open Space/Slopes	25.4
	Estimated Acres of Basin	0.0
	Estimated Mileage of Storm Drains	0.0
	Estimated Mileage of Sidewalks/Trails	0.0
II.	**Estimated Annual Costs [2]**	
	Roadway Maintenance Costs per Lane Mile	$7,834
	Traffic Signal Maintenance per Intersection	$4,938
	Street Light Maintenance per Light	$126
	Park Maintenance Costs per Acre	$10,955
	Open Space/Slope Maintenance per Acre	$517
	Basin/Lake Maintenance per Acre	$5,164
	Storm Drain Maintenance Per Mile	$1,177
	Sidewalk/Trail Mileage per Lineal Mile	$3,497
III.	**Estimated Annual Infrastructure & Parks Maintenance Calculation**	
	Roadways	$0
	Signalized Intersections	$0
	Street Lights	$0
	Parks	$125,986
	Open Space	$13,119
	Basin	$0
	Storm Drains	$0
	Sidewalks/Trails	$0
	Total Infrastructure & Parks Maintenance Costs	**$139,105**

NOTES:

[1] Source: Regent Properties; reflects only those improvements to be operated and maintained by the City's General Fund. Subject to change.

[2] Based on data obtained from the DTA Public Works database, in concert with research from the Engineering News-Record.
Also for discussion purposes and to provide the City with preliminary information of how large the L.L.D., A.D., C.F.D., or H.O.A. would need to be to handle infrastructure costs.

* ***All figures subject to rounding***

EXHIBIT A-10
HEMET, CALIFORNIA: RAMONA CREEK PROJECT
GENERAL GOVERNMENT EXPENDITURES ANALYSIS

ASSUMPTIONS

Total Recurring General Fund Expenditures (excluding General Government Overhead) [1]	$28,604,100
Recurring General Government Overhead Expenditures (as a % of Total Recurring General Fund Expenditures) [2]	9%
Marginal Increase in General Government Costs [3]	75%

FISCAL IMPACT CALCULATION

I. Fiscal Impact Category	Fiscal Impact Amount
Total Multiplier Expenditures (Exhibit 8)	$930,262
Total Case Study Expenditures (Exhibit 9)	$139,105
Projected Recurring General Fund Expenditures	**$1,069,367**
Plus: General Government Costs	$71,561
Total Recurring Expenditures	**$1,140,928**

NOTES:

[1] Based on City of Hemet Operating Budget, Fiscal Year 2011-2012.

[2] General Government Overhead Expenditures defined as costs for City Council, City Manager, City Clerk, Finance, Treasurer, and Human Resources.

[3] Estimate, subject to change. Current City staffing numbers are likely artificially low and are thus not suitable for serving new development.

* ***All figures subject to rounding***

EXHIBIT A-11
HEMET, CALIFORNIA: RAMONA CREEK PROJECT
NET FISCAL IMPACT SUMMARY

RECURRING GENERAL FUND REVENUES [1]	AMOUNT	PERCENT OF TOTAL
Secured Property Tax	$367,401	15.7%
Unsecured Property Tax	$18,857	0.8%
Property Transfer Tax	$13,666	0.6%
Motor Vehicle Licensing Fees	$0	0.0%
Property Tax In-Lieu of Vehicle License Fee	$362,423	15.5%
Direct Sales Tax	$1,172,566	50.0%
Indirect Sales Tax	$107,248	4.6%
Tax Revenue	$15,283	0.7%
Business Licenses	$25,625	1.1%
Franchises	$39,248	1.7%
Licenses/Permits	$60	0.0%
General Administration	$86,666	3.7%
Charges for Services	$10,520	0.4%
Use of Money & Property	$1,839	0.1%
Fines and Penalties	$4,341	0.2%
Intergovernmental	$2,170	0.1%
Community Development Revenues	$71,111	3.0%
Other / Miscellaneous	$39,128	1.7%
Investment Income	$4,676	0.2%
Total Recurring General Fund Revenues	**$2,342,828**	**100.0%**

RECURRING GENERAL FUND EXPENDITURES [2]	AMOUNT	PERCENT OF TOTAL
Police Department	$485,478	42.6%
Animal Regulation	$3,316	0.3%
Fire Department	$287,097	25.2%
Fire Prevention / Weed Abatement	$4,160	0.4%
Parks	$8,079	0.7%
Library	$21,523	1.9%
Simpson Center	$3,919	0.3%
Planning	$35,993	3.2%
Code Enforcement	$30,627	2.7%
Building	$35,239	3.1%
Development Engineering	$14,831	1.3%
General Government	$71,561	6.3%
Infrastructure & Parks Maintenance Costs	$139,105	12.2%
Total Recurring General Fund Expenditures	**$1,140,928**	**100.0%**

NET FISCAL IMPACT	
Total Annual Recurring General Fund Surplus/(Deficit)	**$1,201,900**
Total Annual Revenue/Expenditure Ratio	**2.05**
Total Fiscal Surplus/(Deficit) per Unit	**$1,298**

NOTES:

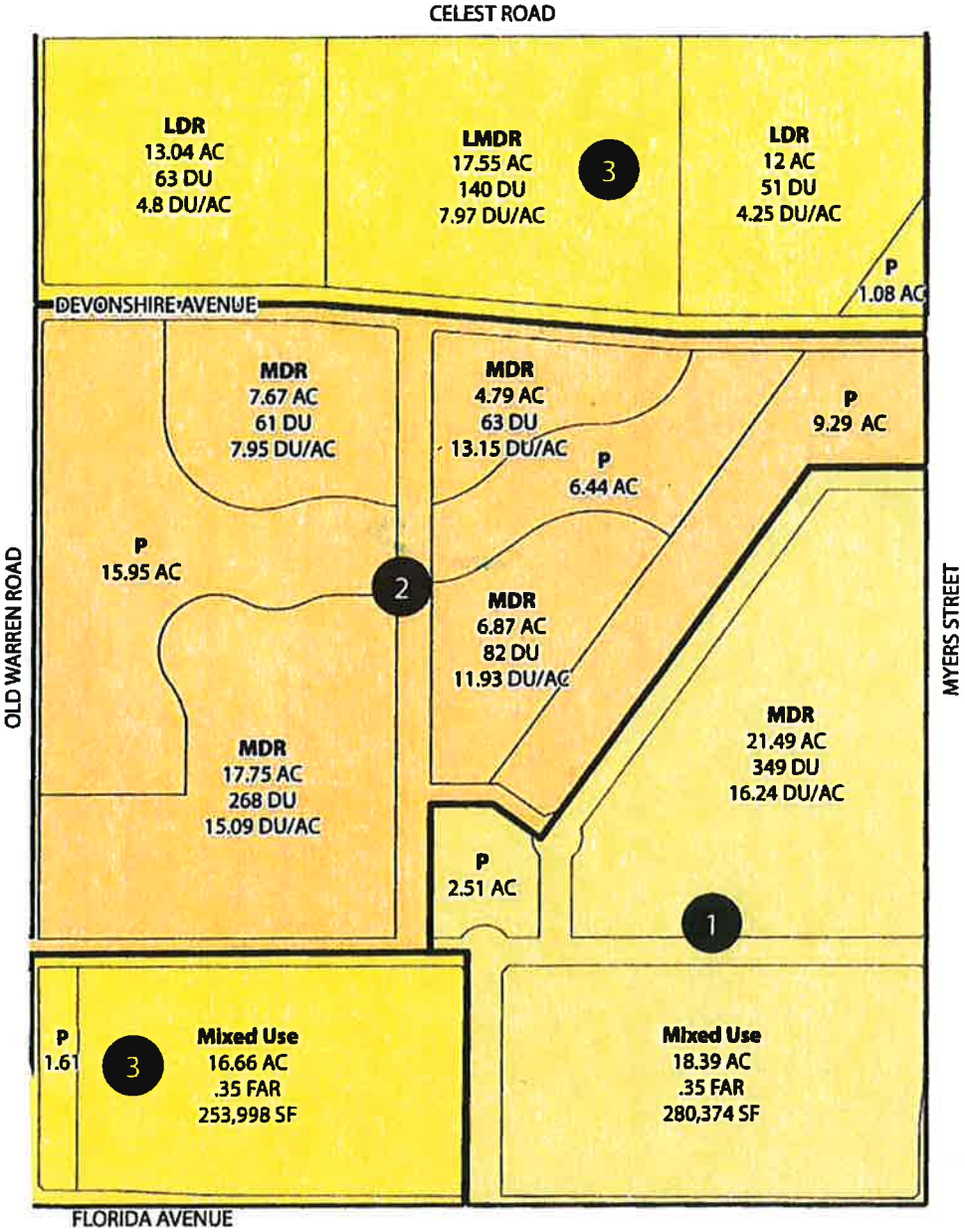
[1] Please see Exhibits 4-7 for the derivation of these calculations.

[2] Please see Exhibits 8-10 for the derivation of these calculations.

* ***All figures subject to rounding***

APPENDIX B

RAMONA CREEK LAND USE PLAN


CELEST ROAD
LDR
13.04 AC
63 DU
4.8 DU/AC
LMDR
17.55 AC
140 DU
7.97 DU/AC
3
LDR
12 AC
51 DU
4.25 DU/AC
P
1.08 AC
DEVONSHIRE AVENUE
MDR
7.67 AC
61 DU
7.95 DU/AC
MDR
4.79 AC
63 DU
13.15 DU/AC
P
9.29 AC
P
6.44 AC
P
15.95 AC
2
MDR
6.87 AC
82 DU
11.93 DU/AC
OLD WARREN ROAD
MYERS STREET
MDR
21.49 AC
349 DU
16.24 DU/AC
MDR
17.75 AC
268 DU
15.09 DU/AC
P
2.51 AC
1
P
1.61
3
Mixed Use
16.66 AC
.35 FAR
253,998 SF
Mixed Use
18.39 AC
.35 FAR
280,374 SF
FLORIDA AVENUE

#16

Staff Report

TO: Honorable Mayor and Members of the Hemet City Council

FROM: Wally Hill, City Manager
Deanna Elliano, Community Development Director

DATE: June 10, 2014

RE: **RAMONA CREEK TENTATIVE TRACT MAP NO. 36510** - A proposed Ramona Creek master tentative tract map to subdivide the site into 37 large numbered lots for future conveyance and development, and 49 lettered lots.

PROJECT APPLICANT INFORMATION:

Owner:	Regent Properties
Authorized Agent:	Daniel Gryczman, Regent Properties
Project Location:	Northwest corner of West Florida Avenue and Myers Street
APN Information:	448-090-003
Lot Area:	208.9± acres

RECOMMENDED ACTION:

That the City Council:

1. *Adopt City Council Resolution Bill No. 14-019 (Attachment No. 1), approving Tentative Tract Map No. 36510, subject to the findings and conditions of approval, as recommended by the Planning Commission.*

BACKGROUND

Regent Properties is proposing a Specific Plan and associated Master Tentative Tract Map and General Plan Amendment, to establish a master planned development of mixed commercial and residential uses on a 208.9± acre site located on the northwest corner of West Florida Avenue and Myers Street, as shown in the Locational Map (Attachment A). The project site represents a key western gateway to the City, and is one of the largest vacant land holdings in the City that is under a single ownership. The City's 2030 General Plan recognized this site as having great potential for a comprehensive mixed-use commercial and residential community, and determined that a Specific Plan would be the appropriate land use mechanism to achieve the highest and best use of the property. The proposed Ramona Creek Specific Plan provides a vision, development plan, and implementation program consistent with the City's adopted General Plan for the site. The proposed master tentative tract map serves to further implement the Specific Plan, and delineates the planning areas for future development of the property by the applicant or builders.

The property was previously known as the Garrett Ranch property, and has historically been used for farming. The site is presently vacant agricultural land zoned C-2 (General Commercial), M-2 (General

Industrial), R-1-6 (Single Family Residential), and A-5 (Agricultural). (See Exhibit A.) Adoption of the Specific Plan will replace the present zoning and development standards for the property. Adjacent to the project site includes the existing Florida Promenade commercial development located to the east, the Hemet Auto Mall and Hemet West Mobile Home Park to the south, the undeveloped (but approved) Tres Cerritos Specific Plan to the north, and vacant land area and Warren Road to the west.

TENTATIVE TRACT MAP NO. 36510

The applicant is proposing to subdivide the site into 37 lots for future development and 49 lettered lots for open space and setbacks, as shown in Attachment No. 2. The lots range in size from 1.38 acres (Lot 24) to 6.95 acres (Lot 7). The lots are portions of the various planning areas in the Specific Plan (See Attachment B). However, additional lots are being created in the commercial and the larger residential planning areas to allow for future flexibility in adjusting the lot lines when actual development plans are submitted.

TTM 36510 would dedicate the master plan street rights-of-way and allow for construction of the backbone infrastructure for the project. Additionally there are 49 lettered lots that are for perimeter landscape lots, open space and park areas. These areas would be publically owned and maintained either by a Lighting & Landscape Maintenance District (L&LMD) or Property Owners Association (POA), per the Specific Plan.

It is anticipated that the larger lots will eventually be further subdivided into residential lots or commercial parcel maps, in conjunction with the actual development projects.

ENVIRONMENTAL IMPACT REPORT

A Draft Environmental Impact Report (DEIR) was prepared for the project and circulated for a 45-day comment period starting on March 21, 2014 and ending on May 5, 2014. The DEIR addresses several primary issues including aesthetics, agricultural resources, air quality, greenhouse gas emissions, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, noise, public service, traffic and utilities. Mitigation measures proposed for many of the impacts are provided in the Mitigation Summary (MMRP) found in Chapter 1 (Executive Summary) of the associated DEIR.

