

City Council Chambers  
29844 Haun Road  
Menifee, CA 92586

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



City of Menifee  
Planning Commission  
Regular Meeting Agenda

Wednesday, December 13, 2023  
6:00 PM Regular Meeting

Cheryl Kitzerow, Director  
Stephanie Roseen, Clerk

## **AGENDA**

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### 9.1 Motte Business Center Warehouse

#### **RECOMMENDED ACTION**

1. Adopt a resolution certifying the Environmental Impact Report (State Clearinghouse No. 2022120083), 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. 38432 (PLN22-0114) and Plot Plan No. PLN22-0115 generally located at the southwest corner of Ethanac Road and Antelope Road.



## **CITY OF MENIFEE**

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SUBJECT: Motte Business Center Warehouse

MEETING DATE: December 13, 2023

TO: Planning Commission

PREPARED BY: Brett Hamilton, Senior Planner

REVIEWED BY: Orlando Hernandez, Deputy Community Development Director

APPROVED BY: Cheryl Kitzerow, Community Development Director

APPLICANT: Jon Kelly, Core5 Industrial Partners LLC

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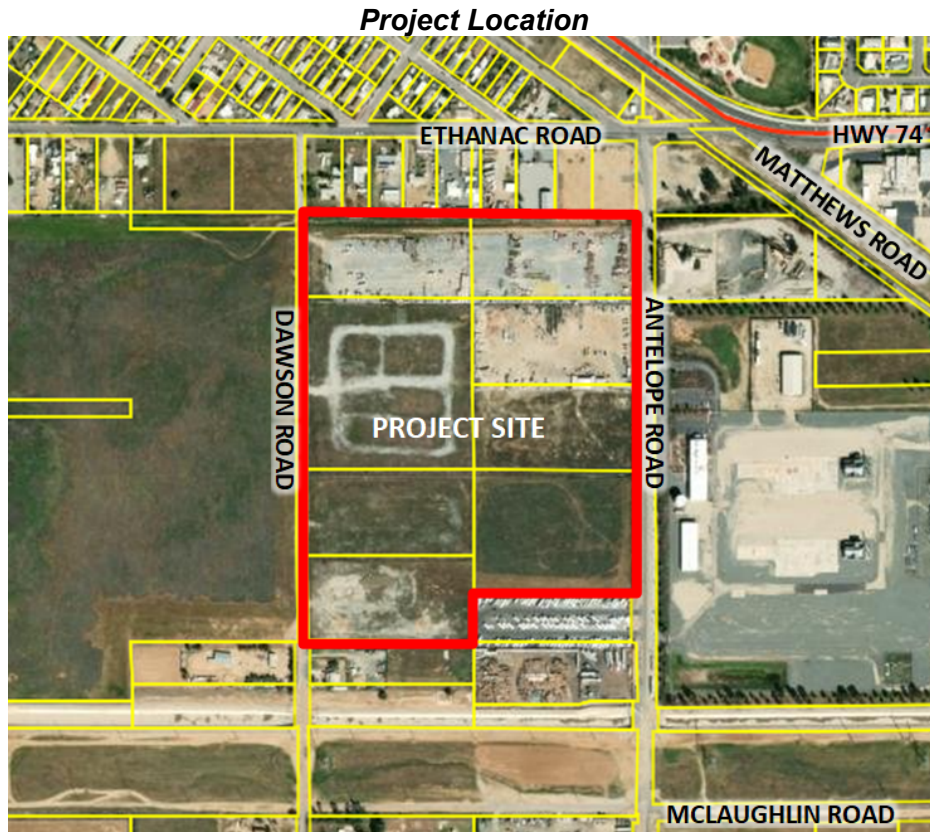
### **PROJECT DESCRIPTION**

**Tentative Parcel Map (TPM) No. 38432 (PLN22-0114)** proposes to combine eight parcels (Assessor Parcel Numbers (APNs): 331-150-036, 331-150-037, 331-150-039, 331-150-040, 331-150-041, 331-150-042, 331-150-044, 331-150-045) into one parcel for a total of 46.33 gross acres and 43.94 net-acres.

**Plot Plan (PP) No. PLN22-0115** proposes to construct one concrete tilt-up building totaling 1,138,638 square feet which includes 10,000 square feet of office, 928,638 square feet of ground floor warehouse and 200,000 square feet of mezzanine space on an approximately 43.94 net-acre project site. The building proposes a structural height of approximately 50 feet and includes 616 automobile parking spaces, 284 truck trailer parking spaces, and 128 dock doors. The Project would include landscaping on the project site and along the entire project frontage within the Dawson Road and Antelope Road rights-of-way.

## **LOCATION**

The Project is generally located southeast of Interstate 215/Ethanac Road interchange in the City of Menifee, County of Riverside, State of California. The Project is generally bounded by Business Park and Heavy Industrial properties, a Riverside County Flood Control channel, Southern California Edison utility corridor, and McLaughlin Road to the south; commercial, non-conforming residential uses and Ethanac Road to the north; Antelope Road to the east; and Dawson Road to the west and consists of eight parcels (APNs: 331-150-036, -037, -039, -040, -041, -042, -044, -045).



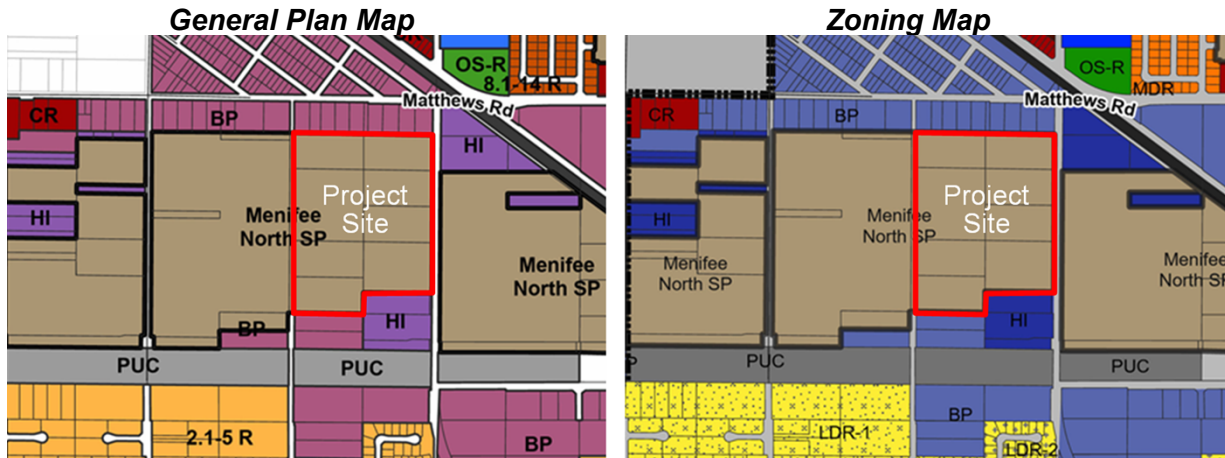
## **GENERAL PLAN/ZONE**

### **General Plan**

The General Plan (GP) land use designation for the project site is Specific Plan No. 260 (SP-260) which is the Menifee North Specific Plan. The purpose of a specific plan is to provide detailed policies, standards, and criteria for the development of an area. 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.

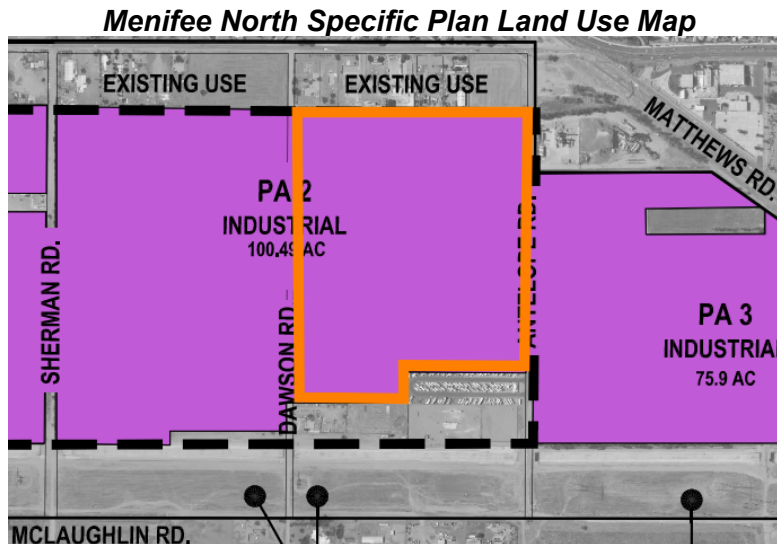
### **Zoning**

The underlying zoning classification is Menifee North Specific Plan, Planning Area 2 - Industrial. The existing zoning of the project site allows for the development of industrial and warehousing related uses which the proposed project is consistent. The industrial parcels in Planning Area 2 are intended to support the commercial uses in the region and to blend in with the adjacent industrial uses.

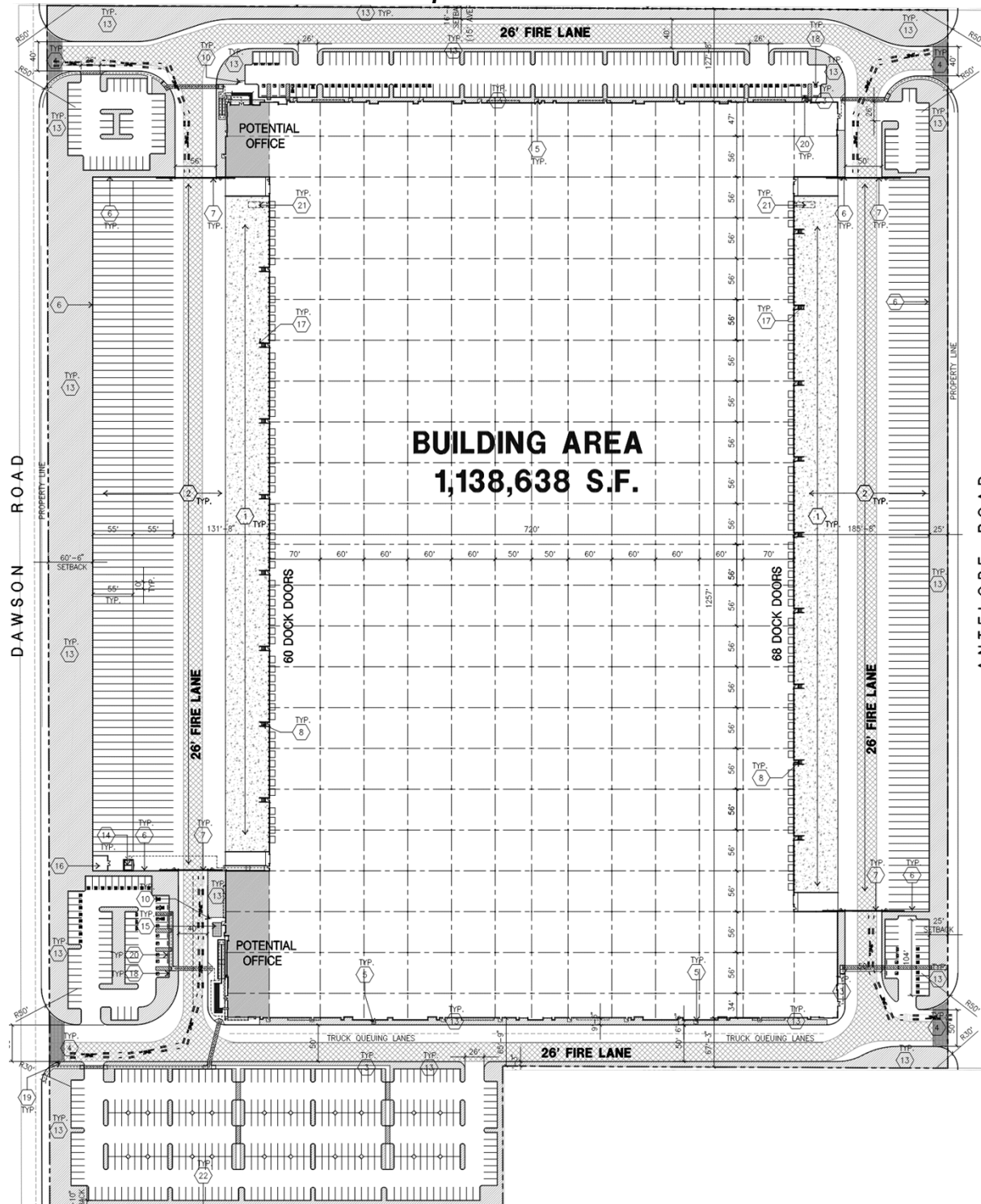


**Table 1 – Surrounding Land Uses**

Location	Existing Land Use	General Plan Land Use	Zoning Classification
<b>North</b>	Vacant undeveloped land; Legal Nonconforming Single-family residential; Truck and Trailer Parking; Commercial	Business Park (BP)	Business Park/Light Industrial (BP)
<b>East</b>	Nova Battery Storage; Concrete Processing Plant	Specific Plan 260 (SP-260) Heavy Industrial (HI)	Menifee North SP PA-3 Heavy Industrial/Manufacturing (HI)
<b>South</b>	RV Storage of Murrieta Valley; Nonconforming Single-Family Residential; Flood control channel; Utility corridor	Business Park (BP) Heavy Industrial (HI) Public Utility Corridor (PUC)	Business Park/Light Industrial (BP) Heavy Industrial/Manufacturing (HI) Public Utility Corridor (PUC)
<b>West</b>	Legal Nonconforming Single-family residential; Vacant undeveloped land	Specific Plan 260 (SP-260) Business Park (BP)	Menifee North SP Business Park (BP)







### **Circulation and Parking**

Regional Project access would be from I-215 via Ethanac Road. Local access would be provided via Dawson Road and Antelope Road. Project site ingress and egress would be via two driveways on Antelope Road and two driveways on Dawson Road. The southerly driveways would provide full access for both trucks and automobiles. Raised medians would be required at the northerly driveways to restrict certain turning movements. The northerly driveways are near major intersections at Ethanac Road and restricting turning movements helps to protect the public's safety. The Menifee North Specific Plan outlines the parking requirements for the Project. As demonstrated in **Table 2**, the Project meets all the parking requirements.

<b>Table 2 – Parking Summary</b>	
<b>Office: 1/250 SF (10,000 SF)</b>	40
<b>Warehouse; ground floor: 1/2,000 SF (928,638 SF)</b>	465
<b>Warehouse; Mezzanine: 1/2,000 SF (200,000 SF)</b>	100
<b>Required</b>	605
<b>Total Spaces Provided</b>	616

### **Infrastructure Improvements**

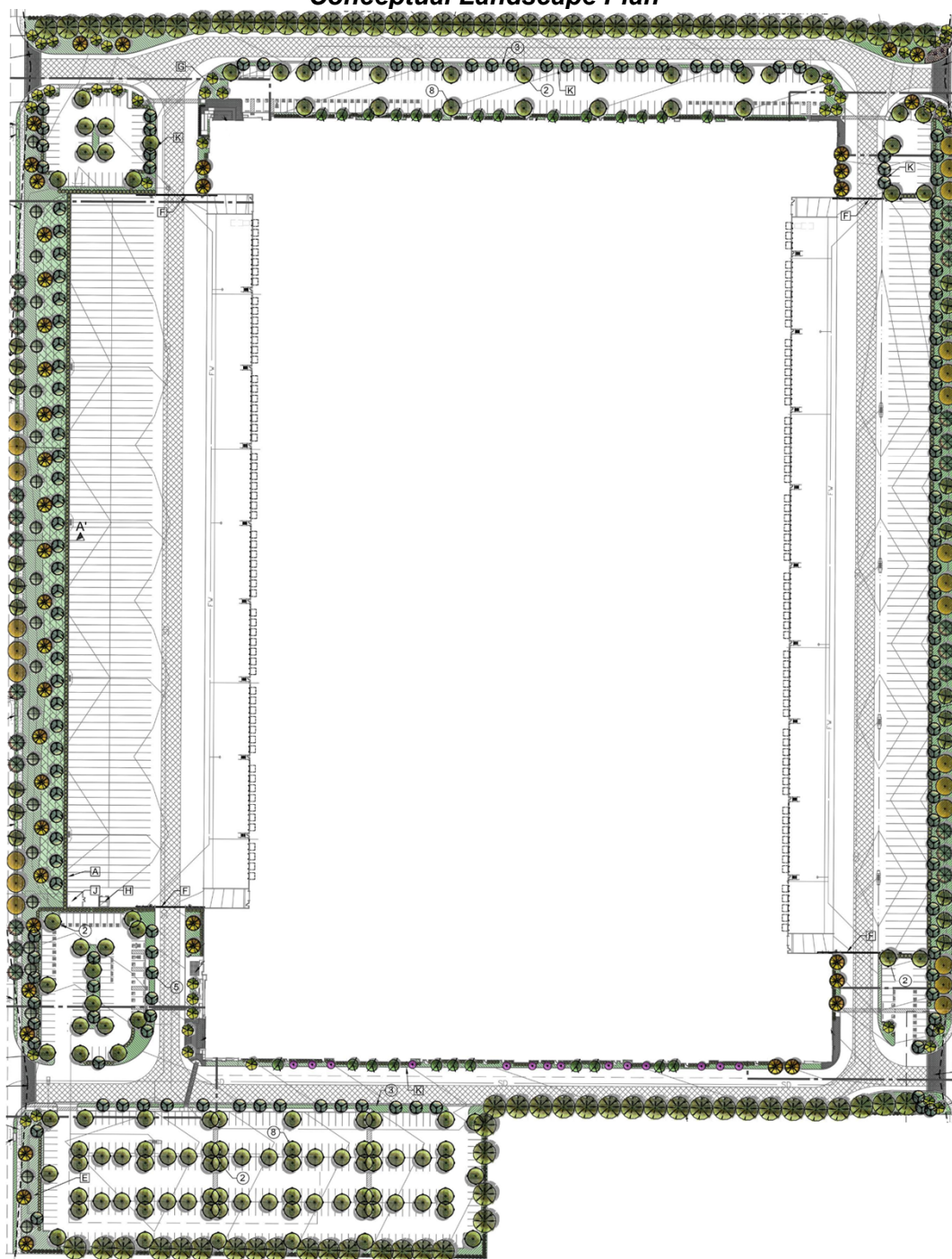
The Project would construct a large amount of public infrastructure improvements. Dawson Road is currently a dirt road and Antelope Road is not at ultimate width. Both roads would be constructed to the ultimate width along the entire frontage of the Project with curb and sidewalk, plus an additional 12 feet past the centerline of the road. Additional roadway pavement would be provided on these roads beyond the Project boundary to provide sufficient circulation routes to and from the Project. Ethanac Road would be widened to two through lanes in each direction, spanning from Dawson Road to I-215 northbound ramp. A new traffic signal would be installed at Dawson Road, along with several other improvements at multiple intersections to achieve acceptable turning movements in all directions. Fair share cost participation would be required at multiple off-site intersections including the I-215/Ethanac Road interchange south bound and north bound 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 Menifee North Specific Plan. Irrigated landscaped areas for the Project site would total approximately 208,709 square feet and would be comprised of drought-tolerant shrubs and ground cover and evergreen and deciduous trees. **Table 3** provides a summary of the proposed landscaping. 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 trees are proposed at all the Project entry driveways and at the building office entrances. In addition, the landscape plans feature site amenities that coordinate and compliment the proposed Project, including outdoor break areas, benches, bike racks, lighting, and trash receptacles.

<b>Table 3 - Landscaping</b>	
<b>Minimum on-site landscaping; 10%</b>	191,409 square feet
<b>On-site landscaping provided</b>	192,727 square feet
<b>Off-site landscaping provided</b>	15,982 square feet
<b>Total trees provided</b>	551
<b>Evergreen trees (minimum 50%)</b>	425
<b>Specimen size trees (36" box)</b>	97
<b>Total shrubs</b>	3,690

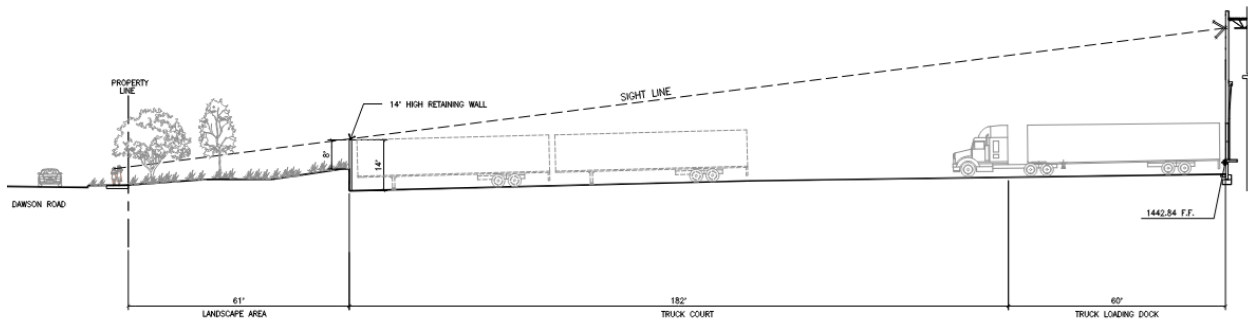
### ***Conceptual Landscape Plan***



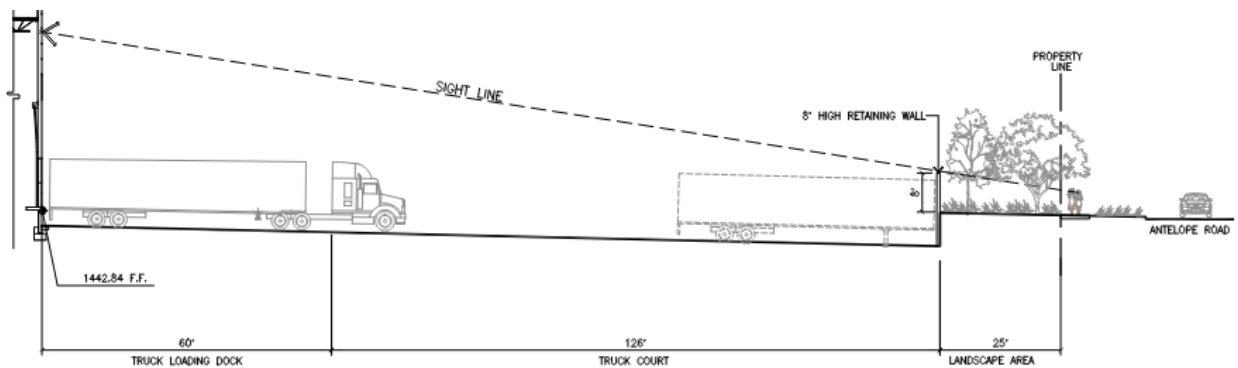
### **Screening**

On Dawson Road and Antelope 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. Approximately eight feet of the screen wall would be visible from the streets. 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.

### ***Dawson Road Line of Sight***



### ***Antelope Road Line of Sight***



### ***Screen Wall***



### **Elevations**

The proposed building has unique design features as well as shared architectural elements with approved neighboring developments to provide for cohesive development. There is a blend of roof forms, colors, and materials. The various colors include white, khaki, tan, and gray. The reflective glass has a blue tint. Additional materials proposed include metal I-beam canopies, and aluminum siding that has the appearance of wood. Visual interest is maintained throughout the Project by enhancing architectural detailing and facade articulation along all building elevations. Proposed elevations and conceptual renderings are provided below.

### ***North Elevation***



### ***South Elevation***





***West Elevation***



***East Elevation***



***Rendering of Southwest Corner of the Building***



***Rendering of Antelope Road looking southwest***



### **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 December 6, 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 December 6, 2023 to January 16, 2023. On December 12, 2023, 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. 2022120083), mitigation measures are provided under the categories of Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas (GHG) Emissions, Hazards and Hazardous Materials, 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:

**Greenhouse Gases:** The Project's unmitigated emissions would be approximately 12,665 MTCO<sub>2</sub>e/yr. 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/yr). Approximately 86 percent of the Project's mitigated GHG 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.

In response to the increase in warehouse development in California, the State of California Department of Justice issued a Memorandum in March 2021, entitled *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act* (Memorandum). The Project has incorporated numerous best practices recommended in the Memorandum. These best practices are enforceable by the City and must be implemented by the Project Applicant. Adherence to the standard conditions and requirements, and mitigation measures, represents the Project Applicant's willingness to address the Department of Justice's concerns regarding air quality and GHG impacts.

### **Draft EIR Public Review**

The City distributed the Draft EIR for public review beginning September 29, 2023 and ending November 13, 2023. During the public review period, comments on the Draft EIR were received from the following agencies, groups, or individuals:

1. Riverside Transit Agency
2. South Coast Air Quality Management District

3. Riverside County Flood Control and Water Conservation District
4. Southern California Gas Company
5. Airport Land Use Commission
6. Rincon Band of Luiseño Indians
7. Agua Caliente Band of Cahuilla Indians
8. Pechanga Band of Indians
9. City of Perris

The City prepared a Final Environmental Impact Report (FEIR), consisting of all of 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 Statement of Overriding Considerations**

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 is 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; 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.
2. Consistent with and will contribute to achieving the goals and objectives established by the General Plan.
3. Create employment-generating opportunities for citizens of Menifee and surrounding communities through construction, operation, and indirect jobs off-site within the City. Additional employment will improve the jobs-housing balance.
4. Attract businesses that can expedite the delivery of essential goods to consumers and businesses in Menifee and beyond the City's boundary.
5. Increase in property taxes through development of vacant and unused parcels, payment of Development Impact Fees (DIF), investment in infrastructure spurring growth leading to more permanent City jobs and increased economic output. The sales tax revenues generated on behalf of the City by the local employees and residents within the Project and extended benefit areas would represent a boost to the City's economy.
6. Improved infrastructure that will enhance the quality of life for the City's residents by linking land use, transportation and infrastructure development.
7. The Project would provide a high quality and sustainable development by meeting CalGreen Building Code energy efficiency requirements.

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 override the environmental impacts.

### **Community Outreach**

The Project applicant conducted community outreach efforts through phone calls and door-to-door canvassing of the properties adjacent to and in the surrounding area of the Project.

City Staff held an environmental scoping meeting on Monday, December 12, 2022 at City Hall to discuss the Project and to receive comments from the public. Aside from the Project Applicant, two residents attended. For the Draft EIR 45-day comment period and public hearings, property owners and non-owner residents within 400 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. 38432 (PLN22-0114), and PP No. PLN22-0115 are included in the attached Resolutions.

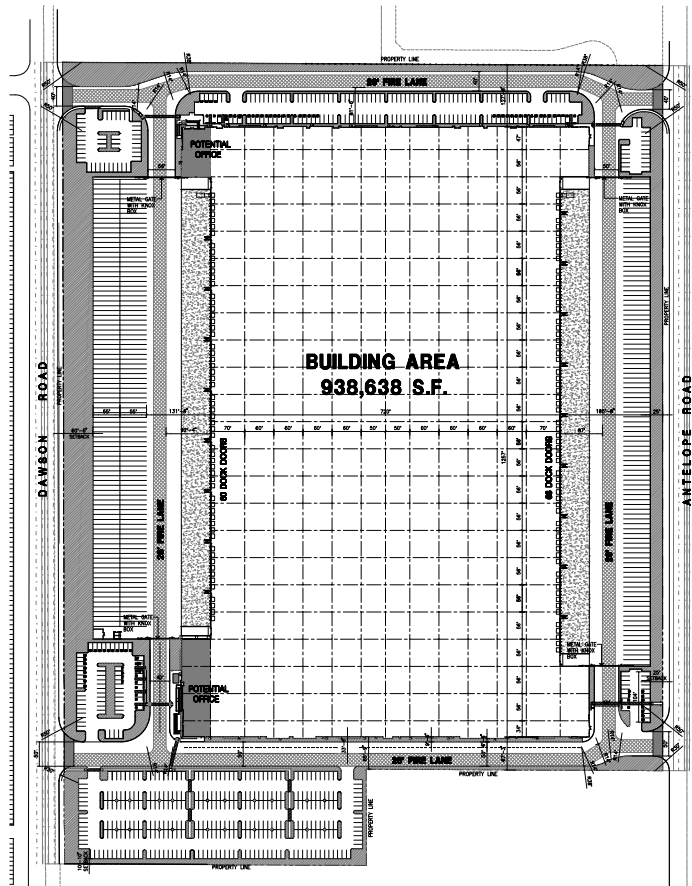
### **PUBLIC NOTICE**

The proposed Project was noticed on December 3, 2023 for the December 13, 2023 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 400-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





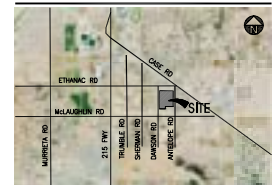
#### SITE LEGEND

20' WIDE FIRE LANE

#### NOTE

ALL FIRE APPARATUS ACCESS ROADS IDENTIFIED HEREON SHALL BE DESIGNED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS (BOLDS POUNDS LINE LOAD) (GROSS VEHICULAR WEIGHT) DISTRIBUTED OVER TWO AXLES) AND SHALL BE SURFACED TO AS TO PROVIDE ALL-WEATHER DRIVING CAPABILITIES (REAR WHEEL DRIVE APPARATUS) FOR THE LENGTH AND GRADES OF THE FIRE APPARATUS ACCESS ROAD.

#### Aerial Map



#### FIRE APPARATUS TURNING EXHIBIT



OFFICIAL USE ONLY



HPA, Inc.  
18811 Business Center • Ste. #100  
Folsom, CA  
95632  
Tel: 916-963-1770  
Fax: 916-963-0851  
Email: info@hpa.com



Owner:



400 Spectrum Center Drive Suite 800  
Folsom, CA 95719  
916-457-3090  
ATTC@core.com

Project:

MOTTE  
BUSINESS  
CENTER

DAWSON RD. & ETHNIC RD.  
MENEFEE, CA

Consultants:

CIVIL	HUFT-ZOLLARS
STRUCTURAL	-
MECHANICAL	-
PLUMBING	-
ELECTRICAL	-
LANDSCAPE	-
RETENTION	-
SOILWORK	-

Title:

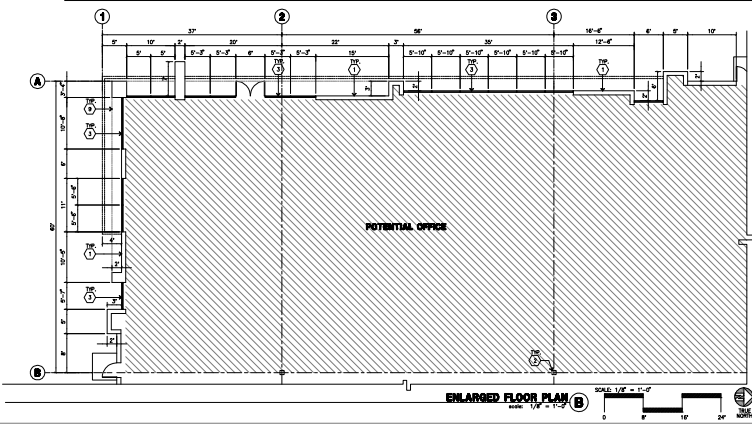
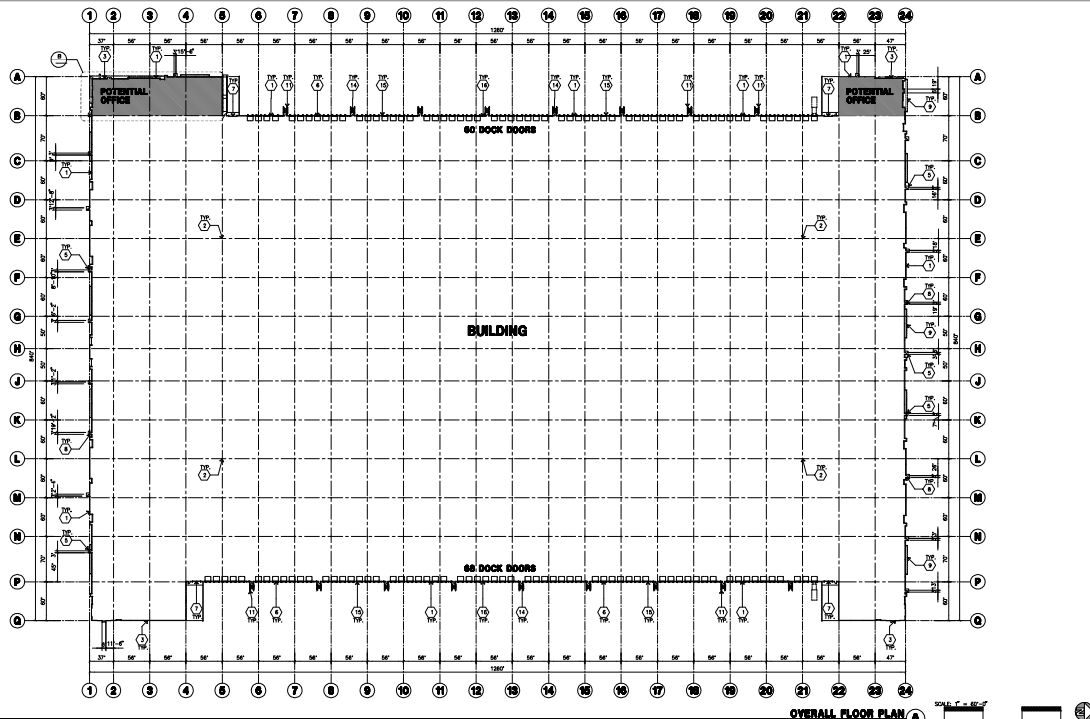
OVERALL SITE PLAN

Project Number: 21364  
Drawn by: GV  
Date: 03/08/22  
Revised:

Sheet:

DAB-A1.1F





#### KEYNOTES - FLOOR PLAN

- 1 CONCRETE TILT-UP PANEL.
- 2 STRUCTURAL STEEL COLUMN.
- 3 TYPICAL STOREFRONT SYSTEM WITH GLAZING. SEE OFFICE BLOW-UP AND ELEVATIONS FOR SIZE, COLOR AND LOCATIONS.
- 4 CONCRETE RAMP.
- 5 8"-4"x12"x4" THICK CONCRETE EXTERIOR LANDING PAD TYPICAL AT ALL EXTERIOR WALK DOORS TO LANDSCAPED AREA. FINISH TO BE MEDIUM BROWN FINISH. PROVIDE WALK TO HARD SURFACE PER CITY REQUIREMENTS.
- 6 8'x10' TRUCK DOOR, VERTICAL LIFT, STANDARD GRADE.
- 7 12'x14' DRIVE THRU, VERTICAL LIFT, STANDARD GRADE.
- 8 3'x7' HOLLOW METAL EXTERIOR MAIN DOOR.
- 9 SOFFIT ABOVE.
- 10 ROOF ACCESS LADDER.
- 11 CONC. FILLED GUARD POST, 6" DIA. UNO 42"H.
- 12 INTERIOR ROOFDRAIN WITH OVERFLOW SCUPPER.
- 13 ROOF DRAIN.
- 14 EXTERIOR CONCRETE STAIR.
- 15 DOCK BUMPER.
- 16 METAL LOUVER.

#### GENERAL NOTES - FLOOR PLAN

- A. THIS BUILDING IS DESIGNED FOR HIGH PILE STORAGE WITH FIRE ACCESS MAIN DOORS AT 120' MAXIMUM S.C. A SEPARATE PERMIT WILL BE REQUIRED FOR ANY RACKING/CONVEYER SYSTEMS.
- B. FIRE HOSE LOCATIONS SHALL BE APPROVED PER FIRE DEPARTMENT. THE BUILDING FLOOR SLAB SLOPES 1/2IN. SEE "C" DRAWINGS FOR FINISH SURFACE ELEVATIONS.
- C. FLOOR SLAB SHALL BE SEALED WITH LAPOLDITH MANUFACTURING, SIKKENS OR APPROVED EQUAL.
- D. WAREHOUSE INTERIOR CONCRETE WALLS ARE PAINTED WHITE. COLUMNS ARE TO RECEIVE GRAY PRIMER ONLY. ALL O.P. BO. WALLS IN WAREHOUSE TO RECEIVE 1 COAT OF WHITE TO COVER.
- E. SLOPE POUR STRIP 1/2" TO EXTERIOR AT ALL PERSONAL EXITS. SEE "S" DRAWINGS FOR POUR STRIP LOCATION.
- F. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE PANEL, WALL, GROUNDLINE, OR FACE OF STUD W.A.O.
- G. SEE CIVIL DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR TO VERIFY ACTUAL UTILITY LOCATIONS.
- H. FOR DOOR TYPES AND SIZES, SEE DETAIL SHEET AD-A. NOTED: ALL DOORS PER DOOR SCHEDULE ARE FINISH OPERABLES.
- I. CONTRACTOR TO PROTECT AND KEEP THE FLOOR SLAB CLEAN. ALL EQUIPMENT TO BE DAMPED INCLUDING CARS AND TRUCKS.



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18811 Buckner Avenue • Ste. #100  
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Tel: 916-463-1770  
Fax: 916-463-0851  
Email: info@hpa.com



405 Spectrum Center Drive Suite 800  
Folsom, CA 95719

Project:  
**MOTTE BUSINESS CENTER**

DAWSON RD. & ETHANAC RD.  
MONTPELIER, CA

Consultants:

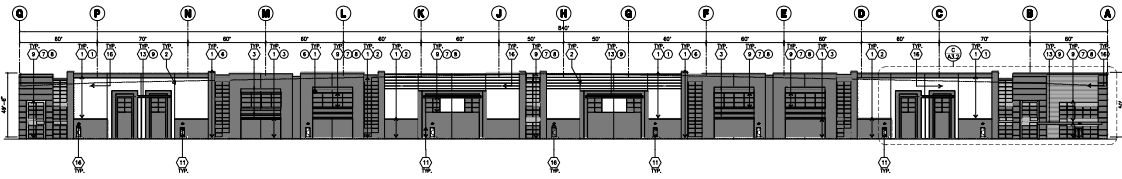
CIVIL	HUFFT-ZOLLARS	-
STRUCTURAL		-
Mechanical		-
PLUMBING		-
ELECTRICAL		-
LANDSCAPE		-
PERMISSION		-
SEAL/STAMP		-

Title: OVERALL FLOOR PLAN

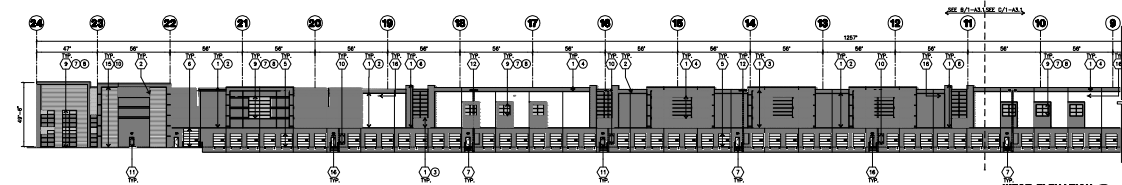
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Drawn by: GV  
Date: 03/08/22  
Revisions:

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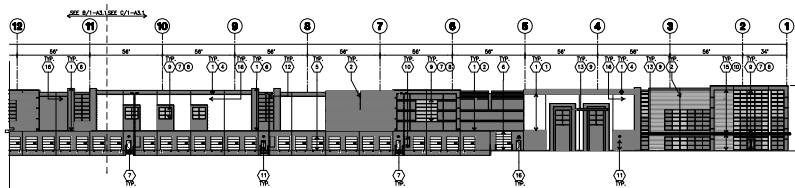
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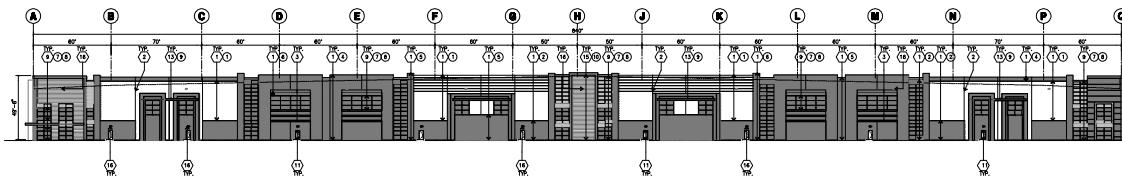
**NORTH ELEVATION**  
Scale: 1/8" = 1'-0"



**WEST ELEVATION**  
Scale: 1/8" = 1'-0"



**WEST ELEVATION CONT.**  
Scale: 1/8" = 1'-0"



**SOUTH ELEVATION**  
Scale: 1/8" = 1'-0"

**KEYNOTES - ELEVATIONS**

- 1 CONCRETE TILT-UP PANEL (PAINTED)
- 2 PANEL JOINT
- 3 PANEL REINFORCING
- 4 CONCRETE TILT-UP WORKING WALL
- 5 OVERHEAD DOOR IN DOCK WALL
- 6 OVERHEAD DOOR IN DRIVE THRU
- 7 CONCRETE STAIR, LANDING AND CONC. GUARDRAIL
- 8 DOCK BRANCH
- 9 ALUMINUM STANCHION FRAMING W/ TEMPORARY GLAZING AT ALL DOORS
- 10 GLAZING FRAMING TO DOORS AND GLAZING W/ BOTTOMS LESS THAN 14" ABOVE F.F. ELEVATION
- 11 COVER (USE AND LOCATION APPROX. ONLY)
- 12 HOLLOW METAL DOORS
- 13 INTERIOR ROOF DRAIN WITH OVERFLOW SCUPPER
- 14 ROOF TOP INLET
- 15 EXTERIOR CANOPY
- 16 ACQUA WOOD PANELING PER SCHEDULE
- 17 EXTERIOR LIGHTING FIXTURE

**COLOR SCHEDULE - ELEVATIONS**

1 CONCRETE TILT-UP PANEL	PAIN	PAINT BRAND	TEMPERED GLAZING
2 PANEL JOINT	PAIN	PAINT BRAND	TEMPERED GLAZING
3 PANEL REINFORCING	PAIN	PAINT BRAND	TEMPERED GLAZING
4 CONCRETE TILT-UP WORKING WALL	PAIN	PAINT BRAND	TEMPERED GLAZING
5 OVERHEAD DOOR IN DOCK WALL	PAIN	PAINT BRAND	TEMPERED GLAZING
6 OVERHEAD DOOR IN DRIVE THRU	PAIN	PAINT BRAND	TEMPERED GLAZING
7 CONCRETE STAIR, LANDING AND CONC. GUARDRAIL	PAIN	PAINT BRAND	TEMPERED GLAZING
8 DOCK BRANCH	PAIN	PAINT BRAND	TEMPERED GLAZING
9 ALUMINUM STANCHION FRAMING W/ TEMPORARY GLAZING AT ALL DOORS	PAIN	PAINT BRAND	TEMPERED GLAZING
10 GLAZING FRAMING TO DOORS AND GLAZING W/ BOTTOMS LESS THAN 14" ABOVE F.F. ELEVATION	PAIN	PAINT BRAND	TEMPERED GLAZING
11 COVER (USE AND LOCATION APPROX. ONLY)	PAIN	PAINT BRAND	TEMPERED GLAZING
12 HOLLOW METAL DOORS	PAIN	PAINT BRAND	TEMPERED GLAZING
13 INTERIOR ROOF DRAIN WITH OVERFLOW SCUPPER	PAIN	PAINT BRAND	TEMPERED GLAZING
14 ROOF TOP INLET	PAIN	PAINT BRAND	TEMPERED GLAZING
15 EXTERIOR CANOPY	PAIN	PAINT BRAND	TEMPERED GLAZING
16 ACQUA WOOD PANELING PER SCHEDULE	PAIN	PAINT BRAND	TEMPERED GLAZING
17 EXTERIOR LIGHTING FIXTURE	PAIN	PAINT BRAND	TEMPERED GLAZING

**GLAZING LEGEND**

TEMPERED VISION GLASS	TEMPERED SPANDREL GLASS
ALL GLASS TO BE NON-REFLECTIVE	

**GENERAL NOTES - ELEVATIONS**

- A. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE
- B. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE
- C. T.O.P. = TOP OF FINISH FLOOR ELEVATION
- D. F.F. = FINISH FLOOR ELEVATION
- E. EXTERIOR COORDINATION: GLAZING METAL ATTACHMENT AND LIMITS SHALL BE DESIGNED TO RESIST 90 MPH DISBURSE "C" WIND. CONTRACTOR SHALL VERIFY CATCH DRAINING PRIOR TO INSTALLATION.
- F. CONTRACTOR SHALL FULLY PAINT ONE CONCRETE PANEL W/ SELECTED COLOR, PROJECTED AND UNPAINT SHALL APPLYING PRIOR TO PAINTING REMAINDER OF BUILDING.

