

City Council Chambers  
29844 Haun Road  
Menifee, CA 92586



City of Menifee  
Planning Commission  
Regular Meeting Agenda

Wednesday, August 14, 2024  
6:00 PM Regular Meeting

Cheryl Kitzerow, Director  
Rachel Valencia, Meeting Clerk

Jeff LaDue, Chair  
Ben Diederich, Vice-Chair  
Joe Long, Commissioner  
Randy Madrid, Commissioner  
Chris Thomas, Commissioner

## **AGENDA**

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### 9.1 CADO Menifee Industrial Warehouse

#### **RECOMMENDED ACTION**

1. Adopt a Resolution certifying the Environmental Impact Report (State Clearinghouse No. 2022040622), adopt the Findings of Fact and Statement of Overriding Considerations, and adopt the Mitigation Monitoring and Reporting Program; and
2. Adopt a Resolution approving Tentative Parcel Map No. 38139 (PLN22-0041) and Plot Plan No. PLN21-0370 generally located north of Corsica Lane, south of Kuffel Road, east of Wheat Street, and west of Byers Road.



## **CITY OF MENIFEE**

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SUBJECT: CADO Menifee Industrial Warehouse

MEETING DATE: August 14, 2024

TO: Planning Commission

PREPARED BY: Ryan Fowler, Principal Planner

REVIEWED BY: Orlando Hernandez, Deputy Community Development Director

APPROVED BY: Cheryl Kitzerow, Community Development Director

APPLICANT: CADO Menifee, LLC

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### **PROJECT DESCRIPTION**

**Tentative Parcel Map (TPM) No. PLN 22-0041** proposes to consolidate eight parcels into one industrial parcel. The Project site is approximately 40.03 gross acres and 36.81 net acres.

**Plot Plan (PP) No. PLN 21-0370** proposes a 700,037 square-foot warehouse/industrial building with 10,000 square feet of office space and 690,037 square feet of warehouse space on a 36.8 net acre (40.03 gross acre) site. There will be three points of access on Byers Road and two points of access on Wheat Street. Associated facilities and improvements of the Project include on-site landscaping, parking, regional Project access, and off-site improvements (roadway improvements, storm drain, utilities).

### **LOCATION**

The Project is generally located west of Interstate 215 (I-215) and south of Ethanac Road, within the City of Menifee (City), County of Riverside, State of California. The Project is north of Corsica



Lane, south of Kuffel Road, east of Wheat Street, and west of Byers Road. The Project site is located in the Economic Development Corridor-Northern Gateway (EDC-NG) zone of the City and is currently bordered by a scattering of existing rural residential properties (1-5 acres) and vacant land. The Project site consists of eight parcels (Assessor Parcel Numbers: 330-190-002 through -005 and 330-190-010 through -013).

### ***Project Location***



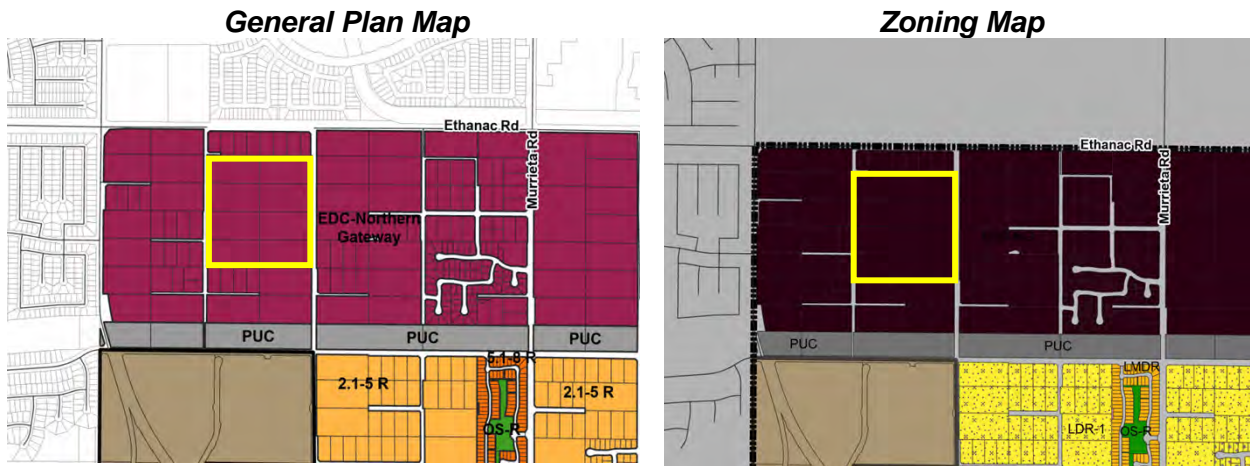
### **GENERAL PLAN/ZONE**

#### **General Plan**

The General Plan land use designation for the Project site is EDC-NG which is intended to provide economic vitality and flexibility in land use options to promote economic development along the City's major corridors. Surrounding Land Use designations and existing uses can be found below in Table 1. The Project's proposed industrial use is consistent with the existing land use designation.

#### **Zoning**

The underlying zoning classification is EDC-NG. The existing zoning of the Project site allows for the development of industrial and warehousing-related uses with which the proposed Project is consistent.

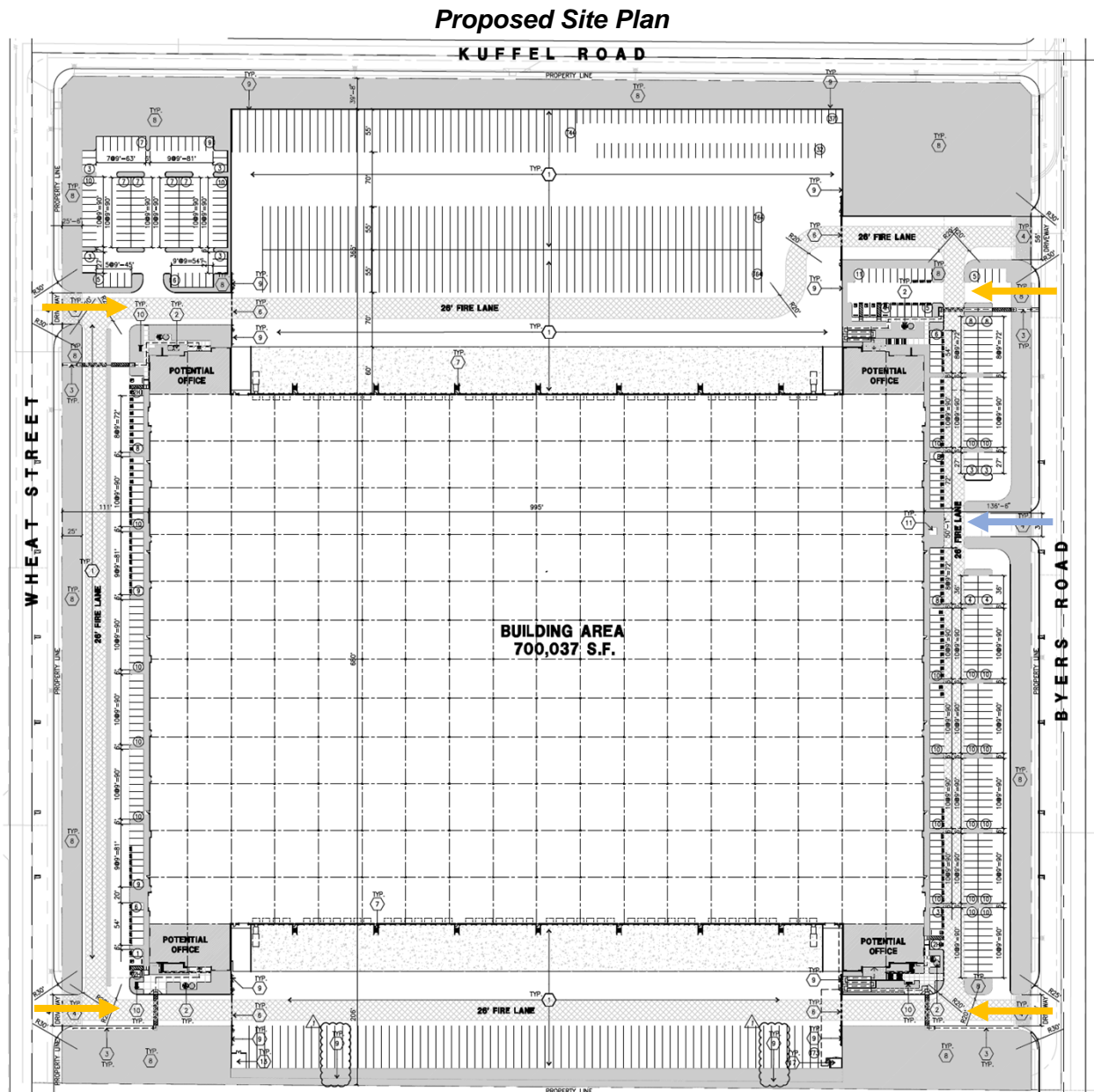


**Table 1 – Surrounding Land Uses**

Location	Existing Land Use	General Plan Land Use	Zoning Classification
North	Vacant undeveloped land and single-family residential	EDC-NG	EDC-NG
East	Vacant undeveloped land and single-family residential	EDC-NG	EDC-NG
South	Vacant undeveloped land and single-family residential	EDC-NG	EDC-NG
West	Vacant undeveloped land, single-family residential, and commercial development	EDC-NG	EDC-NG

## **DISCUSSION**

The Project Applicant (CADO Menifee, LLC) is proposing the development of approximately 700,037 square feet of industrial warehouse space (including 10,000 square feet of office space and 690,037 square feet of warehouse space) within one building.



### Circulation and Parking

Regional Project access would be from I-215 via Ethanac Road. Local access would be provided via Wheat Street and Byers Street. Project site ingress and egress would be via two driveways on Wheat Street and three driveways on Byers Street. The two southernmost and two northernmost driveways would provide full access for both trucks and automobiles (shown with orange arrows above), while the middle access point on Byers Road would provide access to passenger vehicles only (shown with the blue arrow). While there are shared access points, trucks would not be allowed to circulate through the majority of the passenger vehicle parking areas. The City of Menifee Development Code outlines the parking requirements for the Project. As demonstrated in Table 2, the Project meets all the parking requirements.

Table 2 – Parking Summary	
Office: 1/250 SF (10,000 SF)	40
Warehouse; ground floor: 1/2,000 SF (690,037 SF)	346
<b>Required</b>	<b>386</b>
<b>Total Spaces Provided</b>	<b>389</b>

### Infrastructure Improvements

The Project Applicant would be responsible for the construction of public infrastructure improvements. Wheat Street would be improved along the Project frontage to an Industrial Collector (two-lane) designation. The improvement will include the necessary offsite transitions. Turning movements at Ethanac Road would be restricted to right-in and right-out only (at Wheat Street). Additionally, a paved section of the street would be required from the northern property line of the Project to Ethanac Road.

Byers Road would be improved along the Project frontage to an Industrial Collector (two-lane) designation. The improvement will include the necessary offsite transitions. The Project Applicant would also be responsible for the installation of a traffic signal at the intersection of Ethanac Road and Byers Road, with protected westbound left-turn phasing. The existing northbound lane would be modified to be a right-turn-only lane and a dedicated northbound left-turn lane would be added. In addition, the westbound left-turn pocket length would be increased to 350 feet.

Kuffel Road would be improved along the Project frontage to a General Local (two lane) designation.

The Project has also been conditioned to participate in a Road and Bridge Benefit District (RBBD) that will be established for the area. The Applicant is required to pay the RBBD fees based on the designated land use and areas prior to the issuance of a building permit.

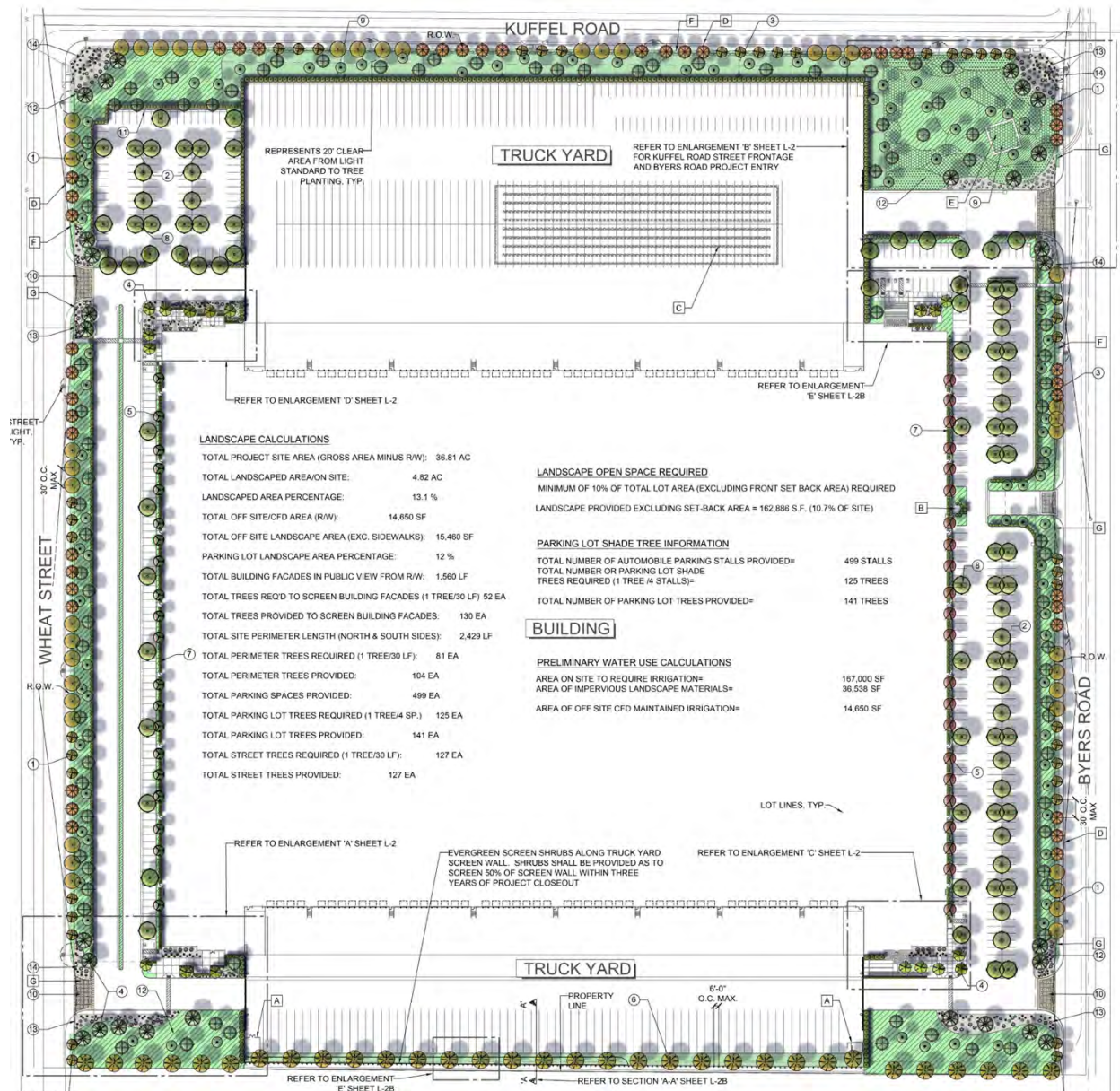
Fair share cost participation would be required at multiple off-site intersections including I-215/Ethanac Road southbound and northbound ramps. Utility improvements would be constructed which include new water lines, recycled water lines, sewer, and storm drain lines.

### Landscaping

Landscape standards for the Project are outlined in the City's Development Code. Irrigated landscaped areas for the Project site (minus the front setback areas) would total approximately 162,886 square feet (10.7 percent of the site) and would be comprised of drought-tolerant shrubs and groundcover and evergreen and deciduous trees. The conceptual landscape plan includes trees at the perimeter, street frontages, parking areas, and adjacent to the building to soften the edges of the development and the proposed building. Larger sized (36" box) trees are proposed at all the Project entry driveways and at the building office entrances. In addition, the landscape and architectural plans feature site amenities that coordinate and compliment the proposed Project, including outdoor break areas, benches, tables, bike racks, lighting, and trash receptacles. The trailing parking areas are screened from Wheat Street and Byers Road by large landscaped setbacks and intervening passenger car parking areas as can be seen in the image below.



### Conceptual Landscape Plan



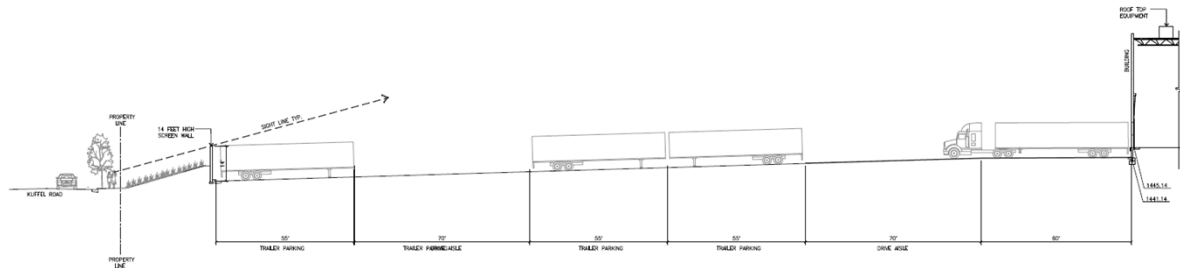
### Screening

On Kuffel Road, 14-foot-tall decorative concrete walls would be constructed to screen all loading areas, trucks, and trailers from public view. The visual height of the walls will be reduced on the public street side through the use of landscaped berms and perimeter screening trees. As shown in the conceptual landscape plan, the intent is to provide landscape coverage with a variety of trees, shrubs and ground cover to soften the wall and to provide a more aesthetically pleasing street scene.

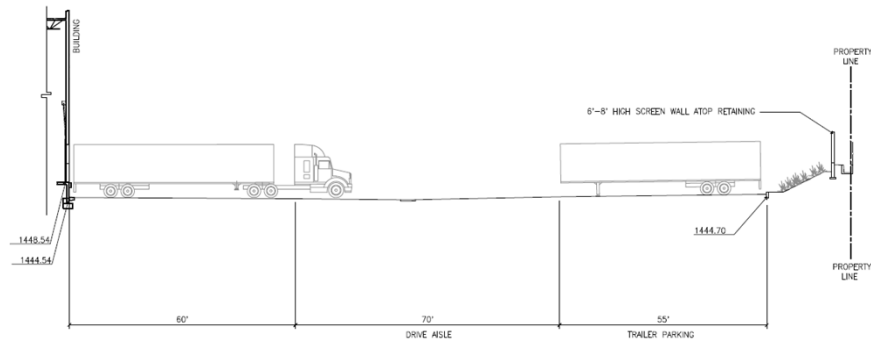
Because the truck court is set lower compared to the neighboring properties on the southerly Project boundary, the decorative concrete screen wall is proposed to be six to eight feet tall. In

In addition, the conceptual landscape plans propose screen trees on the interior side of the wall, which are anticipated to grow above the height of the wall and further screen views into the facility. In addition, evergreen shrubs and vines are proposed along the exterior of the southerly screen wall.

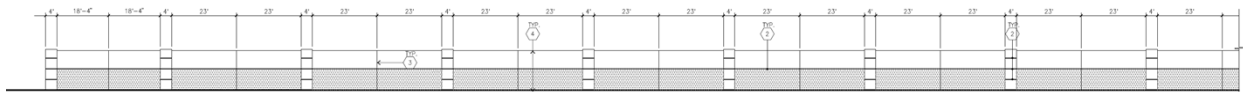
### ***Kuffel Road Line-of-Sight***



### ***South Perimeter Screening***



### ***Screen Wall***



### **Elevations**

The proposed building has unique design features as well as shared architectural elements with approved industrial developments within the northern section of the City to provide for cohesive development. There are complementing roof forms, colors, and materials. The various colors include white and multiple variations of gray. The reflective glazing has a blue tint. Additional materials proposed include aluminum black anodized mullions, metal canopies, and stained wood siding (with the appearance of walnut). Visual interest is maintained throughout the Project by enhancing architectural detailing and façade articulation along all building elevations.

**North Elevation**



**West Elevation (Wheat Street)**



**South Elevation**



**East Elevation (Byers Road)**



### **Industrial Good Neighbor Policies**

On March 2, 2022, the City Council adopted the *Industrial Good Neighbor Policies*. The focus of the policies can be summarized in three sections:

1. Minimize impacts to sensitive uses (residential, schools, parks, nursing homes, hospitals)
2. Protect public health, safety and welfare by regulating design, location and operations
3. Protect neighborhood character of adjacent residential communities

When reviewing the proposed Project, the *Industrial Good Neighbor Policies* were referenced to ensure a compliant project. Implemented policies include added landscape buffers, screen walls, improved building design, community outreach, increased building and loading dock setbacks, on-site truck queuing, on-site signage, and environmental mitigation measures.

### **ENVIRONMENTAL DETERMINATION**

#### **Notice of Preparation (NOP)**

On May 2, 2022, the City of Menifee publicly noticed its decision to prepare an Environmental Impact Report (EIR) and hold a public scoping meeting for the Project by noticing the California Governor's Office of Planning and Research (State Clearinghouse (SCH) and distributed the NOP to various agencies and surrounding property owners and residents in accordance with California Environmental Quality Act (CEQA) requirements. The NOP review period was from May 2, 2022 to May 31, 2022. On May 17, 2022, the City of Menifee held a duly noticed public scoping meeting

at City Hall regarding the preparation of the Draft EIR and provided an opportunity for members of the public to comment on the scope of environmental issues to be addressed in the EIR.

### **EIR Impacts**

Within the EIR that has been prepared for the Project (SCH No. 2022040622), mitigation measures are provided under the categories of Air Quality, Biological Resources, Geology and Soils, Greenhouse Gas (GHG) Emissions, and Hydrology and Water Quality. The EIR determined that the Project could result in significant and unavoidable impacts under the category of GHG Emissions based on the analysis and findings in the Draft EIR and requires adoption of a Statement of Overriding Considerations (SOOC). A brief description of these impacts is as follows:

**GHG Emissions:** The Project's unmitigated emissions would be approximately 7,023 MTCO<sub>2</sub>e/year. Even with the Project's compliance with applicable rules, adherence to standard conditions and requirements, and the imposition of all feasible mitigation measures, the Project's operational-source GHG emissions would exceed the applicable regional thresholds of significance (3,000 MTCO<sub>2</sub>e/year). Approximately 71 percent of the Project's unmitigated GHG emissions and 79 percent of the mitigated emissions are associated with non-construction related mobile sources. Emissions of motor vehicles are controlled by State and Federal standards, and neither the Project applicant nor the City has control over these standards. Therefore, the Project's operational GHG emissions are considered significant and unavoidable.

### **Draft EIR Public Review**

The City distributed the Draft EIR for public review beginning March 13, 2024 and ending April 27, 2024. During the public review period, comments on the Draft EIR were received from the following agencies, groups, or individuals:

1. Southern California Gas Company
2. Rincon Band of Luiseño Indians
3. Riverside County Flood Control and Water Conservation District
4. Advocates for the Environment
5. South Coast Air Quality Management District
6. Riverside County Department of Waste Resources
7. City of Perris – Development Services Department Planning Division
8. Blum, Collins & Ho LLP

The City prepared a Final Environmental Impact Report (FEIR), consisting of all the comment letters received during the 45-day public review and comment period on the Draft EIR, written responses to those comments, and revisions and errata to the Draft EIR. The FEIR was distributed to the Draft EIR commenters 10 days prior to the Planning Commission hearing. The FEIR, and Draft EIR, including technical appendices can be accessed for review on the City website at <https://www.cityofmenifee.us/325/Environmental-Notices-Documents>.

### **Findings of Fact and SOOC**

Because the Draft EIR identified unavoidable significant adverse impacts that could not be mitigated below the level of significance, Findings of Fact (Findings) and a SOOC are required



to approve the Project. The Findings and SOOC are included within the Resolution for the EIR for consideration by the Planning Commission.

According to the SOOC the following economic, legal, social, or technological benefits, independent of the other benefits, override the potential significant unavoidable adverse impacts and render acceptable each of these unavoidable adverse environmental impacts:

1. All feasible mitigation measures have been imposed to lessen Project impacts to less than significant levels; and furthermore, alternatives to the Project are infeasible, because while they have similar or less environmental impacts, they do not provide the economic benefits of the Project, or are otherwise socially or economically infeasible when compared to the Project, as described in the Statement of Facts and Findings.
2. The Project is consistent with and will contribute to achieving the goals and objectives established by the General Plan. Implementing the City's General Plan as a policy is a legal and social prerogative of the City. The Project would be consistent with the General Plan Goals and Policies contained within the attached "Findings of Fact and Statement of Overriding Consideration" through the implementation of Project Design Features and Mitigation Measures.

Although significant impacts will remain, the City will mitigate any significant adverse impacts to GHG emissions to the maximum extent practicable. In its decision to approve the Project, the Planning Commission has considered the Project benefits to override the environmental impacts.

### **Community Outreach**

The Applicant's team stated that community meetings were conducted early in the entitlement process. Informal conversations with several area residents were also conducted and the Applicant's team has reached out to several property owners in the Project vicinity regarding purchasing property. Lastly, the Applicant's team has been active with multiple project proponents (of industrial projects within the City) over the years regarding the area and this Project's respective processes and status.

City staff held an environmental scoping meeting on Monday, May 17, 2022 at City Hall to discuss the Project and to receive comments from the public. A total of eight comment letters were received in response to the environmental scoping. For the Draft EIR 45-day comment period and public hearings, property owners and non-owner residents within 300 feet of the Project boundary were mailed notices at each step of the Project (scoping meeting, Draft EIR comment period, public hearing).

### **FINDINGS**

Findings for the EIR, TPM No. 38139 (PLN 22-0041), and PP No. PLN 21-0370 are included in the attached Resolutions.

### **PUBLIC NOTICE**

The proposed Project was noticed on August 4, 2024 for the August 14, 2024 Planning Commission public hearing. A public notice was published in *The Press Enterprise* and notices were mailed to property owners and non-owner residents within a 300-foot radius of the Project site. The proper public notice was posted on-site, and in addition, all relevant public agencies and those requesting notification were notified of the public hearing.

### **ATTACHMENTS**

1. Project Plans & Exhibits
2. Resolution – EIR
3. Exhibit A – FEIR
4. Exhibit B - Findings of Fact and the SOOC
5. Exhibit C - Mitigation Monitoring and Reporting Program
6. Resolution - Project Entitlements
7. Exhibit A – Conditions of Approval
8. Public Hearing Notice

# OWNER/APPLICANT

CLAYTON REALTY, LLC  
1735 S. GARDEN STREET  
CARLSBAD, CA 92008  
PHONE: (760) 437-4023  
FAX: (760) 437-4023

# ARCHITECT

MR. DAVIDSON, AVE. SUITE 100  
10000 S. GARDEN STREET  
CARLSBAD, CA 92008  
PHONE: (760) 437-4023

# SOILS ENGINEER

MR. DAVIDSON, AVE. SUITE 100  
10000 S. GARDEN STREET  
CARLSBAD, CA 92008  
PHONE: (760) 437-4023

# APL

300 N. GARDEN STREET  
CARLSBAD, CA 92008  
PHONE: (760) 437-4023

# ACREAGE

4.00 ACRES (APPROX.)  
3.00 ACRES (NET)

# LEGAL DESCRIPTION

PARCEL 1, LOTS 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, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 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**RESOLUTION NO. 24-\_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENIFEE, CALIFORNIA CERTIFYING AN ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2022040622) FOR THE CADO MENIFEE INDUSTRIAL WAREHOUSE PROJECT, MAKING CERTAIN FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM**

**WHEREAS**, on November 15, 2021, the applicant, CADO Menifee, LLC (“Applicant”), filed a formal application with the City of Menifee for the approval of Tentative Parcel Map (“TPM”) No. 38139 (PLN 22-0041) to consolidate eight parcels into one industrial parcel for a total of approximately 40.03 gross acres and 36.81 net acres, and Plot Plan (“PP”) No. PLN 21-0370 for the construction of a 700,037 square-foot warehouse/industrial building with 10,000 square feet of office space and 690,037 square feet of warehouse space on the same 40.03 gross acre site. The Project site is generally located north of Corsica Lane, south of Kuffel Road, east of Wheat Street, and west of Byers Road within the City of Menifee (City), County of Riverside, State of California (APNs: 330-190-002 through -005 and 330-190-010 through -013); and

**WHEREAS**, collectively, all the applications are referred to as the “Project” or “CADO Menifee Industrial Warehouse Project”; and

**WHEREAS**, on May 2, 2022, the City of Menifee publicly noticed its decision to prepare an Environmental Impact Report (“EIR”) for the Project by noticing the State Clearinghouse (“SCH”), and other agencies in compliance with Section 15082 of the California Environmental Quality Act (“CEQA”) guidelines, and surrounding property owners within a 300-foot radius from the Project site boundaries; and

**WHEREAS**, on May 17, 2022, the City of Menifee held a duly noticed public scoping meeting regarding the preparation of the EIR to discuss and hear from the public on the potential environmental impacts, which meeting was publicly noticed in compliance with Section 15082 of the CEQA guidelines, and surrounding property owners within a 300-foot radius from the Project site boundaries; and

**WHEREAS**, between March 13, 2024 and April 27, 2024, the City complied with the State-mandated 45-day public review period for the Project Draft EIR (“Draft EIR”) took effect, which was publicly noticed in accordance with Section 15087 of the CEQA guidelines and mailed to surrounding property owners and non-owner residents within 300 feet of the Project site. A copy of the Draft EIR was sent to the State Clearinghouse (SCH No. 2022040622), and a copy of the Draft EIR was placed at the City Hall public counter, Menifee Library, and Sun City Library; and

**WHEREAS**, during the public review period, comments on the Draft EIR were received from the Southern California Gas Company, Rincon Band of Luiseño Indians, Riverside County Flood Control and Water Conservation District, Advocates for the Environment, South Coast Air Quality Management District, Riverside County Department of Waste Resources, City of Perris – Development Services Department Planning Division, and Blum, Collins & Ho LLP; and

**WHEREAS**, the Final EIR (“FEIR”), consisting of comments received during the 45-day public review and comment period on the Draft EIR, written responses to those comments, and revisions and errata to the Draft EIR, was submitted with the inclusion of

Findings of Fact (“Findings”), a Statement of Overriding Consideration (“SOOC”) and a Mitigation Monitoring and Reporting Program (“MMRP”) for the Planning Commission’s consideration. For the purposes of this Resolution, the Final EIR shall refer to the Draft EIR, as revised by the FEIR’s errata section together with the other sections of the FEIR; and

**WHEREAS**, no evidence of new significant impacts, as defined by CEQA Guidelines Section 15088.5, have been received by the City after circulation of the Draft EIR which would require re-circulation; and

**WHEREAS**, the Draft EIR for the Project, dated March 2024, and FEIR for the Project, dated August 2024 provides an assessment of the environmental impacts associated with the Project and has been prepared in accordance with the Public Resources Code Section 21000 *et seq.* (CEQA), and State regulations in Title 14 of the California Code of Regulations, Section 15000 *et seq.* (CEQA Guidelines); and

**WHEREAS**, on August 14, 2024, the Planning Commission of the City of Menifee held a public hearing on the Project, considered all public testimony as well as all materials in the staff report and accompanying documents for the Project including the consideration of the FEIR, which hearing was publicly noticed by a publication in *The Press Enterprise*, a newspaper of general circulation, an agenda posting, notices placed on the Project site, notice to property owners and non-owner residents within 300 feet of the Project boundaries, notice to all relevant agencies and to persons requesting notification; and

**WHEREAS**, the Planning Commission of the City of Menifee has read and considered all environmental documentation comprising the FEIR, has found that the FEIR considers all potentially significant environmental impacts of the proposed project and is complete and adequate, and fully complies with all requirements of CEQA; and

**WHEREAS**, it is the policy of the State of California and the City of Menifee, in accordance with CEQA and the CEQA Guidelines, that the City shall not approve a project that has significant effects on the environment unless there is no feasible way to lessen or avoid the significant effects and that the benefits of approving the project outweigh the unavoidable significant impacts, such that the impacts are acceptable based on CEQA Guideline Section 15093; and

**WHEREAS**, the CEQA Guidelines provide that no public agency shall approve or carry out a project for which an EIR has been completed and which identifies one or more significant effects of the project unless the public agency makes written findings for each of the significant effects, accompanied by a statement of facts supporting each finding; and

**WHEREAS**, the Planning Commission has reviewed the CEQA Findings and SOOC attached as Exhibit “B”; and

**WHEREAS**, prior to recommending action on the Project, the Planning Commission has considered all significant impacts, mitigation measures, and project alternatives identified in the EIR, and has found that all potentially significant impacts on the Project have been lessened or avoided to the extent feasible; and

**WHEREAS**, pursuant to CEQA Guideline Section 15093(b), the City must state in writing the reasons to support its action based on the FEIR and/or other information in the record.



**NOW, THEREFORE,** the Planning Commission of the City of Menifee resolves as follows:

**Section 1:** Recitals. The Recitals above are true and correct, based on substantial evidence in the record, including the FEIR attached as “Exhibit A,” and incorporated herein by this reference.

**Section 2:** Certification of EIR. Based on its review and consideration of the FEIR and all written communications and oral testimony regarding the proposed Project which have been submitted to, and received by, the City, the Planning Commission certifies that the FEIR has been completed in compliance with CEQA and the State and local CEQA Guidelines. The Planning Commission finds that the FEIR reflects the Planning Commission’s independent judgment and analysis as lead agency under CEQA, and adopt and certify the FEIR as complete and adequate. The Planning Commission further certifies that the FEIR was presented to the Planning Commission and that the Planning Commission reviewed and considered the information contained in it prior to approving the Project.

**Section 3:** CEQA Findings of Fact and Statement of Overriding Considerations. The Planning Commission adopts the CEQA Findings and the SOOC attached as “Exhibit B”, which exhibit is incorporated herein as though set forth in full.

**Section 4:** Significant Impacts. The significant impacts of the Project under the category of Greenhouse Gas Emissions have not been reduced to a level of insignificance. The Planning Commission finds that the significant unavoidable adverse impacts of the Project are clearly outweighed by the economic, legal, social, or technological benefits independent of any other benefits of the Project, as set forth in the Findings and SOOC.

**Section 5:** Alternatives. The FEIR has described all reasonable alternatives to the Project that could feasibly obtain the basic objectives of the Project, even when those alternatives might impede the attainment of Project objectives and might be more costly.

**Section 6:** Good Faith. A good faith effort has been made to seek out and incorporate all points of view in the preparation of the FEIR as indicated by the public record for the Project and the FEIR.

**Section 7:** Mitigation Plan Approval. Although the FEIR identifies certain significant environmental effects that would result from approval of the Project, certain environmental effects can feasibly be avoided or mitigated and will be avoided or mitigated by imposition of mitigation measures included in the FEIR and the MMRP. Pursuant to Public Resources Code section 21081 and CEQA Guidelines section 15097, the Planning Commission adopts and approves the MMRP attached hereto as Exhibit “C,” which is incorporated herein by reference as though set forth in full. The Planning Commission further finds that the mitigation measures identified in the FEIR are feasible.

**Section 8:** No Significant New Information Added to Draft EIR. The information provided in the various reports submitted in connection with the proposed Project and in the responses to comments on the Draft EIR, the information added to the FEIR, and the evidence presented in written and oral testimony at public hearings on the Project and the Draft EIR, do not constitute significant new information that would require recirculation of the Draft EIR pursuant to Public Resources Code section 21092.1 and CEQA Guidelines section 15088.5.

**Section 9:** Location and Custodian of Record of Proceedings. The Community Development Department of the City of Menifee, located at 29844 Haun Road, Menifee,



CADO Industrial Warehouse - EIR  
August 14, 2024

CA 92586, is hereby designated as the custodian of the documents and other materials which constitute the record of proceedings upon which the Planning Commission's approval is based, which documents and materials shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act (Government Code §§ 6250 et seq.) during normal business hours.

**PASSED, APPROVED AND ADOPTED** this the 14th day of August 2024:

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Jeff LaDue, Chairman

Attest:

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Rachel Valencia, Administrative Assistant

Approved as to form:

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Thai Phan, Assistant City Attorney

Utilities necessary for the Project site to operate and the associated service providers are as follows:

- Electricity – SCE
- Water – EMWD
- Sewer – EMWD
- Cable/Internet/Telephone – Frontier Communications
- Natural Gas – SoCalGas Company

Existing utilities would be extended and upgraded as needed during construction of the Project to serve the anticipated demands and to accommodate operation of the Project. All required improvements and extensions to existing electrical, natural gas, or telecommunications utilities would occur within the existing roadway rights-of-way adjacent to the Project site. All areas adjacent to the existing roadways also are disturbed and are within the overall footprint of Project and any impacts are therefore, discussed and disclosed as part of this Draft EIR within the various sections of this document. As such, upgrades to existing utilities are already evaluated as part of the overall Project. Therefore, impacts associated with extension of services in these areas and within the site, are less than significant. Services provided by each utility is discussed in additional detail below.

## Construction and Operations

### *Water*

Potable water to the Project site would be provided by EMWD. According to the WSA, an existing water line currently runs approximately 300 feet north of the subject property at the intersection of Ethanac Road and Byers Road. Currently, the EMWD has no plans to construct water and sewer system improvements in the vicinity of the Project.

Impacts of required water facilities are addressed throughout this EIR in the respective EIR section(s). The majority of Project water facilities would be installed below ground and installed within existing or future road rights-of-way, and as such the only physical impacts would be associated with temporary impacts during construction (refer to **Section 4.11, Noise** for a discussion of significant short-term noise impacts during pipeline construction). Above-ground facilities are addressed in respective EIR section(s), (addressed in **Section 4.1, Aesthetics**). All Project water facilities would be constructed and operated in accordance with applicable guidelines and regulations in the EMWD and City, and would also follow applicable EIR mitigation measures in each topical area addressed in the EIR. In consideration of existing requirements and EIR mitigation measures, no significant impacts are anticipated with respect to Project water facilities.

The WSA analyzed and evaluated the existing and future demands on the water supply needed to be supplied from EMWD. The WSA shows that EMWD's available water supplies would be sufficient to meet all of the water demands of the entire Project through 2045, including during single and multiple dry years. **Table 4.15-1, Total Retail and Wholesale Water Supply (AFY)**, above, shows these values. In all cases through year 2045, even during single and multiple dry year conditions, water supplies available to EMWD would be sufficient to meet all present and future water supply requirements of the Project site.

More specifically, based on land use information provided by the developer and the lead agency, the actual average water demand for the Project is estimated to be 23.75 AFY, which is well within the overall limits of demand considered in the 2020 UWMP. Based on the Project water usage rate, the Project would represent a nominal percentage of EMWD's present and future water supplies for both single- and multiple-dry-year scenarios. Therefore, based on the EMWD's ability to meet the Project's projected water demands and the since the Project proposes to construct portable water lines, the development of the Project would not require additional portable water infrastructure. Impacts would be less than significant.

### ***Storm Water and Drainage***

Refer to **Section 4.9, Hydrology and Water Quality**, regarding existing conditions and Project impacts with respect to storm water and drainage facilities. No other off-site improvements are proposed apart from those proposed in **Section 4.9**. All other storms drain connections would be connected to existing storm drain lines. Furthermore, Project storm water and drainage facilities would be constructed and operated in accordance with applicable guidelines and regulations of the EMWD and City. In consideration of existing requirements, no significant impacts are anticipated with respect to Project storm water and drainage facilities.

### ***Wastewater***

The Project consists of one warehouse building located on a site with a combined area of approximately 36.8 net acres in size. Construction on the Project site would result in approximately 700,037 square feet of warehousing development, north of Corsica Lane, south of Kuffel Road, east of Wheat Street, and west of Byers Road. Prior to construction or operations of the Project, the Project applicant would comply with EMWD's New Development Process (<https://www.emwd.org/new-development-process>). A Sewer Capacity Study would be completed to ensure adequate capacity to treat the anticipated wastewater to be generated by the Project.

The EMWD has previously used wastewater generation rates for industrial uses of approximately 1,700 gallons per day (GPD) per acre.<sup>20</sup> Based on this value, wastewater generated by the Project would be approximately 62,560 GPD. This represents approximately 0.08% of the total daily capacity of the EMWD's 78 Million Gallon per Day (MGD) current treatment capacity.<sup>21</sup> The EMWD's facilities currently treat an average of 43 MGD. The Project would therefore represent approximately 0.15 % of the typical daily flows. Therefore, the increase in the daily wastewater generated by the Project site would be minimal and result in a less than significant impact. Improvements to facilitate service to the Project site would consist of tie-ins to the existing wastewater lines. All areas needed for improvement would occur in previously disturbed or areas already proposed to be disturbed. Impacts would be less than significant.

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<sup>20</sup> EMWD. Rev. 2006. *Sanitary Sewer System Planning and Design*. [https://www.emwd.org/sites/main/files/file-attachments/emwdsewer\\_system\\_design.pdf?1542760914](https://www.emwd.org/sites/main/files/file-attachments/emwdsewer_system_design.pdf?1542760914) (accessed July 2022).

<sup>21</sup> EMWD. *Wastewater Service, EMWD's Regional Water Reclamation Facilities Fact Sheets*. <https://www.emwd.org/wastewater-service> (accessed July 2022).

## ***Electric Power***

SCE currently operates electric power in the City through electricity distribution lines both aboveground and buried. SCE also operates at least three substations (one of which is approximately four miles west of the Project site) within the City and no power plants.<sup>22</sup> The existing residential dwelling units located within the Project site are provided electricity by SCE.<sup>23</sup> The Project would connect to the existing SCE lines which would enable services to the site. Electricity facilities such as powerlines and other similar system components would be required for the Project. However, this new infrastructure would be completely undergrounded, pursuant to the City's Development Code, and would be installed within the proposed development areas. At most, it is anticipated that SCE would provide more electricity to the Project compared to what is currently consumed by the residential structures. Therefore, no additional significant impacts would occur due to electrical facility construction. No off-site electrical facilities are anticipated at this time.

## ***Natural Gas***

The SoCalGas Company provides gas services to most of southern California. It is anticipated that the Project site would require some amount of natural gas to support future operations. Similar to electrical services, natural gas lines already exist in the area to enable service to surrounding uses. Existing natural gas distribution lines (High Pressure Distribution Lines) exist within current roadway rights-of-way within the vicinity of the Project (along Ethanac Road).<sup>24</sup> This area is anticipated to be heavily disturbed and would not contain any pristine resources. Natural gas services for the Project would be provided through the use of underground pipes to distribute gas within the Project area. Therefore, construction of the Project's natural gas facilities would not create an increased impact on the environment beyond what is addressed for the overall Project, in respective Draft EIR sections. No off-site natural gas facilities are anticipated at this time.

## ***Telecommunication***

The Project site would require telecommunication services to be provided by Frontier Communications. As discussed above, existing telecommunication lines would be located within existing adjacent rights-of-way needed to serve the existing surrounding development. Service to the Project site would require tying into these lines but these improvements would occur within existing areas of disturbance such as those adjacent to existing roadways. The new facilities required for the Project would be constructed within the development area, and would be placed underground as per the City's Development Code, Title 9. The construction of substantial new telecommunication infrastructures would not be required. These impacts would be less than significant.

## ***Mitigation Measures***

No mitigation is necessary.

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<sup>22</sup> SCE. *SCE Power Site Search Tool*. <https://www.arcgis.com/apps/webappviewer/index.html?id=05a84ec9d19f43ac93b451939c330888> (accessed July 2022).

<sup>23</sup> SCE. *Southern California Edison DRPEP*. <https://ltmdrpep.sce.com/drpep/> (accessed July 2022).

<sup>24</sup> SoCalGas. ND. *Gas Transmission Pipeline Interactive Map – Riverside*. <https://socalgas.maps.arcgis.com/apps/webappviewer/index.html?id=aaebac8286ea4e4b8e425e47771b8138> (accessed July 2022).

**Impact 4.15-2** *Would the Project have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years?*

**Level of Significance: Less Than Significant Impact**

### **Construction and Operations**

Refer to **Impact 4.15-1**. The Project's water service provider is anticipated to have adequate capacity to serve the projected demands. The Project would result in less than significant impacts on services provided by the water service provider.

#### **Mitigation Measures**

No mitigation is necessary.

**Impact 4.15-3** *Would the Project result in a determination by the waste water treatment provider, which serves or may serve the Project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

**Level of Significance: Less Than Significant Impact**

### **Construction and Operations**

Refer to **Impact 4.15-1**. The Project's wastewater service provider is anticipated to have adequate capacity to treat the projected demand. The Project is anticipated to cause a less than significant impact on services provided by the wastewater service provider.

#### **Mitigation Measures**

No mitigation is necessary.

**Impact 4.15-4** *Would the Project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

**Level of Significance: Less Than Significant Impact**

### **Construction and Operations**

Solid waste generated by construction and operation of the Project would be collected and handled in compliance with any applicable regulation including those in Title 6 of the City's MC, through service provided by WMI. The Project is anticipated to generate solid waste during the temporary, short-term construction phase, as well as the operational phase, but it is not anticipated to result in inadequate landfill capacity. According to the City's GP EIR, in 2011, the majority of solid waste in the City went to two landfills: El Sobrante Landfill (10910 Dawson Canyon Road, Corona, CA 91719) and Badlands Sanitary Landfill (31125 Ironwood Avenue, Moreno Valley, CA 92555). According to CalRecycle's Estimated Solid Waste Generation Rates, a warehouse facility is estimated to produce 13.82 pounds of waste per

employee per day.<sup>25</sup> The estimated number of employees for the Project site is 860 to operate the warehouse.<sup>26</sup> This equates to approximately 11,885 pounds (5.9 tons) of waste per day from the Project site. That is approximately 0.04 percent of the El Sobrante Landfill's maximum daily throughput and 0.12 percent of Badlands Sanitary Landfill's maximum daily throughput. Further details regarding the two landfills are presented below in **Table 4.15-5, Landfill Information**.

**Table 4.15-5: Landfill Information**

Landfill	Location	Max. Permitted Throughput (tons per day)	Remaining Capacity (cubic yards)	Max. Permit Capacity (cubic yards)	Ceased Operation Date
El Sobrante Landfill	Corona	16,054	143,977,170	209,910,000	1/1/2051
Badlands Sanitary Landfill	Moreno Valley	4,800	7,800,000	34,400,000	1/1/2026
Source: CalRecycle. 2019. SWIS Facility/Site Search. <a href="https://www2.calrecycle.ca.gov/SolidWaste/Site/Search">https://www2.calrecycle.ca.gov/SolidWaste/Site/Search</a> (accessed July 2022).					

Project implementation would increase solid waste disposal demands over existing conditions. Badlands Sanitary Landfill, located in Moreno Valley, has a maximum permitted throughput is 4,800 tons per day. The facility's remaining capacity is approximately 7.8 million cubic yards and maximum capacity is approximately 34 million cubic yards. El Sobrante Landfill, located in Corona, has a maximum permitted throughput is 16,054 tons per day. The facility's remaining capacity is approximately 144 million cubic yards and maximum capacity is approximately 210 million cubic yards. The Project would be served by a landfill with sufficient remaining permitted capacity to accommodate the Project's solid waste disposal needs. Therefore, the Project's solid waste disposal needs could be accommodated at one or a combination of the disposal facilities discussed above. Operational activities would be subject to compliance with all applicable federal, state, and local statutes and regulations for solid waste, including those identified under CALGreen and AB 939. The Project would result in less than significant impacts concerning solid waste, and no mitigation is necessary.

### **Mitigation Measures**

No mitigation is necessary.

### ***Impact 4.15-5      Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?***

#### ***Level of Significance: Less Than Significant Impact***

Section 6.40.010(A) of the Menifee MC states:

*Under California law embodied in the California Waste Management Act (Cal. Public Resources Code §§ 40000 et seq.), the city is required to prepare, adopt and implement source reduction and recycling elements to reach reduction goals set forth therein, and is required to make substantial reductions in the amount of waste materials going to the state's landfills by diverting 50% of materials from landfills annually or will face*

<sup>25</sup> CalRecycle. 2019. *Estimated Solid Waste Generation Rates*. <https://www2.calrecycle.ca.gov/wastecharacterization/general/rates> (accessed July 2022).

<sup>26</sup> The Project socio-economic data was based on median factors for Riverside County from the SCAG Employment Density Survey (October 31, 2001). The SCAG Study recommends a factor of 819 square feet per employee for warehousing uses and 598 square feet per employee for office uses.

*substantial penalties. Debris from construction and demolition projects represents a significant portion of the volume of solid waste that is being disposed of in landfills, much of which is suitable for recycling. Consequently, the purpose of this chapter is to increase the amount of construction and demolition debris that is recycled or reused so as to reduce the amount that is disposed of in landfills. (Ord. 2020-294, passed 3-18-2020)*

Furthermore § 6.40.050: Diversion Requirements states:

*Every applicant shall make a good fair effort to divert 50% of construction and demolition debris generated from every applicable construction, remodeling, or demolition project from landfills by using recycling, reuse, and diversion programs. Separate calculations and reports will be required for the construction and demolition portions of projects that involve both activities. (Ord. 2020-294, passed 3-18-2020)*

Lastly, § 5.408.1: Construction Waste Management of the California Green Building Standards Code states:

*Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1, 5.408.1.2 or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent.*

As required by CalGreen, the Project would be constructed in compliance with § 5.408.1, the more stringent of the code sections at 65 percent diversion, and a less than significant impact would occur.

#### **Mitigation Measures**

No mitigation is necessary.

### **4.15.6 Cumulative Impacts**

For purposes of public utilities and service systems, cumulative impacts are considered for projects located within the City. As discussed above, all impacts from the Project to utilities and service systems would be less than significant in consideration of compliance with existing laws, ordinances, regulations, and standards. In addition, the Project site would recycle and implement measures on-site to reduce the waste stream to landfill(s). The Project applicant would pay the applicable development impact and service fees. Impacts related to storm water drainage facilities are addressed in **Section 4.9, Hydrology and Water Quality**. Although temporary significant impacts during construction could occur, these impacts would only occur during development of the sites, would be typical of construction, would be localized, would occur at different times, and would be required to implement site-specific erosion control plans. Therefore, impacts are not anticipated to be cumulatively considerable. Other past, present, and reasonably foreseeable projects would be anticipated to implement similar measures or implement mitigation to fully mitigates their contribution to cumulative impacts. Therefore, there are no significant cumulative impacts anticipated relative to public utility and service systems, and the Project's contribution toward potential future utility and service system impacts in the City is not cumulatively considerable.



### 4.15.7 Significant Unavoidable Impacts

No significant unavoidable impacts were identified.

### 4.15.8 References

- City of Menifee. 2013. Menifee General Plan Land Use Element.  
<https://www.cityofmenifee.us/231/Land-Use-Element>.
- City of Menifee. 2013. City of Menifee General Plan Draft EIR. Utilities and Service Systems.  
<https://www.cityofmenifee.us/DocumentCenter/View/1117/Ch-05-17-USS?bidId=.DWR>. 2019.  
Groundwater Basin Boundary Assessment Tool. <https://gis.water.ca.gov/app/bbat/>.
- EMWD. 2021. 2020 UWMP. [https://www.emwd.org/sites/main/files/file-attachments/urbanwatermanagementplan\\_0.pdf?1625160721](https://www.emwd.org/sites/main/files/file-attachments/urbanwatermanagementplan_0.pdf?1625160721).
- EMWD. ND. Groundwater. <https://www.emwd.org/post/groundwater>.
- EMWD. ND. Public Map Portal. <https://mapportal.emwd.org/>.
- EMWD. 2018. Recycled Water System. [https://www.emwd.org/sites/main/files/file-attachments/recycledwatersystem\\_englis.pdf?1537295072](https://www.emwd.org/sites/main/files/file-attachments/recycledwatersystem_englis.pdf?1537295072).
- EMWD. ND. Sustainable Groundwater Management Act. <https://www.emwd.org/post/sustainable-groundwater-management-act>.
- EMWD. (2022). Water Supply Assessment (WSA) Report.
- EMWD. ND. Wastewater Service. <https://www.emwd.org/wastewater-service>.
- RCFCWCD. 2021. District Zone 4. <https://rcflood.org/About-the-District/District-Zones-2021>.
- RCFCWCD. 2021. District Overview. <https://rcflood.org/About-the-District/District-Overview>.
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<https://www.arcgis.com/apps/webappviewer/index.html?id=05a84ec9d19f43ac93b451939c330888>.
- SCE. 2021. Who We Are. <https://www.sce.com/about-us/who-we-are> (Accessed July 2022).
- SoCalGas. 2021. Company Profile. <https://www.socalgas.com/about-us/company-profile>.
- SoCalGas. ND. Gas Transmission Pipeline Interactive Map-Riverside.  
<https://socalgas.maps.arcgis.com/apps/webappviewer/index.html?id=aaebac8286ea4e4b8e425e47771b8138>.