Responses to the public comments on the DEIR were prepared by the environmental consultant and incorporated into the Final EIR, the Mitigation Monitoring and Reporting Program (MMRP), and Findings of Fact and Statement of Overriding Considerations. The responses to comments, Planning Commission recommendation and Final EIR will then be reviewed in conjunction with the project applications by the City Council prior to final approval of the project.

POLICIES, REQUIREMENTS AND GUIDELINES REVIEW

The proposed Tentative Tract Map and Ramona Creek Specific Plan (SP 12-001) were reviewed by the City staff Design Review Committee (DRC) at multiple meetings for consistency with the City's applicable policies, requirements and guidelines. Subsequently, the DRC has recommended that the map be found consistent with the City's General Plan, Zoning Ordinance and other development requirements and guidelines subject to the Conditions of Approval found in Attachment 1B.

PUBLIC NOTICE AND COMMUNICATIONS

Owners of properties in the project area and those within a 500 foot radius were notified by mailed notice on May 29, 2014. The general public was notified on May 28, 2014 with a legal advertisement in the Press Enterprise. Copies of the Specific Plan, Tentative Maps, and DEIR were sent to the responsible agencies and were made available at the Planning Division, Hemet Public Library and on the City's website. As of the date of this report, the Planning Department has not received any letters of comment from the public regarding the proposed tentative tract map.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed the proposed subdivision at its public hearing on May 6, 2014. The Commission unanimously recommended that the City Council approve TTM 36510. Its recommendation is found in Attachment 2 with modified Conditions of Approval.

CONCLUSION

The proposed map will allow future development of the Specific Plan in a manner that is consistent with the vision outlined in the Ramona Creek Specific Plan and the City's 2030 General Plan. The proposed subdivision map will serve as the "master map" for the property and establishes the location and sizing of the backbone infrastructure needed to serve the development. The map also allows for the sale of parcels to residential and commercial builders for individual projects. The development lots will be further subdivided as specific development proposals are submitted to the City.

Respectfully submitted,

Ronald Running
Project Planner

Reviewed by,

Deanna Elliano
Community Development Director

RR/mc

ATTACHMENTS

A) Locational Exhibit
B) Proposed Ramona Creek Specific Plan Land Use Plan (Figure 5-5)
1) City Council Resolution Bill No. 14-019 for TTM No. 36510
   - **a.** 8 ½" x 11" Reduction of TTM No. 36510
   - **b.** Conditions of Approval
2) Planning Commission Resolution No. 14-012 recommending approval of TTM No. 36510.
3) Tentative Tract Map No. 36510 – Full Size **(Provided to the City Council only)**

INCORPORATED HEREIN BY REFERENCE

City of Hemet General Plan
City of Hemet General Plan EIR
City of Hemet Zoning Ordinance
City of Hemet Subdivision Ordinance
Project Site's Riverside County Integrated Plan Multi-Species Habitat Conservation Plan Summary Report
Contents of City of Hemet Planning Division Project File(s) SP No. 12-001, GPA 12-005 and TTM 36510

Attachment No. A

Locational Exhibit

City Council
Public Meeting of
June 10, 2014

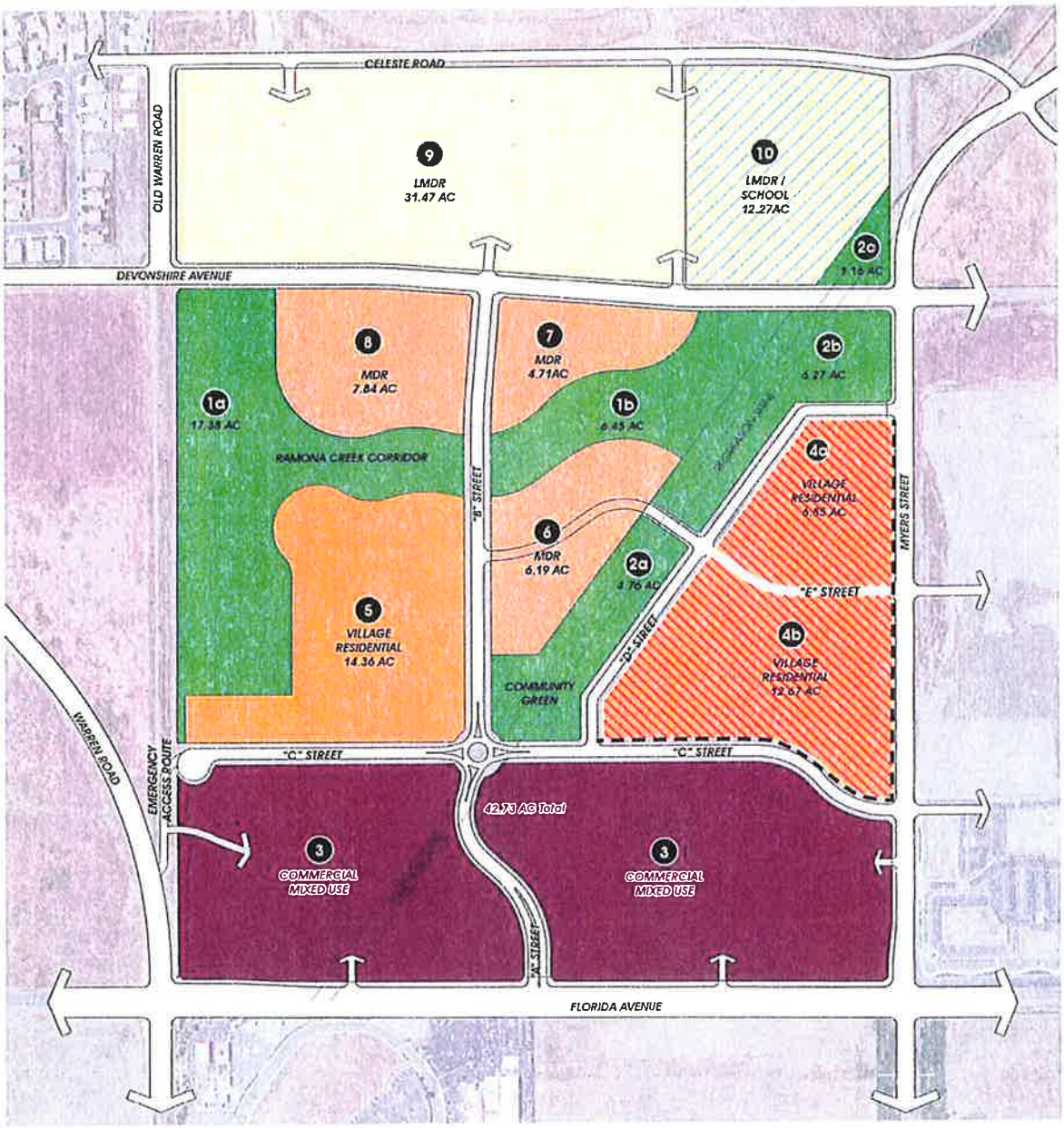
Figure 2-3. Aerial Photograph

TTM 36510

Attachment No. B

Proposed Ramona Creek Specific Plan Land Plan (SP 12-001)

City Council
Public Meeting of
June 10, 2014



LEGEND

- LOW MEDIUM DENSITY RESIDENTIAL (LMDR) (3.0-8.0 DU/AC)
- MEDIUM DENSITY RESIDENTIAL (MDR) (8.1-18.0 DU/AC)
- VILLAGE RESIDENTIAL (12.0-30.0 DU/AC)
- COMMERCIAL MIXED USE
- OPEN SPACE
- MIXED USE OVERLAY
- SCHOOL OVERLAY
- # PLANNING AREAS
- LIVE-WORK UNITS

Figure 2-4A. Land Use Plan

SP 12–001

Attachment No. 1

City Council Reso. Bill No. 14-019 for TTM 36510

City Council
Public Meeting of
June 10, 2014

CITY OF HEMET
Hemet, California

RESOLUTION BILL NO. 14-019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEMET, CALIFORNIA APPROVING TENTATIVE TRACT MAP NO. 36510 (MAP12-001) PERTAINING TO A 208.9± ACRE SITE LOCATED ON THE NORTHWEST CORNER OF WEST FLORIDA AVENUE AND MYERS STREET (APN: 448-090-003).

WHEREAS, concurrent applications for General Plan Amendment No. 12-005, SP 12-001 establishing the Ramona Creek Specific Plan, and Tentative Tract Map No. 36510 (MAP12-001), for the subdivision of a 208.9-acre site into 37 commercial and residential lots and forty-nine (49) lettered lots for drainage and open space improvements, have been duly filed by:

Owner/Applicant:	Regent Properties
Agent:	Daniel Gryczman, Regent Properties
Project Location:	Northwest corner of West Florida Avenue and Myers Street
Lot Area:	208.9 Acres
APNs:	448-090-003; and

WHEREAS, the Municipal Code allows for subdivision of the subject property into 37 commercial and residential lots and 49 lettered lots (non-development), subject to the approval of a Tentative Tract Map; and

WHEREAS, pursuant to Section 70-133(d) of the Hemet Municipal Code, in the case of a subdivision proposed in conjunction with a concurrently proposed general plan amendment or planned community plan amendment, the Planning Commission shall review and advise the City Council, as the decision-making body, of the Planning Commission's recommendation regarding the subdivision; and

WHEREAS, in accordance with Government Code Section 65090, on March 21, 2014, the City gave public notice by advertising in the Press Enterprise and by mailing to property owners within 500 feet, of the holding of a public hearing at which the project would be considered by the Planning Commission; and

WHEREAS, in accordance with Government Code Section 66452.3, the City provided the applicant with a copy of the Planning Department's report and

recommendation to the Planning Commission at least three (3) days prior to the below referenced notice of public hearing; and

WHEREAS, in accordance with Government Code Section 65453, on April 1, 2014 and May 6, 2014, the Planning Commission considered, heard public comments on TTM No. 36510; and

WHEREAS, in accordance with Government Code Section 65453, on April 1, 2014 and May 6, 2014, the Planning Commission considered, heard public comments on, and recommended that the City Council approve TTM No. 36510; and

WHEREAS, in accordance with Government Code Section 65453, on June 10, 2014 the City Council held a noticed public hearing at which interested persons had an opportunity to testify in support of, or opposition to TTM No. 36510; and

WHEREAS, at this public hearing on June 10, 2014, the City Council considered and heard public comments on certification of a Final Environmental Impact Report, Statement of Facts and Findings, Statement of Overriding Considerations and Mitigation Report Program for the project by Resolution Bill No. 14-017; and

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Hemet, California, does Resolve, Determine, Find, and Order as follows:

SECTION 1: ENVIRONMENTAL FINDINGS

The City Council, in light of the whole record before it, including but not limited to, the City's Local CEQA Guidelines and Thresholds of Significance, the recommendation of the Community Development Director as provided in the Staff Report dated June 10, 2014 and documents incorporated therein by reference, and any other evidence (within the meaning of Public Resources Code Sections 21080(e) and 21082.2) within the record or provided at the public hearing of this matter, hereby finds and determines as follows:

1. A Final Environmental Impact Report (FEIR) has been prepared and circulated for the proposed Ramona Creek Project. The FEIR analyzed the environmental impacts of the project. The tentative tract map proposes to subdivide the property within the Ramona Creek Specific Plan boundary consistent with the Planning Area boundaries identified in the Specific Plan Land Use Plan. The circulation, access roads, and road improvements have been designed consistent with the requirements of the Specific Plan. The grading of the property was also contemplated by the Specific Plan and the impacts related to grading were analyzed in the FEIR.

SECTION 2: MAP ACT FINDINGS

In accordance with Hemet Municipal Code §70-133 and §70-191 and Government Code §66463, §66473.1, §66473.5 and §66474, the City Council, 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, the Ramona Creek Specific Plan and Development Standards, and any other evidence within the record or provided at the public hearing of this matter, hereby finds and determines as follows:

1. Tentative Tract Map No. 36510 is consistent and compatible with the objectives, policies, general land uses, and programs specified in the City's General Plan in that:

   The site of the proposed subdivision is designated in the General Plan for the City of Hemet for mixed commercial, residential and public land use purposes. The site currently is designated as part of the West Florida Avenue Mixed-Use Area No. 1. The Planning Commission considered and recommended for approval the proposed change of the 44.9 acre site from Low Density Residential (2.1 – 5.0 d.u./ac. To Low Medium Density Residential (5.1 – 8.0 d.u./ac) as part of General Plan Amendment No. 12-005. The proposed map allows for development of a mixture of commercial, residential and public land uses consistent with the land use designation.

2. Tentative Tract Map No. 36510, together with the design and improvement of the proposed subdivision, is consistent and compatible with the objectives, policies, general land uses, and programs specified in the Ramona Creek Specific Plan (SP 12-001) and Development Standards in that:

   The Ramona Creek Specific Plan was designed to have a balance of land uses both residential and commercial. The proposed Tentative Tract Map proposes to subdivide the property into lots consistent with the Planning Area boundaries identified in the Specific Plan Land Use Plan. There is neither a development plan nor buildings proposed as part of this subdivision. The circulation, access roads, and road improvements have been designed consistent with the Specific Plan. Therefore, the proposed subdivision is consistent with the General Plan and Specific Plan.

3. The design and improvement of the subdivision proposed under Tentative Tract Map No. 36510 is consistent with the City's General Plan in that:

   The improvements are proposed for the commercial and residential lots are consistent with both residential and commercial development standards. The proposed subdivision and layout of streets and public infrastructure is sized accordingly to handle the needs of the project itself and that of the surrounding

development as contained in the master plan of public facilities as required in Land Use Policy 2.10 of the General Plan. Public spaces are provided in non-developable lettered lots which will allow for facilities listed under Land Use Policies 5.5 and 15.7.