HPA  
HARRIS PROJECT ARCHITECTS

18011 BUSINESS CENTER • SUITE 4100  
FARMERS, CA 94532  
TEL: 925-463-1770 FAX: 925-463-0851  
EMAIL: info@hpa.com

Owner:

300 Spectrum Center Drive Suite 800  
Brea, CA 92619  
949-457-3200  
ATTC@core.com

Project:

**MOTTE BUSINESS CENTER**

DAWSON RD. & ETHANAC RD.  
MENDOCINO, CA

Consultants:

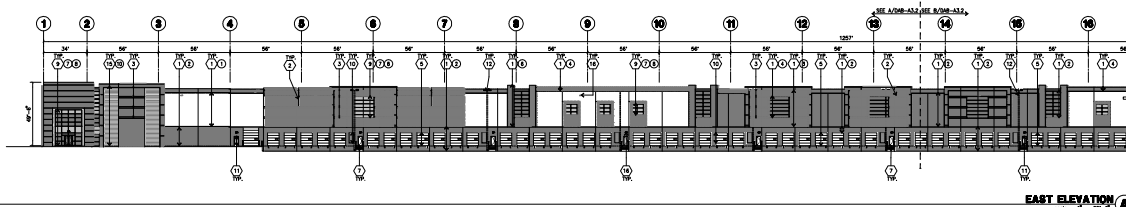
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STRUCTURAL: -  
MECHANICAL: -  
PLUMBING: -  
ELECTRICAL: -  
LANDSCAPE: -  
P/REPRODUCTION: -  
SUS/CHICKEN: -

Table: ELEVATIONS

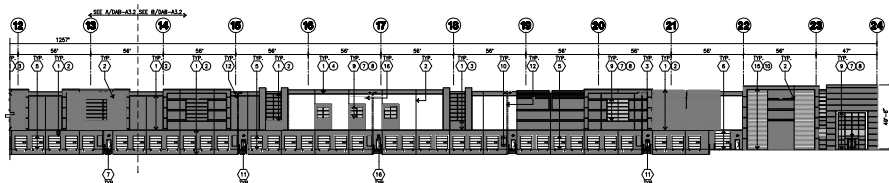
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Date: 03/08/22  
Revised:

Sheet:

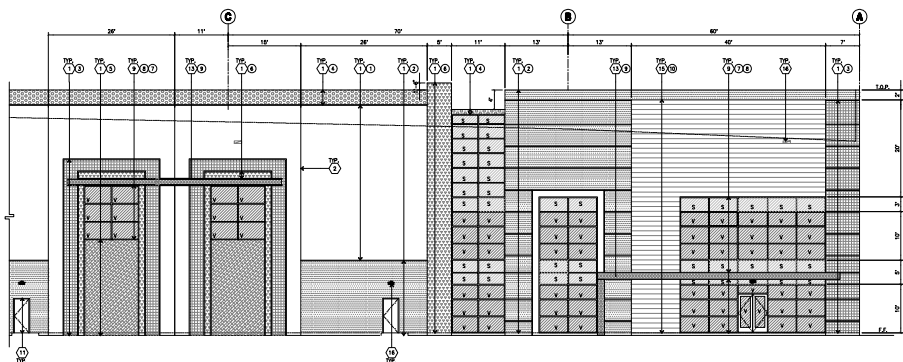
**DAB-A3.1**



**EAST ELEVATION**  
SCALE 1/8" = 1'-0"



**EAST ELEVATION CONT.**  
SCALE 1/8" = 1'-0"



**ENLARGED NORTH ELEVATION**  
SCALE 1/8" = 1'-0"

**KEYNOTES - ELEVATIONS**

- 1 CONCRETE TILT-UP PANEL (PAINTED)
- 2 PANEL JOINT
- 3 PANEL REVEAL
- 4 CONCRETE TILT-UP SCREEN WALL
- 5 OVERHEAD DOOR & DOOR HEAD
- 6 OVERHEAD DOOR & DOOR THRU
- 7 CONCRETE CURB, LANDING AND CONC. CURBSIDE
- 8 DOOR BUMPER
- 9 ALUMINUM STORMDOOR FINISHING W/ THERMOPLASTIC GLASS AT ALL DOORS
- 10 SELECTED SUBJECT TO DOORS AND GLASSING BY BOTTOM LESS THAN 14" FROM F.F. ELEVATION
- 11 COVER (SIDE AND LOCATION APPROX. ONLY)
- 12 HOLLOW METAL DOORS
- 13 EXTERIOR ROOF DRAIN WITH OVERFLOW SCUPPER
- 14 EXTERIOR CANOPY
- 15 ROOF TOP UNIT
- 16 ACCORD WOOD PANELING PER SCHEDULE
- 17 EXTERIOR LIGHTING FIXTURE

**COLOR SCHEDULE - ELEVATIONS**

- |                           |             |                  |                   |
|---------------------------|-------------|------------------|-------------------|
| 1 CONCRETE TILT-UP PANEL  | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 2 CONCRETE TILT-UP PANEL  | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 3 CONCRETE TILT-UP PANEL  | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 4 CONCRETE TILT-UP PANEL  | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 5 CONCRETE TILT-UP PANEL  | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 6 CONCRETE TILT-UP PANEL  | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 7 CONCRETE TILT-UP PANEL  | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 8 CONCRETE TILT-UP PANEL  | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 9 CONCRETE TILT-UP PANEL  | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 10 CONCRETE TILT-UP PANEL | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 11 CONCRETE TILT-UP PANEL | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 12 CONCRETE TILT-UP PANEL | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 13 CONCRETE TILT-UP PANEL | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 14 CONCRETE TILT-UP PANEL | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 15 CONCRETE TILT-UP PANEL | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 16 CONCRETE TILT-UP PANEL | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 17 CONCRETE TILT-UP PANEL | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 18 CONCRETE TILT-UP PANEL | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 19 CONCRETE TILT-UP PANEL | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 20 CONCRETE TILT-UP PANEL | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 21 CONCRETE TILT-UP PANEL | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 22 CONCRETE TILT-UP PANEL | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 23 CONCRETE TILT-UP PANEL | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |
| 24 CONCRETE TILT-UP PANEL | PAINT BRAND | SHARPEN WILLIAMS | DE 300 PURE WHITE |

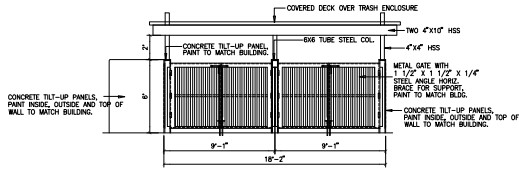
**GLAZING LEGEND**

- |                                |                         |
|--------------------------------|-------------------------|
| TEMPERED VISION GLASS          | TEMPERED SPANDREL GLASS |
| ALL GLASS TO BE NON-REFLECTIVE |                         |

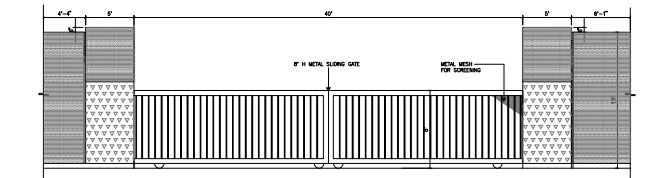
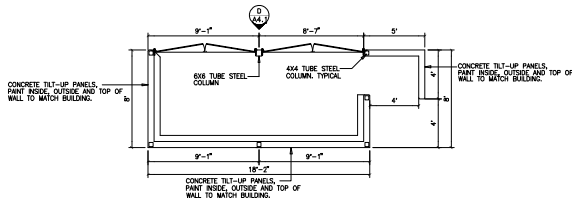
**GENERAL NOTES - ELEVATIONS**

- A. ALL PAINT COLOR CHANGES TO OCCUR AT CORNER UNLESS NOTED OTHERWISE.
- B. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.
- C. T.O.P. = TOP OF FINISH - ELEVATION.
- D. F.F. = FINISH FLOOR ELEVATION.
- E. STORMDOOR CONSTRUCTION GLASS WITH ATTACHMENT AND UNITS SHALL BE DESIGNED TO RESIST UP TO 150 MPH WIND.
- F. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.
- G. COLOR ARCHITECT AND OWNER SHALL APPROVE PRIOR TO FINISHING WORK OF BUILDING.

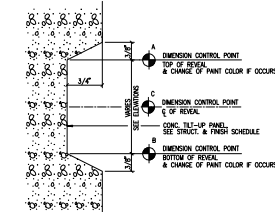




3 TRASH ENCLOSURE GATE ELEVATION  
SCALE: 1/2\"/>

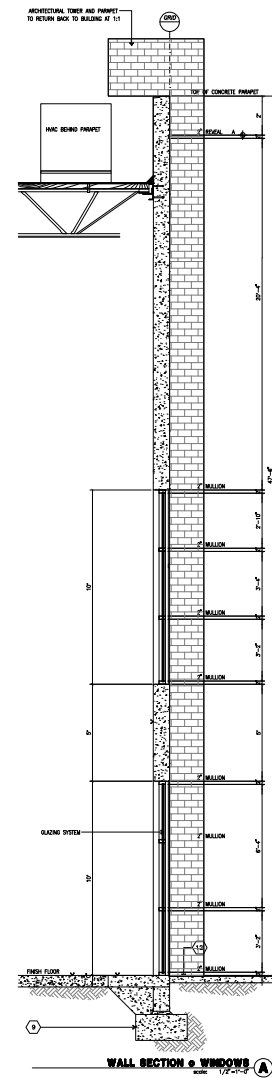


8 GATE DETAIL  
SCALE: 1/2\"/>



- NOTES:  
1. DIMENSION CONTROL POINTS AT REVEALS AND EDGE OF CONCRETE OPENINGS  
MEAN OCCUR, SEE WALL SECTION.  
2. PAINT COLOR CHANGES TO ALWAYS OCCUR AT CONTROL POINT "A" OR "B"

1 TYP. CONCRETE REVEAL  
SCALE: 1/2\"/>



WALL SECTION THROUGH WINDOWS  
SCALE: 1/2\"/>



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18811 Business Avenue • Ste. #100  
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Tel: 916-453-1770 Fax: 916-453-0851  
email: info@hpa-inc.com



305 Spectrum Center Drive Suite 800  
Brea, CA 92619  
949-453-2090  
ATTN: Jon Kelly

Project:  
**MOTTE BUSINESS CENTER**

DAWSON RD. & ETHANVALE RD.  
MENFEE, CA

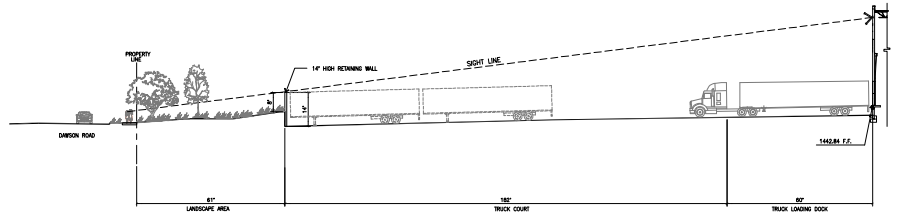
Consultants:  
CIVIL HUFF-ZOLLARS  
STRUCTURAL  
MECHANICAL  
PLUMBING  
ELECTRICAL  
LANDSCAPE  
RETENTION  
SLOTTED

Title: Section

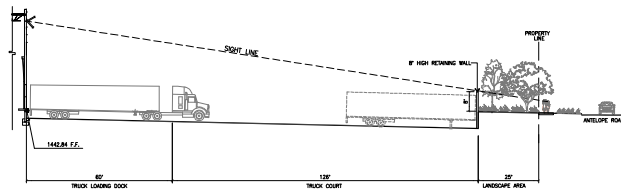
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Date: 03/08/22  
Revised:

Sheet:

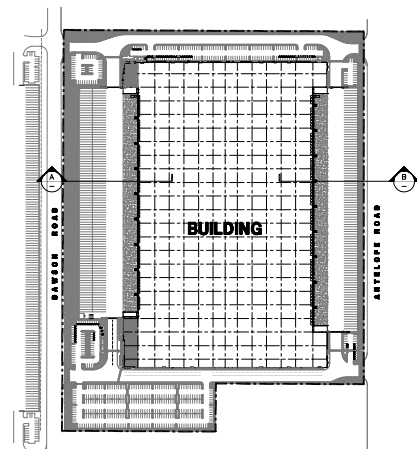
DAB-A4.1



**SITE SECTION A**  
SCALE: 1/8"=1'-0"



**SITE SECTION B**  
SCALE: 1/8"=1'-0"



**KEY PLAN**  
SCALE: 1/8"=1'-0"



HPA, Inc.  
18811 Buckner Avenue • Ste. #100  
Bakersfield, CA 93312  
Tel: 805-843-1770 Fax: 805-843-0851  
email: hpa@hpa-inc.com



Owner:



305 Spectrum Center Drive Suite 800  
Bakersfield, CA 93319  
805-457-3090  
ATTOE.com Valley



Project:

**MOTTE  
BUSINESS  
CENTER**

DAWSON RD. & ETHANAC RD.  
MENDOTA, CA



Consultants:

CIVIL	HURT-DOLLARS	-
STRUCTURAL		-
Mechanical		-
PLUMBING		-
ELECTRICAL		-
LANDSCAPE		-
REPRESENTATION		-
SALES/GENERAL		-



Title: **SIGHT LINE DIAGRAMS**

Project Number: 21364  
Drawn by: GV  
Date: 08/08/22  
Check by:

Sheet:

**DAB-A4.2**







NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION



EAST ELEVATION



Conceptual Building Elevations - 42' Clear Ht.

**DAWSON RD. AND ETHANAC RD.**

Menifee, California

#21964 03.10.2023





Conceptual Screen Wall Design

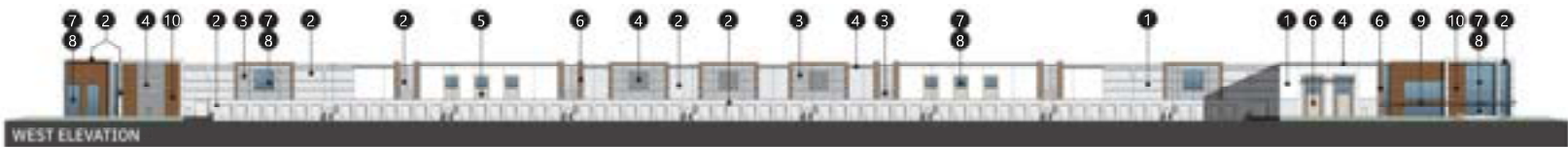
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Industrial Corridor

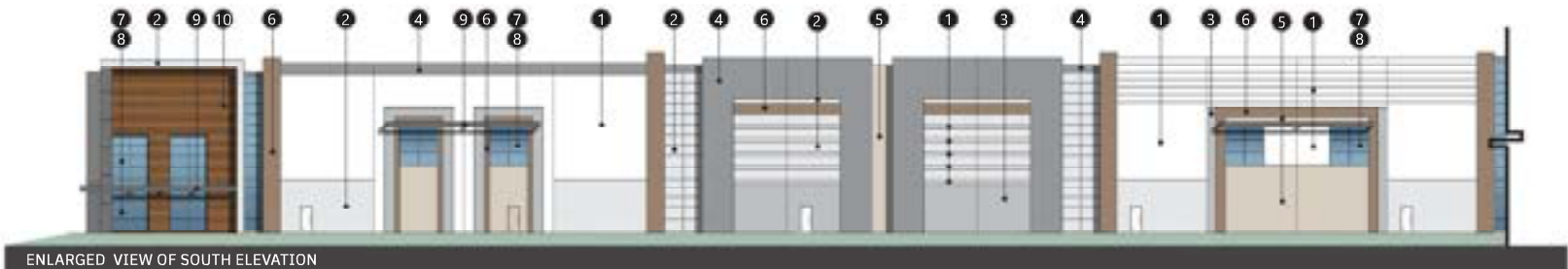
Version: 100-100-0001



CORE5  
INDUSTRIAL PARTNERS



1	2	3	4	5	6	7	8	9	10
SHERWIN WILLIAMS SW 7005 PURE WHITE	SHERWIN WILLIAMS SW 7071 GRAY SCREEN	SHERWIN WILLIAMS SW 7072 ONLINE	SHERWIN WILLIAMS SW 7073 NETWORK GRAY	SHERWIN WILLIAMS SW 6149 RELAXED KHAKE	SHERWIN WILLIAMS SW 6144 DAPPER TAN	CLEAR ANODIZED MULLIONS	BLUE GLAZING	I-BEAM METAL CANOPY W/ PAINT SW 7075 WEB GREY	ARIZONA TILE SAV WOOD SERIES, IROKO SIZE: 8"X32"X9MM GROUT/SEALANT TO MATCH SW 7075 WEB GRAY @ ALUMINUM SIDING



Conceptual Building Elevations & Material Board

**DAWSON RD. AND ETHANAC RD.**

Menifee, California

#21964 03.10.2023



LANDSCAPE ARCHITECTURAL DRAWINGS FOR:  
MOTTE BUSINESS CENTER  
MENIFEE, CA

PREPARED FOR:

CORE 5 INDUSTRIAL PARTNERS  
300 SPECTRUM CENTER DRIVE SUITE 880  
IRVINE CA 92618

GENERAL NOTES

1. ALL WORK SPECIFIED HEREIN SHALL BE PERFORMED PER APPLICABLE LABEL, ORDINANCE, AND REGULATIONS.
2. CONTRACTOR SHALL CONTACT LANDSCAPE ARCHITECT IN ORDER TO SCHEDULE A PRE-CONSTRUCTION MEETING PRIOR TO STARTING ANY WORK. THE CONTRACTOR SHALL CONFIRM THAT HE IS WORKING FROM THE CURRENT CITY APPROVED LANDSCAPE DESIGN TO LANDSCAPE.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL REQUIRED PERMITS ASSOCIATED WITH THIS PROJECT RELATING TO HARDSCAPE, IRRIGATION & PLANTING INSTALLATIONS.
4. ALL LANDSCAPE & HARDSCAPE IMPROVEMENTS SHALL BE APPROVED BY THE CITY OF MENIFEE'S LANDSCAPE PLANNING DIVISION PRIOR TO ANY CONSTRUCTION.
5. THE PLANT MATERIAL SUPPLIER OR LANDSCAPE CONTRACTOR SHALL PROVIDE GUARANTEED DRAINAGE TO LAND AREAS THAT ALL PLANT MATERIAL BE CONSISTENT WITH THE APPROVED PLANT LISTING CONSIDERING GENUS, SPECIES, CULTIVAR, AND SIZE SPECIFIC TO ALL PLANT MATERIALS NOT CONSISTENT WITH THE PLANT LISTING MAY BE REJECTED.
6. ALL REVISIONS AND CHANGE ORDERS TO THE APPROVED LAND ARCH PLANS AND SPECIFICATIONS ARE SUBJECT TO THE REVIEW AND APPROVAL BY THE LAND ARCH & PROPERTY OWNER BEFORE WORK MAY CONTINUE.
7. CONTRACTOR TO VERIFY WITH OWNER AND UTILITY COMPANIES THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. TO DETERMINE IN THE FIELD THE ACTUAL LOCATION AND ELEVATIONS OF ALL EXISTING UTILITIES, WHETHER SHOWN ON THE PLANS OR NOT, THE CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICE ALERT (USA) BEFORE THE START OF CONSTRUCTION AT 811 OR ALERT 72 HOURS PRIOR TO CONSTRUCTION.
8. REFER TO SITE CONSTRUCTION PLANS, IRRIGATION & PLANTING PLANS FOR SPECIFIC NOTES PERTAINING TO THESE TASKS.
9. ALL CONSTRUCTION SHALL COMPLY WITH THE CITY OF MENIFEE'S STANDARDS RELATING TO EROSION CONTROL, PORTABLE TOILETS, ETC.
10. ALL IRRIGATION IMPROVEMENTS SHALL COMPLY WITH THE CALIFORNIA STATE WATER ORDINANCE 1991 & THE CITY'S IRRIGATION STANDARDS AND GUIDELINES FOR WATER EFFICIENT LANDSCAPES.
11. SOIL TEST SHALL BE SUBMITTED TO LANDSCAPE ARCHITECT WITH PROOF OF AMENDMENTS USED AND QUANTITIES AS DIRECTED BY THE SOIL REPORT.
12. CONTRACTOR SHALL EXAMINE FINISH SURFACE, GRADES, TOPSOIL QUALITY AND DEPTH, DO NOT START ANY WORK UNTIL UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED, 100% LAYERS OF WORK BEFORE STARTING.
13. CONTRACTOR TO REPORT ALL DAMAGES TO EXISTING CONDITIONS AND INCONVENIENCES WITHIN PLANS TO LANDSCAPE ARCHITECT.
14. CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE AWAY FROM ANY BUILDINGS SHALL LANDSCAPE PLANTING AREAS.
15. CONTRACTOR TO FINE GRADE AND ROCK-HOLD ALL TURF AREAS PRIOR TO SEEDING, TO PROVIDE A SMOOTH AND CONTINUAL SURFACE, FREE OF REGULARITIES, ANTI-TERRACE OR CREEPS.
16. COORDINATE LANDSCAPE INSTALLATION WITH INSTALLATION OF UNDERGROUND IRRIGATION AND DRAINAGE SYSTEMS.
17. CONTRACTOR SHALL NOT REMOVE ANY TREES DURING CONSTRUCTION WITHOUT THE EXPRESS WRITTEN CONSENT OF THE LANDSCAPE ARCHITECT. EXISTING VISIBLE TREES TO REMAIN SHALL BE PROTECTED AS DIRECTED BY THE LANDSCAPE ARCHITECT.
18. WHERE PROPOSED TRAIL LOGS BEAR OCCUR UNDER EXISTING OVERHEAD UTILITIES ON CROWN EXISTING TREES, NOTIFY LANDSCAPE ARCHITECT TO ADJUST TREE LOCATIONS.
19. AGRICULTURAL SOIL ANALYSIS AND RECOMMENDATIONS SHALL BE PROVIDED.

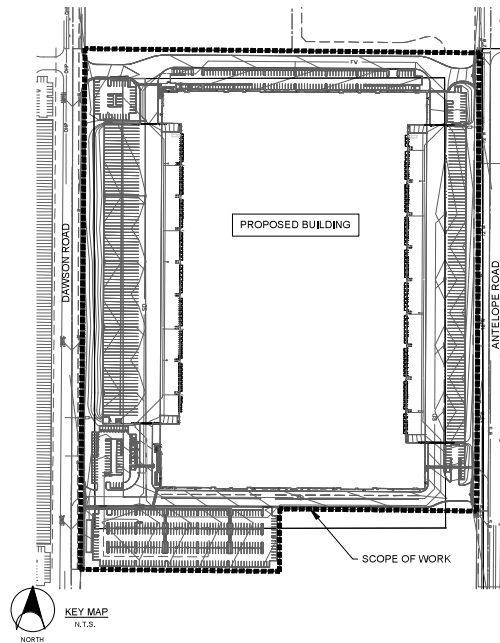
PRELIMINARY WATER USE CALCULATIONS

NOTE:  
PLANS SHALL COMPLY WITH CITY OF MENIFEE "LANDSCAPE WATER USE EFFICIENCY REQUIREMENTS" ORDINANCE 200451, MNC CHAPTER 16.04, AND ALL OTHER APPLICABLE MUNICIPAL CODES AND ORDINANCES

Reference: Landscape Irrigation (L.I.)						32.33
Item	Plant Factor	Irrigation Method	Irrigation Efficiency	ET/ETc	Landscape Area sq. ft.	ET/ETc x Area
Regular Landscape Areas						
Low	0.2	drip	0.25	0.28	305,450	86,697.37
Moderate	0.4	subirrig	0.25	0.28	43,253	24,597.89
Totals						111,295.26
Special Landscape Areas						
Totals						111,295.26
MAWA (Annual Galleons Allowed) = 1.5 x 0.02 x						1,900.100
ET/ETc x Area						3,188.315
ET/ETc must be less than MAWA						MAWA
Difference						815.510
Regular Landscape Areas						
Total ET x Area						25,975.21
Total Area						208,700
Average ET/ETc						0.14
all Landscape Areas						
Total ET x Area						25,975.21
Total Area						208,700
Site Average ET/ETc						0.14

PROJECT QUANTITIES

TOTAL PROJECT AREA: 1,914,086 SF  
NEW LANDSCAPE AREA: 182,727 SF - ON-SITE  
588,700 SF TOTAL  
REHABILITATED LANDSCAPE: 0 SF



APN: 331-150-022; 331-150-002;  
331-150-003; 331-150-004;  
331-150-005

APN: 331-150-024; 331-150-025

APN: 331-150-013;  
331-150-016; 331-150-017;  
331-150-018; 331-150-027

PROJECT SITE  
APN: 331-150-037; 331-150-039;  
331-150-036; 331-150-044;  
331-150-042; 331-150-040;  
331-150-041; 331-150-045

APN: 331-150-046

SHEET INDEX

- L-0 LANDSCAPE COVERSHEET
- L-1 CONCEPTUAL LANDSCAPE PLAN
- L-1B PARKING LOT SHADING PLAN AND R.O.W. MAINTENANCE PLAN
- L-1C PATH OF TRAVEL SHADING EXHIBIT



LANDSCAPE COVER SHEET  
CORE 5 - MENIFEE COMMERCE CENTER II

CITY OF MENIFEE, CA



0 70' 140' 210'  
SCALE: 1" = 70'-0"

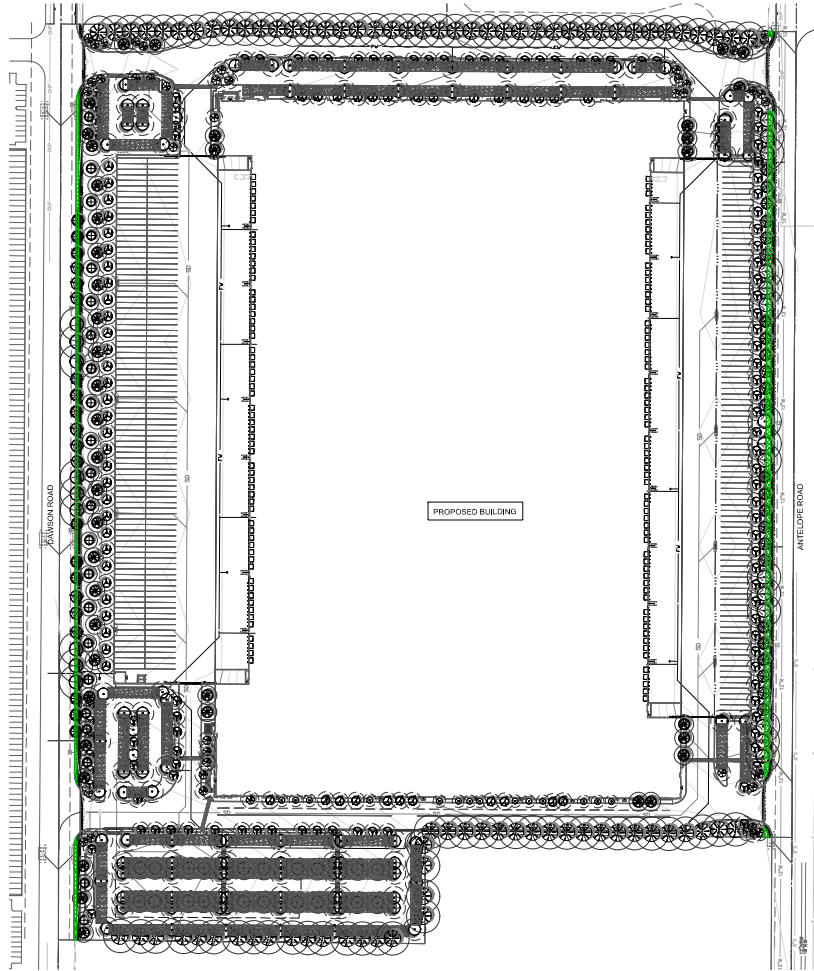
DATE: 10-24-2023

L-0





PUBLIC R.O.W.		
SYMBOL	DESCRIPTION	QTY
	PUBLIC RIGHT OF WAY LANDSCAPE AREA TO BE MAINTAINED BY THE CITY	15,862 SF

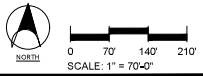


PARKING LOT SHADING CALCULATIONS:	
TOTAL PARKING LOT AREA FOR	100,000 SQ. FT.
TOTAL PROJECTED SHADE AREA WITHIN 15 YRS.	74,049 SQ. FT.
PER COUNTY OF RIVERSIDE ORDINANCE 848 SECTION 18.12 IN ACCORDANCE WITH MENIFEE MUNICIPAL CODE CHAPTER 8.195, LANDSCAPING STANDARDS, 50% OF PARKING STALL AREAS TO BE SHADED WITHIN 15 YEARS AFTER PLANTING	
SHADED AREA PROVIDED	74,049



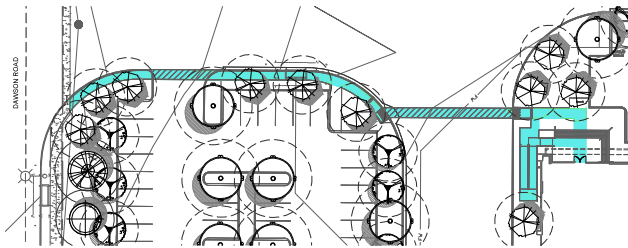
## PARKING LOT SHADING PLAN AND R.O.W. MAINTENANCE PLAN CORE 5 - MOTTE BUSINESS CENTER

CITY OF MENIFEE, CA



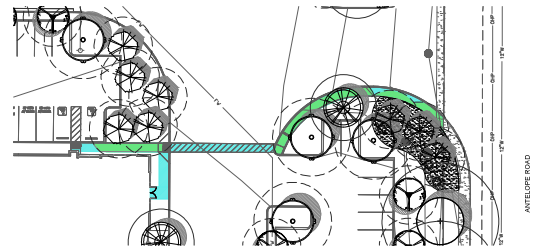
DATE: 10-20-2023

L-1B



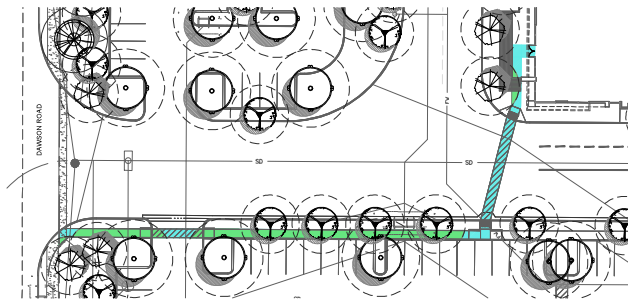
PATH OF TRAVEL AREA = 1,875 S.F.  
P.O.T. AREA SHADED BY TREE CANOPY AFTER 15 YEAR POST INSTALLATION  
= 1,140 S.F. (60.8%)

01 PATH OF TRAVEL SHADING ENLARGEMENT 01, NORTHWEST CORNER OF BLDG.  
SCALE: 1" = 20'-0"



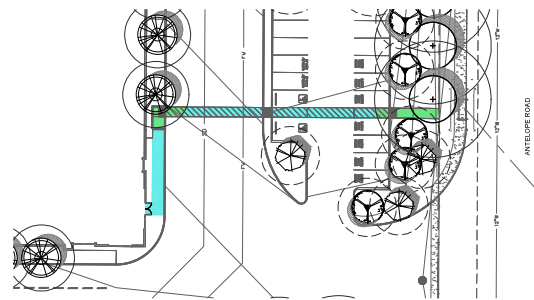
PATH OF TRAVEL AREA = 1,061 S.F.  
P.O.T. AREA SHADED BY TREE CANOPY AFTER 15 YEAR POST INSTALLATION  
= 670 S.F. (63.4%)

02 PATH OF TRAVEL SHADING ENLARGEMENT 02, NORTHEAST CORNER OF BLDG.  
SCALE: 1" = 20'-0"



PATH OF TRAVEL AREA = 1,529 S.F.  
P.O.T. AREA SHADED BY TREE CANOPY AFTER 15 YEAR POST INSTALLATION  
= 940 S.F. (61.5%)

03 PATH OF TRAVEL SHADING ENLARGEMENT 03, SOUTHWEST CORNER OF BLDG.  
SCALE: 1" = 20'-0"



PATH OF TRAVEL AREA = 1,086 S.F.  
P.O.T. AREA SHADED BY TREE CANOPY AFTER 15 YEAR POST INSTALLATION  
= 660 S.F. (60%)

04 PATH OF TRAVEL SHADING ENLARGEMENT 04, SOUTHEAST CORNER OF BLDG.  
SCALE: 1" = 20'-0"



## PATH OF TRAVEL SHADING EXHIBIT CORE 5 - MOTTE BUSINESS CENTER

CITY OF MENIFEE, CA



0 70' 140' 210'  
SCALE: 1" = 70'-0"

DATE: 10-20-2023

L-1C

# DEVELOPER/APPLICANT

CORE 5 INDUSTRIAL PARTNERS, LLC  
300 SPECTRUM CENTER DR, SUITE 400  
IRVINE, CA 92614  
(949) 441-7700  
CONTACT: JON KELLY

## CIVIL ENGINEER

HUITT-ZOLLARS, INC.  
3800 SPECTRUM CENTER DR, SUITE 400  
IRVINE, CA 92614  
(949) 441-7700  
CONTACT: JON KELLY

## ARCHITECT

HFA ARCHITECTS  
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IRVINE, CA 92614  
(949) 441-7700  
CONTACT: GARY KALANJEVA

## TOPOGRAPHY

DIGITAL MAPPING, INC.  
10000 BROADWAY STREET, SUITE 101  
IRVINE, CA 92618  
(714) 960-5459  
CONTACT: JON KELLY

## APN

331-150-037, 331-150-044, 331-150-042  
331-150-038, 331-150-040, 331-150-045  
331-150-036, 331-150-041

## NOTES

1. 2006 THOMAS BROS. MAP PAGE 777, GRID 13
2. THIS AREA IS SUBJECT TO LOW LIQUIDATION.
3. THIS AREA IS WITHIN THE MENIFEE NORTH SPECIFIC PLAN (2005).
4. THIS PROPERTY IS WITHIN COMMUNITY SERVICES DISTRICT AREA (H&M).
5. THIS PROJECT IS WITHIN THE AIRPORT COMPATIBILITY ZONE D & E.
6. PROJECT BOUNDARY WILL BE CREATED VIA PARCEL MAP.
7. CONTIGUOUS ARE SHOWN AT 1' INTERVALS.
8. THE BOUNDARY IS BOUND CONSECUTIVELY.
9. PROPOSED ROAD RIGHT OF WAY ARE SHOWN ON THE 3842.
10. PROPOSED BUILDING SPECULATIVE, USERS NOT IDENTIFIED.

## PROJECT DESCRIPTION

THIS PROJECT CONSISTS OF A WAREHOUSE INDUSTRIAL BLDG WITH A HANGAR, BY FOOTPRINT ON 3.84 ACRES WEST OF ANTELOPE ROAD, EAST OF SARDON ROAD, NORTH OF MELANGLER ROAD AND SOUTH OF ETHANAC ROAD.

## LEGAL DESCRIPTION

THE LAND HEREIN TO BE HEREIN BELONGS IS SITUATED IN THE CITY OF MENIFEE, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

TRACT 1:  
1.00 AC OF TRIMBLE FARM, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 38 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

TRACT 2:  
1.00 AC OF TRIMBLE FARM, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 38 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

TRACT 3:  
1.00 AC OF TRIMBLE FARM, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 38 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

TRACT 4:  
1.00 AC OF TRIMBLE FARM, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 38 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

TRACT 5:  
1.00 AC OF TRIMBLE FARM, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 38 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

TRACT 6:  
1.00 AC OF TRIMBLE FARM, AS SHOWN BY MAP ON FILE IN BOOK 11, PAGE 38 OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

## PROJECT DATA

NET LOT COVERAGE: 49.0%

GROSS SITE AREA: 2,018,044 SF (46.32 AC)

NET SITE AREA: 1,014,000 SF (23.18 AC)

TOTAL BUILDING FOOTPRINT: 800,000 SF

PARKING REQUIRED: 40 STALLS

OPTIONAL (CONSP-VOLUNTEER): 560 STALLS

TOTAL: 600 STALLS

PARKING PROVIDED: 600 STALLS

ACCESSIBLE STALLS: 20 STALLS

TOTAL STALLS: 620 STALLS

BIKE PARKING: 8 BIKES

LANDSCAPE REQUIRED (10%): 191,409 SF

LANDSCAPE PROVIDED: 191,738 SF

PAVED AREA: 784,043 SF

# CITY OF MENIFEE, COUNTY OF RIVERSIDE CORE 5 - MOTTE BUSINESS CENTER PLOT PLAN NO. 22-0115

## LAND USE/ZONING

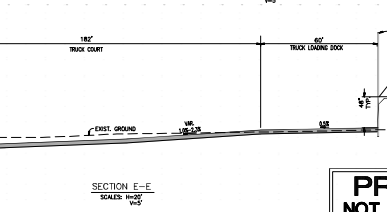
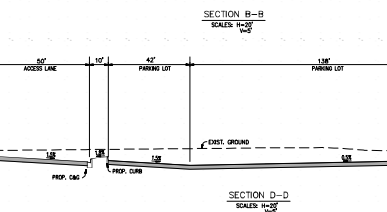
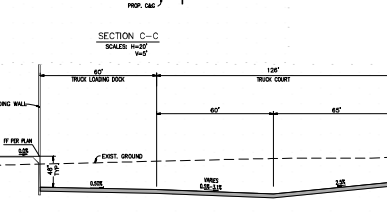
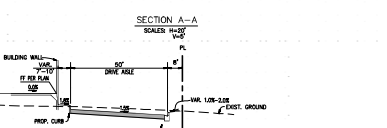
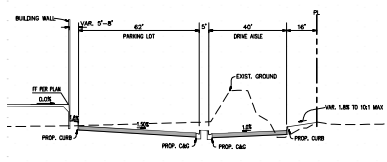
EXISTING ZONING: SP 280  
PROPOSED ZONING: SP 280  
EXISTING GENERAL PLAN LAND USE: SP 280  
PROPOSED GENERAL PLAN LAND USE: SP 280  
EXISTING LAND USE: VACANT/COMMERCIAL STORAGE YARD  
PROPOSED LAND USE: WAREHOUSE (FACILITY)

## UTILITY COMPANIES

WATER: EASTERN MENAPOL WATER DISTRICT  
SEWER: EASTERN MENAPOL WATER DISTRICT  
ELECTRIC: SOUTHERN CALIFORNIA Edison  
CABLE: FRONTIER COMMUNICATIONS  
GAS: SOUTHERN CALIFORNIA GAS COMPANY

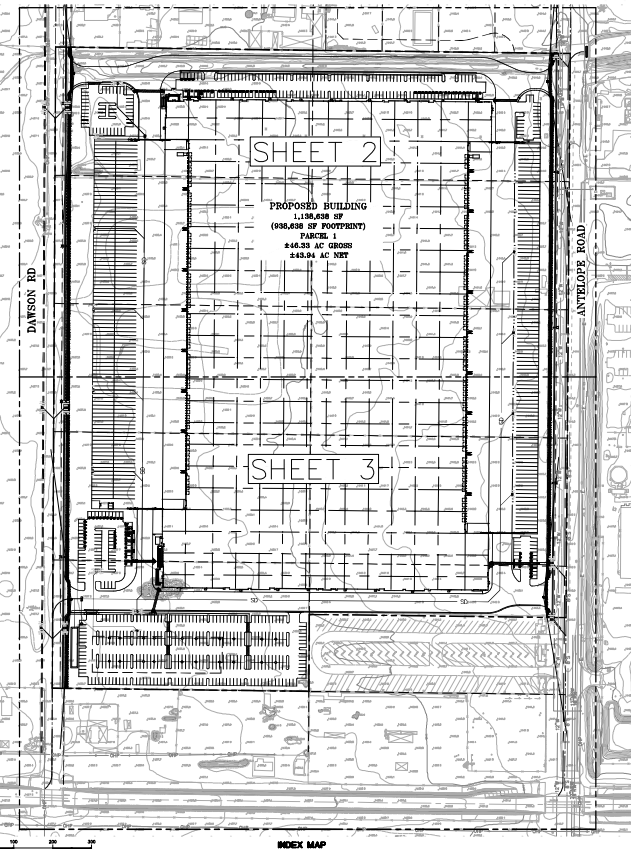
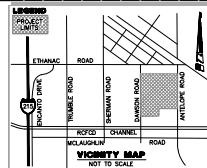
## SCHOOL DISTRICT

ROMANO & PERRIS UNION HIGH SCHOOL DISTRICT



PRELIMINARY EARTHWORK VOLUMES	
CUT (CY)	FILL (CY)
RAW VOLUMES	106,496
(C) Structures	8,520
(C) Subdrains (S)	7,089
Subtotal	97,876
Overexcavation Area	107,582
(C) Berms/Grass	8,657
Subtotal	116,239
Additional Volumes	2,000
Total	118,239

EARTHWORK NOTE:  
EARTHWORK ESTIMATE IS BASED ON SOLID PARAMETERS PROVIDED BY THE SOILS ENGINEER. ADJUSTMENTS MAY BE REQUIRED BASED ON FINAL DESIGN OF SUB AND SITE FINISHES. ADDITIONAL ADJUSTMENTS MAY BE REQUIRED BASED ON SITE SOIL CHARACTERISTICS. EXISTING CONDITIONS MAY VARY FROM QUANTITIES ARE FOR REFERENCE ONLY. NOT FOR BIDDING. CONTRACTOR SHALL VERIFY EXISTING CONDITIONS, CALCULATIONS AND DO A COMPLETE JOB.



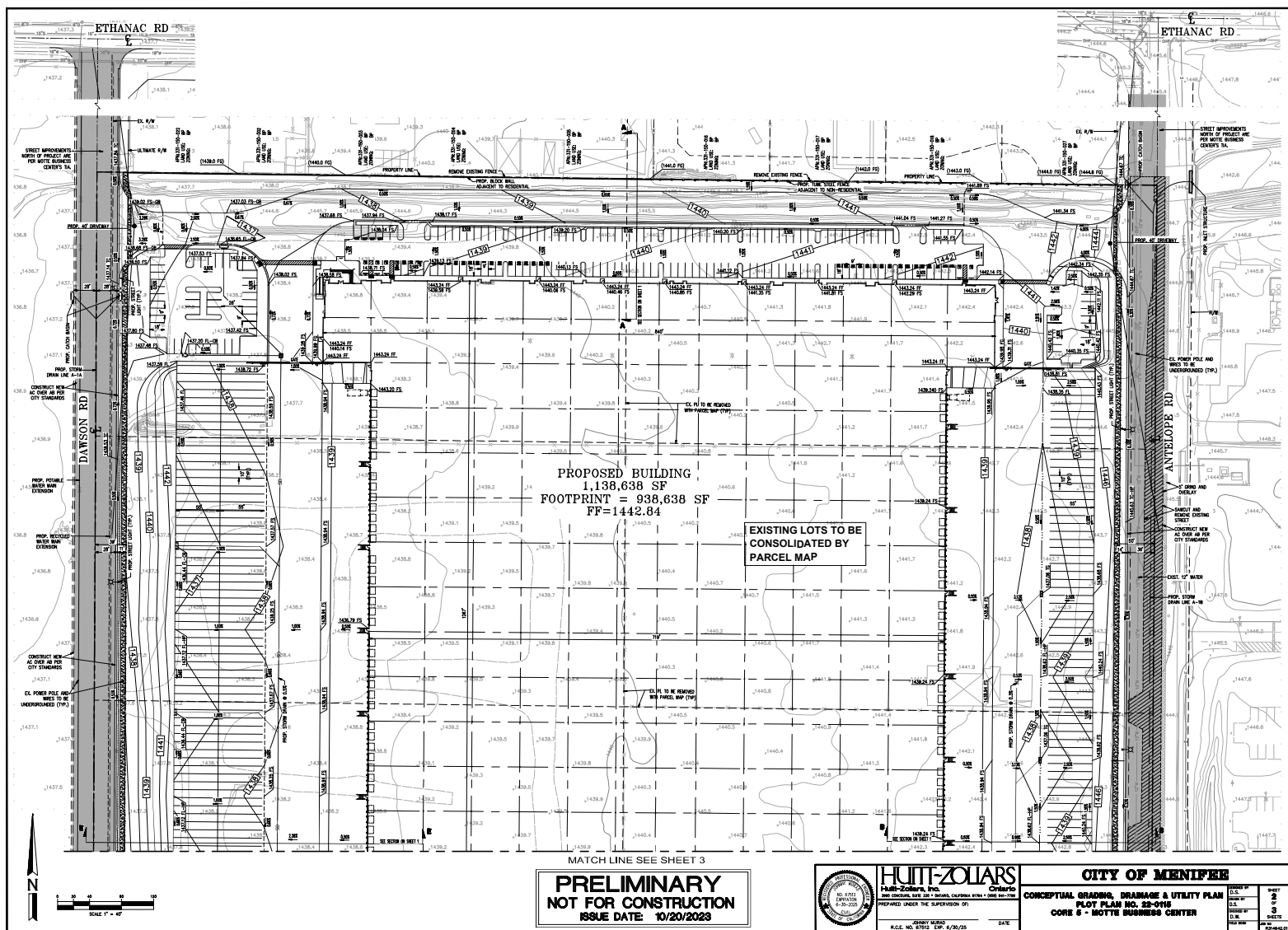
**PRELIMINARY**  
NOT FOR CONSTRUCTION  
ISSUE DATE: 10/20/2023



**HUITT-ZOLLARS, INC.**  
Civil Engineer  
3800 SPECTRUM CENTER DR, SUITE 400  
IRVINE, CA 92614  
(949) 441-7700  
CONTACT: JON KELLY

**CITY OF MENIFEE**  
CONCEPTUAL GRADING, DRAINAGE & UTILITY PLAN  
PLOT PLAN NO. 22-0115  
CORE 5 - MOTTE BUSINESS CENTER

SHEET 1  
OF 3  
DATE: 10/20/23





MATCH LINE SEE SHEET 2

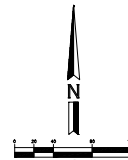
PROPOSED BUILDING  
1,138,638 SF  
FOOTPRINT = 938,638 SF  
FF=1442.84

EXISTING LOTS TO BE  
CONSOLIDATED BY  
PARCEL MAP

**PRELIMINARY**  
NOT FOR CONSTRUCTION  
ISSUE DATE 10/20/2023

EXISTING CHANNEL  
ROMOLAND LINE A

EXISTING CHANNEL  
ROMOLAND LINE A



**HUITT-ZOLLARS, INC.**  
California  
Professional Engineer  
License No. 44517  
Prepared Under the Supervision of:  
R.C. MC DONALD, P.E. 6/26/25

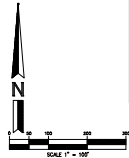
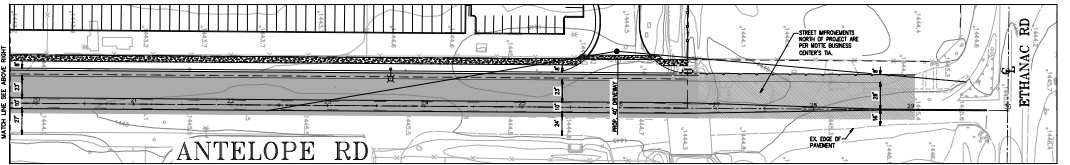
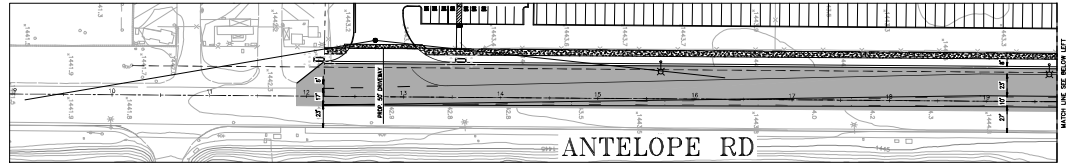
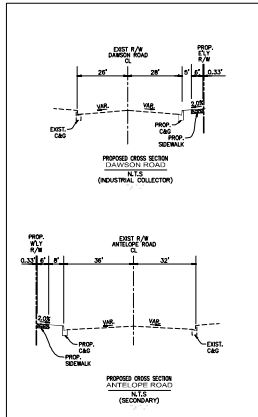
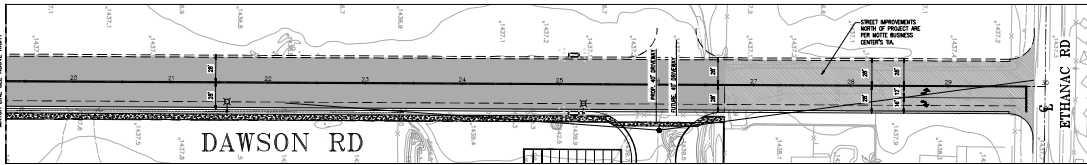
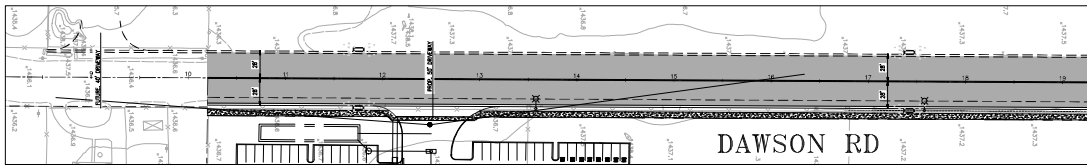
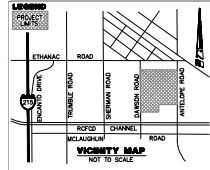
**CITY OF MENIFEE**  
CONCEPTUAL GRADING, DRAINAGE & UTILITY PLAN  
PLOT PLAN NO. 22-0015  
CORE 5 - MOTTE BUSINESS CENTER

DATE	10/20/2023
BY	3
CHECKED	3
APPROVED	3

DEVELOPER/APPLICANT  
CORE 5 INDUSTRIAL PARTNERS, LLC  
300 SPECTRUM CENTER DR, SUITE 800  
IRVINE, CA 92618  
PH: 949-451-2281  
CONTACT: JON KELLY

CIVIL ENGINEER  
HUITT-ZOLLARS, INC.  
3885 CONSUMERS, SUITE 300  
DOWNEY, CA 90244  
PH: 562-944-7799  
CONTACT: JOHNNY MURDO

CITY OF MENIFEE, COUNTY OF RIVERSIDE  
**CORE 5 - MOTTE BUSINESS CENTER**  
INTERIM STRIPING EXHIBIT



**PRELIMINARY**  
**NOT FOR CONSTRUCTION**  
ISSUE DATE: 10/20/2023



**HUITT-ZOLLARS**  
Huitt-Zollars, Inc.  
3885 CONSUMERS, SUITE 300 • DOWNEY, CALIFORNIA 90244 • (562) 944-7799  
PREPARED UNDER THE SUPERVISION OF:  
JON KELLY, CIVIL ENGINEER, No. 10000, State of California  
DATE: 10/20/23

**CITY OF MENIFEE**  
CONCEPTUAL STRIPING EXHIBIT  
PLOT PLAN NO. 22-0705  
CORE 5 - MOTTE BUSINESS CENTER

DATE	10/20/23
BY	JM
CHECKED BY	JK
DATE	10/20/23





**RESOLUTION NO. 23-\_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENIFEE, CALIFORNIA CERTIFYING AN ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2022120083) FOR THE MOTTE BUSINESS CENTER 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 May 6, 2022, the applicant, Core5 Industrial Partners, LLC (“Applicant”), filed a formal application with the City of Menifee for the approval of Tentative Parcel Map (“TPM”) No. 38432 (PLN22-0114) to combine eight parcels (APNs 331-150-036, 331-150-037, 331-150-039, 331-150-040, 331-150-041, 331-150-042, 331-150-044, 331-150-045) into one parcel for a total of 46.33 gross acres and 43.94 net-acres, and Plot Plan (“PP”) No. PLN22-0115 for the construction of one concrete tilt-up building totaling 1,138,638 square feet including 10,000 square feet of office, 928,638 square feet of ground floor warehouse and 200,000 square feet of mezzanine space, a structural height of approximately 50 feet, 616 automobile parking spaces, 284 truck trailer parking spaces, 128 dock doors, site lighting, and landscaping. The Project site is generally located east of Dawson Road, west of Antelope Road, south of Ethanac Road, and north of McLaughlin Road; and

**WHEREAS**, collectively, all the applications are referred to as the “Project” or “Motte Business Center”; and

**WHEREAS**, on December 6, 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 400 foot radius from the Project site boundaries; and

**WHEREAS**, on December 12, 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 400 foot radius from the Project site boundaries; and

**WHEREAS**, between September 29, 2023 and November 13, 2023, the City complied with the State-mandated 45-day public review period for the Motte Business Center 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 400 feet of the Project site. A copy of the Draft EIR was sent to the SCH No. 2022120083, 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 Riverside Transit Agency, South Coast Air Quality Management District, Riverside County Flood Control and Water Conservation District, Southern California Gas Company, Airport Land Use Commission, City of Perris, Rincon Band of Luiseño Indians, Agua Caliente Band of Cahuilla Indians, and Pechanga Band of Indians; 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 Commissions 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 September 2023, and FEIR for the Project, dated November 2023 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 December 13, 2023, 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 400 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 of Fact 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, 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 13<sup>th</sup> day of December 2023.