## 5.0 ADDITIONAL CEQA CONSIDERATIONS

This section of the Draft Environmental Impact Report (EIR) provides a discussion of additional CEQA impact considerations, including Significant Irreversible Environmental Changes, Growth-inducing Impacts, and any Mandatory Findings of Significance.

### 5.1 Significant and Unavoidable Impacts

State CEQA Guidelines § 15126.2(c) requires that the EIR describe any significant impacts, including those that can be mitigated but not reduced to less than significant levels. The Project's environmental effects are addressed in **Sections 4.1** through **4.15** of this EIR. Project implementation would result in potentially significant impacts for greenhouse gas emissions. Implementation of mitigation measures (MMs) and Plans Programs, and Policies (PPPs) outlined in **Section 4.7, Greenhouse Gas Emissions** would reduce these impacts to levels considered less than significant, with the exception of Greenhouse Gas Emissions impacts discussed below.

#### Greenhouse Gas Emissions

Impacts 4.7-1 and 4.7-2 were found to contain potentially significant and unavoidable impacts. Specifically, significant unavoidable impacts would occur in the following areas despite the implementation of the mitigation measures:

- The Project would generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment (Impact 4.7-1).
- The Project would conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions (Impact 4.7-2).

To further reduce emissions, mitigation measures (**MM**) in the Project's Air Quality Assessment (**Appendix B1**) would also reduce emissions. **MMs AQ-2** and **AQ-3** would reduce operational emissions with the implementation of a transportation demand management (TDM) program and by requiring all forklifts to be zero emissions. The Project also includes **MMs GHG-1** through **GHG-5** to further reduce emissions. **MM GHG-1** requires the installation of solar photovoltaic (PV) panels to offset the Project's energy consumption or to acquire energy from renewable sources and **MM GHG-2** requires the Project to meet or exceed CALGreen Tier 2 standards to further improve energy efficiency. Additionally, **MM GHG-3** requires the Project to divert 75 percent of waste from landfills and **MM GHG-4** requires landscape equipment to be 100 percent electric. **MM GHG-5** also requires the use of cool pavements to reduce heat island effects.

In addition, the Project would be required to comply with SCAQMD Rule 2305 (warehouse indirect source rule) which would directly reduce emissions or to otherwise facilitate emissions reductions. Alternatively, warehouse operators can choose to pay a mitigation fee. Funds from the mitigation fee will be used to incentivize the purchase of cleaner trucks and charging/fueling infrastructure in communities nearby. Although Rule 2305 focuses on air quality pollutant emissions, the rule would facilitate cleaner vehicles and supporting infrastructure that would also result in GHG benefits.

Project-related GHG emissions would exceed the 3,000 MTCO<sub>2</sub>e per year threshold. Implementation of **MMs GHG-1** through **GHG-5** would reduce Project emissions. However, despite implementation of mitigation, total mitigated emissions would continue to exceed the threshold. Additional mitigation to reduce the Project's mobile emissions is not feasible due to the limited ability of the City of Menifee to address emissions resulting from trucks, cars, and/or emissions generated by these trucks outside of the City's limits. The City of Menifee has no regulatory control over emissions control technology and therefore limited ability to control or mitigate emissions associated with truck emissions associated with this Project. The TDM program required by **MM AQ-2** could reduce GHG emissions from employees commuting to work; however, the number of delivery trips and retail customer trips would not be reduced by a TDM program.

The City has no enforcement authority over offset credits that fund carbon reduction projects outside of the City. Many offset credits "sell" reductions in emissions generated outside California, which may not be genuine or verifiable. International offsets are even more difficult to enforce. CARB does not have enforcement authority over these carbon reductions either, and therefore, the purchase of offset credits is not a feasible mitigation measure to reduce Project generated emissions.

Since mitigated future mobile source emissions would continue to exceed the 3,000 MTCO<sub>2</sub>e threshold and no additional feasible mitigation beyond **MMs AQ-2** and **AQ-3** and **MMs GHG-1** through **GHG-5** are available to further reduce emissions, this impact would remain significant and unavoidable.

## 5.2 Significant and Irreversible Environmental Changes

Section 15126.2(d) of the State CEQA Guidelines requires a discussion of any significant irreversible environmental changes that would be caused by a proposed Project. Generally, the section states that a Project would result in significant irreversible environmental changes if the following occurs:

- The project would involve a large commitment of nonrenewable resources in a way that would make their nonuse or removal unlikely;
- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; and
- The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

**The project would involve a large commitment of nonrenewable resources in a way that would make their nonuse or removal unlikely.**

The Project would not involve the utilization of nonrenewable resources in a manner that would make their nonuse or removal unlikely. Nonrenewable resources associated with the development of the proposed Project would include fossil fuels. Fossil fuels would serve as energy sources during both proposed Project construction and operations. Fossil fuels would act as transportation energy sources for construction vehicles and heavy equipment during the construction period and by vehicles and equipment used during proposed Project operations. The Project would be in compliance with Title 24 building Energy Efficiency Standards (refer to Section 4.5 Energy) which would ensure that Project buildout includes

energy efficient buildings that require less electricity and reduce fossil fuel consumption corresponding to GHG emissions. Furthermore, the Project and new development projects located within the cumulative study area would also be required to comply with all the same applicable federal, state, and local measures aimed at reducing fossil fuel consumption and the conservation of energy. Though the proposed Project would endeavor to utilize fossil fuels efficiently, their use would be vital for construction and operations activities, making their nonuse unlikely. However, the proposed Project would not require the continued use of fossil fuels at the end of its operational life. Standard vehicles and equipment used by the Project in both construction and operational phases would likely utilize fossil fuels. Some construction and operational equipment may be electrified and therefore not rely on fossil fuels. Energy-efficient equipment would be utilized according to their availability and in order to comply with energy regulations and policies for the Project as a whole as it pertains to industrial usage.

In addition, the Project does not propose any fueling stations that would necessitate the storage of fossil fuels on the site. No infrastructure is proposed to store fossil fuels in large amounts or without the ability of removal.

The proposed Project would also require the commitment of land on which the proposed Project would be developed for industrial use. Land is another finite resource in that once developed and in active use it removes the ability for that land to be used for other uses and developments. However, land developments associated with the Project would not remove the possibility of redevelopment in the future. The land development would not, therefore, make the nonuse of the land unlikely.

**The primary and secondary impacts would generally commit future generations to similar uses.**

The Project's development is anticipated to produce some significant and unavoidable impacts based on analyses conducted in **Section 4.7, Greenhouse Gas Emissions**. These impacts would also affect the surrounding environment and would commit future generations to similar uses throughout the operations of the Project. However, the uses associated with the Project would not modify the land in a way that would prevent the possibly of redevelopment. As previously stated, the proposed warehousing structures would be able to be removed or redeveloped.

The Project would be developed in a portion of the City of Menifee with an existing land use designation of Economic Development Corridor-Northern Gateway (EDC-NG). The Project site's existing zoning is EDC-NG as well and the Project's proposed industrial component is allowed under the EDC-NG zoning designation. Therefore, the Project would not influence future development in that land area as the existing land use and zoning designations would be changed. Furthermore, industrial land uses are unlikely to lead to impacts that would relegate future generations and developments to similar uses, and the usage and storage of any hazardous materials and waste would be completed in the safest and most efficient manner. Additionally, the Project would comply with any federal, state, and local air quality and water quality regulations to further ensure the least amount of environmental impact.

**The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project.**

The Project is intended to develop approximately 700,037 square feet (SF) of industrial warehouse space (including office space) and is not anticipated to release a significant amount of hazardous materials into the environment. Construction and operation of the Project would utilize chemical substances common with typical construction and warehousing activities and do not generally pose a significant hazard to the public or environment. However, in the event that hazardous materials are either used or stored on the Project site, the Project would storage hazardous materials in compliance with any applicable federal, state, and local policy. Furthermore, the Project would implement conditions of approval prior any demolition activities to further minimize the release of hazards during construction activity.

**The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).**

The Project would comply with any applicable federal, state, and local regulation and law regarding the use of resources during both construction and operations. As established in **Section 4.15, Utilities and Service Systems**, development of the Project would not significantly impact water, electricity, solid waste, and telecommunications resources. It was found that the Eastern Municipal Water District, the water supplier for the City and Project site, has adequate supplies to serve the Project's expanded demand. Further, development of the Project would include the use of energy-efficient vehicles and equipment in accordance with the most recent federal, state, and local regulations. Therefore, resources used for the Project, including energy, would be done in an efficient, justifiable manner.

### **5.3 Growth Inducing Impacts**

State CEQA Guidelines § 15126.2(e) requires that EIRs include a discussion of ways in which a project could induce growth. The State CEQA Guidelines identify a project as "growth-inducing" if it fosters economic or population growth or if it encourages the construction of additional housing either directly or indirectly in the surrounding environment. New employees from commercial or industrial development and new population from residential development represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area. The proposed Project would therefore have a growth-inducing impact if it would:

- Directly or indirectly foster economic or population growth, or the construction of additional housing;
- Remove obstacles to population growth;
- Require the construction of new or expanded facilities that could cause significant environmental effects; or
- Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

A project's potential to induce growth does not automatically result in growth. Growth can only happen through capital investment in new economic opportunities by the private or public sectors. Under CEQA, the potential for growth inducement is not considered necessarily detrimental nor necessarily beneficial,

and neither is it automatically considered to be of little significance to the environment. This issue is presented to provide additional information on ways in which the proposed Project could contribute to significant changes in the environment, beyond the direct consequences of implementing the proposed Project examined in the preceding sections of this Draft EIR.

### **Direct Growth-Inducing Impacts in the Surrounding Environment**

Potential growth-inducing impacts are examined through analysis of the following questions:

#### **Would the project directly or indirectly foster economic or population growth, or the construction of additional housing? *No***

As discussed in **Section 7.0, Effects Found Not To Be Significant**, the Project would have a beneficial effect on the City's employment base by developing a site that is largely vacant with a new industrial/warehouse facility with ancillary office space. Given that the current unemployment rate for Riverside County is approximately 4.0 percent (as of October 2022),<sup>1</sup> it is reasonably assured that the jobs would be filled by people living in the City, unincorporated County area, and surrounding communities, such as Perris and Murrieta. Furthermore, the Project site is served by existing public roadways, and utility infrastructure would be installed beneath the public rights-of-way that abut the Project site. As a result, the Project would not be anticipated to induce substantial population growth in the Project area. Therefore, impacts associated with substantial, unplanned population growth would be less than significant.

#### **Would the project remove obstacles to population growth? *No***

The Project site is currently composed of vacant land with single residential structures and associated out buildings on a single parcel. The existing structures are proposed to be demolished (refer to **Section 3.0, Project Description** for more information). The demolition of these structures would induce population growth since they would be replaced with the proposed warehouse facilities consistent with the existing and proposed land use and zoning designations. The Project would be an allowed and expected use within these land use zones and would therefore not create or remove an obstacle for growth.

Additionally, the proposed Project's development is localized to the Project site. The construction of the new infrastructure would not amend the land uses or increase density on the parcels adjacent of the Project site. Adjacent and nearby uses include vacant, undeveloped land, and residential land which is served by existing utilities, including electricity, natural gas, wet and dry facilities. Existing utilities would be extended and upgraded as needed during construction of the Project to serve the anticipated demands and to accommodate operation of the Project. All required improvements and extensions to existing electrical, natural gas, or telecommunications utilities would occur within the existing roadway rights-of-way adjacent to the Project site. All areas adjacent to the existing roadways also are disturbed and are within the overall footprint of the Project. Roadway improvements included in the Project are discussed in **Section 4.13, Transportation**, and analyzed in the Traffic Impact Analysis (TIA) (see **Appendix K**).

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<sup>1</sup> State of California Employment Development Department. 2022. *Local Area Unemployment Statistics (LAUS) - Riverside County*. <https://data.edd.ca.gov/Labor-Force-and-Unemployment-Rates/Local-Area-Unemployment-Statistics-LAUS-Riverside-/f6zd-dtm5>. (accessed November 2022).

Substantial upgrades to the roadway system outside of the general Project area, which would promote further development are not included as components of the Project.

**Would the project require the construction of new or expanded facilities that could cause significant environmental effects? No**

The Project site is predominately vacant with legal nonconforming residential uses, which are subject to demolition. These uses required utility and infrastructure improvements in order to function. The Project would include infrastructure improvements and connections to allow for the efficient use of resources such as natural gas, electricity, and water. Improvements to the Project adjacent streets would also include underground dry utility facilities (e.g., cable, electric, telephone, natural gas, television and fiber optics) along the Project's frontage streets. The environmental impacts associated with the facility improvements associated with the proposed Project have been analyzed in **Section 4.1, Aesthetics** through **Section 4.15, Utilities and Service Systems** of this EIR. In cases where Project design feature did not minimize significant impacts, mitigation measures have been implemented that would reduce potential impacts related to Project development to less than significant levels, with the exception of impacts associated with greenhouse gas emissions, which would remain significant and unavoidable. Furthermore, the Project would not require the expansion of utility facilities such as water treatment plants or landfills. **Section 4.15, Utilities and Service Systems** determined that there is adequate capacity of those facilities to serve the Project site.

**Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.**

Refer to **Section 4.1, Aesthetics** through **Section 4.15, Utilities and Service Systems** of this EIR. No cumulative impacts were discovered during the analysis of the Project, except regarding GHG emissions. The Project-related GHG emissions would exceed the 3,000 MTCO<sub>2</sub>e threshold of significance despite implementation of **MMs AQ-2** and **AQ-3** from **Section 4.2, MMs GHG-1** through **GHG-5**, and standard conditions and requirements, and could impede statewide 2030 and 2050 GHG emission reduction targets. As such, the Project would result in a potentially significant cumulative GHG impact.

## **5.4 Mandatory Significance of Findings**

CEQA requires preparation of an EIR when certain specified impacts may result from construction or implementation of a project. Accordingly, this Draft EIR was prepared for the Project which fully addresses all of the Mandatory Findings of Significance, as described below.

### **Degradation of the Environment**

Section 15065(a)(1)-(4) of the CEQA Guidelines requires a finding of significance if a project "has the potential to substantially degrade the quality of the environment." In practice, this is the same standard as a significant effect on the environment, which is defined in Section 15382 of the CEQA Guidelines as "a substantial or potentially adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance."



This Draft EIR addresses and discloses all known potential environmental effects associated with the development of the Project both on- and off-site including direct, indirect, and cumulative impacts in the following resource areas:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

A summary of all potential environmental impacts, level of significance and mitigation measures is provided in **Section 1.0, Executive Summary**.

### Impacts on Habitat or Species

Section 15065(a)(1) of the CEQA Guidelines states that “A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur: (1) substantially degrade the quality of the environment; (2) substantially reduce the habitat of a fish or wildlife species; (3) cause a fish or wildlife population to drop below self-sustaining levels; (4) threaten to eliminate a plant or animal community; (4) substantially reduce the number or restrict the range of an endangered, rare or threatened species; (5) or eliminate important examples of the major periods of California history or prehistory.” The Project would have significant impacts to biological resources. **Section 4.3, Biological Resources**, of this Draft EIR fully addresses any impacts concerning the reduction of fish or wildlife habitat or populations and the reduction of special status species as a result of Project implementation. With implementation of mitigation measures **MM BIO-1** and **MM BIO-2**, the Project’s significant impacts on special status species would be reduced to less than significant levels.

### Short-term vs. Long Term Goals

Section 15065(a)(2) of the CEQA Guidelines states that “A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur: the project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.” **Section 5.2, Significant Irreversible Environmental Changes**, above addresses the short-term and irretrievable commitment of natural resources to ensure that the consumption is justified on a long-term basis. In addition, **Section 5.3, Growth-Inducing Impacts** above, identifies any long-term environmental impacts associated with economic and population growth that are associated with the

Project. Lastly, **Section 4.7, Greenhouse Gas Emissions**, identifies all significant and unavoidable impacts that could occur that would result in a long-term impact on the environment.

### **Cumulatively Considerable Impacts**

Section 15065(a)(3) of the CEQA Guidelines states that “A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur: the project has potential environmental effects that are individually limited but cumulatively considerable. “Cumulatively considerable” means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” This Draft EIR provides a cumulative impact analysis for those thresholds that result in a less than significant impact, a potentially significant impact unless mitigated, or a significant and unavoidable impact. Cumulative impacts are addressed for each of the environmental topics listed above and are provided in **Sections 4.1 through 4.15** of this EIR.

### **Substantial Adverse Effects on Human Beings**

As required by Section 15065(a)(4) of the CEQA Guidelines, “A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur: the environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.” Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This standard relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could directly or indirectly affect human beings would be possible in all of the CEQA issue areas previously listed, those that could directly affect human beings include aesthetics, air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, land use and planning, public services and utilities, transportation/traffic, water resources, wildfire hazards, and climate change, all of which are addressed in the appropriate sections of this EIR; refer to Table of Contents for specific section numbers. The following topic areas were determined to be significant and unavoidable with respect to adverse effects on human beings:

### **Project-Related GHG Emissions**

On December 5, 2008, the SCAQMD Governing Board adopted a 10,000 MTCO<sub>2</sub>e industrial threshold for projects where SCAQMD is the lead agency. However, the City has determined that the SCAQMD’s draft threshold of 3,000 MTCO<sub>2</sub>e/year is more conservative and appropriate for industrial and warehouse land use development projects. The 3,000 MTCO<sub>2</sub>e/year threshold is based on the SCAQMD staff’s proposed GHG screening threshold for stationary source emissions for non-industrial projects, as described in the SCAQMD Interim Thresholds.

The Project would result in generation of 7,305 MTCO<sub>2</sub>e per year GHG emissions from direct and indirect sources. The Project implemented **MMs AQ-2, AQ-3, and MM GHG-1 through GHG-5** to reduce emissions to 6,220 MTCO<sub>2</sub>e per year. However, the Project’s emissions would still exceed the 3,000 MTCO<sub>2</sub>e per



year threshold. Additional mitigation to further reduce these emissions is not feasible. Since mitigated future mobile source emissions would continue to exceed the 3,000 MTCO<sub>2</sub>e threshold and no additional feasible mitigation beyond **MMs AQ-2** and **AQ-3** and **MMs GHG-1** through **GHG-5** are available to further reduce emissions, this impact would remain significant and unavoidable.

### **GHG Plan Consistency**

Despite plan consistency, the Project's long-term operational GHG emissions would exceed the 3,000 MTCO<sub>2</sub>e per year threshold despite the implementation of **MMs AQ-2** and **AQ-3** in the Air Quality Assessment and **MMs GHG-1** through **GHG-5**, thus the Project could impede California's statewide GHG reduction goals for 2030 and 2050. A potentially significant impact would therefore occur as a result of the Project.

### **Cumulative Long-Term Impacts**

It is generally the case that an individual project of this size and nature is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory. GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective. The additive effect of Project-related GHGs would not result in a reasonably foreseeable cumulatively considerable contribution to global climate change. As discussed above, the Project-related GHG emissions would exceed the 3,000 MTCO<sub>2</sub>e threshold of significance despite implementation of **MMs AQ-2** and **AQ-3** from **Section 4.2**, **MMs GHG-1** through **GHG-5**, and standard conditions and requirements, and could impede statewide 2030 and 2050 GHG emission reduction targets. As such, the Project would result in a potentially significant cumulative GHG impact.

## 6.0 ALTERNATIVES

### 6.1 Introduction

The California Environmental Quality Act (CEQA) requires that Environmental Impact Reports (EIR) “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.” (State CEQA Guidelines Section 15126.6). The State CEQA Guidelines require that the EIR include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the project. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative must be discussed, but these effects may be discussed in less detail than the significant effects of the project as proposed (California Code of Regulations [CCR] Section 15126.6[d]). The EIR is not required to consider every conceivable alternative to a project but is guided by a rule of reason. An EIR is not required to consider alternatives which are infeasible. Section 15126.6[d]) states that the EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. Key provisions of the State CEQA Guidelines on alternatives (Section 15126.6(a) through (f)) are summarized below to explain the foundation and legal requirements for the alternative’s analysis in the Draft EIR.

- “The discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly” (Section 15126.6(b)).
- “The specific alternative of ‘no project’ shall also be evaluated along with its impact” (Section 15126.6(e)(1)). “The no project analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation was published, at the time the environmental analysis is commenced, as well as what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives” (Section 15126.6(e)(2)).
- “The range of alternatives required in an EIR is governed by a ‘rule of reason’ that require an EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the Project” (Section 15126.6(f)).
- “Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent)” (Section 15126.6(f)(1)).

- For alternative locations, “only locations that would avoid or substantially lessen any of the significant effects of the Project need be considered for inclusion in the EIR” (Section 15126.6(f)(2)(A)).
- “An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative” (Section 15126.6(f)(3)).

## Range of Alternatives

The Lead Agency is responsible for selecting this range of Project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. This section describes two alternatives to the Project. These alternatives include the following:

**Alternative 1:** *No Project Alternative*

This alternative assumes none of the proposed warehouse buildings or off-site infrastructure would be constructed and the Project site would continue to function in its existing condition.

**Alternative 2:** *Reduced Square Feet on Two Buildings Alternative*

Instead of the proposed single warehouse building of approximately 700,037 square feet (SF), with associated 499 automobile parking space and 245 truck trailer spaces, Alternative 2 assumes the construction of two smaller warehouse buildings totaling approximately 595,031 SF of building space on the same 40.3-acres of land. Each of the two warehouse buildings would be approximately 297,515 SF. Compared to the proposed Project, under Alternative 2, total warehouse building space would be overall approximately 105,000 SF smaller or (15 % smaller) than the proposed Project.

Alternatives were developed based on the following: information provided by the Project applicant, the City of Menifee (City), and input received from comments on the Notice of Preparation (NOP). At first a larger group of alternatives was developed and after an initial review, the alternative was either retained for further analysis or discarded. Among the factors that may be considered when addressing the feasibility of alternatives, as described in Section 15126.6(f)(1) of the CEQA Guidelines, are environmental impacts, site suitability, economic viability, availability of infrastructure, general plan consistency, regulatory limitations, jurisdictional boundaries, and whether the project proponent could reasonably acquire, control, or otherwise have access to an alternative site.

As discussed above, one of the main purposes of the range of alternatives is to discuss different projects that can avoid or substantially lessen significant effects, especially effects that are found to be significant and unavoidable. In the case of the Project, significant and unavoidable impacts were identified with respect to greenhouse gas (GHG) emissions. The 3,000 MTCO<sub>2</sub>e GHG emissions thresholds were exceeded in the operational phase of the Project, and it was determined that the Project would generate GHG emissions that could have a significant impact on the environment. Implementation of **MMs GHG-1** through **GHG-7** would reduce Project emissions. However, despite implementation of mitigations, total mitigated emissions would continue to exceed the threshold and even with implementation of the MMs, the Project would conflict with an applicable plan, policy or regulations and would generate cumulative

GHG emissions. For this reason, the alternatives analyzed were selected to evaluate the potential to further reduce impacts from GHG emissions.

Lastly, an EIR need not consider an alternative whose effects could not be reasonably identified, whose implementation is remote or speculative, and that would not achieve the basic Project objectives. The alternatives that were selected for additional consideration were chosen in accordance with the above listed CEQA Guidelines, represent a reasonable range of alternatives, are feasible, and will encourage discussion in a manner to foster meaningful public participation and informed decision making.

## 6.2 Project Objectives

As discussed above, one of the evaluation criteria for the alternative discussion is the ability of a specific alternative to attain most of the basic Project objectives. The basic Project objectives are listed in **Section 3.0, Project Description** and are as follows:

1. Develop the site in accordance with the City General Plan and Zoning in the Economic Development Corridor Northern Gateway(EDC-NG) which envisions more intense development at the industrial boundary of the City adjacent to Ethanac Road.
2. Develop a project that will contribute to the balanced growth in the City in a responsible and strategic manner.
3. Develop a center that takes advantage of the existing infrastructure and support systems including the local workforce.
4. Positively contribute to the economy of the region through new capital investment and the creation of new employment opportunities while being respectful of the environmental issues.
5. Expand the local and regional tax base.
6. Develop a project that is economically feasible.
7. Develop and operate a project that will attract quality tenants and will be competitive with other approved or proposed similar regional facilities.
8. Develop a project that will contribute to the build out of regional road and flood infrastructure that will benefit the project as well as the broader EDC area.
9. Implement the EDC-NG through the development of a land use consistent with the development standards, Environmental Justice standards, and criteria relevant to the site.
10. Facilitate the development of underutilized land currently planned for industrial uses that maximizes the use of the site and responds to regional market demand.

## 6.3 Criteria for Selecting Alternatives

Per Section 15126.6 (b) of the State CEQA Guidelines, the discussion of alternatives shall focus on alternatives to a project, or its location that are capable of avoiding or substantially lessening significant impacts of a project, even if the alternatives would impede to some degree the attainment of the project objectives or would be more costly. This alternatives analysis therefore focuses on Project alternatives that could avoid or substantially lessen environmental impacts of the Project related to the environmental

categories listed in Appendix G of the State CEQA Guidelines while potentially meeting the Project's objectives.

## 6.4 Alternatives Removed from Further Consideration

State CEQA Guidelines section 15126.6(c) states that an EIR should identify any alternatives that were considered by the lead agency but rejected because the Alternative would be infeasible, fail to meet most of the basic Project objectives, or unable to avoid significant environmental impacts. Furthermore, an EIR may consider an alternative location for the proposed Project but is only required to do so if significant Project effects would be avoided or substantially lessened by moving the Project to another site and if the Project proponent can reasonably acquire, control, or otherwise have access to the alternative site.

In developing the Project and alternatives, consideration was given to the density of development that could meet Project objectives and reduce significant impacts. The anticipated significant impacts would result from the intensity of the development proposed. In developing a reasonable range of alternatives, an alternative site alternative was considered but removed from consideration for a variety of reasons. These alternatives and the reasons are discussed briefly below:

### Alternative Site Alternative

The analysis of alternatives to the proposed Project must also address "whether any of the significant effects of the Project would be avoided or substantially lessened by putting the Project in another location" (CEQA Guidelines, Section 15126.6(f)(2)(A)). Only those locations that would avoid or substantially lessen any of the significant effects of the Project need be considered. If no feasible alternative locations exist, the agency must disclose the reasons for this conclusion (CEQA Section 15126.6(f)(2)(B)). In this case, while it is feasible that an alternative site could be selected for the Project, an alternative site would entail either the same or new significant environmental effects as the Project site. For example, development of the proposed Project on any suitable alternative site in or around the City may not avoid or substantially lessen the proposed Project's impacts. This generally applies to impacts such as air quality impacts, greenhouse gas emissions, or transportation impacts that occur over a wider area than generally site-specific impacts such as those to aesthetic or biological resources. Additionally, impacts like these could be greater if the alternative site is located further away from a major transportation corridor or in areas with existing unacceptable traffic levels. Moreover, an alternative site that is adjacent to undeveloped lands could result in increased impacts on aesthetics and utilities due to increased service capacity and incongruous development, than a site, such as the Project site, that is surrounded by existing development.

Furthermore, viable alternative locations for the Project are limited to those that would feasibly attain most of the Project objectives. There are no other lots appropriately located and sufficient sized and owned by the Project applicant in the City and near a major transportation corridor that would satisfy the Project objectives and eliminate or reduce impacts from the Project. The Project is proposed to be located near a major transportation route with Interstate 215 (I-215) to the east of the Project site.

## 6.5 Alternatives to the Project

The alternatives listed below present a reasonable range of alternatives to the Project. The analysis in this section focuses on significant and unavoidable impacts attributable to each alternative and the ability of each alternative to meet basic Project objectives.

**Alternative No. 1: No Project Alternative** – The “No Project” Alternative allows decision-makers the ability to compare the impacts of approving the Project with impacts to not approving the Project by leaving the Project site in its existing condition.

**Alternative No. 2: Reduced Square Feet on Two Buildings Alternative** – The Reduced Square Feet on Two Buildings Alternative allows the decision-makers the ability to compare the impacts of approving the Project with impacts to not approving the Project but instead proposing the construction of two smaller warehouse buildings totaling approximately 595,031 SF of building space on the same 40.3-acres of land. Each of the two warehouse buildings would be approximately 297,515 SF.

## 6.6 Comparison of Project Alternatives

Per the State CEQA Guidelines Section 15126.6(d), additional significant effects of the alternatives are discussed in less detail than the significant effects of the Project as proposed. For each alternative, the analysis below describes each alternative, analyzes the impacts of the alternative as compared to the Project, identifies significant impacts of the Project that would be avoided or lessened by the alternative, assesses the alternative’s ability to meet most of the Project objectives, and evaluates the comparative merits of the alternative and the Project. The following sections provide a comparison of the environmental impacts associated with each of the Project alternatives, as well as an evaluation of each Project alternative to meet the Project objectives.

### **Alternative 1: No Project Alternative (No Warehouse Development or Off-Site Improvements)**

State CEQA Guidelines Section 15126.6, requires an evaluation of the “No Project” alternative for decision-makers to compare the impacts of approving a project with the impacts of not approving it. Alternative 1: No Project Alternative (Alternative 1) assumes that the Project site would not be developed, which means there would be no warehousing facilities, landscape improvements, on-site surface lot improvements, or off-site improvements developed on the Project site or off-site as part of the proposed Project.

Although this alternative assumes “No Development” (as required by CEQA), this is considered a speculative assumption as the land is assumed to remain in private ownership (as there are no offers to purchase the land for public open space use). It is more likely that, eventually, the land would be developed with some form of industrial development in keeping with the City’s General Plan land use and zoning designations for this area of the City.

### **Alternative 1 Impact Comparison to the Project**

Alternative 1 would avoid all potential significant impacts that could occur from Project construction and operation as, by definition, it assumes that no development would occur and therefore no grading,



construction or operational traffic and related impacts such as GHG emissions would occur. The lack of significant impacts associated with Alternative 1 would also remove the significant and unavoidable impacts associated with proposed Project implementation. Significant and unavoidable impacts associated with development of the proposed Project were identified in the GHG emissions environmental analyses.

### *Aesthetics*

Under the No Project Alternative, the warehouse site would remain in its current state. However, as previously discussed, the land use designation for the Project site is Economic Development Corridor-Northern Gateway (EDC-NG) and the zoning district is also EDC-NG. As such, similar uses could be developed on the site in the future. Until such time though, this alternative assumes that the Project site would remain in its current state with scattered rural single-family residential units and the majority in its undeveloped state. Therefore, under this Alternative, impacts regarding aesthetics, light, and glare would be less than significant; similar compared to the proposed Project.

The No Project Alternative would be environmentally superior to the Project regarding aesthetic impacts, as no increase in construction activities or the erection of buildings that could block views of the mountains to the north would occur and as such no impacts in aesthetics would occur from Alternative 1.

### *Air Quality*

The proposed Project would have a less than significant impact regarding construction and operational air pollutant emissions for PM<sub>10</sub> and NO<sub>x</sub> thresholds with the implementation of **MMs AQ-1 through AQ-5** and **HRA-1**.

Alternative 1 would result in no construction or operational emissions from the Project as it would not be developed and would presumably continue to host the existing uses in the Project site. The continued use of the Project site in its current state would lead to no change in anticipated emissions and would therefore remain at the current level of emissions generated.

As such, it is anticipated that Alternative 1 would be environmentally superior to the Project regarding air quality impacts, as no increase in construction and traffic would occur and as such no increase in air quality emissions would occur from Alternative 1.

### *Biological Resources*

The Project would result in a less than significant environmental impacts towards special-status species, riparian habitats, wetlands, important trees and would not conflict with an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan with implementation of **MM BIO-1 through BIO-3**.

Alternative 1 would be the environmentally superior alternative to the Project regarding biological resources, as no habitat, plant or wildlife species would be modified.

### *Cultural Resources*

The Project would result in less than significant impact to a historical, archaeological, and disturbance to human remains are assumed to be less than significant with implementation of Conditions of Approval (COA) COA-CUL-1 through COA-CUL-8.

Under Alternative 1, potential changes to any of these resources would be eliminated as no ground disturbance would occur. Alternative 1 would be environmentally superior to the Project regarding cultural resource impacts.

### ***Energy***

The Project would result in less than significant impact to wasteful, inefficient, or unnecessary consumption of energy resources and would not conflict with a state or local plan and no mitigations would be required.

Alternative 1 would be environmentally superior to the Project regarding energy impacts, as no increase in energy consumption would occur from the site continuing in its existing condition.

### ***Geology and Soils***

The Project would result in a less than significant impact from being located on expansive soil and would not impact paleontological resources or unique geologic features with implementation of **MM GEO-1** and **GEO-2**.

Alternative 1 is anticipated to be environmentally superior to the Project regarding impacts to and from existing geological conditions, including expansive soils, and paleontological resources, because the site underlying conditions would not change under Alternative 1 and ground disturbing activities would not occur. Alternative 1 would omit any changes to potentially unearthed paleontological resources.

### ***Greenhouse Gas Emissions***

The Project would have a significant and unavoidable impact on GHG emissions as the Project would exceed the 3,000 MTCO<sub>2</sub>e threshold and would conflict with an applicable plan, policy or regulation despite the implementation of **MMs AQ-2** and **AQ-3** in the Air Quality Assessment and **MMs GHG-1** through **GHG-7**.

Alternative 1 would result in no construction or operational GHG emissions. The existing, minimal emissions produced by the existing residential units would continue. As such, Alternative 1 would be environmentally superior to the Project regarding GHG emissions since no increase in GHG emissions would occur.

### ***Hazards and Hazardous Materials***

The Project would have a less than significant impact regarding hazards and hazardous materials, as the Project would not conflict or exacerbate the increased safety risk to workers due to the transport, handling, and disposal of hazardous materials and waste. Additionally, the Project would not generate emissions of hazardous emissions to nearby schools and the Project site is not located on a Cortese List of

known hazardous material sites. Finally, the Project is not located near a nearby airport and no foreseeable or accidental release of hazardous materials is anticipated to occur.

Although no impacts regarding hazards and hazardous materials would occur with the proposed Project, Alternative 1 would be environmentally superior to the Project regarding hazards and hazardous materials. Since no ground disturbing activities would occur, and no buildings or structures would be constructed or operated, any potential impact from hazards and hazardous materials would be eliminated.

### ***Hydrology and Water Quality***

The proposed Project is anticipated to have a less than significant impact on hydrology and water quality regarding water quality or waste discharge, alteration of the existing drainage pattern of the site or stream or river, run-off, polluted run-off, or from flood hazard, tsunami, or seiche with implementation of **MMs HYD-1** through **HYD-3**.

Alternative 1 would eliminate both short-term and long-term changes to hydrology and water quality, since grading, excavation, construction, or other activities associated with the development of the site would not occur. Alternative 1 would not alter current hydrologic conditions, including changes in surface water runoff and water quality. As such, Alternative 1 would be the environmentally superior alternative.

### ***Land Use and Planning***

The Project's existing land use designations and zoning are EDC-NG. The Project's proposed land uses would be consistent with the EDC-NG land use designation. Therefore, the Project would be compliant with the City's Zoning Code. Furthermore, the Project would also be designed consistently with all applicable planning policies and design standards set within the Menifee MC. As such, the Project would have a less than significant impact.

Alternative 1 would eliminate all development on the site and no change to the existing conditions would occur. As such, Alternative 1 would be the superior alternative.

### ***Noise***

The proposed Project would not exceed noise thresholds and thus would not create noise related impacts. However, noise would still be greater than under Alternative 1 (existing conditions). As such, it is determined that Alternative 1 would be the superior alternative as noise levels would remain unchanged under the existing conditions.

### ***Public Services***

The proposed Project would have a less than significant impact on public services with the payment of the applicable Development Impact Fees (DIF) for the various public services needed. Under Alternative 1, no warehouses or associated on-site or off-site improvements would be developed, and as such, no DIFs would be collected by the City of Menifee. Under existing conditions, six existing residential dwelling units require public services on-site although at a much less intensity than that anticipated under the proposed

Project. As such, it is anticipated that Alternative 1 would be the superior alternative, as fewer public services would be required at the sites.

### ***Transportation***

The Project was determined to have a less than significant impact on transportation, specifically as it relates to a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities with implementation of recommendations listed in **Appendix K1** of the Traffic Study. With implementation of recommendations, the Project would be consistent with all applicable traffic thresholds and therefore, the Project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system. Note that the intersection and roadway recommendations provided in **Appendix K1, Traffic Study**, are not mitigation measures, they are conceptual in nature, and are not required to be enforced as additional delay to an intersection or roadway segment is not considered a significant impact under CEQA. However, the City may consider including the recommendations as part of the Project's conditions of approval. Additionally, the Project would not have an impact or conflict with CEQA Guidelines Section 15064.3, would not increase hazards in geometry and not result in inadequate emergency access.

Though the Project will cause less than significant transportation impacts, Alternative 1 would be environmentally superior to the Project regarding transportation impacts because no increase in construction and operational trips would occur at all under this Alternative.

### ***Tribal Cultural Resources***

The Project would cause a less than significant impact to tribal cultural resources without mitigation measures. Implementation of COA-CUL-1 through COA-CUL-8 would further reduce the potential of impacts to tribal cultural resources. Nonetheless, Alternative 1 would be environmentally superior to the Project regarding tribal cultural resources as there would be no potential for impacting tribal cultural resources since no ground disturbing activities would occur.

### ***Utilities and Service Systems***

The Project's operation would create a demand for water, and increase wastewater and solid waste generation. However, the Project would not create a significant impact on utilities and service systems.

Alternative 1 would not demand any more utilities or services than those currently being expended to service the site for the residential dwelling units. Alternative 1 would greatly reduce the demand for water and wastewater, solid waste services, and gas and electricity services. Alternative 1 would be environmentally superior to the Project regarding impacts to utilities and service systems since no additional utilities would be required to continue to operate the existing on-site uses.

### **Alternative 1 Summary**

While Alternative 1 would reduce nearly all of the Project's potential environmental impacts, it would not meet any of the Project objectives, as identified above, as the Project site would remain in its existing condition. For instance, the Project site would not provide employment opportunities or increase the

City's tax base, would not facilitate the movement of goods, and would not develop an industrial project/warehouse facility that is Class A and that would attract high-end tenants to increase the City's tax base.

## **Alternative 2: Reduced Square Feet on Two Buildings Alternative**

Alternative 2 assumes the construction of two smaller warehouse buildings totaling approximately 595,031 SF of building space on the same 40.3-acres of land. Each of the two warehouse buildings would be approximately 297,515 SF. Compared to the proposed Project, the total warehouse building space in Alternative 2 would be overall approximately 105,000 SF smaller or (15% smaller) than the proposed Project.

## **Alternative 2 Impact Comparison to the Project**

Alternative 2 would minimize impacts related to the scale of the Project. Therefore, environmental impact areas such as aesthetics, energy, utilities and service systems, and wildfire hazards may see a nominal improvement regarding potential impact significance. However, these resource areas are anticipated to have a less than significant impact under the Project. Overall, the Project was able to achieve a less than significant impact with mitigation incorporated in all environmental impact areas except greenhouse gas emissions. This resource was anticipated to generate significant and unavoidable impacts even with implementation of the appropriate mitigations. An evaluation of the impacts associated with the development of Alternative 2 (Reduced Square Feet on Two Buildings Alternative) are described below.

### ***Aesthetics***

The same general aesthetics impacts would occur under Alternative 2 when compared to the proposed Project. Although the total building footprint would be reduced with this Alternative by approximately 105,000 SF, the general construction mass and scale of the buildings on-site would be the same because the Project site would have two buildings instead of one. Additionally, the building materials would remain the same as those anticipated to be used under the Project. Moreover, the two buildings would maintain the proposed building height of 45 feet, 6 inches. When compared to the proposed Project, aesthetics impacts associated with Alternative 2 would be like those from the proposed Project and would remain less than significant.

Alternative 2 would be environmentally equivalent to the Project regarding aesthetic impacts, as no increase in construction or traffic would occur and, as such, no additional impacts in aesthetics are anticipated to occur compared to the proposed Project.

### ***Air Quality***

The proposed Project would have a less than significant impact regarding construction and operational air pollutant emissions for PM<sub>10</sub> and NO<sub>x</sub> thresholds with the implementation of **MMs AQ-1** through **AQ-3** and **HRA-1**.

Alternative 2 proposes two warehouse buildings that would total approximately 595,031 SF, which is a total warehousing footprint reduction of approximately 105,000 SF or approximately 15 percent under Alternative 2. It is anticipated that this would reduce potential operational emissions through the reduced

building area. However, most operational emissions stemmed from mobile sources such as vehicles and construction equipment. The vehicular traffic generated from the Project is not anticipated to be significantly reduced under Alternative 2. Operations of Alternative 2 are expected to be similar to the Project. Under Alternative 2, the proposed buildings footprint would be reduced, but the operational intensity of the site could slightly increase as two separate businesses would operate out of the same site; each warehouse building could potentially have very distinct operational business hours and duplicative overhead.

Alternative 2 is anticipated to be environmentally superior to the Project regarding air quality impacts because a slight decrease in construction and operational traffic is anticipated from the total reduction in building SF and available vehicle and truck parking. As such, a less intense air quality impact is anticipated to occur from Alternative 2. Additionally, in order to maintain a less than significant impact on air quality, Alternative 2 would also be subject to the implementation of **MMs AQ-1** through **AQ-3** and **HRA-1**.

### ***Biological Resources***

The Project would result in less than significant environmental impacts towards special-status species, riparian habitats, wetlands, important trees and would not conflict with an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan with implementation of **MM BIO-1** through **BIO-3**.

Alternative 2 would be an environmentally equivalent alternative compared to the Project regarding biological resources because, though the Alternative 2 building footprint would be slightly reduced, the overall disturbance to the Project site would be the same as with the Project. Additionally, to maintain a less than significant impact on biological resources, Alternative 2 would also be subject to the implementation of **MMs AQ-1** through **AQ-3** and **HRA-1**.

### ***Cultural Resources***

The Project would result in less than significant impacts to historical and archaeological resources, and disturbance to human remains, with implementation of Conditions of Approval (COA) COA-CUL-1 through COA-CUL-8. No Project specific MMs were necessary.

Under Alternative 2, though the total building square footage would be reduced, development of the site of the two warehouse buildings would not omit or preserve any of the 40.3 acres in their current state. Even with the reduction in overall building square footage, the Project site would include parking, landscaping, and other features that would require the complete site to be developed. No islands or undisturbed areas would remain. Therefore, Alternative 2 would be an environmentally equivalent alternative compared to the Project regarding cultural resources, as the same 40.3-acres Project site would be modified or impacted.

### ***Energy***

The Project would result in less than significant impact to wasteful, inefficient, or unnecessary consumption of energy resources and would not conflict with a state or local plan and no mitigations would be required.



Development under Alternative 2 and the proposed Project would continue to require energy (fuel, electric, gas) during both the construction and operational phases of the Project. Alternative 2 would require less energy to build and operate due to the reduction in building square footage of two warehouse buildings. Alternative 2 would thus consume less energy for construction/operational related activities compared to the proposed Project. As such, the Alternative 2 would be environmentally superior to the Project regarding energy impacts, as a decrease in energy consumption would occur compared to the proposed Project.

### *Geology and Soils*

The Project would result in a less than significant impact from being located on expansive soil and would not impact paleontological resources or unique geologic features with implementation of **MM GEO-1** and **GEO-2**.

Alternative 2 would be environmentally equivalent to the Project regarding geological, soils, and paleontological resources. The exposure of people to seismic, geologic, and soil hazards under this Alternative would be equivalent to the Project with implementation of **MM GEO-1** and **GEO-2**. With regard to paleontological resources, under Alternative 2, though the total building square footage would be reduced, development of the two warehouse buildings would not omit or preserve any of the 40.3 acres in their current state. Therefore, Alternative 2 and the Project equally disturb the site.

### *Greenhouse Gas Emissions*

The Project would have a significant and unavoidable impact on GHG emissions as the Project would continue to exceed the 3,000 MTCO<sub>2</sub>e threshold and would conflict with an applicable plan, policy or regulation despite the implementation of **MMs AQ-2** and **AQ-3** in the Air Quality Assessment and **MMs GHG-1** through **GHG-5**.

Alternative 2 would likely reduce emission impacts through a reduction in energy use and less vehicle trips from two smaller warehouse buildings compared to the proposed larger single warehouse building. However, the usage rate of the Project site as a whole would remain similar and the reduction in energy use and vehicle trips would not be substantial. Even with a reduction in energy use emissions, the mobile source emissions associated with vehicular travel would not be greatly reduced. The difference in vehicle traffic would be approximately 75 vehicle and 37 truck parking spaces less than assumed under the proposed Project. The proposed Project's GHG emissions were more than double the significance threshold. Since Alternative 2 is only 15% smaller than the proposed Project, Alternative 2 would likely remain in excess of the City's GHG emissions thresholds. The impact would be expected to remain a significant and unavoidable impact even with implementation of **MMs AQ-2** and **AQ-3** in the Air Quality Assessment and **MMs GHG-1** through **GHG-5** because the proposed Project, even with implementation of these measures, was more than double the emissions threshold. Regardless of the Alternative 2 being anticipated to remain significant and unavoidable, it would be determined to be environmentally superior compared to the Project regarding GHG emissions only because it will reduce the energy needed, but this reduction does not eliminate the significant and unavoidable impact generated by Alternative 2.

### ***Hazards and Hazardous Materials***

The Project would have a less than significant impact regarding hazards and hazardous materials, as the Project would not conflict or exacerbate the increased safety risk to workers due to the transport, handling, and disposal of hazardous materials and waste. Additionally, the Project would not generate emissions of hazardous emissions to nearby schools and the Project site is not located on a Cortese List of known hazardous material sites. Finally, the Project is not located near a nearby airport and no foreseeable or accidental release of hazardous materials is anticipated to occur.

Alternative 2 would be environmentally equivalent to the Project regarding hazards and hazardous materials, since the same ground disturbing activities would occur, and buildings/structures would be constructed and operated on the same footprint.

### ***Hydrology and Water Quality***

The proposed Project is anticipated to have a less than significant impact on hydrology and water quality, waste discharge, alteration of the existing drainage pattern of the site or stream or river, run-off, polluted run-off, or from flood hazard, tsunami, or seiche with implementation of **MMs HYD-1** through **HYD-3**.

Alternative 2 and the proposed Project would disturb the same footprint for construction and operational activities, and as such, Alternative 2 would result in similar hydrology and water quality impacts as those identified under the proposed Project. As with the proposed Project, **MMs HYD-1** through **HYD-3** would be required to reduce impacts on hydrology and water quality and waste discharge, and minimize the alteration of the existing drainage pattern of the site. Because the same 40.3-acres site would be disturbed with the implementation of the two smaller warehouse buildings, with implementation of the applicable MMs, Alternative 2 would remain less than significant and equivalent to the proposed Project.

### ***Land Use and Planning***

The Project's existing land use designations and zoning are EDC-NG. The Project's proposed land uses would be consistent with the EDC-NG land use designation. Therefore, the Project would be compliant with the City's Zoning Code. Furthermore, the Project would also be designed consistently with all applicable planning policies and design standards set within the Menifee MC. As such, the Project would have a less than significant planning and land use impact.

Alternative 2 would remain consistent with existing land use and designation and zoning for the site (EDC-NG). No need for land use and zoning changes would be necessary. As such, Alternative 2 would be environmentally equivalent to the Project regarding land use and planning, since no new entitlements, not already considered under the proposed Project, would be necessary.

### ***Noise***

The proposed Project was determined to not generate construction, operation, and traffic related noise or vibration in excess of normally acceptable standards. As such, the proposed Project was anticipated to have less than significant impacts from noise and vibration and the implementation of MMs would not be necessary.

Although the proposed Project was determined to have a less than significant impact from Project-related noise and vibration generation, it is anticipated that Alternative 2 would generate less noise and vibration than the proposed Project due to the approximately 15% smaller building footprint and traffic reduction assumed under Alternative 2. As such, Alternative 2 is the environmentally superior alternative.

### *Public Services*

The proposed Project was determined to have a less than significant impact on all public services with the payment of the applicable Development Impact Fees (DIF) for the various public services necessary.

When compared to the proposed Project, Alternative 2 would result in fewer public service-related impacts than the proposed Project and associated DIF would also be paid; however, it is anticipated these reductions would be nominal. Therefore, Alternative 2 would be environmentally equivalent when compared to the proposed Project.

### *Transportation*

The Project was determined to have a less than significant impact on transportation, specifically as it relates to a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. The Project would be consistent with all applicable traffic thresholds and therefore, the Project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system. Therefore, the Project's traffic impacts, in terms of being consistent with all applicable traffic thresholds, would be less than significant. Note that the intersection and roadway recommendations provided in **Appendix K1, Traffic Study**, are not mitigation measures, they are conceptual in nature, and are not required to be enforced as additional delay to an intersection or roadway segment is not considered a significant impact under CEQA. However, the City may consider including the recommendations as part of the Project's conditions of approval. Additionally, the Project would not have an impact or conflict with CEQA Guidelines Section 15064.3, would not increase hazards in geometry and not result in inadequate emergency access.

Although the proposed Project was determined to have a less than significant impact on transportation facilities, because Alternative 2 would further reduce the overall building footprint and traffic to and from the Project site by approximately 15%, it is assumed that Alternative 2 would have a lesser impact than the proposed Project. Therefore, Alternative 2 would be environmentally superior compared to the proposed Project.

### *Tribal Cultural Resources*

The Project is anticipated to cause a less than significant impact to tribal cultural resources without mitigation measures. Implementation of COA-CUL-1 through COA-CUL-8 would further reduce the potential of impacts to tribal cultural resources.

Alternative 2 would be environmentally equivalent to the Project regarding tribal cultural resources because both projects involve the same amount of ground disturbance. There would be no potential for impacting tribal cultural resources with implementation of COA-CUL-1 through COA-CUL-8.

## *Utilities and Service Systems*

The Project's operations would create a demand for water, and increase wastewater and solid waste generation. However, the Project would not create a significant impact on utilities and service systems.

Alternative 2 would result in fewer utility and service system related impacts compared to the proposed Project. Alternative 2 would be environmentally superior compared to the proposed Project regarding impacts to utilities and service systems. Temporary increases in utility demand and construction of utilities would still occur during construction, and there would be an increase in services and utilities demand resulting from operation of the two warehouses under Alternative 2, but these increases would be lower than with the proposed Project due to the square footage reduction of approximately 105,000 SF under Alternative 2.

### **Alternative 2**

Alternative 2 is anticipated to have a slight reduction in impacts pertaining to air quality, energy, GHG, noise, transportation, and utilities and service systems compared to the proposed Project. Additionally, Alternative 2 would not meet all the Project Objectives. The Project would not meet Objective No. 5, which seeks to "Expand the local and regional tax base," Nor Objective No. 4, which seeks "the creation of new employment opportunities while being respectful of the environmental issues." Reducing the overall Project footprint will not increase the tax base to the same extent or provide as many job opportunities as the proposed Project. Alternative 2 also does not meet Objective No. 6, which seeks to "Develop a project that is economically feasible." The reduction in total building SF footprint (approximately 105,000 SF between the two smaller scale warehouse buildings) would offset the financial benefits the Project could bring because less building SF translates into a reduced price per SF that can be sold or leased. Alternative 2 also does not meet Objective No. 7 which seeks to "Develop and operate a project that will attract quality tenants and will be competitive with other approved or proposed similar regional facilities." Alternative 2 would fail to achieve higher efficiency and reduced real estate costs, through the conversion of one building to two smaller buildings. This would ultimately raise rent, labor, and transportation costs, as well as the ability to significantly improve the number of items processed per hour with operations under one roof. This would ultimately deter new tenants from potentially leasing the buildings under Alternative 2, which is opposite of what Objective 2 seeks. Additionally, Alternative 3 would not meet Objective No. 10 which seeks to "facilitate the development of underutilized land currently planned for industrial uses that maximizes the use of the site and responds to regional market demand," As tenants migrate from smaller to larger buildings, creating operational efficiencies and cost savings, buildings primarily in 100,000 sf – 300,000 sf segment are becoming vacant. As rents decrease and construction costs remain high compared to historical norms, coupled with high interest rates, financial feasibility for smaller buildings are more challenging. Additionally, the development of two smaller buildings under Alternative 2 would reduce the maximum efficiency of uses on site by reducing the overall sq. ft. by 15 percent. Since Alternative 2 would go against market trends and would not maximum the site's usage, Objective 10 would not be met.