4. The site is physically suitable for the density of development proposed under Tentative Tract Map No. 36510, in that:

   The land use designation is for mixed commercial and residential land uses and the location of the site next West Florida Avenue promotes suitable commercial and residential access. The proposed development has been analyzed in the Final Environmental Impact Report prepared for the Ramona Creek Specific Plan. The flat character of the existing site and its location on major transportation corridors in the City allow for the intensity and scale of development which is proposed.

5. The design of the subdivision and improvements proposed under Tentative Tract Map No. 36510, is not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat in that:

   The development of the site into commercial, residential and public lots will not dramatically change the hydrology of the area nor increase the possibility of urban storm water runoff. The project is designed to help solve the regional hydrologic problems of the area. The design of the drainage system will not cause environment damage to sensitive habitat in the areas southwest of the project site.

6. The design of the subdivision and improvements proposed under Tentative Tract Map No. 36510, is not likely to cause serious public health problems in that:

   Development of the site into commercial, residential and public land uses will not locate potential sensitive receptors closer to impacts associated with industrial development or the Hemet-Ryan airport further to the south. Within the development itself no future uses are allowed that would create serious public health problems.

SECTION 3: CITY COUNCIL ACTIONS:

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

1. Approve Tentative Tract Map No. 36510 (MAP12-001), for the subdivision of a 208.9-acre site into 37 commercial and residential lots and forty-nine (49) lettered lots for drainage and open space improvements as shown in Exhibit A and

conditioned as shown in Exhibit B, which is attached hereto and incorporated herein by reference.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2014.

_____
Larry Smith, Mayor

ATTEST:

_____
Sarah McComas, City Clerk

APPROVED AS TO FORM:

_____
Eric S. Vail, City Attorney

State of California)
County of Riverside)
City of Hemet)

I, Sarah McComas, City Clerk of the City of Hemet, do hereby certify that the foregoing Resolution is the actual Resolution adopted by the City Council of the City of Hemet and was passed at a regular meeting of the City Council on the _____ day of _____, 2014 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Sarah McComas, City Clerk

Attachment No. 1a

TTM No. 36510

(8 ½" x 11" Reduction)

City Council
Public Meeting of
June 10, 2014

RAMONA CREEK

TENTATIVE TRACT NO. 36510

CITY OF HEMET, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

PROJECT AREAS

LOT NO.	ACRES	SQUARE FEET	LAND USE
1	1.72	74,971 SF	MIXED USE
2	1.67	72,888 SF	MIXED USE
3	2.40	104,616 SF	MIXED USE
4	1.84	79,984 SF	MIXED USE
5	3.09	134,654 SF	MIXED USE
6	2.01	103,002 SF	MIXED USE
7	8.83	383,331 SF	MIXED USE
8	5.23	227,956 SF	MIXED USE
9	4.93	214,898 SF	MIXED USE
10	4.36	189,792 SF	MIXED USE
11	2.97	129,333 SF	MIXED USE
12	1.89	82,379 SF	MIXED USE
13	4.07	177,337 SF	VILLAGE RESIDENTIAL W/MIXED USE OVERLAY
14	3.38	147,387 SF	VILLAGE RESIDENTIAL W/MIXED USE OVERLAY
15	6.13	267,089 SF	VILLAGE RESIDENTIAL
16	1.43	62,299 SF	VILLAGE RESIDENTIAL
17	6.83	298,301 SF	VILLAGE RESIDENTIAL
18	2.63	114,719 SF	MDR
19	2.98	129,820 SF	VILLAGE RESIDENTIAL W/MIXED USE OVERLAY
20	1.91	83,215 SF	VILLAGE RESIDENTIAL W/MIXED USE OVERLAY
21	1.71	74,665 SF	VILLAGE RESIDENTIAL W/MIXED USE OVERLAY
22	1.89	82,337 SF	VILLAGE RESIDENTIAL W/MIXED USE OVERLAY
23	1.67	72,948 SF	VILLAGE RESIDENTIAL W/MIXED USE OVERLAY
24	1.38	60,032 SF	VILLAGE RESIDENTIAL W/MIXED USE OVERLAY
25	2.38	104,021 SF	MDR
26	3.64	158,763 SF	MDR
27	3.65	159,089 SF	MDR
28	2.67	116,443 SF	MDR
29	1.79	77,837 SF	MDR
30	2.72	118,542 SF	LDR
31	6.34	276,264 SF	LDR
32	6.77	294,862 SF	LDR
33	6.15	267,788 SF	LDR B/SCHOOL OVERLAY
34	5.70	248,421 SF	LDR B/SCHOOL OVERLAY
35	5.30	231,078 SF	LDR
36	6.10	266,024 SF	LDR
37	2.72	118,442 SF	LDR
LOT A	0.27	11,715 SF	LANDSCAPE LOT
LOT B	15.40	670,813 SF	P/SS
LOT C	7.50	326,913 SF	P/SS
LOT D	2.97	129,410 SF	P/SS
LOT E	3.47	151,277 SF	P/SS
LOT F	1.07	46,485 SF	P/SS
LOT G	3.44	149,903 SF	P/SS
LOT H	1.45	63,075 SF	P/SS
LOT I	0.01	423 SF	ENTRY MONUMENT
LOT J	0.01	423 SF	ENTRY MONUMENT
LOT K	0.01	423 SF	ENTRY MONUMENT
LOT L	0.01	423 SF	ENTRY MONUMENT
LOT M	0.01	338 SF	ENTRY MONUMENT
LOT N	0.01	338 SF	ENTRY MONUMENT
LOT O	0.01	317 SF	ENTRY MONUMENT
LOT P	0.03	1,437 SF	ENTRY MONUMENT
LOT Q	0.11	4,864 SF	LANDSCAPE LOT
LOT R	0.24	10,240 SF	LANDSCAPE LOT
LOT S	0.27	11,885 SF	LANDSCAPE LOT
LOT T	0.23	9,974 SF	LANDSCAPE LOT
LOT U	0.01	369 SF	ENTRY MONUMENT
LOT V	0.01	397 SF	ENTRY MONUMENT
LOT W	1.27	55,328 SF	P/SS
LOT X	7.01	305,388 SF	P/SS
LOT A-A	2.25	98,103 SF	P/SS
LOT B-B	0.18	8,451 SF	SCENIC HIGHWAY SETBACK
LOT C-C	0.48	21,041 SF	SCENIC HIGHWAY SETBACK
LOT D-D	0.26	10,981 SF	SCENIC HIGHWAY SETBACK
LOT E-E	0.16	6,983 SF	SCENIC HIGHWAY SETBACK
LOT F-F	0.22	9,588 SF	SCENIC HIGHWAY SETBACK
LOT G-G	0.13	5,831 SF	SCENIC HIGHWAY SETBACK
LOT H-H	0.13	5,740 SF	SCENIC HIGHWAY SETBACK
LOT I-I	0.15	6,800 SF	SCENIC HIGHWAY SETBACK
LOT J-J	0.08	3,328 SF	SCENIC HIGHWAY SETBACK
LOT K-K	0.08	3,845 SF	SCENIC HIGHWAY SETBACK
LOT L-L	0.11	4,870 SF	SCENIC HIGHWAY SETBACK
LOT M-M	0.10	4,361 SF	SCENIC HIGHWAY SETBACK
LOT N-N	0.11	4,872 SF	SCENIC HIGHWAY SETBACK
LOT O-O	0.08	3,342 SF	SCENIC HIGHWAY SETBACK
LOT P-P	0.07	3,164 SF	SCENIC HIGHWAY SETBACK
LOT Q-Q	0.08	3,363 SF	SCENIC HIGHWAY SETBACK
LOT R-R	0.11	4,862 SF	SCENIC HIGHWAY SETBACK
LOT S-S	0.12	5,288 SF	SCENIC HIGHWAY SETBACK
LOT T-T	0.12	5,085 SF	SCENIC HIGHWAY SETBACK
LOT U-U	0.26	11,436 SF	SCENIC HIGHWAY SETBACK
LOT V-V	0.23	10,025 SF	SCENIC HIGHWAY SETBACK
LOT W-W	0.15	6,897 SF	SCENIC HIGHWAY SETBACK
LOT X-X	0.08	3,538 SF	SCENIC HIGHWAY SETBACK
LOT Y-Y	0.11	4,979 SF	SCENIC HIGHWAY SETBACK
ST. "A"	1.64	71,300 SF	
ST. "B"	3.40	148,118 SF	
ST. "C"	8.60	381,489 SF	
ST. "D"	2.51	109,476 SF	
ST. "E" EAST	1.03	44,885 SF	
ST. "E" WEST	1.04	45,175 SF	
FLORIDA AVE.	1.68	73,264 SF	
WARREN AVE.	0.21	9,219 SF	
MYERS ST.	1.08	46,921 SF	
DEVONSHIRE AVE.	8.33	341,538 SF	
CELESTE AVE.	2.35	102,330 SF	
OLD WARREN RD.	1.75	76,112 SF	
TOTAL	203.18	SQUARE FEET (GROSS)	
	175.14	AC. NET	

DATA TABLE

NO.	BEARING/DELTA	RADIUS	LENGTH
1	N89°10'16"E	—	49.91'
2	N0°06'24"E	1917.00	118.84'
3	N0°06'24"E	—	42.00'
4	N89°10'16"E	—	16.00'
5	N0°06'24"E	—	42.00'
6	N89°10'16"E	—	202.00'
7	N89°10'16"E	—	16.00'

PHASE TABLE

PHASE	LOTS
1	1, 2, 3, 4, 5, 6
2	7, 8, 9, 10
3	11, 12, 13
4	14, 15, 16, 17
5	18, 19, 20, 21, 22, 23
6	24, 25, 26, 27
7	28, 29, 30, 31, 32, 33
8	34, 35, 36, 37
9	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37
10	LOT A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, BB, CC, DD, EE, FF, GG, HH, II, JJ, KK, LL, MM, NN, OO, PP, QQ, RR, SS, TT, UU, VV, WW, XX, YY
11	LOT A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, BB, CC, DD, EE, FF, GG, HH, II, JJ, KK, LL, MM, NN, OO, PP, QQ, RR, SS, TT, UU, VV, WW, XX, YY, ZZ, AAA, BBB, CCC, DDD, EEE, FFF, GGG, HHH, III, JJJ, KKK, LLL, MMM, NNN, OOO, PPP, QQQ, RRR, SSS, TTT, UUU, VVV, WWW, XXX, YYY, ZZZ, AAAA, BBBB, CCCC, DDDD, EEEE, FFFF, GGGG, HHHH, IIII, JJJJ, KKKK, LLLL, MMMM, NNNN, OOOO, PPPP, QQQQ, RRRR, SSSS, TTTT, UUUU, VVVV, WWWW, XXXX, YYYY, ZZZZ, AAAAA, BBBBB, CCCCC, DDDDD, EEEEE, FFFFF, GGGGG, HHHHH, IIIIII, JJJJJ, KKKKK, LLLLL, MMMMM, NNNNN, OOOOO, PPPPP, QQQQQ, RRRRR, SSSSS, TTTTT, UUUUU, VVVVV, WWWWW, XXXXX, YYYYY, ZZZZZ, AAAAAA, BBBBBB, CCCCCC, DDDDDD, EEEEEE, FFFFFF, GGGGGG, HHHHHH, IIIIIII, JJJJJJ, KKKKKK, LLLLLL, MMMMMM, NNNNNN, OOOOOO, PPPPPP, QQQQQQ, RRRRRR, SSSSSS, TTTTTT, UUUUUU, VVVVVV, WWWWWW, XXXXXX, YYYYYY, ZZZZZZ, AAAAAAA, BBBBBBB, CCCCCCC, DDDDDDD, EEEEEEE, FFFFFFF, GGGGGGG, HHHHHHH, IIIIIIII, JJJJJJJ, KKKKKKK, LLLLLLL, MMMMMMM, NNNNNNN, OOOOOOO, PPPPPPP, QQQQQQQ, RRRRRRR, SSSSSSS, TTTTTTT, UUUUUUU, VVVVVVV, WWWWWWW, XXXXXXX, YYYYYYY, ZZZZZZZ, AAAAAAAA, BBBBBBBB, CCCCCCCC, DDDDDDDD, EEEEEEEE, FFFFFFFF, GGGGGGGG, HHHHHHHH, IIIIIIIII, JJJJJJJJ, KKKKKKKK, LLLLLLLL, MMMMMMMM, NNNNNNNN, OOOOOOOO, PPPPPPPP, QQQQQQQQ, RRRRRRRR, SSSSSSSS, TTTTTTTT, UUUUUUUU, VVVVVVVV, WWWWWWWW, XXXXXXXX, YYYYYYYY, ZZZZZZZZ, AAAAAAAAA, BBBBBBBBB, CCCCCCCCC, DDDDDDDDD, EEEEEEEEE, FFFFFFFFF, GGGGGGGGG, HHHHHHHHH, IIIIIIIIII, JJJJJJJJJ, KKKKKKKKK, LLLLLLLLL, MMMMMMMMM, NNNNNNNNN, OOOOOOOOO, PPPPPPPPP, QQQQQQQQQ, RRRRRRRRR, SSSSSSSSS, TTTTTTTTT, UUUUUUUUU, VVVVVVVVV, WWWWWWWWW, XXXXXXXXX, YYYYYYYYY, ZZZZZZZZZ, AAAAAAAAAA, BBBBBBBBBB, CCCCCCCCCC, DDDDDDDDDD, EEEEEEEEEE, FFFFFFFFFF, GGGGGGGGGG, HHHHHHHHHH, IIIIIIIIIII, JJJJJJJJJJ, KKKKKKKKKK, LLLLLLLLLL, MMMMMMMMMM, NNNNNNNNNN, OOOOOOOOOO, PPPPPPPPPP, QQQQQQQQQQ, RRRRRRRRRR, SSSSSSSSSS, TTTTTTTTTT, UUUUUUUUUU, VVVVVVVVVV, WWWWWWWWWW, XXXXXXXXXX, YYYYYYYYYY, ZZZZZZZZZZ, AAAAAAAAAAA, BBBBBBBBBBB, 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Attachment No. 1b

Conditions of Approval for TTM No. 36510

City Council
Public Meeting of
June 10, 2014

EXHIBIT 1B

CITY OF HEMET
CONDITIONS OF APPROVAL

- PROPOSED FINAL

PLANNING COMMISSION DATE: **May 6, 2014**
CITY COUNCIL DATE: **June 10, 2014**

PROJECT NO.: **TTM 36510 (Map 12-001) – Ramona Creek**
APPLICANT: Regent Properties
AGENT: John Tanner III, RBF
LOCATION: NWC West Florida Avenue and Myers Street

OCCUPANCY: This project has been reviewed for residential and commercial occupancy; any other use will require further review.