---

Jeff LaDue, Chairman

Attest:

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Rachel Valencia, Administrative Assistant

Approved as to form:

---

Thai Phan, Assistant City Attorney

# Final Environmental Impact Report

## Motte Business Center Project

---

SCH No. 2022120083

### 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

**November 2023**

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## Section 1.0 Introduction

### 1.1 INTRODUCTION

The City of Menifee (City) has prepared this Final Environmental Impact Report (FEIR) in compliance with the California Environmental Quality Act (CEQA) for the Motte Business Center Project (Project). The City is required, after completion of a Draft EIR (DEIR) (State Clearinghouse No. 2022120083), to consult with and obtain comments from public agencies having jurisdiction by law with respect to the Project and provide the general public with an opportunity to comment on the DEIR. This FEIR has been prepared to respond to comments received on the DEIR, which was circulated for public review from September 29, 2023, through November 13, 2023 (46 days). The preceding Table of Contents provides a list of all persons, organizations, and public agencies who commented on the DEIR.

The City will evaluate comments on environmental issues from persons who reviewed the DEIR and will prepare a written response, pursuant to CEQA Guidelines §15088(a). The written response must address any significant environmental issues raised. In addition, there must be a good faith and reasoned analysis in the written response. However, lead agencies need only respond to significant environmental issues associated with the Project and do not need to provide all the information requested by commenters, as long as a good faith effort at full disclosure is made in the EIR (State CEQA Guidelines §15204, §15088). Those comments are responded to in **Section 2.0, Comments on the Draft EIR and Responses to Comments**.

State CEQA Guidelines §15088 recommends that where a response to comment makes important changes in the information contain in the text of the DEIR, that the Lead Agency either revise the text of the DEIR or include marginal notes showing that information. Added or modified text is shown in **Section 3.0, Errata**, by underlining (example) while deleted text is shown by striking (~~example~~). The additional information, corrections, and clarifications are not considered to substantively affect the conclusions within the EIR and therefore the City has determined that recirculation of the DEIR is not required as none of the criteria for recirculation under CEQA Guidelines Section 15088.5 have been met.

CEQA Guidelines §15132 indicates that the contents of a FEIR shall consist of:

- (a) The DEIR or a revision of the draft.
- (b) Comments and recommendations received on the DEIR either verbatim or in summary.
- (c) A list of persons, organizations, and public agencies commenting on the DEIR.
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
- (e) Any other information added by the Lead Agency.

Pursuant to CEQA Guidelines §15088(b), the City will provide written responses to comments to any public agency that commented on the DEIR, at least ten (10) days prior to the Planning Commission consideration of certifying the EIR as adequate under CEQA. Written responses to comments will also be provided to non-public agency individuals, organizations, and entities that commented on the DEIR. In addition, the

FEIR will be made available to the general public at the City's Planning Division office and on the City's website a minimum of 10 days prior to the Planning Commission public hearing.

The FEIR, along with other relevant information and public testimony at the Planning Commission hearing, will be considered by the City's Planning Commission.

## 1.2 ORGANIZATION OF EIR

This FEIR provides the requisite information required under CEQA and is organized as follows:

- **Section 1.0: Introduction.** This section provides an introduction to the FEIR, including the requirements under CEQA, the organization of the document, as well as a brief summary of the CEQA process activities to date.
- **Section 2.0: Comments on the Draft EIR and Responses to Comments.** This section provides a list of public agencies, organizations, and individuals commenting on the DEIR, provides a copy of each written comment received, and any response required under CEQA.
- **Section 3.0: Errata to the Draft EIR.** This section presents clarifications, amplifications, and insignificant modifications to the EIR, identifying revisions to the text of the document.

## 1.3 CEQA PROCESS HISTORY

The City has complied with relevant Public Resources Code provisions and CEQA Guidelines regarding the preparation and processing of the Project EIR. A brief summary of the Project's CEQA process is as follows:

- A Notice of Preparation (NOP) informing interested parties and agencies of the Project was distributed on December 6, 2022, with a minimum 30-day public review period ending on January 16, 2023. The City provided a 42-day public review period due to overlap with the holiday season.
- Written and verbal comments were given at a public scoping meeting held for the Project on December 12, 2022, at 6pm at City Council Chambers located at 29844 Haun Road, Menifee, CA 92586. Two residents attended the scoping meeting.
- Following a Notice of Completion (NOC), the DEIR and Notice of Availability was distributed for public review and comment for a 46-day period, beginning September 29, 2023. The public review period closed on November 13, 2023.

## 1.4 CHANGES TO THE DRAFT EIR

As previously stated, **Section 3.0, Errata to the Draft EIR**, details the changes to the DEIR. In response to public comments, text changes have been made to DEIR sections to clarify and amplify the analysis or mitigation measures, and to make insignificant modifications to the DEIR. This information does not rise to the level of significant new information as the resulting impact analysis and alternatives considered remain essentially unchanged, and no new or more severe impacts have been identified. These changes do not warrant DEIR recirculation pursuant to California Public Resources Code §21092.1 and CEQA Guidelines §15088.5. As discussed herein and as elaborated upon in the respective Response to

Comments, none of the clarifications or changes made in the Errata reflect a new significant environmental impact, a “substantial increase” in the severity of an environmental impact for which mitigation is not proposed, or a new feasible alternative or mitigation measure that would clearly lessen significant environmental impacts but is not adopted, nor do the Errata reflect a “fundamentally flawed” or “conclusory” DEIR. In all cases, as discussed in individual responses to comments and DEIR Errata, these minor clarifications and modifications do not identify new or substantially more severe environmental impacts that the City has not committed to mitigate. Therefore, the public has not been deprived of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project or an unadopted feasible Project alternative or mitigation measure. Instead, the information added supports the existing analysis and conclusions, and responds to inquiries made from commenters. Therefore, this FEIR is not subject to recirculation prior to certification.

CEQA Guidelines §15088.5 describes when an EIR requires recirculation prior to certification, stating in part:

- “(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. *“Significant new information” requiring recirculation include, for example, a disclosure showing that:*
  - (1) *A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.*
  - (2) *A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.*
  - (3) *A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to apply it.*
  - (4) *The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded (Mountain Lion Coalition v. Fish and Game Com. (1989) 214 Cal.App.3d 1043).*
- (b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.”

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## Section 2.0 Comments and Responses to Draft EIR

This section includes all comments received by the City on the Draft Environmental Impact Report (DEIR), including written comments and comments submitted online via email to the City. The City circulated the DEIR for a 46-day review period as required by CEQA. The review period ran from September 29, 2023, through November 13, 2023.

### 2.1 INTRODUCTION TO COMMENTS AND RESPONSES

In accordance with CEQA Guidelines §15132, **Table 2-1, Comments from Public Agencies and Organizations** below provides a list of those parties that provided written comments on the DEIR during the public review period. Copies of the written comments are provided in this section and have been annotated with the assigned letter along with a number for each comment. Each comment is followed by a written response which corresponds to each commenter.

**Table 2-1: Comments from Public Agencies and Organizations**

Reference	Commenter	Date
A	Agua Caliente Band of Cahuilla Indians Xitlaly Madrigal, Cultural Resources Analyst	October 06, 2023
B	Rincon Band of Luiseño Indians Cheryl Madrigal, Tribal Historic Preservation Officer	October 25, 2023
C	Riverside County Flood Control and Water Conservation District Amy McNeill, Engineering Project Manager	November 1, 2023
D	Riverside Transit Authority Mauricio Alvarez, Planning Analyst	October 05, 2023
E	South Coast Air Quality Management District Danica Nguyen, Air Quality Specialist, CEQA-IGR	October 17, 2023
F	City of Perris – Planning Division Patricia Brenes, Planning Manager	November 13, 2023
G	The Pechanga Band of Indians Molly Earp, Cultural Resources Specialist	November 3, 2023
H	Southern California Gas Company Will Liao, Region Planning Supervisor	October 16, 2023
I	Riverside County Airport Land Use Commission Jackie Vega, Urban Regional Planner II	October 20, 2023
J	Native American Heritage Commission Andrew Green, Cultural Resources Analyst	November 20, 2023

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**Comment Letter A – Agua Caliente Band of Cahuilla Indians**  
**Xitlaly Madrigal, Cultural Resources Analyst**

**AGUA CALIENTE BAND OF CAHUILLA INDIANS**

TRIBAL HISTORIC PRESERVATION



03-057-2022-012

October 06, 2023

[VIA EMAIL TO: bhamilton@cityofmenifee.us]  
City of Menifee  
Mr. Brett Hamilton  
29844 Haun Road  
Menifee, CA 92586

**Re: Motte Business Center**

Dear Mr. Brett Hamilton,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Dawson Antelope Warehouse project. We have reviewed the documents and have the following comments:

\*A copy of the records search with associated survey reports and site records from the information center.

\*At this time the concerns of the ACBCI THPO have been addressed and proper mitigation measures have been proposed to ensure the protection of tribal cultural resources. This letter shall conclude our AB52 consultation efforts.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760) 423-3485. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

Xitlaly Madrigal  
Cultural Resources Analyst  
Tribal Historic Preservation Office  
AGUA CALIENTE BAND  
OF CAHUILLA INDIANS

A1

A2

***Responses to Comment Letter A – Agua Caliente Band of Cahuilla Indians  
Xitlaly Madrigal, Cultural***

- A1**      The City appreciates the Agua Caliente Band of Cahuilla Indian’s comment for the Project. The City has sent the requested records search with associated survey report and site records from the information center to the Commenter. The Commentor’s conclusion of AB 52 consultation efforts has been noted.
- A2**      This comment includes a conclusionary statement. No further response is warranted.

**Comment Letter B – Rincon Band of Luiseno Indians**

**Cheryl Madrigal, Tribal Historic Preservation Officer**

**Rincon Band of Luiseño Indians**  
**CULTURAL RESOURCES DEPARTMENT**

One Government Center Lane | Valley Center | CA 92082  
(760) 749-1092 | Fax: (760) 749-8901 | rincon-nsn.gov



October 25, 2023

Sent via email: [bhamilton@cityofmenifee.us](mailto:bhamilton@cityofmenifee.us)

Attn: Brett Hamilton, Senior Planner  
City of Menifee  
Community Development Department  
29844 Haun Road  
Menifee, CA 92586

Re: PLN22-0114 Motte Business Center

Dear Mr. Hamilton,

This letter is written on behalf of the Rincon Band of Luiseño Indians ("Rincon Band" or "Band"), a federally recognized Indian Tribe and sovereign government. Thank you for providing us with the Notice of Availability of a Draft Environmental Impact Report (DEIR) for the above referenced project. The identified location is within the Territory of the Luiseño people and is also within Rincon's specific area of Historic interest. As such, the Rincon Band is traditionally and culturally affiliated to the project area. B1

The Band has reviewed the provided document, and we agree with the measures COA-CUL-1 through COA CUL-7 and MM CUL-1, which include archaeological tribal monitoring, protocols for the inadvertent discoveries of cultural resources and human remains, disposition plan for inadvertent discoveries of cultural resources, non-disclosure of reburial locations, and a monitoring report. In addition, the Rincon Band agrees with the City of Menifee's Open Space & Conservation Element Policy OCS-5.1 and Policy OCS-5.4, which provides direction for the preservation and protection of archaeological, historical, and cultural resources with the City. B2

We understand that other Tribes potentially have knowledge particular to this project site and may request additional measures. Please note that the Rincon Band supports all efforts to completely avoid cultural resources as preferred mitigation. B3

In addition, we do request that the Rincon Band be notified of any changes in project plans. If you have additional questions or concerns, please do not hesitate to contact our office at your convenience at (760) 749-1092.

Thank you for the opportunity to protect and preserve our cultural assets.

Sincerely,

Cheryl Madrigal  
Tribal Historic Preservation Officer  
Cultural Resources Manager

Bo Mazzetti  
Chairman

Tishmall Turner  
Vice Chair

Laurie E. Gonzalez  
Council Member

John Constantino  
Council Member

Joseph Linton  
Council Member

***Responses to Comment Letter B – Rincon Band of Luiseno Indians***

***Cheryl Madrigal, Tribal Historic Preservation Officer***

- B1** The City appreciates the Rincon Band of Luiseño Indians comment regarding the Tribe's historic interest in the Project site. No further response is warranted.
- B2** The comment states the Commenter's agreement with COA-CUL-1 through COA-CUL-7 and Mitigation Measure (MM) **CUL-1**. Additionally, the Project will comply with the City of Menifee's Open Space and Conservation Element Policies OCS-5.1 and OCS-5.4.
- B3** The Commenter's support of all efforts to avoid cultural resources through mitigation have been noted. As stated in comment B2, the Project would implement COA-CUL-1 through COA CUL-7, and **MM CUL-1** to reduce impacts to cultural resources to less than significant levels. Per the Commenter's request, the City will notify the Commenter if any changes in the Project's Plan's occur.

**Comment Letter C – Riverside County Flood Control and Water Conservation District**  
**Amy McNeill, Engineering Project Manager**

JASON E. UHLEY  
General Manager-Chief Engineer



1995 MARKET STREET  
RIVERSIDE, CA 92501  
951.955.1200  
951.788.9965 FAX  
www.rcflood.org

**RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT**

November 1, 2023

253532

City of Menifee  
Planning Division  
29714 Haun Road, Building A  
Menifee, CA 92586

Attention: Brett Hamilton

Re: TPM 38432 (PLN 22-0114), PLN 22-0115,  
Motte Business Center, APNs 331-150-036,  
331-150-037, 331-150-039, 331-150-040,  
331-150-041, 331-150-042, 331-150-044 and  
331-150-045

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

C1

The District's review is based on the above-referenced project transmittal, received September 29, 2023. The District has not reviewed the proposed project in detail, and the following comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety, or any other such issue:

C2

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

☒ This project involves District proposed Master Drainage Plan facilities, namely, Romoland MDP Line A-1a. The District will accept ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required. All regulatory permits (and all documents pertaining thereto, e.g., Habitat Mitigation and Monitoring Plans, Conservation Plans/Easements) that are to be secured by the Applicant for both facility construction and maintenance shall be submitted to the District for review. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.

C3



- ☐ This project proposes channels, storm drains larger than 36 inches in diameter, or other facilities that could be considered regional in nature and/or a logical extension a District's facility, the District would consider accepting ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required. The regulatory permits' terms and

C4

City of Menifee  
Re: TPM 38432 (PLN 22-0114), PLN 22-0115,  
Motte Business Center, APNs 331-150-036,  
331-150-037, 331-150-039, 331-150-040,  
331-150-041, 331-150-042, 331-150-044 and  
331-150-045

- 2 -

November 1, 2023

253532

conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.

C4  
Cont

- ☐ This project is located within the limits of the District's Homeland/Romoland-Line A Area Drainage Plan for which drainage fees have been adopted. If the project is proposing to create additional impervious surface area, applicable fees should be paid (in accordance with the Rules and Regulations for Administration of Area Drainage Plans) to the Flood Control District or City prior to issuance of grading or building permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

C5

- ☐ An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities, namely, Romoland/Master Drainage Plan Line A, Stage 4. If a proposed storm drain connection exceeds the hydraulic performance of the existing drainage facilities, mitigation will be required. For further information, contact the District's Encroachment Permit Section at 951.955.1266.

C6

- ☐ The District's previous comments dated May 19, 2022 for case DEV 2022-014, PLN 22-0115 and PLN 22-0114 are still valid.

C7

**GENERAL INFORMATION**

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

C8

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

C9

The project proponent shall bear the responsibility for complying with all applicable mitigation measures defined in the California Environmental Quality Act (CEQA) document (i.e., Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report) and/or Mitigation Monitoring and Reporting Program, if a CEQA document was prepared for the project. The project proponent shall also bear the responsibility for complying with all other federal, state, and local environmental rules and regulations that may apply.

C10

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

C11

Very truly yours,



AMY MCNEILL  
Engineering Project Manager

Attachment  
EM:mm

***Responses to Comment Letter C – Riverside County Flood Control and Water Conservation District***  
***Amy McNeill, Engineering Project Manager***

- C1** This comment includes introductory statements concerning the Riverside County Flood Control and Water Conservation District's (District) interest in projects associated with the District Master Drainage Plan facilities and other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system. No further response is warranted.
- C2** This comment includes introductory statements to the following comments. Refer to Responses to Comments C3 through C11.
- C3** Pursuant to the Commenter's request, the Project Applicant will be required to comply with all applicable regulations including, but not limited to entering into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners, prior to Project. Pursuant to Mitigation Measure **(MM) HYD-3**, the Project Applicant would be required to submit final grading and drainage plans for review and approval by the City, 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.
- C4** As stated in Response to Comment C3 above, the Project Applicant will be required to comply with all applicable regulatory requirements including, but not limited to entering into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. The Project's proposed storm drains would be designed and constructed in accordance with District standards and District plan check and inspection will be required for District acceptance. The Project's storm drains would undergo plan check, inspection, and pay any required administrative fees.
- C5** The Project Applicant will be required to obtain an encroachment permit for any construction-related activities occurring within District right-of-way or facilities, such as the District's Homeland/Romoland Drainage Plan Line A, Stage 4, and the Project Applicant will be required to pay any applicable fees in accordance with the Rules and Regulations for Administration of Area Drainage Plan as a condition of approval. The Area Drainage Plan (ADP) fees will be paid to the District at the time of issuance of grading permits.
- C6** The Project Applicant will be required to obtain an encroachment permit for the construction activity that would occur within or adjacent to the District's right of way or facilities. Additionally, pursuant to Draft EIR Appendix I1, all proposed on-site drainage and storm drain facilities will be sized adequately for 100-year storm event. The Project would also be required to comply with the National Pollution Discharge Elimination System (NPDES) Municipal Permit, the City of Menifee

General Plan, which require implementation of construction and post-construction Best Management Practices (BMPs) in accordance with the Storm Water Pollution Prevention Plan (SWPPP) and Water Quality Control Plan (WQMP) for the Santa Ana River Basin. In addition, the Santa Ana Municipal Separate Storm Sewer Systems (MS4) Permit requires the preparation of a project-specific WQMP for all development projects and, as such, a project-specific WQMP has been prepared for the Project. The Project-Specific WQMP (see Draft EIR Appendix I2) has incorporated combined low-impact development (LID) treatment, hydrologic control BMPs, and sediment supply BMPs. A final WQMP will be required to address BMP sizing and O&M plan, pursuant to Draft EIR **MM HYD-2**. The WQMP is intended to comply with the requirements of the City's Municipal Code Section 15.01, Storm Water/Urban Runoff, which includes the requirement for the preparation and implementation of a Project-Specific WQMP and has outlined all BMPs designed to meet water quality standards and mitigate any adverse impacts; see **MM HYD-2**. (Draft EIR pages 4.9-14 through 4.9-16).

- C7** Commented noted and no further response is warranted.
- C8** Concerning the Project, the NPDES permit is divided into two parts: construction and post-construction. The construction permitting is administered by the SWRCB, while the post-construction permitting is administered by the RWQCB. Development projects typically result in the disturbance of soil that requires compliance with the NPDES General Permit, Waste Discharge Requirements for Discharges of Stormwater Runoff Associated with Construction Activities (Order No. 2012-0006-DWQ, NPDES Number CAS000002) (General Construction Permit). This Statewide General Construction Permit regulates discharges from construction sites that disturb one or more acres of soil. As stated in Response to Comment C6, the Project would comply with the NPDES permit with the implementation of construction and post-construction BMPs in accordance with the SWPPP and Project-specific WQMP. Therefore, the Project would be compliant with the NPDES (see **MMs HYD-1** and **HYD-2**).
- C9** As shown in Draft EIR Exhibit 4.9-2, FEMA Flood Hazard Map, the northeastern portion of the Project site is largely within an area determined to be outside the 0.2 percent annual chance floodplain, identified as Zone X. A small northeastern portion of Antelope Road, adjacent to the Project site, is located within a special flood hazard area subject to inundation by the one percent annual chance flood, identified as Zone A. Furthermore, the northern half of the Project site is currently in a Letter of Map Revision (LOMR) 1709-1814P.

Per the Project's Preliminary Drainage Study (Draft EIR Appendix I1) and Preliminary WQMP (Draft EIR Appendix I2), on-site flows would be collected by a system of on-site drainage improvements, catch basins, and detention basins and off-site drainage improvements proposed at Dawson Road and Antelope Road which would convey runoff to the proposed Storm Drain Lateral A-1A and A-1B. The Project would mitigate the increase in runoff and the 100-year storm would be routed to match existing and proposed flow rates. The flows would be routed by storing the volume in the detention basins until the runoff overflows and releases to meet drawdown requirements. All

flows would be treated for water quality purposes and all flows would be convey south in the proposed storm drainages. Therefore, with implementation of efficient design measures and applicable BMPs pursuant the Project's WQMP and SWPPP (**MMs HYD-1, -2, and -3**). (Draft EIR pages 4.9-20 and 4.9-20). Therefore, the Project would be consistent with FEMA requirements.

**C10** The City of Menifee prepared a Draft EIR and this FEIR in accordance with CEQA. The Project applicant will implement mitigation measures proposed in the Draft EIR and comply with applicable federal, state, and local laws, ordinances, and regulations to reduce impacts associated with the Project.

**C11** Draft EIR Appendix C1 concluded that USFWS's National Wetland Inventory did not identify riverine/wetland resources on or immediately bordering the Project site. Additionally, no blueline streams or, ponded areas, pits, or water features have been documented on the topographic maps for the Project site. One artificially created drainage occurs along the northern boundary of the Project site, traversing the site from east to west. This feature is fed by stormwater runoff during storm events via twelve 18-inch culverts beneath Antelope Road and conveys flows westward to Dawson Road. Downstream flows infiltrate at an undeveloped, vacant parcel immediately beyond Antelope Road. Consequently, ELMT conducted a jurisdictional assessment (Draft EIR Appendix C4) of the off-site improvement area east of Antelope Road. Appendix C4 concluded that the drainage did not replace an existing blueline stream. The Draft EIR concluded that the manmade features do not qualify as jurisdictional by the USACE, RWQCB, or CDFW.

Connecting the off-site drainage culvert, northeast of the Project site, into the flood control channel south of the Project site would not result in impacts to jurisdictional waters, and regulatory approvals including but not limited to, Section 1602, 404, and 401 permits will not be required.

**Comment Letter D – Riverside Transit Authority**  
**Mauricio Alvarez, Planning Analyst**

**From:** Mauricio Alvarez <malvarez@riversidetransit.com>  
**Sent:** Thursday, October 5, 2023 7:44 AM  
**To:** Brett Hamilton <bhamilton@cityofmenifee.us>  
**Subject:** RE: Motte Business Center Draft EIR Pubic Review - Menifee, CA

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Brett,

Thank you for including Riverside Transit Agency in the development review of the Motte Business Center. After reviewing the plans, there are no comments to submit for this particular project at this time.

Thank you,

**Mauricio Alvarez, MBA**

Planning Analyst  
Riverside Transit Agency  
p: 951.565.5260 | e: [malvarez@riversidetransit.com](mailto:malvarez@riversidetransit.com)  
[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)  
1825 Third Street, Riverside, CA 92507

D1

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**From:** Brett Hamilton <[bhamilton@cityofmenifee.us](mailto:bhamilton@cityofmenifee.us)>  
**Sent:** Friday, September 29, 2023 7:02 AM  
**To:** Brett Hamilton <[bhamilton@cityofmenifee.us](mailto:bhamilton@cityofmenifee.us)>  
**Subject:** Motte Business Center Draft EIR Pubic Review - Menifee, CA

Good morning,

Please see the attached Notice of Availability (NOA) of the Draft Environmental Impact Report (EIR) for the Motte Business Center Project. The [Draft EIR](#) can be viewed on the City's website, both public libraries in Menifee, and at City Hall (details provided in the NOA). The State Clearinghouse number is 2022120083.

The public review period begins Friday, September 29, 2023, and ends on Monday, November 13, 2023.

D2

Please reach out to me with any questions or comments.

Thank you,

**Brett Hamilton, AICP** | Senior Planner

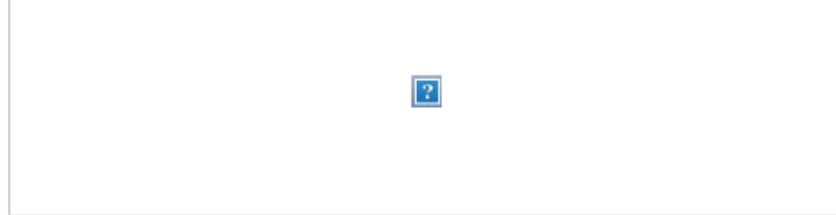
Community Development Department – Planning Division

City of Menifee | 29844 Haun Road | Menifee, CA 92586

Direct: (951) 723-3747 | City Hall: (951) 672-6777 | Fax: (951) 723-2579

[bhamilton@cityofmenifee.us](mailto:bhamilton@cityofmenifee.us) | [cityofmenifee.us](http://cityofmenifee.us)

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▼  
D2  
Cont.



***Responses to Comment Letter D – Riverside Transit Authority***  
***Mauricio Alvarez, Planning Analyst***

- D1** The comment includes a conclusionary statement indicating “no comments” on this Project. No further response is warranted.
- D2** Comment noted and no further response is required.

*This page intentionally left blank.*

**Comment Letter E – South Coast Air Quality Management District**  
**Danica Nguyen, Air Quality Specialist, CEQA-IGR**

**From:** Danica Nguyen <[dnguyen1@aqmd.gov](mailto:dnguyen1@aqmd.gov)>  
**Sent:** Tuesday, October 17, 2023 10:28 AM  
**To:** Brett Hamilton <[bhamilton@cityofmenifee.us](mailto:bhamilton@cityofmenifee.us)>  
**Cc:** Sam Wang <[swang1@aqmd.gov](mailto:swang1@aqmd.gov)>  
**Subject:** RE: Technical Data Request: Proposed Motte Business Center Project

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Brett,

Thank you for providing the requested data files. I was able to access and download them for the review.

Regards,

Danica Nguyen  
Air Quality Specialist, CEQA-IGR  
Planning, Rule Development & Implementation  
South Coast Air Quality Management District  
21865 Copley Drive, Diamond Bar, CA 91765  
Phone: (909) 396-3531  
E-mail: [dnguyen1@aqmd.gov](mailto:dnguyen1@aqmd.gov)  
Please note South Coast AQMD is closed on Mondays.

---

**From:** Brett Hamilton <[bhamilton@cityofmenifee.us](mailto:bhamilton@cityofmenifee.us)>  
**Sent:** Monday, October 16, 2023 1:36 PM  
**To:** Danica Nguyen <[dnguyen1@aqmd.gov](mailto:dnguyen1@aqmd.gov)>  
**Cc:** Sam Wang <[swang1@aqmd.gov](mailto:swang1@aqmd.gov)>  
**Subject:** [EXTERNAL]RE: Technical Data Request: Proposed Motte Business Center Project

Hello Danica,

Use the link below to download the requested data for the Motte Business Center Project.

☐ [Motte Business Center South Coast AQMD](#)

E1

E2

Please confirm receipt of the files.

Thank you,

**Brett Hamilton, AICP** | Senior Planner  
Community Development Department – Planning Division  
City of Menifee | 29844 Haun Road | Menifee, CA 92586  
Direct: (951) 723-3747 | City Hall: (951) 672-6777 | Fax: (951) 723-2579  
[bhamilton@cityofmenifee.us](mailto:bhamilton@cityofmenifee.us) | [cityofmenifee.us](http://cityofmenifee.us)

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**From:** Brett Hamilton  
**Sent:** Tuesday, October 10, 2023 11:53 AM  
**To:** Danica Nguyen <[dnguyen1@aqmd.gov](mailto:dnguyen1@aqmd.gov)>  
**Cc:** Sam Wang <[swang1@aqmd.gov](mailto:swang1@aqmd.gov)>  
**Subject:** RE: Technical Data Request: Proposed Motte Business Center Project

Thank you, Danica. We will get the requested files compiled and sent over before 10/17.

Best,

**Brett Hamilton, AICP** | Senior Planner  
Community Development Department – Planning Division  
City of Menifee | 29844 Haun Road | Menifee, CA 92586  
Direct: (951) 723-3747 | City Hall: (951) 672-6777 | Fax: (951) 723-2579  
[bhamilton@cityofmenifee.us](mailto:bhamilton@cityofmenifee.us) | [cityofmenifee.us](http://cityofmenifee.us)

E2  
Cont.

E3

**From:** Danica Nguyen <[dnguyen1@aqmd.gov](mailto:dnguyen1@aqmd.gov)>  
**Sent:** Tuesday, October 10, 2023 10:23 AM  
**To:** Brett Hamilton <[bhamilton@cityofmenifee.us](mailto:bhamilton@cityofmenifee.us)>  
**Cc:** Sam Wang <[swang1@aqmd.gov](mailto:swang1@aqmd.gov)>  
**Subject:** Technical Data Request: Proposed Motte Business Center Project

You don't often get email from [dnguyen1@aqmd.gov](mailto:dnguyen1@aqmd.gov). [Learn why this is important](#)

**[CAUTION]:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Brett Hamilton,

South Coast AQMD staff received the Draft Environmental Impact Report (EIR) for the Proposed Motte Business Center Project ([South Coast AQMD Control Number: RVC231003-01](#)). The public commenting period is from 09/29/2023 to 11/13/2023.

Upon reviewing the files provided as part of the public review period, I was able to access the Draft EIR and its Appendices via the City's website.

Please provide all technical documents related to air quality, health risk, and GHG analyses, electronic versions of all emission calculation files, and air quality modeling and health risk assessment files ([complete files, not summaries](#)) that were used to quantify the air quality impacts from construction and/or operation of the Proposed Project as applicable, including the following:

- CalEEMod Input Files (.csv or .json files);
- EMFAC output files (not PDF files);
- All emission calculation spreadsheet file(s) (not PDF files) used to calculate the Project's emission sources (i.e., truck operations);
- AERMOD Input and Output files, including AERMOD View file(s) (.isc);
- Any HARP Input and Output files and/or cancer risk calculation files (excel file(s); not PDF) used to calculate cancer risk and chronic and acute hazards from the Project;
- Any files related to post-processing done outside AERMOD to calculate pollutant-specific

E4

E5

concentrations (if applicable).

You may send the files mentioned above via a Dropbox link, which may be accessed and downloaded by South Coast AQMD staff **by COB on Tuesday, 10/17/2023**. Without all files and supporting documentation, South Coast AQMD staff will be unable to complete a review of the air quality analyses promptly. Any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period.

If you have any questions regarding this request, please don't hesitate to contact me.

Regards,

Danica Nguyen  
Air Quality Specialist, CEQA-IGR  
Planning, Rule Development & Implementation  
South Coast Air Quality Management District  
21865 Copley Drive, Diamond Bar, CA 91765  
Phone: (909) 396-3531  
E-mail: [dnguyen1@aqmd.gov](mailto:dnguyen1@aqmd.gov)  
Please note South Coast AQMD is closed on Mondays.

**From:** Danica Nguyen <[dnguyen1@aqmd.gov](mailto:dnguyen1@aqmd.gov)>  
**Sent:** Thursday, November 9, 2023 8:56 AM  
**To:** Brett Hamilton <[bhamilton@cityofmenifee.us](mailto:bhamilton@cityofmenifee.us)>  
**Cc:** Sam Wang <[swang1@aqmd.gov](mailto:swang1@aqmd.gov)>  
**Subject:** South Coast AQMD Staff's Comments on the Draft EIR Motte Business Center Project

[CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Brett Hamilton,

Attached are South Coast AQMD staff's comments on the Draft Environmental Impact Report (EIR) for the Proposed Motte Business Center Project (SCH No. 2022120083) ([South Coast AQMD Control Number: RVC231003-01](#)). Please contact me if you have any questions regarding these comments.

Regards,

Danica Nguyen  
Air Quality Specialist, CEQA-IGR  
Planning, Rule Development & Implementation  
South Coast Air Quality Management District  
21865 Copley Drive, Diamond Bar, CA 91765  
Phone: (909) 396-3531  
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Please note South Coast AQMD is closed on Mondays.

E5  
Cont.

E6

E7



SENT VIA E-MAIL:

November 9, 2023

[bhamilton@cityofmenifee.us](mailto:bhamilton@cityofmenifee.us)

Brett Hamilton, Senior Planner

City of Menifee, Community Development Department

29844 Haun Road

Menifee, CA 92586

**Draft Environmental Impact Report (Draft EIR) for the  
Motte Business Center Project (Proposed Project)  
(SCH No.: 2022120083)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Menifee is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments organized by topic of concern.

**South Coast AQMD Staff's Summary of Project Information in the Draft EIR**

Based on the Draft EIR, the Lead Agency proposes to develop one warehouse building, approximately 1,138,638 square feet, on an approximately 44-acre site.<sup>1</sup> The Proposed Project would have 128 dock doors<sup>2</sup> associated with 165 daily truck trips.<sup>3</sup> Truck access to the Proposed Project site via Interstate 215 to Ethanac Road for regional access and via Dawson Road and Antelope Road for local access.<sup>4</sup> Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (e.g., residential uses) is less than 50 feet north of the Proposed Project. Construction of the Proposed Project is anticipated to occur in approximately 11 months, beginning in November 2025 and lasting through September 2026.<sup>5</sup>

E8

**South Coast AQMD Staff's Comments on the Draft EIR**

***Inconsistency in the Number of Daily Truck Trips that Potentially Underestimate Proposed Project's Air Quality Impacts from Mobile Sources***

Table 4.13-1: Project Trip Generation<sup>6</sup> in the Draft EIR and Table 3<sup>7</sup> in Appendix K - Transportation Reports show that the Proposed Project would generate 165 daily truck trips, about 8% of the total daily vehicle trips, during the warehouse's operation. However, Appendix B1 - Air Quality Assessment and the California Emissions Estimator Model (CalEEMod) output files show

E9

<sup>1</sup> Draft EIR, Page 2-4.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.* Table 4.13-1, Page 4.13-13.

<sup>4</sup> *Ibid.* Page 2-5.

<sup>5</sup> *Ibid.* Page 2-6.

<sup>6</sup> *Ibid.* Table 4.13-1, Page 4.13-13.

<sup>7</sup> *Ibid.* Appendix K - Transportation Reports, Page 18.



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that the Proposed Project would generate 562<sup>8</sup> and 526 daily truck trips,<sup>9</sup> respectively. Table A below summarizes the inconsistency in daily truck trips between documents.

**Table A – Inconsistency in Proposed Project's Daily Truck Trips**

Draft EIR and Appendix K	Appendix B1	CalEEMod Output Files
165	562	526

E9  
Cont.

The information regarding the number of daily truck trips associated with the Proposed Project's operation should be consistent throughout the Draft EIR and its appendices. It does not only serve compatible purposes but also accuracy in terms of emissions from mobile sources (trucks). In the event that both Draft EIR and CalEEMod analysis utilize a smaller number of daily trucks compared to Appendix B1 (refer to Table A), the emissions from these daily trucks are likely underestimated during operation. The correct daily truck trips should be defined clearly in the final CEQA documents, and their associated emissions need to be revised to reflect the correct truck trips per day while quantifying the operation emissions.

*Potential of Inappropriate Vehicle Fleet Mixes to Evaluate Proposed Project's Air Quality Impacts from Mobile Sources*

The Proposed Project's operational emissions from mobile sources may have been underestimated using inappropriate vehicle fleet mixes in the Draft EIR. The Proposed Project generates 165 daily truck trips, 8% of the Proposed Project's 2,061 daily vehicle trips consisting of heavy-duty trucks.<sup>10</sup> According to Appendix K - Transportation Reports of the Draft EIR, this assumption was based on the Trip Generation Manual, 11th Edition.<sup>11</sup> South Coast AQMD staff believes that the number of trucks assumed in the Draft EIR to serve the proposed industrial uses is too low for a warehouse facility of over a million square feet. For instance, according to the Fontana Truck Trip Generation Study, 20.4% of the total daily vehicle trips from a warehouse greater than 100,000 square feet would consist of trucks.<sup>12</sup> This example study is based on traffic counts from warehouses. Thus, re-evaluating the Proposed Project's air quality impacts, assuming a conservative fleet mix supported by substantial evidence, is recommended.

E10

*Potential Underestimation of Emissions Due to Imprecise Assumptions for Truck Trip Lengths in Emissions Analysis*

It is unclear about the truck trip length used to estimate the truck emissions for the Proposed Project as the information is not mentioned in the Draft EIR and its appendices. It is important to note that the Proposed Project site is approximately 80 to 90 miles from the Ports of Los Angeles and Long Beach, which indicates that the air quality analysis might have underestimated the emissions from trucks traveling from the Ports to the Proposed Project site. Hence, the truck emissions potentially have been underestimated. It is essential to revise the analysis in the Draft EIR to rely on more conservative trip lengths between 40 and 80 miles, designating 40 miles for local trips and 80 miles for Port trips. Customizing these parameters and assumptions based on project-specific data will

E11

<sup>8</sup> Ibid. Appendix B1 – Air Quality Assessment. Page 19.

<sup>9</sup> Ibid. Appendix B1 – Air Quality Assessment. CalEEMod Output files.

<sup>10</sup> Ibid. Table 4.13-1. Page 4.13-13.

<sup>11</sup> Ibid. Appendix K - Transportation Reports. Page 17.

<sup>12</sup> City of Fontana. Truck Trip Generation Study/ Access at:

<https://tampabayfreight.com/pdfs/Freight%20Library/Fontana%20Truck%20Generation%20Study.pdf>

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ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project.

E11  
Cont.

*Additional Mitigation Measures to Further Reduced Construction Emissions*

Table 4.2-8: Construction-Related Emissions in the Draft EIR reveals that the Proposed Project's construction emissions would result in less than significant impacts with mitigation measures MM AQ-1 and MM AQ-2.<sup>13</sup> However, the construction mitigated NOx emissions in 2025, which are 95.78 lbs./day, are considerably close to the South Coast AQMD Air Quality Significance Thresholds. Due to the high NOx emissions, including all feasible mitigation measures to further reduce the impacts is essential. In addition, the CalEEMod output files show that the mitigated off-road equipment utilized during construction is classified as "average tier."<sup>14</sup> Thus, it is recommended that, at a minimum, the final CEQA documents should include language that requires all off-road diesel-powered equipment used during construction to be Tier 4 or cleaner engines, if and where feasible, revise the construction analysis and disclose the results in the final CEQA documents.

E12

*Additional Recommended Air Quality and Greenhouse Gases Mitigation Measures*

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. To further reduce the Proposed Project's air quality impacts and in addition to Mitigation Measures MM AQ-1 to MM AQ-4, and MM GHG-1 to MM GHG-8. Although with the mitigation measures discussed in the Draft EIR, the mitigated operational emissions are still significantly close to the South Coast AQMD Air Quality Significance Thresholds for NOx, which is 54.88 lbs./day compared to 55 lbs./day.<sup>15</sup> Hence, South Coast AQMD staff recommends incorporating additional mitigation measures into the Final EIR, such as mitigation measures for operational air quality impacts from mobile sources, as follows:

E13

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks, such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks, such as the Advanced Clean Trucks Rule<sup>16</sup> and the Heavy-duty Low NOx Omnibus Regulation,<sup>17</sup> ZE and NZE trucks will become increasingly more available to use. The Lead Agency should require a phase-in schedule to incentivize the use of these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency.

<sup>13</sup> *Ibid.* Page 4.2-20.

<sup>14</sup> *Ibid.* Appendix B1 – Air Quality Assessment. CalEEMod Output files.

<sup>15</sup> *Ibid.* Table 4.2-10. Page 4.2-22.

<sup>16</sup> CARB. June 25, 2020. Advanced Clean Trucks Rule. Accessed at: <https://ww2.arb.ca.gov/our-work/programs/advanced-cleantrucks>.

<sup>17</sup> CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in the state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/bhp-hr starting with engine model year 2024. Accessed at: <https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox>.



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At a minimum, require the use of a 2010 model year<sup>18</sup> that meets CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. All heavy-duty haul trucks should meet CARB's lowest optional low-NOx standard starting in 2022.<sup>19</sup> Where appropriate, include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document. Include the requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.

- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this higher activity level.
- Provide electric vehicle (EV) charging stations or, at a minimum, provide electrical infrastructure, and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

In addition, the following mitigation measures for operational air quality impacts from other area sources are also recommended to be included in the Final EIR:

- Maximize the use of solar energy by installing solar energy arrays.
- Use light-colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices and appliances.

To further reduce air quality and health risk impacts, the Lead Agency is recommended to include the following traffic design parameters:

- Clearly mark truck routes with trailblazer signs so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, daycare centers, etc.).
- Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.
- Design the Proposed Project such that any truck check-in point is inside the Proposed Project site to ensure no trucks are queuing outside.
- Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

<sup>18</sup> CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/ourdiesel/ourdiesel.htm>.

<sup>19</sup> CARB's optional low-NOx emission standard is available at: <https://ww2.arb.ca.gov/our-work/programs/optional-reduced-nox-standards>.

E13  
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Lastly, the Lead Agency is also recommended to review the following references when considering the inclusion of additional mitigation measures in the Final EIR:

- State of California – Department of Justice: Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act<sup>20</sup>
- South Coast AQMD 2022 South Coast Air Quality Management Plan,<sup>21</sup> specifically:
  - Appendix IV-A – South Coast AQMD’s Stationary and Mobile Source Control Measures
  - Appendix IV-B – CARB’s Strategy for South Coast
  - Appendix IV-C – SCAG’s Regional Transportation Strategy and Control Measures
- United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation<sup>22</sup>

E13  
Cont.

#### *South Coast AQMD Air Permits and Role as a Responsible Agency*

If implementation of the Proposed Project would also require the use of stationary equipment, including but not limited to emergency generators, emergency fire pump(s), boilers, etc., air permits from South Coast AQMD will be required, and the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Section 15086, the Lead Agency is required to consult with South Coast AQMD. In addition, CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of evaluating the applications for air permits. For these reasons, the Final EIR should include a discussion about any new stationary and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project.

E14

The Final EIR should also include calculations and analyses for construction and operation emissions for the new stationary and portable sources, as this information will also be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD’s Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD’s webpage at <http://www.aqmd.gov/home/permits>.

#### Conclusion

The Lead Agency is recommended to revise the CEQA analysis to address the aforementioned comments and provide the necessary evidence to support the conclusions reached sufficiently. If the requested information and analysis are not included in the Final EIR, the Lead Agency should provide reasons for not doing so.

E15

<sup>20</sup> State of California – Department of Justice: Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act. Access at: <https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf>

<sup>21</sup> 2022 South Coast AQMP. Access at: <http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan>

<sup>22</sup> United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation. Access at: <https://www.epa.gov/mobile-source-pollution/environmental-justice-and-transportation>

Brett Hamilton

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As set forth in California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(a-b), the Lead Agency shall evaluate comments from public agencies on the environmental issues and prepare a written response at least 10 days prior to certifying the Final EIR. As such, please provide South Coast AQMD written responses to all comments contained herein at least 10 days prior to the certification of the Final EIR. In addition, as provided by CEQA Guidelines Section 15088(c), if the Lead Agency's position is at variance with recommendations provided in this comment letter, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided.

Thank you for the opportunity to provide comments. South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Danica Nguyen, Air Quality Specialist, at [dnguyen1@aqmd.gov](mailto:dnguyen1@aqmd.gov) should you have any questions.

Sincerely,

*Sam Wang*

Sam Wang  
Program Supervisor, CEQA IGR  
Planning, Rule Development & Implementation

SW:DN  
EVC231003-01  
Control Number

E15  
Cont.

***Responses to Comment Letter E – South Coast Air Quality Management District  
Danica Nguyen, Air Quality Specialist, CEQA-IGR***

- E1** The Commenter’s confirmation that all requested data files were received has been noted. Responses to the South Coast Air Quality Management District’s follow up letter are provided in Responses to Comments E7 through E15.
- E2** The comment shows the City’s email to the Commenter that includes requested data for the Project. No further response is warranted.
- E3** Refer to Response to Comment E2 above. No further response is warranted.
- E4** This comment includes introductory statements and therefore, no further response is warranted.
- E5** This comment includes a public records request for all technical documents related to air quality, health risk, and GHG analyses, electronic versions of all emission calculation files, and air quality modeling and health risk assessment files. Pursuant to Response to Comment E1, the commenter’s confirmation was noticed in response to their request. No further response is warranted.
- E6** As requested by the Commenter, the City sent the request data files on October 16 (refer to Response to E1 for more information).
- E7** Refer to the following Response to Comments E9 through E15 below. The issues raised in these comments have been addressed in detail, and the City’s responses have been provided in good faith, and contain reasoned analysis, without resort to unsupported conclusory statements.
- E8** The commenter provides general introductory and background information as well as a summary of the Project, existing nearby sensitive receptors, and air quality analysis. The City appreciates and values these comments during the EIR participation process. Responses to specific comments are provided below.
- E9** The comment notes an inconsistency with the number of truck trips modeled in CalEEMod for the Air Quality Assessment (Draft EIR Appendix B1) versus what was identified in the Traffic Study (Draft EIR Appendix K). Different trip generation rates were intentionally selected for the Air Quality Assessment and the Traffic Study to conservatively capture a worst-case scenario for each study. It should be noted that the proposed Project is a speculative warehouse, and the end user is unknown.