Additionally, while the reduced footprint proposed by Alternative 2 moderately reduces some of the Project impacts, Alternative 2 and the proposed Project are environmentally equivalent for many impacts, and Alternative 2 only would likely modestly reduce GHG emissions (the only significant and unavoidable

impact caused by the proposed Project). It is anticipated that GHG emissions for Alternative 2 would still likely be significantly above the significance threshold. Overall, Alternative 2 can be rejected as it does not meet all Project Objectives and does not have significant environmental advantages.

## 6.7 Environmentally Superior Alternative

An EIR is required to identify the environmentally superior Alternative from among the range of reasonable alternatives that are evaluated. Section 15126.6 (e)(2) of the State CEQA Guidelines requires that an environmentally superior alternative be designated and states that if the environmentally superior Alternative is the No Project alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

Based on the summary of information presented in **Table 6.0-1, Project Objective Consistency Analysis**, the environmentally superior Alternative is Alternative 1: No Project Alternative. Because Alternative 1 would leave the Project site essentially unchanged and would not have the operational impacts that would be associated with Alternative 2, Alternative 1 is determined to have fewer environmental impacts than the proposed Project, or Alternative 2.

Section 15126.6(e)(2) of the State CEQA Guidelines states that if the “No Project” alternative is found to be environmentally superior, “the EIR shall also identify an environmentally superior alternative among the other alternatives. Alternative 2 would include the same project features and MMs and would ultimately have a similar environmental impact as the proposed Project.

The context of an environmentally superior alternative is based on the consideration of several factors including the reduction of environmental impacts to a less than significant level, the Project objectives, and an alternative’s ability to fulfill the objectives with minimal impacts to the existing site and surrounding environment. As such, the No Project alternative (Alternative 1) would be the environmentally superior alternative because it would eliminate all of the potentially significant impacts of the proposed Project. However, while Alternative 1 is the environmentally superior alternative, it is not capable of meeting any of the basic objectives for the Project or the General Plan.

Aside from Alternative 1, the environmentally superior alternative to the proposed Project is the one that would result in the fewest or least significant environmental impacts. Based on the evaluation undertaken, it is assumed that Alternative 2: “Reduced Square Feet on Two Buildings Alternative” is the environmentally superior Alternative. This is an environmentally superior project alternative because overall impacts would be reduced on average by approximately 15 percent, including traffic generated by the project which would translate to a potential 15 percent reduction in air quality and GHG emissions. Although Alternative 2 would be the environmentally superior alternative, Alternative 2 would not significantly mitigate GHG emissions into a less than significant level as emissions would be well in excess of the significance threshold. Also Alternative 2 does not meet Project Objectives 4,5,6,7 and 10.

**Table 6.0-1: Comparison of Project Alternatives Environmental Impacts with the Project**

EIR Resource Section	Alternatives		
	Project - Level of Impact After Mitigation	Alternative 1 No Project	Alternative 2 Reduced Square Feet on Two Buildings Alternative (15%)
Aesthetics	Less Than Significant	-	=
Air Quality	Less Than Significant	-	-
Biological Resources	Less Than Significant	-	=
Cultural Resources	Less Than Significant	-	=
Energy	Less Than Significant	-	-
Geology and Soils	Less Than Significant	-	=
Greenhouse Gas Emissions	Significant and Unavoidable	-	-
Hazards and Hazardous Materials	Less Than Significant	-	=
Hydrology and Water Quality	Less Than Significant	-	=
Land Use and Planning	Less Than Significant	-	=
Noise	Less Than Significant	-	-
Public Services	Less Than Significant	-	-
Transportation	Less Than Significant	-	-
Tribal Cultural Resources	Less Than Significant	-	=
Utilities and Service Systems	Less Than Significant	-	-
Wildfire	Less Than Significant	-	=
Attainment of Project Objectives	Meets all of the Project Objectives	Meets none of the Project Objectives	Meets all but two the Project Objectives
<p>A plus (+) sign means the Project Alternative has more impacts compared to the proposed Project.  A minus (-) sign means the Project Alternative has less impact compared to the proposed Project.  An equal sign (=) means the Project Alternative has similar impact compared to the proposed Project.</p>			



## 7.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

### 7.1 Introduction

Section 15128 of the California Environmental Quality Act (CEQA) Guidelines states that “an EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.” This section briefly describes effects found to have no impact or a less than significant impact based on the analysis conducted during the Draft Environmental Impact Report (EIR) preparation process.

### 7.2 Agriculture and Forestry Services

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

**Impact 7.2-1** *Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

**Level of Significance: No Impact**

#### Construction and Operations

Prime farmland is land that has the best combination of physical and chemical attributes that is conducive to sustained agricultural uses and production of the nation’s short and long term needs for food and fiber. Prime farmland is limited and therefore requires conservation when able. Unique farmland is classified as any farmland other than prime farmland that is used to generate high-value food and fiber crops, such as citrus, tree nuts, olives, cranberries, and other fruits and vegetables. Like prime farmland, unique farmland contains an adequate combination of physical and chemical attributes that is conducive to the growth of those high-value crops. Farmland of statewide importance is delineated by individual states and includes land that may not meet the standards of prime or unique farmland but is still able to be an area of significant production for a state.

According to the California Department of Conservation’s California Important Farmland Finder<sup>1</sup> and Exhibit OSC-5: Agricultural Resources<sup>2</sup> from the City of Menifee’s (City) General Plan (GP), the Project site

<sup>1</sup> California Department of Conservation. 2016. *California Important Farmland Finder*. <https://maps.conservation.ca.gov/DLRP/CIFF/> (accessed October 2022).

<sup>2</sup> City of Menifee. 2013. *Exhibit OSC-5: Agricultural Resources*. [https://www.cityofmenifee.us/DocumentCenter/View/1086/ExhibitOSC-5\\_AgriculturalResources\\_HD0913?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/1086/ExhibitOSC-5_AgriculturalResources_HD0913?bidId=) (accessed October 2022).

does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The Project site is classified as Farmland of Local Importance and Other Land by the Farmland Finder and Exhibit OSC-5. The Project would be in compliance with City GP Goal OSC-6 and Policy OSC-6.1, which aim to protect high value agricultural lands in the City.<sup>3</sup> Implementation of the Project would not involve the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, and therefore no impact would occur.

***Impact 7.2-2      Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?***

***Level of Significance: No Impact***

## **Construction and Operations**

The City's land Use Map shows that there are no areas which allow agricultural uses within or nearby the Project site. The Project would occupy a portion of the City which has been designated for EDC land use<sup>4</sup> and zoning.<sup>5</sup> The EDC designation allows for the development of industrial and warehousing related uses which the Project is consistent with. Additionally, there are no lands within the City that are currently under a Williamson Act contract.<sup>6</sup> Therefore, the Project would not conflict with existing zoning for agricultural use or a Williamson Act contract, and no impact would occur.

***Impact 7.2-3      Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?***

***Level of Significance: No Impact***

## **Construction and Operations**

The Project would occupy a portion of the City which has been designated and zoned as an Economic Development Corridor (EDC). The EDC designation allows for the development of industrial and warehousing related uses which the proposed Project is consistent with. According to the City's GP EIR, forest land in the City includes Southern Coast Live Oak Riparian Forest, Southern Cottonwood/Willow Riparian Forest, and Southern Sycamore/Alder Riparian Woodland. These vegetation types are limited and scattered throughout the City, and there is no forest zoning in the City.<sup>7</sup> The Project site has been heavily disturbed from on-site disturbances and existing development, and none of these vegetation types are present on-site. There is no forest or timberland present on the Project site; only fencerow trees

<sup>3</sup> City of Menifee. 2013. *Open Space & Conservation Element OSC-6: Agriculture*. <https://www.cityofmenifee.us/877/OSC-6-Agriculture> (accessed October 2023).

<sup>4</sup> City of Menifee. 2021. *General Plan - Land Use Map*. <https://www.cityofmenifee.us/DocumentCenter/View/11043/General-Plan--Land-Use-Map---December-2021> (accessed October 2022).

<sup>5</sup> City of Menifee. 2022. *Zoning Map*. <https://www.cityofmenifee.us/DocumentCenter/View/11042/Zoning-Map---February-2022> (accessed October 2022).

<sup>6</sup> City of Menifee. *City of Menifee General Plan Draft EIR, Section 5.2: Agriculture and Forestry Resources. Page 5.2-5*. <https://www.cityofmenifee.us/DocumentCenter/View/1102/Ch-05-02-AG?bidId=> (accessed November 2022).

<sup>7</sup> City of Menifee. 2013. *City of Menifee General Plan Draft EIR, Section 5.2: Agriculture and Forestry Resources*. <https://www.cityofmenifee.us/DocumentCenter/View/1102/Ch-05-02-AG?bidId=> (accessed October 2022).

surrounding the residential property located in the northeast portion of the Project site. No impact would occur.

**Impact 7.2-4**      *Would the Project result in the loss of forest land or conversion of forest land to non-forest use?*

**Level of Significance: No Impact**

### **Construction and Operations**

Due to the lack of existing active farmland, forest lands, timberlands, or areas zoned for agriculture on the Project site or immediately surrounding areas, development of the Project site would not involve changes in the existing environment which, due to its location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. While a portion of the Project site was designated Farmland of Local Importance, agricultural use of the Project site ceased in the late 1970s.<sup>8</sup> Further, operations for the Project would not involve logging, forestry, or agricultural uses. Therefore, no impact would occur.

**Impact 7.2-5**      *Would the Project Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

**Level of Significance: No Impact**

### **Construction and Operations**

See Impact 7.2-4 above. Due to the lack of existing active farmland or areas zoned for agricultural use on the Project site or immediately surrounding areas, development of the Project site would not involve changes in the existing environment which, due to its location or nature, could result in conversion of farmland to non-agricultural use. While a portion of the Project site was designated Farmland of Local Importance, agricultural use of the Project site has ceased. Furthermore, operations for the Project would not involve agricultural uses. Therefore, no impact would occur.

## **7.3 Mineral Resources**

**Impact 7.3-1**      *Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

**Level of Significance: No Impact**

### **Construction and Operations**

The Project area and approximately one-third of the City is categorized as Urban Area. A small portion of the City, along Murrieta Road between McCall Boulevard and McLaughlin Road, is symbolized as Mineral Resource Zone (MRZ)-1 (area where available geologic information indicates that little likelihood exists for the presence of significant mineral resources), this area is not within the Project site and is

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<sup>8</sup> Partner Engineering and Science, Inc. 2021. *Phase I Environmental Site Assessment Report*. Page 7.

approximately 0.3 miles to the south.<sup>9</sup> The remainder of the City symbolized as MRZ-3 (areas containing known or inferred mineral occurrences of undetermined mineral resource significance).<sup>10</sup>

As previously stated, the Project site would be within an area of the City which is currently disturbed and partially developed. None of the past existing uses included uses that focused on mineral refinement or mining. No mineral resources have been identified in or around the Project site. Therefore, no impact to mineral resources would occur.

**Impact 7.3-2** *Would the Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

**Level of Significance: No Impact**

## Construction and Operations

See response to Impact 7.3-1 above. The Project would be located in a previously disturbed and partially developed portion of the City. The previous uses at the Project site did not include mining activities or mineral processing. Further, no active mining sites exist within the City, according to the California Department of Conservation's Mines Online mapper.<sup>11</sup> Therefore, the Project would not interfere with any existing or potential mining activities. No impact would occur.

## 7.4 Population and Housing

**Impact 7.4-1** *Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

**Level of Significance: Less than Significant**

## Construction and Operations

The Project would have a beneficial effect on the City's employment base by developing a site that is largely vacant with a new industrial/warehouse facility with ancillary office space. Given that the current unemployment rate for Riverside County is approximately 4.0 percent (as of October 2022),<sup>12</sup> it is reasonably assured that the jobs would be filled by people living in the City, unincorporated County area, and surrounding communities, such as Perris and Murrieta. Additionally, the Project is consistent with the Southern California Association of Government's (SCAG) regional growth assumptions.<sup>13</sup> As a result, the

<sup>9</sup> City of Menifee. 2013. *Exhibit OSC-3: Mineral Resource Zones*. [https://www.cityofmenifee.us/DocumentCenter/View/1084/ExhibitOSC-3\\_Mineral\\_Resource\\_Zones\\_HD0913?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/1084/ExhibitOSC-3_Mineral_Resource_Zones_HD0913?bidId=) (accessed October 2022).

<sup>10</sup> City of Menifee. 2013. *Exhibit OSC-3: Mineral Resource Zones*. [https://www.cityofmenifee.us/DocumentCenter/View/1084/ExhibitOSC-3\\_Mineral\\_Resource\\_Zones\\_HD0913?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/1084/ExhibitOSC-3_Mineral_Resource_Zones_HD0913?bidId=) (accessed October 2022).

<sup>11</sup> California Department of Conservation. 2016. *Mines Online*. <https://maps.conservation.ca.gov/mol/index.html> (accessed October 2022).

<sup>12</sup> State of California Employment Development Department. 2022. *Local Area Unemployment Statistics (LAUS) - Riverside County*. <https://data.edd.ca.gov/Labor-Force-and-Unemployment-Rates/Local-Area-Unemployment-Statistics-LAUS-Riverside-/f6zd-dtm5>. (accessed November 2022).

<sup>13</sup> SCAG. 2020. *Connect SoCal Demographics and Growth Forecast*. [https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial\\_demographics-and-growth-forecast.pdf?1606001579](https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_demographics-and-growth-forecast.pdf?1606001579) (accessed October 2023).

Project would not be anticipated to induce substantial population growth in the Project area. Therefore, impacts associated with substantial, unplanned population growth would be less than significant.

**Impact 7.4-2** *Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

**Level of Significance: No Impact**

## Construction and Operations

There are two single-family residences with associated out structures located on the Project site. All residences appear to be manufactured homes, which can be relocated elsewhere. As such, the Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere; therefore, no impact would occur.

## 7.5 Recreation

**Impact 7.5-1** *Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

**Level of Significance: No Impact**

## Construction and Operations

Available for public use in the City of Menifee are 13 City-owned parks and 20 Valley-wide owned parks. The closest parks to the Project site are Nova Park (located 25444 Nova Lane, approximately one mile southeast of the Project site) and Talavera Park located at 27931 Calle Talavera, approximately 2.5 miles southeast of the Project site.<sup>14</sup> However, the Project is a warehouse building with office space and does not propose any residential development or other land use that may generate a population that would increase the use of these parks or any existing neighborhood or regional parks or other recreational facility. Implementation of the Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park. Therefore, no impact would occur.

**Impact 7.5-2** *Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

**Level of Significance: No Impact**

## Construction and Operations

The Project applicant proposes the construction of a warehouse facility with office space and associated infrastructure improvements. The Project applicant does not propose, nor require, the construction or expansion of recreational facilities. The Project does not include the subdivision of land for residential use and therefore is not required to dedicate land or pay fees in lieu thereof, or combination of both, for park

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<sup>14</sup> City of Menifee. ND. Parks. <https://www.cityofmenifee.us/285/Parks> (accessed October 2022).

and recreational purposes. See Chapter 7.75: Parkland Dedication and Fees of the Menifee Municipal Code for detailed information. Implementation of the Project would not have an adverse physical effect on the environment as it pertains to construction/expansion of recreational facilities. Therefore, no impact would occur.

## 7.6 Wildfire

**Impact 7.6-1** *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:*

*Substantially impair an adopted emergency response plan or emergency evacuation plan?*

**Level of Significance: No Impact**

According to CAL FIRE's Fire Hazard Severity Zones in State Responsibility Areas (last updated in September 2023), the Project site is not located in a State Responsibility Area or within or adjacent to a Very High Fire Hazard Severity Zone.<sup>15</sup> The closest SRA and VHFHSZ is approximately 1.9 miles west of the Project site. The Project is located in a Local Responsibility Area (LRA). Therefore, no impacts associated with the substantial impairment of an adopted emergency response plan would occur.

**Impact 7.6-2** *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:*

*Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

**Level of Significance: No Impact**

Refer to Impact 7.6-1 above. The Project is not located in or near an SRA and the Project does not contain lands classified as VHFHSZ. Therefore, the Project would not exacerbate wildfire risks or expose Project occupants to pollutant concentrations from a wildfire, or the uncontrolled spread of a wildfire. No impact would occur.

**Impact 7.6-3** *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:*

*Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

**Level of Significance: No Impact**

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<sup>15</sup> CAL FIRE. (2023). *Fire Hazard Severity Zones in State Responsibility Area*. Available at: <https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=988d431a42b242b29d89597ab693d008> (accessed November 2023).



Refer to Impact 7.6-1 above. The Project is not located in or near an SRA and the Project does not contain lands classified as VHFHSZ. Therefore, the Project would not require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. No impact would occur.

**Impact 7.6-4** *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:*

*Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

**Level of Significance: No Impact**

Refer to Impact 7.6-1 above. The Project is not located in or near an SRA and the Project does not contain lands classified as VHFHSZ. Therefore, the Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes associated with wildfires. No impact would occur.

## 7.7 References

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<https://maps.conservation.ca.gov/DLRP/CIFF/>.

California Department of Conservation. 2016. *Mines Online*.

<https://maps.conservation.ca.gov/mol/index.html>.

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## **8.0 EIR CONSULTATION AND PREPARATION**

### **8.1 Lead Agency**

#### **City of Menifee**

- Ryan Fowler, Principal Planner, Planning Division
- Orlando Hernandez, Deputy Community Development Director, Planning Division
- Cheryl Kitzerow, AICP, Community Development Director, Community Development Department
- Haile Ford, PE, Senior Engineer, Engineering Department
- Sonya Bu, Fire Marshal, Office of the Fire Marshal
- Gloria Alvarez, Plans Examiner, Building and Safety Division

### **8.2 Environmental Document Preparers**

#### **Kimley-Horn & Associates, Inc.**

- Kari Cano, Project Manager
- Meghan Karadimos, Environmental Analyst,
- Aldo Perez, Environmental Analyst
- Sabrina Wallace, Environmental Analyst
- Hannah Thurlow, Environmental Analyst
- Amanda McCallum, Document Production
- Ace Malisos, AQ, HRA, Energy, GHG, and Noise Specialist
- Alex Pohlman, AQ, HRA, Energy, GHG, and Noise Specialist
- Trevor Briggs, Transportation Specialist

### **8.3 Technical Study Preparation**

#### **Biological Resources**

- ELMT Consulting, Inc.

#### **Cultural Resources and Tribal Cultural Resources**

- BCR Consulting, LLC

#### **Geology and Soils**

- GeoTek, Inc.

#### **Hazards and Hazardous Materials**

- Partner Engineering and Science, Inc.

## **Hydrology and Water Quality**

- Albert A. Webb Associates

## **Utilities and Service Systems**

- Eastern Municipal Water District

Technical appendices for the CADO Meniffee Industrial Warehouse Project Draft EIR can be found at the following web address:

<https://cityofmeniffee.us/325/Environmental-Notices-Documents>

# **Findings of Fact and Statement of Overriding Considerations**

## **CADO Menifee Industrial Warehouse Project**

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SCH No. 2022040622

### **Lead Agency**



**City of Menifee**  
29844 Haun Road  
Menifee, CA 92586  
(951) 769-8520

### **Consultant**



**Kimley-Horn and Associates, Inc.**  
Kari Cano, Project Manager  
3801 University Avenue, Suite 300  
Riverside, CA 92501

**August 2024**



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## 1.0 INTRODUCTION

### 1.1 FINDINGS OF FACT

The California Environmental Quality Act (CEQA) requires that the environmental impacts of a project be examined and disclosed prior to approval of a project. Pursuant to CEQA Guidelines Section 15091(a), no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

- 1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR [referred to in these Findings as "Finding 1"].
- 2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency [referred to in these Findings as "Finding 2"].
- 3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR [referred to in these Findings as "Finding 3"].

Having received, reviewed and considered the CADO Meniffee Industrial Warehouse Project (Project), State Clearinghouse (SCH) # 2022040622 as well as all other information in the record of proceedings on this matter, the following Findings Regarding the CEQA Documents for the Project are hereby adopted by the City of Meniffee (City).

### 1.2 DOCUMENT FORMAT

These Findings have been categorized into the following sections:

- Section 1.0 provides an introduction to these Findings.
- Section 2.0 provides a summary of the Project, overview of other discretionary actions required for the Project, and a statement of Project objectives.
- Section 3.0 provides a summary of those activities that have preceded the consideration of the Findings for the Project as part of the environmental review process, and a summary of public participation in the environmental review for the Project.
- Section 4.0 sets forth findings regarding those potentially significant environmental impacts identified in the CEQA Documents which the City has determined to be less than significant with the implementation of Project design features.
- Section 5.0 sets forth findings regarding those significant or potentially significant environmental impacts identified in the CEQA Documents which the City has determined can



feasibly be mitigated to a less than significant level through the imposition of mitigation measures included in the Mitigation, Monitoring and Reporting Program (MMRP) for the Project.

- Section 6.0 sets forth findings for significant and unavoidable project impacts.
- Section 7.0 sets forth findings regarding growth-inducing impacts.
- Section 8.0 sets forth findings regarding alternatives to the Project.
- Section 9.0 contains findings regarding the MMRP for the Project.
- Section 10.0 contains other relevant findings adopted by the City with respect to the Project.
- Section 11.0 contains the Statement of Overriding Considerations for the Project.
- Section 12.0 contains information pertaining to the certification of the Final EIR.

The Findings set forth in each section herein are supported by findings and facts identified in the administrative record of the Project.

### 1.3 CUSTODIAN AND LOCATION OF RECORDS

The documents and other materials that constitute the administrative record for the City's actions regarding the Project are located at the City of Menifee Community Development Department, 29844 Haun Road, Menifee, California 92586. The City is the custodian of the administrative record for the Project.

## 2.0 PROJECT SUMMARY

### 2.1 PROJECT LOCATION

The Project is generally located approximately 1.5 miles west of Interstate 215 (I-215) in the City of Menifee, County of Riverside, State of California. The Project is bounded by Kuffel Road and residential homes, outbuildings, and a stormwater detention basin to the north; Byers Road, vacant undeveloped land, and a single-family residence with associated out structures to the east; Corsica Lane, vacant undeveloped land, and a single-family residence with associated out structures to the south; and Wheat Street, vacant undeveloped land, single family residences, and nonconforming commercial development to the west.

The Project site is comprised of eight parcels total (Assessor Parcel Numbers (APNs): 330-190-002, 330-190-003, 330-190-004, 330-190-005, 330-190-010, 330-190-011, 330-190-012, and 330-190-013 totaling 40.03 gross acres. The Project site is currently composed of vacant land with two single-family residential structures and associated out buildings on a single parcel. The existing structures are proposed to be demolished.

### 2.2 DISCRETIONARY ACTIONS

The City is the Lead Agency under CEQA and is responsible for reviewing and certifying the adequacy of the EIR for the Project. It is expected that the City, at a minimum, would consider the data and analyses contained in this EIR when making their permit determinations. Prior to development of the Project,

discretionary permits and approvals must be obtained from local, state and federal agencies, as listed below.

**Tentative Parcel Map (TPM) No. PLN 22-0041** proposes to consolidate 8 parcels into one (1) industrial parcel. The Project site is approximately 40.03 gross acres and 36.81 net acres.

**Plot Plan (PP) No. PLN 21-0370** proposes a 700,037 square foot warehouse/industrial building with 10,000 square feet of office space and 690,037 square feet of warehouse space on a 36.8 net acre (40.03 gross acre) site. The project will provide a total of 499 vehicular parking stalls and 245 trailer stalls. There will be three (3) points of access on Byers Road and two (2) points of access on Wheat Street.

Other permits required for the Project may include, but are not limited to, the following: issuance of encroachment permits for driveways, sidewalks, and utilities; security and parking area lighting; demolition permits; building permits; grading permits; tenant improvement permits and permits for new utility connections. The Project may also require business emergency plan approval (for hazardous materials storage greater than 55 gallons, 200 cubic feet or 500 pounds or any acutely hazardous materials or extremely hazardous substances) and permits for any existing well and/or existing onsite wastewater treatment system (OWTS)/septic system removal.

## 2.3 STATEMENT OF OBJECTIVES

The following objectives have been established for the Project by the City and Project applicant:

- **Objective 1.** Develop the site in accordance with the City General Plan and Zoning in the Economic Development Corridor Northern Gateway (EDC) which envisions more intense development at the industrial boundary of the City adjacent to Ethanac Road.
- **Objective 2.** Develop a project that will contribute to the balanced growth in the City in a responsible and strategic manner.
- **Objective 3.** Develop an area that takes advantage of the existing infrastructure and support systems including the local workforce.
- **Objective 4.** Positively contribute to the economy of the region through new capital investment and the creation of new employment opportunities.
- **Objective 5.** Expand the local and regional tax base.
- **Objective 6.** Develop a project that is economically feasible.
- **Objective 7.** Develop and operate a project that will attract quality tenants and will be competitive with other approved or proposed similar regional facilities.
- **Objective 8.** Develop a project that will contribute to the build out of regional road and flood infrastructure that will benefit the project as well as the broader EDC area.
- **Objective 9.** Develop the Economic Development Corridor Northern Gateway (EDC-NG), through the development of a land use consistent with the development standards, and criteria relevant to the site.
- **Objective 10.** Facilitate the development of underutilized land currently planned for industrial uses that maximizes the use of the site and responds to regional market demand.



### **3.0 ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION**

A Notice of Preparation (NOP) was distributed for the Project by the City on May 2, 2022. Additionally, the State of California Clearinghouse issued a project number for the Project, SCH # 2022040622. In accordance with CEQA Guidelines Section 15082, the NOP was circulated to interested agencies, groups, and individuals for a period of 30 days, during which comments were solicited and received, pertaining to environmental issues/topics that the Draft EIR should evaluate. These NOP responses were considered in the preparation of the Draft EIR, which upon release, was made available to all Responsible/Trustee Agencies and interested groups and individuals, as required under CEQA Guidelines Sections 15105 and 15087.

The State-mandated public review of the Draft EIR began on March 13, 2024, and concluded April 27, 2024. The Final EIR includes a Response to Comments package, which presents all written comments received during the public review period of the Draft EIR and includes responses to these comments and associated changes made to the EIR.

The EIR includes any exhibits or appendices thereto, the list of persons, organizations and public agencies which commented on the EIR, the comments which were received by the City regarding the EIR, and the City's written responses to comments raised in the public review and comment process, all of which are incorporated herein and made a part hereof by reference. Pursuant to State CEQA Guidelines Section 15084, the EIR has been reviewed and analyzed by the City of Menifee as the lead agency with respect to the Project and the EIR. The following findings for the Project and each fact in support of a finding are thus based upon substantial evidence in the record.

### **4.0 FINDINGS REGARDING ENVIRONMENTAL IMPACTS DETERMINED TO HAVE NO IMPACTS OR BE LESS THAN SIGNIFICANT**

The City finds, based upon the analysis presented in Section 4.0 of the Draft EIR, dated March 2024, as the following environmental effects of the Project either have no impact or the impacts are less than significant, and, therefore, no mitigation measures are required. The City hereby finds that existing regulatory requirements, policies, and/or Project conditions have been identified and incorporated into the Project which avoids or substantially lessens the potentially significant effect on the environment to a less than significant level.

#### **4.1 AESTHETICS**

##### **Impact 4.1-1: Less than Significant Impact**

The City of Menifee General Plan (Menifee GP) does not designate any scenic vistas near the Project site. The Project would be designed in accordance with applicable state and local regulations including Menifee Municipal Code (Menifee MC), Industrial Design Guidelines, City of Menifee Industrial Good Neighbor Policies, and Menifee GP Policies. Furthermore, the proposed building height of 45 feet 6 inches is well within the maximum allowed building height of 100' for industrial buildings within the EDC-NG zone. The

Project would also include setbacks (i.e., berms and landscape) and the proposed warehouse building would be sited away to screen the warehouse from surrounding properties. For these reasons and the reasons discussed in the EIR, the Project's impacts on scenic vistas would be less than significant, and no mitigation relating to this issue is required. (Draft EIR, p. 4.1-9)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not significantly affect scenic vistas. Potential aesthetic impacts to scenic views are considered less than significant. Consequently, no mitigation measures are required for this less than significant impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.1-9.

#### **Impact 4.1-2: No Impact**

As shown in the Caltrans State Scenic Highway System Map and Menifee GP Exhibit CD-8, there are no state or county scenic highways officially designated in or near the City. State Highway (SH) 74, located approximately two miles to the northeast, is currently eligible for scenic highway designation, but is not officially designated as a scenic highway. Concerning the Enhanced Landscape Corridor near the Project at Ethanac Road, construction activities would be conducted in accordance with applicable state and local standards and regulations. Furthermore, the Project's proposed components would be developed in compliance with applicable Menifee GP Policies and MC design standards and regulations to ensure no impacts to Ethanac Road would occur. For these reasons, and for the reasons discussed in the EIR, the Project would not substantially damage scenic resources within a state scenic highway, and no mitigation relating to this issue is required. (Draft EIR, pp. 4.1-9 and 4.1-10)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not significantly affect scenic highways and corridors. Potential aesthetic impacts to scenic highways and corridors are considered "no impact." Consequently, no mitigation measures are required for this "no impact."

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.1-9 and 4.1-10.

#### **Impact 4.1-3: Less than Significant Impact**

The Project is in an urbanized area and is zoned as EDC-NG. Project construction and operation would comply with the EDC-NG District development standards and design standards and guidelines. Standards and guidelines specific to scenic quality include the general standards, and lighting standards. Through compliance with the EDC-NG development standards and design standards and guidelines, and GP goals and policies, the Project would not conflict with applicable zoning and other regulations governing scenic quality. For these reasons and for the reasons discussed in the EIR, the Project would not conflict with applicable zoning and other regulations governing scenic quality. (Draft EIR, pp. 4.1-10 and 4.1-11)

**Finding:** The City adopts CEQA Finding 1.



The City hereby finds that the Project would not significantly affect the scenic quality of the City. Potential impacts are considered less than significant. Consequently, no mitigation measures are required for this no impact determination.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.1-10 and 4.1-11.

**Impact 4.1-4: Less than Significant Impact**

The Project will require minimal construction-related lighting, as the majority of the construction of the Project would be during daytime hours of construction permitted by the Menifee MC Section 8.01.010 Hours of Construction. Once operational, all lighting at the Project site would be directed and/or shielded to prevent the light from adversely affecting adjacent properties, and no structures or features would be permitted that create adverse glare effects pursuant to Menifee GP Policy CD-6.4 and MC Chapter 9.205, Lighting Standards which states that all lighting, including spotlights, floodlights, electrical reflectors, and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property. Concerning glare, the proposed warehouse windows would be designed with non-reflective material to minimize glare from natural lighting. For these reasons and for the reasons discussed in the EIR, the Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. (Draft EIR. pp. 4.1-11 and 4.1-12)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Potential impacts are considered less than significant. Consequently, no mitigation measures are required for this less than significant impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.1-11 through 4.1-12.

## 4.2 AGRICULTURE AND FORESTRY RESOURCES

**Impacts 7.2-1, 7.2-2, 7.2-3, 7.2-4, and 7.2-5: No Impact**

The Project actions were concluded to not having an impact as the site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, there are no lands within the City that are currently under a Williamson Act contract or zoned for agricultural use, and there is no forest or timberland present on the Project site that could be lost from Project implementation. (Draft EIR. pp. 7-1 through 7-3)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts to prime farmland, unique farmland or farmland of statewide importance beyond those concluded in the Draft EIR. No potential impacts are anticipated to occur. Consequently, no mitigation measures are required for this no impact determination.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR, pages 7-1 through 7-3.

## 4.3 AIR QUALITY

### **Impact 4.2-4: Less than Significant Impact**

During construction, emissions from construction equipment, such as diesel exhaust, and volatile organic compounds from architectural coatings and paving activities may generate odors. However, these odors would be temporary, are not expected to affect a substantial number of people and would disperse rapidly. During operations, the Project does not involve any of the land uses that would result in emissions, such as those leading to odors, that would adversely affect a substantial number of people. The Project would also be required to comply with South Coast Air Quality Management District (SCAQMD) Rule 402 to prevent occurrences of public nuisances. Therefore, the Project would not create objectionable odors, and no impact would occur. (Draft EIR, pp. 4.2-35 and 4.2-36)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts from the emissions of other emissions beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.2-35 and 4.2-36.

## 4.4 BIOLOGICAL RESOURCES

### **Impact 4.3-2: No Impact**

Review of the United States Fish and Wildlife Service (USFWS)'s National Wetland Inventory mapper did not identify any riparian habitat on the Project site. No jurisdictional drainage features, riparian/riverine areas, or vernal pools were observed within the Project site during the field survey. Therefore, regulatory approvals from the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and/or California Department of Fish and Wildlife (CDFW) would not be required for implementation of the Project. Further, site development would not result in impacts to riparian/riverine habitats and a Determination of Biologically Equivalent or Superior Preservation would not be required under the MSHCP for the loss of riparian/riverine habitat. Further, no sensitive habitats were identified within the Project site. Thus, no sensitive natural communities will be impacted from Project implementation. Overall, no impact would occur. (Draft EIR, p. 4.3-14)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service, beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.



**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.3-14.

**Impact 4.3-3: No Impact**

Review of the USFWS's National Wetland Inventory mapper did not identify any wetlands on the Project site. No inundated areas, wetland features, or wetland plant species that would be considered wetlands as defined by Section 404 of the Clean Water Act occur within the Project footprint. As a result, the Project would not result in any impacts or have a substantial adverse effect on state or federally protected wetlands. (Draft EIR, p. 4.3-14)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impact on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means, beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.3-14.

**Impact 4.3-4: Less than Significant Impact**

The Project site has not been identified as occurring in a wildlife corridor or linkage. The nearest linkage to the Project site, as identified by the Multiple Species Habitat Conservation Plan (MSHCP), occurs approximately 0.7 mile to the northwest of the Project in association with the San Jacinto River. The Project would be confined to existing areas that have been heavily disturbed and are isolated from regional wildlife corridors. Therefore, the Project site does not function as a major wildlife movement corridor or linkage. As such, implementation of the Project is not expected to have a significant impact to wildlife movement opportunities or prevent local wildlife movement through the area. Due to the lack of any identified impacts to wildlife movement, migratory corridors or linkages or native wildlife nurseries, no mitigation is required. Therefore, impacts to wildlife corridors or linkages are not expected to occur and impacts would be less than significant. (Draft EIR, pp. 4.3-14 and 4.3-15)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts to movement of any native resident or migratory fish or wildlife species beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.3-14 and 4.3-15.

**Impact 4.3-5: Less than Significant Impact**

The Project would be developed in compliance with the Menifee GP Open Space and Conservation Element's goals and policies pertaining to the conservation of biological resources. Goal OSC-8 protects

biological resources and Policy OCS-8-5 calls for the recognition of the impacts new development would have on the City's natural resources and to identify ways to reduce these impacts. The Menifee MC Chapter 9.205: Tree Preservation, requires all development to, "protect trees, considered to be a valuable community resource, from indiscriminate cutting or removal, to ensure and enhance public health, safety and welfare through proper care, maintenance and preservation of trees. Such landscaping, irrigation systems and tree preservation represent a substantial investment in and potential benefit to the community. Heritage trees such as those with certain characteristics (age, size, species, location, historical influence, aesthetic quality or ecological value) are subject to special attention and preservation efforts."

However, the Project does not contain any trees that would be subject to the Menifee MC's tree preservation ordinance. Therefore, adherence with the Menifee GP goals and policies pertaining to the protection of biological resources would ensure that impacts are less than significant. (Draft EIR, pp. 4.3-15 and 4.3-16)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to conflicts with established conservation plans beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.3-15 through 4.3-16.

## 4.5 CULTURAL RESOURCES

### **Impact 4.4-1: No Impact**

A field survey of the Project site was conducted on July 11, 2022. During the field survey, a rural residential complex consisting of two modern residences and three modern ancillary buildings was identified in the northeast corner of the Project site. This complex is not historic in age (i.e., 45 or more years old) and as such does not warrant further consideration. No other historic-age resources were observed within the Project boundaries. Overall, the Project would not cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5. No impact would occur. (Draft EIR, p. 4.4-12)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5, beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.4-12

### **Impact 4.4-2: Less than Significant Impact**

The Cultural Resources Assessment (**Draft EIR Appendix D**) did not encounter any prehistoric or archaeological resources within the Project site. Given the negative results of the assessment, no additional



work in conjunction with cultural resources was recommended for the Project. However, to avoid any inadvertent discovery of archaeological resources, monitoring of future earth-disturbing activities will be conducted according to Conditions of Approval (COA)-CUL-1 through COA-CUL-8. Additionally, a record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the area of potential effect "the Project site" and the search returned negative results. Therefore, the Project's potential impacts concerning the significance of an archaeological resource would be less than significant with adherence to Standards Conditions of Approval COA-CUL-3 through COA-CUL-7. (Draft EIR, p. 4.4-13)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5 beyond those concluded in the Draft EIR. Less than significant impacts are anticipated with compliance with applicable COAs. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.4-13

**Impact 4.4-3: Less than Significant Impact**

No formal cemeteries are on or near the Project site. Most Native American human remains are found in association with prehistoric archaeological sites. Given the very low potential for the Project's ground-disturbing activities to encounter archaeological remains, human remains to be potentially encountered are considered low. Notwithstanding, if previously unknown human remains are discovered during the Project's ground-disturbing activities, a substantial adverse change in the significance of such a resource could occur. In such event, COA-CUL-1 and COA-CUL-2 would be implemented. (Draft EIR, p. 4.4-13)

Further, pursuant to Public Resources Code (PRC) § 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the NAHC shall be contacted within the period specified by law (24 hours). Subsequently, the NAHC shall identify the "most likely descendant." The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in PRC § 5097.98. Human remains from other ethnic/cultural groups with recognized historical associations to the Project area shall also be subject to consultation between appropriate representatives from that group and the Community Development Director. Thus, compliance with the above-referenced state laws and adherence with COA-CUL-1 and COA-CUL-2 would reduce impacts to less than significant levels. (Draft EIR, pp. 4.4-13 and 4.4-14)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not disturb human remains beyond those concluded in the Draft EIR. Less than significant impacts are anticipated with compliance with applicable COAs. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.4-13 and 4.4-14.

## 4.6 ENERGY

### **Impact 4.5-1: Less than Significant Impact**

The Project would comply with applicable laws and regulations including, but not limited to, Title 24 standards. Compliance itself with applicable laws and regulations pertaining to energy usage and efficiency would ensure that the Project energy demands during construction and operations phases would not be inefficient, wasteful, or otherwise unnecessary. For these reasons and the reasons discussed in the EIR, the Project's impacts on energy resources would be less than significant, and no mitigation relating to this issue is required. (Draft EIR, pp. 4.5-8 through 4.5-15)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to the wasteful or inefficient energy use beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.5-8 through 4.5-15.

### **Impact 4.5-2: Less than Significant Impact**

The Project would be required to comply with relevant energy conservation policies and plans (i.e., California Title 24 energy standards and the CALGreen Building Code). Compliance with state and local energy efficiency standards would ensure that the Project meets all applicable energy conservation policies and regulations. As such, the Project would not conflict with applicable plans for renewable energy or energy efficiency. Southern California Association of Government (SCAG)'s 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) or Connect SoCal integrates transportation, land use, and housing to meet GHG reduction targets set by California Air Resources Board (CARB). The document establishes GHG emissions goals for automobiles and light-duty trucks, as well as an overall GHG target for the region consistent with both the target date of AB 32 and the post-2020 GHG reduction goals of SB 375. The Project would not conflict with the stated goals of the Connect SoCal. Conformance with all applicable laws, regulations, and policies would ensure that the Project does not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Impacts are considered less than significant. (Draft EIR, p. 4.5-15)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts stemming from conflicts with established renewable energy or energy efficiency plans beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.5-15.



## 4.7 GEOLOGY AND SOILS

### **Impact 4.6-1 (i) and 4.6-2 (ii): Less than Significant Impact**

There are no known active or potentially active faults on or trending toward the Project site and the Project site is not located within a mapped Alquist-Priolo Earthquake Fault Zone. Since there are no known faults located on or trending towards the Project site, the Project would not directly or indirectly cause potential substantial adverse effects involving rupture of a known earthquake fault. Additionally, there was no evidence of faulting identified during the geotechnical investigation of the Project site. The Project site is not subject to surface rupture of a known active fault; therefore, the possibility of significant fault rupture on the Project site is considered to be low. However, the Project would be subject to regional seismicity. Part of the geotechnical report (**Draft EIR Appendix F**), 2022 California Building Code (CBC) Seismic Design Parameters were generated for the Project. Structures for human occupancy must be designed to meet or exceed 2022 CBC standards for earthquake resistance. (Draft EIR, pp. 4.6-9 and 4.6-10)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts regarding fault rupture or strong seismic ground shaking beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.6-9 through 4.6-10.

### **Impact 4.6-3(iii) and 4.6-4 (iv): Less than Significant Impact**

The Project site is located within a zone of low liquefaction susceptibility. Soil conditions encountered at the boring locations were not considered to be conducive to liquefaction. In addition, the static groundwater table does not exist within 50 feet of the ground surface. Therefore, Project development would not subject people or structures to liquefaction hazards, and impacts including risk of loss, injury, or death would be less than significant. (Draft EIR, p. 4.6-10)

Additionally, the Project site slopes gently downward to the north at an approximate two percent gradient. No extreme elevation differences exist in or around the Project site that would potentially lead to landslide effects. According to the City's Liquefaction and Landslides map, the Project site and the immediate area are not within a zone of generalized landslide susceptibility. The Project site is also outside of the hazard zone for rockfall/debris-flow. The relatively flat topography of the Project site along with its location outside of identified landslide susceptibility and rockfall/debris-flow hazard areas would lead to a less than significant impact. (Draft EIR, pp. 4.6-10 and 4.6-11)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not directly or indirectly cause potential substantial adverse effects due to seismic ground failure, including liquefaction or landslides beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.6-10 and 4.6-11.

**Impact 4.6-5: Less than Significant Impact**

The Project site was found to contain near-surface older alluvium soils. It was then concluded that the older alluvium soils would not be suitable to support the proposed structures due to the non-uniform nature and thickness, and the soils would be removed (where present) and replaced with engineered fill soils. In addition to the excavation and removal of the fill material, the development of the Project would require grading preparation, excavation, trenching and paving activities that could result in soil erosion if exposed to periods of high wind or storm-related events.

Accordingly, during construction, the Project site would be required to comply with erosion and siltation control measures. This would include measures such as sandbagging, placement of silt fencing, erosion control blankets, straw wattles, mulching, etc., to reduce runoff from the site and to hold topsoil in place during all grading activities. As mass grading proceeds, finish grading commences, and construction begins the erosion measures would be removed or relocated as necessary. Additionally, the construction on the Project site would be required to comply with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit (CGP). The NPDES permit requires development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and monitoring plan, which must include erosion-control and sediment-control Best Management practices (BMPs). The BMPs would be required to meet or exceed measures required by the CGP to control potential construction-related pollutants and would comply with the Menifee MC Title 8, Chapter 8.26 – Grading Regulations. Erosion-control BMPs are designed to prevent erosion, whereas sediment controls are designed to trap sediment once it has been mobilized. All required permits and the erosion control plan would be verified by the City prior to initiation of any construction and prior to the issuance of any grading permit. Furthermore, the Project would implement dust control measures such as watering to control the potential for erosion to occur. Construction contractors would also be required to implement a dust control plan in compliance with South Coast Air Quality Management District Rule 403 to reduce wind erosion. Conformance to these regulations would ensure that potential impacts concerning the generation of soil erosion or the loss of topsoil is less than significant. (Draft EIR, pp. 4.6-11 and 4.6-12)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not result in impacts due to substantial soil erosion or the loss of topsoil beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.6-11 and 4.6-12.

**Impact 4.6-5: Less than Significant Impact**

As stated previously, liquefaction and landslides would not be a design concern for the Project, and potential for lateral spreading would be low.



The major cause of ground subsidence is the excessive withdrawal of groundwater. According to the geotechnical report, groundwater was not encountered. Based on the conditions encountered in the borings and trenches conducted for the geotechnical report, groundwater was not encountered. Based on the lack of any water within the borings, and the moisture contents of the recovered soil samples, the static groundwater table is considered to have existed at a depth in excess of 50 feet below existing site grades. Accordingly, it is not expected that groundwater would affect excavations for the foundations and utilities. Additionally, due to the presence of shallow granitic bedrock, a negligible subsidence factor is also anticipated. Therefore, compliance with state and local standards and recommendations of the geotechnical report would ensure that impacts are less than significant. (Draft EIR, p. 4.6-13)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not result in impacts due to being located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.6-13.

#### **Impact 4.6-8: Less than Significant Impact**

No septic tanks or other alternative wastewater disposal systems are proposed. The Project proposed a sewer infrastructure plan that includes a network of new public sewer mains that would connect to the existing Eastern Municipal Water District (EMWD) sewer system surrounding the Project boundaries. A less than significant impact would occur. (Draft EIR, p. 4.6-14)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate impacts due to the use of septic tanks or alternative wastewater disposal systems, beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.6-14.

## **4.8 GREENHOUSE GAS EMISSIONS**

Significant and unavoidable greenhouse gas impacts. Refer to **Section 4.7, Greenhouse Gas Emissions** of the Draft EIR and the Mitigation Monitoring and Reporting Program.

## 4.9 HAZARDS AND HAZARDOUS MATERIALS

### **Impact 4.8-1: Less than Significant Impact**

Construction and operational activities would include the use of hazardous materials such as fuels, lubricants, and greases in construction equipment and coatings used in construction, industrial cleansers, greases, and oils for cleaning and maintenance purposes. However, the materials used would not be in such quantities or stored in such a manner as to pose a significant safety hazard. The use, storage, transportation, and disposal of these hazardous materials would be in compliance with existing laws and regulations including the U.S. EPA, U.S. Department of Transportation, California Occupational Safety and Health Administration (OSHA), and the Riverside County Fire Protection District to ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. Additionally, the Project would also be operated with strict adherence to all emergency response plan requirements set forth by the Riverside County Fire Protection District. Compliance with applicable laws and regulations concerning hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for significant hazards to the public or the environment. Mandatory compliance with laws and regulations, would ensure that impacts would be less than significant. (Draft EIR. pp. 4.8-19 and 4.8-20)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate impacts concerning hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.8-19 and 4.8-20.

### **Impact 4.8-2: Less than Significant Impact**

Project construction and operational activities could result in hazards to the public or the environment through the accidental upset or release of hazardous materials caused by accidental spillage of hazardous materials. As previously stated above, the Project would comply with applicable laws and regulations concerning hazardous materials that would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. For example, all spills or leakage of petroleum products during construction activities are required to be immediately contained, the hazardous material identified, and the material remediated in compliance with applicable regulations, such as Resource Conservation and Recovery Act (RCRA), for the cleanup and disposal of that contaminant. All contaminated waste would be required to be collected and disposed of at an appropriately licensed disposal or treatment facility under SCAQMD Rule 1166. Furthermore, strict adherence to all emergency response plan requirements set forth by Riverside County Fire Department would be required through the duration of the Project construction phase. Project construction workers would also be required to conduct safe handling of hazardous material, as stated previously. Furthermore, prior to Project approval, a Hazardous Materials Business Plans (HMBP) also would be required for approval



to show conformance with all applicable materials handling protocols. Adherence to these regulations is overseen and enforced by the Riverside County Department of Environmental Health Hazardous Materials Branch. Therefore, compliance with applicable federal, state, and local regulatory framework would ensure that 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. (Draft EIR, pp. 4.8-21 and 4.8-22)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate impacts to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.8-21 and 4.8-22.

#### **Impact 4.8-3: Less than Significant Impact**

No existing or proposed schools are located within one-quarter mile of the Project site. The nearest school to the Project site is Hans Christensen Middle School located approximately 1.4 miles to the southeast at 27625 Sherman Road, Menifee, California 92585. Ethanac Road provides a direct route between the Project site and I-215. Transport associated with the Project would not pass within one-quarter mile of this school. Additionally, the Project does not propose any industrial uses which could generate hazardous emissions or involve the handling of hazardous materials, substances, or waste in significant quantities that would have an impact to surrounding schools. Furthermore, the Project would be required to adhere to all applicable federal, state, and local regulations regarding handling, transport, and disposal of hazardous materials to reduce public safety hazards. Therefore, the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, a less than significant impact would occur. (Draft EIR, p. 4.8-22)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to being on a site containing hazardous materials beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.8-22.

#### **Impact 4.8-4: Less than Significant Impact**

According to the Phase I Environmental Site Assessment (ESA), the Project site is not included on the hazardous sites list compiled pursuant to Government Code Section 65962.5.9. In addition, the Phase I ESA (Draft EIR Appendix H) did not identify any environmental concerns for the Project site. Therefore, impacts would be less than significant. (Draft EIR, p. 4.8-25)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts from hazardous materials compiled pursuant to Government Code Section 65962.5 beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.8-25.

**Impact 4.8-5: Less than Significant Impact**

The Project site is located in Zone E of the Perris Valley ALUCP. With regard to noise impacts, the Project site is beyond the 55-CNEL contour. The Project would be in accordance with the Perris Valley Compatibility Zone within each respective airport and all state, county, and local goals, policies, and regulations. Furthermore, the Project has been reviewed by the Airport Land Use Commission (ALUC) which would ensure that future development would be compatible with the Airport Land Use Compatibility Plan (ALUCP) and therefore, would not result in a significant impact. Therefore, impacts would be less than significant. (Draft EIR. p. 4.8-23)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to conflicts with public or private airports beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.8-23.

**Impact 4.8-6 Less than Significant Impact**

The Project site does not contain any emergency facilities, nor does it serve as an emergency evacuation route. During construction and long-term operation of the Project, adequate emergency access for emergency vehicles would be maintained along public streets that abut the Project site. The City has adopted an Emergency Operations Plan to identify evacuation routes, emergency facilities, and City personnel and equipment available to effectively deal with emergency situations. No revisions to the adopted Emergency Operations Plan would be required as a result of the Project. Additionally, the Project site is not located along a City evacuation route, and would not obstruct evacuation. The Project proposes improvements to nearby roadways that would further improve the City's accessibility through the widening of roads, development of dedicated turn lanes, and other necessary improvements. Roadway improvements are further discussed in Draft EIR **Section 4.13, Transportation**.

Furthermore, response times from the Riverside County Fire Department Station 5 and 7 would not be impaired by Project implementation because primary access to all major roads would be provided through the improvement of Kuffel and Byers Roads and Wheat Street. Additionally, the improvement of Kuffel and Byers Roads and Wheat Street would improve future response times in this area, as these two roads are

currently unimproved. The Project would also require that the Project to pay development impact fees which constitutes as adequate mitigation because through implementation of the Development Impact Fees (DIF) program, the City of Menifee collects DIF from development projects and is mandated to use the DIF funds to construct new fire and emergency service facilities. In addition, the Project's fire safety and fire suppression features, and the Project applicant's compliance with all required design regulations, would further minimize the demand for fire protection and emergency public services impacts. Refer to Draft EIR Section 4.12, Public Services.

Since both Project construction and operations would not disrupt or interfere with emergency access to nearby roadways, would not interfere with the City's emergency response plan, and would comply with design standards for emergency services, impacts would be less than significant. (Draft EIR, page 4.8-24)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not impair implementation or physically interfere with an adopted emergency response plan or emergency evacuation plan beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.8-24.

#### **Impact 4.8-7 Less than Significant Impact**

The Project site is not located within a Local Responsibility Area, State Responsibility Area or a very high fire hazard severity zone. According to the City's High Fire Hazard Areas Map, neither the California Department of Forestry and Fire Protection (CAL FIRE) nor the City identify the Project site within an area susceptible to wildland fires.