Note: Any conditions revised at a hearing will be noted by ~~strikeout~~ (for deletions) and/or <u>underline</u> (for additions), and any newly added conditions will be added at the end of all conditions regardless of the Department originating the condition.

STANDARD CONDITIONS

The following conditions of approval were approved by the City Council (Resolution No. 3523) as standard conditions of approval for all projects. Questions regarding compliance with these conditions should be directed to the Planning Division at (951) 765-2375.

General Requirements:

1. **TTM 36510** shall become null and void on **June 10, 2016** (two calendar years from the date of approval), unless the final map is approved by the City Council and recorded with the County of Riverside and unless use in reliance on the approved Tentative Tract Map is established prior to the expiration date. A time extension may be granted by the Planning Commission in accordance with Hemet Municipal Code and the Subdivision Map Act, provided a written request for a time extension is submitted the Planning Department prior to the expiration date. No formal notice of expiration will be given by the City.

2. Approval of **TTM 36510** shall become effective on **June 20, 2014** (10 calendar days after action by the City Council) unless appealed to the City Council. The appeal shall be in writing and shall be accompanied by the required fee.

3. The conditions of approval of this project shall supersede all conflicting notations, specifications, dimensions, typical sections, and the like, which may be shown on the tentative project plans.

4. This project site shall be developed in accordance with the Ramona Creek Specific Plan 12-001 and the conditions contained herein.

5. 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 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 defense of the Action. *(City Council Resolution No. 3693, 12-17-02)*

6. This project shall comply with all sections of the Zoning Ordinance, Subdivision Ordinance and all other applicable Local, State and Federal laws and regulations in effect at the time of the building permit application and/or time of recordation, including the I.C.B.O. Uniform Building Code, Uniform Fire Code, and City and State Handicapped Accessibility Requirements (California Code of Regulations, Title 24).

7. The project site is located within the Ramona Creek Specific Plan (SP 12-001). The project is limited to the overall density and intensity, allowed uses, design guidelines, including entry monumentation and landscaping, setbacks shall comply with SP 12-001. To the extent any of these conditions are in conflict the SP 12-001, the Specific Plan shall supersede the Conditions of Approval contained herein.

8. The project site is subject to the Final Environmental Impact Report (EIR) and Mitigation Monitoring Report Plan (MMRP) certified for the Ramona Creek Project. All future development shall comply with the EIR and MMRP. Each Final Map and the required infrastructure shall comply with the EIR and MMRP. The applicant shall prepare and submit a written report to the Community Development Director demonstrating compliance with the EIR and MMRP which must be satisfied prior to the issuance of a grading permit for the required infrastructure. The Community Development Director may require inspection or other monitoring to ensure such compliance.

9. The applicant shall be subject to all applicable development fees at the rate in effect at the time of building permit application. Such fees may include, but not be limited to: Park Fees, School Fees, Master Plan Storm Drainage Fees, Permit and Plan Checking Fees, Water and Sewer Service Fees, Capital Facility Fees, Regional Transportation Uniform Mitigation Fees (TUMF) and MSHCP Fees hall also be required per the schedule of fees adopted by the regional agency in effect at the time of permit.

10. All public landscaped areas shall be maintained by the developer for a minimum of one-year to assure continued growth and health. Continued maintenance of public areas shall be guaranteed by establishment of a home owners association or alternative mechanism approved by the Community Development Director.

11. Subdivisions of more than 20 lots shall be provided with decorative development entries including, but not limited to walls with signage (monument signs may be used as an alternative), enriched street pavement and landscaping with specimen trees, which shall be required in all residential developments per the provisions of the Specific Plan.

Subdivisions:

12. The developer shall install U.S. Postal Service approved neighborhood mailboxes prior to occupancy.

13. Prior to or concurrently with the recordation of the Final Map, a Lighting & Landscaping Maintenance District or alternative maintenance mechanism acceptable to the City shall be established. In the event that the Lighting & Landscaping Maintenance District (L&LMD) is required, the property owner of record shall execute a property owner ballot agreeing to formation of or annexation to an L&LMD.

Grading:

14. Prior to any grading or drainage activity, a grading and/or drainage plan shall be prepared and submitted to the City Engineer for review and approval. No grading or drainage work shall occur without a grading permit and/or the permission of the City Engineer.

15. Prior to the issuance of a grading permit the applicant shall provide to the Planning Director proof of a signed Treatment and Dispositions Agreement between the developer and the Soboba Band of Luiseno Indians.

Design Review:

16. Prior to the issuance of a building permit for any building on any lot, the applicant shall submit a site development plan for Planning Commission review and approval. After approval of the plot plan, the Community Development Director shall have the authority to adjust up to 20% of the plot plans.

17. An anti-graffiti coating and/or paint shall be provided on all block walls and stucco covered walls and written verification of its application from the developer shall be provided to the City of Hemet Planning Department. *(City Council Resolution No. 4164, 04-24-07)*

18. Applicant shall agree to join or form a Community Facilities District (CFD) for public safety.

END GENERAL CONDITIONS

PLANNING DIVISION PROJECT SPECIFIC CONDITIONS

Please contact the Planning Division for compliance with the following conditions:

OPERATIONAL CHARACTERISTICS

Grading Activity:

19. Construction activity shall meet the requirements of the Hemet Municipal Code Chapter 30, Article II.

20. During any grading activities, all heavy-duty diesel equipment (≥100 horsepower) shall be CARB Tier 3 Certified or better. **[Air Quality Mitigation Measure D-1].**

Construction Activity:

21. Only Zero-Volatile Compounds paints (no more than 100 gram/liter of VOC and/or High-Pressure Low-Volume applications consistent with SCAQMD Rule 1113 shall be used. **[Air Quality Mitigation Measure D-2].**

22. During any construction activities, active heavy-duty construction equipment shall be located at least 100 feet away from sensitive receptors (including on-site and off-site residences and schools). **[Air Quality Mitigation Measure D-3].**

Environmental:

23. The Project applicant shall pay the MSHCP Local Development Mitigation fees as established and implemented by the Riverside County Conservation Agency (RCA) and collected by the City of Hemet at the time of grading permit. **[Biological Mitigation Measure E-1].**

24. The Project site falls within the Stephen's Kangaroo Rat (SKR) fee area outlined in the Riverside County SKR HCP. The Project applicant shall pay the fees pursuant to Riverside County Ordinance 663.10 for the Riverside County SKR HCP Fee Assessment Area as established and implemented by the County. **[Biological Mitigation Measure E-2].**

25. A 30-day burrowing owl preconstruction survey shall be conducted immediately prior to the initiation of ground-disturbing construction to ensure protection for this species and compliance with the conservation goals as outlined in the MSHCP. The survey will be conducted in compliance with both MSHCP and CDFW guidelines (MSHCP 2006, CDFW 2012). A report of the findings prepared by a qualified biologist shall be submitted to the City of Hemet prior to any permit or approval for ground disturbing activities.

If burrowing owls are detected on-site during the 30-day preconstruction survey, during the breeding season (February 1 to August 31), then construction activities shall be limited to beyond 300 feet of the active burrows until a qualified biologist has confirmed that nesting efforts are complete or not initiated. In addition to monitoring breeding activity, if construction would occur during the breeding season and/or if active relocation is proposed, a burrowing owl mitigation plan shall be developed based on the County of Riverside Environmental Programs Division, CDFW and USFWS requirements for the active relocation of individuals to the Lake Mathews Preserve. **[Biological Mitigation Measure E-3].**

26. Mitigation for potential direct/indirect impacts to common and MSHCP covered sensitive passerine and raptor species will require compliance with Federal MBTA. Construction outside the nesting season (between September 16th and January 31st) does not require pre-removal nesting bird surveys. If construction is proposed between February 1st and September 15th, a qualified biologist must conduct a nesting bird survey(s) no more than fourteen (14) days prior to initiation of grading to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the Project site.

    [Biological Mitigation Measure E-4].

27. To meet the criteria of a biologically equivalent or superior alternative, the applicant shall offset impacts to 0.45 acre of vernal pools and 0.59 acre of agricultural ditches by preserving a minimum of 2.08 acre of vernal pool habitat within Criteria Cell 3684 Cell Group D (APN 465-020-030, Wood Canyon Property) as directed by the RCA, USFWS, CDFW, USACE, and RWQCB. The 2.08 acres of mitigation lands (2:1 ratio) shall be identified, preserved and conveyed in fee title, or by conservation easement, to the RCA. The proposed mitigation study area within which 2.08 acres will be preserved is located south of Florida Avenue and west of Warren Road in the City of Hemet. Specifically, the study area is located within the MSHCP San Jacinto Valley Area Plan, Subunit 4: Hemet Vernal Pool Areas East in Cell 3584.

    In addition to preserving lands southwest of the Project site, the Project proponent shall also provide design elements that will contribute to the Regional Drainage Plan. Specifically, the Project shall safely convey the region-wide peak flows (the maximum flow rate associated with a 100-year storm event), as well as the increased surface flows that will result from the development of the site, from the intersection of Myers Street and Devonshire Road to the intersection of Warren Road and Florida Avenue. The watershed runoff shall be discharged into an existing channel system along Warren Road, which then extends south of Florida Avenue and recharges the vernal pool system.

    [Biological Mitigation Measure E-5].

28. Prior to issuance of a grading permit, the Project applicant shall obtain a 1602 SAA from CDFW and a WDR permit issued by the RWQCB pursuant to the California Water Code Section 13260. At a minimum, the Project applicant shall comply with Mitigation Measure E-5 to mitigate its impacts to CDRW/RWWCB resources, and shall otherwise comply with the applicable permit conditions of the 1602 SAA and WDR permit. **[Biological Mitigation Measure E-6].**

29. Final Project design shall be developed to ensure that best management practices incorporated into the Project address and minimize edge effects associated with the Urban/Wildlands Interface of open space lands proposed within the southwest region of the property (vernal pool – alkaline complex), including the maintenance and conveyance of season clean water flows through the Project site to the MSHCP Criteria Area where alkali vernal plain habitat is located west and southwest of the property (Noncontiguous Habitat Block 7). **[Biological Mitigation Measure E-7].**

30. Prior to the beginning of Project grading, the Project Developer(s) shall retain an archaeological monitor to monitor all ground-disturbing activities, including off-site grading, 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 Soboba Band of Luiseño Indians **or Pechanga Band of Luiseño Indians**. **[Cultural Resource Mitigation Measure F-1].** ***[Modified by Planning Commission 5/6/14].***

31. At least 30 days prior to the beginning of Project grading, the Project Developer(s) shall contact the appropriate local Soboba Band of Luiseño Indians **or Pechanga Band of Luiseño Indians** to notify them of grading, excavation, and the monitoring program, and to coordinate with the City and the Tribe or Band to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of Native American Tribal or Band monitors during on-site and off-site grading, excavation, and ground disturbing activities; Project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. **[Cultural Resource Mitigation Measure F-2].** ***[Modified by Planning Commission 5/6/14].***

32. Prior to beginning Project grading, the Project archaeologist shall file a pre-grading report with the City (if required) to document the proposed methodology for grading activity observation. 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 F-1, the archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the Soboba Band of Luiseño Indians **or Pechanga Band of Luiseño Indians** in order to evaluate the significance of any archaeological resources discovered on the property. Tribal or Band monitors shall be allowed to monitor all on-site and off-site grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the Project archaeologist. The archaeologist shall also be responsible for a post-grading monitoring report to be submitted to the City, the Project Developer(s), the Eastern Information Center, Western Science Center, and the Pechanga Tribe or the Soboba Band of Luiseno Indians no later than 45 days after completion of all monitoring activities. **[Cultural Resource Mitigation Measure F-3].** ***[Modified by Planning Commission 5/6/14].***

33. The landowner(s) shall relinquish ownership of all cultural objects, including sacred items, burial goods, and all archaeological artifacts that are found on the Project area to the appropriate local Tribe or Band for proper treatment and disposition. **[Cultural Resource Mitigation Measure F-4].**

34. All sacred sites, should they be encountered within the Project area, shall be avoided or preserved as the preferred mitigation, if feasible. **[Cultural Resource Mitigation Measure F-5].**

35. If inadvertent discoveries of subsurface archaeological resources are discovered during grading, the Project Developer(s), the Project archaeologist, and the appropriate the Soboba Band of Luiseño Indians **or Pechanga Band of Luiseño Indians** shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Project Developer(s) and the Tribe or Band cannot agree on the significance or the mitigation for such resources, these issues shall be presented to the City's Community Development Director for decision. The City shall make the determination based on the provisions of CEQA and with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Tribe or Band. **[Cultural Resource Mitigation Measure F-6].** ***[Modified by Planning Commission 5/6/14].***

36. Prior to the issuance of grading permits, the developer shall retain a qualified paleontologist to develop a Paleontologic Resource Impact Mitigation Program (PRIMP) for the excavation phase of the proposed Project. The PRIMP shall conform to the guidelines of the County of Riverside and the Society of Vertebrate Paleontology. It shall include the following steps.

    a. A trained paleontological monitor shall be present during ground-disturbing activities within the Project area in sediments determined likely to contain paleontological resources. The monitor shall be empowered to temporarily halt or redirect construction activities to ensure avoidance of adverse impacts to paleontological resources. The monitor shall be equipped to rapidly remove any large fossil specimens encountered during excavation. During monitoring, samples shall be collected and processed to recover microvertebrate fossils. Processing shall include wet screen washing and microscopic evaluation of the residual materials to identify small vertebrate remains.

    b. Upon encountering a large deposit of bone, salvage of all bone in the area shall be conducted with additional field staff in accordance with modern paleontological techniques.

    c. All fossils collected during the proposed Project shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of all material collected and identified shall be provided to the museum repository along with the specimens.

    d. A report documenting the results of the monitoring and salvage activities and the significance of the fossils shall be prepared.

    e. All fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a museum repository for permanent curation and storage, preferably the Western Science Center in the City of Hemet.