The Traffic Study estimates vehicle trips based on Institute of Transportation Engineers (ITE) land use code 155 to capture the worst-case number of overall trips. However, the Air Quality Analysis estimates vehicle trips based on ITE land use code 150 to capture the worst-case truck trips, as truck trips are a greater contributor to air quality emissions than passenger cars. The difference in truck trips is explained in footnote 4 at the bottom of page 19 in the Air Quality Assessment.

The comment also incorrectly identifies a discrepancy between the truck trips reported on page 19 of the Air Quality Assessment (562 truck trips) and the number of truck trips in the CalEEMod outputs (526 truck trips). In the Air Quality assessment, on page 19, it is stated that 562, not 526 truck trips were modeled, which is consistent with the number of truck trips modeled and shown in the CalEEMod outputs. Therefore, the Air Quality Assessment is internally consistent and uses a conservative number of truck trips to evaluate the worst-case air quality emissions.

**E10** The comment provides an opinion that the fleet mix assumptions may result in underestimating operational emissions. However, as noted above in Response to Comment E9, the Air Quality Assessment modeled a conservative number of vehicle trips, including truck trips. Specifically, although the Traffic Study identified 165 daily truck trips, the Air Quality Assessment modeled 526 daily truck trips. The 526 daily truck trips modeled in the Air Quality Assessment represent 27 percent of the total modeled vehicle trips and 25.5 percent of the total vehicle trips identified in the traffic study. As such, the modeled fleet mix is more conservative than the 20.4 percent trucks suggested in the comment. Therefore, the comment that the fleet mix assumptions underestimate operational emissions is incorrect.

**E11** The Air Quality Assessment used a truck trip length of 33.2 miles in the emissions modeling based on the California Air Resources Board document Emissions Estimation Methodology for On-Road Diesel-Fueled Heavy-Duty Drayage Trucks at California Ports and Intermodal Rail Yards. It should be noted that this distance is specific to transloading/local distribution facilities and the longest (i.e., most conservative) distance identified in the study for the South Coast Air Basin. Shorter distances are identified for other locations such as off-terminal and intermodal facilities. The CARB study used GIS to estimate travel distances. CARB explains that that estimating travel distances to/from the Ports of Los Angeles and Long Beach to distribution and transloading facilities is complicated because there are thousands of facilities and the number of trips to each facility and location of each facility is unknown. Therefore, CARB used the Ports' truck trip origin and destination (O-D) survey data to estimate distribution center travel distances.

The CalEEMod methodology uses average trip lengths, which accounts for some longer trips (e.g., to/from the Ports or other location) and some shorter trips (e.g., to/from other facilities or warehouses in the area). Goods movement can involve several steps (i.e., origin and destination) between the port and a particular warehouse, intermodal facility, or other facility. Each step would be a separate trip. As such, not all truck trips would originate from the Ports; some trips may be from intermodal facilities, storage warehouses, cross-dock warehouses, distribution centers, retail stores, etc. Truck trips would likely be redistributed from other existing locations. As described above, the CARB truck trip lengths used in the Air Quality Assessment are based on substantial evidence and representative of warehouse truck trips to/from the Ports in the South Coast Air Basin (i.e., the region where the Project is located).

**E12** As noted in the comment, Project construction emissions would not exceed SCAQMD's construction thresholds with **MMs AQ-1** and **AQ-2**. **MM AQ-1** requires the Project to use low VOC paint and **MM AQ-2** prohibits heavy equipment idling for more than three minutes. **MM AQ-2**



also prohibits equipment from being in the “on” position for more than 10 hours per day and requires the Project's general contractor to designate an officer to monitor the construction equipment operators on-site for compliance.

Construction emissions were modeled with CalEEMod as recommended by the SCAQMD. CalEEMod calculates emissions based on CARB emission factors and construction equipment rates derived from SCAQMD survey data. The comment suggests additional construction mitigation because the NOX emissions are close to the threshold. Additional mitigation only would be considered if construction emissions remained above thresholds. Draft EIR Table 4.2-8 shows construction emissions below SCAQMD thresholds, resulting in a less than significant impact. CEQA Guidelines Section 15126.4 requires mitigation measures only for significant environmental effects identified in the EIR. Additionally, CEQA Guidelines Section 15041 and Section 15126.4(a)(4) require mitigation of significant impacts to be consistent with the nexus and rough proportionality standards. CEQA Guidelines Section 15126.4(a)(3) states that mitigation measures are not required for effects which are not found to be significant. As the Project does not exceed thresholds, there is no nexus for additional mitigation. As the Project's construction emissions are mitigated below the SCAQMD's thresholds of significance, additional mitigation is not required under CEQA.

- E13** The City drafted the four air quality mitigation measures and eight greenhouse gas (GHG) mitigation measures to require strategies which can be feasibly implemented at the time Project construction and operations are expected to begin. **MM AQ-1** requires the Project to use low VOC paint and **MM AQ-2** prohibits heavy equipment idling for more than three minutes. Draft EIR Table 4.2-10 shows that operational emissions would be reduced to less than significant levels (i.e., below the SCAQMD's operational thresholds of significance) with the implementation of **MMs AQ-3** and **AQ-4** and additional mitigation in Draft EIR Section 4.7 (Greenhouse Gas Emissions). **MMs AQ-3** and **AQ-4** requires the Project to reduce operational emissions by utilizing all-electric cargo handling equipment and appropriate signage for on-site circulation and limiting idling emissions. **MMs GHG-2, GHG-4, GHG-5, and GHG-7** have been identified to reduce mobile source operational emissions. Specifically, **MM GHG-2** requires a transportation demand management program when the operator has more than 100 employees in an effort to reduce single-occupant vehicle trips. **MM GHG-4** requires providing tenants with information on incentive programs such as the Moyer program and Smartway Program to increase transportation efficiency. **MM GHG-5** requires EV ready infrastructure and Level 2 Quickcharge EV charging stations in employee parking lots. **MM GHG-7** requires electrical conduit for future electric trucks.

**MMs GHG-1** through **GHG-8** also require the installation of solar photovoltaic (PV) panels, a Transportation Demand Management (TDM) program, prohibiting cold storage, providing information on incentives for emissions reduction programs and implementation measures for tenants, EV infrastructure for employee parking, diversion of 75 percent of landfill waste, and providing electrical conduits for future electric truck charging stations, and limiting natural gas consumption during Project operations to 10 million kBTU/year.

As noted above, CEQA Guidelines Section 15041 and Section 15126.4 require mitigation for significant impacts consistent with the nexus and rough proportionality standards. Mitigation measures are not required for effects that are not found to be significant. Draft EIR Table 4.2-10 shows that **MM AQ-3** would mitigate operational emissions to less than significant levels. Therefore, additional mitigation is not required under CEQA.

This comment provides a list of recommended additional mitigation measures to reduce the Project's operational NO<sub>x</sub> emissions, principally generated by trucks. The Draft EIR identifies a number of Laws, Ordinances, and Regulations, as well as Policies, standard conditions, and Mitigation Measures to reduce impacts from the proposed Project. The City disagrees that the suggested additional mitigation measures are necessary and feasible. The applicability and feasibility of these measures are discussed below:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks.

In addition to not being required by CEQA, the suggested measures contained in the comment related to ZE or NZE vehicles are not feasible to implement, because the availability of vehicles equipped with such technology in the opening year is speculative. Even with adoption of CARB's Advanced Clean Truck Rule, CARB acknowledges that it will take time for zero- and near-zero emission (ZE and NZE) vehicles to become commercially available and to penetrate the market.

As discussed in Draft EIR page 4.7-29, trucks accessing the Project site would be subject to the following standard conditions including Advanced Clean Truck Regulation, CARB's Mobile Source Strategy, CARB's Sustainable Freight Action Plan, and CARB's Emissions Reduction Plan for Ports and Goods Movement. Additionally, trucks are subject to the Heavy-Duty Low NO<sub>x</sub> Omnibus Regulation. As noted in the comment, these regulations are required for all trucks. These suggested mitigation measures are already part of the existing regulatory environment and would not be considered mitigation under CEQA. For example, CARB already regulates truck emissions with the Advanced Clean Truck Regulation, the Mobile Source Strategy (including the low-NO<sub>x</sub> engine emissions standard), the Sustainable Freight Action Plan, and the Emissions Reduction Plan for Ports and Goods Movement, among others. As these regulations are already required to be complied with, they do not represent CEQA mitigation for the Project.

- At a minimum, require the use of a 2010 model year that meets CARB's 2010 engine emissions standards.

The CARB Truck and Bus Regulation required trucks to be upgraded to 2010 or new model year engines. The Truck and Bus regulation has been in effect since December 2008 and the final deadline for the last replacement phase of the regulation was January 1, 2023. As this regulation is already required to be complied with, it does not represent CEQA mitigation for the Project.

- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document.

The City disagrees with the suggestion that the Final EIR should include a limit on the daily number of trucks allowed at the proposed Project to levels that were analyzed in the Final EIR (526 daily truck tips) and require re-evaluating impacts through CEQA should daily truck trips from the proposed Project be anticipated to exceed those levels. The EIR is based on a set of realistic, but conservative, set of assumptions regarding the magnitude of potential activities resulting from the proposed Project, including truck trip estimates. As described on page 19 of the Air Quality Assessment (footnote 4) and discussed above in Response to Comment E9, the Project-generated emissions are conservative, as heavy truck trips are higher for a warehousing use compared to a high-cube fulfillment center. Therefore, the City does not anticipate truck trips to exceed those, and future re-evaluation is not necessary.

- Provide electric vehicle (EV) charging stations or, at a minimum, provide electrical infrastructure, and electrical panels should be appropriately sized. Electrical conduits should be provided for truckers to plug in any onboard auxiliary equipment.

**MM GHG-5** requires EV ready infrastructure and Level 2 Quickcharge EV charging stations in employee parking lots and **MM GHG-7** requires electrical conduit for future electric trucks. Therefore, the Project would be consistent with this recommended measure.

- Maximize the use of solar energy by installing solar energy arrays.

**MM GHG-1** requires the installation of solar photovoltaic (PV) panels. Therefore, the Project would be consistent with this recommended measure.

- Use light-colored paving and roofing materials.

California's Title 24, Part 6 Building Energy Efficiency Standards includes cool roof requirements for new and existing buildings. These requirements are in the following sections of the 2022 Title 24, Part 6 standards:

- Section 10-113(a,b) (Mandatory Certification and Labeling of Roofing Product Reflectance and Emittance)
- Section 110.8(i) (Mandatory Insulation, Roofing Products & Radiant Barriers)
- Section 140.1 (Performance Approach: Energy Budgets (Nonresidential))
- Section 140.2 (Prescriptive Approach (Nonresidential))
- Section 140.3(a)1 (Prescriptive Requirements for Building Envelopes (Nonresidential))

Therefore, the Project would be consistent with this recommended measure.

- Utilize only Energy Star heating, cooling, and lighting devices and appliances.

2022 Title 24, Part 6 Building Energy Efficiency Standards include requirements to meet or exceed Energy Star standards. Therefore, the Project would be consistent with this recommended measure.

- Clearly mark truck routes with trailblazer signs.

Draft EIR MM AQ-4 requires the Project Applicant to post signs that direct trucks to truck routes and away from sensitive receptors. The City's Industrial Good Neighbor Policies also require truck traffic to be routed to impact the least amount of sensitive receptors with the usage of traffic control features and signage. Therefore, the Project would be consistent with this recommended measure.

- Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.

The City's Industrial Good Neighbor Policies require truck traffic to be routed to impact the least amount of sensitive receptors, (e.g., access locations, use of traffic control features, signage). Sufficient landscape buffers and walls are also required to be provided on-site to screen sensitive receptors from truck access, parking, and storage. The Industrial Good Neighbor Policies also require check-in gates and/or guard booths to be positioned with a minimum of 150 feet inside the property line for on-site truck queuing. An additional 75 feet of on-site queuing is required to be added for every 20 loading docks beyond 40 up to 300 feet. Multiple lanes (minimum lane width of 12 feet) are permitted to achieve the required on-site truck queuing. The general queuing and spill-over of trucks onto surrounding public streets are prohibited. Therefore, the Project would be consistent with this recommended measure.

- Design the Proposed Project such that any truck check-in point is inside the Proposed Project site to ensure no trucks are queuing outside.

As described above, the City's Industrial Good Neighbor Policies include requirements for truck-check-in points and queuing. Therefore, the Project would be consistent with this recommended measure.

- Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.

As described above, the City's Industrial Good Neighbor Policies require truck traffic to be routed to impact the least amount of sensitive receptors, (e.g., access locations, use of traffic control features, signage). Therefore, the Project would be consistent with this recommended measure.

- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

The Project is required to provide adequate on-site parking in accordance with the City's parking standards. The City's Industrial Good Neighbor Policies also require facilities to provide adequate on-site parking and queuing for trucks/trailers away from sensitive receptors and prohibit commercial truck and/or trailer parking on the public road right-of-

way or adjacent to sensitive receptors. Therefore, the Project would be consistent with this recommended measure.

**E14** As the Project is a speculative warehouse it is currently unknown if stationary equipment would be required. However, if stationary equipment is needed, the end user would be required to obtain a permit from the SCAQMD prior to installation. Stationary equipment would be required to implement SCAQMD's Best Available Control Technology (BACT) and comply with applicable SCAQMD Rules, such as Rule 1470 (Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines). In order to provide a conservative analysis, the Draft EIR included emissions associated with backup generators based on general assumptions (see Draft EIR page 4.2-33) and the associated calculations are included in Draft EIR Appendix B1. However, the Project would be developed for as-of-yet-unknown future tenants, to fulfill their specific, but speculative business needs.

**E15** Refer to Response to Comments E8 through E14 above. The issues raised in these comments have been addressed in detail, and the City's responses have been provided in good faith, and contain reasoned analysis, without resort to unsupported conclusory statements.

The comment requests that the City comply with CEQA when responding to SCAQMD's comments. As requested, the City's responses to SCAQMD's comments will be sent to the SCAQMD as part of the Final EIR distribution prior to certification of Final EIR. As the comment does not raise any issues with respect to the content and adequacy of the Draft EIR or the Project's environmental effects, no further response is warranted. The comment is included here to provide a complete record of the SCAQMD's letter. The comment will become part of the administrative record and will be considered by the decision-makers.

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**Comment Letter F – City of Perris – Planning Division**

**Danica Nguyen, Air Quality Specialist, CEQA-IGR**



**CITY OF PERRIS**

**DEVELOPMENT SERVICES DEPARTMENT**

**PLANNING DIVISION**

135 N. "D" Street, Perris, CA 92570-2200

TEL: (951) 943-5003 FAX: (951) 943-8379

November 13, 2023

Brett Hamilton, Senior Planner  
City of Menifee  
Community Development Department  
Planning Division  
29844 Haun Road  
Menifee, CA 92586

**SUBJECT: CITY OF PERRIS COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT PREPARED FOR PLANNING CASES TPM-38432 (PLN22-0114) AND MAJOR PLOT PLAN (PLN22-0115) – PROPOSED 1.1 MILLION SQUARE FOOT MOTTE BUSINESS CENTER – LOCATED SOUTH SIDE OF ETHANAC ROAD BETWEEN DAWSON ROAD AND ANTELOPE ROAD (APNs: 331-150-036, 331-150-037, 331-150-039, 331-150-040, 331-150-041, 331-150-042, 331-150-044, 331-150-045)**

Dear Mr. Hamilton:

The City of Perris appreciates the opportunity to comment on the Draft Environmental Impact Report prepared for the "Motte Business Center" ("Proposed Project") proposal to construct a tilt up industrial building totaling 1,138,638 square feet on a 43.94-acre project site, located generally south of Ethanac Road between Dawson Road and Antelope Road, within the City of Menifee.

F1

Given the Project's proximity to the City of Perris, consider the following comments:

1. **California Environmental Quality Act (CEQA).** The Project needs to address the cumulative impacts of all projects within a 1.5-mile radius of the proposed site to analyze, mitigate, and disclose all environmental impacts from the Proposed Project pursuant to the California Environmental Quality Act (CEQA). Based on the cumulative projects list provided in Section 3.2 - Cumulative Projects List, the following comments are provided:
  - a. The cumulative projects list provided in Table 3-1 – List of Cumulative Projects does not include the 1.1 million square foot warehouse facility on approximately 60 acres, proposed west of Murrieta Road, east of Bryers Road, and south of Ethanac Road. Without the inclusion of this project, Perris is concerned the cumulative impact analysis is inadequate. Please clarify if this project has been withdrawn or if it has changed and is listed with different square footage.

F2

01006.0005/938172.1

## 2. Transportation

a. **Page 5, Figure 3: Existing Lane Configuration and Traffic Control.** As shown in Figure 3, the project site is located just south of Ethanac Road and impacts intersections within (or adjacent to) the City of Perris including intersections #5, #6, #7, #8 and #9 along Ethanac Road. The study also included intersections #1, #2, #3, and #4 along SR-74 also within (or adjacent to) the City of Perris. These intersections and roadway segments are of concern to the City of Perris since potential improvements have been identified along these roadways and intersections. All recommended improvements for City of Perris intersections/roadway segments shall be reviewed and confirmed by City of Perris Engineering Department.

F3

b. **Page 6, Level of Service Standards and Measure of Significance.** Since the traffic study analyzes City of Perris intersections, the City of Perris significance criteria/thresholds should also be included and used to evaluate impacts at City of Perris intersections.

F4

c. **Page 15, Table 1: Summary of Intersections Operation - Existing Conditions.** An additional column should be added to all LOS tables clarifying which jurisdiction each intersection is located in. For all City of Perris intersections, the City of Perris significance criteria/thresholds shall be utilized.

F5

d. **Page 17, Project Trip Generation & Page 18, Table 3: Summary of Project Trip Generation.** Recommend using the latest version of the passenger car and truck splits from the ITE 11th edition be utilized for the project trip generation. The latest ITE 11th edition trip generation manual indicates that for ITE Trip Code 155 (High Cube Fulfillment Center – non-sort) the daily truck splits should be 12.7%, the AM truck splits should be 13.3% and the PM peak hour truck splits should be 6.3%.

F6

Furthermore, the truck type splits should be based on the splits provided by SCAQMD (without cold storage). The City of Fontana Truck Trip Generation Study (2003) is outdated and newer information is provided via ITE and SCAQMD. As such, City of Perris does not support the use of the Fontana Truck Trip Generation Study splits.

F7

This would impact the level of service at study area intersections, especially during the AM peak hour.

e. **Page 23, Table 4, Summary of Intersection Operations - Existing Plus Project.** As indicated in Table 4, even with the currently assumed truck splits the project has a direct impact to intersection #7 (Encanto Drive at Ethanac Road) and intersection #9 (Sherman Road at Ethanac Road). A direct impact implies that the project shall be 100% responsible that all necessary improvements are installed to mitigate these impacts (or via some other defined improvement program) prior to project occupancy.

F8

f. **Page 26, Figure 10: Location of Cumulative Projects & Page 27 Table 6: Summary of Cumulative Projects.** The traffic consultant did not reach out to the City of Perris to confirm

F9

01006.0005/938172.1



Page 3 of 4

which cumulative projects should be included. The City of Perris should confirm the list of cumulative projects in the City of Perris.

F9  
cont.

- g. **Page 33 and Page 35, Table 9: Summary of Intersection Operation Opening Year 2025 Cumulative Plus Project.** This evaluation indicates that several intersections in the vicinity of the City of Perris including intersections #5, #6, #7, #8 and #9 are not meeting level service standards and the project has a cumulative impact at these locations. The study indicated what improvements are needed at those intersections and an accompanying project fair-share cost percentage. However, it is unclear how these improvements would be implemented and who would be responsible for providing the required improvements. Additional detail is needed on the funding mechanisms that will be utilized to make these required improvements.

F10

- h. **Page 43, Table 13, Summary of Project Fair Share Opening Year 2025 Cumulative Plus Project.** The project directly impacts both intersection #7 (Encanto Drive at Ethanac Road) and intersection #9 (Sherman Road at Ethanac Road). As such, the project shall be 100% responsible for implementing the improvements or identifying other applicable funding sources.

F11

- i. **General.** The City of Perris is concerned about the project's impact to queuing/progression along Ethanac Road at the I-215 interchange because of the potential for creating unsafe and hazardous driving conditions. A simulation analysis should be conducted to identify any queuing deficiencies, and if applicable, improvements should be identified.

F12

3. The developer/property owner shall be advised that Riverside County Transportation Department, in cooperation with Caltrans, has proceeded with a Project Study report (PSR)/Project Development Support (PDS) for the I-215/Ethanac Road Interchange Improvements, of which may impact the development of the referenced project. The developer/property owner should contact Azan Junaid with Riverside County Transportation Department for information regarding the PSR/PDS.

F13

4. **CEQA.** Please provide future notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA") under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA, and notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.

F14

The City of Perris reserves the right to provide further comments on other environmental topics analyzed in the Draft EIR as the project moves forward in the process. We appreciate the opportunity to comment on this project and related EIR. Please feel free to contact me at (951) 943-5003, extension 355, if you have any questions or would like to discuss the above concern in further detail.

F15

01006.0005/938172.1

**Responses to Comment Letter F – City of Perris – Planning Division**  
**Patricia Brenes, Planning Manager**

- F1** This comment includes introductory statements and therefore, no further response is warranted.
- F2** Based on discussion with City staff, the noted project formally withdrew its development application on June 22, 2022. The NOP for the proposed Motte Business Center project was released on December 6, 2022. As a result, the noted project was not included in the Cumulative Projects list because it was withdrawn over 5 months prior to issue of the NOP.
- F3** Under CEQA Guidelines section 15064.3, automobile delay is no longer considered an environmental impact. The Project's land use impacts are based in part upon determining compliance with the City's General Plan. The Project Applicant is proposing to improve roadways along the Project's frontage per the City of Menifee General Plan. The Project Applicant will also improve Ethanac Road from I-215 to Dawson Road to increase the roadway's vehicle capacity to accommodate the Project and other nearby project traffic as forecasted by the Project's Traffic Study. All roadway improvements associated with the proposed Project would be consistent with the City of Menifee General Plan Circulation Element. Any improvements to intersections or of roadways shared with the City of Perris would be coordinated between the City of Menifee and City of Perris prior to final engineering for the Project.
- F4** As discussed above, automobile delay no longer is considered as a significant impact under CEQA and thus, this response is provided for informational purposes only. Based on the City of Perris, *LOS Standards and Significance Criteria For Traffic Studies* significant project effects shall be based on the following criteria:
- A project-related effect is considered direct and significant when a study intersection operates at an acceptable Level of Service for existing conditions (without the project) and the addition of 50 or more a.m. or p.m. peak hour project trips causes the intersection to operate at an unacceptable Level of Service for existing plus project conditions.
  - A project-related effect is considered direct and significant when a study intersection operates at an unacceptable Level of Service for existing conditions (without the project) and the addition of 50 or more a.m. or p.m. peak hour project trips causes the intersection delay to increase by 2 seconds or more.
  - A cumulative effect is considered significant when a study intersection is forecast to operate at an unacceptable Level of Service with the addition of cumulative/background traffic and 50 or more a.m. or p.m. peak hour project trips.

Based on review of the study intersections noted in Comment F3, below are study intersections located within Caltrans right-of-way (ROW) or located entirely or a majority within the City of Perris:

1. I-215 SB Ramps/SR-74 at Bonnie Drive (Caltrans)
2. I-215 NB Ramps at SR-74 (Caltrans)

5. I-215 SB Ramps at Ethanac Road (Caltrans)
6. I-215 NB Ramps at Ethanac Road (Caltrans)
7. Encanto Drive at Ethanac Road (City of Perris)
8. Trumble Road at Ethanac Road (City of Perris)

Based on review of the City of Perris significance criteria and applicable intersections located within the City of Perris, the recommended improvements noted in the Traffic Study at deficient study intersections and roadway segments would cause the study location to operate at an acceptable Level of Service (LOS), would more than offset the project-related impacts, and would address the City of Perris significance criteria.

As noted in Response to Comment F3, under CEQA Guidelines section 15064.3, automobile delay no longer is considered an environmental impact.

**F5** See Response to Comment F4.

**F6** As discussed above, automobile delay no longer is considered as a significant impact under CEQA, and thus this response is provided for informational purposes only. Passenger vehicles and truck splits were taken from the ITE Trip Generation Manual (10th Edition Supplement). The truck mix percentages were calculated based on a ratio between the ITE truck split and the truck mix for Heavy Warehouse from the City of Fontana Truck Trip Generation Study. The truck mix percentages for the Fontana study and the SCAQMD study were reviewed, and there is an insignificant difference in trips between using the City of Fontana Truck Trip Generation Study truck mix and the SCAQMD Warehouse Truck Trip Study truck mix.

In addition, it should be noted that the Traffic Scoping Agreement with the trip generation assumptions as noted on Table 3 of the Traffic Study for the proposed Motte Business Center project was sent to the City of Perris for review on January 13, 2023. The City of Perris did not provide comments on the Traffic Scoping Agreement. It should be noted that the City of Perris provided a NOP Comment Letter (dated January 13, 2023), which included comments regarding Transportation, but did not provide comments with regards to the methodology for the proposed project trip generation estimates.

**F7** See Response to Comment F6.

**F8** The noted intersections currently operate at an unacceptable Level of Service (LOS) under Existing Conditions without the project. As noted in Response to Comment F4, the only noted intersections located entirely or a majority within the City of Perris is the following intersection:

7. Encanto Drive at Ethanac Road (City of Perris)
8. Trumble Road at Ethanac Road (City of Perris)

With regards to the delay at both intersections #7 and #9, which are both unsignalized, page 13 of the Traffic Study states that: “The Level of Service for an unsignalized intersection is reported

based on the single approach movement with the highest delay, which in this case, would be the northbound approach for intersections #7 and #9. The side street traffic at these intersections experience delay during the peak hours while waiting for an acceptable gap in traffic on Ethanac Road. While the side street approaches operate at a deficient Level of Service based on the highest delay approach, the overall intersection delay would be acceptable. Any queuing that occurs on the side streets are contained on the minor intersection approaches and do not impact the progression of traffic on the main arterials.”

Based on the reasons noted above, both Intersections #7 and #9 were considered to have a cumulative effect, as opposed to a direct project effect. Any improvements to portions of intersections shared with the City of Perris would be coordinated between the City of Menifee and City of Perris prior to final engineering for the Project.

**F9** As discussed above, automobile delay no longer is considered as a significant impact under CEQA, and thus this response is provided for informational purposes only. The Traffic Scoping Agreement, including a list of Cumulative Projects (including development projects within the City of Perris) as noted on Table 6 of the Traffic Study for the Motte Business Center project, was sent to the City of Perris for review on January 13, 2023. The City of Perris did not provide comments on the Traffic Scoping Agreement. It should be noted that the City of Perris provided a NOP Comment Letter (dated January 13, 2023), which included comments regarding Transportation, but did not provide comments with regards to Cumulative Projects within the City of Perris to be included as part of the Traffic Study.

**F10** As discussed above, automobile delay no longer is considered as a significant impact under CEQA, and thus this response is provided for informational purposes only. The Traffic Study only provides recommended improvements to study intersections and roadway segments that would cause the deficient study locations to operate at an acceptable Level of Service (LOS) and would more than offset the project-related effect. The implementation of improvements is based on direct discussion between City staff and the Applicant via the Conditions of Approval process. Based on DRAFT Conditions of Approval, the project would be conditioned to the following traffic-related improvement requirements prior to Certificate of Occupancy.

- **Dawson Road** – Project shall improve Dawson Road frontage to the ultimate half-width plus 12’ in accordance with City of Menifee Industrial Collector Roadway Standard Plan No. 112, including off-site transitions back to existing roadway conditions, approved by the City Engineer/Public Works Director.
- **Antelope Road** – Project shall improve Antelope Road (along the Project frontage) to the ultimate half-width plus 12’ in accordance with the City of Menifee Secondary Roadway Standard Plan No. 111, including appropriate off-site transitions back to existing roadway conditions, approved by the City Engineer/Public Works Director.
  - Unpaved Antelope Road shall be improved south of the project frontage to McLaughlin Road with one lane in each direction. The improvements on either side of the roadway shall include 12 foot paved lanes plus a 6 foot paved shoulder

and the necessary drainage improvements such as swales and culverts to maintain existing drainage patterns. The improvements shall include appropriate transitions subject to the approval of the Public Works Director / City Engineer.

- The improvements to Antelope Road south of the project frontage to McLaughlin Road may require obtaining right of way from Southern California Edison. In the event that the right of way acquisition impacts the project schedule, the developer / property owner may defer completion of the improvements as approved of the Public Works Director / City Engineer.
- **Ethanac Road** – Ethanac Road improvements from Dawson to Encanto Drive shall be constructed to the recommended configuration (4-Lane Arterial) as approved by the City Engineer/Public Works Director.
- **Antelope Road/Ethanac Road** – At the intersection of Antelope Road and Ethanac Road, provide the following improvements, approved by the City Engineer/Public Works Director:
  - Add a dedicated westbound left-turn lane
  - Widen Ethanac road to provide two-way left turn lane through the intersection
- **Dawson Road/Ethanac Road** – At intersection of Dawson Road and Ethanac Road, provide the following improvements, approved by the City Engineer/Public works Director:
  - Install Traffic Signal
  - Add a dedicated westbound left turn lane
  - Add a dedicated eastbound right turn lane
  - Add a dedicated northbound left turn lane
- Fair Share Cost Participation for Off-site Improvements – The developer / property owner shall pay fair share costs for off-site improvements as detailed in the Traffic Study and identified below prior to issuance of a certificate of occupancy. The fair share cost estimates shall be based on conceptual exhibits prepared by the developer, reviewed and approved by the Public Works Director / City Engineer. These fair shares are determined as follows:
  - I-215 SB Ramps at Ethanac Road– The developer / property owner shall contribute a fair share construction cost of 2.7%.
  - I-215 NB Ramps at Ethanac – The developer / property owner shall contribute a fair share construction cost of 4.8%.
  - Trumble Road at Ethanac Road – The developer / property owner shall contribute a fair share construction cost of 7.4%.
  - Sherman Road at Ethanac Road – The developer / property owner shall contribute a fair share construction cost of 10.8%

Any improvements to portions of intersections or roadways shared with the City of Perris would be coordinated between the City of Menifee and City of Perris prior to final engineering for the Project.

- F11** See Responses to Comments F8 and F10.
- F12** The comment is noted and no further response is warranted.
- F13** This comment has been noted and no further response is warranted.
- F14** This comment has been noted and no further response is warranted.
- F15** This comment includes conclusionary statements and therefore, no further response is warranted.

## Comment Letter G – The Pechanga Band of Indians Molly Earp, Cultural Resources Specialist

**From:** Brett Hamilton <bhamilton@cityofmenifee.us>  
**Sent:** Wednesday, October 11, 2023 10:44 AM  
**To:** Ebru Ozdil <eo2dil@pechanga-nsn.gov>; Molly Earp <mearp@pechanga-nsn.gov>  
**Subject:** Motte Business Center Draft EIR

Hello Ebru and Molly,

As a follow-up to our meeting, I pulled up the Draft EIR for Motte Business Center to ensure that the standard conditions of approval are referenced. I also pulled out the cultural resources section and attached to this email.

<https://www.cityofmenifee.us/DocumentCenter/View/18873/Motte-Business-Center-Draft-EIR>

Section 4.4 Cultural Resources begins on PDF page 156 of 460 of the Draft EIR. The standard cultural Conditions of Approval are included, beginning on page 171 to 175 (4.4-16 to 4.4-20). It includes human remains, non-disclosure of location reburials, inadvertent archaeological find, cultural resources disposition, archaeologist retained, tribal monitoring, and Phase III and IV archaeology report.

Thank you,

**Brett Hamilton, AICP** | Senior Planner  
Community Development Department – Planning Division  
City of Menifee | 29844 Haun Road | Menifee, CA 92586  
Direct: (951) 723-3747 | City Hall: (951) 672-6777 | Fax: (951) 723-2579  
[bhamilton@cityofmenifee.us](mailto:bhamilton@cityofmenifee.us) | [cityofmenifee.us](https://www.cityofmenifee.us)

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G1

**From:** [Molly Earp](#)  
**To:** [Brett Hamilton](#)  
**Cc:** [Orlando Hernandez](#); [Ebru Ozdil](#); [Paul Macarro](#); [Juan Orhosa](#)  
**Subject:** RE: Motte Business Center Draft EIR  
**Date:** Friday, November 3, 2023 4:15:27 PM  
**Attachments:** [image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)  
[image002.png](#)

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Brett,

Thank you for the clarification. We were under the impression they would be mitigation measures and seeing only one mitigation measure for CR and TCR we were concerned. Looking through the DEIR again I see that the CR COAs are on pages 171- 174 and again referenced on page 402 in the TCR section.

G2

With the inclusion of the COAs as presented in the DEIR, The Pechanga Band of Indians ("Tribe") thanks the City of Menifee for working with us to develop the appropriate conditions of approval to be implemented during the development of the Motte Business Center [DEV 2022-014] Project. With this e-mail and the inclusion of the conditions, we consider our AB 52 consultation complete at this time. Please forward us a copy of the final Environmental Impact Report (EIR) when it is available. The Tribe would like the City to be aware that should additional measures or conditions be applied/deleted/modified that could impact cultural and archaeological resources during the public hearing(s), the Tribe and the City should meet and discuss the revisions before the Project goes to hearing.

G3

The Pechanga Band thanks the City of Menifee for the opportunity to review and comment on this Project and work together to complete the mandates of AB 52. We look forward to continuing our good working relationship on future projects.

Molly Earp  
Office: (951) 770-6314

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***Responses to Comment Letter G – The Pechanga Band of Indians***

***Molly Earp, Cultural Resources Specialist***

- G1** This City provided a link to the Draft EIR to the Commenter regarding standard conditions of approval for tribal cultural resources. No further response is warranted.
- G2** The Commenter’s clarification of available standard conditions of approval has been noted.
- G3** The City appreciates the Commenter’s comment letter and has noted the conclusion of AB 52 consultation with the Tribe. As requested, the City has provided a link to the Final EIR in the Notice of Availability. No further response is warranted.

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**Comment Letter H – Southern California Gas Company**  
**William Liao, Regional Planning Supervisor**

**From:** [Liao, William](#)  
**To:** [Brett Hamilton](#)  
**Cc:** [SCG SE Region Redlands Utility Request; Leone-Wesolowski, Becky E](#)  
**Subject:** PLN22-0114 and -0115  
**Date:** Monday, October 16, 2023 2:13:48 PM  
**Attachments:** [image001.png](#)

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Hey Brett.

Regarding PLNs 22-0114 and 22-0115, I have no concerns at this time. Please advise builder there is no gas to the properties, with the nearest source of supply being our high pressure main on Ethanac between Dawson / Antelope.

Please help us ensure safety by having builder call in Dig Alert / 811 prior to any excavation activities so that we can get out to locate and mark. Also, if builder needs gas, please have them visit our Builder Services site at <https://www.socalgas.com/for-your-business/builder-services> to begin the application process as soon as practicable.

Please let me know if you have any questions

**Will Liao**  
Region Planning Supervisor  
Redlands HQ / Southeast Region  
Desk: 213-244-4543  
Mobile: 840-213-5899

H1

***Responses to Comment Letter H – Southern California Gas Company***

***Molly Earp, Cultural Resources Specialist***

- H1** The Commenter’s “no concern at this time” has been noted, and therefore, no further response is warranted.

**Comment Letter I – Riverside County Airport Land Use Commission**  
**Jackie Vega, Urban Regional Planner II**

**From:** [Vega, Jacqueline](#)  
**To:** [Brett Hamilton](#)  
**Subject:** PLN22-0114, PLN22-0115  
**Date:** Friday, October 20, 2023 1:15:54 PM  
**Attachments:** [image001.png](#)

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Hello Brett,

Thank you for transmitting the above referenced project to ALUC for review. Please note that the proposed project is located within zone E of March AIA, and review by ALUC is not required because the City of Menifee is consistent with the compatibility plan for March and the project does not propose a legislative action.

*Should you have any questions, please contact me.*

*Jackie Vega*  
*Urban Regional Planner II*



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[County of Riverside California](#)

***Responses to Comment Letter I – Riverside County Airport Land Use Commission  
Jackie Vega, Urban Regional Planner II***

- I1** Comment noted and no further response is warranted.

**Comment Letter J – Native American Heritage Commission**  
**Andrew Green, Cultural Resources Analyst**



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STATE OF CALIFORNIA

Gavin Newsom, Governor

**NATIVE AMERICAN HERITAGE COMMISSION**

November 8, 2023

Brett Hamilton, Senior Planner  
City of Menifee  
29844 Haun Road  
City of Menifee, CA 92586

**Re: 2023110162, Murrieta Road Warehouse Project, Riverside County**

Dear Mr. Hamilton:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines § 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

**AB 52**

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
  - a. A brief description of the project.
  - b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
  - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
  - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
  - a. Alternatives to the project.
  - b. Recommended mitigation measures.
  - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
  - a. Type of environmental review necessary.
  - b. Significance of the tribal cultural resources.
  - c. Significance of the project's impacts on tribal cultural resources.
  - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
  - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

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**7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

**8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

**9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

**10. Examples of Mitigation Measures That, if Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**

- a. Avoidance and preservation of the resources in place, including, but not limited to:
  - i. Planning and construction to avoid the resources and protect the cultural and natural context.
  - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
  - i. Protecting the cultural character and integrity of the resource.
  - ii. Protecting the traditional use of the resource.
  - iii. Protecting the confidentiality of the resource.
- c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
- e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
- f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

**11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

#### SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation:** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

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Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

#### NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([https://ohp.parks.ca.gov/?page\\_id=30331](https://ohp.parks.ca.gov/?page_id=30331)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
  - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
  - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

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If you have any questions or need additional information, please contact me at my email address:  
[Andrew.Green@nahc.ca.gov](mailto:Andrew.Green@nahc.ca.gov).

Sincerely,

*Andrew Green*

Andrew Green  
Cultural Resources Analyst

cc: State Clearinghouse

***Responses to Comment Letter J – Native American Heritage Commission***  
***Andrew Green, Cultural Resources Analyst***

**J1** This comment letter was submitted after the close of the 45-day comment period. Nevertheless, the City appreciates the commenter’s letter and has provided the following response.

In accordance with Assembly Bill (AB) 52, the City requested formal tribal consultation with tribes on June 1, 2022. The following tribes were contacted for consultation: Agua Caliente Band of Cahuilla Indians (ACBCI), Pechanga Band of Indians (PBI), previously named Pechanga Band of Luiseño Indians), Rincon Band of Luiseño Indians (RBLI) Cultural Resources Department, and Soboba Band of Luiseño Indians (SBLI). To date, written responses have been received from RBLI, and ACBCI and are detailed in Draft EIR Section 4.14: Tribal Cultural Resources. As concluded in the Draft EIR, with implementation of mitigation measures and standard conditions of approval, the Project would comply with AB 52. SB 12 is not applicable to the Project.

## Section 3.0 Errata to the Draft EIR

### 3.1 INTRODUCTION TO THE ERRATA

In accordance with Section 15132 of the CEQA Guidelines, the FEIR for the Motte Business Center Project includes the DEIR, dated September 2023, as well as any proposed revisions or changes to the DEIR.

The changes to the DEIR do not affect the overall conclusions of the environmental document, and instead represent changes to the DEIR to provide clarification, amplification and/or insignificant modifications, as needed as a result of public comments on the DEIR, or due to additional information received during the public review period. These clarifications and corrections do not warrant recirculation of the DEIR pursuant to CEQA Guidelines Section 15088.5.

None of the changes or information provided in the comments identify a new significant environmental impact, a substantial increase in the severity of an environmental impact for which mitigation is not proposed, or a new feasible alternative or mitigation measure that would clearly lessen significant environmental impacts but is not adopted. In addition, the changes do not reflect a fundamentally flawed or conclusory DEIR.

Changes to the DEIR are listed by Section, page, paragraph, etc. to best guide the reader to the revision. Changes are identified as follows:

- Deletions are indicated by ~~strikeout text~~.
- Additions are indicated by underlined text.

### 3.2 CHANGES TO THE DRAFT EIR

#### ***Page 2-3, Second Full Paragraph***

The site's existing land use designation is "Menifee North Specific Plan (SP)" (see **Exhibit 2-3: Existing General Plan Land Use Designations**). The Project's proposed industrial uses are consistent with the existing land use designation. The City's General Plan (GP) Land Use Map was amended March 23, 2023 ~~December 15, 2021~~.<sup>1</sup> The Project site's existing zoning is Menifee North SP Industrial (see **Exhibit 2-4: Existing Zoning**). The Project's proposed industrial uses are consistent with the existing zoning. The City's Zoning Map was amended ~~February 18, 2022~~ March 23, 2023.<sup>2</sup>

#### ***Page 2-4, Last Paragraph***

The Project applicant proposes the development of one warehouse building, approximately 1,138,638 square feet (sq. ft.) of non-sort warehouse space which includes 10,000 sq. ft. of office, 928,638 sq. ft.

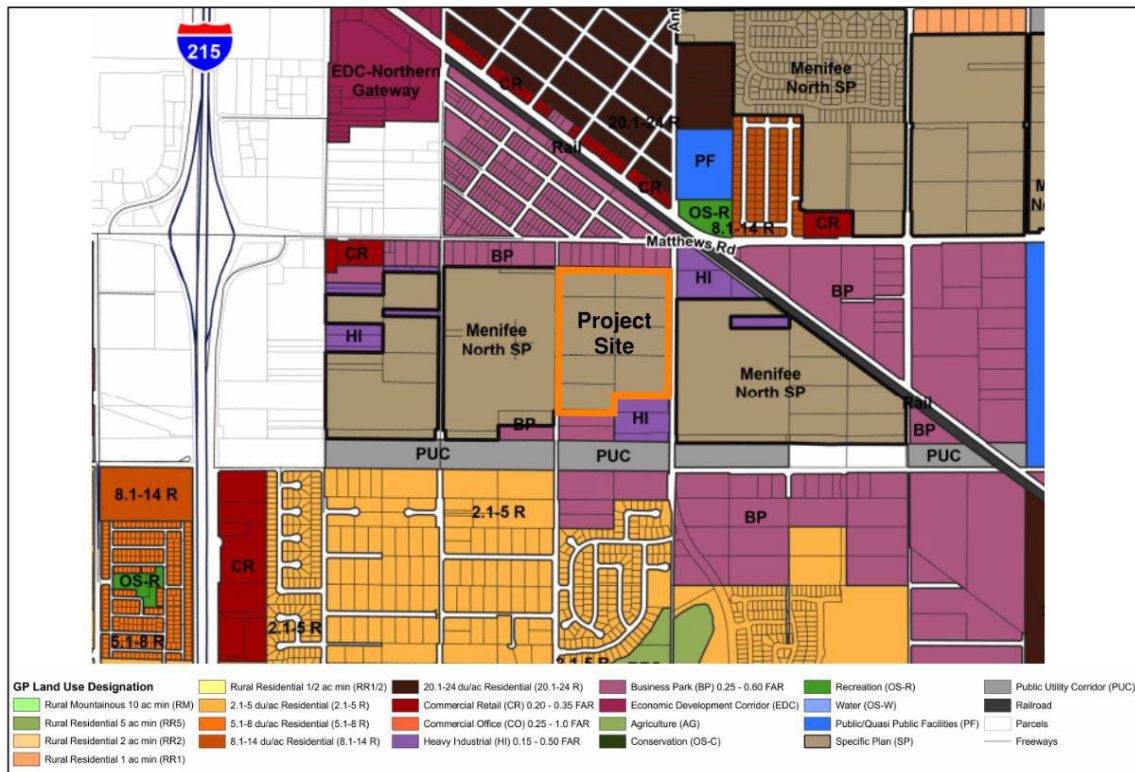
<sup>1</sup> City of Menifee. ~~2021~~2023. *General Plan Land Use Map*. Retrieved at: <https://www.cityofmenifee.us/DocumentCenter/View/11043/General-Plan-Land-Use-Map--December-2021>~~https://www.cityofmenifee.us/DocumentCenter/View/11043/General-Plan--Land-Use-Map---March-2023~~ (accessed ~~September 16, 2022~~ November 30, 2023).

<sup>2</sup> City of Menifee. ~~2022~~2023. *Zoning Map*. Retrieved at: <https://www.cityofmenifee.us/DocumentCenter/View/11042/Zoning-Map--February-2022>~~https://www.cityofmenifee.us/DocumentCenter/View/11042/Zoning-Map--March-2023~~ (accessed ~~September 16, 2022~~ November 30, 2023).



of ground floor warehouse and 200,000 sq. ft. of mezzanine warehouse on an approximately 44 net-acre site. The building is contemplated to have a structural height of approximately 50 feet (see **Exhibit 2-6: Conceptual Elevations**) and includes 1010616 automobile parking spaces, 8282284 truck trailer parking spaces, and 128 dock high doors. The building is speculative in nature; however, the Project will be evaluated as a non-sort warehouse for purposes of this Draft EIR analysis. Refer to **Exhibit 2-7: Conceptual Site Plan**.