While the Project site is located in an area with vegetation that can be prone to fire, due to the presence of surrounding development, scattered nature of the existing undeveloped areas, presence of area roadways (to be improved as part of Project), lack of steep slopes, vegetation maintenance, graded nature of the development site to the north, and concrete construction of development, it is not likely to be affected by a wildfire during construction or operations. In addition, the undeveloped areas around the Project site would be separated from the Project area by roads, parking, drive aisles, and fire-resistant landscaping. This buffer would ensure an appropriate width to reduce the risk of potential fire hazards.

Prior to final plan check approval, the City in coordination with the Riverside County Fire Department and CAL FIRE would review the Project-specific site plan to ensure adequate design features are implemented to reduce the potential impacts from wildfires. Overall, with design compliance with fire codes and Menifee GP goal and policies, the Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Impacts would be less than significant. (Draft EIR, page 4.8-25)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts involving the exposure of people or structures to the risk of wildland fires beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.8-25.

## 4.10 HYDROLOGY AND WATER QUALITY

### **Impact 4.9-2: Less than Significant Impact**

The Project would construct on-site and off-site potable water systems in accordance with EMWD design standards to receive water services from EMWD. Thus, the Project would utilize potable water and would not use any on-site or off-site groundwater wells, nor any other groundwater extractive methods to service the Project. Furthermore, the Water Supply Assessment (WSA; **Draft EIR Appendix L**) prepared by the EMWD also determined that EMWD does not plan to develop new groundwater supplies for this Project. Therefore, the Project would not directly draw water from the groundwater basin.

Although construction activities would introduce new impermeable surfaces to the Project site, the Project would include elements to reduce the effects of the new impervious areas pursuant to design measures in the Water Quality Management Plan (WQMP). These measures include, but are not limited to, low-impact development (LID) BMPs and other stormwater drainage controls. LID BMPs have been incorporated into the site design to fully address all Drainage Management Areas (DMAs). No alternative compliance measures are required. The LIDs would be engineered to capture and control run-off prior to being released downstream. This would increase the duration that water is held on-site prior to being released to downstream receiving waters. This timed-release allows water to slowly infiltrate the ground and helps facilitate recharge. In addition, LIDs that include permeable materials, enable run-off to immediately infiltrate and begin the recharge process. Lastly, the Project site also includes areas that will be landscaped with permeable surfaces in accordance with EMWD's Water Efficient Guidelines for New Development, which also would facilitate groundwater recharge. Therefore, since the Project would include BMPs to assist with the recharge of groundwater with the required measures in place, the loss of the permeable area would not be substantial. Accordingly, the Project would not substantially deplete groundwater supplies or substantially interfere with groundwater recharge. Impacts would be less than significant. (Draft EIR, pp. 4.9-18 and 4.9-19)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts from the reduction of groundwater resources beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.9-18 and 4.9-19.



#### **Impact 4.9-6: Less than Significant Impact**

The Project site is within a Flood Boundary, identified as Zone X which indicates that the Project is located in a minimal flood hazard zone. Development of the Project would change absorption rates, drainage patterns, and the rate and amount of surface water runoff that could impede or redirect flood flows. However, per the Project's Drainage Study (**Draft EIR Appendix I1**), subsurface storm drains and associated inlets would be used to convey on-site flows to the water quality bioretention basin located along the north end of the property. Off-site runoff would be conveyed to the open bioretention basin as well. The Drainage Study conducted for the Project site concluded the proposed drainage improvements would adequately convey flows to the basin and provide flood protection for the 100-year storm event. The Drainage study also concluded the Project would not impact flooding conditions to upstream or downstream properties.

The Project is located within the Perris Valley Master Drainage Plan (MDP) and the Santa Ana watershed area. On-site flows would discharge to proposed MDP Line A-14a along Ethanac Road, and discharge to existing MDP Line A before reaching the San Jacinto River. Additionally, off-site runoff would be collected on-site within the water quality basin before discharging to MDP Line A-14a. On-site flows generated by the Project would sheet flow through the Project site utilizing ribbon gutters and a storm drain network system. On-site runoff would drain from the south of the property to the northeast corner to the open bioretention basin along the north side of the property. The basin is purely a water quality basin and does not provide any flow mitigation. Off-site flows from the south side of the property would be collected by v-gutters along the retaining wall at the south end of the property and redirect the runoff to the proposed curb and gutter along Wheat Street and Byers Road. Stormwater runoff from the street improvements along Wheat Street from the center line to the easterly curb and gutter would enter a proposed catch basin located at the northwest corner of the property before discharging on-site into the open bioretention basin. Similarly, stormwater from the street improvements along Byers Road from the center line to westerly curb and gutter would enter a proposed catch basin located at the northeast corner of the property before discharging on-site to the open storage basin. Runoff from the south half of the street improvements along Kuffel Road between Wheat Street and Byers Road would also flow to a catch basin at the northeast corner of the property before discharging on-site to the bioretention basin. Discharge from the basin would flow directly to proposed storm drain Line A-14a of the Perris Valley MDP and discharge directly into Line A before reaching the San Jacinto River.

Stormwater runoff from the site discharges to MDP line A-14a before discharging directly to an engineered channel (MDP Line A). The engineered channel discharges to an adequate sump (San Jacinto River). Due to the fact that the downstream conveyance from the Project site is engineered and an MS4 facility, Hydrologic Conditions of Concern (HCOC) mitigation is not required. Therefore, a less than significant impact would occur in regard to redirecting flood flows, and no mitigation is required. (Draft EIR. pp. 4.9-23 and 4.9-24)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to the alteration of the existing drainage pattern of the site or area, in a manner which would impede or redirect flood flows, beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.9-23 and 4.9-24.

**Impact 4.9-8: Less than Significant Impact**

The Project's components are not anticipated to obstruct groundwater facilities as groundwater facilities are not planned by EMWD for this Project. Furthermore, the Project would not substantially deplete or decrease groundwater supplies or directly impact groundwater supplies because the Project's proposed BMPs would include design features that would assist in the recharge of groundwater supplies. Thus, the Project would not conflict with the Hemet/San Jacinto Groundwater Management Plan or the West Jacinto Groundwater Basin Management Plan. Therefore, a less than significant impact would occur. (Draft EIR, p. 4.9-25)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to conflicts with adopted water quality control plans or sustainable groundwater management plans beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.9-25.

## 4.11 LAND USE AND PLANNING

**Impact 4.10-1 Less than Significant**

The Project would not physically divide an established community, because it would use existing owned parcels that are already inaccessible for pedestrian or vehicular through traffic. In addition, although residential uses will be demolished, these are intermixed with other vacant land. As a result, there is a substantial lack of geographic neighborhood cohesion. The Project would add no additional barriers than those that already exist (i.e., fencing throughout some of the homes and portions of the Project site). Therefore, impacts would be less than significant. The Project would not involve the removal of vital roadways or points of connection for residents but would improve Project area roadways. Lastly, the Project's proposed uses would be consistent with all applicable Menifee GP goals and policies and specific development standards contained in the Menifee MC. Therefore, impacts would be less than significant. (Draft EIR, p. 4.10-5)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts to established communities beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.10-5.



#### **Impact 4.10-2: Less than Significant Impact**

The Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. As set forth in the EIR, regionally, the Project would comply with the goals and policies presented in SCAG's Connect SoCal. As further discussed in Draft EIR **Table 4.10-4**, the Project would comply with the Menifee GP's relevant goals and policies. Lastly, the Project would be designed in compliance with Menifee MC, Title 9, also referred to as the Development Code. For these reasons and the reasons set forth in the EIR, the Project would have a less than significant impact relating to this issue, and no mitigation is required. (Draft EIR, pp. 4.5- and 4.10-19)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to conflicts with adopted land use policies beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.10-5 through 4.10-19.

## **4.12 MINERAL RESOURCES**

#### **Impact 7.3-1 and 7.3-2: No Impact**

The Project site would be within an area of the City which is currently disturbed and partially developed. None of the existing uses include mineral refinement or mining. No mineral resources have been identified in or around the Project site. The previous uses at the Project site did not include mining activities or mineral processing, and no active mining sites exist within the City. Therefore, the Project would not interfere with any existing or potential mining activities. No impact would occur. (Draft EIR, pp. 7-3 and 7-4).

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to the loss of mineral resources beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 7-3 and 7-4.

## **4.13 NOISE**

#### **Impact 4.11-1: Less than Significant Impact**

The Project would not result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Although sensitive uses may be exposed to elevated



noise levels during Project construction, these noise levels would be acoustically dispersed throughout the Project site and not concentrated in one area near surrounding sensitive uses. Pursuant to Menifee MC Section 8.01.010 all construction activities would occur Monday through Saturday, except nationally recognized holidays, from 6:30 a.m. to 7:00 p.m. While the Menifee Municipal Code does not establish quantitative construction noise standards, this analysis conservatively uses the Federal Transit Administration (FTA)'s threshold of 80 dBA (8-hour Leq) for residential uses, 85 dBA (8 hour Leq) for commercial uses, and 90 dBA (8-hour Leq) for industrial uses. As concluded in Draft EIR **Table 4.11-9**, noise levels at these sensitive receptors would reach 74.0 dBA Leq and therefore do not exceed the applicable FTA 80 dBA 8-hour Leq construction threshold, resulting in a less than significant impact. During operations, Draft EIR **Table 4.11-10** shows that none of the closest sensitive receptors would experience a noise level increase greater than 4.5 dBA.

Lastly, review of Draft EIR **Table 4.11-11** shows that the Project's off-site traffic noise levels between 2024 Year without conditions and Year 2024 with Project would be insignificant and therefore, a less than significant impact would not occur. As such, traffic noise impacts from the Project would be less than significant. (Draft EIR, pp. 4.11-16 through 4.11-22)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.11-16 through 4.11-22.

#### **Impact 4.11-2: Less than Significant Impact**

The Project would not generate excessive groundborne vibration or groundborne noise levels. The nearest structure to the Project construction site is approximately 50 feet away. Draft EIR **Table 4.11-12** shows that at 50 feet the vibration velocities from construction equipment would not exceed 0.0315 in/sec Peak particle velocity (PPV), which is below the FTA's 0.20 in/sec PPV threshold for building damage and below the 0.04 in/sec PPV annoyance threshold. (Draft EIR, p. 4.11-23). It is also acknowledged that construction activities would occur throughout the Project site and would not be concentrated at the point closest to the nearest structure. Therefore, vibration impacts associated with Project construction would be less than significant.

Additionally, the Project's truck movements would be at low speed (not at freeway speeds) and would be over smooth surfaces (not under poor roadway conditions), Project-related vibration associated with truck activity would not result in excessive ground-borne vibrations; no vehicle-generated vibration impacts would occur. In addition, there are no sources of substantial ground-borne vibration associated with the Project, such as rail or subways. The Project would not create or cause any vibration impacts due to operations. (Draft EIR, pp. 4.11-23 and 4.11-24).

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to excessive groundborne vibrations beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.11-23 through 4.11-24.

**Impact 4.11-3: No Impact**

The closest airport to the Project site is the Perris Valley Aviation Airport located approximately one mile to the northwest. Although the Project is within two miles of the Perris Valley airport, it is outside of the 55 CNEL noise contour. Additionally, there are no private airstrips located within the Project vicinity. Therefore, the Project would not expose people working in the Project area to excessive airport- or airstrip-related noise levels and no mitigation is required.

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts stemming from proximity to airport land use plan areas or private airstrips beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.11-24.

## 4.14 POPULATION AND HOUSING

**Impact 7.4-1: Less than Significant Impact**

Given that the current unemployment rate for Riverside County is approximately 4.0 percent (as of October 2022), it is reasonably assured that the jobs would be filled by people living in the City, unincorporated County area, and surrounding communities, such as Perris and Murrieta. Additionally, the Project is consistent with the SCAG's regional growth assumptions. As a result, the Project would not be anticipated to induce substantial population growth in the Project area. Therefore, impacts associated with substantial, unplanned population growth would be less than significant. (Draft EIR, pp. 7-4 and 7-5)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts from induced population growth beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 7-4 and 7-5.

#### **Impact 7.4-2: No Impact**

There are two single-family residences with associated outstructures located on the Project site. All residences appear to be manufactured homes. As such, the Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. Therefore, no impact would occur. (Draft EIR, p. 7-5)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts from the displacement of individuals or housing beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 7-5.

### **4.15 PUBLIC SERVICES**

#### **Impact 4.12-1: Less than Significant Impact**

The Project Applicant would be required to pay Development Impact Fees (DIFs) toward new fire facilities. With payment of these fees, the Project would receive adequate fire protection service and would not result in adverse physical impacts associated with the provision of or need for new or physically altered fire protection facilities, and would not adversely affect service ratios, response times, or other performance objectives. Because no fire protection facilities exist on the Project site, development of the Project would not conflict with existing fire structures or require modification of fire protection facilities. Compliance with applicable local and state regulations would ensure that Project implementation would result in a less than significant impact to fire protection services. (Draft EIR, pp. 4.12-7 and 4.12-8)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts to fire services beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.12-7 through 4.12-8.

#### **Impact 4.12-2: Less than Significant Impact**

The Project would be subject to the applicable DIFs. Funding for the operation and maintenance of existing services comes from the City's General Fund, Measure DD funds, and DIFs. The Project site would be adequately served by existing Menifee Police Department (MPD) facilities, equipment, and personnel such that new facilities would not be required. Because the Project site is not residential, although some calls for service are anticipated, the increase for police services would not be significantly impacted due to construction and operation of the Project warehouse. Additionally, development of the site would increase



property tax revenues to provide a source of funding to offset any increases in demands for public services generated by the Project. Overall, impacts would be less than significant. (Draft EIR. pp. 4.12-9 and 4.12-10)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts to police services beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.12-9 and 4.12-10.

**Impact 4.12-3: Less than Significant Impact**

The Project would not draw a substantial number of new residents to the districts and therefore, would not indirectly generate school-aged students requiring public education. The Project does not include residential land uses and would not directly introduce new school-age children within the Romoland Unified School District (RUSD) and Perris Union High School boundaries.

The Project, however, would not create a direct demand for public school services, as the subject property would contain non-residential uses that would not generate any school-aged children requiring public education. The Project is not expected to draw a substantial number of new residents to the districts and therefore, would not indirectly generate school-aged students requiring public education. Because the Project would not directly generate students and is not expected to indirectly draw students to the area, the Project would not cause or contribute to a need to construct new or physically altered public school facilities. Although the Project would not create a direct demand for additional public school services, the Project Applicant would be required to contribute DIF to the Romoland School District and the Perris Union High School District in compliance with California SB 50 (Greene), which allows school districts to collect fees from new developments to offset the costs associated with increasing school capacity needs. Payment of school fees would be required prior to the issuance of building permits and the payment of school fees constitutes complete mitigation under CEQA. Developer fees for industrial development located within the Romoland School District is \$0.56 per square foot. Developer fees for industrial development located in the Perris Union High School District (within the City) is \$0.2184 per square foot. For the foregoing reasons and the reasons discussed in the EIR, the Project would not result in a significant impact relating to this issue, and no mitigation is required. (Draft EIR. p. 4.12-10)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts to schools beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.12-10.

#### **Impact 4.12-4: Less than Significant Impact**

The Project would not create a direct demand for park facilities, as the subject property would contain non-residential uses that would not generate population growth requiring park facilities. The Project is not expected to draw a substantial number of new residents to the area and therefore, would not indirectly generate population growth requiring park facilities. Since the Project would not directly generate population growth and is not expected to indirectly introduce parkgoers to the area, the Project would not cause or contribute to a need to construct new or physically alter park facilities. Therefore, Project implementation would result in a less than significant impact to park facilities. (Draft EIR. p. 4.12-11)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts to parks beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.12-11.

#### **Impact 4.12-5: Less than Significant Impact**

The Project, however, would not create a direct demand for other public facilities, as the subject property would contain non-residential uses that would not generate population growth requiring other public facilities. The Project is not expected to draw a substantial number of new residents to the area and therefore, would not indirectly generate population growth requiring other public facilities. Because the Project would not directly generate population growth and is not expected to indirectly introduce new population to the area, the Project would not cause or contribute to a need to construct new or physically alter other public facilities. Therefore, Project implementation would result in a less than significant impact to other public facilities. (Draft EIR. pp. 4.12-11 and 4.12-12)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts to other public facilities beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.12-11 and 4.12-12.

### **4.16 RECREATION**

#### **Impact 7.5-1 and 7.5-2: No Impact**

The closest parks to the Project site are Nova Park (located 25444 Nova Lane, approximately one mile southeast of the Project site) and Talavera Park located at 27931 Calle Talavera, approximately 2.5 miles southeast of the Project site. However, the Project is a warehouse building with office space and does not propose any residential development or other land use that may generate a population that would increase



the use of these parks or any existing neighborhood or regional parks or other recreational facility. Furthermore, the Project does not include the subdivision of land for residential use and therefore is not required to dedicate land or pay fees in lieu thereof, or combination of both, for park and recreational purposes, pursuant to Menifee MC Chapter 7.75. Implementation of the Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park, include recreational facilities, or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Therefore, no impact would occur. (Draft EIR, pp. 7-5 and 7-6)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate impacts due to the increased demand on established parks beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 7-5 and 7-6.

## 4.17 TRANSPORTATION

### **Impact 4.13-1: Less than Significant Impact**

The Project would be consistent with SB 375 by complying with SCAG's Connect SoCal. The Project's consistency analysis with SCAG's Connect SoCal goals is further discussed in Draft EIR **Table 4.10-3, Project Compatibility with SCAG Connect SoCal Strategies** within Draft EIR **Section 4.10, Land Use and Planning**. The Project would also be consistent with Riverside County's CMP goals which include, but are not limited to, adhering to the CMP by maintaining and enhancing the performance of the multimodal transportation system near the Project site and minimizing travel delay (refer to the LOS analysis in the Project's Traffic Study [**Draft EIR Appendix K1**] evaluating the effectiveness of recommendation measures).

The Project would include improvements to the existing Byers Road, Wheat Street, and Kuffel Road. Internal circulation improvements would include on-site perimeter circulation in compliance with all applicable Menifee MC development standards. Furthermore, the Project would include off-site improvements for Opening Year 2024 and Opening Year 2024 Cumulative Plus Project Conditions through a combination of fee payments to help establish programs, construction of specific improvements, payment of fair-share contribution toward future improvements, or a combination of these approaches. The Project's fair share proportion at deficient study intersections is further addressed in the LOS analysis provided in the Project's Traffic Study.

Furthermore, the Project's development could result in an increased demand of public transportation as employment opportunities increase. RTA, as the public transit agency for the area, would be responsible for routinely reviewing and adjusting their ridership schedules and service destinations to accommodate public demand. Thus, implementation of the Project would not conflict with local public transit services.

Overall, the Project would not conflict with a program plan, ordinance or policy addressing the Project's circulation system. Accordingly, impacts would be less than significant. (Draft EIR, pp. 4.13-11 and 4.13-12)



**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.13-11 through 4.13-12.

**Impact 4.13-2: Less than Significant Impact**

Review of Draft EIR **Table 4.13-1** concluded that the Project's Employment-Based VMT land use does not exceed the City's VMT threshold under any Project scenario. The VMT per service population for the Project is less than the City's VMT threshold. This finding should remain consistent whether the entirety of the Project's VMT is considered, or if only the VMT within the City is considered. This is because both the Project and the rest of the City, under which the threshold was developed, will have consistent travel patterns and so the relative VMT per service population between the project and the remainder of the City should remain consistent within the City. Therefore, it can be determined that under baseline conditions, the Project effect on VMT would be considered a less-than-significant impact on VMT within the City. Therefore, under baseline conditions, the Project's effect on VMT would be less than significant impact on VMT within the City. As such, if a project is consistent with the Connect SoCal, then the cumulative impacts would be considered less than significant. The proposed land use is consistent with the Menifee GP; therefore, the Project's cumulative VMT impact is considered less than significant.

The City provides Industrial Good Neighbor Policies for new industrial project sites. Although the Project's VMT impact is considered to be less than significant, the Project would comply with the Industrial Good Neighbor Policies which require Transportation Demand Management (TDM) measures for industrial uses with over 100 employees to reduce work-related vehicle trips. Overall, impacts concerning the Project's VMT effects are less than significant. (Draft EIR, pp. 4.13-12 and 4.13-14)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts regarding conflicts with CEQA transportation guidelines beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.13-12 through 4.13-14.

**Impact 4.13-3: Less than Significant Impact**

The Project would not include the use of any incompatible vehicles or equipment on-site, such as farm equipment. All circulation improvements (i.e., Byers Road and Wheat Street) would be constructed as approved by the City's Public Works Department. Additionally, the Project would be constructed in accordance with Menifee MC Section 9.160.050. All structures shall be located to provide safe and

convenient access for servicing, fire protection and required off-street parking. In addition, all Project driveway intersections operate at an acceptable LOS with implementation of the recommendations and would therefore not create unsafe traffic conditions at these intersections. Sight distance at Project access points would comply with applicable sight distance standards and no sharp curves are proposed as part of the Project design (Menifee MC Section 9.160.060). Therefore, a less than significant impact would occur, and no mitigation is required. (Draft EIR, p. 4.13-14)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts from hazardous design features beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.13-14.

**Impact 4.13-4: Less than Significant Impact**

The Project would not result in inadequate emergency access. Project access is proposed via two full-movement, 40-foot driveways on Byers Road and two full-movement, 40-foot driveways on Wheat Street. On-site drive aisles would provide two-way circulation on site, connecting to the City's evacuation system. Emergency access lanes would be provided around the perimeter of the building. In accordance with the City's Development Code § 9.160.050, "Every structure shall be constructed upon or moved to a legally recorded parcel with a permanent means of access to a public street or road, or a private street or road, conforming to city standards. All structures shall be located to provide safe and convenient access for servicing, fire protection and required off-street parking." Metal, manual operated gates with Knox-Padlock would be provided at each driveway per Riverside County Fire Department (RCFD) Standards. Curbs would be painted, and signage provided to inform of the fire lanes, as required by the RCFD. The RCFD would review the Project for access requirements concerning minimum roadway width, fire apparatus access roads, fire lanes, signage, access devices and gates, and access walkways, among other requirements, which would enhance emergency access to the Project site. Following compliance with RCFD access requirements, adequate emergency access to the Project site would be provided. Project impacts concerning emergency access would be less than significant. (Draft EIR. pp. 4.13-14 and 4.13-15)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts from impaired emergency access beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.13-14 and 4.13-15.

## 4.18 TRIBAL CULTURAL RESOURCES

### **Impact 4.14-1: Less than Significant Impact**

The City of Meniffee sent letters to those interested tribes that requested notification from projects occurring within the City pursuant to Assembly Bill (AB) 52. The following are the interested tribes:

- Agua Caliente Band of Cahuilla Indians;
- Pechanga Band of Indians;
- Rincon Band of Luiseno Indians; and
- Soboba Band of Luiseno Indians.

To date, no response from the Rincon Band of Luiseño Indians Cultural Resources Department has been received. The Agua Caliente Band of Cahuilla Indians closed consultation on August 23, 2022, following review of the cultural resources assessment. Soboba Band of Luiseño Indians requested that the Cultural Resources and Tribal Cultural Resources Section be sent to them upon completion. On October 3, 2022, during a quarterly meeting with the City, the Pechanga Tribe stated they're satisfied with the City's standard conditions of approval for cultural/tribal cultural resources and consultation is concluded. Based on consultation with local tribes, Standard Conditions of Approval (COA) COA-CUL-1 through COA CUL-8 (see Draft EIR **Section 4.4, Cultural Resources**) would ensure that any impacts to potential tribal cultural resources would be less than significant. (Draft EIR. pp. 4.14-9 and 4.14-11)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts on tribal cultural resources beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.14-9 and 4.14-11.

## 4.19 UTILITIES AND SERVICE SYSTEMS

### **Impact 4.15-1: Less than Significant Impact**

The Project site is currently composed of vacant land with mixed single residential structures and associated out buildings. Adjacent and nearby uses include vacant, undeveloped land, and residential land which is served by existing utilities, including electricity, natural gas, wet and dry facilities. Existing utilities would be extended and upgraded as needed during construction of the Project to serve the anticipated demands and to accommodate operation of the Project. All required improvements and extensions to existing electrical, natural gas, or telecommunications utilities would occur within the existing roadway rights-of-way adjacent to the Project site. The new facilities required for the Project would be constructed within the development area, and would be placed underground as per the Meniffee Development Code, Title 9. All areas adjacent to the existing roadways also are disturbed and are within the overall footprint of Project and any impacts are, therefore, discussed and disclosed as part of this Draft EIR within the various sections of this document. As such, upgrades to existing utilities are already evaluated as part of the overall

Project. Therefore, impacts associated with extension of services in these areas and within the site are less than significant.

Based on land use information provided by the developer and the lead agency, the actual average water demand for the Project is estimated to be 23.75 AFY, which is well within the limits of the estimated demand considered in the 2020 UWMP. Based on the Project water usage rate, the Project would represent a nominal percentage of EMWD's present and future water supplies for both single- and multiple-dry-year scenarios. As such, the Project would have sufficient water supplies. Additionally, based on the incremental increase in demand that would result from implementation of the Project, impacts would be less than significant. (Draft EIR, pp. 4.15-12 and 4.15-15)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts from the increased demand on public facilities beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.15-12 and 4.15-15.

#### **Impact 4.15-2: Less than Significant Impacts**

The Project's water service provider is anticipated to have adequate capacity to serve the projected demands. Additionally, a Water Supply Assessment (WSA) was prepared by EMWD for the Project to evaluate the existing and future demands on the water supply needed to be supplied from EMWD (Draft EIR **Appendix L**). The WSA determined that adequate water is available to serve the Project. The Project would result in less than significant impacts on services provided by the water service provider. (Draft EIR, p. 4.15-16).

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts to water supplies beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.15-17.

#### **Impact 4.15-3: Less than Significant Impact**

The Project's wastewater service provider is anticipated to have adequate capacity to treat the projected demand. The Project is anticipated to cause a less than significant impact on services provided by the wastewater service provider. (Draft EIR, p. 4.15-16).

**Finding:** The City adopts CEQA Finding 1.



The City hereby finds that the Project would not generate substantial impacts regarding wastewater treatment demand beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR page 4.15-16.

**Impact 4.15-4: Less than Significant Impact**

According to CalRecycle's Estimated Solid Waste Generation Rates, a warehouse facility is estimated to produce 13.82 pounds of waste per employee per day. The estimated number of employees for the Project site is 860 to operate the warehouse. This equates to approximately 11,885 pounds (5.9 tons) of waste per day from the Project site. That is approximately 0.04 percent of the El Sobrante Landfill's maximum daily throughput and 0.12 percent of Badlands Sanitary Landfill's maximum daily throughput. Therefore, the Project's solid waste disposal needs could be accommodated at one or a combination of the disposal facilities discussed above. Operational activities would be subject to compliance with all applicable federal, state, and local statutes and regulations for solid waste, including those identified under CALGreen and Assembly Bill 939. The Project would result in less than significant impacts concerning solid waste, and no mitigation is required. (Draft EIR, pp. 4.15-16 and 4.15-17)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts regarding solid waste generation beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.15-16 through 4.15-17.

**Impact 4.15-5: Less than Significant Impact**

The Project would be constructed in compliance with Government Code Section 5.408.1, the more stringent of the code sections which requires that projects recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Government Code Sections 5.408.1.1, 5.408.1.2 or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent. As such a less than significant impact would occur. (Draft EIR, pp. 4.15-17 and 4.15-18)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate substantial impacts due to conflicts with established solid waste policies beyond those concluded in the Draft EIR. Less than significant impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required.

**Supportive Evidence:** Please refer to Draft EIR pages 4.15-17 and 4.15-18.

## 4.20 WILDFIRE

### **Impact 7.6-1, 7.6-2, 7.6-3, 7.6-4: No Impact**

According to CAL FIRE's State Responsibility Areas (last updated in September 2023), the Project site is not located in a State Responsibility Area or within or adjacent to a Very High Fire Hazard Severity Zone. The Project site is located in a Local Responsibility Area (LRA). In addition, the Project site does not contain lands classified as a very high fire hazard severity zone (VHFHSZ). The closest VHFHSZ is located approximately 1.9 miles to the west of the Project site. Therefore, no impact associated with the substantial impairment of an adopted emergency response plan would occur. Because the site is located within an urbanized area, it would not expose people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes. Additionally, the Project would not exacerbate wildfire risks or expose Project occupants to pollutant concentrations or the uncontrolled spread of a wildfire, nor would it require the installation/maintenance of infrastructure that would exacerbate fire risk. No impact would occur. (Draft EIR pp. 7-6 and 7-7)

**Finding:** The City adopts CEQA Finding 1.

The City hereby finds that the Project would not generate impacts to the following: established emergency response or evacuation plans beyond those concluded in the Draft EIR; wildfire impacts beyond those concluded in the Draft EIR; substantial impacts due to the installation of infrastructure beyond those concluded in the Draft EIR; substantial post-fire flooding or landslide impacts beyond those concluded in the Draft EIR. No impacts are anticipated. Consequently, no mitigation measures are required for this impact.

**Mitigation Measures:** No mitigation is required. **Supportive Evidence:** Please refer to Draft EIR pages 7-6 and 7-7.

## **5.0 FINDINGS REGARDING POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS WHICH CAN BE MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT**

The City finds, based upon the threshold criteria for significance presented in the Draft EIR, that all potentially significant environmental effects of the Project can be avoided or reduced to insignificance with feasible mitigation measures identified in the Draft EIR. No substantial evidence has been submitted to or identified by the City that indicates that the following impacts would, in fact, occur at levels that would necessitate a determination of significance.

CEQA Guidelines, Section 15126(b), requires a description of any significant environmental effects that cannot be avoided if the Project is implemented.

### 5.1 AESTHETICS

No impacts were concluded to be significant.



## 5.2 AGRICULTURE AND FORESTRY RESOURCES

No impacts were concluded to be significant.

## 5.3 AIR QUALITY

### **Impact 4.2-1: Less than Significant with Mitigation Incorporated**

The Project is located within the SCAB, which is under the jurisdiction of the SCAQMD. The SCAQMD is required, pursuant to the FCAA, to reduce emissions of criteria pollutants for which the SCAB is in nonattainment. To reduce such emissions, the SCAQMD drafted the 2016 and 2022 AQMPs. The AQMPs establish a program of rules and regulations directed at reducing air pollutant emissions and achieving State (California) and national air quality standards. The AQMPs are a regional and multi-agency effort including the SCAQMD, the CARB, the SCAG, and the EPA. The plan's pollutant control strategies are based on the latest scientific and technical information and planning assumptions, including SCAG's 2020 RTP/SCS, updated emission inventory methodologies for various source categories, and SCAG's latest growth forecasts. SCAG's latest growth forecasts were defined in consultation with local governments and with reference to local general plans. The Project is subject to the SCAQMD's AQMPs. (Draft EIR, p. 4.2-18)

Criteria for determining consistency with the AQMPs are defined by the following indicators:

- **Consistency Criterion No. 1:** The Project will not result in an increase in the frequency or severity of existing air quality violations, or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMPs.
- **Consistency Criterion No. 2:** The Project will not exceed the assumptions in the AQMPs or increments based on the years of the Project build-out phase.

The violations to which Consistency Criterion No. 1 refers are CAAQS and NAAQS. As shown in Draft EIR **Table 4.2-8**, the Project would not exceed construction emission standards with Mitigation Measures (**MM**) **AQ-1** and **MM AQ-2**. As shown in Draft EIR **Table 4.2-10**, **MMs AQ-3** through **AQ-5** would reduce operational NO<sub>x</sub> emissions to below operation emission standards. Thus, the Project would be consistent with the first criterion.

Concerning Consistency Criterion No. 2, the AQMPs contains air pollutant reduction strategies based on SCAG's latest growth forecasts, and SCAG's growth forecasts were defined in consultation with local governments and with reference to local general plans. The Project's existing General Plan land use designation is EDC Northern Gateway, and the Project's existing zoning designation is EDC – NG. The Project's proposed land uses would be consistent with the EDC land use designation and the City's Zoning Code. Furthermore, the Project would also be designed consistently with all applicable planning policies and design standards as set forth within the Menifee MC.

The AQMP contains air pollutant reduction strategies based on SCAG's latest growth forecasts, and SCAG's growth forecasts were defined in consultation with local governments and with reference to local general plans. The Project would not result in a change of land use designations reflected in the AQMP. Therefore, the Project is assumed to be consistent with the AQMPs regional emissions inventory for the SCAB. Thus, the Project is consistent with the second criterion.

Implementation of **MMs AQ-1** through **AQ-5** would reduce construction and operational air pollutant emissions below SCAQMD's emission thresholds. Therefore, the Project would not increase the frequency or severity of an existing air quality violation or cause or contribute to new violations for these pollutants. As the Project would not exceed any of the CAAQS and NAAQS, the Project would also not delay timely attainment of air quality standards or interim emission reductions specified in the AQMP. In addition, because the Project is consistent with land use projections that form the basis of the AQMPs, the Project would be consistent with the emissions forecasts in the AQMP. Impacts would be mitigated to less than significant levels. (Draft EIR, pp. 4.2-18 and 4.2-19)

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with **MMs AQ-1** through **AQ-5**.

**Mitigation Measures:** Based upon the analysis presented in **Section 4.2, Air Quality** of the Draft EIR, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

- |                |  |
|----------------|--|
| <b>MM AQ-1</b> | Prior to the issuance of grading or building permits, the City Engineer shall confirm that the Grading Plan, Building Plans and Specifications require all unpaved offsite access roads to either be stabilized using a chemical dust suppressant or paved prior to the start of the grading phase of construction.  |
| <b>MM AQ-2</b> | The Project's contractors shall be prohibited from idling heavy equipment for more than three minutes and prohibited from being in the "on" position for more than 10 hours per day. The Project's general contractor shall designate an officer to monitor the construction equipment operators on-site for compliance.   |
| <b>MM AQ-3</b> | <p>Prior to issuance of tenant occupancy permits (not building shell permits), the Project operator shall prepare and submit a TDM program detailing strategies that would reduce the use of single-occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool, and transit. The TDM shall include, but is not limited to the following:</p> <ul style="list-style-type: none"><li>• Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options.</li><li>• Incorporate bicycle parking and storage, and self-service bicycle repair areas.</li><li>• Provide on-site meal options in employee break areas as well as kitchen amenities to prepare and/or heat meals.</li></ul> |



- Provide a ride-matching service (e.g., bulletin boards, website, smartphone application) to connect carpool participants and provide preferential parking for rideshare vehicles to support carpool/vanpool/rideshare transportation modes.
- Post Riverside Transit Agency schedules in conspicuous areas.
- Reference Riverside Transit Agency schedules when creating employees' operating schedules.

**MM AQ-4**

All outdoor cargo handling equipment (such as yard trucks, hostlers, yard goats, pallet jacks, and forklifts) shall be zero emission (i.e., powered by electricity or other alternative fuels). The warehouse building shall include the necessary charging stations for cargo handling equipment. The building manager or their designee shall be responsible for enforcing these requirements.

**MM AQ-5**

Prior to the issuance of a tenant occupancy permit, the Community Development Department shall confirm that all truck access gates and loading docks within the project site shall have posted signage posted that states:

- Truck drivers shall turn off engines when not in use.
- Truck drivers shall shut down the engine after three minutes of continuous idling operation (pursuant to City of Menifee's Industrial Good Neighbor Policies). Once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged.
- Telephone numbers of the building facilities manager, the SCAQMD, and CARB to report violations.
- Signs shall also inform truck drivers about the health effects of diesel particulates, the California Air Resources Board diesel idling regulations, and the importance of being a good neighbor by not parking in residential areas.
- The Operator shall designate an officer to monitor trucks on-site for compliance.
- To the extent feasible, the Project shall restrict the turns trucks can make entering and exiting the facility to route trucks away from sensitive receptors by posting signs at every truck exit driveway providing directional information to head northbound to Ethanac Road (designated truck route).
- Signs and drive aisle pavement markings shall clearly identify the on-site circulation pattern to minimize unnecessary on-site vehicular travel.
- All signage installed as part of the Project shall be legible, durable, and weather-proof.

**Supportive Evidence:** Please refer to Draft EIR pages 4.2-18 through 4.2-21.

**Impact 4.2-2: Less than Significant with Mitigation Incorporated**

Review of Draft EIR **Table 4.2-8** shows that Project unmitigated construction emissions would exceed the SCAQMD threshold for Particulate Matter 10 (PM<sub>10</sub>) (Draft EIR, p. 4.2-22). The majority of PM<sub>10</sub> emissions

are generated during the grading phase of construction and from construction vehicles accessing the Project site from unpaved roads. **MM AQ-1** requires all unpaved offsite access roads to either be stabilized using a chemical dust suppressant or paved prior to the start of the grading phase of construction. Implementation of mitigation measures would reduce construction  $PM_{10}$  emissions to below the SCAQMD's thresholds. Additionally, **MM HRA-1** requires that the Project Applicant, prior to issuance of grading permit, to prepare and submit documentation to the City that demonstrates that all off-road diesel-powered construction equipment greater than 50 horsepower meets California Air Resources Board Tier 4 Final off-road emissions standards or incorporate CARB Level 3 Verified Diesel Emission Control Strategy (VDECS). Therefore, the Project's construction-related impact would be reduced to a less than significant level.

Review of Draft EIR **Table 4.2-9**, Project unmitigated operational emissions would exceed the SCAQMD thresholds for  $NO_x$ . However, through implementation of various mitigation measures discussed below, the Project's operational emissions would be reduced to a less than significant level. (Draft EIR, p. 4.2-23)

**MM AQ-3** requires the implementation of a TDM program to reduce single occupant vehicle trips and encourage public transit. **MM AQ-4** requires that all forklifts used onsite are electric or employ other zero emission technology. **MM AQ-5** requires signage for on-site circulation and limiting idling emissions. Additionally, the Project would comply with applicable Plans, Programs, and Policies (PPP)-1 through PPP-8 which include provisions of the CBC, CalGreen Code, Menifee MC, SCAQMD Rules, etc. Therefore, implementation of **MMs AQ-1** through **AQ-5** and **MM HRA-1** and compliance with relevant PPPs would ensure that impacts are reduced to less than significant levels. (Draft EIR, pp. 4.2-21 through 4.2-26)

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with **MMs AQ-1** through **AQ-5** and **MM HRA-1**.

**Mitigation Measures:** Based upon the analysis presented in Draft EIR **Section 4.2, Air Quality**, which is incorporated herein by reference, **MMs AQ-1** through **AQ-5** and **MM HRA-1** are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

**MM HRA-1** Prior to issuance of grading permits, the applicant shall prepare and submit documentation to the City of Menifee that demonstrate the following:

- All off-road diesel-powered construction equipment greater than 50 horsepower meets California Air Resources Board Tier 4 Final off-road emissions standards or incorporate CARB Level 3 Verified Diesel Emission Control Strategy (VDECS). These requirements shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. A copy of each unit's Best Available Control Technology (BACT) documentation (certified tier specification or model year specification), and CARB or SCAQMD operating permit

(if applicable) shall be provided to the City at the time of mobilization of each applicable unit of equipment.

**Supportive Evidence:** Please refer to Draft EIR pages 4.2-21 through 4.2-26.

**Impact 4.2-3: Less than Significant Impact with Mitigation Applied**

Review of Draft EIR **Table 4.2-12** shows that Project construction emissions from the Project are below SCAQMD Localized Significance Thresholds (LST) and therefore, significant impacts would not occur concerning LSTs during construction. The maximum daily emissions of these pollutants for Project operations would not result in significant concentrations of pollutants at nearby sensitive receptors. The LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standard. The Project includes **MM HRA-1**, which requires the use of Tier 4 construction equipment or incorporation of CARB Level 3 Verified Diesel Emission Control Strategy (VDECS). Implementation of the **MM HRA-1** would reduce cancer risk to 1.8 in one million. **MM AQ-1** requires all unpaved offsite access roads to either be stabilized using a chemical dust suppressant or paved prior to the start of the grading phase of construction. **MM AQ-2** prohibits the idling heavy equipment for more than three minutes and prohibited from being in the “on” position for more than 10 hours per day. **MM AQ-3** requires the implementation of a TDM program detailing strategies that would reduce the use of single-occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool, and transit. Therefore, impacts would be reduced to less than significant levels. (Draft EIR, pp. 4.2-26 through 4.2-35)

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with **MMs AQ-1 through AQ-3 and MM HRA-1**.

**Mitigation Measures:** Based upon the analysis presented in **Section 4.2, Air Quality**, of the Draft EIR, which is incorporated herein by reference, **MMs AQ-1 through AQ-3 and MM HRA-1** are feasible and are made binding through the MMRP. Imposition of this mitigation measure will reduce potentially significant impacts to less than significant.

**Supportive Evidence:** Please refer to Draft EIR pages 4.3-26 through 4.3-35.

**Biological Resources Impact 4.3-1: Less than Significant with Mitigation Incorporated**

No special-status plant species were observed on-site during the field investigation. The Project site and surrounding area have been subject to decades of anthropogenic disturbances which have removed native plant communities that historically occurred. Based on habitat requirements for specific species and the availability and quality of on-site habitats, it was determined that the site has a low to moderate potential to support smooth tarplant (*Centromadia pungens ssp. laevis*) and paniculate tarplant (*Deinandra paniculata*). There is minimal habitat on the Project site that would support the smooth tarplant (*Centromadia pungens ssp. laevis*) and paniculate tarplant (*Deinandra paniculata*). However, these special-status plant species are not state or federally listed as threatened or endangered. (Draft EIR,

p. 4.3-10) Furthermore, no CDFW special-status plant communities occur within the boundaries of the Project site.

Special-status wildlife species observed during the field investigation include great egret and Costa's hummingbird. Based on habitat requirements for specific species and the availability and quality of on-site habitats, it was determined that the Project site has a high potential to support Cooper's hawk (*Accipiter cooperii*), sharpshinned hawk (*Accipiter striatus*), great blue heron (*Ardea herodias*), northern harrier (*Circus hudsonius*), snowy egret (*Egretta thula*), white-tailed kite (*Elanus leucurus*), California horned lark (*Eremophila alpestris actia*), prairie falcon (*Falco mexicanus*), and loggerhead shrike (*Lanius ludovicianus*); and a low potential to support burrowing owl (*Athene cunicularia*) and western mastiff bat (*Eumops perotis californica*). All remaining special-status wildlife species were presumed to be absent from the Project site due to the lack of native habitat, routine on-site disturbances, and isolation of the site from suitable habitats. None of the other aforementioned species are federally or state listed as threatened or endangered, however, white-tailed kite is fully protected under CESA. The majority of the aforementioned species are not expected to occur on-site while foraging due to the absence of suitable nesting/roosting opportunities and degree and type of routine on-site and surrounding disturbance.

To ensure impacts to aforementioned avian species do not occur from implementation of the Project, a pre-construction nesting bird clearance survey would be conducted prior to ground disturbance in accordance with **MM BIO-1**.

Furthermore, based on the results of the 2023 burrowing owl focused surveys, no burrowing owls or evidence of recent or historic use burrowing owls were observed on the Project site. As a result, burrowing owls are presumed to be absent from the Project site. Nevertheless, to ensure that burrowing owl remain absent from the Project site, the Project would implement **MM BIO-2** which would require that a 30-day burrowing owl pre-construction clearance survey be conducted prior to obtaining a grading permit.

Overall, based on the Project footprint, and with the implementation of **MMs BIO-1** and **BIO-2**, none of the special-status species known to occur in the general vicinity of the Project site would be directly or indirectly impacted from implementation of the Project. A less than significant impact would occur with mitigation incorporated. (Draft EIR. pp. 4.3-10 through 4.3-13)

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with **MMs BIO-1** and **BIO-2**.

**Mitigation Measures:** Based upon the analysis presented in Draft EIR **Section 4.3, Biological Resources**, which is incorporated herein by reference, the following Mitigation Measures are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

**MM BIO-1** If construction occurs between February 1<sup>st</sup> and August 31<sup>st</sup>, a pre-construction clearance survey for nesting birds shall be conducted within three days of the start of



any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the pre-construction clearance survey, construction activities should stay outside of a no-disturbance buffer. The size of the no-disturbance buffer (generally 300 feet for migratory and non-migratory songbirds and 500 feet raptors and special-status species) will be determined by the wildlife biologist and will depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and the construction activity, type and duration of construction activity, ambient noise, species habituation, and topographical barriers. These factors will be evaluated on a case-by-case basis when developing buffer distances. Limits of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A biological monitor should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.

**MM BIO-2**

The Project Developer shall retain a qualified biologist to conduct a 30-day pre-construction survey for burrowing owl. The results of the single one-day survey shall be submitted to the City prior to obtaining a grading permit. If at any time there is a lapse of Project activities for 30 days or more, another burrowing owl survey shall be conducted and submitted to the City.

If burrowing owl are not detected during the pre-construction survey, no further mitigation is required. If active burrowing owl burrows are detected during the breeding season, the on-site biologist will review and establish a conservative avoidance buffer surrounding the nest based on their best professional judgment and experience and verify compliance with this buffer and will verify the nesting effort has finished. Work can resume when no other active burrowing owl nesting efforts are observed. If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation pursuant to a Burrowing Owl Plan that shall be prepared by the Applicant and approved by the City in consultation with CDFW, or the Project Developer shall stop construction activities within the buffer zone established around the active nest and shall not resume construction activities until the nest is no longer active. The Burrowing Owl Plan shall be prepared in accordance with guidelines in the MSHCP. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied and backfilled to ensure that animals do not reenter the holes/dens.

**Supportive Evidence:** Please refer to Draft EIR pages 4.3-10 through 4.3-13.

**Impact 4.3-6: Less than Significant Impact with Mitigation Incorporated**

The Project site is located within the Sun City/Menifee Valley Area Plan of the MSHCP. No jurisdictional drainages, riparian/riverine and/or wetland features were observed within the Project site or off-site improvement areas during the field investigation. Therefore, a Determination of Biologically Equivalent or Superior Preservation (DBESP) would not be required for the loss of riparian/riverine habitat from development of the Project, and the Project is consistent with Section 6.1.2 of the MSHCP.

Additionally, based on the results of the literature review, the Project site has not supported natural plant communities since at least 1966. Accordingly, the Project site does not provide suitable habitat for these MSHCP listed Narrow Endemic Plant Species and thus, would not need to comply with the Protection of Narrow Endemic Plant Species.

Section 6.1.4 of the MSHCP, Guidelines Pertaining to Urban/Wildlands Interface, is intended to address indirect effects associated with development in proximity to MSHCP Conservation Areas. The Project site is not located within or in close proximity of any Criteria Cells or designated conservation areas. Therefore, the Project would not need to comply with the Urban/Wildlands Interface Guidelines.

In accordance with Section 6.3.2 of the MSHCP, Additional Survey Needs and Procedures, additional surveys may be needed for certain species in order to achieve coverage for these species. In compliance with the conservation goals of Section 6.3.2 of the MSHCP, a Part B-Focused burrowing owl survey was conducted during the breeding season. Pursuant to **MM BIO-2**, a final pre-construction burrowing owl clearance survey would be required in to ensure burrowing owl remains absent from the Project site.

The Project site is located within the Mitigation Fee Area of the SKR HCP, but is not located within or adjacent to any of the Core Reserve Areas. Since the Project site is not located within or adjacent to any of the Core Reserve Areas, no focused SKR surveys or on-site mitigation would be required. On-site mitigation is only recommended in Ordinance 663.10 when a site is located within or adjacent to a Core Reserve Area. As a result, the applicant would only be required to pay the SKR HCP Mitigation Fee prior to development of the Project site.

With completion of recommendations provided above and payment of the applicable MSHCP Local Development Mitigation Fee for industrial developments and SKR HCP Mitigation fees, and implementation of **MMs BIO-1** through **BIO-2**, development of the Project site would be fully consistent with the MSHCP. (Draft EIR. pp. 4.3-16 through 4.3-18)

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with implementation of **MM BIO-1** and **BIO-2**.

**Mitigation Measures:** Based upon the analysis presented in **Section 4.3, Biological Resources**, of the Draft EIR, which is incorporated herein by reference, **MMs BIO-1** and **BIO-2** are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

**Supportive Evidence:** Please refer to Draft EIR pages 4.3-16 through 4.3-18.

## 5.4 CULTURAL RESOURCES

No impacts were concluded to be significant.

## 5.5 ENERGY

No impacts were concluded to be significant.

## 5.6 GEOLOGY AND SOILS

### **Impact 4.6-7: Less than Significant Impact with Mitigation Incorporated**

Expansive soils are soils that expand and contract depending on their moisture level. This change can occur seasonally as water levels and precipitation changes throughout the year. These soils normally occur within the first five feet below the surface. Expansive soils can lead to structural damage as their compositions and volume changes dramatically. The near-surface soils encountered during the geotechnical investigation consisted of older alluvium which is dense to very dense silty sand or hard sandy silt or sandy clay and granitic bedrock that is locally overlain by older alluvium. Based on the results of laboratory testing for the geotechnical investigation, the older alluvial soils are considered to have a “very low” to “low” expansion potential. Although grading activities would likely involve relatively significant mixing and blending of the site materials and a reduction of the overall expansion potential of the fill soils, sandy silt soils of low expansion index would still remain beneath the fill in most areas. The Project would implement the design recommendations listed in the geotechnical reports and 2022 CBC design standards, and **MM GEO-1** to reduce impacts from expansive soils. Additionally, the Project would comply with City standard conditions of approval requiring compliance with the design recommendations listed in the geotechnical reports, 2022 CBC design standards, and City standard conditions of approval would reduce impacts from expansive soil to less than significant levels. (Draft EIR, pp. 4.6-13 and 4.6-14)

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with implementation of **MM GEO-1**.

**Mitigation Measures:** Based upon the analysis presented in **Section 4.6, Geology and Soils** of the Draft EIR, which is incorporated herein by reference, the following **MM GEO-1** is feasible and is made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

<b>MM GEO-1</b>	Initial site preparation shall commence with removal of debris, deleterious materials, and vegetation within the limits of the planned improvements. These materials shall be properly disposed of off-site. Voids resulting from removing any materials shall be replaced with engineered fill materials with expansion characteristics similar to the on-site materials.
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**Supportive Evidence:** Please refer to Draft EIR pages 4.6-13 and 4.6-14.

**Impact 4.6-9: Less than Significant Impact with Mitigation Incorporated**

The geologic units underlying the Project area are mapped as middle to early Pleistocene alluvial gravel, silt, sand, and clay, and as Cretaceous granodiorite and tonalite. While the granodiorite and tonalite units are considered to be of low paleontological value, the Pleistocene alluvial units are considered highly paleontologically sensitive. Based on these results, the **MM GEO-2** will be implemented. With implementation of **MM GEO-2**, impacts would be reduced to less than significant. (Draft EIR, pp. 4.6-14 and 4.6-15)

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with implementation of **MM GEO-2**.

**Mitigation Measures:** Based upon the analysis presented in **Section 4.6, Geology and Soils** of the Draft EIR, which is incorporated herein by reference, the following **MM GEO-2** is feasible and is made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

**MM GEO-2**

Prior to issuance of grading permits, the Applicant/Developer will retain a qualified paleontologist to create and implement a Paleontological Resource Mitigation Program (PRIMP). The project paleontologist would review the grading plan and conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements, to be documented in the PRIMP. The PRIMP would be submitted to the City for review and approval prior to issuance of a grading permit. Information contained in the PRIMP would minimally include:

1. Description of the project site and proposed grading operations.
2. Description of the level of monitoring required for earth-moving activities.
3. Identification and qualifications of the paleontological monitor to be employed during earth moving.
4. Identification of personnel with authority to temporarily halt or divert grading to allow recovery of large specimens.
5. Direction for fossil discoveries to be reported to the developer and the City.
6. Means and methods to be employed by the paleontological monitor to quickly salvage fossils to minimize construction delays.
7. Sampling methods for sediments that are likely to contain small fossil remains, if any.



8. Procedures and protocol for collecting and processing of samples and specimens, as necessary.
9. Fossil identification and curation procedures.
10. Identification of the repository to receive fossil material.
11. All pertinent maps and exhibits.
12. Procedures for reporting of findings.
13. Acknowledgment of the developer for content of the PRIMP and acceptance of financial responsibility for monitoring, reporting, and curation.