    [Cultural Resource Mitigation Measure F-7].

37. If human remains are discovered at the Project site during construction, work at the specific construction site at which the remains have been uncovered shall be suspended, and the City Public Works Department and County coroner staff shall be immediately notified. If the remains are determined by the County coroner to be Native American, the NAHC shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. **[Cultural Resource Mitigation Measure F-8].**

38. Prior to the issuance of grading permits, a detailed geotechnical investigation report shall be submitted with engineered grading plans to further evaluate expansive soils, and provide site-specific recommendations to mitigate (e.g., removal and replacement of near surface soils with engineered fill) potential hazards as a result of expansive soils in accordance with the criteria and seismic design parameters of the UBC, CBC, and the SEAOC. The geotechnical report shall be prepared and signed/stamped by a Registered Civil Engineer specializing in geotechnical engineering and a Certified Engineering Geologist. Geotechnical rough grading plan review reports shall be prepared in accordance with the City of Hemet Grading Ordinance. **[Geological Resource Mitigation Measure G-1].**

39. Prior to the recordation of the first final map, the applicant shall record Aviation Easements covering the entire parcel proposed for development to the County of Riverside as owner-operator of Hemet-Ryan Airport. (Contact the Riverside County Economic Development Agency – Aviation Division for further information.) **[Hazards Mitigation Measure I-1].**

40. Any outdoor lighting installed shall be hooded and shielded to prevent either the spillage of lumens or reflection into the sky. **[Hazards Mitigation Measure I-2].** ***[ALUC Condition No. 1]***

41. Per the Hemet-Ryan Airport Land Use Plan requirements and the ALUC consistency determination granted the project on May 8, 2014 the following uses shall be prohibited:

    a. Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

    b. Any use which could cause sunlight to be reflected towards and aircraft engaged in an initial straight climb following takeoff or towards and aircraft engaged in a straight final approach towards a landing at an airport.

    c. Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.

d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

[Hazards Mitigation Measure I-3]. ***[ALUC Condition No. 2]***

42. A notice shall be provided by the applicant and/or its successor-in-interest to all initial purchasers of the property and all tenants of the applicant and/or its successor-in-interst: *Notice of Airport in Vicinity: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business and Professions Code 11010 12(A).* **[Hazards Mitigation Measure I-4].** ***[ALUC Condition No. 3]***

43. **Prior to issuance of building permits, the landowner shall convey an avigation easement to the County of Riverside as owner of the Hemet-Ryan Airport. Contact the Riverside County Economic Development Agency at (951) 955-9802 for additional information.** ***[ALUC Condition No. 4]***

44. Development implementing the Specific Plan shall comply with Federal Aviation Administration (FAA) Part 77, in particular requirements for Obstruction Evaluation based on the distance to the closest operating runway at Hemet-Ryan Airport and relative elevation between the runway and proposed development grade and building height. Any implementing development that does require FAA Obstruction Evaluation review shall submit a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each building and shall have received a determination of "Not a Hazard to Air Navigation" from the FAA. Copies of the FAA determination shall be provided to the City of Hemet Community Development Department and the Riverside County Airport Land Use Commission. ***[ALUC Condition No. 6]***

45. Any new storm water retention basins on the site shall be designed so as to provide for a maximum 72-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more). Water quality and reuse basins with fluctuating water levels which are under two (2) acres in size are exempt from this requirement. Vegetation in and around the retention and water quality basin(s) that would provide food or cover for waterfowl species that would be incompatible with airport operations shall not be utilized in project landscaping, and shall not include trees that produce seeds, fruits or berries. ***[ALUC Condition No. 7]***

46. Prior to issuance of a building permit, the applicants of any development north of Devonshire Avenue within the Urban Wildland Fire Interface shall coordinate with the Hemet Fire Department for review and approval of site plans and shall incorporate all appropriate recommendations into the design and construction of the development. **[Hazards Mitigation Measure I-5].**

47. During all Project site construction, the 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. **[Noise Mitigation Measure L-1].**

48. The construction contractor shall locate equipment staging in areas that would create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the Project site during all Project construction. **[Noise Mitigation Measure L-2].**

49. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. Haul routes shall not pass sensitive land uses or residential dwellings. **[Noise Mitigation Measure L-3].**

50. Prior to obtaining building permits for the Project, a final noise study shall be prepared to finalize mitigation measures using the precise grading plans and actual building design specifications. **[Noise Mitigation Measure L-4].**

51. Prior to the issuance of a building permit and to satisfy the City of Hemet's 65 dBA CNEL exterior noise level standard for noise-sensitive residential land uses, a 6.0-foot high noise barrier shall be constructed at the following locations within the Project site:

    - Lots adjacent to Warren Road, north of Florida Avenue, in Planning Area 5.
    - Lots adjacent to Myers Street, between Driveway 10 and Florida Avenue, in Planning Area 3.
    - Lots adjacent to Devonshire Avenue, between Old Warren Road and Driveway 3, in Planning Areas 8 and 9.
    - Lots adjacent to Devonshire Avenue between Driveway 3 and Driveway 6, in Planning Areas 7 and 9.
    - Lots adjacent to Devonshire Avenue, between Driveway 6 and Myers Street, in Planning Area 10.

    The noise barrier must weigh at least 4.0 pounds per square foot of face area and have no decorative cutouts or line-of-sight openings between shielded areas and the roadways. The noise barrier may be constructed using one of the following alternative materials, subject to the approval of the Community Development Director:

    - 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.

    [Noise Mitigation Measure L-4].

Traffic and Streets:

52. Improvements for Project-Specific Impacts. The two intersections improvements listed below shall be fully constructed or guaranteed for construction by the master developer or a developer for an individual development project within the Specific Plan Area, in accordance with the thresholds listed below. During the review process for each individual development project within the Specific Plan, the developer shall have a qualified traffic engineer calculate the portion of the total Specific Plan peak-hour trips associated with such development for the project impacted intersections noted below. Such analysis shall be based on the Ramona Creek Traffic Analysis (TIA) prepared by Urban Crossroads dated February 12, 2014 and included as Appendix IV.O of the Draft EIR and shall use the same methodology as the TIA (e.g. trip generation rates and distribution). All individual development projects within the Specific Plan Area shall contribute their fair-share towards the identified improvements prior to the issuance of the first building permit for the individual development project. The funds for these improvements shall be held in an account administered by the City and used to construct the facilities identified. The City shall enter into a fee credit and reimbursement agreement with the developer responsible for constructing the actual improvements.

    a. Intersection 9: Warren Road/Devonshire Avenue
        - Install a traffic signal
        - Construct a northbound left-turn lane
        - Construct a southbound left-turn lane
        - Construct an eastbound left-turn lane
        - Construct a westbound left-turn lane

    This improvement shall be constructed by the master developer, or developer for an individual development project within the Specific Plan Area, on or before the issuance of the building permit for the **718 equivalent dwelling units (EDU)** within the Specific Plan Area.

    b. Intersection 12: Warren Road/Auto Boulevard
        - Install a traffic signal

    This improvement shall be constructed by the master developer, or a developers for an individual development project with the Specific Plan Area, on or before the issuance of the building permit for the **1,193 EDU** within the Specific Plan Area.
    [Traffic Mitigation Measure O-1].

53. Improvements for Project Cumulative Contribution to Near-Term (2015) and General Plan Cumulative Buildout (2035) Impacts. Prior to the issuance of any building permits the master developer or a developer of an individual project within the Specific Plan Area shall participate in the funding of improvements to mitigate cumulative traffic conditions through the payment of City Development Impact Fees (DIF) and Transportation Uniform Mitigation Fees (TUMF) in the amount and at the time specified for each funding program. Refer to Table IV.O-20 of the Final EIR for the list of improvements that are included in DIF and TUMF. **[Traffic Mitigation Measure O-2].**

54. Improvements for Non-DIF or TUMF projects. To the extent that an identified traffic improvement is not included, or is only partially included, or is only partially included, in either DIF and/or TUMF (refer to Table IV.O-20 of the Final EIR for the list of

improvements that are not included within DIF and TUMF), the master developer or a developer of an individual development project within the Specific Plan Area shall make a fair-share payment to the City in proportion to the individual project's applicable portion of the entire Specific Plan's percentage fair-share contribution for each identified, cumulatively impacted intersection toward the intersection improvements listed on Table IV.O-20, prior to issuance of a building permit for such individual development. During the review process for each individual development project within the Specific Plan Area, the developer shall have a qualified traffic engineer calculate the portion of the total peak-hour Specific Plan traffic trips associated with the individual project's contribution to cumulatively impacted intersections that are not included in DIF or TUMF. Such an assessment shall be conducted consistent with the Ramona Creek TIA prepared by Urban Crossroads dated February 12, 2014 and included as Appendix IV.O of the Draft EIR) and shall use the same methodology as the Ramona Creek TIA (e.g., trip generation rates, distribution, etc.) as contained therein. The fair-share payments shall be held in an account administered by the City and shall be used by the City or third party to construct the identified traffic improvements, in order to achieve acceptable LOS for the intersections impacted by the project and other cumulative development. **[Traffic Mitigation Measure I-3].**

Public Services:

55. To maintain response times, availability, and overall level of fire protection and police service, the Project shall (a) form or participate in a Public Safety CFD in accordance with City Council Resolution 3821, and (b) pay DIF and/or construct and/or fund the required firs service improvements to and obtain DIF credit, in accordance with City Council Resolution 3981. **[Public Services Mitigation Measure N-1].**

Phasing:

56. Recording of the final map by phases shall conform to the infrastructure and facility requirements outlined in Section 5.10 of the Ramona Creek Specific Plan (SP 12-001).

Open Space Area 1a (Lots B & C):

57. Prior to the approval of the first final map in the western portion of SP 12-001, a master landscape and irrigation plan for Open Space Area 1a (lots B & C) shall be submitted to the Planning Division and Engineering Division.

58. Grading and ground stabilization for Open Space Area 1a (lots B & C) shall be completed prior to the issuance of the first residential building permit in the western portion of SP 12-001. (Only the water quality basin is required for Planning Areas 3a and 3b (lots 1-12).

59. Pedestrian landscape improvements (trees, shrubs, pathways, benches, lighting, etc.) shall be installed prior to the issuance of the 200th residential building permit in the western portion of SP 12-001.

Open Space Area 1b (Lots D & E):

60. Prior to the approval of the first final map in the eastern portion of SP 12-001, a master landscape and irrigation plan for Open Space Area 1~~ba~~ (lots B & C) shall be submitted to the Planning Division and Engineering Division. ***[Modified by Planning Commission 5/6/14].***

61. Grading and ground stabilization for Open Space Area 1~~ba~~ (lots B & C) shall be completed prior to the issuance of the first residential building permit in the eastern portion of SP 12-001. ***[Modified by Planning Commission 5/6/14].***

62. Pedestrian landscape improvements (trees, shrubs, pathways, benches, lighting, etc.) shall be installed prior to the issuance of the 200th residential building permit in the eastern portion of SP 12-001.

Park & Recreation:

63. Prior to the approval of the first final map of SP 12-001, a park development agreement shall be established between the City and the master developer and Valley Wide Recreation and Park District (if applicable).

64. Prior to the approval of the first final map of SP 12-001, a master park plan shall be submitted to the Planning Division and Engineering Division.

Park Area 2a (Lots X and A-A):

65. Prior to approval of final maps for PA 4b (Lots 13, 14, 19 & 20) or PA 6 (Lots 18 & 25) or prior to the 200th residential building permit in the western portion of SP 12-001, park improvement and building plans for the community center for PA 2a shall be submitted to the Planning, Building and Engineering divisions

66. Installation of landscaping and construction of community center in PA 2a shall be completed prior to the issuance of the 400th residential permit project wide, unless City Quimby park requirement is satisfied in developed areas not adjacent to PA 2a (i.e. PA 7, 8, 9 & 10), in which case improvement of PA 2a would be done in conjunction with either PA 4b or PA 6 whichever occurs first. Regardless of phasing, improvements to be complete prior to 700th residential permit project wide.

Park Area 2b (Lots G, H & W):

67. Park improvement plans for PA 2b shall be submitted to the Planning and Engineering divisions prior to approval of final map for PA 4a or PA 7, or prior to the 200th permit project wide, whichever comes first.

68. Park installation shall be completed in PA 2b prior to the 550th residential permit project wide, unless Quimby park requirement is satisfied in developed areas not adjacent to PA 2b, in which case improvements of PA 2b would be constructed in conjunction with PA 4a or PA 7. Regardless of phasing, improvements to be complete prior to the issuance of the 750th residential building permit project wide.