**Page 2-10, Exhibit 2-3: Existing General Plan Land Use Designations**



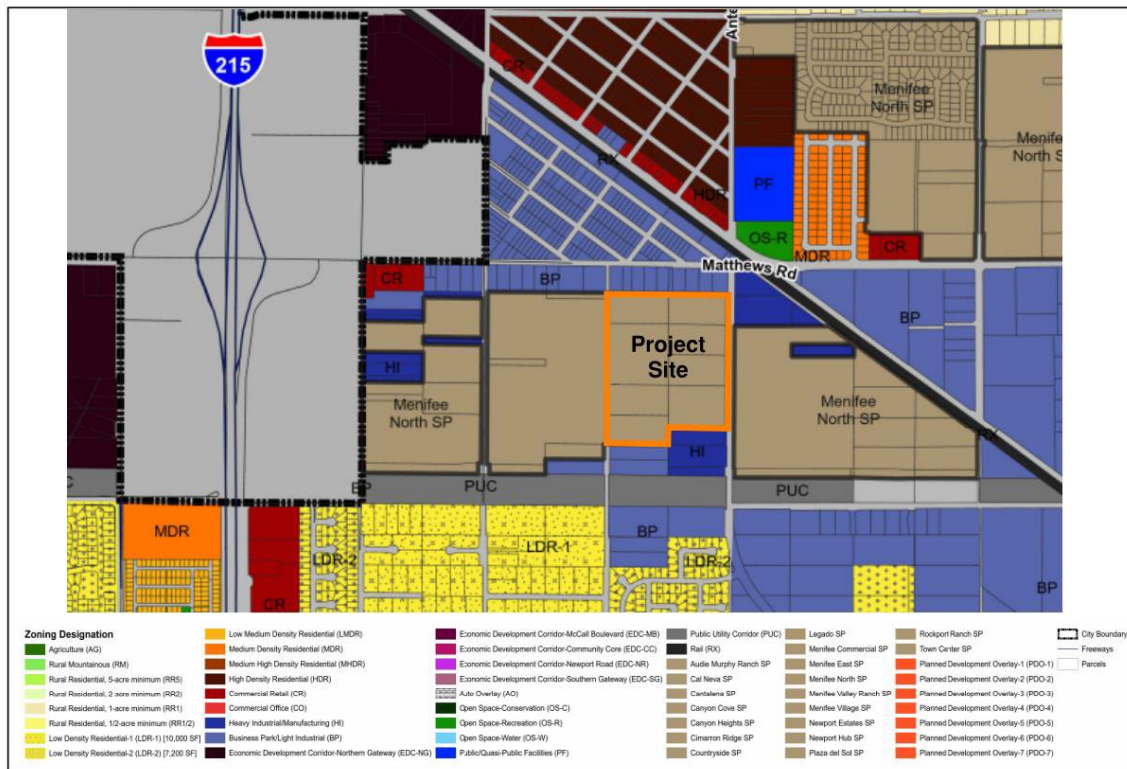
Source: City of Menifee, (2023), General Plan Land Use Map

**Exhibit 2-3: Existing General Plan Land Use Designations**  
City of Menifee  
Motte Business Center



Kimley»Horn

**Page 2-10, Exhibit 2-4: Existing Zoning**



Source: City of Menifee, (2023) Zoning Map

**Exhibit 2-4: Existing Zoning Classification**  
City of Menifee  
Motte Business Center



Not to Scale

**Kimley»Horn**

**Page 4.3-21, Mitigation Measure BIO-1**

**MM BIO-1** If grading or construction activities, including vegetation removal, occurs between February 1st and August 31st, a pre-construction clearance survey for nesting birds should be conducted within three (3) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The results of the survey shall be submitted to the City prior to obtaining a grading permit. The Project Applicant shall ensure that impacts to nesting bird species at the Project site and off-site improvement areas are avoided through the implementation of preconstruction surveys, ongoing monitoring, and if necessary, establishment of minimization measures. The Project Applicant shall adhere to the following:

- Applicant shall designate a biologist (Designated Biologist) experienced in: identifying local and migratory bird species of special concern; conducting bird surveys using appropriate survey methodology; nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, and identifying nesting stages and nest success; determining/establishing appropriate avoidance and



minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures.

- b. Surveys shall be conducted by the Designated Biologist at the appropriate time of day/night, during appropriate weather conditions, no more than 3 days prior to the initiation of Project activities. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration shall take into consideration the size of the Project site; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate. If a nest is suspected, but not confirmed, the Designated Biologist shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be inferred based on observations. If a nest is observed, but thought to be inactive, the Designated Biologist shall monitor the nest for one hour (four hours for raptors during the non-breeding season) prior to approaching the nest to determine status. The Designated Biologist shall use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate.
- c. If an active avian nest is confirmed, the Designated Biologist shall immediately establish a conservative avoidance buffer surrounding the nest (generally 300 feet for migratory and non-migratory songbirds and 500 feet raptors and special-status species) based on their best professional judgement and experience. The Designated Biologist shall monitor the nest at the onset of Project activities, and at the onset of any changes in such Project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the Designated Biologist determines that such Project activities may be causing an adverse reaction, the Designated Biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. All work within these buffers will be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest). The on-site qualified biologist will review and verify compliance with these nesting avoidance buffers and will verify the nesting effort has finished. Work can resume within these avoidance areas when no other active nests are found. Upon completion of the survey and nesting bird monitoring, a report shall be prepared and submitted to City for mitigation monitoring compliance record keeping.

***Pages 4.6-13 through 4.6-18, Mitigation Measure GEO-1***

**MM GEO-1:** Incorporation of and compliance with the recommendations in the Project geotechnical Investigation. All grading, construction and operations shall be conducted in conformance with the recommendations included in the Geotechnical Investigation for the Project site prepared by Southern California Geotechnical Inc., specifically the Geotechnical Investigation of Proposed Warehouse East Side of Dawson Road, 330± Feet South of Ethanac Road Menifee, California for Core5 Industrial Partners, dated June 17, 2021. Specific recommendations in the geotechnical investigation address the following and

shall be incorporated into the final Project plans and construction-level geotechnical report:

1. Removal of undocumented fill soils in their entirety and any soils disturbed during site stripping and demolition operations (remedial grading) and replace these materials as compacted structural fill soils.
2. Proper moisture conditioning of all building pad subgrade soils to a moisture content of 2 to 4 percent above the ASTM D-1557 optimum during site grading. In addition to adequately moisture conditioning the subgrade soils and fill soils during grading, special care shall be taken to maintaining moisture content of these soils at 2 to 4 percent above the optimum moisture content. This will require the contractor to frequently moisture condition these soils throughout the grading process, unless grading occurs during a period of relatively wet weather, as determined by the City Engineer.
3. Additional soluble sulfate testing shall be conducted by a qualified geologist at the completion of rough grading and prior to issuance of a building permit to verify the soluble sulfate concentrations of the soils which are present at pad grade within the building area. If soluble sulfate concentrations above 0.10 percent are present, specialized concrete mix designs shall be required to reduce degradation of concrete which comes into contact with these soils. A qualified geologist will determine the specialized concrete mix for construction, if needed, upon results of lab testing of soluble sulfate soils.
4. Due to the presence of corrosive soils on site for iron and copper piping, polyethylene protection for cast iron or ductile iron pipes shall be required.
5. Demolition of the existing CAB pavements and canopy in the northern region of the site is required. Additionally, any existing improvements that will not remain in place for use with the new development shall be removed in their entirety. This shall include all utilities, and any other subsurface improvements associated with the existing pavements. Debris resultant from demolition shall be disposed of off-site. Alternatively, the existing CAB may be re-used as compacted fill, provided they are cleaned from any debris or organic content, and well mixed with sandy soils. Mixing CAB with clayey soils is not recommended.

Initial site stripping shall include removal of any surficial vegetation from the unpaved areas of the site. This shall include any weeds, grasses, shrubs, and trees. Root systems associated with the trees shall be removed in their entirety, and the resultant excavations shall be backfilled with compacted structural fill soils. Any organic materials shall be removed and disposed of off-site, or in non-structural areas of the property. The actual extent of site stripping shall be determined in the field by the geotechnical engineer, based on the organic content and stability of the materials encountered.

6. Remedial grading shall be performed within the proposed building area in order to remove the existing undocumented fill soils, any soils disturbed during

demolition, and a portion of the near-surface native alluvium. Based on conditions encountered at the boring locations, the existing soils within the proposed building area are recommended to be over-excavated to a depth of at least 3 feet below existing grades and to a depth of at least 3 feet below proposed building pad subgrade elevations, whichever is greater. The depth of the over-excavation shall also extend to a depth sufficient to remove all undocumented fill soils and soils disturbed during site striping and demolition. Within the influence zones of the new foundations, the over-excavation shall extend to a depth of at least 2 feet below proposed foundation bearing grade.

The over-excavation areas shall extend at least 5 feet beyond the building and foundation perimeters, and to an extent equal to the depth of fill placed below the foundation bearing grade, whichever is greater. If the proposed structure incorporates any exterior columns (such as for a canopy or overhang) the area of over-excavation shall also encompass these areas.

Following completion of the over-excavation, the subgrade soils within the building area shall be evaluated by the geotechnical engineer to verify their suitability to serve as the structural fill subgrade, as well as to support the foundation loads of the new structure. This evaluation shall include proof-rolling and probing to identify any soft, loose, or otherwise unstable soils that must be removed. Some localized areas of deeper excavation may be required if additional fill materials or loose, porous, or low-density native soils are encountered at the base of the over-excavation.

After a suitable over-excavation subgrade has been achieved, the exposed soils shall be scarified to a depth of at least 12 inches and moisture conditioned to achieve a moisture content of 2 to 4 percent above optimum moisture content. The subgrade soils shall then be recompacted to at least 90 percent of the ASTM D-1557 maximum dry density. The building pad area may then be raised to grade with previously excavated soils or imported structural fill.

7. The existing soils within the areas of any proposed retaining walls and site walls shall be over-excavated to a depth of 2 feet below foundation bearing grade and replaced as compacted structural fill as discussed above for the proposed building pad. Any undocumented fill soils or disturbed native alluvium within any of these foundation areas shall be removed in their entirety. The over-excavation areas shall extend at least 2 feet beyond the foundation perimeters, and to an extent equal to the depth of fill below the new foundations. Any erection pads for tilt-up concrete walls are considered to be part of the foundation system. Therefore, these over-excavation recommendations are applicable to erection pads. The over-excavation subgrade soils shall be evaluated by the geotechnical engineer prior to scarifying, moisture conditioning to within 2 to 4 percent above the optimum moisture content, and recompacting the upper 12 inches of exposed subgrade soils. The previously excavated soils may then be replaced as compacted structural fill.

If the full lateral recommended remedial grading cannot be completed for the proposed retaining walls and site walls located along property lines, the foundations for those walls shall be designed using a reduced allowable bearing pressure. Furthermore, the contractor shall take necessary precautions to protect the adjacent improvements during rough grading. Specialized grading techniques, such as A-B-C slot cuts, will likely be required during remedial grading. The geotechnical engineer of record shall be contacted if additional recommendations, such as shoring design recommendations, are required during grading.

8. Subgrade preparation in the new flatwork, parking and drive areas shall initially consist of removal of all soils disturbed during stripping and demolition operations.

The geotechnical engineer shall then evaluate the subgrade to identify any areas of additional unsuitable soils. Any such materials shall be removed to a level of firm and unyielding soil. The exposed subgrade soils shall then be scarified to a depth of 12± inches, moisture conditioned to 2 to 4 percent above the optimum moisture content, and recompacted to at least 90 percent of the ASTM D-1557 maximum dry density. Based on the presence of variable strength surficial soils throughout the site, it is expected that some isolated areas of additional over-excavation may be required to remove zones of lower strength, unsuitable soils.

The grading recommendations presented above for the proposed flatwork, parking and drive areas assume that the owner and/or developer can tolerate minor amounts of settlement within these areas. The grading recommendations presented above do not mitigate the extent of undocumented fill or compressible/collapsible native alluvium in the flatwork, parking and drive areas. As such, some settlement and associated pavement distress could occur. If the owner cannot tolerate the risk of such settlements, the flatwork, parking and drive areas shall be over-excavated to a depth of 2 feet below proposed pavement subgrade elevation, with the resulting soils replaced as compacted structural fill.

9. Fill soils shall be placed in thin (6± inches), near-horizontal lifts, moisture conditioned (or air dried) to 2 to 4 percent above the optimum moisture content, and compacted.
  - a. On-site soils may be used for fill provided they are cleaned of any debris to the satisfaction of the geotechnical engineer.
  - b. All grading and fill placement activities shall be completed in accordance with the requirements of the latest CBC and the grading code of the ~~city~~City of Menifee.
  - c. All fill soils shall be compacted to at least 90 percent of the ASTM D-1557 maximum dry density. Fill soils shall be well mixed.

- d. Compaction tests shall be performed periodically by the geotechnical engineer as random verification of compaction and moisture content. These tests are intended to aid the contractor. Since the tests are taken at discrete locations and depths, they may not be indicative of the entire fill and therefore shall not relieve the contractor of his responsibility to meet the job specifications.
- 10. All imported structural fill shall consist of very low expansive ( $El < 20$ ), well graded soils possessing at least 10 percent fines (that portion of the sample passing the No. 200 sieve).
- 11. All utility trench backfill shall be compacted to at least 90 percent of the ASTM D-1557 maximum dry density. As an alternative, a clean sand (minimum Sand Equivalent of 30) may be placed within trenches and compacted in place (jetting or flooding is not recommended). Compacted trench backfill shall conform to the requirements of the local grading code, and more restrictive requirements may be indicated by the City of Menifee. All utility trench backfills shall be witnessed by the geotechnical engineer. The trench backfill soils shall be compaction tested where possible; probed and visually evaluated elsewhere.
- 12. Utility trenches which parallel a footing, and extending below a 1h:1v (horizontal to vertical) plane projected from the outside edge of the footing shall be backfilled with structural fill soils, compacted to at least 90 percent of the ASTM D-1557 standard. Pea gravel backfill should not be used for these trenches.
- 13. Any soils used to backfill voids around subsurface utility structures, such as manholes or vaults, shall be placed as compacted structural fill. If it is not practical to place compacted fill in these areas, then such void spaces may be backfilled with lean concrete slurry.

Additional site testing and final design evaluation shall be conducted by the Project geotechnical consultant to refine and enhance these requirements. The Project Applicant/Developer shall require the Project geotechnical consultant to assess whether the requirements in that report need to be modified or refined to address any changes in the Project features that occur prior to the start of grading. If the Project geotechnical consultant identifies modifications or refinements to the requirements, the Project Applicant/Developer shall require appropriate changes to the final Project design and specifications. Design, grading, and construction shall be performed in accordance with the requirements of the City of Menifee Municipal Code and the California Building Code applicable at the time of grading, appropriate local grading regulations, and the requirements of the Project geotechnical consultant as summarized in a final written report, subject ~~for~~ review by the City of Menifee City Engineer, or designee, prior to commencement of grading activities.

Grading plan review shall also be conducted by the City of Menifee City Engineer or designee prior to the start of grading to verify that the requirements developed during the geotechnical design evaluation have been appropriately incorporated into the Project plans. Design, grading, and construction shall be conducted in accordance with the specifications of the Project Geotechnical Consultant as summarized in a final report based on the California Building Code applicable at the time of grading and building, and the City of Menifee's Municipal Code. On-site inspection during grading shall be conducted by the Project geotechnical consultant and the City of Menifee City Engineer, or designee, to ensure compliance with geotechnical specifications as incorporated into project plans. Prior to final of grading permits, the Project geotechnical engineer shall submit a Final Testing and Observation Geotechnical Report for Rough Grading to the City of Menifee City Engineer, or designee.

***Page 4.9-6, First Paragraph***

FEMA Flood Insurance Rate Map (FIRM) shows the Project site being covered by one map panel: 06065C2060H (effective 8/18/2014).<sup>5</sup> Based on a review of this map panel, the Letter of Map Revision (LOMR) 17-09-1814P went into effect 3/19/2018 and identifies the northeastern portion northern half of the Project site within the 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square, of the Project site is largely within an area determined to be outside the 0.2 percent annual chance floodplain, identified as Zone X. The southern half of the Project site is located within an area of minimal flood hazard, identified as Zone X. Additionally, a small portion of Antelope Road, adjacent to the northeastern corner of the Project site, is located within a special flood hazard area subject to inundation by the one percent annual chance flood, identified as Zone A. The one percent annual chance flood is also referred to as the base flood or 100-year flood. Zone A are areas for which no base flood elevations have been determined (refer to Exhibit 4.9-2).

***Page 4.9-19, Second Paragraph***

The northeastern northern half portion of the Project site is largely within an area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile determined to be outside the 0.2 percent annual chance floodplain within the 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square, identified as Zone X. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. The southern half of the Project site is located within an area of minimal flood hazard, identified as Zone X. Additionally, a small portion of Antelope Road, adjacent to the the southwestern-northeastern corner portion of the Project site, is located within a special flood hazard area subject to inundation by the one percent annual chance flood area of minimal flood hazard, identified as Zone A. The one percent annual chance flood is also referred to as the base flood or 100-year flood. Zone A are areas for which no base flood elevations have been determined.

***Page 4.9-20, MM HYD-3***

**MM HYD-3:** Prior to issuance of off-site grading permits, the tentative parcel maps, off-site grading plans, and final drainage study shall demonstrate compliance with applicable City and

~~County drainage plans and, policies, design guidelines and regulations including but not limited to City of Menifee Municipal Code Chapter 8.26 Grading Regulations and at the discretion of the City Engineer/Public Works Director.~~

**Page 4.9-20, Second Paragraph, 1<sup>st</sup> and 2<sup>nd</sup> Sentences**

As stated above, ~~northeastern~~ northern half portion of the Project site is largely within an area determined to be outside the 0.2 percent annual chance floodplain within the 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square, identified as Zone X. The southern half of the Project site is located within an area of minimal flood hazard, identified as Zone X. Additionally, a small portion of Antelope Road, adjacent ~~The~~ the southwestern ~~northeastern~~ corner portion of the Project site, is located within a special flood hazard area subject to inundation by the one percent annual chance flood, identified as Zone A.

**Page 7-5, First Full Paragraph**

**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**

**Construction and Operations**

According to CAL FIRE's Fire and Resource Assessment Program, FHSZ Viewer,<sup>3</sup> the Project site is not located in or near a State Responsibility Area (SRA); the nearest SRA to the Project site located approximately 1.3 miles to the northeast of the Project site, north of the intersection of Menifee Road and Mapes Road. The Project site is located in a Local Responsibility Area. 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 1.5 miles to the southeast of the Project site, south of McCall Boulevard and encompasses the Menifee mountains. Review of Exhibit S-6: High Fire Hazard Areas of the City's GP further supports the finding that the Project site is not located in or near an SRA and the Project site is not within a VHFHSZ.<sup>4</sup> Therefore, no impact associated with the substantial impairment of an adopted emergency response plan would occur.

**Impact 7.6-2: 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**

<sup>3</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).

<sup>4</sup> City of Menifee. (2013). City of Menifee General Plan Exhibit S-6: High Fire Hazard Areas. Available at: [https://www.cityofmenifee.us/DocumentCenter/View/1033/S-6\\_HighFireHazardAreas\\_HD0913?bidId=](https://www.cityofmenifee.us/DocumentCenter/View/1033/S-6_HighFireHazardAreas_HD0913?bidId=) (accessed November 2023).



### **Construction and Operations**

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

**Impact 7.6-3: *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**

### **Construction and Operations**

Refer to Impact 7.6-1 above. The Project site is not located in or near an SRA and does not contain lands classified as VHFHSZs. The Project would include construction of warehouse facilities, with parking and landscaping included. Construction and operation of the Project would not increase the risk of fire nor would it require the installation/maintenance of infrastructure that would exacerbate fire risk. Therefore, no impact would occur.

**Impact 7.6-4: *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**

### **Construction and Operations**

Refer to Impact 7.6-1 above. The Project site is not located in or near an SRA and does not contain lands classified as VHFHSZs. 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. Therefore, no impact would occur.

## 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 Motte Business Center Project (Project), State Clearinghouse (SCH) # 2022120083; 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 Menifee (City).

### 1.2 DOCUMENT FORMAT

These Findings have been categorized into the following sections:

- 1) Section 1.0 provides an introduction to these Findings.
- 2) Section 2.0 provides a summary of the Project, overview of other discretionary actions required for the Project, and a statement of Project objectives.
- 3) 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.
- 4) 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.
- 5) 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.

- 6) Section 6.0 sets forth findings for significant and unavoidable project impacts.
- 7) Section 7.0 sets forth findings regarding growth-inducing impacts.
- 8) Section 8.0 sets forth findings regarding alternatives to the Project.
- 9) Section 9.0 contains findings regarding the MMRP for the Project.
- 10) Section 10.0 contains other relevant findings adopted by the City with respect to the Project.
- 11) Section 11.0 contains the Statement of Overriding Considerations for the Project.
- 12) 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 DESCRIPTION/LOCATION

The Project is generally located southeast of the Interstate 215/Ethanac Road interchange in the City of Menifee, County of Riverside, State of California. The Project is generally bounded by Business Park and Heavy Industrial properties, a Riverside County Flood Control channel, Southern California Edison (SCE) utility corridor, and McLaughlin Road to the south; commercial, non-conforming residential uses and Ethanac Road beyond to the north; Antelope Road to the east; and Dawson Road to the west. The Project site is comprised of eight parcels total (Assessor Parcel Numbers (APNs): 331-150-036, 331-150-037, 331-150-039, 331-150-040, 331-150-041, 331-150-042, 331-150-044, 331-150-045).

The majority of the Project site consists of vacant, undeveloped land that has been subject to a variety of anthropogenic disturbances associated with prior ground disturbance activities and discing. The northeast portion of the site (APN: 331-150-045) includes the Sahara Scaffold Yard (i.e., commercial uses) that is currently in operation. The Project would include the construction of a concrete tilt-up building that would total 1,138,638 square feet (including 10,000 square feet of office space, and 200,000 square feet of mezzanine) and proposes a structural height of approximately 50 feet, 616 automobile parking spaces, and 284 truck trailer parking spaces. The Project site is approximately 44 net-acres.

Associated facilities and improvements of the Project include loading dock doors, on-site landscaping, and related on-site and off-site improvements (roadway improvements, sewer, storm drain, utilities).

## 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.

**TPM No. 38432 (PLN22-0114)** proposes to combine (APNs 331-150-036, 331-150-037, 331-150-039, 331-150-040, 331-150-041, 331-150-042, 331-150-044, 331-150-045) into one parcel for a total of 46.33 gross acres and 43.94 net-acres.

**Plot Plan No. PLN22-0115** proposes to construct one concrete tilt-up building totaling 1,138,638 sq. ft. which includes 10,000 sq. ft. of office, 928,638 sq. ft. of ground floor warehouse and 200,000 sq. ft. of mezzanine space on an approximately 43.94 net-acre project site. The building proposes a structural height of approximately 50 feet and includes 616 automobile parking spaces, 284 truck trailer parking spaces, and 128 dock doors.

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; building permits; grading permits; tenant improvement permits; and permits for new utility connections.

## 2.3 STATEMENT OF OBJECTIVES

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

- **Objective 1:** Develop an industrial project that conforms to the City's General Plan and the Menifee North Specific Plan.
- **Objective 2:** Provide a new development that will generate a positive fiscal balance for the City moving forward.
- **Objective 3:** Design and build a Class-A institutional quality industrial project that will attract high end tenants and increase the City's tax base.
- **Objective 4:** Generate employment opportunities within the City while improving the local balance of housing to job ratio.
- **Objective 5:** Facilitate the movement of goods and services for the benefit of local and regional economic growth.
- **Objective 6:** Develop a warehouse project adjacent to transportation corridors, truck routes, local amenities, and the nearby Interstate 215 Freeway and Highway 74 for employee convenience and efficiencies of transporting goods.

- **Objective 7:** Improve public safety and traffic flow in North Menifee with roadway and infrastructure improvements.
- **Objective 8:** Provide enhanced landscaping along project frontage streets in landscaping setbacks.
- **Objective 9:** Provide the backbone infrastructure for future growth and prosperity of the surrounding benefit area that will serve the immediate and long term needs of the community.
- **Objective 10:** Provide a warehouse project in proximity to other warehouse uses on industrial zoned land.

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

A Notice of Preparation (NOP) was distributed for the Project by the City on December 6, 2022. Additionally, the State of California Clearinghouse issued a project number for the Project, SCH # 2022120083. 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 September 29, 2023, and concluded November 13, 2023, (46 days). 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 September 2023, 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 Project will not significantly impact views of the San Jacinto Mountains to the northeast and east; the San Bernardino Mountains to the north; the San Gabriel Mountains to the northwest; and the Santa Ana Mountains to the west and southwest. Notably, the warehouse building is contemplated to have a structural height of approximately 50 feet. Portions of the parapet wall would exceed 50 feet to completely screen all rooftop equipment and to provide roof height offsets for an overall enhanced building façade on all sides. The warehouse building would be consistent with the allowed building height identified in the Menifee North Specific Plan. Although the Project would be taller than the surrounding structures, the building structural roof height would not exceed the maximum 50 feet height and would be setback in accordance with the design standards of the Menifee North SP. Moreover, the Project would not significantly obscure views of this relatively close scenic vista to nearby residents or motorists traversing along Dawson Road, Antelope Road, and Ethanac Road because the Project would be consistent with the allowed building height and setbacks (Draft EIR, p. 4.1-10). 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.

**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 pages 4.1-9 through 4.1-10.

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

No adopted State of California (State) or Riverside County (County) scenic highways exist within the City. The nearest officially designated state scenic highway is approximately 18 miles east of the Project site (SH 74 from the west boundary of the San Bernardino National Forest to SH 111 in Palm Desert). Therefore, construction and operation of the Project site would not damage or obstruct any scenic resource (e.g., trees, rock outcroppings, or historic buildings) within a state scenic highway. (Draft EIR, p. 4.1-10 through 4.1-11) 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, p. 4.1-10 through 4.1-11)

**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 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 4.1-10 through 4.1-11.

**Impact 4.1-3: No Impact**

The Project is in an urbanized area and is zoned as Menifee North Specific Plan (SP). Project construction and operation would comply with the development standards and design standards and guidelines laid out in the Menifee North SP. Standards and guidelines specific to scenic quality include the general standards, PA 2 planning standards, and lighting standards. Through compliance with the Menifee North SP 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.

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

The City hereby finds that the Project would not significantly affect the visual character 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 4.1-11 through 4.1-13.

**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 City's Municipal Code. 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 the Menifee North Specific Plan which references Section 10.4. Development Standards for Article XII M-H Zone of Ordinance No. 348, 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. Thus, consistent with Section 10.4, as well as Article XVIII General Provisions of Ordinance No. 348, all lighting shall be indirect, hooded, and positioned so as not to reflect onto adjoining property or public streets.

**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 4.1-13 through 4.1-14.

## 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**

No Project actions were concluded to be less than significant, but rather designated as 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.

**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**

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.

**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 through 4.2-36.

## 4.4 BIOLOGICAL RESOURCES

### **Impact 4.3-2 and 4.3-3: No Impact**

No jurisdictional drainage features, riparian/riverine areas, or vernal pools were identified on or immediately bordering the Project site. No blueline streams or, ponded areas, pits, or water features have been documented on the topographic maps for the Project site. Therefore, regulatory approvals from the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), or



California Department of Fish and Wildlife (CDFW) will not be required for implementation of the Project. One artificially created drainage occurs along the northern boundary of the Project site, traversing the site from east to west. This feature is fed by stormwater runoff during storm events via twelve 18-inch culverts beneath Antelope Road and conveys flows westward to Dawson Road. Downstream flows infiltrate at an undeveloped, vacant parcel immediately beyond Antelope Road. It was concluded that the drainage did not replace an existing blueline stream. Further, the drainage does not support any riparian vegetation or suitable habitat for riparian wildlife species, as vegetation with the feature is consistent with the surrounding disturbed area. The drainage is isolated, as it begins at the railroad northeast of the Project site and terminates on the northwest corner, with no connectivity to downstream waters. The drainage feature only receives water from direct precipitation during and following storm events. Additionally, a concrete lined flood control channel extends along the southern boundary of the site, that was installed between 2014 and 2016, as part of a large retrofitting of the flood control infrastructure in the vicinity of the site. The concrete lined storm drain receives storm flows from the area east of the intersection of Case Road and Palomar Road, and did not replace an existing blueline stream. Therefore, these manmade features do not qualify as jurisdictional by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), or California Department of Fish and Wildlife (CDFW). Connecting the off-site drainage culvert, northeast of the Project site, into the flood control channel south of the Project site would not result in impacts to jurisdictional waters, and regulatory approvals will not be required. Further, site development will not result in impacts to riparian/riverine habitats and a Determination of Biologically Equivalent or Superior Preservation (DBESP) will not be required under the Western Riverside County Multiple Species Habitat Conservation Plan (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. Accordingly, development of the Project and off-site improvement areas would not result in impacts to riparian/riverine habitats and DBESP would not be required for the loss of riparian/riverine habitat from development of the Project. No impact would occur.

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

The City hereby finds that the Project would not generate substantial impacts to riparian habitat or other sensitive natural community, nor would the Project have a substantial adverse effect 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 4.3-23 through 4.3-24.

#### **Impact 4.3-4: No 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 1.65 miles 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 would not occur.

**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 4.3-24.

#### **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 9.200: 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.

**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 4.3-24 through 4.3-25.

## **4.5 CULTURAL RESOURCES**

#### **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.

**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 4.4-16.

## 4.6 ENERGY

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

The Project would comply with the applicable Title 24 standards. Compliance itself with applicable Title 24 standards would ensure that the Project energy demands would not be inefficient, wasteful, or otherwise unnecessary. Therefore, potential impacts are considered less than significant.

**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 4.5-9 through 4.5-16.

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

The Project would be required to comply with these existing energy standards. 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. SCAG's 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) or Connect SoCal, adopted in September 2020, 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. Potential impacts are considered not significant.

**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 4.5-16.

## 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. Because 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, and no mitigation is required.

**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 4.6-11.

### **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 consist of dense, well-graded, granular soils and very stiff to hard cohesive soils extending to depths of 25± feet, which are not considered to be conducive to liquefaction. Based on mapping performed by the County of Riverside and the lack of a historic high ground water table within the upper 50± feet of the ground surface, liquefaction is not considered to be a design concern for this Project. 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. Additionally, the Project site gently slopes west at a 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 area 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 from occurring and no mitigation is required.

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

The City hereby finds that the Project would not generate substantial impacts seismic ground failure 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 4.6-11 through 4.6-12.

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

No septic tanks or other alternative wastewater disposal systems are proposed. A less than significant impact would occur.

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

The City hereby finds that the Project would not generate substantial impacts from unstable soil 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 4.6-20.

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

The nearest operating school to the Project site is less than one-quarter mile to the northeast. Romoland Elementary School is located at 25890 Antelope Road, Menifee, CA 92585. However, the types of hazardous materials used during construction activities would be used in limited quantities and would be subject to all applicable federal, state, and local regulations pertaining to the use, handling, or transport of hazardous materials. Compliance with the regulatory framework would ensure Project construction would not create a significant hazard to nearby schools due to the transport of any hazardous materials on local roadways. During operations, the use of hazardous materials that would be routinely handled on-site would be limited to cleaners, paints, and solvents typical for cleaning and keep-up and fertilizers and pesticides for landscaping maintenance. These types of hazardous materials are not considered to be significantly hazardous or acutely hazardous. Although the Project site is near a school, the Project's use of hazardous materials during Project operations would adhere to all applicable federal, state, and local regarding handling, transport, and disposal of hazardous materials. 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.

**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 4.8-27.

**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 (2022) did not identify any environmental concerns for the Project site. Therefore, impacts would be less than significant.

**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 4.8-28.

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

The Project site is located within Compatibility Zones D and E of the March Air Reserve Base (MARB). Within Compatibility Zone E of the Airport Influence Area (AIA), residential density and non-residential intensity are not restricted. Furthermore, based on the MARB Inland Airport Land Use Compatibility Plan – Map MA - 1 noise impacts are low to moderate and risk of accidents is low. Airspace protection is the major concern in that aircraft pass over these areas while flying to, from, or around the March Air Reserve Base. All new development shall be in accordance with the Compatibility Zone E regulations, and all state, county, and local goals, policies, and regulations. Furthermore, the Notice of Preparation for the Project was previously been transmitted to the Airport Land Use Commission (ALUC) on May 18, 2022. The ALUC responded that the Project is nearly ten miles south of Runway 14/32, they do not anticipate any adverse operational impacts associated with implementation of the Project. The ALUC also received the Notice of Availability of the Draft EIR on September 29, 2023. Due to the Project being within Zones D & E and no legislative actions being proposed, review by the ALUC is not required because the City is consistent with the March ALUCP. Based on Table MA-2 of the March Air Reserve Base Inland Port Airport Land Use Compatibility Plan, projects located within Zone D are subject to COA-HAZ-1 and COA-HAZ-2, as noted in the Draft EIR, would not result in a significant impact. Therefore, impacts would be less than significant.

**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 pages 4.8-28 through 4.8-29.

#### **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.

Furthermore, response times from the Riverside County Fire Department Station 7 and 54 would not be impaired by Project implementation because primary access to all major roads would be maintained during construction of the Project, as discussed further in **Section 4.12: Public Services**.

Because 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.

**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 4.8-29 through 4.8-30.

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

The Project site is located in a Local Responsibility Area and is not located within a 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. The Project site and surrounding areas generally consist of agricultural, commercial, transportation, or residential uses, which are generally not associated with wildland fire hazards. The Project would comply with all applicable local and state regulations related to fire safety, as evaluated through the City's standard development review process. Impacts would be less than significant.

**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 4.8-30.

## 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 and recycled water systems in accordance with Eastern Municipal Water District (EMWD) design standards to receive water services from EMWD. Thus, the Project would utilize potable and recycled 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) 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. Accordingly, implementation of the Project in this regard would not substantially deplete or decrease groundwater supplies or directly impact groundwater supplies. Additionally, while construction activities would introduce new impermeable surfaces to the Project site, the Project would reduce the amount of runoff from the new impervious areas with implementation of design measures in the Water Quality Management Plan (WQMP). These measures include, but are not limited to, LID BMPs and other stormwater drainage controls. 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 would be landscaped with permeable surfaces in accordance with EMWD's Water Efficient Guidelines for New Development, which also would facilitate groundwater recharge. Therefore, with the required measures in place, the loss of the permeable area would not be substantial and groundwater recharge would maintain pre-project conditions. The Project would not substantially deplete groundwater supplies or substantially interfere with groundwater recharge. Impacts would be less than significant.

**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 4.9-7: 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.

**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 4.9-22.

### **4.11 LAND USE AND PLANNING**

#### **Impact 4.10-1 No Impact**

The Project will not be located in an established residential community, and it would not physically divide any such community. The Project would occupy an area to be fully designated/classified as Menifee North SP. More specifically the Project is in PA 2 of the Menifee North SP which is designated for industrial use. The Project's proposed warehousing uses would be consistent with established land use and zoning designations. The Project would not involve the removal of vital roadways or points of connection for residents but would improve Project area roadways. Therefore, development of the Project would not divide an established community and no impact would occur.

**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. 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 4.10-5 through 4.10-6.

#### **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 Southern California Association of Government's ("SCAG") Regional Transportation Plan/Sustainable Communities Strategy ("RTP/SCS"). Locally, the Project would comply with the City's General Plan and its land use goals

and policies, the City's Development Code, and the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan. 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.

**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 4.10-6 through 4.10-25.

## 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.

**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 page 7-3.

## 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. Therefore, the Project's construction activities would not result in a substantial temporary increase in ambient noise levels. The Project would contribute to other proximate construction project noise impacts if construction activities were conducted concurrently. The highest exterior noise level at residential receptors would occur during the building construction phase and would be 68.4 dBA which is below the FTA's 80 dBA threshold. Additionally, Project-generated noise levels at the nearest off-site properties

would range from 38.6 dBA Leq to 46.5 dBA Leq during the daytime and would not exceed the Menifee MC noise limit of 65 dBA Leq. Similarly, Project-generated noise levels during the nighttime would range from 37.1 dBA Ldn to 44.3 dBA Leq and would not exceed the Menifee MC noise limit of 45 dBA Leq. Lastly, the Project's cumulative off-site traffic noise levels between existing conditions and opening year with the Project would be insignificant and therefore, a cumulatively significant impact would not occur. As such, Project noise impacts from on-site operations would be less than significant. Lastly, off-site traffic noise increases as a result of the Project, would not exceed the Normally Acceptable noise standard. As such, traffic noise impacts from the Project would be less than significant.

**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 4.11-13 through 4.11-19.

#### **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 74 feet away. At 30 feet the vibration velocities from construction equipment would not exceed 0.0677 in/sec PPV, which is below the FTA's 0.20 in/sec PPV threshold for building damage and below the 0.4 in/sec PPV annoyance threshold. 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. 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.

**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 4.11-19 through 4.11-21.

### **Impact 4.11-3: Less than Significant Impact**

The closest airport to the Project site is the Perris Valley Aviation Airport located approximately 2.6 miles to the northwest. Therefore, the Project is not within 2.0 miles of the Perris Valley airport, and 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. 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 4.11-21.

## **4.14 POPULATION AND HOUSING**

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

The Project would not induce substantial unplanned population growth in the area. 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 and mezzanine. Given that the current unemployment rate for Riverside County is approximately 4.3 percent, 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. The Project would occupy an area to be fully designated/classified as Menifee North SP. The Project's proposed warehousing uses would be consistent with established land use and zoning designations. Therefore, any growth associated with the Project is planned and accounted for. 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.

**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 7-3 and 7-4.

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

No residential units currently exist on the Project site. The majority of the Project site consists of vacant, undeveloped land that has been subject to a variety of anthropogenic disturbances associated with prior ground disturbance activities and discing. 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.

**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 7-4.

### **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.

**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 development impact fees. 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.

**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 page 4.12-9.

**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") boundaries. Furthermore, the Project is not expected to draw a substantial number of new residents to the surrounding area and would not, therefore, substantially increase enrollment at RUSD schools. Because the Project would not directly generate students and is not expected to indirectly draw a substantial number of 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 public school services, RUSD currently requires school mitigation impact fees of \$0.56 per square foot for commercial/industrial developments. RUSD uses these fees to pay for facility expansion and upgrades needed to serve new students. Additionally, DIFs from the Perris Union High School District (within Perris) could be applicable at \$0.1848 per square foot. Payment of these fees in compliance with Government Code section 65996 fully addresses all impacts to school facilities. 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.

**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**

Project implementation would not result in substantial adverse physical impacts associated with the provision of new or physically altered park facilities, the need for new or physically altered park facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives. Because no park facilities exist on the Project site, the

Project would not conflict with existing park structures or require modification of park facilities. Therefore, Project implementation would result in a less than significant impact to park facilities.

**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 pages 4.12-10 through 4.12-11.

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

Project implementation would not result in substantial adverse physical impacts associated with the provision of new or physically altered other public facilities, need for new or physically altered other public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives. Because no public facilities exist on the Project site, development of the Project would not conflict with existing public structures or require modification of public facilities. Therefore, Project implementation would result in a less than significant impact to other public facilities.

**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 page 4.12-11.

## **4.16 RECREATION**

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

The Project is a non-sort warehouse building with office and mezzanine space that does not include any recreational facilities and the Project applicant does not propose any residential development or other land use that may generate a population that would increase the use of any existing neighborhood or regional parks or other recreational facilities. Implementation of the Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park. 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.

**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 7-4 through 7-5.

## 4.17 TRANSPORTATION

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

The Project would include improvements to Ethanac Road, Dawson Road and Antelope Road that would provide access to the Project. The Project's on-site perimeter circulation would be designed in compliance with the Menifee MC development standards. Furthermore, the Project would include improvements for Opening Year 2025 and Opening Year 2025 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.

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.

**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 4.13-12 through 4.13-20.

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

The Project's Employment-Based VMT land use does not exceed the City's VMT threshold under any project scenario, based on the City's VMT guidelines. 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. In addition, the City's VMT Guidelines state that the cumulative no project shall reflect SCAG's adopted Connect SoCal. 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.

**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 4.13-21 through 4.13-22.

#### **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 would be constructed as approved by the City's Public Works Department. Additionally, the Project would be constructed in accordance with Menifee Municipal Code 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 Municipal Code Section 9.160.060). Therefore, a less than significant impact would occur, and no mitigation is required.

**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 4.13-22.

#### **Impact 4.17-4: Less than Significant Impact**

The Project would not result in adequate emergency access. During construction, access roads will be kept and maintained in such condition to allow for safe passage of emergency response vehicles. The Project's compliance with applicable City laws and regulations, along with its provision of access points, will ensure that the Project's construction impacts relating to this issue will be less than significant. Emergency access lanes would be provided around the perimeter of both buildings. 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 and no mitigation is required.

**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 page 4.13-23.

## **4.18 TRIBAL CULTURAL RESOURCES**

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

The City of Menifee 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.

The Agua Caliente Band of Cahuilla Indians (ACBCI) responded on June 30, 2022, and noted that the Project area is not located within the boundaries of the ACBCI Reservation; however, it is within the Tribe's Traditional Use Area. For this reason, the ACBCI Tribal Historic Preservation Office deferred to Soboba Band of Luiseño Indians. The Rincon Band of Luiseño Indians responded on July 12, 2022, and noted that the Rincon Band is traditionally and culturally affiliated with the Project area. No consultation was requested; however, working closely with the Pechanga Band of Indians is recommended as they may have pertinent information. The Pechanga Band of Indians was consulted with on July 14, 2022, October 3, 2022, January 25, 2023, and April 13, 2023. Soboba Band of Luiseño Indians was consulted with on July 25, 2022, October 27, 2022, January 26, 2023, and April 18, 2023. Additionally, tribal representatives from both Pechanga Band of Indians and Soboba Band of Luiseño Indians accompanied BCR on a site walk in January 2023 and September 2023. Both tribes requested Standard Conditions of Approval (COAs) to be a part of the Project. Based on consultation with local tribes, Standard Conditions of Approval (COA) COA-CUL-1 through COA-CUL-7 (see **Section 4.4: Cultural Resources**) would ensure that any impacts to potential tribal cultural resources would be less than significant.

Additionally, if human remains are discovered during Project construction, the Project contractor would be subject to either the State law regarding the discovery and disturbance of human remains or the Tribal burial protocol. In either circumstance all destructive activity in the immediate vicinity shall halt and the County Coroner shall be contacted pursuant to State Health and Safety Code Section 7050.5. If the remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) shall be contacted. The NAHC will determine the Most Likely Descendant (MLD) and the City and Developer would work with the designated MLD to determine the final disposition of the remains.

**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 substantially vacant with some existing adjacent unimproved roadways. Adjacent and nearby uses, including residential and commercial developments, are served by existing utilities, including electricity, natural gas, and wet and dry utilities but they have not been extended into the Project site. Existing utilities would be extended and upgraded as needed during construction of Project to serve the anticipated demands and to accommodate operation of the warehouse. 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, including Antelope Road and Dawson Road. All areas adjacent to the existing roadways are also disturbed and are within the overall footprint of the Project.

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 27.09 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.

To prevent stormwater and drainage impacts, the Project would include off-site improvements which include storm drain lines running from an existing channel heading north on Antelope Road toward Ethanac Road and a proposed storm drain line running from an existing channel heading north on Dawson Road toward Ethanac Road. Proposed wastewater facilities would be below ground, within existing or planned roadway rights-of-way, and as such are addressed in respective EIR section(s). 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. In consideration of existing requirements and EIR mitigation measures, no significant impacts are anticipated with respect to Project wastewater facilities. Although the Project would construct wastewater drainage facilities, a less than significant impact would occur.

**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 4.15-13 through 4.15-17.

**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. 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.

**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.

**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 4.15-17.

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

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 Assembly Bill 939. The Project would result in less than significant impacts concerning solid waste, and no mitigation is required.

**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 4.15-17 through 4.15-18.

#### **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.

**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 4.15-18 and 4.15-19.

## **4.20 WILDFIRE**

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

According to CAL FIRE's Fire and Resource Assessment Program, FHSZ Viewer, the Project site is not located in or near a State Responsibility Area (SRA). 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 1.5 miles to the southeast of the Project site, south of McCall Boulevard and encompasses the Meniffee mountains. 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.

**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.

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

## **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 proposed 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 Applied**

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 (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 pollutant control strategies in the

AQMPs are based on the latest scientific and technical information and planning assumptions, including SCAG's 2016 Connect SoCal, 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. To determine whether a project is consistent with the AQMPs, the SCAQMD's CEQA Air Quality Handbook measures the Project against the following consistency criteria.

- 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 Project would not exceed construction emission standards with implementation of **MM AQ-1**. Furthermore, mitigated operational emissions would not exceed the operational standards with implementation of **MM AQ-3**. Thus, the Project is consistent with the first criterion. Concerning Consistency Criterion No. 2, the AQMPs contain 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 AQMPs and is therefore consistent with the AQMPs regional emissions inventory for the SCAB and the second criterion. It is also noted that future tenant(s) of the Project site would also be required to comply SCAQMD Rule 2305 (refer to South Coast Air Quality Management District under Section 4.3.3 Regulatory Setting) which would reduce NO<sub>x</sub> and particulate matter emissions more than what is currently assumed. The Project would not conflict with or obstruct implementation of the AQMPs or any applicable air quality plan. A less than significant impact would occur in this regard.

**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-4**.

**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.

**MM AQ-1**            The Project applicant shall be required to use paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L. All specifications, plans, and/or details necessary to verify compliance shall be included in the Project's applicable construction drawings. Prior to issuance of a building permit, the City of Menifee Building and Safety Division shall confirm that plans include the following specifications:

- All architectural coatings will be super-compliant low VOC paints.
- Recycle leftover paint. Take any leftover paint to a household hazardous waste center; do not mix leftover water-based and oil-based paints.
- Keep lids closed on all paint containers when not in use to prevent VOC emissions and excessive odors.
- For water-based paints, clean up with water only. Whenever possible, do not rinse the cleanup water down the drain or pour it directly into the ground or the storm drain. Set aside the can of cleanup water and take it to the hazardous waste center ([www.cleanup.org](http://www.cleanup.org)).
- Use compliant low-VOC cleaning solvents to clean paint application equipment.
- Keep all paint- and solvent-laden rags in sealed containers to prevent VOC emissions.
- Contractors shall construct/build with materials that do not require painting and use pre-painted construction materials to the extent practicable.
- Use high-pressure/low-volume paint applicators with a minimum transfer efficiency of at least 50 percent or other application techniques with equivalent or higher transfer efficiency.

**MM AQ-2** 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.

**MM AQ-3** 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-4** 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 that:

- 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 CARB 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 4.2-19.

#### **Impact 4.2-2: Less than Significant with Mitigation Applied**

Project unmitigated construction emissions would exceed the SCAQMD threshold for Reactive Organic Gasses (ROG) for Volatile Organic Compounds (VOC). The majority of ROG emissions are generated during the architectural coatings phase of construction. **MM AQ-1** requires the Project to use low VOC paints. With implementation of **MM AQ-1**, construction ROG emissions would be below the SCAQMD's thresholds, and impacts would be less than significant. Project-generated emissions would be primarily associated with motor vehicle use and area sources, such as the use of landscape maintenance equipment and architectural coatings. Project emissions would exceed SCAQMD thresholds for NO<sub>x</sub>. Therefore, regional operations emissions would result in a potentially significant long-term regional air quality impact.

Unmitigated operational emissions would exceed the SCAQMD thresholds for NO<sub>x</sub>. However, through implementation of various mitigation measures discussed below, the Project's operational emissions would be reduced to a less than significant level.

Implementation of **MM AQ-3** and **MM AQ-4** would reduce the Project's operational emissions by utilizing using all-electric cargo handling equipment and appropriate signage for on-site circulation and limiting idling emissions. Additional emissions reductions would result, through the implementation of **MMs GHG 1** through **GHG-8** (refer to **Section 4.7: Greenhouse Gas Emissions**) which includes the implementation of installation of solar photovoltaic (PV) panels, a TDM program, prohibiting cold storage, providing incentives for emissions reduction programs and implementation measures for tenants, EV infrastructure for employee parking, diversion of 75 percent of landfill waste, and providing electrical hookups for future electric trucks, and limiting natural gas consumption during Project operations to 10 million kBTU/year.

**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-4** and **MMs GHG-1 through GHG-8**.

**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 **MMs AQ-1 through AQ-4** and **MMs GHG-1 through GHG-8** 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 4.2-19 through 4.2-26.

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

Construction emissions from the Project are below SCAQMD Localized Significance Thresholds (LST). 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 would also require zero emission (i.e., powered by electricity or other alternative fuels) cargo handling equipment through implementation of **MM AQ-3**. Implementation of the proposed mitigation measures would reduce cancer risk to 4.35 in one million. Therefore, impacts associated with carcinogenic risk would be less than significant.

**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 **MM AQ-3**.

**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 **MM AQ-3** is feasible and is 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.