**Supportive Evidence:** Please refer to Draft EIR pages 4.6-14 and 4.6-15.

## 5.7 GREENHOUSE GAS EMISSIONS

Significant and unavoidable greenhouse gas impacts. Refer to **Section 4.7, Greenhouse Gas Emissions** and the Mitigation Monitoring and Reporting Program.

## 5.8 HAZARDS AND HAZARDOUS MATERIALS

No impacts were concluded to be significant.

## 5.9 HYDROLOGY AND WATER QUALITY

### **Impact 4.9-1: Less than Significant with Mitigation Incorporated**

Ground disturbing activities (e.g., clearing, grading, excavation), and construction activities associated with Project buildout may impact water quality due to sheet erosion of exposed soils and subsequent deposition of particulates in nearby drainages. The Project is required to comply with the NPDES Construction General Permit, the water quality policies of the Menifee GP and the Riverside County DAMP, all which require the preparation and implementation of a SWPPP in order to obtain grading and building permits. The SWPPP shall identify site-specific construction BMPs to reduce or eliminate sediment and other pollutants in stormwater and non-stormwater runoff from the Project site. The Project will be subject to BMPs. Overall, the Project would not violate water quality standards or waste discharge requirements with implementation of **MM HYD-1** and **HYD-2**. (Draft EIR, pp 4.9-14 through 4.9-18)

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with implementation of **MMs HYD-1** and **HYD-2**.

**Mitigation Measures:** Based upon the analysis presented in **Section 4.9, Hydrology and Water Quality** of the Draft EIR, which is incorporated herein by reference, the following **MMs HYD-1** and **HYD-2** are feasible

and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

**MM HYD-1:** Prior to commencing grading, the Project Applicant shall comply with applicable construction water quality regulations including the NPDES General Construction Permit, which shall be obtained from the Regional Water Quality Control Board. This process requires that the applicant electronically submit Permit Registration Documents (PRDs) prior to commencement of construction activities in the Storm Water Multiple Application and Report Tracking System (SMARTS). PRDs consist of the NOI, Risk Assessment, Post-Construction Calculations, a Site Map, the SWPPP, a signed certification statement by the Legally Responsible Person, and the first annual fee.

The required Stormwater Pollution Prevention Plan (SWPPP) must be submitted to the City of Menifee Engineering Department for review and approval, identifying specific actions and Best Management Practices (BMPs) to prevent stormwater pollution during construction activities. The SWPPP shall identify a practical sequence for BMP implementation, site restoration, contingency measures, responsible parties, and agency contacts. The SWPPP shall include but not be limited to the following elements:

- A. Compliance with the requirements of the State of California's most current Construction Stormwater Permit.
- B. Temporary erosion control measures shall be implemented on all disturbed areas.
- C. Disturbed surfaces shall be treated with erosion control measures during the October 15 to April 15 rainy season.
- D. Sediment shall be retained on-site by a system of sediment basins, traps, or other BMPs.
- E. The construction contractor shall prepare Standard Operating Procedures for the handling of hazardous materials on the construction site to eliminate discharge of materials to storm drains.
- F. BMP performance and effectiveness shall be determined either by visual means where applicable (e.g., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination (such as inadvertent petroleum release) is required by the Santa Ana RWQCB to determine adequacy of the measure.
- G. In the event of significant construction delays or delays in final landscape installation, native grasses or other appropriate vegetative cover shall be established on the construction site as soon as possible after disturbance, as an interim erosion control measure throughout the duration of construction.
- H. Prior to the issuance of the first grading permit, the Project Applicant shall submit the Final Tentative Parcel Map that includes the water quality BMPs for approval

by the City of Menifee Engineer. The City of Menifee Engineer shall ensure that all applicable water quality standards are met before approving the SWPPP.

**MM HYD-2:** The Project Applicant shall prepare a Final Project-Specific Water Quality Management Plan (WQMP) with O&M Plan for submittal together with the associated grading and improvement plans which must be approved prior to the issuance of a building or grading permit. These documents shall be prepared in accordance with applicable City (Menifee) and County (Riverside) water quality requirements, for review and approval by the City of Menifee Engineering Department, including the following:

- i. Site Design BMPs
- ii. Source Control BMPs
- iii. Treatment Control BMPs
- iv. BMP Sizing
- v. Equivalent Treatment Control Alternatives
- vi. Regionally-Based Treatment Control BMPs
- vii. O&M Responsibility for Treatment Control BMPs

**Supportive Evidence:** Please refer to Draft EIR pages 4.9-14 through 4.9-18.

**Impact 4.9-3: Less than Significant with Mitigation Incorporated**

The Project would generate on-site and off-site flows. On-site runoff would sheet flow through the Project site utilizing ribbon gutters and storm network systems and drain from the south of the property to the northeast corner to the bioretention basin. The basin is purely a water quality basin and does not provide any flow mitigation. Off-site flows from the south of the property would be collected by v-gutters along the retaining wall at the south end of the property and redirect the runoff to the proposed curb and gutter along Wheat Street and Byers Road. Stormwater runoff from the street improvements along Wheat Street from the center line to the easterly curb and gutter would enter a proposed catch basin located at the northwest corner of the property before discharging on-site into the open bioretention basin. Stormwater from the street improvements along Byers Road from the center line to westerly curb and gutter would enter a proposed catch basin located at the northeast corner of the property before discharging on-site to the open bioretention basin. Runoff from the south half of the street improvements along Kuffel Road between Wheat Street and Byers Road would also flow to a catch basin at the northeast corner of the property before discharging on-site to the open bioretention basin. Discharge from the basin would flow directly to proposed storm drain Line A-14a of the Perris Valley MDP and discharge directly into Line A before reaching the San Jacinto River. In addition, due to the fact that the downstream conveyance from the site is engineered and an MS4 facility, the Project would not be subject to limits on the rate of stormwater flow leaving the site.

Additionally, the Project Applicant would obtain an NPDES Construction Stormwater Permit and implement a SWPPP to minimize soil erosion and siltation on and off the site; see **MM HYD-1**. BMPs as outlined in the WQMP would also be implemented during construction and operation of the site to minimize erosion and



sedimentation; see **MM HYD-2**. In addition to the SWPPP and WQMP, the Project would comply with other applicable local and regional water quality requirements. Overall drainage patterns would be captured through the proposed drainage systems, with flows directed to the Santa Ana Watershed Region and with water quality measures applicable to the respective watershed. In consideration of existing regulations, and with implementation of **MM HYD 1** and **MM HYD-2**, impacts would be less than significant. (Draft EIR, pp. 4.9-19 through 4.9-21)

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with implementation of **MMs HYD-1** and **HYD-2**.

**Mitigation Measures:** Based upon the analysis presented in **Section 4.9, Hydrology and Water Quality** of the Draft EIR, which is incorporated herein by reference, **MMs HYD-1** and **HYD-2** are feasible and is made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

**Supportive Evidence:** Please refer to Draft EIR pages 4.9-19 and 4.9-21.

**Impact 4.9-4: Less than Significant with Mitigation Incorporated**

Development of the Project would introduce more impervious surfaces on the site; therefore, increasing the amount and rate of surface runoff. The Preliminary Drainage Study (Draft EIR **Appendix I1**) shows that the proposed drainage improvements would adequately convey flows to the open bioretention basin and provide flood protection for the 100-year storm event. The Project's drainage has been designed to ensure that runoff flows leaving the site do not exceed existing conditions, thereby avoiding impacts to downstream facilities. Additionally, the Project would implement **MM HYD-3** which would require that the Project Applicant submit final grading and drainage plans for review and approval by the City and the EMWD, prior to issuance of any grading permit, to ensure that the Project does not result in increased flows off-site or otherwise significantly impact downstream drainage facilities. The drainage design would prevent flooding on- and off-site due to an increase in surface water runoff. Therefore, with proposed on-site and off-site improvements and implementation of **MM HYD-3**, the Project would not cause additional flooding or substantial runoff, exceed the capacity of existing drainage facilities, or impede or redirect flood flows such that on-site or off-site areas are significantly impacted. Impacts would be mitigated to less than significant levels. (Draft EIR, pg. 4.9-21 through 4.9-22)

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with implementation of **MM HYD-3**.

**Mitigation Measures:** Based upon the analysis presented in **Section 4.9, Hydrology and Water Quality** of the Draft EIR, which is incorporated herein by reference, the following **MM HYD-3** is feasible and is made



binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

**MM HYD-3:** Prior to issuance of grading permits, the Project Applicant shall submit final grading plans for review and approval by the City of Menifee, including final drainage design plans supported by a final drainage study. The tract maps, grading plans, and final drainage study shall demonstrate compliance with applicable City and County drainage plans, policies, design guidelines and regulations including but not limited to City of Menifee Municipal Code Chapter 8.26 Grading Regulations.

**Supportive Evidence:** Please refer to Draft EIR pages 4.9-21 through 4.9-22.

**Impact 4.9-5: Less than Significant with Mitigation Incorporated**

As previously discussed in Impact 4.9-3, on-site runoff would sheet flow through the Project site through an extensive drainage plan utilizing ribbon gutters and a storm drain network system. An NPDES Construction Stormwater Permit shall be obtained and a SWPPP would be implemented to minimize soil erosion and siltation on and off the site; see **MM HYD-1**. BMPs as outlined in the WQMP (**Draft EIR Appendix I2**) would also be implemented during construction and operation of the site to minimize erosion and sedimentation (see **MM HYD-2**). In addition to the SWPPP and WQMP, the Project would comply with other applicable local and regional water quality requirements. The Project would include street improvements along the west, east, and north side of the property and mimic the existing drainage pattern. Overall drainage patterns would remain consistent, with flows directed to the Santa Ana Watershed Region, with water quality measures applicable to the respective watershed. In consideration of existing regulations, and with implementation of **MMs HYD 1** and **HYD-2**, a less than significant impact would occur. (Draft EIR, pp. 4.9-20 and 4.9-21)

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with implementation of **MMs HYD-1** and **HYD-2**.

**Mitigation Measures:** Based upon the analysis presented in **Section 4.9, Hydrology and Water Quality** of the Draft EIR, which is incorporated herein by reference, **MMs HYD-1** and **HYD-2** are feasible and is made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

**Supportive Evidence:** Please refer to Draft EIR pages 4.9-20 through 4.9-21.

**Impact 4.9-7: Less than Significant with Mitigation Incorporated**

The Project is inland and is not at risk for inundation due to a tsunami since it is more than 30 miles from the Pacific Ocean. The Project site is not within a seiche zone, since no large bodies of water border the Project site.

A review of the FEMA FIRMs was conducted to determine whether the Project site is largely located within a flood zone. According to Map No. 06065C2055H (effective 8/18/2014), the Project site is largely within a Flood Boundary, identified as Zone X which indicates that the Project is located in a minimal flood hazard zone, which are areas outside the Special Flood Hazard Area (SFHA) and higher than the elevation of the 0.2-percent-annual-chance flood. The Project is not within a dam inundation zone, and therefore the potential for inundation from dam failure would be considered low. Additionally, BMPs have been incorporated into the site design to fully address all DMAs. Along with the implementation of the proposed DMAs, runoff would be conveyed to a proposed bioretention basin, which would be provided at the north end of the property to detain on-site and off-site runoff. Overflow from the site would discharge directly to the constructed open channel north of Ethanac Road. The Project would implement BMP's and efficient design measures pursuant to the Project's WQMP and SWPPP (**MMs HYD-1 through HYD-3**), that includes, but is not limited to, the pretreatment of runoff through the proposed open bioretention basin. Therefore, the Project's impacts regarding the risk of pollutants would be reduced to less than significant levels. (Draft EIR, pp. 4.9-24 and 4.9-25)

**Finding:** The City adopts CEQA Finding 1.

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant effect on the environment to below a level of significance with implementation of **MMs HYD-1 through HYD-3**.

**Mitigation Measures:** Based upon the analysis presented in **Section 4.9, Hydrology and Water Quality** of the Draft EIR, which is incorporated herein by reference, **MMs HYD-1 through HYD-3** are feasible and are made binding through the MMRP. Imposition of these mitigation measures will reduce potentially significant impacts to less than significant.

**Supportive Evidence:** Please refer to Draft EIR pages 4.9-24 and 4.9-25.

## 5.10 LAND USE AND PLANNING

No impacts were concluded to be significant.

## 5.11 MINERAL RESOURCES

No impacts were concluded to be significant.

## 5.12 NOISE

No impacts were concluded to be significant.

## 5.13 POPULATION AND HOUSING

No impacts were concluded to be significant.

## 5.14 PUBLIC SERVICES

No impacts were concluded to be significant.

## 5.15 RECREATION

No impacts were concluded to be significant.

## 5.16 TRANSPORTATION

No impacts were concluded to be significant.

## 5.17 TRIBAL CULTURAL RESOURCES

No impacts were concluded to be significant.

## 5.18 UTILITIES AND SERVICE SYSTEMS

No impacts were concluded to be significant.

## 5.19 WILDFIRE

No impacts were concluded to be significant.

# 6.0 FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL IMPACTS WHICH CAN NOT BE MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT

The City finds, based upon the threshold criteria for significance presented in the EIR, that all of the following potentially significant environmental effects of the Project, remain significant and unavoidable even with implementation of mitigation measures identified in the EIR. For each significant and unavoidable impact identified below, the City has made a finding(s) pursuant to Public Resources Code §21081. An explanation of the rationale for each finding is also presented below.

CEQA Guidelines, Section 15126(b), requires a description of any significant environmental effects that cannot be avoided if the Project is implemented.

## 6.1 AESTHETICS

No impacts were concluded to be significant and unavoidable.

## 6.2 AGRICULTURE AND FORESTRY RESOURCES

No impacts were concluded to be significant and unavoidable.

## 6.3 AIR QUALITY

No impacts were concluded to be significant and unavoidable.

## 6.4 BIOLOGICAL RESOURCES

No impacts were concluded to be significant and unavoidable.



## 6.5 CULTURAL RESOURCES

No impacts were concluded to be significant and unavoidable.

## 6.6 ENERGY

No impacts were concluded to be significant and unavoidable.

## 6.7 GEOLOGY AND SOILS

No impacts were concluded to be significant and unavoidable.

## 6.8 GREENHOUSE GAS EMISSIONS

### **Impact 4.7-1: Significant and Unavoidable Impact**

The Project would result in the generation of approximately 1,767 MTCO<sub>2</sub>e throughout the course of construction. Construction GHG emissions are typically summed and amortized over a 30-year period and then added to the operational emissions. The Project's amortized construction emissions would be 59 MTCO<sub>2</sub>e per year. Once construction is complete, the generation of these GHG emissions would cease.

GHG emissions associated with the Project are summarized in Draft EIR **Table 4.7-3: Project Greenhouse Gas Emissions**. (Draft EIR, pp. 4.7-22 and 4.7-23) As shown in Draft EIR **Table 4.7-3**, the Project's unmitigated emissions would be approximately 7,023 MTCO<sub>2</sub>e annually from both construction and operations and would exceed the SCAQMD 3,000 MTCO<sub>2</sub>e per year threshold. The majority of the GHG emissions (71 percent of unmitigated emissions and 79 percent of mitigated emissions) are associated with non-construction related mobile sources. Emissions of motor vehicles are controlled by State and Federal standards, and the Project has no control over these standards.

Accordingly, the Project would be required to comply with several Plans, Programs, and Policies (PPP)-1 through PPP-8 and implement **MMs GHG-1** through **GHG-7** and **MM AQ-3** to reduce operational GHG emissions. (Draft EIR, p. 4.7-24) As shown in Draft EIR **Table 4.7-3**, implementation of **MMs** and compliance PPPs would reduce Project emissions to 6,272 MTCO<sub>2</sub>e per year. However, the Project's emissions would still exceed the 3,000 MTCO<sub>2</sub>e per year threshold. Additional mitigation to further reduce these emissions is not feasible.

The City as the lead agency for the Project and the entity responsible for enforcing any mitigation measures incorporated into the Project and relied upon to reduce impacts to a less than significant level, has no enforcement authority over offset credits that fund carbon reduction projects outside of the City. Many offset credits "sell" reductions in emissions generated outside of California, which may not be genuine or verifiable. International offsets are even more difficult to verify, guarantee and enforce. Even CARB does not have enforcement authority over such reductions, let alone the City of Menifee. Thus, the purchase of offset credits is not a feasible mitigation measure to reduce the emissions impact of the Project. Therefore, despite the incorporation of all feasible mitigation, the remaining mobile emissions from the Project cannot feasibly be mitigated because neither the Project applicant nor the City has the regulatory authority to control tailpipe emissions. Since mitigated future mobile source emissions exceed the 3,000 MTCO<sub>2</sub>e threshold and no additional feasible mitigation beyond **MMs AQ-2** through **AQ-5** and **MMs GHG-1** through



**GHG-7** are available to further reduce emissions, this impact remains significant and unavoidable. (Draft EIR, pp. 4.7-21 through 4.7-27)

**Mitigation Measures:** Based upon the analysis presented in **Section 4.2: Air Quality**, and **Section 4.7, Greenhouse Gas Emissions** of the Draft EIR, which is incorporated herein by reference, **MMs AQ-2** through **AQ-5**, listed above, are feasible and are made binding through the MMRP. Imposition of these mitigation measures will not reduce potentially significant greenhouse gas emissions impacts to less than significant. As such, the impact remains significant and unavoidable. Additionally, the following mitigation measures apply:

**MM GHG-1** Prior to issuance of tenant occupancy permits, the Project shall be required to install a minimum 49 kwdc solar photovoltaic (PV) system or offset an equivalent amount of energy demand through the purchase of renewable energy or implementation of alternative renewable measures, subject to approval by the Community Development Director or his/her designee. To allow future operators to earn WAIRE Program points pursuant to SCAQMD's Rule 2305, the exact timing of the PV system installation may be modified at the discretion of the Community Development Director or his/her designee. The final PV generation facility size requires approval by Southern California Edison (SCE). SCE's Rule 21 governs operating and metering requirements for any facility connected to SCE's distribution system. Should SCE limit the off-site export, the proposed Project may utilize a battery energy storage system (BESS) to lower off-site export while maintaining on-site renewable generation to off-set consumption. The building shall include an electrical system and other infrastructure sufficiently sized to accommodate the PV arrays. The electrical system and infrastructure must be clearly labeled with noticeable and permanent signage.

In addition, to ensure that the Project's electrical room(s) is sufficiently sized to accommodate the potential need for additional electrical panels, prior to building permit issuance, either (1) a secondary electrical room shall be provided in the building, or (2) the primary electrical room shall be sized 25 percent larger than is required to satisfy the service requirements of the building or the electrical gear shall be installed with the initial construction with 25 percent excess demand capacity.

**MM GHG-2** Prior to the issuance of building permits and prior to issuance of tenant occupancy permits, the City of Meniffee Community Development Department shall confirm that the Project does not include cold storage equipment for warehousing purposes. Cold storage was not included in this report and is therefore prohibited.

**MM GHG-3** The facility operator shall provide tenants with an information packet that:

- Provides information on incentive programs, such as the Carl Moyer Memorial Air Quality Standards Attainment Program (Moyer Program), and other similar funding opportunities, by providing applicable literature available from the California Air Resources Board (CARB). The Moyer Program On-Road Heavy-Duty Vehicles Voucher Incentive Program (VIP) provides funding to individuals seeking

to purchase new or used vehicles with 2013 or later model year engines to replace an existing vehicle that is to be scrapped.

- Provides information on the United States Environmental Protection Agency's SmartWay program and tenants shall be encouraged to use carriers that are SmartWay carriers.

**MM GHG-4** Prior to precise grading permit issuance, the Project shall be required to show on the precise grading plans 20 percent of the employee parking stalls on-site as "EV Capable," which includes electrical panel space and load capacity to support a branch circuit and necessary raceways, both underground and/or surface mounted, to support EV charging. In addition, 25 percent of the EV Capable parking stalls shall have electric vehicle supply equipment (EVSE) installed and operational. EVSE includes conductors, electric vehicle connectors, attachment plugs, personal protection system, and all other fittings, devices, power outlets or apparatus installed specifically for the purpose of transferring energy to the electric vehicle.

**MM GHG-5** The Project shall divert a minimum of 75-percent of landfill waste during operation. Prior to issuance of certificate of tenant occupancy permits, a recyclables collection and load area shall be constructed in compliance with City of Menifee standards for Recyclable Collection and Loading Areas, and the facility's operator shall be required to provide the City with a copy of the Project's recycling program.

**MM GHG-6** All landscaping equipment used onsite shall be 100 percent electrically powered. The building manager or their designee shall be responsible for enforcing these requirements.

**MM GHG-7** Prior to the issuance of precise grading permits, plans shall identify the location of future electric truck charging stations (minimum of three) and where conduit shall be installed to those spaces.

**Supportive Evidence:** Please refer to Draft EIR pages 4.7-21 through 4.7-27.

#### **Impact 4.7-2: Significant and Unavoidable Impact**

As shown in **Section 4.7: Greenhouse Gas Emissions**, the Project does not conflict with the applicable plans that are discussed above, and therefore, with respect to this particular threshold, the Project does not have a significant impact. However, despite plan consistency, the Project's long-term operational GHG emissions would exceed the 3,000 MTCO<sub>2</sub>e per year threshold despite the implementation of **MMs AQ-2** through **AQ-5** and **MMs GHG-1** through **GHG-7**; thus, the Project could impede California's statewide GHG reduction goals for 2030 and 2050. A potentially significant impact would therefore occur as a result of the Project.

**Mitigation Measures:** Based upon the analysis presented in **Section 4.2, Air Quality**, and **Section 4.7, Greenhouse Gas Emissions** of the Draft EIR, which is incorporated herein by reference, **MMs AQ-2** through **AQ-5**, and **GHG-1** through **GHG-7** listed above, are feasible and are made binding through the MMRP. Imposition of these mitigation measures will not reduce potentially significant impacts to less than

significant with respect to greenhouse gas emissions. As such, the impact remains significant and unavoidable. (Draft EIR, 4.7-27 through 4.7-31)

**Supportive Evidence:** Please refer to Draft EIR pages 4.7-27 through 4.7-31.

## 6.9 HAZARDS AND HAZARDOUS MATERIALS

No impacts were concluded to be significant and unavoidable.

## 6.10 HYDROLOGY AND WATER QUALITY

No impacts were concluded to be significant and unavoidable.

## 6.11 LAND USE AND PLANNING

No impacts were concluded to be significant and unavoidable.

## 6.12 MINERAL RESOURCES

No impacts were concluded to be significant and unavoidable.

## 6.13 NOISE

No impacts were concluded to be significant and unavoidable.

## 6.14 POPULATION AND HOUSING

No impacts were concluded to be significant and unavoidable.

## 6.15 PUBLIC SERVICES

No impacts were concluded to be significant and unavoidable.

## 6.16 RECREATION

No impacts were concluded to be significant and unavoidable.

## 6.17 TRANSPORTATION

No impacts were concluded to be significant and unavoidable.

## 6.18 TRIBAL CULTURAL RESOURCES

No impacts were concluded to be significant and unavoidable.

## 6.19 UTILITIES AND SERVICE SYSTEMS

No impacts were concluded to be significant and unavoidable.

## 6.20 WILDFIRE

No impacts were concluded to be significant and unavoidable.

## 7.0 FINDINGS REGARDING GROWTH INDUCING IMPACTS

CEQA Guidelines Section 15126.2(d) requires that an EIR:

*“Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.”*

Under State CEQA Guidelines section 15126.2(e), a project would be considered to have a growth-inducing effect if it would result in any of the following effects:

- Directly or indirectly foster economic or population growth, or the construction of additional housing in the surrounding environment;
- Remove obstacles to population growth (e.g., construction of an infrastructure expansion to allow for more construction in service areas);
- Increases in the population that may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects.; or
- Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

Here, the Project would not result in significant growth-inducing impacts.

First, the Project would not directly foster population growth as the Project does not involve the construction of residential uses. The Project would generate employment, but the four percent unemployment rate in Riverside County (as of October 2022) suggests that there is a need for local employment opportunities which are anticipated to be filled by people living in the City, surrounding cities, and unincorporated Riverside County. The estimated number of employees for the Project site is 860 to operate the warehouse.<sup>1</sup> Furthermore, the Project site is served by existing public roadways, and utility infrastructure would be installed beneath the public rights-of-way that abut the Project site. As a result, the Project would not be anticipated to induce substantial population growth in the Project area. (Draft EIR, p. 5-5)

Second, the Project would not remove obstacles to population growth. The Project’s development is localized to the Project site. The construction of the new infrastructure would not amend the land uses or increase density on the parcels adjacent to the Project site. Additionally, the existing residential manufactured homes are proposed to be demolished. The demolition of these structures would induce population growth since they would be replaced with the proposed warehouse facilities consistent with the existing and proposed land use and zoning designations. The Project would be an allowed and expected use within these land use zones and would therefore not create or remove an obstacle for growth. While the development of the Project would involve the expansion and updating of utility facilities such as electricity and water connections and the improvement of existing roadways, these improvements would serve the existing residences and businesses in the City and would improve services to the Project facilities

<sup>1</sup> The Project socio-economic data was based on median factors for Riverside County from the SCAG Employment Density Survey (October 31, 2001). The SCAG Study recommends a factor of 819 square feet per employee for warehousing uses and 598 square feet per employee for office uses.



and City connectivity. Substantial upgrades to the roadway system outside of the general Project area, which would promote further development, are not included as components of the Project. All infrastructure improvements associated with the Project are required of the Project itself, and do not contemplate future development in the area. All future projects in the general area would be subject to providing improvements to serve each project, as necessary. (Draft EIR, pp. 5-5 and 5-6)

Third, the Project would not tax existing community service facilities nor require the construction of new or expanded facilities that could cause significant environmental effects. The Project site is predominately vacant with legal nonconforming residential uses, which are subject to demolition. These uses required utility and infrastructure improvements in order to function. The Project would include infrastructure improvements and connections to allow for the efficient use of resources such as natural gas, electricity, and water. Improvements to the Project adjacent streets would also include underground dry utility facilities (e.g., cable, electric, telephone, natural gas, television and fiber optics) along the Project's frontage streets. The environmental impacts associated with the facility improvements associated with the Project have been analyzed throughout the Draft EIR. In cases where Project design features did not minimize significant impacts, mitigation measures have been implemented that would reduce potential impacts related to Project development to less than significant levels, with the exception of impacts associated with greenhouse gas emissions, which would remain significant and unavoidable. Furthermore, the Project would not require the expansion of utility facilities such as water treatment plants or landfills. (Draft EIR, p. 5-6)

Finally, the Project would not encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. The Project would not encourage or facilitate other development such as the construction of new housing or other developments that could potentially have a significant effect on the environment. (Draft EIR, p. 5-6)

**Finding –** The City adopts CEQA Finding 1.

The City hereby finds that the Project does not directly result in any significant growth-inducing impacts. The Project involves the creation of opportunities for industrial development.

**Supportive Evidence –** Please refer to Draft EIR pages 5-5 through 5-6.

## 8.0 FINDINGS REGARDING PROJECT ALTERNATIVES

The following alternatives were addressed in the Draft EIR:

- 1) The No Project Alternative
- 2) Reduced Square Feet on Two Buildings Alternative

### 8.1 NO PROJECT ALTERNATIVE (ALTERNATIVE 1)

**Description:** State CEQA Guidelines Section 15126.6, requires an evaluation of the "No Project" alternative for decision-makers to compare the impacts of approving a project with the impacts of not approving it. Alternative 1: No Project Alternative (Alternative 1) assumes that the Project site would not be developed,

which means there would be no warehousing facilities, landscape improvements, or surface lot improvements developed on the Project site or off-site, including street improvements.

Although this alternative assumes “No Development” (as required by CEQA), this is considered a speculative assumption as the land is assumed to remain in private ownership (as there are no offers to purchase the land for public open space use). It is more likely that, eventually, the land would be developed with some form of industrial development in keeping with the City’s General Plan land use, Economic Development Corridor – Northern Gateway, and zoning designations.

**Finding** – The City adopts Finding 3.

The City finds that Alternative 1 would not meet any of the Project objectives, as identified above as the Project site would remain in its existing condition. The Project site would not provide employment opportunities, would not facilitate the movement of goods, would not develop an industrial project/warehouse facility that is Class A and that would attract high-end tenants to increase the City’s tax base.

**Supporting Evidence** – Please see Draft EIR Pages 6-5 through 6-10.

## 8.2 REDUCED SQUARE FEET ON TWO BUILDINGS (ALTERNATIVE 2)

**Description:** Alternative 2 assumes the construction of two smaller warehouse buildings totaling approximately 595,031 SF of building space on the same 40.3-acres of land. Each of the two warehouse buildings would be approximately 297,515 SF. Compared to the Project, the total warehouse building space in Alternative 2 would be overall approximately 105,000 SF smaller or (15% smaller) than the Project.

**Finding** – The City adopts Finding 3.

The City finds that Alternative 2 would likely lead to reduced impacts in air quality, energy, greenhouse gas emissions, transportation, and utilities and service systems. The two smaller buildings would still be consistent with land use designations for the Project site. Utility demand would be decreased due to the smaller building sizes as well, along with the associated fire hazards.

However, Alternative 2 would not significantly mitigate GHG emissions to a less than significant level as emissions would be well in excess of the significance threshold. Also, Alternative 2 does not meet Project Objectives 4,5,6,7 and 10.

**Supporting Evidence** – Please see Draft EIR Pages 6-10 through 6-16.

## 9.0 FINDINGS REGARDING THE MITIGATION MONITORING AND REPORTING PROGRAM

Section 21081.6 of the Public Resources Code requires that when making findings required by Section 21081(a) of the Public Resources Code, the Lead Agency approving a project shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval, in order to ensure compliance with project implementation and to mitigate or avoid significant effects on the environment. The City hereby finds that:



- 1) A Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Project, and the mitigation measures therein. The MMRP is incorporated herein by reference and is considered part of the record of proceedings for the Project.
- 2) The MMRP designates responsibility for implementation and monitoring of proposed mitigation measures. The City's Community Development Director will serve as the overall MMRP coordinator and will be primarily responsible for ensuring that all mitigation measures are complied with.
- 3) The MMRP prepared for the Project has been adopted concurrently with these Findings. The MMRP meets the requirements of Section 21021.6 of the Public Resources Code. The City will use the MMRP to track compliance with mitigation measures. The MMRP will remain available for public review during the compliance period.

## 10.0 OTHER FINDINGS

The City hereby finds as follows:

- 1) The foregoing statements are true and correct;
- 2) The City is the "Lead Agency" for the Project evaluated in the CEQA Documents and independently reviewed and analyzed in the Draft EIR and Final EIR for the Project;
- 3) The Notice of Preparation of the Draft EIR was circulated for public review. It requested that responsible agencies respond as to the scope and content of the environmental information germane to that agency's specific responsibilities;
- 4) The public review period for the Draft EIR was for 45 days between March 13, 2024, and April 27, 2024. The Draft EIR and appendices were available for public review during that time. A Notice of Completion and copies of the Draft EIR were sent to the State Clearinghouse, and notices of availability of the Draft EIR were published by the City. The Draft EIR was available for review on the City's website. Physical copies of the environmental documents are available at the City of Menifee Community Development Department, Sun City Library, and the Menifee Library;
- 5) The CEQA Documents were completed in compliance with CEQA;
- 6) The CEQA Documents reflect the City's independent judgment;
- 7) The City evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provided adequate, good faith and reasoned responses to the comments. The City reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information to the Draft EIR regarding adverse environmental impacts. The City has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the Final EIR;

- 8) The City finds that the CEQA Documents, as amended, provide objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit all comments made during the public review period;
- 9) The CEQA Documents evaluated the following impacts: (1) aesthetics; (2) agriculture and forestry; (3) air quality; (4) biological resources; (5) cultural resources; (6) energy; (7) geology and soils; (8) greenhouse gas emissions; (9) hazards and hazardous materials; (10) hydrology and water quality; (11) land use and planning; (12) mineral resources; (13) noise; (14) population and housing; (15) public services; (16) recreation; (17) transportation and circulation; (18) tribal cultural resources; (19) utilities and service systems; (20) wildfire. Additionally, the CEQA Documents considered, in separate sections, significant irreversible environmental changes and growth-inducing impacts of the Project as well as a reasonable range of project alternatives. All of the significant environmental impacts of the Project were identified in the CEQA Documents;
- 10) The MMRP includes all of the mitigation measures identified in the CEQA Documents and has been designed to ensure compliance during implementation of the Project. The MMRP provides the steps necessary to ensure that the mitigation measures are fully enforceable;
- 11) The MMRP designates responsibility and anticipated timing for the implementation of mitigation; the City's Community Development Director will serve as the MMRP Coordinator;
- 12) In determining whether the Project may have a significant impact on the environment, and in adopting these Findings pursuant to Section 21081 of CEQA, the City has complied with CEQA Sections 21081.5 and 21082.2;
- 13) The impacts of the Project have been analyzed to the extent feasible at the time of certification of the CEQA Documents;
- 14) The City made no decisions related to approval of the Project prior to the initial recommendation of certification of the CEQA Documents. The City also did not commit to a definite course of action with respect to the Project prior to the initial consideration of the CEQA Documents.
- 15) Copies of all the documents incorporated by reference in the CEQA Documents are and have been available upon request at all times at the offices of the City of Menifee Community Development Department, the custodian of record for such documents or other materials;
- 16) The responses to the comments on the Draft EIR, which are contained in the Final EIR, clarify and amplify the analysis in the Draft EIR;
- 17) Having reviewed the information contained in the CEQA Documents and in the administrative record, the City finds that there is no new significant information regarding adverse environmental impacts of the Project in the Final EIR; and



- 18) Having received, reviewed and considered all information in the CEQA Documents, as well as all other information in the record of proceedings on this matter, these Findings are hereby adopted by the City in its capacity as the CEQA Lead Agency.

## 11.0 STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Public Resources Code Section 21081(b), and CEQA Guidelines Section 15093(a) and (b), the decision-making agency is required to balance, as applicable, the economic, legal, social, technological, or other benefits of the project against its unavoidable environmental risks when determining whether to approve a project. If the specific economic, legal, social, technological, or other benefits of the project outweigh the unavoidable adverse environmental effects, those effects may be considered “acceptable” (14 C.C.R. § 15093 (a)). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the FEIR or elsewhere in the administrative record (14 C.C.R. § 15093(b)).

Courts have upheld overriding considerations that were based on a variety of policy considerations including, but not limited to, new jobs, stronger tax base, and implementation of an agency’s economic development goals, growth management policies, redevelopment plans, the need for housing and employment, conformity to community plan, and provision of construction jobs; see *Towards Responsibility in Planning v. City Council* (1988) 200 Cal App. 3d 671; *Dusek v. Redevelopment Agency* (1985) 173 Cal App. 3d 1029; *City of Poway v City of San Diego* (1984) 155 Cal App. 3d 1037; and *Markley v. City Council* (1982) 131 Cal App.3d 656.

The City finds that all feasible mitigation measures identified in the Final EIR that are within the purview of the City would be implemented with the Project, and that the mitigation measures that may be within another agency’s discretion have been, or can and should be, adopted by that other agency.

In accordance with the requirements of CEQA and the CEQA Guidelines, the City finds that the mitigation measures identified in the Final EIR and the Mitigation Monitoring and Reporting Program (MMRP), when implemented, would avoid, or substantially lessen all of the significant effects identified in the Final EIR for the CADO Meniffee Industrial Warehouse Project (Project). However, certain significant impacts of the Project are unavoidable even after incorporation of all feasible mitigation measures. These significant unavoidable impacts would result from greenhouse gas emissions which the Project’s operational mitigated mobile source emissions would continue to exceed the SCAQMD MTCO<sub>2e</sub> threshold and even with **MM AQ-2 through AQ-3** in **Section 4.2: Air Quality** and **MMs GHG-1 through GHG-7** in **Section 4.7: Greenhouse Gas Emissions**, a significant impact would remain.

The City finds that all feasible mitigation measures identified in the Final EIR that are within the purview of the City would be implemented with the Project. As identified below, the City further finds that the remaining significant unavoidable effects are outweighed and are found to be acceptable due to the following specific overriding economic, legal, social, technological, or other benefits, based upon the facts set forth above, the Final EIR, and the record.

The City finds that any one of the benefits set forth below is sufficient by itself to warrant approval of the Project. This determination is based on the findings herein and the evidence in the record. Having balanced the unavoidable adverse environmental impacts against each of the benefits, the City hereby adopts this Statement of Overriding Considerations for the following reasons:

1. All feasible mitigation measures have been imposed to lessen Project impacts to less than significant levels; furthermore, alternatives to the Project are infeasible because while they have similar or less environmental impacts, they do not provide the economic benefits of the Project, or are otherwise socially or economically infeasible when compared to the Project, as described in the Statement of Facts and Findings.
2. The Project is consistent with and will contribute to achieving the goals and objectives established by the General Plan. Implementing the City's General Plan as a policy is a legal and social prerogative of the City. The Project would be consistent with the following General Plan Goals and Policies through the implementation of PDFs and Mitigation Measures.
3. Create employment-generating opportunities for the citizens of the City of Menifee and surrounding communities through construction and operation of the Project's industrial uses. Additional employment (estimated to be up to 860 jobs) will improve the jobs-housing balance.
4. Attract businesses that can expedite the delivery of essential goods to consumers and businesses in the City of Menifee and surrounding communities.
5. Increase in property taxes through the development of underutilized parcels, payment of DIFs, Transportation Uniform Mitigation Fees (TUMF), and fair share fees, investment in regional road and flood infrastructure spurring growth leading to increased economic output and permanent City jobs. The sales tax revenues generated on behalf of the City by the local employees within the Project site would represent a boost to the economy.
6. Facilitate the development of underutilized land currently planned for industrial uses that maximize the use of the site and respond to regional market demand.
7. Develop and operate a project that will attract quality tenants and will be competitive with other approved or proposed similar regional facilities.

Goals and policies from the Circulation Element applicable to the Project include:

**Goal C-1:**                **A roadway network that meets the circulation needs of all residents, employees, and visitors to the City of Menifee.**

**Policy C-1.1:**        Require roadways to:

- i. Comply with federal, state, and local design and safety standards.
- ii. Meet the needs of multiple transportation modes and users.
- iii. Be compatible with the streetscape and surrounding land uses.
- iv. Be maintained in accordance with best practices.

- Policy C-1.5:** Minimize idling times and vehicle miles traveled to conserve resources, protect air quality, and limit greenhouse gas emissions.
- Goal C-2:** **A bikeway and community pedestrian network that facilitates and encourages nonmotorized travel throughout the City of Menifee.**
- Policy C-2.1:** Require on- and off-street pathways to:
- Comply with federal, state, and local design and safety standards.
  - Meet the needs of multiple types of users (families, commuters, recreational beginners, exercise experts) and meet ADA standards and guidelines.
  - Be compatible with the streetscape and surrounding land uses.
  - Be maintained in accordance with best practices.
- Policy C-2.2:** Provide off-street multipurpose trails and on-street bike lanes as our primary paths of citywide travel and explore the shared use of low-speed roadways for connectivity wherever it is safe to do so.
- Policy C-2.3:** Require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, transit facilities, and other key destination points.
- Goal C-5:** **An efficient flow of goods through the city that maximizes economic benefits and minimizes negative impacts.**
- Policy C-5.1:** Designate and maintain a network of city truck routes that provides for the effective transport of goods while minimizing negative impacts on local circulation and noise-sensitive land uses.
- Policy C-5.3:** Support efforts to reduce/eliminate the negative environmental impacts of goods movement.

Goals and policies from the Community Design Element applicable to the Project include:

- Goal CD-3:** **Projects, developments, and public spaces that visually enhance the character of the community and are appropriately buffered from dissimilar land uses so that differences in type and intensity do not conflict.**
- Policy CD-3.3:** Minimize visual impacts of public and private facilities and support structures through sensitive site design and construction. This includes but is not limited to appropriate placement of facilities; undergrounding, where possible; and aesthetic design (e.g., cell tower stealthing).
- Policy CD-3.5:** Design parking lots and structures to be functionally and visually integrated and connected; off-street parking lots should not dominate the street scene.
- Policy CD-3.8:** Design retention/detention basins to be visually attractive and well-integrated with any associated project and with adjacent land uses.

- Policy CD-3.9:** Utilize Crime Prevention through Environmental Design (CPTED) techniques and defensible space design concepts to enhance community safety.
- Policy CD-3.10:** Employ design strategies and building materials that evoke a sense of quality and permanence.
- Policy CD-3.14:** Provide variations in color, texture, materials, articulation, and architectural treatments. Avoid long expanses of blank, monotonous walls or fences.
- Policy CD-3.15:** Require property owners to maintain structures and landscaping to high standards of design, health, and safety.
- Policy CD-3.16:** Avoid use of long, blank walls in industrial developments by breaking them up with vertical and horizontal façade articulation achieved through stamping, colors, materials, modulation, and landscaping.
- Policy CD-3.17:** Encourage the use of creative landscape design to create visual interest and reduce conflicts between different land uses.
- Policy CD-3.19:** Design walls and fences that are well integrated in style with adjacent structures and terrain and utilize landscaping and vegetation materials to soften their appearance.
- Policy CD-3.20:** Avoid the blocking of public views by solid walls.
- Goal CD-5:** **Economic Development Corridors that are visually distinctive and vibrant and combine commercial, industrial, residential, civic, cultural, and recreational uses.**
- Policy CD-5.4:** Locate building access points along sidewalks, pedestrian areas, and bicycle routes, and include amenities that encourage pedestrian activity in the EDC areas where appropriate.
- Policy CD-5.6:** Orient building entrance toward the street and provide parking in the rear, when possible.
- Policy CD-5.8:** Encourage adjacent commercial and industrial buildings to share open, landscaped, and/or hardscaped areas for visual relief, access, and outdoor employee gathering places.
- Goal CD-6:** **Attractive landscaping, lighting, and signage that conveys a positive image of the community.**
- Policy CD-6.3:** Require property owners to maintain the existing landscape on developed nonresidential sites and replace unhealthy or dead landscaping.
- Policy CD-6.4:** Require that lighting and fixtures be integrated with the design and layout of a project and that they provide a desirable level of security and illumination.
- Policy CD-6.5:** Limit light leakage and spillage that may interfere with the operations of the Palomar Observatory.



Goals and policies from the Open Space and Conservation Element applicable to the Project include:

- Goal OSC-4:**        **Efficient and environmentally appropriate use and management of energy and mineral resources to ensure their availability for future generations.**
- Policy OCS-4.1:**    Apply energy efficiency and conservation practices in land use, transportation demand management, and subdivision and building design.
- Policy OCS-4.2:**    Evaluate public and private efforts to develop and operate alternative systems of energy production, including solar, wind, and fuel cell.
- Goal OSC-5:**        **Archaeological, historical, and cultural resources are protected and integrated into the city's built environment.**
- Policy OCS-5.1:**    Preserve and protect archaeological and historic resources and cultural sites, places, districts, structures, landforms, objects and native burial sites, traditional cultural landscapes and other features, consistent with state law and any laws, regulations or policies which may be adopted by the city to implement this goal and associated policies.
- Policy OCS-5.3:**    Preserve sacred sites identified in consultation with the appropriate Native American tribes whose ancestral territories are within the city, such as Native American burial locations, by avoiding activities that would negatively impact the sites, while maintaining the confidentiality of the location and nature of the sacred site,
- Policy OCS-5.4:**    Establish clear and responsible policies and best practices to identify, evaluate, and protect previously unknown archaeological, historic, and cultural resources, following applicable CEQA and NEPA procedures and in consultation with the appropriate Native American tribes who have ancestral lands within the city.
- Policy OCS-5.5:**    Develop clear policies regarding the preservation and avoidance of cultural resources located within the city, in consultation with the appropriate Native American tribes who have ancestral lands within the city.
- Goal OSC-7:**        **A reliable and safe water supply that effectively meets current and future user demands.**
- Policy OCS-7.1:**    Work with the Eastern Municipal Water District (EMWD) to ensure that adequate, high-quality potable water supplies and infrastructure are provided to all development in the community.
- Policy OCS-7.2:**    Encourage water conservation as a means of preserving water resources.
- Policy OCS-7.5:**    Utilize a wastewater collection, treatment, and disposal system that adequately serves the existing and long-term needs of the community.
- Policy OCS-7.8:**    Protect groundwater quality by decommissioning existing septic systems and establishing connections to sanitary sewer infrastructure.
- Goal OSC-8:**        **Protected biological resources, especially sensitive and special status wildlife species and their natural habitats.**

- Policy OCS-8.2:** Support local and regional efforts to evaluate, acquire, and protect natural habitats for sensitive, threatened, and endangered species occurring in and around the city.
- Policy OCS-8.4** Identify and inventory existing natural resources in the City of Menifee.
- Policy OCS-8.5:** Recognize the impacts new development will have on the city's natural resources and identify ways to reduce these impacts.
- Goal OSC-9:** **Reduced impacts to air quality at the local level by minimizing pollution and particulate matter.**
- Policy OCS-9.1:** Meet state and federal clean air standards by minimizing particulate matter emissions from construction activities.
- Policy OCS-9.2:** Buffer sensitive land uses, such as residences, schools, care facilities, and recreation areas from major air pollutant emission sources, including freeways, manufacturing, hazardous materials storage, wastewater treatment, and similar uses.
- Policy OCS-9.3:** Comply with regional, state, and federal standards and programs for control of all airborne pollutants and noxious odors, regardless of source.
- Policy OCS-9.5:** Comply with the mandatory requirements of Title 24 Part 1 of the California Building Standards Code (CALGreen) and Title 24 Part 6 Building and Energy Efficiency Standards.
- Goal S-1:** **A community that is minimally impacted by seismic shaking and earthquake-induced or other geologic hazards.**
- Policy S-1.1:** Require all new habitable buildings and structures to be designed and built to be seismically resistant in accordance with the most recent California Building Code adopted by the city.
- Goal S-2:** **A community that has used engineering solutions to reduce or eliminate the potential for injury, loss of life, property damage, and economic and social disruption caused by geologic hazards such as slope instability; compressible, collapsible, expansive or corrosive soils; and subsidence due to groundwater withdrawal.**
- Policy S-2.1:** Require all new developments to mitigate the geologic hazards that have the potential to impact habitable structures and other improvements.
- Policy S-2.2:** Monitor the losses caused by geologic hazards to existing development and require studies to specifically address these issues, including the implementation of measures designed to mitigate these hazards, in all future developments in these areas.
- Policy S-2.3:** Minimize grading and modifications to the natural topography to prevent the potential for man-induced slope failures.
- Goal S-3:** **A community that is minimally disrupted by flooding and inundation hazards.**
- Policy S-3.1:** Require that all new developments and redevelopments in areas susceptible to flooding (such as the 100-year floodplain and areas known to the City to flood during

intense or prolonged rainfall events) incorporate mitigation measures designed to mitigate flood hazards.

**Goal S-4:** **A community that has effective fire mitigation and response measures in place, and as a result is minimally impacted by wildland and structure fires.**

**Policy S-4.1:** Require fire-resistant building construction materials, the use of vegetation control methods, and other construction and fire prevention features to reduce the hazard of wildland fire.

**Policy S-4.4:** Review development proposals for impacts to fire facilities and compatibility with fire areas or mitigate.

**Goal S-5:** **A community that has reduced the potential for hazardous materials contamination.**

**Policy S-5.1:** Locate facilities involved in the production, use, storage, transport, or disposal of hazardous materials away from land uses that may be adversely impacted by such activities and areas susceptible to impacts or damage from a natural disaster.

**Policy S-5.4:** Ensure that all facilities that handle hazardous materials comply with federal and state laws pertaining to the management of hazardous wastes and materials.

**Policy S-5.5:** Require facilities that handle hazardous materials to implement mitigation measures that reduce the risks associated with hazardous material production, storage, and disposal.

Goals and policies from the Land Use Element applicable to the Project include:

**Goal LU-1:** **Land uses and building types that result in a community where residents at all stages of life, employers, workers, and visitors have a diversity of options of where they can live, work, shop, and recreate within Menifee.**

**Policy LU-1.1:** Concentrate growth in strategic locations to help preserve rural areas, create place and identity, provide infrastructure efficiently, and foster the use of transit options.

**Policy LU-1.4:** Preserve, protect, and enhance established rural, estate, and residential neighborhoods by providing sensitive and well-designed transitions (building design, landscape, etc.) between these neighborhoods and adjoining areas.

**Policy LU-1.6:** Coordinate land use, infrastructure, and transportation planning and analysis with regional, county, and other local agencies to further regional and subregional goals for jobs-housing balance.

**Policy LU-1.10:** Buffer sensitive land uses, such as residences, schools, care facilities, and recreation areas from major air pollutant emission sources, including freeways, manufacturing, hazardous materials storage, and similar uses.

**Goal LU-3:** **A full range of public utilities and related services that provide for the immediate and long-term needs of the community.**

- Policy LU-3.3:** Coordinate public infrastructure improvements through the City's Capital Improvement Program.
- Policy LU-3.4:** Require that approval of new development be contingent upon the project's ability to secure appropriate infrastructure services.
- Policy LU-3.5:** Facilitate the shared use of right-of-way, transmission corridors, and other appropriate measures to minimize the visual impact of utilities infrastructure throughout Menifee.
- Policy LU-3.6:** Locate site entries and storage bays to minimize conflicts with adjacent residential neighborhoods.
- Policy LU-3.18:** Require setbacks and other design elements to buffer residential units to the extent possible from the impacts of abutting roadway, commercial, agricultural, and industrial uses.
- Goal LU-4:** **Ensure development is consistent with the Riverside County Airport Land Use Compatibility Plan.**
- Policy LU-4.1:** Ensure that land use decisions within the March Air Reserve Base and Perris Valley Airport areas of influence are consistent with applicable Airport Land Use Compatibility Plans. Comply with State law regarding projects subject to review by the Riverside County Airport Land Use Commission (ALUC).
- Policy LU-4.2:** Ensure that development proposals within the March Air Reserve Base and Perris Valley Airport areas of influence fully comply with the permit procedures specified in Federal and State law, with the referral requirements of the Airport Land Use Commission (ALUC), and with the conditions of approval imposed or recommended by the Federal Aviation Administration and ALUC, such as land use compatibility criteria, including density, intensity, and coverage standards. This requirement is in addition to all other City development review requirements.

Goals and policies from the Community Design Element applicable to the Project include:

- Goal N-1:** **Noise-sensitive land uses are protected from excessive noise and vibration exposure.**
- Policy N-1.1:** Assess the compatibility of proposed land uses with the noise environment when preparing, revising, or reviewing development project applications.
- Policy N-1.2:** Require new projects to comply with the noise standards of local, regional, and state building code regulations, including but not limited to the city's Municipal Code, Title 24 of the California Code of Regulations, the California Green Building Code, and subdivision and development codes.
- Policy N-1.3:** Require noise abatement measures to enforce compliance with any applicable regulatory mechanisms, including building codes and subdivision and zoning regulations, and ensure that the recommended mitigation measures are implemented.



**Policy N-1.7:** Mitigate exterior and interior noises to the levels listed in the table below to the extent feasible, for stationary sources adjacent to sensitive receptors:

Land Use (Residential)	Interior Standards	Exterior Standards
10 p.m. – 7 a.m.	40 Leq (10 minute)	45 Leq (10 minute)
7 a.m. – 10 p.m.	55 Leq (10 minute)	65 Leq (10 minute)

**Policy N-1.8:** Locate new development in areas where noise levels are appropriate for the proposed uses. Consider federal, state, and city noise standards and guidelines as a part of new development review.

**Policy N-1.9:** Limit the development of new noise-producing uses adjacent to noise-sensitive receptors and require that new noise-producing land are designed with adequate noise abatement measures.

**Policy N-1.13:** Require new development to minimize vibration impacts to adjacent uses during demolition and construction.

Although significant impacts will remain, the City will mitigate any significant adverse impacts to greenhouse gas emissions to the maximum extent practicable. In its decision to approve the Project, the Planning Commission has considered the Project benefits to outweigh the environmental impacts.

## 12.0 CERTIFICATION OF THE FINAL EIR

The Planning Commission certifies that the Final EIR was prepared in compliance with CEQA and the CEQA Guidelines and that the Planning Commission has complied with CEQA's procedural and substantive requirements.

The Planning Commission further certifies that it has reviewed and considered the EIR in evaluation of the Project and that the EIR reflects the independent judgment and analysis of the Planning Commission. The Planning Commission further finds that no new significant information as defined by CEQA Guidelines Section 15088.5, has been received by the Planning Commission after the circulation of the Draft EIR that would require further recirculation.