Park Area 2c (Lot F):

69. Park improvement plans for PA 2c shall be submitted to the Planning and Engineering divisions prior to approval of final map for PA 10, or issuance of the 200th residential permit project wide.

70. Park installation shall be completed in PA 2c prior to the issuance of the 50th residential permit in PA 10 or 750th residential building permit project wide

Community Landscape:

71. A master streetscape plan for backbone streets (for street trees, theme walls, street furniture) shall be submitted prior to the first final map adjacent to the applicable streets.

72. A master entry signage and landscape master plan shall be submitted to the Planning and Engineering divisions prior to approval of the first final map of SP 12-001.

73. Individual project entry signage and landscape plan shall be submitted to the Planning and Engineering divisions prior to approval of the individual project final map.

74. The commercial pedestrian plaza design plan shall be submitted to the Planning Division in conjunction with the first Site Development Plan (SDR) for PA 3b.

Landscaping:

75. Prior to approval of the 1st final map of the western portion of SP 12-001, the developer shall submit to the Planning Division and Engineering Division a master landscape and irrigation plan with automatic irrigation for landscaping on-site and for public areas, consistent with the Specific Plan. The plans shall be prepared on the approved grading plans and shall indicate the botanical and common names.

76. Prior to issuance of a Certificate of Occupancy or finalization of the Building Permit, landscaped areas shall have an irrigation system, with automatic timers, installed and operational unless cash or bond is posted to guarantee completion.

77. A one-year Faithful Performance bond shall be posted to guarantee installation, plant health, and established growth. The bond may be reduced by the City after installation has been approved.

78. **Interim Landscaping.** Graded but undeveloped land shall be maintained in a condition so as to prevent a dust and/or blow sand nuisance and shall be either planted with interim landscaping or provided with other wind and water erosion control measures as approved by the Planning Division and the South Coast Air Quality Management District (SCAQMD).

79. All graded slopes, equal to or greater than 3-feet in vertical height, and/or on slopes graded to a 2:1 or a greater ratio shall be planted with ground cover at a minimum spacing of 12-inches on-center to prevent erosion. A permanent irrigation system shall be installed for non-native vegetation. Irrigation shall not be required for slopes equal to or less than 3-feet in vertical height. Permanent landscaping shall be installed pursuant to the Specific Plan requirements.

80. **Landscape Maintenance.** The master developer, or any successor-in-interest to the sub-divider, shall be responsible for the maintenance and upkeep of all slopes, landscaped areas and irrigation systems until such time as those operations are the responsibility of a property owner's association, Lighting & Landscape Maintenance District (L&LMD), or any other successor-in-interest. For all projects, landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash, disease, vermin, and debris, during the life of this Project.

Signage:

81. A master entry signage and landscape master plan shall be submitted to the Planning and Engineering divisions prior to approval of the first final map of SP 12-001.

82. Retail monument signage program for PA 3a and 3b shall be submitted to the Planning Division in conjunction with the first SDR for PA 3a or 3b.

83. Tenant sign program (for on-site directional signs, etc.) shall be submitted to the Planning Division in conjunction with the first SDR for PA 3a or 3b.

INFRASTRUCTURE:

84. The required infrastructure for the project shall comply with the requirements of SP 12-001 as described in Chapter 2 – Development Plan, and Chapter 5 – Administration and Implementation.

Project Improvements for Retail Area 3a (Lots 5, 6, 7 & 8):

85. Applicant shall improve "A" Street, "C" Street west of "A" Street, half section of Florida Avenue west of "A" Street, and half section of Warren Road from retail connection to Florida Avenue including full medians and signal **at "A" Street and West Florida Avenue** prior to the issuance of the first building permit in PA 3a. ***[Modified by Planning Commission 5/6/14].***

86. The retail connection drive to Warren Road shall be installed prior to the issuance of any occupancy permit in PA 3a.

87. Utilities shall be provided according to Figure 5-12A.1 in SP 12-001 prior to the issuance of the first building permit in PA 3a.

Project Improvements for Retail Area 3b (Lots 1, 2, 3, 4, 9, 10, 11 & 12):

88. Applicant shall improve "A: Street, "C" Street east of "A" Street, half sections of Florida Avenue east of "A" Street, and half section of Meyers Street south of "C" Street including full medians and signal at **"A" Street and West Florida Avenue** prior to the issuance of the first building permit in PA 3b. ***[Modified by Planning Commission 5/6/14].***

89. Meyers Street north of "C" Street shall maintain one lane in each direction with no improvement.

90. Utilities shall be provided according to Figure 5-12A.1 in SP 12-001 prior to issuance of the first building permit in PA 3b.

Village Residential Areas (PA 4b, 5 & 6, excluding PA 4a):

91. Applicant shall improve "B: Street south of Ramona Creek Corridor (PA 1a and 1b) "C" Street, "E" Street, and "D" Street south of "E" Street prior to the issuance of the first building permit in PA 4b, 5, or 6.

92. Half section of Myers Street south of "E" Street including full median and signal **at Myers Street and Devonshire Avenue when signal warrants are met. ~~and~~ Old Warren Road shall be constructed in conjunction with PA 1 and PA 5.** ***[Modified by Planning Commission 5/6/14].***

93. Meyers Street north of "C" Street shall maintain one lane in each direction with no improvement.

94. Devonshire Avenue shall maintain one lane in each direction with no improvement.

95. Utilities shall be provided according to Figure 5-12B.1 in SP 12-001 prior to issuance of the first building permit in PA 4b, 5 or 6.

Medium Density Area (PA 7 & 8):

96. Applicant shall improve half sections of Devonshire Avenue, and full improvement of Old Warren Road Emergency Access, and "B" Street north of Ramona Creek Corridor (PA 1a & 1b) prior to the issuance of the first building permit in PA 7 or 8. **Installation of a signal at "B" Street and Devonshire Avenue shall be constructed or guaranteed in accordance with an intersection warrant study prepared prior to the issuance of grading permits for PA 7 or 8**. ***[Modified by Planning Commission 5/6/14].***

97. Utilities shall be provided according to Figure 5-12D.1 in SP 12-001 prior to the issuance of the first building permit in PA 7 or 8.

Low Medium Density Area (PA 9):

98. Applicant shall provide half sections of Celeste Road, Devonshire Avenue and Old Warren Road between Celeste Road and Devonshire Avenue prior to the issuance of the first building permit in PA 9. **Installation of a signal at "B" Street and Devonshire Avenue shall be constructed or guaranteed in accordance with an intersection warrant study prepared prior to the issuance of grading permits for PA 9.** ***[Modified by Planning Commission 5/6/14].***

99. Utilities shall be provided according to Figure 5-12D.1 in SP 12-001 prior to the issuance of the first building permit in PA 19.

Low Medium Density Area (PA 10):

100. Applicant shall provide half sections of Celeste Road, Devonshire Avenue, and Myers Street between Celeste Road and Devonshire including full median **at Myers Street and Devonshire Avenue** prior to the issuance of the first building permit in PA 10. **Installation of a signal at Myers Street and Devonshire Avenue shall be constructed or guaranteed in accordance with an intersection warrant study prepared prior to the issuance of grading permits for PA10.** ***[Modified by Planning Commission 5/6/14].***

101. Utilities shall be provided according to Figure 5-12E.1 in SP 12-001 prior to the issuance of the first building permit in PA 10.

Myers Street Phase (PA 4a):

102. Applicant shall improve half section of Myers Street between "E" Street and Devonshire Avenue including full median, half section of Devonshire Avenue east of the Ramona Creek Corridor (PA 1b), and full section of "D" Street and "E" Street adjacent to PA 4a prior to the issuance of the first building permit in PA 4a.

103. Myers Street south of "E" Street shall be maintained with one lane in each direction with no improvements.

104. Utilities shall be provided according to Figure 5-12.F.1 in SP 12-001 prior to the issuance of the first building permit in PA 4a.

END PLANNING CONDITIONS

FIRE DEPARTMENT CONDITIONS

The following conditions of approval are project specific and are recommended by the Fire Department. Questions regarding compliance with these conditions should be directed to the City of Hemet Fire Department, FIRE PREVENTION DIVISION at (951) 765-2450.

Unless specifically stated herein, these conditions shall not be construed to permit or allow deviation from any Federal or State laws nor any of the local codes and ordinances adopted by this jurisdiction. Please contact the Hemet Fire Department, Fire Prevention Division for any questions regarding compliance with the applicable codes or following conditions:

105. Prior to the issuance of a building permit written proof shall be provided from the water purveyor that sufficient capacity is available for fire protection. The minimum required fire flow for this project will be based on the building size and construction type and stated as gallons per minute @ 20psi residual pressure for a duration of 2 hours, per 2013 CFC Appendix B. Fire flow and flow duration for buildings without automatic fire protection and having an area in excess of 3,600 square feet shall not be less than specified in Table B105.1.

106. Facilities and equipment used for the storage and handling of flammable or combustible liquids and other hazardous materials (which meet or exceed reportable quantities) as defined by Federal, State and Local Laws shall be approved by the County of Riverside Environmental Health.

General

107. This project is subject to review and approval in accordance with the California Code of Regulations, Title 19 for Fire and Life Safety. This project may be subject to an annual inspection and permit from the Hemet Fire Department for this type of occupancy (use).

108. Provision for the storage or handling of hazardous materials, as defined by Federal, State, and Local Law, shall be in accordance with CFC, Chapter 50.

109. Storage and handling of flammable and combustible liquids shall be in accordance with the 2013 California Fire Code, Chapter 57 and NFPA 30 (2008), Flammable and Combustible Liquids Code.

110. Motor fuel dispensing operations and/or facilities and repair garages shall be in accordance with 2013 CFC, Chapter 35.

Hydrants and Fire Protection Systems

111. An approved water supply capable of supplying the required fire flow for fire protection shall be provided on site when any portion of the building or facility is in excess of 400 feet from an approved water supply on a public street. 2013 CFC Section 507. The location of on-site hydrants and mains shall be approved by the Fire Marshall prior to permit issuance.

112. Prior to combustible construction commencing, install and/or upgrade, as required by the 2013 CFC, street (off-site) fire hydrants pursuant to the City of Hemet Standard Specifications for Public Works Construction. Distance between fire hydrants shall not exceed 300 feet without approval from the Fire Marshal. Fire hydrants shall be located within 150 feet of Fire Department Connections (FDC) for Standpipes and Automatic fire sprinklers.

113. Prior to combustible construction install, as required by the City of Hemet Fire Marshal, on-site fire hydrants pursuant to the City of Hemet Standard Specifications for Public Works Construction. Travel distance along the fire access route shall not exceed 300 ft. between hydrants without approval from the Fire Marshal. CFC Section 507.

114. In accordance with the 2013 CFC Section 507, the water system (mains and hydrants) shall be tested and accepted by the Fire Marshal prior to the commencement of combustible construction. Hydrant markers (Blue Dots) shall be installed pursuant to the City of Hemet Standard Specifications for Public Works.

Fire Department Access

115. Prior to delivery of combustible materials on site, provide and maintain a surfaced all weather access roadway 20-feet wide with a 13-foot 6-inch vertical clearance designed to support the imposed loads of fire apparatus in accordance with the 2013 CFC Section 503.1 (dirt or native soil does not meet the minimum standard). Minimum turning radius for fire apparatus is 52 feet (outside) and 32 feet (inside). Fire access is required to within 150 ft of all portions of every building unless otherwise approved by the Fire Marshal.

116. In accordance with the 2013 CFC Section 503.2.5, approved turnarounds are required on any access road in excess of 150 feet in length, per City of Hemet Fire Department Standards.

117. Fire Department access roads shall have an unobstructed minimum width of 26 feet where fire hydrants are located along the access roadway or as otherwise determined by the Fire Marshal in accordance with 2013 CFC Section 503.2.2 & CFC Section D103.

118. Provide secondary access/egress per 2013 CFC Section 503.1.2 as required by the Fire Department. No portion of any public or private street used for fire access shall exceed 12% grade without approval from the Fire Marshal. All cul-de-sacs shall conform to City Standards for length, width and turnaround radius.

119. Prior to the issuance of a Certificate of Occupancy, "No Parking - Fire Lane" signs, red curbing, street signs and other required markings shall be provided to the specifications of the City of Hemet Fire Marshal in accordance with the 2013 CFC Section 503.3 and California Vehicle Code Section 22500.1.

120. Access during construction: Access for fire fighting equipment shall be provided to the immediate job site at the start of construction and maintained until all construction is complete. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13'-6. Fire department access roads shall have an all weather driving surface and support a minimum weight of 73,000 lbs. Access shall be provided to within 150 feet of combustible construction pursuant to 2010 CFC Chapter 33.

END FIRE CONDITIONS

ENGINEERING DEPARTMENT CONDITIONS

Please contact the Engineering Department for compliance with the following conditions:

General

121. When changes to the approved Tentative Map are proposed, a Substantial Compliance Exhibit consisting of an acetate map, in the same scale of the Tentative Map, shall be submitted for review and approval of the City Engineer.

122. The applicant shall coordinate with affected utility companies and obtain any permits as necessary for the development of this project

123. Digitized drawing files of the Final Tract Map, in a City's compatible CAD system, shall be submitted along with original mylar plans. Also provide PDF file of all City Engineer approved Improvement Plans showing City Engineer's approval signature as well as Private Engineer's approval signature.

124. Easement(s) of record not shown on the tentative map shall be relinquished or relocated. Lots affected by proposed easements or easements of record, which cannot be relinquished or relocated, shall be redesigned.

125. Where survey monuments exist, such monuments shall be protected or shall be

referenced and reset, pursuant to Business and Professions Code, Sections 8700 to 8805 (Land Surveyors Act).

126. Monuments shall be provided in accordance with City of Hemet Standard Specifications for Public Works Construction Standard M-900 and M-900A and M-901.