## **5.4 BIOLOGICAL RESOURCES**

#### **Impact 4.3-1: Less than Significant with Mitigation Applied**

No special-status plant species were observed on-site during the field survey. Based on habitat requirements for specific special-status plant species and the availability and quality of habitat needed by each species, it was determined that the Project site does not provide suitable habitat for any of the special-status plant species or special-status wildlife in the vicinity of the Project site. To further avoid any

potential impacts to biological resources, implementation of **MMs BIO-1** and **BIO-2**, a less than significant impact would occur.

**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 **Section 4.3: Biological Resources** 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.

**MM BIO-1:** If grading or construction activities, including vegetation removal, 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 (3) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The results of the survey shall be submitted to the City prior to obtaining a grading permit. The Project Applicant shall ensure that impacts to nesting bird species at the project site are avoided through the implementation of preconstruction surveys, ongoing monitoring, and if necessary, establishment of minimization measures. The Project Applicant shall adhere to the following:

- a) The Project Applicant shall designate a biologist (Designated Biologist) experienced in: identifying local and migratory bird species of special concern; conducting bird surveys using appropriate survey methodology; nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, and identifying nesting stages and nest success; determining/establishing appropriate avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures.
- b) Surveys shall be conducted by the Designated Biologist at the appropriate time of day/night, during appropriate weather conditions, no more than 3 days prior to the initiation of project activities. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration shall take into consideration the size of the project site; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate. If a nest is suspected, but not confirmed, the Designated Biologist shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be inferred based on observations. If a nest is observed, but thought to be

inactive, the Designated Biologist shall monitor the nest for one hour (four hours for raptors during the non-breeding season) prior to approaching the nest to determine status. The Designated Biologist shall use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate.

- c) If an active avian nest is confirmed, the Designated Biologist shall immediately establish a conservative avoidance buffer surrounding the nest based on their best professional judgement and experience. The Designated Biologist shall monitor the nest at the onset of Project activities, and at the onset of any changes in such Project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the Designated Biologist determines that such project activities may be causing an adverse reaction, the Designated Biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. All work within these buffers will be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest). The onsite qualified biologist will review and verify compliance with these nesting avoidance buffers and will verify the nesting effort has finished. Work can resume within these avoidance areas when no other active nests are found. Upon completion of the survey and nesting bird monitoring, a report shall be prepared and submitted to County for mitigation monitoring compliance record keeping.

**MM BIO-2:**

The Project Developer shall retain a qualified biologist to conduct a 30-day preconstruction 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 4.4-18 through 4.3-23.

#### **Impact 4.3-6: Less than Significant Impact with Mitigation Applied**

The Project site is located in the City of Menifee 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. Development of the Project would not result in impacts to riparian/riverine habitats and a DBESP would not be required for the loss of riparian/riverine habitat from development of the Project. Additionally, the Project site does not provide suitable habitat for any of the Narrow Endemic Plant Species. Project site and off-site improvement areas are 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. The Project site and off-site improvement areas are 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 and off-site improvement areas are 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 (\$19,066/acre)<sup>1</sup> for industrial developments and SKR HCP Mitigation fees, and implementation of **MM BIO-1** and **BIO-2**, development of the Project site would be fully consistent with the MSHCP.

**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 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, the following **MMs BIO-1** and **BIO-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 4.3-25 through 4.3-27.

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<sup>1</sup> Regional Conservation Authority. 2022. *MSHCP Mitigation Fee Implementation Manual 2022 Update*. Available at <https://www.wrc-rca.org/development-applications/permits-and-fees/>. Accessed August 15, 2022.

## 5.5 CULTURAL RESOURCES

### **Impact 4.4-1: Less than Significant Impact with Mitigation Applied**

According to the cultural resources investigation, the Project site has been subject to mechanical clearing and discing for current and previous industrial and agricultural uses. The Project site contains an active scaffold business with several shade structures and storage containers; however this complex is not 45 years of age or more, and therefore is not historic and as such does not warrant further consideration. No other historic age resources were observed within the Project boundaries.

Additionally, the Project site was subject to severe disturbances associated with mechanical clearing, discing, dumping for development and maintenance of the modern scaffold business, as well as agricultural uses and off-road vehicle activities. These factors indicate the Project site would have low sensitivity for significant buried resources within the site boundaries. However, ground disturbing activities could potentially reveal buried deposits. Therefore, **MM CUL-1** would be implemented. Compliance with **MM CUL-1** would ensure the Project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5.

**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 with implementation of **MM CUL-1**.

**Mitigation Measures:** Based upon the analysis presented in **Section 4.4: Cultural Resources** 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.

**MM CUL-1** Prior to the initiation of ground-disturbing activities, field personnel would be alerted to the possibility of buried prehistoric or historic cultural deposits. In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find would cease and a qualified archaeologist would be retained to assess the significance of the find. The qualified archaeologist would have the authority to stop (within a certain radius of the find, as determined by the archaeologist) or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing on the California Register of Historical Resources or the National Register of Historic Places, plans for the treatment, evaluation, and mitigation of impacts to the find will need to be developed. Prehistoric or historic cultural materials that may be encountered during ground-disturbing activities include:

- prehistoric flaked-stone artifacts and debitage (waste material), consisting of obsidian, basalt, and or cryptocrystalline silicates;
- groundstone artifacts, including mortars, pestles, and grinding slabs;

- dark, greasy soil that may be associated with charcoal, ash, bone, shell, flaked stone, groundstone, and fire affected rocks;
- human remains;
- historic-period artifacts such as glass bottles and fragments, cans, nails, ceramic and pottery fragments, and other metal objects;
- historic-period structural or building foundations, walkways, cisterns, pipes, privies, and other structural elements.

**Supportive Evidence:** Please refer to Draft EIR pages 4.4-14 through 4.4-15.

No impacts were concluded to be significant.

#### **Impact 4.4-2: Less than Significant Impact with Mitigation Applied**

Four prehistoric and three prehistoric/historic archaeological sites have been recorded within a one half-mile radius of the Project site. Although there are prehistoric archaeological sites surrounding the Project site, the Project would comply with the City's Standard Conditions of Approval COA-CUL-1 through COA-CUL-7 to avoid any inadvertent discovery of archaeological resources. Furthermore, the Project would adhere to **MM CUL-1** to further reduce impacts. Additionally, a record search of the NAHC 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 mitigation and conditional of approval incorporated.

**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 with implementation of **MM CUL-1**.

**Mitigation Measures:** Based upon the analysis presented in **Section 4.4: Cultural Resources**, of the Draft EIR, which is incorporated herein by reference, **MM CUL-1** is feasible and is 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 page 4.4-15.

No impacts were concluded to be significant.

## **5.6 ENERGY**

No impacts were concluded to be significant.

## 5.7 GEOLOGY AND SOILS

### **Impact 4.6-5: Less than Significant Impact with Mitigation Applied**

The construction of the Project would involve excavation activities (initial site stripping including the removal of any surficial vegetation from the unpaved areas of the Project site) that would affect surface and near-surface soils. With implementation of **MM GEO-1**, over-excavation areas shall extend at least five (5) feet beyond the building and foundation perimeters, and to an extent equal to the depth of fill placed below the foundation bearing grade, whichever is greater. The native soils that would remain in place below the recommended depth of over-excavation would not be subject to significant stress increases from the foundations of the new structure, therefore after grading completion, post-construction settlements would be within tolerable limits. 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. Dust control measures such as watering would be utilized 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 (further information about dust control can be found in **Section 4.2: Air Quality** of this Draft EIR). Depending on the final grading plan for the Project, a structural setback may be required to prevent excessive differential settlement induced by new fill loading that would cause structure damage to planned structures. **MM GEO-1** would require the Applicant to comply with the recommendations of a Final Geotechnical Evaluation and the most current CBC adopted by the City as its building code. With implementation of **MM GEO-1** potential project impacts related to potential for substantial soil erosion or the loss of topsoil would be less than significant. Per **MM GEO-1**, excavation, filling, and subgrade preparation would be performed in a manner and sequence that would provide drainage at all times and proper control of erosion. Operation of the Project would not involve procedures which would result in substantial soil erosion. Following construction of the Project, the Project site would be covered with hardscape which would not contribute to erosion, and it would contain landscaping, but these areas would include ground covers to reduce erosion or and loss of on-site soils post-construction. This would ensure that operation of the Project site would not result in the loss of topsoil or sedimentation into local drainage facilities and water bodies; refer to **Section 4.9: Hydrology and Water Quality**. In addition, a network of storm drains and gutters would be installed and maintained as necessary throughout the developed site. Therefore, the potential for substantial soil erosion or the loss of topsoil is considered less than significant with mitigation incorporated.

**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.

**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 Mitigation Measure is feasible and is made



binding through the MMRP. Imposition of this mitigation measure will reduce potentially significant impacts to less than significant.

**MM GEO-1**

Incorporation of and compliance with the recommendations in the Project geotechnical Investigation. All grading, construction and operations shall be conducted in conformance with the recommendations included in the Geotechnical Investigation for the Project site prepared by Southern California Geotechnical Inc., specifically the Geotechnical Investigation of Proposed Warehouse East Side of Dawson Road, 330± Feet South of Ethanac Road Menifee, California for Core5 Industrial Partners, dated June 17, 2021. Specific recommendations in the geotechnical investigation address the following and shall be incorporated into the final Project plans and construction-level geotechnical report:

1. Removal of undocumented fill soils in their entirety and any soils disturbed during site stripping and demolition operations (remedial grading) and replace these materials as compacted structural fill soils.
2. Proper moisture conditioning of all building pad subgrade soils to a moisture content of 2 to 4 percent above the ASTM D-1557 optimum during site grading. In addition to adequately moisture conditioning the subgrade soils and fill soils during grading, special care shall be taken to maintaining moisture content of these soils at 2 to 4 percent above the optimum moisture content. This will require the contractor to frequently moisture condition these soils throughout the grading process, unless grading occurs during a period of relatively wet weather, as determined by the City Engineer.
3. Additional soluble sulfate testing shall be conducted by a qualified geologist at the completion of rough grading and prior to issuance of a building permit to verify the soluble sulfate concentrations of the soils which are present at pad grade within the building area. If soluble sulfate concentrations above 0.10 percent are present, specialized concrete mix designs shall be required to reduce degradation of concrete which comes into contact with these soils. A qualified geologist will determine the specialized concrete mix for construction, if needed, upon results of lab testing of soluble sulfate soils.
4. Due to the presence of corrosive soils on-site for iron and copper piping, polyethylene protection for cast iron or ductile iron pipes shall be required.
5. Demolition of the existing CAB pavements and canopy in the northern region of the site is required. Additionally, any existing improvements that will not remain in place for use with the new development shall be removed in their entirety. This shall include all utilities, and any other subsurface improvements associated with the existing pavements. Debris resultant from demolition shall be disposed of off-site. Alternatively, the existing CAB may be re-used as compacted fill, provided they are cleaned from any debris or organic content, and well mixed with sandy soils. Mixing CAB with clayey soils is not recommended.

Initial site stripping shall include removal of any surficial vegetation from the unpaved areas of the site. This shall include any weeds, grasses, shrubs, and trees. Root systems associated with the trees shall be removed in their entirety, and the resultant excavations shall be backfilled with compacted structural fill soils. Any organic materials shall be removed and disposed of off-site, or in non-structural areas of the property. The actual extent of site stripping shall be determined in the field by the geotechnical engineer, based on the organic content and stability of the materials encountered.

6. Remedial grading shall be performed within the proposed building area in order to remove the existing undocumented fill soils, any soils disturbed during demolition, and a portion of the near-surface native alluvium. Based on conditions encountered at the boring locations, the existing soils within the proposed building area are recommended to be over-excavated to a depth of at least 3 feet below existing grades and to a depth of at least 3 feet below proposed building pad subgrade elevations, whichever is greater. The depth of the over-excavation shall also extend to a depth sufficient to remove all undocumented fill soils and soils disturbed during site striping and demolition. Within the influence zones of the new foundations, the over-excavation shall extend to a depth of at least 2 feet below proposed foundation bearing grade.

The over-excavation areas shall extend at least 5 feet beyond the building and foundation perimeters, and to an extent equal to the depth of fill placed below the foundation bearing grade, whichever is greater. If the proposed structure incorporates any exterior columns (such as for a canopy or overhang) the area of over-excavation shall also encompass these areas.

Following completion of the over-excavation, the subgrade soils within the building area shall be evaluated by the geotechnical engineer to verify their suitability to serve as the structural fill subgrade, as well as to support the foundation loads of the new structure. This evaluation shall include proof-rolling and probing to identify any soft, loose, or otherwise unstable soils that must be removed. Some localized areas of deeper excavation may be required if additional fill materials or loose, porous, or low-density native soils are encountered at the base of the over-excavation.

After a suitable over-excavation subgrade has been achieved, the exposed soils shall be scarified to a depth of at least 12 inches and moisture conditioned to achieve a moisture content of 2 to 4 percent above optimum moisture content. The subgrade soils shall then be recompacted to at least 90 percent of the ASTM D-1557 maximum dry density. The building pad area may then be raised to grade with previously excavated soils or imported structural fill.

7. The existing soils within the areas of any proposed retaining walls and site walls shall be over-excavated to a depth of 2 feet below foundation bearing grade and

replaced as compacted structural fill as discussed above for the proposed building pad. Any undocumented fill soils or disturbed native alluvium within any of these foundation areas shall be removed in their entirety. The over-excavation areas shall extend at least 2 feet beyond the foundation perimeters, and to an extent equal to the depth of fill below the new foundations. Any erection pads for tilt-up concrete walls are considered to be part of the foundation system. Therefore, these over-excavation recommendations are applicable to erection pads. The over-excavation subgrade soils shall be evaluated by the geotechnical engineer prior to scarifying, moisture conditioning to within 2 to 4 percent above the optimum moisture content, and recompacting the upper 12 inches of exposed subgrade soils. The previously excavated soils may then be replaced as compacted structural fill.

If the full lateral recommended remedial grading cannot be completed for the proposed retaining walls and site walls located along property lines, the foundations for those walls shall be designed using a reduced allowable bearing pressure. Furthermore, the contractor shall take necessary precautions to protect the adjacent improvements during rough grading. Specialized grading techniques, such as A-B-C slot cuts, will likely be required during remedial grading. The geotechnical engineer of record shall be contacted if additional recommendations, such as shoring design recommendations, are required during grading.

8. Subgrade preparation in the new flatwork, parking and drive areas shall initially consist of removal of all soils disturbed during stripping and demolition operations.

The geotechnical engineer shall then evaluate the subgrade to identify any areas of additional unsuitable soils. Any such materials shall be removed to a level of firm and unyielding soil. The exposed subgrade soils shall then be scarified to a depth of 12± inches, moisture conditioned to 2 to 4 percent above the optimum moisture content, and recompacted to at least 90 percent of the ASTM D-1557 maximum dry density. Based on the presence of variable strength surficial soils throughout the site, it is expected that some isolated areas of additional over-excavation may be required to remove zones of lower strength, unsuitable soils.

The grading recommendations presented above for the proposed flatwork, parking and drive areas assume that the owner and/or developer can tolerate minor amounts of settlement within these areas. The grading recommendations presented above do not mitigate the extent of undocumented fill or compressible/collapsible native alluvium in the flatwork, parking, and drive areas. As such, some settlement and associated pavement distress could occur. If the owner cannot tolerate the risk of such settlements, the flatwork, parking, and drive areas shall be over-excavated to a depth of 2 feet below proposed

- pavement subgrade elevation, with the resulting soils replaced as compacted structural fill.
9. Fill soils shall be placed in thin ( $6\pm$  inches), near-horizontal lifts, moisture conditioned (or air dried) to 2 to 4 percent above the optimum moisture content, and compacted.
    - a. On-site soils may be used for fill provided they are cleaned of any debris to the satisfaction of the geotechnical engineer.
    - b. All grading and fill placement activities shall be completed in accordance with the requirements of the latest CBC and the grading code of the City of Menifee.
    - c. All fill soils shall be compacted to at least 90 percent of the ASTM D-1557 maximum dry density. Fill soils shall be well mixed.
    - d. Compaction tests shall be performed periodically by the geotechnical engineer as random verification of compaction and moisture content. These tests are intended to aid the contractor. Since the tests are taken at discrete locations and depths, they may not be indicative of the entire fill and therefore shall not relieve the contractor of his responsibility to meet the job specifications.
  10. All imported structural fill shall consist of very low expansive ( $El < 20$ ), well graded soils possessing at least 10 percent fines (that portion of the sample passing the No. 200 sieve).
  11. All utility trench backfill shall be compacted to at least 90 percent of the ASTM D-1557 maximum dry density. As an alternative, a clean sand (minimum Sand Equivalent of 30) may be placed within trenches and compacted in place (jetting or flooding is not recommended). Compacted trench backfill shall conform to the requirements of the local grading code, and more restrictive requirements may be indicated by the City of Menifee. All utility trench backfills shall be witnessed by the geotechnical engineer. The trench backfill soils shall be compaction tested where possible; probed and visually evaluated elsewhere.
  12. Utility trenches which parallel a footing, and extending below a 1h:1v (horizontal to vertical) plane projected from the outside edge of the footing shall be backfilled with structural fill soils, compacted to at least 90 percent of the ASTM D-1557 standard. Pea gravel backfill should not be used for these trenches.
  13. Any soils used to backfill voids around subsurface utility structures, such as manholes or vaults, shall be placed as compacted structural fill. If it is not practical to place compacted fill in these areas, then such void spaces may be backfilled with lean concrete slurry.

Additional site testing and final design evaluation shall be conducted by the Project geotechnical consultant to refine and enhance these requirements. The Project Applicant/Developer shall require the Project geotechnical consultant to assess whether the requirements in that report need to be modified or refined to address any changes in the Project features that occur prior to the start of grading. If the Project geotechnical consultant identifies modifications or refinements to the requirements, the Project Applicant/Developer shall require appropriate changes to the final Project design and specifications. Design, grading, and construction shall be performed in accordance with the requirements of the City of Menifee Municipal Code and the California Building Code applicable at the time of grading, appropriate local grading regulations, and the requirements of the Project geotechnical consultant as summarized in a final written report, subject for review by the City of Menifee City Engineer, or designee, prior to commencement of grading activities.

Grading plan review shall also be conducted by the City of Menifee City Engineer or designee prior to the start of grading to verify that the requirements developed during the geotechnical design evaluation have been appropriately incorporated into the Project plans. Design, grading, and construction shall be conducted in accordance with the specifications of the Project Geotechnical Consultant as summarized in a final report based on the California Building Code applicable at the time of grading and building, and the City of Menifee's Municipal Code. On-site inspection during grading shall be conducted by the Project geotechnical consultant and the City of Menifee City Engineer, or designee, to ensure compliance with geotechnical specifications as incorporated into project plans. Prior to final of grading permits, the Project geotechnical engineer shall submit a Final Testing and Observation Geotechnical Report for Rough Grading to the City of Menifee City Engineer, or designee.

**Supportive Evidence:** Please refer to Draft EIR pages 4.6-12 through 4.6-18.

#### **Impact 4.6-6: Less than Significant Impact with Mitigation Applied**

Liquefaction and landslides are not considered to be a design concern for the Project, and SCG determined the potential for lateral spreading and subsidence would be considered low as discussed below. The near-surface soils at this site generally consist of silty sands, sandy sits, and clayey sands with occasional sandy clays. The major cause of ground subsidence is the excessive withdrawal of groundwater. Based on the conditions encountered in the borings and trenches conducted for the geotechnical report, groundwater was not encountered. Therefore, based on anticipated groundwater depths, groundwater would not affect excavations for the foundations and utilities. However, minor subsidence would occur in the soils below the zone of soil removal, due to settlement and machinery working. The subsidence is estimated to be 0.10 feet. As described above, **MM GEO-1** ensures compliance with the geotechnical report recommendations to support the proposed structures and offset impacts from subsidence of 0.10 feet such as scarification and air drying of over-excavated materials to obtain a stable subgrade. Compliance

with **MM GEO-1** ensures impacts from potential subsidence of 0.10 feet would be reduced to a less than significant level.

**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.

**Mitigation Measures: MM GEO-1**

**Supportive Evidence:** Please refer to Draft EIR pages 4.6-18 through 4.6-19.

**Impact 4.6-7: Less than Significant Impact with Mitigation Applied**

Based on the presence of expansive soils at this site, the geotechnical study recommends that care should be given to proper moisture conditioning of all building pad subgrade soils to a moisture content of two to four percent above the Modified Proctor optimum during site grading. All imported fill soils should have low expansive characteristics. In addition to adequate moisture conditioning the subgrade soils and fill soils during grading, special care must be taken to maintain the moisture content of these soils at two to four percent above the Modified Proctor optimum. Due to the existing expansive soils potential, **MM GEO-1** would be implemented to frequently moisture condition these soils throughout the grading process unless grading occurs during a period of relatively wet weather, and a less than significant impact would occur.

**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.

**Mitigation Measures:** Based upon the analysis presented in Section 4.6: Geology and Soils of the Draft EIR, which is incorporated herein by reference, **MM GEO-1** is feasible and is 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 4.6-19 through 4.6-20.

**Impact 4.6-9: Less than Significant Impact with Mitigation Applied**

A paleontological overview was completed for the Project site. The geologic units underlying the Project area are mapped primarily alluvial fan deposits from the late to middle Pleistocene epoch. These alluvial units are considered highly paleontologically sensitive. Any fossil specimens recovered from the Project would be scientifically significant. Excavation activity associated with the development of the Project area would impact the paleontologically sensitive Pleistocene units, and it is the recommendation of the Western Science Center that a paleontological resource mitigation program be put in place to monitor, salvage, and curate any recovered fossils from the Project area.

The geologic units underlying the Project area are mapped entirely as old alluvial fan deposits, such as silt, sand, and gravel, dating to the late to middle Pleistocene, which is considered to be of high paleontological sensitivity. Based on these results, **MM GEO-2** will be implemented. With implementation of **MM GEO-2**, impacts would be reduced to less than significant.

**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.

**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 Mitigation Measure is feasible and is made binding through the MMRP. Imposition of this mitigation measure 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 shall 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 cataloged and curated into the permanent collections of a scientific institution.
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 4.6-20 through 4.6-21.

## 5.8 GREENHOUSE GAS EMISSIONS

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

## 5.9 HAZARDS AND HAZARDOUS MATERIALS

### **Impact 4.8-1: Less than Significant Impact with Mitigation Applied**

Project construction would involve the use, storage, transport, and disposal of hazardous materials and would therefore be required to conform to existing laws and regulations. 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 safety impacts. Therefore, hazards to the public or the environment arising from the routine transport, use, or disposal of hazardous materials during Project construction would be less than significant. The Project site parcels were historically used for agricultural purposes. There is a potential that agricultural related chemicals such as pesticides, herbicides and fertilizers, may have been used and stored on-site. It is expected that during grading and redevelopment activities shallow soils containing any residual agricultural chemicals will be either removed or mixed with fill materials and further may be placed beneath structural fill materials that will reduce the potential for direct exposure to residual agricultural chemicals (if any). Furthermore, residual agricultural chemicals (if any) would have likely degraded since the site was last utilized for agricultural purposes. Based on these reasons, the possible former use of agricultural chemicals is not expected to represent a significant environmental concern. Additionally, implementation of **MM HAZ-1** would ensure proper handling of contaminated soils and substances which may be encountered. 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. While the operation of the Project site is not anticipated to generate significant impacts, mitigation proposed for the Project's construction phase would be necessary to reduce potential impacts to less than significant levels. Therefore, hazards to the public or the environment arising from the routine transport, use, or disposal of hazardous materials during Project construction and operations would be less than significant with mitigation incorporated.

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

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 pertaining to the routine transport, use, or disposal of hazardous materials.



**Mitigation Measures:** Based upon the analysis presented in **Section 4.8: Hazards and Hazardous Materials**, 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.

**MM HAZ-1** Soil Management Plan (SMP). Prior to issuance of a grading permit or trenching or subsurface excavation for utilities or roadway infrastructure, the Master Developer, or Site Developer shall retain a qualified environmental professional to prepare a SMP that details procedures and protocols for on-site management of soils containing potentially hazardous materials. The purpose of the SMP is to outline protocol for ensuring the proper handling and/or disposal of impacted soil and/or subsurface features of concern that may be encountered during site development. The SMP shall be submitted to the City's Building and Safety Division for review and approval prior to commencement of trenching or subsurface excavation for utilities or roadway infrastructure.

The SMP shall include, but not be limited to:

- Land use history, including description and locations of known contamination;
- The nature and extent of previous investigations and remediation at the site;
- Identified areas of concern at the site, in relation to proposed activities;
- A listing and description of institutional controls, such as applicable City ordinances and other local, state, and federal regulations and laws that would apply to the project;
- Names and positions of individuals involved with soils management and their specific role;
- An earthwork schedule;
- Requirements for site-specific Health and Safety Plans (HSPs) to be prepared by all contractors at the project site. The HSP should be prepared by a Certified Industrial Hygienist and would protect on-site workers by including engineering controls, personal protective equipment, monitoring, and security to prevent unauthorized entry and to reduce construction related hazards. The HSP should address the possibility of encountering subsurface hazards including hazardous waste contamination and include procedures to protect workers and the public;
- Hazardous waste determination and disposal procedures for known and previously unidentified contamination, including those associated with any soil export activities, if applicable;
- Requirements for site specific techniques at the site to minimize dust, manage stockpiles, run on and run-off controls, waste disposal procedures, etc.; and
- Copies of relevant permits or closures from regulatory agencies.

**Supportive Evidence:** Please refer to Draft EIR pages 4.8-23 through 4.8-26.

### **Impact 4.8-2: Less than Significant Impact with Mitigation Applied**

The construction of new developments such as the Project site 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 used during construction phases, or as a result of the exposure of contaminated soil during grading activities. Database searches did not reveal any Leaking Underground Storage Tanks (LUSTs), Underground Storage Tanks (USTs) or Above-ground Storage Tanks (ASTs) located on the Project site. However, there are two LUST sites 0.5-mile from the Project area at 27856 Highway 74, Romoland, CA 92380 and 27411 Ethanac Road, Romoland, CA 92580. The Phase I ESA did not identify the LUST sites as a recognized environmental condition (REC) and no RECs, controlled recognized environmental conditions (CRECs), or historical recognized environmental conditions (HRECs), were identified on-site. Furthermore, the Project site itself is not on the Cortese list. During the Phase I ESA site reconnaissance, no evidence for high potential for environmental concerns was observed. Despite the limited potential for the exposure of the public and environment to hazardous materials, with **MM HAZ-1** and compliance with all applicable federal, state, and regional regulations, the impact would be reduced to less than significant levels with mitigation incorporated. Prior to Project approval, a 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. As stated previously, the CUPA program provided by the County is designed to consolidate, coordinate, and uniformly and consistently administer permits, inspection activities, and enforcement activities throughout Riverside County. Furthermore, household hazards such as cleaners and solvents contain such low quantities of liquid and material that they do not pose a significant threat related to the release of hazardous materials into the environment. Therefore, 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.

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

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 pertaining to the routine transport, use, or disposal of hazardous materials.

**Mitigation Measures: MM HAZ-1**

**Supportive Evidence:** Please refer to Draft EIR pages 4.8-26 through 4.8-27.

## **5.10 HYDROLOGY AND WATER QUALITY**

### **Impact 4.9-1: Less than Significant with Mitigation Incorporated**

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 City 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 best management practices (BMPs). Overall, the Project would not violate water quality standards or waste discharge requirements with implementation of **MM HYD-1** and **HYD-2**.

**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.

**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.

**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 Notice of Intent, Risk Assessment, Post-Construction Calculations, a Site Map, the Stormwater Pollution Prevention Plan (SWPPP), a signed certification statement by the Legally Responsible Person, and the first annual fee.

The required 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 Operations and Maintenance (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:

- Site Design BMPs
- Source Control BMPs
- Treatment Control BMPs
- BMP Sizing
- Equivalent Treatment Control Alternatives
- Regionally-Based Treatment Control BMPs
- 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**

Development of the Project would alter the existing drainage pattern of the site since the existing site is predominately undeveloped with little existing impervious surfaces. However, the Project Applicant would obtain a 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.

**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.

**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.

#### **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. As previously discussed in Impact 4.9-1, the Project's drainage system has been designed to mitigate this impact, by providing an on-site detention basin/pump station, combined with a comprehensive on-site and off-site storm drainage system. The drainage design recommendations are included in the Project design plans and have been designed to ensure that all on- and off-site drainage and storm drain facilities would be adequately sized for the 100-year storm event. Additionally, the Project would implement **MM HYD-3**, which would require that the Project Applicant to 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 a less than significant level. Water quality effects of the Project are addressed under Impact 4.9-1 above.

**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.

**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, Mitigation Measures **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 off-site grading permits, off-site grading plans, and final drainage study shall demonstrate compliance with applicable City drainage plans and, design guidelines including but not limited to City of Menifee Municipal Code Chapter 8.26 Grading Regulations and at the discretion of the City Engineer/Public Works Director.

**Supportive Evidence:** Please refer to Draft EIR pages 4.9-19 through 4.9-20.

**Impact 4.9-5: Less than Significant with Mitigation Incorporated**

According to maps published by the FEMA, the Project site is located within an area subject to flood hazards, Flood Zone X. Zone X is defined as “Areas determined to be outside the 0.2 percent annual chance floodplain.” As part of the Project design features, on-site flows would be collected by a system of on-site drainage improvements, catch basins, and detention basins and off-site drainage improvements proposed at Dawson Road and Antelope Road which would convey runoff to the proposed Storm Drain Lateral A-1A and A-1B. The Project’s flows would connect Riverside County DAMP facility Lateral B-8, and ultimately drain to Canyon Lake. This classifies the Project as a HCOC nonexempt area. As noted in Impact 4.9-1 and 4.9-4 above, the Project would mitigate the increase in runoff and the 100-year storm would be routed to match existing and proposed flow rates. The flows would be routed by storing the volume in the detention basins until the runoff overflows and releases to meet drawdown requirements. All flows would be treated for water quality purposes and all flows would be convey south in the proposed storm drainages. Therefore, with implementation of efficient design measures and applicable BMPs pursuant the Project’s WQMP and SWPPP (**MMs HYD-1, -2, and -3**), the Project would not substantially impede or redirect flood flows and no on-site flooding would occur.

**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.

**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, HYD-2, and HYD-3** 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 4.9-6: Less than Significant with Mitigation Incorporated**

The northeastern portion of the Project site is largely within an area determined to be outside the 0.2 percent annual chance floodplain, identified as Zone X. The southwestern portion of the Project site is located within a special flood hazard area subject to inundation by the one percent annual chance flood, identified as Zone A.

As concluded in the previous impact thresholds, BMPs have been incorporated into the Project’s site design to fully address the proposed DMAs. As noted in the Preliminary Drainage Report, with the implementation of the proposed on- and off-site DMAs, runoff would be conveyed to the corresponding

detention basins which have been design appropriately to provide flood protection for the 100-year storm event. As such, the Project would implement BMP's and efficient design measures pursuant to the Project' WQMP and SWPPP (**MMs HYD-1, -2, and -3**), that includes, but is not limited to, the pretreatment of runoff through the proposed bioretention basin. Therefore, the Project 's impacts regarding the risk of pollutants due to inundation would be reduced to less than significant levels.

**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.

**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, HYD-2, and HYD-3** 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 page 4.9-21.

## 5.11 LAND USE AND PLANNING

No impacts were concluded to be significant.

## 5.12 MINERAL RESOURCES

No impacts were concluded to be significant.

## 5.13 NOISE

No impacts were concluded to be significant.

## 5.14 POPULATION AND HOUSING

No impacts were concluded to be significant.

## 5.15 PUBLIC SERVICES

No impacts were concluded to be significant.

## 5.16 RECREATION

No impacts were concluded to be significant.

## 5.17 TRANSPORTATION

No impacts were concluded to be significant.

## 5.18 TRIBAL CULTURAL RESOURCES

No impacts were concluded to be significant.

## 5.19 UTILITIES

No impacts were concluded to be significant.

## 5.20 WILDFIRE

No impacts were concluded to be significant.

# 6.0 FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL IMPACTS WHICH CANNOT BE MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT

## 6.1 AESTHETICS

No impacts were concluded to be significant and unavoidable.

## 6.2 AGRICULTURE AND FORESTRY RESOURCES

No impacts were concluded to be and significant and unavoidable.

## 6.3 AIR QUALITY

No impacts were concluded to be and significant and unavoidable.

## 6.4 BIOLOGICAL RESOURCES

No impacts were concluded to be and significant and unavoidable.

## 6.5 CULTURAL RESOURCES

No impacts were concluded to be and significant and unavoidable.

## 6.6 ENERGY

No impacts were concluded to be and significant and unavoidable.

## 6.7 GEOLOGY AND SOILS

No impacts were concluded to be and 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 1,928 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 64 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 **Table 4.7-3: Project Greenhouse Gas Emissions**. As shown in **Table 4.7-3**, the Project's unmitigated emissions would be approximately 12,665 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 (approximately 78 percent unmitigated and 86 percent mitigated) 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. The Project would be required to comply with several laws, ordinances, and regulations (LOR)s and mitigation measures to reduce operational GHG emissions. LOR-4 through LOR-6 require water efficient irrigation systems, and compliance with Title 24 Energy Efficiency Standards and the CALGreen Code. The Project also includes **MM GHG-1** through **MM GHG-8** to further reduce emissions. In addition, implementation of **MM AQ-1** through **MM AQ-4** further described in **Section 4.2: Air Quality** of this EIR would reduce the Project's construction and operational emissions. As shown in **Table 4.7-3**, mitigation measures would reduce Project GHG emissions by approximately 9 percent; however, total mitigated emissions would continue to exceed the SCAQMD threshold of 3,000 MTCO<sub>2</sub>e per year.

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 **MM AQ-1** through **MM AQ-4** and **MM GHG-1** through **MM GHG-8** are available to further reduce emissions, this impact remains significant and unavoidable.

**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-4**, 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:

<b>MM GHG-1</b>	Prior to issuance of tenant occupancy permits, the Project applicant shall be required to install a minimum 192 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
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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 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, 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 issuance of tenant occupancy permits, Project operators with more than 100 employees shall prepare and submit to the Community Development Director or designee, 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:

- Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options.
- Incorporate bicycle parking and storage, and self-service bicycle repair areas.
- Provide on-site meal options in employee break areas as well as kitchen amenities to prepare and/or heat meals.
- 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 GHG-3**

Prior to the issuance of building permits and prior to issuance of tenant occupancy permits, the City of Menifee Building and Safety Division shall confirm that the Project

does not include cold storage equipment for warehousing purposes. Cold storage was not included in the analysis for the EIR and is therefore prohibited.

**MM GHG-4**

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-5**

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.

**MM GHG-6**

The development 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. This mitigation measure applies only to tenant permits and not the building shell approvals.

**MM GHG-7**

Prior to the issuance of building permits, building plans shall identify the location of future electric truck charging stations (minimum of three) and install conduit to those spaces.

**MM GHG-8**

Prior to the issuance of tenant occupancy permits, the Project applicant shall submit a report to the City of Menifee Building and Safety Division demonstrating total natural gas consumption from the Project will not exceed 10,000,000 kBTU/year.

**Supportive Evidence:** Please refer to Draft EIR pages 4.7-19 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 **MM AQ-1** through **MM AQ-4** in the Project Air Quality Assessment and **MM GHG-1** through **MM GHG-8**; 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-4**, and **GHG-1** through **GHG-8** 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.

**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 and significant and unavoidable.

## 6.10 HYDROLOGY AND WATER QUALITY

No impacts were concluded to be and significant and unavoidable.

## 6.11 LAND USE AND PLANNING

No impacts were concluded to be and significant and unavoidable.

## 6.12 MINERAL RESOURCES

No impacts were concluded to be and significant and unavoidable.

## 6.13 NOISE

No impacts were concluded to be and significant and unavoidable.

## 6.14 POPULATION AND HOUSING

No impacts were concluded to be and significant and unavoidable.

## 6.15 PUBLIC SERVICES

No impacts were concluded to be and significant and unavoidable.

## 6.16 RECREATION

No impacts were concluded to be and significant and unavoidable.

## 6.17 TRANSPORTATION

No impacts were concluded to be and significant and unavoidable.

## 6.18 TRIBAL CULTURAL RESOURCES

No impacts were concluded to be and significant and unavoidable.

## 6.19 UTILITIES

No impacts were concluded to be and significant and unavoidable.

## 6.20 WILDFIRE

No impacts were concluded to be and 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);
- Tax existing community service facilities, requiring the 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, nor does the site zoning allow for residential development. The Project would generate employment, but the existing 4.4 percent unemployment rate in Riverside County<sup>2</sup> suggests that there is a need for local employment opportunities which are anticipated to be filled by locals.

Second, the Project would not remove obstacles to population growth. The proposed Project’s development is localized to the Project site. The Project would not amend the Land Use Element or increase density on the parcels adjacent to the Project site. While the development of the Project would involve the expansion and updating of utility facilities such as electricity and water connections and the

<sup>2</sup> State of California Employment Development Department. (2023). Local Area Unemployment Statistics (LAUS) - Riverside County (Preliminary for May 2023). Retrieved from: <https://data.edd.ca.gov/Labor-Force-and-Unemployment-Rates/Local-Area-Unemployment-Statistics-LAUS-Riverside-/f6zd-dtm5> (accessed October 2023).

improvement of existing roadways, these improvements would serve the existing residences and businesses in the City and would improve services to these facilities 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 provide improvements to serve each project, as necessary.

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 currently substantially vacant with some existing adjacent unimproved roadways. Adjacent and nearby uses, including non-confirming residential and commercial developments, are served by existing utilities, including electricity, natural gas, and wet and dry facilities but they have not been extended into the Project site. Existing utilities would be extended and upgraded as needed during construction of Project to serve the anticipated demands and to accommodate operation of the warehouse. The Project would include infrastructure improvements and connections to allow for the efficient use of resources such as natural gas, electricity, sewer, 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.

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.

**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 5-4 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 Building Intensity Alternative
- 3) Building Square Footage Reduction with Additional Trailer Parking 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.

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, Menifee North Specific Plan, 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 BUILDING INTENSITY (15% REDUCTION) (ALTERNATIVE 2)

**Description:** Alternative 2 assumes the proposed Project would undergo a 15 percent reduction in the overall square footage of the proposed warehouse building, removing mezzanine space (200,000 SF). Alternative 2 would minimize overall impacts related to the scale of the Project by 15 percent in square feet of proposed buildings.

**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. A smaller building size would still be consistent with land use designations for the Project site. Utility demand would be decreased due to the smaller building size as well, along with the associated fire hazards.

Alternative 2 would meet all of the Project Objectives. However, Alternative 2 does not maximize the City’s benefits realized or achieve the Project Objectives when compared to the proposed Project due to the reduced building square footage (200,000 SF) of interior mezzanine. Additionally, the reduction in impacts would not be significant enough to eliminate or substantially reduce impacts of the Project to the greatest extent feasible.

**Supporting Evidence** – Please see Draft EIR Pages 6-11 through 6-15.

## 8.3 TRAILER STORAGE AND/OR ADDITIONAL VEHICULAR PARKING ON SMALLER SITE (ALTERNATIVE 3)

**Description:** Alternative 3 assumes the proposed non-sort warehouse space would continue to be constructed in its original location, including the same office space, but with a 38.5 percent reduction in building size (700,000 SF remaining) with the excess land for trailer parking lot consisting of 684 trailer

parking stalls and/or a staging area for the warehouse use. Alternative 3 would also include off-site improvements to support the development. Lastly, the additional trailer parking would be used by the building's tenant for storage purposes and would not be used as a truck terminal. Alternative 3 would result in less intensive impacts concerning aesthetics, air quality, energy, greenhouse gas emissions, land use, noise, transportation, and utilities impacts than the proposed Project due to shorter construction timeline and a smaller building footprint.

**Finding** – The City adopts Finding 3.

The City finds that Alternative 3 would result in less intensive impacts concerning aesthetics, air quality, energy, greenhouse gas emissions, land use, noise, transportation, and utilities impacts than the proposed Project due to shorter construction timeline and a smaller building footprint. Additionally, Alternative 3 would meet all of the Project Objectives. However, Alternative 3 does not maximize the City's benefits realized or achievement of the Project Objectives when compared to the proposed Project due to the 38.5 percent reduction in building size (700,000 SF remaining) with the excess land for trailer/auto parking lot consisting of 616 automobile parking stalls and 684 trailer parking stalls.

**Supporting Evidence** – Please see Draft EIR Pages 6-15 through 6-20.

## **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 September 29, 2023, and November 13, 2023. 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. 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 FEIR, and the record.

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 Motte Business Center (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>2</sub>e threshold and even with **MM AQ-1** through **AQ-4** in **Section 4.2: Air Quality** and **MMs GHG-1** through **GHG-8** 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; 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 following General Plan Goals and Policies through the implementation of PDFs and Mitigation Measures.

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-1.2**            Require development to mitigate its traffic impacts and achieve a peak hour Level of Service (LOS) D or better at intersections, except at constrained intersections at close proximity to the I-215 where LOS E may be permitted.
- 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-2.2**            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.
- Policy C-2.4**            Explore opportunities to expand the pedestrian and bicycle networks; this includes consideration of utility easements, drainage corridors, road rights-of-way, and other potential options.

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).

<b>Policy CD-3.5</b>	Design parking lots and structures to be functionally and visually integrated and connected; off-street parking lots should not dominate the street scene.
<b>Policy CD-3.8</b>	Design retention/detention basins to be visually attractive and well-integrated with any associated project and with adjacent land uses.
<b>Policy CD-3.9</b>	Utilize Crime Prevention through Environmental Design (CPTED) techniques and defensible space design concepts to enhance community safety.
<b>Policy CD-3.10</b>	Employ design strategies and building materials that evoke a sense of quality and permanence.
<b>Policy CD-3.14</b>	Provide variations in color, texture, materials, articulation, and architectural treatments. Avoid long expanses of blank, monotonous walls or fences.
<b>Policy CD-3.15</b>	Require property owners to maintain structures and landscaping to high standards of design, health, and safety.
<b>Policy CD-3.16</b>	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.
<b>Policy CD-3.17</b>	Encourage the use of creative landscape design to create visual interest and reduce conflicts between different land uses.
<b>Policy CD-3.19</b>	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.
<b>Policy CD-3.20</b>	Avoid the blocking of public views by solid walls.
<b>Goal CD-6</b>	<b>Attractive landscaping, lighting, and signage that conveys a positive image of the community.</b>
<b>Policy CD-6.3</b>	Require property owners to maintain the existing landscape on developed nonresidential sites and replace unhealthy or dead landscaping.
<b>Policy CD-6.4</b>	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.
<b>Policy CD-6.5</b>	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:

<b>Goal OSC-8</b>	<b>Protected biological resources, especially sensitive and special status wildlife species and their natural habitats.</b>
<b>Policy OCS-8.4</b>	Identify and inventory existing natural resources in the City of Menifee.
<b>Policy OCS-8.5</b>	Recognize the impacts new development will have on the city's natural resources and identify ways to reduce these impacts.

Goals and policies from the Open Space & Conservation Element applicable to the Project include:

- Goal OSC-9**            **Reduced impacts to air quality at the local level by minimizing pollution and particulate matter.**
- 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-9.5**      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.

Goals and policies from the Open Space & Conservation Element applicable to the Project include:

- 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-5.4**      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.

Goals and policies from the Open Space & 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.

Goals and policies from the Safety Element applicable to the Project include:

- 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-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-4.2:** Ensure, to the maximum extent possible, that fire services, such as firefighting equipment and personnel, infrastructure, and response times, are adequate for all sections of the City. The City will continue to coordinate with the Riverside County Fire Department, for Interagency coordination, to respond to emergency calls in Menifee and to provide training and ongoing programs for public education.

**Policy S-4.4** Review development proposals for impacts to fire facilities and compatibility with fire areas or mitigate.

**Policy S-4.17** The City should ensure that all new development has adequate water, sewer, and fire protection consistent with the most current California Building Code and California Fire Code and will comply with the Board of Forestry and Fire Protection Fire Safe Regulations.

**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:

- 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.
- Goal LU-4**          **Ensure development is consistent with the Riverside County Airport Land Use Compatibility Plan.**
- 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 Open Space & Conservation Element applicable to the Project include:

- 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 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-7.8**      Protect groundwater quality by decommissioning existing septic systems and establishing connections to sanitary sewer infrastructure.

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-1.7**      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 be 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.

**Goal N-2** **Minimal Noise Spillover. Minimal noise spillover from noise-generating uses, such as agriculture, commercial, and industrial uses into adjoining noise-sensitive uses.**

**Policy N-2.1** Require that new developments abutting residentially designated properties that operate stationary noise sources such as industrial, commercial, entertainment, institutional uses, hospitals, or large hotels, be designed to minimize noise impacts generated by loading areas, parking lots, trash enclosures, mechanical equipment, and any other noise-generating features to the extent feasible.

3. Approval of the Project will create maximum employment-generating opportunities for citizens of Menifee and surrounding communities. The Project's initial building and infrastructure construction spending will provide a one-time stimulus to the local and regional economies by creating hundreds of construction related jobs and services. The permanent annual recurring impact will also be substantial by creating long-term employment and generating indirect jobs off site within the City.
4. Approval of the Project will contribute towards maximizing employment opportunities within the City to improve the jobs-housing balance and to reduce systemic unemployment within the City. The Project will attract businesses that can expedite the delivery of essential goods to consumers and businesses in Menifee and beyond the City boundary.
5. Development of the Project site would result in the increase in property taxes through development of vacant and unused parcels through a Tentative Parcel Map and Plot Plan to allow for the development and to allow the City orderly and efficient control of the land use planning of the area. Additionally, payment of applicable DIFs would add to the City's fiscal performance. The Project will also have a wider regional economic impact in the near future. The surrounding area would greatly benefit due to the Applicant's and the City's investment in infrastructure. The extended benefit area would experience tremendous amount of growth in that it would bring more permanent City jobs and increase the annual

recurring economic output in north Menifee. The sales tax revenues generated on behalf of the City by the local employees and residents within the Project and extended benefit areas would represent a sizeable boost to the City's economy.

6. Approval of the Project will result in improved infrastructure to keep pace with the City's ongoing development and will enhance the quality of life for the City's residents by linking land use, transportation and infrastructure development. With implementation of the PDFs and Mitigation Measures (MMs) **Table 4.13-2: Summary of Intersection Operation (Recommended Improvements)**, and **Table 4.13-3, Summary of Roadway Segment Analysis with Recommended Improvements** of the EIR, the Project would be consistent with all applicable traffic thresholds and would provide adequate transportation infrastructure for the Project and the community overall.
7. The Project would provide a high quality and sustainable development. The Project would promote a planning approach that supports a sustainable and healthy community and reduces impacts on the natural environment. For instance, the Project would meet CalGreen Building Code energy efficiency requirements: consistent with Mitigation Measures GHG-1 through GHG-8, the Project would provide conduits for the installation of electrical hookups for future EV trucks and parking areas would be designed to accommodate EVs. Additionally, as noted in LOR-6, the Project would be designed consistent with CalGreen Code 24 CCR, Part 11, as follows:
  - Design buildings to be water efficient. Install water-efficient fixtures in accordance with Section 5.303 (nonresidential) of the California Green Building Standards Code Part 11.
  - 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 (nonresidential) of the California Green Building Standards Code Part 11.
  - Provide storage areas for recyclables and green waste and adequate recycling containers located in readily accessible areas in accordance with Section 5.410 (nonresidential) of the California Green Building Standards Code Part 11.
  - To facilitate future installation of electric vehicle supply equipment (EVSE), nonresidential construction shall comply with Section 5.106.5.3 (nonresidential electric vehicle charging) of the California Green Building Standards Code Part 11.