Accordingly, the Planning Commission certifies the Final EIR for the CADO Meniffee Industrial Warehouse Project.

As the decision-making body for approval, the Planning Commission has reviewed and considered the information contained in the Findings and supporting documentation. The Planning Commission determines that the Findings contain a complete and accurate reporting of the unavoidable impacts and benefits of the Project as detailed in the Statement of Overriding Considerations.

**Attachment A**

**Mitigation Monitoring and Reporting Program**

CADO Meniffee Industrial Warehouse Project

## **SECTION 1: AUTHORITY**

This environmental Mitigation Monitoring and Reporting Program (Program) has been prepared pursuant to Section 21081.6 of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and CEQA Guidelines (14 Cal. Code Regs. Section 15000 et seq.) Sections 15091(d) and 15097 to ensure implementation of and provide for the monitoring of mitigation measures required of the CADO Menifee Industrial Warehouse Project (Project), as set forth in the Final Environmental Impact Report (EIR) prepared for the Project. This report will be kept on file in the offices of the CEQA Lead Agency, the City of Menifee (City).

As noted in the EIR, the Project has been designed to avoid sensitive resources, as reflected in Project design plans and in Project Design Features (PDFs). In addition, the EIR addresses the potential environmental impacts of the Project, and, where appropriate, recommends mitigation measures to avoid or substantially lessen significant environmental impacts. The Program detailed in the matrix table below is designed to monitor and ensure implementation of all mitigation measures that are adopted for the Project.

The City of Menifee (City) is the lead agency for the Project and assumes ultimate enforcement responsibilities for implementation of all mitigation measures listed in this Program. The City may assign responsibility for implementation or monitoring to appropriate designees such as a construction manager or third-party monitor. However, as the lead agency, the City remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with this Program. In some cases, the City is required to secure permits or approvals from third-party agencies in order to implement a mitigation measure. In these cases, the City is responsible for verifying that such permits or approvals have been obtained in accordance with the conditions stipulated in the mitigation measure. The City's existing planning, engineering, operations, and procurement review and inspection processes will be used as the basic foundation for the Program procedures and will also serve to provide the documentation for the reporting program.

## **SECTION 2: MONITORING SCHEDULE**

Prior to construction, while detailed design plans are being prepared by the developer or its agents, City staff will be responsible for ensuring compliance with mitigation monitoring applicable to the Project construction, development, and design phases. Once construction has begun and is underway, monitoring of the mitigation measures associated with construction will be included in the responsibilities of City staff, who shall prepare or cause to be prepared periodic monitoring reports as appropriate. Regulatory agencies will have to harmonize CEQA mitigation with regulatory permit conditions and monitoring/reporting as part of the regulatory permitting process and will likely require submittal of formal monitoring reports. Once construction has been completed, the City will monitor the project as specified in the mitigation measures or as otherwise deemed necessary. At minimum, the City will prepare a mitigation monitoring status report prior to commencing construction, prior to commencing operations, within 90 days of commencing operations, and following completion of the first full year of operations.

**SECTION 3: SUPPORT DOCUMENTATION**

Findings and related documentation supporting the findings involving modifications to mitigation measures shall be maintained in the Project file with the Mitigation Monitoring and Reporting Program and shall be made available to the public upon request.

**SECTION 4: FORMAT OF MITIGATION MONITORING MATRIX**

The mitigation monitoring matrix on the following pages identifies the environmental issue areas for which monitoring is required, the required mitigation measures, the time frame for monitoring, and the responsible implementing and monitoring agencies.

**SECTION 5: DEFINITIONS**

The following list provides definitions for acronyms used in the mitigation monitoring and reporting program.

<i><b>Acronyms/Abbreviation</b></i>	<i><b>Description</b></i>
AQ.....	Air Quality
BIO.....	Biological Resources
BMPs.....	Best Management Practices
CARB.....	California Air Resources Board
CDFW.....	California Department of Fish and Wildlife
CEQA.....	California Environmental Quality Act
City.....	City of Menifee
County.....	County of Riverside
CUL.....	Cultural Resources
EV.....	Electric Vehicle
GEO.....	Geology and Soils
HAZ.....	Hazards
MM.....	Mitigation Measure
Moyer Program.....	Carl Moyer Memorial Air Quality Standards Attainment Program
MSHCP.....	Multiple Species Habitat Conservation Plan
PRD.....	Permit Registration Documents
PRIMP.....	Paleontological Resource Mitigation Program
SCAQMD.....	South Coast Air Quality Management District
SMARTS.....	Storm Water Multiple Application and Report Tracking System



SWPPP .....Stormwater Pollution Prevention Plan  
State.....State of California  
TDM .....Transportation Demand Management  
VIP .....Voucher Incentive Program  
WAIRE .....Warehouse Actions and Investments to Reduce Emissions Program  
WQMP .....Water Quality Management Plan

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<b>AIR QUALITY</b>				
<b>MM AQ-1:</b> Prior to the issuance of grading or building permits, the City Engineer shall confirm that the Grading Plan, Building Plans and Specifications require all unpaved off-site access roads to either be stabilized using a chemical dust suppressant or paved prior to the start of the grading phase of construction.	Project Applicant; Construction Contractor	Prior to issuance of grading or building permit	City of Menifee Engineering Department	
<b>MM AQ-2:</b> The Project's contractors shall be prohibited from idling heavy equipment for more than three minutes and prohibited from being in the "on" position for more than 10 hours per day. The Project's general contractor shall designate an officer to monitor the construction equipment operators on-site for compliance.	Project Applicant; Construction Contractor	Ongoing during construction	City of Menifee Building and Safety Division and Engineering Department	
<b>MM AQ-3:</b> Prior to issuance of tenant occupancy permits (not building shell permits), the Project operator shall prepare and submit a Transportation Demand Management (TDM) program detailing strategies that would reduce the use of single-occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool, and transit. The TDM shall include, but is not limited to the following: <ul style="list-style-type: none"> <li>Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options.</li> <li>Incorporate bicycle parking and storage, and self-service bicycle repair areas.</li> <li>Provide on-site meal options in employee break areas as well as kitchen amenities to prepare and/or heat meals.</li> <li>Provide a ride-matching service (e.g., bulletin boards, website, smartphone application) to connect carpool participants and provide preferential parking for rideshare vehicles to support carpool/vanpool/rideshare transportation modes.</li> <li>Post Riverside Transit Agency schedules in conspicuous areas.</li> <li>Reference Riverside Transit Agency schedules when creating employees' operating schedules.</li> </ul>	Project Applicant; Project Operator	Prior to issuance of Certificate of Occupancy, ongoing	City of Menifee Community Development Department	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p><b>MM AQ-4:</b> All outdoor cargo handling equipment (such as yard trucks, hostlers, yard goats, pallet jacks, and forklifts) shall be zero emission (i.e., powered by electricity or other alternative fuels). The warehouse building shall include the necessary charging stations for cargo handling equipment. The building manager or their designee shall be responsible for enforcing these requirements.</p>	Project Applicant; Construction Contractor; Building manager	Ongoing, after issuance of Certificate of Occupancy	City of Menifee Community Development Department	
<p><b>MM AQ-5:</b> Prior to the issuance of a tenant occupancy permit, the Community Development Department shall confirm that all truck access gates and loading docks within the project site shall have posted signage that states:</p> <ul style="list-style-type: none"> <li>Truck drivers shall turn off engines when not in use.</li> <li>Truck drivers shall shut down the engine after three minutes of continuous idling operation (pursuant to City of Menifee's Industrial Good Neighbor Policies). Once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged.</li> <li>Telephone numbers of the building facilities manager, the SCAQMD, and CARB to report violations.</li> <li>Signs shall also inform truck drivers about the health effects of diesel particulates, the California Air Resources Board diesel idling regulations, and the importance of being a good neighbor by not parking in residential areas.</li> <li>The Operator shall designate an officer to monitor trucks on-site for compliance.</li> <li>To the extent feasible, the Project shall restrict the turns trucks can make entering and exiting the facility to route trucks away from sensitive receptors by posting signs at every truck exit driveway providing directional information to head northbound to Ethanac Road (designated truck route).</li> <li>Signs and drive aisle pavement markings shall clearly identify the on-site circulation pattern to minimize unnecessary on-site vehicular travel.</li> <li>All signage installed as part of the Project shall be legible, durable, and weather-proof</li> </ul>	Project Applicant	Prior to the issuance of tenant occupancy permit	City of Menifee Community Development Department	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p><b>HRA-1:</b> Prior to issuance of grading permits, the applicant shall prepare and submit documentation to the City of Menifee that demonstrate the following:</p> <ul style="list-style-type: none"><li>All off-road diesel-powered construction equipment greater than 50 horsepower meets California Air Resources Board Tier 4 Final off-road emissions standards or incorporate CARB Level 3 Verified Diesel Emission Control Strategy (VDECS). These requirements shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. A copy of each unit's Best Available Control Technology (BACT) documentation (certified tier specification or model year specification), and CARB or SCAQMD operating permit (if applicable) shall be provided to the City at the time of mobilization of each applicable unit of equipment.</li></ul>	Project Applicant	Prior to issuance of grading permit	City of Menifee Community Development Department	

BIOLOGICAL RESOURCES				
<p><b>MM BIO-1:</b> If construction occurs between February 1<sup>st</sup> and August 31<sup>st</sup>, a pre-construction clearance survey for nesting birds shall be conducted within three days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the pre-construction clearance survey, construction activities should stay outside of a no-disturbance buffer. The size of the no-disturbance buffer (generally 300 feet for migratory and non-migratory songbirds and 500 feet raptors and special-status species) will be determined by the wildlife biologist and will depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and the construction activity, type and duration of construction activity, ambient noise, species habituation, and topographical barriers. These factors will be evaluated on a case-by-case basis when developing buffer distances. Limits of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A biological monitor should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive</p>	Project Applicant; Qualified Biologist	Prior to ground disturbance activities or any vegetation removal	Biological Monitor and City of Menifee Community Development Department	



Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
under natural conditions, construction activities within the buffer area can occur.				
<b>MM BIO-2:</b> The Project Developer shall retain a qualified biologist to conduct a 30-day pre-construction survey for burrowing owl. The results of the single one-day survey shall be submitted to the City prior to obtaining a grading permit. If at any time there is a lapse of Project activities for 30 days or more, another burrowing owl survey shall be conducted and submitted to the City. If burrowing owl are not detected during the pre-construction survey, no further mitigation is required. If active burrowing owl burrows are detected during the breeding season, the on-site biologist will review and establish a conservative avoidance buffer surrounding the nest based on their best professional judgment and experience and verify compliance with this buffer and will verify the nesting effort has finished. Work can resume when no other active burrowing owl nesting efforts are observed. If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation pursuant to a Burrowing Owl Plan that shall be prepared by the Applicant and approved by the City in consultation with CDFW, or the Project Developer shall stop construction activities within the buffer zone established around the active nest and shall not resume construction activities until the nest is no longer active. The Burrowing Owl Plan shall be prepared in accordance with guidelines in the MSHCP. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied and backfilled to ensure that animals do not reenter the holes/dens.	Project Applicant; Qualified Biologist	Prior to ground disturbance activities; Prior to issuance of grading permit	Biological Monitor; City of Menifee Community Development Department; CDFW (if active burrowing owl burrows are detected during the breeding season))	
<b>GEOLOGY AND SOILS</b>				
<b>MM GEO-1:</b> Initial site preparation shall commence with removal of debris, deleterious materials, and vegetation within the limits of the planned improvements. These materials shall be properly disposed of off-site. Voids resulting from removing any materials shall be replaced with engineered fill materials with expansion characteristics similar to the on-site materials.	Project Applicant; Project geotechnical consultant and general contractor	During construction activities	City of Menifee Engineering Department	
<b>MM GEO-2:</b> Prior to issuance of grading permits, the Applicant/Developer will retain a qualified paleontologist to create and implement a Paleontological Resource Mitigation Program (PRIMP). The project paleontologist would review the grading plan and conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements, to be	Project Applicant; Qualified Paleontologist	Prior to issuance of grading permit	City of Menifee Community Development Department	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
documented in the PRIMP. The PRIMP would be submitted to the City for review and approval prior to issuance of a grading permit. Information contained in the PRIMP would minimally include:  1. Description of the project site and proposed grading operations. 2. Description of the level of monitoring required for earth-moving activities. 3. Identification and qualifications of the paleontological monitor to be employed during earth moving. 4. Identification of personnel with authority to temporarily halt or divert grading to allow recovery of large specimens. 5. Direction for fossil discoveries to be reported to the developer and the City. 6. Means and methods to be employed by the paleontological monitor to quickly salvage fossils to minimize construction delays. 7. Sampling methods for sediments that are likely to contain small fossil remains, if any. 8. Procedures and protocol for collecting and processing of samples and specimens, as necessary. 9. Fossil identification and curation procedures. 10. Identification of the repository to receive fossil material. 11. All pertinent maps and exhibits. 12. Procedures for reporting of findings. 13. Acknowledgment of the developer for content of the PRIMP and acceptance of financial responsibility for monitoring, reporting, and curation				
<b>GREENHOUSE GAS EMISSIONS</b>				
<b>MM GHG-1:</b> Prior to issuance of tenant occupancy permits, the Project shall be required to install a minimum 49 kwdc solar photovoltaic (PV) system or offset an equivalent amount of energy demand through the purchase of renewable energy or implementation of alternative renewable measures, subject to approval by the Community Development Director or his/her designee. To allow future operators to earn WAIRE Program points pursuant to SCAQMD's Rule 2305, the exact timing of the PV system installation may be modified at the discretion of the Community Development Director or his/her designee. The final PV generation facility size requires approval by Southern California Edison (SCE). SCE's Rule 21 governs operating and	Project Applicant	Prior to issuance of tenant occupancy permit or determined by Community Development Director or his/ her designee	Project Owner and/or Operator; City of Menifee Building and Safety Division and Community Development Department	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
metering requirements for any facility connected to SCE's distribution system. Should SCE limit the off-site export, the proposed Project may utilize a battery energy storage system (BESS) to lower off-site export while maintaining on-site renewable generation to off-set consumption. The building shall include an electrical system and other infrastructure sufficiently sized to accommodate the PV arrays. The electrical system and infrastructure must be clearly labeled with noticeable and permanent signage.  In addition, to ensure that the Project's electrical room(s) is sufficiently sized to accommodate the potential need for additional electrical panels, prior to building permit issuance, either (1) a secondary electrical room shall be provided in the building, or (2) the primary electrical room shall be sized 25 percent larger than is required to satisfy the service requirements of the building or the electrical gear shall be installed with the initial construction with 25 percent excess demand capacity				
<b>MM GHG-2:</b> Prior to the issuance of building permits and prior to issuance of tenant occupancy permits, the City of Menifee Community Development Department shall confirm that the Project does not include cold storage equipment for warehousing purposes. Cold storage was not included in this report and is therefore prohibited.	Project Applicant	Prior to issuance of building permit or tenant occupancy permit	City of Menifee Community Development	
<b>MM GHG-3:</b> The facility operator shall provide tenants with an information packet that: <ul style="list-style-type: none"> <li>Provides information on incentive programs, such as the Carl Moyer Memorial Air Quality Standards Attainment Program (Moyer Program), and other similar funding opportunities, by providing applicable literature available from the California Air Resources Board (CARB). The Moyer Program On-Road Heavy-Duty Vehicles Voucher Incentive Program (VIP) provides funding to individuals seeking to purchase new or used vehicles with 2013 or later model year engines to replace an existing vehicle that is to be scrapped.</li> <li>Provides information on the United States Environmental Protection Agency's SmartWay program and tenants shall be encouraged to use carriers that are SmartWay carriers.</li> </ul>	Project Applicant; Project Operator	Prior to issuance of tenant occupancy permits	City of Menifee Community Development Department	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<b>MM GHG-4:</b> Prior to precise grading permit issuance, the Project shall be required to show on the precise grading plans 20 percent of the employee parking stalls on-site as "EV Capable," which includes electrical panel space and load capacity to support a branch circuit and necessary raceways, both underground and/or surface mounted, to support EV charging. In addition, 25 percent of the EV Capable parking stalls shall have electric vehicle supply equipment (EVSE) installed and operational. EVSE includes conductors, electric vehicle connectors, attachment plugs, personal protection system, and all other fittings, devices, power outlets or apparatus installed specifically for the purpose of transferring energy to the electric vehicle.	Project Applicant	Prior to issuance of precise grading permit	City of Menifee Community Development Department	
<b>MM GHG-5:</b> Prior to issuance of Certificate of Occupancy, the Project shall be required to provide 20 percent of the employee parking stalls on-site as "EV ready," with all necessary conduit and related appurtenances installed. Five percent of the EV ready parking stalls shall have Level 2 Quickcharge EV charging stations installed and operational. Signage shall be installed indicating EV charging stations/stalls and specifying stalls that are reserved for clean air/EV vehicles.	Project Applicant	Prior to issuance of Certificate of Occupancy	City of Menifee Building and Safety Division and Community Development Department	
<b>MM GHG-6:</b> All landscaping equipment used on-site shall be 100 percent electrically powered. The building manager or their designee shall be responsible for enforcing these requirements.	Project Applicant; Project operator	Ongoing	City of Menifee Community Development Department and Code Enforcement	
<b>MM GHG-7:</b> Prior to the issuance of precise grading permits, plans shall identify the location of future electric truck charging stations (minimum of three) and where conduit shall be installed to those spaces.	Project Applicant	Prior to issuance of grading permit	City of Menifee Community Development Department	
<b>HYDROLOGY AND WATER QUALITY</b>				
<b>MM HYD-1:</b> Prior to commencing grading, the Project Applicant shall comply with applicable construction water quality regulations including the NPDES General Construction Permit, which shall be obtained from the Regional Water Quality Control Board. This process requires that the applicant electronically submit Permit Registration Documents (PRDs) prior to commencement of construction activities in the Storm Water Multiple Application and Report Tracking System (SMARTS). PRDs consist of the NOI, Risk Assessment, Post-Construction Calculations, a Site Map, the SWPPP, a signed certification statement by the Legally Responsible Person, and the first annual fee.	Project Applicant	Prior to grading activity	City of Menifee Engineering Department; RWQCB	



Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>The required Stormwater Pollution Prevention Plan (SWPPP) must be submitted to the City of Menifee Engineering Department for review and approval, identifying specific actions and Best Management Practices (BMPs) to prevent stormwater pollution during construction activities. The SWPPP shall identify a practical sequence for BMP implementation, site restoration, contingency measures, responsible parties, and agency contacts. The SWPPP shall include but not be limited to the following elements:</p> <p>A. Compliance with the requirements of the State of California's most current Construction Stormwater Permit.</p> <p>B. Temporary erosion control measures shall be implemented on all disturbed areas.</p> <p>C. Disturbed surfaces shall be treated with erosion control measures during the October 15 to April 15 rainy season.</p> <p>D. Sediment shall be retained on-site by a system of sediment basins, traps, or other BMPs.</p> <p>E. The construction contractor shall prepare Standard Operating Procedures for the handling of hazardous materials on the construction site to eliminate discharge of materials to storm drains.</p> <p>F. BMP performance and effectiveness shall be determined either by visual means where applicable (e.g., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination (such as inadvertent petroleum release) is required by the Santa Ana RWQCB to determine adequacy of the measure.</p> <p>G. In the event of significant construction delays or delays in final landscape installation, native grasses or other appropriate vegetative cover shall be established on the construction site as soon as possible after disturbance, as an interim erosion control measure throughout the duration of construction.</p> <p>H. Prior to the issuance of the first grading permit, the Project Applicant shall submit the Final Tentative Parcel Map that includes the water quality BMPs for approval by the City of Menifee Engineer. The City of</p>				

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
Meniffee Engineer shall ensure that all applicable water quality standards are met before approving the SWPPP.				
<b>MM HYD-2:</b> The Project Applicant shall prepare a Final Project-Specific Water Quality Management Plan (WQMP) with O&M Plan for submittal together with the associated grading and improvement plans which must be approved prior to the issuance of a building or grading permit. These documents shall be prepared in accordance with applicable City (Meniffee) and County (Riverside) water quality requirements, for review and approval by the City of Meniffee Engineering Department, including the following: <ul style="list-style-type: none"><li>• Site Design Best Management Practices (BMPs)</li><li>• Source Control BMPs</li><li>• Treatment Control BMPs</li><li>• BMP Sizing</li><li>• Equivalent Treatment Control Alternatives</li><li>• Regionally-Based Treatment Control BMPs</li><li>• O&amp;M Responsibility for Treatment Control BMPs</li></ul>	Project Applicant	Prior to issuance of grading permits	City of Meniffee Engineering Department	
<b>MM HYD-3:</b> Prior to issuance of grading permits, the Project Applicant shall submit final grading plans for review and approval by the City of Meniffee, including final drainage design plans supported by a final drainage study. The tract maps, grading plans, and final drainage study shall demonstrate compliance with applicable City and County drainage plans, policies, design guidelines and regulations including but not limited to City of Meniffee Municipal Code Chapter 8.26 Grading Regulations.	Project Applicant	Prior to issuance of grading permits	City of Meniffee Engineering Department	

## RESOLUTION NO. 24-\_\_\_\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENIFEE, CALIFORNIA APPROVING TENTATIVE PARCEL MAP NO. 38139 (PLN 22-0041) TO COMBINE EIGHT PARCELS INTO ONE PARCEL, AND PLOT PLAN NO. PLN 21-0370 FOR THE 700,037 SQ. FT. WAREHOUSE/INDUSTRIAL BUILDING ON APPROXIMATELY 40.03 GROSS ACRES LOCATED NORTH OF CORSICA LANE, SOUTH OF KUFFEL ROAD, EAST OF WHEAT STREET, AND WEST OF BYERS ROAD.**

**WHEREAS**, on November 15, 2021, the applicant, CADO Menifee, LLC (“Applicant”), filed a formal application with the City of Menifee for the approval of Tentative Parcel Map (“TPM”) No. 38139 (PLN 22-0041) to consolidate eight parcels into one industrial parcel for a total of approximately 40.03 gross acres and 36.81 net acres, and Plot Plan (“PP”) No. PLN 21-0370 for the construction of a 700,037 square-foot warehouse/industrial building with 10,000 square feet of office space and 690,037 square feet of warehouse space on the same 40.03 gross acre site. The Project site is generally located north of Corsica Lane, south of Kuffel Road, east of Wheat Street, and west of Byers Road within the City of Menifee (City), County of Riverside, State of California (APNs: 330-190-002 through -005 and 330-190-010 through -013); and

**WHEREAS**, collectively, all the applications are referred to as the “Project” or “CADO Menifee Industrial Warehouse Project”; and

**WHEREAS**, Conditions of Approval for TPM No. 38139 and PP No. PLN 21-0370 have been prepared and attached hereto as Exhibit “A” of the resolution; and

**WHEREAS**, on August 14, 2024, the Planning Commission of the City of Menifee held a public hearing on the Project, considered all public testimony as well as all materials in the staff report and accompanying documents for the Project including the consideration of the Final Environmental Impact Report (“FEIR”), which hearing was publicly noticed by a publication in *The Press Enterprise*, a newspaper of general circulation, an agenda posting, notices placed on the Project site, notice to property owners and non-owner residents within 300 feet of the Project boundaries, notice to all relevant agencies and to persons requesting notification; and

**WHEREAS**, all other legal prerequisites to the adoption of this resolution have occurred.

**NOW, THEREFORE**, the Planning Commission of the City of Menifee resolves as follows:

**Section 1:** The City of Menifee’s Planning Commission hereby makes the following findings for TPM No. 38139 (PLN 22-0041) in accordance with Title 7, Article 2, Chapter 7.20.090 “Findings for Approval for Tentative Maps” of the City of Menifee Subdivision Code:

**Finding 1 - The proposed subdivision and the design and improvements of the subdivision is consistent with the Development Code, General Plan, any applicable specific plan, and the Menifee Municipal Code.**

The Project site is designated Economic Development Corridor –

Northern Gateway (“EDC-NG”), according to the City of Menifee General Plan. The proposed TPM would combine eight parcels (APNs 330-190-002 through -005 and 330-190-010 through -013) totaling 40.03 gross acres into one parcel to accommodate the development of the site. The majority of the Project site is vacant and undeveloped. One of the existing parcels contains two single-family residential structures and associated out-buildings; the existing structures are proposed to be demolished. Vehicular access to the site is provided via Ethanac Road to Wheat Street or Byers Road. These roadways would provide the necessary fire access roads. The Project meets the requirements of the Development Code and General Plan.

Furthermore, staff has reviewed and conditioned the subdivision for consistency with subdivision ordinance requirements for lot sizes and dimensions, streets, domestic water, fire protection, sewage disposal, and other applicable requirements. The subdivision is consistent with the Subdivision Ordinance requirements.

- Finding 2 - The tentative map does not propose to divide land which is subject to a contract entered into pursuant to the California Conservation Act of 1965, or the land is subject to a Land Conservation Act contract but the resulting parcels following division of the land will be of an adequate size to sustain their agricultural use.**

The tentative map does not propose to divide land which is subject to a contract entered into pursuant to the California Land Conservation Act of 1965.

- Finding 3 - The site is physically suitable for the type of development and the proposed land use of the development.**

The proposed Project includes the proposal for a TPM; the subject site is relatively flat and does not contain steep slopes or other features that would be incompatible with the proposed development. The surrounding area is also relatively flat. The Project site has a natural drainage pattern to the northeast corner. The Project proposes to preserve the existing drainage pattern. Therefore, the site is physically suitable for the type of development and the proposed land use of the site.

The Project has been reviewed by various Departments to ensure compliance with applicable regulations, including, but not limited to City of Menifee Community Development Department, Engineering and Public Works Department, Police Department, and the Office of the Fire Marshal, as well as the Riverside County Department of Environmental Health. These Departments have provided conditions of approval as appropriate to ensure compliance with applicable regulations.

- Finding 4 - The design of the subdivision and the proposed improvements, with conditions of approval, are either:**

- 1. Not likely to cause significant environmental damage or substantially and avoidable injure fish or wildlife or their habitat;**  
**or**



**2. Subject to an environmental impact report under which a finding has been made pursuant to Public Resources Code Section 21081(a)(3) that specific economic, social, or other considerations make infeasible mitigation measures or project alternatives identified in the environmental impact report.**

Pursuant to the California Environmental Quality Act (“CEQA”), an Environmental Impact Report (“EIR”) was prepared for the Project. In the EIR, it was found that with implementation of mitigation measures, the proposed Project would not result in any significant impacts related to biological resources such as plant and animal species or their habitat. A Mitigation Monitoring and Reporting Plan (“MMRP”) was prepared and identifies all mitigation measures that will be required for the Project.

Biological reports were conducted to determine sensitive plant and animal species onsite and applicable mitigation measures included in the EIR were included for their protection. The EIR also includes additional reports to determine consistency with the Western Riverside County Multiple Species Habitat Conservation Plan (“MSHCP”) such as riparian/riverine areas, vernal pools, narrow endemic plant species, burrowing owl, and fairy shrimp. Review and mitigation coordination occurred with the applicable state and federal wildlife agencies.

The MSHCP does not identify any covered or special-status fish species as potentially occurring on the Project site. Further, no fish or hydrogeomorphic features (e.g., perennial creeks, ponds, lakes, reservoirs) that would provide suitable habitat for fish were observed on or within the vicinity of the Project site. Therefore, no fish are expected to occur and are presumed absent from the Project site. In addition, the EIR discusses amphibians, reptiles, birds, mammals, and invertebrates. Any significant impacts associated with biological resources have been mitigated to less than significant. In addition, standard conditions of approval pertaining to Stephens Kangaroo Rat and cultural resources still apply in this case and shall be addressed as part of standard monitoring in the Conditions of Approval. As such, the subdivision will not cause environmental damage or injure fish, wildlife, or their habitat.

The CADO Menifee Industrial Warehouse Project EIR (State Clearinghouse No. 2022040622) has been completed for the Project and will be certified by the Planning Commission pursuant to a separate resolution. The TPM at issue is consistent with the EIR, which the Planning Commission has considered as part of its proceedings.

**Finding 5 - The design of the subdivision and the type of improvements are not likely to cause serious public health problems.**

The proposed subdivision is being proposed concurrently with PP No. PLN 21-0370. The Project has been reviewed and conditioned by the City of Menifee Community Development, Engineering, and Police Departments, as well as the Office of the Fire Marshal and the Riverside County Department of Environmental Health to ensure it will not create conditions materially detrimental to the surrounding uses. In addition, environmental impacts resulting from the implementation of the Project

and associated subdivision have been analyzed in the EIR. The EIR determined that potential impacts would all be less than significant with the necessary mitigation incorporated, except for significant and unavoidable impacts to Greenhouse Gas (GHG) Emissions. A Statement of Overriding Considerations (“SOOC”) is included for the EIR stating that the impacts of the Project are outweighed by the benefits of the Project. With the exception of the environmental category (GHG Emissions), the proposed entitlements are not anticipated to create conditions materially detrimental to the public health, safety and general welfare or injurious to or incompatible with other properties or land uses in the Project vicinity.

**Finding 6 - The design of the subdivision provides for future passive or natural heating or cooling opportunities in the subdivision to the extent feasible.**

This TPM would create one parcel for construction of an industrial building pursuant to PP No. PLN 21-0370. The Project will be designed with passive or natural heating opportunities such as solar amenities. Energy efficiency/energy conservation attributes of the Project would be complemented by increasingly stringent state and federal regulatory actions addressing enhanced building/utilities energy efficiencies mandated under California building codes (e.g., California Code of Regulations Title 24, including requirements for energy efficiency, thermal insulation, and solar panels and California Green Building Standards Code). Compliance with applicable Title 24 standards would ensure that the Project energy demands would not be inefficient, wasteful, or otherwise unnecessary.

**Finding 7 - The design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision, or the design of the alternate easements which are substantially equivalent to those previously acquired by the public will be provided.**

The subdivision makes provisions for all existing and future easements for all utilities and public use purposes to avoid any conflict.

**Finding 8 - The subdivision is consistent with the City's parkland dedication requirements (per the Quimby Act) as applicable, in accordance with Chapter 7.75 (Parkland Dedication and fees).**

This Project is for the subdivision of a proposed industrial development and does not include residential units. For this reason, no Quimby Act fees or dedications are required.

**Section 2:** The City of Menifee's Planning Commission hereby makes the following findings for PP No. PLN 21-0370 in accordance with Title 9, Article 2, Chapter 9.80.70, "Findings for Approval for Plot Plans" of the City of Menifee Comprehensive Development Code:

**Finding 1 - The proposed design and location of the Plot Plan is consistent with the adopted General Plan and any applicable specific plan.**

The Project site has a General Plan land use designation of EDC-NG which is intended to provide economic vitality and flexibility in land use options to promote economic development along the City's major corridors. All development and design standards of the City of Menifee Development Code have been uniformly applied to the entirety of the Project, and the Project is consistent with the General Plan.

In addition, the Project is consistent with the following City of Menifee General Plan policies:

- *LU-1.1: Concentrate growth in strategic locations to help preserve rural areas, create place and identity, provide infrastructure efficiently, and foster the use of transit options.*

The proposed industrial Project is in close proximity (approximately 300 feet) to Ethanac Road, a designated truck route per the City's General Plan. Ethanac Road directly connects to the I-215 freeway interchange. The location is well suited for industrial development to promote easily accessible routes for employees and delivery personnel and the location helps concentrate activity and development near the major transit corridors of the City as opposed to the rural areas or traveling through residential areas.

- *LU-1.5: Support development and land use patterns, where appropriate, that reduce reliance on the automobile and capitalize on multimodal transportation opportunities.*

The Project's infrastructure improvements include new roadways, roadway widening, intersection improvements such as traffic signals and turn lanes, bike routes, and sidewalks. All these improvements will help promote multimodal transportation opportunities for employees and residents surrounding the Project site.

- *CD-3.5 Design parking lots and structures to be functionally and visually integrated and connected; off-street parking lots should not dominate the street scene.*

Perimeter landscaping have been provided to visually screen the parking lots, truck court, and drive aisles from surrounding roadways.

- *CD-3.9 Utilize Crime Prevention through Environmental Design (CPTED) techniques and defensible space design concepts to enhance community safety.*

The Project is required to include security cameras at the entrances as well as within the property and the site has been designed to limit concealed areas to allow for greater visibility and security.

- *CD-3.12: Utilize differing but complementary forms of architectural styles and designs that incorporate representative characteristics of a given area.*

The proposed industrial Project utilizes industrial architecture which focuses on efficiency for processing goods and products. The building is designed to prioritize employee safety and functionality. Nonetheless, the building is still designed to meet the City's Industrial Good Neighbor Policies, as well as City of Menifee Design Guidelines such as building form, roof form, massing and articulation, materials and colors, windows, doors, and entries.

- *CD-3.14 Provide variations in color, texture, materials, articulation, and architectural treatments. Avoid long expanses of blank, monotonous walls or fences.*

The architecture of the Project incorporates varied colors, recesses, material changes, varied roof lines, wall plane changes, accent materials, and other architectural treatments that break up wall areas to avoid long expanses of blank, monotonous walls. Screen walls have also been designed to incorporate architectural elements from the building for compatibility. Additionally, densely perimeter landscaping is proposed to reduce the visual height of the building and truck court walls from the public rights-of-way and to provide a visually pleasing street scene.

**Finding 2 - The proposed project meets all applicable standards for development and provisions of this title.**

Per section 9.80.020 "Applicability" of the Development code, new construction of non-residential projects of more than 2,500 square feet of floor area requires the processing of a PP. The PP is for the site and architectural review, to allow for the construction of one 700,037 square foot industrial building.

The Project was reviewed against the City's Development Code, Industrial Good Neighbor Policies, and Design Guidelines. The design of the Project is consistent with the development standards of the Development Code and the Industrial Good Neighbor Policies and Industrial Design Guidelines. Therefore, the proposed design and location of the PP meets all applicable standards of development and operation of the City's Zoning Code, including any applicable specific use

regulations.

**Finding 3 - The establishment, maintenance, or operation of the proposed project will not be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of such use or to the general welfare of the City.**

To ensure the Project would not affect the general health, safety and/or welfare of the community, an EIR was prepared to analyze potential impacts to the surrounding persons residing or working in the community. The EIR examined the Project including planning, construction and operation and determined potential impacts would all be less than significant with the necessary mitigation incorporated, except for significant and unavoidable impacts to GHG Emissions. A SOOC is included for the EIR stating the impacts of the project are outweighed by the benefits of the Project. With the exception of these environmental categories (GHG Emissions), the proposed entitlements are not anticipated to create conditions materially detrimental to the public health, safety and general welfare or injurious to or incompatible with other properties or land uses in the project vicinity.

In addition, the Project incorporates quality architecture and landscaping which will enhance the surrounding area. The Project has been reviewed by a variety of Departments to ensure compliance with applicable regulations, including, but not limited to City of Menifee Community Development, Engineering and Public Works, Office of the Fire Marshall, Police, Riverside County Environmental Health, Eastern Municipal Water District, Riverside County Flood Control District, California Department of Transportation, California Fish and Wildlife, and United States Department of Fish and Wildlife Resources. Some of these Departments have provided conditions of approval as appropriate to ensure compliance with applicable regulations.

**NOW THEREFORE**, the Planning Commission of the City of Menifee hereby approves the following:

1. That the Planning Commission determine that the “Findings” set out above are true and correct.
2. That the Planning Commission determine the environmental review has been completed for the Project in accordance with State and local laws, and CEQA guidelines.
3. That the Planning Commission, pursuant to a separate Resolution, finds the facts presented within the public record provide the basis to certify the CADO Menifee Industrial Warehouse Project FEIR, adopt the Findings of Fact and a SOOC, and MMRP, which have been completed for the Project.
4. That the Planning Commission finds the facts presented within the public record and within the Planning Commission Resolution provide the basis to approve TPM No. 38139 (PLN 22-0041) and PP No. PLN 21-0370, and that the Planning Commission approve said entitlements.



5. The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at the Community Development Department – Planning Division, 29844 Haun Road, Menifee, CA 92586. This information is provided in compliance with Public Resources Code section 21081.6.

**PASSED, APPROVED AND ADOPTED** this the 14th day of August 2024.

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Jeff LaDue, Chairman

Attest:

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Rachel Valencia, Administrative Assistant

Approved as to form:

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Thai Phan, Assistant City Attorney

**EXHIBIT “A”**

**CONDITIONS OF APPROVAL**

**Planning Application No.:** **Plot Plan No. PLN 21-0370 and Tentative Parcel Map No. PLN 22-0041 (“CADO Meniffee Industrial Warehouse Project”)**

**Project Description:** **Plot Plan No. No. PLN 21-0370** proposes a 700,037 square foot warehouse/industrial building with 10,000 square feet of office space and 690,037 square feet of warehouse space on a 36.8 net acre (40.03 gross acre) site. The project will provide a total of 499 vehicular parking stalls and 245 trailer stalls. There will be three (3) points of access on Byers Road and two (2) points of access on Wheat Street.

**Tentative Parcel Map No. PLN 22-0041 (TPM 38139)** proposes to consolidate 8 parcels into one (1) industrial parcel. The Project site is approximately 40.03 gross acres and 36.81 net acres.

The project site is located north of Corsica Lane, south of Kuffel Road, east of Wheat Street and west of Byers Road.

**State Clearinghouse No.:** 2022040622

**Assessor's Parcel No.:** 330-190-002 through -005 and -010 through -013

**MSHCP Category:** Non-residential (Industrial)

**DIF Category:** Industrial

**TUMF Category:** Determined by Western Riverside Council of Governments (WRCOG)

**Quimby Category:** N/A

**Approval Date:** August 14, 2024

**Expiration Date:** August 14, 2027

**Section I: Community Development Department Conditions of Approval**

**Section II: Engineering/Grading/Transportation Conditions of Approval**

**Section III: Building and Safety Department Conditions of Approval**

**Section IV: Riverside County Fire Department Conditions of Approval**

**Section V: Riverside County Environmental Health Conditions of Approval**

**Section I:**  
**Community Development Department**  
**Conditions of Approval**

## GENERAL CONDITIONS

1. **Indemnification.** Within 48 hours of project approval, the Applicant/developer shall submit the necessary agreements to indemnify, defend, and hold harmless the City of Menifee and its elected city council, appointed boards, commissions, committees, officials, employees, volunteers, contractors, consultants, and agents from and against any and all claims, liabilities, losses, fines, penalties, and expenses, including without limitation litigation expenses and attorney's fees, arising out of either the City's approval of the Project or actions related to the Property or the acts, omissions, or operations of the applicant/developer and its directors, officers, members, partners, employees, agents, contractors, and subcontractors of each person or entity comprising the applicant/developer with respect to the ownership, planning, design, construction, and maintenance of the Project and the Property for which the Project is being approved.
2. **Filing Notice of Determination.** Within 48 hours of project approval, the Planning Division will determine the appropriate fees for the Notice of Determination (NOD) filing and request the payment of fees to the City of Menifee in the form of a check or cash. Upon receipt of payment, the Planning Division will file the NOD with the relevant agencies as required under Public Resources Code, California Code of Regulations and California Fish and Game Code.
3. **Exhibits.** The project shall be constructed as approved by the Planning Commission on August 14, 2024, and as shown in Attachment No. 1 in the accompanying staff report. Any subsequent changes shall be processed per Menifee Municipal Code Section 9.30.120 Modifications to Previously Approved Permits.
4. **Mitigation Monitoring.** The applicant shall comply with, prepare and submit a written report to the Community Development Director demonstrating compliance with those conditions of approval and mitigation measures of this Project which must be satisfied prior to the issuance of a grading permit for review and approval. The Community Development Director may require inspection or other monitoring to ensure such compliance.
5. **Ninety (90) Days.** The applicant has ninety (90) days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of this approval or conditional approval of this project.
6. **Subsequent Submittals.** Any subsequent submittals required by these Conditions of Approval, including but not limited to grading plan, building plan or mitigation monitoring review shall include appropriate fees paid as may be in effect at the time of submittal, as required by Resolution No. 24-1423 (Cost of Services Fee Study), or any successor thereto. Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.



7. **Expiration Date.** This approval shall become null and void three (3) years from the date of approval defined as permit obtainment, commencement of construction of the primary building on site, and/or an extension of time application has been submitted to the Planning Division prior to the expiration date.
8. **Place of Sale.** The General Contractor/Developer is requiring that all contractors and subcontractors work together with the City officials and the Developer wherever possible. This direction will not increase the contractor's tax liability; however, it will increase the Developer's tax liability. The Developer is requiring the contractors and subcontractors work together with the City officials and the Developer. The Developer will require the contractors and subcontractors to exercise their option to obtain a sales tax exemption on-site and allocate all eligible use tax payments to the City of Menifee. This condition applies to all projects over one million. Prior to any construction on-site, the developer will require the contractor and subcontractors to provide a statement that shows their CDTFA account number or a signed statement that sales and use tax does not apply to the project. The City/County and their consultant with a list of subcontractors associated with the project.
9. **Modifications or Revisions.** The applicant shall obtain City approval for any modifications or revisions to the permit under Section 9.30.120 (Modifications to Previously Approved Permits), and such requests.
10. **Comply with Ordinances.** This project shall comply with the applicable standards of the City of Menifee Design Guidelines and all other applicable ordinances and State and Federal codes and regulations.
11. **Map Act Compliance.** This land division shall comply with the State of California Subdivision Map Act, unless modified by the conditions listed herein.
12. **Causes for Revocation.** In the event the use hereby permitted under this permit, a) is found to be obtained by fraud or perjured testimony, or c) is found to be detrimental to the public health, safety or welfare, it shall be subject to the City's authority to initiate applicable permit revocation procedures.
13. **Reclaimed Water.** The permittee shall connect to a reclaimed water supply for landscape water use at the time of grading permit issuance or as required by Eastern Municipal Water District.

14. **Outside Lighting.** Any outside lighting shall be hooded and directed so as not to shine directly up or down, and shall be shielded to prevent the spillage of lumens or reflection into the sky.
15. **Phases.** Construction of this project may be done progressively in phases provided a phasing map is submitted and approved prior to issuance of any building permits.
16. **Development Impact Fees.** The applicant shall pay all applicable development impact fees including but not limited to the Conservation Plan (MSHCP), Quimby, Stephen's Kangaroo Rat (KRAT), School Fees, Transportation Impact Fees (RBBD), and Area Drainage Plan (ADP).
17. **Outside Agencies.** The applicant shall comply with all comments and conditions of approval from all applicable associated agencies.
18. **Anti-Graffiti Coating.** An anti-graffiti coating shall be provided on all block walls constructed as part of the project. The cost shall be provided to the Community Development Department.
19. **Property Maintenance.** All parkways, entryway medians, on-site and off-site landscaping, walls, and fences shall be maintained by the owner or private entity or the City of Menifee Community Facilities District (CFD).

All landscaping and similar improvements not properly maintained by a property owners association shall be maintained by the CFD. All landscaping must be annexed into a Lighting and Landscape District, or other mechanism as determined by the CFD.

The land divider, or any successor-in-interest to the land divider, shall be responsible for maintaining all landscaping within the land division until such time as those operations are the responsibility of a property owner.

The owners of each individual lot shall be responsible for maintaining all landscaping between the lot lines and the street, between the curb of the street and proposed fencing, unless the landscaping is included within a Lighting and Landscape District to the City of Menifee.
20. **Business Registration.** Every person conducting a business within the City of Menifee, as defined by the City Code, shall obtain a business license. For more information regarding business registration, contact the Finance Department.
21. **Cold Storage Prohibited.** Per the Environmental Impact Report Mitigation, Monitoring and Reporting, the City of Menifee Community Development Department shall prohibit cold storage of goods for warehousing.

purposes. Cold storage was not included in the Environmental Impact Report and is therefore prohibited.

22. **Loading Areas.** Loading and/or unloading of goods/supplies shall occur in designated loading areas as shown on the approved exhibits. No loading or unloading is allowed within drive aisles, parking areas, or on adjacent public streets. Loading areas shall be kept free of debris and clean throughout the life of this plot plan.
23. **Outdoor Storage.** No outdoor storage is allowed unless otherwise approved as part of the project.
24. **Screening.** Sliding gates into loading areas visible from the street shall be constructed with wrought iron or tubular steel and perforated metal screening or equivalent durable material. The gate shall be painted to complement adjacent walls.
25. **Sound Dampening.** The design of dock-high loading doors shall minimize noise through installation of devices such as rubber seals and/or other sound-dampening features, and shall be included on the tenant improvement building permit plans.

#### **Landscaping**

26. **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 Community Development Department and the South Coast Air Quality Management District (SCAQMD).
27. **Landscape Plans.** All landscaping plans shall be prepared in accordance with the City's Water Efficient Landscape Ordinance. Such plans shall be reviewed and approved by the Community Development Department, and the appropriate maintenance authority.

#### **Archeology**

28. **Human Remains.** If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resource Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

29. **Non-Disclosure of Location Reburials.** It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such

reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).

30. **Inadvertent Archeological Find.** If during ground disturbance activities, unique cultural resources are discovered, and/or environmental assessment conducted prior to project approval, the following procedures shall be carried out, only, as being multiple artifacts in close association with each other, but may include fewer artifacts if they are of sacred or cultural importance as determined in consultation with the Native American Tribe(s).
  - a. All ground disturbance activities within 100 feet of the discovered cultural resources shall be stopped. The archaeologist, the tribal representative(s) and the Community Development Director to be notified.
  - b. At the meeting, the significance of the discoveries shall be discussed and after consultation with the appropriate tribes, a decision shall be made, with the concurrence of the Community Development Director, as to the appropriate mitigation for the resources.
  - c. Grading of further ground disturbance shall not resume within the area of the discovery until appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored.
  - d. Treatment and avoidance of the newly discovered resources shall be consistent with the recommendations entered into with the appropriate tribes. This may include avoidance of the cultural resources, reburial of resources located in native soils and/or re-burial on the Project property so they are not subject to future disturbance. Condition.
  - e. Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of mitigation. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological resources, the City Community Development Director for decision. The City Community Development Director shall consider the California Environmental Quality Act with respect to archaeological resources, recommendations of the appropriate tribes and religious principles and practices of the Tribe. Notwithstanding any other rights or remedies, the Director shall be appealable to the City Planning Commission and/or City Council.
31. **Cultural Resources Disposition.** In the event that Native American cultural resources are discovered (or discovered), the following procedures shall be carried out for final disposition of the discoveries:



- a. One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Menifee Community Development Department:
  - i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources.
  - ii. Reburial of the resources on the Project property. The measures for reburial shall include, at least, the following: Measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV Report shall be filed with the City under a confidential cover and not subject to Public Records Request.
  - iii. If preservation in place or reburial is not feasible then the resources shall be curated in a culturally appropriate manner at a Riverside County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials have been received and that all fees have been paid, shall be provided by the landowner to the City. There shall be no destructive or invasive testing on sacred items, items of Native American Cultural Patrimony, burial goods and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report.

### **Paleontology**

- 32. **Inadvertent Paleontological Find.** In the event that fossils or fossil-bearing deposits are discovered during construction, excavations within fifty (50) feet of the find shall be temporarily halted or diverted. The contractor shall notify a qualified paleontologist to examine the discovery. The paleontologist shall document the discovery as needed in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the Community Development Department to determine procedures that would be followed before construction is allowed to resume at the location of the find. If in consultation with the paleontologist, the Project proponent determines that avoidance is not feasible, the

paleontologist shall prepare an excavation plan for mitigating the effect of the Project on the qualities that make the resource important. The plan shall be submitted to the Community Development Department for review and approval and the Project proponent shall implement the approval plan.

PRIOR TO ISSUANCE OF GRADING PERMIT

33. **Processing Fees.** Prior to issuance of building permits, the Planning Division shall determine if any deposit-based fees for the project are in a negative balance. If so, any outstanding fees shall be paid by the applicant.
34. **Development Impact Fees.** The applicant shall pay all applicable development impact fees including but not limited to Development Impact Fee (DIF), Multi-Species Habitat Conservation Plan (MSHCP), Quimby, Stephen's Kangaroo Rat (KRAT), School Fees (Perris Union High School District, and Romoland School District), Transportation Uniform Mitigation Fee (TUMF), Road and Bridge Benefit District (RBBD), and Area Drainage Plan (ADP).
35. **Mitigation Monitoring.** The applicant shall prepare and submit a written report to the Community Development Director or review and approval demonstrating compliance with the standard conditions of approval and mitigation measures identified in the Environmental Impact Report (EIR) for this project which must be satisfied prior to issuance of grading permits. The Community Development Director may require inspection or other monitoring to ensure such compliance.
36. **Archeologist Retained.** Prior to issuance of a grading permit the project applicant shall retain a Riverside County qualified archaeologist to monitor all ground disturbing activities in an effort to identify any unknown archaeological resources.
  - a. The Project Archaeologist and the Tribal monitor(s) shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, mass or rough grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Project Archaeologist and the Tribal monitor(s), shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with any required special interest or tribal monitors.
  - b. The developer/permit holder shall submit a fully executed copy of the contract to the Community Development Department to ensure compliance with this condition of approval. Upon verification, the Community Development Department shall clear this condition.
  - c. In addition, the Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a Cultural Resources Management Plan (CRMP) in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting tribe is defined as a tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:
  - d. Project grading and development scheduling;

- i. The Project archeologist and the Consulting Tribes(s) shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving

activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the Project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the Project archaeologist and Consulting Tribe(s) shall make themselves available

- ii. The protocols and stipulations that the contractor, City, Consulting Tribe(s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.

37. **Native American Monitoring (Pechanga/Soboba).** Tribal monitor(s) shall be required on-site during all ground-disturbing activities which are below the depths of the previous mass grading. The land divider/permit holder shall retain a qualified tribal monitor(s) from the Pechanga Band of Indians and Soboba band Luiseno Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-mentioned Tribes and the land divider/permit holder for the monitoring of the project to the Community Development Department and to the Engineering Department. The Native American Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground-disturbance activities to allow recovery of cultural resources, in coordination with the Project Archaeologist.

The Developer shall relinquish ownership of all cultural resources, including all archaeological artifacts that are of Native American origin, found in the project area for proper treatment and disposition to a curational facility that meets or exceeds Federal Curation Standards outlined in 36 CFR 79. The applicant shall be responsible for all curation costs.

38. **Paleontologist Required.** Prior to issuance of grading permits, the Applicant/Developer will retain a qualified paleontologist to create and implement a Paleontological Resource Mitigation Program (PRIMP). The project paleontologist would review the grading plan and conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements, to be documented in the PRIMP. The PRIMP would be submitted to the City for review and approval prior to issuance of a grading permit. Information contained in the PRIMP would minimally include:

1. Description of the project site and proposed grading operations.
2. Description of the level of monitoring required for earth-moving activities.
3. Identification and qualifications of the paleontological monitor to be employed during earth moving.



4. Identification of personnel with authority to temporarily halt or divert grading to allow recovery of large specimens.
5. Direction for fossil discoveries to be reported to the developer and the City.

6. Means and methods to be employed by the paleontological monitor to quickly salvage
7. Sampling methods for sediments that are likely to contain small fossil remains, if any
8. Procedures and protocol for collecting and processing of samples and specimens
9. Fossil identification and curation procedures.
10. Identification of the repository to receive fossil material.
11. All pertinent maps and exhibits.
12. Procedures for reporting of findings.
13. Acknowledgment of the developer for content of the PRIMP and acceptance of findings.

39. **Burrowing Owl Pre-Construction Survey.** The Project Developer shall retain a qualified biologist prior to the start of construction. The results of the single one-day survey would be submitted to the Project Developer. If construction occurs for 30 days or more, another burrowing owl survey shall be conducted and if active burrowing owl burrows are detected during the construction survey, no further mitigation is required. If active burrowing owl burrows are detected during the construction survey, a conservative avoidance buffer surrounding the nest based on their best professional judgment shall be established. Once the burrowing owl nesting effort has finished. Work can resume when no other active burrowing owl nesting efforts are detected. If active burrowing owl burrows are detected during the breeding season, then passive and/or active relocation pursuant to a Burrowing Owl Plan that shall be developed in accordance with CDFW, or the Project Developer shall stop construction activities within the buffer zone established until the nest is no longer active. The Burrowing Owl Plan shall be prepared in accordance with guidelines established by CDFW. Burrowing Owl burrows shall be excavated by hand tools by a qualified biologist when determined to be unoccupied and backfilled to ensure the integrity of the site.
40. **Nesting Bird Pre-Construction Survey.** If construction occurs between February 1st and August 31st, a pre-construction survey shall be conducted within three days of the start of any vegetation removal or ground disturbing activities. The results of the survey shall be submitted to the biologist conducting the clearance survey shall document a negative survey with a brief letter report. If an active avian nest is discovered during the pre-construction clearance survey, construction activities shall be stopped within the buffer (generally 300 feet for migratory and non-migratory songbirds and 500 feet for raptors and species of concern). The buffer distance shall depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and construction activity, ambient noise, species habituation, and topographical barriers. These factors will be evaluated by the biologist and the Project Developer. The buffer of construction to

avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A biological monitor should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.