127. Cross-ties shall be set in top of curbs, and tie sheets shall be submitted to the City Engineer before a monument security is released.

128. The applicant shall enter into a Subdivision Improvement Agreement with the City, whereby the applicant agrees to construct the public improvements required as a condition of acceptance of the final map.

129. All public improvements shall be guaranteed by securities, in compliance with the provisions of the Subdivision Map Act, prior to the recordation of the map if the improvements have not been completed and accepted by the City. All improvements shall be guaranteed by securities (Faithful Performance, and Labor & Materials) for 100% of the approved cost estimate, and in accordance with the Subdivision Improvement Agreement.

130. The applicant may receive credit against Development Impact Fees for construction of improvements identified in the City's "Master Facilities Plan", in accordance with Hemet Municipal Code Section 58-64, provided that an agreement is entered into with the City of Hemet prior to the recordation of the Final Map.

131. Prior to any lane closure or detour, the Applicant shall submit a Construction Traffic Management Plan, for review and approval by the City Engineer. The plan shall include, but not limited to, signing, truck routes, and dirt hauling hours.

132. Install public street lights in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standards G-808, G-808A and G-808B. The plans shall be designed by a registered electrical engineer.

133. Install handicap ramp(s) in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard C-216, and C-216A and Uniform Building Code Title 24.

134. Install parkway type sidewalk in accordance with the City of Hemet Standard Specifications for Public Works Construction Standard C-215.

135. Install driveway approach in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standards C-208, C-209, and C-210A. In accordance with City of Hemet Resolution No. 1783, driveway widths and locations shall be approved by the City Engineer.

136. Temporary turnarounds shall be installed at all dead-end streets in accordance with City of Hemet Standard Specifications for Public Works Construction Standard G-801.

137. Install stop signs, street name signs and red curb per instructions of the City Engineer.

138. All existing and proposed aerial utility lines shall be relocated and installed underground, in accordance with Section 82-172 of the City of Hemet Municipal Code.

139. Install street trees (40-feet on-center) in accordance with the Ramona Creek Specific Plan. Install automatic irrigation system to trees.

140. Install a 35-foot minimum radius curb return, spandrel and cross gutter in accordance with the City of Hemet Standard Specifications for Public Works Construction.

141. Any existing City roads, which will require reconstruction, shall remain open for traffic at all times, with adequate detours, to the satisfaction of the City Engineer.

STREETS

Florida Avenue

139. Install type "B" curb and gutter on an alignment 55-feet from the centerline, in a 112-feet dedication in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard C-201.

140. Install a 14-24 foot wide raised median with type "D" curb, in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard C-203.

141. Street structural sections shall be designed for a Traffic Index (TI) of 9.5. Preliminary soils investigations shall be used to determine the R-value to calculate the pavement structural section, based on the established TI. The final pavement section shall be approved by the City Engineer.

142. Install street paving to match the new curb and gutter per Caltrans requirements. Prior to the commencement of any improvement work on or along Florida Avenue an encroachment permit must be obtained from Caltrans.

143. Install landscaping and improvements, as required by the City of Hemet Scenic Highway Setback Manual Design Criteria and the Ramona Creek Specific Plan. Provide an executed Grant Deed, legal description, and plat map to dedicate an additional 25-feet of right-of-way along the North side of Florida Avenue for Scenic Highway Setback purposes.

144. Install decorative lighting, sidewalk, bus stops and other improvements required by City of Hemet Scenic Highway Setback Manual Design Criteria.

145. Install 12-feet wide meandering sidewalk within the Scenic Highway Setback. Install decorative lighting, benches, bollards, bus stops and other improvements required by City of Hemet Scenic Highway Setback Manual Design Criteria.

146. Paving along Florida Avenue shall be performed at night to prevent inconveniences due to the necessary traffic control measures unless otherwise allowed by the City Engineer. Applicant shall be responsible of the overtime charges for inspection by the City of Hemet and Caltrans.

Myers Street, south of Devonshire

147. Install type "A" curb and gutter on an alignment **35** ~~32~~-feet from the centerline in a 47-feet dedication, from centerline, in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard C-200. ***[Modified by Planning Commission 5/6/14].***

148. Install 6 feet parkway type sidewalk in accordance with the City of Hemet Standard Specifications for Public Works Construction Standard C-215

149. Install a 12 feet wide raised median with type "D" curb, in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard C-203.

150. Install street paving from the new gutter lip to 12-feet east of the centerline, in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard Street Sections.

151. Street structural sections shall be designed for a Traffic Index (TI) of 7.5. Preliminary soils investigations shall be used to determine the R-value to calculate the pavement structural section, based on the established TI. The final pavement section shall be approved by the City Engineer.

152. Prior to approval of a final map the developer shall core test samples of the pavement to determine the structural condition of the pavement and if necessary, as determined by the City Engineer, may be required to remove and replace the existing street pavement fronting the project on Meyers to the centerline in accordance with the City of Hemet Standards & Specifications. Street structural sections shall be designed for a Traffic Index (TI) of 7.5 (min.). Preliminary soils investigations shall be used to determine the R-value to calculate the pavement structural section, based on the established TI. The final pavement section shall be approved by the City Engineer.

Myers Street, north of Devonshire

153. Install type "A" curb and gutter on an alignment 32-feet from the centerline in a 47-feet dedication, in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard C-200.

154. Install 10 feet Meandering Class I Bike Lane/Sidewalk per modified parkway type sidewalk in accordance with the City of Hemet Standard Specifications for Public Works Construction Standard C-215

155. Install a 12 feet wide raised median with type "D" curb, in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard C-203.

156. Install street paving from the new gutter lip to 12-feet east of the centerline, in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard Street Sections.

157. Street structural sections shall be designed for a Traffic Index (TI) of 7.5. Preliminary

soils investigations shall be used to determine the R-value to calculate the pavement structural section, based on the established TI. The final pavement section shall be approved by the City Engineer.

158. Prior to approval of the final map the developer shall core test samples of the pavement to determine the structural condition of the pavement and if necessary, as determined by the City Engineer, may be required to remove and replace the existing street pavement fronting the project on Meyers to the centerline in accordance with the City of Hemet Standards & Specifications. Street structural sections shall be designed for a Traffic Index (TI) of 7.5 (min.). Preliminary soils investigations shall be used to determine the R-value to calculate the pavement structural section, based on the established TI. The final pavement section shall be approved by the City Engineer.

Devonshire Avenue

159. Install type "B" curb and gutter on an alignment 32-feet from the centerline in a 47-feet dedication, in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard C-201.

160. Install 6 feet parkway type sidewalk in accordance with the City of Hemet Standard Specifications for Public Works Construction Standard C-215

161. Street structural sections shall be designed for a Traffic Index (TI) of 7.5. Preliminary soils investigations shall be used to determine the R-value to calculate the pavement structural section, based on the established TI. The final pavement section shall be approved by the City Engineer.

162. Prior to approval of the final map the developer shall core test samples of the pavement to determine the structural condition of the pavement and if necessary, as determined by the City Engineer, may be required to remove and replace the existing street pavement fronting the project on Devonshire to the centerline in accordance with the City of Hemet Standards & Specifications. Street structural sections shall be designed for a Traffic Index (TI) of 7.5 (min.). Preliminary soils investigations shall be used to determine the R-value to calculate the pavement structural section, based on the established TI. The final pavement section shall be approved by the City Engineer.

Celeste Road (formerly Rose Road) and Old Warren Road

163. Install type "B" curb and gutter on an alignment 22-feet from the centerline in a 33-feet dedication, in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard C-201.

164. Install street paving from the new gutter lip to 12-feet North of the centerline, in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard Street Sections.

165. Install 6 feet parkway type sidewalk in accordance with the City of Hemet Standard Specifications for Public Works Construction Standard C-215

166. Street structural sections shall be designed for a Traffic Index (TI) of 7.0. Preliminary

soils investigations shall be used to determine the R-value to calculate the pavement structural section, based on the established TI. The final pavement section shall be approved by the City Engineer.

167. Prior to approval of the final map the developer shall core test samples of the pavement to determine the structural condition of the pavement and if necessary, as determined by the City Engineer, may be required to remove and replace the existing street pavement fronting the project on Celeste Road to the centerline in accordance with the City of Hemet Standards & Specifications. Street structural sections shall be designed for a Traffic Index (TI) of 7.5 (min.). Preliminary soils investigations shall be used to determine the R-value to calculate the pavement structural section, based on the established TI. The final pavement section shall be approved by the City Engineer.

Old Warren Road, north of Devonshire

168. Install type "B" curb and gutter on an alignment 22-feet from the centerline in a 33-feet dedication, in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard C-201.

169. Install street paving from the new gutter lip to 12-feet **east** ~~north~~ of the centerline, in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard Street Sections. ***[Modified by Planning Commission 5/6/14].***

170. Install 6 feet parkway type sidewalk in accordance with the City of Hemet Standard Specifications for Public Works Construction Standard C-215

171. Street structural sections shall be designed for a Traffic Index (TI) of 7.0. Preliminary soils investigations shall be used to determine the R-value to calculate the pavement structural section, based on the established TI. The final pavement section shall be approved by the City Engineer.

172. Prior to approval of the final map the developer shall core test samples of the pavement to determine the structural condition of the pavement and if necessary, as determined by the City Engineer, may be required to remove and replace the existing street pavement fronting the project on Old Warren Road to the centerline in accordance with the City of Hemet Standards & Specifications. Street structural sections shall be designed for a Traffic Index (TI) of 7.0 (min.). Preliminary soils investigations shall be used to determine the R-value to calculate the pavement structural section, based on the established TI. The final pavement section shall be approved by the City Engineer.

Old Warren Road, south of Devonshire

173. Install all weather Fire Access Road 30-feet from the centerline in a 30-feet dedication, in accordance with the City of Hemet Standard Specifications for Public Works Construction subject to the approval of the City Engineer.

Streets "D" & "E"

174. Install type "B" curb and gutter on an alignment 20-feet on each side of centerline in a 62-feet dedication, in accordance with the City of Hemet Standard Specifications for

Public Works Construction, Standard C-200.

175. Install 6 feet parkway type sidewalk in accordance with the City of Hemet Standard Specifications for Public Works Construction Standard C-215

176. Street structural sections shall be designed for a Traffic Index (TI) of 7.0. Preliminary soils investigations shall be used to determine the R-value to calculate the pavement structural section, based on the established TI. The final pavement section shall be approved by the City Engineer.

Streets "B" & "C", east of Street "A"

177. Install type "B" curb and gutter on an alignment **22** ~~20~~-feet on each side of centerline in a 94-feet dedication, in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard C-200. ***[Modified by Planning Commission 5/6/14].***

178. Install 6 feet parkway type sidewalk in accordance with the City of Hemet Standard Specifications for Public Works Construction Standard C-215.

Street "C" west of Street "A"

179. Install type "B" curb and gutter on an alignment **22** ~~32~~-feet on each side of centerline in a 94-feet dedication, in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard C-200. ***[Modified by Planning Commission 5/6/14].***

180. Install 6 feet monolithic (check Typical Section tentative map) type sidewalk on the South side of Lot "C" in accordance with the City of Hemet Standard Specifications for Public Works Construction Standard C-215.

181. Install 10 feet multi-purpose sidewalk on the North side of Lot "C" per modified parkway type sidewalk in accordance with the City of Hemet Standard Specifications for Public Works Construction Standard C-215.

182. Street structural sections shall be designed for a Traffic Index (TI) of 7.5. Preliminary soils investigations shall be used to determine the R-value to calculate the pavement structural section, based on the established TI. The final pavement section shall be approved by the City Engineer.

Street "A"

183. Install type "B" curb and gutter on an alignment 30-feet on each side of centerline in a **90** ~~62~~-feet dedication, in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard C-200. ***[Modified by Planning Commission 5/6/14].***

184. Install 15 feet monolithic type sidewalk on the in accordance with the City of Hemet Standard Specifications for Public Works Construction Standard C-215.

185. Install a 12 feet wide raised median with type "D" curb, in accordance with the City of Hemet Standard Specifications for Public Works Construction, Standard C-203.

186. Street structural sections shall be designed for a Traffic Index (TI) of 7.5. Preliminary soils investigations shall be used to determine the R-value to calculate the pavement structural section, based on the established TI. The final pavement section shall be approved by the City Engineer.

TRAFFIC

187. Install the following traffic signals as determined by the Traffic Study dated 2/12/2014:
Florida Avenue at "A" Street (main entrance)
Devonshire Avenue at **"B" Street** ~~Driveway 3~~ (as named in the traffic study)
Devonshire Avenue at Myers Street
[Modified by Planning Commission 5/6/14].

188. Modify the existing traffic signal at the intersection of Florida Avenue and Myers Street, as determined by the traffic study.

189. Developer shall make a fair share contribution to future traffic improvements identified in the traffic study. The final amount of the required fair share contribution shall be determined by the City Engineer.

190. Submit a signing and striping plan, prepared by a California Registered Engineer, for review and approval by the City.

DRAINAGE

191. The incremental increase in runoff between the developed and undeveloped property for the 100-year/3-hour storm must be retained on site.

192. The design of all drainage and other public improvements shall conform to the current edition of the following City of Hemet documents: "Standard Specifications for Public Works Construction", the "Hemet Master Flood Control and Drainage Plan", and the "Storm Drain Development Standards, Storm Drain Criteria and Drainage Design Manual".

193. An underground nuisance water storm drain is required in all streets where upstream street lengths exceed 660 lineal feet.

194. Prior to issuance of the Building Permit, the Applicant shall pay the Master Storm Drain Plan fee, at the currently adopted rate.