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 Motte Business Center 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**  
Motte Business Center

## 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 Motte Business Center (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.

<b><i>Acronyms/Abbreviation</i></b>	<b><i>Description</i></b>
ACM .....	Asbestos-Containing Materials
AHERA.....	Asbestos Hazard Emergency Response Act
APU .....	Auxiliary Power Units
AQ.....	Air Quality
AQMD .....	Air Quality Management District
BIO .....	Biological Resources
BMPs.....	Best Management Practices
CalOSHA.....	California Division of Occupational Safety and Health
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
HEPA .....	High Efficiency Particulate Air
LEED.....	Leadership in Energy and Environmental Design

MM .....	Mitigation Measure
Moyer Program.....	Carl Moyer Memorial Air Quality Standards Attainment Program
MSHCP .....	Multiple Species Habitat Conservation Plan
PCC.....	Portland Cement Concrete
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
VOC.....	Volatile Organic Compound
WAIRE .....	Warehouse Actions and Investments to Reduce Emissions Program
WQMP .....	Water Quality Management Plan
XRF.....	X-Ray Fluorescence

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<b>AIR QUALITY</b>				
<p><b>MM AQ-1:</b> The Project applicant shall be required to use paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L. All specifications, plans, and/or details necessary to verify compliance shall be included in the Project's applicable construction drawings. Prior to issuance of a building permit, the City of Menifee Building and Safety Department shall confirm that plans include the following specifications:</p> <ul style="list-style-type: none"> <li>• All architectural coatings will be super-compliant low VOC paints.</li> <li>• Recycle leftover paint. Take any leftover paint to a household hazardous waste center; do not mix leftover water-based and oil-based paints.</li> <li>• Keep lids closed on all paint containers when not in use to prevent VOC emissions and excessive odors.</li> <li>• For water-based paints, clean up with water only. Whenever possible, do not rinse the cleanup water down the drain or pour it directly into the ground or the storm drain. Set aside the can of cleanup water and take it to the hazardous waste center (<a href="http://www.cleanup.org">www.cleanup.org</a>).</li> <li>• Use compliant low-VOC cleaning solvents to clean paint application equipment.</li> <li>• Keep all paint- and solvent-laden rags in sealed containers to prevent VOC emissions.</li> <li>• Contractors shall construct/build with materials that do not require painting and use pre-painted construction materials to the extent practicable.</li> <li>• Use high-pressure/low-volume paint applicators with a minimum transfer efficiency of at least 50 percent or other application techniques with equivalent or higher transfer efficiency.</li> </ul>	Project Applicant; Construction Contractor	Prior to issuance of building permit	City of Menifee Building and Safety Division	



Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<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	
<b>MM AQ-3:</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.	Project Applicant; Building Manager	Ongoing, after issuance of Certificate of Occupancy	City of Menifee Building and Safety Division	
<b>MM AQ-4:</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 posted that states that: <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> </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)
<ul style="list-style-type: none"> <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>				
<b>BIOLOGICAL RESOURCES</b>				
<p><b>MM BIO-1:</b> If grading or construction activities, including vegetation removal, occurs between February 1st and August 31st, a pre-construction clearance survey for nesting birds should be conducted within three (3) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The results of the survey shall be submitted to the City prior to obtaining a grading permit. The Project Applicant shall ensure that impacts to nesting bird species at the Project site and off-site improvement areas are avoided through the implementation of preconstruction surveys, ongoing monitoring, and if necessary, establishment of minimization measures. The Project Applicant shall adhere to the following:</p> <ol style="list-style-type: none"> <li>Applicant shall designate a biologist (Designated Biologist) experienced in: identifying local and migratory bird species of special concern; conducting bird surveys using appropriate survey methodology; nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, and identifying nesting stages and nest success; determining/establishing appropriate avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures.</li> <li>Surveys shall be conducted by the Designated Biologist at the appropriate time of day/night, during appropriate weather conditions, no more than 3 days prior to the initiation of Project activities. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration shall take into consideration the size of the Project site; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate. If a nest is suspected, but not confirmed, the Designated Biologist shall</li> </ol>	Project Applicant; Qualified Biologist	Prior to ground disturbance activities or any vegetation removal	Biological Monitor	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>establish a disturbance-free buffer until additional surveys can be completed, or until the location can be inferred based on observations. If a nest is observed, but thought to be inactive, the Designated Biologist shall monitor the nest for one hour (four hours for raptors during the non-breeding season) prior to approaching the nest to determine status. The Designated Biologist shall use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate.</p> <p>c. If an active avian nest is confirmed, the Designated Biologist shall immediately establish a conservative avoidance buffer surrounding the nest (generally 300 feet for migratory and non-migratory songbirds and 500 feet raptors and special-status species) based on their best professional judgement and experience. The Designated Biologist shall monitor the nest at the onset of Project activities, and at the onset of any changes in such Project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the Designated Biologist determines that such Project activities may be causing an adverse reaction, the Designated Biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. All work within these buffers will be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest). The onsite qualified biologist will review and verify compliance with these nesting avoidance buffers and will verify the nesting effort has finished. Work can resume within these avoidance areas when no other active nests are found. Upon completion of the survey and nesting bird monitoring, a report shall be prepared and submitted to the City for mitigation monitoring compliance record keeping.</p>				
<p><b>MM BIO-2:</b> The Project Developer shall retain a qualified biologist to conduct a 30-day preconstruction 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.</p>	Project Applicant; Qualified Biologist	Prior to ground disturbance activities	Biological Monitor; CDFW (if active burrowing owl burrows are detected during the breeding season))	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>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 onsite 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.</p>				
<b>CULTURAL RESOURCES</b>				
<p><b>MM CUL-1:</b> Prior to the initiation of ground-disturbing activities, field personnel would be alerted to the possibility of buried prehistoric or historic cultural deposits. In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find would cease and a qualified archaeologist would be retained to assess the significance of the find. The qualified archaeologist would have the authority to stop (within a certain radius of the find, as determined by the archaeologist) or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing on the California Register of Historical Resources or the National Register of Historic Places, plans for the treatment, evaluation, and mitigation of impacts to the find will need to be developed. Prehistoric or historic cultural materials that may be encountered during ground-disturbing activities include:</p> <ul style="list-style-type: none"> <li>• prehistoric flaked-stone artifacts and debitage (waste material), consisting of obsidian, basalt, and or cryptocrystalline silicates;</li> <li>• groundstone artifacts, including mortars, pestles, and grinding slabs;</li> </ul>	<p>Project Applicant; Construction Contractor; Qualified Archaeologist</p>	<p>Prior to ground-disturbance activities</p>	<p>City of Menifee Building and Safety Division</p>	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>dark, greasy soil that may be associated with charcoal, ash, bone, shell, flaked stone, groundstone, and fire affected rocks;</li> <li>human remains;</li> <li>historic-period artifacts such as glass bottles and fragments, cans, nails, ceramic and pottery fragments, and other metal objects;</li> <li>historic-period structural or building foundations, walkways, cisterns, pipes, privies, and other structural elements.</li> </ul>				
<b>GEOLOGY AND SOILS</b>				
<p><b>MM GEO-1:</b> Incorporation of and compliance with the recommendations in the Project geotechnical Investigation. All grading, construction and operations shall be conducted in conformance with the recommendations included in the Geotechnical Investigation for the Project site prepared by Southern California Geotechnical Inc., specifically the Geotechnical Investigation of Proposed Warehouse East Side of Dawson Road, 330± Feet South of Ethanac Road Menifee, California for Core5 Industrial Partners, dated June 17, 2021. Specific recommendations in the geotechnical investigation address the following and shall be incorporated into the final Project plans and construction-level geotechnical report:</p> <ol style="list-style-type: none"> <li>1. Removal of undocumented fill soils in their entirety and any soils disturbed during site stripping and demolition operations (remedial grading) and replace these materials as compacted structural fill soils.</li> <li>2. Proper moisture conditioning of all building pad subgrade soils to a moisture content of 2 to 4 percent above the ASTM D-1557 optimum during site grading. In addition to adequately moisture conditioning the subgrade soils and fill soils during grading, special care shall be taken to maintaining moisture content of these soils at 2 to 4 percent above the optimum moisture content. This will require the contractor to frequently moisture condition these soils throughout the grading process, unless grading occurs during a period of relatively wet weather, as determined by the City Engineer.</li> <li>3. Additional soluble sulfate testing shall be conducted by a qualified geologist at the completion of rough grading and prior to issuance of a building permit to verify the soluble sulfate concentrations of the soils which are present at pad grade within the building area. If soluble sulfate concentrations above 0.10 percent are present, specialized concrete mix</li> </ol>	Project Applicant; Project geotechnical consultant and general contractor	During construction activities; Prior to issuance of grading permit	City of Menifee Building and Safety Division; City Engineer	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>designs shall be required to reduce degradation of concrete which comes into contact with these soils. A qualified geologist will determine the specialized concrete mix for construction, if needed, upon results of lab testing of soluble sulfate soils.</p> <p>4. Due to the presence of corrosive soils on site for iron and copper piping, polyethylene protection for cast iron or ductile iron pipes shall be required.</p> <p>5. Demolition of the existing CAB pavements and canopy in the northern region of the site is required. Additionally, any existing improvements that will not remain in place for use with the new development shall be removed in their entirety. This shall include all utilities, and any other subsurface improvements associated with the existing pavements. Debris resultant from demolition shall be disposed of off-site. Alternatively, the existing CAB may be re-used as compacted fill, provided they are cleaned from any debris or organic content, and well mixed with sandy soils. Mixing CAB with clayey soils is not recommended.</p> <p>Initial site stripping shall include removal of any surficial vegetation from the unpaved areas of the site. This shall include any weeds, grasses, shrubs, and trees. Root systems associated with the trees shall be removed in their entirety, and the resultant excavations shall be backfilled with compacted structural fill soils. Any organic materials shall be removed and disposed of off-site, or in non-structural areas of the property. The actual extent of site stripping shall be determined in the field by the geotechnical engineer, based on the organic content and stability of the materials encountered.</p> <p>6. Remedial grading shall be performed within the proposed building area in order to remove the existing undocumented fill soils, any soils disturbed during demolition, and a portion of the near-surface native alluvium. Based on conditions encountered at the boring locations, the existing soils within the proposed building area are recommended to be over-excavated to a depth of at least 3 feet below existing grades and to a depth of at least 3 feet below proposed building pad subgrade elevations, whichever is greater. The depth of the over-excavation shall also extend to a depth sufficient to remove all undocumented fill soils and soils disturbed during site striping and demolition. Within the influence</p>				

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>zones of the new foundations, the over-excavation shall extend to a depth of at least 2 feet below proposed foundation bearing grade.</p> <p>The over-excavation areas shall extend at least 5 feet beyond the building and foundation perimeters, and to an extent equal to the depth of fill placed below the foundation bearing grade, whichever is greater. If the proposed structure incorporates any exterior columns (such as for a canopy or overhang) the area of over-excavation shall also encompass these areas.</p> <p>Following completion of the over-excavation, the subgrade soils within the building area shall be evaluated by the geotechnical engineer to verify their suitability to serve as the structural fill subgrade, as well as to support the foundation loads of the new structure. This evaluation shall include proof-rolling and probing to identify any soft, loose, or otherwise unstable soils that must be removed. Some localized areas of deeper excavation may be required if additional fill materials or loose, porous, or low-density native soils are encountered at the base of the over-excavation.</p> <p>After a suitable over-excavation subgrade has been achieved, the exposed soils shall be scarified to a depth of at least 12 inches and moisture conditioned to achieve a moisture content of 2 to 4 percent above optimum moisture content. The subgrade soils shall then be recompacted to at least 90 percent of the ASTM D-1557 maximum dry density. The building pad area may then be raised to grade with previously excavated soils or imported structural fill..</p> <p>7. The existing soils within the areas of any proposed retaining walls and site walls shall be over-excavated to a depth of 2 feet below foundation bearing grade and replaced as compacted structural fill as discussed above for the proposed building pad. Any undocumented fill soils or disturbed native alluvium within any of these foundation areas shall be removed in their entirety. The over-excavation areas shall extend at least 2 feet beyond the foundation perimeters, and to an extent equal to the depth of fill below the new foundations. Any erection pads for tilt-up concrete walls are considered to be part of the foundation system. Therefore, these over-excavation recommendations are applicable to erection pads. The over-excavation subgrade soils shall be evaluated by the geotechnical engineer prior to scarifying, moisture conditioning to</p>				

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>within 2 to 4 percent above the optimum moisture content, and recompacting the upper 12 inches of exposed subgrade soils. The previously excavated soils may then be replaced as compacted structural fill.</p> <p>If the full lateral recommended remedial grading cannot be completed for the proposed retaining walls and site walls located along property lines, the foundations for those walls shall be designed using a reduced allowable bearing pressure. Furthermore, the contractor shall take necessary precautions to protect the adjacent improvements during rough grading. Specialized grading techniques, such as A-B-C slot cuts, will likely be required during remedial grading. The geotechnical engineer of record shall be contacted if additional recommendations, such as shoring design recommendations, are required during grading.</p> <p>8. Subgrade preparation in the new flatwork, parking and drive areas shall initially consist of removal of all soils disturbed during stripping and demolition operations.</p> <p>The geotechnical engineer shall then evaluate the subgrade to identify any areas of additional unsuitable soils. Any such materials shall be removed to a level of firm and unyielding soil. The exposed subgrade soils shall then be scarified to a depth of 12± inches, moisture conditioned to 2 to 4 percent above the optimum moisture content, and recompacted to at least 90 percent of the ASTM D-1557 maximum dry density. Based on the presence of variable strength surficial soils throughout the site, it is expected that some isolated areas of additional over-excavation may be required to remove zones of lower strength, unsuitable soils.</p> <p>The grading recommendations presented above for the proposed flatwork, parking and drive areas assume that the owner and/or developer can tolerate minor amounts of settlement within these areas. The grading recommendations presented above do not mitigate the extent of undocumented fill or compressible/collapsible native alluvium in the flatwork, parking and drive areas. As such, some settlement and associated pavement distress could occur. If the owner cannot tolerate the risk of such settlements, the flatwork, parking and drive areas shall be over-excavated to a depth of 2 feet below proposed pavement subgrade elevation, with the resulting soils replaced as compacted structural fill.</p>				



Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>9. Fill soils shall be placed in thin (6± inches), near-horizontal lifts, moisture conditioned (or air dried) to 2 to 4 percent above the optimum moisture content, and compacted.</p> <p>a. On-site soils may be used for fill provided they are cleaned of any debris to the satisfaction of the geotechnical engineer.</p> <p>b. All grading and fill placement activities shall be completed in accordance with the requirements of the latest CBC and the grading code of the City of Menifee.</p> <p>c. All fill soils shall be compacted to at least 90 percent of the ASTM D-1557 maximum dry density. Fill soils shall be well mixed.</p> <p>d. Compaction tests shall be performed periodically by the geotechnical engineer as random verification of compaction and moisture content. These tests are intended to aid the contractor. Since the tests are taken at discrete locations and depths, they may not be indicative of the entire fill and therefore shall not relieve the contractor of his responsibility to meet the job specifications.</p> <p>10. All imported structural fill shall consist of very low expansive (EI &lt; 20), well graded soils possessing at least 10 percent fines (that portion of the sample passing the No. 200 sieve).</p> <p>11. All utility trench backfill shall be compacted to at least 90 percent of the ASTM D-1557 maximum dry density. As an alternative, a clean sand (minimum Sand Equivalent of 30) may be placed within trenches and compacted in place (jetting or flooding is not recommended). Compacted trench backfill shall conform to the requirements of the local grading code, and more restrictive requirements may be indicated by the City of Menifee. All utility trench backfills shall be witnessed by the geotechnical engineer. The trench backfill soils shall be compaction tested where possible; probed and visually evaluated elsewhere.</p> <p>12. Utility trenches which parallel a footing, and extending below a 1h:1v (horizontal to vertical) plane projected from the outside edge of the footing shall be backfilled with structural fill soils, compacted to at least 90 percent of the ASTM D-1557 standard. Pea gravel backfill should not be used for these trenches.</p> <p>13. Any soils used to backfill voids around subsurface utility structures, such as manholes or vaults, shall be placed as compacted structural fill. If it is</p>				

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>not practical to place compacted fill in these areas, then such void spaces may be backfilled with lean concrete slurry.</p> <p>Additional site testing and final design evaluation shall be conducted by the Project geotechnical consultant to refine and enhance these requirements. The Project Applicant/Developer shall require the Project geotechnical consultant to assess whether the requirements in that report need to be modified or refined to address any changes in the Project features that occur prior to the start of grading. If the Project geotechnical consultant identifies modifications or refinements to the requirements, the Project Applicant/Developer shall require appropriate changes to the final Project design and specifications. Design, grading, and construction shall be performed in accordance with the requirements of the City of Menifee Municipal Code and the California Building Code applicable at the time of grading, appropriate local grading regulations, and the requirements of the Project geotechnical consultant as summarized in a final written report, subject for review by the City of Menifee City Engineer, or designee, prior to commencement of grading activities.</p> <p>Grading plan review shall also be conducted by the City of Menifee City Engineer or designee prior to the start of grading to verify that the requirements developed during the geotechnical design evaluation have been appropriately incorporated into the Project plans. Design, grading, and construction shall be conducted in accordance with the specifications of the Project Geotechnical Consultant as summarized in a final report based on the California Building Code applicable at the time of grading and building, and the City of Menifee's Municipal Code. On-site inspection during grading shall be conducted by the Project geotechnical consultant and the City of Menifee City Engineer, or designee, to ensure compliance with geotechnical specifications as incorporated into project plans. Prior to final of grading permits, the Project geotechnical engineer shall submit a Final Testing and Observation Geotechnical Report for Rough Grading to the City of Menifee City Engineer, or designee.</p>				
<p><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</p>	Project Applicant; Qualified Paleontologist	Prior to issuance of grading permit	City of Menifee Building and Safety Division	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>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 shall minimally include:</p> <ol style="list-style-type: none"> <li>1. Description of the project site and proposed grading operations.</li> <li>2. Description of the level of monitoring required for earth-moving activities.</li> <li>3. Identification and qualifications of the paleontological monitor to be employed during earth moving.</li> <li>4. Identification of personnel with authority to temporarily halt or divert grading to allow recovery of large specimens.</li> <li>5. Direction for fossil discoveries to be reported to the developer and the City.</li> <li>6. Means and methods to be employed by the paleontological monitor to quickly salvage fossils to minimize construction delays.</li> <li>7. Sampling methods for sediments that are likely to contain small fossil remains, if any.</li> <li>8. Procedures and protocol for collecting and processing of samples and specimens, as necessary.</li> <li>9. Fossil identification cataloged and curated into the permanent collections of a scientific institution.</li> <li>10. Identification of the repository to receive fossil material.</li> <li>11. All pertinent maps and exhibits.</li> <li>12. Procedures for reporting of findings.</li> <li>13. Acknowledgment of the developer for content of the PRIMP and acceptance of financial responsibility for monitoring, reporting, and curation.</li> </ol>				
<b>GREENHOUSE GAS EMISSIONS</b>				
<p><b>MM GHG-1:</b> Prior to issuance of tenant occupancy permits, the Project applicant shall be required to install a minimum 192 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</p>	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	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>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 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.</p> <p>In addition, to ensure that the Project's electrical room(s) is sufficiently sized to accommodate the potential need for additional electrical panels, 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.</p>				
<p><b>MM GHG-2:</b> Prior to issuance of tenant occupancy permits, Project operators with more than 100 employees shall prepare and submit to the Community Development Director or designee, 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:</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> <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> </ul>	Project Operator	Prior to issuance of tenant occupancy permit	City of Menifee Building and Safety Division or Community Development Director or designee	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>Post Riverside Transit Agency schedules in conspicuous areas.</li> <li>Reference Riverside Transit Agency schedules when creating employees' operating schedules.</li> </ul>				
<b>MM GHG-3:</b> Prior to the issuance of building permits and prior to issuance of tenant occupancy permits, the City of Menifee Building and Safety Division shall confirm that the Project does not include cold storage equipment for warehousing purposes. Cold storage was not included in the analysis for the EIR and is therefore prohibited.	Project Applicant	Prior to issuance of building permits and tenant occupancy permits	City of Menifee Building and Safety Division	
<b>MM GHG-4:</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 permit	City of Menifee Building and Safety Division	
<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	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<b>MM GHG-6:</b> The development 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. This mitigation measure applies only to tenant permits and not the building shell approvals.	Project Applicant; Project operator	Prior to issuance of certificate of tenant occupancy	City of Menifee Building and Safety Division	
<b>MM GHG-7:</b> Prior to the issuance of building permits, building plans shall identify the location of future electric truck charging stations (minimum of three) and install conduit to those spaces.	Project Applicant	Prior to issuance of building permit	City of Menifee Building and Safety Division	
<b>MM GHG-8:</b> Prior to the issuance of tenant occupancy permits, the Project applicant shall submit a report to the City of Menifee Building and Safety Division demonstrating total natural gas consumption from the Project will not exceed 10,000,000 kBtu/year.	Project Applicant	Prior to issuance of tenant occupancy permits	City of Menifee Building and Safety Division	
<b>HAZARDS AND HAZARDOUS MATERIALS</b>				
<p><b>MM HAZ-1:</b> Soil Management Plan (SMP). Prior to issuance of a grading permit or trenching or subsurface excavation for utilities or roadway infrastructure, the Master Developer, or Site Developer shall retain a qualified environmental professional to prepare a SMP that details procedures and protocols for on-site management of soils containing potentially hazardous materials. The purpose of the SMP is to outline protocol for ensuring the proper handling and/or disposal of impacted soil and/or subsurface features of concern that may be encountered during site development. The SMP shall be submitted to the City's Building and Safety Department for review and approval prior to commencement of trenching or subsurface excavation for utilities or roadway infrastructure.</p> <p>The SMP shall include, but not be limited to:</p> <ul style="list-style-type: none"> <li>Land use history, including description and locations of known contamination;</li> <li>The nature and extent of previous investigations and remediation at the site;</li> <li>Identified areas of concern at the site, in relation to proposed activities;</li> </ul>	Project Applicant	Prior to issuance of grading permit; prior to ground-disturbance activities	City of Menifee Building and Safety Division	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>A listing and description of institutional controls, such as applicable City ordinances and other local, state, and federal regulations and laws that would apply to the project;</li> <li>Names and positions of individuals involved with soils management and their specific role;</li> <li>An earthwork schedule;</li> <li>Requirements for site-specific Health and Safety Plans (HSPs) to be prepared by all contractors at the project site. The HSP should be prepared by a Certified Industrial Hygienist and would protect on-site workers by including engineering controls, personal protective equipment, monitoring, and security to prevent unauthorized entry and to reduce construction related hazards. The HSP should address the possibility of encountering subsurface hazards including hazardous waste contamination and include procedures to protect workers and the public;</li> <li>Hazardous waste determination and disposal procedures for known and previously unidentified contamination, including those associated with any soil export activities, if applicable;</li> <li>Requirements for site specific techniques at the site to minimize dust, manage stockpiles, run on and run-off controls, waste disposal procedures, etc.; and</li> <li>Copies of relevant permits or closures from regulatory agencies.</li> </ul>				
<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 Notice of Intent, Risk Assessment, Post-Construction Calculations, a Site Map, the	Project Applicant	Prior to grading activity	City of Menifee Building and Safety Division; RWQCB; City Engineering Department	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>Stormwater Pollution Prevention Plan (SWPPP), a signed certification statement by the Legally Responsible Person, and the first annual fee.</p> <p>The required 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> <ul style="list-style-type: none"> <li>A. Compliance with the requirements of the State of California's most current Construction Stormwater Permit.</li> <li>B. Temporary erosion control measures shall be implemented on all disturbed areas.</li> <li>C. Disturbed surfaces shall be treated with erosion control measures during the October 15 to April 15 rainy season.</li> <li>D. Sediment shall be retained on-site by a system of sediment basins, traps, or other BMPs.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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</li> </ul>				



Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
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 Operations and Maintenance (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: <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 building or grading permits	City of Menifee Building and Safety Division; County of Riverside	
<b>MM HYD-3:</b> Prior to issuance of off-site grading permits, off-site grading plans, and final drainage study shall demonstrate compliance with applicable City drainage plans and, design guidelines including but not limited to City of Menifee Municipal Code Chapter 8.26 Grading Regulations and at the discretion of the City Engineer/Public Works Director.	Project Applicant	Prior to issuance of grading permits	City of Menifee Building and Safety Division or City of Menifee Engineering Department	

**RESOLUTION NO. 23-\_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENIFEE, CALIFORNIA APPROVING TENTATIVE PARCEL MAP NO. 38432 (PLN22-0114) TO COMBINE EIGHT PARCELS INTO ONE PARCEL, AND PLOT PLAN NO. PLN22-0115 FOR THE CONSTRUCTION OF ONE CONCRETE TILT-UP BUILDING TOTALING 1,138,638 SQUARE FEET INCLUDING 10,000 SQUARE FEET OF OFFICE, 928,638 SQUARE FEET OF GROUND FLOOR WAREHOUSE AND 200,000 SQUARE FEET OF MEZZANINE SPACE ON APPROXIMATELY 43.94 NET ACRES LOCATED IN THE MENIFEE NORTH SPECIFIC PLAN, PLANNING AREA 2.**

**WHEREAS**, on May 6, 2022, the applicant, Core5 Industrial Partners, LLC ("Applicant"), filed a formal application with the City of Menifee for the approval of Tentative Parcel Map ("TPM") No. 38432 (PLN22-0114) to combine eight parcels (APNs 331-150-036, 331-150-037, 331-150-039, 331-150-040, 331-150-041, 331-150-042, 331-150-044, 331-150-045) into one parcel for a total of 46.33 gross acres and 43.94 net-acres, and Plot Plan ("PP") No. PLN22-0115 for the construction of one concrete tilt-up building totaling 1,138,638 square feet including 10,000 square feet of office, 928,638 square feet of ground floor warehouse and 200,000 square feet of mezzanine space, a structural height of approximately 50 feet, 616 automobile parking spaces, 284 truck trailer parking spaces, 128 dock doors, site lighting, and landscaping. The Project site is generally located east of Dawson Road, west of Antelope Road, south of Ethanac Road, and north of McLaughlin Road; and

**WHEREAS**, collectively, all the applications are referred to as the "Project" or "Menifee Commerce Center"; and

**WHEREAS**, Conditions of Approval for TPM No. 38432 and PP No. PLN22-0115 have been prepared and attached hereto as Exhibit "A" of the resolution; and

**WHEREAS**, on December 13, 2023, 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 400 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. 38432 (PLN22-0114) 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 Meniffee Municipal Code.**

The Project site is designated Specific Plan ("SP"), according to the City of Meniffee General Plan. The proposed TPM would combine APNs 331-150-036, 331-150-037, 331-150-039, 331-150-040, 331-150-041, 331-150-042, 331-150-044, 331-150-045 into one parcel totaling 46.33 gross acres and 43.94 net acres to accommodate the development of the site. The majority of the Project site is vacant and undeveloped. Two of the existing parcels contain a scaffold business, which is expected to vacate the site by January 31, 2024. Street access to the site is provided via Antelope Road and Dawson Road. These roadways would provide the necessary fire access roads. The Project meets the requirements of the Development Code, General Plan, and the Meniffee North SP.

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 tentative parcel map; 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 southwest. 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 Meniffee Community Development Department, Engineering and Public Works Department, Police Department, and the Office of the Fire Marshal. 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 ("WR-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 WR-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 Motte Business Center EIR (State Clearinghouse No. 2022120083) has been completed for the Project and certified by the Planning Commission pursuant to a separate resolution. The tentative parcel map 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. PLN22-0115. 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 to ensure that 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 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 (Greenhouse Gas 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 tentative parcel map would create one parcel for construction of an industrial building pursuant to PP No. PLN22-0115. 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 itself 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. PLN22-0115 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 SP which is intended to recognize areas where an existing specific plan is in place and to provide policies, standards and criteria for the development or redevelopment of these areas. All development and design standards of the Menifee North SP have been uniformly applied to the entirety of the Project, and therefore 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 3/4 mile) to the I-215 freeway interchange at Ethanac Road. 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, and intersection improvements such as traffic signals and turn lanes, bike lanes, and sidewalks. All of these improvements will help promote multimodal transportation opportunities for employees and residents surrounding the Project site.

- *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 Menifee North SP architectural guidelines 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 landscaped berms are proposed to reduce the visual height of the walls from the public right 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 1,138,638 square foot building.

The Project was reviewed against the City's Development Code and the Menifee North Specific Plan. The design of the Project is consistent with the development standards of the Development Code where not detailed in the Specific Plan. 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 that 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 that potential impacts would all be less than significant with the necessary mitigation incorporated, except for significant and unavoidable impacts to Greenhouse Gas Emissions. A 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 these environmental categories (Greenhouse Gas 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. 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 that 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 that the facts presented within the public record provide the basis to certify the Motte Business Center FEIR, adopt the Findings of Fact and a SOOC, and MMRP, which have been completed for the project.
4. That the Planning Commission finds that the facts presented within the public record and within the Planning Commission resolution provide the basis to approve TPM No. 38432 (PLN22-0114) and PP No. PLN22-0115, 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.



Motte Business Center  
December 13, 2023

**PASSED, APPROVED AND ADOPTED** this 13<sup>th</sup> day of December, 2023.

\_\_\_\_\_  
Jeff LaDue, Chairman

Attest:

\_\_\_\_\_  
Rachel Valencia, Administrative Assistant

Approved as to form:

\_\_\_\_\_  
Thai Phan, Assistant City Attorney

## **EXHIBIT “A”**

### **CONDITIONS OF APPROVAL**

**Planning Application No.:** Tentative Parcel Map No. 38432 (PLN22-0114) and Plot Plan No. PLN22-0115

**Project Description:** **Tentative Parcel Map No. 38432 (PLN22-0114)** proposes to combine eight parcels (APNs 331-150-036, 331-150-037, 331-150-039, 331-150-040, 331-150-041, 331-150-042, 331-150-044, 331-150-045) into one parcel for a total of 46.33 gross acres and 43.94 net-acres.

**Plot Plan No. PLN22-0115** proposes to construct one concrete tilt-up building totaling 1,138,638 square feet which includes 10,000 square feet of office, 928,638 square feet of ground floor warehouse and 200,000 square feet of mezzanine space on an approximately 43.94 net-acre project site. The building proposes a structural height of approximately 50 feet and includes 616 automobile parking spaces, 284 truck trailer parking spaces, and 128 dock doors. The project would include on-site landscaping as well as off-site landscaping within the Dawson Road and Antelope Road rights-of-way.

**Assessor's Parcel No.:** 331-150-036, -037, -039, -040, -041, -042, -044, & -045

**MSHCP Category:** Industrial

**DIF Category:** Industrial/Business Park

**TUMF Category:** Industrial

**Quimby Category:** Quimby fees are not required for industrial developments

**Approval Date:** December 13, 2023

**Expiration Date:** December 13, 2026

1. **Indemnification.** Indemnification. Within 48 hours of project approval, the Applicant/developer shall 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.

**Section I: Conditions Applicable to All Departments**

**Section II: Planning Division Conditions of Approval**

**Section III-A: Engineering/Public Works Department Conditions of Approval**

**Section III-B: Engineering/Public Works Department Standard Policies & Procedures**

**Section IV: Building and Safety Division Conditions of Approval**

**Section V: Office of the Fire Marshal Conditions of Approval**

**Section VI: Other Agency Conditions of Approval**

**Section I:**

**Conditions Applicable to all  
Departments**

3. **Exhibits.** The project shall be constructed as approved by the Planning Commission on December 13, 2023, 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 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 per Government Code Section 66020.
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 and appropriate fees paid as may be in effect at the time of submittal, as required by Resolution No. 22- 1229 (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, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Division inspection or an extension of time application has been submitted to the Planning Division prior to the expiration date. Extensions may be granted per Menifee Municipal Code.
8. **Modifications or Revisions.** The applicant shall obtain City approval for any modifications or revisions to the approval of this project.
9. **Comply with Ordinances.** This project shall comply with the standards of the City of Menifee Development Code, City of Menifee Municipal Code, City of Menifee Design Guidelines and all other applicable ordinances and State and Federal codes and regulations.
10. **Outside Lighting.** Any outside lighting shall be hooded and directed so as not to shine directly upon adjoining property or public rights-of-way and so as to prevent either the spillage of lumens or reflection into the sky.
11. **Map Act Compliance.** This land division shall comply with the State of California Subdivision Map Act and to all requirements of Title 7 of the City of Menifee Municipal Code, unless modified by the conditions listed herein.
12. **No Offsite Signage.** No offsite signs advertising this land division/development are permitted, other than those allowed under the Menifee Municipal Code. Violation of this condition of approval may result in no further permits of any type being issued for this subdivision until the unpermitted signage is removed.

13. **Development Impact Fees.** The applicant shall pay all applicable development impact fees including but not limited to Development Impact, Multi-Species Habitat Conservation Plan (MSHCP), Stephen's Kangaroo Rat (KRAT), School Fees, Transportation Uniform Mitigation Fee (TUMF), Road and Bridge Benefit District (RBBD), and Area Drainage Plan (ADP).

14. **Property Maintenance.** All parkways, entryway medians, on-site and off-site landscaping, walls, fencing, recreational facilities, basins, and on-site lighting shall be maintained by the owner, private entity, the City of Menifee Community Facilities District (CFD), or other mechanism approved by the City.

All landscaping and similar improvements not properly maintained by a property owners association, individual property owners, or the common area maintenance director must be annexed into a Lighting and Landscape District, or other mechanism as determined by the City of Menifee.

The land divider, or any successor-in-interest to the land divider, shall be responsible for maintenance and upkeep of all slopes, landscaped areas and irrigation systems within the land division until such time as those operations are the responsibility of a property owner's association, or any other successor-in-interest.

15. **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.

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

17. **Reclaimed Water.** The permittee shall connect to a reclaimed water supply for landscape watering purposes when secondary or reclaimed water is made available to the site as required by Eastern Municipal Water District.

18. **Laws, Ordinances, and Regulations.** Existing requirements based on local, state, or federal regulations or laws are frequently required independently of CEQA review. Typical requirements include compliance with the provisions of the Building Code, CalGreen Code, local municipal code, SCAQMD Rules, etc. Since Laws, Ordinances, and Regulations (LORs) are neither Project specific nor a result of development of the Project, they are not considered to be project design features or Mitigation Measures.

**LOR-1** Prior to the issuance of grading permits, the City Engineer shall confirm that the Grading Plan, Building Plans and Specifications require all construction contractors to comply with South Coast Air Quality Management District's (SCAQMD's) Rules 402 and 403 to minimize construction emissions of dust and particulates. The measures include, but are not limited to, the following:

- Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.

- All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.
- All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.
- Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.

**LOR-2** Pursuant to SCAQMD Rule 1113, the Project Applicant shall require by contract specifications that the interior and exterior architectural coatings (paint and primer including parking lot paint) products used would have a volatile organic compound rating of 50 grams per liter or less.

**LOR-3** Require diesel powered construction equipment to turn off when not in use per Title 13 of the California Code of Regulations, Section 2449.

**LOR-4** Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls and sensors for landscaping according to the City's Landscape Water Use Efficiency requirements (Municipal MC Chapter 1504).

**LOR-5** The Project shall be designed in accordance with the applicable Title 24 Energy Efficiency Standards for Nonresidential Buildings (California Code of Regulations [CCR], Title 24, Part 6). These standards are updated, nominally every three years, to incorporate improved energy efficiency technologies and methods. The Building Official, or designee shall ensure compliance prior to the issuance of each building permit. The Title 24 Energy Efficiency Standards (Section 110.10) require buildings to be designed to have 15 percent of the roof area "solar ready" that will structurally accommodate later installation of rooftop solar panels. If future building operators pursue providing additional rooftop solar panels, they will submit plans for solar panels prior to occupancy.

**LOR-6** The Project shall be designed in accordance with the applicable California Green Building Standards (CALGreen) Code (24 CCR, Part 11). The Building Official, or designee shall ensure compliance prior to the issuance of each building permit. These requirements include, but are not limited to:

- Design buildings to be water efficient. Install water-efficient fixtures in accordance with Section 5.303 (nonresidential) of the California Green Building Standards Code Part 11.
- 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 (nonresidential) of the California Green Building Standards Code Part 11.
- Provide storage areas for recyclables and green waste and adequate recycling containers located in readily accessible areas in accordance with Section 5.410 (nonresidential) of the California Green Building Standards Code Part 11.
- To facilitate future installation of electric vehicle supply equipment (EVSE), nonresidential construction shall comply with Section 5.106.5.3 (nonresidential electric vehicle charging) of the California Green Building Standards Code Part 11.



**LOR-7** The Project tenants shall comply with the SCAQMD Indirect Source Rule (Rule 2305). This rule is expected to reduce NOX and PM10 emissions during construction and operation. Emission reductions resulting from this rule were not included in the Project analysis. Compliance with Rule 2305 is enforced by the SCAQMD through their reporting process and is required for all warehouse projects greater than 100,000 square feet.

**LOR-8** Trees shall be installed in automobile parking areas to provide 50 percent shade cover of parking areas within fifteen years in accordance with Menifee MC (Development Code) section 9.195.040 of the City's Development Code. Trees shall be planted that are capable of meeting this requirement.

## **Section II:**

# **Planning Division Conditions of Approval**

## **General Conditions**

19. **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.
20. **No Outdoor Storage.** No outdoor storage is allowed within or upon the site except for truck trailers to be located at the designated parking areas within the truck court, including dock door spaces, as shown on the approved exhibits. No storage lockers, sheds, or bins shall be allowed to be stored outside the building unless first reviewed and approved by the Community Development Department. All trailer parking within the truck courts shall be fully screened from all adjacent streets with a screen wall and landscaping.
21. **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.
22. **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.
23. **Outside Agencies.** The applicant shall comply with all comments and conditions of approval from any responsible agencies as shown in the attached letters from associated agencies.
24. **Airport Influence Area.** The project site is located within Zone D and E of the March Air Reserve Airport Influence Area. Therefore, the below notice shall be provided to all prospective purchasers of the property and tenants of the building and shall be recorded as a deed notice.

“NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances [can vary from person to person. You may wish to consider what airport annoyances], if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b)(13)(A)”
25. **Electromagnetic Radiation Notification.** March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.

## **ARCHEOLOGICAL**

26. **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 a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. The 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 remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC) within the period specified by law (24 hours). The NAHC will determine and notify a "most likely descendant." With the permission of the landowner or his/her authorized representative, the most likely descendant may inspect the site of the discovery. This inspection shall be completed within 48 hours of notification by the NAHC. 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.
27. **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, pursuant to the specific exemption set forth in California Government Code section 7927.000, 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 7927.000.
28. **Inadvertent Archeological Find.** If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition only, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance 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 halted until a meeting is convened between the developer, the archaeologist, the tribal representative(s) and the Community Development Director to discuss the significance of the find.
  - b. At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representative(s) and the archaeologist, a decision shall be made, with the concurrence of the Community Development Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.
  - c. Grading of further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional Tribal monitors if needed.
  - d. Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreements

entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources located in native soils and/or re-burial on the Project property so they are not subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition.

- e. Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the City Community Development Director for decision. The City Community Development Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall take into account the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the City Community Development Director shall be appealable to the City Planning Commission and/or City Council.”

**29. Cultural Resources Disposition.** In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), 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, burial goods

and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report.

30. **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 Final Map**

31. **Processing Fees.** Prior to issuance of building permits, 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.
32. **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 (RBBB), and Area Drainage Plan (ADP).
33. **Final Map Required.** After the approval of the TENTATIVE MAP and prior to the expiration of said map, the land divider 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 – Survey Division requirements, the conditionally approved TENTATIVE MAP, and in accordance with City of Menifee Municipal Code.
34. **Environmental Constraints Sheet (ECS).** The land divider shall prepare an ECS in accordance with Menifee Municipal Code, which shall be submitted as part of the plan check review of the FINAL MAP. A note shall be placed on the FINAL MAP "Environmental Constraint Sheet affecting this map is on file at the City of Menifee Public Works and Engineering Department, in E.C.S Book \_\_\_, Page \_\_\_.
35. **ECS Note on Dark Sky Lighting.** The following Environmental Constraints Note shall be placed on the ECS:  
"This property is subject to lighting restrictions as required by Menifee Municipal Code Chapter 6 (Ordinance No. 2009-024), 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 Menifee Municipal Code Chapter 6."

36. **ECS Note Biological.** The following Environmental Constraints Note shall be placed on the ECS: "A biological report was prepared for this property in August 2023 by ELMT Consulting, Inc. and is on file at the City of Menifee Planning Division. Biological resources requiring protection include, but are not limited to, Burrowing Owl and Nesting Birds. The property is subject to biological resources restrictions based on the results of the reports."
37. **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. 2022120083). 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 Issuance of Grading Permit**

38. **Processing Fees.** Prior to issuance of building permits, 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.
39. **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).
40. **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.
41. **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 Planning Division to ensure compliance with this condition of approval. Upon verification, the Planning Division 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.

**42. Paleontologist Required.** This site is mapped as having a high potential for paleontological resources (fossils) at shallow depth. Therefore, PRIOR TO ISSUANCE OF GRADING PERMITS:

- a. The applicant shall retain a qualified paleontologist approved by the City of Menifee to create and implement a project-specific plan for monitoring site grading/earthmoving activities which exceeds 5 feet in depth in native sedimentary.
- b. The project paleontologist retained shall review the approved Tentative Tract Map and shall conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the Planning Division for review and approval prior to issuance of a Grading Permit.
- c. Information to be contained in the PRIMP, at a minimum and in addition to other industry standard and Society of Vertebrate Paleontology standards, are as follows:
  - i. The project paleontologist shall participate in a pre-construction project meeting with development staff and construction operations to ensure



- an understanding of any mitigation measures required during construction, as applicable.
- ii. Paleontological monitoring of earthmoving activities will be conducted on an as-needed basis by the project paleontologist during all earthmoving activities that may expose sensitive strata. Earthmoving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The project paleontologist or his/her assign will have the authority to reduce monitoring once he/she determines the probability of encountering fossils has dropped below an acceptable level.
  - iii. If the project paleontologist finds fossil remains, earthmoving activities will be diverted temporarily around the fossil site until the remains have been evaluated and recovered. Earthmoving will be allowed to proceed through the site when the project paleontologist determines the fossils have been recovered and/or the site mitigated to the extent necessary.
  - iv. If fossil remains are encountered by earthmoving activities when the project paleontologist is not onsite, these activities will be diverted around the fossil site and the project paleontologist called to the site immediately to recover the remains.
  - v. If fossil remains are encountered, fossiliferous rock will be recovered from the fossil site and processed to allow for the recovery of smaller fossil remains. Test samples may be recovered from other sampling sites in the rock unit if appropriate.
  - vi. Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be curated (assigned and labeled with museum\* repository fossil specimen numbers and corresponding fossil site numbers, as appropriate; places in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, an associated specimen data and corresponding geologic and geographic site data will be archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized data bases) at the museum repository by a laboratory technician. The remains will then be accessioned into the museum\* repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators.
  - vii. The City of Menifee must be consulted on the repository/museum to receive the fossil material prior to being curated.
  - viii. A qualified paleontologist shall prepare a report of findings made during all site grading activity with an appended itemized list of fossil specimens recovered during grading (if any). This report shall be submitted to the Planning Division for review and approval prior to building final inspection as described elsewhere in these conditions.
  - ix. All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (e.g. Professional Geologist, Professional Engineer, etc.), as appropriate. Two wet-signed original copies of the report shall be submitted directly to the Planning

Division along with a copy of this condition, deposit-based fee and the grading plan for appropriate case processing and tracking.

43. **Native American Monitoring (Soboba Band of Luiseño Indians and Pechanga Band of Indians).** Tribal monitor(s) from both tribes shall be required on-site during all ground-disturbing activities, including grading, stockpiling of materials, engineered fill, rock crushing, etc. The land divider/permit holder shall retain a qualified tribal monitor(s) from the Soboba Band of Luiseno Indians as well as the Pechanga Band of 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.
44. **Archeology 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 Archeologist to submit two (2) copies of the Phase III Data Recovery report (if conducted 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 (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).

**Prior to Issuance of Building Permit**

45. **Processing Fees.** Prior to issuance of building permits, 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.
46. **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).
47. **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 EIR for this project which must be satisfied prior to issuance of building permits. The Community Development Director may require inspection or other monitoring to ensure such compliance.
48. **Dark Sky Ordinance.** All streetlights and other outdoor lighting shall be shown on electrical plans submitted to the Building and Safety Division and the Planning Division

for plan check approval and shall comply with the requirements of Menifee Municipal Code Chapter 6.01, the “Dark Sky Ordinance”, and the General Plan.

49. **Roof-Mounted Equipment Plans.** Roof-mounted equipment shall be shielded from ground view of the following: subject property, adjacent properties, and the adjacent rights-of-way. All building plans shall show roof-mounted equipment and methods for screening and shall be submitted to the Community Development Department for review and approval prior to building permit issuance.

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

51. **Landscape and Irrigation Plans.** Prior to building permit issuance, the applicant shall submit landscape and irrigation plans to the Planning Division for review and approval. The fee for submittal will be determined by Resolution No. 22-1229 Cost of Services Fee Study and Planning Division Fee Schedule at the time of application submittal.

The plan shall be in substantial conformance to the approved exhibits, Menifee Municipal Code and the conditions of approval. The plan shall show all common open space areas (e.g., outdoor gathering areas). The plan shall address all areas and conditions of the project requiring landscaping and irrigation to be installed including, but not limited to, slope planting, water quality basins, common area and/or outdoor gathering area landscaping.

Landscaping plans for areas that are totally within the road right-of-way shall be submitted to the Engineering Department only.

52. **Break Areas.** Outdoor employee break/lunch areas with seating, trash bins, shade and landscaping shall be provided near each office area of each building and located away from loading, storage and trash areas. The exact location and design shall be shown on the landscape and irrigation plans and shall be reviewed and approved by the Community Development Department prior to building permit issuance. An indoor break area can be substituted for an outdoor break area at the discretion of the Community Development Director if the indoor break area is determined to provide superior amenities or if it is determined that there is no acceptable location for an outdoor break area near the office area.

53. **Performance Securities.** Performance securities, in amounts to be determined by the Director of Community Development to guarantee the installation of plantings, irrigation system, walls and/or fences, in accordance with the approved plan, shall be filed with the Department of Community Development. Securities may require review by City Attorney and other staff. Permit holder is encouraged to allow adequate time to ensure that securities are in place. The performance security may be released one year after structural final, inspection report, and the One-Year Post Establishment report confirms that the planting and irrigation components have been adequately installed and maintained. A cash security shall be required when the estimated cost is \$2,500.00 or less. At applicant's election, a cash security may also be used for amounts exceeding \$2,500.