41. **Stockpiling/Staging.** During construction, best efforts shall be made to locate stockpiling and/or vehicle staging areas as far as practicable from existing residential dwellings.

#### PRIOR TO FINAL MAP

42. **Processing Fees.** Prior to approval of Final Map, the Planning Division shall determine if any deposit-based fees for the project are in a negative balance. If so, any outstanding fees shall be paid by the applicant.
43. **Development Impact Fees.** The applicant shall pay all applicable development impact fees including but not limited to Development Impact Fee (DIF), Multi-Species Habitat Conservation Plan (MSHCP), Stephen's Kangaroo Rat (KRAT), School Fees (Perris Union High School District, and Romoland School District), Transportation Uniform Mitigation Fee (TUMF), Road and Bridge Benefit District (RBBD), and Area Drainage Plan (ADP). T
44. **Mitigation Monitoring.** The applicant shall prepare and submit a written report to the Community Development Director or review and approval demonstrating compliance with the standard conditions of approval and mitigation measures identified in the Environmental Impact Report (EIR) for this project which must be satisfied prior to issuance of grading permits. The Community Development Director may require inspection or other monitoring to ensure such compliance.
45. **Final Map.** After the approval of the TENTATIVE MAP and prior to the expiration of said map, the developer/owner shall cause the real property included within the TENTATIVE MAP, or any part thereof, to be surveyed and a FINAL MAP thereof prepared in accordance with the current Engineering Department requirements, the conditionally approved TENTATIVE MAP, and in accordance with Menifee Municipal Code Title 7 Subdivisions.
46. **Surveyor.** The FINAL MAP shall be prepared by a licensed land surveyor or registered civil engineer.
47. **ECS.** The developer/owner shall prepare an Environmental Constraints Sheet (ECS) in accordance with Menifee Municipal Code Title 7 Subdivisions, which shall be submitted as part of the plan check review of the FINAL MAP.

48. **Dark Sky Ordinance.** The following Environmental Constraints Note shall be placed on the ECS:

"This property is subject to lighting restrictions as required by the Menifee Municipal Code Chapter 6.01, the "Dark Sky Ordinance", which are intended to

reduce the effects of night lighting on the Mount Palomar Observatory. All proposed outdoor lighting systems shall be in conformance with the Dark Sky Ordinance.”

49. **ECS Note EIR.** The following Environmental Constraints Note shall be placed on the ECS:

“An EIR was prepared for this property by Kimley Horn and is on file at the City of Menifee Planning Division (State Clearinghouse No. 2022040622). The property is subject to environmental restrictions based on the results of the reports. A Mitigation Monitoring and Reporting Program (MMRP) was adopted with the EIR and should be referenced to determine project compliance prior to recordation of the final map.”

#### PRIOR TO BUILDING PERMIT ISSUANCE

50. **Processing Fees.** Prior to issuance of building permits, the Community Development Department shall determine if the deposit-based fees for the project are in a negative balance. If so, any outstanding fees shall be paid by the applicant.
51. **Development Impact Fees.** The applicant shall pay all applicable development impact fees including but not limited to Development Impact Fee (DIF), Multi-Species Habitat Conservation Plan (MSHCP), Quimby (Parks and Rec), Stephen's Kangaroo Rat (KRAT), School Fees (Perris Union High School District, Menifee Union School District and Romoland School District), Transportation Uniform Mitigation Fee (TUMF), Road and Bridge Benefit District (RBBB), and Area Drainage Plan (ADP).
52. **Mitigation Monitoring.** The applicant shall prepare and submit a written report to the Community Development Director or review and approval demonstrating compliance with the standard conditions of approval and mitigation measures identified in the Environmental Impact Report (EIR) for this project which must be satisfied prior to issuance of grading permits. The Community Development Director may require inspection or other monitoring to ensure such compliance.
53. **No Building Permit Prior to Final Map.** No building permit shall be issued until the Final Map described above has been recorded.
54. **Lighting.** Light fixtures shall be decorative and consistent with the City of Menifee Design Guidelines and included in the Building and Safety plans. Architecturally appropriate themed lighting fixtures shall be located along the project roads, project entrances, walkways, open space areas and other focal points on the project site and shall be subject to Community Development Department review and approval.



55. **Roof-Mounted Equipment Plans.** Prior to issuance of certificate of occupancy, Community Development staff will verify that all roof mounted equipment will be screened in compliance with approved plans.
56. **Electrical Cabinets.** All electrical cabinets shall be located inside a room that is architecturally integrated into the design of the building.

57. **Screening of Accessory Structures.** Screening of accessory structures (including mechanical structures).
58. **Double Detectors.** Double detector check valve assemblies (backflow preventers) for landscaping locations (such as the end of drive aisles or at site entries) and shall be well-screened with shrubs.
59. **Crime Prevention through Environmental Design Guidelines.** All plants, landscaping and Environmental Design) guidelines.
60. **Break Areas.** Outdoor employee break/lunch areas with seating, trash bins, shade and landscaping away from loading, storage and trash areas. The exact location and design shall be shown on the plans submitted to the Community Development Department prior to building permit issuance. An indoor break area shall be approved by the Community Development Director if the indoor break area is determined to provide superior access to an outdoor break area near the office area.
61. **Security Systems.** Prior to the issuance of Building Permits, the applicant shall prepare a security plan for review and approval. The security plan for this project shall include a comprehensive security camera system. The camera system shall be 4k quality with High-Definition Resolution based in the building containing the main entrance. The camera system shall be acceptable to the City of Menifee Police Department, that is accessible to law enforcement. The camera system shall have a recording capacity to minimally save footage for a period of 30 days or as approved by the Police Department. The use of Automated License Plate Reader (ALPR) technology at vehicle entrance and exit points is strongly encouraged. ALPR technology is a tool for law enforcement agencies when investigating criminal activity. ALPR cameras are cameras that capture license plate numbers as vehicles enter and exit this complex. It should be noted that high quality day/night vision LPR cameras are required for all buildings. Building Permits. The Police Department and/or Community Development Department shall verify the camera system. In addition, the trash enclosure shall be properly secured and have a lock as well as a covering.
62. **Utilities Underground.** All utilities, except electrical lines rated 33 kV or greater, shall be installed underground. The applicant shall submit and the Planning Division a definitive statement from the utility provider refusing to allow underground installation of that utility and void with respect to that utility.

### **Landscaping**

63. **Landscaping Submittals.** Final landscape plan submittals are divided into two different processes for review and approval. The on-site landscaping shall include any basins, streetscape, and irrigation systems maintained by the property owner or private entity (HOA or Common Maintenance Entity/Association). All off-site landscaping shall be submitted to the City Department for review and approval. Off-site plans shall include landscaping in areas maintained by the City of Menifee Right-of-Way which can include streetscape, basins or slopes.
64. **Construction Plans.** Prior to building permit issuance, the applicant shall submit the following construction plans (as required by the Municipal Code) for review and approval. The fee for each submittal will be determined by Resolution 2015-01, Schedule at the time of application submittal. Construction Plan Submittals include:
- A. On-Site Landscaping – all Property Owner maintained landscaping and irrigation. Performance and Construction Plan.
- Additional submittal requirements can be found in the submittal checklist found on the Community Development Department website. All submittals must be approved prior to the issuance of any building permit.
65. **Landscape Inspections.** Prior to issuance of Building Permits, the Applicant shall open a Landscape Inspection account to cover the pre-installation inspections, installation inspections, Six Month Post Establishment and One-Year Post Establishment reports.
66. **Performance Securities (Bonds).** Performance securities, in amounts to be determined by the City Engineer, for plantings and irrigation system in accordance with the approved plan, shall be filed with the Department of Public Works, City Attorney and City staff. The applicant holder is encouraged to allow adequate time to ensure the security is in place one year after structural final, inspection report, and the One-Year Post Establishment report completed. The security shall be installed and maintained. A cash security shall be required when the estimated cost is \$2,500.00 or more.
67. **Utility Screening.** All utilities shall be screened from public view. Landscape construction drawings shall show screening of utilities. Provide a three-foot clear zone around fire check detectors as required by the Fire Department. Screening of utilities is not to look like an after-thought. Plan planting beds and design to avoid conflicts with trees.
68. **Interim Landscaping.** Graded but undeveloped land shall be maintained in a condition so as to prevent erosion with

interim landscaping or provided with other wind and water erosion control measures as approved by the Community Development Department.

PRIOR TO FINAL INSPECTION

69. **Processing Fees.** Prior to final inspection, the Planning Division shall determine if any fees for the project are in a negative balance. If so, any outstanding fees shall be paid by the applicant.
70. **Development Impact Fees.** The applicant shall pay all applicable development impact fees including but not limited to Development Impact Fee (DIF), Multi-Species Habitat Conservation Plan (MSHCP), Quimby (Parks and Rec), Stephen's Kangaroo Rat (KRAT), School Fees (Perris Union High School District, Menifee Union School District and Romoland School District), Transportation Uniform Mitigation Fee (TUMF), Road and Bridge Benefit District (RBBB), and Area Drainage Plan (ADP).
71. **Mitigation Monitoring.** The applicant shall prepare and submit a written report to the Community Development Director or review and approval demonstrating compliance with the standard conditions of approval and mitigation measures identified in the Environmental Impact Report (EIR) for this project which must be satisfied prior to issuance of grading permits. The Community Development Director may require inspection or other monitoring to ensure such compliance
72. **Archaeology Report – Phase III and IV.** Prior to final inspection of the first building permit associated with each phase of grading, the developer/permit holder shall prompt the Project Archaeologist to submit two copies of the Phase III Data Recovery report (if required for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).
73. **Paleontological Monitoring Report.** Prior to issuance of a certificate of occupancy, the applicant shall submit to the Community Development Department, an electronic copy of the Paleontology Monitoring Report in accordance with the procedures outlined in the PRIMP. The report shall be certified by a professional paleontologist listed on Riverside County's Paleontology Consultant List. A deposit for the review of the report will be required.

74. **Final Planning Inspection.** The applicant shall obtain final occupancy sign-off from the Community Development Department for each building permit issued by scheduling a final Planning inspection prior to the final sign-off from the Building Department. Planning staff shall verify that all pertinent conditions of approval have been met, including compliance with the approved elevations, site plan, parking lot layout, decorative paving, public plazas, etc. The applicant shall have all required paving,



parking, walls, site lighting, landscaping and automatic irrigation installed and in good condition.

**Landscaping**

75. **Soil Management Plan.** The applicant shall submit a Soil Management Plan (Report) to the Code Enforcement Division for inspection. The report can be sent in electronically. Information on the contents of the report can be found in the Landscaping page 16, #7, "What is required in a Soil Management Plan?"
76. **Landscape Inspections.** The applicant shall obtain a final certificate of completion from the Planning Division after scheduling a final landscape inspection prior to the final occupancy from the Planning Division.
77. **Landscaping.** All landscape planting and irrigation shall be installed and inspected in accordance with the requirements of the Landscaping Ordinance.

**Section II:**  
**Engineering/Grading/Transportation**  
**Conditions of Approval**

## **PLOT PLAN CONDITIONS OF APPROVAL**

### **STANDARD POLICIES & PROCEDURES**

78. All required public improvements must be constructed and accepted by the City prior to issuance of the first and any subsequent certificate of occupancy, unless approved by City Engineer/Public Works Director. For “public improvements” related to this project, see Section E.
79. Any Engineering Design exceptions shown on the tentative map and associated engineering documents that are not specifically requested are not approved solely by virtue of inclusion on such documents. Engineering Design exceptions to City design standards and policies must be specifically requested in writing and approved by City Engineer/PW Director.
80. The developer is responsible to furnish & install one 2” and one 3” conduit for traffic signal interconnect and broadband purposes, per City of Menifee Standard Detail 1005, along all circulation element roads and intersections. Applicant may request wifi connection to be approved by the City Engineer / PW Director.
81. **Subdivision Map Act** – The developer / property owner shall comply with the State of California Subdivision Map Act and all other laws, ordinances, and regulations pertaining to the subdivision of land.
82. **Engineering Plans / Mylars** – All improvement plans and grading plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch Mylar and signed by a licensed civil engineer and/or other registered/licensed professional as authorized by State law.
83. **Guarantee for Required Improvements** – Prior to grading permit issuance, construction permit issuance, financial security or bonds shall be provided to guarantee the construction of all required improvements within the public right-of-way and grading / water quality management facilities associated with each phase of construction, per the City’s municipal code.
84. If warranted as a result of the project improvements, the Public Works Director may require the dedication and construction of necessary utilities, streets, or other improvements outside the area of any particular map phase if the improvements are needed for circulation, drainage, parking, and access or for the welfare and safety of the public.
85. **Bond Replacement, Reduction, and Releases** – All requests for bond replacements (such as in changes of property ownerships), reductions (such as in partial completion of improvements), releases (such as in completion of improvements), shall conform to City policies, standards, and applicable City ordinances. It shall be the responsibility of the developer / property owner to notify the City in time when any of these bond changes are necessary. The City shall review all changes in Bond Agreements and the accompanying bonds or security.
86. **Existing and Proposed Easements** – The final grading plan and improvement plans, as applicable, shall correctly show all existing and proposed easements. Any omission or misrepresentation of these documents may require said plan to be resubmitted for further consideration.

87. **Plan Check Submittals** – Appropriate plan check submittal forms shall be completed and submittal check list provided that includes required plan copies, necessary studies / reports, references, fees, deposits, etc. Prior to final approval of improvement plans by the Public Works / Engineering Department, the developer / property owner shall submit to the Public Works / Engineering Department CAD layers of all improvements to be maintained by the City (pavement, sidewalk, streetlights, etc.). A scanned image of all final approved grading and improvement plans on a Universal Serial Bus (USB) drive, also known as a “flash” drive or “thumb” drive, shall be submitted to the Public Works / Engineering Department, in one of the following formats: (a) Auto CAD DXF, (b) GIS shapefile (made up of ESRI extensions .shp, .shx and .dbf) or (c) Geodatabase (made up of ESRI extension .gdb). CAD files created with the latest version shall only be accepted if approved by the Public Works Director / City Engineer. GIS and ACAD files 2004 or later are required for all final maps upon approval.

88. **Final Map Submittal Process** – Appropriate final map plan check submittal forms shall be completed and appropriate fees or deposits paid. Prior to approval of the final map by the City Council, the developer / property owner shall provide along with the final map mylars, electronic files of the final map on Compact Disc (CD), in one of the following formats: (a) Auto CAD DXF, (b) GIS shapefile (made up of ESRI extensions .shp, .shx and .dbf) and (c) Geodatabase (made up of ESRI extension .gdb). CAD files created with the latest version shall only be accepted if approved by the Public Works Director / City Engineer.

89. **Plan Approvals** – Improvement plans and grading plans shall be submitted with necessary supporting documentation and technical studies (hydrology, hydraulics, traffic impact analysis, geotechnical studies, etc.) to the Public Works / Engineering Department for review and approval. All submittals shall be signed and date stamped by the Engineer of Record. The plans must receive Public Works / Engineering Department approval prior to issuance of any applicable permit as determined by the Public Works Director / City Engineer. All submittals shall include a completed City Fee or Deposit Based Worksheet and the appropriate plan check. For improvements proposed to be owned and maintained by the Riverside County Flood Control and Water Conservation District, improvement plans must receive district approval prior to Building permit issuance or as determined by the District.

All required improvement plans and grading plans must be approved by the Public Works Engineering Department prior to issuance of any construction and/or grading permit, whichever comes first and as determined by the Public Works Director. Supporting City approved studies including, but not limited to, hydrologic and hydraulic studies and traffic studies must be provided prior to approval of plans. All required Citywide Community Facilities District (CFD) landscape plans must be approved prior to building permit issuance.

90. **As-Built Plans** – Upon completion of all required improvements, the developer/property owner shall cause the civil engineer of record to prepare as-builts of all project plans, and submit project base line of work for all layers on a USB drive to the Public Works / Engineering Department, in one of the following formats: (a) Auto CAD DXF, (b) GIS shapefile (made up of ESRI extensions .shp, .shx and .dbf) or (c) Geodatabase (made up of ESRI extension .gdb). The timing for submitting the as-built plans shall be as determined by the Public Works Director / City Engineer, and prior to Acceptance of improvements and Performance security/bond release.

91. **Construction Times of Operation** – The developer / property owner shall monitor, supervise, and control all construction and construction related activities to prevent them from causing a public nuisance including, but not limited to, strict adherence to the following:

- a. Construction activities shall comply with City of Menifee ordinances relating to construction noise. Any construction within the City limits located 1/4 of a mile from an occupied residence shall be permitted Monday through Saturday, except on nationally recognized holidays, 7:00 a.m. to 7:00 p.m. in accordance with Municipal Code Section 8.01.020. There shall be no construction permitted on Sunday or nationally recognized holidays unless prior approval is obtained from the City Building Official or City Engineer.
- b. Removal of spoils, debris, or other construction materials deposited on any public street no later than the end of each working day.
- c. The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site. Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant to remedies as set forth in the City Municipal Code. In addition, the Public Works Director / City Engineer or the Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such a time it has been determined that all operations and activities are in conformance with these conditions.
- d. A Pre-Construction meeting is mandatory with the City's Public Works Inspection team prior to permit issuance and the start of any construction activities for this site.

92. **Dry Utility Installations** – Electrical power, telephone, communication, traffic signal, street lighting, and cable television conduits and lines shall be placed underground in accordance with current City Ordinances 460 and 461, and as approved by the Public Works Director / City Engineer. This applies also to existing overhead lines which are 33.6 kilovolts or below along the project frontage and within the project boundaries. In cases where 33.6kV or below lines are collocated with high voltage lines (for example, 115kV), the low voltage lines shall be placed underground even when the high voltage lines are exempt from relocation or undergrounding in accordance with City standards and ordinances. Exemption from undergrounding low voltage lines shall only be by the Public Works Director / City Engineer or as directed by the City Council.

93. All grading activities shall conform to the latest adopted edition of the California Building Code, City Grading Ordinance, Chapter 8.26, applicable City design standards and specifications, City ordinances, policies, rules and regulations governing grading in the City.

94. **Regulations and Ordinance on Grading Within the City** – In addition to compliance with City Chapter 8.26, grading activities shall also conform to the latest edition of the California Building Code, City General Plan, other City Ordinances, City design standards and specifications and all other relevant laws, rules and regulations governing grading in the City of Menifee. Prior to commencing any grading, clearing, grubbing or any topsoil disturbances, the applicant shall obtain a grading permit from the Public Works / Engineering Department. Grading activities that are exempt from a grading permit as outlined by the City ordinance may still require a grading permit by the Public Works Director / City Engineer when deemed necessary to prevent the potential for adverse impacts upon drainage, sensitive environmental features, or to protect property, health safety, and welfare.



95. **Dust Control** – All necessary measures to control dust shall be implemented by the developer during grading. Fugitive dust shall be controlled in accordance with Rule 403 of the California Air Quality Control Board.
96. **2:1 Maximum Slope** – Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved by the Public Works / Engineering Department.
97. **Slope Setbacks** – Observe slope setbacks from buildings and property lines per the California Building Code and City ordinance on grading.
98. **Slope Landscaping and Irrigation** – All slopes greater than or equal to 3 feet in vertical height shall be irrigated and landscaped with grass or ground cover. All manufactured slopes shall be irrigated and landscaped with grass or approved ground cover, and shall have some type of drainage swale at the toe of the slope to collect runoff. Slopes exceeding 15 feet in vertical height shall be irrigated and planted with shrubs and/or trees per City Grading Ordinance Chapter 8.26. Drip irrigation shall be used for all irrigated slopes.
99. **Slope Erosion Control Plan** - Erosion control and/or landscape plans are required for manufactured slopes greater than 3 feet in vertical height. The plans shall be prepared and signed by a licensed landscape architect and bonded per applicable City ordinances.
100. **Slope Stability Report** – A slope stability report shall be submitted to the Public Works / Engineering Department for all proposed cut and fill slopes steeper than 2:1 (horizontal:vertical) or over 20 feet in vertical height, unless addressed in a previously city approved report.
101. **Erosion Control Plans** – All grading plans shall require erosion control plans prior to approval. Temporary erosion control measures shall be implemented immediately following rough grading to prevent deposition of debris onto downstream properties or drainage facilities. Plans showing erosion control measures may be included as part of the grading plans or submitted as a separate set of plans for city review and approval. Graded but undeveloped land shall provide, in addition to erosion control planting, any drainage facilities deemed necessary to control or prevent erosion. Erosion and sediment control Best Management Practices (BMPs) are required year-round in compliance with all applicable City of Menifee Standards and Ordinances and the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit from the California State Water Resources Control Board (SWRCB). Additional Erosion protection may be required during the rainy season.
102. **Water Quality Management Plan (WQMP)** – All grading plans shall require an approved copy of the Water Quality Management Plan sheet per the approved WQMP, executed report. The developer / property owner shall comply with the requirements of the WQMP report, the NPDES municipal permit in force, and City standards and specifications.
103. **Design Grade Criteria** – Onsite parking areas shall be designed in accordance with the current version of City of Menifee Standards and Specifications. Non-compliance may require a redesign of the project. Significant redesigns may require a revised Plot Plan. The following design grade criteria shall be followed:

- a. On-Site Parking – Where onsite parking is designed, such as in common areas, parking stalls and driveways shall not have grade breaks exceeding 4%. A 50' minimum vertical curve shall be provided where grade breaks exceed 4%. Five percent grade is the maximum slope for any parking area. Where Americans with Disabilities Act (ADA) requirements apply, the ADA requirement shall prevail.
  - b. Down Drains - Concrete down drains that outlet onto parking lot areas are not allowed. Drainage that has been collected in concrete ditches or swales should be collected into receiving underground drainage system, or should outlet with acceptable velocity reducers into BMP devices.
  - c. Pavement - Permeable pavement requires the layers of filter material to be installed relatively flat. As such, the permeable pavement areas should have a maximum surface gradient of 2%, or approved by the Public Works Director/City Engineer.
104. **Drainage Grade** – Minimum drainage design grade shall be 1.5% except on Portland cement concrete surfaces, where 0.50% shall be the minimum for concentrated flow conveyance (for example, ribbon gutters ). The engineer of record must submit a variance request for design grades less than 1% with a justification for a lesser grade.
105. **Finish Grade** – Shall be sloped to provide proper drainage away from all exterior foundation walls in accordance with City of Menifee Standard Plan 300.
106. **Use of Maximum and Minimum ADA Grade Criteria** – Actual field construction grades shall not exceed the minimum and maximum grades for ADA and approved project grading design, to allow for construction tolerances. Any improvement that is out of the minimum and maximum values will not be accepted by the City Inspector and will need to be removed and replaced at developer's or owner's expense.
107. **Licensed Geotechnical Engineer** – A California licensed Geotechnical Engineer shall perform final determination of the foundation characteristics of soils within on-site development areas, and per the approved geotechnical report reviewed and approved by the City.
108. **Retaining Walls** – Sections, which propose retaining walls, will require separate permits. They shall be obtained prior to issuance of any other building permits – unless otherwise approved by the Building Official and/or the Public Works Director / City Engineer. The walls shall be designed by a licensed civil engineer and conform to City Standards. The plans shall include plan and profiles sheets.
109. **Trash Racks** – Trash Racks shall be installed at all inlet structures that collect runoff from open areas with potential for large, floatable debris.
110. **Riverside County Flood Control and Water Conservation District (RCFCWCD) Encroachment Permit Required** – An Encroachment Permit Is required for any work within District right of way or any connection to District facilities. The Encroachment Permit application shall be processed and approved concurrently with the improvement plans.
111. **RCFCWCD Submittal of Plans** – A copy of the project specific WQMP, improvement plans, grading plans, BMP improvement plans and any other necessary documentation along with supporting hydrologic and hydraulic calculations (drainage report) shall be submitted to

the District as reference material for the review and approval of the final drainage report and storm drain plans that propose construction of storm drain facilities that will be owned and maintained by the District.

112. **Grading Permit for Clearing and Grubbing** – City ordinance on grading requires a grading permit prior to clearing, grubbing, or any topsoil disturbances related to construction grading activities.

113. **Compliance with NPDES General Construction Permit** – The developer/property owner shall comply with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit (GCP) from the State Water Resource Control Board (SWRCB). This is in addition to the Municipal permit governing design, WQMPs, and permanent BMPs.

Prior to approval of the grading plans or issuance of any grading permit, the developer/property owner shall obtain a GCP from the SWRCB. Proof of filing a Notice of Intent (NOI) and monitoring plan, shall be submitted to the City; and the WDID number issued by the SWRCB shall be reflected on all grading plans prior to approval of the plans. For additional information on how to obtain a GCP, contact the SWRCB.

114. **SWPPP** – Prior to approval of the grading plans, the developer/property owner shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for the development. The developer/property owner shall be responsible for uploading the SWPPP into the State's SMARTS database system and shall ensure that the SWPPP is updated to constantly reflect the actual construction status of the site. A copy of the SWPPP shall be made available at the construction site at all times until construction is completed. The SWRCB considers a construction project complete once a Notice of Termination (NOT) has been issued by SWRCB. The City will require submittal of NOTs for requests to fully release associated grading bonds.

115. **SWPPP for Inactive Sites** – The developer/property owner shall be responsible for ensuring that any graded area that is left inactive for a long period of time has appropriate SWPPP BMPs in place and in good working conditions at all times until construction is completed and the Regional Board has issued a Notice of Termination (NOT) for the development.

116. **Import/Export** – In instances where a grading plan involves import or export, prior to obtaining a grading permit, the developer/property owner shall have obtained approval for the import/export location from the Public Works / Engineering Department. If an Environmental Assessment did not previously approve either location, a Grading Environmental Assessment shall be submitted to the Planning Director for review and comment and to the Public Works Director / City Engineer for approval. Additionally, if the movement of import/export occurs using City roads, review, and approval of the haul routes by the Public Works / Engineering Department will be required. Import or export materials shall conform to the requirements of Chapter 8.26.

117. **Offsite Grading Easements** – Prior to the issuance of a grading permit, the developer/property owner shall obtain all required easements and/or permissions to perform offsite grading, from affected land owners. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works Engineering Department.

118. **Offsite Property and Right of Way** – The developer / property owner shall be responsible for acquiring any offsite real property interests that may be required in connection with the development project. Prior to the issuance of a grading permit, the developer shall obtain all required ROW, easements and / or permissions to perform offsite grading, from all affected landowners.

119. **Increased Runoff Criteria** – The development of this site would increase peak flow rates on downstream properties. Mitigation shall be required to offset such impacts..

A complete drainage study including, but not limited to, hydrologic and hydraulic calculations for the proposed detention basin shall be submitted to the City for review and approval.

Where possible and feasible the onsite flows should be mitigated before combining with offsite flows to minimize the size of the detention facility required.

No outlet pipe(s) will be less than 18" in diameter. Where necessary an orifice plate may be used to restrict outflow rates. Appropriate trash racks shall be provided for all outlets less than 48" in diameter.

The outlet structure(s) must be capable of passing the 100-year storm without damage to the facility.

A viable maintenance mechanism, acceptable to the City should be provided for any flood control facilities to be owned and maintained by the City. Any facilities proposed to be owned by the District, should be provided with a viable maintenance mechanism acceptable to the City and the District. For the City this would be the citywide CFD. Facilities to remain private shall be maintained by commercial property owners association or homeowners associations.

120. **Site Drainage** – Positive drainage of the site shall be provided, and water shall not be allowed to pond behind or flow over cut and fill slopes. Where water is collected and discharged in a common area, protection of the native soils shall be provided by planting erosion resistant vegetation, as the native soils are susceptible to erosion by running water. All cut and fill slopes shall have a maximum 2:1 (H:V) grade, 2 horizontal to 1 vertical.

121. **Alteration of Drainage Patterns** – Prior to grading permit issuance or approval of improvement plans, the final engineering plans submitted by the applicant shall address the following: The project drainage system shall be designed to accept and properly convey all on- and off-site drainage flowing on or through the site. The project drainage system design shall protect downstream properties from any damage caused by alteration of drainage patterns such as concentration or diversion of flow. Concentrated drainage on commercial lots shall be diverted through parkway drains under sidewalks.

122. **100 Year Storm** – The 100-year storm flow shall be contained within the street top of curb.

123. **100 Year Drainage Facilities** – All drainage facilities shall be designed to accommodate 100-year storm flows as approved by the City of Menifee Public Works / Engineering Department.

124. **100 Year Design Criteria** – In final engineering and prior to grading permit issuance, subsurface storage systems shall be designed with emergency overflow inlets to mitigate

flows in excess of the 100-year storm event in a controlled manner to the satisfaction of the Public Works / Engineering Department.

125. **100 Year Sump Outlet** – Drainage facilities outletting sump conditions shall be designed to convey the tributary 100-year storm flows. Additional emergency escape shall also be provided.
126. **Coordinate Drainage Design** – Development of this property shall be coordinated with the development of adjacent properties to ensure that watercourses remain unobstructed, and stormwaters are not diverted from one watershed to another. This may require the construction of temporary drainage facilities or offsite construction and grading. A drainage easement shall be obtained from the affected property owners for the release of concentrated or diverted storm flows. A copy of the recorded drainage easement shall be submitted to the Public Works / Engineering Department for review.
127. **Interceptor Drain Criteria/Guidelines** – The criteria for public maintenance access of terrace/interceptor is as follows: flows between 1-5 cfs shall have a 5-foot wide access road, flows between 6-10 cfs shall be a minimum 6-foot rectangular channel. Terrace/interceptor drains are unacceptable for flows greater than 10 cfs. Flows greater than 10 cfs shall be brought to the street. These guidelines may be modified by the City Engineer/Public Works Director. This condition shall not apply to privately maintained facilities.
128. **BMP** – Energy Dissipators: Energy Dissipators, such as rip-rap, shall be installed at the outlet of a storm drain system that discharges runoff flows into a natural channel or an unmaintained facility. The dissipators shall be designed to minimize the amount of erosion downstream of the storm drain outlet.
129. **Trash Racks** – Trash Racks shall be installed at all inlet structures that collect runoff from open areas with potential for large, floatable debris.
130. **Perpetuate Drainage Patterns** – The property's street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage areas, outlet points and outlet conditions. Otherwise, a drainage easement shall be obtained from the affected property owners for the release of concentrated or diverted storm flows. A copy of the recorded drainage easement shall be submitted to the City for review and approval.
131. **Perpetual Drainage Patterns** – Grading shall be designed in a manner that perpetuates the existing natural drainage patterns and conditions with respect to tributary drainage areas and outlet points. Where these conditions are not preserved, necessary drainage easements shall be obtained from all affected property owners for the release onto their properties of concentrated or diverted storm flows. A copy of the recorded drainage easement shall be submitted to the Public Works / Engineering Department for review.
132. **Protection of Downstream Properties** – The developer/property owner shall protect downstream properties from damages that can be caused by alteration of natural drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities including enlarging existing facilities and securing necessary drainage easements.



133. **Drainage Runoff Emergency Escape** – An emergency escape path shall be provided for the stormwater runoff at all inlets for the proposed underground facilities in the event that the inlets become blocked in any way. To prevent flood damage to the proposed structures, all proposed structures in the vicinity of the inlets and along the emergency escape path shall be protected from flooding by either properly elevating the finished floor in relation to the inlets and flow path or by making sure the structures are set back from the inlets to provide adequate flow through area in the event the emergency escape of the stormwater runoff is necessary.
134. **Storm Drain Lines 36" and larger** – All proposed storm drain lines greater than 36" in diameter may be considered for ownership and maintenance by the Flood Control District. The applicant shall enter into a cooperative agreement with the Flood Control District regarding the terms of the design, construction and operation of facilities proposed for ownership by the Flood Control District.
135. **No Building Permit without Legal Lot** – Prior to issuance of any building permit, the developer / property owner shall ensure that the underlying parcels for such buildings are complying with City Ordinances, Codes, and the Subdivision Map Act.
136. **No Building Permit Prior to Parcel Map Recordation** – Prior to issuance of any building permit, the developer / property owner shall record the parcel map.
137. **No Building Permit without Grading Permit** – Prior to issuance of any building permit for any new structure or appurtenance, the developer/property owner shall obtain a grading permit and/or approval to construct from the Public Works Engineering Department.
138. **Final Rough Grading Conditions** – Prior to issuance of each building permit, the developer/property owner shall cause the Civil Engineer of Record and Soils Engineer of Record for the approved grading plans, to submit signed and wet stamped rough grade certification and compaction test reports with 90% or better compaction. The certifications shall use City approved forms and shall be submitted to the Public Works Engineering Department for verification and acceptance.
139. **Conformance to Elevations/Geotechnical Compaction** – Rough grade elevations for all building pads and structure pads submitted for grading plan check approval shall be in substantial conformance with the elevations shown on approved grading plans. Compaction test certification shall be in compliance with the approved project geotechnical/soils report.
140. **Final Grade Certification** – The developer/property owner shall cause the Civil Engineer of Record for approved grading plans, to submit signed and wet stamped final grade certification on City-approved form, for each building requesting a certificate of occupancy. The certification shall be submitted to the Public Works Engineering Department for verification and acceptance.
141. **Conform to Elevations** – Final grade elevations of all building or structure finish floors submitted for grading plan check approval shall be in substantial conformance with the elevations shown on the approved grading plans. Compaction test certification shall be in compliance with the approved project geotechnical/soils report.
142. **Plant & Irrigate Slopes** – All manufactured slopes shall be irrigated and landscaped with grass or approved ground cover and shall have some type of drainage swale at the toe of

the slope to collect runoff. Slopes greater than or equal to 3' in vertical height shall have erosion control measures provided. Slopes that exceed 15' in vertical height are to be planted with additional shrubs and trees as approved by the Public Works / Engineering Department. Drip irrigation shall be provided for all irrigated slopes.

143. **Street Design Standards** – Street improvements shall conform to all applicable City Design Standards and Specifications, the City General Plan, Ordinances, and all other relevant laws, rules and regulations governing street construction in the City.
144. **Concrete Work** – All concrete work including curbs, gutters, sidewalks, driveways, cross gutters, catch basins, manholes, vaults, etc. shall be constructed to meet a 28-day minimum concrete strength of 3,250 psi.
145. **Intersection Geometrics** – All final intersection geometrics may be modified in final engineering as approved by the Public Works Director / City Engineer.
146. **Intersection / 50-Foot Tangent** – All centerline intersections shall be at ninety (90) degrees, plus or minus five (5) degrees, with a minimum fifty (50) foot tangent for local roads and one hundred (100) foot tangent, measured from flow line / curb face or as approved by the Public Works Director / City Engineer.
147. **ADA Compliance** – ADA path of travel shall be designed at the most convenient accesses.
148. **Public Streetlights Service Points** – All proposed public streetlights shall be provided with necessary appurtenances and service points for power, separate from privately owned streetlights. The developer/property owner shall coordinate with the PW Department and with Southern California Edison the assignment of addresses to streetlight service points. Service points for proposed public streetlights shall become public and shall be located within public right of way or within duly dedicated public easements.
149. **CFD Maintenance** – The property owner shall file for annexation or inclusion into the CFD for street sweeping services, street pavement maintenance, landscaping, street lighting, etc.
150. **Offsite Grading** – A notarized and recorded agreement, or City-approved documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.
151. **Street Name Sign** – The developer/property owner shall install street name sign(s) in accordance with applicable City Standards, or as directed by the Public Works / Engineering Department.
152. **Traffic Signal Control Devices** – All new traffic signals and traffic signal modifications required for construction by this development project shall include traffic signal communication infrastructure, network equipment, and Advanced Traffic Management System (ATMS) license software. Said traffic signal control devices shall be submitted with the traffic signal design plans and shall be approved by the Public Works Director / City Engineer, prior to testing of a new traffic signal. Traffic signal poles shall be placed at the ultimate locations when appropriate.

153. **Cost participation through Payment of TUMF and DIF for Improvements** – The developer/property owner's TUMF and DIF payment obligations shall be considered as cost participation for Project's required offsite improvements only when the offsite improvements for which credits are claimed, are eligible TUMF and/or DIF facilities at time of TUMF and DIF payments. Determination for TUMF credits shall be at the discretion of the Western Riverside Council of Governments (WRCOG), the governing authority, which shall include entering a three party TUMF Credit Agreement with the developer, WRCOG and the City of Menifee. Developer shall be eligible, and may apply, for DIF fee credits and reimbursements for facilities that it will construct which are within the DIF program, including entering into a DIF Credit and Reimbursement Agreement with the City of Menifee.
154. **Improvement Bonds** – Prior to improvement plan approval and issuance of any construction permit for all required onsite and offsite public improvements, the developer/project owner shall enter into a bond agreement and post acceptable bonds or security, to guarantee the completion of all required improvements. The bonds shall be in accordance with all applicable City ordinances, resolutions, and municipal codes.
155. **Encroachment Permits** – The developer/property owner shall obtain all required encroachment permits and clearances prior to start of any work within City, State, or local agency right-of-way.
156. **Annexation to the CFD (CFD 2017-1)** – The developer/property owner shall complete the annexation of the proposed development into the boundaries of the City of Menifee CFD. The CFD shall be responsible for the following:
- The maintenance of public improvements or facilities that benefit this development, including but not limited to, public landscaping, streetlights, traffic signals, streets, pavement maintenance, , street sweeping, , graffiti abatement, and other public improvements or facilities as approved by the Public Works Director.
- The developer/property owner shall be responsible for all costs associated with the annexation of the proposed development in the CFD.
157. **Assessment Segregation** – Should this project lie within any assessment/benefit district, the applicant shall, prior to any building permit issuance, make application for and pay for their reapportionment of the assessments or pay the unit fees in the benefit district.
158. **Landscape Improvement Plans for CFD Maintenance** – Landscape improvements within public ROW and/or areas dedicated to the City for the citywide CFD to maintain shall be prepared on separate City CFD plans for review and approval by the Public Works / Engineering Department. The plans may be prepared as one plan for the entire development as determined by the PW Director. When necessary, as determined by the PW Director, a separate WQMP construction plan on City title block maybe required for review and approval by the Public Works / Engineering Department prior to issuance of a grading permit.
159. **Parkway Landscaping Design Standards** – The parkway areas behind the street curb within the public's right-of-way shall be landscaped and irrigated per City standards and guidelines.
160. **CFD Landscape Guidelines and Improvement Plans** – All landscape improvements for maintenance by the CFD shall be designed and installed in accordance with City CFD

Landscape Guidelines, and shall be drawn on a separate improvement plan on City title block. The landscape improvement plans shall be reviewed and approved by the Public Works / Engineering Department prior to issuance of a construction permit.

161. **Maintenance of CFD Accepted Facilities** – All landscaping and appurtenant facilities to be maintained by the citywide CFD shall be built to City standards. The developer shall be responsible for ensuring that landscaping areas to be maintained by the CFD have its own controller and meter system, separate from any private controller/meter system.

## **PROJECT-SPECIFIC CONDITIONS OF APPROVAL**

### **A. GRADING**

#### **Prior to Grading Permit Issuance:**

162. The following geotechnical report and related documentation was reviewed and conditionally approved by the City:
- a. *Response to Review Comment*, prepared by GeoTek, Inc., dated March 17, 2022.
  - b. *Geotechnical and Infiltration Evaluation For Proposed Warehouse Project, APN's 330-190-002, -003, -004, -005, -010, -011, and -012, Kuffel Road and Wheat Street, Menifee, Riverside County, California, Project No. 2761-CR*, prepared by GeoTek, Inc., dated June 14, 2021.
163. A final geotechnical report or supplemental report shall be prepared and submitted during final engineering. This final or supplemental report shall define the specific traffic loading information that is applicable to this project and establish a final pavement design that is based on this traffic loading information. Under no circumstances shall the final pavement design be less than the City standards. The final geotechnical report or supplemental report must be reviewed and approved by the Public Works / Engineering Department prior to the issuance of a grading permit.
164. Two copies of the City-approved final geotechnical / supplemental report and related documentation shall be provided to the Public Works / Engineering Department with the initial submittal of a grading plan. The developer / property owner shall comply with the recommendations of the final geotechnical / supplemental report and City standards and specifications. All grading shall be performed in accordance with the recommendations of the final geotechnical / supplemental report, and under the general direction of a licensed geotechnical engineer.
165. **Grading Bonds** – Prior to commencing any grading of 50 or more cubic yards of dirt, the applicant shall obtain a grading permit from the Public Works / Engineering Department. Prior to issuance of the permit, adequate performance grading security shall be posted by the developer / property owner with the Public Works / Engineering Department.
166. **Import / export** – In instances where a grading plan involves import or export, prior to obtaining a grading permit, the developer / property owner shall have obtained approval for the import / export location from the Public Works / Engineering Department. The proposed import / export shall conform with City standards and ordinances, including environmental requirements, and submitted to the Public Works Director / City Engineer for approval.

Additionally, if the movement of import / export occurs using City roads, review and approval of the haul routes by the Public Works / Engineering Department will be required. Import or export materials shall conform with City standards and ordinances.

167. **Offsite Grading** – Prior to the issuance of a grading permit, it shall be the sole responsibility of the developer / property owner to obtain all proposed or required easements and / or permissions necessary to perform offsite grading, from affected landowners; including any off-site grading to construct the necessary transitions. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.

**Prior to Building Permit Issuance:**

168. **Submit Plans** – A copy of the improvement plans, grading plans, BMP improvement plans, and any other necessary documentation along with supporting hydrologic and hydraulic calculations shall be submitted to the Public Works / Engineering Department for review. All submittals shall be date stamped by the engineer and include a completed City Deposit or Fee Based Worksheet and the appropriate plan check fee or deposit.
169. **No Building Permit Without Legal Lot** – Prior to issuance of any building permit, the developer / property owner shall ensure that the underlying parcels for such buildings are complying with City Ordinances, Codes, and the Subdivision Map Act.
170. **Parcel Map** – The proposed development includes eight (8) parcels. Prior to issuance of any building permit, the developer / project owner shall consolidate these parcels into a parcel map. The parcel map shall be submitted to the Public Works / Engineering Department for review and approval prior to recordation. (See also the Tentative Parcel Map conditions of approval for this project.)
171. **No Building Permit without Grading Permit** - Prior to issuance of any building permit for any new structures or appurtenances, the developer / property owner shall obtain a grading permit and / or approval to construct from the Public Works / Engineering Department.
172. **Final Rough Grading Conditions** – Prior to issuance of a building permit for any new structures or appurtenances, the developer / property owner shall cause the Civil Engineer of Record and Soils Engineer of Record for the approved grading plans, to submit signed and wet stamped rough grade certification and compaction test reports with 90% or better compaction, for the lots for which building permits are requested. The certifications shall use City approved forms, and shall be submitted to the Public Works / Engineering Department for verification and acceptance.
173. **Conformance to Elevations / Geotechnical Compaction** - Rough grade elevations for all building pads and structure pads submitted for grading plan check approval shall be in substantial conformance with the elevations shown on approved grading plans. Compaction test certification shall be in compliance with the approved project geotechnical/soils report.

**Prior to Issuance of Any Certificate of Occupancy:**

174. **Final Grade Certification** – The developer / property owner shall cause the Civil Engineer of Record for the approved grading plans, to submit a signed and wet-stamped final grade



certification, on City approved form, for each building for which a certificate of occupancy is requested. The certification shall be submitted to the Public Works / Engineering Department for verification and acceptance.

175. **Conform to Elevations** - Final grade elevations of all building or structure finish floors submitted for grading plan check approval shall be in substantial conformance with the elevations shown on the approved grading plans.

176. **Plant & Irrigate Slopes** – All manufactured slopes shall be irrigated and landscaped with grass or approved ground cover, and shall have some type of drainage swale at the toe of the slope to collect runoff. Slopes greater than or equal to 3' in vertical height shall have erosion control measures provided. Slopes that exceed 15' in vertical height are to be planted with additional shrubs and trees as approved by the Public Works / Engineering Department. Drip irrigation shall be provided for all irrigated slopes.

## **B. DRAINAGE**

177. **Drainage Study** – The following preliminary drainage study was reviewed and approved by the City:

- a. *Preliminary Drainage Study*, prepared by Albert A. Webb Associates, dated October 2021.

Two copies of a final drainage study shall be submitted to the City for review and approval. The study shall analyze, at a minimum, the following:

- Project site drainage flow.
- All future improvements drainage flow.
- $Q_{10}$ ,  $Q_{100}$ , pre- and post- condition flow rates.
- Anticipated total drainage flow into existing storm drain and existing storm drain capacity.
- Total drainage flow into and capacity of proposed storm drain and water quality management facilities / BMPs.

The final drainage study shall also be consistent with the approved final water quality management plan (FINAL WQMP).

The project shall comply with all mitigation recommended by the approved drainage study.

A fee for review of the Drainage Study shall be paid to the City, the amount of which shall be determined by City at first submittal of report.

178. **Area Drainage Plan (ADP) Fees** - The proposed development is located within the bounds of the Homeland / Romoland ADP of the Riverside County Flood Control and Water Conservation District (Flood Control District), for which drainage fees have been established by the Riverside County Board of Supervisors. Applicable ADP fees will be due (in accordance with the Rules and Regulations for Administration of Area Drainage Plans) prior to building permits for this project. The fee due will be based on the fee in effect at the time of payment.

179. **Master Drainage Plan (MDP)** – The proposed development is located within the bounds of the Homeland / Romoland MDP of the Flood Control District.

180. **Proposed Drainage Concept** - The project will generate onsite and offsite drainage flows.

Onsite drainage will flow northerly from the southern boundary of the site to a bioretention / water quality basin at the northern boundary of the site by means of concrete ribbon gutters and a network of onsite storm drain pipe. Offsite drainage from the south will be collected by concrete v-gutters along the retaining wall near the southern boundary of the site and then redirected on both sides of the site to the proposed curb and gutter along Wheat Street and Byers Road.

Stormwater runoff from the street improvements along Wheat Street (centerline to the proposed eastern right of way) will enter a proposed catch basin located at the southeast corner of intersection of Wheat Street and Kuffel Road. Similarly, stormwater from the street improvements along Byers (centerline to the proposed western right of way) will enter a proposed catch basin located at the southeast corner of the intersection of Byers Road and Kuffel Road. Runoff from the south half of the street improvements along Kuffel Road (centerline to the proposed southern right of way) between Wheat Street and Byers Road will also be intercepted by proposed catch basins. Proposed water quality facilities will treat low flows prior to each catch basin, with high flows and treated low flows entering a proposed off-site storm drain lines that all gravity flow to Romoland MDP Line A-14a in Byers Road of the Homeland / Romoland MDP and then discharge directly into the Line A channel of the Homeland / Romoland MDP before discharging to the San Jacinto River.

181. **Completion of Drainage Improvements** - All onsite and offsite water quality / drainage systems must be constructed and operational prior to the issuance of any certificate of occupancy.

182. **10 Year Curb – 100 Year Right-of-Way** - The 10-year storm flow shall be contained within the top of curb, and the 100-year storm flow shall be contained within the street right-of-way. When either of these criteria is exceeded, additional drainage facilities shall be installed. The property shall be graded to drain to the adjacent street or an adequate outlet.

183. **100 Year Drainage Facilities** - All drainage facilities shall be designed to accommodate 100-year storm flows as approved by the City of Menifee Public Works / Engineering Department.

184. **100 Year Design Criteria** - In final engineering and prior to grading permit issuance, subsurface drainage/BMP facilities shall be designed with emergency overflow inlets to mitigate flows in excess of the 100-year storm event in a controlled manner to the satisfaction of the Public Works / Engineering Department.

185. **100 Year Sump Outlet** - Drainage facilities outletting sump conditions shall be designed to convey the tributary 100-year storm flows. Additional emergency escape shall also be provided.

186. **On-Site Storm Drain System** - Prior to issuance of a grading permit, the proposed on-site storm drain system shall be designed such that any ponding in the 100-year storm, shall be contained within the site; it shall not encroach onto any adjacent property, and shall maintain a minimum 1-foot freeboard to the proposed building pad elevation. The 100-year

storm flow from the site shall not flow over the proposed parkway or within the driveway approach.

### **C. LANDSCAPING**

187. **Maintenance of Landscaping** – All private landscaping shall be maintained by the individual property owner, or as otherwise established by Covenants, Conditions, and Restrictions (CC&Rs). All landscaping, and similar improvements not properly maintained by the individual property owner must be annexed into a CFD, or other mechanism as determined by the City of Menifee.

### **D. STREETS AND DEDICATIONS**

188. **Street Improvements** – Street improvements shall conform to all applicable City Design Standards and Specifications, the City General Plan, and all other relevant laws, rules and regulations governing street construction in the City. The development includes improvements to Wheat Street, Byers Road, and Kuffel Road along the project frontage. Turning movements at driveways will be as approved by the Public Works Director / City Engineer. The developer / property owner shall use commercially reasonable efforts to obtain all right-of-way necessary to accommodate the required improvements. Developer and City may enter into a Reimbursement Agreement through which the City will use best efforts to impose conditions of approval on other developments which also impact the following streets and intersections to contribute their fair share in order to reimburse Developer for its costs for said improvements in excess of the project's fair share.

- a. Wheat Street – Wheat Street shall be improved along the project frontage to an Industrial Collector (2-lane) designation with an ultimate half-width right-of-way of 39 feet, a paved curb-to-centerline width of 28 feet, and an 11-foot landscaped parkway that includes a 6-foot sidewalk. The improvements shall include the necessary offsite transitions to the existing pavement width, as approved by the Public Works Director / City Engineer.. Prior to the issuance of a building permit, the developer shall construct or guarantee the construction of the public street improvements fronting the property to the centerline plus an additional 12 feet past the centerline, including the necessary offsite transitions, as approved by the Public Works Director / City Engineer. The design of the street improvements shall be reviewed and approved by the City Engineer. If needed, it shall be the sole responsibility of the developer / property owner to obtain all proposed or required easements and / or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the street improvements. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.
- b. Byers Road – Byers Road shall be improved along the project frontage to an Industrial Collector (2-lane) designation with an ultimate half-width right-of-way of 39 feet, a paved curb-to-centerline width of 28 feet, and an 11-foot landscaped parkway that includes a 6-foot sidewalk. The improvements shall include the necessary offsite transitions to the existing pavement width, as approved by the Public Works Director / City Engineer. Class III Community On-Street bike lanes shall also be provided. Prior to the issuance of a building permit, the developer shall construct or guarantee the construction of the public street improvements fronting the property to the centerline plus an additional 12 feet past the median or

centerline, including the necessary offsite transitions, as approved by the Public Works Director / City Engineer. The design of the street improvements shall be reviewed and approved by the City Engineer. If needed, it shall be the sole responsibility of the developer / property owner to obtain all proposed or required easements and / or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the street improvements. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.

- c. Kuffel Road – Kuffel Road shall be improved along the project frontage to a General Local (2-lane) designation with an ultimate half-width right-of-way of 30 feet, a paved curb-to-centerline width of 20 feet, and an 10-foot landscaped parkway that includes a 6-foot sidewalk. The improvements shall include the necessary offsite transitions to the existing pavement width, as approved by the Public Works Director / City Engineer. Prior to the issuance of a building permit, the developer shall construct or guarantee the construction of the public street improvements fronting the property to the centerline plus an additional 12 feet past the median or centerline, including the necessary offsite transitions, as approved by the Public Works Director / City Engineer. The design of the street improvements shall be reviewed and approved by the City Engineer. If needed, developer / property owner shall use commercially reasonable efforts to obtain all permissions necessary to perform offsite grading from affected landowners where necessary to construct the street improvements. Documentation showing permission by affected landowners, if needed, authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.