195. The Flood Insurance Rate Map shows this project along the Florida Avenue corridor to be in Zone A with no Base Flood Elevation determined. As shown per FIRM Map 06065C2085G and FIRM Map 06065C1470G the rest of the site is shown as outside the "Limit of Study". The applicant's Engineer shall determine those areas to be in Zone A and prepare and submit a Letter Of Map Revision (LOMR) application to FEMA for the

entire site to revise the limits of the areas determined to be Zone A. Approval from FEMA, accepting the changes to the floodplain, shall be required prior to the issuance of a Building Permit.

196. The Applicant shall adhere to all Federal Emergency Management Agency (FEMA) regulations and requirements in the event that existing drainage patterns are affected by this development. Prior to issuance of a Grading Permit all necessary calculations shall be submitted to the City of Hemet and to any governing Federal agency for review and approval.

197. Prior to recording the Final Map, the Applicant shall submit to the City Engineer for review and approval, hydrology and hydraulic calculations within and immediately adjacent to the project site. Improvements proposed by the Applicant shall be taken into account when analyzing impacts to upstream, adjacent and downstream properties.

198. The Applicant's property shall accept and properly dispose all offsite drainage flowing onto or through the site.

199. Adequate provisions shall be made to intercept and conduct the drainage flows within and from the site in a manner which will not adversely affect adjacent or downstream properties.

200. The detention facility shall be a lettered lot, dedicated to the City on the Final Map, and be required to mitigate off-site flows through the project site in accordance with City of Hemet Resolution No. 2108.

201. Construction of the detention basin/passive park shall include, but not limited to, the following improvements: concrete driveway, perimeter fencing (decorative block and/or wrought iron fence, as determined by the Planning Division), 4:1 side slopes, access ramp, inlet and outlet structure with safety grate, underground pipe and sump to collect nuisance water, and discharge pump.

202. Cross-lot drainage and the designated drainage easements shall not be allowed. All pads shall be designed to drain to the streets. Storm water shall be collected in an appropriate storm drain system. All drainage easements are subject to City acceptance for maintenance.

203. Effective February 14, 2011, all construction projects on one acre or more, in the San Jacinto Watershed, shall apply for coverage under the State General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (General Permit) Order No. 2010-0014-DWQ.

204. Prior to issuance of a Grading Permit, the applicant shall submit to the City for review and approval, a project-specific Water Quality Management Plan (WQMP) using the WQMP Guidelines & Template adopted October 22, 2012 utilizing Low Impact Development (LID) Principles and LID BMPs. This plan shall address Site Design BMPs, incorporate the applicable Source Control BMPs, incorporate LID Control BMPs, describe the long-term operation and maintenance requirements for BMPs, and describe the mechanism for funding the long-term operation and maintenance of the BMPs.

205. Prior to issuance of a Grading Permit, the applicant shall provide the City Engineer with proof of filing a Notice of Intent with the State Water Resources Control Board in Sacramento, obtain a WDID number from the Board, and have an approved WQMP from the City.

206. Prior to approval of a Final Map, the property owner shall record a "Covenant and Agreement" with the County Recorder, or other instrument acceptable to the City, to inform future property owners of the requirement to implement the approved project-specific WQMP.

207. Prior to issuance of a Certificate of Occupancy, a Registered Civil Engineer shall submit to the City Engineer a written certification that all the components of the approved WQMP have been satisfactory installed and constructed. Certification shall be to grade, elevations, plantings, materials, and other elements included in the approved WQMP.

208. Any required underground storm drain lines and appurtenances, within the public right-of-way, shall be installed in accordance with the City of Hemet Standard Specifications for Public Works Construction.

209. Drainage easement(s), as required by the City Engineer, shall be shown on the improvement plans or grading plans. Easement(s) shall be recorded by deed or as part of the Parcel/Final Map.

WATER

210. Domestic water service will be provided by EMWD. Applicant shall provide the City with a will-serve letter prior to final map.

SEWER

211. Domestic sewer service will be provided by EMWD. Applicant shall provide the City with a will-serve letter prior to final map.

LANDSCAPING

212. Prior to issuance of a Grading Permit, a landscape plan for improvements within the public right-of-way, shall be submitted to the Engineering and Planning divisions for review and approval. Plans shall be prepared, by a licensed landscape architect, in 24" x 36" format with City's standard title block.

213. Prior to approval of the Final Map, a Lighting and Landscaping Maintenance District (LLMD) shall be established or joined.

214. Prior to approval of the Final Map, the applicant shall pay the corresponding fee for the incorporation into a Lighting and Landscaping Maintenance District (LLMD), and the Community Facilities District (CFD) for Public Safety Services.

215. Prior to final acceptance of the public improvements, submit landscape "as-built" in public areas, and RP principle backflow prevention certification(s) for all water service.

END OF CONDITIONS

Attachment No. 2

Planning Commisson Reso. No. 14-012

City Council
Public Meeting of
June 10, 2014

CITY OF HEMET
Hemet, California

PLANNING COMMISSION
RESOLUTION NO. 14-012

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HEMET, CALIFORNIA RECOMMENDING TO THE CITY COUNCIL APPROVAL OF TENTATIVE TRACT MAP NO. 36510 (MAP12-001) PERTAINING TO A 208.9-ACRE SITE LOCATED ON THE NORTHWEST CORNER OF WEST FLORIDA AVENUE AND MYERS STREET (APN: 448-090-003).

WHEREAS, concurrent applications for General Plan Amendment No. 12-005, SP 12-001 establishing the Ramona Creek Specific Plan, and Tentative Tract Map No. 36510 (MAP12-001), for the subdivision of a 208.9-acre site into 37 commercial and residential lots and forty-nine (49) lettered lots for drainage and open space improvements, have been duly filed by:

Owner/Applicant:	Regent Properties
Agent:	Daniel Gryczman, Regent Properties
Project Location:	Northwest corner of West Florida Avenue and Myers Street
Lot Area:	208.9 Acres
APNs:	448-090-003; and

WHEREAS, the Municipal Code allows for subdivision of the subject property into 37 commercial and residential lots and 49 lettered lots (non-development), subject to the approval of a Tentative Tract Map; and

WHEREAS, pursuant to Section 70-133(d) of the Hemet Municipal Code, in the case of a subdivision proposed in conjunction with a concurrently proposed general plan amendment or planned community plan amendment, the Planning Commission shall review and advise the City Council, as the decision-making body, of the Planning Commission's recommendation regarding the subdivision; and

WHEREAS, in accordance with Government Code Section 65090, on March 21, 2014, the City gave public notice by advertising in the Press Enterprise and by mailing to property owners within 500 feet, of the holding of a public hearing at which the project would be considered by the Planning Commission; and

WHEREAS, in accordance with Government Code Section 66452.3, the City provided the applicant with a copy of the Planning Department's report and recommendation to the Planning Commission at least three (3) days prior to the below referenced notice of public hearing; and

WHEREAS, in accordance with Government Code Section 65453, on April 1, 2014 and May 6, 2014, the Planning Commission considered, heard public comments on the Draft Environmental Impact Report; and

WHEREAS, in accordance with Government Code Section 65453, on April 1, 2014 and May 6, 2014, the Planning Commission considered, heard public comments on, and recommended that the City Council approve, adopt and certify a Draft Environmental Impact Report as it relates to TTM 36510; and

NOW THEREFORE, the Planning Commission of the City of Hemet, California, does determine, find, and resolve as follows:

SECTION 1: ENVIRONMENTAL FINDINGS

The Planning Commission, in light of the whole record before it, including but not limited to, the City's Local CEQA Guidelines and Thresholds of Significance, the recommendation of the Community Development Director as provided in the Staff Report dated May 6, 2014 and documents incorporated therein by reference, and any other evidence (within the meaning of Public Resources Code Sections 21080(e) and 21082.2) within the record or provided at the public hearing of this matter, hereby finds and determines as follows:

1. A Draft Environmental Impact Report (DEIR) has been prepared and circulated for the proposed Ramona Creek Project. The DEIR analyzed the environmental impacts of the project. The tentative tract map proposes to subdivide the property within the Ramona Creek Specific Plan boundary consistent with the Planning Area boundaries identified in the Specific Plan Land Use Plan. The circulation, access roads, and road improvements have been designed consistent with the requirements of the Specific Plan. The grading of the property was also contemplated by the Specific Plan and the impacts related to grading were analyzed in the DEIR.

SECTION 2: MAP ACT FINDINGS

In accordance with Hemet Municipal Code §70-133 and §70-191 and Government Code §66463, §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, the

Ramona Creek Specific Plan and Development Standards, and any other evidence within the record or provided at the public hearing of this matter, hereby finds and determines as follows:

1. Tentative Tract Map No. 36510 is consistent and compatible with the objectives, policies, general land uses, and programs specified in the City's General Plan in that:

   The site of the proposed subdivision is designated in the General Plan for the City of Hemet for mixed commercial, residential and public land use purposes. The site currently is designated as part of the West Florida Avenue Mixed-Use Area No. 1. The Planning Commission considered and recommended for approval the proposed change of the 44.9 acre site from Low Density Residential (2.1 – 5.0 d.u./ac. To Low Medium Density Residential (5.1 – 8.0 d.u./ac) as part of General Plan Amendment No. 12-005. The proposed map allows for development of a mixture of commercial, residential and public land uses consistent with the land use designation.

2. Tentative Tract Map No. 36510, together with the design and improvement of the proposed subdivision, is consistent and compatible with the objectives, policies, general land uses, and programs specified in the Ramona Creek Specific Plan (SP 12-001) and Development Standards in that:

   The Ramona Creek Specific Plan was designed to have a balance of land uses both residential and commercial. The proposed Tentative Tract Map proposes to subdivide the property into lots consistent with the Planning Area boundaries identified in the Specific Plan Land Use Plan. There is neither a development plan nor buildings proposed as part of this subdivision. The circulation, access roads, and road improvements have been designed consistent with the Specific Plan. Therefore, the proposed subdivision is consistent with the General Plan and Specific Plan.

3. The design and improvement of the subdivision proposed under Tentative Tract Map No. 36510 is consistent with the City's General Plan in that:

   The improvements are proposed for the commercial and residential lots are consistent with both residential and commercial development standards. The proposed subdivision and layout of streets and public infrastructure is sized accordingly to handle the needs of the project itself and that of the surrounding development as contained in the master plan of public facilities as required in Land Use Policy 2.10 of the General Plan. Public spaces are provided in non-developable lettered lots which will allow for facilities listed under Land Use Policies 5.5 and 15.7.

4. The site is physically suitable for the density of development proposed under Tentative Tract Map No. 36510, in that:

The land use designation is for mixed commercial and residential land uses and the location of the site next West Florida Avenue promotes suitable commercial and residential access. The proposed development has been analyzed in the Draft Environmental Impact Report prepared for the Ramona Creek Specific Plan. The flat character of the existing site and its location on major transportation corridors in the City allow for the intensity and scale of development which is proposed.

5. The design of the subdivision and improvements proposed under Tentative Tract Map No. 36510, is not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat in that:

   The development of the site into commercial, residential and public lots will not dramatically change the hydrology of the area nor increase the possibility of urban storm water runoff. The project is designed to help solve the regional hydrologic problems of the area. The design of the drainage system will not cause environment damage to sensitive habitat in the areas southwest of the project site.

6. The design of the subdivision and improvements proposed under Tentative Tract Map No. 36510, is not likely to cause serious public health problems in that:

   Development of the site into commercial, residential and public land uses will not locate potential sensitive receptors closer to impacts associated with industrial development or the Hemet-Ryan airport further to the south. Within the development itself no future uses are allowed that would create serious public health problems.

SECTION 3: PLANNING COMMISSION RECOMMENDATION

1. The Planning Commission recommends to the City Council to approve Tentative Tract Map No. 36510 (MAP12-001), as shown in Exhibit A and conditioned as shown in Exhibit B, which is attached hereto and incorporated herein by reference.

PASSED, APPROVED AND ADOPTED this 6th day of May, 2014, by the following vote:

AYES: Chairman John Gifford, Vice Chairman Greg Vasquez, and Commissioners Michael Perciful, Vince Overmyer, and Rick Crimeni

NOES:

ABSTAIN:

ABSENT:

John Gifford, Chairman
Hemet Planning Commission

ATTEST:

Melissa Couden

Melissa Couden, Records Secretary
Hemet Planning Commission

Attachment No. 3

TTM No. 26510

(Full sized attached separately and provided to the City Council only)

City Council Public Meeting of June 10, 2014

1400 K Street
Sacramento, CA 95814
ph: (916) 658-8200
fx: (916) 658-8240

#17.D.2

LEAGUE OF CALIFORNIA CITIES

www.cacities.org

Council Action Advised by July 31, 2014

May 1, 2014

TO: Mayors, City Managers and City Clerks

RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference – September 3 - 5, Los Angeles

The League's 2014 Annual Conference is scheduled for September 3 - 5 in Los Angeles. An important part of the Annual Conference is the Annual Business Meeting *(at the General Assembly)*, scheduled for noon on Friday, September 5, at the Los Angeles Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, August 15, 2014. This will allow us time to establish voting delegate/alternate records prior to the conference.

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.

- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: www.cacities.org. In order to cast a vote, at least one voter must be present at the

-over-

636-M

Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.

- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the Los Angeles Convention Center, will be open at the following times: Wednesday, September 3, 9:00 a.m. – 5:30 p.m.; Thursday, September 4, 7:00 a.m. – 4:00 p.m.; and Friday, September 5, 7:30–10:00 a.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Friday, August 15. If you have questions, please call Karen Durham at (916) 658-8262.

Attachments:

- 2014 Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

Annual Conference Voting Procedures
2014 Annual Conference

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.

2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.

3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.

4. **Signing Initiated Resolution Petitions**. Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.

5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.

6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.

7. **Resolving Disputes**. In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.