54. **Landscape Inspections.** Prior to issuance of Building Permits, the permit holder shall open a Landscape Deposit Based Fee case and deposit the prevailing deposit amount to cover the pre-inspection, initial installation inspection, Six (6) Month and One Year Landscape Inspections.
55. **Wall and Fencing Plan.** Walls and fences shall require anti-graffiti coatings, where applicable and as determined by the Community Development Director.
56. **Security Systems.** Prior to the issuance of tenant improvement building permits, the applicant shall prepare a security plan for the site. The security plan for this project shall include a comprehensive security camera system that clearly depicts the entire parking field. This security camera system shall be based in the building containing the management office for this development, or inside a security office or other place acceptable to the City of Menifee Police Department, that is accessible to law enforcement at all times of the day and night. This security camera system shall have a recording capacity to minimally save footage for the period of one month or as approved by the Police Department. The above camera surveillance system shall include LPR (License Plate Recognition) cameras installed at the entrances/exits to this project or as approved by the Police Department. LPR cameras are cameras specifically designed to read and record vehicle license plates as they enter and exit this complex. It should be noted that high quality day/night vision LPR cameras are relatively inexpensive. The plan shall be approved prior to issuance of tenant improvement Building Permits. The Police Department and/or Community Development Department shall verify that the security system has been installed prior to final tenant occupancy.
- In addition, the trash enclosure shall be properly secured and have a lock as well as a covering to keep unauthorized persons from entering the dumpster area.
57. **Utility Screening.** All utilities shall be screened from public view. Landscape construction drawings shall show and label all utilities and provide appropriate screening. Provide a three-foot clear zone around fire check detectors as required by the Fire Department before starting the screen. Group utilities together in order to reduce intrusion. Screening of utilities is not to look like an after-thought. Plan planting beds and design around utilities. Locate all light poles on plans and ensure that there are no conflicts with trees.
58. **Viable Landscaping.** All plant materials within landscaped areas shall be maintained in a viable growth condition throughout the life of this permit. To ensure that this occurs, the Community Development Department shall require inspections in accordance with the building permit landscaping install and inspection condition.
59. **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 State air quality management authorities.
60. **Curb and Walkway on End Stall Planters.** Unless otherwise approved by the Community Development Director, a twelve (12) inch wide walkway shall be constructed along planters on end stalls adjacent to automobile parking areas. Public parking areas shall be designed with permanent curb, bumper, or wheel stop or similar

device so that a parked vehicle does not overhang required sidewalks, planters, or landscaped areas.

61. **Crime Prevention through Environmental Design Guidelines.** All plants, landscaping and foliage shall fall within current CPTED (Crime Prevention through Environmental Design) guidelines.
62. **Double Detectors.** Double detector check valve assemblies (backflow preventers) for landscape irrigation and domestic water shall not be located at visually prominent locations (such as the end of drive aisles or at site entries) and shall be well-screened with shrubs, berming, or low screen walls.

Prior to Final Inspection

63. **Processing Fees.** Prior to issuance of building permits, 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.
64. **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).
65. **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 EIR for this project which must be satisfied prior to final inspection. The Community Development Director may require inspection or other monitoring to ensure such compliance.
66. **Paleontological Monitoring Report.** Prior to issuance of a certificate of occupancy, the applicant shall submit to the Planning Division, an electronic copy of the Paleontology Monitoring Report. 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.
67. **Anti-Graffiti Coating.** An anti-graffiti coating shall be provided on all block walls constructed as part of any phase of the Project, and written verification from the developer shall be provided to the Planning Division.
68. **Final Planning Inspection.** The applicant shall obtain final occupancy sign-off from the Planning Division 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.

69. **Soil Management Plan.** The applicant shall submit a Soil Management Plan (Report) to the Planning Division before the Landscape Installation Inspection. The report can be sent in electronically. Information on the contents of the report can be found in the County of Riverside Guide to California Friendly Landscaping page 16, #7, "What is required in a Soil Management Plan?"
70. **Landscape Installation.** All required landscape planting and irrigation shall be installed in accordance with approved Landscaping, Irrigation, and Shading Plans, Menifee Municipal Code, Eastern Municipal Water District requirements and the Riverside County Guide to California Landscaping. All landscape and irrigation components shall be in a condition acceptable to the Community Development Department. The plants shall be healthy and free of weeds, disease or pests. The irrigation system shall be properly constructed and determined to be in good working order.
71. **Landscape Inspections.** The applicant shall obtain a final certificate of completion from the Planning Division's Landscape Inspector for each building permit issued by scheduling a final landscape inspection prior to the final occupancy from the Planning Division.
72. **Phasing.** If the project has been phased, all facilities meant to serve the current phase of development shall be installed in a usable condition. Project landscaping may not all be deferred until the final phase.

## **Section III-A**

### **Engineering/Public Works Department Conditions of Approval**

The following are the Public Works / Engineering Department Conditions of Approval for this project which shall be satisfied at no cost to the City or any other Government Agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Engineering Department, Land Development Section. The developer / property owner shall use the standards and design criteria stated in the following conditions and shall comply with all applicable City of Menifee standards and ordinances. Should a conflict arise between City of Menifee standards and design criteria, and any other standards and design criteria, those of the City of Menifee shall prevail.

Tentative Parcel Map 38432 proposes to consolidate eight parcels into one parcel to be improved for industrial development. The map is not phased; therefore, all public improvements will be required in one construction phase prior to any issuance of occupancies, unless otherwise approved by the City Engineer / Public Works Director. If the developer chooses to phase the subdivision map, the phasing of the public improvements will be considered, and the applicable conditions will be updated.

It is understood that the tentative parcel map must correctly show acceptable centerline elevations, all existing easements, traveled ways, cross sections, and drainage courses with appropriate drainage flows. Any omission or unacceptability may require the map to be resubmitted for further consideration. If there is a conflict between what is shown on the tentative parcel map and these conditions, these conditions will supersede what is shown on the tentative parcel map and any attachments to the tentative parcel map, including the site plan and other plans or exhibits. All questions regarding the true meaning of these conditions shall be referred to the Public Works / Engineering Department. **Engineering Design exceptions to City design standards and policies must be specifically requested in writing and approved by City Engineer/PW Director. Any design exceptions shown on the tentative map and associated engineering documents that are not specifically requested shall be redesigned to meet city standards.**

73. Drainage Study – The following report was reviewed and approved by the City: *Preliminary Hydrology Report for CORE5 – Motte Business Center DEV2022-014*, prepared by Huitt-Zollars, Inc., dated August 3rd, 2023.

The project shall comply with all mitigation recommended by the approved drainage study, and in accordance with City Standards. The design of drainage facilities will need to be revised if it does not adhere to City Standards.

Two copies of a final drainage study (also referred to as Hydrology/Hydraulics Report) 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; Q10, Q100, pre- and post- condition flow rates; anticipated total drainage flow into existing storm drain; and existing storm drain capacity. 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.

74. Final Project Specific Water Quality Management Plan (Final WQMP). The following report was reviewed and approved by the City: *Preliminary Project Specific Water Quality Management Plan, Core 5 – Motte Business Center DEV2022-014 WQ-0297*, prepared by Huitt-Zollars, Inc., dated April 12, 2022 revised August 2, 2023.

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. Final construction plans shall incorporate all the structural BMPs identified in the approved FINAL WQMP. The final developed project



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 in pdf format shall be submitted to the Public Works Engineering Department. The FINAL WQMP submittal shall include at the minimum the following reports/studies:

- a) Hydrology/hydraulics report
- b) Soils Report that includes soil infiltration capacity
- c) Limited Phase II Environmental Site Assessment Report, as may be required by an approved Phase I ESA Report

Final construction plans shall incorporate all the structural BMPs identified in the approved FINAL WQMP. The final developed project 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 in pdf format shall be submitted to the Public Works Engineering Department.

75. Geotechnical Report – The following documentation was reviewed and approved by the City: *Geotechnical Investigation Proposed Warehouse Project No. 21G173-1*, prepared by Southern California Geotechnical, dated June 17, 2021.

Two copies of City-approved geotechnical/soils report, no more than three (3) years from date of application for grading permit, shall be provided to the City Public Works / Engineering Department with initial submittal of a grading plan. If there is no approved report and/or said report is past three (3) years from date of application, a new geotechnical/soils report and/or update letter, respectively, shall be prepared and submitted to City for review and approval. The geotechnical/soils, compaction and inspection reports will be reviewed in conformance with the latest edition of the Riverside County Technical Guidelines for Review of Geotechnical and Geologic Reports. A fee for review of the geotechnical/soils report and/or update letter shall be paid to the City, the amount of which shall be determined by the City at the first submittal of the report.

Geotechnical Report - A geotechnical/soils report was submitted to the City and reviewed by staff. The geotechnical/soil report was reviewed in conformance with the latest edition of the Riverside County Technical Guidelines for Review of Geotechnical and Geologic Reports. Prior to issuance of any grading permit, two copies of the City approved geotechnical/soils report shall be submitted to the Public Works Engineering Department. The developer/property owner shall comply with the recommendations of the report, and City standards and specifications. All grading shall be done in conformance with the recommendations of the report, and under the general direction of a licensed geotechnical engineer. An updated report may be required if deemed necessary by the Public Works Director prior to the issuance of any grading permit.

76. Off-Site Dedications - Prior to the approval of any improvement plans and the commencement of any construction associated with the development, the Developer shall be responsible for obtaining all necessary dedications of rights-of-way for offsite infrastructure improvements, right-of-entry for offsite grading, and easements for ingress, egress, drainage, utilities and other legal requirements for impacts associated with the development of this project, as determined and directed by the City Engineer. If the Developer cannot acquire a property interest in property required for off-site improvements, Government Code § 66462.5 shall apply and the City retains the right to:

- a. The Developer shall enter into an agreement to complete the improvements pursuant to Government Code § 66462 at such time as the City acquires an interest in the land that will permit the improvement to be made.
  - b. The Developer shall pay all costs associated with acquiring the offsite real property interests required in connection with the development.
  - c. In the instance where the developer and the city has made all reasonable efforts to negotiate the acquiring of said land, the developer may request that the city enter into the process of eminent domain, which shall be done in accordance with all applicable laws and regulations and at the discretion of City Approval.
77. Antelope Road / Dawson Road Dedication. The developer / property owner shall dedicate the necessary Antelope Road (Secondary undivided Roadway per City Circulation Element) and Dawson Road (Industrial Collector Undivided Roadway) right of way fronting the development on the final map or through another acceptable recordable instrument prior to issuance of any building permit.
78. Traffic Study Report – The following report was reviewed and approved by the City:  
*Traffic Study for the Proposed Motte Business Center Project in the City of Menifee*, prepared by Kimley-Horn and Associates, Inc., dated August 2023.
- The Public Works Department – Traffic Engineering Division has reviewed the Traffic Study and has generally concurred with its findings. The developer/property owner shall be responsible for all improvements and mitigations, required or identified in the approved traffic study and according to these Conditions of Approval, such as but not limited to right-of-way frontage improvements, traffic signal construction or modification, and fair share fees. All required improvements and mitigation measures identified in the study shall be included in all improvement plans for review and approval by the Public Works Department. Improvements identified in the Traffic Study are the absolute minimums recommend by the consultant traffic engineer. The City Engineer/PW Director may require traffic or street improvements beyond those identified in said study to address public safety and welfare, or to construct improvements eligible for DIF credits or reimbursement that front the project, as determined by the Public Works Director / City Engineer.
79. Summary of Improvements – The following is a summary of improvement requirements for the project. Construction of said improvements required prior to Certificate of Occupancy. During Final Engineering, the developer / property owner can update the traffic study which could affect the following improvements, at the approval of the Public Works / Engineering Department :
- a. **Dawson Road** – Project shall improve Dawson Road frontage to the ultimate half-width plus 12' in accordance with City of Menifee Industrial Collector Roadway Standard Plan No. 112, including offsite transitions back to existing roadway conditions, approved by the City Engineer/Public Works Director.
  - b. **Antelope Road** – Project shall improve Antelope Road along project frontage to the ultimate half-width plus 12' in accordance with the City of Menifee Secondary Roadway Standard Plan No. 111, including appropriate offsite transitions back to existing roadway conditions, approved by the City Engineer/Public Works Director.
    - i. Unpaved Antelope Road shall be improved south of the project frontage to McLaughlin Road with one lane in each direction. The improvements on either side of the roadway shall include 12 foot paved lanes plus a 6 foot paved shoulder and the necessary drainage improvements such as swales

and culverts to maintain existing drainage patterns. The improvements shall include appropriate transitions subject to the approval of the Public Works Director / City Engineer.

- ii. The improvements to Antelope Road south of the project frontage to McLaughlin Road may require obtaining right of way from Southern California Edison. In the event that the right of way acquisition impacts the project schedule, the developer / property owner may defer completion of the improvements as approved of the Public Works Director / City Engineer.
  - c. **Ethanac Road** – Ethanac Road improvements from Dawson to Encanto Drive shall be constructed to the recommended configuration (4-Lane Arterial) as approved by the City Engineer/Public Works Director.
  - d. **Antelope Road/Ethanac Road** – At the intersection of Antelope Road and Ethanac Road, provide the following improvements, approved by the City Engineer/Public Works Director:
    - i. Add a dedicated westbound left-turn lane
    - ii. Widen Ethanac road to provide two-way left turn lane through the intersection
  - e. **Dawson Road/Ethanac Road** – At intersection of Dawson Road and Ethanac Road, provide the following improvements, approved by the City Engineer/Public works Director:
    - i. Install Traffic Signal
    - ii. Add a dedicated westbound left turn lane
    - iii. Add a dedicated eastbound right turn lane
    - iv. Add a dedicated northbound left turn lane
80. Raised medians shall be required to restrict turning movements where deemed necessary for public health and safety, as determined by the City Engineer/Public Works Director.
81. Fair Share Cost Participation for Off-site Improvements – The developer / property owner shall pay fair share costs for off-site improvements as detailed in the Traffic Study and identified below prior to issuance of a certificate of occupancy. The fair share cost estimates shall be based on conceptual exhibits prepared by the developer, reviewed and approved by the Public Works Director / City Engineer. These fair shares are determined as follows:
- a. I-215 SB Ramps at Ethanac Road– The developer / property owner shall contribute a fair share construction cost of 2.7%.
  - b. I-215 NB Ramps at Ethanac – The developer / property owner shall contribute a fair share construction cost of 4.8%.
  - c. Trumble Road at Ethanac Road – The developer / property owner shall contribute a fair share construction cost of 7.4%.
  - d. Sherman Road at Ethanac Road – The developer / property owner shall contribute a fair share construction cost of 10.8%

82. Signing and Striping – A signing and striping plan for project improvements is required for this project along the project frontage and off-site transitions and off-site improvements. The applicant shall be responsible for any additional paving and/or striping removal caused by the striping plan. The Signing and Striping Plan shall be approved by the City Engineer in accordance with City ordinances, standards, and specifications, and with the latest edition of the CAMUTCD.

83. Traffic Signals – The applicant shall be responsible for the construction of a new traffic signal at Dawson Road and Ethanac Road. The traffic signal plan shall be approved by the Public Works Director / City Engineer.

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.

84. Construction of Street and Wet Utility Improvements – The developer / property owner shall design and construct the following improvements:

- a. Improvements - Construct all street, storm, sewer, water, and wall improvements to public agency engineering standards. All infrastructure improvements shall adhere to public agency standards, unless otherwise approved by City Engineer/PW Director.
- b. Frontage Improvements – The developer / property owner shall construct Antelope Road and Dawson Road to its ultimate half-width plus 12 feet per City Standards along its entire project frontage as determined by the City Engineer, detailed in conditions above.

The required improvements shall include the construction of appropriate pavement transitions from the new improvements to existing improvements beyond the project frontage. The design of the transitions shall be in accordance with the CA Highway Design Manual, finalized during review of final construction drawings, and approved by the Public Works Director / City Engineer.

85. TUMF Improvement and Credit Agreement for Ethanac Road Improvements– Ethanac Road is a qualified TUMF facility. The developer may qualify for credit for constructing Ethanac Road Improvements. To obtain credit for TUMF eligible facilities, the developer shall enter into a three party TUMF Improvement and Credit Agreement with WRCOG and the City of Menifee, prior to issuance of a building permit. The agreement shall be in accordance with City Ordinances and WRCOG Administrative Policy. The agreement requires WRCOG approval and City Council action.

86. Cost participation through Payment of TUMF and DIF for Offsite 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.

87. Streetscape Landscaping - The parkway areas within the public right-of-way or landscape easements fronting the entire property along Antelope Road and Dawson, shall be landscaped and irrigated per City standards and guidelines. These areas shall be maintained by the CFD.
88. Drainage Improvements – Project shall construct the following drainage facilities in accordance with City of Menifee and RCFC standards and specifications, as approved by the City Engineer/Public Works Director.
- a. Antelope Road – The Project shall construct an inlet structure (Line A-1B) capturing existing drainage flow beyond the northeast boundary, conveying it southbound on/adjacent to Antelope Road to the Existing RCFC Romoland Line-A Channel.
  - b. Dawson Road – The Project shall improve a storm drain line (Line A-1A) conveying flow southbound on Dawson Road to the Existing RCFC Romoland Line-A Channel.

## **Section III-B:**

# **Engineering/Public Works Department Standard Policies & Procedures**

89. 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.
90. Engineering Design exceptions to City design standards and policies must be specifically requested in writing and approved by City Engineer/PW Director. Any design exceptions shown on the tentative map and associated engineering documents that are not specifically requested are not approved.
91. 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 along project frontage.
92. 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.
93. 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.
94. Guarantee for Required Improvements. Prior to grading permit issuance, construction permit issuance, and/or Final Map recordation, financial security or bonds shall be provided to guarantee the construction of all required improvements associated with each phase of construction, per the City's municipal code.
95. 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.
96. Existing and Proposed Easements - The final grading plan and improvement plans shall correctly show all existing easements, traveled ways, drainage courses, and encumbrances. Any omission or misrepresentation of these documents may require said plan to be resubmitted for further consideration.
97. Engineered Plans - All improvement plans, and grading plans shall be drawn on twenty-four (24) inches by thirty-six (36) inch Mylar and signed by a licensed civil engineer or other registered/licensed professional as required.
98. **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.

99. **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.
100. **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 construction permit, grading permit, or building permits as applicable and 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 recordation of a final map for which the improvements are required, or prior to issuance of any construction and/or grading permit, whichever comes first and as determined by the PW 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 CFD landscape plans must be approved prior to building permit issuance.

101. **As-Built Plans** – Upon completion of all required improvements, the developer/property owner shall cause the civil engineer of record to as-built 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.
102. **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, 6:30 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.
103. **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.
104. 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.
105. **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.
106. **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.

107. **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.
108. **Slope Setbacks** – Observe slope setbacks from buildings and property lines per the California Building Code and City ordinance on grading.
109. **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.
110. **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.
111. **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.
112. **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 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.
113. **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.
114. **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.

**Design Grade Criteria:**

- 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 ADA requirement applies, 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 PW Director/City Engineer.
115. **Drainage Grade** - Minimum drainage design grade shall be 1% except on Portland cement concrete surfaces where 0.35% shall be the minimum. The engineer of record must submit a variance request for design grades less than 1% with a justification for a lesser grade.
116. **Finish Grade** – Shall be sloped to provide proper drainage away from all exterior foundation walls in accordance with City of Menifee Standard Plan 300.
117. **Use of Maximum and Minimum 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.
118. **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.
119. **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.
120. **Trash Racks:** Trash Racks shall be installed at all inlet structures that collect runoff from open areas with potential for large, floatable debris.
121. **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.

122. **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.
123. **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.
124. **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.
125. **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.

126. **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 has been issued by SWRCB. The City will require submittal of NOTs for requests to fully release associated grading bonds.
127. **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.
128. **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.

129. **Offsite Grading Easements** - Prior to recordation of a final map phase, or the issuance of a grading permit within a phased map whichever occurs first, 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.
130. **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 recordation of a final map, or the issuance of a grading permit, whichever occurs first, the developer shall obtain all required ROW, easements and / or permissions to perform offsite grading, from all affected landowners.
131. **Acquisition of Property** – If the developer / property owner is unable to obtain necessary property and right of way, where needed the City will assist in processing eminent domain to obtain right of way, in accordance with all laws and regulations and only after good faith efforts have been undertaken in negotiating the acquisition of property. It shall be the responsibility of the developer / property owner to coordinate their project timing with the eminent domain process as right of way acquisition is required prior to plan approval.
132. **Increased Runoff Criteria.** The development of this site would increase peak flow rates on downstream properties. Mitigation shall be required to offset such impacts. An increased runoff basin should be shown on the exhibit and calculations supporting the size of the basin shall be submitted to the District and the City for review. The entire area of proposed development will be routed through a detention facility(s) to mitigate increased runoff. All basins must have positive drainage; dead storage basins shall not be acceptable.

A complete drainage study including, but not limited to, hydrologic and hydraulic calculations for the proposed detention basin shall be submitted to the City for review and approval. For design purposes, the proposed detention basin shall be sized using the 1-hour/100-year frequency storm event. Detention basin(s) and outlet(s) sizing will ensure that this storm event does not produce higher peak discharge in the "after" condition than in the "before" condition. For the 100-year event, an AMC II shall be used together with a constant loss rate.

Low Loss rates will be determined using the following:

- i. Undeveloped Condition --> LOW LOSS = 90%
- ii. Developed Condition --> LOW LOSS = .9 - (.8x%IMPERVIOUS)
- iii. Basin Site --> LOW LOSS = 10%

Where possible and feasible the onsite flows should be mitigated before combining with offsite flows to minimize the size of the detention facility required. If it is necessary to combine offsite and onsite flows into a detention facility two separate

conditions should be evaluated for each duration/return period/before-after development combination studied; the first for the total tributary area (offsite plus onsite), and the second for the area to be developed alone (onsite). It must be clearly demonstrated that there is no increase in peak flow rates under either condition (total tributary area or onsite alone), for each of the return period/duration combinations required to be evaluated. A single plot showing the pre-developed, post-developed and routed hydrographs for each storm considered, shall be included with the submittal of the hydrology study.

No outlet pipe(s) will be less than 18" in diameter. Where necessary an orifice plate may be used to restrict outflow rates. Appropriate trash racks shall be provided for all outlets less than 48" in diameter.

The basin(s) and outlet structure(s) must be capable of passing the 100-year storm without damage to the facility. Mitigation basins should be designed for joint use and be incorporated into open space or park areas. Side slopes should be no steeper than 4: 1 and depths should be minimized where public access is uncontrolled.

Mitigation basins should be designed for joint use and may be incorporated into open space or park areas. Side slopes should be not steeper than 4:1 and depths should be minimized where public access is uncontrolled.

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.

133. 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.
134. 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.
135. 100 Year Storm- The 100-year storm flow shall be contained within the street top of curb.
136. 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.

137. 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.
138. 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.
139. 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 if needed. A copy of the recorded drainage easement shall be submitted to the PW Engineering Department for review.
140. Comingling of Flows. Site restrictions may require the comingling of onsite and offsite flows. A treatment device approved by the City of Menifee Public Works Director shall be utilized to pretreat the flows before entering HOA facilities. The WQMP will need to show these catch basin inserts. This comingling of flows and the easement shall also be clarified in the CC&Rs for the project. If site restrains and existing conditions require said comingling, it will be the obligation of the HOA to accept this water and maintain the system, as well as performing maintenance on the associated filter inserts. The developer shall provide a storm drain and flowage easement, or other applicable document approved by the city of Menifee, providing the right of the city to drain onto the private property.
141. Interceptor Drain Criteria/Guidelines: The criteria for 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/PW Director.
142. 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.
143. Trash Racks – Trash Racks shall be installed at all inlet structures that collect runoff from open areas with potential for large, floatable debris.
144. 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.

145. Perpetual Drainage Patterns (Easements) - 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 PW Engineering Department for review.
146. **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.
147. **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.
148. **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.
149. **No Building Permit Prior to Subdivision Map Recordation** – Prior to issuance of any building permit, the developer / property owner shall record the Subdivision Map. Model Homes are exempt from this requirement.
150. **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.
151. **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.
152. **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.
153. **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.



154. **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.
155. **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.
156. **Common Area Maintenance** – Any common areas identified on the tentative map shall be owned and maintained through a permanent master maintenance organization shall be established for the project, to assume maintenance responsibility for all common areas. The organization may be public (City CFD, or another agency) or private (e.g., property owners' association). Merger with an area-wide or regional organization shall satisfy this condition provided that such organization is legally and financially capable of assuming the responsibilities for maintenance. When necessary, property dedication or easement dedications shall be granted to the maintenance organization through map dedication, or separate recordable instrument, and shall be in a form acceptable to the city.
157. **Maintenance Exhibit** – Prior to final map recordation, the developer / property owner shall prepare an exhibit that shows all open space lots within the project development tract and the maintenance entity for each lot. The exhibit shall be reviewed and approved by the Community Development Department and the Public Works / Engineering Department.
158. **Conditions, Covenants and Restrictions (Private Common Areas)** – In the event that the Community Facilities District will not maintain all common areas, the establishment of a property owner association (POA or HOA) shall be the mechanism to maintain such common areas.
159. **CC&R Content, Submittal Process and Timing** – If necessary, the developer/property owner shall submit to the Public Works / Engineering Department for review and approval CC&R documents consisting of the following:
- a. One hard copy and an electronic version of the CC&R's. A completed application form to review the CC&Rs, available at the Public Works / Engineering front counter. There is a fee associated with the application and required backup documents to review. The declaration of CC&R's shall:
    - i. provide for the establishment of a property owner's association,
    - ii. provide for the ownership of the common area by the property owner's association,
    - iii. contain provisions approved by the Public Works / Engineering Department, Community Development Department, and the City Attorney,

- iv. Contain provisions with regards to the implementation of post development Water Quality Best Management Practices identified in the project's approved WQMP.
  - v. Contain provisions notifying initial occupants, or tenants of the project of their receipt of educational materials on good housekeeping practices which contribute to the protection of storm water quality. These educational materials shall be distributed by the property owners' association and/or the developer.
  - vi. Contain provisions for allowing the City a Right of Entry to maintain BMPs that are otherwise not maintained by responsible property owners. If a separate Right of Entry Agreement has been executed, this provision is not necessary to be in the CC&Rs.
- b. As part of the CC&R document submittal, exhibit(s) identifying the areas or improvements that will be maintained by the POA, the CFD or other entities shall be provided. The exhibit shall be reviewed and approved by the City.
  - c. Once approved, the developer / property owner shall provide a hard copy of the CC&R's wet-signed and notarized to the Public Works / Engineering Department. The Public Works / Engineering Department shall record the original declaration of CC&R's prior to..... the issuance of Certificate of Occupancy or building permit issuance.
  - d. A deposit to pay for the review of the CC&Rs pursuant to the City's current fee schedule at the time the above-referenced documents are submitted to the Public Works / Engineering Department.
160. **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.
161. **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.
162. **Intersection Geometrics** – All final intersection geometrics may be modified in final engineering as approved by the Public Works Director / City Engineer.
163. **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, measured from flow line / curb face or as approved by the Public Works Director / City Engineer.
164. **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.
165. **Soils and Pavement Report** - Street pavement structural designs shall comply with the recommendations in the City approved project soils and pavement investigation report, and must meet minimum City standards and specifications, as approved by the

Public Works Director / City Engineer. R-Values shall be provided in said report and the Engineer of Record shall provide pavement calculations to the City.

166. **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.
167. **Acceptance of Public Roadway Dedication and Improvements** – Easements and right-of way for public roadways required by this project shall be granted to the City through acceptable recordable instrument. Onsite easements and right-of way for public roadways shall be granted to the City of Menifee through the final map, or other acceptable recordable instrument. Any off-site rights-of-way required for access road(s) shall be accepted to vest title in the name of the public if not already accepted. Any shared access roads necessary for the adequate circulation of the proposed project, shall be dedicated for reciprocal access by acceptable recordable instrument prior to any permit issuance.
168. **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.
169. **Paving or Paving Repairs** – The applicant shall be responsible for obtaining the paving inspections required by Ordinance 461 and City of Menifee standards and ordinances. Paving and/or paving repairs for utility street cuts shall be per City of Menifee Standards and Specifications and as approved by the Public Works Director / City Engineer.
170. **Street Light Plan** – Street lights requiring relocations, or any required new streetlights 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.
171. **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.
172. **CFD Maintenance** - The property owner shall file for annexation or inclusion into the Citywide Community Facilities Maintenance District, CFD for street sweeping services, street pavement maintenance, landscaping, street lighting, etc.
173. **Offsite Grading** – If necessary, a notarized and recorded agreement, or City-approved documents authorizing the offsite grading shall be submitted to the Public Works / Engineering Department.

174. **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 grading plans, street improvement plans, and landscape improvement plans.
175. **Street Name Sign** - The developer/property owner shall install street name sign(s) in accordance with applicable City Standards, or as directed by the PW Engineering Department.
176. **Driveway Geometrics**- Final driveway geometrics may be modified in Final Engineering as approved by the 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.
177. **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.
178. **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.
179. **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.
180. **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.

181. **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.
182. **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 unless otherwise 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.
183. **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.
184. **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 in all new and existing catch basins to which this development will be tributary to or receiving 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)), or otherwise 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.

The State Water Resources Control Board, Resolution adopted an amendment to the Water Quality Control Plan for ocean waters of California to control trash, and Part 1 Trash Provisions of the Water Quality Control Plan for inland surface waters, enclosed bays, and estuaries of California. Applicable requirements per these amendments shall be adhered to with implementation measures, prior to building permit issuance. Projects determined as within Priority Land Uses as defined in the amendment, shall provide full trash capture devices in all new catch basins and existing catch basins to which this development will be tributary to. Devices shall meet the requirement of the new Trash Amendment.

185. 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. Final construction plans shall incorporate all the structural BMPs identified in the approved FINAL WQMP. The final developed project 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 in pdf format shall be submitted to the Public Works Engineering Department. The FINAL WQMP submittal shall include at the minimum the following reports/studies:

- a) Hydrology/hydraulics report
- b) Soils Report that includes soil infiltration capacity
- c) Limited Phase II Environmental Site Assessment Report, as may be required by an approved Phase I ESA Report

Final construction plans shall incorporate all the structural BMPs identified in the approved FINAL WQMP. The final developed project 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 in pdf format shall be submitted to the Public Works Engineering Department.

186. **Revising The Final WQMP** - In the event the Final WQMP requires design revisions that will substantially deviate from the approved Prelim 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 material 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.

187. **WQMP Maintenance Agreement** - All water quality features or BMPs 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.
188. **Implement Project Specific WQMP** - All structural BMPs described in the project-specific WQMP shall be constructed or installed and operational in conformance with approved plans and specifications. It shall be demonstrated that the applicant is prepared to implement all BMPs described in the approved project specific WQMP and that copies of the approved project-specific WQMP are available for the future owners/occupants. The City will not release occupancy permits for any portion of the project or subdivision map phase until all proposed BMPs described in the approved project specific WQMPs, to which the portion of the project is tributary to, are completed and operational.
- The City will not release occupancy permits for any portion of the project, or any proposed map phase prior to the completion of the construction of all required structural BMPs, and implementation of non-structural BMPs.
189. **Inspection of BMP Installation** – Prior to issuance of 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.
190. **WQMP/BMP Education** - Prior to issuance of 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 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 Riverside County Flood Control and Water Conservation District's NPDES Section through their website at [www.rcwatershed.org](http://www.rcwatershed.org). The developer must provide to the Public Works / Engineering Department a notarized affidavit, or other notification forms acceptable to the Public Works Director / City Engineer, stating that the distribution of educational materials to future homebuyers has been completed prior to issuance of occupancy permits.

A copy of the notarized affidavit must be placed in the final WQMP report. The Public Works / Engineering Department MUST also receive the original notarized affidavit with

the plan check submittal to clear the appropriate condition. Placing a copy of the affidavit without submitting the original will not guarantee clearance of the condition.

191. **EMWD Minimum Standards** – All public water, sewer and recycled water improvements shall be designed per the City adopted Riverside County Ordinances 460, 461 and 787; Eastern Municipal Water Districts (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.
192. **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.
193. **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 approval of improvement plans and final map approval.
194. **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 Riverside County Ordinances 460/461 and Eastern Municipal Water District standards.
195. **Water Mains and Hydrants** - All water mains and fire hydrants providing required fire flows shall be constructed in accordance with the Riverside County Ordinance Numbers 460 and 787, and subject to the approval of the Eastern Municipal Water District and the Riverside County Fire Department.
196. **Annexation to the Citywide Community Facilities District (CFD) (2017-1)** - Prior to the issuance of a Building Permit or...map recordation..., the developer/property owner shall complete the annexation of the proposed development, into the boundaries of the City of Menifee citywide Community Facilities Maintenance District (Services) CFD. The citywide CFD shall be responsible for:

The maintenance of public improvements or facilities that benefit this development, including but not limited to, public landscaping, streetlights, traffic signals, streets, pavement maintenance, drainage facilities, street sweeping, water quality basins, graffiti abatement, and other public improvements or facilities as approved by the Public Works Director.

The developer/property owner shall be responsible for all cost associated with the annexation of the proposed development in the citywide CFD.
197. **CFD Annexation Agreement** - In the event timing for this development's schedule prevents the developer/property owner from complying with condition of approval for CFD annexation, the developer shall enter into a CFD annexation agreement to allow the annexation to complete after the issuance of a building permit but prior to issuance of a Certificate of Occupancy. 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.



198. **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 plans for review and approval by the PW 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 PW Engineering Department prior to issuance of a grading permit.
199. **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.
200. **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 PW Engineering Department prior to issuance of a construction permit.
201. **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.
202. **AB 341.** AB 341 focuses on increased commercial waste recycling as a method to reduce greenhouse gas (GHG) emissions. The regulation requires businesses and organizations that generate four or more cubic yards of waste per week and multifamily units of 5 or more, to recycle. A business shall take at least one of the following actions to reuse, recycle, compost, or otherwise divert commercial solid waste from disposal:
- a) Source separate recyclable and/or compostable material from solid waste and donate or self-haul the material to recycling facilities.
  - b) Subscribe to a recycling service with their waste hauler.
  - c) Provide recycling service to their tenants (if commercial or multi-family complex).
  - d) Demonstrate compliance with the requirements of California Code of Regulations Title 14.

For more information please visit:

[www.rivcowm.org/opencms/recycling/recycling\\_and\\_compost\\_business.html#mandatory](http://www.rivcowm.org/opencms/recycling/recycling_and_compost_business.html#mandatory)

203. **AB 1826.** AB 1826 (effective April 1, 2016) requires businesses that generate eight (8) cubic yards or more of organic waste per week to arrange for organic waste recycling services. The threshold amount of organic waste generated requiring compliance by businesses is reduced in subsequent years. Businesses subject to AB 1826 shall take at least one of the following actions in order to divert organic waste from disposal:

Source separate organic material from all other recyclables and donate or self-haul to a permitted organic waste processing facility.

Enter into a contract or work agreement with gardening or landscaping service provider or refuse hauler to ensure the waste generated from those services meet the requirements of AB 1826.

Consider xeriscaping and using drought tolerant/low maintenance vegetation in all landscaped areas of the project.

As of January 1, 2019, the above requirements are now applicable to businesses that generate four (4) or more cubic yards of solid waste per week and one (1) or more cubic yards of organic waste per week. Additionally, as of January 1, 2019, a third trash bin is now required for organics recycling, which will require a larger trash enclosure to accommodate three (3) trash bins. This development is subject to this requirement.

204. **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.

205. **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 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 can be made through the franchise hauler.

206. **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 PW Director / City Engineer.

207. **Fees and Deposits** – Prior to approval of final maps, grading plans, improvement plans, issuance of building permits, 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 Road and Bridge Benefit District (RBBB) Fee. 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.
208. **Road Bridge Benefit District** –The city is in the process of creating a Road and Bridge Benefit District in the Area. The applicant shall pay the RBBB fees based on the designated land use and areas, prior to the issuance of a building permit, or enter into an RBBB credit Agreement with the City for qualifying improvements. 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. If the owner / developer constructs RBBB eligible improvements through another project that exceed its RBBB obligation, those credits, at the approval of the Public Works Director / City Engineer, could be applied to other projects that the owner / developer is constructing via agreement.
209. **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 (building permit or certificate of occupancy) issuance, pursuant to adopted City Ordinance governing the TUMF program, unless otherwise stated where a three party agreement is executed between WRCOG, the City of Menifee, and the developer / property owner precluding property owner from paying TUMF Fees.
210. **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. The developer acknowledges that if the estimated cost for required MDP / ADP facilities exceeds the required ADP fees and the developer wishes to receive credit for reimbursement in excess of his fees, the facilities will be constructed as a public works contract.
211. **Fees and Deposits** – Prior to approval of final maps, grading plans, improvement plans, issuance of building permits, 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), any applicable Traffic Signal Mitigation Fees, Development Impact Fees (DIF), and any applicable Road and Bridge Benefit District (RBBB) Fee. 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 IV:**

# **Building and Safety Division Conditions of Approval**

## General Requirements

212. 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.
213. Compliance with Code. All Design components shall comply with applicable provisions of the 2022 edition of the California Building, Plumbing and Mechanical Codes; 2022 California Electrical Code; California Administrative Code, 2022 California Energy Codes, 2022 California Green Building Standards, and City of Menifee Municipal Code, 2022 California Fire Code.
214. ADA Access. Applicant shall provide details of all applicable disabled access provisions and building setbacks on plans to include:
- a. Disabled access from the public way to the main entrance of the building.
  - b. Van accessible parking located as close as possible to the main entrance of the building.
  - c. Accessible path of travel from parking to the furthest point of improvement.
  - d. Path of accessibility from parking to furthest point of improvement.
  - e. Accessible path of travel from public right of way to all public areas on site, such as enclosures, clubhouses and picnic areas.
215. California Green Building Code Requirements.
- a. The plans shall clearly indicate the location and total amount of Clean Air Vehicle (CAV) parking stalls as required.
  - b. The plans shall clearly indicate the location and total amount of future electric vehicle (EV) parking stalls within the site.
  - c. The plans shall clearly indicate the location and total amount of future medium and heavy-duty electric (EV) parking stalls within the site. The requirement is applicable to warehousing with off-street loading.
216. 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.
217. 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.
218. Obtain Approvals Prior to Construction. Applicant must obtain all building plans and permit approvals prior to commencement of any construction work.

219. 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.
220. 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.
221. Demolition. (If applicable) Demolition permits require separate approvals and permits. AQMD notification and approval may be required.
222. 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.
223. 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**

224. Submitting Plans and Calculations. Applicant must submit to Building & Safety one (1) complete set of each document listed below for electronic submittals to include complete sets of plans, supporting documents, calculations for review including:

**All digital plans shall be submitted with a minimum 24" x 36" 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 square feet and use/occupancy as R-3, Building code data: 2022 California Model Codes as based on the 2021 IRC, 2021 UMC and UPC, 2020 NEC, 2021 IFC and the 2022 California Energy 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**

- i. North Arrow
- j. Property Lines/Easements
- k. Street/Alleys
- l. 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**

- 225. All associated Building Fees to be paid.
- 226. Each Department is **required** to Approve, with a signature.

### **Prior to Certificate of Occupancy**

- 227. Each department is required to Review and Approve with a signature once ALL Conditions of Approval have been Met/Approved.

### **Prior to Final Inspection**

- 228. 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 V:**

### **Office of the Fire Marshal Conditions of Approval**



229. 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.
230. 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.
231. AUTO GATES- Gates shall be automatic minimum 24 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.
232. 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.
233. 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 120 feet in length.
234. SECONDARY ACCCESS- In the interest of Public Safety, the project shall provide an Alternate or Secondary Access(s). Said Alternate or Secondary Access(s) shall have concurrence and approval of both the Transportation Department and the Riverside County Fire Department.
235. 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 8,000 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 (without reduction). A minimum number of 8 or more (e) 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.
236. LOOP SYSTEM REQUIRED- 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 200 feet between fire hydrants and in no case shall fire hydrants be further than 120 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.

- 237. ADDRESS AT SITE - The site address shall be clearly posted at the job site entrance during construction. This will enable incoming emergency equipment and inspectors to locate the job site from the assigned street. Numbers shall be a minimum of 24 inches in height.
- 238. 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.
- 239. 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.
- 240. 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.
- 241. NUMBER OF DOORS REQUIRED- Not less than one door shall be provided in each 100 linear feet, or fraction thereof, of the exterior walls that face required fire apparatus access roads. The required access doors shall be distributed such that the lineal distance between adjacent access doors does not exceed 100 feet.
- 242. SMOKE AND HEAT REMOVAL- Where smoke and heat removal is required by Table 3206.2 it shall be in accordance with Section 910.
- 243. 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.

**Section VI:**

**Other Agency Conditions of  
Approval**



County of Riverside  
**DEPARTMENT OF ENVIRONMENTAL HEALTH**

P.O. BOX 7909 • RIVERSIDE, CA 92513-7909  
JEFF JOHNSON, DIRECTOR

November 16, 2023

City of Menifee  
Planning Department  
Attn: Brett Hamilton  
29714 Haun Road  
Menifee, CA 92586

**SUBJECT: CITY OF MENIFEE – PLANNING APPLICATION  
DEV2022-014, Plot Plan PLN22-0115, Tentative Parcel Map PLN22-0114 –  
Dawson & Antelope Warehouse**

Dear Mr. Hamilton:

The project listed in the subject heading of this letter is proposing the development of the following:

**DEV2022-014, Plot Plan PLN22-0115, Tentative Parcel Map PLN22** - proposes to consolidate eight parcels into one parcel with the plot plan proposing to construct one (1) concrete tilt-up building totaling 1,139,478 square feet (sq. ft.) which includes 10,000 sq. ft. of office, 935,840 square feet of warehouse and 200,000 square feet of mezzanine warehouse on an approximately 44 net-acre project site. The building proposes a structural height of approximately 50 feet and includes 608 automobile parking spaces, 293 truck trailer parking spaces, and 128 dock doors. The building is speculative in nature.

The project site is approximately 46.33 gross acres (43.94 net acres) and is generally located west of Antelope Road, east of Dawson Road, north of McLaughlin Road, and south of Ethanac Road. The site covers 8 parcels (APN 331-150-036, 037, 039, 040, 041, 042, 044 & 045).

In accordance with the agreement between the County of Riverside, Department of Environmental Health (DEH) and the City of Menifee, DEH offers the following comments/recommendations:

**POTABLE WATER AND SANITARY SEWER SERVICE:**

A “General Condition” shall be placed on the project indicating that the subject property is proposing to continue 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 sewer service for the entire project from EMWD (ex: First Release Letter).

Prior to building permit final, applicant must provide documentation that verifies actual service from EMWD (ex: Final Release Letter).

**REMOVAL/DESTRUCTION OF ANY EXISTING OWTS AND WELLS:**

If any existing wells and/or existing onsite wastewater treatment systems (OWTS) are discovered, they shall be properly removed and/or destroyed under permit with DEH.

**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.

**LOCAL ENFORCEMENT AGENCY**

Ensure the appropriate size and number of refuse/recycle bins are provided at this site, in accordance with SB1383 and that an approved Solid Waste Hauler purveyor is utilized. For additional information please contact our Local Enforcement Agency (LEA) at (951) 955-8980.

Sincerely,

A handwritten signature in blue ink, appearing to read 'A. Lopez', is positioned above the typed name.

Alberto Lopez, MEA, REHS  
Supervising Environmental Health Specialist  
Riverside County Department of Environmental Health  
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.**

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Title (please print)



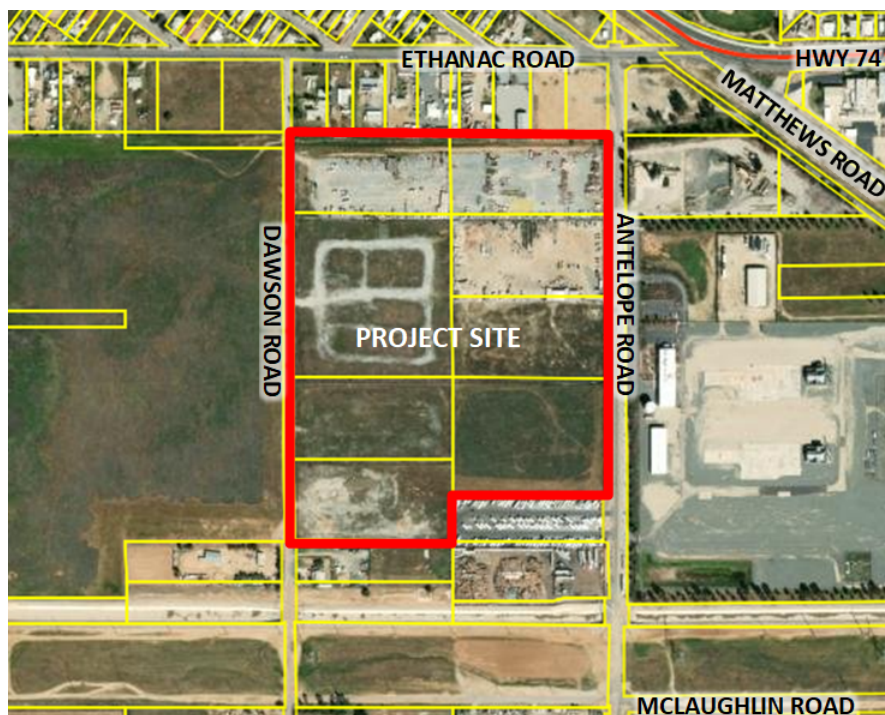
**NOTICE OF PUBLIC HEARING  
AND  
NOTICE OF AVAILABILITY OF A FINAL ENVIRONMENTAL IMPACT REPORT**

TIME OF HEARING: December 13, 2023  
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:** “Motte Business Center” – Tentative Parcel Map (TPM) No. 38432 (PLN22-0114) and Plot Plan No. PLN22-0115 – Environmental Impact Report (EIR) (State Clearinghouse Number #2022120083)

**Project Location:** The Project is generally located southeast of Interstate 215/Ethanac Road interchange in the City of Menifee, County of Riverside, State of California. The Project is generally bounded by a Riverside County Flood Control channel, Southern California Edison (SCE) utility corridor, and McLaughlin Road to the south; commercial, non-conforming residential uses and Ethanac Road to the north; Antelope Road to the east; and Dawson Road to the west. The Project consists of eight parcels (Assessor Parcel Numbers (APNs): 331-150-036, -037, -039, -040, -041, -042, -044, -045).



**The Planning Commission will consider whether to approve of the following project at a public hearing:**

**Tentative Parcel Map (TPM) No. 38432 (PLN22-0114)** proposes to combine eight parcels (APNs 331-150-036, 331-150-037, 331-150-039, 331-150-040, 331-150-041, 331-150-042, 331-150-044, 331-150-045) into one parcel for a total of 46.33 gross acres and 43.94 net-acres.

**Plot Plan (PP) No. PLN22-0115** proposes to construct one concrete tilt-up building totaling 1,138,638 square feet which includes 10,000 square feet of office, 928,638 square feet of ground floor warehouse and 200,000 square feet of mezzanine space on an approximately 43.94 net-acre project site. The building proposes a structural height of approximately 50 feet and includes 616 automobile parking spaces, 284 truck trailer parking spaces, and 128 dock doors. The project would include landscaping on the Project site and along the entire project frontage within the Dawson Road and Antelope Road rights-of-way.

**Environmental Information:** On September 29, 2023, 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 400 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 September 29, 2023, through November 13, 2023. Analysis presented in the Draft EIR indicated that 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, comments on the FEIR are not required to be responded to by the City. 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 comment, 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 Brett Hamilton, at (951) 723-3747 or e-mail [bhamilton@cityofmenifee.us](mailto:bhamilton@cityofmenifee.us).

CITY OF MENIFEE COMMUNITY DEVELOPMENT DEPARTMENT  
Attn: Brett Hamilton, Senior Planner  
29844 Haun Road  
Menifee, CA 92586