189. **Soils and Pavement Report** - Street pavement structural designs shall comply with the recommendations in the City-approved project geotechnical report, and must meet minimum City standards and specifications, as approved by the Public Works Director / City Engineer. The preliminary pavement design shown on the plans shall be based on R-Value testing of representative soils. The final pavement design shall be performed following grading and be based on R-Value testing of subgrade soils at locations approved by the City's Public Works Inspector, and the approved Traffic Index (T.I.).

190. **Driveways** - Final driveway geometrics may be modified in final engineering as approved by the Public Works Director / City Engineer. Driveways shall meet current standard radii on all existing and proposed commercial drive approaches used as access to the proposed development. The developer shall adhere to all City standards and regulations for access and ADA guidelines. As outlined in the following conditions, medians may be required to restrict turning movements for public safety purposes as determined by the Public Works Director / City Engineer.

191. **Acceptance of Public Roadway Dedication and Improvements** – Easements and right-of way for public roadways shall be granted to the City through an acceptable recordable instrument. The easements shall be submitted to the Public Works / Engineering Department for review and approval prior to recordation.

192. **ADA Compliance** – ADA path of travel shall be designed at the most convenient accesses and the shortest distance to the buildings in accordance with ADA design standards and to the satisfaction of the Public Works Director / City Engineer and the City Building Official.

193. **Paving or Paving Repairs** – The applicant shall be responsible for obtaining the paving inspections required by City standards and ordinances. Paving and / or paving repairs for utility street cuts shall be per City of Menifee standards and ordinances and as approved by the Public Works Director / City Engineer.
194. **Signing and Striping** – A signing and striping plan for Wheat Street and Byers Road is required for this project. The applicant shall be responsible for any additional paving and / or striping removal caused by the striping plan.
195. **Street Light Plan** – Street lights requiring relocations, or any required new street lights shall be designed in accordance with current City Standards for LS-3 type streetlights. Street light construction plans shall be prepared as separate plans or combined with the public street improvement plans as approved by the Public Works Director / City Engineer.
196. **Street Sweeping and Pavement Maintenance** - The property owner shall file for annexation or inclusion into the CFD for street sweeping services and street pavement maintenance.

**Prior to Issuance of Building Permit:**

197. **Encroachment Permits** – The developer / property owner shall obtain all required encroachment permits and clearances prior to start of any work within City, State, or local agency right-of-way.
198. **Improvement Bonds** – Prior to issuance of any construction permit for all required onsite for grading and landscape improvements and offsite public improvements, the developer/project owner shall post acceptable bonds or security to guarantee the construction of all required improvements. The bonds shall be in accordance with all applicable City ordinances, resolutions and municipal codes.

Wheat Street Dedication - The developer / property owner shall construct or guarantee the construction of Wheat Street fronting the development to the Industrial Collector (2 lane) designation with an ultimate half-width Right of Way of 39 feet, 28 feet curb-to-centerline paved width, and an 11-foot landscaped parkway that includes a 6-foot sidewalk. If additional right of way is needed, the developer / property owner shall dedicate the necessary right of way fronting the development.

Byers Road Dedication - The developer / property owner shall construct or guarantee the construction of Byers Road fronting the development to the Industrial Collector (2 lane) designation with an ultimate half-width Right of Way of 39 feet, 28 feet curb-to-centerline paved width, Class III Community On-Street bike lanes, and an 11-foot landscaped parkway that includes a 6-foot sidewalk. If additional right of way is needed, the developer / property owner shall dedicate the necessary right of way fronting the development

**Prior to Issuance of Any Certificate of Occupancy:**

199. **Wheat Street Improvements** – Improvements on Wheat Street fronting the development shall be completed to the Industrial Collector (2 lanes) designation with an ultimate half-width Right of Way of 39 feet, 28 feet curb-to-centerline paved width, and an 11-foot landscaped parkway that includes a 6-foot sidewalk, prior to issuance of the Certificate of Occupancy. The improvements shall be adequately transitioned to the existing or proposed street



improvements. It shall be the sole responsibility of the developer / property owner to obtain all proposed or required easements and / or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the street improvements. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.

200. **Byers Road Improvements** – Improvements on Byers Road fronting the development shall be completed to the Industrial Collector (2 lanes) designation with an ultimate half-width Right of Way of 39 feet, 28 feet curb-to-centerline paved width, and an 11-foot landscaped parkway that includes a 6-foot sidewalk, prior to issuance of the Certificate of Occupancy. The improvements shall be adequately transitioned to the existing or proposed street improvements. It shall be the sole responsibility of the developer / property owner to obtain all proposed or required easements and / or permissions necessary to perform offsite grading, from affected landowners where necessary to construct the street improvements. Notarized and recorded agreement or documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.

201. **Driveways and Driveway Approaches** – Driveways and Driveway Approaches as shown on the approved plot plan shall be designed and constructed prior to issuance of Certificate of Occupancy. The driveways shall be designed and constructed in accordance with City of Menifee standards and specifications and meet spacing requirements as well as other City requirements.

## **E. TRAFFIC ENGINEERING**

202. **Traffic Study** – The development shall comply with all the improvements and mitigation measures identified to be constructed or provided in the traffic study approved by the Public Works / Engineering Department. The following Traffic Study was reviewed and approved by the City:

- a. *Traffic Study for the CADO Warehouse Project In the City of Menifee*, prepared by Kimley Horn, dated September 2023.

All required improvements and mitigations identified in the City-approved traffic study shall be included in all improvement plans for review and approval by the Public Works / Engineering Department. Additional improvements may be required to address public safety and welfare, as determined by the Public Works Director / City Engineer.

### **Prior to Issuance of Construction Permit:**

203. **Sight Distance Analysis** – Sight distance analysis shall be conducted at all project roadway entrances for conformance with City sight distance standards. The analysis shall be reviewed and approved by the Public Works Director / City Engineer, and shall be incorporated in the final the grading plans, street improvement plans, and landscape improvement plans.

204. **Signing and Striping Plan** – Prior to issuance of a construction permit, any necessary signing and striping for Wheat Street and Byers Road or any offsite improvements shall be approved by the Public Works Director / City Engineer in accordance with City ordinances, standards and specifications, and with the latest edition of the CAMUTCD.

205. **Driveway Geometrics** – Final driveway geometrics may be modified in final engineering as approved by the City Engineer / Public Works Director. Driveways shall meet current standard radii on all existing and proposed commercial drive approaches used as access to the proposed development. The developer shall adhere to all City standards and regulations for access and ADA guidelines.

206. **Construction Traffic Control Plan** – Prior to start of any project related construction, the developer / property owner shall submit to the Public Works / Engineering Department for review and approval, a Construction Traffic Control Plan in compliance with all applicable City ordinances, standards and specifications, and the latest edition of the CAMUTCD. This traffic control plan shall address impacts from construction vehicular traffic, noise, and dust and shall propose measures to mitigate these effects. The traffic control plan shall include a Traffic Safety Plan for safe use of public roads right of way during construction. The plan shall specify the following mitigation measures to address the following:

- a. Dust and dirt fallout from truck loads that gets entrained onto City roadways:  
(1) Biweekly street sweeping during construction activity, and daily during all grading operations. (2) Approved BMPs shall be installed at all approved construction entrances as part of the SWPPP.
- b. Noise from construction truck traffic: Include construction time and operation of vehicles through surrounding residential streets.
- c. Traffic safety within the road right-of-way: Include temporary traffic control measures and devices.

207. **Fair Share Cost Estimates** – The developer / property owner shall contribute fair share costs for associated intersection geometrics and roadway improvements. If an improvement is part of the City of Menifee Development Impact Fee Study, then developer / property owner may pay DIF fees, and such payment shall constitute full satisfaction of this fair share condition for that improvement. If an improvement is part of the TUMF program, then developer / property owner may pay TUMF fees, and such payment shall constitute full satisfaction of this fair share condition for that improvement. If an improvement is not part of the DIF or TUMF programs, then the developer / property owner shall pay a fair share cost for that improvement which shall be calculated as follows. A fair share cost estimate shall be prepared by developer / property owner that reflects costs at the time of project construction and be based on conceptual exhibits showing the proposed improvements overlaid onto the existing roadway in order to determine the construction cost of said improvement. The developer / property owner shall submit the conceptual exhibits and cost estimates to the Engineering Department for review, and the cost exhibits shall be approved prior to issuance of an encroachment permit for construction.

**Prior to Issuance of Any Certificate of Occupancy:**

208. **Construction of Roadway Improvements** – The developer / property owner shall design and construct the following roadway improvements. The improvements shall be complete prior to any certificate of occupancy.

If needed, developer / property owner shall use commercially reasonable efforts to obtain all permissions necessary to perform offsite grading, from affected landowners where necessary to construct the street improvements. Documentation from affected landowners with their

permission, if needed, authorizing the offsite improvements and grading shall be submitted to the Public Works / Engineering Department. If any of the improvements listed in this section are in or become part of the City's DIF program, or another assessment district or fee program established by the City, developer / property owner shall be entitled to credits for those improvements pursuant to those programs, including entering into a Credit and Reimbursement Agreement with the City of Menifee.

- **Wheat Street Frontage Improvements:**

- a. Construct Wheat Street as a 2-lane Industrial Collector (78 feet total right-of-way width). The improvements shall extend to the centerline plus an additional 12 feet past the centerline, including the necessary offsite transitions to the existing pavement as approved by the Public Works Director / City Engineer. The design shall be finalized in final engineering.
- b. Modify the existing northbound shared lane to a right-turn only lane, such that no left turns are allowed at the intersection of Wheat Street and Ethanac Road.

- **Byers Road Frontage Improvements:**

- a. Construct Byers Road as a 2-lane Industrial Collector (78 feet total right-of-way width). The improvements shall extend to the centerline plus an additional 12 feet past the centerline, including the necessary offsite transitions to the existing pavement as approved by the Public Works Director / City Engineer. The design shall be finalized in final engineering.

- **Traffic Signal and Related Improvements at Intersection of Ethanac Road and Byers Road:**

- a. Install a traffic signal. The traffic signal shall provide protected westbound left-turn phasing.
- b. Modify the existing northbound shared lane to a right-turn only lane.
- c. Add a dedicated northbound left-turn lane.
- d. Increase the left-turn pocket length to 350 feet.
- e. The City of Menifee acknowledges that permits and approvals for these improvements may be needed from other public agencies; if developer / property owner is unable to obtain such permits and approvals for any of these improvements, following commercially reasonable efforts to do so, then the City Engineer may determine that a fair share contribution be paid for said improvements.

209. **Fair Share Cost Participation for Offsite Improvements** – The developer / property owner shall pay fair share costs for the offsite improvements listed below. If a listed improvement is part of the City of Menifee DIF program, then developer / property owner may pay DIF fees, and such payment shall constitute full satisfaction of this fair share condition for that improvement. If an improvement is part of the TUMF program, then developer /

property owner may pay TUMF fees, and such payment shall constitute full satisfaction of this fair share condition for that improvement. If an improvement is not part of the DIF or TUMF programs, then the developer / property owner shall pay a fair share cost for that improvement which shall be calculated as set forth in Condition No. 233 based on the percentage of fair share listed below for each improvement:

- a. **I-215 Southbound Ramps at Ethanac Road:** Improve intersection geometrics at a fair share cost of 22.1% of the total cost of the improvements. The intersection improvements are as follows:
  - a. Add a second eastbound through lane.
  - b. Add a second westbound left-turn lane.
  - c. Modify the southbound approach to provide one left-turn lane, one right-turn lane, and one shared left / thru / right lane.
  - d. Add a free eastbound right-turn lane.
- b. **I-215 Northbound Ramps at Ethanac Road:** Improve intersection geometrics at a fair share cost of 15.9% of the total cost of the improvements. The intersection improvements are as follows:
  - a. Add a second eastbound through lane.
  - b. Add a second westbound through lane.
  - c. Add a dedicated westbound right-turn lane.
  - d. Add a second eastbound left-turn lane.
  - e. Add a second northbound left-turn lane.
- c. **Intersection of Trumble Road and Ethanac Road:** Improve intersection geometrics at a fair share cost of 5.2% of the total cost of the improvements. The intersection improvements are as follows:
  - a. Add a second eastbound through lane.
  - b. Add a second westbound through lane.
- d. **Traffic Signal and Related Improvements at Intersection of Sherman Road and Ethanac Road:** Improve intersection geometrics at a fair share cost of 5.2% of the total cost of the improvements. The intersection improvements are as follows:
  - a. Install a traffic signal. The traffic signal shall provide protected left-turn phasing on the eastbound / westbound approaches, as well as split phasing on the northbound / southbound approaches.
  - b. Add a second eastbound through lane.

- c. Add a second westbound through lane.
- d. Modify the northbound approach to include a dedicated left-turn lane and a shared left / thru / right lane.
- e. Add a dedicated southbound left-turn lane.
- f. Add a dedicated eastbound left-turn lane.
- g. Add a dedicated westbound left-turn lane.
- e. **Traffic Signal at Intersection of Murrieta Road and Rouse Road: Improve intersection geometrics at a fair share cost of 10.2% of the total cost of the improvements. The intersection improvements are as follows:**
  - a. Install a traffic signal.
- f. **I-215 Southbound Ramps at McCall Boulevard: Improve intersection geometrics at a fair share cost of 6.4% of the total cost of the improvements. The intersection improvements are as follows:**
  - a. Add a second southbound right-turn lane.
  - b. Add a southbound left-turn lane.
- g. **I-215 Northbound Ramps at McCall Boulevard: Improve intersection geometrics at a fair share cost of 1.9% of the total cost of the improvements. The intersection improvements are as follows:**
  - a. Add a second northbound right-turn lane.

Additional Improvements – The City Engineer will determine whether the following additional improvements will be constructed or funded through a fair share cost participation by the Developer:

- a. **Traffic Signal and Related Improvements at Intersection of Murrieta Road and Ethanac Road:**
  - i. Add a dedicated northbound right-turn lane.
  - ii. Modify the existing traffic signal as follows:
    - 1. Add northbound right-turn overlap phasing.
    - 2. Modify the northbound / southbound phasing from “split” to “protected”.
  - iii. Add an eastbound right-turn lane.
- b. **Traffic Signal and Related Improvements at Intersection of Evans Road and Ethanac Road:**
  - i. Install a traffic signal. The traffic signal shall provide northbound right-turn overlap phasing.

- ii. Modify the existing northbound shared lane to a right-turn lane.
- iii. Add a northbound left-turn lane.

#### **F. NPDES and WQMP**

210. **Stormwater Management** – All City of Menifee requirements for NPDES and Water Quality Management Plans (WQMP) shall be met per City of Menifee Municipal Code Chapter 15.01 for Stormwater/Urban Runoff Management Program and as determined and approved by the Public Works Director / City Engineer. This project is required to submit a project specific WQMP prepared in accordance with the latest WQMP guidelines approved by the Regional Water Quality Control Board.

211. **Trash Enclosures Standards and Specifications** – Storm runoff resulting in direct contact with trash enclosure, or wastewater runoff from trash enclosure are prohibited from running off a site onto the City MS4 without proper treatment. Trash enclosures in new developments and redevelopment projects shall meet new storm water quality standards including:

- a. Provision of a solid impermeable roof with a minimum clearance height to allow the bin lid to completely open.
- b. Constructed of reinforced masonry without wooden gates. Walls shall be at least 6 feet high.
- c. Provision of concrete slab floor, graded to collect any spill within the enclosure.
- d. All trash bins in the trash enclosure shall be leak proof with lids that are continuously kept closed.
- e. The enclosure area shall be protected from receiving direct rainfall or run-on from collateral surfaces.
- f. The trash enclosure shall be lockable and locked when not in use with a 2-inch or larger brass resettable combination lock. Only employees and staff authorized by the enclosure property owner shall be given access.

Any standing liquids within the trash enclosures without floor drain must be cleaned up and disposed of properly using a mop and a bucket or a wet/dry vacuum machine. All non-hazardous liquids without solid trash may be put in the sanitary sewer as an option, in accordance with Eastern Municipal Water District (EMWD) criteria.

An alternate floor drain from the interior of the enclosure that discharges to the sanitary sewer may be constructed only after obtaining approval from EMWD. This option requires the following:

- a. The trash enclosure shall be lockable and locked when not in use with a 2-inch or larger brass resettable combination lock. Only employees and staff authorized by the enclosure property owner shall be given access. This requirement may not be applicable to commercial complexes with multiple tenants.



- b. A waterless trap primer shall be provided to prevent escape of gasses from the sewer line and save water.
- c. Hot and cold running water shall be provided with a connection nearby with an approved backflow preventer. The spigot shall be protected and located at the rear of the enclosure to prevent damage from bins.

212. **SWRCB, TRASH AMENDMENTS** - The State Water Resources Control Board (State Board) adopted amendments to the Water Quality Control Plan for Ocean Waters of California and the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries – collectively referred to as the “Trash Amendments.” Applicable requirements per these amendments shall be adhered to with implementation measures, prior to building permit issuance. Projects determined to be within Priority Land Uses as defined in the Trash Amendments, shall provide trash full capture devices to remove trash from all Priority Land Use areas that will contribute storm water runoff to the City of Menifee’s MS4. All trash full capture devices shall be listed on the State Board’s current list of certified full capture devices posted on their website:

[https://www.waterboards.ca.gov/water\\_issues/programs/stormwater/trash\\_implementation.shtml](https://www.waterboards.ca.gov/water_issues/programs/stormwater/trash_implementation.shtml)

All trash full capture devices shall be approved by State or Regional Water Quality Control Board staff. Storm water runoff from privately owned Priority Land Use areas shall be treated by full capture devices located within privately owned storm drain structures or otherwise located on the privately owned property, whenever possible. Runoff from Priority Land Use areas created or modified by the project, and which are proposed to be City owned, shall be treated by full capture devices located within city-owned storm drains or otherwise located within the public right of way.

**Prior to Grading Permit Issuance:**

213. **Final Project-Specific Water Quality Management Plan (Final WQMP)** – The following report was reviewed and approved by the City:

- a. *Project Specific Preliminary Water Quality Management*, prepared by Albert A. Webb Associates, dated October 15, 2021.

Prior to issuance of a grading permit, a FINAL project-specific WQMP in substantial conformance with the approved PRELIMINARY WQMP, shall be reviewed and approved by the Public Works / Engineering Department. Additionally, the FINAL WQMP shall also include the following:

- a. A signed Owner’s / Preparer’s Certification.
- b. Biotreatment units (Modular Wetlands) in place of the catch basins that are proposed to capture and route the offsite flows to the onsite bioretention basin.
- c. City-approved construction plans in Appendix 2.
- d. The City-approved final geotechnical / supplemental report in Appendix 3.

- e. The City-approved Phase I ESA in Appendix 4.
- f. Design calculations for the biotreatment units in Appendix 6.
- g. Project-specific source control information in Appendix 8.
- h. The operation and maintenance plan and documentation of finance, maintenance, and recording mechanisms in Appendix 9.
- i. BMP Fact Sheets, maintenance guidelines, and other end-user BMP information in Appendix 10.

The final developed project construction plans shall implement all structural and non-structural BMPs specified in the approved FINAL WQMP. One copy of the approved FINAL WQMP on a CD-ROM or USB in PDF format shall be submitted to the Public Works / Engineering Department for review and approval.

214. **Revising the FINAL WQMP** - In the event the Final WQMP requires design revisions that will substantially deviate from the approved preliminary WQMP, a revised or new WQMP shall be submitted for review and approval by the Public Works / Engineering Department. The cost of reviewing the revised/new WQMP shall be charged on a time and materials basis. The fixed fee to review a FINAL WQMP shall not apply, and a deposit shall be collected from the applicant to pay for reviewing the substantially-revised WQMP.

215. **WQMP Maintenance Agreement** – All water quality features or BMPs that address onsite drainage shall be located within the property limits, and the maintenance shall be the full responsibility of the developer / project owner. Prior to, or concurrent with the approval of the FINAL WQMP, the developer / property owner shall record Covenants, Conditions and Restrictions (CC&R's) that addresses the implementation and maintenance of proposed WQMP BMPs, or enter into an acceptable maintenance agreement with the City to inform future property owners of the requirement to perpetually implement the approved FINAL WQMP.

**Prior to Issuance of Any Certificate of Occupancy:**

216. **WQMP/BMP Education** – Prior to issuance of any Certificate of Occupancy, the developer / project owner shall provide the City proof of notification to future occupants of all BMP's and educational and training requirements for said BMP's as directed in the approved FINAL WQMP. Proof of notification shall be provided to the Public Works / Engineering Department in forms determined acceptable by the Public Works Director / City Engineer. Public Education Program materials may be obtained from the Flood Control District's NPDES Section through their website at [www.rcwatershed.org](http://www.rcwatershed.org).

A copy of the notarized affidavit must be placed in the FINAL WQMP. The Public Works / Engineering Department MUST also receive the original notarized affidavit with the plan check submittal in order to clear the appropriate condition. Placing a copy of the affidavit without submitting the original will not guarantee clearance of the condition.

217. **Implement WQMP** - All structural BMPs described in the FINAL WQMP shall be constructed and installed in conformance with approved plans and specifications. It shall be demonstrated that the applicant is prepared to implement all BMPs described in the approved

FINAL WQMP and that copies of the approved FINAL WQMP are available for the future owners/occupants. The City will not release occupancy permits for any portion of the project until all proposed BMPs described in the approved FINAL WQMP, to which the portion of the project is tributary to, are completed and operational.

218. **Inspection of BMP Installation** – Prior to issuance of any Certificate of Occupancy, all structural BMPs included in the approved FINAL WQMP shall be inspected for completion of installation in accordance with approved plans and specifications, and the FINAL WQMP. The Public Works Stormwater Inspection team shall verify that all proposed structural BMPs are in working conditions, and that a hard copy and / or digital copy of the approved FINAL WQMP are available at the site for use and reference by future owners/occupants. The inspection shall ensure that the FINAL WQMP at the site includes the BMP Operation and Maintenance Plan, and shall include the site in a City-maintained database for future periodic inspection.

#### **G. WATER, SEWER, and RECYCLED WATER**

219. **EMWD Minimum Standards** – All public water, sewer and recycled water improvements shall be designed per City standards and ordinances and Eastern Municipal Water District (EMWD) standards and specifications, including required auxiliaries and appurtenances. The final design, including pipe sizes and alignments, shall be subject to the approval of EMWD and the City of Menifee.
220. **Utility Improvement Plans** – Public Water, Sewer and Recycled Water improvements shall be drawn on City title block for review and approval by the Public Works / Engineering Department and EMWD.
221. **Onsite and Offsite Sewer, Water and Recycled Water Improvements** – All public onsite and offsite sewer, water and recycled water improvements shall be guaranteed for construction prior to building permit and approval of improvement plans.
222. **Sewer Lines** – Any new public sewer line alignments or realignments shall be designed such that the manholes are aligned with the center of lanes or on the lane line and in accordance with City standards and ordinances and EMWD standards and specifications.
223. **Water Mains and Hydrants** - All water mains and fire hydrants providing required fire flows shall be constructed in accordance with City standards and ordinances, as well as those of the Riverside County Fire Department and EMWD standards and specifications.

#### **H. CFD**

##### **Prior to Final Map Recordation:**

224. **Annexation to the CFD** – Prior to final map recordation, the developer / property owner shall complete the annexation of the proposed development, into the boundaries of the City of Menifee CFD. The CFD shall be responsible for:
- a. The maintenance of public improvements or facilities that benefit this development, including but not limited to, the following: Public landscaping, streetlights, streets, drainage facilities, water quality BMPs, graffiti abatement,

and other public improvements or facilities as approved by the Public Works Director / City Engineer.

- b. The developer / property owner shall be responsible for all costs associated with the annexation of the proposed development in the CFD.

225. **CFD Annexation Agreement** – In the event timing for this development's schedule prevents the developer / property owner from complying with the above condition of approval for CFD annexation, the developer shall enter into a CFD annexation agreement to allow the annexation to complete after map recordation but prior to the issuance of a building permit. The developer shall be responsible for all costs associated with the preparation of the CFD annexation agreement. The agreement shall be approved by the City Council prior to issuance of a building permit.

226. **Landscape Improvement Plans for CFD Maintenance** – Landscape improvements within public ROW and / or areas dedicated to the City for the citywide CFD to maintain shall be prepared on a separate City CFD plan for review and approval by the Public Works / Engineering Department.

227. **CFD Landscape Guidelines and Improvement Plans** – All landscape improvements for maintenance by the CFD shall be designed and installed in accordance with City CFD Landscape Guidelines and shall be drawn on a separate improvement plan on City title block. The landscape improvement plans shall be reviewed and approved by the Public Works / Engineering Department prior to issuance of a construction permit.

228. **Landscaping Within the Public Right-of-Way** – The parkway areas around the sidewalk within the public right-of-way fronting the entire property shall be landscaped and irrigated per City standards and guidelines. These areas shall be maintained by the CFD.

229. **Maintenance of CFD Accepted Facilities** – All landscaping and appurtenant facilities to be maintained by the citywide CFD shall be built to City standards. The developer shall be responsible for ensuring that landscaping areas to be maintained by the CFD have its own controller and meter system, separate from any private controller/meter system.

## **I. WASTE MANAGEMENT**

### **Prior to Building Permit Issuance:**

230. **Recyclables Collection and Loading Area Plot Plan** - Prior to the issuance of a building permit for each building, the applicant shall submit three (3) copies of a Recyclables Collection and Loading Area plot plan to the City of Menifee Engineering/Public Works Department for review and approval. The plot plan shall show the location of and access to the collection area for recyclable materials, along with its dimensions and construction detail, including elevation/façade, construction materials and signage. The plot plan shall clearly indicate how the trash and recycling enclosures shall be accessed by the hauler.

The applicant shall provide documentation to the Community Development Department to verify that Engineering and Public Works has approved the plan prior to issuance of a building permit.

231. **Waste Recycling Plan** - Prior to the issuance of a building permit for each building, a Waste Recycling Plan (WRP) shall be submitted to the City of Menifee Engineering/Public Works Department for approval. Completion of Form B "Waste Reporting Form" of the Construction and Demolition Waste Diversion Program may be sufficient proof of WRP compliance, as determined by the Public Works Director / City Engineer. At a minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that will be generated by construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and / or reduce the amounts of materials, the facilities and / or haulers that will be utilized, and the targeted recycling or reduction rate. During project construction, the project site shall have, at a minimum, two (2) bins; one for waste disposal and the other for recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used to further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements shall be made through the City's franchise hauler, Waste Management.

**Prior to Issuance of Any Certificate of Occupancy:**

232. **Waste Management Clearance** - Prior to issuance of an occupancy permit for each building, evidence (i.e., receipts or other type of verification) shall be submitted to demonstrate project compliance with the approved WRP to the Engineering and Public Works Department in order to clear the project for occupancy permits. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled. Completion of Form C, "Waste Reporting Form" of the Construction and Demolition Waste Diversion Program along with the receipts may be sufficient proof of WRP compliance, as determined by the Public Works Director / City Engineer.

**The developer shall use the City's franchise hauler, Waste Management.**

**J. FEES, DEPOSITS and DEVELOPMENT IMPACT FEES**

233. **Fees and Deposits** – Prior to approval of grading plans, improvement plans, issuance of building permits, map recordation, and / or issuance of certificate of occupancy, the developer / property owner shall pay all fees, deposits as applicable. These shall include the regional Transportation Uniform Mitigation Fee (TUMF), Development Impact Fees (DIF), and any applicable regional fees including potential Road and Bridge Benefit District (RBBD) Fees. Said fees and deposits shall be collected at the rate in effect at the time of collection as specified in current City resolutions and ordinances.
234. **Road Bridge Benefit District** – The applicant shall pay the RBBD fees based on the designated land use and areas, prior to the issuance of a building permit. Should the project proponent choose to defer the time of payment, a written request shall be submitted to the City, deferring said payment from the time of issuance of a building permit to issuance of a certificate of occupancy. Fees which are deferred shall be based upon the fee schedule in effect at the time of issuance of the permit of each parcel.
235. **TUMF Fees** – Prior to the issuance of an occupancy permit, the developer / property owner shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to adopted City Ordinance governing the TUMF program.

## **Tentative Parcel Map Conditions of Approval**

### **Standard Policies and Procedures**

236. **Subdivision Map Act** – The developer / property owner shall comply with the State of California Subdivision Map Act and all other laws, ordinances, and regulations pertaining to the subdivision of land.
237. **Existing and Proposed Easements** – The final map shall correctly show all existing easements, traveled ways, drainage courses, and encumbrances. Any omission or misrepresentation of these documents may require said map to be resubmitted for further consideration.
238. **Final Map Submittal Process** – Appropriate final map plan check submittal forms shall be completed and appropriate fees or deposits paid. Prior to approval of the final map by the City Council, the developer / property owner shall provide along with the final map mylars, electronic files of the final map on Compact Disc (CD), in one of the following formats: (a) Auto CAD DXF, (b) GIS shapefile (made up of ESRI extensions .shp, .shx and .dbf) and (c) Geodatabase (made up of ESRI extension .gdb). CAD files created with the latest version shall only be accepted if approved by the Public Works Director / City Engineer.

### **A. GENERAL CONDITIONS**

239. **Parcel Map** – The proposed development includes eight (8) parcels that will be consolidated into one (1) parcel, and as such, the developer / project owner shall prepare and file a parcel map. The parcel map shall be submitted to the Public Works / Engineering Department for review and approval prior to recordation.

### **B. DEDICATIONS**

240. **Street Dedications** – Street dedications shall conform to all applicable City Design Standards and Specifications, the City General Plan, and all other relevant laws, rules and regulations governing street construction in the City.
- a. Wheat Street – The dedication for Wheat Street along the project frontage shall be for an Industrial Collector (2-lane) designation with an ultimate half-width right-of-way of 39 feet.
  - b. Byers Road – The dedication for Byers Road along the project frontage shall be for an Industrial Collector (2-lane) designation with an ultimate half-width right-of-way of 39 feet.

### **C. FEES, DEPOSITS and DEVELOPMENT IMPACT FEES**

241. **Fees and Deposits** – Prior to map recordation, the developer / property owner shall pay all fees, deposits as applicable. These shall include the regional Transportation Uniform Mitigation Fee (TUMF), Development Impact Fees (DIF), and any applicable regional fees including potential Road and Bridge Benefit District (RBBD) Fees. Said fees and deposits shall be collected at the rate in effect at the time of collection as specified in current City resolutions and ordinances.



**Section III:**  
**Building and Safety Department**  
**Conditions of Approval**

## GENERAL REQUIREMENTS

242. **Final Building & Safety Conditions.** Final Building & Safety Conditions will be addressed when building construction plans are submitted to Building & Safety for review. These conditions will be based on occupancy, use, the California Building Code (CBC), and related codes which are enforced at the time of building plan submittal.
243. **Compliance with Code.** All Design components shall comply with applicable provisions of the 2019 edition of the California Building, Plumbing and Mechanical Codes; 2019 California Electrical Code; California Administrative Code, 2019 California Energy Codes, 2019 California Green Building Standards, California Title 24 Disabled Access Regulations, and City of Menifee Municipal Code. If a code cycle changes prior to submission of any plans or documents, the plans submitted shall be updated to the current State of California, Title 24, Code of Regulations, City of Menifee Ordinance, or any other state, federal, or city requirements.
244. **ADA Access.** Applicant shall provide details of all applicable disabled access provisions and building setbacks on plans to include:
- Disabled access from the public way to the main entrance of the building.
  - Van accessible parking located as close as possible to the main entrance of the building.
  - Accessible path of travel from parking to the furthest point of improvement.
  - Path of accessibility from parking to furthest point of improvement.
  - Accessible path of travel from public right of way to all public areas on site, such as enclosures, clubhouses and picnic areas.
245. **California Green Building Code Requirements.**
- The plans shall clearly indicate the location and total amount of Clean Air Vehicle (CAV) parking stalls as required, if applicable.
  - The plans shall clearly indicate the location and total amount of future electric vehicle (EV) parking stalls within the site.
246. **County of Riverside Mount Palomar Ordinance.** Applicant shall submit, at the time of plan review, a complete exterior site lighting plan with a "photometric study" showing compliance with County of Riverside Mount Palomar Ordinance Number 655 for the regulation of light pollution. All streetlights and other outdoor lighting shall be shown on electrical plans submitted to the Building & Safety Department. Any outside lighting shall be hooded and aimed not to shine directly upon adjoining property or public rights-of-way. All exterior LED light fixtures shall be 3,000 kelvin and below.
247. **Street Name Addressing.** Applicant must obtain street name addressing for all proposed buildings by requesting street name addressing and submitting a site plan for commercial, residential/tract, or multi-family residential projects.
248. **Obtain Approvals Prior to Construction.** Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.
249. **Obtaining Separate Approvals and Permits.** Temporary construction/sales trailers, temporary power poles/generators, trash enclosures, patio covers, light standards, building and monument signage, and any block walls will require separate approvals and permits. Solid covers are required over new and existing trash enclosures.

250. **Sanitary Sewer and Domestic Water Plan Approvals.** On-site sanitary sewer and domestic water plans will require separate approvals and permits from Building and Safety. A total of 6 sets shall be submitted.
251. **Demolition.** (If applicable) Demolition permits require separate approvals and permits. AQMD notification and approval may be required.
252. **Hours of Construction.** Signage shall be prominently posted at the entrance of the project indicating the hours of construction, as allowed by the City of Menifee Municipal Ordinance 8.01.010, for any site within one-quarter mile of an occupied residence. The permitted hours of construction are Monday through Saturday 6:30am to 7:00pm. No work is permitted on Sundays and nationally recognized holidays unless approval is obtained from the City Building Official or City Engineer.
253. **House Electrical Meter.** Provide a house electrical meter to provide power for the operation of exterior lighting, irrigation pedestals and fire alarm systems for each building on the site. Developments with single user buildings shall clearly show on the plans how the operation of exterior lighting and fire alarm systems when a house meter is not specifically proposed.

#### **AT PLAN REVIEW SUBMITTAL**

254. **Submitting Plans and Calculations.** Applicant must submit to Building & Safety one (1) complete set of each document listed below for electronic submittals or, seven (7) complete sets of plans and two (2) sets of supporting documents, two (2) sets of calculations for review including:

**All plans shall be submitted on minimum 24" x 36" size paper or digital equivalent.**

##### **General Requirements**

- a. All sheets of the plans and the first sheet of the calculations are required to be signed by the licensed architect or engineer responsible for the plan preparation. (Business & Professions Code 5802), (Business & Professions Code 5536.1, 5802, & 6735)

##### **Cover Sheet**

- b. Vicinity Map
- c. Parcel number and Site Address
- d. Business Name
- e. Building data: Building Type of Construction, Square Feet of leased area intended use/occupancy, occupant loads, Building Code Data: 2019 California Building Code, 2019 California Electrical Code, 2019 California Mechanical Code, 2019 California Plumbing Code, 2019 California Green Building Code, 2019 California Energy Code, and 2019 California Fire Code.
- f. List any flammable/combustible materials, chemicals, toxics, or hazardous materials used or stored and total quantities or each, including MSDS reports.
- g. Indicate if the building has a fire sprinkler system.

- h. Sheet Index

### **Plot Plans**

- a. North Arrow
- b. Property Lines/Easements
- c. Street/Alleys
- d. Clearly dimension building setbacks from property lines, street centerlines, and from all adjacent buildings and structures on the site plan.

### **PRIOR TO ISSUANCE OF BUILDING PERMITS**

- 255. All associated Building Fees to be paid.
- 256. Each Department is required to Approve, with a signature.

### **PRIOR TO START OF CONSTRUCTION**

- 257. **Pre-Construction Meeting.** A pre-construction meeting is required with the building inspector prior to the start of the building construction.

### **PRIOR TO TEMPORARY CERTIFICATE OF OCCUPANCY (IF APPLICABLE)**

- 258. **Temporary Certificate of Occupancy.** Application and deposit to be submitted, a minimum of 5 working days prior to effective date. Each department is required to provide an Exhibit clearly identifying those Conditions of Approval that remain outstanding with a signature.

### **PRIOR TO CERTIFICATE OF OCCUPANCY**

- 259. Each department is required to Review and Approve with a signature once ALL Conditions of Approval have been Met/Approved.

### **PRIOR TO FINAL INSPECTION**

- 260. Each department that has conditions shall have completed and approved their final inspection prior to requesting the final inspection by the Building and Safety Department.

**Section IV:**  
**Office of the Fire Marshal**  
**Conditions of Approval**

It is the responsibility of the recipient of these Fire Department conditions to forward then to all interested parties. The permit number (**as it is noted above**) is required on all correspondence.

Additional information is available at our website: [www.rvcfire.org](http://www.rvcfire.org)

Questions should be directed to the Riverside County Fire Department, Office of the Fire Marshal at City of Menifee 29714 Haun Rd., Menifee, CA 92586. Phone (951)723-3767

## **COMMENTS**

261. **Surface Load and Capabilities-** Fire apparatus access roads shall be designed to support the impose loads of fire apparatus [80,000 pound live load (gross vehicular weight) distributed over two axles] and shall be surfaced so as to provide all-weather driving capabilities [rear wheel drive apparatus] for the length and grade(s) of the fire apparatus access road.
262. **Aerial Fire Apparatus Access Roads-** Where the vertical distance between grade plane and the highest roof surface exceeds 30 feet, approved aerial fire apparatus access roads shall be provided. Aerial fire apparatus access roads shall have unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of the building or portion thereof, with an unobstructed vertical clearance of 13 feet 6 inches.
263. **Minimum Required Fire Flow -** The Fire Department is required to set a minimum fire flow for the remodel or construction of all commercial buildings in accordance with Ordinance 787 and the California Fire Code. A fire flow of 4000 gpm for a 4-hour duration at 20 psi residual operating pressure must be available before any combustible material is placed on the job site. A minimum number of 5 Super fire hydrant(s) (6"x4"x2½"x2½") shall be provided for this project. Additional fire hydrants may be required to meet the spacing requirements of the California Fire Code.
264. **Hydrant System -** A combination of on-site and off-site super fire hydrants (6"x4"x2½"x2½") on a looped system shall be provided spaced an average of 300 feet between fire hydrants and in no case shall fire hydrants be further than 180 feet from any portion of on a street or road frontage as measured along approved vehicular travel ways. Fire hydrant(s) shall be located so that no portion of the building is farther than 250 feet from any hydrant(s) as measured along approved vehicular travel ways. The required fire flow shall be available from any adjacent hydrant(s) in the system.
265. **Additional Required Hydrants -** Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards.
266. **Gates -** Gate entrances shall be at least two feet wider than the width of the traffic lanes serving the gate. Any gate providing access from a road to a driveway shall be located at least 35 feet setback from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Where a one-way road with a single traffic lane provides access to a gate entrance, 38 feet turning radius shall be used.
267. **Auto Gates-** Gates shall be automatic minimum 26 feet in width. Gate access shall be equipped with a rapid entry system to include OPTICOM and Knox Electric switches. Plan



shall be submitted to the Fire Department for approval prior to installation. Automatic/manual gate pins shall be rated with shear pin force, not to exceed 30 pounds. Automatic gates shall be equipped with emergency backup power. Gates activated by the rapid entry system shall remain open until closed by the rapid entry system.

268. **Fire Department Access** - Fire apparatus access roads shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

269. **Turn Around** - Turn arounds shall be provided to all building sites on fire apparatus access roads over 150 feet in length and shall be within 50 feet of the building. The minimum outside turning radius for a turnaround shall be 38 feet, not including parking. If a hammerhead is used instead, the top of the "T" shall be a minimum of 110 feet in length.

270. **Sprinkler System**- Buildings or structures exceeding 3600 sq. ft are required to have approved CFC and NFPA 13 compliant fire sprinkler systems installed. ESFR system to be required for a project of this size.

271. **Building Access** - Shall comply per Table 3206.2 California Fire Code, fire apparatus access roads in accordance with Section 503 shall be provided within 150 feet of all portions of the exterior walls of buildings used for high pile storage.

272. **Access Doors** - Where building access is required by Table 3206.2, fire department access doors shall be provided in accordance with this section. Access doors shall be accessible without the use of a ladder.

273. **Number of Doors Required** - The required fire department access doors shall be distributed such that the lineal distance between adjacent fire department access door does not exceed 125 ft measured center to center.

274. **Smoke and Heat Removal** - Where smoke and heat removal is required by Table 3206.2 it shall be in accordance with Section 910.

If any of the conditions are unclear, difficult to understand, or you would like to set up a meeting, please contact me at (951) 723-3765 so that I can better assist you in the approval of this project.

**Section V:**  
**Riverside County Environmental Health**  
**Conditions of Approval**



County of Riverside  
**DEPARTMENT OF ENVIRONMENTAL HEALTH**

P.O. BOX 7909 • RIVERSIDE, CA 92513-7909

JEFF JOHNSON, DIRECTOR

June 8, 2022

City of Menifee, Planning Department  
Attn: Ryan Fowler  
29714 Haun Road  
Menifee, CA 92586

**SUBJECT: City of Menifee Planning Applications: PLN21-0370  
(ASSESSORS PARCEL NO. 330-190-002 thru 005, 010 thru 013)**

Dear Mr. Fowler,

The project listed in the subject heading of this letter proposes the following:

- PLN21-0370 proposes to construct one concrete tilt-up building totaling 700,037 SF and associated improvements such as parking, on-site landscaping and related on-site and off-site improvements.
- TPM/PLN22-0041 proposes to consolidate 8 parcels into one industrial parcel with an approximate size of 40.03 gross acres (36.81 net acres).

The project is generally located north of Corsica Lane, south of Kuffel Road, east of Wheat Street and west of Byers Road, in the City of Menifee.

In accordance with the agreement between the County of Riverside, Department of Environmental Health (DEH) and the City of Menifee, DEH has reviewed the planning case referenced in the subject heading of this letter and provides the following recommendations:

**POTABLE WATER AND SANITARY SEWER SERVICE:**

A "General Condition" shall be placed on the project indicating that the subject property is proposing to receive potable water service and sanitary sewer service from Eastern Municipal Water District (EMWD). It is the responsibility of this facility to ensure that all requirements to obtain potable water and sanitary sewer service are met with EMWD, in addition to all other applicable agencies.

Prior to building permit issuance, provide documentation that establishes water and service for the project from EMWD.

**REMOVAL/DESTRUCTION OF ANY EXISTING OWTS AND WELLS:**

Prior to any grading permit issuance, any existing wells and/or existing onsite wastewater treatment systems (OWTS)/septic shall be properly removed and/or destroyed under permit with DEH.

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Office Locations • Blythe • Corona • Hemet • Indio • Murrieta • Palm Springs • Riverside

Phone (888)722-4234  
[www.rivcoeh.org](http://www.rivcoeh.org)

#### **HAZARDOUS MATERIALS MANAGEMENT BRANCH**

Prior to building permit final, this facility shall be required to contact and have a review conducted by the Hazardous Materials Management Branch (HMMB). A business emergency plan for the storage of any hazardous materials, greater than 55 gallons, 200 cubic feet or 500 pounds, or any acutely hazardous materials or extremely hazardous substances will be required. If further review of the site indicates additional environmental health issues, HMMB reserves the right to regulate the business in accordance with applicable County Ordinances. Please contact HMMB at (951) 358-5055 to obtain information regarding any additional requirements.

#### **ENVIRONMENTAL CLEANUP PROGRAMS**

As part of the services offered to Contract Cities, the Department of Environmental Health Environmental Cleanup Programs (ECP) conducts environmental reviews on planning projects to ensure that existing site conditions will not negatively affect human health or the environment. The objective of the environmental reviews is: to determine if there are potential sources of environmental and/or human exposures associated with the project, identify the significance of potential adverse effects from the contaminants, and evaluate the adequacy of mitigation measures for minimizing exposures and potential adverse effects from existing contamination and/or hazardous substance handling.

\*Note: Applicant submitted a Phase I Environmental Site Assessment (ESA) report to DEH but it was not reviewed by DEH.

For this project, the City of Menifee is taking on the responsibility to review the above aspects of the project.

Should you have any further questions about this letter or require further assistance, please contact me by email at [kakim@rivco.org](mailto:kakim@rivco.org) or by phone at (951) 955-8980.

Sincerely,  
Kristine Kim, Supervising REHS  
Environmental Cleanup Program

**The undersigned warrants that he/she is an authorized representative of the project referenced above, that I am specifically authorized to consent to all of the foregoing conditions, and that I so consent as of the date set out below.**

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Signed

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Date

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Name (please print)

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Title (please print)





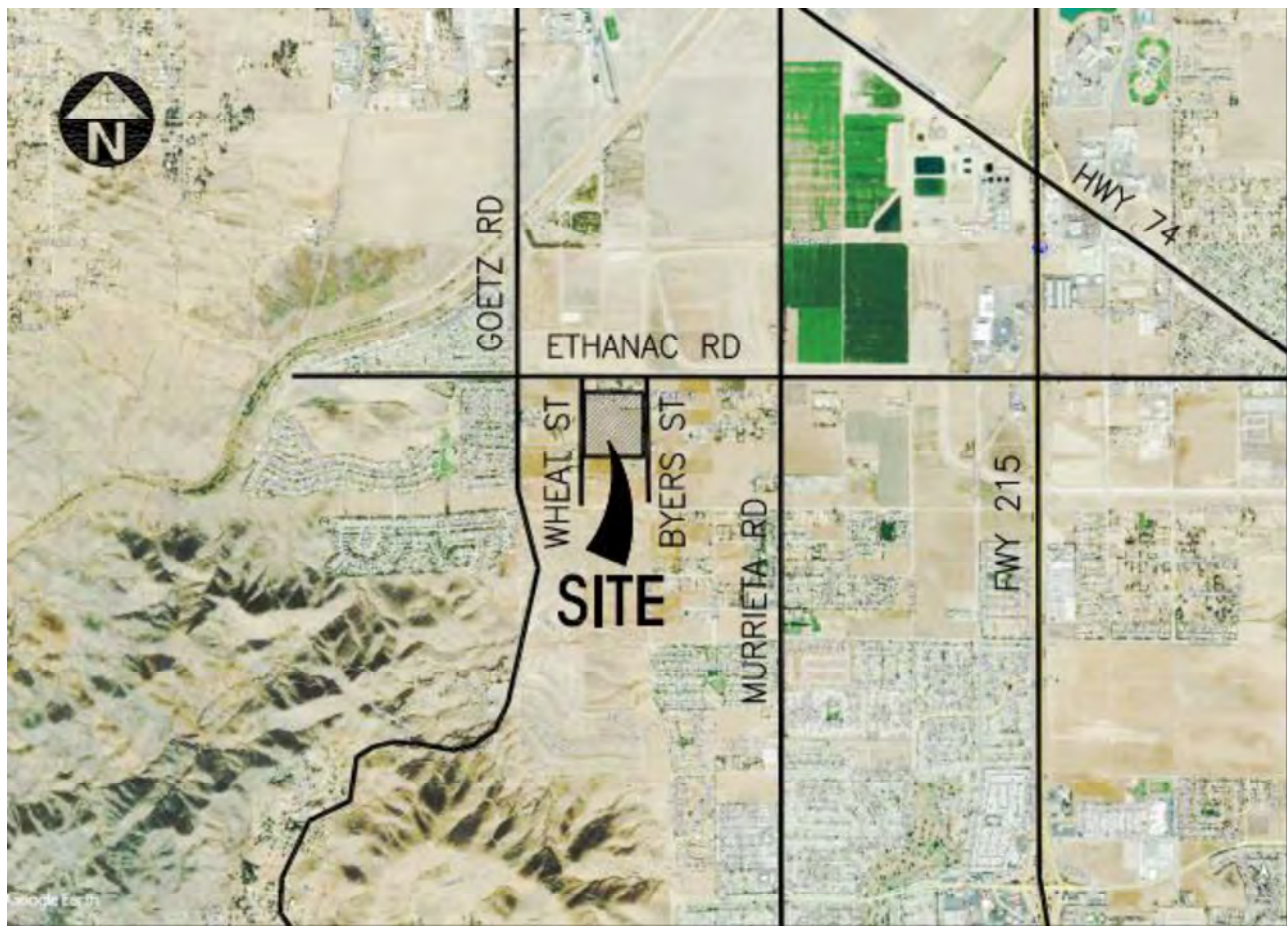
**NOTICE OF PUBLIC HEARING  
AND  
NOTICE OF AVAILABILITY OF A FINAL ENVIRONMENTAL IMPACT REPORT**

TIME OF HEARING: August 14, 2024  
DATE OF HEARING: 6:00PM, or as soon thereafter as possible  
PLACE OF HEARING: **MENIFEE CITY COUNCIL CHAMBERS**  
**29844 Haun Road, Menifee, CA 92586**

**A PUBLIC HEARING** has been scheduled, pursuant to the City of Menifee Municipal Code, before the **CITY OF MENIFEE PLANNING COMMISSION** to consider the project shown below:

**Project Title:** “CADO Menifee Industrial Warehouse Project” – Tentative Parcel Map (TPM) No. 38139 (PLN 22-0041) and Plot Plan No. PLN 21-0370 – Environmental Impact Report (EIR) (State Clearinghouse Number #2022040622.)

**Project Location:** The Project is generally located west of Interstate 215 (I-215) and south of State Highway (SH) 74, within the City of Menifee (City), County of Riverside, State of California. The Project is north of Corsica Lane, south of Kuffel Road, east of Wheat Street, and west of Byers Road. The Project site is located in the Economic Development Corridor- Northern Gateway (EDC-NG) zone of the City and is currently bordered by a scattering of existing rural residential properties (1-5 acres) and vacant land. The Project site consists of eight parcels (Assessor Parcel Numbers: 330-190-002 through -005 and 330-190-010 through -013).



**The Planning Commission will consider whether to approve of the following project at a public hearing:**

**Tentative Parcel Map No. PLN 22-0041** proposes to consolidate 8 parcels into one (1) industrial parcel. The



Project site is approximately 40.03 gross acres and 36.81 net acres.

**Plot Plan No. No. PLN 21-0370** proposes a 700,037 square foot warehouse/industrial building with 10,000 square feet of office space and 690,037 square feet of warehouse space on a 36.8 net acre (40.03 gross acre) site. There will be three (3) points of access on Byers Road and two (2) points of access on Wheat Street.

Associated facilities and improvements of the Project include on-site landscaping, parking, regional Project access, and off-site improvements (roadway improvements, storm drain, utilities).

**Environmental Information:** On March 13, 2024, a Notice of Availability of the Draft EIR was sent to Responsible and Trustee Agencies and mailed to surrounding property owners and non-owner residents within 300 feet of the project site, stating that copies of the Draft EIR were available for public review on the City's website, at the City of Menifee City Hall, the Sun City Library and Menifee Library. The public review period was for the State-mandated 45 days, from March 13, 2024, through April 27, 2024. Analysis presented in the Draft EIR indicated the proposed project would have certain significant and unavoidable greenhouse gas impacts. The Draft EIR also presented mitigation measures, which will reduce project-specific and cumulative impacts. All other environmental effects evaluated in the Draft EIR are considered less than significant or can be successfully mitigated below the applicable significance thresholds.

The Final Environmental Impact Report (FEIR) responds to the comments and includes text revisions to the Draft EIR in response to input received on the Draft EIR. Unlike the Draft EIR, the City is not required to respond to comments on the FEIR. If written comments are received, they will be provided to the Planning Commission as part of the staff report for the Project. The Draft EIR and FEIR will be submitted to the Planning Commission for requested certification and action on the Project.

The FEIR is available on the City of Menifee Community Development Department website: <https://www.cityofmenifee.us/325/Environmental-Notices-Documents>. A hard copy of the FEIR can be viewed at: **Menifee City Hall** – 29844 Haun Road, Menifee, CA 92586.

The Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (California Department of Toxic Substances Control list of various hazardous sites).

**Any person wishing to comment on the proposed Project may do so in writing between the date of this notice and the public hearing and be heard at the time and place noted above. All comments must be received prior to the time of the public hearing. All such comments will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a decision on the proposed Project.**

**If this Project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that as a result of public hearings and comments, the Planning Commission may amend, in whole or in part, the proposed Project. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed Project, may be changed in a way other than specifically proposed.**

For further information regarding this project or to provide written correspondence, please contact Ryan Fowler at (951) 723-3740 or e-mail [rfowler@cityofmenifee.us](mailto:rfowler@cityofmenifee.us).

CITY OF MENIFEE COMMUNITY DEVELOPMENT DEPARTMENT  
Attn: Ryan Fowler, Principal Planner  
29844 Haun Road  
Menifee, CA 92586